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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, SECOND SESSION

SENATE

WEDNESDAY, JANUARY 27, 1960

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, before ever our yearning needs have broken into speech we know that Thou hearest even the secret sigh of our fainting, yet aspiring heart.

Facing with undaunted faith the duties and tasks which press on all sides, send us forth, we pray, with a gentler tone, a sweeter charity of words, and a more healing touch for all the smart of this wounded world.

Give truth to our words, sincerity to our hearts, and courage to our deeds in these times which are testing as by fire the treasure of freedom entrusted to us.

So may we in our short span of service make patriotism beautiful by our fidelity to the highest. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 26, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. BIBLE, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

On request of Mr. DOUGLAS, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour, and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Arnold W. Langner, Sr., to be postmaster at Sheboygan Falls, Wis., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The Chief Clerk proceeded to read sundry nominations in the Department of State.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all those nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered en bloc; and, without objection, they are confirmed.

INTER-AMERICAN DEVELOPMENT BANK

The Chief Clerk read the nomination of Robert Cutler to be an Executive Director of the Inter-American Development Bank.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

INTERNATIONAL COOPERATION ADMINISTRATION

The Chief Clerk read the nomination of Dennis A. FitzGerald to be Deputy Director for Operations of the International Cooperation Administration in the Department of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ROUTINE DIPLOMATIC AND FOREIGN SERVICE NOMINATIONS

The Chief Clerk proceeded to read sundry nominations for routine diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT ON UPPER COLORADO RIVER BASIN WATER RESOURCES DEVELOPMENT PROGRAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Upper Colorado River Basin water resources development program, Bureau of Reclamation, Department of the Interior, fiscal years 1957–59 (with an accompanying report); to the Committee on Government Operations.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

REPORT OF NATIONAL MEDIATION BOARD

A letter from the Chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that

Board, including a report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two resolutions of the Legislature of the Territory of Guam; to the Committee on Interior and Insular Affairs:

"RESOLUTION 127

"Resolution relative to conveying the sincere appreciation of the people of Guam to the Honorable JOHN A. CARROLL, Senator from Colorado, Member of the Senate Interior and Insular Affairs Committee and the Senate Judiciary Committee, for introducing legislation advantageous to the territory of Guam and for undertaking other matters beneficial to the people of Guam

"Whereas the Honorable JOHN A. CARROLL, Senator from Colorado, member of the Senate Interior and Insular Affairs Committee and the Senate Judiciary Committee, has on June 2, 1959, in conjunction with the Honorable ALAN BIBLE, Senator from Nevada, introduced a bill (S. 2093) in the U.S. Senate to provide detention and other benefits to certain Guamanians killed or captured by the Japanese at Wake Island, pursuant to the War Claims Act of 1948; and

"Whereas in spite of the many duties and responsibilities of Senator CARROLL, he has always been ready to lend a helping hand to the people of Guam, as exampled by his reception of the Honorable A. B. Wan Pat, speaker of the Fifth Guam Legislature, and by his taking time to discuss the problems of Guam with the said speaker; and

"Whereas the Senator has consistently manifested his interest and understanding of the needs of the people of the territory of Guam, and the people of the territory of Guam recognize and appreciate his most helpful assistance: Now, therefore, be it

"Resolved, That the Fifth Guam Legislature does hereby, on behalf of the people of Guam, extend and express its sincere thanks to the Honorable JOHN A. CARROLL, Senator from Colorado, member of the Senate Interior and Insular Affairs Committee and the Senate Judiciary Committee, for sponsoring bill S. 2093 in the U.S. Senate and for his understanding and sympathetic approach to the other matters relating to the territory of Guam; and be it further

"Resolved, That the speaker certify to and the legislative secrecy attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable JOHN A. CARROLL, Senator from Colorado, member of the Senate Interior and Insular Affairs Committee and the Senate Judiciary Committee; to the Presiding Officer of the U.S. Senate, and to the Governor of Guam.

"A. B. WON PAT,
"Speaker.

"V. B. BAMBA,
"Legislative Secretary."

"RESOLUTION 155

"Resolution relative to commending the Honorable Marcellus Graeme Boss, Secretary of Guam, for the statesmanlike manner in which he has fulfilled his responsibilities and duties as such secretary and as Acting Governor of Guam

"Whereas since assuming the office of Secretary of Guam, on or about the 21st day of November 1957, the Honorable Marcellus Graeme Boss has shown, exemplified, and demonstrated an excellent grasp of the ills and problems of the people of the territory of Guam; and

"Whereas the said secretary of Guam during the absence of the Governor of Guam, demonstrated, illustrated, and manifested his excellent ability, leadership, and statesmanship in steering the helm of the government of Guam, and has proven his excellent qualities as an administrator and leader of men; and

"Whereas the said secretary of Guam, further, as evidenced by the attitude and feelings of the community, including the civic leaders, the business community, the everyday workingman, the legislature, the courts, and the various Federal agencies and instrumentalities within the territory of Guam, toward him, has conspicuously portrayed his ability to gain and acquire the undying respect and admiration of the whole community, for his sincerity, and competence in fulfilling and discharging the various complicated matters referred to him; and

"Whereas such talent and competence should and must be recognized and commended by the entire community of the territory of Guam: Now, therefore, be it

"Resolved, That the Fifth Guam Legislature duly convened, on behalf of the people of Guam, does hereby commend, applaud, and approbate the Honorable Marcellus Graeme Boss, secretary of Guam, government of Guam, for his sincere efforts in resolving and understanding the desires and wishes of the people of the territory of Guam, and for his true statesmanship in fulfilling and discharging the duties and responsibilities of his office; and be it further

"Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable Marcellus Graeme Boss, secretary of Guam, government of Guam, to the President of the United States, to the Secretary of the Interior, to the Presiding Officer of the U.S. Senate, to the Speaker of the House of Representatives, and to the Governor of Guam."

A resolution adopted by the Council of the City and County of Honolulu, Hawaii, protesting against the plan of Russia to establish and use an impact area in the central Pacific Ocean for the testing of rockets and missiles; to the Committee on Foreign Relations.

A resolution adopted by Local 338, National Federation of Post Office Clerks, at Spokane, Wash., relating to the abundance of administrative work programs being introduced into post offices; to the Committee on Post Office and Civil Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself, Mr. KENNEDY, Mr. HUMPHREY, Mr. MCCARTHY, Mr. SYMINGTON, Mr. YOUNG of North Dakota, Mr. MORSE, Mr. MUNDT, Mr. AIKEN, Mr. CARLSON, Mr. MAGNUSON, Mr. JACKSON, Mr. PROUTY, and Mr. WILEY):

S. 2917. A bill to establish a price support level for milk and butterfat; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 2918. A bill for the relief of Boris Priestley; to the Committee on the Judiciary.

By Mr. LONG of Hawaii (for himself and Mr. FONG):

S. 2919. A bill to provide that the Secretary of the Smithsonian Institution shall study and investigate the desirability and feasibility of establishing and maintaining a national tropical botanic garden; to the Committee on Public Works.

By Mr. HART:

S. 2920. A bill to provide for the establishment of experimental food stamp allotment programs; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 2921. A bill for the relief of Bessie Rowley; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. SCOTT):

S. 2922. A bill to provide for the disposition of the Fort Mifflin Naval Ammunition Depot, Philadelphia, Pa.; to the Committee on Armed Services.

By Mr. JACKSON:

S. 2923. A bill for the relief of Ki Su (Theresa) Moun; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 2924. A bill to amend the provisions of the Sugar Act of 1948, as amended; to the Committee on Finance.

By Mr. ELLENDER:

S. 2925. A bill for the relief of Frank Kramaro and Katica Marinovich Kramaro; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2926. A bill for the relief of Halina J. Adamska; and

S. 2927. A bill for the relief of Cristina Franco; to the Committee on the Judiciary.

S. 2928. A bill to amend title V of the Housing Act of 1949 to provide financial assistance for the provision of housing and related facilities for migratory farm labor; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

PRICE SUPPORTS FOR DAIRY PRODUCTS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to provide a very moderate increase in the price-support level for dairy products. I am joined in sponsoring this bill by Senators KENNEDY, HUMPHREY, MCCARTHY, SYMINGTON, YOUNG of North Dakota, MUNDT, MORSE, AIKEN, CARLSON, MAGNUSON, JACKSON, PROUTY, and WILEY.

Mr. President, I ask unanimous consent that the bill may lie on the table until Friday, so that additional cosponsors may add their names if they wish.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table until Friday.

The bill (S. 2917) to establish a price-support level for milk and butterfat, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. PROXMIRE. Mr. President, the enactment of this bill will cost the Government very little. It will greatly increase the seriously depressed income of dairy farmers throughout the Nation. It will do so in a sound and responsible way.

The bill would provide an increase in the price-support level from $3.06 per hundredweight for manufacturing milk to $3.22, and from 56.6 cents per pound for butterfat to 59.6 cents. These price supports would still not exceed the market price.

This bill merits the thoughtful consideration of the Senate for these reasons:

First. After 7 years of a grinding squeeze between falling prices for his milk and rising costs, the dairy farmer has at last worked off the surplus. Not 1 pound of butter and only tiny quantities of cheese, dried milk, or any other dairy product remain in storage today in the warehouses of the Commodity Credit Corporation.

Second. The prices received by farmers for their milk have dropped almost 25 percent in the past 8 years. At the same time the dairy farmer has suffered a very sharp rise both in cost of living and all the costs of operating his farm.

Third. The sheer economic injustice of the dairy farmer's position is shown in the statistics published by the Department of Agriculture, which show that in America's dairyland, Wisconsin, the average farmer—allowing a 4-percent return on his invested capital—earns less than 60 cents per hour, including the value of food produced and consumed on the farm. At the same time the true cost to the average consumer in terms of the amount of time he must work at his job to earn enough to buy a quart of milk has continued to fall. In 1914 it took the average worker 22.9 minutes to earn the price of a quart of milk. By 1929 it took him 15.3 minutes. In 1947 it took him 9½ minutes. By 1959 the typical worker, earning a countrywide average wage, could buy a quart of milk with the proceeds from 6.8 minutes of work.

Fourth. This bill is a modest proposal. The economic condition of the dairy industry would justify a much higher support level. In 1953, when conditions facing dairy farmers were similar, the Department of Agriculture, under the identical law in effect today, established a support price which was 68 cents per hundredweight higher than the present level.

Fifth. Under the proposed legislation if purchases stay at about the same level, the cost to the Commodity Credit Corporation would be an additional $15 million. But dairy farmers would benefit by an additional $179 million in receipts.

DEMONSTRATION FOOD STAMP ALLOTMENT PROGRAMS

Mr. HART. Mr. President, last year, in connection with the passage of the extension of Public Law 480, the Senate adopted a food stamp demonstration program.

This measure, which would have directed the Secretary of Agriculture to establish up to six demonstration programs in different parts of the United States, was dropped by the conference committee in favor of a broader authorization permitting the Secretary of Agriculture to establish a food stamp program at his discretion. This provision became law, and the Secretary on September 11, 1959, at his press conference, said, "The food stamp plan is a depression program. There is no need for it now. There is no depression. The economy is running near full capacity."

The bill I introduce today is the same program the Senate Agriculture Committee reported last year, and which passed the Senate. It would direct the Secretary to undertake not less than three nor more than six food stamp demonstration programs. These would be in rural and urban areas where there is substantial labor surplus. The bill would authorize the expenditure of $20 million for this project and require the Secretary to complete the demonstration programs and report back to Congress by January 1, 1963.

The desirability of finding better methods of distributing our surplus commodities and abundant food supplies to those in need was demonstrated in the hearings of the Agriculture Committee last year. Food industry representatives and city officials of Detroit recommended and offered to participate in such a demonstration program. I am confident that there are other areas of substantial labor surplus, such as in eastern Kentucky and West Virginia, where demonstration programs could be undertaken.

We need to know how best to administer and operate a food stamp program. The usefulness of such programs has been debated for many years. Let us see if it will work. Just as we have need for agricultural research programs designed to make our land more productive, and find new industrial uses for agricultural products, and new marketing methods, we also have pressing need for finding new ways of making our abundant food supplies available in selected areas of economic depression, disaster areas, to the needy of our cities, and in the event of nationwide emergencies. It would be my belief that the usefulness of food stamp programs in accomplishing these objectives could well be established by the enactment of this bill.

I ask unanimous consent that the bill lie on the table until the end of business on Tuesday, February 2, for those who may wish to join with me, and I also ask that the text of the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed and will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 2920) to provide for the establishment of experimental food stamp allotment programs, introduced by Mr. HART, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Stamp Act of 1959".

TITLE I—DEMONSTRATION FOOD STAMP ALLOTMENT PROGRAMS

Definitions

SEC. 101. As used in this act—

(a) The term "food commodity" means any food product raised or produced in the United States on farms, including agricultural, horticultural, and dairy products, livestock, poultry, and honey.

(b) The term "State" includes the District of Columbia, Puerto Rico, and the Virgin Islands.

(c) The term "Secretary" means the Secretary of Agriculture.

(d) The term "food stamp" means a certificate, coupon, or other similar medium of exchange issued to eligible recipients.

Demonstration programs authorized

SEC. 102. (a) The Secretary is authorized and directed, as soon as practicable after the date of enactment of this Act, to formulate and administer in geographically dispersed areas of the United States demonstration food stamp allotment programs under which food commodities will be made available to persons with low incomes, unemployed persons, and such other persons as the Secretary determines to be in need of the type of assistance made available under such programs.

(b) Demonstration food stamp allotment programs authorized by subsection (a) shall be administered by the Secretary in not less than three nor more than six different areas of the United States, and shall, to the extent practicable, be administered in areas determined by the Secretary of Labor to be areas of surplus labor. In carrying out the provisions of this section the Secretary shall provide for at least one such program in a rural area of the United States.

Types of demonstration programs

SEC. 103. (a) The Secretary shall, with respect to the demonstration food stamp allotment program to be administered in any area, determine the type of program it is to be, the requirements of eligibility for participation therein, and the manner in which it is to be administered.

(b) In formulating and administering any demonstration food stamp allotment program pursuant to the provisions of this title the Secretary is authorized to consult and cooperate with appropriate State and local authorities as well as representatives of any private industry concerned with the operation of such program.

(c) The Secretary is authorized and directed in carrying out the provisions of this title to utilize such stocks of the Commodity Credit Corporation (determined by the Secretary to be in surplus supply) as he shall deem fit.

Rules and regulations

SEC. 104. The Secretary is authorized to promulgate such rules and regulations as he deems necessary to effectuate the provisions of this title.

Termination of programs—Report to Congress

SEC. 105. (a) The demonstration food stamp allotment programs authorized by this title shall terminate prior to January 1, 1963.

(b) The Secretary shall, as soon as practicable after the termination of such programs, submit to the Congress a final report on the operation of such programs, including such recommendation as he deems appropriate. The Secretary may also from time to time make such earlier reports to the Congress as he deems appropriate.

Appropriations

SEC. 106. There is hereby authorized to be appropriated $20 million for carrying out the demonstration food stamp allotment programs.

Maintenance of other assistance

SEC. 107. Receipt by any person of benefits under this title shall not be deemed to be income or resources under the provisions of the Social Security Act or any other Federal legislation pertaining to the security of the aged, blind, disabled, dependent children, unemployed, or other similar groups. Any State or local subdivision thereof which decreases the cash or other assistance extended

to any person or group as a consequence of the assistance made available under this title shall be ineligible for further participation under this title.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Statement prepared by him relating to the Geneva test ban negotiations.

ATTORNEY GENERAL'S PROPOSAL TO USE "REFEREES" IN SO-CALLED CIVIL RIGHTS VOTING CASES

Mr. STENNIS. Mr. President, the proposal of the Attorney General to authorize use of "referees" in so-called civil rights voting cases requires careful study and attention.

In his accompanying statement, the Attorney General says his plan will avoid many of the serious and practical problems connected with Federal registrars.

The Federal registrar proposal was a transparent attempt by the Civil Rights Commission to perpetuate itself and to change the nature of its work from that of an advisory group to an investigative and enforcement unit. It sought to supplant the FBI in civil rights cases, to remove voting cases from the courts, and vest judicial power in reluctant postmasters or other Federal officials not prepared either by training or conviction to assume new, political duties. There was no provision for judicial review.

The President expressed doubt of the constitutionality of this proposal, and the Attorney General refers to the "extended and severe legal challenge" such a law would encounter.

Although the Attorney General's proposal adheres to the formal requirements of judicial proceedings, I believe any legislation on this subject is unwise, unnecessary, and probably unconstitutional.

Americans everywhere should be alerted to the danger of this ruse to establish a Federal beachhead in every State and local election under the guise of a so-called "civil rights" bill. When State and local governments, organized political party organizations are shoved aside by Federal force, military, executive, or judicial, the people lose all chance of real control of their government. The corruption and anarchy of the Reconstruction era should serve as grim reminders of the effect of this Federal control. I do not think that Congress would willingly be a party to such a scheme.

THE MISUSE OF INTELLIGENCE INFORMATION

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may speak for 5 minutes in addition to the time permitted by the usual order.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

Mr. SYMINGTON. Mr. President, the American people are being enticed down the trail of insecurity by the issuance of misinformation about our deterrent power; and specifically about the missile gap.

The intelligence books have been juggled so the budget books may be balanced.

This is a serious accusation, which I make with all gravity.

I realize fully that my statements on this vital matter may be labeled as politically motivated by those who prefer to conceal the facts; and by others who do not know the facts.

I choose to face that risk. It is an insignificant risk indeed compared with the unwarranted risk which this policy of misinformation has brought down upon our country.

It is well known that this has been a matter of great concern to me for years, and that I have made every effort to get the facts and to analyze them objectively.

Occasionally, after the administration's inaccuracies have been clearly and publicly labeled as such, top officials have modified their previous statements, such as occurred in the case of Secretary McElroy's admission last year about the 3-to-1 missile gap.

Mostly, however, the administration has served up reassurances and complacency; and most recently, when the existence of a serious missile gap was being generally accepted, the administration proceeded to change the ground rules for evaluating the facts.

A few events over the past 18 months are pertinent.

In late July 1958, the Director of the Central Intelligence Agency briefed me on the intelligence community's estimate of the Soviet missile capability. This analysis showed a substantial, and growing, missile gap. Based upon all the facts available to me, however, I considered that the Director had underrated the Soviet missile development.

Accordingly, on August 6, 1958, I visited with him again, and pointed out in some detail my reasons for believing that the Soviet long-range missile development was greater than he had estimated.

A few days later, on August 8, 1958, Mr. Dulles briefed the Senate. At that time he reported figures on Soviet missile development which were the same as those I had questioned on the two previous occasions.

On August 29, 1958, therefore, I requested an appointment with the President, in order to present to him my apprehension about the planned missile gap. At that time I undertook to explain why I believed the Soviet figures as presented by Mr. Dulles were underestimated, and left with the President a long letter giving the details.

Later the White House wrote suggesting that I present this analysis to Secretary McElroy; and also to Mr. Dulles.

These followup conferences were held, but the estimates as presented by Mr. Dulles were not changed; in fact, a few weeks later, December 1958, just prior to the administration's presentation of the fiscal year 1960 budget, the estimates of Soviet ICBM capability heretofore affirmed and reaffirmed by Mr. Dulles were further adjusted downward.

This downgrading of Soviet capability at that time concerned me for several reasons: first, because it appeared probable that our deterrent posture was being weakened by the misuse of intelligence data, and, second, because the people were not being told the facts.

On January 12, 1959, the Vice President was reported as having told a press group that the United States was rapidly closing the missile gap. Immediately after this fantastic report, I told the Senate that any assertion the missile gap was being closed was inaccurate, and announced that if the administration did not publish the truth, I would reveal the projected Soviet-U.S. missile situation in percentages.

In all fairness, it should be noted that thereafter Secretary McElroy did admit to the press that the ICBM gap could well become a 3-to-1 ratio in favor of the Soviets.

On the basis of the facts available to me, I believed that Secretary McElroy's 3-to-1 ratio greatly understated the case. However, I also hoped that admission of such a planned weakness would immediately prompt a revision of our program and would cause a substitution of urgency for the existing complacency.

But no such anticipated change in our ICBM efforts resulted. Rather, the administration took another approach, namely, that of further downgrading the Soviet missile posture.

On January 13, 1960, before the House Appropriations Committee, and again on January 19 before the Senate Armed Services Committee, the new Secretary of Defense informed the Congress and the people that they were using new ground rules for interpreting intelligence data regarding Soviet ICBM's.

The new policy is to compare Soviet intent in the ICBM field as against our ICBM schedules. Prior to this, the comparison had been based upon Soviet capability in the ICBM field as against our ICBM schedules.

This amazing change to intent from capability in the method of using intelligence data enabled the administration further to cut down substantially the estimate of Soviet ICBM production.

At this point it is meaningful to compare the statement of Secretary Gates this year with the statement of Secretary McElroy 12 months ago.

On January 21, 1959, and again on January 29, 1959, Secretary McElroy testified to the Senate committee as follows:

> I think it would be very dangerous if we did not proceed on this basis * * *. I think that it should be understood that from the standpoint of the Department of Defense, we are assuming, as I think we should assume, that they—meaning the opponent—will have these numbers in being at the times when the national intelligence estimates say that they could have it.

On January 13, 1960, and again on January 19, 1960, Secretary Gates revealed a radical change in policy from

that announced by his predecessor. The following quotation is from Secretary Gates' testimony before the House committee on January 13:

Heretofore, we have been giving you intelligence figures that dealt with the theoretical Soviet capability. This is the first time that we have had an intelligence estimate that says, "This is what the Soviet Union probably will do." Therefore, the great divergence, based on figures that have been testified to in years past, narrows because we talked before about a different set of comparisons—ones that were based on Soviet capabilities. This present one is an intelligence estimate on what we believe he probably will do, not what he is capable of doing.

The basic concept has been changed. The fundamental basis of prior evaluation was capability. Now suddenly it has become intent.

Through this process, the administration has given the people the impression that the missile deterrent gap has been sharply reduced and possibly eliminated. In fact, able and responsible reporters have been given such impression, as is evidenced by the many news columns that have been written in an optimistic vein about what has suddenly been discovered about our relative ICBM program.

In other words, without accelerating our ICBM program, the impression has been given that the submitted 3-to-1 gap no longer exists.

On the January 24, 1960, "Face the Nation" telecast, Secretary of the Air Force Sharp was asked, "Is there going to be any period during 1960, or 1961, or 1962, or 1963 when Russia will have more missiles than we have, which are ready to go, and that a missile gap will, in fact, exist?" Secretary Sharp replied, "I think it is doubtful, but they might."

A year ago Secretary of Defense McElroy announced a 3-to-1 missile gap. Under the new theory, the Secretary of the Air Force thinks there may be no gap at all.

From a budgetary point of view, of course, this shift in policy is less expensive than would be a decision to accelerate our own ICBM program.

Without going into the classified specifics, I believe it is important for the American people to know that this manipulation of data as to quantity was also accompanied by an effort to downgrade the Soviet missiles as to quality—the recent impressive Soviet missile test in the Pacific notwithstanding.

In his state of the Union message of January 7, 1960, the President said:

Our military missile programs * * * do not suffer from any present lack of very large rocket engines. * * * The thrust of our present missiles is fully adequate for defense requirements.

Secretary of Defense Gates used almost the same words as the President in minimizing the significance of the large rockets used in the Soviet ICBM's.

Again, without revealing the specifics of classified testimony, it is important to bring out that the destructive payload attributed to Soviet ICBM's, as well as the range of such weapons, is far greater than in our missiles.

Surely the greater payload and the greater range of these Soviet weapons stems directly from the use of greater thrust rocket engines.

The facts are that a very substantial missile gap does exist, and the administration apparently is going to permit this gap to increase.

I made this statement in the past based upon the intelligence information then being used, and I make this statement again today, as it is still true—even when one uses the smaller Soviet figures derived from an analysis of their intent instead of their capability.

The truth is that if we compare the ready-to-launch missiles attributed to the Soviets on the new intelligence basis with the official readiness program for U.S. ICBM's, the ratio for a considerable length of time will be more than 3 to 1.

If one assumes, as I am sure we do assume, that the United States would not be the first to attack, then it is particularly appropriate to compare, on our side, only those ICBM's which there is a chance of our launching after we have received warning of an attack.

There will be those who will contend that this is just a comparison of our ICBM strength against their ICBM strength—and that is exactly what it is intended to be.

This does not include our IRBM's vis-a-vis their missiles of that category—although if it did, the Soviet advantage would be even greater.

Likewise, this comparison does not include the cruiser and submarine launched missiles which both Russia and the United States are expected to have. If it did include such types of missiles, however, it is not revealing classified data to state that more missiles would be added to the Soviet side of the comparison than to the U.S. side.

Therefore, I charge this administration with using intelligence information in such a manner that the American people have been given an inaccurate picture of what is necessary for our national defense.

I regret that it is necessary for me to make this serious charge.

But, because of the critical importance of this whole question to the security of the United States and the free world, I am certain that the American people have the right to know the truth.

THE TREASURY'S SHORT-TERM BORROWING COSTS

Mr. PROXMIRE. Mr. President, I invite the attention of my colleagues, especially those who argue very emphatically that the Congress should give up its one remaining control over interest rates, namely, the 4¼-percent limit on long-term Government bonds, to four news reports.

The first was published in the Wall Street Journal of yesterday. On page 1 we find the following:

The Treasury's short-term borrowing costs skidded to the lowest point in 3 months. Average yield on its latest issue of 13-week bills declined for the third straight week, dropping to 4.116 percent from 4.436 percent last week. Short-term investment funds normally grow more plentiful in January, reflecting the return flow of cash pulled out of banks during the Christmas season.

On page 4 of the Wall Street Journal there is a quotation from the Federal Housing Chief, Norman Mason, predicting that the coming months will bring—

A great increase in the availability of loanable funds. * * * This will result primarily because the Treasury, which was a heavy net borrower of funds in the money market in 1959, is expected to borrow less money in 1960 than it repays. Furthermore the rising incomes of families should generate greater savings. Not only will consumers be saving more but there will be larger repayments on the outstanding consumer debt, so that the net expansion of consumer debt should be smaller in 1960.

This morning's Wall Street Journal states, on page 1:

Interest rates were pared by several major sales finance companies on the commercial paper they issue and sell directly to investors. Reductions ranging from one-fourth to one-half percentage point were ascribed to recent declining tendencies in short-term borrowing costs, reflected in a drop in yields on Treasury bills to the lowest levels in nearly 3 months.

The New York Times of this morning carries the following headline on the financial page: "Bonds: Demand Rises Sharply for Short-Term Issues of Government." It is pointed out that there is only one issue of the Federal Government selling above 5 percent. I ask unanimous consent to have the article printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 27, 1960]

BONDS: DEMAND RISES SHARPLY FOR SHORT-TERM ISSUES OF GOVERNMENT—YIELDS PLUMMET FOR BILLS OF UNITED STATES—ONE-YEAR ISSUE ONLY ONE IN LIST RETURNING ABOVE 5 PERCENT—CORPORATES ADVANCE

(By Paul Heffernan)

Any pure uncertainty the market for U.S. Government securities may have had in the face of the Treasury's imminent refunding of $11,363 million of maturing debts came to an end yesterday.

Bids for short-dated Treasury securities of all kinds came into the market in emphatic fashion, both from the professional dealers and from investing institutions. As a consequence, there was a further material reduction in the yields on Treasury discount bills and other short-term investments.

The new note issues bearing 5, 4⅞, and 4¾ percent interest, which have been under pressure lately, rebounded in price sharply, the 5s of 1964 gaining six thirty-seconds to close the day at 100$^{21}/_{32}$ bid. The yield at this point is 4.78 percent. The 47⅞s of November 1963, got back to 100 bid, a gain of four thirty-seconds. The 4¾s of May 1964 gained six thirty-seconds to close at 99$^{28}/_{32}$ bid, a yield of 4.75 percent.

There was a big demand for the maturing 3¾s because of their right to be converted into whatever refunding issues the Treasury might designate on Thursday.

Yesterday the bid price rose to 100$^{3}/_{32}$, a gain of $^{3}/_{64}$ on the day.

RIGHTS VALUE NOTED

The bids for this issue reflect a growing demand for subscription rights to take part in the refunding. The money market yield of the 3¾s at last night's close was 1.17 percent, compared with a return of 3.4 percent obtainable from discount bills maturing about the same time.

Should the 5 percent note issue due in August 1964 be reopened for subscription

by holders of the maturing 3¾s, buyers of the certificates due Feburary 15 would, by the exchange, realize a yield of about 4.97 percent. The only other way to obtain the new issue would be to bid in the market when the dealers commence when-issued trading next month.

Continued demand for discount bills by nonfinancial corporations drove the yields on such investments down sharply all along the line. The 91-day issue due April 21 closed at discount rates of 4.04 percent bid and 3.94 percent asked, equal to a yield of 4.04 percent to buyers. This represented an improvement of thirteen one-hundredths of 1 percentage point from Monday's close.

The yield to buyers of the new 1-year bills due January 15, 1961, shrank from 5.18 to 5.1 percent. This is the only Treasury debt issue that returns more than 5 percent at present. The discount bid for the 182-day issue due July 21 improved ten one-hundredths of 1 percentage point from 4.62 to 4.52 percent. The yield at this level is 4.59 percent.

All indications yesterday pointed to oversubscription of the offering of $100 million of 12-year noncallable 5⅛-percent debentures by the Federal National Mortgage Association (Fannie Mae) at 99⅝ to yield 5.17 percent. Trading in the issue will begin today.

CORPORATES ADVANCE

The over-the-counter market for investment grade corporate bonds was stimulated by the pricing of the new issue of $30 million of Southern California Edison Co. mortgage bonds at a yield of 4.92 percent. A large part of the issue was reported spoken for.

Prime corporate bonds in market supply, such as the American Telephone & Telegraph 5⅜s, were up from one-eighth to one-fourth point on the day. The telephone bonds closed at 103¾ bid, 104⅛ asked. A price of 104¼ was bid at the close for the new Consolidated Edison 5¼s. This is a gain of about one-fourth.

First trading took place yesterday in the new 6-percent convertible debentures of the Home Oil Co. The issue sold at a high of 107¼ with 106 bid at the close.

Prices of local government bonds were generally steady in quiet trading. The balance of the Minneapolis-St. Paul Airport syndicate account was estimated at $5,120,000.

The 4½-percent bonds of the Republic of Cuba sold at 73, a new low, in trading on the New York Stock Exchange.

Mr. PROXMIRE. To me this means that interest rates will only rise now if the Federal Reserve Board deliberately and artificially tightens money to create a scarcity that will drive up interest rates. As Housing Administrator Mason indicates so clearly, all the market forces are tending to make funds more plentiful in relation to demand for money and to bring about a situation in which interest rates should fall and not rise. For this reason, it seems to me it would be unnecessary as well as very unwise for the Senate to remove the one control we have over interest rates; namely, the 4¼-percent limit, unless the Federal Reserve Board itself forces the interest rate up against the present natural tendency for interest to fall.

Mr. President——

The PRESIDENT pro tempore. The Senator from Wisconsin.

FIRST THINGS FIRST—WASHINGTON, D.C.'S, SCHOOL SUPERINTENDENT CARL HANSEN

Mr. PROXMIRE. Mr. President, the current Time magazine pays a richly earned tribute to a man who handles one of the toughest education jobs in this country, and handles it brilliantly.

I doubt if there is a city in America which has a more difficult school program than Washington, D.C. But Supt. Carl Hansen has not only been able to stay on top of it; he has somehow managed to build in this city a national model.

Mr. President, as a former member of the District of Columbia Committee, I had a chance to question Superintendent Hansen on several occasions. I was deeply impressed with his remarkably fine qualities of mind and character.

I ask unanimous consent that the article from Time magazine be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIRST THINGS FIRST

Few U.S. school superintendents have a tougher job—or a better record—than Carl Francis Hansen, 54, who heads the public schools of Washington, D.C. Like most big cities, Washington suffers all of urban public education's growing ills: crowded classrooms, underpaid teachers, juvenile delinquency. But Superintendent Hansen has extra trouble. In Dixie-oriented Washington, massive integration sparked a continuing exodus of white pupils to private schools and the suburbs; 76.7 percent of the city's 118,244 students are now Negro, up 20 percent since 1953.

While grappling with this legacy, Hansen has found time to launch an astonishing campaign to raise academic standards. In the 2 years since he took over as superintendent, Hansen's hard-hitting emphasis on basic education (order and logic) along with classroom discipline (firmness with love) has begun turning the wreck of Washington schools into a model that less beleaguered cities may envy. If in theory the Nation's Capital ought to be an educational showcase, Carl Hansen seems determined to make it so in reality.

FOUR TRACKS TO EXCELLENCE

Last week Hansen was discussing a budget for next year that, if approved by Congress, will raise the District of Columbia's school bill by 16 percent. His main aim: a hefty pay boost for teachers (from $7,300 maximum to $9,100), frankly aimed at attracting better teachers. Those who join him will find plenty to work with.

The key is a four-track system that Hansen, then assistant superintendent, sold to Washington's Board of Education in 1956. On the basis of ability and motivation, all students are divided into four groups. At the top are 3,000 gifted students (IQ's above 120), navigating a tough honors track from third grade on (about 20 percent are Negroes). At the bottom are slow learners who need special remedial attention. In the middle are two tracks, embracing those of college ability and those who expect only to finish high school. Each student gets the kind of challenge and help he needs, and tracking upward is encouraged.

The four-track scheme has paid off. Despite the steady loss of better prepared white students, College Entrance Examination Board scores have risen each year since 1956 by more than the national average. On three national high school achievement tests, Washington students have raised their position relative to the rest of the United States by 14 percentile points. Hansen is still not satisfied. Beginning this year, honor students must take 16½ required annual units of work to graduate, including 4 years of foreign language, 3 of math, 3 of science. Next year, the high school day will be lengthened by a full period for all students.

THE BASIC ONES

A stiff-collared man of headmasterly mien, Carl Hansen was born in Wolbach, Nebr. (population 442), graduated from the University of Nebraska, got his doctorate at the University of Southern California. As an English teacher (and later principal) at Omaha's Technical High School, he developed a three-level English curriculum, forerunner of his four-track system. Long before going to Washington in 1947, he had hammered out a tough-minded notion of priorities: "Out of the unbelievable range and variety of human activities and experiences, only a limited number of basic ones can be selected for teaching in the classroom."

Among those basic ones now available to Washington students are Russian courses in 3 of the District's 10 high schools and a sweeping program of French and Spanish for 1,900 third-graders in 49 elementary schools. But English remains Hansen's favorite basic, and better writing is one of his priorities: "It seems to me more important for us to know the structure of language than to know how a spark plug works in an automobile."

Compared with most U.S. public school systems, Hansen's English composition program is downright revolutionary. Theme writing starts as early as the second grade, and students in the two top high school tracks are required to write 24 themes a year. To help in the time-consuming grading job (chief obstacle in other cities), Hansen has arranged with Washington's militant PTA for 20 college women "lay readers." To Hansen, it is only a small beginning. By whatever pulling and prodding is necessary, stubborn Superintendent Hansen aims to give Washington's children a real education. Says he: "Too often I am sure, we expect less of students than they are capable of doing."

THE UNDERLYING ISSUE IN MIXING RACES IN PUBLIC SCHOOLS

Mr. RUSSELL. Mr. President, Judge Jule W. Felton, chief judge of the Court of Appeals of Georgia, is among the large and distinguished body of jurists and scholars who have had the courage to assert publicly that the Supreme Court of the United States grievously violated the Constitution in the school integration decision of 1954.

The Augusta, Ga. Chronicle of January 19, 1960, carries an outstanding editorial dealing with Judge Felton's most recent analysis of this decision.

Mr. President, there is much food for thought in Judge Felton's remarks and in the Chronicle's timely comment thereon, and I ask unanimous consent to have the editorial printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE UNDERLYING ISSUE

Chief Judge Jule W. Felton, sustaining the position long held by the Chronicle, spelled out to members of the Augusta Kiwanis Club Monday the real issue involved in the current controversy over the mixing of races in public schools.

It is not a matter of race versus race but a matter of whether the Constitution of the United States is a durable contract between the people of this Nation and the Federal Government, as it was intended to be.

"If the Supreme Court can change its mind every day or every week, then all you have left as law is what five men (a majority of the Court) have to say on any given day," the appellate court judge said. "You've de-

stroyed the principle of the written Constitution."

The Constitution, as Judge Felton said, either "intends" or it doesn't. As the only body which can construe that meaning, the Supreme Court must interpret the intention. The first time the meaning of any given provision of the document is questioned, the Court's initial decision becomes a part and parcel of the Constitution. Said Judge Felton: "No Supreme Court has any authority at a later time to reverse that interpretation."

He cited that by way of showing how in 1868, and again in 1927, the court ruled, then upheld, the principle of separate but equal educational facilities for children of different races. Whether the 1927 decision was right or wrong, he said, is not the point. It became law and must be upheld by the court. Only a Constitutional amendment, approved by the people, may alter the Constitution; it may not be done by a court, Felton added.

What many persons—especially those whose American heritage seems less firm than that of the majority of southerners—apparently ignore is that the Constitution is, as Judge Felton said, a written contract wherein the original sovereign States surrendered some of their sovereignty to the Central Government, maintaining to themselves all powers they did not choose to delegate. The Central Government had no power until conceded it by the States themselves. Thus, the States remained sovereign in all matters except those delegated, and control of education was one the States retained.

Therein lies the issue. Is the Constitution of the United States, as it pointedly declares, the "supreme law of the land," or is the Supreme Court, a creature of the government of the people, assuming a bigger right than the people themselves have? Judge Felton said it was his opinion that the framers of the Constitution did not intend that to be, and with that the Chronicle most certainly concurs.

Integration most assuredly is not inevitable, as Chairman James Peters of the State board of education seems to believe. Yet, it may come someday. The point, however, is that the South is not ready for it and must oppose it, not in an atmosphere of mistrust and ill will, but strictly on the constitutional grounds that the decision belongs to the people, not the Warren court.

As Judge Felton told Kiwanians, integration must come, if it does, in peace, love, harmony, and the natural growth of the human spirit—not by force, violence and fighting.

NATIONAL DEFENSE EDUCATIONAL LOAN FUND

Mr. BRIDGES. Mr. President, yesterday the distinguished Senator from South Dakota [Mr. MUNDT] placed in the CONGRESSIONAL RECORD a statement by the American Legion on the so-called national defense educational loan fund.

In 1958, Congress passed an act which provided a $31 million loan fund to aid needy students seeking to further their educations in technical fields.

The act was aimed at bolstering our defense effort by attempting to reduce any possible scientific gap then existing between this country and the Soviet Union. In fact, Mr. President, the relationship of this loan program to our defense structure was considered to be so close that the act was named the National Defense Education Act.

Much has been said and written about the act during the past year and I am certain that the measure will continue to receive national attention this year.

Ironically enough, the controversy centers around a single provision contained within the act itself.

I refer, of course, to the provision whereby students are required to submit two sworn statements: an oath of allegiance and a disclaimer affidavit.

My position on this matter can be summed up in very few words.

I see no reason why any patriotic American should object to swearing his allegiance to his country under any circumstances. Nor do I see any reason why a good American should be offended by an affidavit which states that he does not support, and is not a member of, any organization advocating the violent overthrow of our Government.

Unfortunately, there is an element—with considerable representation in this body, I might add—which takes offense at these requirements.

A handful of college presidents have even gone so far as to withdraw their institutions from participation in the student loan program. Paradoxically, they have clothed this action in the cloak of academic freedom.

Mr. President, I submit that these few college presidents, in their zeal to protect academic freedom, have actually infringed upon this cherished liberty.

They are abridging the freedom of choice of students entering college under the National Defense Education Act. They are closing the doors of their colleges to those students who might otherwise be able to enroll with the aid of this loan program.

I am certainly shocked that men with such high positions in the educational field can have such misguided notions of the meaning of the word freedom.

I hasten to point out, however, that there is a salutary side to this controversy also. For example, it has produced a wave of student opinion in favor of retention of the loyalty oath-disclaimer affidavit provision. It has also focused attention on a number of farsighted college presidents and members of college trustee boards who have been courageous enough to take issue with the view of the few misguided champions of academic freedom who have withdrawn from participation in the program.

I offer as an example, Mr. President, the University of Vermont, one of the outstanding educational institutions in New England. The president of this college, John T. Fey, recently stated:

> If Congress wants to impose restrictions on the use of Federal funds and it does not impinge on the operation of the institution nor upon academic freedom, then we cannot object.

The UVM board of trustees immediately endorsed President Fey's stand.

I am pleased to say that a New Hampshire man, Attorney Neil Tolman, of Nelson, N.H., played a major role in the prompt endorsement by the trustees.

In this connection, I should like to quote from a University of Vermont press release covering the action of the board of trustees:

> The board of trustees of the University of Vermont today endorsed unanimously the stand taken by UVM President John T. Fey in stating that he sees no objection to the disclaimer affidavit of the National Defense Education Act Loan Fund.
>
> Resolution for endorsement of Dr. Fey's statement on the loan provision was moved by board member Neil Tolman, who noted that the provision has come under recent fire from several colleges.
>
> The statement passed by the Vermont board today "resolved that the board * * * unanimously and strongly endorses and highly commends Dr. John T. Fey * * * for the stand he has taken regarding the disclaimer affidavit attached to the Federal student loan program."

Mr. President, President Fey's background would indicate that when he speaks of freedom, he is a man with a thorough knowledge of the subject. He spent 4 years as a marine during World War II. He is a former clerk of the U.S. Supreme Court and a member of the Maryland, District of Columbia, and American Bar Associations. I might also explain that he is a graduate of Washington and Lee University and holds degrees from the University of Maryland and Harvard and Yale Universities—the latter two having withdrawn from participation in the NDEA program.

I believe that President Fey is typical of a great number of leading educators across the length and breadth of this country who are willing to accept the will of Congress on this subject. And the University of Vermont is only one of scores of institutions in America which have adopted a realistic approach to this situation. I commend these schools and individuals for their forthright and courageous stand.

Mr. President, an article entitled "NDEA Evaluated," which appeared in a recent edition of the UVM paper, the Vermont Cynic, analyzes this problem from the students' viewpoint. It is a very interesting and informative article, and I ask unanimous consent that it be printed in the body of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. BRIDGES. There are many who contend that the disclaimer affidavit is meaningless because there is nothing to stop a person from swearing falsely. To these persons I would point out that such a false oath could easily form the basis for prosecution on the ground of perjury, and we know the perjury law is one of our most effective weapons against the Communist conspiracy in this country.

Fortunately, those who oppose the loyalty oath and disclaimer affidavit appear to be in the minority. More than 1,300 colleges have acepted this provision and only a dozen have defected.

I certainly hope that this ratio of more than 100 to 1 will receive the careful consideration of my colleagues should another attempt be made this year to remove this important aspect of the National Defense Education Act.

EXHIBIT 1

[From the Vermont Cynic]

NDEA EVALUATED

(By Judy Sylvia)

Congress passed the National Defense Education Act on August 23, 1958. Under title II

on this act, Federal funds are granted to accredited institutions of higher learning for low-interest student loans. The money is distributed in the following ratio: For each $9 of Federal loan money an institution receives, it must add $1 of its own in matching funds.

In order to receive an NDEA loan, a student must submit two separate sworn statements with his application form: (1) a disclaimer affidavit, and (2) an oath of allegiance.

In discussing this section, the distinction between these two requirements are often forgotten or ignored, and people use the vague term "loyalty oath" to cover both. But it is not the oath of allegiance which many object to, but the disclaimer affidavit.

The National Science Foundation requires an identical oath and affidavit from its applicants, but nobody has questioned that. What is different in the National Defense Education Act, however, from the point of view of the institutions of higher learning, is the way the provision is administered.

First. Each institution is given a certain lump sum, to distribute among students of its own choosing. Thus the institutions directly administer the loyalty provision.

Second. Not only does the institution administer the loyalty provision for the Government; it must, in effect, require an oath and affidavit in return for its own money.

The ethical implications are considerably more demanding than those of other Government programs. The direct administration and financial participation force institutions who value their educational principles to take a definite stand.

Because of the recent publicity of the NDEA, and since UVM does participate in its loan program, President John T. Fey was interviewed as to his position in this controversy.

President Fey, in a newspaper article earlier in the week, made his stand clear. "I think if Congress wants to impose restrictions on the use of Federal funds and it does not impinge on the operation of the institution nor upon academic freedom, then we cannot object."

The President also said that:

1. He did not feel it discriminated against students;

2. He did not feel it was an invasion of academic freedom because it does not affect the faculty, nor the students;

3. If a student, because of religious and/or conscientious scruples, is prevented from taking the oath, this university has other funds available in which the student does not need to sign any oath or affidavit. So no one is denied a loan on this basis.

"It is important to distinguish between the disclaimer affidavit and the loyalty oath, under which the student affirms his allegiance to the United States," said the President. He also noted that none of the colleges objecting to the disclaimer affidavit has opposed the loyalty oath.

Dr. Fey said he could not see why it should be worse to say you do not believe in an organization advocating the illegal overthrow of the U.S. Government than to pledge allegiance to the Government.

Asked why he thought Harvard dropped out of the NDEA loan program, the President said that Harvard had enough money of its own to give out in funds, and they did not want to participate anyway. Harvard did not say this, but expressed the fact that they did not like the disclaimer affidavit because: (1) It was unfair to single out American students; (2) if the Federal Government can do this, they can invade the academic area of the institution.

Yale, too, is against this affidavit. In regard to this, the president of Yale stated something to this effect—the invasion of academic freedom was in conflict with the classical concept of education.

In conclusion, President Fey feels that Congress, as a body, sets national policy, and where they do lend money, they can certainly set their own restrictions.

CUBAN PEOPLE NEED TO BE ALERTED TO STEALTHY DANGERS OF COMMUNIST INFLUENCES

Mr. WILEY. Mr. President, the patriotic Cuban people have just fought a bloody battle to rid themselves of the bondages of tyranny.

In their efforts to seek national goals and self-determined form of government we wish them godspeed.

Today, international communism is operating on all fronts, and in practically all countries, to influence, subvert, and ultimately control the people. Consequently, there is a real danger in nonalertness to the stealthy ways and means in which it creeps into, and ultimately subjugates a nation to totalitarianism.

Yesterday, President Eisenhower, I believe, not only usefully, but wisely and constructively, reviewed the fundamentals of American policy. He also laid down a precedent which the Prime Minister of Cuba, Mr. Castro, might well follow in determining Cuban policy; that is, presentation of national policy in a calm, thoughtful manner, rather than in television telethons.

Furthermore, the President wisely issued a warning on the need for an alertness to dangers of the intrigues of communism.

Recently, the tirades against the United States have been of such scope and dimensions, although entirely unwarranted and illogical in the light of previous United States-Cuban relations, as to arouse suspicions as to their motivation. The question thus arises as to the degree to which communism may be utilizing these voices as pawns.

The Cuban people, I believe, do not want to replace one form of tyranny for another. Rather, they, and the whole free world, must be alert to the tactics by which communism seeks to extend its control, first by supporting nationalistic movements and then, after getting a foothold, attempting to take over a country.

Despite the wave of criticism, I have every confidence that there exists between the Cuban people and the citizens of the United States a strong bond of friendship, of mutual respect, and a desire for a better climate of relationships.

The President, I believe, performed a service beneficial to both Cuba and the United States in reaffirming U.S. policies relating to our southern neighbors.

Today's Washington Post published a constructive editorial entitled "Steady Course on Cuba," which contains thoughtful constructive commentary on the merits of the President's policy statement. I ask unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STEADY COURSE ON CUBA

President Eisenhower made it clear yesterday that it will take more than a few gusts of wind from Havana to propel this country into intervention in Cuban affairs. The careful statement made by Mr. Eisenhower at his news conference will no doubt disappoint partisans of a big stick approach to Fidel Castro. But advocates of reprisals ought to ask themselves who would be strengthened most by a punitive policy—the United States, or the fiery anti-American wing of the Castro government?

One mark of a great power is its maturity in the face of provocations from a smaller country. Thin-skinned Members of Congress ought to be wary of being entrapped into saber rattling—particularly in a region where past gunboat diplomacy has left bitter wounds. Furthermore, if Congress should decide to punish Castro by a downward revision of Cuba's sugar quota this year, the reprisal could play right into Mr. Castro's hands.

The President struck the right note in expressing his concern for the unwarranted and intemperate attacks on the United States made by Mr. Castro and his spokesmen. Quite properly, the Chief Executive protested the disregard shown for the rights of American property holders in Cuba. But Mr. Eisenhower also made it clear that Cuba has a sovereign right to expropriate lands. The only slip the President made was to declare in an off-the-cuff response that no reprisals were contemplated "at this moment"—a phrase which could be misinterpreted as a veiled threat.

What the President said is not new. But in view of the widespread rumors of an alleged tougher approach, his own words were needed to reaffirm this country's policy toward Cuba. Mr. Eisenhower's calm response ought to be welcomed by Americans who don't want the United States to react like an adolescent in a name-calling feud.

ALBERT J. ENGEL

Mr. CASE of South Dakota. Mr. President, during the interim between sessions of this Congress, one of the most rugged characters who served in the House of Representatives during the 1930's and 1940's passed away. I refer to the late Albert J. Engel, who represented the Ninth Congressional District of Michigan from 1935 to 1950.

It was my privilege to serve with him for 14 of those 16 years, and to be closely associated with him. We served together on the appropriations subcommittee for the War Department, where he was my immediate ranking superior. Thus I had occasion to know him as one only knows another with whom he rubs elbows in the close study that marked the work on war appropriations during the buildup to and through World War II.

In those days that particular subcommittee not only handled the bill which provided the funds for the Army and the old Air Corps, but likewise handled the civil functions bill which provided funds for the rivers and harbors and flood-control work of the Army Engineers.

During the war this subcommittee received highly classified information about the Manhattan project—reportedly more than any other committee received. That was largely due to Al Engel's characteristic inquisitiveness. Congress had provided a lump sum of $1 billion in 1944 for General Reybold to use on a secret project, but a committee numbering Engel in its membership was not content to renew that appro-

priation in 1945 until the committee had an opportunity to visit Oak Ridge and see what it was all about.

Albert Engel justly deserved the title of a "one-man investigating committee" which the press accorded him. When we went to Panama on an inspection trip he was in khaki before the boat docked, ready to grab a car and go on his hunt for waste and inefficiency. No man more than he deserves credit for getting the several armed services to use a common hospital. When he saw idle beds in competing service hospitals he literally trembled with indignation.

When we went overseas as the war neared its end he was up before daybreak tracking missing paraphernalia, and like as not coming back with reports of Army jeeps being sold in the black market or the looting of a tire stockyard.

In his approach to appropriations for flood control and development of the Nation's water resources he was similarly direct and forthright. He believed in harnessing our great rivers, in converting damaging floods into resources of hydroelectric power, recreation, irrigation, and navigation.

I and my State should be forever grateful to Albert Engel for his stanch support of my moves to get the construction funds which started Randall and Oahe Dams. It was he who stood shoulder to shoulder with me in a notable battle in 1947 to furnish the funds for completing the planning of Oahe Dam and to start its construction in 1948, notwithstanding the fact that they were not provided in the Truman budget.

Those were accomplishments of the 80th Republican Congress, which Mr. Truman so roundly blasted as a "do-nothing Congress," and in which respect at least the starting of construction on the Missouri River Dam, in South Dakota, he would have had it do nothing, had our committee not acted.

So I have memories of Albert Engel's outstanding work for his country and his cooperation in South Dakota's concerns. But over and above this, Mr. President, I have the recollections of a very fine personal friend.

The Engel family lived only about a block from us in Northwest Washington during many of those years, and Mrs. Engel and Mrs. Case were close friends. They were companions in Red Cross activities during the war.

To Mrs. Engel and to her son and daughters and others bereaved, we extend our deepest sympathy and express the faith that He who rules and overrules in all things will soften their grief and give them the comfort of pride in a devoted husband and father who was the soul of honor in his dedicated and able service to his beloved country.

JUVENILE DELINQUENCY ACT OF 1959

Mr. BIBLE. Mr. President, I am about to suggest the absence of a quorum. Before I do so, I should like to say it has been called to my attention that there are two technical omissions in the bill passed yesterday, the Juvenile Delinquency Act of 1959. The first technical omission is on page 6, line 18, referring to the act as "Juvenile Delinquency Act of 1959," instead of 1960.

The second technical omission is on page 10, line 17, referring to a section of the code as section 381. It should be 281.

I therefore ask unanimous consent that the Secretary of the Senate be authorized to make these technical corrections in S. 694, in the engrossment of the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BLACKMAIL BY UNITED ARAB REPUBLIC

Mr. HART. Mr. President, expressing eloquently a concern which I hope is shared by the overwhelming majority of the people of this country is the editorial entitled "Blackmail Give-In," published in the Detroit News of January 25, 1960. "Blackmail" is a bitterly strong word, but it describes precisely the arrangements resulting from this most recent demand by the United Arab Republic. Experience teaches that the payment of blackmail buys only more trouble. Widespread knowledge and understanding of the nature of U.A.R. demands are necessary so that strong official resistance by this country to such demands in the future will be supported by all Americans. For this reason I ask unanimous consent that the editorial in the Detroit News be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BLACKMAIL GIVE-IN

Only this week was it revealed that for 2 years the U.S. Navy has virtually foreclosed bidding on oil cargo shipping contracts to U.S. flag ships that previously did business with Israel. Cancellation clauses have been included in contracts which in effect bar U.S. shipowners from bidding if they are, or had been, carrying cargoes owned by Israelis.

This represents another concession to the insatiable President Nasser, of the United Arab Republic, who maintains that a state of war still existing between his nation and Israel gives him the right to bar Israeli shipping or cargoes from the Suez Canal he seized 4 years ago.

It was bad enough that only last fall U.N. Secretary General Hammarskjold, facing the the unpalatable facts of life, had to agree to a formula under which Nasser limited his canal blockade to Israeli-owned or chartered ships or those carrying cargoes owned by Israelis. There was nothing in that agreement that permitted an extension of the blockade to any ship that had at any time done business with Israel.

The Navy claims that the concession is necessary as a matter of "business protection." They are right to take precautions aimed at insuring that their oil shipments arrive on time. They are in line of duty in trying to protect U.S.-owned ships from seizure or delay.

But, for the record, it should be made clear that this represents further appeasement of a blackmailer who knows not the meaning of honest dealing. It comes ill fittingly from those whose purpose in history and duty today has been to insure freedom of the seas.

TO ASSURE DEMOCRACY

Mr. MURRAY. Mr. President, in all the furor over the present status of the defense posture of the United States, I wish to speak briefly, drawing upon a long experience in government.

Within my life I have seen the steel-clad battleship go from a position of eminence to oblivion—the aircraft carriers' birth and passage, the manned aircraft develop from a feeble flying machine at Kitty Hawk to a mighty instrument of war passing, too, before a new and awesome vehicle for destruction—the missile.

The cannonball and the Minié bullet have been perfected and discarded—gunpowder and TNT have faded to insignificance before the capability of the tiny atom.

The warmaking potential of all the nations of the world has changed. This is a pushbutton era with events that once took days compressed into minutes.

Fifteen years ago and even less, a nation mounting an attack against the United States could not gain by surprise our total destruction. Protected by two oceans, and with the large area of our Nation, this was impossible. As crippling as was the vicious sneak attack on Pearl Harbor, it only served to galvanize America's might and unity of purpose.

In the years that lie ahead, we must apply a new concept to defense. The sum total of our defense and retaliatory capabilities must be large enough in size, effective enough in power, and adequate enough in dispersal and location to effectively deter an attack upon the United States or its close allies.

Why is this necessary? Stated in its basic terms, because this Nation of free people never has and never will launch an attack upon another nation. The writers of the Constitution made a war of aggression by the United States impossible in theory. The space age has assured that this is impossible in fact.

A missile attack could be launched on this Nation in less time than it takes the President to drive from the White House to the Capitol.

This means we absolutely require an adequate warning and defense structure so that no nation will dare an attack on us. The President has, under the Constitution, the responsibility for instantaneous defense in the event of any attack.

We must prepare to support a defense capability which will absolutely deter attack. To do otherwise will invite an aggression and the total destruction of democracy, our Nation, and very likely all life on this planet.

I shall let others more knowledgeable on military intricacies discuss and debate the details. As for me, I make my position clear. We must retain assured and

real superiority at all times over every possible combination of potential aggressors. This is the price we must pay to maintain our democracy, a form of government that surely offers mankind the inspiration it needs and the opportunity to best fulfill all its desires.

PASSPORT LEGISLATION

Mr. HICKENLOOPER. Mr. President, I wish to invite my colleagues' attention to an excellent article entitled "No Passports for Our Enemies," written by Charles Stevenson, and published in the February issue of the Reader's Digest.

I am particularly interested in the subject of remedial passport legislation since the Foreign Relations Committee, of which I am a member, has recently determined to resume hearings on this matter. The committee has had several bills before it since July 1958, but has not reported one to date. The House of Representatives passed a measure on this subject in the closing days of the 85th Congress, and also passed a bill in the 1st session of this Congress which is now on our committee calendar. While I personally feel the House measure will require some strengthening amendments to meet the deplorable situation so forcefully documented by the Digest article, it should be taken up immediately and not be allowed to die in committee.

If further hearings are necessary I think they should be scheduled so that the committee can complete action on this matter prior to the Easter recess. The American Bar Association has recently recommended legislation to control the travel of Communists, and I assume they will be invited to testify when hearings are reopened on this matter. Only last Thursday Secretary of State Herter, in his briefing of the Foreign Relations Committee, emphasized the continuing need for adequate passport legislation.

Mr. Stevenson's article concludes with the following rather pointed question:

Isn't it about time that we demand that our legislators read the record and awaken to the realization that action is imperative?

Mr. President, I ask unanimous consent that this article from the February issue of the Reader's Digest be printed at the conclusion of my remarks in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO PASSPORTS FOR OUR ENEMIES

(By Charles Stevenson)

Within the week that you read this, John Hanes, the U.S. State Department's Administrator of Security in Washington, will open an envelope marked "Confidential security information," and scan a shocking message from the FBI. One of its undercover agents, operating deep within an American Communist ring, will have learned that still another member of the Communist Party will soon be applying for a U.S. passport so he can travel abroad. His assignment: to undermine the cause of America around the world.

Hundreds of such warning messages come to John Hanes' attention. If this one is like the others it will state, typically, that the traveler's secret objective will be to go first to Hungary and turn over to the secret police the names of Hungarian freedom fighters now living in the Pittsburgh, Youngstown, Cleveland and Detroit areas. Next stop will be Red China, where as a representative of American labor he will broadcast to the new African nations that an alliance with the United States will bring them slavery; if they ally with China and Russia they will receive aid and friendship. Returning via Moscow, he will make secret reports on Communist activity in the United States, and he will bring back instructions and perhaps money for future operations in this country.

Hanes will curse under his breath, but he will be powerless. Sure enough, the Communist applies for a passport for a European pleasure trip. In the Washington passport office a clerk will make the usual check. From a central file of FBI, CIA, and congressional intelligence will come a fat envelope reciting the applicant's long personal history of disloyalty, subversion, even treason. Even so, he will get his passport, which vouches for his U.S. citizenship and assures him of Government protection in his journeyings.

This procedure is now so routine that our authorities know it by heart. Every month passports are handed over to a hundred such security risks, a half dozen of them known to be hard-core Communist operators. This has been going on ever since June 16, 1958, when the Supreme Court ruled that the Secretary of State has no authority to deny passports to people because they are Communists.

Indeed, the Security Administrator is helpless even when he knows the passport applicants are operating as Communist secret agents. He cannot even delay an escaping spy unless the FBI is willing to reveal immediately the evidence of a crime already committed; this the FBI usually can't do—because it would require unmasking its own undercover agents before they had worked up their cases against the entire gang.

"Plainly speaking," states a recent report by the Senate Internal Security Subcommittee, "this country has, at the behest of the Supreme Court, authorized a small army of disloyal citizens to go abroad and travel about under the protection of the United States. Naked logic tells us that at least some of this number will be in a position to damage this Nation in a substantial manner."

In an attempt to get congressional action to close this gaping hole in our defense, FBI Director J. Edgar Hoover last year told Congress: "This [Supreme Court] ruling will facilitate the travel of spies, couriers, and subversives. The next time a representative of the party is summoned to the Soviet Union he will not even have to go to the trouble of using an alias."

But Congress so far has not dealt with this problem effectively.

Passports are an essential part of any foreign agent's protective coloring. Top Communist spies and saboteurs have had obscure American Party members obtain passports, then assumed their identities. Gerhart Eisler, currently a top propaganda official of Communist East Germany, served for years as the Kremlin's undercover boss of the Communist Party in the United States while using a passport made out to an American Communist but bearing Eisler's photograph. For a long time Eisler directed the Communist infiltration of U.S. labor unions. Then, in 1947, he was convicted of passport fraud. He jumped $20,000 bail and escaped New York on a Polish liner.

Col. Rudolf Ivanovich Abel, the highest Soviet intelligence officer ever apprehended in the United States, was convicted a little over 2 years ago. Members of the cells he organized, some probably still on the job, effectively smuggled defense and atomic secrets to Russia by messengers who returned with instructions and U.S. currency to finance further operations. Abel and the couriers were able to stay in business because they used U.S. passports.

Until 1958 the United States had at least the right to try to protect itself from passport abuse. Ever since 1856, laws had clothed the Secretary of State with authority to issue or deny passports. Traditionally, passports were denied on the ground that an individual's activities abroad would be prejudicial to the foreign relations of the United States. During the 1920's, passports were denied to Communists as a matter of right. The regulations were relaxed during the next 20 years. However, in 1950, after U.S. Communist Party leaders had been convicted of conspiracy to overthrow the Government by force, and after American Reds had openly engaged in trying to throw the Korean war to the enemy, Congress cracked down.

It enacted legislation setting up procedures to identify and label subversive organizations, and made it a crime for any member of such groups to apply for or be issued a passport. By 1952 the State Department had set up elaborate regulations to prevent bureaucratic injustices. Every suspect applicant for a passport was entitled to know the specific reasons for denial. He could explain away the information informally, or appear before an appeals board with counsel and argue his case for the record with his own witnesses.

Fear of the searchlight that such hearings might throw on their activities discouraged most known Communists from even applying for passports. Instead, the party threw a reported $300,000 into legal battles and propaganda to get the courts to knock down the barrier to the Red travel operations.

Three test cases were carried to the Supreme Court, Rockwell Kent, the artist, and Dr. Walter Briehl, a Los Angeles psychiatrist, had demanded passports, but refused to certify they weren't Communists. Dr. Weldon Bruce Dayton, a physicist, said he wanted to go to India. The Government's brief against him showed that he had associated with Communists since 1943. At the University of California he had admittedly headed the Science for Victory Committee, a group described by the State Department as a Communist-organized front for propaganda and espionage activities.[1] Witnesses testified to seeing him several times at the Greenwich Village address used by the Rosenberg spy ring to microfilm U.S. Government atomic documents for transfer to the Soviet Union in 1949 and 1950.[1]

The Secretary of State asserted: "I have reason to believe on the balance of all the evidence that the applicant is going abroad to engage in activities which will advance the Communist movement."

But none of this was enough. In two separate decisions by margins of one vote—5 to 4—the Supreme Court on June 16, 1958, ruled that all three men were entitled to passports. The majority argument: there was no authority under existing law to control travel by Communists, even hard-core revolutionaries.

In the preceding 6 years, out of 3,130,000 applications only 15 passports had been finally denied by the Secretary of State on Communist grounds—proof that most Communists were in no mood to risk exposure of their activities by demanding the right to travel. As soon as the decisions were rendered, however, they rushed to get theirs while the getting was good. Within just 10 months, 1,150 people whose passports would have been held up for inquiry into Com-

[1] "Decision and Findings in the Case of Weldon Bruce Dayton," by Secretary of State Dulles, Oct. 4, 1956.

munist affiliations before the June 16 decision got them without question.

Who are some of these people? What are they really up to?

With controls out the window, Dr. W. E. B. DuBois, a Negro writer from Brooklyn with a long Communist-front record, and his wife obtained new passports. Mrs. DuBois hurried to the All-African People's Conference in Ghana to read a speech that her husband wrote attacking the Western Powers and praising Red China and the Soviet Union. Meanwhile, DuBois was received in Moscow by Premier Khrushchev. The Soviet boss indicated his appreciation of DuBois' efforts by awarding him the $35,000 Lenin Peace Prize.

Although our Government forbade American travel to Communist China, DuBois went from Moscow to Peiping—bearing an American passport. There he made hate-America speeches which were beamed to Asian and African peoples. "Because he carried an American passport," says John Sipes of the State Department's Bureau of Security and Consular Affairs, "he was regarded as a representative American citizen."

Henry Willcox, a wealthy New York building contractor, and his wife, Anita, were allowed to have passports during the Korean war. They said they wanted to go to France and Turkey "for travel and business." But less than 6 weeks later, in direct violation of the conditions under which these passports were granted, they were consorting with our enemies in Peiping as "American delegates" to an Asian-Pacific peace conference.[2] Over the radio, in China and Poland, the Willcoxes participated in attempts to picture the United States as guilty of germ warfare on a wide scale.

The U.S. Constitution defines treason as "adhering to the enemy, giving them aid and comfort." Thus, when Willcox was called before the House Committee on Un-American Activities and suffered a convenient lapse of memory about his germ-warfare proof, Representative Bernard W. Kearney, of New York, declared: "I am firmly convinced that if there was ever a flagrant case of treason this one is."

Because of all this, the Secretary of State refused to renew the Willcoxes' passports when they applied again in 1954. However, owing to the Supreme Court's decision, they now have brand-new passports, ready to use to carry out their activities.

William Lorenzo Patterson, general manager of The Worker, official mouthpiece of the American Communists, had a passport which he used to go to Hungary and Czechoslovakia during the Korean war. In press interviews and in speeches he accused the United States of being a Government of "criminals and cannibals." He, too, repeated the germ-warfare lies to create enmity toward the United States.

The State Department seized that passport because of his illegal use of it in entering a then restricted Iron Curtain country. Now, however, he has a new one which, he has said, he may use to go to the U.S.S.R.

Nowhere, however, is there a more flagrant insult to the United States than the case of James E. Jackson, a member of the U.S. Communist Party's executive committee. He obtained one of the easy-to-get new passports "to visit France as a tourist." Called before a Senate inquiry soon afterward, he took the fifth amendment when asked if his real purpose was to visit the Soviet Union. Nevertheless, 7 weeks later he was in Moscow attending the 21st Congress of the Communist Party of the Soviet Union. At these sessions he spoke bitterly against the United States in a speech radioed throughout the world. Finally returning home, he again appeared under subpena before the Senate Internal Security Subcommittee, but refused even to identify his photograph. In order to conceal the truth about his trip, he took the fifth amendment 88 times at a single sitting.

Why have these gravediggers of democracy, these servants of a foreign power, been allowed to get away with their activity? The evidence and most of the case histories cited here were available to our legislators throughout their last session. Why has Congress failed to act?

Three weeks after the High Court's ruling, Robert D. Johnson, legal adviser of the State Department's Passport Office, warned: "If an espionage agent walked into the Passport Office today and proved his citizenship, we would have to issue him a passport."

Secretary of State Dulles rushed a draft of remedial legislation to the Capitol. "The international Communist movement seeks * * * on every front to influence foreign governments and peoples against the United States and eventually by every means, including violence, to encircle the United States and subordinate us to its will," he wrote House Speaker SAM RAYBURN. "Surely our Government should be in a position to deny passports to such persons." Still our Congressmen failed to enact remedial legislation.

President Eisenhower sent a special message to them. "It is essential that the Government today have power to deny passports where their possession would seriously impair the conduct of the foreign relations of the United States or would be inimical to the security of the United States. * * * Each day and week that passes without it exposes us to great danger." Month after month now has passed—and still no action by Congress.

Recently the American Bar Association has come forward urging Congress to take effective steps quickly. It says there are ways of permitting the Secretary of State to use information from secret sources without violating individual liberties.

Isn't it about time that we demand that our legislators read the record and awaken to the realization that action is imperative?

[2] "Decision and Findings in the Case of Henry and Anita Willcox," by Secretary of State Dulles, Nov. 11, 1957.

I SPEAK FOR DEMOCRACY—ESSAY BY MURIEL ELLIS

Mr. CANNON. Mr. President, the Nevada winner of the 1959–60 broadcast scriptwriting contest sponsored by the National Association of Broadcasters was Miss Muriel Ellis, the daughter of Mr. and Mrs. Jack V. Ellis, of Sparks, Nev. In an era when complacency is threatening the existence of our civilization, her words of warning against this indifference are especially significant.

The Nation must maintain a constant alert for the preservation of our freedoms. It gives me great pleasure to be able to include her script in the RECORD, so that thousands of Americans may be reminded that our cherished liberties should not be forgotten in the quest for material comforts.

I ask that Miss Ellis' essay be printed in the RECORD at this point.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

I SPEAK FOR DEMOCRACY

(By Muriel Ellis)

"Give me your tired, your poor;
Your huddled masses yearning to be free;
The wretched refuse of your teeming shore;
Send these the homeless, tempest tossed, to me.
I lift my lamp beside the golden shore."

These words written at the feet of the Statue of Liberty express the hope that many people place in America and democracy, for within the definition of "democracy" lies the richest possibility of the complete fulfillment of an ideal.

I speak for democracy because democracy stands for freedom of the individual. Democracy is the expression and exchange of ideas. Democracy is based on the principles of freedom, equality, justice, and humanity. These things I believe in.

Our basic civil liberties are stated in the Bill of Rights, including freedom of speech, press, and religion.

We, the people of America, have the privilege and right to express our differences of opinion without fear of being molested, for though Americans differ, they have a common respect for conflicting views. We can express these conflicting views with a speech, a ballot, or a newspaper article.

This freedom of the press is not to be underestimated, because, in fact, it is one of our greatest privileges. Without free press Americans would not be fully informed and would not hear the opinions of others in agreement or disagreement. The formation of intelligent opinions hinges upon the reliability of information. Our press is dedicated to the truth, and its effectiveness can be measured only by its freedom.

Another of our most cherished freedoms is the freedom of religion. Our country was formed because a group of people recognized and realized the need for religious freedom, and today it is one of the great strengths of our Nation, for peace and love are a part of every faith, just as war and hate are condemned by every faith.

Our system of justice has grown out of many years of opposition to wrong and oppression. Anyone can challenge injustice with the surety of a fair hearing. Our law insists that any accused person is presumed innocent unless and until proven guilty. Our system of justice, though, depends upon the attitudes and actions of the people themselves, as does everything else for which democracy stands.

Our attitudes and actions must never become complacent or indifferent, but we must be constantly alert to guard our proud heritage, that system of government which has served us, the people, so well, that our forefathers fought so bravely for, and that which we must enrich and pass on to the next generation.

We realize that our democracy is not perfect, for there are many things that can be improved upon. The belief in equality of races is still striving to overcome the inevitable prejudices of imperfect men. We know that we cannot attain complete, absolute liberty while living in an ordered society, for our own individual liberty ends when it begins to interfere with the liberty of others. Liberty has its limits, just as authority must have its limits. Democracy strives for a just balance between those needs of the individual and those of society.

Democracy stands for the hopes and aspirations of every free spirited person, and our Statue of Liberty will always remain an eternal symbol of this, for as long as there is an America, there will be a democracy, and the simultaneous definition of these two words—America, democracy—will stand as a barrier forever against tyranny.

FORTY-SECOND ANNIVERSARY OF UKRAINIAN NATIONAL INDEPENDENCE

Mr. BEALL. Mr. President, last week, the Maryland Branch of the Ukrainian Congress of America observed the 42d anniversary of Ukrainian national independence.

Since I was unable to be with my friends on this occasion, I expressed my thoughts in a letter which was read at the meeting.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 22, 1960.

MR. KLEMENS BABIAK,
Chairman, Maryland Branch, Ukrainian Congress of America, Baltimore, Md.

DEAR MR. BABIAK: Please extend my greetings to those in attendance at the meeting to observe the 42d anniversary of Ukrainian national independence. I wish it were possible for me to be with you and the other good Americans of Ukrainian descent and their friends, as I have been on previous occasions.

Our country is a finer country today because of the Ukrainians who came here and cast their lot with others of other lands to build this Nation. No better people ever came to American shores. In the veins of many of our fine people flows the proud Ukrainian blood—pillars of our society—foremost in good works. I am glad to be known as a friend of the Ukrainian people.

You are now celebrating the independence which your nation won in 1918. Unhappily, the Ukrainian Republic ceased to exist only 2 short years after its birth. However, independence of spirit lives on in all people of Ukrainian descent, and you are to be commended upon this faithful observance of your independence day.

Over 300 years ago Ukraine was an independent state and the center of a rich culture and thriving commerce that linked Europe and Asia. Then, it fell under Russian rule, but Russia was never able to make Russians out of Ukrainians. Your people have kept their identity and proud heritage. Ukrainian people have been in the forefront of the movement of non-Russian nations of the Soviet Union to throw off the yoke of the occupier.

I salute all Ukrainian people everywhere.

Sincerely yours,

J. GLENN BEALL.

JUVENILE DELINQUENCY—A NATIONAL PROBLEM

MR. HENNINGS. Mr. President, yesterday the Senate approved S. 694, a bill which offers a small amount of Federal help to States and communities now struggling with the very serious problem of juvenile delinquency and crime. As chairman of the Senate subcommittee to investigate juvenile delinquency—and as one long interested in youth work—I am hopeful that the House of Representatives will give its speedy approval to this legislation.

That juvenile delinquency is a national problem—indeed, an international one—is being recognized and acknowledged in nearly every community of the country. Examples of this recognition and concern on the local level is readily evident by editorial comment which comes to my desk.

Mr. President, I ask unanimous consent that two of these editorials entitled "Treating Delinquency as a National Concern," from the Hackensack (N.J.) Bergen Evening Record, and "Delinquency in the Spotlight," from the Miami (Fla.) Herald, be printed at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Hackensack (N.J.) Bergen Evening Record, Sept. 28, 1959]

TREATING DELINQUENCY AS A NATIONAL CONCERN

The recognizable status of so-called juvenile delinquency as a national problem is one good reason for Federal assistance in control and prevention. Juvenile gangsterism, as Mayor Wagner pointed out at the opening of Senate hearings, in New York, involves itself in narcotic traffic and addiction. It is a part of such general violations of law as the illegal mailing and possession of guns and other weapons.

The substance of Federal aid would be financial, but the implications of Government participation would have a breadth beyond the immediate economic. There is need for a generalized and comprehensive training among municipal officials and social workers in the field of custodial care as well as in methods of control. The New York plan for youth conservation camps is widely applicable, and if widely applied would benefit from unified attention to its particulars and general purposes. Senator THOMAS C. HENNINGS, Democrat, Missouri, chairman of the committee investigating juvenile delinquency, is cosponsor of a bill to establish a national youth conservation corps. Other aspects of possible Federal participation include assistance to the States in the development of vocational training and recreational programs, turning over to the States surplus Federal property for minimum security detention, and broadening the Federal program for outpatient treatment of narcotic addicts.

These are correctives of a stature which points up the economic waste and practical inefficiency of unilateral State or local action. The most critical problems of delinquency and youthful crime have no boundaries or geographical habitat other than the kind indicated in their definition as urban, suburban, or rural, and even here the degree of difference is dwindling. Any way one looks at it—from the standpoint of money or preventives or treatment or complex human psychology—the problem is national.

[From the Miami (Fla.) Herald, Sept. 22, 1959]

DELINQUENCY IN THE SPOTLIGHT

The Senate Committee on Juvenile Delinquency will begin a study this week of the outbreak of savage teenage violence in New York that has shocked the Nation. Terror has indeed walked the streets of the Nation's largest city. Innocent persons have been beaten and killed by the juvenile hoodlums.

Chairman THOMAS C. HENNINGS, Missouri Democrat, said his committee will confer with Governor Rockefeller and Mayor Wagner, who already have been working on the problem. It will receive testimony from the police and from the experts who are close to the situation.

But Senator HENNINGS made the point that this is not a problem unique to New York City—that it transcends State and even national boundaries.

Teenage assaults and murders have been reported elsewhere. And juvenile crime of all kinds has been increasing.

The primary interest of the Senate committee is, as it must be under the law, to discover how the Federal Government may help in meeting the situation. The hearings in New York will demonstrate, however, the valuable service a Senate investigating committee does in focusing attention on a problem wherever it occurs and getting action on it.

When Senator ESTES KEFAUVER headed the Committee on Juvenile Delinquency, he held hearings in Miami which opened the eyes of Dade County citizens to conditions here. The committee underscored facts which we already knew but kept buried in the back part of our minds. The same was true of the Senate crime investigating committee which met in Miami twice. It smashed rackets here and inaugurated an era of law enforcement which makes this community a vastly better place in which to live than it was before.

Beyond that the committee's work caused communities elsewhere to look at the dirt and corruption that has been swept beneath their own rugs. Many cleaned house.

Crime was not wholly stamped out, of course, but many conditions uncovered by the Kefauver committee, such as open gambling here, no longer exist.

Juvenile delinquency will not be solved by the Hennings committee, nor could it ever be wholly. But if the committee delves deeply into conditions in New York's tenement jungles, if it brings out the meager homelife and the relaxing of disciplines that permit such shocking conditions, it will contribute to understanding in other communities. That will not only be a service to New York, where the headlines have been blackest, but to the Nation at large.

DEATH OF FRANCIS M. PINCKNEY

Mr. JOHNSTON of South Carolina. Mr. President, last Saturday Francis M. Pinckney, of Columbia and Charleston, S.C., died following a long illness. Mr. Pinckney was a distinguished public servant and had been a member of the South Carolina Tax Commission for the past 20 years. He was appointed to that post by the late Burnet R. Maybank when he was Governor.

The name Pinckney has been distinguished throughout the history of South Carolina from the very birth of our Nation. The death of Francis M. Pinckney, the son of a Confederate Army officer, marks the passing of another era of service to the people of South Carolina by the Pinckney family. Mr. Pinckney not only was a public servant of unimpeachable character in civil life but he served his Nation with an outstanding record in World War I as a combat officer in the Air Corps.

Mr. President, I ask that an editorial from the State newspaper of January 25, 1960, entitled "Francis M. Pinckney," be printed in the body of the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FRANCIS M. PINCKNEY

Francis M. Pinckney, who died Saturday, was a man of unimpeachable character, who entered the State service as executive secretary to his close friend, the late Burnet R. Maybank, and later went on to the State Tax Commission to succeed former Gov. John G. Richards, deceased, in which high post he had served with credit since 1940.

A Charlestonian of distinguished lineage, Mr. Pinckney was a gentleman of the old school, ever courteous, ever honorable in his public and private acts. He was a civil servant prompted by only the highest motives and leaves a proud record of duty well performed, both in peace and in war.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

Mr. BIBLE. Mr. President, if there is no further morning business, I ask that

the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Morning business is closed. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Florida [Mr. HOLLAND].

Mr. KEFAUVER. Mr. President, as the resolution which is now before us, Senate Joint Resolution 39, has previously passed the Senate by an overwhelming vote, I hope that we will be able to pass it after full but unprotracted consideration.

In brief, the resolution would empower the Governors of the several States to fill vacancies in the House of Representatives in case of a nuclear or other kind of attack on Washington.

Although the present resolution was introduced only by the Senator from Connecticut [Mr. DODD] and me, much credit for it is due to the former minority leader and former Senator from California, Senator Knowland. He introduced resolutions on this subject in both the 81st and 82d Congresses, and public hearings were held in March 1952. At that time a number of Members of the Senate, political scientists, political leaders, and other persons interested in Government testified.

Senator Knowland reintroduced his proposal in the 83d Congress and public hearings were held in May 1954. On June 4, 1954, the resolution—Senate Joint Resolution 39—as amended, passed the Senate by a vote of 70 to 1. Unfortunately, the House took no action on this Senate-passed resolution.

The history of the legislation in the 84th Congress was very much the same. The proposal was embodied in Senate Joint Resolution 8. Public hearings were held in March of 1955, and the resolution passed the Senate on May 19, 1955, by a vote of 76 to 3 after a full and thorough debate. I believe I had the privilege of being the sponsor of Senate Joint Resolution 8 in the 84th Congress, together with other Senators. Again, unfortunately, no action was taken by the House.

It is my hope that the present resolution, Senate Joint Resolution 39 of the 86th Congress, can be passed by an overwhelming vote and that the present House of Representatives will give it their prompt attention. The resolution is certainly as urgently needed today as in the past. In fact, I believe the concensus would be that, if anything, it is more urgently needed than ever.

The purpose and method of operation of the proposed amendment are set forth quite succinctly in the report of the Judiciary Committee. As the report is very brief, I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the report (No. 561) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to which was referred the resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives, having considered the same, reports favorably thereon, without amendment, and recommends that the resolution do pass.

PURPOSE

The purpose of the proposed legislation is to amend the Constitution to enable the executive authority of each State to make temporary appointments to fill vacancies in representation in the House of Representatives whenever such vacancies exceed half the authorized membership of that body.

STATEMENT

When the Constitution was drafted, the ability to destroy people on a mass basis by use of weapons of war had not been developed. It was, therefore, highly unlikely that the membership of the House of Representatives could be so decimated as to render that body incapable of exercising its constitutional functions. Indeed, the Founding Fathers had no basis on which to predicate any such assumption.

Regrettably, this is not the situation today. The Federal Administrator of Civil Defense has testified:

"Today, with the advent of the atomic bomb and similar devices, we know that vast areas can be devastated almost instantaneously. We also know that no system of defense is likely to be 100 percent effective. In other words, we realize that in any future war it is probable that the enemy would succeed in attacking our civilian communities."

This advance in the technique of destruction has necessitated a reexamination of the ability of our representative Government to function in time of national disaster. A brief review establishes that continuity of the Executive authority is protected by the act of June 25, 1948 (ch. 644, sec. 1, 62 Stat. 672), regulating presidential succession. The judiciary could be reconstituted fairly readily by appointments by the Chief Executive. Any vacancies in the Senate could be temporarily filled by appointments by the Governors of the respective States. But in the House of Representatives, where revenue measures must originate, vacancies must be filled by special elections, and such elections may require a minimum lapse of 60 days.

Thus, as it stands today, the Constitution confers no authority on State Governors to appoint Members to the House of Representatives. This inability to provide for continuity of representation offers no insurmountable difficulty in ordinary times. But in periods of national emergency or disaster, it could well paralyze the functioning of representative government. As the Administrator of Civil Defense has observed:

"It would be difficult to overestimate the importance of Congress continuing to function in time of national emergency. The functions of the Congress become ever more important under such circumstances. The ability of the Congress to act swiftly is essential to the successful defense of the Nation."

If a sufficient number of Representatives were killed by an atomic blast, through germ warfare, or in the course of violent attacks by irresponsible partisans, the House of Representatives would be compelled to function without a majority of its Members. In such an event, any Member might raise a point of order, suggesting the absence of a quorum. Precedents indicate that such a point of order would not be sustained. But, even so, it is likely that in such times exceedingly important legislation would be adopted and any disfranchisement to a substantial portion of our Nation would represent a distinct loss.

It is true that the House of Representatives might, by amendment of its rules in advance, provide that a quorum should consist of a majority of the remaining Members whenever vacancies occur on a wholesale scale. Yet this change would not eliminate this danger entirely, for it is certainly possible that in an atomic attack, a sufficient number of Representatives would be incapacitated so that it might well prove incapable of mustering a quorum of the surviving Members.

This does not necessarily mean chaos in this country, for the Chief Executive would undoubtedly step into the breach and act without legislative sanction in the national interest as he perceived it at that time. However, there need be no departure from constitutional representative government if precautionary steps are taken in advance of atomic catastrophe. This legislation represents such a precautionary step. It is not born of hysteria, but evolves from a desire to protect this Nation from undesirable consequences which may be occasioned by indifference to the dangers of the age in which we live.

The subject matter of this resolution has been considered by the Committee on the Judiciary since the 81st Congress (S.J. Res. 145). In the 82d Congress, public hearings were held on Senate Joint Resolution 59. In the 83d Congress, public hearings were held on Senate Joint Resolution 39, and this resolution passed the Senate by a vote of 70 to 1 on June 4, 1954. In the 84th Congress, public hearings were held on Senate Joint Resolution 8, and this resolution, as amended, passed the Senate by a vote of 76 to 3 on May 19, 1955. During the 85th Congress, Senate Joint Resolution 157 was introduced, but no action was taken on it. During the present Congress, Senators KEFAUVER and DODD sponsored Senate Joint Resolution 39, which is identical in text with the resolution (S.J. Res. 8) which passed the Senate in the 84th Congress. On March 9, 1959, the Standing Subcommittee on Constitutional Amendments, to which the resolution had been referred, decided that no further hearings were necessary and voted unanimously to recommend to the Committee on the Judiciary that it report the resolution favorably and without amendment.

The text of the resolution contains no reference to a disaster. Certain problems arise if the power may be invoked only when there is a disaster which causes a given number of vacancies. For instance, the question quickly arises as to what officer of Government is to proclaim the disaster and how he is to determine which of the vacancies were caused by the disaster. Those problems are not presented here, for under this resolution the power which would be vested in the executive authority of each State is not predicated on any certification or proclamation. It is brought into being by an ascertainable fact, namely, the existence of 219 vacancies in the House of Representatives. In this manner, the amendment avoids the complications inherent in a proposal which requires that the vacancies must be caused by, or be the result of, a disaster. Yet there is no likelihood of abuse of this privilege for the very evidence of so many vacancies in the House of Representatives presupposes a disaster. Another complication which this concept avoids, and which must be reckoned with if the vacancies must be occasioned by a disaster, is the probability that appointments could not be made to fill vacancies created by natural causes either before or after the catastrophe.

The number of vacancies required by the amendment is substantial. The reason for

this is apparent: there being no reference to a disaster the committee wanted to be sure that utilization of this authority would be sufficiently restricted, so that it would remain an emergency measure for the preservation and continuity of representative government. The maintenance of a large number of vacancies as a prerequisite to the use of the power constitutes insurance that it will be used only in the event of a disaster.

The committee desires to stress that these appointments will be temporary appointments. Article I, section 2, of the Constitution requires that a Governor issue writs of election when vacancies occur in the representation of his State in the House of Representatives. This amendment, by specific reference, emphasizes this requirement, so that, in most cases, an appointee's term will be limited to 60 to 90 days.

An analysis of the resolution will give some idea of its operation. Under the terms of the resolution, the power to appoint Representatives occurs only when the vacancies in the House of Representatives exceeds one-half of the authorized membership. The present membership of the House being 436, 219 vacancies would have to exist before this extraordinary power could be invoked. The number of vacancies could exist for several days, but, as appointments are made by the Governors pursuant to this amendment, the number of vacancies naturally will diminish. On that date that the vacancies total less than 219, the time limit on this power begins to run. From that date, by the terms of the amendment, the Governors have 60 days within which to make the temporary appointment or the authority lapses and the office must be filled by election. If, within the 60-day period, additional vacancies arise from any cause, they also may be filled by gubernatorial appointment. Also, if for some reason the number of vacancies (having dropped below 219) rises again above that figure, the power to appoint again comes into existence.

These interpretations of the amendment are given by way of explanation, not in anticipation of difficulties in operation. Should unforeseen difficulties arise as the result of this grant of authority, the House of Representatives would act as final arbiter by reason of its constitutional authority to be the judge of the qualifications of its own Members (art. 1, sec. 5, of the Constitution).

CONCLUSION AND RECOMMENDATION

Naturally it is the fervent hope of the committee that the authority granted in this resolution need never be used. However, with some knowledge of the tremendous destructive power of thermonuclear weapons, it would be the height of folly to leave a constitutional gap of this nature in a representative government such as ours. When whole cities may be obliterated in a split second, the Congress cannot ignore, should it have any inclination to do so, the realities of this danger. The time for action to erase a defect in our Constitution, which could not have been contemplated at the time of its adoption, is at hand. It is pertinent to recall that, as a constitutional amendment, this measure must secure the approval of two-thirds of both Houses of Congress and the ratification by the legislatures of three-fourths of the several States. Since this action is somewhat time consuming the committee believes that this legislation should be approved promptly by the Senate, and the committee so recommends.

Mr. KEFAUVER. In a word, the amendment would plug a loophole in the Constitution—a loophole which could not have been foreseen by the Founding Fathers and which has developed as a serious threat only over the past dozen years or so.

At the time the Constitution was drafted, no one could have foreseen the terrible and destructive power of our modern weapons. I see no necessity whatever to dwell upon either the possibility of a nuclear attack on Washington or the probable results of such an attack. Suffice it to say that such an attack might occur—although we hope and pray it will never occur—and, if it did, it is possible, even probable, that a large percentage of the Members of the House of Representatives, along with a large number of Senators, would be killed immediately or fatally wounded.

Under the Constitution as it now stands, only the House of Representatives could not be readily reconstituted after a devastating attack.

Both the Constitution and Federal statutes provide a long line of succession to the office of Chief Executive.

Vacancies in the judicial branch could be quickly filled by appointment by the President.

In the legislative branch, there is no problem with respect to one House, to wit, the Senate. Under the Constitution, as amended by the 17th amendment, the chief executives of the several States are authorized to fill vacancies in the Senate temporarily by appointment pending an election. There is no such authority, however, in connection with vacancies occurring in the House of Representatives. Under article I, section 2, clause 4, of the Constitution, vacancies can be filled only by election of the people.

It is not my contention that without the adoption of the resolution before us there would be inevitable paralysis of the Federal Government. It seems certain that the President—or whoever succeeds to that office—would take whatever emergency action appears to be necessary, whether or not either House of Congress were able to function.

Furthermore, precedents indicate that the House can operate with a quorum of its existing Members, and does not require a majority of elected Members. However, after a nuclear attack the Congress would necessarily be required to pass exceedingly important legislation, and any wholesale disenfranchisement would be both unfortunate and undemocratic. In such times, the House should not be forced to operate with a relative handful of the Members, even if its rules permit this.

I might add, parenthetically, that if per chance an attack occurred on the opening day of Congress, before the new Congress met and before new rules were adopted, a point of order could be made in the House that a quorum consisted of a majority of all Members chosen. It is likely that under parliamentary rules such a point of order could be sustained.

However, if an attack occurred at a later date, and if a truncated House could operate under its rules, some States—in fact, many States—might be wholly unrepresented. Such disenfranchisement would be most undemocratic. In times of emergency, as in other times, or possibly more so than in other times, our Government should remain a government of the people. Membership should be brought back as closely to the authorized number as quickly as possible. Under our present Constitution, this would require special or general elections. At present, this would take considerable time. Also, we could expect attacks on many of our major centers of population, and it might not be possible to hold elections in many States for many months. If we are to have representative government during this period, Governors must have the power of appointment.

There are several technical aspects of the proposal which require some comment.

There is no reference in the resolution to a disaster. The resolution becomes effective when the total number of vacancies in the House exceeds half of the authorized membership. These vacancies would not exist except as a result of a disaster. However, it was thought preferable to omit mention of a disaster as both unnecessary and complicating. For example, the question would arise as to what officer is to proclaim the disaster and what vacancies were caused by it. There might be some uncertainty for a time as to which officer was in a position to proclaim such a disaster and the vacancies which occurred.

The maintenance of a large number of vacancies as a condition to the use of the power constitutes insurance that it will be used only in the event of a disaster.

The time during which Governors would have the power to make appointments is very limited: 60 days after any date that the total number of vacancies exceeds half the authorized membership. Any vacancies which are not filled within this 60-day period must be filled by election in the regular way. Furthermore, any person temporarily appointed to fill such vacancy is permitted to serve only until the people fill the vacancy by election, as provided by section 1, article II, of the Constitution—which, of course, is the way vacancies are filled now.

I should like to make two or three other points. Without the provisions of the pending resolution, disenfranchisement might last for considerable periods of time in many States. Under the laws of most States, a minimum period of 60 days is required before an election can be held after its proclamation. Furthermore, after a nuclear attack, which we must assume would result in damage to many other areas than the District of Columbia, the holding of elections might be extremely difficult, if not impossible, for many months. Even in States where the destruction might not be widespread, the people would be extremely busy and might not wish to attempt an immediate election. Senate Joint Resolution 39 would provide a method for temporary appointments until such time as the people of the State believed that it was feasible to undertake an election of new representatives.

Even if a majority of the Members chosen, sworn, and living would constitute a quorum, it might be utterly impossible to assembly such a majority either in Washington or any other seat of government if many Members were seriously wounded rather than killed outright. Thus, incapacity of Members,

rather than death of Members, might be the most serious stumbling block to operation of the House. A method should be provided for quick, though temporary, replacement of Members who have been killed, so that the House can function with as little hindrance and loss of time as possible.

Mr. President, I should like to point out also that so long as we have a House which can function and choose a Speaker, we have assurance that we will have a President, even under the dire circumstance of an attack in which the President, Vice President, and all Cabinet members are killed or incapacitated. Of course, under the Presidential Succession Act, the President pro tempore of the Senate succeeds to the office if there is no Speaker. However, there may be no President pro tempore, and the Senate requires a majority of those chosen and sworn for a quorum. Moreover, the Speaker was selected as the second alternate, and, whenever possible, he, rather than the President pro tempore of the Senate, should succeed to the office of President. We should make certain that there will always be a Speaker of the House; the only way to do this is to assure that there will be a House capable of meeting and choosing a Speaker without delay.

The primary argument which has been made against the adoption of this resolution is that it is born out of fear and panic. To me, this is tantamount to saying that a husband should never purchase life insurance because of fear of frightening his wife, or that a parent should never have his child vaccinated for fear of frightening the child.

This resolution was not born of fear, and it was not born of hysteria. It merely embodies a desire to protect the representative nature of our Government in this second half of the 20th century. Our Constitution must be adjusted to cope with the dangers of the age in which we live.

Therefore, Mr. President, I urge the Senate to pass Senate Joint Resolution 39, and I also urge our colleagues in the House of Representatives to give full and prompt consideration to this measure.

FEDERAL CONTROLS OVER REGISTRATION OF VOTERS—VOTING REFEREES IN STATES

Mr. JOHNSTON of South Carolina. Mr. President, I wish to serve notice that I intend to ask that the Committee on Rules and Administration be discharged from the further consideration of S. 2535, S. 2684, S. 2719, S. 2722, S. 2783, and S. 2814, and that these bills be referred to the Senate Judiciary Committee so that the Subcommittee on Constitutional Rights may give this proposed legislation further consideration.

Mr. President, I intend also to request, when the bill entitled "An act to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes," is presented to the Senate, that it be referred to the Senate Judiciary Committee for the purpose of having it considered by the Subcommittee on Constitutional Rights.

Mr. President, the President of the United States, backed by the Attorney General of the United States, has said that, in his opinion, the legislation now pending before the Committee on Rules and Administration dealing with Federal registration of voters is unconstitutional.

The Attorney General of the United States has stated that, as a matter of policy of the Eisenhower administration, this measure now before the Rules and Administration Committee must be replaced by other proposed legislation which the administration intends to send to the Congress.

The Attorney General stated in a press conference yesterday that this proposed legislation would, basically, provide for the appointment of U.S. voting referees whose powers would include authority to circumvent State registration laws, and certify as eligible to vote, any citizen of any State, regardless of State requirements.

Mr. President, there is no need at this time to go into every detail of the legislation being proposed by Members of Congress and by the administration in this field.

My main point is this:

Legislation proposed by Members of the Congress in this field has been questioned on constitutional grounds by the President of the United States and by the Attorney General of the United States, as well as by Members of the Congress, including myself.

The legislation in this field which is being presented to the Congress by the administration is being questioned by Members of Congress, including myself, on constitutional grounds.

On every hand we have grave constitutional questions arising in all proposed legislation relating to Federal intervention in State registration matters, and yet this proposed legislation has never been before the Senate Judiciary Subcommittee on Constitutional Rights.

The Subcommittee on Constitutional Rights has as its chairman the same Senator who is chairman of the Senate Committee on Rules and Administration, which is now considering this proposed legislation.

Certainly the chairman of the Senate Rules and Administration Committee should not be unwilling to transfer to his own Subcommittee on Constitutional Rights the consideration of this legislation which deals with constitutional rights.

There is no committee of the U.S. Senate that is more properly cloaked with authority to deal with the constitutional right of voting than is the Subcommittee on Constitutional Rights of the Judiciary Committee.

The personal opinion I hold in this controversy is that no legislation dealing with any change in voting rights and qualifications of various citizens of various States has any right to come before the Congress of the United States, unless it is a proposal to amend the Constitution of the United States. The right to control elections has been delegated to the State governments without question until now. Any attempt to change this delegation of authority in the Constitution without a constitutional amendment is an outrage against the men who wrote the Constitution.

The right to vote in a local precinct in South Carolina is not something to be controlled arbitrarily by some person elected to Congress to represent New York, Illinois, California, or Georgia. This is a right preserved by the Constitution to South Carolina. Any attempt to take this right away from South Carolina or any other State without the orderly procedure of constitutional amendment is, in effect, an attempt to abridge the Constitution of the United States.

Mr. President, we have a committee of the Congress, of which I am a member, which specifically deals with proposed legislation concerning constitutional rights of all nature. Even the supporters of legislation in this field base their support of such legislation upon their concern that some American citizens may be having a constitutional right abridged. We who oppose legislation of this character charge that it is violating the Constitution of the United States to tamper with this State right.

There is no question that constitutionality is involved in all such legislation, whether one is for it or against it. That is the reason why I have asked that all this type of proposed legislation be referred to the Senate Subcommittee on Constitutional Rights. In my opinion, there is no committee in the U.S. Senate which is better equipped or cloaked with more authority to deal with such legislation, which digs so deeply into the heart of our Constitution.

Mr. President, one last warning to those who may be inclined to support such legislation via the short route; that is, without proper hearings and study by the appropriate committee of the Senate. It is this same kind of legislation which helped men in past history, like Hitler, gain control of entire nations. When Hitler rose to power in Germany, the German constitution was still on the books. It had been broken only by Hitler's own assumption of powers through legislative violations of the constitution.

To play politics in Congress with questions within our proper scope of authority is one thing. But to play politics with the heart of the Constitution and the very "innards" of our Nation is to play with an explosive matter more dangerous than atomic or hydrogen bombs.

To change the Constitution of the United States, either by delegating constitutional authorities to bureaucratic officials of the Federal Government or by directing or relinquishing constitutional authorities to the courts of the Nation, can be more damaging to the people of this Nation and the entire free world than anything imaginable.

I hope we will never forget, in the Senate of the United States, that each of us was elected by the people of the States from which we come. The very life of our Constitution is at stake in this issue, and thus the life of our Nation and of free representative government.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. STENNIS. Mr. President, I commend the Senator from South Carolina for what I think is a very timely and a very sound observation with reference to consideration of this far-reaching proposed legislation.

There are involved many constitutional questions, which should not be considered solely by the Committee on Rules and Administration. I do not object to consideration by the Committee on Rules and Administration, but, in addition, the matter certainly should be considered by the Committee on the Judiciary. The Senator from Missouri [Mr. HENNINGS] is the chairman, as the Senator pointed out, of a subcommittee of the Committee on the Judiciary, and is a very fine lawyer. At the same time, there is no legal mind on the Committee on Rules and Administration to espouse the side of this involved question taken by the Senator from South Carolina.

I should like to observe further that I know some very good Members of this body who are not lawyers but who know much about law and who have in great degree good legal minds. The Senator from South Dakota [Mr. CASE] is outstanding in that regard, but he has trained his mind and has a natural grasp of such matters. It is the exception, rather than the rule, to find a person of that type.

The Senator from South Carolina is certainly eminently correct in pointing out the need to have the thinking of the best minds on these questions, minds trained in the law, regardless of which side they take.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator from Mississippi, who sat on the bench for many years. I know the Senator agrees with me that on matters involving questions of constitutionality of acts of Congress certainly there should be consideration by the Committee on the Judiciary of the Senate, before we take the matter up on the floor. That is my position.

I am making no motion at this time to refer any bill. I believe that the committee, after hearing what the Attorney General has recently said, since the President concurred with him, will probably wait until he sends to us in this body the bill which he thinks is constitutional.

Mr. STENNIS. Yes.

Mr. JOHNSTON of South Carolina. All I am doing at the present time is to serve notice on the Senate that at the appropriate time I am going to ask that the Judiciary Committee of the Senate also be allowed to look into the constitutionality of the matter before it is presented to this body for action.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CASE of South Dakota. I do not know how I became involved in this matter, but I express appreciation for the collateral compliment directed to me.

HOW WE CAN BEST ATTAIN MAXIMUM, FULL EMPLOYMENT AND STABLE PRICES

Mr. DOUGLAS. Mr. President, I rise to discuss the report of the Joint Economic Committee on maximum employment, and adequate rate of growth, and substantial stability in the price level, which I laid before the Senate yesterday.

INTRODUCTION

Mr. President, on March 24, 1959, Senate Concurrent Resolution 13 was passed by the Congress. It authorized the Joint Economic Committee to conduct a thorough study of our economy with special reference to the problems of simultaneously providing maximum employment, an adequate rate of economic growth, as well as maintaining price stability and preventing inflation.

The committee immediately set about its task, and in the course of 9 months we have held nine sets of hearings on virtually all phases of our economy. We heard over 100 witnesses on over 40 days of hearings and took some 3,700 pages of testimony. I am proud of the fact that in each case the witness was selected for his technical and intellectual knowledge and that we avoided merely parading a series of witnesses representing special interest groups before us. In fact, I think not a single witness was selected other than for his special knowledge.

I hold in my hand the printed record of this series of hearings. Senators can see it is a very large volume.

In addition to that, we commissioned some 23 special study papers on a variety of subjects affecting growth, employment, and inflation. All of these have either now been published or are at the Government Printing Office and will be published within a few days. Some of them have made original contributions to knowledge and have received the highest commendation from the academic community.

Yesterday I listed these special studies by title and by author.

Furthermore, under the direction of Dr. Otto Eckstein, the staff prepared a staff report which was published at the end of December. This is an amazingly able document. It consists of some 500 pages of detailed analysis of almost every aspect of our economy. It has received the highest praise from members of the academic community and even from the American Bankers Association which, while criticising it in some respects, stated that it was a tour de force.

This was a most unique report in that the committee determined that the staff should write this report, which included numerous policy recommendations, without interference from either the majority or minority of the committee. This they did, and the result is one of the finest documents of analysis which any group could produce in such a short length of time.

What is unique about this document, in addition to the fact that it represents no political group or special interest group, is that no other organization, either public or private, has done a comparable job.

I think it is not unfair to point out that the Nixon Committee on Inflation, which has been in existence longer than our special study, has not published a single analytical document concerning the problems of the economy, let alone a thorough analysis of the economy. That group operated entirely by press releases and the mimeograph machine. They have produced nothing in the way of analysis on which the academic community or the public could draw. This is quite extraordinary because they have had the entire resources of the executive agencies at their disposal, which we did not have.

The Council of Economic Advisers, which has a permanent staff of 12 professional economists plus its 3 members, and an annual budget almost double the amount we had, has produced no such analysis. In fact, their only public document is the yearly Economic Report of the President.

Numerous private groups, with both a great deal more money and a great deal more time, have also not done the kind of analysis which this staff performed in 9 short months. I want to say, however, that fortunately we were able to draw upon the work of numerous individuals who were connected with these groups and that their information proved exceedingly valuable. Nonetheless, no private group has attempted the job that our staff has done.

Yesterday I stated on the floor of the Senate, in a paraphrase to the remark of Mr. Churchill, that I believe that in the history of economic analysis in this country never have so few done so much for so many.

Some 81,000 copies of our original hearings and studies have already been distributed. The Government Printing Office has ordered 60,000 more copies of our studies, some 10,500 copies of which have been distributed. Thus, already there have been distributed some 91,500 copies of our materials. Eight of our staff studies and the committee report which I introduced yesterday remain to be distributed. Thus, without any question, more than 150,000 copies of our materials will directly reach the hands of the academic community, the public, the libraries, and other groups. We have sold or distributed a quantity of analytical economic materials which, had they been sold by a private book firm, would put us on the best seller list. This was done without pressing those materials on anyone. The materials have been distributed by single copies and not by sending out a hundred or a thousand to some special groups.

We are proud of the work of the committee and of the staff. I take this occasion to praise the extraordinary competence and scientific detachment of Dr. Eckstein, who has been the director of the special staff.

One member of the staff, Dr. Frucht, was designated as the special representative of the minority, with instructions to report to the minority, and to be available at all times to the minority. He was appointed by them. I am glad the

minority was allowed, on my motion, to use any member of the staff upon whom they wished to draw, and that they were given more time for the filing of their minority views than the minority, either Democratic or Republican, has had in some 11 years I have been a member of the committee.

WHAT THIS MEANS TO PEOPLE

Mr. President, I have mentioned the impact of our studies on the academic community and the importance of facts and figures and analysis of our economic system. It was Carlyle who called economics the dismal science. Indeed, it must be that to millions of people. Terms such as "gross national product," "inputs and outputs," "production functions," "discount rates," and "reserve requirements," "gross private domestic investment," and "the multiplier effect" must confuse and baffle millions of average people. These seem to be desiccated and bloodless terms, void of human reality. It is because of this that I want to say a word about the effect of the performance of our economy on the actual lives of our people.

Whether or not our economy grows at an adequate rate will make the difference between whether a small businessman can invest in his business and expand it, on the one hand, or whether or not his firm will stagnate or go bankrupt, on the other. What happens to the interest rate on Federal bonds will help to determine whether families will be able to build their own homes or not. The most intimate personal relationships of life depend on what happens to our economy—for example, whether one has a decent home or whether one lives under crowded conditions with in-laws in the spare bedroom.

To some, what happens to monetary policy may seem to be a very distant thing; but if it is too tight and fails to expand with the growth of our population, this will cause millions of persons to make decisions against their personal and their family's welfare which they would not otherwise have to make.

An adequate rate of growth affects the man who is unemployed, for without such a rate of growth he or his children or his wife may find that they must face some of the most cruel and humiliating experiences in life.

Whether our price levels are stable or not will determine in great part whether the growing groups of the aged in our country have a decent or a miserable time in the evening of their lives.

And our country as a whole has a great stake in all of this. This is true not only because an adequate rate of growth and substantially full employment with stable prices affects the material and domestic welfare of people, but it is also true because it may mean the difference between meeting our obligations to those in the world who are less well to do either fully or stintingly and in meeting the very real threat of Russian military and economic imperialism either effectively or only in an inadequate way. In short, when translated into human terms, the jargon of the economist does have meaning, and it has meaning for both our private and personal lives, on the one hand, and the well-being and, in fact, safety of our country and the friends of our country as well.

So in our discussion of these complex and often difficult subjects let us not overlook the point that we are, in fact, really talking about what happens to people and to individuals. It is because of this that we must talk of our economic growth, its failures and its potential, of full employment or the absence of it, and price stability and the policies—both good and bad—which have been followed to bring it about.

FINDINGS

As a result of our numerous studies, the prolonged hearings, and the staff report, the committee was able to arrive at numerous specific findings. I shall first outline shortly the specific conclusions to which we came and then the general policies which are needed to put them into effect. Following that, I shall take up the general questions of growth, unemployment, and prices, monetary, fiscal, and debt management policies, and then other specific areas of the study.

GENERAL CONCLUSIONS

In general, the fundamental conclusions about our economy to which we come on the basis of the study are:

First. It is possible with proper policies to achieve a high and sustained rate of economic growth, with relatively full employment, without creeping or galloping inflation.

Second. Under the present policies followed by the administration, the Treasury, the Federal Reserve, and the Congress, we would have to choose between growth equal to our potential, on the one hand, or price level stability, on the other.

Third. Our future growth will depend on what we do now. If we should pursue policies which will foster growth, the economy could grow at a rate of approximately 4.5 percent a year over the next 15 years. This is in sharp contrast to the rate of 2.3 percent for the last 6 years. These are amounts large enough to spell the differences between a rapid or slow increase in our standards of living and between meeting our public responsibilities at home and abroad fully or very imperfectly. We do not desire growth merely for its own sake. We need it to raise our standards of living, to meet our growing public responsibilities, and to improve our military position.

In fact, if we should grow at 4.5 percent a year between now and 1975 instead of at a rate of 2.5 percent, the gross national product in 1975 would be $971 billion—almost a trillion—or $258 billion greater than it would be at a 2.5 percent growth rate.

If we should grow at 4.5 percent, the gross national product in 1975 would be $139 billion greater in that year alone than if we grow at only 3.5 percent.

The cumulative amounts which we would gain from a growth rate of 4.5 percent per year in this period, instead of 2.5 percent or 3.5 percent, are staggering—so staggering, in fact, that I do not give them, even in round terms.

I have appended a table which shows calculations for the gross national product at different growth rates in future years. I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Difference in gross national product in selected years if the economy grows at 2.5 percent, 3.5 percent, or 4.5 percent

[In billions of dollars]

Year	Gross national product in billions of 1959 dollars if economy grows at—		
	2.5 percent per year	3.5 percent per year	4.5 percent per year
1959	[1] 480	[1] 480	[1] 480
1965	557	590	625
1970	630	701	779
1975	713	832	971

[1] Preliminary.

Mr. DOUGLAS. The table shows that at a 4½-percent growth rate, the gross national product should be $971 billion in 1975, as compared with $713 billion with a 2.5-percent rate; and $832 billion with a growth rate of 3.5 percent a year.

Fourth. In order to get a rate of growth close to our potential, we must reduce the inflationary bias of the economy so that we will not have to choose between growth on the one hand, or stable prices on the other. We must then pursue sound programs of growth. To grow at a high rate without inflation we must do the following:

(a) Make sure that final money demand for goods and services grows at a rate equal to the increase in the potential supply of them.

(b) Reduce the instability which still troubles the economy. There is nothing inevitable about the periodic recessions and depressions with which we have been plagued. While perfect stability will never be achieved in a dynamic economy, the frequency of recessions and their severity can be reduced.

(c) Improve the structure of the economy by reducing concentrations of market power and by increasing the mobility of resources, namely, of labor, and capital,

(d) Increase the growth of the productive capability of the economy by investment in public and private capital, by raising the productivity of the labor force, and by improving the mobility of resources.

Fifth. Our inadequate economic policies have contributed a great deal to the difficulties of recent years. Since the end of the 1954 recession—and, indeed, perhaps before that—public policy has been concentrated primarily on curbing inflation. This has been done on the mistaken assumption that such policy will automatically promote economic growth. The policies used assume that the inflation of recent years was caused by generally excessive money demand. Our studies find that the real sources of inflation primarily have lain elsewhere. In fact, money demand fell short of the potential output of the economy during most of the period—and, indeed, short of the actual output—and the general

restraints on demand imposed by public policies unduly retarded the growth in output and in employment without preventing price increases.

Sixth. However, we also find that policies designed to promote growth will not automatically prevent inflation. While high output serves to raise productivity, a high rate of growth requires high levels of monetary demand. It is impossible to manage the increase in money demand, particularly with present policy tools, without having some of that demand hit industries in which output is pressing upon capacity. This would result in inflationary strains. The sheer promotion of total output without regard to its composition may therefore very well result in strong inflationary pressures.

Seventh. Concentration of market power partially contributed to the inflation of recent years. Antitrust and similar policies designed to improve the competitiveness of the economy are important in reducing this source of inflationary strain but cannot be relied on exclusively for preventing increases in the general level of prices. Improved monetary and fiscal policies must also share in restraining inflation.

Mr. PROXMIRE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BRUNSDALE in the chair). Does the Senator from Illinois yield to the Senator from Wisconsin?

Mr. DOUGLAS. I yield for a question.

Mr. PROXMIRE. I should like to preface my question by congratulating the Senator from Illinois on an excellent report, which is extremely competent, and certainly very useful, I am sure, not only to the academic community, but also to businessmen and students of political economy; and also I wish to congratulate him on an excellent speech. I should like to ask the Senator from Illinois if it is not true that if the economy grows between now and 1975 at the rate of 4½ percent, one of the great virtues will be that the Federal revenues will increase by approximately—as I compute it—$40 billion.

Mr. DOUGLAS. I think that they would grow by at least that amount. That is, with the present rates of taxation, of course.

Mr. PROXMIRE. With the same rate of taxation. I raise that point because, of course, those of us who advocate policies of aid for education, which, as the Senator from Illinois points out, is central to the growth of our economy, have been criticized as spenders and as being fiscally irresponsible and for having no regard for a balanced budget. It would seem to me that the point the Senator from Illinois makes, that our economy will continue to grow, very well answers that criticism.

Mr. DOUGLAS. I say that the economy is capable of growing, at a faster rate if we do the right things.

Mr. PROXMIRE. Yes; if it follows the policies advocated by the Senator from Illinois.

Mr. DOUGLAS. Yes. With the same rate of taxation it will mean that the Government's revenues will increase proportionately, and we will have adequate funds, therefore, for social benefits, if those are needed, and for national defense, as well, and for a reduction in some of the national debt.

Mr. PROXMIRE. So that we would have revenues which would be approximately 50 percent higher than the present revenue is, and therefore we could very greatly improve our social services and our defense, and we would be in position substantially to retire the national debt at the same time.

Mr. DOUGLAS. In 1959 the gross national product amounted to $480 billion. If we grow at the rate of 4½ percent a year we believe the national gross product can easily reach $971 billion by 1975, which would mean double the present government receipts at the same rate of taxation. In the process, as the Senator from Wisconsin suggests, we would have more money available for welfare, and could also use the money to reduce the national debt.

Mr. PROXMIRE. I thank the Senator.

Mr. DOUGLAS. The Senator, as usual, has asked some very pertinent questions.

POLICIES

Mr. President, in general, the policies that would reduce instability, make our labor force more productive at full employment levels, increase our capital and use it more fully, and maintain our scientific advance, include:

First. Monetary and fiscal policies that permit money demand to grow in line with supply.

Second. Measures to reduce the instability of output, especially the management of our defense orders in such a manner that they do not cause serious instability in the economy.

Third. Greater reliance on fiscal policy so that monetary policy will not have to carry so much of the burden to achieve any desired restraint on total money demand. This means that we should aim for higher budget surpluses during periods of prosperity and a lower level of interest rates than have been achieved in recent years.

Fourth. A comprehensive program for promoting the productivity of the labor force, for technical progress, and for facilitating the introduction of new technology. This program should—

(a) Provide Federal aid to education, without Federal control, particularly for those States with a large school-age population and poor financial resources.

(b) Provide a national scholarship program.

(c) Strengthen Federal programs of medical research and of vocational rehabilitation.

(d) Strengthen the private and public apprenticeship programs.

(e) Continue and increase support of scientific research, especially basic research, even in the event that the strictly military needs for advancement in science diminish.

(f) Set up national productivity centers for raising productivity in the low-wage, low-productivity industries and services in the economy.

(g) Encourage those institutions of collective bargaining that allow for the introduction of new technology and which promote an equitable sharing of the inevitable social costs of technological change.

(h) Provide unemployment benefits and retraining for workers laid off because of technological change, with benefits related to seniority.

(i) Establish special programs for the rehabilitation of depressed areas.

In addition, we should—

Fifth. Reorder the priorities in Federal Government expenditures to place greater emphaiss on those activities which contribute to growth, such as education, research, and health programs, and reduce subsidies for agriculture and business, and prune wasteful Government activities.

Sixth. Reform the Federal tax system to make it fairer, less obstructive to economic growth, and more productive of revenue.

Seventh. Revise monetary policy so that we may have a growth in the money supply in line with the growth in total output and increase the effectiveness of monetary action.

Eighth. Put greater reliance, to the extent possible, on selective policies which will curb excess demands in certain industries without causing general unemployment.

Ninth. Carry out a more vigorous and more effective antitrust policy and, first, attempt to restrain groups that possess market power by voluntary methods; and, second, take whatever steps in the way of hearings and factfinding that may prove necessary.

Tenth. Reduce tariffs gradually.

Eleventh. Revise our farm policy, including more research to find new uses for farm products.

Twelfth. Improve our foreign trade position.

FEDERAL AID TO EDUCATION MOST IMPORTANT

Of these recommendations, Federal aid to education is the most important for raising the long-term rate of growth. This should be done without Federal control over the content of what is taught, the salaries or promotion of teachers, tenure, discipline, or any other feature which historically has been controlled by the local authorities. Historically, increases in productivity account, so many students of the subject believe, for two-thirds of our total increase in output, with only one-third due to increases in the sheer amounts of labor and capital. The rise in productivity must be traced back to the improving skills of the labor force, to improvements in technology, and to better organization of production. Education plays a crucial role in each of these fields.

The untapped potential of further investment in education remains great. For example, a recent study found that 60 percent of students in the top quarter of ability in high school do not go to college. Many cannot afford to go. Religion, race, sex, and place of residence also keep some from attending college. Lack of motivation and the inadequacy of the high schools also are factors.

A large fraction of our labor force even today is the product of poor school systems. Expenditures per pupil vary

enomously among States, and even more among school districts. Average expenditure per pupil in the top 12 States was $429 in 1958–59, and only $216 in the bottom 12 States. Yet the poorer States spend a greater fraction of their income on education. The large differences result both from the differences in income and from the fact that the poorer States have a larger fraction of their population of school age.

With the rising demands for skill and training from an ever more complex technology, we must strengthen our weaker school systems, and make sure that all of our people have the opportunity and the encouragement to develop their talents fully. Federal aid to education is a necessary step to accomplish this aim.

THE RECORD

GROWTH

Since 1890 the economy of the country as measured by the expansion of the gross national product has grown at the rate of 3.2 percent per year.

I wish to say that we are emphasizing the gross national product, not the volume of industrial production, which is that derived from mining and manufacturing, and we are reducing the figures on the gross national product to dollars of constant purchasing power. For the benefit of Senators, I have on the floor a chart, which shows the actual rate of growth and the potential rate of growth. It will be seen how much the depression of the 1930's cost the American people. From 1890 to 1919 the rate of growth was 3.5 percent, and from 1919 to 1959 it was 2.9 percent.

This lower rate of growth was largely due to the severity of the depression of the 1930's.

Even with the slow growth rates of the great depression, the last 60 years have seen a growth rate of over 3 percent per year on the average.

At the end of World War II there was an inevitable decline in the rate of growth. Growth resumed, however, in 1947, was then interrupted by the recession of 1949, and then continued at a very high rate—in part because of the Korean conflict—through 1952. For the period, 1947–53, the average rate of growth was 4.6 percent in terms of the gross national product.

Since then growth has been very much slower—2.3 percent a year, on the average, or only half the rate from 1947 to 1953. Some members of the minority seem to be very sensitive about the choice of these years, and imply that we should not have made the comparison between the years 1947–53, when a Democratic administration was in power, and the years 1953–59, when a Republican administration was in power. We chose those years not because of any difference in political leadership but because it was in 1953 that the growth rate began to slow down. If those facts have political implications, let the chips fall where they may.

Even when we allow for the expected further expansion in 1960, the average growth of output over the previous and the present business cycle will be below the longrun historical average. It will be even further below the growth of our potential capacity.

I may say, in this connection, that the President's economic report covers up this sharp difference between the record for the years 1947–53, on the one hand, and the years 1953–59 on the other. The President's report, at page 1, takes the 14 years since the passage of the Employment Act and says that the growth has been at the rate of 3.2 percent a year. That is correct. But the average rate of 3.2 percent is the result of an average of 4.6 percent for the years 1947–53 and only 2.3 percent for the years 1953–59. So the President's Council of Economic Advisers has been somewhat disingenuous in covering up the decrease in the rate of growth in the last 6 years by taking the average rate for the period as a whole.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a comparative table showing rates of growth by varying periods.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Comparative rates of growth of gross national product in the United States by varying periods* [1]

Periods	GNP in constant 1958 dollars	GNP per person	GNP per person engaged in production	GNP per unweighted man-hour
1890–1959	3.2	1.6	[2] 1.4	[3] 2.3
1890–1919	3.5	2.2	1.2	1.9
1919–59	2.9	1.2	[2] 1.6	[3] 2.6
1919–47	2.6	1.1	1.4	2.4
1947–53	4.6	2.5	2.6	4.1
1953–59	[4] 2.3	[4] .6	[2] 1.8	[3] 2.6

[1] Sources: All data for 1890–1919 and gross national product per person engaged in production for all years are from "Productivity Trends in the United States," a study by Dr. John Kendrick for the National Bureau of Economic Research, now in process of preparation. Data used by courtesy of the bureau. Gross national product and GNP per person, 1919–58, U.S. Department of Commerce. GNP per unweighted man-hour, Fabricant, "Basic Facts on Productivity Change," hearings, vol. II, table A. Figures are all rates of change between annual figures.

[2] Series ends with 1958.

[3] Series ends with 1957.

[4] 1959 dollars. It would be 2.4 in 1954 or in 1958 dollars.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent also to have printed at this point in the RECORD a table prepared by the Committee for Economic Development, which produces geometrically the growth rates from 1910 to 1959.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 5.—*U.S. average annual growth rates, 1909–59*

[Percent]

Terminal year	Initial year																								
	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933
1910	2.6																								
1911	2.6	2.5																							
1912	3.7	4.3	6.0																						
1913	3.0	3.1	3.4	0.8																					
1914	1.5	1.2	.8	−1.7	−4.2																				
1915	1.1	.8	.4	−1.4	−3.4	−0.9																			
1916	2.1	2.0	1.8	.8	.8	3.5	7.7																		
1917	1.8	1.7	1.6	.7	.7	2.4	4.0	0.4																	
1918	2.8	2.8	2.8	2.3	2.6	4.3	6.1	5.2	10.3																
1919	2.4	2.4	2.4	1.9	2.1	3.4	4.4	3.4	4.9	−0.2															
1920	1.7	1.6	1.5	1.0	1.0	1.9	2.4	1.1	1.4	−2.8	−5.3														
1921	.8	.7	.5	−.1	−.2	.4	.5	−.9	−1.2	−4.7	−6.9	−8.5													
1922	1.9	1.9	1.8	1.4	1.5	2.2	2.6	1.8	2.0	.1	.2	3.0	15.9												
1923	2.6	2.6	2.6	2.3	2.5	3.2	3.7	3.2	3.6	2.3	3.0	5.9	13.9	12.0											
1924	2.4	2.4	2.4	2.1	2.2	2.9	3.3	2.7	3.1	1.9	2.4	4.4	9.0	5.8	−0.1										
1925	2.8	2.8	2.8	2.6	2.7	3.4	3.8	3.4	3.8	2.8	3.4	5.2	8.9	6.7	4.1	8.6									
1926	3.0	3.0	3.0	2.8	3.0	3.6	4.0	3.6	4.0	3.2	3.7	5.3	8.3	6.4	4.6	7.1	5.6								
1927	2.8	2.8	2.8	2.6	2.7	3.3	3.6	3.2	3.5	2.8	3.2	4.5	6.8	5.1	3.4	4.6	2.7	−0.2							
1928	2.7	2.7	2.7	2.5	2.6	3.1	3.4	3.0	3.3	2.6	2.9	4.0	5.9	4.3	2.9	3.6	2.0	.3	0.8						
1929	2.8	2.8	2.9	2.7	2.8	3.3	3.6	3.2	3.5	2.9	3.2	4.2	5.9	4.5	3.3	4.1	3.0	2.1	3.3	5.8					
1930	2.2	2.2	2.2	2.0	2.0	2.4	2.6	2.3	2.4	1.8	2.0	2.7	4.1	2.7	1.4	1.7	.3	−.9	−1.2	−2.1	−9.5				
1931	1.8	1.7	1.7	1.5	1.5	1.8	2.0	1.6	1.7	1.1	1.2	1.8	2.9	1.6	.3	.4	−.9	−2.2	−2.7	−3.8	−8.3	−7.0			
1932	1.0	.9	.8	.6	.6	.8	.9	.5	.5	−.2	−.1	.3	1.1	−.2	−1.5	−1.7	−3.1	−4.4	−5.3	−6.7	−10.6	−11.1	−15.0		
1933	.8	.7	.7	.4	.4	.6	.7	.3	.3	−.3	−.3	.1	.8	−.5	−1.6	−1.8	−3.0	−4.2	−4.8	−5.9	−8.6	−8.4	−9.0	−2.7	
1934	1.1	1.1	1.0	.8	.8	1.1	1.2	.8	.8	.3	.3	.7	1.4	.3	−.7	−.7	−1.7	−2.6	−2.9	−3.5	−5.3	−4.2	−3.3	3.2	9.4
1935	1.5	1.4	1.4	1.2	1.2	1.5	1.6	1.3	1.3	.8	.9	1.3	2.1	1.1	.2	.2	−.6	−1.2	−1.4	−1.7	−2.8	−1.5	0	5.5	9.9
1936	1.9	1.9	1.9	1.7	1.7	2.0	2.1	1.9	1.9	1.5	1.6	2.0	2.8	1.9	1.2	1.3	.6	.1	.2	.1	−.7	.9	2.5	7.4	11.0
1937	2.0	2.0	2.0	1.8	1.9	2.2	2.3	2.0	2.1	1.7	1.8	2.3	3.0	2.2	1.5	1.6	1.0	.7	.7	.7	.1	1.6	3.1	7.1	9.7
1938	1.8	1.8	1.8	1.6	1.6	1.9	2.0	1.7	1.8	1.4	1.5	1.9	2.5	1.7	1.1	1.2	.6	.2	.2	.2	−.4	.8	1.9	5.1	6.7
1939	2.0	2.0	2.0	1.8	1.9	2.1	2.2	2.0	2.1	1.7	1.8	2.2	2.8	2.1	1.5	1.6	1.1	.8	.9	.9	.4	1.6	2.7	5.5	6.9
1940	2.2	2.2	2.2	2.1	2.1	2.4	2.5	2.3	2.4	2.0	2.1	2.5	3.1	2.4	1.9	2.0	1.6	1.3	1.5	1.5	1.1	2.3	3.3	5.9	7.2
1941	2.6	2.6	2.6	2.5	2.6	2.8	3.0	2.8	2.9	2.6	2.7	3.1	3.7	3.1	2.6	2.8	2.4	2.2	2.4	2.5	2.3	3.4	4.5	6.9	8.2
1942	2.9	2.9	2.9	2.8	2.9	3.1	3.3	3.1	3.2	2.9	3.1	3.5	4.1	3.5	3.1	3.3	3.0	2.8	3.0	3.2	3.0	4.1	5.2	7.5	8.6
1943	3.1	3.1	3.2	3.1	3.2	3.4	3.6	3.4	3.5	3.3	3.4	3.8	4.4	3.9	3.5	3.7	3.4	3.3	3.5	3.7	3.6	4.6	5.7	7.8	8.9

TABLE 5.—*U.S. average annual growth rates, 1909–59*—Continued

[Percent]

Terminal year	Initial year																							
	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933
1944	3.2	3.3	3.3	3.2	3.3	3.5	3.7	3.5	3.7	3.4	3.6	3.9	4.5	4.0	3.7	3.9	3.6	3.5	3.7	3.9	3.8	4.8	5.8	5.8	8.7
1945	3.1	3.1	3.1	3.1	3.1	3.4	3.5	3.4	3.5	3.2	3.4	3.7	4.3	3.8	3.4	3.6	3.4	3.3	3.5	3.6	3.5	4.4	5.3	7.0	7.9
1946	2.7	2.7	2.7	2.6	2.7	2.9	3.0	2.9	3.0	2.7	2.8	3.2	3.7	3.2	2.8	3.0	2.7	2.5	2.7	2.8	2.6	3.4	4.2	5.7	6.4
1947	2.7	2.7	2.7	2.6	2.6	2.8	2.9	2.8	2.9	2.6	2.7	3.0	3.5	3.1	2.7	2.8	2.6	2.4	2.6	2.6	2.5	3.2	3.9	5.3	5.9
1948	2.7	2.7	2.7	2.6	2.7	2.9	3.0	2.8	2.9	2.7	2.8	3.1	3.5	3.1	2.7	2.9	2.6	2.5	2.6	2.7	2.5	3.3	3.9	5.2	5.8
1949	2.6	2.6	2.6	2.5	2.6	2.8	2.9	2.7	2.8	2.6	2.7	3.0	3.4	3.0	2.6	2.7	2.5	2.4	2.5	2.6	2.4	3.1	3.7	4.9	5.4
1950	2.8	2.8	2.8	2.7	2.7	2.9	3.0	2.9	3.0	2.8	2.9	3.1	3.6	3.2	2.8	3.0	2.7	2.6	2.7	2.8	2.7	3.4	3.9	5.1	5.6
1951	2.9	2.9	2.9	2.8	2.9	3.1	3.2	3.0	3.1	2.9	3.0	3.3	3.7	3.3	3.0	3.1	2.9	2.8	2.9	3.0	2.9	3.5	4.1	5.2	5.7
1952	2.9	2.9	2.9	2.8	2.9	3.1	3.2	3.0	3.1	2.9	3.0	3.3	3.7	3.3	3.0	3.1	2.9	2.8	3.0	3.1	2.9	3.5	4.1	5.1	5.6
1953	2.9	2.9	2.9	2.9	2.9	3.1	3.2	3.1	3.2	3.0	3.1	3.3	3.7	3.3	3.1	3.2	3.0	2.9	3.0	3.1	3.0	3.6	4.1	5.1	5.5
1954	2.8	2.8	2.8	2.8	2.8	3.0	3.1	3.0	3.0	2.8	2.9	3.2	3.5	3.2	2.9	3.0	2.8	2.7	2.8	2.9	2.8	3.4	3.8	4.8	5.1
1955	2.9	2.9	2.9	2.9	2.9	3.1	3.2	3.1	3.2	3.0	3.1	3.3	3.7	3.3	3.1	3.2	3.0	2.9	3.0	3.1	3.0	3.5	4.0	4.9	5.3
1956	2.9	2.9	2.9	2.9	2.9	3.1	3.2	3.1	3.1	2.9	3.0	3.3	3.6	3.3	3.0	3.1	3.0	2.9	3.0	3.1	3.0	3.5	3.9	4.8	5.1
1957	2.9	2.9	2.9	2.8	2.9	3.1	3.1	3.0	3.1	2.9	3.0	3.2	3.6	3.3	3.0	3.1	2.9	2.9	3.0	3.0	2.9	3.4	3.8	4.7	5.0
1958	2.8	2.8	2.8	2.7	2.8	2.9	3.0	2.9	3.0	2.8	2.9	3.1	3.4	3.1	2.9	2.9	2.8	2.7	2.8	2.8	2.7	3.2	3.6	4.4	4.7
1959	2.9	2.9	2.9	2.8	2.9	3.0	3.1	3.0	3.1	2.9	3.0	3.2	3.5	3.2	3.0	3.1	2.9	2.8	2.9	3.0	2.9	3.4	3.7	4.5	4.8

Terminal year	Initial year																								
	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958
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1935	10.4																								
1936	11.9	13.3																							
1937	9.8	9.5	5.9																						
1938	6.0	4.6	.5	−4.6																					
1939	6.4	5.5	3.0	1.6	8.1																				
1940	6.8	6.1	4.4	3.9	8.4	8.7																			
1941	8.0	7.7	6.6	6.7	10.8	12.1	15.7																		
1942	8.5	8.3	7.5	7.8	11.1	12.1	13.9	12.1																	
1943	8.8	8.6	8.0	8.3	11.2	11.9	13.0	11.6	11.2																
1944	8.7	8.5	7.9	8.2	10.5	10.9	11.5	10.1	9.1	7.1															
1945	7.7	7.5	6.8	6.9	8.7	8.8	8.8	7.2	5.6	2.9	−1.2														
1946	6.1	5.7	5.0	4.9	6.2	5.9	5.4	3.5	1.4	−1.8	−5.7	−10.0													
1947	5.6	5.2	4.5	4.4	5.5	5.1	4.6	2.9	1.1	−1.2	−3.8	−5.2	−0.1												
1948	5.5	5.1	4.5	4.3	5.3	5.0	4.5	3.0	1.6	−.2	−2.0	−2.3	1.9	3.8											
1949	5.1	4.7	4.1	4.0	4.8	4.5	4.0	2.6	1.3	−.2	−1.6	−1.7	1.2	1.8	−0.1										
1950	5.3	5.0	4.4	4.3	5.1	4.8	4.5	3.3	2.2	1.0	0	.3	3.0	4.1	4.2	8.7									
1951	5.5	5.2	4.6	4.5	5.3	5.0	4.7	3.7	2.8	1.8	1.0	1.4	3.9	4.9	5.3	8.1	7.4								
1952	5.3	5.1	4.6	4.5	5.1	4.9	4.6	3.7	2.8	2.0	1.3	1.7	3.8	4.6	4.8	6.5	5.4	3.4							
1953	5.3	5.0	4.5	4.5	5.1	4.9	4.6	3.7	3.0	2.2	1.7	2.0	3.9	4.6	4.7	6.0	5.1	3.9	4.4						
1954	4.9	4.7	4.2	4.1	4.7	4.4	4.1	3.3	2.6	1.9	1.3	1.6	3.2	3.7	3.6	4.4	3.4	2.0	1.3	−1.6					
1955	5.1	4.8	4.4	4.3	4.9	4.7	4.4	3.6	3.0	2.4	1.9	2.3	3.7	4.2	4.3	5.0	4.3	3.5	3.6	3.2	8.1				
1956	4.9	4.7	4.3	4.2	4.7	4.5	4.3	3.5	2.9	2.3	2.0	2.2	3.6	4.0	4.0	4.6	3.9	3.2	3.2	2.8	5.1	2.1			
1957	4.8	4.6	4.2	4.1	4.6	4.4	4.1	3.4	2.9	2.3	1.9	2.2	3.4	3.8	3.8	4.2	3.6	3.0	2.9	2.6	4.0	2.0	1.8		
1958	4.5	4.3	3.9	3.8	4.2	4.0	3.7	3.1	2.5	2.0	1.6	1.9	2.9	3.2	3.1	3.5	2.9	2.2	2.0	1.6	2.4	.5	−.2	−2.3	
1959	4.6	4.4	4.0	3.9	4.3	4.1	3.9	3.3	2.8	2.3	2.0	2.2	3.2	3.5	3.4	3.8	3.3	2.8	2.6	2.4	3.2	2.0	2.0	2.0	7.0

NOTE.—Figures in this table show the average annual compounded rates of change between any 2 years in the period from 1909 to 1959. To obtain the annual rate of change between any 2 years, find the column for the initial year at the top of the table and read the figure in the row of that column opposite the terminal year shown at the left. The growth rates are based on the real gross national product expressed in 1954 dollars.

SOURCE: This table was made available by the Committee for Economic Development.

Mr. DOUGLAS. The movements in total output per capita show a similar pattern. However, because population growth continues at a more steady rate than output, a decline in the growth of total output has a magnified effect on the growth of output per person. Thus its increase, which had been 2.5 percent from 1947 to 1953, was only 0.6 percent in the last 6 years.

Total output per person engaged in production has increased in a somewhat more even pattern. This is because the total number of people working rises less in periods of slow growth. Thus, growth in output per capita, which had been 2.5 percent from 1947 to 1953, was only 0.6 percent in the last 3 years. In other words, halving the total rate of growth produced a quartering in the total rate of growth per capita, which is extremely significant.

Gross national product per unweighted man-hour, a crude measure of productivity, has risen at a longrun average rate of 2.3 percent a year. Since 1919, the average has been 2.6 percent. In the early postwar period, when the country's capital stock was being modernized after a long period of deferral, and when demand was very strong, this figure rose at a rate of 4.1 percent. From 1953 to 1957, the most recent period for which comparable data are available, it has returned to the average rate since 1919, an annual gain of 2.6 percent.

COMPARISON WITH OTHER COUNTRIES

The recent growth record of the American economy contrast with that of most of the advanced economies of the world. The rate of increase of output was much larger elsewhere. In the OEEC countries of Europe as a whole, gross national product rose at a rate of 4.6 percent for the period 1950–57, the

most recent dates for which comparable figures are available. Industrial production, which differs from gross national product, rose at a rate of 4.4 percent in this country from 1950–57, rose at 6.2 percent in OEEC countries. Economic growth in the Soviet Union has been at an even higher rate, with total output growing at approximately 7 percent.

We have had conflicting estimates of the growth of the Soviet economy. A special committee of the Joint Economic Committee has been studying this question and has been producing excellent studies and figures. But I do not believe anyone will question the fact that probably Mr. Allen Dulles, the head of the Central Intelligence Agency, knows more about this subject than does anyone else; and I do not believe our friends across the aisle can question his devotion to the tenets and perpetuation in office of the Republican Party.

As everyone knows, he is the brother of the late Secretary of State, Mr. John Foster Dulles. Mr. Allen Dulles, in testimony before the subcommittee which dealt with this subject, estimated the average Russian rate of growth in recent years as 7 percent. That is almost three times the rate of growth of the American economy during this period; in fact, it is three times the rate of growth of the American economy, our rate of growth being 2.3 percent.

We have a head start on Western Europe, and a still greater headstart on the Soviet Union, but they have been growing at a very much faster rate than we are running.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table which presents these statistics in tabular form.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States of America compared with other advanced countries—Annual average growth rates

	United States of America [1]	Canada	All member countries OEEC	France	Germany	Italy	United Kingdom	Sweden
Industrial production: 1950–57	4.4	5.4	6.2	6.6	10.7	8.5	3.0	3.3
Real GNP at market price (1954 prices and exchange rates): 1950–57	3.6	4.4	4.6	4.7	8.0	5.8	2.4	3.3

[1] From FRB Index, revised, and "U.S. Income and Output," U.S. Department of Commerce.

Sources: Industrial production and GNP figures from OEEC statistical bulletins, except for United States of America figures.

REASONS FOR SLOW GROWTH

Mr. DOUGLAS. Mr. President, the slow rate of growth of the last 6 years is a serious matter. While some slowdown from the very high rates of the early fifties was to be expected, the severity of the slowdown was unnecessary, and much of the blame rests with the Federal policies that were pursued.

First, Federal policies helped to bring about the two recessions, which were the main causes of the retarded growth. Sudden changes in defense orders clearly helped to trigger both of the downturns—as they also did in the downturn of 1949—because orders were cut clumsily and without offsetting fiscal measures which would have let civilian private and public spending grow.

Second, when the signs of recession became clear, we did not take sufficiently prompt action to halt and reverse the declines.

Third, monetary policy, which under the leadership of the Chairman of the Federal Reserve Board, Mr. William McChesney Martin, became progressively more restrictive over the period, kept the supply of credit too tight.

This had its main effect on residential construction. In much of the period the industry was capable of building more houses than the supply of credit allowed. It also had some effect on investment spending by small business, State and local governments, public utilities, and private business generally, and through its effects on personal incomes, on consumption as well.

The overall effect of these policies was to let total demand grow at a lower rate than the rate at which capacity was expanding.

When I say total demand, I mean, of course, the total monetary demand.

From 1953 to 1959, industrial capacity grew by approximately 30 percent, but industrial output by only 15 percent. Thus production remained below our potential output in most of the period.

THE MINORITY VIEW ON GROWTH

The minority report complains that our figure of potential growth as high as 4.5 percent per year is "phony"—page 78.

While they assert this, they offer no evidence to support it. In fact, they take an amazingly defeatist attitude. We did this well from 1947 to 1954. The Western allies are doing even better. The Russians, according to Mr. Allen Dulles, as I have said, are expanding at a 7-percent rate.

During the present administration, the economy has failed to grow even at a 3-percent rate over the period of 7 years in which they have been in power.

But it is true that in the past 6 years the economy has grown at only half the rate it grew in the preceding 6 years.

The President's Economic Report tries to obscure this failure by using figures starting with 1946 and 1947 which show that since then we have grown at slightly more than the historical average. This is true. But it is only true because of the rate of 4.6 percent between 1947 and 1953 as contrasted with a 2.3-percent growth since 1953. In other words, the economy has grown at half the rate in the last 6 years as it did in the preceding 6 years.

They may be satisfied with a 2.3-percent rate, but we are not. We suspect that the minority attacks the 4.5-percent potential because they are unwilling to take the steps which are needed to bring it about.

So much for the growth in the gross national product. What about employment? I have had placed in the rear of the Senate Chamber a chart for the benefit of Senators.

EMPLOYMENT

The general level of unemployment now appears to be higher both in good periods and in recession periods than it has been previously in the postwar years.

In the prosperous periods of 1956 and 1957, average unemployment was 4.2 and 4.3 percent, respectively. This compares with figures of 3.1 and 2.9 percent in 1952 and 1953, and with 3.9 and 3.8 percent in 1947 and in 1948.

In other words, on the whole, the average percentage of unemployment in 1956 and 1957, even including the recession at the latter part of the year, and even prior to the recession at the later part of the year, was 1 percent higher than it had been in 1951 and 1952. Then came a second recession and revival. The figure for 1959 was 5.5 percent, more than 2 percent higher than it had been in the previous revival periods of 1951 and 1952. Thus, in roughly comparable good periods unemployment levels are now higher.

In the recession year of 1958, average unemployment was 6.8 percent. This compares with 5.6 percent in 1954 and 5.9 percent in 1949. While there were individual months in the 1949 recession when the specific unemployment figure was as high as or higher than in the most recent one, there is no question that we are now experiencing a generally higher level of unemployment in both good and bad periods than at any time since World War II.

Mr. President, I ask unanimous consent that a table showing unemployment as a percent of the civilian labor force, by quarters, with seasonally adjusted annual rates, 1946–59, be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Unemployment as a percent of the civilian labor force, by quarters, seasonally adjusted annual rates, 1946–59

Year and quarter	Unemployment rate
	Percent
1946—1st	4.7
2d	4.2
3d	3.6
4th	3.4
Total	3.9
1947—1st	3.8
2d	4.1
3d	4.1
4th	3.7
Total	3.9
1948—1st	3.8
2d	3.7
3d	3.7
4th	4.0
Total	3.8

Unemployment as a percent of the civilian labor force, by quarters, seasonally adjusted annual rates, 1946–59—Continued

Year and quarter	Unemployment rate
	Percent
1949—1st	4.7
2d	5.8
3d	6.5
4th	7.1
Total	5.9
1950—1st	6.5
2d	5.6
3d	4.6
4th	4.2
Total	5.3
1951—1st	3.5
2d	3.2
3d	3.2
4th	3.4
Total	3.3
1952—1st	3.1
2d	3.1
3d	3.2
4th	2.8
Total	3.1
1953—1st	2.7
2d	2.7
3d	2.7
4th	3.7
Total	2.9
1954—1st	5.3
2d	5.7
3d	5.9
4th	5.4
Total	5.6
1955—1st	4.8
2d	4.4
3d	4.2
4th	4.2
Total	4.4
1956—1st	4.1
2d	4.3
3d	4.2
4th	4.1
Total	4.2
1957—1st	4.1
2d	4.1
3d	4.3
4th	4.9
Total	4.3
1958—1st	6.5
2d	7.2
3d	7.4
4th	6.3
Total	6.8
1959—1st	6.0
2d	5.0
3d	5.4
4th	5.6
Total	5.5

Mr. DOUGLAS. Mr. President, these figures do not include the involuntary part-time unemployed. Two men each working only half time are the equivalent of one man fully unemployed. The full-time equivalent unemployment of those who are only allowed to work part time was 1 million persons in November of 1958 and 0.998 million in December 1959, or, for all intents and purposes, a million in both cases. In general, the full-time equivalent of those who work part time would add another 1 percent to the unemployment rate in good times and about 1.5 percent in periods of recession. Thus in a period like the third quarter of 1958, when the full-time unemployment rate was 7.4 percent, the rate when the part-time involuntary workers were included would be 8.5 to 9 percent.

With these changes in employment conditions, there has been a trend toward a lower rate of increase in productivity—see table above. To a substantial extent this can be traced to the changes in the use of the civilian labor force. A pronounced shift has occurred from employment of production workers in manufacturing to employment in services, that is, from relatively high productivity to lower productivity uses.

To a significant extent, this weakening of the employment situation is another reflection of public policies pursued since 1953. The slow growth in total monetary demand after 1955 served to reduce employment demands in manufacturing industries and to encourage the shift of labor from these industries to services. Had more expansionary fiscal and monetary policies been followed in 1956 and 1957, the overall unemployment rate would have been lower and productivity would have been greater.

THE BEHAVIOR OF PRICES

When we examine prices since the end of World War II, we note that the major increases we have had have come in a relatively few years of the period. This is true for both the wholesale and the consumer price index.

In order to interpret these movements of the price indexes, their limitations must be kept in mind. The failure of the indexes to reflect changes in quality and the methods of introducing new products give some upward bias to these indexes. These biases are not sufficient to explain away all of the increase in the index. But it should be stressed that small changes in the indexes, on the order of 1 percent a year, fall within the margin of statistical error.

The first increase in prices, or inflation, came in the period 1946–48, and was the result of a limited supply of consumer goods against which an excessive amount of liquid funds was used to bid up prices. The consumer price level rose about 19 points in the period. At least some of these increases were inevitable, but some of the blame must also lie with those who advocated and put through a hasty abandonment of controls which, while not necessary or desirable in normal periods, are quite properly necessary in war and immediate post-war periods.

From 1948 to 1950 prices were again stable, but with the beginning of the Korean war, they rose once again. There was an increase in the Consumer Price Index between 1950 and 1952 of 10.6 points, from 102.8 to 113.5. Wholesale prices, however, declined during the second half of 1952—at a time when retail prices were rising slowly—and probably from June, and possibly from April, on, the composite of the two price levels was constant, that is, if one takes the wholesale and consumer price indexes together and strikes an average of the two.

Even so, from late 1951 through 1955, the Consumer Price Index was as stable as any period in our recent history. The figure for 1952 was 113.5 and that for 1955 was 114.5—or only 1 point in 3 years.

Yet, this was the very period—beginning in 1953 following over a year of stable prices—that the new administration and Mr. George Humphrey started their fight on inflation. The result of this and other policies was the recession of 1953–54.

In the 1955 to 1958 period—perhaps I should more accurately define that as 1955 to July of 1957—prices again rose. The index was 114.5 in 1955 and 123.5 in 1958, an increase of 9 points in a little more than 2 years. The period 1955–57 was again a period when monetary demand was dampened down by tight money. Inflation was not only fought in 1955 and 1956, but the tightness continued until October 1957, some 2 months after the recession had actually begun and some 10 months after the signs that the 1955–56 boom had lost its forward motion, because the index of production was not rising during this period. It was falling slightly. The point is that tight money in the period of 1955 to 1957 did not stop inflation.

For the last year and a half at least, prices have again been as stable as any period in modern history. Yet, beginning in November of 1958, after the Republican disaster at the polls, the administration and the monetary authorities, backed up by the great metropolitan Republican newspapers and the insurance companies, began a powerful campaign against inflation. This has been going on now for some 14 months; yet it has thus far been a period when price rises have been within the statistical margins of error of the indexes. At the same time, unemployment has been excessive and our growth rate has been inadequate.

If one looks at the wholesale price index, it is at exactly the same level as of December 1959 as it was in January of 1958—namely, at 118.9.

In other words, in 23 months the wholesale price index has remained steady. The present level of the index is in fact below the average for 1958 and only 1.3 percent above 1957.

I was especially pleased to note that the minority in their views in our report claim—page 80—that "except for the period from early 1956 to early 1958, the Consumer Price Index has been remarkably stable—since President Eisenhower took office."

We are glad to welcome them to the fold. I have been saying this for several years, and have been charged with trying to cover up the inflation which has allegedly existed. But we must ask the question, if all this is true—and it is true—"What, then, is all the hullabaloo about? Why are we having tight money, high interest rates, budget cuts, and committees and propaganda to fight an inflation which they admit does not now exist?"

Incidentally, this hullabaloo about inflation has made investors become concerned about the future purchasing power of Government bonds, has sent up the prices of stocks, and has discouraged investment in Government bonds, because the people feared that there would be a diminishing purchasing power of

the bond principal. Consequently, this fear has resulted in diminishing prices of Government bonds, then the lowered prices of Government bonds, and the increase in interest rates, partially induced by the propaganda claiming the existence of a nonexistent inflation, is used as an excuse for further increasing the interest rates and further tightening the money supply.

This admission from the minority is a devastating one and cuts the ground from underneath the administration's negative policies which have slowed down growth, increased unemployment, and which have resisted all attempts to provide both adequate defense and needed public services such as schools, slum clearance, hospitals, aid to depressed areas, and the other programs so necessary if our economy is to grow in line with the increase in our population and our potential production and of our responsibilities both at home and abroad.

What we did in our report was to analyze the kind of inflation which we had really had. We found that the inflation in the period 1955–57 could not be accounted for by excessive monetary demand or by the classical expression of "too much money chasing too few goods."

Rather, it was accounted for by a series of other factors. Three fundamental factors account for this inflation of recent years.

First. Inflation has been a byproduct of instability of output. Business investment has come in rapid surges. This has led to excess demands and rising prices in the capital goods industries. Consumer investment in durable goods has also come in sudden bursts, particularly in the first year of recovery after recession. Besides directly leading to price increases, these surges led to very rapid increases in profits which formed the basis for relatively large long-term wage settlements. Business was also encouraged to incur large fixed capital, research, and administrative costs by the sharp upswing of 1955. When total demand failed to grow in accordance with the optimistic expectations established in 1955, business found itself with a higher level of overhead costs which served to raise unit costs.

Second. Concentrations of market power have also contributed to inflation. The history of price increases in steel, the ability of many industries to pass on higher overhead costs even in the absence of excess demands, and the failure of prices to fall in the recession periods, are three clear instances of the influence of market power on the price level.

Third. The prices of services, which loom particularly large among consumer prices, rose steadily through the postwar period. The rise in service prices is due partly to the fact that these sectors have lower productivity increases than the average of the economy. In addition, in some areas, particularly in the case of medical care, the imbalance between demand and supply has continued to worsen.

I would say, a very large portion of the increase in the Consumer Price Index is due solely to the increase in the price of services, of which the increase in the cost of medical service has been the greatest, being well over 50 percent above the 1947–49 base. Tight money does not help that situation in the slightest degree.

The policies pursued by the Federal Government were on the whole poorly suited to deal effectively with the specific kinds of inflationary pressures in recent years. These policies were of a type that is effective in curbing an inflation stemming from generally excessive money demand. This did not work. The actual increase in money demand was low. The principal inflationary forces were the strong shifts in demand among industries, the concentration of market power, and the low productivity and the inadequate supply of services. The attempt to restrain total demand by the Federal Reserve System brought unemployment and a low growth of total output, while it did not stop the upward movement of prices over the period.

The programs we should have to deal with this kind of inflation differ fundamentally from those pursued by the administration and the Federal Reserve. To meet this kind of inflation and to get at the root causes, the Government should pursue a vigorous antitrust policy against those industries which exercise market power. If this were done the demands of labor in those industries would be less, for the industries would be more competitive and the excessive profit margins which led to high labor demands, especially in 1955, would consequently be less. Our industry must be made more competitive.

In addition, our program should also carry with it the gradual lowering of tariffs for foreign competition in these market-power industries can bring a lessening of the inflationary impact of their pricing methods.

Furthermore, the economy must continue to grow at a high level. This would mean that fewer people would transfer from the high-productivity manufacturing industries into the low-productivity service industries. When industry is not operating at or near full capacity, as in recent years, then labor seeks employment in the less-productive areas of the economy. This has brought a general lowering of productivity, an increase in unit costs of services, and rise in prices. In fact, the bulk of the increases in the Consumer Price Index can be accounted for by an increase in the price of services.

Moreover, in many areas, of which medical costs are the single most important, the inflation has been caused by a shortage of supply of these services. This requires the building of more medical schools and hospitals and training a greater number of competent doctors.

The administration, has, on the other hand, done just the opposite. It fights inflation by cutting back on the services we need. This in turn means a shortage of supply, and prices rise. In these areas, inflation can be offset only by providing an increase in the supply of the services, as well as by improving their efficiency.

Now that we have analyzed the true nature of the recent inflation, we find that our Republican friends say that it does not exist and criticize us for exaggerating its importance. The real reason they have done this is that they are unwilling to fight the kind of inflation which we actually have.

Of course, we should realize that the stability of the general price level has been purchased at the expense of a great fall in the prices of products on the farm. Prices of services have gone up. Prices of consumers' goods have gone up. The general price level has been kept steady in large part because of the great price decline which the farmers have suffered.

Having fought the wrong battles at the wrong time with the wrong weapons, the minority is now unwilling to fight the right battles at the right time with the right weapons.

We believe that the main reason for this is that if they are to fight the real battles, they will have to do something about the excessive market power which is exercised by the big business community. They will have to help build hospitals and schools. Interest rates would have to come down and monetary policies would have to be eased.

Once again let me say, if the price stability record is as good as our Republican friends say it is, what is all the shouting about?

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. First, I should like to tell the Senator I have heard every word he has said. Once again let me say that I am very much impressed and informed by his excellent speech. I was imprisoned in the Presiding Officer's chair, and hence was unable to engage in the colloquy. It was a most frustrating experience, but at long last I have an opportunity to ask two or three questions. I will make them as concise and brief as I can.

Mr. DOUGLAS. I thank the Senator.

Mr. PROXMIRE. In the table on unemployment, the Senator points out that there are only a few periods in which unemployment has exceeded that of 1959, the year ended last month.

I should like to ask the Senator if it is true—it seems to me it is—that there were only 4 years of the past 14—and all of those have been since World War II, of course, in which the average level of unemployment has been as high as it was in 1959.

Mr. DOUGLAS. In 1949 unemployment was 5.9 percent. That was a year of recession.

In 1954 it was 5.6 percent, or slightly higher than 1959.

In 1958 it was 6.8 percent.

Mr. PROXMIRE. What of 1950?

Mr. DOUGLAS. The figure was slightly lower than in 1959, namely, 5.3 percent.

Mr. PROXMIRE. What about the first quarter of 1950?

Mr. DOUGLAS. We were speaking of annual average rates. Now this is interesting. In 1959, a period of so-called recovery, we had a percentage of unemployment as high as during the previous postwar recession periods.

Mr. PROXMIRE. Exactly. That is the point I wanted to stress. The whole case for the minority has been that excessive demand for products made it necessary to adopt stringent money policies, policies of a tight budget, and so forth; but the Senator from Illinois is emphasizing very well in the table and in his remarks that this has been a period of excessive supply of service. Labor is very heavily unemployed.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. Compared with the most recent experience, since 1946, 1959 was a very, very bad year. Yet all during 1959, as I understand, the Federal Reserve was following a policy of tight money, and the President was emphasizing over and over and over again the dangers of inflation caused by excessive demand for products and a deficiency in their supply.

Mr. DOUGLAS. The Senator is absolutely correct. We never heard very much from the administration about the high volume of unemployment.

We should remember that, if we include the involuntary part-time unemployed, as most students of this subject believe we should, the actual rate would be increased by 1 percent or more, so that the average for the year would be 6.5 percent or more. We do not hear much about that.

Prices were relatively steady but the Federal Reserve and the administration believed in a policy of contraction at a time when we had underutilization of labor and underutilization of capital.

Mr. PROXMIRE. Is it the understanding of the Senator from Illinois that involuntary unemployment did rise in 1959 as compared with the earlier years?

Mr. DOUGLAS. No. Does the Senator refer to involuntary part-time unemployment

Mr. PROXMIRE. Involuntary part-time unemployment.

Mr. DOUGLAS. No, it did not rise.

Mr. PROXMIRE. It did not rise, compared to the period 1946 on?

Mr. DOUGLAS. In fact, it probably fell relative to the base, but at all times it would raise the total unemployment figure by from 1 to 1½ percent. It would raise the level by 1 percent in the so-called good times and by about 1½ percent in the recession periods.

Mr. PROXMIRE. I should like to refer to the remarks of the distinguished Senator from Illinois with reference to the difference between the growth rate of the Soviet economy and our own growth rate.

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. I think the Senator from Illinois is making an extrmely useful distinction. We can talk about growth in this country and growth in the Soviet Union and simply rely on statistics which do not necessarily mean much. We might have a period of prosperity in which we sell many cars with tail fins.

I think the Senator added enormously to the quality of his presentation by emphasizing the educational aspects of the problem. What troubles me is that all reliable reports we have received relative to the Soviet Union, including the report by the U.S. Commissioner of Education himself, Lawrence Derthick, show that the Soviet Union is pouring two to three times as much of its resources into education as we are.

Mr. DOUGLAS. A larger portion of actual resources, or a larger percentage?

Mr. PROXMIRE. A larger proportion of resources, a larger percentage. The Soviets, therefore, are concentrating much of their resources and growth in the areas which are going to produce greater productivity and greater growth in the future.

Mr. DOUGLAS. I think the Senator is completely correct.

Mr. PROXMIRE. The Soviet figure of 7 percent compared to our 2.3 percent is likely to be even more threatening than it might appear simply by looking at the statistics.

Mr. DOUGLAS. Yes. I wish to make one point further. We are measuring growth in gross national product. In a democracy, I suppose almost inevitably, we tend to lay greater stress upon consumer goods than does a dictatorship, so that in the struggle for military strength, or comparative military strength, the picture on a relative basis may be even less favorable than is indicated by the comparative rates of 7 percent and 2.3 percent, respectively.

Mr. PROXMIRE. The Senator from Illinois has stressed the fact that education is the heart of the problem which he is discussing. While he is making an economic analysis—a profound and very competent economic analysis—he is showing that assistance to education, providing more teachers and better qualified teachers, is extremely important in developing our own economy.

Mr. DOUGLAS. Our goal of a rate of growth of 4½ percent is most conservative, because it did not take into account the speedup in the rate of productivity which we could effect by devoting greater effort to the problem. We have merely projected the existing rate into the future.

Mr. PROXMIRE. The rate to which the Senator refers is the rate at which he says we can achieve growth.

Mr. DOUGLAS. The Senator is correct. That merely assumes that we continue the improvement in the quality of our work force at the same rate which has prevailed for the past 40 years.

However, if we should place greater emphasis on individual capacity, the rate of growth might be still greater. We have not taken that factor into account. So I believe our estimate is most conservative. If we grow at the rate of 4.5 percent, as compared with the Soviet rate of more than 7 percent, perhaps the Soviets will not be able to hold the 7-percent plus rate, and we shall maintain superiority for a longer period of time, and we could afford greater military expenditures to protect physical security than we otherwise could, in the hope that with the passage of time the Soviets may decide to live and let live, and not try to take over the world.

Mr. PROXMIRE. Is it not the understanding of the Senator from Illinois that the analysis of the Soviet budget made by Mr. Dulles and others indicates that the Soviet Union is pouring a great amount of its resources into research?

Mr. DOUGLAS. That is true.

Mr. PROXMIRE. As a result, we can expect from this investment, too, a very great increase in their productivity.

Mr. DOUGLAS. That is true.

Mr. PROXMIRE. Let me ask one further question with relation to what the Senator is discussing.

The Senator from Illinois points out that—

> Inflation was not only fought in 1955 and 1956, but the tightness continued until October 1957, some 2 months after the recession had actually begun and some 10 months after the signs that the 1955–56 boom had lost its forward motion. The point is that tight money in this period did not stop inflation.

Mr. DOUGLAS. It not only did not stop inflation, but the Federal Reserve Board made the egregious error of raising the interest rate in August 1957, just as the economy began to go into a tailspin.

Mr. PROXMIRE. The Senator from Illinois has certainly not been a dogmatist on monetary policy. In fact, he was a critic of the policy during the previous administration.

Mr. DOUGLAS. During the Truman administration.

Mr. PROXMIRE. I should like to ask the Senator if it is not true that during the very period when interest rates were rising, at the instigation of the Federal Reserve Board, business loans increased very substantially, and that it is a fair inference that such loans contributed very greatly to the capital goods inflation. There was an enormous expansion in capital goods during this period.

Mr. DOUGLAS. I believe the Senator from Wisconsin is correct.

Mr. PROXMIRE. In the classic situation, one would assume that a tight money policy would be effective in discouraging business from borrowing money to enable it to expand. However, it would seem that the policy was inadequate.

Mr. DOUGLAS. Yes; although, of course, the impact was unevenly distributed. I do not believe that a rise in interest rates affects the investment policy of big business, because it can expand in large part from its own surpluses and earnings. But it would affect, and decrease, the expansion of small business, and such other areas in the economy as homebuilding.

The more I go into the subject the more firmly convinced I become that a previous hunch which I had was probably correct; namely, that as we increase the interest rate in the attempt to choke off the total volume of money, we increase the velocity of money, due to the fact that bank balances are kept more liquid and inventories are turned over more rapidly, because the costs of holding inventories and borrowing are greater. Therefore, although the Reserve tries to check inflation from coming in the front door through an increase in the total money supply, it nevertheless comes in through the back door by reason of a change in velocity.

Mr. PROXMIRE. Is it not true that at the very same time, at least in the time payment sector of the economy, which admittedly is limited, there is an inflation in connection with buying homes, buying cars, buying television sets, building schools and hospitals, and in financing the building of schools and hospitals? The interest rate constitutes a very great part of the cost of buying or building such things. So the policies of the Federal Reserve Board contributed to inflation, at least to this limited extent.

Mr. DOUGLAS. The Senator is correct. Whether business loans diminish or increase, the figures show the Senator to be correct.

In 1954 loans by all commercial banks amounted to $70.6 billion; in 1955, to $82.6 billion; in 1956, to $90.3 billion; and in 1957, to $93.9 billion, or a very real increase, at the time the Federal Reserve Board was tightening up the interest rate.

Mr. PROXMIRE. The effort to restrict the business demand for limited resources apparently did not have a decisive effect. At least it did not stop the substantially sharp increase in business borrowing.

Mr. DOUGLAS. During this period the Federal Reserve Board was 100 percent wrong in virtually everything it did. Its record for this period is zero.

Generally, of course, tight money has a selective effect, in that it hits the small businessman, the homebuilder——

Mr. PROXMIRE. And community money to construct hospitals.

Mr. DOUGLAS. It hits communities, local governments, State governments, and farmers.

Mr. PROXMIRE. I should like to invite the attention of the Senator from Illinois to one very significant observation during this period. I recall very well that the cost of living rose in April of 1959, according to the Bureau of Labor Statistics, because it was said that State and local taxes had increased, and it was said that the increase in State and local taxes was largely responsible for the increase in the cost of living in that month. Anyone who has paid any attention to the costs of municipalities and States these days knows that they must borrow to build schools, hospitals, streets, community buildings, and so forth, and that interest constitutes a very important part of their expenditures.

Mr. DOUGLAS. I think the increase in those 2 months was approximately six-tenths of 1 percent—from 123.9 in April to 124.5 in June, which, incidentally, is about half the increase which has occurred during the past 20 months.

Mr. PROXMIRE. As I recall, the Bureau of Labor Statistics highlighted this fact. It said that this was one of the most important elements—in fact, that there would not have been such a substantial increase had it not been for this feature.

Mr. DOUGLAS. If the administration wants to fight the real battles, it will have to do something about the excessive market power which is exercised by the big business communities. They will have to help build hospitals and schools. Interest rates would come down and monetary policies would have to be eased.

Once again let me say, if the price stability record is as good as our Republican friends say it is, what is all the shouting about?

THE FUTURE

From our studies we conclude that it is possible to achieve a high rate of economic growth and relatively full employment with a high degree of stability in the general level of prices. This can be done. It should be done.

These three main objectives must be carried out within the framework of a dynamic, free, competitive, private enterprise system. This means that there should be a minimum of restraint, from both public and private sources, on the freedom of entry into competitive business and on changes in demand and in our productive activity. It also means that there should be substantial equality in economic opportunity.

GROWTH POTENTIAL

We want to emphasize again that we do not advocate a high level of growth for its own sake. We are not for forced draft growth, as our report makes abundantly clear. We need to increase our growth rate in order to raise our standards of living, to meet our growing public responsibilities, and to improve our military position.

Our economy can grow at a rate as high as 4.5 percent per year without changing our economic system in any fundamental way. Even if the economy performs no better than in the past, except that we avoid stumbling into a serious depression similar to the 1930's, the rate of growth of the economy may be only as low as 3.5 percent a year. Thus there is a considerable range of potential growth rates even within a range of assumptions which exclude a serious and prolonged depression on the one hand and a forced draft economy on the other. Within this range, the rate of growth is subject to our own control through public and private economic policies.

This conclusion, arrived at by the committee staff in its report to the committee, presents a range of growth rates in which the lowest rate is higher than the average rate of increase in real output of about 3 percent per year, which was achieved over the past 50 years. Why is it that the future possibilities are significantly more optimistic than actual past achievements?

A large number of factors were considered in the staff analysis of our past growth, including: the rate and character of scientific progress; the proportion of output which is plowed back into capital assets; the average age of our capital assets and, hence, the extent to which the current capital stock embodies the most up-to-date technology; rising levels of educational attainment and health; the ratio of labor force to the population; changes in average number of hours worked per year per person employed; changes in the average degree of skill exhibited in managing productive activities; the degree of stimulation of advancement in efficiency from competition at home and abroad; a wide variety of considerations concerning the social and political environment in which the economy operates; and the availability of natural resources and their average quality. Some of these factors cannot be measured directly at the present time.

The staff analysis takes explicit quantitative account of available manhours—number of persons available for work multiplied by average hours of work per year—the ratio of the stock of capital to labor, and time, as a proxy for changes in managerial skill, technological progress, improvements in the health and education of labor force, etc., which increase our productive capacity each year even though they cannot be directly measured. Allowance was also made for the fact that an increase in the average age of the stock of capital tends to reduce potential output and a fall in the average age tends to increase potential output because the average age of the capital stock is an indirect measure of the degree to which the capital stock existing at any particular time incorporates the latest available technology. The time trend accounts for between one-half and two-thirds of the annual increase in the economy's capacity or potential output.

If we look at the future potentials developed by the staff, we find three main reasons for the fact that the growth rate in the future can be significantly higher than the economy has realized in the past:

First. The annual average rate of growth in the total labor force over the next 15 years is likely to range between 1.5 percent and 1.9 percent per year as compared to an average over the previous 50 years of about 1.4 percent. The growth of the population of working age, therefore, will cause a somewhat higher rate of growth in the future than the past 50-year average.

Second. The stock of private plant and equipment in constant prices is assumed to grow between 2.2 percent and 3.2 percent per year over the next 15 years compared to an average of about 2.2 percent per year over the preceding half century. It is notable that the average rate of increase over the past 50 years has been held down by the fact that between 1929 and 1939 there was very little growth in the stock of capital due to the low levels of investment during this decade.

Third. The average age of capital stock is assumed to remain constant or decline slightly over the next 15 years, whereas the average age of the capital stock actually increased over the preceding 50 years, reaching a peak during World War II and declining since that time. The average rate of increase over the entire 50-year period was about one-half of 1 percent a year, but over most of the period 1909–45—the rate of increase was slightly over 1 percent per year. Since an increase in the average age of the capital stock tends to retard the rate of growth, and a decline in the average age tends to stimulate the rate of growth, this factor will be a modest stimulant to the economy over the next

15 years, whereas it has been a restrictive influence over most of the preceding half century.

Selected indicators of economic growth potentials, 1959–75 [1]

[Percent increase per year] [2]

Indicator	Projected potential growth rates, 1959–75		
	A	B	C
Total labor force	1.9	1.7	1.5
Total employment, including the Armed Forces	[3] 1.9	[4] 1.7	[5] 1.5
Average annual hours of work	−.4	−.5	−.6
Total man-hours	1.6	1.2	.9
Stock of private plant and equipment in constant prices	3.2	2.7	2.2
Average age of capital stock	−.2	−.1	0
Gross national product in constant prices:			
From 1959, actual (preliminary estimate)	5.2	4.7	4.2
From 1959 potential	4.6	4.0	3.5

[1] Some rates of change in this table vary slightly from those given in the similar table 4–1, p. 101 of the "Staff Report on Employment Growth and Price Levels" because of the incorporation of later data and refinements of analysis not then available.

[2] Computed by compound interest formula, using initial and terminal years.

[3] Assumes 97 percent of the labor force employed in 1975.

[4] Assumes 96 percent of the labor force employed in 1975.

[5] Assumes 95 percent of the labor force employed in 1975.

These factors mean that we can have a rate of growth at least as good, if not slightly better, than in the past so long as deep or prolonged depressions are avoided, such as interrupted our growth in the past 50 years, namely between 1929 and 1939. On the other hand, if we take full advantage of the opportunities for growth provided by an economy which operates with only minor interruptions to its progress and adopt policies to mend this process of growth without producing inflation, then our economy would tend to grow at a significantly higher rate than in the past. Whether we attain these higher rates will depend on whether public and private economic policies are adopted which facilitate growth, and whether we avoid deep and prolonged interruptions to expansion.

EMPLOYMENT

This future growth can occur with full-time unemployment of 4 percent or less. Our calculations of a growth rate of 4.5 percent per year include a level of unemployment of 3 percent. However, our analysis shows that the direct effect of unemployment at 3 percent and at 4 percent is about two-hundredths of 1 percent in the growth rate. The major difference between the growth rates with unemployment at 3 percent and at 4 percent is due to changes in the other associated variables: the labor force, hours of work, and capital.

Our calculations were made on a most conservative basis. We are using the figure of 4.5 percent even though the calculations show that it might in fact be 4.6 or 4.7 percent. In addition, we have used the variable, time, as a proxy for increases in education, training, the decrease in frictional unemployment, and so forth, and have calculated these on the basis of the past record. If we do the things we have recommended, there should be a considerable improvement in the rate of education and training, the rate of decrease in frictional barriers to employment, the increase in competition in the ecenomy, the use of women, the aged, minority groups, and others whose labor is now used at a rate considerably less than its potential, and so forth, so that the growth rate would be in excess of our calculations.

It is for this reason that we believe that we can get a growth rate of as much as 4.5 percent with full-time unemployment of 4 percent or less.

If we really did a good job in these areas, full-time unemployment could be reduced to as little as 3 percent.

PRICES

We need not have inflation of either the creeping or galloping variety. The major means among others of achieving such a stability in the price level at increased growth rates are a greater use of fiscal policy and larger budget surpluses in good times, a decrease in the instability in the economy, a more competitive and hence lower interest rate, increasing competition which would bring both smaller increases in prices and wages in the market power industries, and a decline in the rate of shift from industrial to service employment which would accompany the relatively full use of our industrial capacity.

If these things were done, then monetary policy could work more effectively with a smaller degree of restraint. I cannot emphasize too strongly the need for us all to use fiscal policy more fully and not to throw all the burden upon monetary policy. The accumulation of larger surpluses in periods of prosperity and the use of this surplus to retire some of the public debt would reduce and perhaps eliminate undue price increases at the same time that it would raise the price of Government bonds and reduce their yields. This lowering of the interest rates would have a general beneficial effect.

When we reduce the yield on Governments we reduce the general interest rate, because the general private interest rate is built up from the basic yield upon long-term Governments. I cannot emphasize that too strongly. If we examine the figures month by month, we find, generally speaking, that it is the yield on Governments which precedes and leads the increase in the yield on private and corporate bonds; and the decrease in yields on Government securities precedes and leads the decrease in yields from private corporate bonds.

In recessions and depressions, a quicker and more conscious use of the overall budget as a stabilizing force would help to offset the cumulative decline of economic activity and help to hasten revival. I shall return to this theme later, but I want to stress its importance here. It is worthy of note that some months after we had come to this conclusion, the report of the Radcliffe Commission was issued in England. It is a most significant report, and advocates the same changes of policy there which we are advocating here, namely, greater use of fiscal policy so that monetary policy can be more effective without excessive restriction.

I wish to say, in connection with the Radcliffe Commission, that it was appointed by a Tory government, headed by a Tory judge, and heavily packed with conservative economists and lawyers. However, they came to the conclusion that apparently England had used a too severe monetary policy and that the Bank of England and the Treasury under conservative management had been too restrictive, and should have made greater use of fiscal policy.

It is interesting to note how central bank authorities stick together. The Federal Reserve Board will quote the Bank of England as an authority. Here is a bank policy in England which has now been largely repudiated by a conservative commission.

I commend a study of the Radcliffe Commission report to the authorities in the Federal Reserve and in the U.S. Treasury. I will be glad to buy copies of it from Her Majesty's Stationery Office and send them to these gentlemen. I will mark the salient passages in the Radcliffe Commission report. I am referring to pages 183 and 185 of the report of the Radcliffe Commission.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. In this connection, I have just had the opportunity of reading the monograph entitled "The Influence on Prices of Changes in the Effect of Supply of Money," which is a part of the whole joint committee study, as I understand it. I was very much impressed by the testimony of four economists who appeared before the Joint Economic Committee. The first man who appeared was Milton Friedman, of the University of Chicago and National Bureau of Economic Research. I understand that he is recognized as one of the outstanding conservative economists, a very brilliant and very competent and able man.

Mr. DOUGLAS. Yes; Mr. Friedman is generally regarded as the leading conservative economist in the country.

Mr. PROXMIRE. I presume he was invited to appear before the committee because he was considered by the joint committee as a man of great ability, and one of the leading economists in the country, and also as one of the leading figures in the country on this issue.

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. I should like to ask the Senator if it is not true that Professor Friedman felt that the monetary policy was such an unsure and unproven kind of reed for the Govermnent to rely or lean upon that, in his judgment, it would be better simply to forget it as any kind of lean-against-the-wind policy, and simply increase the supply of money at a regular rate, year after year. Is that correct?

Mr. DOUGLAS. That is correct. He advocated a regular rate of 3 percent a year.

Mr. PROXMIRE. Is it not correct to say that Richard P. Selden, the second economist called by the committee, and who is a research associate of the National Bureau of Economic Research, and associate professor of banking at Colum-

bia University, tended to agree with Professor Friedman, and felt that the recommendation of Professor Friedman was correct?

Mr. DOUGLAS. I believe that is true. He and Mr. Friedman are of the same school of thought.

Mr. PROXMIRE. The third economist called by the committee was Robert Eisner, professor at Northwestern University. I call attention to page 787 of the hearings, where Mr. Eisner is quoted as saying:

> I think in the interests of the longrun growth the policy of the Federal Reserve should be directed to keeping money as plentiful as possible, keeping the rate of interest as low as possible. I think that every time it leans against the wind in a period of inflation, it, of course, in that period raises the rate of interest and makes money tighter, and it makes it more difficult to get the rate of interest down to a reasonable minimum in periods when there are not inflationary pressures.

Mr. Eisner was the third of the four economists who appeared before the committee. Obviously, from this statement, it is very clear that he took the same position which was taken by Professor Friedman and Professor Selden, that the Federal Reserve would serve the national interest far better if it simply followed the policy of increasing the supply of money as the economy grows. His is a slightly different position, because he favored a greater increase in the supply of money; but, nevertheless, it is a consistent position with that of the other professors.

Mr. DOUGLAS. I believe that is true. I should say, however, that I am not in favor of an unlimited increase in the supply of money.

Mr. PROXMIRE. I am not, either. I disagree with Mr. Eisner.

Mr. DOUGLAS. That qualification should be made. I would be satisfied with a 3-percent increase if production goes up 3 percent, but with an adjustment for genuine changes in velocity, not with any statistical juggling. If we have a rate of growth of 3 percent, I would agree to an increase in the money supply of 3 percent. Three percent has been the rate, roughly, in the past. It is very conservative.

Mr. PROXMIRE. I am very much persuaded by what Mr. Friedman said. I disagree with what Mr. Eisner said. It must be remembered that Mr. Friedman is an outstanding conservative economist. He has shown, as the Senator from Illinois has said, that the Federal Reserve could hardly be more wrong. They are honest people and they are trying to do the right thing. However, there is a lag of from 6 to 18 months in their action, in that when they are attempting to tighten money that action may have virtue at that minute but the effects are not felt for half a year or a year and a half, and by that time the growth should have increased.

Mr. DOUGLAS. The Federal Reserve has been increasing the money supply at the rate of 1.8 percent a year. This is less than the annual growth rate of 2.3 percent, and much less than the growth rate which we should have, and which I believe we can have, and when, instead, the Federal Reserve is following a generally restrictive policy.

I must say this: Members of the committee and members of the majority—of the Democratic Party—have been taking a drubbing from many financial writers and editorial writers in the country, and from members of the administration. We have been charged with fiscal irresponsibility. Here we are advocating a policy of throwing more emphasis on fiscal policy and less on monetary policy, with which the conservatives of Great Britain agree. Now, does the administration say that the British Tories are fiscally irresponsible? The report of the Radcliffe Commission is just as strong as our report in this connection, and implicitly condemns the policy of the Bank of England. Of all the nations of the Western World, Great Britain has had the slowest rate of growth. It has been exceeded by France, by Italy—at least by northern Italy—and greatly exceeded by West Germany.

Mr. PROXMIRE. To complete this point, I should also mention the last economist who was called by the committee, John G. Gurley, the senior staff member of the Brookings Institution. He felt the Federal Reserve Board should have gone farther than it did in tightening money. However, he was primarily concerned with a different matter, and that is their failure to take into account other financial institutions which have developed during the past 20 or 30 years, such as insurance companies, Federal loan and savings institutions, and so forth, and he concentrated almost his whole analysis on those points, and was brought into the tight money controversy only by questions.

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. So, in conclusion, of the outstanding monetary experts in the country, including, as the Senator has said, the most conservative economists, three out of four say that the Federal Reserve is now following a policy which is wrong, which is too tight, which is too restrictive, and which has been proven, on the basis of their analysis and experience, to be ineffective.

Mr. DOUGLAS. That is true; also, history has proved it to be wrong. I like the members of the Federal Reserve as individuals, but I would like to let some of their theories go into the dustbin of history.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I was very much interested in what the distinguished Senator said about the charge of fiscal irresponsibility or monetary irresponsibility being made against the majority of the Joint Economic Committee.

I have read most of the articles written by the financial writers during the current period of rapid escalation of interest rates.

Mr. DOUGLAS. Which the Senator from Oklahoma has so well stated. Notice how they go up, up, up, higher, higher, higher.

Mr. MONRONEY. I think the majority has shown much more fiscal responsibility and monetary responsibility than the financial writers. I refer to such financial writers as those on the Wall Street Journal and the New York Times, and more particularly the financial writer for the Washington Post and Times Herald, none of whom has ever found it necessary to give the history of the 4¼-percent ceiling which now exists on long-term bonds.

Surely those who purport to write for the Nation on financial matters should exercise some journalistic responsibility before they begin to charge the distinguished committee, Members of Congress who have had years of experience in this work, with fiscal and monetary irresponsibility. Those writers would only have to look up a little of the history of the United States to find that no President in history, from George Washington until the present occupant of the White House, has ever been given the right to issue long-term bonds without having the interest ceiling fixed by Congress.

The Library of Congress has performed research on this subject for me, and I checked it, to be doubly certain, with experts from the Federal Reserve Board. This is a historic fact. How can President Eisenhower ask for powers which no other President has ever had and demand a complete surrender of congressional power, which Congress, throughout the Nation's long history, has insisted upon retaining. We do not find anything in the columns of the financial writers which indicates that such an action would breach all historic precedent. Instead, such a restraint is very casually described as a rather obsolete, antiquated, World War I restriction, as though it had been imposed by Congress in a moment of misunderstanding in 1918.

What Congress did in 1918 was to give to the Secretary of the Treasury, Carter Glass, the right to issue a certain amount of bonds without fixing the amount of each issue, as Congress throughout the country's history had always done. Traditionally Congress had not only set the maximum rate of interest terms, but also the total amount of the issue in each series. When it was necessary to engage in rapid financing during World War I, Congress granted Carter Glass this authority, perhaps because Congress had special confidence in him, he being a former Democratic United States Senator and the author of the Federal Reserve Act.

But in waiving its prerogative as to the amount, Congress kept the control it had always exercised on the rate of interest which could be paid.

Does not the Senator from Illinois believe that journalistic irresponsibility is being practiced by financial news writers who write, day after day, that the interest rate ceiling is simply a phony old, archaic restriction which Congress happened to impose in 1918?

Mr. DOUGLAS. I am very glad it is the distinguished Senator from Oklahoma, rather than the Senator from Illinois, who is charging the financial writers with journalistic irresponsibility. The junior Senator from Oklahoma is a distinguished former journalist himself. Journalists are permitted to criticize

journalists, but politicians are not permitted to criticize journalists. Politicians become irresponsible when they criticize journalists. Journalists may criticize politicians, but politicians are not permitted to criticize journalists. So I am very glad the Senator from Oklahoma, who was a journalist, and a very distinguished one, is criticizing the journalists.

I am somewhat nonetheless annoyed. I wish the persons who write the editorials would read the reports of our committee. Instead of tilting at windmills and misrepresenting the position of the Democratic members of the committee, I appeal to them to read the reports of our committee.

Mr. MONRONEY. Is it not the position of the Democratic members of the committee, with respect to the interest rate ceiling, that Uncle Sam's interest cost is not lowered by increasing the interest rate?

Mr. DOUGLAS. It is more complicated than that. I wish it were that simple. But all the complications work in our favor.

Mr. President, thus far I have been analyzing what has happened. Now I should like to turn to the constructive element in what I have to say, and to outline a program for the future.

INTRODUCTION

The most effective way in which the rate of economic growth can be speeded up in the immediate future and unemployment reduced is by introducing much-needed reforms into the operations of the Treasury and the Federal Reserve. The fiscal and monetary policies of these two bodies have hampered growth and fostered unemployment.

The Treasury, for example, has neglected to work either for a much-needed reform of our tax system or to make the total of public receipts and expenditures offset some of the cyclical up and down swings of production and employment. It is only fair to add that certain groups in Congress must bear some responsibility as well for this failure to use fiscal policy as a stabilizing force. The Senator from Illinois, however, wants to say that his own conscience is fairly clear on this point. The Treasury has also failed in its management of the public debt. Instead of lengthening out the debt when interest rates were low, it is now seeking to do so when interest rates are high.

During these last 7 years, both the Treasury and the Federal Reserve have combined to raise interest rates above what they should have been and, in the process, have kept unemployment high and production down below what it could have been. For lower interest rates would mean more homebuilding, more investment and activity by small business and greater investment in durable improvements by State and local governments. This would reduce unemployment and increase production both directly and indirectly.

As I have said the Treasury and the Federal Reserve were unsuccessful in preventing the rise in prices from 1955 to 1957, inclusive, and during the subsequent period since then of relative price stability have been largely tilting at windmills. They have held back production, helped to keep unemployment high and—by raising the interest rates have increased the incomes of the money lending groups.

Let me make it clear that I do not charge these men or the administration behind them with having bad motives. On the contrary, I think the present Secretary of the Treasury and the Chairman of the Federal Reserve Board are both decent and sincere men. They are acting according to their lights.

I think Secretary of the Treasury Anderson is one of the most courteous, one of the most gentlemanly, one of the most agreeable men in conversation and in his general attitude whom I have ever met. Certainly, to my mind, he is the most courteous and gentlemanly bureaucrat I have ever seen come up to Capitol Hill.

But it is easy for these men and for the groups behind and about them who make monetary policy to absorb the general philosophy of the wealthy banking interests.

This philosophy is that the best way to check inflation is by raising the interest rate and keeping a relatively high percentage of the workers unemployed in order to keep wage rates down. This is comforting doctrine for those who lend money and capital. It is similar to the companion doctrine formerly widely and publicly advanced and still secretly held by many that the best cure for a sharp business recession or depression is to cut wage rates and, hence, reduce labor costs per unit of output. Under these theories unemployment is treated, either consciously or unconsciously, as a built-in stabilizer, and the fact that the unemployed are human beings is frequently ignored.

But the fact that this doctrine is widely held in financial and banking circles, and conforms to their narrow and more immediate economic interest, should not make us accept it if it does not fit modern conditions and is contrary to the true national interest.

We therefore recommend the following reforms in the policies of the Treasury and the Federal Reserve:

LACK OF COMPETITION IN THE GOVERNMENT BOND MARKET

First. Make the flotation of Government securities more truly competitive and prevent the Treasury from artificially increasing the interest rate.

In the main, the Treasury has constantly insisted that it does not influence the interest rate but that it merely has to accept the outside interest rate which is fixed by the impersonal and competitive forces of supply and demand.

In support of this contention, the former Secretary of the Treasury, and still probably the economic policymaker for the Republican Party, Mr. George M. Humphrey, in testifying before a senatorial committee, of which I was a member, introduced his celebrated "egg" analogy. As Secretary of the Treasury, Mr. Humphrey blandly asserted he had no more power to raise the interest rate than he had the power to raise the price of eggs, when, as a shopper for his family, he went to market to buy a dozen eggs.

This analogy interested me. I wanted to find out how many eggs were produced and sold in the market each year. So I went to the statistics of agriculture. If anyone wants to know about this and thinks it is important, I can tell him that the statistics show that about 60 billion eggs are produced and sold each year, or 5 billion dozen.

When Mr. Humphrey went to market with his basket on his arm to purchase eggs for his family and bought a dozen eggs, he would, therefore, buy only one five-billionths of the total number of eggs sold during the year. I agree with him that this purchase would be as unimportant in the total egg market as a grain of sand would be upon the seashore.

But the case is very different for both Mr. Humphrey and Mr. Anderson, when, as Secretaries of the Treasury, they go forth to borrow money in the money market. I suggest that these facts be studied very carefully. In 1958, the Treasury borrowed more than three-quarters of the funds—excluding 91-day bills, excluding mortgages, and excluding consumer credit—in the relatively long term market, or $62 billion out of the some $81 billion of securities floated.

In economic language, this situation approaches monopsony—or a market in which one buyer purchases such a large proportion of the supply that imperfect competition results. This shows the absurdity of Mr. Humphrey's analogy. Using the most guarded language, it is obvious that, at the very least, the policies and actions of the Treasury have a considerable influence on the cost of money. If the huge borrower is not alert to press for the best possible terms, the interest rate is likely to be higher than it need be. And if the dominant borrower itself believes in high interest rates and gets and accepts advice primarily from lenders, who naturally want these high interest rates, then I think the Treasury can be fairly charged with helping to make the interest rate higher than it should be.

Mr. MONRONEY. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. Yes.

Mr. MONRONEY. Is not this exactly what happened under the Humphrey-Dumphrey bonds? We were financing the public debt, at 2½ and 2¾ percent. Mr. Humphrey came along and, without any necessity for it, suddenly surprised the money market with an offer of 3¾ percent interest. There was no sitdown strike by Wall Street or the bankers.

Mr. DOUGLAS. I had intended to develop, in a moment, that the Secretary of the Treasury took the advice of the bankers.

Mr. MONRONEY. Although the Government was the greatest borrower, he allowed those who would lend to fix the price of lending, which is as though the labor leaders would fix the price, without question, of their wages, pensions, and other benefits. I am sure

neither the administration nor Mr. Humphrey would think that would be a sound policy in the fixing of wages. Yet Mr. Humphrey allowed those who benefit from the wages of lending money to fix the wages which they think the money is worth.

Mr. DOUGLAS. The Senator from Oklahoma, with his keen, sharp mind, has come to the point which the Senator from Illinois was slow to arrive at, but which he hoped to develop in a moment.

Mr. MONRONEY. I apologize.

Mr. DOUGLAS. I think the sharp comment of the Senator from Oklahoma may point up the significance of what I shall say in a moment on that point.

ADVICE OF INTERESTED GROUPS

Our committee in its investigations developed the fact that before any appreciable bond issue is floated, the Treasury calls in advisory committees from the American Bankers Association, the Investment Bankers Association, and also from time to time from mutual savings banks, insurance companies, and savings and loan institutions.

At the request of the Joint Economic Committee, the American Bankers Association provided a list of its recommendations to the Treasury and corresponding Treasury action with respect to its advice from 1952 to 1959. Some 103 specific recommendations were involved.

I ask unanimous consent that the full comparative analysis of these requests and actions taken be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, let us examine the statistics. In the period 1952–59, some 83 or 80.6 percent of the recommendations were accepted by the Treasury, while only 20 or 19.4 percent were rejected. In almost 60 percent of the cases, the advice was accepted as given, and in another 17.5 percent of the cases, it was accepted with only very minor changes.

Now let us compare the record in 1952, which is a rather significant year, when we had a Democratic Secretary of the Treasury, and the record of 1953 to 1959, when we had a Republican Secretary of the Treasury.

In the period 1953–59, the advice of the American Bankers Association was accepted on 71 occasions, or in 84.5 percent of the cases, and rejected only 13 occasions, or 15.5 percent of the time. The rejection rate, therefore, since 1953 has been only 40 percent of what it was in the year 1952.

It is interesting to note that in 1952, the advice was rejected in 37 percent of the cases, as compared with only 15 percent of the cases in the period 1953–59. The rejection rate, therefore, has been since 1953, 60 percent less than in 1952. A table giving the results of the American Bankers Association's recommendations is given below. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Period	Total	Advice accepted				Advice rejected
		As given	But with minor changes	Partially but with some major changes	Total accepted	
1952—Number	19	11	1	0	12	7
Percent	100.0	57.9	5.3	0	63.2	36.8
1953–59—Number	84	50	17	4	71	13
Percent	100.0	59.5	20.2	4.8	84.5	15.5
1952–59—Number	103	61	18	4	83	20
Percent	100.0	50.2	17.5	3.2	80.6	19.4

Mr. DOUGLAS. If, in a country which we shall call X, there was a labor government in power; and if the basic wage was determined periodically by the Minister or Secretary of Labor; and if he sought his advice in the main from a committee set up by the counterparts of the heads of the American Federation of Labor and Congress of Industrial Organizations; and if in over 60 percent of the cases, their advice was accepted without any change; and if in another 20 percent of the cases it was accepted with only minor changes, and if in 5 percent of the cases it was accepted with some major changes; and if in only 15 percent of the cases it was rejected, what would the financial community and the financial writers and the financial editors, to whom the Senator from Oklahoma has referred, say in those circumstances? I think they would certainly say that this was a noncompetitive wage rate and one which, in fact, was set in large part by the labor movement in that country and the Government Minister or Secretary who was most sympathetic with its views.

In fact, judging from past performances and comments, I think it almost certain that if a Democratic administration in this country were to fix wage rates in this fashion, the financial community, business writers, and our Republican friends would indulge in bitter and violent charges that we were merely the tools of those they call the "labor bosses."

Like virtually all my colleagues on this side of the aisle, I believe in sober and restrained speech and I shall not indulge in similar charges. I submit, however, that the interest rate which is set by the Treasury is not—repeat, is not—a free competitive rate. It is, in the most charitable terms, a collectively bargained rate—or a negotiated rate—but it is not a competitive rate. There is most certainly an extraordinary degree of "conscious parallelism" between the advice of the bankers and the decisions of the Treasury. And in these last few years, when those parties have assembled together, the words of the poet have been largely true: "Two souls with but a single thought, two hearts that beat as one." And if the leaders of the Federal Reserve Board were to meet with them, it would be a most happy and harmonious threesome.

LACK OF AUCTIONS

A second crucial error in the practices of the Treasury is that after it has taken the advice of the bankers and adopted it in five-sixths of the cases, it then sells its securities—that is, all except 91-day bills—at a fixed price (par), a fixed interest rate, a fixed maturity and a fixed volume. There is no chance for price competition among the bidders. They cannot offer more—or less—than par. They must take it or leave it. All they can do is to pledge themselves to take a given quantity.

In recent years, virtually every one of these issues of securities has been heavily oversubscribed. This is shown in volume 6–A of our hearings, on page 1108 and pages 1173, 1174, and 1175. It is there shown that the most common oversubscription is for those who buy the bonds to subscribe for approximately twice the amount of bonds offered. In a few cases it is less than twice. In many cases it is much more than twice, and it has gone up as high as four, five, or six times as much.

In recent years, virtually every one of these issues of securities has been oversubscribed, as I have said. It is possible that some of this oversubscription is fictitious. Subscribers may know the bonds will be oversubscribed, and therefore the amount they ask for is increased, in order that they may get the fraction which is apportioned to everyone. But this indicates that, basically, they know there is going to be an oversubscription. There is not a single competitive aspect to this sale of bonds.

If the offers were competitive, and if at the price charged a greater quantity was demanded than was offered, the result would be competition among the buyers and a forcing up of prices. That is the way the competitive system works. If at a given price there is a greater demand than the supply of that which is offered, there is competition between the buyers or demanders. That forces up the price, and the seller gets a higher price than would otherwise be the case. Relative prices determine who gets the goods. But the Treasury does not permit this. The price cannot be above par. It cannot be below par. It must be at par. And the fact that there is oversubscription indicates that, generally, at the interest rates indicated, if there were competition the price would be above that price, and consequently the yields would be lower and there would be a decrease in interest rates.

Mr. President, I do not like to use this analogy; I introduce it without any invidious connotation; but the Secretary is really using the Russian price system. The Russians, under their control system, have prices which are fixed. If at a given price more is demanded

than is supplied, the Russians do not increase the prices. They ration the quantity of goods among the demanders. One can tell the degree to which the price is actually below what the competitive price would be by the length of the queues of customers standing outside the stores, trying to get in to buy.

Let me make it clear that I do not think in the slightest degree that Mr. Martin and Mr. Anderson are in sympathy with the Russian system, but it is an extraordinary thing that they have adopted the Russian communistic price system for the sale of Government securities.

This is an extraordinary fact. What I am pleading for is the introduction of the competitive price system. I plead for the scrapping of this fixed price system, in which the bonds are offered, and that we adopt instead the auction system, which would permit the purchaser of the bond to bid above or below par and the Treasury to get the best buy.

But the very fact that the purchasers know there will be a greater quantity of bonds demanded on the given terms than are offered is strong proof that if there were competitive bidding, a higher price could generally be obtained by the Government. This higher price of the bonds would mean a lower yield and, hence, would at once bring some reduction in interest rates and a lower cost of borrowed money to the taxpayers. This would lower the whole structure of interest rates which is built up from the rate on long-term payment bonds.

It is highly desirable, therefore, that the Treasury should throw the sale of its securities open for competitive bidding, much in the same way as is done in the case of 91-day bills. This has been pointed out to the Treasury both privately and publicly on many occasions but while there has been a little timid experimentation with this method, in the main, the Treasury has refused to act.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. LONG of Louisiana. How would the Senator's proposal work with relation to the statutory limit on the interest rate of long-term issues?

Mr. DOUGLAS. Coupled with the other reforms which I shall advocate, it is my belief that the question of the ceiling on the long-term bonds would become purely academic. The methods which we are advocating would result in such a lowering of interest rates that the interest rate then would not push against the ceiling.

Mr. LONG of Louisiana. Would the Senator be willing to include in his proposal some assurance that bonds which are sold at the statutory ceiling will not be sold by the Government at a discount? It seems to me if the Government discounts bonds which are sold at the ceiling, that is simply another way of getting around the statutory interest ceiling on long-term issues.

Mr. DOUGLAS. I wish to say that I do not want to have the auction system used as an excuse for getting around the ceiling, without having the introduction of other reforms I advocate. I think the introduction of these reforms would mean that the question of the 4¼ percent interest rate ceiling would become purely academic.

I fully accept the auction principle. One must be ready for discounts as well as surpluses if he accepts the principle. If one accepts the principle of free enterprise, one cannot object if the price falls below a certain point, if he accepts that it may go above it. What I am asking for is the competitive system. I am confident that in the vast majority of instances the bonds would sell at a premium, and hence interest rates would be lower. As proof of this, I offer the fact that all of these bond issues are oversubscribed.

Mr. LONG of Louisiana. If the Senator will yield further, I do not wish to reveal the source of information from which I am speaking, because I do not think the author of the statement would care to be revealed without his consent, although he is a person who has quite a bit of contact with this problem and who should know about the subject.

Mr. DOUGLAS. I understand.

Mr. LONG of Louisiana. The person to whom I am referring was discussing the matter of how many people it takes to fix the market on credit in this country; that is, if the Federal Reserve Board does not use its power. I suggested that it took perhaps 50. His answer was that it would be much fewer than 50.

My impression is that if the Federal Reserve Board and the Treasury do not use the powers which are reposed in the executive branch of the Government to keep interest rates at a reasonable level, there is very little limit we can expect to have, and very little control we can expect to be exercised on that small number of persons who for their own personal advantage and for the advantage of their investment concerns want to see interest rates at the highest possible level.

Mr. DOUGLAS. The Senator has made a very good point. It is directly connected with the next paragraph in my speech, which is this: Along with this should, of course, go the preparation of a much broader market for Government bonds. The Treasury should build up its own staff of bond and market analysts so that they will no longer be dependent upon interested parties for advice and guidance. They should establish direct connections with financial intermediaries, institutional investors, and corporate and individual savers so that the Treasury can better know their needs and the types of securities they could buy, and so that they can participate more fully in the market.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I should like to add this thought. At present those in the market for outstanding issues deal only with the 17 authorized dealers in the Government securities market, of whom 14 are the New York dealers. I believe five of them are banks, and most of the others are really "grubstaked" by the banks.

As a matter of fact, the dealers do an enormous amount of business on a very small capital. The turnover rate of their capital is incredible.

Mr. LONG of Louisiana. Yes.

Mr. DOUGLAS. I think it is undoubtedly true that the Government should make every effort to increase the number of dealers instead of having everything channeled through this limited group of security houses.

Mr. LONG of Louisiana. Some time ago the junior Senator from Louisiana made a computation in regard to the interest rates on new issues, to arrive at the average interest rate on such issues. He had the computation printed in the RECORD in connection with previous speeches. The rate was averaged out over 20 years of Democratic administrations. I simply added up the average rates over 20 years and divided by 20. The 20-year average interest rate on new issues, under Presidents Roosevelt and Truman, was 1.7 percent, which would appear to be about one-third of the interest rate on new issues under the present administration.

On a national debt approaching $300 billion, this means a difference of $9 billion each year. The thought occurs to me that if the present high rates are continued for the next 20 years, and the national debt were carried at the existing interest rates, compared to those which existed under the debt management policies of the previous Democratic administrations, by simply multiplying $9 billion by 20 years, we find there would be a difference of $180 billion over a 20-year period, caused by the difference between the policies of this administration and the way it would propose to handle the national debt compared to the policies of the previous Democratic administrations of Presidents Roosevelt and Truman.

What some of us fear very much is that before this administration goes out of office there will be an effort made to put the entire national debt of almost $300 billion on the longest possible basis, to try to saddle the people, or the next generation, with what I believe to be unwise policies of this administration I certainly hope we will not fall into that trap.

Mr. DOUGLAS. I think that is a very real danger. In our report we call for the lengthening of the term of the debt in periods primarily when the interest rates are low, rather than in periods when the interest rates are high. We also propose that the bonds issued should be callable, so that if the interest rate falls the Government can call in the high interest rate bonds and float low interest rate bonds, and thereby reduce charges which the Government would otherwise have to pay.

Mr. LONG of Louisiana. The Senator is familiar with the quotation of Mark Anthony, taken from the play, "Julius Caesar": "The evil that men do lives after them." I believe it was intended facetiously in the context in which it was used by Shakespeare, but

referring to that thought I would certainly hope that the Congress would not permit the misguided debt management and fiscal policies of this administration to be extended forward for another 20 or 30 years. I hope the Senator's proposal will not in anywise permit such a result.

Mr. DOUGLAS. I thank the Senator.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. MONRONEY. I should especially like to refer to the point of the lack of competition and the lack of the Government-sought competition.

Mr. DOUGLAS. Yes.

Mr. MONRONEY. The public is asked and invited and cajoled, through donated radio and television time, newspaper ads, and billboard ads, to "Come in, please, and help buy defense bonds. We are going to pay you 3¾ percent interest on these E-bonds."

However, when we get up to the 5-percent interest rate, it is a rather closely held secret for the club members.

Mr. DOUGLAS. That is the "juicy stuff" which the insiders are going to get.

Mr. MONRONEY. I should like to read an article, to demonstrate how clever the public is. I read this for the record, because I think it is very significant. I mentioned it in my speech January 13, on the floor of the Senate.

This is an article from the New York Times. It is not from Ashtabula, or Okmulgee, Okla., or Olney, Ill.

Mr. DOUGLAS. I will say there is frequently more sound sense on this subject in the villages and towns of the country than in the deep financial canyons of New York.

Mr. MONRONEY. I quite agree. Here we are getting it "from the horse's mouth," so to speak, from the great financial writer of the New York Times.

In the issue of January 12 there was a headline, "Public Discovers U.S. Bill Market—Institutions Are Swamped by Inquiries for the New Treasury Issue."

The article reads:

The public discovered the Treasury bill market yesterday and sent bankers scurrying to textbooks to help explain how it operates.

Lured by predictions that the Treasury's special offering today of $1,500 million of 1-year bills might be sold at prices to bring investors 5 percent and possibly 5¼ percent, investors flooded banks, savings banks, and investment houses with inquiries about the issue.

The Federal Reserve Bank of New York, where bids will be accepted until 1:30 p.m. today, reported hundreds of telephone calls and a lineup of investors, cash in hand, ready to buy.

By way of contrast, the regular weekly bill auctions yesterday occasioned only the routine interest of Government securities dealers and other professionals.

Bankers, in many cases, were forced to confess to depositors who wanted to shift funds from savings accounts into the new bills that they weren't entirely sure how the auction worked. After a bit of quick research, however, a number were able to explain that—

Unlike other Government securities, which are usually sold at $1,000 and bear interest in regular installments, Treasury bills are sold at a discount from their redemption price. An investor realizes his return by appreciation of the bill to $1,000 at maturity.

Bills are sold at auction, with prices and return to investors determined by the strength of the bidding, in contrast to other Government securities which are offered at fixed interest rates. Thus, in contrast to the Treasury's offering last October of its "magic 5"—5-percent, 4-year, 10-month notes—the return to investors on today's bill offering won't be known until all the bids are in and tallied. This may not be until a late hour tonight.

Small investors may buy $1,000 to $400,000 in bills ($200,000 in the regular weekly auctions) without naming a price merely by indicating on their bids how many they want. This indicates their willingness to accept the average price determined in the competitive bidding.

These noncompetitive bids are then awarded in full. Competitive bidders, usually professional, have to take their chances with what is left.

Because of the considerable interest in today's issue, Government securities dealers estimated that the noncompetitive bidding might total $500 million, compared with their earlier estimates of $300 million. They guessed that this might cut the rate discount on the new issue to 5.05 to 5.10 percent.

Bankers said that while investors were flooding them with inquiries, withdrawals were smaller than those in October to purchase the "magic 5s." The Bowery Savings Banks, for instance, reported 60 withdrawals totaling $327,000. On the first day after announcement of the "magic 5s," it lost $3,400,000.

This has been going on constantly under the present administration. If we are to pay 3¾ percent interest, we make it very simple for the little fellow, but for the big fellow, at the higher interest rates, the securities can be bought only in $1,000 quantities or more, and it is a rather close fraternity secret.

Mr. DOUGLAS. The Senator from Oklahoma has put his finger on a very important point.

In regard to the other securities, one cannot buy less than $1,000 and in $1,000 lots.

That reminds me of the famous story which is told about John W. "Bet You a Million" Gates and Charles Schwab, who were playing poker on the 20th Century train one night, when a man looked through the open door of the stateroom, saw them playing poker with their friends, and said he wanted to get into the game. He said, "My money is as good as anyone else's. Let me in. Here is $1,000." And "Bet You a Million" said, "Give the man one white chip."

So the requirement that one has to have $1,000 means that is really not open to everybody.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. YARBOROUGH. I should like to state to the distinguished Senator from Illinois, in line with the questions asked and the information given by the distinguished junior Senator from Oklahoma [Mr. MONRONEY], that people have stated to me within the past 30 days that they went to the bank with money, desiring to buy some of the Government bonds at the 5-percent rate. Many of them had more than $1,000 to invest. They were told that any sales of less than $25,000 to one person were called broken lot sales; and if they were broken lot sales, there would be a premium or brokerage fee to pay.

They were further advised that such sales were made only through brokerage houses. After computing the brokerage fee, if they were buying less than $25,000 worth, in so-called broken lots, the would-be investors were indignant. They said they would do just as well by buying the cheaper bonds.

This practice represents a gift to those with $25,000 or more to invest at one time. If one has less than $25,000 to invest at one time, he is out of the 5-percent Government bond market.

I ask the distinguished chairman of the committee if he thinks that is fair in this American democracy.

Mr. DOUGLAS. No; I do not.

I want to see the general interest rate reduced, but I also want to see it competitively determined, and I want to see the Treasury break through the tight network of a limited number of buyers, and get to the investing public.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. It is not only unfair to the investing public, as the distinguished Senator has mentioned, but it is unfair to the taxpayers of America, who are paying an exorbitant rate because of the tight clique.

Mr. DOUGLAS. The Senator is correct.

Mr. MONRONEY. The members of the big-money fraternity are able to monopolize the lush returns, while they allow the crumbs to fall to the public, who buy the E-bonds.

The record will show that the small investors in E-bonds still have the greatest faith; and the largest accumulation of Government securities is still found in the present 3¾-percent E-bonds. Even though the return is knocked down, because of their faith in the Government they still invest in Uncle Sam's securities because they are loyal Americans.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. YARBOROUGH. I wish to express my appreciation to the distinguished Senator from Illinois and the distinguished Senator from Oklahoma for their service in calling these inequities and injustices to the attention of the American public, and for calling attention to the unfairness of the administration in its manipulation of the money market, in handling Government bonds so as to give preference to those with more than $25,000 to invest at one time, giving them a bigger bonus for having more money.

I congratulate the two able Senators for pointing out these injustices.

Mr. DOUGLAS. I thank the Senator.

If I may now return to the text of my remarks, with respect to the New York bond market, instead of dealing with only 17 formal dealers, of whom all but 3 are in New York, there should be a

vigorous attempt to expand their numbers and bring in more competition. Furthermore, the Federal Reserve should immediately determine what proper regulation of these dealers and specialists there should be. We have recommended that the regulations should be like those now applied to the specialists in the stock exchange. In addition, if legislation is needed, the Federal Reserve should ask for it in order to impose margins on the customers of the dealers.

There are almost no margins required now; and the result was seen in the late spring and early summer of 1958, when there was a disparity between the low rates on short-time notes and the relatively higher rates on longer issues. Many people took money out of the short-time market and put it into the long-time market. They bought bonds on almost no margins. Then the roof fell in on them, with the rise in the interest rate, and the price of Governments went down. Their margins were wiped out, and they had to indulge in distress selling, very similar to the distress selling which occurred in the stock market in 1929.

So I think there should be some regulation of the securities market, and, in my judgment, some margins imposed on customers. That would reduce the purely speculative feature of dealing with outstanding issues of Government bonds, and of gambling on changes in the interest rate and in differences between the yields on short-term and long-term securities.

I do not want to see the credit of the United States impaired by the wrong guesses of speculators. The fall in Government bond prices in 1958 damaged the financial standing of the United States abroad.

I remember Mr. Martin coming back white-faced, and saying that he had attended a meeting of the World Bank in New Delhi. There various international bankers have been speaking derogatively about the securities of the United States. Mr. Martin used that fact as a reason for jacking up the interest rates still more.

I say, "Look Homeward, Angel." Look homeward to the securities market in New York, and at least to the regulation of the member and to margins for the customers.

We held hearings in New York on this subject last summer. One of our requests was that at least the Federal Reserve should inform itself as to what was going on. It should collect statistics on the transactions in the bond market.

We met with a cold reception at that time. The Federal Reserve stood pat; but last night, Mr. Hays, president of the Federal Reserve Bank of New York, announced that hereafter they would collect figures on the transactions of security dealers, and that they would publish the selected aggregates. They named a very able woman, Miss Madeline McWhinney, as the person in charge of these statistics.

I congratulate the Federal Reserve Bank of New York for its action in this respect. It is interesting that it took such action only after the Joint Economic Committee had prodded it for months to do so. Now, to save their faces, they will say that they did it on their own initiative.

I do not wish to exult over those gentlemen. We are not engaged in warfare with the Federal Reserve System. I will not be heard to say that I now have one scalp of theirs dangling at my waist. But I will say that we are making some progress. Even the Federal Reserve can take good suggestions from Congress, if they are persistently urged. The Federal Reserve is not totally unresponsive to argument and to fact. There is a big improvement in the Federal Reserve Bank. I congratulate that institution. I hope the improvement will continue, and that further signs of reform will be manifest.

I ask unanimous consent that a press release giving the details of the action of the New York Federal Reserve Bank be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the release will be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE BANK OF NEW YORK STATEMENT FOR THE PRESS

Alfred Hayes, president of the Federal Reserve Bank of New York, today announced the creation of a new market statistics department. The department will collect and process data on the Government securities market.

The new department is being established by the Federal Reserve Bank of New York as a result of conclusions reached by the Treasury and the Federal Reserve System following an extensive study of the U.S. Government securities market made last year. On completion of the study and evaluation of its findings, the Federal Reserve and the Treasury decided that the range of factual information which has been available on the Government securities market should be broadened in order to serve more effectively the interest of the public and the interests of those participating in the market.

The new department, which will become a part of the research and statistics function of the Federal Reserve Bank of New York, will gather data relating to their transactions from all Government securities dealers with whom the bank transacts business for the account of the Federal Reserve System or the Treasury. In addition to making these data available for official use, it is contemplated that selected, aggregative data will eventually be published regularly on a current basis with appropriate timelag, and with suitable safeguards to insure the confidentiality of individual dealer information.

Mr. Hayes also announced that the directors of the Federal Reserve Bank of New York have appointed Miss Madeline H. McWhinney an officer of the bank, and that he has assigned her as manager of the new department. Miss McWhinney has been an economist on the staff of the Federal Reserve Bank of New York since 1943. From 1955 to March 1959 she served as chief of the financial and trade statistics division. Since that time she has been a special assistant, and had an important part in preparation of the data on the operation of the Government securities market which served as a basis for the recent study of the market by the Treasury and the Federal Reserve System. She has also served from time to time on special assignments in the securities department of the New York bank, assisting the manager of the system open market account, and as chairman of various research and statistical committees within the Federal Reserve System.

Miss McWhinney received her A.B. degree from Smith College and holds a master's degree in business administration from New York University. She has served as elected trustee of the retirement system of the Federal Reserve banks and as president of the alumni association of the Graduate School of Business of New York University. She is a former director of the American Finance Association and has held positions in other professional organizations.

Mr. DOUGLAS. Only in the ways I have suggested, I believe, can true competition be introduced. By decreasing the monopolistic features of the present arrangement, interest rates could and should be reduced. A prudent Secretary of the Treasury would also do many of these things to remove any possible charges of a failure fully to defend the interests of the people.

It should not escape notice that it is the supposed defenders of competition who have been resisting the extension of this principle into the Government bond market, which we are urging. It is very interesting to note that people are generally in favor of competition for the other fellow, but never for themselves. I am afraid that is the attitude of the Treasury and of the Federal Reserve Board and of the big financial interests in New York.

While I am on this point I should like to say that it is very interesting that, while the banks of the country are so vehement in urging that the 4¼-percent interest ceiling on Government bonds should be lifted—of which bonds they are the purchasers, of course—they do not want to have the 3-percent interest ceiling on the interest rate which national banks can pay on time deposits raised. They want to maintain that 3-percent rate on what they pay out in interest. They say, "You can't go above that." However, they want no ceiling on the interest rate which the people must pay.

SELL LONG-TERM BONDS WHEN INTEREST RATES ARE LOW

One of the reasons why we are fearful of the proposals of the administration—and this was touched on by the distinguished Senator from Louisiana—is that after neglecting to lengthen the bond issues adequately in 1958 when interest rates were relatively low, it now proposes to do so in a period when the interest rates which they and the Federal Reserve had to raise are at the highest point in years.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. The Senator said "the highest point in years." Can he tell me how long it is since the interest rates on the national debt were as high as they are today?

Mr. DOUGLAS. The copy of the economic indicators I have does not go back that far. The statistics break down. However, I do not know of any time when interest rates were as high as they are now.

Mr. LONG of Louisiana. Would that go back more than 30 years?

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. If we went back that far would we find that the national debt was only about 6 or 7 percent as much as it is now?

Mr. DOUGLAS. More than that, I believe. The national debt was about $30 billion at the time of the First World War. I would say about 10 percent.

Mr. LONG of Louisiana. The First World War? That would be more than 30 years, would it not?

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. The Senator is now going back to my birthday.

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. I am sure the Senator would be going back about 40 years, because I was born at about the time World War I ended.

Mr. DOUGLAS. The Senator has had an outstanding career, I will say, and came to the Senate when he was just over the constitutional age for membership in the Senate.

Mr. LONG of Louisiana. What I had in mind was that my impression is that the last time we would find the interest rates as high as they are today would be perhaps during the Hoover administration and perhaps during the Coolidge administration. If the latter were the case, that would be over 30 years ago. At that time the national debt was about $20 billion, which would be about 7 or 8 percent of what the national debt is today.

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. The point I had in mind was that at that time, just as a matter of fiscal responsibility in managing the national debt, there was as much the compulsion on the Government to seeing to it that the interest rate be kept low.

Mr. DOUGLAS. I think there was, but the people did not press it. The burden of the interest rate on the national income at the time was not far different from the present, but the people did not discuss it. There were not so many questions asked on the floor of the Senate, for one thing.

Mr. LONG of Louisiana. The prevailing philosophy of Government was that when the poor people of the country got the worst of it, it was no concern of the Government.

Mr. DOUGLAS. That is still the philosophy.

Mr. LONG of Louisiana. But even a very conservative and even a very reactionary national administration in control of the executive branch should certainly look at the impact on the Government's costs and should not permit interest rates on the Government debt itself—on its own debt, not on the people's debt—to go so high. However, a superconservative reactionary government, which concerns itself not with the welfare of the people, but, rather, with the welfare of the Government itself, and which takes such a narrow view of governmental responsibility, could more easily escape responsibility for unreasonably high interest rates, when there was a small national debt, relatively speaking, than when the national debt is as high as it is today.

Mr. DOUGLAS. I think that Mr. Mellon and Mr. Hoover should have been more concerned with the burden of the interest rate on the national income than they were.

Mr. LONG of Louisiana. But I am sure the Senator from Illinois can well realize that when one takes the attitude that the Government should not concern itself with measures which will promote the welfare of the citizens, whether individual citizens or groups of citizens, he could more nearly excuse himself at the stage when the cost of managing the debt of the Government was not nearly so great as it is today.

Mr. DOUGLAS. In other words, the children of darkness did not have as much light surrounding them as now.

Mr. LONG of Louisiana. With regard to the interest rate problem, if one is inclined to wear blinders and say, "We are only going to concern ourselves with the impact of the interest rate on the debt management," one could condone a high interest rate on a low national debt more easily than condone a high interest rate on a national debt which is 10 to 15 times greater.

Mr. DOUGLAS. The Senator from Louisiana, as usual, is being charitable.

At this time the Treasury is advocating the removal of the long-term interest ceiling in order to refund as much as $20 billion in long-term bonds. At least it would be possible to do so. I understand that the Under Secretary of the Secretary, Mr. Baird, in a speech recently said that that was roughly their aim. If I am in error, I will correct the RECORD later. This would raise interest costs to the taxpayer for many years and increase the general level of interest rates in the economy.

In company with most economic students, we do not believe that these high interest rates will be permanent and that some reduction in them may be expected. But if the Government issues are greatly lengthened by the conversion of short-term Governments into long, then unless we introduce proper safeguards, the people will be saddled for long years to come with the payment of high interest charges when these have in fact receded.

Thus, we strongly recommend that, in the future, the Treasury should sell its long-term bonds when interest rates are low rather than high.

Even though the Treasury has lengthened its debt structure somewhat during times of recession when interest rates are low, the average length of the debt has shortened. In 1952, the average length of the debt was 5 years and 8 months.

Then the administration came in with the slogan that it was going to lengthen the term of the debt. The Under Secretary of the Treasury who was put in charge of debt management and financial affairs was a good personal friend of mine, W. Randolph Burgess, formerly one of the great New York bankers, whom I have known for 40 years and of whom I have a high personal opinion. Mr. Burgess had been advocating it for years. He had been advocating that the terms of the national debt should be lengthened. This was the position of Mr. George W. Humphrey, the economic czar of the Eisenhower administration. When they had the opportunity, what did they do? Did they lengthen the term of debt? No; they shortened it.

As of the 1st of June, 1959, it had fallen to 4 years and 7 months, even though the administration boasted it was going to lengthen the term of the debt. Thus the average maturity had fallen by 1 year and 1 month before the administration requested that the interest rate ceiling be removed. I wish to emphasize that point. The administration requested that the interest rate ceiling be removed after the average maturity had fallen.

In other words, long before they came in for removal of the ceiling, they promised to lengthen the maturity of the debt. Then they fell asleep at the switch and allowed the maturity to shorten. It is a principle of equity—and the Senator from Louisiana, who is a fine lawyer, will correct me if I am wrong—that those who seek equity must come into court with clean hands. Is that correct?

Mr. LONG of Louisiana. That is correct.

Mr. DOUGLAS. I charge the administration with coming into court without clean hands. They did not lengthen the debt maturities. They only become concerned about this primarily when interest rates are high.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. The Senator will recall that when the first Secretary of the Treasury of this administration, Mr. George Humphrey, issued long-term bonds at 3¼ percent, they sold at a premium.

Mr. DOUGLAS. I think they sold for about 110.

Mr. LONG of Louisiana. They sold at a very substantial premium.

Mr. DOUGLAS. That is after they were floated.

Mr. LONG of Louisiana. Yes.

Mr. DOUGLAS. At 100.

Mr. LONG of Louisiana. Yes.

Mr. DOUGLAS. And the people who bought them had a great profit.

Mr. LONG of Louisiana. Yes. In short order, they then went down to a discount.

Mr. DOUGLAS. Yes; because the interest rate was rising.

Mr. LONG of Louisiana. The Senator can interpret this any way he wishes to, but to the junior Senator from Louisiana it meant that those in position to know and those who had large amounts of money to lend the Government said, "Wait a minute. Three and one-fourth percent is fine, but this Government is not going to use the policies which have been followed in the past to protect the interest rate on the national debt, and the rate will be much higher later on."

Mr. DOUGLAS. It would be higher.

Mr. LONG of Louisiana. Yes. It would be better for the investors.

Mr. DOUGLAS. Yes.

Mr. LONG of Louisiana. At 3¼ percent the Treasury could no longer sell long-term bonds. When the rate went up to 4 percent, they still could not sell long-term bonds. Now they are saying that the interest rate will have to go higher. That is just about the history of the subject; is it not?

Mr. DOUGLAS. Yes, that is correct.

Mr. LONG of Louisiana. If the administration at the time it let the interest rates go to 3¼ percent on long terms had taken the attitude that having fixed the interest rate at higher than the prevailing rates on long-term issues prior to that time, it was going to hold right at that point, would it not stand to reason that the Government could have sold many more long-term bonds if it had protected those bonds from subsequently being sold at a discount?

Mr. DOUGLAS. I think that is true; but I think I should make it clear at this point, as I shall later reemphasize, that I am not in favor of pegging the bond market. The Senator from Louisiana and I may differ on this point, but lest there be an imputation that I favor the artificial pegging of the bond market at a fixed price, I dissociate myself from such a policy. But I am not for pegging the bond market at a high rate, either.

Mr. LONG of Louisiana. Some persons take the attitude which is expressed in the old song, "It's not what you do; it's the way you do it"; but it seems to me that as an overall policy the Government tends to prosper more and to be fairer to the average citizen who supports the Government and who is a part of the Nation if it maintains the lowest possible level of interest consistent with reasonably sound commercial prices.

Mr. DOUGLAS. Consistent with comparative stability in the pricing.

Mr. LONG of Louisiana. Many persons feel, as I do, that there are many things which can be done to stabilize prices which are preferable to using high interest rates to try to stabilize prices.

Mr. DOUGLAS. That is the whole burden of the song of the Senator from Illinois.

Mr. LONG of Louisiana. For example, the basic antitrust laws are now 70 years old. The Sherman Antitrust Act is about 70 years old. The last significant amendment to that act occurred in 1914, unless one would call the Robinson-Patman Act a very minor phase in the amendment of the antitrust laws. But the basic antitrust legislation was written in 1890 and amended 24 years later, in 1914. So far as breaking up and preventing monopolies is concerned, the antitrust laws have not been effectively amended subsequent to that time.

Mr. DOUGLAS. That is correct. One of the recommendations which we make is for a more effective antitrust, antimonopoly policy, in order that we may reduce the price levels, stimulate competition, and expand production. This is crucial. I am glad the Senator from Louisiana touches upon it. Very frankly, I think this is one subject on which northern Democrats and southern Democrats can get together.

Mr. LONG of Louisiana. I should like to ask a question about one other point related to that subject, namely, the Government's tariff policies. The Government in its trade and tariff policies has some ability to restrain price advances both on the part of management and on the part of labor. Furthermore, in some of the price negotiations, such as recently occurred in the steel industry, some agreements for increased wages and better working conditions must necessarily result in a price increase in the commodity, which may very well set off an inflationary spiral. At the present time there is no requirement whatever that anyone representing the general public shall sit in on the negotiations.

Mr. DOUGLAS. Now the Senator from Louisiana is hitting on all 4 cylinders. This is precisely what we recommend. We are carrying out the recommendation of the Senator from Pennsylvania [Mr. CLARK] and Representative REUSS in their bills introduced last year, which provide for compulsory hearings on these questions.

It is extraordinary how the Senator from Louisiana, with his quick mind, siezes almost instantaneously on points which the rest of us poor, plodding fellows take months and years getting into our heads.

Mr. LONG of Louisiana. Perhaps I studied from the economics book which the Senator from Illinois wrote; [Laughter] but the fact of the matter is that many things can be done to help stabilize prices without raising interest rates.

Mr. DOUGLAS. That is correct.

ISSUE CALLABLE BONDS

Let me touch on another point. In recent years, the Treasury has issued no callable securities. Yet, private business finds it profitable to do so regularly. While such a feature might increase the immediate cost of financing the debt by some small amount, in the long run such a feature would permit the Treasury to refinance its structure to take advantage of favorable movements in the interest rates in future years. Consequently, the Treasury would not be permanently saddled with long-term issues sold when interest rates were at their peak. We, therefore, advocate that such a feature be included in at least some long-term securities.

We believe that the primary purpose of the Treasury with respect to debt management should be to get the best possible bargain for the people of the United States in the sale of Government securities. Consequently, fiscal policy and not debt management should be the main Treasury countercyclical weapon. We believe that insufficient effort has been made to use fiscal policy in this way.

If it is necessary for short-run stabilization purposes to alter the composition of the publicly held debt, this should be the responsibility of the Federal Reserve System.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The Senator from Illinois is an extremely responsible, careful Senator. I do not desire to ask him a question which cannot be responsibly answered.

Mr. DOUGLAS. The Senator from Illinois has been charged with being irresponsible, but he believes he is the soul of responsibility.

Mr. PROXMIRE. Those who know him well know that he is the soul of responsibility.

Can the Senator from Illinois make any kind of estimate—I do not ask for a precise figure, of course—as to the cost, or possible savings—let me put it that way—to the American people of the kind of debt management policies which the Senator from Illinois has been discussing? In other words, would this be something which might result in a saving of hundreds of millions of dollars to the American people in a year?

Mr. DOUGLAS. It is very hard to tell that. I think the saving would be very appreciable. I believe one of its effects would be not only to save money for the people, but also, by raising the prices of Government bonds, it would lower the yields and interest rates, and therefore be a great stimulus to industry, in that it would induce investment, induce more homebuilding, induce expansion by private small businesses, and hence reduce unemployment at the same time it was increasing production and the national income.

How much that would be, I do not know. It might be as much as 1 percent or 2 percent of the national income, which would be from $5 billion to $10 billion a year. But I do not want to throw such figures as that around.

Mr. PROXMIRE. I wanted to distinguish between the cost to the Federal Reserve, on the one hand, the Federal Reserve being at least, in a sense, a nonpolitical agency——

Mr. DOUGLAS. It is a nonpolitical political agency.

Mr. PROXMIRE. It is a nonpolitical political agency, which is presumably not a creature of the administration. I wanted to distinguish between the cost to the Federal Reserve and the cost to the Treasury Department.

Mr. DOUGLAS. There is a synchronization of thought which binds them together.

Mr. PROXMIRE. The Treasury Department, of course, is headed by a political officer appointed by the administration. On fiscal matters he is the representative and the spokesman of the administration.

I am trying to determine whether there is any degree of responsibility for the cost of our national debt as between the Federal Reserve, on the one hand, and the Treasury, on the other.

Mr. DOUGLAS. They are both guilty.

Mr. PROXMIRE. Both are of very substantial importance.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. I thank the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I come now to a summary of the major reforms which we advocate.

SUMMARY OF MAJOR REFORMS

The Treasury, therefore, should accept new principles. It should make its issues more competitive and less monopolistic than is now the case; it should lengthen out its issues when interest rates are low rather than high and protect itself by issuing callable bonds so it can take advantage of subsequent reductions in the interest rate; it should lessen the hold of the 17 dealers upon the Government securities market and broaden the market; and the Federal Reserve, should require adequate margins of the customers of the New York bond market to prevent undue speculation in Government bonds which—as in 1958—may damage the public credit.

These and other reforms which the Treasury and the Federal Reserve Board should adopt and which will shortly be discussed are far more important than the raising of the 4¼-percent ceiling on bonds of over 5 years' duration. If these reforms were actually carried out, they would lower the interest rate and make the question of the ceiling purely academic. Public attention and opinion should be primarily fastened upon them, and we should not allow the Treasury and the Federal Reserve to divert the attention of the public away from the main problems to what is a comparatively minor issue.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Do I understand correctly that the minority has charged the majority in this case with political blackmail?

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. On the ground, as they seem to imply, that somehow—it is not true, I am sure—the majority would be willing to approve the elimination of the 4¼-percent limit, provided certain reforms were put into effect. It is my understanding that what the Senator from Illinois has been saying, and saying very consistently and very emphatically, is that the 4¼-percent limit would become academic and unimportant if reforms were put into effect which would have the effect of reducing the interest rate and making it possible to sell long-term bonds at far less than 4¼ percent. Is that correct?

Mr. DOUGLAS. That is correct. We are not trying to blackmail the administration in any respect. We are not holding out for dams, judgeships, or patronage jobs; we are holding out for actions which will serve the public interest. We do not see how we can agree to raise the ceiling in a market which is now noncompetitive and is essentially an administered market.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. To make the Senator's terms completely correct, when he speaks of the bond market as being an administered market, it is a market which is being controlled by a small number of persons.

Mr. DOUGLAS. And who also affect the decisions of the Treasury.

Mr. LONG of Louisiana. Persons who also affect the decisions of the Treasury. They are those who are in a position to control, within certain limits, and for their own selfish advantages, the bond market itself.

Mr. DOUGLAS. That is correct.

Mr. LONG of Louisiana. May I ask the Senator another question at this point?

Mr. DOUGLAS. Certainly.

Mr. LONG of Louisiana. Does the Senator from Illinois believe, speaking in general terms, that the Government long-term bonds should bear a rate of return exceeding that of the short-issue bonds?

Mr. DOUGLAS. Yes I think so in most cases because there is a greater degree of risk in the price level of the long-term bonds.

Mr. LONG of Louisiana. A person who was willing to lend his money over a period of time——

Mr. DOUGLAS. He takes the risk of changes in the price level.

Mr. LONG of Louisiana. He takes a greater risk of changes in the price level and other unknown factors, with a result that he is entitled to a higher interest rate than one who lends over a shorter period of time.

Mr. DOUGLAS. That is correct.

Mr. LONG of Louisiana. Based on that analogy, does the Senator feel that, in general, the Government should try to see to it that a person who buys Government bonds in good faith, and who subsequently is forced to dispose of them, should not have to sell those bonds at a substantial loss?

Mr. DOUGLAS. We do not want anybody to have to take a substantial loss. As a matter of fact, if the Senator will look at my further development of this point, I am advocating that just because small investors find it difficult to put their savings into an investment medium which is protected against inflation and is relatively risk free, the Treasury should issue some savings bonds which are adjusted to changes in the price level. In order to confine these bonds to individuals of modest means who do not have available to them other investment media which are secure against inflation, such bonds should be issued in limited quantity to any individual.

Mr. LONG of Louisiana. I should like to call them inflation-proof bonds.

Mr. DOUGLAS. Yes, inflation-proof bonds. I am in favor of it, not in unlimited quantities, but in limited quantities, available to small investors.

Mr. LONG of Louisiana. It has seemed to this Senator for some time that it would be a very fine thing if the Government did make available to persons of modest means securities which would be a safe investment and would bring a good return.

I wonder if the Senator from Illinois will agree with me that it is not quite economic justice, when the Government encourages persons of modest means to invest their money in government bonds, to require such persons to receive a smaller return than is received by those who speculate and those who are in a position to invest in other bonds.

Mr. DOUGLAS. I agree.

Mr. LONG of Louisiana. I believe the history of the E-bond is that when it was issued during the war it brought a greater rate of return than did other government bonds issued at the same time. That is the reason why a $5,000 limitation was put on the E-bonds. Is that correct?

Mr. DOUGLAS. Yes, that is correct.

Mr. LONG of Louisiana. Would it not seem to be a matter of economic and social justice, when we encourage the small investors to invest and hold government bonds, rather than dispose of them, that when the Government raises interest rates it should automatically raise the return on the bonds of this sort, along with the interest rate on bonds which are sold at higher interest rates?

Mr. DOUGLAS. I would prefer to protect such investors through savings bonds which are adjusted to changes in the price level.

Mr. LONG of Louisiana. Yes, of course. The Senator would seek to achieve the same result by seeking to adjust to any changes in the price level, or, to use the term which appeals to the Senator from Louisiana, make them inflationproof.

Mr. DOUGLAS. I will say, briefly, I would not adjust bond values to compensate for changes in interest rates, but for changes in price levels.

Mr. LONG of Louisiana. Yes.

ADVANCE REFUNDING

Mr. DOUGLAS. Incidentally there is one other reform which the Treasury should also introduce which I shall discuss only briefly. It deals with advance refunding.

Advance refunding, which give holders of existing long-term maturities a chance to exchange them for new long-term securities before they reach maturity, can be an important means of lengthening the debt. Through advance refunding the Treasury substantially reduces the attrition which it ordinarily suffers when long-term issues are refinanced. Long-term investors who ordinarily might sell a bond near maturity to individuals interested in short-terms, and who then might invest the freed funds in non-Government long-term securities, are thereby encouraged to keep their funds in Governments. Advance refunding has to be done gradually and in moderation, in order to prevent the interest costs from being driven up.

REFORMS IN MONETARY AND FEDERAL RESERVE POLICY

Mr. President, thus far I have been talking about reforms which are primarily needed in Treasury policies.

We now come to the great reforms which are needed in Federal Reserve policy if we are to realize our full possibilities for growth and for keeping unemployment low, and yet, to do so without inflation.

NO PEGGING

Let us clear up the misrepresentations and the economic red herrings which many administration officials and financial writers have persisted in applying to the proposals of the majority members of the committee. We are not proposing that the Federal Reserve Board should peg the price of Government bonds by buying unlimited quantities at low interest rates. If the rates were appreciably below market rates, this would commit the Reserve to buy large quantities in the open market. This would increase member bank reserves in the Reserve System by the amount of the purchases. If they purchased $2 billion worth, that would increase the member bank reserves by $2 billion. This in turn would permit the member banks to increase the amount of credit which they would create and lend out by approximately six times the increase in their reserves.

I understand it may be seven times the increase, but I am using the figure six times. If the member bank's reserves were increased by $2 billion, the loans by the member banks could increase by $12 billion, and this would take the form of an increase in demand deposits of $12 billion. Unless this was accompanied by a corresponding increase in the quantity of goods and services, it would lead to an increase in price levels which might have disastrous results.

It was to prevent this from happening that in 1950 and 1951, I, as a comparatively new Senator, urged that the pegging practice be discontinued by the Reserve. I think I can truthfully say, without undue egotism, that I played a considerable part in the final accord negotiated between the Treasury and the Reserve in March of 1951 which put an end to this practice. Let me say most solemnly for the RECORD that I am proud of having helped to effect this change of policy, and I am not proposing that we return to the pegging practices of the pre-accord nor with one exception are my fellow majority members of the committee. So let this pet hobgoblin of the administration and of the financial writers be laid to a deserved rest.

But just as I opposed the Truman administration for using the Federal Reserve to keep interest rates unduly low, and by so doing to bring on inflation, so do I similarly oppose the present policies of the Eisenhower administration and of the Reserve Board to force interest rates up to an excessive height. This is no new concern of mine. For as far back as 1950, in a report of the subcommittee of which I was chairman, we recommended that "as a long-run matter, we favor interest rates as low as they can be without inducing inflation, for low rates stimulate capital investment" and we might have added—tend to reduce unemployment. The Government and the Federal Reserve should therefore throw their weight upon the side of reducing rather than increasing the interest rate but do so in a manner that will not create inflation.

A PROPER SECULAR EXPANSION OF THE MONEY SUPPLY

One of the ways in which this can be done is for the Federal Reserve to expand the money supply at approximately the same rate as economic growth and to do so by purchasing Government bonds in the open market rather than by lowering the reserve ratios.

The Federal Reserve and the banking system operate under what is known as the fractional reserve system.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. Yes; I am glad to yield.

Mr. PROXMIRE. I notice that two of the four economists who testified—there were two who, as I recall, did not express an opinion—proposed that the Federal Reserve Board surrender its powers over the rediscount rates and over reserves, and concentrate entirely on open-market operations. While this was conceived primarily from an economic, and not a political, standpoint, it makes a lot of good political sense, and here is why: It seems to me that when the Federal Reserve varies the reserves of banks, it varies them in one way, and that, of course, is down, in order to make it possible for the banks to make greater profits. They do it sincerely. Yet it is done with all the pressure that comes on the Board and from its own inclinations and prejudices in that direction. Therefore, this recommendation, made by competent economists, based on nonpolitical considerations, makes good sense, and adds particular emphasis to the proposal made by the Senator from Illinois, which is not so extreme as these proposals simply to emphasize open-market operations.

Mr. DOUGLAS. I think the Senator from Wisconsin, who has courage and who has had experience in Wall Street and knows what he is talking about, realizes this is one of the most crucial recommendations we have made. In the recessions of 1953–54 and 1957–58, what the Reserve Board did, in order to increase the supply of funds, was not to participate in open-market operations, but to lower the reserve levels.

Mr. President, I ask unanimous consent that a table which has been prepared on reductions in member bank reserve requirements and comparisons with equivalent open-market purchases by the Federal Reserve System be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 7.—*Reductions in member bank reserve requirements and comparisons with equivalent open market purchases by Federal Reserve System, July 1, 1953, to Dec. 31, 1959*

Date	Reserve requirements as percent of deposits in—				Reduction in requirements in—					Interest per annum on open market purchases of amount equivalent to reserve reduction if placed—		Estimated added payment U.S. Treasury assuming equivalent open market purchase and transfer to Treasury of 90 percent of net in lieu of franchise tax			
												Per annum at—		Cumulative to Dec. 31, 1959, at—	
	Central Reserve cities	Reserve cities	Country	Time deposits	Central Reserve cities	Reserve cities	Country	Time deposits	Total	In "bills only"	At prevailing bond rate	Bill rate [1]	Bond rate	Bill rate	Bond rate
	Percent	*Percent*	*Percent*	*Percent*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*
In effect prior to July 1953	24	20	14	6											
1953, July 1, 9 [2]	22	19	13		$500	$345	$311		$1,156	$25.7	$37.6	$23.1	$33.8	$150.3	$219.7
1954															
June 16, 24 [2]	21			5	520	350	310	$375	1,555	26.9	42.0	24.2	37.8	133.2	207.9
July 29, Aug. 1 [2]	20	18	12												
1958															
Feb. 27, Mar. 1 [2]	19½	17½	11½		125	195	180		500	12.4	16.3	11.2	14.7	19.6	25.7
Mar. 30, Apr. 1 [2]	19	17	11		125	190	175		490						
Apr. 17	18				130	190			450	24.7	29.3	22.2	26.4	36.8	43.8
Apr. 24	18	16½			130										
Total					1,530	1,270	976	375	4,151	89.7	125.2	80.7	112.7	339.9	497.1

[1] Quarterly average rate for period.
[2] First-of-month or midmonth dates are changes at country banks, and other dates (usually Thursday), are the central Reserve or Reserve city banks.

Source: Based upon data from Federal Reserve bulletins and announcements.

Mr. DOUGLAS. Then when business revives, the Board does not increase the ratio; so that there is a secular, long-time, downward movement in the reserve ratios which the Board puts into effect.

Mr. Martin actually testified, that he believed the ultimate goal should be a reserve ratio of 10 percent, approximately, the present ratio being somewhere between 14¼ and 16⅔ percent.

Every time the ratio on a given amount of bank reserves is lowered, the banks can expand credit proportionately, without cost to themselves, and with the entire gain going to the banks, both in the increase in capital assets and in interest, and none of it goes to the Federal Reserve or to the Treasury. This is one of the most serious questions we have before the Nation—whether the money supply is to be expanded in such a way that the banks create all of it, and derive the full profit, without any of it going to the Treasury. Apparently the Federal Reserve Board believes that in the main that should be so. It wants to go substantially to the British and German ratios, which are somewhere around 8 or 10 percent. I think this would be a great mistake.

If the speech of the Senator from Illinois does nothing else than to help alert some of the people to the dangers of this policy, it may not be utterly in vain.

Again and again in the discussions of last summer with the Chairman of the Federal Reserve Board, Mr. REUSS, the very able Representative from Wisconsin, and the Senator from Illinois urged the Chairman of the Federal Reserve Board to get his credit expansion by means of open market operations rather than by lowering reserve ratios.

When the Federal Reserve makes purchases in the open market it issues checks which the purchasers of the bonds then deposit in their banks. The banks turn these in to the Federal Reserve, and they are credited to their accounts, thereby increasing the member bank reserves. Therefore, the open market purchases directly increase the member bank reserves, and based upon these reserves the member banks can expand their loans by 6 or 7 times. This is the point. The banks do not get a full 100-percent increase in capital assets. They get five-sixths or six-sevenths of the total, but the Federal Reserve gets from one-seventh to one-sixth of the total, because it is taking title to the bonds purchased. This is extremely important.

Suppose we say that the money supply should grow at the rate of 3 percent a year. And let us say that the member bank reserves should grow at the rate of 3 percent a year, in order that they may expand. The member bank reserves are somewhat in excess of $20 billion. A 3 percent growth rate on $20 billion would be approximately $600 million a year. This would mean that the Federal Reserve would be buying $600 million worth of bonds each year. Think what a strengthening of the bond market would be created by the purchase of $600 million worth of bonds. This would raise the price of the bonds, lower the yields, and lower the interest rates.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Would this not mean that the Federal Reserve Board would be holding and the Treasury would be receiving the interest income from those bonds?

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. So this is a way, in a very important sense, of retiring some of the national debt?

Mr. DOUGLAS. If we talk about a $600 million purchase each year, and 3⅔ percent interest, let us say, in the first year that would yield an interest return of $22 million.

Mr. PROXMIRE. Each year?

Mr. DOUGLAS. Each year 90 percent of that would be turned over to the Treasury. The next year it would be $44 million, $22 million plus $22 million. The next year it would be $66 million. The next year it would be $88 million. The year after it would be $110 million. The next year it would be $132 million. The next year it would be $154 million. The year after that it would be $176 million. And so on.

We have made a computation to show that had the Federal Reserve adopted this policy in 1953, and carried it out to the present day, the net increase in revenue to the Treasury at the bond rate would have amounted to almost $500 million for the period as a whole, and would be going at a present annual rate of approximately $113 million; the capital assets of the Federal Reserve System would have been increased by several billion dollars; the Government bond market would have been strengthened; and interest rates would have been lowered.

I think this is the most important banking issue before the American public. As fine a man as Mr. Martin is, I will say he is obdurate in his demand and in the policy that the lending capacity of the banking system of the country should be increased primarily by a reduction in the reserve ratios—down, down, down to 10 percent—rather than through open-market purchases. Either way the expansion will come about. It is a question of whether the public receives a share of the profits, as it would under the open-market method, or whether the banks get all the profits, as would be the case under the method of lowering reserve requirements.

Let me make it clear that I have nothing against the banks. They are fine institutions. I want to see them prosper. There are some great banks in Chicago. I hope Chicago will come to surpass New York as the financial center of the country. I have played my part in trying to help the banks prosper. I am ready to let them have five-sixths or six-sevenths of the gain to be made through the expansion of credit and money.

I am not advocating that the Federal Government should take all of this. My good friend, Representative PATMAN, points to the fact that the Constitution gives to the Congress the power "to coin money, and to regulate the value thereof." Those are the exact words. The coining of money carries with it the creation of money. The creation of money is a public function which we have delegated to the Federal Reserve Board, which it in turn has delegated to the banks.

I am not proposing to disturb that relationship. Let me make that clear. I am not proposing "green-backism," or "credit-backism," though I think Representative PATMAN has a case for which his critics have not given him due credit. I am simply proposing that at least we do not lower the existing reserve ratios, and that from future increases the Treasury and the people should get from one-sixth to one-seventh in the money assets and collect the interest for delegating this constitutional power to the private banking system. Is that not moderate? I am not even proposing that the reserve ratio be increased. I am simply saying, "Hold steady. Do not lower it still further."

The Federal Reserve has a very peculiar policy. In periods of recession the Federal Reserve lowers the reserve ratios. This increases the lending power of the banks and gives them costless creation of monetary purchasing power. This is not changed when business revives and we go into a period of prosperity. Then what the reserve does is to raise the discount rate, or the interest rate. So in one case they increase the multiplicand and in the other case they increase the multiplier. In both recession and recovery, the Federal Reserve follows that policy most beneficial to the banks.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The head of the Federal Reserve Board, Mr. Martin, according to what the Senator has said, has indicated he feels the objective should be 10 percent, which would be a drop from approximately 15 or 16 percent down to 10 percent. If this were to be done, the cost to the Federal Government would be very, very substantial, as compared with the alternative policy which the Senator from Illinois is proposing, of expanding the money supply by buying Federal securities. This is a case of what is going to be. This is not a matter of history. This is a matter of future cost.

Mr. DOUGLAS. Let me use an illustration, if I may. The figures I shall give are roughly correct. They are not precise, because I do not have the precise figures with me.

Let us assume that the member bank reserves amount to approximately $20 billion, which I think is substantially the correct figure. This means the banks can create approximately $120 billion worth of demand deposits. We all know that in the commercial banks the loan

precedes the deposit. The loan creates the deposit. This is unlike investment banking, where the deposit creates the loan to a different business.

That would be the case if the ratio were 16⅔. If the ratio were 14⅔ percent, as some people believe it is in fact, we would have to multiply by seven, and the banks could create $140 billion worth of deposits.

If the rates were to be reduced to 10 percent, on the same amount of member bank reserves, with no greater earnings for the Federal Reserve, the banks could create $200 billion of demand deposits, or between $60 and $80 billion more than is the case now.

All I am asking is that the Federal Reserve, the Treasury and the people should get one-sixth or one-seventh of that. Let the banks expand credit by $80 billion over time as the Federal Reserve determines it is proper for the money supply to increase. I am simply proposing that we should allow the banks to have $67 billion of that expansion instead of the full $80 billion. All I am asking is that the people receive $13 billion.

My friend Representative PATMAN would want to have the people get more than that. I do not think he should be denounced for that. On the contrary, I think he is a pretty brave man. In many ways I admire the position he takes. But I am not advocating that.

I do not say this for "show." I am not proposing that we increase the Reserve ratios. I am merely proposing that we hold the ratios steady and that when we expand bank credit it be done by open market purchases, under which the Reserve would get one-sixth or one-seventh for the amount of credit thus created, and the Treasury would then pay the Reserve the interest on those securities. The purchasers of securities at the rate of $600 million, let us say, would greatly strengthen the bond market. In 10 years they would buy $6 billion worth of securities. Do Senators not think that would raise the price of outstanding bonds, and lower the yield on such bonds? The reduction in the yield would lower general interest rates, because the general structure of interest rates is built upon the yield on longtime Governments, and the effect would be stimulative. Instead of having the heavy burden of unemployment which hangs over us, which in 1959 ran at the rate of 5½ percent, and which, if we include involuntary part time, is 6½ percent, I am sure we could have a reduction in unemployment which would certainly be good both for the unemployed and the Nation. There would be an increase in productivity, which would be good for everyone concerned. Our rate of growth would be accelerated.

The Senator from Illinois knows what to expect tomorrow morning. The financial writers will charge him with advocating inflation. For the sake of the RECORD, I make it clear that I am not making such a proposal. I am merely proposing that the total money supply should rise in some proportion to the increase in goods and services, and that this be accomplished by open-market operations rather than by reducing the Reserve ratio.

The issue is not whether the money supply should expand or not. The issue is by what method will it be expanded. The open-market method would gain one-sixth of the profit for the public. By doing it by lowering Reserve requirements, as the Federal Reserve and the banks desire, the banks will get all the profits.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The entire subject of monetary policy involves differences of opinion. It is a subtle, difficult, and complicated subject.

Mr. DOUGLAS. The Senator is correct.

Mr. PROXMIRE. It is very difficult to make it understood by someone with such a limited background as I have.

Mr. DOUGLAS. The Senator has a good background, because he has been a Wall Street banker, in a minor capacity. I do not believe the Senate loaned out enormous sums of money, but he watched it being done. The Senator was also a distinguished member of the firm of J. P. Morgan & Co.

Mr. PROXMIRE. I am not sure whether to thank the Senator for mentioning that or not. At any rate, he speaks accurately.

I think we can perhaps simplify the argument by emphasizing that the use of open-market operations, when it is proper to expand the money supply, would save money for the American taxpayers. It would be just as effective, so far as the Treasury is concerned, as though the Congress, after extensive debate, were to pass a new tax law to raise revenue.

Mr. DOUGLAS. The Senator is correct.

Furthermore, it would have the effect of expanding the money supply, just as really and with approximately the same speed, as would lowering the Reserve ratios. And I emphasize again, we are not advocating pegging, but talking about how to expand the money supply when it is proper to do so.

Mr. PROXMIRE. Exactly; but I think there has been so much steam behind the economy move, and such a ready and easy public acceptance of economy, that people will go for anything that will save money. There has been a great deal of pressure from the White House, newspapers, and so forth.

I think no one on any side of the argument can deny that open-market operations represent the economical way to expand the money supply.

Mr. DOUGLAS. If Mr. Martin had adopted this policy in 1953, instead of lowering the reserve ratio, the Federal Reserve would have made $500 million more in interest than it did make, and under the informal agreement it would have turned over 90 percent of that sum to the Treasury. Now, $450 million or $500 million may not be very much to Mr. Martin; $500 million may not be very much to George M. Humphrey; it may not be very much to that fine man, Mr. Robert Anderson—and he is a fine man—but to me $500 million is a great deal of money. To the people of the United States it is a great deal of money. It would pay for the school bill.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Can we not expect that next week, when the school construction bill is under consideration and the Senator from Pennsylvania [Mr. CLARK] offers an amendment to increase Federal aid so that we can improve teachers' salaries by $500 million, we shall hear the cry from the other side of the aisle emphasizing the cost and burden to the taxpayer? That cry will be loud, clear, and emphatic.

Mr. DOUGLAS. Judging by the past, that is likely to be the case.

I thank the Senator.

ABANDON BILLS ONLY

If the Federal Reserve resorts, as it should resort, to open market operations as a means of properly expanding the money supply, which is contrary to what it has said it wants to do, then it must make another change. It must abandon its present policy of trading in "bills only."

Mr. Martin adopted this policy shortly after he became chairman of the Board. The policy was that the Reserve would buy and sell short-time Government bills of 91 days' duration, but would not buy long-term bonds, or, indeed, certificates. With three exceptions it has held rigidly to this policy. This is known as the "Martin 'bills only' policy."

If they resort to open market operations for proper secular expansion, in my judgment, they must discard the "bills only" policy. Whatever the views of people may be on the general thesis I have recently been expounding, I think the "bills only" policy has been denounced by virtually every competent authority. It has been condemned by the New York Federal Reserve Bank—and while I do not always agree with the New York Federal Reserve Bank, I believe in this respect it is correct. I wish to pay tribute to the leaders of the New York Federal Reserve Bank, including the former president, Mr. Sproul, Alfred Hays, the present president, and the experts attached to the New York Federal Reserve Bank. They have been in open rebellion against the "bills only" policy. I think most competent economists call for the abandonment of the "bills only" policy; and our committee asks for its abandonment.

The Reserve Board seems to hold the curious doctrine that it is proper for the Reserve to affect the shorttime interest rate but not for the longtime rate. It is all right to affect the shorttime interest rate, but not the longtime interest rate. I do not see why one should draw any distinction between the shorttime rate and the longtime rate. As a matter of fact, I think the case affecting the longtime rate is stronger than the case for affecting the shorttime rate, because it is the longtime rate which more directly affects the market rate of interest for corporations and private borrowers.

The Federal Reserve is very curious in its inconsistency. I would have thought

that the able men attached to the Federal Reserve would have perceived their inconsistency. In one breath they say that it is proper to affect the shorttime interest rate but not the longtime interest rate. Then, in the next breath, and in a contradictory fashion, they assert that the best way to affect the longtime rate is through the shorttime rate. In other words, it is better to do it indirectly than to do it directly; but we should not do it at all. In its arguments, therefore, the Reserve Board resembles the character in one of Stephen Leacock's novels who mounted his horse and rode off in all directions. Or, in the language of Edmund Burke, as applied to one of the cabinets of King George, in this respect it is a candidate for contradictory honors.

There is no good reason why the Federal Reserve should not operate on the longtime as well as the shorttime side of the market. The idea that the longtime rate can be affected better indirectly than directly is similar to Tom Sawyer's quaint and romantic notion that it was better to get Jim out of the cabin by digging an elaborate tunnel rather than by opening a door. The truth of the matter is that shorttime rates can fall sharply, while longtime rates decrease but slightly. In 1958 the shorttime rate went down sharply. The longtime rate did not go down appreciably. This illustrates how rapidly the shorttime rate falls. It falls sharply and abruptly; and while there was a decline in the longtime rate—of which the Treasury did not take full advantage—nevertheless, the decline in the longtime rate was much less than the decline in the shorttime rate.

So the idea that we can affect the longtime rate better by working on the shorttime rate rather than working directly on the longtime rate is ridiculous. It is remarkable that sensible people should maintain such an argument.

Similarly, shorttime interest rates can at times be forced up by the Reserve without much effect on the longtime rate.

Since it is the longtime rate which furnishes the basic riskless rate of interest upon which other and private rates of interest depend, it would seem better for the Reserve to operate directly rather than indirectly upon this rate. This is necessary in order to better effect a reduction in interest rates and thus stimulate investment and employment without inflation.

This ability to trade across the board is also necessary to prevent dangerous differences from developing between the longtime and shorttime rates, which led to the wild speculation in Government bonds and their subsequent collapse in the early summer of 1958.

If the Reserve is to help reduce unemployment, increase production and stimulate investment by open-market operations it should not try to do so with one arm tied behind its back. It should operate with both arms.

It should furthermore be realized that if an undue disparity develops between the shorttime and longtime rate, this can be corrected by the process of "exchanging" or "swapping" without expanding the total member bank reserves or the total money supply. For example if the shorttime rate is excessively low in relation to the longtime rate, the Reserve could simultaneously buy bonds and sell bills in equal amounts. This would keep total reserves and hence the money supply constant. It would merely alter the position of the bondholdings of the Federal Reserve. It would however raise the price of bonds and lower their yields or the true interest rate while it would lower the price of bills and raise their yields. Since it is the longtime interest rate which has the greater influence on investment, this would have a net stimulative effect without increasing prices. This can only be done, however, if the bills-only policy is abandoned.

In conclusion we can only hope that the Treasury and the Reserve will abandon their obstinate refusal to set their houses in order and instead adopt a policy of monetary responsibility.

FISCAL POLICY

Mr. President, this has already been a long speech, and I regret that it must go on, but I will try not to prolong it unduly.

But even more important than debt management and monetary policy is fiscal policy. Here the administration and the Congress must both bear the responsibility.

For the Federal Government is far and away the largest economic unit in the Nation. It handles over one-sixth of the gross national product. It has a very large effect on economic activity, on economic stability, and on growth.

In the postwar period we have not used the full possibilities of fiscal policy to achieve the Employment Act's objectives. This has been particularly true since the end of the Korean war. Indeed, Federal fiscal actions have been a major source of the low growth, of the upward trend in unemployment, and of the rising price level. In addition, the decrease in the use of fiscal policy has imposed too great a burden on monetary policy.

The Federal Government should use fiscal policy more fully than it has in recent years.

Excessive reliance on monetary policy is unsatisfactory because it acts selectively on a relatively few sections of the economy and because of inevitable delays before its effects are felt. Fiscal policy, while more difficult to use, has prompter and larger effects.

LARGER BUDGET SURPLUS

Greater reliance on fiscal policy calls for two things. First, there should be larger budget surpluses than have been realized in recovery and prosperity. This is necessary to achieve the desired amount of restraint on total demand in these periods. Second, there should be more prompt budget deficits when recession conditions are developing. If this course is followed, less reliance will have to be placed on monetary restraints against inflation and on monetary expansion to head off or moderate a recession. Interest rates in general will be lower than they would otherwise be. Moreover, while interest rates would still be flexible, they would fluctuate within a much more limited range. Greater reliance on fiscal policy, therefore, will not only be more effective in promoting stability in the rate of employment and output and in the price level, but will also contribute to greater stability in the Nation's financial markets.

In the long run, a more rapid expansion of the Nation's productive capacity will probably require a higher rate of national saving. The surest way to attain this is to have larger budget surpluses during periods when there is a high level of employment and output.

A budget surplus in such periods reduces the purchasing power of the private economy. To the extent that these surpluses reduce consumption, they increase the total amount of resources available for investment. Of course, this process will only operate successfully if other policies, particularly monetary, keep the total money demand high. Otherwise the private investment will not take place. Budget surpluses in these periods permit debt retirement. This releases funds for private investment and would lower interest rates.

Since the end of the Korean war, the total of Federal surpluses in prosperous periods has represented a much smaller proportion of the gross national product than in the period prior to the Korean war. Federal fiscal activities, therefore, have made a smaller contribution to total national saving in recent years than in the earlier postwar period.

DEFENSE ORDER CHANGES

Changes in defense orders and purchases have been an important cause of economic instability in the postwar period. These changes should be based upon the Nation's longrun defense requirements, and not upon considerations of the debt limit or other narrow budgetary concerns. Changes in defense demands should be treated as signals that offsetting changes in taxes or other expenditures may have to be made if recessionary or inflationary strains are to be avoided.

TAX CUTS IN RECESSION PERIODS

The principal weapon which should be used to prevent recession trends from gaining momentum and to promote recovery from recession is a reduction in tax rates. Such countercyclical tax cuts should be enacted on a temporary basis, and should automatically end when the forces of recovery become strong.

Since no two recessions are likely to be the same in all important respects, no single prescription for tax reduction is likely to fit all cases. In general, however, the aim should be to reduce individual income taxes, because they have the widest and quickest impact on the economy. Moreover, provision should be made for reversing tax reductions on a timely basis as recovery proceeds, in order to maintain the Federal Government's revenue base in the long run.

STRENGTHEN AUTOMATIC STABILIZERS

In addition to vigorous use of discretionary tax changes, the automatic fiscal stabilizers should be strengthened. In particular, the unemployment insurance

system should be liberalized to increase the response of fiscal policy to changes in employment.

We give elaborate treatment to that subject in our report, and indicate that the rate of unemployment benefits and their duration should be increased as unemployment rises.

The present Federal fiscal structure contains elements which respond automatically to offset changes in the national income. Tax liabilities react to changes in economic activity. They moderate fluctuations in private incomes and expenditures. On the expenditure side, certain payments go up and down automatically with changes in economic conditions. Unemployment compensation benefits rise with increases in unemployment and fall off as unemployment drops. Public assistance payments and old-age and survivors insurance benefits do the same. Tax collections fall as corporate and individual incomes fall.

Automatic stabilizers do not reverse recessions. They slow down and reduce the size of the decline but they provide no upward stimulus of their own. However, even if the Government is more willing to act than in the recent past, there will always be some delay. Therefore the automatic fiscal stabilizers should be strengthened wherever possible as a first line of defense against recessions.

TAX REFORM

Improvements can be made in the Federal tax system. Tax reform would bring back into the income tax base certain items of income, for example, capital gains, which are highly sensitive to changes in economic activity. In addition, increasing the progression at the lower end of the income scale would improve the response of the tax system to economic ups and downs. Splitting the first bracket in the individual income tax would be a major gain in this respect.

Experience in the 1957–58 recession showed that the unemployment compensation system is a major area in which improvements can be made. The emergency action by the Federal Government in supplementing State employment benefits when these were exhausted was certainly the most heartening feature of the Federal fiscal policy in the last recession.

The unemployment insurance system should be strengthened. Both the amount of benefits and their duration should be increased. Of course there is an upper limit on how much can be done without hurting incentives, even in good times. At present, however, this limit has not been reached.

Improvements in the unemployment compensation system should not wait for the next recession. Work should begin on this program now.

As we place more emphasis on fiscal policy and larger budget surpluses to restrain total money demand, reform of the Federal tax structure, particularly of the income and estate and gift taxes, becomes more urgent.

If the "mix" of monetary and fiscal policy is to be changed, as we propose, we must have the fairest possible tax system. The weaknesses of the present tax system, particularly of the income and estate and gift taxes, are legion. They have been set out in hearings and studies by the Joint Economic Committee and most recently by the House Committee on Ways and Means. Both the individual and corporate tax systems are full of preferential provisions which allow some taxpayers, because of the source of their income or the use they make of it, to pay lower taxes than others with equal incomes. The result is that many taxpayers, particularly individuals, pay taxes on only a fraction of the income they actually receive. This requires others to pay higher taxes than would otherwise be needed. Moreover, since not all taxpayers can take advantage of the preferential provisions, these high tax rates have a very uneven impact.

These discriminations cannot be concealed. Widespread knowledge of them has undermined confidence in the fairness of the tax system. As greater reliance is placed on fiscal policy it is particularly urgent that these injustices should be done away with. Those with equal income should pay equal taxes without regard to how the income is obtained or what use is made of it.

What a simple standard I am suggesting. People with equal income should pay equal taxes. I am not proposing any increase in the progression of the Federal tax structure. In fact, I propose a decrease. I am merely saying that people with equal income should pay equal taxes. What is so revolutionary about that? It is so simple, and, stated in that way, one could hardly expect any disagreement with it.

In addition, tax loopholes distort the use of resources. When taxes are lower on some sources or uses of income than on others, taxpayers spend or invest for tax reasons rather than because of sound business judgments or the dictates of the market. Resources then flow into areas where they get the best tax treatment rather than where they are most efficient or most needed. This means that our economy is less efficient than it could be. Tax preferences, therefore, limit the growth in our real output and in our productive capacity.

We cannot list all of the necessary reforms in the Federal tax structure. Among the most urgent, however, are the following:

First. Repeal of the dividends-received credit and exclusion: These provisions primarily benefit a small minority of the largest stockholders. They do little, if anything at all, to encourage corporations to increase external equity financing, rather than debt or internal financing. Repeal of these provisions would add $400 million to $500 million to Federal revenues.

Second. Provide for withholding on interest and dividend payments: At present, between $4 billion and $5 billion of dividends and interest received by individuals which should be reported on their tax returns escapes the individual income tax through deliberate evasion, forgetfulness, or ignorance of the law's requirements. Withholding at the source on dividend and interest payments at the same rate as for wages and salaries is entirely practicable, would involve extremely small costs of compliance by withholding agents, and would increase Federal revenues by about $800 million. The argument that this would involve overwithholding on widows and orphans, upon which proposals for dividend and interest withholding have foundered in the past, is without merit. Tax has been withheld on wages and salaries for years. This withholding system has involved greater overwithholding on wage and salary earners than would occur in the case of dividend and interest withholding. Yet those who oppose the latter on the grounds that it would be unfair to dividend and interest recipients seldom mention the far greater overwithholding burdens which are borne by those who receive wages and salaries.

A basic 20 percent is withheld on wages and salaries for taxes, but not on dividends and interest, resulting in the distribution of some $6 billion of taxable dividends and interest, which is not reported by the recipients.

Third. Rigorously limit employee expense accounts: Business expense accounts have been carried to such extremes that as much as $5 billion to $10 billion of personal income now escapes taxation. Moreover, these practices feed on themselves by setting up pressures for more generous allowances among competing firms. These practices are among the most glaring injustices now tolerated by the law. Limiting deductions to those expenses without which the basic business of the employer could not be carried out would add as much as $800 million to Federal receipts.

I repeat, we should rigorously limit expense accounts for managerial and salaried employees—and not make payola a deductible expense.

Fourth. Limit the types of income to which capital gains treatment is given to true capital gains: Under present law, capital gains treatment, with a maximum tax rate of 25 percent, is given in many circumstances, where income involves no sale or exchange of capital assets. The low capital gains rate has been widely used as a tax relief device. Examples where the capital gain rate is given where no true capital gain is involved include: coal royalties, the sale of cut timber, and the gains from the sale by corporations of depreciable assets. Perhaps the present provisions are not the best way to treat legitimate capital gains. But the use of these provisions where no capital asset is involved and where no sale or exchange occurs is clearly unjustified. Eliminating these cases would add about $600 million to Federal revenues from the corporation income tax alone.

Fifth. Progressively reduce the percentage depletion rates allowed on oil and gas: Percentage depletion permits the taxpayer to recover his investment in a property many times over. The cumulative total of these deductions is limited by the income from the property and not by the taxpayer's invest-

ment in it. These provisions are grossly unjust. In addition, they encourage a wasteful rate of investment in these properties and discourage sound conservation practices. The total elimination of percentage depletion for oil and gas alone, that is, permitting only actual investment to be recovered for tax purposes, would add between $1 billion and $1.2 billion in Federal receipts. A more limited approach which would retain the present 27½ percent depletion rate for small oil and gas operators and reduce the rate to 15 percent for the giant firms in this industry would add about $400 million to Federal tax receipts.

This is very important. The Senator from Wisconsin and the Senator from Illinois have crusaded on this subject for a good many years. When the Senator from Minnesota [Mr. HUMPHREY] and I started this back in 1951, we got eight votes. That is all. A Senator rose in the Senate—and he was my dear friend—and said, "I warn you not to commit political suicide. If you push this, you will be defeated for reelection, and you will go into the limbo of forgotten Senators." I noticed a smile of satisfaction creep over the faces of many of my colleagues when that warning was issued.

I can only say that I survived the second election. The same predictions are being made today.

I remind Senators that my State is the eighth oil-producing State in the Nation. In one congressional district, oil is the predominant industry. So it is not politically expedient for me to urge the reduction of the depletion allowance; but as a matter of justice I can only urge it, because in its present form it means that the oil and gas industries pay an average of only 17 percent on corporate profits in comparison with the average for other corporations of 51 percent. Some gas and oil companies which have tremendous earnings pay no taxes. One company actually got a refund on as much as $65 million in profits.

Out of consideration for those people, and because I do not like to deal in personalities, I have never published the names of those companies; but I have a list of names, and if pushed I might publish them, although I do not want to do so because I do not believe in putting anyone in the pillory.

Some predictions are being made that I will not be back here next year. As I have heard those predictions made, I have again noticed smiles of satisfaction spread over the countenances of many of my colleagues on both sides of the aisle. It may be so; I do not want to pose in any false sense as a martyr, because that is always somewhat unesthetic. I can only take the stand which I have always taken.

Incidentally, the method which I am proposing would reduce the depletion allowance from 27½ percent to only 15 percent on those having incomes of more than $5 million a year, and to 21 percent on those having a gross income of from $1 million to $5 million. Those having gross incomes of under $1 million would not be touched at all. The rate on those having gross incomes under $1 million would not hurt the small operator in the slightest degree. It would not hurt any farmer. It would only reduce the advantages which go to the "big boys," to the "colossi," so to speak. But they are very influential in trying to convince everyone who owns a share of stock in an oil or a gas company that I am out to scalp them; or to convince every farmer who owns a royalty right that I am trying to hurt him.

I have gone into the oil producing areas of Illinois and have spoken my mind. I have advocated these policies wherever the representatives of the large oil companies have wished to debate, and I have taken them on. I shall continue to go into that region again. I did so, as a matter of fact, last fall. I find that when this issue is presented to the people, when it can really be gotten to the people, and they see the essential justice of what the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from Illinois are trying to do, the popular result is most unfavorable for the prophets of gloom and doom, and they realize it.

The simple reform which the Senator from Wisconsin and the Senator from Illinois are proposing would add $400 million to the Federal Reserve. If this is turned down, then in the long run the storm of popular indignation will be so great that, instead of the mild measure which I am proposing, there will be a much more stringent measure.

I am really the best friend the oil industry has; but, as is true in so many instances, my friendship is not acknowledged by the oil journals or by the oil associations or the gas associations.

Sixth. Mr. President, another thing which we advocate is the improvement of the enforcement of the income tax laws. It is estimated that as much as $25 billion of taxable income is not reported on individual income tax returns. A larger number of employees is needed in the Internal Revenue Service.

The revenue gain which could come from more vigorous enforcement efforts is, therefore, substantial. It has been shown by Internal Revenue Service studies that each additional dollar applied to enforcement brings in receipts many times greater. Even a modest investment in expanding and improving enforcement techniques would yield an additional $1 billion in Federal revenues.

Seventh. Eliminate the numerous preferential provisions in the estate and gift taxes: At present, these taxes fail to serve either their social purpose of preventing great accumulations and concentrations of wealth or of producing any substantial amounts of revenue. Revision of the marital deduction, closing the avoidance device of life estates, and possibly integrating the two taxes into a single wealth transfer tax with a single system of rates, deductions, and exemptions would add at least an additional $1 billion to Federal tax receipts annually.

These revisions altogether would bring in an additional $4 billion to $5 billon in tax income annually. Numerous other revisions can and should be made to improve the fairness and the revenue potential of the Federal tax system and to reduce its bad effects on economic growth. The additional revenues which would result from these reforms could be used in part—notice this—to reduce the high marginal income tax rates, particularly those above, say, 65 percent in the individual income tax.

I do not like the 91-percent tax. I think it is far too high. When paid it almost kills initiative. I would not like to see the maximum rate go above 65 percent, or certainly not above 75 percent. If we can make the people who evade and avoid taxes pay their taxes, then the tax rate can be reduced for the honest billionaire or the honest hundred millionaire. My heart bleeds for them as well as for others.

In Chicago, when we had a very unjust personal property tax system, there were three multimillionaires who played square. The McCormick family—the International Harvester McCormick family—would always declare a million dollars of personal property. I think every member of the family would declare a million dollars of personal property. They did not have to; they could have got by with less; but they felt it was only proper to do so.

Julius Rosenwald did so; and I believe Charles R. Crane did the same. I am very happy that all three of those families were great friends and supporters of Woodrow Wilson.

So there are many wealthy men and women who have a high sense of social responsibility, and who would not think of evading or avoiding their taxes. These present high rates put a tremendous temptation upon them.

If we can plug the loopholes and get more revenue, we can reduce the rates and reduce the temptation to which the wealthy are exposed. Such a procedure would subject them to less temptation and help to make them as honest as they would like to be. I want to smooth that path.

The added revenues could also be used to reduce the Federal debt and thereby ease pressure in the money market, and to finance a modest amount of expenditures aimed at encouraging the Nation's economic growth. The added revenues should also be used to make some reductions in the taxes on the lower and middle income groups. We are not going to have all the benefits go to those in the upper brackets. The lower and middle income groups deserve a cut too. Quite a lot of money—perhaps from $4 billion to $5 billion—could be raised by this method. But at least half should also be used in periods of prosperity to reduce the Federal debt. This would have the incidental effect of raising bond prices and reducing bond yields, and hence reducing the interest rates.

We should reorder the priorities in the Federal budget. Greater emphasis should be placed on those Government programs which are essential to the Nation's and the free world's defense, to promote the well-being of our people, and to contribute to a higher rate of economic growth. We should reduce those outlays which support the inefficient use of the Nation's resources.

Now I shall indicate some of the ways in which I think there can be productive expenditures.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. I could not agree more strongly with what the Senator from Illinois has said about tax reform. I am concerned, however, with the significance of the proposals the Senator has made in the context of his speech. He has suggested—and I agree with him—that more emphasis should be placed on fiscal policy for stability than on monetary policy. I am very much concerned with the difficulty of increasing taxes in times of prosperity, which is a simple, plain, obvious political difficulty with which we are all acquainted; and, as a matter of fact, the very great difficulty of decreasing taxes in periods of recession, such as we experienced in 1958, when the Senator from Illinois and I were two of those who advocated, as did many other Senators on both sides of the aisle, a reduction of taxes in a depression period.

Has the Senator from Illinois any feeling about how this fiscal policy can be made a more practical tool for stability?

Mr. DOUGLAS. Prof. Albert G. Hart, of Columbia University, has proposed a policy for an automatic change in tax rates according to the indexes. In periods of prosperity, as business improved, taxes would be increased. This would have the advantage of celerity.

Mr. PROXMIRE. I think that is very good. What must be overcome is a tendency on the part of people to say, in periods of recession, "We are going to have a $12 billion deficit; therefore, we should increase taxes."

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. That is exactly the opposite of the compensatory policy. In periods of prosperity, it is said that because we have a surplus, we should cut taxes. That is exactly the opposite of what should be done.

Mr. DOUGLAS. It is exactly the opposite. This is one of the greatest fallacies and must be overcome.

Mr. PROXMIRE. This is something which dates back at least 15 years. Many economists have recognized the wisdom of compensatory fiscal policies.

Mr. DOUGLAS. I hope I will not be regarded as being unduly egotistical when I say that I advocated the theory of compensatory expenditures of the Government and compensatory tax rates as early as 1930. I can remember in 1931 making a speech before an international conference in Geneva, Switzerland, on this topic. I think there was a general feeling that I was out of my mind. Then John Maynard Keynes took it up—independently, of course. It did not take my writing to stimulate his own brilliant mind. And Marriner Eccles, of Utah, without knowing either one of us existed, testified to that effect before the Senate Finance Committee in the early winter of 1931, before the new administration took over. He was the only witness who so testified. Everybody else testified we were running into a deficit; we should increase taxes and balance the budget.

Since then this idea has gained greater acceptance. It is up to the administration and to Representatives and Senators in Congress to do something about applying it. It should take some form which would remove obstacles to making up our minds so that it will operate in some more automatic way.

Mr. PROXMIRE. The reason I make the comment is I have a feeling that perhaps the suggestion that we would not lose on monetary policy or lose on fiscal policy depends on whether or not the second recommendation can be put into effect, and I am afraid that perhaps it cannot be.

Mr. DOUGLAS. If we say it cannot be, then we abandon the field.

Mr. PROXMIRE. I should have said that it can be accomplished only with great difficulty. I think what the Senator has said is most encouraging. He said he made that recommendation in 1930——

Mr. DOUGLAS. Thirty years ago.

Mr. PROXMIRE. The suggestion has made progress. According to the report being made, the majority espouses that recommendation, and so does the speech of the chairman of the Joint Economic Committee which he is now making. I think on that basis the compensatory fiscal policy idea is moving ahead, but I think it faces the problem that we need to talk about it a great deal more in order to have the public accept it.

Mr. DOUGLAS. I thank the Senator.

REORDER EXPENDITURE PRIORITIES

To improve Federal expenditure policy, we should put a high priority on:

First. Better provision for defense, especially for missiles and for combat troops;

Second. An improved foreign aid program;

Third. Federal aid to education;

Fourth. Continued support for research and development in line with the growing demands and opportunities that science offers;

Fifth. An enlarged and improved program of medical care and research and especially for hospitals and medical schools;

Sixth. A sound program of natural resource conservation and development; and

Seventh. Programs for restoring and improving the economic health of areas which have been bypassed by economic progress or which are the victims of the adjustments of a dynamic economy.

Until a major change occurs in the relationships among the world's great powers, and a real and secure peace comes about, the United States must be prepared to commit whatever proportion of its vast resources that may be necessary to our defense and to assist in the defense of the free world and in the economic development of the less developed nations. The progress of Soviet military technology increases our peril. It requires us to speed our own advances, if the present delicate balance of military strength which keeps the nuclear peace is not to be lost. If we cannot thereby deter nuclear war, we must be in a position to strike back. For this purpose, we need better missiles and space programs.

In addition, we must improve our ability to fight and to win limited wars without nuclear weapons. All-out nuclear warfare is not the sole threat, and perhaps not the major threat, to world peace. The piecemeal weakening of the free world through limited aggressive wars is still a threat. In partnership with our allies, we must be ready, if necessary, to fight limited battles wherever they may arise, to protect the free world. As the destructive power of nuclear weapons becomes greater, the possible use of them to win limited war is, therefore, essential to our safety. Finally, we must provide military aid to our allies so that they can resist external aggression and internal subversion.

It does not follow that any great increase in total spending for defense will be needed. Parts of our defense program are wasteful and inefficient. This involves the inefficient use of both men and materials. It is also true of procurement practices and the building up and disposal of huge amounts of surplus property. The stockpiling of obsolete and redundant materials and supplies, the unnecessary duplication of facilities and lines of supply now available in the private sectors of the economy, the failure to centralize purchasing, and numerous other inefficient procurement practices remain. The savings in procurement and management could be the major means of financing more missiles and combat troops.

During its study, the committee was told again and again that we must improve our education—in both quality and quantity—that we must increase our efforts in research and development, both basic and applied. This is necessary for a higher rate of economic growth over the long run. Our industrial technology is more complex and makes greater demands on the labor force. To develop our people's talents to the full, and to increase labor productivity at a rate which can cope with the new technology, the standards and amount of education will have to rise rapidly.

Funds for research and development, for which the Federal Government now provides at least half, will also have to rise if a higher rate of economic growth is to come about. The productivity of many of these activities is very great. The civilian byproducts of applied military research alone provide a dramatic catalog of the high return in such activity.

Funds for improving the quality and quantity of medical care will also have to increase substantially in the future. Most of these will come from private sources, but the expenses of the Federal, State, and local governments in medical services depend on research. Medical research has long since passed from the bunsen burner stage to extremely complicated and costly techniques, the financing of which very often exceeds private means.

We wish to warn here that while medical and other research is very costly and therefore requires large sums, it does not follow that such research should be done by committees or through gang research. The administrative arrangements through which such funds are channeled, whether they

be private or Government agencies, should not interfere with the job of research, which still remains largely an individual one.

There are numerous depressed economic areas in this country which are withering on the vine. Even at the peak of prosperity they suffer from depressed conditions. As there are now huge public investments in these areas, in terms of the communities, their public utilities and their human resources, assistance in the form of some public works, repayable loans, as well as technical assistance and retraining, could revive many of them. It is wasteful to allow these areas and resources to remain unused and undeveloped.

The specific elements of a Federal program for area assistance should include: (a) technical assistance to the areas in planning a redevelopment program with reasonable chances for success; (b) financial assistance to chronically depressed areas for community facilities necessary to attract new industry; (c) long-term loans to new industries locating in the area; and (d) retraining allowances for workers who can thus be qualified for reemployment.

Poverty in the United States, however, is not merely a matter of depressed areas. It exists in prosperous cities, and throughout the agricultural regions of the Nation, particularly among migrant farmworkers. The programs necessary to raise low incomes, therefore, will have to be flexible enough to meet a variety of situations. Slum clearance and urban renewal are important parts of such a program. More important is raising educational standards, since this is the surest way to increase productivity and eliminate the basic source of poverty. Public assistance must continue to play a large role.

Numerous other public services should also be expected to increase as the Nation grows. The blight in the centers of our cities is not only bad of itself, but it draws off resources for police, penal, and mental institutions, and wastes the human resources found there, all of which slows down our growth. Additional public services in the fields of public utilities and public works, such as roads and highways, public medical facilities, schools, and libraries, will also be needed. The failure to meet these demands will limit the increase in productivity and the Nation's growth.

These basic improvements in fiscal policy require that we halt the erosion of the Federal budget and restore it to meaningful accounting integrity.

In the past several years, gimmicks and financing outside the budget have been used to mask or obscure the effects and costs of a number of programs. The effect of Government spending on the economy is also obscured and understated. In terms of the number of dollars involved, the highway trust fund is certainly the most important example. Neither the expenditures nor the receipts under the Federal highway program are shown in the conventional budget. Why this program should be separated from the budget, while most other Federal public works programs are shown, is difficult to explain. Its purpose appears to be to present the illusion of a balanced budget and of a lower level of Government outlays and receipts than in fact exists. In addition, extrabudgetary financing of programs, such as that of the Federal National Mortgage Association, can hardly be justified as sound budget procedure. The exchange of FNMA's holdings of certain mortgages for certain outstanding nonmarketable Federal debt issues, according to the Treasury's own testimony, is aimed at keeping debt operations within the statutory debt ceiling. The economic impact of FNMA operations on the flow of funds and demands in the mortgage market is therefore not clear. Selling off Federal assets as a means of reducing net budget outlays is poor financial management and makes it difficult to judge the effect of fiscal operations on the economy. The leasing of facilities, instead of outright purchases, particularly of post offices, is expensive and inefficient. Its principal purpose is to conceal the real cost of acquiring these facilities which are needed for essential public services. Proposals to use the reserves of various Federal Government trust funds to finance unrelated Federal expenditures must be rejected as only further compounding the inaccuracy of the conventional budget. Finally, end-of-the-year adjustments in both revenues and expenditures, made by hastening or delaying disbursements and by speeding or delaying the processing of tax receipts, should be brought to a halt. This merely transfers receipts or expenditures from one fiscal year to another. Its major effect, however, is to obscure the actual budget results for the year just ending and the estimates of likely results for the year just beginning.

The ceiling on the national debt could be removed if proper fiscal, monetary, and debt management reforms were made.

IMPROVING THE STRUCTURE OF OUR ECONOMY

Thus far, we have been speaking about the necessary reforms in fiscal policy, debt management, and monetary policy which should be carried into effect. But there are other factors which affect growth, employment, and prices, and these should not be neglected. We must also deal with the structure of our economy as a whole and how to improve it.

REDUCE THE EXERCISE OF MARKET POWER

The first method of reducing the exercise of market power is to strengthen the antitrust laws so that our economy becomes more competitive. Monopolies and quasimonopolies tend to reduce output and raise prices above what they would be under effective competition. The committee makes a series of recommendations in this respect in its report.

In addition, we call for the gradual reduction of tariffs, which would be a healthy stimulus to American producers to modernize their technology, increase their efficiency, and hold down costs and prices.

Furthermore, while the patent system has provided a great stimulus to private inventors, it has often been used as a means of restricting the introduction of new products and processes and for sharing markets and fixing prices. We believe that a system of leasing patents upon the payment of a royalty, which would protect the inventor but provide for their freer use, may be an appropriate method to avoid the monopolistic stimulus of the patent system.

In addition to this, we recommend a series of proposals, increasing in severity, to deal with market power. These include an annual labor-management conference on the general economic outlook which—over the long run—might have some good effects on wages and prices in key industries. We also call for a reduction in prices during the upswing of booms, when productivity increases.

Finally, while we recognize the difficulties and share the presumption against Government participation in the price-wage setting process, there is a need—at least on a standby basis—for a factfinding procedure in key price and associated wage increases which seriously threaten economic stability. Such procedures should be invoked at the discretion of the President and they should result in the issuance of a report and recommendations regarding the justification and desirability of such proposed increases.

If we effect more competition in industry, then these procedures will not be needed. But, if all else fails, then factfinding on key price and wage decisions by the President would be helpful.

OTHER METHODS FOR IMPROVING THE STRUCTURE OF THE ECONOMY

We also advocate a number of other policies to improve the structure of the economy. These include:

First. A program to aid the depressed areas, including a more liberal system of unemployment compensation.

Second. Coordination of the State employment agencies into an effective national system of information about job opportunities. This could reduce the frictional unemployment.

Third. Special provisions in our unemployment compensation system for those who have been laid off by technological change. This would include payments while they were being retrained. However, the best means of easing the introduction of technological change is to maintain full employment.

Fourth. The promotion of small business, especially in their access to credit.

Fifth. The reduction or elimination of Federal subsidies for uneconomic activities. This would free these resources for more productive uses.

HOW TO PAY FOR IT

In citing the increasing demands for defense and public services, and for the adoption of policies which will bring a higher rate of growth, we are mindful that they must be paid for. How can this be done?

In the first place, a great many programs will pay for themselves. The clearing of our slums reduces the amounts which are needed for police, social workers, health, and mental institutions, to cite only a few of the benefits which arise.

Second, a higher rate of economic growth without inflation would also help to pay for them. If the gross national product in constant prices had grown

without interruption at a rate of 3.5 percent since 1953, the total output in 1959 would have been some $34 billion more than in fact it was. Federal revenues for fiscal year 1960—the fiscal year which comes to a close in June—would be $5 to $6 billion more than in fact they will be. The $5 billion to $6 billion would give us revenue with which we could effect tremendous changes.

These additional revenues would have made possible modest beginnings in programs which increase productive capacity and productivity, namely, growth, and at the same time permit some reduction in the national debt, and even reduction in some tax rates.

Economic growth in itself, therefore, is a major source for financing improvements and expansion in necessary Federal programs without increasing tax rates.

Third, we can finance a large part of these public programs by eliminating or reducing subsidies and other resource-wasting Government programs. Very substantial savings can be realized in this way.

Finally, the tax reforms which we suggest would increase revenues while making the tax system fairer, more just, and more conducive to economic growth.

We stress that putting more emphasis on these programs is not a plea for big spending or deficit financing. On the contrary, these programs can and should occur in the framework of a much tighter fiscal policy than there has been during the past several years.

These programs are perfectly consistent with our recommendations that there should be larger surpluses during periods of high output and employment than there have been in the recent past.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. Yes, I shall be glad to yield. Then, after one statement, I am going to yield the floor.

Mr. PROXMIRE. I want to congratulate the Senator from Illinois on another outstanding, extremely constructive speech. This speech is particularly significant because, as I understand the speech, it expresses the viewpoint generally of the Democratic members of the Joint Economic Committee.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. With the exception of the Senator from Arkansas, who I understand was unable to be present.

Mr. DOUGLAS. Because of his duties on the Foreign Relations Committee.

Mr. PROXMIRE. I should like to read into the RECORD the names of those members of the Joint Economic Committee because I think they represent an outstanding assembly of gifted, able, and representative U.S. Senators and Representatives.

In addition to the distinguished Senator from Illinois, who is recognized as the outstanding economist in Congress, the Democratic Members are the Senator from Alabama [Mr. SPARKMAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Massachusetts [Mr. KENNEDY], Representative RICHARD BOLLING, of Missouri, Representative HALE BOGGS, of Louisiana, my own colleague, Representative HENRY S. REUSS, of Wisconsin, and Representative FRANK M. COFFIN, of Maine. I think everyone will agree on the outstanding ability——

Mr. DOUGLAS. And Representative PATMAN, of Texas, who, though he dissented on some features, agreed to most of the recommendations. I wish to say he was most constructive in the work of the committee.

Mr. PROXMIRE. Yes, Representative PATMAN, who is certainly a distinguished Representative and a fine Member of the Congress.

I think this group of able Representatives and Senators represent an extremely significant recommendation, particularly in view of the fact that the majority leader, or perhaps the assistant majority leader—I think it was the assistant majority leader—when I was discussing the lack of conferences in the Democratic Party and the lack of economic policies, pointed repeatedly at the Joint Economic Committee and said, "If you want an economic policy for the Democratic Party, take it up with the Senator from Illinois and his committee."

If this principle can be accepted generally, with individual differences, as the general economic policy of the Democratic Party, it is highly encouraging. It charts a program, in 1960, at the very beginning of the year, which I think is constructive, thoughtful, and mighty promising.

Mr. DOUGLAS. I thank the Senator from Wisconsin. May I say to him that the policy can be adopted only to the degree that it lends itself to the free support of free men who, after considering the issues on their merits, come to the decision that, in the main, our recommendations are correct.

I hope it will be the policy of the Democratic Party. I also hope it will become the policy of the country. I welcome criticisms or corrections, so that we may have an honest debate of this issue.

Mr. President, anyone who takes up the cause of the people is likely to find himself called a demagog. The Senator from Illinois has had that experience in recent days. Two of our great papers in Chicago, and there are only four papers there, called the Senator from Illinois a demagog and said he was going to join the ranks of the demagogs.

Mr. President, the word "demagog" has had a very interesting history. In its Greek form, it means one who speaks for the people. I do not see anything wrong about speaking for the people. In the main, that is what Pericles did. He spoke for the people of Athens. But, as you know, Mr. President, there was a tremendous struggle inside the Greek city-states, and the aristocratic and wealthy, who generally grouped themselves around Sparta, used the term "demagog," which originally was employed to refer to one who spoke for the people, to refer to one who used unworthy arguments in making appeals to the people. By this process of semantic obfuscation and through use over the centuries, the word "demagog" means anyone who speaks for the people, but the implication is he speaks unworthily. Of course, some of those who speak for the interests of the people use unworthy arguments, and if they do, they should be corrected. I hope that I have not spoken in this sense. If there are any errors in my speech, as I say, I want them corrected. If there are any arguments which are unsound, I want them refuted.

We are not afraid to let truth emerge from the process of discussion. We ask only that there may be a fair field and no favor, that arguments may be presented on their merits. I will trust public opinion to winnow out the false from the true and to ultimately result in a better synthesis.

It is curious, Mr. President, that while demagogery is denounced as the worst evil, plutogogery is not denounced. Plutogogery was used by the Greeks, also. It was meant to refer to one who spoke for the wealthy and the powerful.

This word has fallen somewhat into disuse, but if the term "demagog" has acquired derogatory connotations throughout the centuries, I would say that we should revive the term "plutogog."

If "demagogery" has been twisted to mean unworthy arguments in support of the people, then "plutogogery" should have a meaning attached to it of using unworthy arguments in support of the wealthy and the powerful, of the few.

I want to say, Mr. President, a lot of arguments which masquerade under the term "fiscal responsibility" are plutogogic arguments, which conceal the reality. While this may be a new term to introduce into the dictionary of politics, I suggest that those who revise Webster's Dictionary, those who compile the Century Dictionary, and those who work on the new Thorndyke Dictionary, should consider this question of plutogogery. If one who defends the people but tries to do so in a worthy manner is called a demagog, then I think perhaps it would be legitimate for us to apply the term "plutogog" to certain other gentlemen who, I am sure, honestly think they are not plutogogs but who in reality are plutogogs.

Mr. President, I thank the Presiding Officer, and other Senators, for their patience in listening to me.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. WILLIAMS of New Jersey. On the contrary, it took no patience. This was one of the most illuminating and thoughtful debates I have heard during my brief period in the Senate, and I thank the Senator for his contribution.

Mr. DOUGLAS. I appreciate that comment.

Mr. President, there may be only a few Senators on the floor of the Senate this afternoon; indeed, there have been only a few. These remarks, however, will be printed in the CONGRESSIONAL RECORD, which circulates to some 40,000 people. I do not know how many of them read the RECORD, but probably some thousands do. I hope these remarks will be carried to the Nation, and that they may induce a higher level of discussion into these matters than might otherwise be the case.

Mr. President, I yield the floor.

EXHIBIT 1

Recommendations of the American Bankers Association Advisory Committee to the Treasury, 1952–59 (excerpt from hearings, pp. 1221–1228)

Date of committee report	Financing problem	Committee recommendations	Treasury offerings
1952			
Feb. 8	Refunding of 2½-percent bonds maturing Mar. 15, 1952.	Offer exchange for notes or bonds with maturity of 3 to 6 years and coupon of 2¼ to 2⅝ percent, depending on maturity.	Offered exchange for 2⅝-percent bonds due Mar. 15, 1959.
	Refunding of 1⅞-percent certificates maturing Apr. 1, 1952.	Offer optional exchange for 1⅞ percent, 11½- or 12-month certificates or the same notes or bonds suggested above.	Offered single exchange for 1⅞-percent 11-month certificates.
	Call of 2- and 2¼-percent bonds eligible for redemption.	Do not make call at this time	Call was not made.
	Cash offering of long-term bonds	Offer $1 billion on Mar. 15 or Apr. 1 of 35-year 3-percent bonds.	No long-term bonds issued.
Apr. 4	Cash required to cover deficit of upward of $10 billion.	Offer long-term marketable 3-percent bond with maturity of 30 years. Market should be approached experimentally with initial offering of $1 billion to $1½ billion.	Marketable bond not offered. Reopened 2¾-percent nonmarketable bonds due 1980 in May for cash and exchange for outstanding marketable 2½-percent bonds.
		For short-term borrowing, increase offerings of bills	Weekly issues of bills were increased by an aggregate of $1.6 billion between Apr. 7 and July 3.
		Revise savings bond program: Increase yield on series E to 3 percent; offer new 3 percent current-income bond as companion to series E bonds; adopt more favorable yield curve modified to yield 2¾ percent for 12 years on series F and G bonds.	Savings bond program was revised on May 1 along the basic lines recommended by committee.
	Refunding of short-term bills and certificates.	Treasury should feel its way as year goes on, and roll over maturities into similar issues or wherever possible, into medium-term issues.	All maturities were rolled over.
	Call of 2- and 2¼-percent bonds eligible for redemption.	Under present conditions issues should not be called	Call was not made.
June 27	Refunding of certificates due Aug. 15 and Sept. 1, 1952.	Suggested combined refunding into a similar certificate or note.	Offered exchange for 2-percent certificates due Aug. 15, 1953.
	Refunding of 1⅞-percent certificates due Oct. 1, 1952.	Roll over into similar obligation	Offered 2⅛-percent 14-month note due Dec. 1, 1953.
	New cash of $5 billion in second half of year.	Issue long-term marketable bonds at appropriate rate in autumn; revise rates on tax notes; issue tax bills maturing around the March tax date; sell larger amounts of 90-day bills.	No long-term bonds issued. Sold in October $2.5 billion tax-anticipation bills due Mar. 18, 1953; also in November $2 billion tax anticipation bills due June 19, 1953.
	Call by Aug. 15 of 2- and 2¼-percent bonds eligible for redemption on Dec. 15, 1952.	Do not call under present circumstances	Call was not made.
Dec. 5	Refunding of 1⅞-percent certificates due Feb. 15, 1953.	Optional exchange for a certificate or note due in about 1 year at an appropriate rate, or a bond maturing in 1956, 1957, or 1959.	Offered optional exchange for 2¼-percent 1-year certificates or 2½-percent 5-year 10-month bonds due Dec. 15, 1958.
	Call of 2- and 2½-percent bonds eligible for redemption.	Call partially tax exempt 2-percent bonds of June 1953–55.	Call of 2-percent bonds was made.
		Do not call fully taxable 2½-percent bonds.	Call of 2½-percent bonds was not made.
	Handling maturity of series F and G bonds.	Secure broad permissive legislation to extend series F and G bonds at maturity.	Series F and G bonds were not extended.
	Cash offering of long-term bonds in first half of 1953.	Extension of maturities can be determined from time to time only in light of investment market; sound out market for long-term bond as conditions appear propitious.	(See meeting of Mar. 20 (1953.)
1953			
Mar. 20	Refunding of 1⅞-percent certificates due June 1, 1953, and 2-percent bonds recalled for redemption on June 15, 1953.	Offer optional exchange for either 1-year 2¼-percent certificates or a short-term bond, due around 1961.	Offered single issue of 2⅝-percent certificates due June 1, 1954.
	Cash offering to cover attrition on refunding and apparent cash deficit.	Time was not opportune for sale of long-term bond and no cash offering should be made in May or June. Suggested consideration of the short-term bond due around 1961.	Offered for cash subscription $1 billion of 3¼-percent bonds, dated May 1, 1953, and maturing June 15, 1983.
	Refunding maturing series F and G bonds.	Offer holders in exchange a 3-percent marketable bond maturing in 15 years to test the market for a moderately long-term bond.	Exchange offer was made for 3¼-percent bonds maturing June 15, 1983.
June 19	New cash of $5 billion in July	Offer tax anticipation certificates maturing Mar. 15, 1954, at rate determined by market conditions which would prevail in July.	Sold for cash $5.9 billion 2½-percent tax anticipation certificates due Mar. 22, 1954.
	Refunding of 2-percent certificates on Aug. 15, 1953.	Refund with 1-year certificates, or possibly a somewhat longer issue if conditions at time favor it.	Offered exchange for 1-year 2⅝-percent certificates.
Aug. 26	Refunding of 2-percent bonds maturing Sept. 15, 1953.	Offer optional exchange for 1-year 2⅝-percent certificates or 2⅞-percent notes maturing in about 3½ years.	Offered optional exchange into 1-year 2⅝-percent certificates or 3½-year 2⅞-percent notes.
	New cash of about $2.5 billion in October.	Preliminary recommendation to sell additional notes of about 3½-year maturity, or longer if market conditions are favorable. Would not be prudent to sell new long-term bonds at his time.	(See meeting of Oct. 13, 1953, below.)
Oct. 13	New cash of $1½ to $2 billion in early November.	Issue $2 billion of 2¾-percent bonds maturing in 3½ to 6 years.	Offered late in October $2.2 billion of 2¾-percent bonds maturing Sept. 15, 1961.
	Refunding of 2⅛-percent notes on Dec. 1, 1953.	Preliminary recommendation for offer of an optional exchange for short-term and intermediate-term bonds (12- to 14-year 3-percent bond, or longer if market conditions permit). Exact terms would have to be determined by prevailing conditions at time of offering.	(See meeting of Nov. 13, 1953, below.)
Nov. 13	Refunding of 2⅛-percent notes on Dec. 1, 1953.	Offer optional exchange for 2-percent notes maturing Mar. 15, 1955, or 3-percent bonds of about 15-year maturity; however, if holders of series F and G bonds maturing in 1st half of 1954 are not also offered the right to exchange into the same 3-percent bonds, the longer part of the optional exchange should be 2½-percent bonds maturing Dec. 15, 1958.	Offered optional exchange of 1⅞-percent notes maturing Dec. 15, 1954, or 2½-percent bonds maturing Dec. 15, 1958.
Nov. 13	Refunding 2¼-percent certificates on Feb. 15, 1954, and 1⅝-percent notes on Mar. 15, 1954.	Consolidate issues in single refunding operation. Specific recommendations could not be presented at this time.	(See meeting of Jan. 20, 1954, below.)
1954			
Jan. 20	Refunding of 2¼-percent certificates of Feb. 15, 1954, and 1⅝-percent notes of Mar. 15, 1954.	Combine refunding on Feb. 15, 1954, with option to exchange for 13-month 1⅝-percent notes or 2½-percent bonds maturing in 6½ years or slightly longer.	Offered optional exchange of maturing issues for 12-month 1⅝-percent certificates or 2½-percent bonds maturing in 7 years 9 months.
	Call on Feb. 15, 1954, for redemption on June 15 of the 2¼-percent bonds of 1954–56 and 2¼-percent bonds of 1952–55.	Call should be made for redemption on June 15	Call was made on Feb. 15, but redemption of these issues, as well as the 2-percent bonds due June 15, was anticipated by offering holders right to exchange on Feb. 15 for the 2½-percent bonds maturing in 7 years 9 months also offered on the refunding.
	New cash of $2 billion to $3 billion after Mar. 15.	Sale of 3-percent long-term bonds, maturity to depend upon market conditions at time of offering.	Offered $1.5 billion of tax anticipation bills due June 24, 1954.

EXHIBIT 1

Recommendations of the American Bankers Association Advisory Committee to the Treasury, 1952–59 (excerpt from hearings, pp. 1221–1228)—Continued

Date of committee report	Financing problem	Committee recommendations	Treasury offerings
1954			
Apr. 23	Refunding of 2⅝-percent certificates due June 1, 1954.	Offer holders option of a short obligation maturing within 18 months or 2¼-percent bonds maturing in last half 1960.	Offered optional exchange for 1-year 1⅛-percent certificates or 1⅞-percent notes due Feb. 15, 1959.
	Refunding on June 15, 1954, of 2-percent bonds and remaining 2¼-percent called bonds that were not exchanged in February.	Offer an exchange into only the short obligation maturing within 18 months.	Offered exchange into 1-year 1⅛-percent certificates.
	New cash of $2 billion in May	Sale for cash of $2 billion of 2¼-percent bonds maturing in last half of 1960.	Offered $2 billion of 1⅞-percent notes due Feb. 15, 1959.
	Refunding of 2-percent bonds maturing or callable in December 1954.	Maturity should be anticipated by giving holders the privilege of exchanging into the 2¼-percent bond maturing in 1960.	December maturities were not included in this financing operation.
		(Committee recommended that all of the above financing be combined in 1 operation in May.)	(Financing was combined in 1 operation in May.)
July 9	New cash of $4 billion by Aug. 1, 1954.	Majority of committee recommended $2 billion each of 1-percent notes maturing Sept. 15, 1955, and 1⅝-percent notes maturing Sept. 15, 1957; minority favored tax-anticipation certificates or notes maturing Mar. 18, 1955.	Sold $3.7 billion 1-percent tax anticipation certificates maturing on Mar. 22, 1955.
	Refunding of 2⅝-percent certificates due Aug. 15 and Sept. 15, 1954.	Refund together their optional exchange for 1-percent certificates maturing Sept. 15, 1955, or 2⅛-percent bonds maturing Sept. 15, 1960.	Offered optional exchange into 1-year 1¼-percent certificates or 2⅛-percent bonds due Nov. 15, 1960.
	Call on Aug. 15, 1954, for redemption on Dec. 15 the 2-percent bonds of 1951–55.	Call should be made on Aug. 15	Call was made.
Sept. 17	New cash of about $3.5 billion in October.	Dual offering of 1⅛-percent tax certificates maturing June 22, 1955, and 1-year certificates of indebtedness.	Sold $4.1 billion of 1⅝-percent notes maturing May 15, 1957.
	New cash of about $1.5 billion in December.	Preliminary recommendation that 3-percent long-term bonds be offered, maturity to be determined by market conditions.	(See meeting of Nov. 18, 1954, below.)
	Refunding of 1⅞-percent notes and 2-percent bonds on Dec. 15, 1954.	Preliminary recommendation that holders be offered an optional exchange of 1-year certificates or medium-term obligations with a maturity not to exceed 10 years.	Do.
Nov. 18	Refunding of 1⅞-percent notes and 2-percent bonds on Dec. 15, 1954.	Offer holders option of a short obligation—either 1-year 1¼-percent certificates or 1⅛-percent certificates maturing Aug. 15, 1955; or a longer obligation—2½-percent bonds maturing in about 8 years.	Offered optional exchange into either: 1-year 1¼-percent certificates or 1⅛-percent certificates maturing Aug. 15, 1955; or 2½-percent bonds maturing in 8 years 8 months.
	New cash in December	December cash financing anticipated in September proved unnecessary. Therefore committee recommended that long-term bond should not be offered at that time but should be done on the 1st appropriate occasion.	No new bond financing was undertaken.
	Issuance of FNMA debentures	Expressed view that Treasury could sell at least $500 million FNMA debentures if conditions were set forth as to FNMA credit from the Treasury, restrictions on amount offered against portfolio, maturity, and rate, and fiscal arrangements.	Offered $500 million of 2½-percent FNMA 3-year notes in January 1955.
1955			
Jan. 27	Refunding of 1⅝-percent certificates due Feb. 15, 1955, and 1½-percent notes due Mar. 15, 1955.	Offer optional exchange of 1⅝-percent 13-month notes or 2⅛-percent notes maturing Dec. 15, 1957.	Offered optional exchange of 1⅝-percent 13-month notes or 2-percent notes maturing Aug. 15, 1957.
	Refunding of 2⅞-percent bonds called for redemption on Mar. 15, 1955.	Majority favored optional exchange for 1⅝-percent 13-month notes or 3-percent 40-year bonds. Minority favored $1.5 billion cash offering of 3-percent 40-year bonds, with the 2⅞-percent bonds receiving same exchange option indicated above for the maturing notes and certificates.	Offered optional exchange of 1⅝-percent 13-month notes or 3-percent 40-year bonds.
Apr. 17	Refunding of 1⅛-percent certificates due May 17, 1955.	Offer optional exchange for 1⅞-percent 1-year certificates or 2½-percent bonds due Dec. 15, 1958.	Offered exchange for only 2-percent 15-month notes.
	New cash of $2.5 billion to cover maturity of tax-savings notes in May and June.	Make cash offering of $2.5 billion of 1⅞-percent 1-year certificates.	Offered $2.5 billion of 2-percent 15-month notes for cash.
		(Committee recommended that the refunding and cash offering be combined in one operation.)	(Financing was combined in 1 operation.)
June 24	New cash of $3 billion in July	Reopen subscriptions to 3-percent 40-year bonds due in 1995 for cash of $750 million to $1 billion; obtain balance through sale of 1⅞-percent tax anticipation certificates due Mar. 22, 1956.	Offered $750 million of 3-percent bonds of 1995 and $2 billion of tax-anticipation certificates due Mar. 22, 1956.
	Refunding of 1⅛-percent certificates due Aug. 15, 1955.	Offer optional exchange for 1-year 2-percent certificates (or 11-month certificates), or the outstanding 2½-percent bonds maturing Dec. 15, 1958. (Suggested refunding be done at time of cash offering.)	Offered optional exchange for 1-year 2-percent notes due Aug. 15, 1956, or 2-percent tax-anticipation certificates due June 22, 1956. Did not offer the longer option. (Terms of financing were withheld until payment date of cash tax certificate financing announced earlier.)
	Retirement of maturing tax savings notes.	Obtain funds by increasing bill offerings by at least $100 million each week for cycle of 13 weeks.	Offered $100 million of additional bills each week between July 27 and Sept. 29.
Sept. 25	New cash of $2.5 billion at end of September.	Offer 2¼-percent tax-anticipation certificates due June 22, 1956.	Sold $3 billion of 2¼-percent tax-anticipation certificates due June 22, 1956.
Nov. 18	Refunding of 1¼-percent certificates and 1¾-percent notes on Dec. 15, 1955.	Offer single exchange for 1-year 2⅝-percent certificates	Offered optional exchange of 1-year 2⅝-percent certificates or 2½-year 2⅞-percent notes.
	New cash of $1 billion by year end	Make cash offering of tax-anticipation bills due Mar. 22, 1956.	Sold in December $1.5 billion of tax-anticipation bills due Mar. 23, 1956, on competitive bids.
1956			
Feb. 29	Refunding of 1⅝-percent notes due Mar. 15, 1956, and 1½-percent notes due Apr. 1, 1956.	Suggested combined refunding. Majority favored optional exchange for 2⅝-percent certificates due Feb. 15, 1957, or outstanding 2⅞-percent notes due June 15, 1958; also later offering of $500 million additional 3-percent bonds of 1995 for cash or advance exchange of 2½-percent bonds of 1956–58. Minority favored single exchange for 2⅝-percent certificates due Feb. 15, 1957, to be coupled with $500 million cash offering of 3-percent bonds of 1955 at time of refunding.	Offered optional exchange for 2⅝-percent certificates due Feb. 15, 1957, or 2⅞-percent notes due June 15, 1958. No long-term bonds were offered.
	Call by May 15, 1956, of 2¾-percent bonds of 1956–59 for payment on Sept. 15, 1956.	Call should be made	Call was made.
July 12	Refunding of 2-percent notes due Aug. 15, 1956.	Offer exchange for 2¾-percent notes due Aug. 1, 1957	Offered exchange for 2¾-percent notes due Aug. 1, 1957.
	Refunding of 2¾-percent bonds called for redemption on Sept. 15, 1956.	Obtained funds by increasing bill offerings by $100 million weekly for a 13-week cycle.	Paid off the bonds in cash. Did not increase weekly bill offering.
	New cash of $2½ billion in August or September.	Offer tax anticipation issue due on or about Mar. 22, 1957.	Sold in August $3.2 billion of 2¾-percent-tax-anticipation certificates due Mar. 22, 1957.
Nov. 15	Refunding of 2⅝-percent certificates due Dec. 1, 1956.	Offer optional exchange for 3¼-percent-tax-anticipation certificates due June 21 or 24, 1957, or 3⅜-percent certificates due Nov. 29, 1957.	Offered optional exchange for 3¾-percent-tax-anticipation certificates due June 24, 1957, for 3¼-percent certificates due October 1, 1957.

EXHIBIT 1

Recommendations of the American Bankers Association Advisory Committee to the Treasury, 1952–59 (excerpt from hearings, pp. 1221–1228)—Continued

Date of committee report	Financing problem	Committee recommendations	Treasury offerings
1957			
Jan. 31	Refunding of special bills due Feb. 15, 1957, 2⅝-percent certificates due Feb. 15, 1957, 2⅞-percent notes due Mar. 15, 1957, and 1½-percent notes due Apr. 1, 1957.	Offer holders of all 4 issues optional exchange for 3⅜-percent certificates due Feb. 14, 1958, or 3½-percent notes due Feb. 15, 1960.	Refunded bills with tax anticipation bills due June 24, 1957. Offered 2⅝-percent certificates and 2⅞-percent notes optional exchange for 3⅜-percent certificates due Feb. 14, 1958, or 3½-percent notes due May 15, 1960. Offered 1½-percent notes exchange for the 3⅜-percent notes due Feb. 14, 1958.
Mar. 13	New cash of about $3 billion after March tax date.	Sale for cash of 3½-percent notes due Apr. 15, 1958, with-privilege of conversion at maturity into bonds of 12- to 14-year maturity.	Offered $2¼ billion of 3⅜-percent certificates due Feb. 14, 1958, and $¾ billion 3½-percent notes due May 15, 1960. (This was a reopening of issues offered in February refunding.)
Apr. 14	Refunding of 1⅝-percent notes due May 15, 1957.	Offer optional exchange for (1) certificates due May 1, 1958, at rate of not more than 3½ percent (or a shorter maturity if market rates so dictated) or (2) 3½-percent notes due May 1, 1960, and convertible into 3½ percent 15-year bonds.	Offered optional exchange for 3½-percent certificates due Apr. 15, 1958, or 3⅝-percent notes due Feb. 15, 1962.
July 17	Refunding of 2¾-percent notes due Aug. 1, 1957, 2-percent notes due Aug. 15, 1957, 3¼-percent certificates due Oct. 1, 1957, and 1½-percent notes due Oct. 1, 1957.	Offer holders of all four issues optional exchange for 3⅞-percent certificates due Apr. 15, 1958, or 4-percent notes due in July 1959, with right of holder to extend maturity for 3 additional years.	Offered optional exchange for 3⅝-percent certificates due Dec. 1, 1957, 4-percent certificates due Aug. 1 1958, or 4-percent notes due Aug. 1, 1961, but redeemable at option of holder on 3 months' advance notice on Aug. 1, 1959. However, October maturities were restricted to 4 percent certificates or extendable notes.
Sept. 10	New cash of about $3.5 billion in late September and early October. To keep within debt ceiling, $3 billion before Oct. 1, and the other $0.5 billion after maturity of Oct. 1 issues.	To obtain $3 billion, offer $1 billion of 4-percent certificates due Aug. 1, 1958, and $2 billion of 4-percent notes due Aug. 1, 1961, redeemable on Aug. 1, 1959 at holder's option. To obtain $0.5 billion, concurrent with above offering announce offering of 10-year 4-percent bonds, payment to be made in early October.	Offered $3 billion for cash as follows: $500 million of 4-percent bonds due Oct. 1, 1969, $1.75 billion of 4-percent notes due Aug. 1, 1962, but redeemable at option of holder at end of 2½ years, and $750 million of 4-percent certificates due Aug. 1, 1958.
Nov. 14	Refunding of 3⅝-percent certificates due Dec. 1, 1957.	Offer exchange for 3⅞-percent certificates due Dec. 1, 1958.	(See meeting of Nov. 18, 1957, below.)
	New cash of about $1.5 billion	Offer $1 billion of 4 percent 5-year notes and $500 million 4 percent 17-year bonds. Because of debt limit, payment on two issues to be 50 percent on Nov. 26, and 50 percent on or about Dec. 2. If 17-year bond not offered, all $1.5 billion should be in a 5-year note.	(See meeting of Nov. 18, 1957, below.)
Nov. 18	Review recommendations of Nov. 14, 1957, due to change in market following lowering of discount rate.	Offer exchange for 3¾-percent certificates due Dec. 1, 1958. New cash offering of $1 billion of 3⅞ percent 5-year notes and $500 million of 3⅞ percent 17-year bonds.	Offered for exchange 3¾-percent 1-year certificates due Dec. 1, 1958. Offered for cash $1 billion 3¾-percent notes due Nov. 15, 1962, and $500 million 3⅞-percent bonds due Nov. 15, 1974.
1958			
Jan. 28	Refunding: recommend which issues of notes, certificates, and bonds maturing in first half of 1958 should be refunded in early February; whether special bills maturing Apr. 15 should be offered an exchange; and refunding terms.	Offer holders of 3¾-percent certificates due Feb. 14, 1958, 2½-percent bonds due Mar. 15, 1958, 1½-percent exchange notes due Apr. 1, 1958, 3½-percent certificates due Apr. 15, 1958, and special bills due Apr. 15, 1958, an optional exchange for 2½-percent 1-year certificates, 3-percent obligations maturing in 5 or 6 years, or 3½-percent 30-year bonds.	Offered recommended issues optional exchange for 2½-percent certificates due Feb. 14, 1959, 3-percent bonds due Feb. 15, 1964, or 3½-percent bonds due Feb. 15, 1990.
		Defer refunding of June maturities	
	Cash: should offering be made at time of refunding, if legislation raising debt limit passed by then?	Delay consideration of cash financing until after the refunding and change in the debt limit.	Following refunding operation and raising of debt limit, offered for cash $1.25 billion 3-percent bonds due Aug. 15, 1966.
	Call on Feb. 14, 1958, for redemption on June 15, the 2¾-percent tax exempt bonds of 1958–63.	Call should be made	Call was made.
Apr. 1	New cash of about $3,500,000,000	Offer $3,500,000,000 of 2½-percent notes due Feb. 15, 1963	Offered $3,500,000,000 of 2½-percent notes due Feb. 15, 1963.
May 29	Refunding of 2⅞-percent notes, 2¾-percent bonds, and 2⅜-percent bonds on June 15, 1958.	Offer holders optional exchange for 1⅜-percent notes due Aug. 14, 1959, 2⅝-percent bonds due Feb. 15, 1965, 3-percent bonds due May 16, 1971, or 3¼-percent bonds due May 15, 1985.	Offered optional exchange for 1¼-percent certificates due May 15, 1959, or 2⅝-percent bonds due Feb. 15, 1965. Offered for cash $1,000,000,000 of 3¼-percent bonds due May 15, 1985, at price of 100½.
	Inclusion of 2 bond issues called for redemption on Sept. 15, 1958, in June refunding.	Refunding of called bonds should be deferred.	Refunding limited to June maturities.
July 17	Refunding of 4-percent certificates due Aug. 1, 1958, and bond issues called for redemption Sept. 15, 1958.	Offer holders of all issues exchange for 1⅝-percent 1-year certificates due July 31, 1959.	Offered exchange for 1⅝-percent certificates due Aug. 1, 1959.
	Cash financing of undetermined amount in August.	Refunding announcement should assure the market that the August cash financing would be in securities with maturity of less than 1 year. Offering should be tax anticipation certificates or bills maturing in March 1959 but exact terms would depend upon amount of cash to be raised and condition of short-term market at time of offering.	Announcement made as suggested. Offered $3,500,000,000 of 1½-percent tax anticipation certificates due Mar. 24, 1959.
Sept. 23	New cash of about $3,500,000,000	Offer up to $1,000,000,000 of 3½-percent notes due May 15, 1960; and later auction about $2,750,000,000 of special bills due May 15, 1959.	Offered $1,000,000,000 of 3½-percent notes due Nov. 15, 1959, at par and $2,500,000,000 special bills due May 15, 1959, at a price of 98.023 to yield 3.25 percent.
Nov. 7	Refunding of 3¾-percent certificates due Dec. 1, 1958, and 2½ percent bonds due Dec. 15, 1958.	Offer optional exchange for certificates due in November 1959 or notes due in 4 to 5 years. Securities should be priced at rates sufficient at time of offering to avoid large attrition and with the longer issue above the shorter issue to encourage extension of debt.	Offered optional exchange into 3¾-percent certificates due Nov. 15, 1959, at 99.95 percent of par or 3⅝ percent notes due May 15, 1961, at 99⅞ percent of par.
	New cash in December	Offer $3,000,000,000 of tax anticipation bills due June 22, 1959, on auction basis.	Offered at auction $3,000,000,000 tax anticipation bills due June 22, 1959.
	Should part of about $4,500,000,000 cash needed for period January to March 1959, be obtained by additional weekly bills.	Meet the problem by making offering during January–March period.	Undertook additional bill financing by introducing new cycle of both 13-week and 26-week bills.
1959			
Jan. 8	New cash of about $2.25 billion	Offer $750 million of 4-percent bonds due Feb. 15, 1980, at price of 99 to yield 4.07 percent, and auction $1.5 billion of tax anticipated bills due Sept. 22, 1959.	Offered $750 million of 4-percent bonds due Feb. 15, 1980, at a price of 99 and $2.5 billion of 3¼ percent notes due May 15, 1960, at a price of 99¾ to yield 3.45 percent.
	Preliminary recommendations on February refunding.	Under then existing conditions a 3-way optional exchange for 1-year certificates, 3-year to 5-year notes, or bonds with maturity of about 10 years.	
Jan. 29	Refunding of 2½-percent certificates due Feb. 14, 1959, and 1⅞-percent notes due Feb. 15, 1959.	Offer optional exchange for 3¾-percent certificates due Feb. 15, 1960, or 4-percent notes due Feb. 15, 1962.	Offered optional exchange for 3¾-percent certificates due Feb. 15, 1960, or 4-percent notes due Feb. 15, 1962.

EXHIBIT 1

Recommendations of the American Bankers Association Advisory Committee to the Treasury, 1952–59 (excerpt from hearings, pp. 1221–1228)—Continued

Date of committee report	Financing problem	Committee recommendations	Treasury offerings
1959			
Mar. 19	New cash of about $4 billion	Offer $500 million of additional 4-percent bonds due Oct. 1, 1969, at par, $1.5 billion 4-percent notes due May 15, 1963, at par, and approximately $2 billion special bills due Nov. 15, 1959, at auction.	Offered $500 million additional 4-percent bonds due Oct. 1, 1969, at par, about $1.5 billion 4-percent notes due May 15, 1963, at par, and about $2 billion of special bills due Jan 15, 1960. Bill auction followed subscription closing on bonds and notes.
Apr. 19	Refunding of special bills and 1¼-percent certificates due May 15, 1959.	Offer holders of special bills exchange for 3¾-percent tax anticipation obligations due Dec. 22, 1959, and holders of 1¼-percent certificates exchange for 3⅞-percent certificates due May 15, 1960, at price to yield about 4 percent.	Redeemed special bills in cash. Offered 1¼-percent certificates exchange for 4-percent certificates due May 15, 1960, at 99.95 to yield 4.05 percent.
	New cash of about $1.5 to $2 billion	Auction for cash special bills due Apr. 15, 1960	Auctioned for cash $2 billion special bills due Apr. 15, 1960, and $1.5 billion tax anticipation bills due Dec. 22, 1959.
June 25	New cash of about $5 billion	Auction for cash $3 billion of tax anticipation bills due Mar. 22, 1960, and later, $2 billion special bills due July 15, 1960.	Offered at auction $3 billion of tax anticipation bills due Mar. 22, 1960, and $2 billion special bills due July 15, 1960.
July 16	Refunding of 1⅝-percent certificates and 4-percent notes, due Aug. 1, 1959.	Redeem 4-percent notes in cash. Offer 1⅝-percent certificates optional exchange for 4¾-percent issue due Aug. 1 or 15, 1960, or 4⅞-percent notes due May 15, 1964.	Offered notes and certificates optional exchange for 4¾-percent notes due Aug. 15, 1960 or 4¾-percent notes due May 15, 1964.
	New cash in August	Refunding announcement should state August cash financing to be limited to short-term securities maturing in less than 1 year.	(Not yet announced.)

AMERICAN BANKERS ASSOCIATION—MEMBERSHIP OF COMMITTEE ON GOVERNMENT BORROWING, 1958–59

Robert V. Fleming (chairman), chairman of board, the Riggs National Bank, Washington, D.C.

Henry C. Alexander, chairman of board, Morgan Guaranty Trust Co. of New York, New York, N.Y.

Bruce Baird, president, National Savings & Trust Co., Washington, D.C.

S. Clark Beise, president, Bank of America N.T. & S.A., San Francisco, Calif.

Kenton R. Cravens, president, Mercantile Trust Co., St. Louis Mo.

Fred F. Florence, chairman executive committee, Republic National Bank of Dallas, Dallas, Tex.

John M. Griffith, president, City National Bank, Taylor, Tex.

H. Frederick Hagemann, Jr., president, Rockland-Atlas National Bank of Boston, Boston, Mass.

N. Baxter Jackson, chairman of executive committee, Chemical Corn Exchange Bank, New York, N.Y.

David M. Kennedy, chairman of board, Continental Illinois National Bank & Trust Co. of Chicago, Chicago, Ill.

Homer J. Livingston, president, the First National Bank of Chicago, Chicago, Ill.

John J. McCloy, chairman of board, the Chase Manhattan Bank, New York, N.Y.

Reno Odlin, president, Puget Sound National Bank, Tacoma, Wash.

F. Raymond Peterson, chairman of board, First National Bank of Passaic County, Peterson, N.J.

Dietrich Schmitz, chairman of board, Washington Mutual Savings Bank, Seattle, Wash.

Earl B. Schwulst, president, the Bowery Savings Bank, New York, N.Y.

James E. Shelton, chairman of board, Security-First National Bank of Los Angeles, Los Angeles, Calif.

Norfleet Turner, president, First National Bank of Memphis, Memphis, Tenn.

Joseph C. Welman, president, Bank of Kennett, Kennett, Mo.

A. L. M. Wiggins, chairman of board, the Bank of Hartsville, Hartsville, S.C.

Paul I. Wren, executive vice president, Old Colony Trust Co., 1 Federal Street, Boston, Mass.

OFFICERS AND STAFF

Lee P. Miller, president, Citizens Fidelity Bank & Trust Co., Louisville, Ky. (president of the American Bankers Association).

John W. Remington, president, Lincoln Rochester Trust Co., Rochester, N.Y. (vice president of the American Bankers Association).

Merle E. Selecman, executive vice president, American Bankers Association, 12 East 36th Street, New York, N.Y.

Eugene C. Zorn, Jr. (secretary of the committee), deputy manager and director of research, American Bankers Association, 12 East 36th Street, New York, N.Y.

NOTICE OF MEMORIAL SERVICES FOR THE LATE SENATOR WILLIAM LANGER, OF NORTH DAKOTA

Mr. WILLIAMS of New Jersey. Mr. President, I should like to announce that memorial services for the late Senator William Langer, of North Dakota, will be held on Thursday, February 4, after the conclusion of the morning hour.

Mr. President——

The PRESIDING OFFICER. The Senator from New Jersey.

HOUSING FOR MIGRATORY FARM LABOR

Mr. WILLIAMS of New Jersey. Mr. President, I introduce for appropriate reference a bill to help provide better housing for our migratory agricultural workers. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD at the conclusion of the remarks of the Senator from New Jersey.

(See exhibit 1.)

The bill (S. 2928) to amend title V of the Housing Act of 1949 to provide financial assistance for the provision of housing and related facilities for migratory farm labor, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. WILLIAMS of New Jersey. Mr. President, in essence, this bill attempts to stimulate activity in the construction and improvement of housing for migratory workers by authorizing the Secretary of Agriculture to insure commercial loans up to $35 million a year for this type of housing. The concepts employed are similar to those which have proved so successful under the Federal Housing Administration's insurance program for home loans.

The bill also authorizes the establishment of a $25 million revolving fund from which direct loans may be made to farmers, farmers' associations and State or county governments wishing to provide migrant housing on a nonprofit basis.

Mr. President, I regard this bill, together with the proposed legislation I introduced last week to provide Federal assistance for the education of the migratory workers and their children, as a workable approach toward two very serious problems; namely housing and education.

Our migratory workers face many problems, and I believe that action must be taken in these specific areas, for they are among the most important in the migrants' life, relating, as they do, to their homes.

These migrant workers are on the road, far from whatever permanent home they may have, for most of the months of the year. They are the perennial strangers in our midst, spending a few weeks here, a few months there, always moving to the immutable laws of season and crop.

In such circumstances, the house in which they live takes on special meaning and importance. It is all they can cling to in a town they will never get to know as we know the communities in which we live.

Yet from what was seen in six States visited by the Subcommittee on Migratory Labor, it is obvious that entirely too many migratory workers still do not have access to adequate and clean shelter. To many farmers, the migrant is a temporary visitor, and they believe that their investment in housing should be kept to a minimum, often a very bare minimum. The subcommittee has seen shacks which have been made somewhat livable by the migrants; we have also seen buildings which had been oc-

cupied by entire families until condemned by State agencies.

On the other hand, we have also seen earnest and very encouraging efforts by some growers to provide good housing despite slim profit margins and with no assurance that their competitors will provide equally good housing.

We have seen, for example, camps in which central dining areas were provided, in which rooms were painted in attractive colors, and in which sanitary facilities were new, well maintained, and adequate. One grower told us that his model camp was a source of pride to him. He also said that it helped attract a steady supply of skilled workers to his farm each year, thus decreasing the rate of turnovers and replacement costs.

To help such growers—and others who would provide such facilities if they had adequate capital—I introduce this bill today.

I think, Mr. President, it is worth emphasizing the very real and substantial benefits of this bill to the farmer employing migratory labor, in terms of worker morale, willingness to work, stability, efficiency, and the rate and cost of worker dropouts and replacements.

I believe this bill and the ones on education, unlike many other divisive legislative proposals, have the happy merit of serving the interests of both groups concerned—the migrants and the farmers themselves.

While the advantages of having good housing are apparent to many employers of migrant labor, there are, unfortunately, several stumbling blocks in the way of its attainment.

It is not only, or perhaps even primarily, a problem because of the temporary stay of the migrant. In some areas, this is no doubt true, but in other areas the migrant worker is almost a year-round phenomenon, and there are a good many large employers of migratory workers who could profitably provide better housing, and who would like to do so.

Why do they not?

Those who are normally considered financially sound often find there are no lending institutions interested in financing migrant-worker housing even at going interest rates. Migrant-worker housing is called a poor investment risk by lenders, and one can easily imagine how poor a risk it is in comparison with the risk of financing normal, year-round residential housing in rural areas. It is difficult even to find capital for such housing; imagine how much more difficult it is to find capital for migrant-worker housing.

For these reasons, the bill provides for guaranteed loans up to $35 million to take the risk out of this type of investment, and thus facilitate the flow of more mortgage money into this vitally needed kind of housing.

The first section of the bill provides for the insurance of commercial loans to any person up to 90 percent of estimated value for the construction or rehabilitation of housing and related facilities, such as clinics or infirmaries.

It places the FHA limit of 6 percent interest on the loan and a limit of 1 percent on service charges by the borrower to the Government.

The second section of the bill permits a farmer, farmers' association, or a State or county government to obtain direct loans from a $25 million revolving fund, provided that the housing is operated on a nonprofit basis, with rental charges limited to the cost of providing reasonable maintenance.

The applicant must also be unable to secure the necessary funds from other sources and must satisfy the Secretary of Agriculture that the construction will be economical, without elaborate or extravagant designs or materials.

Mr. President, I believe the provisions I have outlined constitute a sound approach to the housing problems of our migratory workers. And while it is a good bill in its present form, I certainly hope it will be made even better by the committee when it is taken up for consideration.

It is my earnest hope, Mr. President, that this bill will receive early and favorable consideration by the committee to which it is referred. The migrant workers need legislation of this character. The farmers need it, and we need to see at long last that they get it.

[EXHIBIT 1]

S. 2928

A bill to amend title V of the Housing Act of 1949 to provide financial assistance for the provision of housing and related facilities for migratory farm labor

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Housing Act of 1949 is amended by adding at the end thereof the following new sections:

"INSURANCE OF LOANS FOR THE PROVISION OF HOUSING AND RELATED FACILITIES FOR MIGRATORY FARM LABOR

"SEC. 514. (a) The Secretary is authorized to insure and make commitments to insure loans made by lenders other than the United States to any person for the purpose of providing housing and related facilities for migratory farm labor in accordance with terms and conditions substantially identical with those specified in section 502; except that—

"(1) no such loan shall be insured in an amount in excess of 90 per centum of the estimated value of the structures and facilities with respect to which the loan is made after the construction thereof or the proposed improvements are made;

"(2) no such loan shall be insured if it bears interest at a rate in excess of 6 per centum per annum;

"(3) the borrower shall be required to pay such insurance charges as the Secretary deems proper but not to exceed 1 per centum per annum of the principal amount of the loan;

"(4) the insurance contracts and agreements with respect to any loan may contain provisions for servicing the loan by the Secretary or by the lender, and for the purchase by the Secretary of the loan if it is not in default, on such terms and conditions as the Secretary may prescribe; and

"(5) the Secretary may take mortgages creating a lien running to the United States for the benefit of the insurance fund referred to in subsection (b) notwithstanding the fact that the note may be held by the lender or his assignee.

"(b) The Secretary shall utilize the insurance fund created by section 11 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1005a) and the provisions of section 13(b) and (c) of such Act (7 U.S.C. 1005c(b) and (c)) to discharge obligations under insurance contracts made pursuant to this section, and

"(1) the Secretary may utilize the insurance fund to pay taxes, insurance, and other expenses to protect the security for loans which have been insured hereunder and to acquire such security property at foreclosure sale or otherwise;

"(2) the notes and security therefor acquired by the Secretary under insurance contracts made pursuant to this section shall become a part of the insurance fund. Loans insured under this section may be held in the fund and collected in accordance with their terms or may be sold and reinsured. All proceeds from such collections, including the liquidation of security and the proceeds of sales, shall become a part of the insurance fund; and

"(3) one-half of all insurance charges shall become a part of the insurance fund. The other half of such charges shall be deposited in the Treasury of the United States and shall be available for administrative expenses of the Farmers Home Administration, to be transferred annually to and become merged with any appropriation for such expenses.

"(c) Any contract of insurance executed by the Secretary under this section shall be an obligation of the United States and incontestable except for fraud or misrepresentation of which the holder of the contract has actual knowledge.

"(d) The aggregate amount of the principal obligations of the loans insured under this section shall not exceed $35 million in any one fiscal year.

"(e) Amounts made available pursuant to section 513 of this Act shall be available for administrative expenses incurred under this section.

"(f) As used in this section—

"(1) the term 'housing' means (A) new structures suitable for dwelling use by migratory farm labor, and (B) existing structures which can be made suitable for dwelling use by migratory farm labor by rehabilitation, alteration, conversion, or improvements;

"(2) the term 'related facilities' means (A) new structures suitable for use as dining halls, community rooms or buildings, or infirmaries, or for other essential service facilities, and (B) existing structures which can be made suitable for the above uses by rehabilitation, alteration, conversion, or improvement; and

"(3) the term 'person' means any individual, partnership, association, business trust, corporation, or unincorporated organization.

"DIRECT LOANS FOR THE PROVISION OF HOUSING AND RELATED FACILITIES FOR MIGRATORY FARM LABOR

"SEC. 515. (a) The Secretary is authorized to make loans to the owner of any farm, any association of farmers, and any State or political subdivision thereof for the provision of housing and related facilities for migratory farm labor, except that no such loan shall be made unless (A) the applicant shows that he or it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this section, (B) the Secretary finds that the construction will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials, and (C) the applicant agrees that any income in the form of rent derived from housing and related facilities provided under this section shall not exceed an amount necessary to defray reasonable maintenance costs.

"(b) Any loan under this section may be in an amount not exceeding 98 per centum of

the total development cost, as determined by the Secretary; shall be secured in such manner and be repaid within such period, not exceeding fifty years, as may be determined by him; and shall bear interest at a rate determined by him which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the loan is made, and adjusted to the nearest one-eighth of 1 per centum.

"(c) There is authorized to be appropriated not to exceed $25,000,000 which shall constitute a revolving fund to be used by the Secretary in carrying out this section. The amount outstanding from such fund at any one time for related facilities shall not exceed $3,000,000.

"(d) As used in this section—

"(1) the term 'housing' means (A) new structures suitable for dwelling use by migratory farm labor, and (B) existing structures which can be made suitable for dwelling use by migratory farm labor by rehabilitation, alteration, conversion, or improvement;

"(2) the term 'development cost' means costs of construction of housing and of other related facilities, and of the land on which it is located, including necessary site improvement;

"(3) the term 'construction' means erection of new structures or rehabilitation, alteration, conversion, or improvement of existing structures; and

"(4) the term 'related facilities' means (A) new structures suitable for use as dining halls, community rooms or buildings, or infirmaries or for other essential service facilities, and (B) existing structures which can be made suitable for the above uses by rehabilitation, alteration, conversion, or improvement."

SEC. 2. Title V of the Housing Act of 1949 is further amended—

(1) by inserting in section 506(a) "and sections 514 and 515," immediately following the phrase "501 to 504, inclusive," each place that such phrase appears;

(2) by striking out "under this title" in section 507 and inserting in lieu thereof "under sections 501 to 504, inclusive";

(3) by inserting in section 510(c) "and section 515," immediately following the phrase "502 to 505, inclusive,"; and

(4) by adding after "section 504(b)" in section 511 the phrase "and section 515."

SEC. 3. The first paragraph of section 24 of the Federal Reserve Act (12 U.S.C. 371) is amended by inserting after "the Act of August 28, 1937, as amended" the following: ", or title V of the Housing Act of 1949, as amended".

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR MEETING AT 11 O'CLOCK A.M. TOMORROW

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that when the Senate concludes its business today it meet at 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. I announce that it is contemplated that the Senate will remain in session into the evening, tomorrow, and that yea-and-nay votes are expected tomorrow.

GREAT WHITE FLEET—RESOLUTION BY ITALIAN-AMERICAN WAR VETERANS

Mr. HUMPHREY. Mr. President, it is wonderful to note day by day the strong support from so many Americans for the proposal to outfit a Great White Fleet of mercy ships. I ask unanimous consent that a resolution from the 24th annual national convention of the Italian American War Veterans be printed at this point in the RECORD. It relates to the proposal sponsored by the Senator from Vermont [Mr. AIKEN].

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas an imaginative and meritorious proposal has been dramatically presented on the floor of the U.S. Senate by Senator HUBERT HUMPHREY and on the floor of the House by several outstanding Congressmen to the effect that a white fleet of demothed Navy vessels be sent around the world by our Nation to render aid and assistance to any distressed area as a gesture of democracy in action; and

Whereas the commissioning of the U.S. white fleet shall demonstrate in a tangible and effective manner to the peoples of the world that we not only advocate but that we practice as well an abiding concern for our striken brothers wherever they may reside on the face of the globe; and

Whereas each and every voyage undertaken by a white fleet sailing under the colors of Old Glory shall bring to the peoples of any nation which has sustained the misfortune of disaster an extension of America's traditional hand of human compassion; and

Whereas out of a humanitarian program of this kind, a manifold bounty of good will shall accrue upon us at a time when we—and all other freedom-loving peoples—are engaged in an all-out struggle against the insidious spread of godless communism: Now, therefore, be it

Resolved, That the Italian American War Veterans of the United States, Inc., during national convention assembled in Fall River, Mass., do strongly urge the Congress of the United States to enact legislation leading to the establishment, furnishing, and operation of a white fleet; and be it further

Resolved, That copies of this resolution be sent to the Honorable HUBERT HUMPHREY, senior U.S. Senator from Minnesota; and to the majority and minority leaders in the House and Senate.

ALBERT P. RUSSO,
National Rehabilitation Officer.

DAIRY PRODUCTS—FOOD FOR PEACE

Mr. HUMPHREY. Mr. President, I am happy today to join the junior Senator from Wisconsin [Mr. PROXMIRE] in the sponsorship of a bill which would set the support price for manufacturing milk and butterfat at more realistic levels, levels which would fulfill the basic purposes of the law, to support the prices of the commodities.

The junior Senator from Wisconsin has ably and concisely set forth the reasons why this increased support price is essential and just. He pointed out that the Commodity Credit Corporation stocks of dairy products were depleted. The releases and reports of the U.S. Department of Agriculture speak complacently of the fact that consumption and supplies of all dairy products are likely to be in approximate balance in 1960. There is an implication in the official statements that there is no longer a "surplus" in dairy products.

There are two points I would like to make in regard to this balance, this lack of surplus.

First, this apparent balance is not a victory for or a justification of Secretary Benson's overworked theory that lowering the support price of commodity brings the production of that commodity down to a point where the diminished supply has a price-lifting effect.

On April 1, 1954, the Secretary of Agriculture slashed the support price of manufacturing milk and butterfat from 90 percent of parity to 75 percent—from $3.74 to $3.15 per hundredweight.

Since that date, the production of milk has gone up every year except for the last two—and in 1958 and 1959 the price of beef cattle made it more profitable to sell the milk cows than to keep them and sell milk at Benson prices. During these past 2 years, more than 1 million head of milk cows have been removed from the farms.

Milk cows are not the only things that have moved off the dairy farms of our Nation. Hundreds of dairy farmers each year have been forced to give up their dairy enterprises. Far from being a respectable economic approach to the dairy dilemma, this is a cruel approach.

The second point I want to make relates to the consumption of milk. Milk consumption per capita has fallen from 700 pounds in 1954 to 687 pounds in 1959. If it were not for two laws passed by Congress, the Commodity Credit Corporation would be overwhelmed by dairy products today. Congress saw fit to recognize that there was an unmet demand for milk from a group whose health and well-being are of importance to every citizen in this country—the schoolchildren of America. The special milk program was enacted into law. I ask unanimous consent to insert at this point in my remarks a table showing the consumption of milk in the schools through the regular school-lunch program and the special milk programs since 1954.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Milk supply and disposition, U.S. milk equivalent (fat solids basis)—civilian disposition

Milk distribution through milk programs (regular school lunch and special milk):

	Million pounds
1954	942
1955	1,422
1956	1,767
1957	1,951
1958	[1] 2,147
1959	[2] 2,365

[1] Preliminary.
[2] Forecast.

Source: Agricultural Marketing Service, U.S.D.A.

Mr. HUMPHREY. Mr. President, in 1954 prior to the enactment of the special milk program, 942 million pounds of milk were used in the schools. With the program in effect in 1955, 1,422 million pounds were used. In 1959, school use of milk had jumped to 2,365 million pounds.

This is an additional use of milk. This is a use of our blessing of abundance. It is true that this program was undertaken as a price support measure, and funds from the Commodity Credit Corporation are therefore used to finance. But I say that this use of milk by our schoolchildren is a source of strength to our country, and the program should be considered an essential use of a life-giving, health-giving product. It should not be charged up as a cost of the price-support program. This should not be considered as a surplus disposal use to be abandoned at some mythical point of balance between supply and demand.

In 1954 Congress approved the International Trade Development and Assistance Act, the act to which we refer as Public Law 480, but which I believe should, by act of Congress, be called the International Food for Peace Act.

Under this law, the bounteous production of our dairy farms has brought food and hope to millions of unfortunate people in the struggling, newly-developing countries of the free world. In some cases this has come about through commercial sales for local currencies. In cases of famine and dire need abroad, our dairy products have been donated to the voluntary relief agencies for distribution. In addition, quantities of dry milk have been used through UNESCO, the United Nations Economic and Social Council, for child-feeding programs under UNICEF. Since 1954, more than 2 billion pounds of dry milk have gone into this use.

The tremendous contribution toward world peace and world health cannot be valued in terms of dollars spent for price support programs.

Rather than a surplus disposal program, this use of food should be an integral part of a "food for peace" program. The charitable agencies should be able to plan their programs to achieve the maximum benefits. As long as we look on this use of food as a means of surplus disposal, the charitable agencies and UNICEF will not be able to make plans which they are sure of carrying out. The United States lost the confidence of many participating nations last year when the Department of Agriculture and Department of State failed to keep commitments to supply these groups with dry milk. Details of the dry milk fiasco of 1959 are set forth in a letter which I sent to the Secretary of Agriculture, the Secretary of State, and the Director of the International Cooperation Administration on November 11. I ask unanimous consent that this letter be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 11, 1959.

Together with a great many other people, I have been shocked by the crisis situation facing American overseas relief programs because of the sudden failure of the Department of Agriculture to supply the voluntary agencies with nonfat dry milk according to planned allocations.

Nineteen relief agencies have been helping the needy and hungry in 91 countries. Through these groups—Protestant, Catholic, Jewish, and secular—American citizens express their generous humanitarian feelings toward those less fortunate people who live in countries where they are not blessed with the agricultural abundance that some here in the United States consider a burden. Because so many needy children receive help from these agencies, the dry milk donated from the government-owned surplus store under Public Law 480 has been of great value in the feeding programs.

The voluntary agencies, I understand, made definite commitments to the recipient countries only after consultation with officials of the State Department, the Department of Agriculture, and the International Cooperation Administration.

Careful plans were made in accordance with specific allocations of each of the surplus commodities. Therefore, the relief agencies went ahead with their programs in good faith, confident that the supplies would be available. They contracted with foreign governments to supply personnel and facilities to assist in the distribution programs. Failure of American agencies to meet their commitments certainly may have serious international repercussions.

Surely the Department of Agriculture should have been able to foresee any possible shortages involving any commodity. The fact that the dry milk donations were cut off without a word of warning to the agencies involved is proof that administrative clearances and understandings were not adequate. This looks very much like still another instance where the right hand of government does not know what the left hand is doing. There is also, unfortunately, an inescapable implication that in this case some officials not only did not know, they did not care.

This situation clearly underlines the need for a single agency to integrate all operations under Public Law 480—in short, the Peace Food Administration which I have proposed legislatively.

I have noted that the Department of Agriculture in this past year sold millions of pounds of nonfat dry milk at cut-rate prices for use as animal feed. Which use of this commodity seems most important—as feed for livestock and pets or as food for hungry children? Most people have little hesitation in putting the needs of children first.

I sincerely hope and urge that immediate steps be taken by the Department of Agriculture and the ICA to assist the voluntary agencies in acquiring dry milk in order to meet their relief feeding commitments. All possible means to do so should be considered. It may be that stocks of other commodities acquired by the government under price support operations, such as edible oils, might be used to supplement the donations to the agencies above those already committed.

The humanitarian and worthy efforts of the voluntary relief agencies certainly merit the most sympathetic assistance and support from both individual citizens and government agencies.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, replies received from the Department of Agriculture, the Department of State, and the ICA all indicated sympathy for the plight of the agencies. Arrangements were made to purchase some amounts of dry milk in order that the most pressing needs would be met. But these arrangements were inadequate to fill programed needs and cast serious reflection upon the ability and responsibility of the U.S. Government agencies involved.

The Agricultural Act of 1949, title II, section 201(c), reads as follows:

The price of whole milk, butterfat, and the products of such commodities, respectively, shall be supported at such levels not in excess of 90 per centum nor less than 75 per centum of the parity price therefor as the Secretary determines necessary in order to assure an adequate supply. Such price support shall be provided through loans on, or purchases of, the products of milk and butterfat.

The quantity, "adequate supply," is not defined. I say it should be defined, and in the definition all uses of milk should be included, not just the amount that moves on the commercial market. Milk for children, milk for the needy, and milk as a food for peace should be included.

Let us not talk about surplus until we have taken care of some of the crying needs. The filling of these needs, or our failure to fill them, can be the act that shapes the future of the world.

Instead of driving farmers off the farm under the threat of poverty, let us bring some order into our agricultural program.

And, because at this time, all is in disorder, I am pleased to join Senator PROXMIRE in sponsorship of this bill which would give some encouragement and hope to the dairy farmers for the year ahead.

Mr. President, in other years I sponsored legislation like this. I am happy to say that because of the activity of the Committee on Agriculture and Forestry relating to this particular kind of legislation, we have been able to forestall more drastic cuts in the dairy price support program.

I conclude my statement in reference to our dairy program by saying that no single program that we have had in terms of food for the needy, food for the hungry, food for the children of America, has been more significant than the special milk program at home and the use of the dried milk and dairy products program abroad.

Anyone who has traveled abroad to examine our foreign aid program, knows that food can be a powerful force for good, for decency, and for freedom in the world.

A few minutes ago I met with approximately 100 of our Midwestern farmers in the New Senate Office Building. They are representatives of the National Farmers Union from Minnesota, North Dakota, South Dakota, and Montana. I wish that every Member of Congress could have visited with these fine farm representatives. They earned their trip to Washington. They came to the Nation's Capital to visit with their representatives in Congress and their many friends. They came to learn, and they also came to inform.

I have in my possession, as a result of this meeting, a statement from one of the farmers on the price of eggs. He is Joe Solberg, Sr. I shall give the prices this farmer received, on the 18th day of

January, from Land O'Lakes Creamery, which pays the market price, at New Richland, Minn., these prices. I want my Washington friends, who may be either in the press gallery or in the other galleries, to think of how sad it would be if they were in this business. These are the prices he received.

Grade A eggs—that is the best that can be bought—21 cents a dozen. A-medium—that is the kind of egg that is sold in the big supermarkets—17 cents a dozen. A-small, 12 cents a dozen. Grade B, 17 cents a dozen.

That is the current market price for fresh, grade A, top grade eggs. No farmer can make a living from that kind of price.

When milk sells for $3.06 a hundredweight, which is the support price of manufacturing milk, it is difficult even to eke out a living under that price structure.

I am hopeful that before Congress adjourns it will establish a long range food program, employing the resources of American agriculture as a great force and instrument in our foreign policy. I believe it can do great good.

The Soviets are producing sputniks and rockets and missiles. They are building steel factories. They are erecting huge buildings, and huge hydroelectric projects, all of which have been described to us by our colleagues who have visited the Soviet Union. But there is one thing the Soviets have not been able to produce or offer to the world in adequate quantity, and that is food. What is more, the Soviet Union does not have one single family farm as an exhibit of the independence, the integrity, and the individualism of the farmer.

The United States has an example of wholesome living and of economical and efficient production on the family farm that is unexcelled and unequaled anywhere in the world. I suggest that the policy of our Government be designed to honor the institution of the family farm and to make it profitable, rather than to abuse it and to cause our agricultural system to be literally fighting for its very existence.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

DISARMAMENT POLICY IN THE NUCLEAR AGE

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a speech on "Disarmament in the Nuclear Age," which I delivered on December 6 at Yale University.

This speech was directed at the task of outlining a possible future long-range as well as short-range disarmament policy for the United States. Several specific goals and proposals are included, and it is my hope they might stimulate discussion and criticism from others.

It saddens me, however, to realize that our own U.S. executive branch is about to enter general disarmament negotiations in less than 6 weeks with no established policy as yet. We knew about these negotiations at least 7 months ago. We knew as long as 2 years ago that some day soon disarmament negotiations would be resumed. What a tragedy. Yes, it is a tragedy that this administration, with almost endless resources at its disposal, has developed no policy.

At this very moment high-ranking officials from four of our close partners in the free world—the United Kingdom, France, Canada, and Italy—are in Washington for the specific purpose of working out an agreed Western policy prior to the opening of the general disarmament negotiations with the Soviet bloc in March. These Western leaders are important people. They have come to Washington on a major assignment. What a waste of their time to come and find that the United States has nothing specific to offer. What an embarrassment to our great country to find us so lacking in leadership, so devoid of ideas and proposals.

Mr. President, I realize that in a little more than 9 months the American people will have an opportunity to show their disdain for the refusal of this administration to assume the responsibility that the people so earnestly and soberly gave it 4 years ago. But I wonder even whether we can afford to wait that long. I implore this administration to wake up, to start moving, and to get on with the task of developing a coherent, effective, imaginative policy for the control and reduction of the world's armaments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DISARMAMENT IN THE NUCLEAR AGE

(Speech of Senator HUBERT H. HUMPHREY at Yale University, December 6, 1959)

Disarmament should be the core of American foreign policy. We are a nation dedicated to peace and we know that peace is always threatened by an arms race. A case can be built for an armament structure as a holding action, but a world armed to the teeth is a dangerous world. Progress on controlling arms is urgently needed so that the people of all nations may devote their full talents and energies to peaceful and constructive pursuits. The control and reduction of armaments is an immensely difficult problem. I have chosen this evening to discuss certain of its aspects and to put before you a program for the future.

During the early part of this year's session of the United Nations General Assembly, Premier Khrushchev spoke on the subject of disarmament. He made some rather sweeping proposals including a proposal for total disarmament in 4 years. The Soviet Union was not the only country to offer disarmament proposals before the U.N. The British advanced an equally comprehensive scheme for substantial cutback in armaments in stages. The Irish submitted a resolution to bar the transfer of nuclear weapons from nuclear powers to nonnuclear. A resolution, adopted by the U.N. General Assembly, and sponsored by a large group of nations in Asia and Africa, called on the French to call off their scheduled atomic tests in the Sahara.

The significance of this activity in the United Nations, to me, is twofold. First, the question of disarmament, or arms control to use a broader phrase, is mounting in interest and intensity throughout the world. Second, it was most unfortunate that in all of this debate and discussion, the United States was on the sidelines because we did not have any concrete proposals of our own to advocate. Our position throughout the debate was confined to one of assuring U.N. members that our policy is under review and that all proposals of other nations should be submitted to the forthcoming disarmament negotiations between five Western nations and five Soviet bloc nations.

My complaint is not that we told the U.N. that we were studying the matter. My criticism is that such a position was far from adequate—a far cry from the position the leader of the free world should be prepared to take on one of the most vital issues facing the world at this time.

The most recent overall position of the United States on the broad subject of disarmament was stated in August 1957. Yet the administration waited until August of 1959 before appointing a group to review the policy to determine what we should seek in 1960.

Our policy should be under constant scrutiny all the time. But to say we are reviewing past policy on arms control puts the matter in the wrong perspective. It is not enough to review what has gone before. What is urgently needed is a policy for the future, one that can be used as a basis for discussion and negotiations. A policy that states goals and the concrete steps to realize the goals is what the world wants to hear from the United States.

Progress toward any kind of arms control requires infinite patience. But there is a difference between the patience that is based on planning and prodding and the patience of procrastination, timidity, and indecision.

The President, in a letter to me of November 17, did reaffirm his belief in the need for progress on disarmament. I commend the President for his statement of purpose. Too bad so many of his advisers fail to share his aims and vision. Although it is belated, it is encouraging that the President has begun to see that goals, in order to be translated into specific steps, demand preparation, study, and even funds.

Progress on arms control can be made. But it takes the kind of stubborn concentration of people who refuse to give up at the first signs of delay or the first obstacles to progress.

During the recent session of Congress I tried on four different appropriation bills to get $400,000 earmarked for disarmament studies. Each time the administration failed to give support. Regrettably, the Congress failed also.

Next year I shall try again. The Department of State has indicated that it will recommend funds for arms control preparation and studies.

NUCLEAR TEST BAN AGREEMENT CLOSER

Today, I offer three arms control proposals which should be given the highest priority. In proposing them I am assuming there will be continued negotiations for a ban on nuclear weapons tests. I give the test ban talks a better than even chance of being successful. I believe the outcome will be based on a control system for the cessation of all atomic tests, initiated perhaps in stages and possibly along the lines I recently outlined in an address at Pontiac, Mich.

Many people within the administration have fought the concept of a comprehensive and controlled test ban agreement. They have fought it all year and they are still fighting it. I was sorry to note opponents of a test ban seem to have recruited Governor Rockefeller to their side. Whether Vice President NIXON is there too no one can be sure. The political wind evidently is not yet strong enough for him to tell which way it is going and, therefore, which direction he should likewise go.

One of the ways test ban opponents try to scuttle an agreement is to call for a control and inspection system that is 100 per-

cent perfect. The AEC and the Pentagon know themselves that perfection in an arms control system is no more possible than perfection in an early warning radar system against surprise attack or perfection in the safety precautions taken to prevent radioactivity from escaping from a nuclear reactor.

The President has now begun to shake up his subordinates on this matter. In his November 17 letter to me he said:

"* * * The best and most carefully elaborated disarmament agreements are likely to carry with them some risks, at least theoretically, of evasion. But one must ponder, in reaching decisions on the very complex and difficult subject of arms control, the enormous risks entailed if reasonable steps are not taken to curb the international competition in armaments and to move effectively in the direction of disarmament."

The President is right. There are risks in the failure to act, just as there are risks in carefully designed action.

With continued and concentrated bargaining and perseverance a test ban agreement may be reached within the next several months. The President wants a test ban agreement before he leaves office and the Russians seem to want to limit the nuclear club. The votes in the U.N. General Assembly indicate world opinion insists upon a test ban. I am convinced the people of the United States want the tests stopped. They want to make a start on controlling the arms race. When Governor Rockefeller made his unfortunate and, in my opinion, misguided statement over TV on resuming underground tests, the TV studio was besieged with calls of protest.

But we must prepare to go beyond a controlled and inspected nuclear weapons test ban agreement. This merely opens the door to genuine disarmament. We should make a concerted attack on three major problems in the arms-control field.

GOALS TO WORK TOWARD

Let me make it clear I stand for a world free from the burden of massive armaments. I support the goal of a United Nations police force equipped to guard all nations, large and small, from aggression. I am for a system of world order in which law takes the place of force as a means of settling disputes. And I believe that eventually the nations of the world must agree to view any act of an individual, group, or nation that seeks to disturb world peace as a crime against mankind. Specific steps now must be taken to assure the ultimate fulfillment of these long-range goals.

DEFENSE MUST BE MAINTAINED UNTIL DISARMAMENT IS REACHED

The proposals I offer are all based on the concept of mutual agreement. I do not support unilateral disarmament. We have already had too much of this in the name of a balanced budget. Until we have concrete progress in arms control our own defense posture must not only be maintained but even strengthened in key respects.

Now my proposals:

No. 1. Control and reduction of missiles and bombers and maintenance of outer space for peaceful purposes

We must seek the control and reduction of long-range missiles and long-range bombers. We must increase our efforts to preserve outer space for peaceful purposes.

The universe waits to be explored and understood. The nations of the earth must together seek knowledge about the unknown. They must simultaneously develop a law of conduct in the universe if peaceful undertakings are not to be turned into warfare. Insofar as we possibly can, therefore, the delivery vehicles of warfare should be controlled and curtailed. Of these the most important are the missiles and then the bombers.

This means inspectors and control posts located at every strategic airbase. Inspectors and control posts will need to be established near the launching sites for missiles as well as aboard every naval vessel equipped for missile launchings.

But control is not enough. The missiles and bombers must either be eliminated or they must be placed under international control. Further tests of missiles under such a system would be prohibited and a monitoring system installed to see that they were, in fact, stopped.

Such a program as this cannot be accomplished overnight. Long-range missile and bomber control is an enormously difficult problem. I am told, for example, that enough missiles might be launched from one site to effect a major knockout blow. A control system for missiles and bombers involving bases and launching sites throughout the world would be far more difficult to negotiate than a ban on nuclear weapons tests. Therefore, studies on control measures should be begun immediately. They should be started at home, internally by the United States, and also joint talks should be proposed with the Soviet Union and other powers that would be affected. The studies might first be conducted on a technical level prior to political negotiations.

For years we have talked about the threat of the nuclear delivery systems. The talk must now be translated into action.

No. 2. Cessation of nuclear weapons production

The production of fissionable material for weapons purposes should be curtailed under effective safeguards.

Here again there has been a lot of talk but little action. We need first to work out, preferably jointly with the Soviet Union and Great Britain, the necessary technical means of control. We need a control system adequate to prevent the secret diversion of fissionable materials from peaceful pursuits to weapons purposes. This control system should be adequate but not more than is required. The last estimate I have seen given by the AEC for such a control system involved about 5,000 inspectors in the Soviet Union. I cannot judge at this point whether this is necessary. It appears to me rather high considering tht the test ban control system for the U.S.S.R. would involve far less than 1,000 inspectors.

A controlled ban on the production of nuclear weapons would affect not only the three nuclear powers. It would also stop other nations from arming themselves with their own nuclear weapons. The French, for example, have said repeatedly they would give up their plans to test and produce nuclear weapons if other nations stopped their nuclear weapons production. A control system for the prohibition of nuclear weapons production might be fitted into the functions of the International Atomic Energy Agency.

No. 3. Worldwide multi-nation system against surprise attack

We need a worldwide antisurprise attack system against the use of any kind of military force by one country against another.

The term, surprise attack, has come to mean within the United States, primarily an attack by long-range missiles and aircraft. This does not include all that I mean. The problem is not solely one of missiles and bombers nor of the three nuclear powers. It includes surprise attack by Chinese Communists on India, Nepal, Burma, Laos, Korea, or Formosa. It concerns a possible aggression in the Middle East. It concerns a possible aggression in Central and Eastern Europe. And finally it even concerns possible aggression in Latin America.

A focus on the prevention of this kind of surprise attack is essential and urgent for two major reasons. First, it is important because most of the real threats of warfare come from the kinds of situations I have mentioned. Every time a local or regional war breaks out it threatens to drag in the major powers with their large-scale and devastating weapons.

Second, it is important because if the nuclear powers place under control and limit their missiles, bombers, and fissionable material for weapons purposes this might give other powers the idea they can afford to become more reckless. In other words, the possession of weapons of mass destruction has acted to some extent as a deterrent on nonnuclear powers as well as nuclear. No nation can be sure that what it hopes may be a small war won't turn into a worldwide catastrophe. If the big weapons were controlled or removed, some irresponsible dictator with heavy conventional armaments somewhere might feel the risk of aggression was not too great. Until you have assurance of protection from surprise attack you have an unstable world situation where the finger is never far from the trigger.

An antisurprise attack system should include many elements. In some areas the withdrawal or pullback of troops would be called for. In other areas a controlled demilitarized zone would be needed. Still other areas might require the stationing of an international police force. Special inspection posts would need to be established in all areas. The U.N. would truly become the eyes and ears of peace.

You may think this sounds like a lot of inspection and inspectors. It would be. But it is necessary to have what each situation demands.

IMPORTANCE OF INSPECTION FOR A PEACEFUL WORLD

In our country I think we believe inspection and control are necessary because we don't trust the Russians. This is certainly an element but this is not the entire explanation. It is deeper than that.

Inspection and control recognize something about human nature. It recognizes that man is not perfect.

If controls and regulations are needed in a well-organized national society, and they certainly are, they are even more important in relations among nation states.

Americans are a peace-loving, honest and just people. The overwhelming majority of us want to obey the law, do well unto others, and avoid harm wherever and whenever we can. Yet we have dotted our society from stem to stern inside and out with inspectors. Just let me list for you some of the ways we inspect each other.

At the Federal level we have inspectors for a multitude of purposes: Food and drug inspectors; Coast Guard inspectors; narcotics inspectors; the Customs Service; the Secret Service; FBI agents; Civil Service investigators; and Atomic Energy inspectors.

In the armed services we have a military police system that consists of 23,976 Army police, 2,407 Navy police, and 34,894 Air Force police.

And in the Internal Revenue Service we have inspectors in the thousands including a couple of hundred to inspect the inspectors.

James Madison said many years ago: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary." It goes without saying, I think, that international relations are not conducted by angels either.

Inspection, therefore, is highly essential for a peaceful world as well as a just and functioning society. The sooner we start detailed studies and negotiations combining inspection and control with the reduction of armaments and the prevention of surprise attack the sooner we may reach our goal.

I cannot emphasize too strongly the need to get started. We are going into our third year of serious discussion for a test ban.

Each of the three fields I have mentioned may take at least that long to show progress.

REGIONAL DISARMAMENT CONFERENCES NEEDED

These three proposals cannot be negotiated by the same people at the same conference. The missile-bomber problem and the cut-off of fissionable material for weapons purposes can be undertaken primarily by the nuclear powers with assistance from others. But separate conferences will be necessary. It will be necessary to initiate regional conferences to handle the creation of anti-surprise attack systems in the different areas of the world.

What I am suggesting here is that the 10-nation disarmament negotiations to be convened early next year can only make a start on the problem. They will not be able in one conference to settle the problems I have discussed here as well as others that also must be tackled. Perhaps the greatest contribution the forthcoming 10-nation disarmament conference can make is to undertake serious negotiations for a system to prevent surprise attack in Europe.

OTHER ARMS CONTROL PROBLEMS

As I have advanced my three major proposals many of you may have been thinking about still other problems. We are all aware of many other areas on which work must be done. In the arms control field there are weapons of bacteriological and chemical warfare. There are the armed forces of nations. There are the delivery vehicles other than missiles and bombers. In the matter of prevention of aggression there is the overriding problem of settling the disputes and removing the friction among nations that lead to aggression. And there is the special problem of China.

All of these matters require thought, study, and action. But I submit we must make a start. I have chosen three areas that are particularly important.

THE SPECIAL PROBLEM OF CHINA

Now before closing, a word about China. The Communist Government of China would have to be bound by any arms control system that dealt effectively with missiles and bombers and the prevention of surprise attack. Without China no system for the prevention of surprise attack in Eastern and Southern Asia could be successful. Without China in an arms control agreement affecting Asia, the entire power balance in the world could be dangerously upset. National security and world security demand the inclusion of Communist China in major arms control agreements.

Unfortunately, Communist China is still highly irresponsible and aggressive. It may take the combined persuasiveness of the Soviet Union, the United States, and all the countries of Asia to impress on China the need to forego plans of aggression and defiance of the international community. Strange as it may seem to think of United States-Soviet cooperation on persuading China to participate in a disarmament agreement, the world situation may yet produce such a result.

We are entering a period in which the subject of arms reduction and control is taking on new meaning. There are dangers as well as opportunities. But the goal of a peaceful world demands our best efforts.

And the goal of peace must not be a sterile and cold concept meaning merely the absence of war or hostilities. It is a peace with justice and opportunity, better living conditions, education and health for all mankind. Peace is not slogans but programs. This kind of peace is not easy; it is sacrifice. Peace requires more than public relations. It demands a continuity and depth of public policy. My wish is that my program of disarmament offered here tonight will help to stimulate and inspire others.

AIR NATIONAL GUARD

Mr. HUMPHREY. Mr. President, recently the Minnesota Air National Guard unit at Wold Chamberlain Field of Minneapolis-St. Paul, Minn., was converted from an air defense mission to a MATS-type mission, and the 109th Air National Guard has now received the first of its fleet of C–97 Stratofreighters.

I have been assured by the Department of Defense that the withdrawal of the guard jet fighters from Minneapolis has not adversely altered our defense position, and that the transport mission assigned to the Air National Guard will make a continuing contribution to the transport requirements of the National and State defense and disaster relief planners.

I wish to commend the Secretary of the Air Force and the other officials responsible for establishing this mission at Wold Chamberlain Field. It is a far-sighted and pioneering action. Every Minnesotan is indeed proud that the first multiengine aircraft ever to be assigned to a Reserve component has now been assigned to the Minnesota Air National Guard.

It is also a pleasure to take this moment to commend the loyal and efficient Minnesota air guardsmen who have made a splendid record in their previous air defense mission. I know that they are anxious to undertake the new mission assigned to them by the Air Force and they will carry it forward with their typical elan and enthusiasm.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

RECESS TO 11 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, I move that the Senate stand in recess, under the order previously entered, until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 49 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, January 28, 1960, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 27, 1960:

INTERNATIONAL COOPERATION ADMINISTRATION

John J. Grady, of Illinois, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

U.S. ATTORNEY

Neil R. Farmelo, of New York, to be U.S. attorney for the western district of New York for the term of 4 years, vice John O. Henderson, resigned.

U.S. COAST GUARD

The following U.S. Coast Guard officers for promotion to the permanent rank of rear admiral in the U.S. Coast Guard:

Capt. Henry J. Wuensch
Capt. George H. Miller
Capt. George A. Knudsen
Capt. Christopher C. Knapp

CONFIRMATIONS

Executive nominations confirmed by the Senate January 27, 1960:

DEPARTMENT OF STATE

Livingston T. Merchant, of the District of Columbia, to be Under Secretary of State for Political Affairs.

Foy D. Kohler, of Ohio, to be an Assistant Secretary of State.

DIPLOMATIC SERVICE

G. Frederick Reinhardt, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Republic, and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Yemen.

Tyler Thompson, of Maine, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iceland.

INTER-AMERICAN DEVELOPMENT BANK

Robert Cutler, of Massachusetts, to be an Executive Director of the Inter-American Development Bank for a term of 3 years and until his successor has been appointed.

INTERNATIONAL COOPERATION ADMINISTRATION

Dennis A. FitzGerald, of Maryland, to be Deputy Director for Operations of the International Cooperation Administration in the Department of State.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Now Foreign Service officers of class 2 and secretaries in the diplomatic service:

To be consuls general

Ward P. Allen, of Virginia.
Harlan B. Clark, of Ohio.
George W. Renchard, of Michigan.
William D. Wright, of the District of Columbia.

To be Foreign Service officer of class 2, consul, and secretary in the diplomatic service

Joseph Mintzes, of Pennsylvania.

Now Foreign Service officer of class 3 and secretary in the diplomatic service:

To be also consul general

Merritt N. Cootes, of Oregon.

To be Foreign Service officer of class 3, consul, and secretary in the diplomatic service

Harold E. Howland, of Virginia.
Norman F. Johnson, of Maryland.
Barney B. Taylor, of Michigan.

To be Foreign Service officer of class 4, consul, and secretary in the diplomatic service

George A. Landry, of New Hampshire.
T. Howard Peters, of Washington.

To be Foreign Service officer of class 5, consul, and secretary in the diplomatic service

Henry W. Kemp, of Pennsylvania.
Harry Kushner, of California.
Thomas E. Summers, of California.

To be consuls

Chris C. Pappas, Jr., of New Hampshire.
Edward M. Rowell, of California.

To be Foreign Service officer of class 6, vice consul of career, and secretary in the diplomatic service.

Spiros A. Siafacas, of Florida.
Miss Anita R. Wharton, of Florida.

To be Foreign Service officer of class 7, vice consul of career, and secretary in the diplomatic service

Miss Frances L. Adams, of Arizona.
Mrs. Ethel Balashova, of California.
Roger A. Provencher, of Colorado.

To be Foreign Service officer of class 8, vice consul of career, and secretary in the diplomatic service

David Anderson, of New York.
Rodney E. Armstrong, of California.
Donald P. Black, of California.
Richard L. Bowen, of South Dakota.
Thomas Gordon Brown, Jr., of New Mexico.
John Allen Buche, of Indiana.
John B. Connely, of California.
John P. Crawford, of Ohio.
Douglas James Harwood, of Connecticut.
Marvin W. Humphreys, of the District of Columbia.
Robert E. Kaufman, of the District of Columbia.
Kenneth A. Kurze, of Rhode Island.
Paul L. Laase, of Nebraska.
Stephen J. Ledogar, of New York.
Jon S. Lodeesen, of Tennessee.
Edward V. Nef, of the District of Columbia.
Jack R. Perry, of Georgia.
Paul B. Remmey, Jr., of Pennsylvania.
Charles W. Schaller, of Wisconsin.
Lincoln F. Stelk, of Illinois.
Charles H. Thomas II, of New Hampshire.
Joseph W. Twinam, of Tennessee.
Thomas H. Walsh, of Texas.
E. Allan Wendt, of Illinois.
A. Norman Willims, of Michigan.

To be consul general

William Howard Taft III, of Connecticut.

To be consuls

Valentin E. Blacque, of Minnesota.
Seymour Chalfin, of New York.
Ross L. Collins, of Missouri.
Daren J. Flitcroft, of Virginia.
Albert W. Hennig, of Massachusetts.
Philip G. Hodge, of Connecticut.
Eric Neff, of the District of Columbia.
Michael Pavlyak, of Virginia.
John B. Perkey, Jr., of West Virginia.
Philip B. K. Potter, of Connecticut.
William H. Strong, of Virginia.
Rutherford T. Walsh, of California.

To be consul and secretary in the diplomatic service

Alex A. Cohen, of California.

To be vice consuls

Charles J. Baker, of Virginia.
Christopher H. Ballou, of Vermont.
Robert B. Clark, of Massachusetts.
George L. Coale, Jr., of California.
James R. Connelly, of California.
Richard K. Cooke, of Texas.
John W. Hennessy, of Connecticut.
John A. Holizna, of Pennsylvania.
Starr M. King, Jr., of Massachusetts.
James F. Shea, of Maryland.
Joseph P. Sherman, of Michigan.
Jack Stewart, of Illinois.
Robert L. Taylor, of New York.

To be vice consul and secretary in the diplomatic service

William T. Brown, of New Jersey.
Ralph W. Stephan, Jr., of Ohio.

To be secretary in the diplomatic service

Edgar J. Applewhite, of the District of Columbia.
Howard W. Bovee, of Wisconsin.
Edward P. Brown, of Virginia.
Dudley R. Burris, of Texas.
Robert G. Caldwell, Jr., of Virginia.
Laughlin A. Campbell, of the District of Columbia.
Arthur C. Close, of Virginia.
Raymond H. Close, of New Jersey.
Richard J. Cornish, of Kansas.
Aldo D'Alessandro, of New York.
Philo Dibble, of Utah.
Edward A. Dow, Jr., of New York.
Charles L. Duthie, of Colorado.
Mrs. Virginia H. Emmons, of Michigan.
John F. Fay, of Virginia.
John S. Foster, of Virginia.
Joseph C. Goodwin, of Utah.
Tucker P. E. Gougelmann, of New York.
Charles C. Hall, Jr., of Virginia.
John J. Hicks, of Virginia.
Leo J. Horvath, of Pennsylvania.
Boris Ilyin, of Virginia.
George A. Ives, Jr., of North Carolina.
Hans J. Jensen, of California.
Thane A. Kuhlman, of Michigan.
George V. Lauder, of Connecticut.
Lawrence G. Leisersohn, of the District of Columbia.

To be secretaries in the diplomatic service

Richard M. Long, of Colorado.
Edward S. Lynch, of Maryland.
Joseph A. Minott, Jr., of Oregon.
Nicholas A. Montesano, of New York.
Duncan Purcell, of Pennsylvania.
Ralph H. Redford, of Utah.
Carl J. Schoepe, of Ohio.
Edward H. Splain, of Virginia.
Richard F. Stolz, Jr., of Vermont.
Clifton R. Strathern, of Massachusetts.
John M. Turner, of Georgia.
Frederick D. Vreeland, of New York.
Frederick U. Wells, of the District of Columbia.

Now Foreign Service staff officers:

To be consuls

K. Marshal Berg, of Iowa.
Edmund R. Johnson, of Massachusetts.
Max W. Kraus, of Maryland.
Miss Ellen I. McCullough, of New Jersey.
Stephen N. Sestanovich, of California.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 27, 1960:

POSTMASTER

Arnold W. Langner, Sr., to be postmaster at Sheboygan Falls, Wis.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 27, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I John 5: 4: *This is the victory that overcometh the world, even our faith.*

O Thou God of all love and righteousness, may we now turn the thoughts of our minds and the meditations of our hearts toward Thee without hesitation or misgiving.

We rejoice that the record of a thousand yesterdays testify that Thou art more ready to grant our requests than we are willing to ask or receive.

Make us daily more sensitive and responsive to those great moral and spiritual impulses and imperatives which Thou hast planted within our souls.

May we long to be numbered among that vast company of honorable and dedicated men and women who sympathize with the needs of humanity and are laboring for the welfare of all mankind.

Help us to meet the problems and perplexities of our distraught and disordered world with a faith that is courageous and invincible.

Hear us in the name of our Lord and Master. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1508. An act to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes; and

S. Con. Res. 81. Concurrent resolution proposing observance of week beginning January 31, 1960, as National Junior Achievement Week.

COMMITTEE ON EDUCATION AND LABOR

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, according to the newspapers, there is consternation within the ranks of the majority because the beloved chairman of the Committee on Education and Labor, the gentleman from South Carolina [Mr. BARDEN], has decided to retire and his colleagues are somewhat less than pleased with his possible successor, the gentleman from New York [Mr. POWELL].

May I suggest that blood pressures are rising unnecessarily, for there is every reason to suppose that the next chairman of this important committee will be the gentleman from Pennsylvania [Mr. KEARNS]. All we have to do is elect a Republican majority in the House, and I believe the voters of America are going to do just that.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Alabama [Mr. RAINS], I ask unanimous consent that the Housing Subcommittee of the Committee on Banking and Currency may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CIVIL RIGHTS: ISSUE OF THE DAY

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. ROOSEVELT] is recognized for 60 minutes.

Mr. ROOSEVELT. Mr. Speaker, my purpose and the purpose of many of my colleagues today in addressing this body is certainly not to engage in any discussion as a means of perfecting merely a speaking technique for the coming campaign. It is for one reason and one

reason alone, as it is for my distinguished colleagues who will shortly address the House, and that is to pinpoint the regrettable fact that this Congress has yet to act in assuring to all our citizens the dignity and rights which are inherent in our democratic concepts, specified in our cherished documents and woven into our ethical and religious fabric.

Mr. Speaker, there has been an effort made to indicate that while civil rights supporters are fighting for more democracy for deprived citizens, they, themselves, are not using democratic procedures; to wit, they are bypassing the rules of the House through the use of the discharge petition to release the civil rights measure from the Rules Committee. This is simply not true.

How can it be when the House rules provide for the use of the discharge petition? To use this tactic of attack is merely to attempt to deflect from the real issue and that issue is, do we have a chance to act on civil rights legislation and if so, what kind of a bill will we eventually evolve?

I am happy to see that the New York Times of January 25, 1960, stated editorially, and I quote:

> House Republican leaders explain that they are against discharge petitions "in principle" because they do not believe in "circumventing" House rules. They say the Democrats, as the majority party, bear the full responsibility for the bill. They express assurance that the bill will get to the floor and promise to vote for it there.

Then the Times' editorial pierces this Republican demonstration of "doublethink" by noting, and I quote again:

> To put it bluntly, those explanations are lame. It can hardly be circumventing House rules to sign a discharge petition when the rules provide for such a petition. It is no secret that the Democratic Party is divided between South and North. Republican votes are needed to get the bill to the floor as well as pass it there. Most important, failure of the discharge petition will permit the bill to reach the floor only under unfavorable terms—perhaps including a ban on amendments—dictated by Rules Committee conservatives.

Then this January 25 editorial concludes with an incisive paragraph which I also quote:

> The Republican Party, unlike its opposition, should be free to give wholehearted support to civil rights legislation. Its failure to do so can only give credence to charges of a deal between House Republicans and southern Democrats. The discharge petition will be open for signatures when the House meets at noon today. If the issue is recognized for what it is—a chance for meaningful civil rights legislation—it should not take long to get the 43 more signatures needed.

The reference to the 43 additional signatures needed was based on the Times' published list of that date, January 25. Happily, the required number yet needed has been lowered and since today offers a lengthy session, I respectfully remind my colleagues who have not signed that there is ample opportunity to do so. I might add also that two-thirds of the required 219 signatures have already come from members of the Democratic Party. It is thus obvious, without drawing pictures, where the remaining names are to be found in order to reach the required 219 signatures.

Frankly, I am indeed anxious to learn from the minority leadership why it is failing to give impetus to the signing of the discharge petition since the bill we are trying to bring to the floor, H.R. 8601, represents the mild proposals of the Administration offered last session. Why? Is it because the executive leadership doesn't really want to see its own proposals enacted, and the Civil Rights Commission recommendations considered by this Congress as the President urged in his State of the Union message, and so merely went on record last year to soothe the American public? Or is it because the civil rights issue is better used for election-year purposes than for human purposes? I can't help but note that there was no hesitancy on the part of the minority leadership in firming up its position, in line with that of the President and the Vice President, in the matter of labor-management reform legislation. Why, then, does this not hold true now? Is the minority leadership ready to say it does not believe in the substance of even this mildest of mild civil rights bills?

I would like at this time to yield to the most distinguished chairman of the Committee on the Judiciary who, without any question, through the years has proved, through his leadership, that he knows the rules of the House, and second, that he knows the basic issue involved in the question of civil rights.

I yield to the distinguished gentleman from New York [Mr. CELLER].

Mr. CELLER. I want to thank the gentleman from California [Mr. ROOSEVELT] for yielding to me.

I want to say at the outset that I know of no man who is more dedicated to the subject of civil rights than he is. He has rendered yeoman service in an attempt to get signatures to this petition to which he has adverted.

Mr. Speaker, no one single domestic issue has received the study, the deliberation, or the scrutiny than has that of civil rights.

Hearings were held on March 4, 5, 11, 12, 13, 18, 19, and on April 14, 15, 16, 17, 22, 23, 24, 29, 30, and May 1, 1959. Discussion was held within the full committee on the civil rights bill before it on July 9, 14, 22, 28, 29, 30, August 4 and 5, 1959. The testimony before this committee was printed in a volume containing 960 pages, and the report on the bill contained 42 pages. All interested parties were heard; those in opposition to the bill, as well as those supporting it. It cannot now be said that there is any Member in this House who does not know how he will vote on H.R. 8601, the civil rights bill reported by the committee, and why.

It will be admitted, even by the opponents of the bill, that every argument for and against it, was permitted expression. Why then is a bill, with which all are familiar, a bill on which each Member has already made his resolution, not permitted to come on the floor of the House so that the Members of Congress may work their will upon it?

A request has been made of the Rules Committee, before which it now lies dormant, for a rule to bring it to the floor; the Rules Committee will not act. Can we then stand aside and shrug away the adamacy of the Committee on Rules? We know quite well how the members of the Committee on Rules from the South regard the bill—this comes as no shock or surprise to anyone. The southern members have made no secret of their antipathy toward the provisions of the bill. They testified in open session before the Committee on the Judiciary in bitter protest, but it would not have been too difficult to bring this bill to the floor had the Republican members of the Rules Committee, in concert with approving Democratic members of the Rules Committee, brought forth a rule. It was evident that this was not to be; the Republican members, despite the claims that the Republican Party was the champion of civil rights, took no action toward the securing of the rule.

It was evident then that the machinery provided for by the rules of the House would have to be put into motion. Consequently, on August 26, 1959, I introduced House Resolution 359 to discharge the Committee on Rules from the consideration of the civil rights bill, opening the way toward consideration of the bill through petition. There are now some 188 names placed on the petition—219 will bring the bill to the floor. It is pertinent, then to ask: Why has not the requisite number of names as yet been reached? The answer is a simple and obvious one to those who have examined the signatures on the petition. The Republican Members of the House, by and large, are not signing.

Let us examine the arguments advanced by the Republican leadership in the House for not signing the petition:

First. Republicans say that they prefer the orderly processes of the House. Is not the discharge petition an orderly process of the House? It was made a part of the process by incorporation in the Rules of the House. It is as much a part of the machinery of legislation as is the Suspension Calendar, the Consent Calendar, the Private Calendar, and Calendar Wednesday. It exists to meet the exact circumstances which the Rules Committee has created.

Second. It is argued that the Democratic Party is the majority party in the House of Representatives and that, therefore, the failure to bring the bill to the floor is a failure of the Democratic leadership. This is very sorry arithmetic, indeed. When the Republican Members of the House refuse, together with the southern Democrats, to sign the discharge petition, the balance of numbers is the other way. The southern Democrats are doing what comes naturally. They have made no pretense of their opposition to the bill. They have openly and insistently used every parliamentary device to thwart the enactment of a civil rights bill. They have made their opposition vocal and articulate. They have never made any protestations to the contrary. There are those of us who believe they are wrong in the stand they have taken but we know what that stand is. However, when the Republican member-

ship—the party of Abraham Lincoln—descends to the specious arguments I have outlined to you, I must confess, that I feel there is a huge chunk of hypocrisy at work. It has all the semblance of a deal, a deal between the southern Democrats and the Republicans to the effect that the southern Democrats will stand with the Republicans in defeating all welfare legislation so that the holiness of the Eisenhower budget be not tainted while the Republicans in turn will withhold any positive move to help insure the passage of a Civil Rights Act in this session. It has the semblance of a neat political game.

This is an election year, this is a Democratic Congress; if no civil rights legislation is enacted, the Republicans, in pious horror, can point the finger of shame at a Democratic-controlled Congress and keep silent about the part they played. I think the country should know this. To permit a deception of this kind to go unmarked would make a mockery of the truth. The Republicans can either wrest the civil rights bill out of the Rules Committee or sign the petition. They do neither.

The Eisenhower administration is forever, in all areas, using the phrase "deeds, not words." The Eisenhower administration, together with the Republican Members of Congress, in 1957 killed any chance for the strengthening of a civil rights bill. In this Congress, as in the 85th, after their own Attorney General had advocated strong measures such as the well-known part III of the 1957 bill which would have given the Attorney General the power to protect the civil rights of all peoples in all areas under the Constitution, the Republicans disowned and rejected that recommendation.

The President in his economic message stated:

> I urge the Congress to enact the remaining six points of the civil rights program that I recommended last year.

An then concluded the paragraph by saying:

> The Civil Rights Commission, extended for an additional 2 years by the last session of Congress, continues its important work and has developed additional constructive recommendations, particularly for protecting the right of every citizen to vote. I hope these recommendations will also be earnestly considered by the Congress.

Let us note that the President said "enact the remaining six points" and then for any further strengthening of the bill merely asked that they be "earnestly considered." This is an immeasurable difference in emphasis.

I quote again, but this time from the report of the U.S. Commission on Civil Rights:

> But in terms of securing and protecting the right to vote, the record of the Department of Justice's Civil Rights Division under the Civil Rights Act of 1957 is hardly more encouraging than it was before.
>
> Nearly 2 years after passage of the act, the Department of Justice had brought only three actions under its new powers to seek preventive civil relief rather than criminal conviction against any interference with the right to vote.

This kind of passivity, this kind of lip service, without action, befits those who are using civil rights legislation only as a political football, shutting from their conscience the pleading and yearning of American citizens who have been deprived of their civil rights, theirs by virtue of the U.S. Constitution.

If President Eisenhower really means what he says about civil rights he should summon Minority Leader HALLECK, his mouthpiece in this House, to the White House and instruct him to urge his Republican conferees to sign the petition.

If this petition fails for lack of proper number of signatures and if the four Republican members of the Rules Committee refuse to join with the four northern Democrats of that committee to force out a rule, then I shall blame the Republicans, from President Eisenhower down, for the civil rights debacle.

If I have been harsh, it is only because the truth is harsh. If the Republican Members of the Congress want to answer me, there is a very direct, simple way of so doing. Let them sign the petition—either they are for civil rights legislation or against it. They cannot have it both ways.

I am only too well aware of the position taken by many members of the Republican Party in the House and forcefully advocated by the minority leader that the civil rights bill should be taken up under the rule of the House providing for Calendar Wednesday business. In order that there may be no misunderstanding of my position, I will state here and now that I do not oppose the use of Calendar Wednesday for the consideration of that legislation but I cannot accept it except as a last resort. Naturally, my preference is for consideration of the measure either under a rule or under consideration by my discharge petition, House Resolution 359.

I am sure that the Members of this body are well aware of the provision contained in clause 7, rule XXIV of the rules of this body which provide for consideration of legislative business by the Calendar Wednesday procedure. My reluctance to utilize this procedure except as a last resort is predicated upon the practical problems which would confront us. Supporters of this procedure allege that by proceeding under the Calendar Wednesday rule we will be adhering to the orderly procedure of the House. I see no difference between that position and my position under the discharge petition which the same rules of the House make provision for.

Under a discharge petition, or under a rule from the Rules Committee, the parliamentary procedure is clear, definite and expeditious, but I would like to point out that under the Calendar Wednesday procedure the opposite conditions will be encountered. For example, under the Calendar Wednesday rule, debate in the Committee of the Whole House on the State of the Union is limited to 2 hours to be equally divided between those who are for the bill and those who are against it. A rule on the bill could grant more time than a mere 2 hours and my discharge resolution provides for 2 days of legislative debate. Surely, everyone acquainted with this legislation recognizes and must admit the need for more than 2 hours' general debate.

The most immediate consideration in the problem of considering a civil rights measure is the element of time. Action now is of the essence and clause 7 of rule XXIV would not present an opportunity for early consideration. This is because the procedure calls for a call of committees of the House in alphabetical order. Of the 20 committees listed in such order, the Committee on the Judiciary ranks No. 12. What does this mean? This means that before the chairman is recognized on a particular Wednesday, 11 committees must be called and either they may not answer the call or they may. A mere look at bills now pending on the House and Union Calendars indicate we have pieces of legislation that might well be called up by any one of those committees on a particular Wednesday. These committees may well occupy the whole of a particular Wednesday under the rule so that if a week from today Calendar Wednesday is called, it would be 12 Wednesdays before the Committee on the Judiciary would be reached.

A factor which must be borne in mind at this point is that the chairmen of many of the committees of the House are from the southern section of our Nation and are on record as being unalterably opposed to civil rights measures and are committed to utilize every means, strategy, and effort, and particularly parliamentarywise, to prevent consideration or bring about the defeat of a civil rights bill.

It must be remembered that even though the Committee on the Judiciary answers to the call on a Calendar Wednesday, it still finds a difficult parliamentary position. If, after the 2-hour general debate and upon completion of the proceedings under the 5-minute rule, the previous question must be ordered or else further consideration of the civil rights bill shall be postponed until all the committees after Judiciary, in alphabetical order, have been called on succeeding Wednesdays. Then, after the call of No. 20, the Committee on Ways and Means, on the proper Wednesday, the call would revert back to Committee No. 1, the Committee on Agriculture, and so on down until the Committee on the Judiciary, No. 12, is again reached. It takes no imagination to see a possibility that final consideration and passage of the bill could be postponed by parliamentary maneuvering to the closing days of the session. And here, may I add, that Calendar Wednesday cannot take place during the last 2 weeks of the session.

These are some of my reasons for preferring consideration of the bill either by a rule or under a discharge petition. To anyone who may be naive or uneducated in the ways of southern opposition to civil rights legislation, let me refer you to the situation which confronted the Committee on Education and Labor in the 81st Congress when, under this proposed procedure of Calendar Wednesday, the so-called FEPC bill was considered. I recommend that those individuals who purport to be supporters of civil rights

but prefer consideration under the Calendar Wednesday provision, read the CONGRESSIONAL RECORD of February 22, 1950. Those pages of the RECORD will educate them clearly and forcefully to the problems I have outlined and anticipate under such procedure.

Let me project myself, as it were, to a possible Calendar Wednesday, and say the Judiciary Committee may be called. Let me give you some idea of what might happen. We are 12th on the alphabetical list. We have waited 3 months. Most of the committees preceding the Judiciary will have bills and will use their opportunities under Calendar Wednesday. The Speaker recognizes me as chairman of the Committee on the Judiciary. We are in the House at the outset. Immediately a point of order is made that there is no quorum. There is a call of the House, with yeas and nays. Then a motion is made to adjourn. The yeas and nays are demanded and granted. Then there is a motion made to dispense with Calendar Wednesday, which is proper under the rules, and there is permitted 10 minutes of debate on that motion, 5 on each side. The yeas and nays are demanded on that. Again a point of order of no quorum is made, because those opposed to civil rights will leave the Chamber. The quorum gradually melts so that there is no quorum to answer the call of the House. More time is taken.

Then there is another motion to adjourn. The yeas and nays are demanded. Thus at that point we have had five rollcalls, on two motions to adjourn, on two points of order of no quorum and one to dispense with Calendar Wednesday. There may be additional points of order of no quorum and additional motions to adjourn. I cannot anticiapte how many there may be. Recognition along those lines depends upon the point of view of whoever may be in the chair, or the Speaker. I am sure the Speaker will be fair in that regard and when a point of order is made that there is no quorum and the yeas and nays are demanded, he will wait a sufficient length of time and will not recognize the gentleman who makes the point of order of no quorum until a fair amount of time has passed.

Finally I am recognized in the House automatically, as it were, to call up the bill. I must be authorized by my committee to bring up the bill. I may not be caught unawares. My committee must have given me, prior to that day, authority to recognize the call on Calendar Wednesday. If they have not done it, I lose my chance and the Judiciary Committee loses its chance to bring up the bill.

But I am prepared. I have the authority of the Judiciary Committee. I so express myself to the Speaker, and he recognizes me. I move that the House resolve itself into the Committee of the Whole House on the State of the Union. Then we have 2 hours of general debate. Then the bill is considered under the 5-minute rule. Points of order can be raised to amendments, and there will be lengthy arguments, I assure you, on germaneness. There are all manners and kinds of complications under the 5-minute rule.

Finally the Committee rises automatically. Now we are in the House. Separate votes undoubtedly will be demanded on any amendments that have been passed in the Committee of the Whole, with record votes. There will be the usual motion to strike out the enacting clause, with a yea-and-nay vote. There will be a motion to recommit, with a yea-and-nay vote. Motions will be made to adjourn while in the House, with a yea-and-nay vote.

Let me tell you something of what happened with the FEPC legislation to which I made reference. The Calendar Wednesday proceedings started in August of 1949. The Committee on Education and Labor was reached on February 22, 1950. There was a recess between those two dates, there was a time lag between August 1949 and February 1950. All intervening committees answered the call and offered their respective bills. When the FEPC bill was considered, all manners and kinds of dilatory motions were made of the type that I have indicated.

The previous question was ordered at 3 a.m. on the morning of February 23, 1950. The House adjourned until 12 noon, February 23, when the bill was finally passed. The previous question having been ordered on February 23 at 3 a.m. the status of unfinished business was preserved, hence it was in order to adjourn to noon, February 23, and vote on the bill. If the previous question had not been ordered that night, then the bill could not have been taken up again until the remaining committees had been passed and answered the call on Calendar Wednesday, unless under the rule there was a two-thirds vote to take the bill up the following Wednesday. It is almost impossible to get such a two-thirds vote.

If we do not conclude on Calendar Wednesday, and we have no two-thirds vote to bring up the bill the following Wednesday, we have to wait until all the committees following the Judiciary Committee, as I said before, will have been called, the 13th, 14th, 15th 16th, 17th, 18th, 19th, and 20th, and then you go back to No. 1 down to 11, inclusive—a total of 19 Wednesdays, 5 months, plus the 3 months we have already waited.

Then there is no Calendar Wednesday during the last 2 weeks of the session. Thus, you see, my good friends, how cumbersome and irksome and full of pitfalls is the Calendar Wednesday procedure. Calendar Wednesday may be like a siren call. It should not fool you. As I indicated before, I shall accept it only as a last resort, if all else fails. But all else should not fail and we should get the required number of signatures on that petition and then we can debate and deliberate and finally pass the civil rights bill.

The record of those proceedings make it inescapably clear that anyone who is sincere in his desire and effort to procure civil rights legislation must prefer other procedures to the Calendar Wednesday procedure. As I said at the outset, resort to Calendar Wednesday must only be a last resort. It is fraught with difficulty; it is pregnant with dangers and parliamentary snares. It limits proper debate and consideration by the membership which the subject deserves and offers to the opponents of the legislation the greatest opportunity by the use of dilatory tactics to postpone, if not even to defeat, final passage. I say, then, to those on the Republican side that if you are sincere, if you want a civil rights bill enacted in this Congress, then retreat here and now from your advocacy of Calendar Wednesday procedure and sign the discharge petition, then the House will have an immediate, clear-cut, adequate procedure to work its will on this legislation in a manner in which the majority sees fit and in a manner which will reflect credit upon this great body so that no man may say that the House of Representatives has shirked its responsibility.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. SANTANGELO. In view of the failure of the Republican Members to sign the petition, I would like to ask the gentleman what his reaction is to the statement of the Attorney General of the United States whose statement is found in the New York Times of Wednesday, January 27, in which the Attorney General proposes a bill to protect voting rights and protect civil rights. The question I ask the gentleman is: Does he think the Attorney General is speaking for himself or for the President of the United States, for the Republican Party, or is he speaking for public consumption?

Mr. CELLER. I should imagine he is speaking for public consumption. I believe also he said in that statement that he had conferred with the President of the United States. You must recall in the second message which was brought to the House from the President, as I indicated in my opening remarks, the President made reference in an indirect way to the proposal that the Attorney General was promulgating, namely, that the judiciary should do all and sundry to preserve the integrity of the ballot in certain sections of the country. I take it from that, and I take it from inference, that the President must have had some sort of knowledge of what the Attorney General was going to say, and I deduce from that the administration, from President Eisenhower down, in one breath states it wants civil rights and it particularizes these voting rights that are to be preserved, and in the other breath they do nothing. The inconsistency is past understanding. I would say that that is sheer hyprocrisy, from the President on down. As I said, if the President means what he says, and if the President says what he means, it is a simple matter for him to give the signal and to give the green light to Members on the other side of the aisle to sign this petition. He knows jolly well what is happening in the House of Representatives. He knows that the Committee on Rules has bottled up this bill. He knows that his own Republican members are sharing the blame with certain

other members of that committee. It would be a very simple matter for the President to impress upon the minds of these four distinguished Republican members of the Committee on Rules the necessity for voting out this bill so that the House can work its will and so that the Republican Party can match action with words. These pontifical declarations that are frequently heard from the White House are just meaningless if they are not implemented by action. So my answer to you is, certainly, I am firmly of the conviction that the Attorney General in those remarks is the mouthpiece of the administration.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield further?

Mr. CELLER. I yield.

Mr. SANTANGELO. The President has declared that he is for the civil rights bill. Does the gentleman know whether he has called upon the members of the Republican Party to sign the petition or whether he intends to take to the airwaves and speak over the radio and television the way he did when the labor bill was before the Congress?

Mr. CELLER. You are as familiar as I am with the ways of the President. He is rather loath to act. He sort of takes navigation and travel for policy—and that probably is not too good for the country.

I think we should spend a little more time on civil defense. It has a lot of meaning for this Nation, because constitutional rights are being filched from certain segments of our population, and that should mean a great deal to the President, but apparently all we get from the President are words and words; a veritable Niagara of words. Every message we have heard from the President thus far in this Chamber contains a high protestation that he wants civil rights; he urges civil rights upon us, but his own party in the House are recalcitrant obstructionists, and they refrain from bringing out what he wants. It is a simple matter, if he is the leader—and he is supposed to be the leader of his party if he will exercise leadership and in a forthright manner tell his henchmen in this Chamber that he wants them to act, then we would either get that petition signed or we would get a rule out of the Rules Committee.

Mr. SANTANGELO. Will the gentleman yield further?

Mr. ROOSEVELT. I yield to the gentleman from New York.

Mr. SANTANGELO. The Attorney General has said he has proposed a bill. Do you know whether or not he has given it to the Republican Members of the House to introduce or whether this bill has been introduced?

Mr. CELLER. I am unaware whether or not the Attorney General has given the bill to Members of this House I will say I have a copy of the proposed bill and a copy of the Attorney General's remarks, and I am giving study to it.

Mr. SANTANGELO. I would call upon any member of the Republican Party to give us information whether or not a member of the Republican Party intends to introduce the bill which the Attorney General has proposed, as submitted in the newspapers.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I can appreciate the frustration you gentlemen on the Democratic side must be going through with regard to this legislation. Since President Eisenhower has been in office more consideration has been given to civil rights than has ever been made before. I do not notice any great consideration having been made in the area of civil rights in the administrations prior to that.

I do not know if the Speaker has any henchmen in the House. If so he ought to yield to them. The gentleman has been talking about leadership. Let us have real leadership. You Democrats are in control. You have 280-some Members, to 150 Republicans. You are admitting you cannot run your own show. That is what it amounts to. I have always supported civil rights since I have been here. I believe in the procedures in this House. I think you are taking a little time to exercise the frustration that I think you must be going through.

Mr. CELLER. It is interesting to note that it was a Democratic-controlled Congress that gave us the first civil rights bill, since 1870. It was not the President. It was the chairman of the Committee on the Judiciary who offered the first bill. It was the chairman of the Judiciary Committee who conducted the first hearings. The first time it was the Judiciary Committee that produced a bill. It was the Democratic-controlled Congress which, for the first time since 1870, proposed a civil rights bill.

I offer no credit whatsoever to the President. We got no encouragement from the President while the bill was in the Judiciary Committee.

Beyond that, we asked in 1955 in the 84th Congress a number of Cabinet officers to come down to testify at the very beginning; we could get no Cabinet officers to come down at first. If the President was so anxious to get a civil rights bill passed he could have easily said to his Cabinet officers: "Go down to the committee and testify in favor of the civil rights bill"; but he did not do it until 1956.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In further amplification of what the gentleman from New York said, and calling attention to my Republican friend who made the observation a few minutes ago that there was no civil rights program under President Eisenhower, I would call attention to the fact that only 4 years before, in the 83d Congress, the Republicans were in control of the House that year, and President Eisenhower was in the White House. The Republican Party had complete control of our Government, legislative and executive, and the Republicans controlled Congress, yet the 83d Congress did not even report a civil rights bill out of committee in the House or in the Senate.

What the gentleman from New York says is correct, but it is remarkable that when they had complete control they did not even report a bill out of committee.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. CEDERBERG. I do not take anything away from the achievements of the gentleman from New York in the area of civil rights, but I just say that the Democrats are in control and it is up to them to pass the civil rights bill. They have not and apparently cannot and I can appreciate the feeling of frustration you have. I do not know why you do not do it; and you would have a number of votes on this side; there is no question about our having the votes. I sympathize with you in your frustration when you Democrats in control cannot get things done.

Mr. ROOSEVELT. I will say to the gentleman that while I am very happy to have his sympathy, I think the people of the country at large are more interested in his actions. If he will get people on his side to sign the petition that would be action. The number, the percentage on the Republican side, is different than it is on the Democratic side. Two-thirds of the necessary signatures are on the petition.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. CELLER. There is a big difference between Democrats and Republicans in this regard. As far as the southern Democrats are concerned we know exactly where they stand. They make no pretense. They have been unequivocally opposed to civil rights. They do not out of one side of the mouth say that they are against civil rights and out of the other side of the mouth say, "Let us do something about it." But the northern Republicans, while they have pronounced time and again that they are for civil rights, do nothing to bring a civil-rights bill forward. They help stymie the bill in committee; they help stymie the bill by refusing to sign the petition. I call that sheer rank hypocrisy. That is the difference.

Mr. DIGGS. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. DIGGS. I appreciate the sympathy of the gentleman from Michigan with respect to this issue, but call to the attention of the Members of the House that the gentleman from Michigan [Mr. CEDERBERG] has not signed the petition; and in my opinion, it is a rather unusual position for him to speak so positively with respect to this issue.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. CEDERBERG. I could make a point of order against the gentleman but I am not going to. I signed the last civil-rights petition, but I have not signed this one; and that is the first one I ever

signed. As a matter of fact I do not believe in the discharge-petition route. I do not think I am ever going to sign any more. I do not have any qualms about signing discharge petitions but I do not think that is the right way to do it. There are other ways to bring a bill out for consideration than the discharge petition. You do not have to use that.

Mr. ROOSEVELT. If the gentleman has been listening to the debate he will see there are only two ways to bring a bill up for consideration; one is through the Rules Committee and the gentleman knows his Republican friends are not assisting in bringing it out of the Rules Committee; and, secondly, the gentleman has just heard the gentleman from New York, chairman of the Judiciary Committee, give the obvious reasons why the Calendar Wednesday procedure should not be used. To urge its use is to engage in subterfuge. That would keep it from ever coming to the House.

Certainly, therefore, if the gentleman has a better way, I think the time has come to give us the proper way to bring it to the House outside of the method of the discharge petition.

Mr. CEDERBERG. I do not know if suspending the rules in this matter would be in order.

Mr. ROOSEVELT. It takes a two-thirds vote to suspend the rules and bring it to the floor. The gentleman knows perfectly well it is doubtful that we have two-thirds. He also knows under the two-thirds rule, the suspension rule, there can be no amendments offered to the bill whatsoever. We could not even consider the proposal of the Attorney General which has just been mentioned. If the gentleman wants a gag rule that is the way he could bring it up.

The gentleman knows that the proper way is to bring it to the floor so that there might be full discussion, so that amendments can be properly offered, discussed, and considered. The only way at the moment to assure that is to have the discharge petition signed. I may say to the gentleman if he thought it was all right to sign the discharge petition a couple of years ago I find it very difficult to understand why now he should be so squeemish about signing it.

Mr. CEDERBERG. The route via suspension of the rules is not new. We have had some very, very important legislation come by the suspension route.

Mr. ROOSEVELT. I also remember that gentlemen on his side objected when we tried to suspend the rules on some labor legislation. They thought it was unfair and undemocratic. The record will speak for itself. It is another of what the New York Times calls lame excuses. Let us do it right if we are going to do it at all.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New York, who has signed the petition and who is a friend of civil rights.

Mr. LINDSAY. I thank the gentleman from California for yielding to me. But I must say it is somewhat of a disappointment to me that this subject should now become a matter of political wrangle of the most bitter sort. It is regrettable, because I firmly believe that if the majority really wanted a civil rights bill it would have a civil rights bill on the floor today.

The Republicans on this side of the aisle should consider themselves complimented by the suggestion that so few, as against so many, are responsible for holding up civil rights legislation in this Congress. I look back a little bit and it occurs to me that the 1957 Civil Rights Act, which the distinguished chairman of the Judiciary Committee mentioned a moment ago, was legislation drafted by a Republican administration. It was placed in the hopper, naturally, by a Democrat in a Democratic Congress, and also by Republicans. I note with interest that this was the first time after a great many years, two decades, of inaction on the subject of civil rights. It took a Republican administration to do something about civil rights in the District of Columbia, for the first time in that long period of time. It took a Republican Administration to do something about civil rights in interstate transportation facilities for the first time. It took the Republican administration to do something meaningful in the whole area of governmental contracting for the first time. Finally, a bill was drafted by a Republican administration and enacted into law by the Congress, the first legislation since the War Between the States. I repeat, Mr. Speaker, that if the Democratic majority wanted a civil rights bill they would have had it on the floor 2 weeks ago.

I signed the discharge petition last summer before we adjourned because I have lost complete faith and confidence in the ability of the majority who control the machinery of the House of Representatives to keep their own House in order. The majority, either by inability or by wish, takes no action at all and instead prefers to make a political football out of this subject. If this is the game they wish to play, then let us have a discharge petition. I am glad they agree with me that their leadership is unable to manage their own show. Yes, the discharge petition should be signed under these appalling circumstances and I would hope as many Members of the House, Republicans and Democrats, as possible will sign it. My own view is that in its present posture the shortest route is the best route at this time for civil rights, and when the bill comes to the floor, whether it comes to the floor by virtue of the discharge petition, suspension of the rules, or on Calendar Wednesday, or through action of the Rules Committee, the gentleman may be sure that there will not be 10 Republicans who will vote against the bill. On the majority side of the aisle there will be a different situation.

Mr. ROOSEVELT. I am happy that the gentleman is telling his Republican friends that they should sign the petition in order that this may be considered on a nonpartisan basis. It can only be considered on that basis if the Republican Members will sign and I hope his advice will be taken and I hope the leadership on the Republican side will back up the gentleman.

Mr. CLEM MILLER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from California.

Mr. CLEM MILLER. I wonder if the gentleman from California would ask the gentleman from Michigan what is objectionable about the discharge petition route. As a newcomer to Congress, my investigation reveals that the discharge petition antedates the Committee on Rules in point of precedence. It seems, therefore, that we are looking to precedence as a significant factor to explain what is proper and what is improper, that the discharge petition furnishes a sounder historic basis upon which to proceed than the relative upstart of the Committee on Rules. And, we have heard from many, many people that they never sign discharge petitions. Why can they not sign discharge petitions? I would like to have somebody explain to us what makes this procedure any less regular than any other procedure and why it is that some escape their obvious responsibility behind the cloak of not signing discharge petitions.

Mr. GOODELL. I signed the discharge petition and I am very proud that I have. But, I would like to ask the gentleman if he will ask his own leadership why they have not signed this discharge petition. They apparently do not believe in this route or they would sign it themselves, and I find myself questioning their sincerity in handling this legislation in the manner it has been handled. And, I fear for strong civil rights legislation if it is going to be handled in this manner. It is a political manipulation to try to blame somebody else for their own impotency and leadership.

Mr. CLEM MILLER. That was not my question. My question was for my own edification: What are the bases for refusing to sign? I do not care who gives me the answer. I am asking for an answer.

Mr. GOODELL. I sat on this floor a few days ago and heard the Democratic leadership say that they do not sign discharge petitions themselves personally, and I think the question properly could go to the leadership.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the distinguished gentleman from Massachusetts.

Mr. McCORMACK. The Republicans take the same position. That is a custom on both sides. The gentleman from Indiana [Mr. HALLECK] made that statement a few weeks ago, and I do not question him, because where leadership is involved that is a custom that is adhered to. The gentleman raises the question properly, but when it comes to the leadership level there is a custom. Now, the gentleman from Indiana [Mr. HALLECK] stated that when he came out of the White House, as I remember, and nobody would be justified in criticizing him, being the leader of his party, in the statement that he made.

Mr. GOODELL. If I understand the discharge petition correctly, it is utilized primarily where you cannot get legislation to the floor by any other means, and this, to me, means that the leadership

has become impotent on the side of the majority to bring this legislation to the floor by legitimate, orderly means. Now, if the leadership will admit that this is the situation over there, then I will believe in their sincerity that they really want civil rights legislation. In the present situation it appears to be simply a political maneuver, and I do not like to see civil rights become a political football.

Mr. ROOSEVELT. I think the gentleman should note that the distinguished Speaker of the House has already made a public statement in which he said it was perfectly right and proper for the procedure of discharge to be followed through by Members of the House, and that in this instance he was most certainly for it. I think it would be well to emphasize that we know the problem we have on the Democratic side and we are perfectly willing to face it, but you, on the Republican side, have no such problem.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. SANTANGELO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SANTANGELO. Mr. Speaker, the President has urged us to balance the budget and reduce our expenditures. In turn, I urge the President of the United States to inform his Attorney General and the Department of Justice to pay attention to their cases and protect the interests of the United States.

The laxity and carelessness of the Attorney General's Office has cost the United States $680,066.01, plus interest. I refer to the case of Carlo Bianchi & Co., Inc., against the United States, Court of Claims Docket No. 466–54. The facts in the case are very simple. A contractor in Framingham, Mass., sought damages against the United States arising out of the construction contract let by the Department of the Army for an earthen dam. This dam was constructed in my State at Hornell, N.Y.

The suit was filed against the Government in the Court of Claims on December 2, 1954, and was not fully tried until 1959. It was assigned for a hearing, pursuant to the Court of Claims rules, to Commissioner William E. Day on December 28, 1954. The Government, after securing several extensions of time, filed its answer in the suit on May 31, 1955.

Following the usual hearings before the Commissioner and the submission of findings of fact and briefs, the suit was argued and submitted to the court on October 8, 1958. On January 14, 1959, the Court of Claims, with an opinion written by Judge Warren E. Madden, found that the Government was liable to the plaintiff for damages and ordered that the amount of such damages should be determined by further hearings before the Commissioner, pursuant to the rules of the Court of Claims.

Thereafter, early in 1959, the plaintiff contractor was granted leave by the court of claims to amend its petition to the effect that the damages incurred amounted to $680,066.01, plus interest. Such amendment was made by the contractor. During 1959, further hearings were held by the Commissioner at Boston, Mass., on the question of damages. The Government, because of its laxity and unpreparedness, failed to submit any adequate proof on its part as to damages and, thereafter, the taking of proof in the suit was closed for both sides by the Commissioner.

Later, the Government woke up and, on December 17, 1959, the Government moved the Court of Claims to reopen the proof. The gist of the motion was that the Government's attorney inadvertently failed to present proof, which he should have offered to the court at an early and more proper time. In short, the basis of the Government's motion to reopen the proof is the Government attorney's feeble attempt to excuse a default on the Government's part in the circumstances.

On December 18, 1959, the Court of Claims denied the motion to reopen the proof for the Government, ruling that the Government's motion to reopen proof is "denied for the reason that the defendant has failed to show that the Commissioner's action in closing proof is erroneous." The Government, therefore, will be compelled to pay to the contractor $680,066.01, plus interest, which perhaps we must raise by issuing bonds at 5 percent, because of the incompetency and laxity of the Attorney General's Office. This is a case I know about and I wonder how much more money the Government has squandered by reason of the laxity and lack of preparation in protecting the Government's interests.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, on August 10, 1959, H.R. 8601 was reported from the Judiciary Committee. Thereafter, a discharge petition was initiated to have the bill brought to the floor for consideration by all the Members of the House. The petition procedure was necessitated by the relatively short period of time then remaining before the end of last session.

In the abbreviated session of this year the greatest promise for the enactment of civil rights legislation rests once again in the use of the petition route.

Certainly, suspension of the rules is possible, but this obviates sober debate and consideration of the merits and shortcomings of H.R. 8601 by all the Members. Civil rights legislation is far too significant, of far too serious moment to be disposed of without full and thoughtful debate.

The issue is not one of a purely partisan nature. Civil rights is an overriding national concern in the protection of which each one of us, irrespective of party, has a deep and profound individual responsibility.

It is not a particular sectional question. Its ramifications extend into every State of the Union. We are dealing here with the protection of rights belonging to persons in their capacity as citizens of the United States. They are rights derived from God and guaranteed through the secular instrumentalities of the Constitution and laws of the United States.

Is there among us anyone who has not witnessed discrimination and deprivation of rights in his own district?

Is there any among us who has not been deeply troubled at the knowledge that due process of law is not fully enjoyed by all citizens in this great Republic?

Responsibility for the tragic denial of what in effect are some of the most fundamental premises of free government is shared by all. None of us is exempt. Too long have we callously turned our backs on the pleas of those in our midst who have never known the blessings of equal protection of the laws. Too long has complacency blurred our moral vision and stifled our conscience.

We would all devoutly prefer that there were no necessity for enacting legislation to assure protection of the civil rights of citizens of the United States. However, long experience has demonstrated again and again that individual responsibility, grown listless and sluggish, is quickened by the spur of legislation from time to time and is stimulated into fuller discharge of its duties.

History can little tolerate a refusal any longer to face up to the need. Powerful moral, political, economic, and social forces are inexorably demanding that we act now if we are to achieve our objectives of persuading others to choose the way of free government.

We do not desire changes so rapid or catastrophic that chaos and disruption of large segments of our society result. We do believe that greater progress than has heretofore been made can be achieved within the bounds of the standard—with all deliberate speed.

Mr. Speaker, adequate protection of the civil rights of citizens of the United States is a national concern in the promotion of which each one of us has a constitutional responsibility above section or party. With full cognizance of the immensity of the duty that lies ahead and with a sense of humility and thankfulness that we are granted this opportunity to enrich and deepen the meaning and practice of democracy, I strongly urge my colleagues to sign the discharge petition and bring H.R. 8601 to the floor.

CIVIL RIGHTS LEGISLATION

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 1 hour.

Mr. CLEM MILLER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from California.

Mr. CLEM MILLER. I do not think the question has yet been answered. Simply because the leadership does not sign discharge petitions gives us no valid

reason to call the method illegal or improper or in any other way without the bounds of Congress.

I am still waiting for an answer from those who will not sign, as to why it is not a perfectly correct and proper method of procedure. I might say further that not only has the majority leader said that there is no objection to anyone's signing this discharge petition but that also the minority leader has said the same thing. This is the position of the leadership. We have yet to find out why it is an improper method and I think that question should be answered by those of lesser rank who refuse to sign.

Mr. CELLER. The answer is simple. There is no answer. In addition to the minority and majority leaders who said that Members might well sign, the Speaker has also lent encouragement. He said the Members should sign.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Speaker, I thank the gentleman for yielding to me. I should like to say that I am afraid we will not get any answer from my colleague from Michigan, since I do not see him any longer on the floor, as to his reasons for refusing to sign the discharge petition. However, in defense of my colleague I should like briefly to state that even though he was not willing or able to explain in what way principle was involved in his refusal to sign, that I am most delighted to see that his refusal is based on principle. I think this is a very salutary development among the Republican ranks. On other measures which we have had before us during this Congress, such as Federal aid to education, depressed areas assistance, water pollution, and aviation, we have had recognition from the Republican Party that the principle was all right but it was the money that stopped them. I think now, if this signifies a trend to base their actions or lack of same on principle, it might end up being a very good thing for the country.

Mr. CELLER. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I thank my distinguished colleague, the gentleman from New York [Mr. CELLER], who has, as usual, given substance and light to the discussion of civil rights legislation and the situation before us.

I think it would be well to point out that there are approximately 190 signatures, somewhere in that vicinity, I believe, has been publicly reported, on the civil rights petition. I believe it is correct to say, if the public press is to be believed, that there are somewhere around only 30 Republican signatures. It would seem that under these circumstances the remaining few that are required, roughly 29 or 30, could very easily come—and we will supply a few of them, I think, from the Democratic side—without much strain from the Republican side if in truth they want to make civil rights a nonpartisan matter of national interest. I think that the days ahead will prove how sincere they really are.

Mr. Speaker, frankly, I am indeed anxious to learn from the minority leadership why it is failing to give impetus to the signing of the discharge petition in contrast to the leadership on the Democratic side since the bill that we are trying to bring to the floor, H.R. 8601, actually represents the mild proposals of the administration offered in the last Congress. Why is this? It is because the executive leadership does not really want to see its own proposals enacted, I am afraid. And are the proposals of the Civil Rights Commission recommendations to be considered by this Congress as the President urged in his state of the Union message?

Or is perhaps the reason because the civil rights issue is better used for election year purposes than for human purposes? I cannot help but note that there was no hesitancy on the part of the minority leadership in firming up its position, in line with that of the President and the Vice President, in the matter of labor-management reform legislation. Why, then, does this not hold true now? Is the minority leadership ready to say it does not believe in the substance of this mildest of mild civil rights bills? I hope not.

The point is, Mr. Speaker, we must have a vehicle through which we can face up to the challenge and responsibility to obtain a meaningful civil rights measure. The discharge petition offers the only sure means.

In my considered judgment, the passage of a weak bill will perhaps be used as an election-year facade to point out that civil rights did have its place on the legislative agenda of things accomplished, but it will not be favorably judged by citizens still suffering the daily sting of second-class citizenship, and it certainly will not be favorably recorded or interpreted as real progress when the history of this period is written. Nor will it be claimed as a gigantic stride forward by those sincerely dedicated to the proposition that every American should be treated and protected equally under the Constitution of the United States.

We will not have done our duty as elected officials if we do not recognize the cruel and glaring fact that not all eligible voters are able to exercise their franchise. The President recently, in an aboutface, seems to question the constitutionality of the Civil Rights Commission proposal to provide for temporary Federal registrars when needed to assure voting rights in Federal elections. I beg to suggest to him that he carefully peruse the background information on which this suggestion has been made. And in so doing, he will find there is a sound constitutional base for Federal registrars in those situations where local authorities deprive, through direct or indirect means, the right to register which is the prerequisite to voting.

There is sufficient legal authority backing the constitutionality of the Federal registrar proposal, but the crux of the matter is to be found in the Constitution itself, namely, the 15th amendment which states, without equivocation, in section 1, that—

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

As the Supreme Court stated in 1875:

> The 15th amendment does not confer the right of suffrage upon any one. It prevents the States, or the United States, however, from giving preference in this particular to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not.

True, now it is not legally, but we have documentation galore to prove that actually denial of voting rights is still existing. It is therefore incumbent upon this Congress to legislate to assure we have constitutional government in this Nation, not government by whim or prejudice.

But if one wants to look to interpretative authorities I direct your attention to the fact that just recently Senator JAVITS made public two letters from authorities on constitutional law.

One, Prof. Paul A. Freund, of the Harvard Law School, stated that the registrar plan is more plainly within Congress' constitutional power to regulate Federal elections than is the Corrupt Practices Act which limits expenditures by candidates for Federal office. He noted that in the latter case it affects "the campaigning phase of an election rather than suffrage itself," and operates on "persons who are not part of the election machinery," unlike registrars.

The other letter has come from Prof. Charles Alan Wright, of the University of Texas Law School, who presently is visiting law professor at the University of Pennsylvania. His communication likewise supports the constitutionality of the plan.

Now, let us head off right now the charge that such a proposal should not be offered on the floor as an amendment to the committee-reported civil rights bill. There will be charges, of course, that such an idea as Federal registrars has not been considered in committee hearings. Well, I cannot help but say that the substitute bill—the Landrum-Griffin bill—did not come in for hearings either in terms of every single one of its provisions, but yet met with approval on this floor. And I might add that certainly no one is going to try to set a precedent for future action regarding the amendment procedure. To do so would be unwise and could well hamstring democratic debate and decisions.

And in this instance, what would be the object of having a Civil Rights Commission if its recommendations, reflecting careful investigation and study, are to be overlooked and its tomes merely relegated to the shelf or to that well-known round file.

We cannot in good conscience overlook the Civil Rights Commission recom-

mendations and factual data in this as well as other areas of civil rights.

It should be recalled, at this juncture, that the 1957 Civil Rights Act was essentially a right-to-vote measure. In this context, I think it important to note the recent remarks of the Chairman of the Civil Rights Commission, Dr. John A. Hannah, in relation to the voting situation. He said:

Many thousands of qualified Americans are, in fact, denied the right to vote because they are members of the Negro race—and for no other reason. This is accomplished through the creation of legal impediments and administrative obstacles. Sometimes there are threats of economic reprisal and physical harm.

We learned that doctors, lawyers, schoolteachers, registered nurses have been denied the right to register and to vote on the flimsiest of excuses, the actual reason being that they are Negroes.

We learned that courageous young men who have fought in our country's defense—men who will carry crippling battle scars all of their lives—are being denied the right to vote just because they are Negroes.

Today, in December 1959, there are at least 16 counties in the United States in which one-third or more of the population is nonwhite and in which not a single nonwhite is permitted to register to vote. In a far larger number of counties with very substantial numbers of Negro citizens, only a token, a very small token number are permitted to vote.

The dramatic impact of the denial of voting rights is fully felt if one reads the record of the hearings on voting which were conducted by the Commission and which have been printed for all to read.

I have no intention of reading the hundreds of pages of hearings, but I do ask your kind attention and indulgence in listening to just one of the many witnesses who appeared. This is, in my opinion, real life drama far overshadowing in impact the soap operas on radio and television. This is, indeed, no soap opera—it is a life opera which we must view with concern. We cannot, and we must not, take an ostrichlike stance. The surest way for us to choke progress in our democratic society is to keep our collective face in the sand.

Mr. Speaker, I now read the verbatim transcript involving the appearance of the Reverend Kenneth LeRoy Buford:

TESTIMONY OF REV. KENNETH LEROY BUFORD, MINISTER OF BUTLER CHAPEL, A.M.E. ZION CHURCH, MACON COUNTY, ALA.

Vice Chairman STOREY. Please state your full name, your place of residence, and how old you are.

Reverend BUFORD. My name is Kenneth LeRoy Buford. I live on Bibb Street, Tuskegee Institute, Ala. I am 41 years of age.

Vice Chairman STOREY. Where and when were you born?

Reverend BUFORD. I was born at Pulaski, Va., August the 17th, 1917.

Vice Chairman STOREY. How long have you been living in Alabama?

Reverend BUFORD. Approximately 2½ years.

Vice Chairman STOREY. And where do you live?

Reverend BUFORD. Bibb Street, Tuskegee Institute, Ala.

Vice Chairman STOREY. Do you have any position with Tuskegee Institute?

Reverend BUFORD. None.

Vice Chairman STOREY. What is your business?

Reverend BUFORD. I am the minister at the Butler Chapel, A.M.E. Zion Church, Tuskegee, Ala.

Vice Chairman STOREY. Is that a public church as distinguished from the college chapel or organization?

Reverend BUFORD. It's a public church, distinguished from the chapel.

Vice Chairman STOREY. About how many members are there in your church?

Reverend BUFORD. We have 407 adult members; approximately 160 youth.

Vice Chairman STOREY. Do you have any degrees from any colleges and, if so, what are they?

Reverend BUFORD. I hold a bachelor of arts degree from City College, New York, and a bachelor of theology degree from the Bloomfield Theological Seminary, Newark, N.J.

Vice Chairman STOREY. Are you a member of any church organizations and, if so, what are they?

Reverend BUFORD. I am a member of the Alabama Conference of the A.M.E. Zion Church; a member and president of the Tuskegee Ministerial Association. I am a member of the Christian Education Board of the A.M.E. Zion Church; a voting representative to the National Council of Churches of Christ in America, which met in its general assembly last year at St. Louis; a member of the East Alabama Council of Churches; several others.

Vice Chairman STOREY. Do you have any physical or mental disabilities?

Reverend BUFORD. None.

Vice Chairman STOREY. Have you ever been arrested or convicted of a crime?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Do you own any property?

Reverend BUFORD. I do.

Vice Chairman STOREY. Where?

Reverend BUFORD. In Tuskegee Institute.

Vice Chairman STOREY. What is the nature of the property?

Reverend BUFORD. Real estate.

Vice Chairman STOREY. Do you own your home?

Reverend BUFORD. Yes.

Vice Chairman STOREY. Do you own an automobile?

Reverend BUFORD. I do.

Vice Chairman STOREY. Are your taxes paid?

Reverend BUFORD. They are.

Vice Chairman STOREY. Have you ever attempted to register to vote in Macon County?

Reverend BUFORD. I did.

Vice Chairman STOREY. Have you paid any poll taxes?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Have you been registered?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Tell when you applied.

Reverend BUFORD. I first made application the 15th of September 1958.

Vice Chairman STOREY. You say you first made application. Have you made more than one application?

Reverend BUFORD. I attempted to make more than one.

Vice Chairman STOREY. All right. Tell what happened in this application in September.

First, let me ask you: Did you go through the general procedure as stated by these other witnesses?

Reverend BUFORD. The general procedure; yes.

Vice Chairman STOREY. Was there anything extra? If so, what was it?

Reverend BUFORD. No; I think not.

Vice Chairman STOREY. Did you sign a return envelope?

Reverend BUFORD. I did.

Vice Chairman STOREY. Have you ever heard from that application?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Did you make any further inquiries or attempt to register?

Reverend BUFORD. Yes; I did. Later——

Vice Chairman STOREY. Just tell what happened.

Reverend BUFORD. Later the same day, September 15, another person who had attempted to become a registered voter called me and informed me that one of the members of the board of registrars told her that if she saw me to tell me to come back the following day for registration because I had allegedly made a mistake on my application blank.

Vice Chairman STOREY. Did you go back?

Reverend BUFORD. I did.

Vice Chairman STOREY. What did you find out? What were you told by the election supervisor and what did you do, if anything?

Reverend BUFORD. On my application I stated—there is a question to the effect—that asks, rather: "When did you become a bona fide resident of the State of Alabama?" I placed in answer to that question, a period indicating I had been in the State for 2 years. They told me that answer was wrong, that I should have said, "I became a bona fide resident the day that I came to the State of Alabama."

Vice Chairman STOREY. Did you correct it accordingly?

Reverend BUFORD. I was not given an opportunity to do so.

Vice Chairman STOREY. Why?

Reverend BUFORD. They stated that they were not receiving applications on that day because they were processing applications from as far back as the month of July.

Vice Chairman STOREY. Did you make any further attempt?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Have you heard anything from your application?

Reverend BUFORD. I have not.

Vice Chairman STOREY. Do you know of any reason why you have not heard?

I mean that you know yourself.

Reverend BUFORD. I don't know of any reason.

Vice Chairman STOREY. Have you voted in any other State in the United States?

Reverend BUFORD. I have.

Vice Chairman STOREY. Have you been a registered voter in any other State in the United States?

Reverend BUFORD. I have.

Vice Chairman STOREY. If so, what State or States?

Reverend BUFORD. I was a registered voter in the State of New Jersey from 1940 until 1943.

I was a registered voter in the State of California from 1948 until I came to Alabama in 1956.

Vice Chairman STOREY. At the time you made your original application were you a resident of the State of Alabama and the County of Macon and your precinct for 2 years or more?

Reverend BUFORD. I was.

Vice Chairman STOREY. At the time you made your application?

Reverend BUFORD. I was.

Vice Chairman STOREY. Any other questions?

Commissioner WILKINS. I would like, Mr. Chairman, if I may, to correct that question.

You are not required to be a resident of the precinct for the 2 years.

You have been a resident of the State of Alabama for 2 years?

Reverend BUFORD. I have.

Commissioner WILKINS. And whether or not you have been a resident of the precinct is only a matter of 3 months; isn't that right?

Reverend BUFORD. I believe so.

Commissioner WILKINS. Now, I would just like to find out, Reverend: When you were invited back to make this correction, just exactly what was your conversation when you entered the registrars' office and with whom was it held?

Reverend BUFORD. I spoke to a Mr. Grady Rogers.

Commissioner WILKINS. He is one of the registrars?

Reverend BUFORD. He is.

I told him that I had been informed that they wanted me to return at the next day designated for registration or taking applications, and he asked my name. He found my application and indicated that I had made the mistake that I referred to previously.

Commissioner WILKINS. Did he show you the mistake?

Reverend BUFORD. Yes. He pointed it out to me.

Commissioner WILKINS. Did you offer to correct it?

Reverend BUFORD. I did.

Commissioner WILKINS. Just what was that conversation about the correction of that statement?

Reverend BUFORD. I asked him what procedure I would have to go through to fill out another application blank. He told me that they were not receiving applications that day and that I should return on or after November 10.

Commissioner WILKINS. Do you remember what day it was that you went back there?

You say you returned on the 10th of November?

Do you recall what date it was?

Reverend BUFORD. October the 20th.

Commissioner WILKINS. October 20.

And at that time the registrars or one of them indicated they were still processing applications that were filed as far back as July, you say, or June?

Reverend BUFORD. They did.

Commissioner WILKINS. Did they tell you at that time, on October 20, that you would not be issued a certificate of registration because of this mistake?

Reverend BUFORD. He indicated that I would not and stated that this became a part of their permanent record.

Commissioner WILKINS. I want to be sure about this, Reverend.

You answered the question where it was asked you how long you had been a resident of the State of Alabama?

Reverend BUFORD. I did.

Commissioner WILKINS. You said for more than 2 years?

Reverend BUFORD. I did.

Commissioner WILKINS. But you didn't specify the date you came into the State? Was that the objection they raised to it?

Reverend BUFORD. No. I specified the—there are two questions that deal with residence. One asked about your residence for the past 5 years. I answered that question, showing I had been a resident of the State of Alabama for more than 2 years.

Further down on the questionnaire is this question about bona fide residence. I answered that question, showing the date 2 years following the time that I came to the State of Alabama.

Commissioner WILKINS. Did you insert a specific date, Reverend?

Reverend BUFORD. I did. July 22, 1958.

Commissioner WILKINS. July 22, 1958?

Reverend BUFORD. That's right.

Commissioner WILKINS. And you signed this application on October of 1950—what? Fifty-eight?

Reverend BUFORD. That was September 15, 1958.

Commissioner WILKINS. I think that is all, Mr. Chairman.

Vice Chairman STOREY. Father Hesburgh.

Commissioner HESBURGH. Reverend Buford, I think I would like to have you have the opportunity of telling the Commission why you would like to vote.

Reverend BUFORD. I would like to vote because it is a right that should be accorded me as a citizen of the United States. I feel that I cannot be a good citizen unless I do have the right to vote.

I am a taxpayer and I feel that if I am denied the right to vote it represents taxation without representation.

Commissioner HESBURGH. Thank you very much, Reverend Buford.

Vice Chairman STOREY. Any other questions?

Commissioner BATTLE. Can I ask you this one question? I want to get these dates straight. Did I understand you to say, sir, on your application you said you became a bona fide resident of Alabama in July of 1958?

Reverend BUFORD. I did.

Commissioner BATTLE. And this application was filed in September of 1958?

Reverend BUFORD. Yes, sir.

Commissioner BATTLE. That is all.

Vice Chairman STOREY. The witness will be excused.

Reference has been made to the 15th amendment, and I only wish to remind my colleagues that it is now almost 90 years since this amendment was adopted, an amendment which plainly prohibits the denial of the right to vote by reason of race.

Mr. Speaker, some very knowledgeable and instructive views have been shed by Harris Wofford, Jr., visiting associate professor at the Notre Dame Law School. As a staff member of the Commission, he spoke to the City Club of Chicago last November, and, again, with your kind attention and indulgence, I would like to read portions of his address because they state the matter so well:

Now that our full 600-page report, our 200-page abridgment, and our thousands of published pages of hearings have been submitted to the President and Congress, you may still ask the question, Was it worth while after all? The facts have been found, unanimously—facts showing clearly that qualified Negroes are being denied their right to vote in a considerable number of southern counties, facts showing that school integration can be and in some places is being used to raise the standard of education of both Negro and white students but that the constitutional requirement of desegregation is not being complied with nor is likely to be complied with in many areas of the South; and facts showing that discrimination in housing exists in cities north as well as south, west as well as east, and particularly it exists in Federal housing programs which are supposed to be subject to the constitutional rule against discrimination.

But what good will all these facts be? Who will be moved to do something about them? In our New York housing hearing Judge Justine Wise Polier cited Disraeli's remark that there was hardly a woman in England who would not be more disturbed by the smashing of the joint of her small finger in a carriage door than by hearing that a million children had died of famine the preceding week in China.

How many Americans will be moved to action by the knowledge that Negro schoolteachers in Terrell County, Ga., are denied registration because they pronounce "equity" as "eequity"; or that in Louisiana Negroes are denied registration if they fail to give a reasonable interpretation of the following clauses of the State constitution:

"The legislature shall provide by law for change of venue in civil and criminal cases."

"The exercise of the police power of the State shall never be abridged."

And ponder this one:

"Prescription shall not run against the State in any civil matter."

One registrar disqualified a Negro voter for "error in spilling," and in his affidavit the registrar himself spelled it "spilling."

And what good will our collection of county-by-county voting statistics be? While the statistical picture isn't yet complete (there are no statistics county-by-county yet for Tennessee, and Mississippi is not up to date), it is ugly enough. Consider just these few items: The Commission found that there were 16 counties where Negroes constituted a majority of the voting-age population in the last census but where not a single Negro was registered at last report; it found some 49 other Negro-majority counties where a few Negroes were registered, but less than 5 percent of voting-age Negroes. There are 14 Mississippi counties with a total 1950 population of about 230,000, of whom 109,000 were Negroes, where not a single Negro was at last report registered.

But where will this officially documented knowledge take us?

Let me be the optimist and suggest that the Commission's report itself is an important milestone that marks and will henceforth measure the progress in this field. First, the facts found took the Commissioners, or all but one of them, to positions some of them had not expected to reach. Five of the Commissioners, including Dean Robert Storey of Southern Methodist University Law School in Dallas, Tex., and former Gov. Doyle Carlton, of Florida, joined in recommending that in cases of discriminatory denial of the right to register, the President should be empowered to appoint temporary Federal registrars, from existing local Federal employees such as the U.S. Postmaster, who would actually register citizens who qualify under State law, applied without discrimination.

Most southern legislators and newspaper editorials have professed shock that two such respected southern conservatives would have supported so far-reaching a recommendation.

But Commissioners Storey and Carlton state in the report why they supported it: "We strongly believe in the right of every qualified citizen of the United States, irrespective of his color * * * to register, vote, and have his vote counted," they said. "We regard full protection of these rights of suffrage by both State and Federal Governments as necessary and proper." They joined in recommending temporary Federal registrars because, as the Commission unanimously reported, "Against the prejudice of registrars and jurors, the U.S. Government appears under present laws, to be helpless to make good the guarantees of the U.S. Constitution."

Governor Battle of Virginia could not agreed to this drastic remedial action but he did join in the findings of denial of voting rights, he stated that he believed "that all properly qualified American citizens should have the right to vote," and he joined in four less-far-reaching Commission recommendations to strengthen present laws, including a recommendation that voting records be made public records to be preserved for inspection for a period of 5 years.

I am emphasizing the position of the southern members because I believe it points to the way forward. On the right to vote there was no disposition to defend the practices of the black belt counties and two of the three southerners supported all-out preventive action by the President and Congress. As former Governor Carlton of Florida used to say around the Commission on occasion, "We must take the bull by the tail and look

the ugly facts straight in the face." The southern members did not like the facts that were found on denials of voting rights in their region. But they were lawyers and public servants sworn to uphold the Constitution of the United States. And, it is interesting to note, the southern press, in criticizing the Commission's recommendations, almost unanimously condemned the practices which these recommendations were designed to cure.

Mr. Speaker, let me also say it seems to me very significant that the Attorney General has now felt it is important for him to come forward with a new system, or a new idea, as to how to implement this right to vote. Very few of us have had the time to look at it in detail, but I think it would be safe to say that if Mr. Rogers would make it immediately available to us it can and will be considered fully, especially if we can get the rest of these signatures, and we are only 29 short. Then we can debate whether the so-called registrar plan or the new plan of Mr. Rogers is the best method of doing it. We can by a vote of this House put one or the other in that bill and take a step forward in connection with the constitutional right of every American citizen to vote. If by any chance this proposal of the Attorney General is used as an excuse for delaying the civil-rights bill, then the administration will and should once again be condemned. Months ago they could have brought forward this for consideration, yet they just now bring it forward as an instrumentality for delaying action.

I hope we will not allow this to slow down the action we should take on this civil-rights legislation.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Minnesota.

Mr. KARTH. Would the gentleman not say even if they did introduce the bill at this late date, by the time the bill has had its proper hearings in committee and all of the other necessary activities it must go through before a bill is presented to the floor of the House for ultimate action, that it is pretty late, after they have talked about civil rights for so many years, to introduce such a bill at this stage of the 1960 session?

Mr. ROOSEVELT. I may say to the gentleman there is no question in my mind that they are subject to some criticism of the timetable which they have followed; nevertheless, in order that we not be accused of trying to advance this question purely on a partisan basis, I am sure the gentleman will agree if it is presented in good faith the Democratic Members will give it a most sympathetic hearing in an effort to see to it that the best method of guaranteeing the vote to every American citizen is adopted.

Mr. KARTH. Mr. Speaker, will the gentleman yield further?

Mr. ROOSEVELT. I yield.

Mr. KARTH. I would suggest then that if they really have true intentions of supporting civil rights legislation—and I do agree with you; there are many good points that have been made by Attorney General Rogers in the presentation as it appeared in the newspapers—that if they did sign the discharge petition with us, certainly I and many other members of the Democratic Party would be most receptive to receiving amendments in line with the suggestions of Attorney General Rogers and add those amendments to the Celler bill. This, I would suggest, would be a much more expeditious manner if they truly wanted to see a civil rights bill passed at this session.

Mr. ROOSEVELT. I thank the gentleman.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Speaker, I subscribe to everything the gentleman from California has said.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from California.

Mr. COHELAN. In reference to the Federal registrar bill or the alternative that has been suggested by the Attorney General, is there not some question about constitutionality involved here? Is this not the reason the Attorney General brought up this modification of the recommendation that was made by the President's Civil Rights Commission? Is it not also true that the President himself, in a recent press conference, told us that there was some doubt about the constitutionality of the recommendations made by the Civil Rights Commission? Would you care to comment on that, sir?

Mr. ROOSEVELT. I thank my friend, and I would say to him what he has said is true, that the question of constitutionality was injected by the President. And it would seem very strange that it was injected, because there was and is available much information on this subject. I hold in my hands some of the material on this very subject: one document by probably as good a constitutional authority, I think, as there is in the country, the Honorable Robert G. Storey, Vice-Chairman of the Commission on Civil Rights; another document which was gotten up by a staff of the Civil Rights Commission, and another document which was put out by the Honorable George M. Johnson, a member of the Civil Rights Commission, and a distinguished professor from Howard University.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield at that point, and also from Berkeley, Calif.

Mr. ROOSEVELT. That is correct, and all I think the President would have had to do, and for that matter the Attorney General, is to have gone into these documents which were available and from which I quoted earlier. Gentlemen not only from Texas, but also other universities have stated that beyond any question the Commission's proposals are undoubtedly constitutional, and there is, therefore, suspicion that this new feature was thrown into the hopper merely as a blind, merely for the tactic of delay. I think it is part of our job to see that we do not allow it to be a question of delay, and if it is as good and sound method as can be brought out in debate, then, as the gentleman from Minnesota pointed out, we would undoubtedly be willing to adopt it. In other words, let us not be put aside by specious arguments of constitutionality, now we have the Attorney General coming forward with something that I do not think he would be presenting if there was any doubt about constitutionality.

Mr. COHELAN. I wish my colleague would be more specific. I do not know very much about these things, and the President has said that this might be unconstitutional. I would like to know if, in fact, there is any cloud over the recommendations of the Civil Rights Commission on this question of constitutionality as far as any of the legal authorities are concerned.

Mr. ROOSEVELT. Let me simply say that neither the President nor any other individual that I know of has prepared a treatise of any kind that would lead me or anybody else to have any doubt as to the constitutionality of the Civil Rights Commission recommendations.

Mr. COHELAN. Were there any constitutional lawyers on the Commission?

Mr. ROOSEVELT. There were most certainly qualified constitutional lawyers, including Mr. Storey and others; Mr. Wofford, whom I referred to earlier and whose remarks are in the RECORD, states very clearly that, in his opinion—and he is on the faculty of the University of Notre Dame—there can be no question of constitutionality.

Mr. COHELAN. Were there any constitutional lawyers available to the Commission for the purpose of advice, and so forth?

Mr. ROOSEVELT. Yes.

Mr. COHELAN. I cannot understand myself how the President could say that it was unconstitutional under those circumstances; can the gentleman? Or how he can raise a question of constitutionality.

Mr. ROOSEVELT. The only reason I can give my friend is that perhaps the administration wanted to have some share of the credit in a proposal to bring about the right to vote and, therefore, being unable to find anything really objectionable in the Civil Rights Commission recommendations, they raised a cloud in order to show that the cloud could be brushed aside easily with a recommendation that was perhaps somewhat more politically useful in an election year. I do not begrudge it, I have to say in all honesty to the gentleman; I do not begrudge them that, if they think that is the way to play the game. I should think it was not the proper way. But if they want to do it that way, then I am sure this House is not going to stand in the way and let any delaying tactic succeed.

Mr. COHELAN. Yes; but is the gentleman from California suggesting that the President of the United States is not for civil rights?

Mr. ROOSEVELT. No; I am not saying the President is not for civil rights.

I would not like to say that the President is against civil rights.

Mr. COHELAN. Why, of course not.

Mr. ROOSEVELT. I would like to say, however, that I think his leadership has been less than vigorous in taking the steps that would assure a good civil rights bill. I hope that he will remedy that.

As was pointed out by an earlier speaker, he took the air to support certain legislation last year that had to do with labor unions. He thought it was important enough to address the Nation on the subject. I cannot help but feel that it is important enough in this issue, if he really feels that he wants to back up the right of every American citizen to vote, that he make it doubly clear that he is behind the civil rights bill and urge his fellow Republican Members to sign the petition, that we may get to the job of considering the bill.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. THOMPSON of New Jersey. Mr. Speaker, the gentleman's reference to the effort by the President in behalf of the labor reform bill compels me to say that if he does it this year I think it would be most welcome, but I hope that his remarks with respect to constitutionality and other aspects will be more accurate than were his remarks on the labor bill. I cannot help but remember that evening hearing him say that secondary boycotts should be outlawed, apparently in complete ignorance of the fact that the Taft-Hartley Act in section 8(b)(4) had done it 12 years earlier.

The question of being early or being tardy I think is not too critical here. Any good ideas with respect to labor legislation, civil rights legislation, or anything else, are always welcome. And if, indeed, the constitutionality question has been perfected by the Attorney General in this effort, which certainly must be sound because it was 3 years in coming, then we should welcome, we should support such parts of it as seem to us to be sound, and work on a cooperative basis in this regard. I do hope, however, that if the President does take to the air and gets 60 million or so Americans to listen to him, which they do with great interest, including I am sure the gentleman from California and myself, that he is a little more accurate than he was on the labor question.

Mr. ROOSEVELT. I thank the gentleman and I join in agreement with what he has said.

Mr. Speaker, there are other significant and timely aspects to a comprehensive and long overdue civil rights legislative program. I shall not preempt all of these various aspects of the civil rights issue since many of my colleagues, from various sections of our Nation, also desire to address this body today.

I do want to add, however, that we have been engaged with consuming our time and efforts on procedure. Would that it be we could spend the fleeting hours of what is going to be a comparatively short session on the substance of the issue presently at hand.

Mr. Speaker, may I end on this note: How we meet the civil rights issue is not the exclusive domain of Congress, although it must share fully in its resolution. It is also the domain of the President. We need, bluntly stated, inspirational and more articulate Presidential leadership. We have a right to ask: Will the President continue to equivocate by implying one thing in his state of the Union message and indicating indecision shortly thereafter at a press conference? Will he back up the Civil Rights Commission report and recommendations? Will he, in his final months of tenure in the White House give this human rights issue his personal and executive attention he has shown he can give if he so wants?

Perhaps, as I stated on another occasion, the probable Republican presidential candidate, RICHARD NIXON, can let us know what the administration position is or should be. The question is, will he give us the direct assistance of his powerful leadership?

I am disturbed that a Republican colleague of mine has reported that the Vice President considers action on his part regarding the civil rights discharge petition might be taken as evidence of unwarranted interference by the Presiding Officer of the other body.

Let me strongly declare on behalf of all of the present Democratic signers of the petition—representing better than two-thirds of the approximate 190 signers—that not only would we not resent his leadership among his Republican colleagues, we would welcome it.

The Vice President has been a Member of the House. He full well knows of the correctness of the use of a discharge petition under the rules of the House. He must be aware that our Speaker has specifically given his approval, in this instance, to the use of this petition.

We can only hope that if the Vice President was justified in entering into the steel strike negotiations, if he was justified in using his leadership in recent controversial labor legislation, then he is fully justified—if he would use his powerful prestige to secure the necessary remaining signatures from the ranks of his presently reluctant Republican colleagues. It would not be exaggerating to say that if he does not, he will be tragically delinquent.

I would go further—if there is political advantage which may be gained from such leadership, on the part of the Vice President, I would not, as a Democrat, begrudge it to him and I would frankly state that he has helped accomplish a needed objective of our country in its fight to defeat communism, in its historic position of democratic defense of the rights of the individual—a principle that belongs to no one political party, to no one political leader, but belongs to every man and woman who has the privilege to serve in public office.

My friends, the only test of actual support of civil rights legislation is whether or not your name is on the petition now on the Clerk's desk. The only thing needed is the energy and the will to sign.

I shall continue for some little time to come, to believe that cheap politics will be cast aside and that the 219 signatures will shortly be achieved, that this House will rise to the challenge of our times by considering and passing a meaningful, a strong and an effective 1960 civil rights bill.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. SCHWENGEL. I have sat here and listened with great interest and I have observed through the years the efforts to get some civil rights for people. I have demonstrated my interest in it, I think, in a very sincere fashion and, I hope, in an effective way as well. I should like to call your attention to the fact that it was the party that I represent that first brought about any kind of civil rights.

Mr. ROOSEVELT. Does the gentleman refer to President Lincoln?

Mr. SCHWENGEL. I certainly do, and I refer to the Emancipation Proclamation. I call your attention to the fact that there was great pressure put on him to issue the Emancipation Proclamation at a much earlier time than he did, but most historians agree now that he probably issued it at about the right time. Then later after the war, the Congress in its wisdom passed the first civil-rights bill. It may be of interest to our colleagues to know that the author of the civil-rights bill that was passed was a gentleman from Iowa by the name of Wilson, who came from the same area that I have the pleasure of serving in Iowa. Since that time we have been trying to do something about this total problem. I think it is a rather sad commentary on something or other that we are still debating the civil-rights question. I am wondering if you really mean what you say when you talk about delinquency and when you point the finger at one of the great leaders of our time who has done so much on the domestic front, which statement in all probability you would question, but who certainly has been a great public servant in trying to resolve this problem that needs so much attention to bring about peace in the world. Of course, you know I am speaking of the President of the United States. You have suggested that he may have been delinquent. I want to suggest to you—and I hope you agree, and I think you will—that this man in his public life has done a great deal for civil rights. The integration of the services and Armed Forces, I think, would not have happened without his leadership and help and encouragement. It has proven to be a great big step forward.

Mr. ROOSEVELT. If the gentleman will yield, if my memory serves me correctly, I believe at the time he was in the military service, he testified against the integration of the services. If President Eisenhower changed his mind later, of course, I think that is a fine and wonderful thing but, perhaps, we could have had it a little earlier.

Mr. SCHWENGEL. Again there is the question of timing. But, on this question of delinquency, it is all right to accuse some one person, but you ought to take into consideration the total picture. If the great President of the United States is delinquent and other leaders in the administration are delin-

quent, then is it not true that the Congress may be delinquent too and that some of the leadership in the Congress are delinquent? Would you want to agree that that is true also?

Mr. ROOSEVELT. There would be no question in my mind that every day that goes by that the Congress does not pass this bill, we are to that degree delinquent.

Mr. SCHWENGEL. All of us—all of us are delinquent.

Mr. ROOSEVELT. You cannot say that all of us are delinquent. Those of us who are truly striving to do something about it are not delinquent. It is those who are not participating in the fight for civil rights who are delinquent.

Mr. SCHWENGEL. Yes. Then would you say that those who are opposing it may be delinquent?

Mr. ROOSEVELT. Yes; I would consider them to be delinquent in that particular sense.

Mr. SCHWENGEL. Then would it not be better in that sense for us not to focus attention to just one person?

Mr. ROOSEVELT. My good friend, I think, is perhaps going around the barn a little bit when he does not admit, and admit freely, that the influence of the President of the United States and now the influence of the Vice President as the potential heir apparent or next nominee of the Republican Party—that their influence is much greater than yours or mine and that their leadership, if it were put directly on the line, would have a tremendous effect and might well bring about much more rapidly and with greater effectiveness the passing of this civil rights legislation.

Mr. TOLL. Will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. TOLL. If the Republicans are such great champions of civil rights, why have they not signed this petition?

Mr. SCHWENGEL. I cannot speak for every Member of Congress. I suppose every Member has his own reason. I have signed it.

Mr. ROOSEVELT. We welcome the gentleman and thank him.

Mr. PELLY. Will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. PELLY. Is it not true that early in the last session certain Members from the other side of the aisle went to the Speaker and asked for a change of rules so that they could get legislation like this, and they were promised action. So, when the gentleman points the finger of criticism at the leaders of the Republican Party, it might be that it should be pointed in the other direction as well.

Mr. ROOSEVELT. Is the gentleman referring to the reported interview with the Speaker, who said that he would do all he could to get proper legislation, if it was being blocked in the Rules Committee?

Mr. PELLY. I was referring to a newspaper item which I believe stated that the Speaker had promised action.

Mr. ROOSEVELT. May I point out to the gentleman that of course I was not present so I do not know what was agreed to, but I do know the Speaker has made good on his purported promise, because he has told all Members of the House that in this instance the proper thing to do is to sign this petition and bring it to the floor. So he has done everything that he agreed to, if he did agree to do anything.

Mr. PELLY. I believe the Speaker was quoted as saying that he would like to have the Members sign the discharge petition. Is that correct?

Mr. ROOSEVELT. As I read it, that is true.

Mr. PELLY. I would hope that some of the leaders on your side would also have signed the petition.

Mr. ROOSEVELT. I do not think he said anything about leadership. I think the majority leader has already covered that point. There is unanimity on both sides of the aisle, that the leadership should not be an actual part of that, but they are stating their position, which on our side has been fully and clearly stated and I do not think it has been clearly stated on your side of the aisle.

Mr. PELLY. I do not want in any way to infer that I am not for action and speedy action on this civil rights legislation. I would only indicate by what I have said here that I wish the partisanship angle would be kept out of it and that the rules would be maintained, and that the names would not be released to the press and the public.

Mr. ROOSEVELT. The gentleman knows I have not released any names.

Mr. PELLY. I am sure the gentleman has kept within the rules.

Mr. ROOSEVELT. If the gentleman really wants to get the partisanship angle removed, all he has to do is to get about 22 Republicans to sign that petition and there will be no further partisan discussion from our side.

Mr. PELLY. I think, if the gentleman would be fair about this matter, he would know that as far as individual Members go they follow the dictates of their own conscience. I can only say that I believe that after the committee has studied the legislation, then the House itself should have a chance to work its will. I, too, signed this discharge petition. Through many years the gentleman from California and I have been here, we have worked for legislation of this character. I want, if possible, to keep the partisanship angle out of it.

Mr. ROOSEVELT. God bless the gentleman.

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. MEYER. In this particular matter I am not at all concerned with the partisan aspect, what the Republicans do or what the Democrats may do. Neither am I interested in promoting any sectional hard feelings, or anything like that. To me the important thing is the essential principle involved. I would like to ask the gentleman if, in the efforts today and other efforts connected with the civil rights bill, what we are doing is trying to promote civil rights for Americans—to insure the right to vote.

Mr. ROOSEVELT. That would be a very important part of it. The bill also protects civil rights of citizens in other areas of civil rights. But one of the most important things we should have in this bill is to protect the right to vote.

Mr. MEYER. I would like to state my position. Since I returned to Congress I sent out a questionnaire to the people of Vermont, and the seventh question on my list was whether or not they wanted me to work to promote civil rights for all Americans by insuring the right to vote.

I sent that questionnaire to the people of Vermont regardless of political party; in fact, many of them were sent just to "Box Holders." All the replies are not yet in, of course, but to date I would like to report that 90 percent of the people of Vermont who have answered have favored this effort on my part, and only 3 percent have been against it. Seven percent were noncommittal.

I would also say that over 90 percent of them signed their names on this questionnaire in returning what amounts more or less to their vote. Therefore, I think the people of my State want me to support this issue regardless of political party and regardless of sectionalism or anything else.

Mr. ROOSEVELT. I might say to the gentleman that just as the people of Vermont showed their good judgment in sending him to this House they are continuing to show good judgment in their answers to his questionnaire.

Mr. Speaker, I yield back the balance of my time.

Mr. BARRETT. Mr. Speaker, I am sure we have all heard that lovely spiritual, "He's Got the Whole World in His Hand," and I am sure we have all heard it sung by that very wonderful Negro performer, Marian Anderson, who continues to thrill world audiences with her exceptionally gifted voice. I admire Miss Anderson, who is a graduate of the South Philadelphia High School in my congressional district, for the role she has played in championing the cause of the Negro race, and I think we could all take a lesson from her in human relationships.

On the opening day of this session of the 86th Congress, it was my privilege to sign the civil rights discharge petition because I honestly believe there is today a great need for legislation to insure the rights of all Americans, regardless of color or creed. I further believe we have enough strength in the House of Representatives to overcome any objections to a good bill.

First, we must put an end to discrimination at the polls. There are still many areas in these United States where our colored citizens are being denied the fundamental American right to vote. This is wrong—the right to vote must be guaranteed to all our citizens.

Second, it is my sincere hope that appropriate legislation will be enacted to make lynching a Federal crime. It is unbelievable that today here in America hoodlums can take the law into their own hands and kill their fellow citizens without giving them the benefit of a fair trial.

Mr. Speaker, our country is known throughout the world as the land of opportunity—but at times I wonder. I have heard peoples in foreign countries

express the wish to come to America because it is the land of their dreams—but I wonder. I am very much afraid they would quickly change their minds and reevaluate our American ideals if they were told that certain groups of people were denied their inherited rights as United States citizens.

As representatives of the people here in our Nation's Capital, it is up to us to legislate in their best interests. We are not sent to Congress to represent certain groups, but to represent all our citizens. It is time we stand up and fight for the rights of our colored citizens and other minority groups. It is the Christian thing to do. It is our American way of life.

Mr. Speaker, in the First District of Pennsylvania, which I represent, we have some of the finest colored people you would ever wish to know. They come from all walks of life. They are honest, hard working American citizens. They are loyal to their flag, to their country, and tc their God, who is Almighty. "He's got the whole world in His hand."

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to insert their remarks at this point in the RECORD on the subject of civil rights.

The SPEAKER pro tempore (Mr. IKARD). Without objection, it is so ordered.

There was no objection.

Mr. RODINO. Mr. Speaker, we have heard a great number of promises about civil rights. It is time we saw a little performance.

It is time that all those who profess their concern about minority rights express that concern in tangible action.

From the tenor of remarks of some of our Republican colleagues, it seems that they are content to talk civil rights and leave the doing to the Democrats.

Again, this year, in his state of the Union message, the President emphasized the vital importance of civil rights legislation, and exhorted Congress to take actions "as a signal to the world that our Government is striving for equality under law for all our people."

The Democratic leadership made it perfectly clear that they were in accord. The leadership had already announced that civil rights would be the first order of business.

Speaker RAYBURN, on January 6, invited all Democrats to sign the discharge petition, so that the civil rights bill can get out of the Rules Committee and onto the floor.

Mr. MCCORMACK, shortly thereafter made a similar plea.

The Democratic leaders determined to go all out for civil rights, because they recognized the inherent justice and righteousness of the cause.

The Republicans, on the other hand, made no such commitment.

When called upon to support the discharge petition, the Republican leadership obliquely refused. As of last week, of about 175 names on the petition, only about 30 were those of Republican Members.

The Republicans, who talked so much about the greatness of Mr. Eisenhower's speech, have as yet chosen to disregard the issue he stressed as so important.

As on prior occasions, the President received the greatest applause from one side of the aisle and the greatest support from the other.

All of us will recall a similar situation last session, when the President placed critical emphasis on the foreign aid program. In the last analysis, he had to depend, not on the members of his own party, but on the Democrats, who, recognizing the vital nature of the issue, came to his support.

Once again, in civil rights, it is the Democrats who choose the path of responsibility.

Mr. Speaker, the fate of civil rights legislation hinges on sincere, bipartisan support. There exists in the House some 90-odd Members who are, and always have been, unalterably opposed to civil rights. This is the hard, political reality that we have to cope with.

This does not mean that this group, in itself, can block a civil rights bill.

It does mean that northern Democrats cannot do the job alone.

But it is a job which must be done.

Without the passage of adequate legislative tools a considerable number of Americans will continue to be denied their basic, inalienable rights.

Mr. Speaker, this outrageous record of denial of rights must be rectified.

The immediate job is to get some 45 additional signatures on the discharge petition.

Every single Member who believes what he says about civil rights must affix his signature immediately.

Again, Mr. Speaker, I point out that civil rights legislation cannot succeed without dedicated, bipartisan support.

If our Republican colleagues will come forth with a little of that support, the bill will be out on the floor tomorrow.

Mr. GALLAGHER. Mr. Speaker, there are a multitude of matters before this House awaiting consideration and action. The total impact of these on our national well-being and the future, not only of the United States, but of the entire world staggers our imagination.

Of all of these matters, education, national defense, our national economy, care of the aged and sick, no single item is as important as the enactment of legislation that will assure to every single citizen the rights and the privilege that are not only God given, but guaranteed in our Constitution.

There is no issue before this House that is more fundamentally American or more deeply bedded in democracy than civil rights.

The leaders of the Congress in the closing hours of the first session promised the American people early action on civil rights in this second session.

Although this is an election year and we all anticipate some political maneuvering as both parties head into the campaigns, that the Republican members would join forces, for strictly political gains, with that solid bloc that would forever deny equal rights to certain of our citizens is appalling. To deny these rights for even 1 year, for even a single day or an hour is despicable.

By refusing to join Democratic sponsors of the President's own civil rights bill, Republican members are not only refusing to follow Mr. Eisenhower's leadership in this crucial matter; they are committing themselves and their party to a conspiracy to defeat civil rights.

It would appear, Mr. Speaker, that our only hope of breaking loose this important legislation rests with the President of the United States and the Vice President, the acknowledged leaders of the Republicans.

I urge, therefore, that the full prestige of their high offices and the party leadership be brought to bear on the Republican Members of the Congress to achieve passage of an effective civil rights bill.

I urged President Eisenhower last August to take the cause of civil rights to the American people in the same manner that he did when he was seeking labor legislation and I again renew that suggestion.

Mr. LIBONATI. Mr. Speaker, I heard an American veteran soliloquize on his inferiority of citizenship the other day. He said:

> The good Lord was good to me; he caused me to be born. He also gave me a soul. And, as many others, learned through furtive baby looks into mother's soft, pleading eyes of endearment. I belonged to someone whose paternal guidance in life contributed to the building of morals and character. It set the young mind to accept with gratitude the golden love of parenthood.
>
> With the happiness of each day I learned to live with the other members of the human family and although my color seemed to serve to make a difference, it was not important for I was alive and made friends.
>
> In my early schooling I was taught the principles of our Government and its constitutional history; of the immortal leaders, both in war and peace, who made possible the continued existence of its free institutions. I was imbued with the deep feeling of patriotic devotion and love for my country.
>
> Approaching adulthood I learned that complicated methods and laws were enforced to prevent some from enjoying the most sacred rights of citizenship. Those inherent rights that our forefathers said were God-given. I realized that, somehow, I was not accepted. I learned that I was a citizen of color and that I belonged to a stratification of human beings that were deprived of certain high privileges and rights of citizenship.
>
> Local and State enactments made these prejudices certain. I could not understand, for the United States of America was my country. I and my forebears never served under any other nation's flag, for mine was an American heritage.
>
> And so it was that I answered my country's call to arms. In spite of these travesties I marched with my fellow Americans. I fought for its righteous protection of the freedoms of other liberty-loving nations—and yet, upon my return, I and my fellow humankind still live under the same conditions—a state of suppressed servitude and a forfeiture of all rights of citizenship.
>
> Time is passing and I'm tired of complaining to those in authority. The Federal courts do not enforce the voting rights of citizenship. Attack upon local and State laws fail in the offing. The Congress must act—no citizen throughout this land should be deprived of his inherent right to vote and to cast his ballot for his choice to duly represent his interests in representative government.

H.R. 8601 should be acted upon by the Congress immediately. The vote is up to you.

Mr. HECHLER. Mr. Speaker, I would like to support the efforts of my colleagues to get a vote on the civil rights bill. In the words of Adlai Stevenson, "the greatest foreign-aid program ever devised is the Declaration of Independence."

Mr. DENT. Mr. Speaker, the purpose of my remarks is to offer a guide to living in multiracial America.

It is often said that the strength of America lies in the diversity of its people. And no other nation possesses such a variety of races and backgrounds as we do.

Yet this very multiracial character has caused some of the gravest and most inhuman transgressions in our democracy.

But what we need now is not lamentations or regrets, but solutions to the problems of living together in a multiracial society.

Recently, in a special supplement of the New York Times, some feature articles were carried on this very subject.

I have picked one by Margaret Mead, Lorraine Hansberry, Rufus Clement, Elmo Roper, and Earl B. Schwulst, which I am offering now as part of my presentation.

AMERICA'S MANY FACES—WE HAVE MANY VERSIONS OF ONE SPECIES

(By Margaret Mead)

(Dr. Mead is associate curator of ethnology, American Museum of Natural History, and president, American Anthropological Association.)

The human species—although one—has many subspecies, many races—as groups of human beings have lived for long periods separated from each other, elaborating differences in shape of face and length of limb, in hair form and eye color, in color of skin. The history of our species, and undoubtedly of those earlier men who preceded us, has been one of isolation, differentiation, meeting and mating, often with intervals of hostility and fear.

In the United States there has taken place a most dramatic gathering in of diverse peoples, long separated by sea and mountain range, so that the child reared here today, knows, perhaps more completely than anywhere else, almost the full diversity of human physique. (There are of course a few groups missing, only a single Australian aboriginal who is also a singer may come to our shores, Eskimos venture south under special conditions, blue black Nubians, and the little pygmies from the Andamans of the depths of African forests, greet us only from the pages of the National Geographic but do not walk our streets, speaking a common language and sharing a common culture.) But in spite of the few who are missing, we have here representatives of all the large groups of mankind, and we have demonstrated how all of them, with equal opportunity, can learn our particular kind of human culture, which we call the American way of life.

In the United States, we have provided a living historical experiment to resolve the questions that have been raised, now by one race and now by another—the earliest immigration barrier on racial grounds is reported for ancient Egypt some 5,000 years ago. Every culturally significant attribute, negative or positive, cowardice, talkativeness, or musical ability, once believed to be associated with some type of physique, has been shown to be a matter of education and opportunity. That the dominant groups in the United States have often been moved by other motives than that of an all-embracing good will toward men, is only relevant because the demonstration has been made in spite of exploitation and ill will.

Just as it is the more significant that no culturally relevant racial differences have been found, because they have been sought for so hard, so it is also relevant that in spite of distrust, misconceptions, nonfelicitous contacts in which people of one physique came from a poor or backward culture, while those with a different physique were well entrenched—still the historical experiment has been made, and is the more convincing. As false conceptions of the importance of physique shift from West to East, from the majority groups of Americans in the Western Hemisphere, to the majority groups in Africa south of the Sahara, it is useful to remember this gift of knowledge of the intrinsic unimportance of differences in physique which the American experience has given to all the peoples of the world, as an equal gift to the young countries of Africa and Asia, to the Japanese smarting under insults received from the Chinese centuries ago, and to Europeans who feared and distrusted kinds of people whom they had never seen.

In America—in some parts, of course, more than in others—people have grown up only to feel at home when the crowds in which they move are a panorama of the people of the earth. True, there are many small occasions in which an audience, or a congregation, or the members of the wedding or the funeral may all be, roughly speaking, one color, the hair of some of them carefully tailored, either to an unnatural curliness or an unnatural straightness. These are the areas where the association between physique and behavior is still maintained, where people only feel comfortable with those who look, in some particular way, more like themselves than they do like other people. But the faces of the United States remain the faces of the people of the earth, people who subscribe to the same beliefs, speak the same language, learn the same lessons in school, people who have fought side by side in the same battles, and are now making their equal and comparable contribution to living in one world. Given an empty continent, long, long ago, the peoples of the world have made their way here, on foot, by small boat and large, and finally by planes which obliterate the boundaries which once separated men, so that, for brief periods in human history, they developed different versions of the same human face.

STANLEY GLEASON AND THE LIGHTS THAT NEED NOT DIE

(By Lorraine Hansberry)

(Miss Hansberry wrote "Raisin in the Sun," winner of the Drama Critics' Award for 1959.)

At 18, Stanley Gleason is a remarkable man. From the very beginning of his school career, Stanley's poor teachers have been, to one degree or another, cowed by their inevitable awareness that Stanley Gleason, despite the fact that he has never been "in trouble," constitutes a problem to his society by his very existence. Like his ancestors, and for reasons his teachers were never able to fully grasp, either, Stanley's presence has seemed associated with a peculiar and gravely silly historical anguish which constantly rises up to expose the very institutions of his culture which are supposed to care for and about him.

Starting with the U.S. Constitution and coming down to the eighth grade visit to a museum of natural history a few years ago, few things have jibed in the teaching of Stanley Gleason. For when Stanley stood back on his legs and looked up at the great painted diagram on the wall of the museum, a caption of which informed him that it was an explanation of the races of man, he did not fail to note that someone had taken pains to show his branch sort of dropping off somewhere only slightly above the apes, while the strong main "trunk" pushed on and ever upward to where, rather crowning all the others, stood a figure with noticeably uncolored skin. Stanley was 13 then, but he did not make a fuss, because he had given up quarreling with the academicians since he was 7 and had lost the argument with his nice teacher from Long Island who had honestly seemed to believe that "outside toilets" were things which existed only in the American rural past.

It was after the museum that Stanley developed his way of walking. It is a gait made up of the alternation of one tautly bent knee and one dragged foot which culminate to give him a bouncy propulsion through life. There is pungent irony in the fact that it resembles nothing quite so much as a limp. Stanley intends to connote something else by the way he walks which, though he would never articulate it that way, has an organic relationship to the lie on the walls of a mighty museum. It was during the same period, for instance, that he took to wearing his hat or cap pulled down deeply in front and his lower jaw a little thrust forward—all of which gives him an air of determined urgency—whether he is going any place or not of an afternoon. There is about his walk something which suggests that, somehow, Stanley knows that his ancestors did survive the middle passage voyage and that he, for his part, has survived a climate which includes tuberculosis, rats, and some of the most insidious hatreds on the face of the earth. His bouncy figure seems to be an act of defiance; a symbol of almost omnipotent awareness that he has played a telling trick on somebody by sticking it out. It is as if he is saying, "Man, I am here."

It is very important to Stanley Gleason that he knows he is not Dwight D. Eisenhower. He knows that and the whole world knows that, but he is confounded by the fact that the rest of the world is less certain that he is not Robert Brown or Thomas Smith or 20 million other people. Whatever counseling for the future that he has been able to glean has come from the lips of rather tired people who came into his interviews knowing that they would automatically try to usher him and every other kid like him into life directions designed to do something with 9 million Robert Smiths who would not be welcome in so many industries and professions. Thus, a dim, vague little light that once lit up Stanley's heart when he saw a bridge built on television has been pummeled into darkness. The last dying manifestations of its flicker are a certain savoring he still gives the word "engineer" and a worn and now seldom looked at stack of Mechanix Illustrated. People who do not know him, who, indeed, do not have the time to know him, and who do not seem to know that the world's most ambitious people come out of the slums of the world, have been appointed or allowed to summarize his problems.

So, at 18, Stanley Gleason is a remarkable man. He may be called a man because the nature of the life which has surrounded him thus far has imparted a certain maturity to his view of the world. That is to say that Stanley has come to assess justice and pain and even beauty with a seasoned realism that the world tends to find heartbreaking in other boys his age in other places; but of Stanley it has been expected, even demanded.

He remembers being told, when he was 12, to "move on" from under a theater marquee where a cop had ushered his horse in order to get it, veiled in black rubber, out of the rain. Stanley had invoked the ancient cultural habit of pursing his lips before also directing the officer's attention to the fact

that it was raining. He had also left an unmistakable implication hanging behind the assertion, which suggested that he had no more desire to get wet than some old horse. The welting blow which he received across his mouth was not, significantly, the part of the incident which stuck in his mind. He has more keenly remembered that he went home and told adults who told a good many other adults and that there were some letters written to the local papers which all culminated, finally, in a little editorial which expressed the paper's satisfaction that the community "needed its protection from hoodlums."

It was one of many experiences by which Stanley came to discover a lack of balance in the world and began the dropping of illusions along his way.

Perhaps the fact that there has never been any reason for authority to pop Stanley Gleason across the mouth amounts to a cruel paradox which signifies one of the dilemmas of his not always coherent society. He does not smoke marihuana and considers gangs strictly an outlet for squares. Consequentially, pragmatically, he gets less attention than those of his contemporaries who are in difficulty with society and themselves. And who, of course, are hardly overattended. As a nonheadline maker, Stanley belongs to a majority whose needs beg for guidance and opportunity rather than correction.

He has found, painfully, that the world outside his ghetto has little relationship to some of the editorials in his community papers (which he only rarely reads) which insist that, since the day he was born, presumably, there has been something wrong with him. Otherwise, the editorials say, he would just roli up his sleeves and "try—simply try to make a significant contribution to the economic development of America." They have also lost Stanley by using words like "imagination" and "industriousness" as if the mere possession of such qualities were equal to the possession of capital itself. As for that host of glamorous occupations—including stock brokerage, diplomatic service, and architecture—which are paraded in feature articles in his favorite monthly magazine (which he does read regularly) well, Stanley has come to regard them as a delightful fantasy which he and the magazine share. As a part of reality they became suspect to him, not because he has or ever will read E. Franklin Frazier, but because for a long time now they have managed to convey the distinct impression that among the other industries Negroes have flooded, so to speak, is that of the motion pictures. But Stanley Gleason knows perfectly well that as much as he digs Sidney Poitier, he just doesn't constitute anybody's flood.

It is a mistake to imply, however, that Stanley's life has been entirely a bundle of negatives. That is not so. His body, a symphony of youthful masculinity at 18, has somehow escaped the ravages of the ghetto; but only escaped, because someone has to make up statistics and it could have been Stanley. Nor has he gone without love, his parents gave him and his brothers a great deal, which must account for the fact that his young face is anything but the mask of bitterness it might well be considering the sum total of his experiences thus far.

But it is a face that we may look out and see from our taxicabs on our way to 57th Street appointments. He will be, like a multitude of other dark youths, behind his little dress cart, waiting for the lights to change at 33d and Sixth Avenue. A rather handsome fellow, American as the streets around him, father and son of a portion of his culture; a portion as rich in imagination and industriousness as any other. Yet, for one insane historical moment, a garment district cart pusher is the only place he has been able to find in his still racist and chaotic social order. The only place for one who wanted to build things.

It is a moment which must, before the waste is too enormous, be rapidly put to death.

To a Democratic Ballot

(By Rufus Clement)

(Dr. Clement is president of Atlanta University and an elected member of the Atlanta Board of Education.)

The fact that the Negro cannot vote as he is entitled to in the South is an uncomfortable proposition for all Americans. It is also undeniable.

One of the excuses advanced by southern politicians for their actions in attempting to limit or to nullify the Negro vote is that they fear that any policy of free and full registration of qualified Negro voters will result in the establishment of a bloc vote by which, in some political subdivisions where more Negro than white people reside, the Negroes would take over government. Many of these same politicians have shown by their actions and have demonstrated in their public speeches the type of racial prejudice which would not hesitate to deny to all Negroes the basic rights promised all citizens by the Constitution of the United States and the constitutions of the individual States. These politicians who seem to fear bloc voting on the part of Negroes are, for the most part, those individuals who feel that they have so conducted themselves that their candidacies would not be supported by Negro people.

When racial matters are not at issue the Negro vote tends to follow the national as well as local voting trend. If all qualified members of this group were registered and entitled to participate in local and national elections, it would be discovered that, having been victims of biased government, this group would be particularly interested in improving the quality of leadership which is placed in the public offices of Southern States. Previous experience with men who "talked out of both sides of their mouths" would indeed make the Negro wary of supporting such men for public office. The election of officials pledged to fair and equal treatment of all the people, without favoritism to any because of race, creed, economic and social standing, or color—provided, of course, they are otherwise qualified for the positions they seek—would sharply upgrade southern political leadership in many areas. This has already been demonstrated in Nashville, Atlanta, Louisville, Little Rock, and other southern cities.

To the National Economy

(By Elmo Roper)

(Mr. Roper is the nationally known public opinion and market research consultant for American industry.)

Discrimination is an economic luxury this country cannot afford. The moral corrosion and stunted human growth that accompany it are distressing, but it is the cost in dollars to the entire economy that brings the lesson home. That cost is enormous; last year racial discrimination alone robbed the economy of $15 billion of unearned—and unspent—income.

When all the direct and indirect costs of all the varieties of discrimination are taken into consideration—the unearned wages by minority groups denied access to jobs above a certain level, who often spend their time at work machines could do cheaper; the gap in our supply of doctors, scientists, and engineers made larger by arbitrary barriers against certain groups; the heavy cost of crime, delinquency, and social maladjustment which can be traced directly to discrimination and prejudice (the cost of police protection and other city services more than doubles in minority group areas); in addition, the cost of maintaining double facilities where segregation is in effect—the full cost of this drainage is probably twice that of the color bar alone.

In a time when we need all the skill and wisdom our population can summon, that our Nation may not wither on the vine of history, we cannot afford to place an invisible net of discrimination between large segments of that population and the jobs and professions that require talent and ability. The loss in production, in skilled manpower, in unrealized purchasing power, in lost tax revenues, in warped emotional development—this waste of our human and economic resources—is too great to be borne any longer.

To the Homeseeker

(By Earl B. Schwulst)

(Mr. Schwulst is president and chairman of the board of the Bowery Savings Bank of New York City.)

The segregation of the Negro is most obvious in housing and this entails effective segregation in the schools notwithstanding Supreme Court decisions. In fact, housing segregation underlies and promotes segregation in all other aspects of Negro life.

Housing is the one commodity on the American market which the Negro—solely because he is a Negro—cannot freely purchase or rent. Consequently, he pays more for less housing than any other American.

The Negro will never be able to play his full part as an American citizen and will never be able to develop his full potentialities as a human being until he ceases to be segregated as to where he may live.

Such integrated employment and such integrated schools as we have are helpful and necessary if the Negro is to become a complete citizen. They expose him to the white man and expose the white man to him. Exposure is essential to understanding and to the eradication of fear and mutual distrust.

But association in employment and in schools is not sufficient to break down the formality which characterizes most of the contacts between Negro and white. Even that degree of association, as important as it is, is likely to be on the formal side. It is only in the informal and relaxed give-and-take of the neighborhood that people can really come to know and understand each other and learn to cooperate in solving the problems—many unimportant but some of the highest importance—which confront all of us as Americans. To deny an otherwise acceptable and desirable person the right to live where he chooses because of the color of his skin (or because of his religion) is both unjust and damaging to him. And it is also unjust and damaging to those who deny him the right, because they are also denying him the opportunity to develop and are therefore wasting human resources. Are we so rich in those resources that we can continue to afford that waste in the threatening world that now surrounds us?

I believe that you will find that these particular articles cover some of the most important facets of this disturbing problem. Along with other Members of Congress, we recognize the urgency for the passage of this legislation at this time. I plead with the majority Members of the Republican Party and those Members from south of the Mason-Dixon line of the Democratic Party to join with us in order that we may remove this blight from our American way of life.

Mr. PELLY. Mr. Speaker, speaking as a Republican and speaking as one who has signed the discharge petition on the civil rights bill, and furthermore speaking as a Member of the House who has before and will again vote for a bill to strengthen the right of all citizens to vote, I want to express my regret in regard to the discussion which has taken place this afternoon.

My reaction to this afternoon's performance is that it is a Democrat divertissement. Bringing the Vice President into this show is simply a pure act of partisanship. Mr. NIXON's responsibility is to preside over the Senate—not to get signatures in the House of Representatives on a discharge petition.

The motives or sincerity of Members who have spoken I do not question. The chairman of the Judiciary Committee wants to get action and I do too; but when the delay and lack of action are blamed on Republicans I disagree. The answer to lack of action lies in the weakness of the congressional Democratic leadership.

Earlier I told the gentleman from California [Mr. ROOSEVELT] I had worked closely with him in other years on civil rights legislation. I shall do so in the future, but our community of interest cannot be effective unless my political party is eliminated as a convenient whipping boy for the other political party's impotence.

The House Chamber is no place for target shooting at DICK NIXON and civil rights is not the proper weapon.

Mr. REUSS. There is nothing very complicated about this petition to discharge H.R. 8601, the bill to guarantee civil rights. Members who believe in civil rights should sign the petition, and sign it promptly.

The Constitution, and the natural law which underlies it, guarantees to all the right to vote, regardless of religion or national origin or color. H.R. 8601 simply follows the recommendation of the bipartisan Civil Rights Commission concerning how most effectively to carry out the constitutional protection of the right to vote.

The discharge petition has been filed because the House Committee on Rules refuses to grant a rule which will let the House vote on this bill. One hundred and ninety Members have so far signed the petition.

The Rules Committee is preventing this House from exercising its own civil right to vote on H.R. 8601. For the political structure which permits the Rules Committee to deny Members of this House the right to vote in an orderly manner on pressing legislation, both parties must bear their share of responsibility. But that is another story.

The simple issue before this House today is: Are there 219 Members who believe in civil rights, and are willing to show their belief by signing a discharge petition?

If you believe in civil rights, you should sign the petition now. If you have a custom or practice of not signing discharge petitions, you should get rid of the custom or practice right now, and sign the book.

This is not a partisan issue. If the Republicans will show their sincerity by coming down and providing the 29 more signatures needed, I will be the first to applaud them as people who are willing to practice what they preach.

Mr. DOYLE. Mr. Speaker, I signed the discharge petition on the Clerk's desk the first day it was placed there. Basically I did so for two reasons:

First, because I know that as a matter of parliamentary history this same discharge method and procedure has been used since 1910 by this great legislative body as one of the established and recognized methods proper and appropriate to use, when and if a sufficient numerical number of the Members of this legislative body feel it important enough to personally sign the same. In the present time it requires 218 names total.

Second. I did so, because I verily believe in our constitutional form of government under which this Republic was founded and ordained, and which constitutional form of government I swore to uphold each of the seven times I have now taken my oath as a Member of this great National Congress of the United States of America.

The 15th amendment to our Federal Constitution provides as follows:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Therefore, having raised my right hand and having sworn to uphold this 15th amendment, as well as all and every one of the sections and portions of our Federal Constitution, as a Member of this National Congress, I conceive it as being my sworn and bounden duty to take every step which is recognized as lawful and patriotic and which I deem in the best interests of my beloved Nation to make our constitutional form of government.

Because it so clearly appears to me that my signing of this discharge petition, in accordance with our long established House rules and procedures, beginning back as far as 1910, is in effect complying with the rules of the House as established back in 1910 to bring a bill to the floor of the House under the circumstances which it appears to me presently exist, and, because I vigorously believe that every American citizen should have the same American citizen rights which I have under our Federal Constitution, I join in respectfully inviting and urging all of the members of the California congressional delegation in this House to join with me and the other California congressional Members who have already signed this petition. I believe it is a fact at the present date that all members of the California delegation on my side of the aisle have already signed the same and that two Members on the minority side of the aisle from my native State of California have also signed. I would not want to believe that any California Congressman colleague would fail to take advantage of every lawful, available opportunity to help make it more of a fact, in actual practice, that every American citizen, everyplace, and anyplace in our beloved Nation, would not only have the right to vote, but would have equal opportunity to vote as is made available to every citizen, or to any other citizen in his or her respective voting precinct, district, or State, anywhere in our beloved land.

Mr. BOSCH. Mr. Speaker, I rise to make my position with respect to H.R. 8601 absolutely clear for the benefit of my colleagues and the people. Let me say that my record during my service in this distinguished body will clearly establish my consistent support of civil rights legislation and related situations whether embodied in education, labor, housing, or any other legislation. I will support this legislation now before the House, to wit: H.R. 8601, when the same comes up for a vote.

When I came to the House in 1953, Mr. Speaker, I established certain policies with regard to procedure to which I would adhere under all circumstances. Among these was a policy of not signing discharge petitions. This is not a capricious or frivolous policy on my part, but was prompted by my sincere conviction in the orderly processes of legislative procedure. I know that in my own conscience I am following what I consider to be the best course, and I am not at all impressed by words such as those used in the course of debate on this important legislation—"Republicans arise and sign the petition or else you shall ever be condemned." Condemned by whom, I ask, Mr. Speaker—members of the opposition party? Let me say that I believe the American people who have always demonstrated their desire to be fair and just in all matters will understand what prompts the action of Members of Congress in carrying out their obligations according to the dictates of their conscience and the appreciation of their responsibility.

Let us be frank with one another—this legislation can be brought on the floor for action any time the majority party really wants it to for in the Rules Committee the majority is 2 to 1; namely, eight Democrats and four Republicans. Obviously the majority can vote this legislation out. There are, however, other vehicles which can be used to bring this essential legislation to the floor. The majority party can either suspend the rules or have action on Calendar Wednesday. Those are the proper parliamentary procedures which should be pursued in the interest of assuring all citizens equal protection under the Constitution.

THE DISCHARGE PETITION ON THE CIVIL RIGHTS BILL

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 1 hour.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to associate myself with the remarks of the distinguished chairman of the Judiciary Committee, the Honorable EMANUEL CELLER,

and the Honorable JAMES ROOSEVELT, my distinguished colleague from California.

There is no creditable reason which should preclude any Member of the House from signing the civil rights discharge petition which is now on the Clerk's desk. The procedure is in accordance with the rules of the House.

The fact that the discharge petition is an extraordinary procedure within the rules of the House should not preclude any Member from signing the petition if he is really sympathetic with the general aims of this legislation which are commendable though inadequate, moral rather than political.

The issues involved are above who should get credit for the victory. The enactment of a good civil rights bill this session will redound to the advantage of both political parties and to the Nation. The sooner the great need for equal protection under the law becomes a reality—the sooner the Nation can move on in pride and unity to the other grave problems ahead.

I am among those Members of Congress who deplore the extraordinary powers of the Rules Committee to stifle necessary and worthwhile legislation desired by a great majority of the membership of the House. Prior to the adoption of the rules of this House, I was among those who advocated the adoption of the 21-day rule which would have prevented the embarrassment in which we now find ourselves. We were advised, however, that the militant minority on the other side of the aisle would engage in a coalition to preserve the present control power of the Rules Committee. It is indeed regrettable that a showdown on this issue did not occur during the organization of the 86th Congress.

The ridiculous parliamentary plight in which we find ourselves today on the civil rights issue is the responsibility of all of the Members of the House regardless of party. The rules were adopted by the votes on both sides of the aisle. The correction of this situation through the discharge petition is also the responsibility of all Members of this body who concur in the real need for civil rights legislation.

Members of Congress may suffer in frustrated futility on this vital American problem. If we lack the fortitude now to act under the rules to dispel this futility, the American voters in autumn of 1960 may take necessary steps to relieve us from the pain of further suffering. It has been determined on this issue that the discharge petition is the only effective remedy available now. The denial of this legal process cannot be explained away on the mere refusal to support remedies because they are not routine.

Our leadership on this side of the aisle as well as our national chairman have uniquely concurred in urging civil rights legislation through the discharge petition method. The President and other leaders in his administration—in unique disagreement with many members of their party—have urged the enactment of effective civil rights legislation substantially provided in the legislation adopted by the Judiciary Committee after exhaustive hearings.

The need for Federal registrars or court-appointed referees as recommended by the Civil Rights Commission and the Attorney General can be provided by amendment on the floor of the House after due consideration.

Whether there be registrars or referees, fair administration of the civil rights laws will result.

During the course of the argument on the civil rights bill of 1957 the opponents of the contempt provisions of the legislation argued that the legislation constituted a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn juror's oath.

In discussing this point, I argued then that the conduct of contempt proceedings under the civil rights bill would in every case be conducted before distinguished jurists of the Federal bench who have lived and developed in their home communities, in every respect, products of the South and familiar with its traditions and its culture.

It is to be presumed that Federal registrars or court-appointed referees will not be carpetbaggers from the North. In the ordinary course of events and under the law the persons assigned to these necessary tasks would be selected principally from the areas in which they would be expected to serve. Their obligation and responsibility, however, would be to Federal authority under Federal law rather than under State and local authorities, which have proven to be not always in keeping with the spirit of protecting the civil rights of all of their citizens. There is no reason for anyone to suspect that any phase of the civil rights legislation will not be administered in keeping with the highest traditions of American jurisprudence.

This legislation is not directed against one section of the country alone. It may prove useful to insure the right to vote and the right to have a vote counted in many communities in the North and throughout the Nation. This legislation is in effect designed to protect the right to vote and the integrity of the ballot wherever it is in jeopardy.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I commend the gentleman for his splendid statement. I may say at the outset, Mr. Speaker, that this morning I phoned the office of the gentleman from Missouri [Mr. CURTIS] to inform him that I was accepting his invitation as set forth in his remarks appearing in the RECORD of January 18 to respond to those remarks. I had hoped that the gentleman would be here. However, I have learned he is out of town on official business. Since this time has been set aside I am unable to await his return. I extend to him, however, an invitation to reciprocate in kind at his pleasure.

Mr. Speaker, on Monday, January 18, the gentleman from Missouri [Mr. CURTIS] addressed the House on the subject of "The Northern Democrat-Southern Democrat Coalition." His remarks were originally in the form of a letter to his constituents, adapted for delivery on the floor. Since the gentleman specifically invited his colleagues to take exception to his remarks, I am today availing myself of this opportunity.

From his remarks it is quite clear that the gentleman from Missouri is echoing the sentiments of many of his Republican colleagues who have not yet signed the discharge petition to bring the moderate civil rights bill to the House floor—legislation that was recommended by the President and the Republican administration.

The gentleman from Missouri complains about efforts of the Democratic leadership to bring the civil rights bill to the floor by discharge petition and pointed out that Republicans compose only one-third of the total membership of the House. According to published lists of signers of the discharge petition, Democrats have already produced more than two-thirds of the necessary 219 signatures on the petition. Incidentally, I knew nothing of that publication in advance, and was surprised to see it. Only one out of every five House Republicans has signed, according to these reports.

Mr. Speaker, I submit that we have done our part. We have exceeded the Democratic two-thirds majority in the House with more than two-thirds of the required signatures. It is the Republican refusal to sign which prevents House consideration of the civil rights bill.

At his news conference 2 weeks ago, the President renewed his support of the civil rights bill. According to an article in the Washington Evening Star of January 13, 1960:

> President Eisenhower today urged Congress to pass the moderate civil rights bill now before it gets bogged down with controversial proposals in this field.

The story continues:

> While the President was outlining his views at a news conference, however, members of his own party in the House were refraining from coming to the aid of the bill by signing a petition to bring it to the floor.
>
> The President underscored Republican Minority Leader HALLECK'S assurance to his GOP colleagues that they were free politically to sign the petition for the immediate floor action.

Yet, Mr. Speaker, it is strange that only a handful of Republicans have availed themselves of this political freedom to sign the petition since the Republican caucus meeting almost 2 weeks ago. The gentleman from Missouri made quite a point of emphasizing the overwhelming support of Republicans for the bill. If they really believe in the importance of civil rights legislation, why is 80 percent of the Republican membership of the House so reluctant in bringing the bill to the floor?

The gentleman alludes to reports of the deal between Republicans and southern Democrats involving the Landrum-Griffin bill and civil rights legislation.

If such a deal does exist, I submit that Republicans have already carried out their part of the bargain by their votes on the labor bill in the last session and the votes of Republicans on the Judiciary Committee to water down the original civil rights bill. Unless the alleged deal extends to many other types of legislation in this session, it would seem to this observer that Republicans have more than done their share of the blocking of needed legislation and would now be free to support the civil rights bill.

The gentleman from Missouri seems to have some doubt in his mind about the existence of a coalition between Republicans and some southern Democrats here in the House.

I refer the gentleman to the statistical analyses of the coalition voting alinements published by the impartial Congressional Quarterly News Features during the past several years—1957 Congressional Quarterly Almanac, page 813; 1958 Congressional Quarterly Almanac, page 764; Congressional Quarterly weekly reports of February 13, 1959, and December 4, 1959.

Based on last year's analysis, the average House Republican voted with the coalition 82 percent of the time on these coalition rollcall votes. Republicans and Southern Democrats hold 264 seats in the House, 45 more than a constitutional majority needed to pass or defeat any bill.

The operation of the coalition is a matter of record and has been most successful on legislation such as education, social welfare, public housing, immigration, taxes, labor antitrust, civil rights, public works, and resource development.

Mr. Speaker, I include at this point in the RECORD a research paper on this subject which reviews the history of the Republican-southern Democratic coalition in the House from 1937 to 1959:

The Republican-Southern Democratic coalition, or conservative coalition, as it is sometimes called, has exerted vast influence over the outcome of various types of legislation since its loose formation 22 years ago.

The 1st session of the 86th Congress saw a tightening of the coalition's voting alliance under the leadership of Minority Leader HALLECK and Judge SMITH, chairman of the House Rules Committee.

The scope and effectiveness of the coalition as described in this study is limited to legislation reaching the House floor, where its impact can be measured by analysis of rollcall votes. Of course, much of the important work of the coalition takes place in standing committees, and particularly in the House Rules Committee, where many measures are pigeonholded or watered down before a rule is granted. These aspects of coalition activity are not subject to the same type of precise analysis.

The purpose of this study is to analyze the party lineup in the 86th Congress and to briefly review the history of the Republican-Southern Democratic coalition since its beginnings in 1937 so that its operation in the present Congress may be placed in proper perspective.

THE 86TH CONGRESS—BASIC ARITHMETIC

An understanding of the role of the coalition in the 86th Congress must begin with an analysis of the real party alinement in the House. On paper it would appear that the Democratic majority in the House is the largest since New Deal days—280 Democrats, 152 Republicans. The party lineups are:

Southern Democrats	104
Border Democrats	24
Northern and western Democrats	152
Republicans	152
Total	[1] 432

[1] Excludes vacancies (Illinois, Ohio, New York, Pennsylvania).

But on the basis of three key rollcall votes in the first session on which the conservative coalition achieved its maximum strength (Thomas amendment—housing bill financing; H.R. 3—States rights issue; Landrum-Griffin substitute—labor bill), the approximate real party alinement is:

Coalition

Southern Democrats	80
Border Democrats	9
Northern and western Democrats	6
Republicans	130
Total	225

Liberals

Southern Democrats	20
Border Democrats	15
Northern and western Democrats	143
Republicans	18
Total	196

Absentees and vacancies, 16.

THE CONSERVATIVE COALITION, 1959

A congressional quarterly study of Republican-Southern Democrats voting alinements during the first session of the 86th Congress shows that a majority of both groups opposed a majority of northern and western Democrats on 11 of the 87 House rollcall votes.[1] The coalition won on 10 of the 11, or 91 percent. By comparison, the coalition won on 64 percent of the showdown votes in 1958 and 81 percent in the 1957 session.

A separate Congressional Quarterly study[2] also reveals that southerners split with the rest of the House Democrats on 23 percent of all rollcalls during the 1959 session. They included votes on such issues as housing, civil rights, taxes, labor legislation, States rights (H.R. 3), farm price supports, surplus disposal policies, and Hawaiian statehood.

During the 1959 session, southern Democrats cast 82 percent of their votes with the Republicans and against the majority of their own party on these coalition rollcalls. The 12 southern Democratic committee chairmen cast 86.5 percent of their votes with the Republicans on these coalition rollcalls, only 10 percent with the majority of their own party.

On these same votes, 79 percent of the northern and western Democratic votes were cast with the party majority. Republicans cast 88 percent of their votes with southerners on these key rollcalls, only 9 percent with northern and western Democrats.

Coalition voting frequency would have been ever greater if the House Rules Committee had permitted such measures as the area redevelopment bill, the civil rights bill, and Federal aid school bill to reach the House floor.

THE COALITION GERMINATES: 1937

Beginnings of the Republican-Southern Democratic coalition in Congress can be traced back to 1937, the 1st session of the 75th Congress.

Franklin Roosevelt had just won his landslide reelection victory over Alf Landon and Democrats controlled the House by a 333 to 89 margin. Major New Deal reform measures were already on the statute books and the overwhelming Democratic victory in 1936 had provided a clear mandate for the Roosevelt administration to continue its New Deal reform and economic recovery programs.

But there were rumblings of discontent among powerful conservative forces in the Nation. The Supreme Court had already ruled several New Deal programs unconstitutional. Southerners were smarting over the repeal of the two-thirds nominating rule at the 1936 Democratic Convention, which denied them their traditional veto power over presidential choices. Resentment against the White House efforts to pack the Supreme Court began to grow in Congress.

On the national scene, organized labor was beginning to assert itself as an economic force, aided by enactment of the Wagner and Walsh-Healy Acts. Sitdown strikes became a new economic weapon in the hands of unions. Organizational strikes were being conducted in the basic industries. However, the Liberty League was strongly resisting these inroads and confidently expected the Supreme Court to rule the Wagner Act unconstitutional in a test case.

When the Court upheld the act in April 1937, it became clear to many conservatives in the industrial North and the low-wage farm areas of the South that only by forging a bipartisan conservative alliance in Congress could they hope to stem the tide of new dealism, with its growing emphasis on the needs of city dwellers, minority groups, workers, small farmers, and other underprivileged segments of the population.

This was the year that conservatives succeeded in seizing control of the House Rules Committee. They were able to change its role from that of a traffic cop in scheduling measures reported by standing committees for floor action, subject to majority leadership decisions, to that of a policy-making body—dictating to all Members which bills it deemed worthy of being considered on the House floor.

During the 1937 session, almost 10 percent of all House rollcalls showed Republicans and a majority of southern Democrats voting against a majority of Democrats from the rest of the country. Democrats divided sharply on such votes as those to authorize an investigation of sitdown strikes, on antilynching legislation, alien relief, and immigration measures. The coalition also succeeded in blocking consideration of the fair labor standards bill for the remainder of the session. However, a concerted drive by the administration resulted in passage of the bill in the second session, after it was pried out of the Rules Committee by a discharge petition.

EARLY COALITION VICTORIES

During the 1st session of the 76th Congress, the coalition won two important victories—forcing an investigation of the NLRB because of alleged "prolabor" rulings and in passing the Hatch Act to prohibit political activity by Federal employees. Cleavages between northern and southern Democrats widened on such issues as housing, civil rights, labor legislation, immigration bills, relief measures, and regulation of business.

THE COALITION DURING WORLD WAR II

Although the outbreak of World War II in Europe curtailed the New Deal domestic programs, the influence of the conservative coalition continue to grow. By 1941, coalition voting frequently had increased to more than 13 percent of all House rollcalls.

[1] Congressional Quarterly Weekly Report, Dec. 4, 1959. See also Congressional Quarterly, Feb. 13, 1959.

[2] Congressional Quarterly Weekly Report, Nov. 20, 1959.

During the war years, the coalition succeeded in passing the Smith antistrike bill, a States rights armed services' voting bill, established the Un-American Activities Committee as a permanent House committee, and watered down the price control program and the excess profits tax measures.

By 1945, coalition voting alinements took place on 16 percent of all House rollcalls, as a combination of Rules Committee power, seniority, and attrition among northern Democratic in off-year elections helped conservatives strengthen their grip on the legislative machinery of the House.

THE COALITION IN POSTWAR YEARS

In the immediate postwar period of the 79th Congress the coalition used its power to pass the Case strike-control bill, to exclude farm labor from NLRB jurisdiction, to turn over the U.S. Employment Service to the States, and to take the first steps toward gutting the price control program. This latter action soon resulted in a wave of speculation, profiteering, and inflation, costing the American public billions of dollars in lost purchasing power.

After the election of the Republican 80th Congress in 1946, the coalition achieved its greatest numerical strength. It succeeded in passing the Taft-Hartley Act and in overriding President Truman's veto of the measure. It reduced coverage under the Social Security Act, overrode Truman's veto of the "rich man's" tax reduction bill, and further weakened price and rent controls.

The hand of the coalition was also seen in blocking such measures as an effective public housing program, Federal aid to education, civil rights, an increase in the minimum wage, an adequate farm program, and other legislation which President Truman proposed to the 80th Congress. His 1948 "whistle stop" campaign against the "special interests" which dominated the 80th Congress won for him his upset victory over Dewey and formed the basic planks of his Fair Deal program.

THE COALITION VERSUS THE FAIR DEAL

The Republican-Southren Democratic coalition in the 81st Congress was a major force in blocking enactment of important segments of the Truman legislative program and in watering down others. A majority of Republicans and southern Democrats voted together against administration proposals on about 30 percent of all substantive rollcalls in the House.

The high frequency of coalition voting is at least patrially explained by the change in House rules on the opening day of the session. The House Rules Committee was stripped of its power to pigeonhole bills reported by standing committees by adoption of the 21-day rule, which permitted committee chairmen to call up bills reported by his committee, if they were not acted upon by the Rules Committee within a 21-day period. This meant that many of the controversial administration bills reached the floor for debate and vote which otherwise would have been held up in the Rules Committee.

Among the measures brought to the floor under the new 21-day rule were Hawaiian and Alaskan statehood bills, a rivers and harbors bill, the National Science Foundation bill, an antipoll tax bill, a VA hospital bill, and a joint resolution providing for U.S. participation in international organizations. In addition, the threat of using the new rule forced a reluctant Rules Committee to act on minimum wage, social security, and public housing legislation, all of which were subsequently enacted into law.

The conservative coalition did succeed in defeating an attempt to repeal the Taft-Hartley Act; in rejecting the Brannan farm plan; in permitting "local option" decontrol of rents; in defeating the National Minerals Act; in watering down the minimum wage bill; in passing the natural gas and basing point bills (both vetoed); in reducing foreign aid funds and funds for public housing; in rejecting controls over commodity speculation, and in watering-down an FEPC bill.

A coalition attempt to repeal the 21-day rule early in the 2d session of the 81st Congress failed. However, the new rule was repealed by the coalition on the opening day of the 82d Congress. Since that time, the Rules Committee has tightened its hold over the legislative machinery of the House.

THE COALITION DURING THE EISENHOWER YEARS

During the Eisenhower administration, the coalition has continued to play a dominant role. It has won a number of important victories, including those in which it turned over offshore oil resources to a few coastal States, reduced funds for the soil conservation program, blocked liberalization of the unemployment compensation system, watered-down several public housing bills, passed the natural gas bill, defeated school construction legislation, watered-down a minimum wage bill increasing the extent of coverage, blocked an investigation of administration fiscal and monetary policies, defeated the Kennedy-Ives labor reform bill, blocked consideration of the community facility loan program.

The coalition has also appeared on such issues as antitrust legislation, water pollution control measures, civil rights, natural resource development, public works, foreign aid, H.E.W. appropriation measures, and legislation affecting the District of Columbia.

SUMMARY

Over the years since 1937, the Republican-Southern Democratic voting coalition has operated with varying degrees of effectiveness, being most successful on legislation dealing with education, social welfare, labor, regulation of business, public works and resource development, civil rights, immigration, taxes and other economic issues, and those where States' rights have been involved.

It is in these areas that the major differences between the Republican and Democratic parties are to be found. These are also the types of issues of such vital concern to Northern and Western Democrats in the 1960 campaign.

Scholars and political writers have attempted to explain the basis for the Republican-Southern Democratic coalition in these broad areas of legislation. Many factors have been mentioned, including the high degree of party discipline among Republicans and the correspondingly low degree of party unity, loyalty, and responsibility to the party platform among congressional Democrats from the South.

Other factors often mentioned are the procedural roadblocks in the House legislative machinery, controlled by coalition leaders; the seniority system which assures conservatives of the chairmanships of a majority of the committees and subcommittees; the one-party system in most Southern States; the lack of communication and unity of purpose among Northern and Western Democrats; the antiquated apportionment formulas in many States, which gives rural areas disproportionate representation in State legislatures and in Congress; and the basic need for a realinement of the American political party system.

Going back now to the remarks last Monday of the gentleman from Missouri [Mr. CURTIS], I would like to comment on his remarks concerning the northern and southern Democrats who make up our National Democratic Party. Certainly there are basic differences of opinion within our party, just as there are differences of opinion within his own party. We all realize that the sharpest conflict within the Democratic Party is over the civil rights issue.

I can understand why the gentleman is anxious to delay action on the pending civil rights bill as long as he can, so that his party may perhaps gain political advantage from the unhealed split in our ranks near convention time. However, I seriously question his wisdom in such a course of action. The American people are not going to be fooled by such a transparent scheme. It is my opinion that the overwhelming majority of our citizens will resent this effort to play cheap partisan politics with the civil rights issue.

Meanwhile, Mr. Speaker, it will not go unnoticed that Mr. NIXON'S major self-appointed supporters in the House have thus far refused to sign the discharge petition to bring the civil rights bill to the floor for action. They will also take note of the fact that his ambitious and available running mate, the gentleman from Indiana [Mr. HALLECK], has refused to cooperate in obtaining early action on the bill as the President has requested and has used his office of minority leader to block our efforts to consider the bill on its merits.

We Democrats have our differences because we are a national party facing up to national issues of importance to all Americans. But even a narrow-interest, sectional party like the Republicans are scrapping behind the scenes. Surely none of us has forgotten the bitter struggle of last January which saw a change in Republican leadership in the House. Nor have we overlooked the backstage struggle of last week over the chairmanship of the Republican congressional committee, which saw the distinguished former chairman of the Republican National Committee, the gentleman from Tennessee [Mr. REECE], walk out of the meeting in protest over the treatment afforded members of the Taft-Martin wing of the Republican Party.

Certainly, no one missed the significance of the dispute over whether or not Gov. Nelson Rockefeller would appear on the nationwide, closed-circuit TV show of the 80 fund-raising Dinners With Ike to be held on January 27.

Not satisfied with having torpedoed any possibility of Governor Rockefeller's challenging Vice President NIXON for the nomination, the Republican high command has apparently taken elaborate steps to bar the New York Republican from speaking over the TV circuit.

I read from a story by Betty Beale in the Washington Evening Star for January 20, 1960:

The telephone wires between New York, Washington, and Los Angeles are still burning over this city's fundraising dinner with Ike, one of the 80 dinners to be held January 27.

As a result of the dispute as to whether guest speaker Governor Rockefeller would appear on the GOP nationwide closed-circuit TV show, interest in the dinner has shot up * * *

One disputed point has not been settled. Governor Rockefeller demanded that there be a head table, knowing that he would be lost in the crowd seated on the floor otherwise. So at the dinner committee meeting held here yesterday afternoon, it was agreed

that there would be a small head table in each of the two rooms. He will appear in person to speak in each room.

But thus far Hollywood star George Murphy, who's in charge of the closed-circuit show, has made no provision to carry Nelson's speech along with the speeches of President Eisenhower (from Los Angeles), Vice President NIXON (from Chicago) and Chairman Thruston Morton (from New York).

George, who is very pro-NIXON, must have great qualms about Rockefeller's charms. Instead of Republicans across the country hearing the one-time contestant, the Nation's Capital will be represented on the TV show by the Howard University choir. The choir will sing two numbers, "God Bless America" and "Battle Hymn of the Republic."

But whether or not the TV cameras will pick up a wave, greeting, or even a smile from Nelson, is still not known. And it probably won't be known until that night, which makes this dinner the most fascinating one of the entire 80 being held next Wednesday.

Mr. Speaker, it appears that there is the distinct possibility that the TV dinners with Ike will be just as rigged as the Republican convention in Chicago next July. I am sure that the Howard University Choir will do a fine job on the nationwide hookup, just as they did last year on the nationwide TV celebration of Harry Truman's birthday.

It is fitting that one of their numbers will be the "Battle Hymn of the Republic-ans." By their desperate efforts to keep the short-lived Republican presidential hopeful off the TV screens the Republican stage managers are proving that they believe in political monopoly as well as the economic variety.

The gentleman from Missouri boldly suggests that all that needs to be done to bring the civil rights bill to the floor is for northern Democrats to supply three votes on the Rules Committee, to vote with the four Republicans at a meeting called to consider the bill. Yet in an interview with Washington Post reporter Richard L. Lyons slightly more than 2 weeks ago, not one Republican on the Rules Committee would commit himself to vote for the bill. One Republican member of the committee voted against the 1957 civil rights bill.

The distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], has stated on the floor of the House the appropriate steps he has taken in requesting the Rules Committee to grant a rule on the civil rights bill. They have refused to do so. As a diligent chairman, determined to obtain action on the bill reported by his committee, Mr. CELLER has filed a discharge petition to force action. This is an unwelcome turn of events for the Republicans, who like to talk civil rights but will not even take the trouble to sign their names on a discharge petition to guarantee House consideration of the bill.

In his remarks the gentleman from Missouri pictures himself as quite the expert and protector of House rules. He takes a dim view of the discharge rule and states that he has never availed himself of the privilege of signing such a petition. That is his right. However, as an expert on the rules I know that he would want the RECORD to be straight with regard to the history of the discharge rule, Calendar Wednesday, and the makeup of the Rules Committee.

First, the revolt against Speaker Cannon in 1910 established a Rules Committee of 10, not 12 members—6 of the majority and 4 of the minority party. The number was changed to 11 in the 62d Congress, 13 in the 65th Congress, then to 12 members until the 76th Congress when it was increased to 14, and finally it was set at 12 members in the 80th Congress—8 majority and 4 minority—by agreement of the present Speaker and the former minority leader, the gentleman from Massachusetts [Mr. MARTIN].

The Calendar Wednesday rule did not proceed from weaknesses in the establishment of the reformed Rules Committee as the gentleman from Missouri has suggested. Actually, this rule was first adopted by the House on March 1, 1909, a year preceding the major revolt against Speaker Cannon. It was amended in the 64th and 72d Congresses.

Mr. Speaker, I am sure that the gentleman from Missouri wants accurately to record the history of these rules. He must be aware of the fact that the discharge rule was first established on June 17, 1910, as part of the anti-Cannon revolt. It was supported by Republican insurgents and Democrats and came on the heels of the Rules Committee reform. Republicans then controlled the House by a 217 to 173 margin.

There have been six different discharge rules in effect. Three have been supported by Republican majorities—the first in 1910, the fourth in 1924, and the fifth in 1925. Three discharge rules have been supported by Democratic majorities—the second in 1911, the third in 1912, and the sixth in 1931. The total number of signatures required has varied from 145 to the present majority of the total membership of the House.

There is an honest difference of opinion over the value of the discharge rule. Over the years, Members from both sides of the aisle have attacked and defended it with vigor. One distinguished predecessor from the gentleman's own State of Missouri, former Speaker of the House, Champ Clark, said at the time the first rule was introduced in 1910 that it simply provides the machinery by which the House can consider a bill which a committee fails, refuses, or neglects to report when the House desires it. At the time, Clark was the Democratic floor leader. He went on to say that if the rule is adopted it will not have to be used, but would be held over the heads of the members of the committee as a "terrorem."

Mr. Speaker, if it were not for obstructionist tactics in the House, the discharge rule would not need to be employed. I do not sign a discharge petition without much sober reflection and soul searching. It is not an action to be taken lightly. But, as in the present situation, the rule must be used when it is clear that there is no other way to obtain prompt action on important legislation such as the civil rights bill.

I suspect that the Republicans have never had much love for the discharge rule since it was sucessfully used to bring about consideration and eventual passage of the Fair Labor Standards Act in 1938 after it had been blocked by the coalition.

The gentleman from Missouri puts great faith in the Calendar Wednesday rule, despite the obvious shortcomings of its use where controversial legislation is involved. He well knows that the rule has not been used in the House since 1956, and is rarely used on controversial legislation—for good reasons.

The most notable legislative struggle involving the use of Calendar Wednesday took place in 1950 over the bill to establish a Federal Fair Employment Practices Commission. Since neither I nor the gentleman from Missouri were Members of the House during this time, it would be useful to review briefly this use of the Calendar Wednesday rule. We can then see whether this is a sound and responsible way to legislate.

In many ways that situation was similar to the present one. The FEPC bill had been reported during the 1st session of the 81st Congress. The Republican-Southern Democratic coalition on the House Rules Committee refused to grant a rule, despite the efforts of the then chairman, the late beloved Congressman Adolph Sabath, of Illinois. Plans were then made to bring the FEPC bill to the House floor in January 1950 through use of the new 21-day rule, which permitted a chairman to call up a bill reported by his committee if it had not been acted upon by the Rules Committee.

In a sudden move all Republicans and southern Democrats on the Rules Committee then backed a resolution to repeal the 21-day rule. This would have the effect of blocking efforts to bring the FEPC bill to the floor. The resolution was brought to the House floor for action only 3 days before the 21-day rule was to have been invoked on the FEPC bill. The repeal resolution was defeated 236 to 183 on January 20, 1950. Sixty-one percent of the House Republicans including all four Republicans on the Rules Committee, voted to repeal the 21-day rule—the originally scheduled vehicle for consideration of the FEPC bill.

By this time, most Republicans had apparently forgotten that their 1948 platform contained this pledge:

> The right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or country of origin. We favor the enactment of just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic.

Parliamentary maneuvering continued as the Hawaiian and Alaskan statehood bills were then called up under the 21-day rule. A discharge petition was filed on the FEPC bill. Then, as now, most Republicans refused to sign the petition to bring the bill to the floor.

Meanwhile, efforts by Chairman Sabath to obtain a rule again failed. A 5–5 tie vote—a Republican vote plus two Republican absences—blocked consideration. Reluctantly, proponents of the FEPC bill decided to try the Calendar Wednesday procedure.

FEPC opponents employed delaying tactics during the next 5 weeks when Calendar

Wednesday took place. Repeated quorum calls, motions to adjourn, and other parliamentary roadblocks were thrown up.

A final effort to obtain a rule failed by a 6–6 tie vote, as Republicans again teamed up with Southern Democrats on the Rules Committee to block action.

The bill was finally called up on February 22, 1950, under the Calendar Wednesday rule. Thus it took from August 2, 1949—when the bill was first reported—to February 22, 1950, to bring the bill to the floor. This was despite the fact that only 5 committees intervened in the alphabetical listing in the order of call under Calendar Wednesday.

By way of contrast, the call now rests with the Agriculture Committee. The Judiciary Committee is 12 committees below on the alphabetical listing. Surely, the gentleman from Missouri [Mr. CURTIS] is not serious when he suggests that Calendar Wednesday could be used to bring the present civil rights bill to the floor during this abbreviated session.

He suggests that "all the Committee on Judiciary has to do is to wait until its turn" and says "no other committee has any bill ready, as I understand it and the committee could probably get an early Wednesday."

The gentleman realizes, of course, that bills reported last session may still be called by the respective committee chairmen. I refer him to the calendars of the House, the Union Calendar on pages 19–27 and the House Calendar on pages 31–32, which list several dozen bills reported by the 11 committees which would be called before Judiciary. At this rate, the Judiciary Committee might get "an early Wednesday"—that is, early in the fall, if the Congress remained in session that long.

Certainly, I would favor any attempt to reinstitute Calendar Wednesday as a way in bringing up other legislation reported by standing committees and blocked by the Rules Committee. There are several committees high up in the alphabet with important bills to be called up, such as the area redevelopment bill, the Murray-Metcalf education bill, the Clark-Reuss bill to amend the Employment Act of 1946, and other measures which should be considered on the floor. I submit, however, that this procedure is not the way to obtain prompt action on the civil rights bill.

Returning to a discussion of the 1950 experience under Calendar Wednesday, the parliamentary delaying tactics used against the FEPC bill resulted in seven rollcalls, three quorum calls, and six teller votes. The day's session lasted 15 hours. The bill finally passed was virtually meaningless. There was little opportunity for reasoned debate on the merits of the measure because of the dilatory tactics of the bill's opponents.

It is impossible to legislate intelligently under these conditions. Yet the gentleman from Missouri insists that the only way to consider the civil rights bill is by use of the Calendar Wednesday rule. I say to him that such action would serve to ridicule the institutions of the representative government in the House of Representatives and would provide propaganda for the enemies of democracy throughout the non-Caucasian areas of the world.

Mr. Speaker, I would suggest that the gentleman from Missouri and his Republican colleagues heed the words of the present chairman of their party's national committee, Mr. THRUSTON MORTON, who, as a Representative from Kentucky, said during the 1950 FEPC debacle:

> It is time that we faced up to this issue and not hide behind parliamentary tricks, or the Committee on Rules, or anything else.

If Republican Members of the House are genuinely concerned over the obvious need for this legislation, they will promptly sign the discharge petition. Otherwise, they will be again repudiating their own party platform and publicly proclaiming their surrender to political expediency. It is abundantly clear that the only way in which the pending civil rights bill, H.R. 8061 can be considered on the floor of the House, be strengthened and made more effective by amendments, and ultimately be passed is through the discharge procedure.

Mr. VANIK. Mr. Speaker, I yield such time as he may desire to the gentleman from Connecticut [Mr. BOWLES].

Mr. BOWLES. Mr. Speaker, my remarks will be brief.

I welcome the initiative that has been taken by the gentleman from California [Mr. ROOSEVELT] and others here this afternoon, to enable us to have this full and free discussion.

There is no question in my mind that civil rights is one of the central challenges of our age. It is a major testing ground for American democracy in the eyes of people everywhere, at home and abroad.

Because it is such a crucial and sensitive issue, it offers endless temptations to all politicians who are more interested in a devisive, demagogic issue than they are in promoting honest and meaningful progress. It should now be clear to everyone that the Republican Party has again found these temptations irresistible.

Decent forward-looking Americans want civil rights to be recognized for what it is: a continuing national problem challenging the individual conscience of every American citizen in every American community. By its actions and its failure to act, however, the Republican Party apparently intends to do everything it can to promote sectional controversy, to divide group from group, and to accelerate partisanship.

Those of us who hope for progress on civil rights know that progress must occur on a national and nonpartisan basis. At the moment the Republican leadership here in the Congress is clearly less interested in progress than in promoting sectional controversy for partisan gain.

I should like to make three brief and simple points in this connection:

First. It has been 5½ years since the Supreme Court held that compulsory segregation of public schools was unconstitutional. This decision obviously presented the executive branch of our Government with a major invitation to leadership. For 5½ years the Republican administration has simply defaulted on this obligation to lead. Someone has said that it has given us very little between the platitudes and the bayonets.

The situation has required persistent efforts to call out the best in our national conscience and in constructive community endeavor. It has required the use of all the power and prestige of the Presidency in molding minds and evoking positive responses.

For 5½ long years we have heard the Republican administration tell us that civil rights is largely a question of the hearts and minds of people. Of course it is. But what the Republican administration has given us is a halfhearted, legalistic approach. It has forgotten that time alone will not solve problems; what solves them is the constructive use of time.

Second. I am in full agreement with many of my colleagues here this afternoon on the urgent importance of improved civil rights legislation in this session of Congress, especially in the field of protecting the right to vote. But I earnestly hope that the country will not be diverted by the controversy in Congress. After all, while we debate, the administration could act.

President Roosevelt's wartime FEPC was established by executive order and it diminished racial job discrimination in the war effort. Discrimination in the Armed Forces was ended as a result of President Truman's executive order. In the last 7 years presidential initiative has been wholly lacking.

And yet there is so much that could be done. The President's own Civil Rights Commission, composed exclusively of Democrats from the South and Republicans and Independents from the North, has urged the administration to act. The Commission's report unanimously urged a specific executive order implementing the right to equal opportunity in housing.

The Commission unanimously made four additional recommendations designed to end discrimination in particular Federal housing programs, all of which should be carried out within the executive branch without further congressional action.

The Commission specifically urged the Attorney General to bring civil suits under the 1957 Civil Rights Act in a larger number of districts, saying that the previous efforts of the Justice Department have been "disappointing in number, nature, and results." Instead, the Republican administration prefers to talk and relax on this issue when it might have acted and still can act to perform a historic service.

Finally, Mr. Speaker, if there is any remaining doubt of the preoccupation of the Republican leaders in politics and the lack of genuine interest in civil rights we have only to look around us to see what is going on.

While the Attorney General is talking in the morning papers about new legislation on voting rights, we need only three of the four Republican votes on the Rules Committee to report out a civil rights bill. Because these three votes have not been forthcoming we Democrats have taken the lead in preparing and

signing the discharge petition which will bring civil rights legislation to the floor of the House. Our Democratic signatures on that petition now outnumber the Republican more than 5 to 1.

We have heard much about the enormous persuasive power of both the minority leader and of the Vice President of the United States. I do not question their capacity to sway their Republican associates.

I merely express my own sense of frustration that this power is not being used to help us produce the civil rights legislation which the American people want.

If I may be pardoned for saying so I find this modern Republican behavior particularly ironic as we approach the 100th anniversary of Abraham Lincoln's inauguration.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield.

Mr. CELLER. Is it not true that the President's heart is not in civil rights? That he merely expresses words but does not follow them up with any action implementing those words?

Mr. BOWLES. I think I am correct when I say the President once said that he had never told even his wife whether he thought the Supreme Court decision was right or wrong. He simply said, "I have been placed in this job to uphold the law. I will do that. I pass no judgment on the rights or wrongs involved."

I would like to make one further observation and that is that this is basically and primarily a moral question. The Congress is left with the responsibility of doing what it can under admittedly very difficult circumstances. It has been brought out here today several times that the Democrats who have signed the discharge petition outnumber the Republicans five to one.

I hardly pick up a newspaper these days or turn on a television set but what I read of some tribute to the persuasive powers of either the minority leader or the Vice President of the United States. These are very realistic statements about persuasive powers and there is considerable frustration that those persuasive powers are not being used.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from West Virginia.

Mr. HECHLER. With reference to the question asked by the gentleman from New York regarding the President's position on civil rights, I would like to underline what he said at a press conference yesterday on that subject. When asked about the proposals of the Civil Rights Commission the President responded, in response to the question, "Do you have anything new that you could say?":

> Yes. I think that you will—the Attorney General has another plan that he thinks, within the framework of existing law, will improve very much the procedures that have been followed. And it is somewhat technical, exactly what the jurisdiction and the action possible for judges to take. So I would suggest to get the thing exactly, so it is not subject to misinterpretation, you should go to him, because it is a bit of a—it is a legalistic amendment that it would be difficult for me to describe in detail.

Later, the President was asked to expand on the Attorney General's civil rights proposals, and all the President could say was:

> We stand by the recommendations we've already made. But he thinks he's got a scheme that will make the insurance of the voting right more firm, and that is the thing you should talk to him about so then you know exactly what he's got in mind.

This underlines the point that if the President wished to exert leadership on this civil rights, he certainly would not have passed the buck; he would have spoken forcefully instead of the way he did in his press conference yesterday.

Mr. BOWLES. I think the gentleman is quite right.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from California.

Mr. ROOSEVELT. Would not my good friend, who has made such a distinguished career in the part of the world where the challenge of communism is so great, comment to some degree as to whether or not the failure to pass an effective civil rights bill will not seriously hamper us in our effort to hold and to maintain allies who are against communism in the world?

Mr. BOWLES. I think the gentleman is right. This is very fundamental to our world position. Two-thirds of the people of the world have darker skins than most of us. This is the issue to many of them as they look at the democratic West constantly asking the question: Do we really mean the things that we say? Does the Declaration of Independence mean what it says, that all men are created equal?

This is a fundamental weakness of our country as we stand here today. I would like to stress, however, the fact that we have made a great deal of progress. We have probably made more progress in the last 15 years since the war than in any comparable period in our history. But the pressure to make still further progress is greatly increased in the meantime, and we lag behind in the course of world events. The gap between our action and the hopes and beliefs of multitudes of other people in Asia, Africa, and Latin America is growing greater all the time. This is a crucial question not only for us as citizens living in a democracy, but for our world security—for our whole position in the world.

I would like to say finally that I hope we will do the things that are required, not because we are afraid of Russia or afraid of any other foreign power, but because we know these things are right and we are acting on them basically with that in mind.

Mr. VANIK. I thank the distinguished gentleman from Connecticut for his very constructive statement.

I now yield to the gentleman from Pennsylvania [Mr. TOLL].

Mr. TOLL. Mr. Speaker, first I want to associate myself with the splendid talk that was just given by the chairman of the Committee on the Judiciary, on which I have the honor to serve, the gentleman from New York [Mr. CELLER], and with all of the statements that he made in connection with civil rights. I also want to associate myself with the remarks of the distinguished gentleman from California [Mr. ROOSEVELT] who presented a very, very fine statement in connection with civil rights.

Thirdly, I was extremely interested in the presentation of the history of the Committee on Rules and in connection with the methods which were used to inspire the rules relating to Calendar Wednesday and the rules relating to the discharge petition. I must slightly disagree with the gentleman who yielded to me when he modified the procedure by calling it extraordinary. In my own view I do not consider the procedure extraordinary, relating to the use of this means to get a bill before the House. All of the rules that are presented to the Members of the House are entitled to equal consideration. While some of the rules are seldom used, they all show the method by which legislation can be brought to the floor, and I think that the method used here is legitimate, qualified, and a proper method in order to bring legislation before the Members of the House so that they can decide how they want to vote. Therefore, I feel that the smokescreen should be set aside and the method which has been used for the purpose of bringing this legislation to the floor should be supported.

Mr. Speaker, the present civil rights bill which is the subject of the petition for signatures is a watered down version of the bill originally presented by the administration in the first half of the 86th Congress. It contains only those titles which could pass the Judiciary Committee after the rejection of title III which was sponsored by Chairman CELLER, of the committee. The other rejected titles were part of the administration's alleged civil rights programs.

In view of this situation, how can the Republican Members in a sincere manner avoid signing the petition merely on the pretext of a procedural objection? Some of the minority Members have had the sincerity to sign the petition because they believe that the civil rights bill should be considered by the Congress despite some procedural difficulties. Others, however, have apparently availed themselves of the opportunity to hide behind the device of the technical procedural difficulty. The Democrats who have signed the petition are supporting a bill containing Republican-sponsored provisions. The Republicans who do not sign are not even supporting their own administration. Why don't the Republicans join the Democrats in supporting the petition to get the bill to the floor which at least represents the administration's position on civil rights? This will eliminate the question regarding the sincerity of the Members of Congress in connection with their interest in civil rights legislation.

Mr. VANIK. Mr. Speaker, at this time I yield to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Speaker, I wish to associate myself with the remarks uttered by the gentleman from California [Mr. ROOSEVELT], and the

chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER]. I subscribe heartily to what they said about charges of lack of good faith on the part of some members of the Republican Party.

The right to vote is the cornerstone of the Republic, and the key to all other civil rights. Upon this American fundamental, in the course of enacting the Civil Rights Act of 1957, there was agreement between Democrat and Republican, North and South, executive and legislative branches. Today no such agreement exists. The President on the one hand speaks of civil rights then does not act. The Attorney General at the late hour presents a bill which eliminates the recommendations of the Civil Rights Commission, eliminates the recommendations of the Judiciary Committee, and at this late hour submits a bill this day.

The Republican Members who supported the civil rights bill in 1957 are silent. They sit, with the exception of a few, just gloating about the inability of this House to obtain an effective civil rights bill. In 1957 the Republicans indicated what they thought about it. What has happened to change their points of view?

In 1957 the then Attorney General, Herbert Brownell said:

> The right to vote is really the cornerstone of our representative form of government. I would say that it is the one right, perhaps more than any other, upon which all other constitutional rights depend for their effective protection, and accordingly it must be zealously safeguarded.

The majority leader of the Senate, LYNDON JOHNSON, a Democrat from Texas, in 1957 stated:

> I voted for the civil rights bill because I believe that the right to vote is the most important instrument for securing justice. I was convinced that steps were needed to safeguard that right.

Said Senator LEVERETT SALTONSTALL, Republican, of Massachusetts:

> No one can deny that the right to vote is a fundamental, inalienable right of all people in a democracy. Every other constitutional right depends upon it. Without this, we have only an illusion of true democracy; history has shown us that when this basic right is abrogated democracy and freedom fail.

Said Senator PAUL DOUGLAS, Democrat, of Illinois:

> If we can help to restore and maintain this right to vote, many of the other present discriminations practiced against Negroes, Indians, and Mexican-Americans will be self-correcting.

The history of democracy in the United States is essentially the story of a great ideal of the dignity and rights of every human being, a cautious constitutional beginning of self-government, and then a long, still unfinished growth toward realization of the ideal. No feature of that growth has been more significant than the evolution which has occurred in the American concept of voting. The new Nation began with a prevailing attitude that the right to vote should be limited to the few who prove themselves qualified, usually by ownership of property. Gradually the Nation shifted to the modern concept that voting is a right which belongs to every citizen except the few who are specifically disqualified by the qualification requirements of their States.

One of the most unpleasant facts for many years in many areas of our country is the inability of citizens to vote because of their race or color. Certain States have imposed obstacles either in the form of poll taxes or artificial barriers.

In 1944, a presidential election year—and I do not know whether the number of citizens voting then has brought the present thinking of the Republican Party and whether that is why they may be acting as they are—in the poll tax States, of which there were eight, 18 percent of of the people voted for the President. In the nonpoll tax States, 68 percent of the people voted for President. Such obstacles which have been put up in front of the voters in these poll tax States have been unfair to the American citizen. The Nation has been deeply concerned with it.

Some people want to remove the obstacles and others to make them more difficult. In recent times there has grown up a strong national determination to end racial discrimination in all its forms. It is particularly important today in voting. Discrimination in that field is totally inconsistent with our democratic system and our way of life. Then, too, the opportunity to use the ballot is a principal means by which other forms of racial discrimination may be combated.

Today one of the newspaper writers in the Washington Daily News has this to say about the recommendation made by the Attorney General only this day:

> Attorney General William P. Rogers' new plan to have Federal district court judges name U.S. voting referees to certify that qualified citizens can vote in both Federal and State elections represents a sharp shift in administration civil rights policy.
>
> In his January 13 press conference, President Eisenhower raised doubts about the constitutionality of a Civil Rights Commission recommendation to have him name temporary Federal election registrars. Their function would be to register for Federal elections any citizens denied their legal voting rights by reason of race or color.
>
> Also, the President said he didn't want anything to get in the road of his administration's six civil rights amendments now pending before Congress.
>
> If there was any idea this dash of cold water would freeze the proposal for Federal supervision of election machinery, it was wrong. There is more steam pressure behind this recommendation than had been figured. Also, the arguments in favor of its constitutionality are more than ample.
>
> So instead of opposing the idea and saying that it is unworkable, Attorney General Rogers has come up with an administration proposal which he thinks even better.
>
> Civil Rights Commission's original recommendation may have been administratively bad in that it piled a heavy workload on the already overburdened White House.
>
> The President would have had to receive many thousand affidavits on denial of voting rights. He would then have had to appoint the Federal registrars to take corrective action.
>
> Civil Rights Commission's idea in this was that the registrars would need Presidential authority behind them to get respect and compliance with their orders.
>
> Attorney General Rogers thinks he has found a way to sweep all this responsibility off the President's desk. If a citizen qualified to vote under State law is denied his right to register and vote, he could go to the U.S. district attorney's office, the FBI, a U.S. commissioner, or a Federal court to file his complaint.
>
> The Federal judge would then appoint a voting referee—similar to a referee in bankruptcy or a special master—who could certify to State officials that the applicant is entitled to register and vote.
>
> Court appointed referees would be given further powers to visit the polls on election day to insure that certified voters do vote and that their votes are counted. If voters are denied these rights, referees could then report back to the court and contempt proceedings could be initiated against State election officials, or the States themselves, if the officials vacate their offices.
>
> It is conceded that this new, seventh administration civil rights proposal cannot be enacted by Congress in time to be effective in the 1960 elections. Even if the amendment is passed, there are bound to be obstructions. States rights Senators might even filibuster to defeat it.

This bill at this late date is a camouflage to hide the intent of the Republican Party to prevent civil rights legislation this year and to avoid blame for the failure to pass a civil rights bill.

The bill presented by the Attorney General, before it can be considered by the House, must be considered by the Judiciary Committee, then it must obtain a rule. If we cannot obtain a rule for H.R. 8601, which is on the desk and for which we are signing a petition, do you think we can get a rule on the Attorney General's bill? Of course we cannot. Other available procedures have been demonstrated by previous speakers to be ineffective.

This civil rights bill has not only domestic effects, but international implications. The great internationalist Member of this House, the gentleman from Connecticut [Mr. BOWLES], pointed out the importance of this legislation.

During my trips to the Far East, I recognized the fact that the people are looking to the United States for leadership in democracy. The President has asked for $4,200 million to spread around the world to teach people the elements and fundamentals of democracy. Two billion dollars of that sum is going for economic recovery. We tell these people, "You should become Democrats in spirit and you should follow the spirit of democracy." Yet, here at home we refuse minority groups the right to vote. We say to the peoples in foreign lands, "Do not look at what we do—just listen to what we say."

Mr. Speaker, if we do not practice democracy in the United States, do you think the peoples of the world who are looking to us for leadership in the field of democracy will follow our lead? Certainly, we know that they are looking for that leadership. This Congress does not have it in the field of civil rights. The administration has not been able to tell the members of their party that they should come up here and sign this petition. I commend those Republicans who have signed the petition. Those who have not signed it have made their choice—they are against civil rights.

The record is there for all to see. A missing name means opposition to the right of citizens to vote. Any explanation or rationalization will not remove the stigma or the responsibility. In conclusion, I say to the Republicans, to those who are in the Chamber or to those who may read the RECORD later—"Republicans arise and sign the petition, or else you shall ever be condemned."

Mr. VANIK. Mr. Speaker, I thank the gentleman from New York for his fine statement.

THE JOINT ECONOMIC COMMITTEE'S REPORT ON EMPLOYMENT, GROWTH, AND PRICE LEVELS PROVIDES THE FACTS UNDERLYING CENTRAL ECONOMIC ISSUES; PROVIDES AN IMPORTANT POLICY GUIDE FOR CONGRESS

The SPEAKER pro tempore (Mr. IKARD). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, it was almost a year ago that the Joint Economic Committee embarked upon one of the most intensive and thoroughgoing investigations and studies of our economic system that has ever been made of any nation's economy. Yesterday the committee filed its report setting out the facts and its conclusions and judgments on a great many of the issues of public policy which have plagued us for several years.

As the Members will recall, this study was authorized by a concurrent resolution of the Senate and House. It was undertaken in response to a widespread desire on the part of Members of Congress, as well as the general public, that the answers be found to some of the major public policy questions which have been under wide discussion—and the subject of some dispute.

THE COMMITTEE HAS DONE A MONUMENTAL JOB

During the course of this study, the committee heard at least a hundred expert witnesses from the Nation's universities, from the Federal bureaus, and from private banking and industry. In addition, the committee has had the benefit of many study papers submitted by competent researchers and experts in particular fields of economics. And beyond that, the committee's expert and devoted staff has collected a monumental amount of information and have themselves contributed detailed analyses and study papers. In this the committee was fortunate to have an expert staff recruited especially for this study, plus several members of its permanent staff. These economists came from academic life—from the Nation's universities—and were chosen by the committee chairman for their high competence and objectivity, without respect to any political preferences these economists may have, if any.

It has been a monumental job and the Congress has, I think, been extremely fortunate to have such a man as Senator PAUL DOUGLAS, of Illinois, to chairman this study. Senator DOUGLAS is, as we all know, an economist of the highest stature and accomplishments, a past president of the American Economic Association, and a distinguished teacher and educator before coming to Congress. I have never known any man to go at a task with greater energies, greater devotion, and more objectivity and fairmindedness than Senator DOUGLAS has given to this investigation and study.

Needless to say, the committee's report has not assembled all the wisdom of the ages and it has not discovered all economic truths for all time. Only people who believe in fairy godmothers, government by slogan, and such things, would expect otherwise.

The committee's investigation has, however, extended the frontiers of knowledge in a great degree, and this is the most that reasonable men would expect or even hope for.

All members of the committee do not, of course, agree in all of the conclusions and recommendations. As a member of the committee I myself am in disagreement with some of these conclusions and recommendations, and, in fact, I felt compelled to file supplemental views setting out my disagreements. Furthermore, these points are important and I feel very strongly about them.

In fairness, however, I should say that the differences between my views and those of the majority of the committee are largely differences of degree. They are mostly differences over how far we should go in correcting the problems that have been found. There are almost no differences over questions of fact or over questions of the economic and legal principles involved. In only one instance to my knowledge has the committee's report made a statement which purports to be historical fact but is in error, and in this instance the committee's report simply repeats a common belief about a situation which prevailed prior to the so-called Treasury-Federal Reserve accord of 1951 without going back to review the actual facts of that situation.

I am not speaking, of course, for the minority members of the committee. They did not see fit to join in the report for reasons which they can and, I am sure, will explain for themselves.

What are the most important things we can learn from the committee's report? The most important findings and recommendations, it seems to me, are these.

INFLATION NOT CAUSED BY TOO MUCH MONEY; MONETARY POLICIES SHOULD BE CHANGED

First, the question of inflation. All the evidence shows that the increases in prices since the end of the Korean hostilities have not been caused by monetary inflation. In other words, the price increases have not been a result of too many dollars chasing too few goods. On the contrary, the price increases have come from other causes and the committee has found that actually there are not enough dollars. The Federal Reserve has not permitted the money supply to increase as rapidly as the economy was trying to grow, and it has, therefore, retarded the normal increase in the gross national product.

In other words, the financial doctors have been fighting the inflation disease with the wrong medicine and this medicine has had several near-disastrous side effects. It has changed the income distribution, cut into consumer demand, had an especially adverse impact on housing, retarded school building and construction of other community facilities, tended to squeeze out small business, and, as I have indicated, slowed our annual rate of economic growth.

In the light of the fact that the committee has found that the wrong medicine has been and is being used, the committee recommends less reliance in the future upon this particular medicine. It recommends that the Federal Reserve permit the money supply to increase at the same rate at which the output of goods and services increases. This is the idea on which the Federal Reserve Act was passed in 1913, and was one of the basic reasons for establishing the Federal Reserve System.

What then should the Government do to help maintain economic stability? The committee recommends more reliance upon sound fiscal practices. It feels that when recessions set in, there should be temporary but quick and substantial tax cuts to stimulate demand. On the other side of the coin, the committee recommends that in prosperous times, we pay off some of the Federal debt. Further, the committee recommends a variety of things to close what it calls loopholes in the tax laws to help add to budget surpluses.

HOW INTEREST RATES CAN AND SHOULD BE LOWERED

Second, on the question of interest rates. The committee finds that interest rates are now much too high and have been for most of the period since the present administration embarked upon an all-out tight-money and high-interest policy as a way of trying to combat inflation. Consequently, the committee does not support the idea of lifting the interest rate ceiling on long-term Government bonds. It strongly recommends just the opposite, namely, that interest yields on Government bonds be brought down and, consequently, that all interest rates be brought down.

NO REASON TO REMOVE THE CEILING ON GOVERNMENT BOND RATES

If the Federal Reserve System promptly changes its policy and allows some of the accumulated deficit in the money supply to be removed, interest rates will immediately drop.

Beyond this, the committee recommends several reforms in practices of both the Federal Reserve and the Treasury which will also bring about reductions in the level of interest rates even beyond those which a proper increase in the money supply will bring about. There is now high-interest bias in the attitudes of the Federal Reserve and the Treasury, and the committee's recommendations would eliminate some of the practices by which the high-interest bias is effectuated. Principally the recommendations are these:

First. The Treasury should depend upon its own staff advice for determining what the interest rates and other terms should be on the new securities it issues, rather than depending upon the

advice of certain advisory committees drawn from the financial groups who are going to purchase these securities.

Second. That the Treasury sell its long-term securities on the basis of competitive bidding rather than on the basis of what is now an essentially negotiated price system. Further, that the Treasury sell long-term securities at times when interest rates are low, which would be a reversal of its present policy. Despite all the statements we have heard about the necessity of lengthening the Federal debt, shifting more of the debt to the long term, the Treasury has, on the whole, shifted the maturity of the debt and it has followed the practice of issuing short-term securities at times when interest rates were relatively low and issued long-term securities only at times when interest rates were extremely high. This practice results, of course, in the Federal Government's paying the maximum amount of carrying charges on the Federal debt rather than the minimum amount.

Third. That the Federal Reserve abandon its so-called "bills only" policy. This means that when and as the Federal Reserve purchases Government securities in the future, it should purchase a variety of securities at different maturities and not just the short-term Treasury bills. I might explain that this "bills only" policy is one which the Federal Reserve adopted itself and tied its own hands in 1953. It was not a policy prior to that time. And I might illustrate the consequences. In early 1958, the Federal Reserve was following a policy of what it called "monetary ease." It was deliberately bringing about reductions in interest rates for the purpose of stimulating investment. Yet it was following a policy of buying Treasury bills on the theory that there is such a close and immediate connection between short-term rates and long-term rates that by bringing the short-term rates down it would bring the long-term rates down. In truth it succeeded in bringing the long-term rates down very little, yet these are the rates which most directly affect investment in new productive facilities, investment in housing, school buildings, and so on.

TO INCREASE ITS MONEY SUPPLY, THE FEDERAL RESERVE SHOULD BUY GOVERNMENT SECURITIES, NOT REDUCE RESERVE REQUIREMENTS

Finally, as another most important means of bringing down interest rates, as well as stopping a diversion of Treasury revenues, the committee recommends that when the Federal Reserve brings about a given increase in the money supply, it do so by purchasing Government securities in the open market and thus add to its holdings of these securities, rather than by reducing reserve requirements of the member banks. Increasing the money supply by the method the committee recommends means that the Federal Reserve will acquire more Government securities which will, in effect, be taken off the market, and the interest payments on these securities will go back into the Treasury and help reduce the Federal debt. The alternative method which the Federal Reserve has been following recently means that the private banks are permitted to create a larger proportion of any new money that is created. The private banks thus acquire more Government securities and the interest payments on these securities go into bank profits.

CAUSES OF INFLATION IDENTIFIED

The causes of inflation: The facts are indisputable that price increases have not been caused by an excessive money supply. On the contrary, the Federal Reserve has steadily reduced the supply of money and credit relative to the gross national product of the country. While the amount of goods and services being produced has been increasing at an average rate of 2½ percent a year, the Federal Reserve has consciously and deliberately held down increases in the money supply and made available less money and credit to finance production and transactions in these goods and services. The price increases have not resulted from too much consumer demand, with certain exceptions, and even in these exceptions tightening the money supply does not correct the problem. There have been shortages in certain services, such as medical services, and increasing costs in these fields have accompanied the supply-demand situation, which is what we would expect and, indeed, what we would wish to happen in a properly operating supply-demand price system.

On the other hand, the price increases in the big administered price industries have not reflected a supply-demand situation. They have come about as a result of great concentrations of market power and the arbitrary jacking up of prices even in the face of falling demand. These big corporations can and have increased prices to meet wage demands of the big labor unions and to increase their profits as well.

RECOMMENDATIONS FOR CHECKING INFLATION

The committee recommends, therefore, a step by which it hopes to bring about more voluntary restraints in the exercise of great market power, both on the part of the unions and the big industries. It recommends an annual conference of the leaders of labor, management, and Government. And it recommends also, at least on a standby basis, a Government factfinding procedure in important price and wage disputes.

RECOMMENDS REPEAL OF FEDERAL DEBT CEILING—THE REASONS

In addition, the committee makes several recommendations for strengthening the antitrust laws and for tariff reductions, by which it is hoped that there will be a gradual injection or restoration of more competition into the administered price industries.

As to the Federal debt ceiling. The committee recommends its repeal. On careful investigation of the causes of the 1957–58 recession, it became clear that the recession was precipitated by the sudden and sharp cutback in defense expenditures in the summer of 1957. At that time the Federal debt was pressing against the then prevailing legal debt limitation. And for reasons best known to itself, the administration preferred not to ask for an increase in the debt ceiling, but instead made a sharp suspension in the funds which had been appropriated for defense purposes. Then, of course, after the recession had come into full bloom, the administration asked Congress early in 1958 to lift the debt ceiling. This was promptly done. Defense spending was restored, and this began to pull the economy out of the recession by mid-1958, which many people consider to be a record time from recession to recovery. But it would have been much better not to have had the recession in the first place. We should not have had the great unemployment, the human suffering, the loss of production, and the Federal deficit which resulted.

To avoid the possibility that some administration may in the future be inclined to follow such a course rather than face what it considers to be a political embarrassment in asking for an increase in the debt ceiling, the committee feels that the debt ceiling should be repealed.

The committee has not attempted to make any findings as to how the administration's actions in 1957 may have affected the Nation's defense preparedness. Later I expect to discuss my personal views on this subject.

Finally, the committee's other major recommendations lie in the field of taxes. It recommends, as I have indicated, quick and substantial but temporary cutbacks (reductions) in taxes when recession forces set in. Furthermore, it recommends a variety of amendments to the tax laws to close what it has called loopholes, to bring about better enforcement of the tax laws and, it believes, to bring about increases in tax revenues.

On the whole, the committee's report deals factually and objectively with the problems of inflation, unemployment, light interest policies, economic stagnation versus economic growth, and many other facets of our economic system. And it advances for the most part sound proposals for dealing with these problems.

As I have indicated, however, I feel that the committee's proposals are weak in certain respects and that two or three of its recommendations are bad.

Let me summarize the points on which I disagree.

1. CONGRESS SHOULD SPECIFY THE RATE AT WHICH THE FEDERAL RESERVE IS TO INCREASE THE MONEY SUPPLY

The committee's recommendations on this point are not specific enough and they do not include proposals by which Congress can assure itself that economic policies enacted by constitutional means will be carried out.

The committee recommends less reliance on monetary controls and it recommends a specific rate at which the money supply should be allowed to increase. This rate would suggest that there is to be very little reliance on monetary controls. But there is nothing to prevent the Federal Reserve from going its headlong way, as it has in the past, imposing tight money and high interest. I feel that Congress should pass legislation at the beginning of each year specifying the rate at which the money supply shall be

permitted to increase. After all, this is a responsibility of the Congress. The Congress has the power and the duty under the Constitution to create money and regulate its value.

2. CONGRESS SHOULD FIX A CEILING BEYOND WHICH THE FEDERAL RESERVE CANNOT INCREASE BOND YIELDS

The committee's report strongly recommends that the Federal Reserve bring down interest yields on Government bonds and, consequently, bring down all interest rates. But it is not specific as to what the maximum yield on Government bonds should be. In fact, the committee's report repeatedly states that it is not recommending any specific maximum, which would be what it calls "bond pegging." This recommendation is based upon an erroneous impression of the facts concerning the period in which the Government did have a ceiling of 2½ percent on long-term bonds. The committee's report repeats a much publicized fallacy which is to this effect: In order to maintain a ceiling of 2½ percent on Government bond yields in the post-World War II period, the Federal Reserve was forced to buy vast amounts of these bonds from the open market. And furthermore—although the logic does not necessarily follow—buying these bonds increased bank reserves, permitted the banks to create too much money, and this caused inflation.

The fact is that the Federal Reserve had to buy Government securities on very few occasions in order to keep the bond yield at a maximum of 2½ percent. All it had to do was announce it stood ready to buy Government securities.

IN POST WORLD WAR II YEARS THE FEDERAL RESERVE KEPT BONDS YIELDS AT A CEILING OF 2½ PERCENT, WHILE REDUCING ITS HOLDINGS OF GOVERNMENT SECURITIES

And contrary to all of the allegations, a look at the record will show that in the 4 postwar years immediately preceding the so-called Treasury-Federal Reserve accord of February 1951, the Federal Reserve did not increase its holdings of Government securities at all. In point of fact, it reduced its holdings by $2.5 billion during this period.

Furthermore, a look at the record will show that in these years the real increase in the gross national product—that is, in constant dollars—was 12.6 percent. The money supply was permitted to increase by only 5.6 percent, or considerably less than half the real growth in the economy.

In the year 1950, just preceding the accord, the money supply was increased by 2½ percent while the real increase in the gross national product was 8.7 percent, or 3½ times the rate of increase in the money supply. So obviously the facts do not accord with the theory that the price increases of the preaccord years was a monetary inflation. The money supply in these years was increased at a much lesser rate than the rule which the committee now recommends, which is that the money supply should increase at the same rate as the increase in the gross national product.

Let me add a postscript to this point. The committee strongly recommends that monetary policy should be coordinated with the Government's other policies and this is, in my view, a right step and a very badly needed step. Prior to the so-called accord of 1951, the Government's policies were coordinated. There was even a clear and a firm understanding as to what the Federal Reserve would do. There was an understanding that it would not raise interest rates to the point where yields on Government bonds exceeded 2½ percent. There should be that same degree of coordination today, and the maximum yield on Government bonds should be established at 2½ percent.

THE FEDERAL RESERVE HAS VETOED POLICIES ESTABLISHED BY CONSTITUTIONAL MEANS; SOMEONE SHOULD HAVE RESPONSIBILITY TO THE PEOPLE FOR ITS DECISIONS

Furthermore, the Federal Reserve System should be brought back into the Government, from which it has seceded. The accord of 1951, while it may have seemed innocent enough at the time, has been taken as a basis for this administration's disclaiming any responsibility for the Federal Reserve's tight-money and high-interest policies. It has been taken as the basis for setting the Federal Reserve up in the public view as an independent fourth branch of the Government, making political decisions affecting and disrupting the whole economy and carrying no political responsibility to the people for its actions.

To illustrate, the committee now finds that the biggest impact of the tight-money and high-interest policies has been on the housing industry. This means that the Federal Reserve has pursued policies which have overruled and counteracted policies established by constitutional means. The Congress has passed bills and the President has signed bills to increase homebuilding, and the Federal Reserve has imposed policies which decreased homebuilding. The same can be said for small business credit.

Furthermore, there should be at least one essential reform within the Federal Reserve. At present, the Federal Reserve Open Market Committee determines credit and interest-rate policies for the United States, and this committee is composed of seven public members—the Board of Governors—and five elected representatives of the private bankers. The Open Market Committee should be abolished and its duties—such as those that will remain—should be put in the hands of a board of publicly appointed members.

3. CONSUMER CREDIT CONTROLS ARE NOT NEEDED; WILL BE USED TO ELIMINATE COMPETITION

Consumer credit controls: The Committee's report recommends that the Federal Reserve be given standby authority to regulate consumer credit. This authority would mean that the Federal Reserve could at any time it saw fit to issue regulations setting minimum downpayments and maximum terms of payment for consumer credit, extended not only by the member banks, but by finance companies, mutual savings banks, savings and loan associations, and other financial institutions in the consumer-credit field.

This recommendation may sound harmless enough since the controls are to be only standby controls. The suggestion would seem to be that the authority would be used only in the event it is actually needed. There is no foreseeable need for the authority, however, and it very likely would be used and with some very unwholesome consequences.

Certain segments of the financial community have been conducting a tremendous campaign for these standby controls ever since 1955, and the campaign has been no less vigorous in recession times than it has been in boom times. It has all the earmarks of the campaign which ended in 1935 with the passage of the law which prohibits commercial banks from paying interest to their depositors on demand deposits. What could not be accomplished by private means was accomplished by law. Competition among the commercial banks for the patronage of depositors was stopped and the commercial banks now receive, as it were, their raw materials free of charge.

The principal competition for the consumer credit business today is in the variety of terms as to downpayments and payment periods which the various types of financial institutions offer the consumer. And those institutions which cannot meet, or do not care to meet the more generous terms as to downpayments and periods of payment have to try to entice the consumer with lower interest rates. If we permit the Federal Reserve to bring about a standardization in downpayments and terms of payment and thus stop competition in these services, the elimination of competition in interest rates will quickly follow. Therefore, I am opposed to giving the Federal Reserve authority to regulate consumer installment credit. It will be under tremendous pressure to use that authority. It is already under pressure to recommend the authority.

UNDER CONSUMER CREDIT REGULATION, FEDERAL RESERVE SHOULD BE REQUIRED TO SET MAXIMUM INTEREST CHARGES ON CONSUMERS

If the Congress should take a different view of this matter and give the Federal Reserve such authority, it should certainly include a requirement that the Federal Reserve set maximum interest rates which consumers could be charged, for two reasons:

(a) This would tend to give the consumer some safeguard against exorbitant interest charges which competition now tends to provide.

(b) While the proposal appears to be for the purpose of restraining consumer demand in periods when it is too high, it does not provide for stimulating consumer demand when it is too low, which is the more usual state. Therefore, the Federal Reserve should be required to reduce interest rates on consumer credit in such periods in order to stimulate consumer purchases.

BUSINESS CREDIT CONTROLS ARE MOST NEEDED; FEDERAL RESERVE HAS SQUEEZED CONSUMER CREDIT TO STOP BUSINESS INVESTMENT BOOM

Furthermore, if the Federal Reserve is to be authorized to operate selective credit controls, then it must, by all means, be authorized to control business

credit. This is where the real need is. The Federal Reserve has repeatedly used its blunderbuss method of tight money and high interest on the whole economy when all it was trying to do was restrain business investment. And this blunderbuss, as usual, hit, and with devastating results, everything except what it was intended to hit. Let me illustrate:

At the end of the disastrous credit squeeze of 1957, we had the Federal Reserve authorities before the House Small Business Committee and asked them specifically what it was in the economic situation they were trying to correct by their tight-money and high-interest policies. They finally gave, which is quite unusual, a plain and simple answer. They said that they felt that the expansion of business capacity was going too fast, that capacity was outrunning growth in consumer demand, and that if the investment boom were not dampened, then it would lead to a worse "bust" later. Finally, after the recession had been brought on and these authorities were asked what was to be done, their position was that nothing was to be done, that "adjustments would take place in the market," and they hoped soon business investments would pick up again and pull us out of the recession. The point is that the consumer demand which had not been increasing fast enough in the Federal Reserve's view was being siphoned off by the very high-interest policy they were using to try to correct the problem.

HAS GIVEN AWAY GOVERNMENT SECURITIES TO HELP CONSUMERS OUT OF A RECESSION

As to what the Federal Reserve actually did do, supposedly in an effort to help get the country out of recession, was to reduce required reserves of the member banks. Their explanation for this action was that it was intended that the banks would create the additional money they were permitted to create to extend credit to business and consumers and help stimulate economic activity. But what the banks did do was to use this money-creating power to acquire an additional $10.5 billion of Government securities, and, as I have indicated, despite this giveaway, the Federal Reserve still did not bring about much of a reduction in the long-term rate. It had its own hands tied with its own "bills only" policy. And it had both its hands and its heart tied with its own pigheaded determination to allow the banks to acquire, free of charge, more Government securities in an amount equal to the wealth of many nations, rather than acquiring those securities themselves.

Yes; the country came out of the recession in spite of everything the Federal Reserve did, not because of anything the Federal Reserve did. But it came out more deeply in debt and more firmly committed to the high-interest policy than ever before.

There is another aspect of business investment which is recognized as an even more chronic, destabilizing influence in the economy than plant expansions. This is the periodic "booms" and "busts" in inventories—inventory speculations and then inventory liquidations.

If the Federal Reserve is to be permitted to try to regulate the economic system at all—which I oppose—then it should certainly have authority to operate selective controls over business credit. Furthermore, this authority should extend to the insurance companies, the investment banks, the investment trusts, the mutual savings banks, and the other sources of business credit.

I might note that the American Bankers Association has warmly applauded the recommendation for consumer credit controls. It has, however, strongly objected to the proposal that the question of business credit controls even be studied.

4. RESERVE BANK CREDIT TO THE MEMBER BANKS SHOULD NOT ALL BE CHANNELLED THROUGH THE NEW YORK BANKS AND THE PROFESSIONAL SECURITIES DEALERS

The committee recommends that substantially all credit extended by the Federal Reserve System to the member banks be extended through the open-market operations of the New York bank. It would have the other 11 regional banks extend no credit to the member banks except when a particular member bank "is in serious difficulty." I believe this recommendation is wrong.

Contrary to the public impression recently created, the member banks of the Federal Reserve System have no automatic privilege of borrowing from the Federal Reserve banks, by means of loans, rediscounts, or otherwise. The member banks now hold about $50 billion in U.S. Government securities, long term and short term. Again contrary to the recently created public impression, one type of Federal debt obligation is no more eligible as security for a member bank loan with a Federal Reserve bank than any other type of Federal debt obligation. Furthermore, if member bank borrowing from the Federal Reserve banks were limited only by their ability to pledge Government securities and their willingness to pay the going discount rate, it is probable that substantially all of the $50 billion of Federal securities they hold would now be so pledged. Yet at the current writing, the Federal Reserve bank credit outstanding to the member banks is in the neighborhood of only $1 billion. The fact is that extensions of credit by the regional banks is rigidly limited by rules and regulations of the Board of Governors.

The danger, as I see it, is not that the Federal Reserve banks may extend credit to the member banks in excess of the amounts contemplated by the Open Market Committee policy determinations, but that an insufficient portion of Federal Reserve credit is extended through the regional banks.

True, as a general rule increases in Federal Reserve credit should be made through open market activities—that is, by the Federal Reserve's acquiring more Government securities from the open market. I heartily agree with the Commmittee's recommendation on this point and applaud them for making it.

5. THE FED'S BUYING AND SELLING GOVERNMENT SECURITIES THROUGH WALL STREET DEALERS HELPS NEW YORK BANKS MOST, NOT BANKS IN THE REST OF THE COUNTRY

Putting bank reserves into the system at New York or taking them out at New York does not, however, provide an adequate means for taking care of regional differences in credit needs. Indeed, there are times when the country as a whole is enjoying prosperity and particular regions of the country are experiencing something less than prosperity. Furthermore, the professional Government securities dealers cannot be counted on to serve adequately the smaller banks removed from urban centers as a means of adjusting their bank reserves. This may need a word of explanation. The so-called open market dealers are, as the Committee's report points out, few indeed. There are only 17, though there are said to be certain professional sub-dealers trading in Government securities in some of the cities other than New York.

When the Open Market Committee operations were established, the Federal Reserve authorities tried to model these operations, it appears, much on the operations of the Bank of England. The Bank of England, it is understood, puts in or takes out reserves from the banking system at one city—London. Credit adjustments made at this one "money market" are then transmitted throughout the land by reason of the existence of chain banks, with headquarters in London. In the absence of such scale banking in the United States, the Federal Reserve authorities brought the professional securities dealers into the system, as a buffer between the Federal Reserve and its member banks, to carry on this function of distributing available credit among the various regions and localities in accordance with their relative demands for credit. Thus additional reserves are put into the banking system at New York where the initial loan or investment may be made by the New York banks and from whence the reserves may flow to other areas as banks deposits are transferred to other areas in the course of commerce. Or banks in the other areas of the country may sell some of their holdings of Government securities to a securities dealer and thus obtain cash which may be deposited with a regional Federal Reserve bank to obtain increased reserves.

In the nonurban areas, however, the member banks have difficulties in obtaining prompt market quotations from the professional dealers as they also have difficulties in knowing what the dealers' usual bid and offer prices are. It is partly for this reason that the various regional banks buy and sell Government securities for the member banks, at their request.

One of the absurdities of the present practices of the Open Market Committee is, however, that the New York Federal Reserve Bank, which does the buying and selling of Government securities for the whole system, is not permitted to buy directly from other Federal Reserve banks or sell directly to other Federal Reserve banks. In other words, at the very time a regional Federal Reserve

bank may be selling Government securities, as an agent for the member bank, to a professional securities dealer, the New York bank may be buying the identical securities from the same or another professional securities dealer. Presumably the securities dealers make a customary profit on both transactions and the Federal Reserve banks are, in effect, paying a double profit to the securities dealer for transferring Government securities from one Federal Reserve bank to another.

It is my view that the New York Federal Reserve Bank should buy and sell Government securities directly for the other Federal Reserve banks. It is also my view that what little flexibility and what little practical powers the Federal Reserve banks other than the New York bank have left for serving the credit needs of the various regions should not be further reduced.

Furthermore, I am strongly inclined to think that the Federal Reserve should drop its system of making adjustments in bank reserves through the toll gate of the 17 Wall Street dealers. It might do better to announce its price and then do its buying and selling of Government securities directly with the member banks. In this way it would equalize credit availability and interest rates over the country, and it would avoid what is presently a rigged market in Government securities.

6. MORE STRENGTHENING OF THE ANTITRUST LAWS IS NEEDED

While the committee has made a number of specific recommendations for strengthening the antitrust laws, I do not believe these go far enough. Furthermore, one of its recommendations, while well-meaning, involves a bad principle. This is the recommendation that the Assistant Attorney General in charge of antitrust be given subpena powers to investigate civil violations of the Sherman Act. To give an officer of the executive branch powers to bypass the grand jury would, in effect, bypass a fundamental constitutional safeguard.

I have suggested a number of other steps to strengthen the antitrust laws which I will not deal with in detail at this time. Mostly they go to this objective: Our antitrust laws should give small business a better chance to compete. They should make competition, as we know it, less a contest of market power and more a contest of efficiency. I believe that the man who can build, sell, and deliver a mousetrap for 5 cents should have a chance to survive against the big corporation which builds, sells, and delivers a mousetrap for 10 cents. But under present circumstances it is the big corporation with the 10-cent mousetrap that wins out and the small man with the 5-cent mousetrap that loses out.

Further, there should be legislation to correct the abuses of settling antitrust suits by consent decrees. These abuses have recently been most flagrant.

7. MORE INVESTIGATION AND STUDY OF FEDERAL TAXES IS NEEDED

Federal taxes. It is on this subject that I think the committee's report is weakest, principally because the committee has not sufficiently considered the impact of Federal taxes, and I believe that this is reflected in its report. Thus it recommends tightening up employee expense accounts and repealing the dividend-received and exclusion provision, but it completely overlooks abuses of the notorious stock option schemes. Similarly, the report recommends reducing depletion allowances for two commodities, namely, oil and gas, but is silent on the question of reducing the depletion allowances for oystershells, iron ore, timber, and numerous other commodities.

Finally, the committee's report places much confidence in discretionary tax reductions in times of recession. It does not, however, make clear at whose discretion the tax reductions are to be made. All of the committee's recommendations on taxes should, I think, be thought through most carefully. And most particularly the committee should, I think, investigate to see what extent the impact of Federal taxes is discriminating against small and medium size firms, and are thus tending to weaken the competitive structure which the committee wishes to strengthen.

8. THE RIGGED MARKET FOR GOVERNMENT SECURITIES SHOULD BE PUT UNDER GOVERNMENT LEGISLATION

The committee has described the Government securities market as one in which competition is imperfect. On the facts revealed by the investigation it would be more accurate to say that the rigging in this market is almost perfect. Only a handful of Wall Street banks, professional dealers, and other operators in Government securities buy substantially all of the Treasury issues. And each one of these big buyers knows in advance how much all of the others are going to subscribe to any particular issue.

In terms of the amounts traded, the so-called Government securities market is the biggest market in the world. This is about $200 billion a year, which is more than the trading in all of the stock exchanges and commodity markets in the country. But in terms of the number of traders in this market, it is the smallest market in the world. There are only 17 professional so-called open market dealers carrying on this trading in Wall Street. The trading is by telephone and they even have a party-line telephone system.

This so-called market should be put under Government regulation immediately. It is amazing to me that the Government should regulate the markets in which the farmers' commodities are traded, and regulate the stock exchanges in which corporate securities are traded, yet refuse to regulate the so-called market in which speculating and trading in the Government's own securities are carried on.

9. BANK RESERVES SHOULD BE INCREASED

The committee strongly recommends against any further reduction in reserve requirements of the member banks. It recommends, as it should, that when the Federal Reserve brings about future increases in the money supply it should do so by acquiring more Government securities, so that the interest payments on these securities will go back into the Treasury instead of into bank profits. But when the committee recommends, as it does, that reserve requirements should be held as they are now, it is wrong. This will not return to the Government the tens of billions of dollars in Government securities which the Federal Reserve has given away since 1951 as a part of its program of reducing required reserves. We now have the clear facts on bank reserves. They have not been created by deposits of the banks' money or by deposits of the banks' depositors' money. They have been created by the Federal Reserve System itself as a free gift to the banks. Since 1917 the Federal Reserve has created $47 billion of bank reserves, $29 billion of which has been paid out to the banks in currency and the other $18 billion of which still remains as reserves on which the banks are permitted to create money at the rate of about $8 for each $1 of reserves.

POLICIES HAVE TAKEN INCOME FROM THE MANY FOR THE BENEFIT OF THE FEW

There has been no justification whatever for the high-interest and tight-money policies, nor for the Federal Reserve policy of reducing reserve requirements of the member banks and diverting huge shares of the Nation's income into profits for the banks and other financial institutions. In no year when interest rates were highest has the total demand for savings—including saving for consumer credit—been as much a percentage of the national income as in 1952 and 1953, when interest rates were kept low. Furthermore, the American people have saved no larger percentage of their incomes in periods when interest rates were high than in periods when interest rates were low. The Nation has simply paid more for the same amount of savings and for the same amount of financial management of the people's money.

Since 1952 personal income alone from interest has increased from $12 billion a year to $24 billion a year and is now about 2½ times the total farm income.

This redistribution of the income has helped less than 1 percent of the people—the financial elite—and has come out of the economic hides of all the rest of the people.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas ?

There was no objection.

CIVIL RIGHTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, once again the House is confronted with the spectacle of a civil rights bill, bottled

up in the Rules Committee by the joint opposition of a minority of the Members on this side of the aisle and a majority of the leaders and Members on the Republican side. The rules prevent me from specifying the precise numbers involved, but the press has kept the American people informed of the fact that the discharge petition—the only reasonable method by which this bill can, apparently, be brought to the House floor, has thus far been signed almost exclusively by Members on this side of the aisle. For whatever reason, the pending civil rights legislation seems to have aroused controversy, and partisan differences, entirely beyond the scope of its very minimal provisions.

It is with complete sincerity that I say to my colleagues that I cannot understand the degree of controversy surrounding this bill. Like most Members, I receive, in the mail, large quantities of the papers and magazines put out by the lunatic fringe of hate-mongers. These papers, as might be expected, talk about the pending civil rights bill in terms of "forcible social integration," and they even refer, in blood-curdling tones, to that ancient bugaboo, "intermarriage." But these analyses are, of course, completely beside the point. The pending legislation is truly moderate legislation.

There is nothing in the bill before the Rules Committee which would change existing voting qualifications in any State. There is nothing in the present bill to expand the scope of Federal activity in the civil rights field into the areas which were embodied in part III of the civil rights bill of 1957—that area which was, so unfortunately, left out of the Civil Rights Act of that year as it was finally enacted.

The Committee on the Judiciary, in spite of the truly heroic leadership of its chairman, had to operate under the shadow of the same coalition that now holds this bill in the Rules Committee. For this reason, many needed civil rights proposals were left behind in the committee.

I do not wish even to seem to be critical of the leadership of our Committee on the Judiciary. The able and distinguished gentleman from New York [Mr. CELLER] has worked too long and too hard in this field to require compliments from his colleagues. In bringing through the Judiciary Committee even the minimal bill about which we are today talking, MANNY CELLER has once again performed a remarkable feat of dedication to the principle which has always guided his actions in this field—the principle that every American is entitled to equal treatment before the law. To MANNY CELLER, every American, whatever his color, whatever his creed, owes a deep debt of gratitude.

But what, after all the shouting and the horrendous slogans are set aside, is actually in the bills which we are working today to bring before the House? What will these bills actually do?

First, these bills provide criminal penalties for violent interference with the enforcement of orders of the Federal courts in school segregation cases. This is surely not a radical proposal. I think every Member of this body, North or South, Democratic or Republican, would agree that mobs ought not to be allowed to interfere, by force, or the threat of force, with the carrying out of any order of any court. All of us adhere to the idea that our Nation should be ruled by law, not by mob violence. This bill would help to prevent the subversion of this basic American ideal.

Second, the bill provides that it shall be a Federal offense to flee prosecution for damaging schools, churches, and other public or private property by crossing State lines. In the wave of bombings which so recently shocked the Nation, the responsible leaders of every section of the country spoke out in sincere horror at the spectacle of cowardly bigots resorting to the vicious practice of destroying places of worship and places of instruction. These same cowardly bigots then fled from the retribution which would have been visited upon them by sneaking across State lines. I submit, Mr. Speaker, that this section of the bill is not a radical proposal in anyone's view. These bombings have occurred in both Southern and Northern States—a reminder, and one which is always salutary, that bigotry knows no geography—and both southern and northern leaders have done their best to find and prosecute the culprits. Why is Federal legislation to make their apprehension possible considered as radical in its intent or scope?

The bill continues by providing that election returns, in elections for Federal officers, shall be preserved for a period of 2 years. Alteration of these records or their destruction or theft will incur a penalty. Although these records are to be made available to the Justice Department, their contents cannot be revealed by that Department except to a committee of the Congress, or to a court or grand jury. Mr. Speaker, again I fail to see that this is a radical proposal. It does not involve any new voting qualifications or any new voting procedures. It simply provides that the Federal Government may have an opportunity to see whether the election of Federal officials have been carried on in accordance with the Constitution and with the laws of the States involved. We are constantly assured that the election laws of every State in the Union forbid arbitrary or discriminatory deprivation of the ballot. "Every qualified voter," we are told, "has free access to the ballot box." Fine, Mr. Speaker. If this is true, then the preservation of these records will make it easier to prove. If not, certainly the election officials in the States themselves would want to know if their own election laws are being violated.

Title IV of the proposed bill would extend the Civil Rights Commission for a period of 2 years. This Commission had a hard time getting started, partly because of administration indifference, and it has had a difficult time in carrying out the functions assigned to it by the Congress, partly due to the obstructionist attitude of some local officials. In spite of these difficulties, the Civil Rights Commission has issued a superb report to the Nation on the condition of civil rights in our country. The Commission has pointed out—and again I say this is a healthy thing to have pointed out—that Americans are being deprived of their rights in the North as well as in the South. It has made some legislative recommendations. But it has not had time to do the job which the Congress has assigned to it. That time, as a very minimum, should be given to the Commission. The Commission's basic function is to ascertain facts. Facts, Mr. Speaker, have never hurt anyone who had nothing to hide, nothing of which he was ashamed. The fact-finding function of the Commission is one which I, personally, believe could profitably be extended indefinitely. H.R. 8601 does not do this. But, insofar as H.R. 8601 extends the Commission for 2 years, it is a step forward.

H.R. 8601 does not embody any of the recommendations of the Civil Rights Commission.

Many of these recommendations, especially those involving Federal registrars, are worthy of support by the Congress. I regret that the President has not seen fit to urge the adoption of these proposals, and I regret that the bill we are discussing does not embody these proposals. I hope that the House can turn to the Federal registrar idea in time to allow millions of Americans to be assured of free access to the ballot box in the 1960 election. Unfortunately, the coalition which is blocking this bill does not seem to share this view.

H.R. 8601 closes by providing for procedures, inspired by the existing and highly successful Federal impact programs, to see that the children of members of the armed services, who happen to be stationed in areas where local schools have been closed down, can receive an education.

This is one part of this bill which I feel deserves particular attention. At the beginning of this Congress, I received a postcard from one of my constituents. She expressed a certain impatience with the legal and extra-legal maneuvering being practiced by some of the enemies of school desegregation, and closed her comment with a sentence which read something like: "I don't care about all this maneuvering. What I want to know is, are the children in school?"

This is, of course, the burning question.

It is one thing for politicians to play with the desegregation issue to seek political advantage for themselves. If their posturings and shouts of defiance could be limited to the vacation months, when the schools are closed anyway, they might be relatively harmless. But when these men, in order to defend a dying order, reach out and visit their vengeance on school children, denying them access to their classrooms for months on end, then the game of politics has gone beyond its proper bounds. Particularly tragic is the case of the children of members of the armed services stationed in their localities.

Under present law, the Defense Department can only provide directly for the education of these children when they live on a military reservation. Most do not. Most of these children are the children of men and women who have

freely given years of their lives to the service of their country. They do not choose to be sent to school crisis areas. They find themselves in the midst of a situation in which most of them have no immediate, direct interest. Yet these children are deprived of schooling right along with the children of the demagogs who bring these situations about.

Mr. Speaker, if the white supremacists of some American cities are willing to have their own children deprived of a year of school in order to make good their un-American defiance of the Federal Constitution and the Federal courts, then that is their privilege. But they should not be in a position to punish the children of other men—men who have no voice in where they will be sent, and no opportunity to send their children away to schools in other parts of the country.

Title V of H.R. 8601 is, in my opinion, the most badly needed part of the entire bill. Is it so radical as to generate the kind of opposition which this bill has generated? I find it hard to believe that it is so.

In conclusion, Mr. Speaker, let me state a belief which is a fundamental part of my own personal creed.

I believe, with all the faith of which I am capable, that America will not much longer be untrue to itself and to its heritage. The day is coming, irresistibly and inevitably, when every American can walk erect in the sure knowledge that the laws of his country will treat him with the same kind of equality as that with which the laws of nature and of nature's God treat him. The day of racial discrimination, of disability because of such irrelevancies as skin color, is disappearing inexorably. America will be true to the words of a great Virginian, and Americans will enjoy equal and inalienable rights, with which they have been endowed by virtue of the equality of their birth.

The America of tomorrow, or the day after tomorrow, will still know differences, of course. Men are born with unequal ability—a phenomenon with which skin color has no correlation whatever—but they will be born with equal opportunity to make whatever they can of their ability. Men will continue to attend different churches, to dream different dreams, and aim for different goals. Their skins will continue to have different amounts of pigment. But the law of this land—the law which has created this Congress, and which enshrines all the devices which free men have contrived to enable themselves to govern themselves—the law, Mr. Speaker, will look upon every American with impartiality and with justice.

To this end we are moving by little steps. H.R. 8601 is one of those little steps. The Civil Rights Act of 1957 was another. The civil rights legislation of the future will be more little steps. These steps are halting, they are infrequent, they are not always firm. But they are inevitable.

To those who seek to halt these steps and turn them backward toward an older and a darker day, there exists no hope of final success.

In the mouth of Abraham Lincoln, our poet, Stephen Vincent Benét, has put this moving soliloquy:

There was a man I knew near Pigeon Creek
Who kept a kennel full of hunting dogs,
Young dogs and old, smart hounds and silly hounds.
He'd sell the young ones every now and then,
Smart as they were, and slick as they could run.
But the one dog he'd never sell or lend
Was an old half-deaf foolish-looking hound
You wouldn't think had sense to scratch a flea
Unless the flea were old and sickly too.
Most days he used to lie beside the stove
Or sleeping in a piece of sun outside.
Folks used to plague the man about that dog
And he'd agree to everything they said,
"No—he ain't much on looks—or much on speed—
A young dog can outrun him any time,
Outlook him and outeat him and outleap him,
But, mister, that dog's hell on a cold scent
And, once he gets his teeth in what he's after,
He don't let go until he knows he's dead."

I am that old, deaf hunting-dog, O Lord,
And the world's kennel holds 10,000 hounds
Smarter and faster and with finer coats
To hunt your hidden purpose up the wind
And bell upon the trace you leave behind.
But, when even they fail and lose the scent,
I will keep on because I must keep on
Until You utterly reveal Yourself
And sink my teeth in justice soon or late.

* * * * *

We can fail and fail,
But, deep against the failure, something wars,
Something goes forward, something lights a match,
Something gets up from Sangamon County ground
Armed with a bitten and a blunted axe
And after twenty thousand wasted strokes
Brings the tall hemlock crashing to the ground.

The only issue left, Mr. Speaker, is how long.

CIVIL RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 1 hour.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, it is immensely encouraging to all of us who are deeply concerned about the problem of finding sound ways in which the Congress of the United States can help translate into reality the bright promise of the Declaration of Independence that we should be having this discussion this afternoon. I think far too often we forget the legitimate role that Government can play in making real the rights set forth in the Declaration of Independence. Indeed, Mr. Speaker, I would like in this connection to quote those noble and eloquent lines of the Declaration of Independence to which I referred:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men,

The final words of that magnificent statement fully justify the discussion we are having here this afternoon, for it is precisely our purpose here today to analyze sound and effective ways in which the Government of the United States can help secure to the men and women of America their unalieanble rights.

Certainly one of the most encouraging signs in recent years to those Americans who are concerned that every citizen of our country should enjoy equality of opportunity is the splendid report of the President's Commission on Civil Rights. Few, indeed, were the Americans who would have thought, when the Commission was named by President Eisenhower, that any very useful result would come from the group. Nonetheless, the Civil Rights Commission report set forth a number of first-class recommendations. One of these recommendations deals with the important problem of securing to every American, a right fundamental in any democracy, the right to vote. One of the ways, indeed the major way in which the members of the Civil Rights Commission—five out of six of the members, including two distinguished southern members of the Commission—suggested that we could effectively implement the right to vote was the Federal registrar approach which has been the subject of discussion these last few weeks in both bodies of Congress and before the bar of public opinion as well.

Perhaps one of the finest statements in support of the Federal registrar plan was made before the Senate Committee on Rules last week by a very distinguished American, a very distinguished southerner, a man who is the former president of the American Bar Association, the former dean of Southern Methodist Law School and a constitutional law expert who served on the Hoover Commission. I refer, of course, Mr. Speaker, to a great Texan, Dean Robert G. Storey, who served as Vice Chairman of the Commission on Civil Rights.

I ask unanimous consent that there be included in the RECORD at this point Dean Storey's statement before the Senate Rules Committee on January 18, 1960, showing why the Federal registrar plan is not only constitutionally appropriate under the 15th amendment but is also amply justified by other constitutional provisions.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

STATEMENT OF ROBERT G. STOREY, VICE CHAIRMAN, COMMISSION ON CIVIL RIGHTS

Mr. Chairman and members of the committee, it is a welcome privilege to accept the committee's invitation to appear here to discuss the Commission's recommendation on temporary Federal registrars. The Chairman of the Commission on Civil Rights, Dr. John A. Hannah, is unable to be here because he is meeting with the Permanent Joint Board of Defense today in Florida. He also expressed the wish that I appear to represent the views of the Commission.

At the outset, I feel obligated to make perfectly plain the position of the Commission

on Civil Rights with respect to the several legislative proposals now before you which seek to implement our recommendation. Our Commission, as charged by the Congress, diligently undertook the investigation of alleged denials of the right to vote; and in accord with the will of Congress we made certain findings of fact and recommendations, one of which is the subject under present discussion. It is our conclusion that certain citizens are being deprived of the right to vote, and that the recommendation here under consideration, if enacted by appropriate legislation, would lead to further progress in guaranteeing the right to vote to every citizen, regardless of race, color, religion or national origin. It must be understood clearly that the Commissioners do not take the position of advocates for or against any of the bills under discussion. Nor do we feel that the Commission asserts any monopoly of wisdom which makes our proposal, or any part thereof, the absolute which this committee must follow in its consideration of pending legislation. We fully recognize that other recommendations may be meritorious and that there may be suggestions which are more effective and appropriate than those which we have advanced, but they have not occurred to us. We believe the recommendation for the appointment of temporary Federal registrars would be a progressive step in solving some of the problems posed by certain discriminatory denials of the right to vote. In our discussions today, we have outlined the essential features of this step leaving to the wisdom of the Congress—with its wealth of experience in drafting sound legislative measures—and acting with the guidance of your committee, the choice of method and language and the clarification of technical points to implement our recommendation.

The Commission on Civil Rights recommended that the Congress enact a law providing for the appointment of temporary Federal registrars. Five of the six Commission members voted for this recommendation. This recommendation was not hastily nor lightly promulgated. As reflected by the Commission's findings, the Commission unanimously found that substantial numbers of citizens qualified to vote under State registration and election laws are being denied the right to register, and thus the right to vote, by reason of their race and color. Evidence compiled by the Commission amply bears out the verity of this finding. For example, 25 Negro residents of Macon County, Ala., testified under oath that they had been denied the right to register; most of these witnesses had repeatedly made efforts to register. Fourteen of these 25 witnesses were college graduates; some of them had more than one college degree. Three additional witnesses were graduates of nursing schools. Four of these witnesses previously had voted in the following States: Arkansas, California, Iowa, Massachusetts, Missouri, New Jersey, and Texas. Under any reasonable view of voter qualifications, it would seem self-evident that at least these persons having these qualifications are eminently suited to participate in the suffrage. Yet, when we conducted our hearings and investigations, they and many others, whose educational background may not be as noteworthy but whose qualifications equally seemed apparent, were still being denied the right to vote.

The day when Negroes openly were denied the right to vote by State law spread upon the statute books or embodied in the governing codes of political parties is past. Nevertheless, in many places, the same end is achieved through discriminatory administration of State laws which seem fair upon their face. Witnesses from several Alabama counties testified under oath as to the specific methods by which certain persons entrusted with the administration of State voter registration laws have effectively excluded virtually all Negroes from the suffrage. Some were denied the opportunity to submit an application for registration by virtue of arbitrary and unauthorized oral examinations conducted by registrars. Many found great difficulty in seeking to register by virtue of the discriminatory effect of the voucher system. Most Negroes who managed successfully to file their applications and fully complied with the requirements of State law never received any word at all concerning their efforts to register. The effect of this practice is to preclude the opportunity of judicial review of even the most arbitrary and capricious action. And, in more than one county, the determined efforts of Negro-American citizens were frustrated by reason of the registrars' open and notorious failure to discharge their responsibility under State law. For example, again turning to Macon County, Ala., the board of registrars has failed to function for more than 4⅓ years of the past 14 years. The documented information on only the most recent failures shows that this board did not function for the 16 months between January 16, 1956 and June 3, 1957. Between this 1957 date and the date of the Commission's first hearing in Alabama December 8, 1958, there were many days on which this board failed to accept any applications from prospective Negro registrants. Immediately after the Commission's hearing all members of this board resigned. New appointees were named in July of 1959—over 6 months later—but they refused to serve. Other new appointees were named in December of 1959, rounding out a full year during which it was impossible for any prospective Negro registrants to apply, but, to our knowledge, only one member of this board has accepted his appointment. In these and other instances where the voting machinery of the State has failed to protect the constitutional right of a citizen to vote regardless of his color, against discrimination, it is then and only then that the recommendation of the Commission providing for local temporary voting registrars would take effect.

In an independent action, the U.S. Attorney General brought a civil action, as authorized under the Civil Rights Act of 1957, to compel registration of some 17 Negroes who had appeared as witnesses at the Commission's hearing, together with other apparently qualified Negroes. The suit was dismissed in the lower court for the lack of a proper party defendant since the registrars had all resigned. This case is now being considered on appeal by the U.S. Supreme Court, and before Congress acts upon the proposed legislation it will undoubtedly have the benefit and guidance of the Court's opinion. This opinion should help Congress in appraising the effectiveness of the Civil Rights Act of 1957.

I should like here to interject a personal observation. By my repeated references to examples of denials of the right to vote in Alabama, I do not wish to suggest that Alabama is the only State in which such things occur, nor to imply that the situation is more aggravated there than elsewhere. I cite these examples because the Commission was able to secure a more complete picture of the situation—based upon sworn testimony given in open hearing—in this State. As you know, our efforts to secure the same kind of information about similar situations in Louisiana were halted by a court order which, today, is being submitted to the Supreme Court of the United States for review. May I ask, therefore, that you consider our report on voting, which enumerates other denials in other States, as an extended citation of additional examples.

Under these circumstances and in the absence of final determination by the courts which might enable us to fully appraise the effectiveness of the Civil Rights Act of 1957, it is not surprising that five of the six members of the Commission concluded that existing remedies are not sufficient to secure and protect the right to vote of such citizens.

We fully appreciate that mere mention of the name "Federal Registrars" is anathema to some people. But, we believe that fair study of the facts shown by our findings, as included in our report, does disclose that some remedial action along the lines we have proposed is warranted. And, our studies also confirm that such action is within the power of the Congress to prescribe under the Constitution of the United States.

Without any intent to be presumptuous, may I say just a few words about the power of the Congress to legislate upon those Federal elections to which our recommendation is addressed. First, by article 1, section 4, the Constitution has reserved plenary power to the Congress to legislate upon the "times, places, and manner of holding elections for Senators and Representatives"; second, by section 2 of the 15th amendment, the Congress is explicitly given power to legislate to protect the right to vote of all citizens of the United States against abridgement by either the Federal Government or the government of any State on grounds of race, color, or previous condition of servitude. It appears to me, in principle at least, that these two provisions alone fully warrant so much of our recommendation as pertains to legislation by the Congress to protect the right to vote for its own Members—in both Houses—against denial or abridgment on the grounds expressly stated in the 15th amendment. Furthermore, section 5 of the 14th amendment categorically gives the Congress power to legislate for the enforcement of the substantive provisions of that amendment. The provision of the 14th amendment germane to our recommendation is that, "No State shall * * * deny to any person within its jurisdiction the equal protection of the laws," a provision whose protection has repeatedly been held to extend to members of various religious groups, and to aliens, as well as to American citizens. As explicitly provided by the Congress in the directive of the Civil Rights Act of 1957, that the Commission investigate alleged denials of the right to vote upon four stated grounds, we have included "religion and national origin in the terms of our recommendation. For, as the Supreme Court said in *Hernandez* v. *Texas*, 347 U.S. 475, 478 (1954), a case in which the rights of a Mexican-American were protected," the 14th amendment is not directed solely against discrimination based upon differences between white and Negro.

Our recommendation, however, includes the executive officers and presidential electors, as well as the Members of the House and the Senate. The constitutional power of the Congress to legislate upon the subject of presidential electors differs from its power to legislate with respect to election of its own Members. The pertinent provisions of the Constitution are found in article 2, section 1, and in the 12th amendment. While popular elections for presidential electors is the current general practice, there has been no change in the provision that "each State shall appoint, in such manner as the legislature thereof may direct, a number of electors." And, the case-law giving definition to the power of Congress to legislate upon this subject is limited. However, it must be noted that both the 14th and 15th amendments to the Constitution are equally applicable to these provisions, and the 15th amendment—which expressly protects the right to vote—is by its express terms addressed to both Federal and State Governments. Hence, we find no general lack of power in the Congress to legislate to protect the right to vote for presidential electors against discrimination. Too, this is covered by the express provision of part 4 of the Civil Rights Act of 1957. We would concede, however, that the drafting of proper legislation addressed to such elections presents a more

difficult and intricate problem than legislation addressed solely to election of the Members of the Congress.

The Commission's recommendation for the appointment of a temporary Federal registrar contemplates that the machinery of the Federal Government may be set in action by the receipt of a sufficient number of complaints of discrimination from a particular political subdivision of a State. The number specified in the Commission's recommendation might seem somewhat arbitrary, but it was intended to require a sufficient number in order to insure the likelihood of substance in the matters complained of; this number might well have been a lesser or greater number. These complaints would be investigated by members of the Commission's staff in precisely the same manner as complaints addressed to this Commission during its short life span have been investigated in the past. The Commission was moved to follow the sound principle of separation of powers in entrusting the duty to investigate to a department of the Government other than that having the power to appoint the temporary Federal registrars in those cases where such appointments would be warranted; furthermore, it was entrusted to the Commission to avoid the possibility that the responsibility for investigation and certification would be placed upon the agency which later might have the duty to prosecute civil or criminal suits for violations of voting rights. The Commission, upon review of the results of such investigations, would be authorized alternatively to dismiss unfounded complaints, and to certify any and all well-founded complaints to the President of the United States to such temporary registrars as he then might designate. And, because of the importance of the matter, it is the Commission's view that a local Federal officer or employee would be designated directly by the President of the United States to act temporarily as a registrar for Federal elections. You will note, too, that the Commission's recommendation contemplates that a local person on the Federal payroll be designated to act, rather than suggest an outsider be sent into any community to administer the local registration laws.

Existing circumstances compelled the Commission to recommend direct action by the Federal Government for the protection of the right of American citizens to participate in the right to vote. However, the Commission carefully sought to avoid any undue interference with the rights of the several States in this most important activity in our American Federal system: its recommendation contemplates that the temporary Federal registrars will test the fitness of applicants for registration according to the voter qualification laws of the respective States in which they may act. Furthermore, persons registered by Federal registrars shall, as a consequence thereof, have the right to vote under this law only in Federal elections.

The Commission's recommendation throughout rests upon the firm conviction that present denials of the right to vote on grounds of racial discrimination are an evil which promptly can be cured by forthright and direct action. In keeping with this view it has included a provision that the jurisdiction of Federal registrars will continue only until such time as the President determines that the presence of appointed registrars is no longer necessary.

The Commission, in making this proposal, fully recognizes with understanding and appreciation that adherence to the principles of this country as a federation of State sovereignties with concomitant States' rights would almost inevitably result in responsible State officials taking the necessary action to protect the right to vote in preference to the designation of a Federal official to serve as a registrar. By its very enactment we believe the recommendation may be almost as effective as by its actual use.

To facilitate our discussion of legislation to implement the Commission's recommendation, particularly with respect to those matters which we have deferred to the wisdom of the Congress, I should like simply to enumerate the salient features which should be included. This enumeration might be considered as a helpful frame of reference in which the committee may proceed to consider the several bills presently before it. As a result of our study of this proposal for temporary Federal registrar legislation, we are fully aware of the fact that the actual drafting of legislation will undoubtedly reveal difficult problems which will require time for exploration and consideration. The staff of the Commission is willing to cooperate to resolve these problems. The Department of Justice has assured us of their cooperation.

1. All Federal elections as defined in part IV of the Civil Rights Act of 1957 must be covered by any effective Temporary Federal Registrar Act.

2. Sworn affidavits by citizens who believe that they have been denied the right to vote in Federal elections because of their race, religion, color, national origin, or ancestry, but who believe that they are qualified to vote under existing State law should be filed with the President of the United States. Effective legislation should therefore provide that temporary Federal registrar machinery should be set in action upon the initiative of those who believe they have been denied the right to vote solely on such grounds. Clearly, such affidavits should comply with the minimum requirements for a valid complaint under 104(a)(1) of the Civil Rights Act of 1957.

3. As a matter of sound administration, the measure should require receipt of a sufficient number of complaints fairly to warrant the assumption that there is some substance to the allegations of denials of the right to vote, before the machinery of the Federal Government is set into motion. We agreed upon the number nine as sufficient; the Congress, in its wisdom, might agree upon some lesser or greater number.

4. In the view of the Commission, it might be unwise to vest the responsibility for the conduct of the investigations in a body which, conceivably, might later be charged with the duty to conduct the prosecution of other civil or criminal remedies under existing law.

5. Effective temporary registrar legislation must include some factfinding procedure by which the allegations of the affidavits are investigated. The sole function of this investigation should be to eliminate frivolous and unfounded affidavits, that is affidavits which, upon investigation, show that there are no reasonable grounds to believe that the affiant's right to vote has been denied because of his race, religion, color, national origin, or ancestry.

6. But it is of greater importance—because it is a matter of principle, if investigation of the complaints reveals that even one single complaint seems well founded, certification should promptly be made to the President and whomever he shall then designate as Federal registrar.

7. We regard this whole matter of sufficient importance to warrant that the authority to designate temporary Federal registrars be vested in the Office of the President of the United States.

8. Effective temporary Federal registrar legislation should include a provision for the designation of a local Federal employee, such as a postmaster, court clerk, or local marshal, to serve as the temporary Federal registrar. Such an official should have the power to administer the State voter qualification laws to all citizens eligible to vote in Federal elections but previously barred from voting through improper discrimination.

9. Effective temporary Federal registrar legislation must include some provision which will guarantee that such registrants will be permitted to vote in Federal elections and have that vote counted. Congress may wish to consider appropriate sanctions, equitable or otherwise, to assure that the vote may be cast and counted.

10. Temporary Federal registrar legislation must contain some effective and prompt means of removing registration from a temporary local Federal official at such time when it is determined that the right to vote in the locality is not being denied on grounds of race, color, religion, national origin, and ancestry.

Mr. BRADEMAS. Because, Mr. Speaker, I believe so deeply in the importance of securing to all Americans the right to vote and because I believe that practices which are followed in some States of our country which deny the right to vote to many Americans through literacy tests, poll taxes, and other devices, I last year introduced a resolution for a constitutional amendment in the House of Representatives, an amendment that would guarantee the right to vote to all Americans.

The proposed constitutional amendment reads as follows:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

A companion resolution was offered for a similar constitutional amendment in the other body by the distinguished senior Senator from Minnesota, Senator HUMPHREY. This universal suffrage amendment was urged by three of the six members of the Civil Rights Commission. Among the members of the Commission who gave their strong support to the universal suffrage amendment was the distinguished president of the University of Notre Dame, a great university located in the congressional district I have the honor to represent, the Reverend Theodore M. Hesburgh, C.S.C. Indeed, because of the strong support that Father Hesburgh has given to this universal suffrage amendment I would like to describe it as the Hesburgh amendment. It is an amendment which would insure the right to vote in elections to every citizen who meets his State's age and residence requirements and who is not legally confined at the time of registration or election.

I am very proud, Mr. Speaker, that one of my constituents, Father Hesburgh, has shown such splendid leadership in this entire area of civil rights. It may be of interest to Members to know that at the University of Notre Dame on the 14th of February there is to be held a 1-day conference on the recommendations of the Commission on Civil Rights and on civil rights measures now pending in Congress. It is the thought of the president of the University of Notre Dame, of the distinguished dean of the Notre Dame Law School, Dean Joseph O'Meara, and of others concerned with the problem of civil

rights that before Congress takes action on this subject at this session it would be extremely helpful to have as much discussion of the issues as possible among legislators, members of law school faculties, and other interested persons. For this reason an invitation to take part in a nonpartisan conference, the Notre Dame Conference on Civil Rights, on February 14, 1960, has been extended to all U.S. Senators and Representatives in Congress, Democrats and Republicans, from the States of Indiana, Illinois, Kentucky, Ohio, Michigan, and Wisconsin, as well as to all the Governors of those States, the Attorney General of the United States, the Secretary of Health, Education, and Welfare, and many other national leaders, from both Government and private life.

At this point in the RECORD, Mr. Speaker, I ask unanimous consent to have included a list of the distinguished guests who have been invited to take part in the Notre Dame Civil Rights Conference.

The SPEAKER pro tempore. Without objection, it is so ordered. There was no objection.

(The matter referred to is as follows:)

LIST OF GUESTS INVITED, CONFERENCE ON CIVIL RIGHTS, NOTRE DAME LAW SCHOOL, FEBRUARY 14, 1960

All Governors and Senators and Representatives in Congress from Indiana, Illinois, Kentucky, Ohio, Michigan, and Wisconsin.

The Attorney General of the United States, or his designee.

The Secretary of Health, Education, and Welfare, or his designee.

The Administrator of the Housing and Home Finance Agency, or his designee.

The members of the Commission on Civil Rights.

The Staff Director and Acting Deputy Staff Director of the Commission on Civil Rights.

Senator THOMAS HENNINGS, chairman, Senate Judiciary Subcommittee on Constitutional Rights, or his designee.

Representative EMANUEL CELLER, chairman, House Judiciary Committee, or his designee.

The deans, or their designees, of the law schools of the University of Indiana, the University of Illinois, the University of Chicago, Northwestern University, the University of Kentucky, Ohio State University, and the University of Michigan.

The chairmen, or their designees, of the State Advisory Committees of the Commission on Civil Rights, for the States of Indiana, Illinois, Kentucky, Ohio, and Michigan.

Prof. Wylie H. Davis, University of Illinois College of Law, Urbana, Ill.

Prof. Ralph Fuchs, University of Indiana Law School, Bloomington, Ind.

Rev. William J. Kenealy, S.J., professor of law, Loyola University Law School, Chicago, Ill.

Prof. Willard Wirtz, Northwestern University Law School, Chicago, Ill.

Mr. Herman Edelsburg, chairman, National Civil Liberties Clearing House, Washington, D.C.

Mr. Harold Fleming, executive director, the Southern Regional Council, Atlanta, Ga.

Mr. Roy Wilkins, executive secretary, National Association for the Advancement of Colored People, New York, N.Y.

Mr. Clarence Mitchell, Washington Representative of NAACP, Washington, D.C.

Mr. Lester Granger, president, the National Urban League.

Rev. Martin Luther King, president, Southern Christian Leadership Conference, Atlanta, Ga.

Miss Frances Levenson, executive director, National Committee Against Discrimination in Housing, New York City.

Judge Justine Wise Polier, justice of the domestic relations court, New York City.

Mr. Shad Polier, chairman, Commission on Law and Social Action, American Jewish Congress.

Mr. James H. Scheuer, president, Citizens Housing and Planning Council, New York City.

Mr. Earl B. Schwulst, chairman, Commission on Race and Housing, president, Bowery Savings Bank, New York City.

Mr. Robert Sargent Shriver, Jr., president, Board of Education of the City of Chicago, president, Catholic Interracial Council of Chicago.

Mr. Vernon Eagle, executive director, the New World Foundation, Chicago.

Mr. Dean Rusk, president, the Rockefeller Foundation, New York City.

Dr. Robert K. Carr, president, Oberlin College, Oberlin, Ohio; executive secretary, the President's Committee on Civil Rights, 1947.

Mr. BRADEMAS. We are today talking about the prospects for civil rights legislation. Many of us feel that the picture is not as bright as perhaps it might be. Indeed, I have before me a splendid editorial published on January 21 in the La Porte, Ind., Herald-Angus entitled "Picture Not Bright." The first lines of this editorial say:

The cynic who declaims that never, and he means never, will any appreciable gains be made for Negro rights in the Deep South can trot out some strong evidence these days. The picture for those Americans who believe the Nation should give more than lipservice to civil rights provisions of the Constitution and to the momentous 1954 Supreme Court decision calling for integration of schools is admittedly a dark picture. And there are few rays of light.

We are all aware of the fact that there are serious problems in the southern part of the United States with respect to the implementation of the 1954 Supreme Court order for desegregating the public schools. Nonetheless, I think Mr. Speaker, that those of us who live in the northern part of the United States ought not to be too self-righteous about this matter. As the La Porte Herald-Argus editorial goes on to say:

Closer home in the North, which is inclined to wrap a cloak of righteousness about it in pointing to the South's disregard for fundamental rights, discrimination against Negroes in housing, employment, social acceptance continues with little abatement. Like a cancer, prejudice against race continues to make mockery of our professions to democracy. And the rest of the world knows it.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from California.

Mr. ROOSEVELT. May I ask if it is not the understandiing of the gentleman from Indiana that the civil rights bill would give to the Attorney General's Office a specifically additional power to function in these specific spots; therefore, we are not interested in protecting civil rights just on a sectional basis, because what we do want and are fighting for is civil rights for all American citizens everywhere in our country.

Mr. BRADEMAS. The gentleman from California makes a splendid point. I think one of the great contributions made by our distinguished colleague, the gentleman from Connecticut [Mr. BOWLES], from his long experience in the field of international as well as domestic affairs, is that the problem of achieving equality of opportunity for all Americans is not a regional problem, it is a national problem. If we do not make substantial progress in putting into effect here at home the promises of the Declaration of Independence, we have a tarnished shield to present to the rest of mankind throughout the world.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. CELLER. The gentleman probably knows that the original bill I offered contained the so-called part 3, which would give the Attorney General the right by way of injunction to enforce civil rights on all levels of American life, in education, on a political horizon, in transportation, and in housing. It would be an all-pervasive right to the Attorney General to insure the granting of civil rights and the prevention of the withholding of those rights in every walk of life on all levels of American life. But it was again that unholy alliance between the Members from the South and some of the Republicans on my committee that struck that provision from the bill. That was most unfortunate. If, as we hope, this bill comes up and we have the privilege of amending it, I shall undoubtedly offer that as an amendment, that is, the so-called part 3, to the pending bill.

Mr. BRADEMAS. I thank the distinguished Chairman of the Judiciary Committee for his valuable contribution.

The gentleman from New York makes reference to the gutting of the civil-rights bill by the dropping out of title 3 and I am thereby moved to reflect on the fact that most of us believe in the redemptibility of human nature from sin. Therefore, those members of the Republican Party on the Judiciary Committee who took part in helping to weaken the civil-rights bill by voting to strip title III from the bill will have an opportunity to redeem themselves if they will exercise their influence with their Republican colleagues by urging them to sign their names, today or any day this week, to the discharge petition on the civil-rights bill. We all know, Mr. Speaker, that if the Republican Members of the House genuinely want civil-rights legislation, they can easily take a big step in that direction by signing the petition to release the civil-rights bill from the Rules Committee where it is now bottled up.

Mr. Speaker, I ask unanimous consent that there be included at this point in the RECORD the La Porte Herald-Argus editorial of January 21, 1960, to which I have referred.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The editorial referred to is as follows:

PICTURE NOT BRIGHT

The cynic who declaims that never, and he means never, will any appreciable gains be made for Negro rights in the Deep South, can trot out some strong evidence these days. The picture for those Americans who believe the Nation should give more

than lipservice to civil rights provisions of the Constitution and to the momentous 1954 Supreme Court decision calling for integration of schools is admittedly a dark picture. And there are few rays of light.

In the sixth year after the Supreme Court's integration decision the Deep South, principally South Carolina, Alabama, Georgia, Mississippi, and Louisiana, stands firm in bitter opposition to even token integration. In general the sentiment, at least as expressed by politicians with an eye to votes, is that "we'll close our public school systems before we will allow any integration." In the five States mentioned there are no racially mixed classes in schools. And in many other Southern States the integration is on a token basis only.

The other day at Biloxi, Miss., a Federal grand jury refused to indict the killers of Mack Charles Parker, lynched at Poplarville, Miss., even though the FBI provided names and evidence. Last April the county grand jury declined to even consider the case, thereby condoning the murder of the young Negro. There have been more than 500 lynchings in Mississippi since 1882 and never a conviction.

Closer home in the North, which is inclined to wrap a cloak of righteousness about it in pointing to the South's disregard for fundamental rights, discrimination against Negroes in housing, employment, social acceptance continues with little abatement. Like a cancer, prejudice against race continues to make mockery of our professions to democracy. And the rest of the world knows it.

In Washington there is talk again of civil rights legislation, but with southern Congressmen dominating important committees in both Houses and with even President Eisenhower only mildly interested in new legislation, prospects are dismal.

In the Senate are measures, recommended by the Civil Rights Commission, which would empower the President to designate temporary Federal registrars to register voters for Federal elections who are qualified under State registration laws but are nevertheless denied the right to register.

In the House, locked up in the southern-dominated Rules Committee, is a weak proposal which would give the Justice Department authority to subpena State voting records in cases where registrars in the State practice discrimination. This was an Eisenhower proposal last year.

Even though the Federal Government is on firm legal as well as moral ground in demanding that qualified voters be allowed to vote in Federal elections, it is now rather obvious that this election year will be taken as the excuse for doing nothing of any real significance in giving Negroes Federal voting privileges. And in the Deep South the bitter, we-will-never-budge attitude toward the Negro's aspirations to first-class citizenship remains as adamant as ever.

Mr. BRADEMAS. Mr. Speaker, in conclusion, may I say those of us who take seriously our responsibilities as U.S. Representatives, that is to say, Representatives who have a responsibility to the Nation as a whole as well as a responsibility to the citizens of our own congressional districts, should, I believe, work and work hard now in the year 1960 to pass effective legislation which will make real the equality of opportunity which we believe is the cornerstone of a free society. The right to vote is perhaps as fine a symbol of a free society as any one of us can conceive. It seems to me, Mr. Speaker, that only those persons who deny the Hebrew-Christian tradition of respect for the dignity of the individual human being as a child of God can deny to an American citizen the right to vote in free elections.

Mr. PUCINSKI. I thank the gentleman from Indiana [Mr. BRADEMAS] for his contribution to this discussion.

Mr. MONTOYA. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield.

Mr. MONTOYA. Mr. Speaker, I ask unanimous consent that I may extend my remarks immediately following the remarks made by the gentleman from Illinois [Mr. PUCINSKI].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield for a brief statement on this subject, which I think is apropos at this moment?

Mr. PUCINSKI. I yield.

Mr. CUNNINGHAM. I thank my colleague.

Mr. Speaker, I really hesitate to make a statement with reference to the discussion we have had here during the last 3 hours or so. I have many good friends who participated in the discussion. I do, however, feel impelled to say a few words. I want to say, first of all, I long ago signed the discharge petition. I want to commend those speakers who stuck to the facts about the need for good civil rights legislation. On the other hand, I deplore the planned effort which has been made here to shift the responsibility from where it belongs, that is, with the majority party, onto the minority party. So I have no general comment upon all of the talks that have been made so far. It is my personal opinion that these are simply and truly a matter of political propaganda, a massive and well planned attack, in my opinion, an alibi for the bankrupt leadership of the majority party. I, for one, realize what this pitch is. I think the American people are not going to be fooled. I think they realize what this pitch is. I have listened, as we all have, to these many excuses and alibis by the Democratic Members for this abdication of responsible leadership. I think these excuses are an admission that the majority party positively cannot deliver on the promises it makes to the American people at the time of an election.

Furthermore, it is most disheartening to me to see these political maneuvers applied to such an important issue as civil rights. I feel, and I believe I know, the American people will not swallow this attempt to shift the responsibility from the party who have a 2 to 1 majority, to the minority party.

In conclusion, Mr. Speaker, I would suggest that the majority party examine its own party situation and its promises to the American people. It is plain to me that the majority party falls far short of carrying out its promises as a responsible party.

I think the American people now realize it.

Mr. Speaker, I thank my colleague for yielding.

Mr. PUCINSKI. I congratulate the gentleman from Nebraska [Mr. CUNNINGHAM] for having the wisdom of signing the discharge petition, but I regret the gentleman's indiscriminate appraisal of this discussion as political propaganda, because I am certain, as the debate unfolds, we will make out a strong case that the Democrats in this Congress have done everything humanly possible to maintain the pledges of the party to our people.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. ROOSEVELT. I would like to ask the gentleman from Nebraska [Mr. CUNNINGHAM] whether he has heard of or read the editorial in the New York Times of last Sunday, which clearly stated—and I do not think he would want to accuse the New York Times of issuing political propaganda—that the time had come to recognize that the Republicans had been boycotting an attempt to bring the civil rights bill to action in the House, and that to attack the Democratic Party as having some members in it opposed to civil rights does not in any sense show a justifiable reason for the Republican Party doing nothing about it. As I said earlier in the debate, the easiest possible way if you want to make it a nonpartisan issue, instead of having the 30 Republican signatures out of 190, a pitifully small, meager amount, let them come forward with the rest of the Republican signatures and get this bill on the floor.

Mr. PUCINSKI. I thank the gentleman from California [Mr. ROOSEVELT] for his remarks.

I cannot yield further, because I have some remarks of my own that I want to contribute to this conversation.

Mr. Speaker, I wish to congratulate the previous speakers who have engaged in this discussion today on the need of enacting civil rights legislation in this session. I feel that I come eminently prepared to plead the cause of civil rights, because I happen to come from an ethnic group that struck one of the first blows for civil rights in this country, a blow that predated the Civil War, predated the American Revolution, going back to 1619, when Captain Smith arrived in America and discovered that he could not indeed form and build a successful colony without industry, without skilled artisans, and people with ideas. From his travels in Europe Captain Smith recalled in his visits to Poland that he had met many people skilled in the production of tar and pitch, and because that particular territory around Jamestown afforded more opportunities for that industry, Captain Smith had invited a group of Polish immigrants to this country more than 350 years ago. They came here and they made a contribution with their skill, with their art, but because of the peculiar system of the Jamestown Colony in those days, the Polish immigrants were permitted to conduct their work, but they were not permitted to participate in the civic activities in the colony. They were not permitted to own property. They were not permitted to participate in elections. They were not permitted many of the civil rights of citizens of that colony. Remembering the history of their own country, the great struggle for civil rights which the Poles had waged for centuries in Europe,

those people in 1619 staged the first sitdown strike ever recorded in the annals of American history. It is indeed significant that this sitdown strike by the first Poles in America was not for economic remuneration as we know the sitdown strikes of today. Rather, it was a strike for the rights of human dignity. It was a strike for recognition of human rights. In his wisdom Captain Smith recognized the fact that without the help of those Polish immigrants, the Jamestown Colony was doomed to failure. So he summoned a special session of the legislature that day, and in the record of the Virginia General Assembly, recorded on July 21, 1619, we read:

Upon some dispute of the Polonians resident in Virginia, it was now agreed (notwithstanding any former order to the contrary) that they shall be enfranchised, and made as free as any inhabitant there whatsoever.

And indeed I am proud that these Polish immigrants could have struck the first blow for civil rights in this country.

I might point out also that I am proud to come from an ethnic group, one of whose sons, a great hero of the American Revolution, Gen. Thaddeus Kosciuszko, came to this country to fight for freedom in America. When the time came for him to return to his native Poland, he left his entire estate in this country, which amounted to a considerable amount of money, to his Negro slave to be used for the creation, formation, and establishment of the first institution of higher learning in America.

I am sure that as this discussion on civil rights unfolds here today and in the days to come we could find equal parallels of great contributions to the recognition of the dignity of man from all of the ethnic groups that have come to this great country; the Germans, the Italians, Scandinavians, Poles, Swedes, Irish, and all the other fine people who make up this country. I am sure that we all have felt as Americans at some time or other in the history of this Nation, either directly or through our forefathers, the pains of discrimination. I ask, Mr. Speaker, how can we as a great Nation demand the restoration of the freedom to vote, the restoration of civil rights in Poland, Czechoslovakia, in Lithuania, in East Germany, in Hungary, in Bulgaria, in Rumania, in all the other enslaved nations of the world who are today living under the domination of international communism, how can we defend, how can we argue, how can we plead for freedom for these people when our own house is not yet in order?

I read today an Associated Press dispatch which just came through on the wires:

WASHINGTON.—Two members of the Cabinet today pledged the administration's "undivided support" for a determined Senate effort to repeal a U.S. veto power over jurisdiction of the World Court. Secretary Herter told the Foreign Relations Committee a repealer resolution has the united backing of President Eisenhower, Vice President NIXON, the State and Justice Departments.

"There is no division of opinion within the administration," Herter assured Chairman FULBRIGHT. Attorney General William P. Rogers followed Herter to the stand with a strong endorsement of the resolution, sponsored by Senator HUMPHREY.

About 3 weeks ago we heard the President of the United States make his eloquent plea right here before this House in his state of the Union message when he asked repeal of the Connally amendment regarding the World Court.

I should like to remind the administration, and the President, that indeed the chances of his suggestion being adopted by this Congress, would be markedly strengthened if our own house regarding civil rights were in order. It should be no surprise and I am sure it is no secret, that many of those who supported that amendment did so because they feared the Communists would exploit our own civil rights infractions in this country before the World Court, and it is certainly understandable what a harvest of propaganda they could reap before that Court. I indeed feel that if the President really wants to repeal this amendment he ought to add his entire weight to this civil rights legislation because when we put our own house in order we can then proudly, and boldly, and confidently face the World Court. We need not fear then that the Communists are going to exploit our own shortcomings in this country.

Mr. Speaker, Abraham Lincoln said on July 1, 1854:

Most governments have been based, practically, on the denial of equal rights of men. Ours began by affirming those rights. They said: "Some men are too ignorant and vicious to share in government." "Possibly so," said we, "and by your system you would always keep them ignorant and vicious. We propose to give all a chance; and we expect the weak to grow stronger, the ignorant wiser and all, better and happier together."

I have a most profound respect and admiration for Mr. Lincoln—and while his dedication to the principles of justice and equality have long been an inspiration to me both in my private and public life, unfortunately, he was not instrumental in the formation of my own political party. This I regret. I have, however, chosen Mr. Lincoln's dramatic statement because I believe it is appropriate as Republicans throughout America sit down tonight at dinners in some 82 cities to pay tribute to their party and its record.

I could never hope to inspire the Republican Party to its task with words as eloquently spoken as Mr. Lincoln and I hope as the Republicans delight in burgundy wine and stuffed capon—as they listen to speeches by President Eisenhower and Vice President NIXON—as they attempt to appraise their record of the past year—they will pause long enough to reflect that one of their main promises—to perfect our civil rights legislation—still remains to be acted on in this session.

I hope that tonight they will recall the admonition of Lincoln when he spoke in Cincinnati on May 31, 1842:

In what I have done I cannot claim to have acted from any peculiar consideration of the colored people as a separate and distinct class in the community, but from the simple conviction that all the individuals of that class are members of the community, and, in virtue of their manhood, entitled to every original right enjoyed by any other member. We feel, therefore, that all legal distinction between individuals of the same community, founded in any such circumstances as color, origin and the like, are hostile to the genius of our institutions, and incompatible with the true history of American liberty.

The fact that we selected today to conduct this panel on civil rights in the House of Representatives when Republicans are meeting all over the Nation to break bread and launch the forthcoming campaign is purely coincidental. I can assure you I had not noticed the Republican dinners until earlier today—and certainly I did not notice the Republican dinners when I requested the special order for today.

Fate, however, moves in strange manners—perhaps it is just as well, that, by coincidence, we should have selected today for our discussion of civil rights—I hope that when our colleagues return, inspired by the oratory of tonight's Republican dinners, they will ponder our own discussion in the House of Representatives today and join us in signing the discharge petition on civil rights so that in this session we can write into law a formula which will restore this Nation to a position of respect and inspiration throughout the world.

As they return to Washington, I hope my Republican colleagues will recall the inspiring words of President Eisenhower—the leader of their party—when he stood here delivering his state of the Union message just 3 weeks ago.

The President said:

Still another issue relates to civil rights. In all our hopes and plans for a better world we all recognize that provincial and racial prejudices must be combated. In the long perspective of history, the right to vote has been one of the strongest pillars of a free society. In spite of constitutional guarantees, and notwithstanding much progress of recent years, bias still deprives some persons in this country of equal protection of the laws.

Early in your last session, I recommended legislation which would help eliminate several practices discriminating against the basic rights of Americans. The Civil Rights Commission has developed additional constructive recommendations. I hope that these will be among the matters to be seriously considered in the current session. I trust that Congress will thus signal to the world that our Government is striving for equality under law for all our people.

I wholeheartedly agree with President Eisenhower.

This issue of civil rights lgislation, in my humble opinion, must never be permitted to deteriorate to a partisan level—the Republican Party—as well as the Democratic Party—must recognize the pledge it made to the American people in their respective platforms in 1956—I do not accept the doctrine that since the Democrats control Congress civil rights legislation is their own partisan responsibility.

It is crystal clear to all present here, and to the entire world, that there is a division of opinion—a tragic, nevertheless a deep-rooted division—in the Democratic Party regarding civil rights legislation.

But I would not be honest with myself if I did not admit that while I personally cannot condone the views of my Democratic colleagues from the South, I must respect their right to their own opinion. This is the very dynamics of our democ-

racy—this is the very heart of our Republic—the right to respect for your own views. It is indeed a cruel hoax that is being perpetrated on the American people by those who would idly sit by and blame the Democratic majority for failing to deal with the civil rights question.

I need only remind my colleagues that the majority of Democrats in this House already have signed the discharge petition in keeping with our party platform of 1956. This in no way means that we have any less respect for those members of our party who—guided by their own conscience in doing what they, in their own opinion, believe to be right—have failed to join us in this noble cause.

Earlier this week, one of our Republican colleagues deplored the lack of unity among the Democrats in this House. The speaker who uttered these words has shown a demonstrable lack of understanding of the very dynamics of our Democratic Party.

If the day ever comes when all Democrats must march in a single cadence, we will indeed have lost that priceless ingredient which has given the Democratic Party its strength, we will then lose the diversity from which spring all great ideas, we will rob our party of that precious quality which distinguishes man from all other orders—his determination to think for himself—as Admiral Rickover once said, "His determination to be different."

I hope and pray the day will never come when all Democrats must be corralled into a single unity of thought—for we shall then drive the Nation into the limbo of conformity and ultimate intellectual serfdom. I might add, I pray the same for the Republicans.

But my fellow Congressmen, the Republicans cannot shirk their responsibility by trying to create the impression that civil rights is a problem for the Democrats. They cannot shirk their responsibility unless they are willing to concede a total lack of understanding of legislative process in a republic such as ours.

I need only to remind you that ours is the most complex form of government ever devised by man. But within the complexities of our Republic we have been able to afford most of our citizens the greatest degree of freedom ever conceived by man. It is no accident that under the rules of the House, we can work the will of Congress by way of the discharge petition when insurmountable roadblocks are placed in our way by a committee to thwart our action within normal procedures. It took a long time to perfect the discharge petition procedure but it is now accepted and it can work. I make no apology for signing this discharge petition. In so doing, those of my colleagues who have joined me in this act have epitomized the very essence of democratic process in this noble body. If the discharge petition was repugnant; if it is in conflict with the spirit of an unfettered legislative body such as is this Congress, I am confident that the formulators of precedents in this historic assembly would have overruled it long ago—we have had the good fortune to have outstanding Americans from both parties sit in the Presiding Officer's chair in this House, including our present Speaker, the gentleman from Texas. They have all recognized the need to let Congress work its will regardless of odds—and so this discharge petition procedure finally was conceived.

I believe the fallacy of those who would criticize use of the discharge petition becomes readily apparent when we recall that under the present rule, five measures were entered in the calendar and one actually passed the House since it was adopted in the 72d Congress.

The Republican membership of this House has as much responsibility toward bringing the civil-rights measure to the floor as the Democrats—particularly when we recall the Republican platform of 1956, which stated:

> We support the enactment of the civil-rights program already presented by the President to the 84th Congress.

The Republican Party's pledge cannot be considered as accomplished by passage of the act in the 85th Congress. Particularly is this true when we consider the further plank in the 1956 Republican platform on civil rights, which stated:

> The Republican Party has unequivocally recognized that the supreme law of the land is embodied in the Constitution, which guarantees to all people the blessing of liberty, due process, and equal protection of the laws. It confers upon all native-born and naturalized citizens not only citizenship in the State where the individual resides but citizenship of the United States as well. This is an unqualified right, regardless of race, creed, or color.

Were these but hollow words—political sops—written into a platform to attract a certain segment of our voting population, or were they words written into a party platform by a responsible political movement which intends to make good on its promise?

The least that can be said about our southern Democratic colleagues who have refused to support civil rights legislation is that their position was made clearly known in 1956, just as it is today. The most that can be said about their action is that they are consistent in their determined refusal to alter their position.

I believe the time has come when the Republican leadership in this Congress should stop playing cat and mouse with civil rights and face up to its pledges. Not all Republicans. I am certain that just as some of our Democrats have their reasons for opposing civil rights, there must undoubtedly be some Republicans with similar views. But surely in a membership of 153 Republicans in the House, there must be at least a simple majority who take their party platform seriously enough to support the petition.

I believe that President Eisenhower should exert the same kind of leadership toward solving this issue as he did when he took to the airwaves on labor-management reform, on support of his multibillion-dollar foreign-aid program, and on his persistent demands for removing ceilings controlling interest rates on long-term Government bonds.

I believe the time has come when Vice President NIXON should make his own position known and help the Democratic majority in the Congress get started on a workable civil rights bill.

The overwhelming majority of those Democrats who have signed the discharge petition have demonstrated time and again their ability to put the good of the Nation above partisan politics and have supported President Eisenhower on many of his key issues. I am happy that I can be included in this group. The time indeed has come when the Republicans in this House and the Republicans in this administration, starting with President Eisenhower, should demonstrate the same type of nonpartisan responsibility and help in getting on with this legislation, in getting this legislation to the floor for action.

The Republican Party will hold its convention this summer in Chicago, the largest city in the "Land of Lincoln." It has been suggested that the theme of the convention should be centered around the 100th anniversary of Lincoln's election to the Presidency of the United States. What a mockery the Republicans will make of history if they go to Chicago without having supported the principles for which Lincoln so earnestly stood; his determined belief that all men were endowed with equal opportunity by their Creator. What a sham will be the great speeches about Lincoln if the Republicans fail to add their own weight to this effort toward enacting effective civil rights legislation in this session.

Somehow, however, Mr. Speaker, I feel confident that this will not happen. We shall always have politics in America. I hope the day never comes when we will not. But I, for one, am perfectly willing to remove partisanship from this issue because how could any dedicated American play politics with human misery? I can think of nothing that will destroy the human soul faster than the loss of freedom, respect, dignity, and the right of self-determination.

How can anyone equate the very humane issue with political expediency? How can any American fail to recognize that the right to self-respect for all citizens, regardless of race, color, creed, or ethnic background, is the very lifeblood of our system? Take away a man's respect and what is there left for him to live for?

This is the great challenge of this Congress. We are dealing with human beings; we are not dealing with robots, with chattels. We are dealing with human life, people that have a right to freedom and self-respect and self-dignity. This is the challenge of this body.

It is not important whether the signatures on the discharge petition come from this side of the aisle or the other side of the aisle. The important thing is that we as Members of this Congress, as statesmen of the most responsible Nation in the world today, the Nation to which the whole world is looking for leadership, inspiration, and guidance, face up to this great challenge.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. JOHNSON of Colorado. I want to commend the gentleman from Illinois on his excellent statement, and I commend especially his final point, that the

question here this afternoon is that we as Members, regardless of whether we are Republicans or Democrats, put enough signatures on the petition. We sign in our own names. The title of the job we hold on both sides is U.S. Representative. It is not "Democratic Representative" or "Republican Representative." We are Representatives not merely from our districts and from our States—we are U.S. Representatives; and when we take that oath of office, we are expected to live up to our obligations under the Constitution.

It seems to me our constitutional obligations are clear. In at least two places in the Constitution where the question of the right to vote is discussed, there is a very short, simple statement that "The Congress shall have the power to enforce this article by appropriate legislation." Nothing could be plainer, therefore, than that each of us bears the obligation of office, each Member bears one four-hundred-and-thirty-seventh part of the total burden of the work of the House of Representatives. No Member is exempted from his obligations to the House by reason of the discipline which he may have from some other Member of his own party or from his own State. Each Member is under the obligation of the discipline of his own conscience under the Constitution of the United States.

Mr. Speaker, I commend the gentleman from Illinois [Mr. PUCINSKI] for his fine statement. Would the gentleman be good enough to yield further?

Mr. PUCINSKI. I am happy to yield to my colleague from Colorado.

Mr. JOHNSON of Colorado. Mr. Speaker, I am one who has signed the petition because I believe the only way we can enforce the Constitution by appropriate legislation is to bring that legislation before the House. However, as one who has campaigned in his own precinct and in his own district and in his own State, I have discovered that the limitations of the right to vote, which are the limitations with which we are most concerned here, are not limitations which are known only to a few States—nor are the limitations on the right to vote solely those of one race. Indeed, I find there are many limitations on the right to vote, most of which have no constitutional basis. The Constitution makes it clear that whenever any State shall deprive any person, male, 21 years of age and over, except for participation in rebellion or other crime, of the right to vote, that State may have its representation in the House of Representatives reduced in proportion to its denial of the right to vote. This is a clear constitutional power, and I might say obligation upon the Congress of the United States to help to enforce adequate voting rights.

Mr. Speaker, I ask unanimous consent that I may be allowed to extend in the RECORD tables on qualifications for voting prepared by the Library of Congress as of January 1, 1959.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The tables referred to are as follows:

TABLE I.—*Residence requirements*

State	Time in State	Time in county	Time in precinct or ward
Alabama	2 years	1 year	3 months.
Alaska	1 year		30 days.
Arizona	do	30 days	Do.
Arkansas	12 months	6 months	1 month.
California	1 year	90 days	54 days.
Colorado	do	90 days (30 days in city or town).	15 days.
Connecticut	do	6 months	
Delaware	do	3 months	30 days.
Florida	do	6 months	
Georgia	do	do	
Idaho	6 months	30 days	
Illinois	1 year	90 days	Do.
Indiana	6 months	60 days in township	Do.
Iowa	do	60 days	
Kansas	do		Do.
Kentucky	1 year	6 months	60 days.
Louisiana	do	1 year in parish	3 months.
Maine	6 months	3 months in city, town, etc.	
Maryland	1 year	6 months	6 months.
Massachusetts	do	6 months in city or town	
Michigan	6 months	30 days in city or township.	
Minnesota	do		30 days.
Mississippi	2 years	1 year in city or town	1 year.
Missouri	1 year	60 days	
Montana	do	30 days	
Nebraska	6 months	40 days	10 days.
Nevada	6 months	30 days	10 days.
New Hampshire	do	6 months in town	
New Jersey	do	60 days	15 days (in city of 4th class).
New Mexico	12 months	90 days	30 days.
New York	1 year	4 months	Do.
North Carolina	do		Do.
North Dakota	do	90 days	Do.
Ohio	do	40 days	40 days.
Oklahoma	do	6 months	30 days.
Oregon	6 months		
Pennsylvania	1 year		2 months.
Rhode Island	do	6 months in town or city	
South Carolina	2 years	1 year	4 months.
South Dakota	1 year	90 days	30 days.
Tennessee	12 months	3 months	
Texas	1 year	6 months	
Utah	do	4 months	60 days.
Vermont	do	3 months in town (to vote for representatives to general assembly or justices).	
Virginia	do	6 months	
Washington	do	90 days	30 days.
West Virginia	do	60 days	
Wisconsin	do		10 days.
Wyoming	do	do	Do.

TABLE II.—*Other requirements*

State	U.S. citizenship required	Age	Literacy required	Poll tax prerequisite for voting	Loyalty oath
Alabama	X	21	X	X	X.
Alaska	X	19	X		
Arizona	X	21	X		
Arkansas	X	21		X	
California	X [1]	21	X		
Colorado	X	21			
Connecticut	X	21	X		X.
Delaware	X	21	X		
Florida	X	21			X.
Georgia	X	18	X [2]		
Idaho	X	21			X.
Illinois	X	21			
Indiana	X	21			
Iowa	X	21			
Kansas	X	21			
Kentucky	X	18			
Louisiana	X	21	X [2]		
Maine	X	21	X		
Maryland	X	21			
Massachusetts	X	21	X		
Michigan	X	21			
Minnesota	X [3]	21			
Mississippi	X	21	X	X	X.
Missouri	X	21			
Montana	X [4]	21			
Nebraska	X	21	(5)		
Nevada	X	21	(5)		
New Hampshire	X	21	X [2]		
New Jersey	X	21			
New Mexico	X	21			
New York	X [1]	21	X		
North Carolina	X	21	(5)		X.
North Dakota	X	21			
Ohio	X	21			
Oklahoma	X	21	(5)		
Oregon	X	21	X		
Pennsylvania	X [6]	21			
Rhode Island	X	21	(5)		
South Carolina	X	21	X [2]		
South Dakota	X [6]	21			
Tennessee	X	21			
Texas	X	21		X	
Utah	X [7]	21			
Vermont	X	21			X.
Virginia	X	21	(5)	X	
Washington	X	21	X [2]		
West Virginia	X	21			
Wisconsin	X	21			
Wyoming	X	21	X		

[1] At least 90 days before election.
[2] See body of report for details.
[3] At least 3 months before election.
[4] By election.
[5] At least 1 month.
[6] Must have resided in United States 5 years.
[7] For 90 days.

TABLE III.—*Persons disqualified from voting*

State	Idiots, insane, under guardianship	Commission of felony or infamous crime	Paupers	Others
Alabama	X	X		Vagrants and others.
Alaska	X	X[1]		
Arizona	X	X[1]		
Arkansas	X	X		
California	X	X		Aliens ineligible to citizenship.
Colorado	X			While in prison.
Connecticut	X	X[1]		
Delaware	X	X	X	Convicted of election offenses; disfranchised 10 years.
Florida	X	X[1]		Interested in election wager.
Georgia	X	X[1]		
Idaho	X	X[1]		Chinese or Mongolian descendants not born in United States.
Illinois	X	X[1]		
Indiana	X	X[1]		While imprisoned.
Iowa	X	X		
Kansas	X	X[1]		Dishonorably discharged soldier, bribery.
Kentucky	X	X[1]		In prison for penal offense.
Louisiana	X	X[1]		Inmates of prison or charitable institution, deserters and those dishonorably discharged from armed services unless reinstated.
Maine	X		X	
Maryland	X	X[1]		
Massachusetts	X		X	Corrupt election practices, disfranchised for 3 years.
Michigan				
Minnesota	X	X[1]		See body of report under "Qualifications for Voting" regarding Indians.
Mississippi	X	X		Indians not taxed.
Missouri	X	X[2]		While in prison or poorhouse.
Montana	X	X[1]		
Nebraska	X	X[1]		
Nevada	X	X[1]		Duel.
New Hampshire	X	X[1]	X(1)	Violation of election law.[1]
New Jersey	X	X		Do.
New Mexico	X	X[1]		
New York	X	X[1]		Election offenses, shall not vote at such election.
North Carolina	X	X[1]		
North Dakota	X	X[1]		
Ohio	X	X[1]		2d offense under election laws.
Oklahoma	X	X[1]		While in poorhouse or prison.
Oregon	X	X[1]		
Pennsylvania				Election offense, disfranchised 4 years. Bribery at election * * * for such election.
Rhode Island	X	X[1]	X	Residing on lands ceded by Rhode Island to United States.
South Carolina	X	X[1]	X	While in prison.
South Dakota	X	X[1]		
Tennessee		X[1]		
Texas	X	X[1]	X	Soldiers, sailors, and seamen while in Regular service of United States.
Utah	X	X[1][2]		
Vermont				Bribery for vote, disfranchised for such election.
Virginia	X	X	X	Duel.
Washington	X	X[1]		Indians not taxed; subversive activities.
West Virginia	X	X[4]	X	Bribery in election (while under conviction).
Wisconsin	X	X[1]		Bribery; [1] duel; election wager, disfranchised for such election.
Wyoming	X	X[1]		

[1] Unless civil rights have been restored.
[2] Connected with election.
[4] While under conviction.
[3] Treason or election offense.

Mr. JOHNSON of Colorado. Mr. Speaker, these tables show that there is a lack of uniformity among the States with respect to the right to vote. But the most common requirement, and the one which strikes the right to vote from the most citizens is, surprisingly, the residence requirement. I have had a study made, and I find that at least 3 percent of our population move from one county to another county within any given year within the same State. In many States they must have had from 3 months to 6 months or even a year of residence within the county in order to be able to vote. Thus, we may disenfranchise as many as 3 percent of our adult citizens merely by stringent residence requirements for those moving within the same States.

More than that, Mr. Speaker, I find that about 3 percent of our people move from one State to another within any given year. It is my campaign experience that even these persons who are denied the right to vote, not by reason of race and not by reason of literacy requirements or illiteracy, but only by reason of the accident of employment and geography, feel just as outraged by their loss of the right to vote as do those who have lost it for any other reason. Every American views his right to vote as a precious right. Its denial is one which offends him. There has been very little attention paid to this issue because time heals this disqualification for any one person providing he stays put. Yet, there are persons in our society whose employment requires them to move frequently.

I have met people who have not voted as many as six elections, consecutively, because they were constantly on the move, and they never acquired residence.

More than that, Mr. Speaker, I have discovered that it is possible for a resident of the United States, born in the United States, and living here all his life, not to have residence in any one of the States. This appears to be true because he can lose his residence by a move from a State where he has been a resident without acquiring residence in the State in which he moves.

Therefore, I suggest that the Congress might well give attention to taking such steps as might help us to secure legislation in each of the 50 States which would provide a uniform rule of residence or as close as we could come to that uniform rule. I suggest, for example, that no person be allowed to lose his residence in a State where he last enjoyed it until he has gained residence in the State to which he has moved.

Many States do have absentee voting laws. But many of the States say, "If you move away you have lost your residence, and therefore the absentee ballot is only for those who intend to come back." So, absentee ballots are an inadequate protection. One State requires 2 years' residence. Most States require 1 year. Some of the States use the 6-month's residence requirement.

Residence is legally the function of the purpose for which the residence rule was imposed. For example, if you are driving an automobile and move into a State, the license authorities of most States will ask you within 30 days to buy a license for your automobile in that State. On the other hand, if you move into a State and want to go hunting, they apply the nonresident hunting license, where the fee is higher, because they contend you are not a resident until you have been there for 12 months.

With respect to property taxes, the moment you buy a piece of property, or the moment you start to pay rent on property, for all practical purposes, you are being taxed under the property tax. The income tax is likely to treat you as a resident as soon as you draw income within a State, unless you can demonstrate you are not a resident.

The estate tax is so drawn that it is possible to be a resident in two States at the same time. We appear eager to attach a tax to your estate. It might be well for the Congress to seek to develop a uniform residence purposes law for all.

The Judiciary Committee and the Congress might give consideration to giving a shorter uniform rule of residence. I suggest 30 days, 60 days or not more than 90 days as an adequate length of time to acquire residence within any State, and not more than 30 days' residence within a county. Those provisions would be more generous than those now in use.

Acts of Congress now support longer residence requirements.

The present provisions of the Social Security Act, for example, in the public assistance sections provide that the Federal Government will permit States to require 1 year of continuous residence preceding the date of application in a State where an application is filed, and it will allow a further requirement of 5 years in the previous 9 years. Many States impose such residence requirements before a citizen of the United States, who has paid taxes all of his life, may be eligible to apply for relief under a Federal statute.

It clearly seems to me that Congress has the obligation, if it is concerned about civil rights, to reexamine the residence requirements that we impose, and to cooperate with the States and see if we might devise some uniform rule of residence.

But there are other limitations on the franchise. Literacy is required in 18 States. You may say, "This is a good

thing." If one talks with people representing the new democracies in Asia and Africa one very quickly must conclude that a literacy requirement is an undemocratic action. It is interesting that India conducted a great democratic election in which there was a heavier participation by the populace than in the United States. Even though the majority of Indians are as yet illiterate, they can recognize symbols, and party symbols have been successfully used. I think the cause of democracy has been advanced by that action.

So I would think we would want to examine the literacy requirement. In any event but 18 States use it.

Then we come to the poll tax. In only five States is the poll tax used. It is interesting that only six States do not disqualify idiots and insane people.

Only four States do not disqualify persons for felony or infamous crime. These include my own State of Colorado as well as Maine, Massachusetts, and Michigan. This is the only disqualification which is constitutionally permitted and we have found its absence no significant handicap to good government in Colorado.

Paupers are still disqualified in nine States. Four States have very severe restrictions on absentee voting. The Members will recall the Congress established a Federal voting assistance program in 1955. This program simplifies both the registration and ballot application by providing a uniform Federal post card application form. Every State now accepts its use for members in the Armed Forces and half the States have adopted all the changes recommended. Twelve States restrict its use to members of the Armed Forces and dependents, and 13 States restrict its use to members of the Armed Forces only for purposes of ballot application. States have been almost as generous in extending the simplified registration form. Twenty-three States cover all categories. Ten take care of members of the Armed Forces and dependents, and 10 States take care of members of the Armed Forces only.

The second report of the Department of Defense on the Federal voting assistance program has just been released and summarizes developments in detail.

The Congress has several courses of action it might well pursue in seeking to broaden the franchise. The first is to pass the civil rights legislation which is the subject of the discharge petition under discussion this afternoon. The second is to extend that bill before passage by including Federal referees or Federal registrars so that no person will be denied registration by the refusal or unwillingness of state and local authorities to abide by their constitutional obligations.

The third would be to undertake a full congressional investigation of all of the restrictions on the right to vote in every state as a prelude to possible action under the 14th amendment. If we do not act within the next year, it will be 10 years before we have another suitable occasion to exercise this power.

Finally, the Congress might well undertake a general study of the whole question of residence requirements and related privileges and immunities of citizens so as to develop some method whereby a citizen of the United States would be certain to be a citizen of 1 and only 1 of its 50 States. It is unfair and inequitable to accept without question a legal structure which makes some citizens simultaneously residents of two or more States while denying other citizens the right to be a citizen of even one of the States. I am hopeful that this last course of action might secure favorable action.

Certainly the taxpayers of this country would be relieved of many unfair burdens if a uniform rule of residence could be established.

As a suggested procedure, I would like to see a Federal-State conference designed to devise a uniform draft for State residence laws as well as appropriate Federal draft statutes. We are not likely to make progress in extending this protection to our citizens until we have examined the present jungle of law and arrived at a reasonable standard toward which each State might then move by its own constitutional processes.

I hope we will pass the pending bill. But let us not assume that when we have passed it that we have fulfilled our obligations or met the needs which face us. Our work will still have only begun.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MONTOYA. Mr. Speaker, today I have introduced legislation which I feel constitutes a sound approach to a gradual solution of our national debt management.

The national debt and its propensity for increase has been a thorn for all Americans and especially for those of us in government. The seriousness of our financial posture cannot be belittled by either political party because the desire for a sound fiscal policy transcends political partisanship. It cannot be alleviated by verbal exhortations for fiscal responsibility; it must be confronted head on—by constriction, resolve and positive action. It must be coped with in the arena of bipartisanship because it is a "plague on both of our houses."

The ugly specter of our financial posture cannot unfold unless we trace its ascendancy factually and logically. The gradual rise of our national debt, of course, emanates as a result of increased spending. This is an elementary statement except for the fact that I feel bound to trace the graduation of this spending in order that we may fully appreciate the problem we face more lucidly. At this point I wish to include a chronological record of total expenditures under the administrations of both President Truman and President Eisenhower:

Truman:	Billion
1946	$60.4
1947	39.0
1948	33.0
1949	39.5
1950	39.6
1951	44.0
1952	65.4
1953	74.2
Total	[1] 395.4

[1] Totals do not agree because of rounding.

Eisenhower:	Billion
1954	$67.7
1955	64.5
1956	66.5
1957	69.4
1958	71.9
1959	80.8
1960 (estimated)	77.0
Total	[1] 499.8

[1] Totals do not agree because of rounding.

Now, to place into focus the entire picture it is necessary that we trace the status of our national debt from the last years of the Truman administration up to and including the last fiscal year of the present administration, and at this point in the RECORD I insert the appropriate figures:

	Gross public debt
June 30, 1946	$269,422,099,173
June 30, 1953	266,071,061,639
June 30, 1959 (estimated)	285,000,000,000

I am not trying to indulge in political semantics because I believe, as I stated before, that the problem deserves an atmosphere free and clear of any partisanship. The charges and countercharges of who is responsible for the national debt are merely arguments over the symptoms but offer no sustenance or cure for this ailing patient. The legislation which I have sponsored today is an approach which I think is sound, feasible, and within the capacity of the American people to sustain.

My bill provides that the Secretary of the Treasury issue a special stamp in multiples of $5 up to a total issue of $2 billion for each year with certain discretionary powers to reduce or increase the issue under special circumstances. The stamp shall bear interest at the annual rate of 4¼ percent compounded semiannually as presently required for U.S. savings bonds. The revenue derived from the sale shall be applied to the principal of the national debt only. Such stamps may be used only as a credit against income and estate taxes imposed by the United States—but only after the expiration of a 2-year period which begins on the date of issue of such stamps. Provisions are made for redemption in cash to take care of situations arising in case of no tax liability in the event of death or taxes withheld from wages.

This bill will enable the American people to purchase up to $2 billion in stamps upon the condition that their money will be applied solely for payment on the principal of the national debt. They will be paid back in tax credits on their income or estate taxes after 2 years. It is in the nature of a grassroots mandatory injunction directing the Secretary of the Treasury to pay $2 billion annually on the national debt.

These stamp purchases will not actually reflect a reduction of the national debt until the stamps are surrendered as tax credits after the expiration of 2 years. The amount of tax credits are predetermined on the basis of sales 2 years before redemption and, therefore, these tax credits cannot be computed or considered as available anticipated revenue in budget planning. It is at this point that the reduction of our national debt will start its operation.

Our rising national debt has passed the $290 billion mark. Balanced budgets will not stop this rise. During the last 6 fiscal years Congress has not appropriated more money than the President asked, and still we have had deficits totaling $12.5 billion. We must try another approach. I believe my plan is a step in this direction.

CIVIL RIGHTS

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 30 minutes.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Speaker, yesterday, on at least three or four occasions the Republicans charged political football. I will not allege, propose, or suggest that civil rights is being used as a political football even on the part of the Republican Party. I think their actions speak for themselves. I think the issue has been well made by my colleagues. The civil rights petition is there for them to sign if they believe in it and for those who do not have that belief they may refrain from doing so.

The thing that discourages me, Mr. Speaker, is that every time the Democrats move for constructive legislation the Republicans accuse the Democrats of political footballing; but when the shoe is on the other foot—and I might say the shoe is on the other foot very seldom—but when the shoe is on the other foot then, of course, the support of legislation by the Republican Party is in the name of integrity. I am quite confident this is an insult to the intelligence of the American people and that they will not be deceived by it.

I must say that I was somewhat amazed to hear one of the Republican Members suggest that he was honored, honored to see that the Republican Party was getting the credit for stagnating action on the civil rights bill, or words to that effect. This may not have been his true intent, for the honor is dubious indeed. I merely suggest that if he did mean it that they can have that most dubious honor; they deserve it; it is theirs.

Contrary to previous denials, the fact is that a coalition exists between Southern Democrats and Northern Republicans. I am quite confident in my own mind that somewhere, somehow, by somebody, either in this House or outside of it, the Republicans have had their soul sold on the civil rights issue; and despite my complete disagreement with my colleagues from the South on this particular subject, I certainly can better understand their position than I can that of the Republicans from the North. The Democrats from the South have been consistent in their opposition and they have been honest in stating their opposition to civil rights legislation. We cannot say this is true for the other party.

Mr. Speaker, from the report of the U.S. Commission on Civil Rights, the study of three particular aspects; namely, voting, housing and education, has allowed them to see the organic nature of the problem as a whole.

> The problem is one of securing the full rights of citizenship to those Americans who are being denied in any degree that vital recognition of human dignity, the equal protection of the laws.

The Commission reports further that this is now largely a racial problem. With but one exception, the only denials of the right to vote brought to the attention of the Commission, were reasons of race or color. This is clearly the issue in education, they so state, as well as it is true in public housing.

The Commission concludes from these findings that—

> If a way can be found to secure and protect the civil rights of this minority group, if a way can be opened for them to finish moving up from slavery to the full human dignity of first-class citizenship, then America will be well on its way toward fulfilling the great promises of the Constitution.

I recognize that the task of undoing more than a century of unequal treatment is one of Goliath proportions. But this does not and should not indicate that it shall not or cannot be done. In fact this gives cause for greater challenge and greater effort so that the 14th and 15th amendments of the Constitution should not stand nullified. It is obvious that this task has not been made easier by extreme lawlessness, violence, and unparalleled disregard and open defiance of court decisions.

It is noteworthy, I believe, to recall that just a few short months ago, the hue and cry for individual rights or equal rights within labor unions was loud and clear. However, it was odd to note that some of those using that argument most forcibly are those who refuse to sign the discharge petition and therefore to grant really true justice to all Americans, under different circumstances, even insofar as the right to vote is concerned. Now I have been in politics long enough to know that there are two sides to every coin, but outright "tomfoolery" is easily recognized as I am confident it is in this case.

In the Civil Rights Act of 1957, Congress recognized that enforcement of constitutional guarantees is a matter of concern to the people as a whole.

The world recognizes that, for us to point to our Bill of Rights and the U.S. Constitution in furthering or exemplifying democracy, but denying some of the most basic and fundamental rights of that Constitution, may indeed indicate a weakness in democracy itself. We cannot and should not allow this misconception to either spread or exist.

Equal civil rights is, incidentally, morally and ethically proper in every sense of the word. Equal rights has worldwide significance and great effect on our democratic processes as viewed on the overall screen of symbolic hope, and offers an escape for all from the shackles of dictatorship.

Let me but remind you, that we as whites and Americans are nothing more than a cornerstone of a minority.

There are more people in the world who are of the nonwhite race than white.

There are more illiterate in the world than there are literate.

There are more hungry and impoverished than there are well fed.

There are more homeless in the world than there are having homes as we Americans know them.

There are more suppressed peoples than there are nonsuppressed—and from many standpoints.

There are more sick and diseased than there are healthy and well born and yet some stand embossed with the idea that somehow, somewhere, for some reason we are a superior majority. In every one of these instances we stand out as a glaring, overall minority in the eyes of the world—and we are.

It has often been said and, equally often admitted, that Little Rock damaged our standing in the world more than Soviet Russia's launching of the first sputnik.

Prejudice and denial result in overall, weak, economic stagnation at home as well. It results in unfairly denied employment and job upgrading. It results in discriminatory promotion opportunity. It results in denial of income and security, inferior food, housing, education, and even medical care. Nonwhite life expectancy is 8 years shorter than is white life expectancy. In fact lawlessness has erupted as a result of this degeneration, lives have been lost in hate bombings, swastikas have been painted on synagogues, hangings have resulted without due process of law. These acts must be stopped.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I wish to commend Chairman CELLER of the Judiciary Committee and the gentleman from California [Mr. ROOSEVELT] and other Members for setting aside time today for calling to the attention of Congress the necessity to debate and pass effective civil rights legislation early in this session of Congress. After the Judiciary Committee reported out the civil rights bill last August, Chairman CELLER requested the chairman of the Rules Committee to set down a date for a hearing on this bill. Unfortunately, the legislation was not presented earlier in the 1st session of the 86th Congress in order to have sufficient time to consider the same both in the House and on the Senate side before adjournment. We are now at the beginning of the 2d session of the 86th Congress, and I wish to assure the sponsors of this highly necessary legislation that, both as a Member of Congress and a member of the Rules Committee, I will do everything within my power to have the same heard by the Committee on Rules so that the House and the other body will have plenty of time in this session to legislate on this civil rights bill.

This legislation involves placing into actual practice the fundamental rights as set out in our Constitution. It is unfortunate that in the 85th Congress the effective civil rights bill which passed the House was amended in the other body by the striking out of part 3 which was

really the essence for effective and complete civil rights legislation. That bill which passed the House in its original form if enacted into law would have preserved the constitutional rights and dignities of all individuals, protected their franchise, extended equality of opportunity in all fields of endeavor, including education, employment, housing, transportation, and all relations and privileges given to Americans under our constitution which guarantees complete freedom to all its citizens.

Effective civil rights legislation will aid greatly to wipe out numerous international complications which the Communists and their agitators are promoting throughout Europe, Asia, Africa, South America, and other areas on the globe. Effective civil rights legislation will make our struggle for peace and freedom throughout the world easier and aid us in overcoming insidious Soviet propaganda that our American system does not guarantee freedom to all.

We must also not forget that two-thirds of the free people throughout the globe do not possess the same racial complexion as the white-skinned race of people. We are spending billions of American taxpayers' money in order to curb the Communists in their conquest and expansion and in the same sessions of Congress, after this money is appropriated, we find that we cannot effectively pass legislation which will guarantee the privileges of freedom and liberty to all under our system of government.

We have made some progress in the last few years in civil rights legislation, and I do hope that in this session we can continue to pass far more effective legislation along this line than was enacted in the 85th Congress.

I think it is well to mention at this time just a few of the outstanding citizens of the Negro race who have not only done so much for the welfare of our Nation, education, and general advancement along with the constant battle for civil rights legislation. I could call to your attention Ralph Bunche of the United Nations and Nobel prize winner, Booker T. Washington, Carter Woodson, George Washington Carver, Gen. Benjamin Oliver Davis, Federal Judge William H. Hastie, Roy Wilking and Dr. Channing H. Tobias of the NAACP, Thurgood Marshall, Mary McLeod Bethume, Edith Samson, Marian Anderson, and numerous other men and women who have fought for the advancement of their race for many years and will continue as long as their strength and vitality lasts.

All Americans must retain the thought that freedom and constitutional privileges in America is for everybody. We should have no second-class citizens in this country. We have undergone many frustrations, difficulties, and disappointments in our legislative battles. In this fight we are not confined to our shores alone, but we are fighting to win world public opinion; as we know, with the Communist threat, the peace of the free world is at stake.

CIVIL RIGHTS—GAMBLING RACKET IN NEW YORK CITY

Mr. POWELL. Mr. Speaker, this day being Wednesday is the day that I have chosen in this session of the Congress to stand in the well of the House and tell the truth concerning the gambling racket in the city of New York. Also this day has been reserved by our distinguished colleague, the chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER] and our colleague the gentleman from California [Mr. ROOSEVELT] for a symposium on civil rights.

In the remaining time left to me I would like to cover both of these topics. If I was preaching, with my Scripture background, I would take the Book of Numbers on gambling and the one on civil rights would be the Book on Revelations.

Mr. Speaker, I should like to say a few things concerning the civil-rights bill. I decry the bringing of partisanship into the field of civil rights. Civil rights is something that should proceed on a bipartisan basis. I also decry hypocrisy in this field and that is why I have so much respect for our colleagues from the other side of the Mason-Dixon line. They are honest. They proclaim both here and outside of Congress, by their vote and by their speech, their attitude. That is honesty. But too many of our northern colleagues say one thing here and another thing outside or say one thing outside and vote the opposite here. That is hypocrisy.

Specifically, I would like to refer to the housing bill of last year to point this up. When the housing bill came up here I introduced the Powell amendment to ban all discrimination in the entire housing bill. When I did that just a handful of my colleagues from this side of the aisle, the Republican side, stood up and voted with us on this side. The next day, if there was one particular part of the housing bill that our colleagues on the Republican side did not want, it was the public-housing feature. So one of the gentlemen, who the preceding day had voted against the civil-rights amendment, introduced my amendment, but only to that public-housing feature. I took the leadership that day in marching down the aisle to kill that civil-rights amendment because it was hypocrisy.

I believe in this year it is going to be of serious damage to the Republicans if they continue to proclaim one thing and refuse to sign that petition there.

I can say very objectively I do not think the Republicans should feel that their candidate for President, Mr. NIXON, is in.

I felt that way once before about a gentleman named Mr. Dewey. And Mr. Truman, on the basis of civil rights mainly, in the last few days of the campaign, in the face of every poll against him, came through and won. NIXON is not in. NIXON can be defeated, and it may well be that what is happening here in this Chamber on this particular issue, the issue of civil rights, might be the thing that will defeat the candidate for President of the Republican Party. What is happening here is being watched very closely, very closely by the minority press in this country, and being reported by them. So, as I present that issue from the "book of revelations," I close that and move on to the other one, "book of numbers."

Mr. Speaker, I would like to say that since we began this series of weekly exposes of the sordidness of gambling in New York, the pauperizing of the poor, and the criminalization of the people in the ghetto, that within the past 3 weeks several high officials of the police department have resigned their office, one within just the past 48 hours; that the mayor of our city has held today, at city hall, a conference on corruption in city departments, and one of the invited officials present in that off-the-record conference was the police commissioner of New York; that on this past Sunday the speaker of the assembly of the New York Legislature, Carmen Carlino, on television pointed out that what I was saying was correct, but more than that he made the serious charge that all I was revealing was just the beginning; that this unholy alliance between the mafia and the syndicate and the combine in New York City and numbers and racketeering and narcotics and prostitution was an unholy alliance even with some top officials. That was his statement. I would like to point out, in contrast, what has happened in Chicago and not happened in New York. In Chicago, when the details became apparent that some of the men on the police force were in collusion with men of the underworld, a shakeup took place. In New York City no shakeup has taken place. I think that a shakeup in the nature of the removal of every inspector, deputy, chief, and precinct inspector should take place in the Borough of Manhattan as a signal that there is going to be a new regime of honesty. I do not mean that these men who are in position in Manhattan are dishonest. I do not mean that they should be removed from office, but transferred to other boroughs so that those who now roll our streets and walk our streets as known criminals know that the day of being scofflaws has passed.

Now I would like to put into the RECORD another series of names and addresses. So far in the names and addresses I have listed, I have made only one error and I would like to rectify that first. In the CONGRESSIONAL RECORD last week I listed as one of the number gambling drops in New York the E. J. TV Appliance Store at 3638 Broadway. On checking that I find out that the number is 3648 Broadway—3638 Broadway is occupied by two eminent gentlemen, Mr. Carl Tomlinson, who operates a restaurant known as Carl's Restaurant, and Mr. Alexander Rosenklatz who operates a very fine Thrifty Store at that address. As I told you, last week I mentioned the names of two individuals who I did not have their last names of, and during the past few hours I have received information concerning them. I mentioned Sol and Tom. Sol and Tom's last name is Capaldo. They operate and own a vege-

table market at 2016 Amsterdam Avenue. I am reading the report that comes back:

These two have been in this district for 10 years to my knowledge. They have about 10 runners and comptrollers working for them. These two bankers, the most defiant bunch you have ever seen with respect to the law. They work Amsterdam Avenue from 6 a.m. to 9 o'clock at night. The police just pass them up.

Even during the reporting of their addresses and names last week until now they are still operating freely. They must be paying out. If not, why don't they pick them up when they see them? They know their spots. It is a shame to see these bums taking this money even off of relief clients that are being supported by the taxpayers of New York. I figured that if I wrote you you would be able to investigate why the police of the 30th precinct, Washington Heights and also the headquarters men of the special squads including the Police Commissioner's Confidential Squad, why they don't run these bums out of this neighborhood once and for all?

Is there any way and why are not arrangements made so that these fellows are turned over to Federal authorities for evading their taxes, especially the gambling tax?

I wish to assure the writer of this letter than I have done this and am working in complete cooperation with the collector of internal revenue.

I only hope that with the help of God you will be able to continue on with your crusade against this rotten element. I have lived in this district for over a quarter of a century and between you and myself have never seen gambling as wide open as it has been going on in this precinct for the past 5 years. We know where the fault lies. It is nowhere but in the Police Department. They look the other way. Honest people are not blind and we are not afraid to say something that may hurt their feelings.

I will try to itemize addresses of stores that they operate from and will watch them carefully but in the meantime I give you these addresses.

The K and T Shoe Shine Parlor at 500 West 160th Street. Open all day Sunday. Known to pick up bets for the following day. Also they sell wine and whisky. This, therefore, is a Federal offense.

Then he gives me the license number of a car of one of those who operates with them. It is 3565BX 1959, not renewed as yet, a red and white sports model brand new Oldsmobile, 1959.

There is also George Capaldo, who is the father of Sol and Tom. He operates the candy store next door to the shoe shine parlor at 502 West 160th Street.

Then there is the Dexter Tavern, 160th Street and Amsterdam Avenue.

The next part of this letter I must delete because it is very important. I have already informed District Attorney Hogan in New York concerning this by telephone this afternoon.

I would like to bring in some more names that have just been phoned to me.

The Sol and Tom operation, 501 West 160th Street.

Sam's Food Store, 518 West 159th Street.

Harry's New Broadway, 2498 West 159th Street.

And then a banker, Lou Waltman, 521 West 156th Street, Apartment 1–A.

Then the Lucky Lunch at 2070 Amsterdam Avenue.

I will bring before this body next Wednesday more information with the hope that in some way what I do here may stimulate the conscience of the leadership of our police department in New York to clean up the force and make our town a better town in which decent people can live with dignity and without fear.

CIVIL RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 1 hour.

Mr. O'HARA of Illinois. Mr. Speaker, I have asked for an hour's time and yet I can say all that would cover the subject in a few sentences and still could not exhaust the subject if I spoke for many days. The laws of human deportment and our relationship to our Maker and our fellow man are set forth in a relatively few sentences in the Ten Commandments, but countless millions of words written and spoken in many generations have given them a richness of interpretation and of understanding adaptation to changing conditions as mankind ascends, ever higher, in the climb to the mountain's top.

And so I could say briefly that if we believe in our democracy—and with us our Constitution is a sacred document of political faith and not an instrument of mockery—we cannot hide behind a fence of excuses when the signing of a discharge petition means the opening of the way for millions of our fellow Americans to come into full enjoyment of their constitutional right of participation as electors in a government of, for, and by all the people.

Unless the discharge petition reaches the required number of signatures, civil rights legislation is doomed, and any Member of this body, Democrat or Republican, who refuses to sign the petition must individually take the responsibility of being party to a conspiracy to continue to hold in political bondage millions of his fellow Americans. It is that simple.

I seek to be charitable with all my colleagues, as I trust my colleagues will be charitable with me. I wish, Mr. Speaker, that my colleagues from the North who have not as yet signed the discharge petition would counsel with their consciences. Yes, there may be a political expediency in withholding their signatures, saying the responsibility is upon the Democratic Party and the Democratic Party is in the majority in numbers in this Chamber; but to their own conscience that cannot be satisfying. They know that on the Rules Committee are all of the Republican members of that committee joined with two Democrats, two Democrats from the South, to keep bottled up the legislation that decency demands and that our security in a troubled world demands. These colleagues of mine on the other side who have not signed the petition know that that is a fact, but I suppose with a sense of political expediency, thinking that the responsibility can be thrown onto the Democratic side, they are withholding their signatures. This may be a partisan advantage, according to the reasoning of some, but in good conscience no advantage is worth the price of continuing on millions of our fellow Americans the chains of political bondage.

Mr. Speaker, I remember in the 81st Congress I was on the committee that wrote a housing bill and my heart was in the enactment of that great piece of legislation. The vote we knew would be very close, and many felt that the adoption of an antisegregation amendment would doom the measure. The leadership regarded the amendment as a device to kill the bill.

There was a teller vote. I saw some of my liberal colleagues from the North, just as sincere in their opposition to segregation as I am, line up and vote against the amendment to save as they felt the housing bill that meant so much to all our people in that period of critical housing shortage. I voted for the amendment. The amendment was defeated by one vote. Had it carried, possibly I would have borne the responsibility of having killed that great housing bill. But I could not have lived with myself unless I had done as I did. Each man must make his own decisions, and I am sure that in this body always they are honest decisions, varying with different philosophies and different approaches. I happen to believe that no material advantage is worth the abandonment of a moral principle.

I was not surprised when I heard a brilliant and distinguished colleague of mine, a Republican from Illinois, Congresswoman MARGARET STITT CHURCH, say that she had signed the discharge petition, and she did it, I know, because of her conscience. She was not thinking as a Republican when she signed the petition nor was I thinking as a Democrat when I signed the petition. You cannot duck conscience in a pool of partisan waters. You cannot play politics with morals. I hope that all my colleagues from the North on the other side of the aisle who sincerely believe in civil rights and who believe that everyone of our Americans should have an equal opportunity to vote regardless of any political expediency and regardless of any whispered counsel from their leadership will come and sign this petition.

Now I am not judging our Democrats from the South. It is not given to me to judge any of my colleagues. They at least are consistent. They realize they are standing for a dying order. An order that has gone and will never return. But they are still standing for it, on the fringe of a lost battlefield. When we had civil rights legislation before the House in the last Congress, it was late in July, I think, a beautiful summer day. Summer was in the full bloom of its enrapturement. Yet, my friends, summer than had been on the path of death for more than a month. Although everything spoke of summer, it was a dying and not a borning summer. Summer was on its way out. That is how it is with the changing order now.

So my southern colleagues cannot be accused of hypocrisy or insincerity when they are fighting this legislation which will hasten the coming to the South of a new order and which, when the dread of a change from the status quo is gone, the South will find a much better order.

But what about my colleagues from the North who profess to believe in the equality of the races and who yet are taking this legislation down to certain death and because of a certain weird calculation of political expediency are withholding their names from the discharge petition? Everyone knows the condition in this House. Everyone knows that the Democratic Party elected a majority of the Members of this body, and everyone knows that the Republican leadership outnumbered, formed a coalition with certain Democrats. These Democrats from the South had something they were interested in and the Republicans of the North agreed to play in partnership with them. The price exacted from the Republican leadership was aid in defeating civil rights legislation. We know the condition here. I do not imagine anyone in the country is much fooled. Four Republican members of the Rules Committee joined up with 2 Southern Democratic members to keep civil rights legislation bottled up in the Rules Committee is so self-evident that any civics teacher in any high school would be ashamed of any pupil who missed the point.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I gladly yield to my distinguished and beloved friend from Nebraska.

Mr. CUNNINGHAM. The gentleman, my dear friend, states that four Republican members of the Rules Committee voted to kill this legislation. I do not believe there has been a vote on it yet in the Committee on Rules; is that not so?

Mr. O'HARA of Illinois. I am very sorry that my inadequacy in handling the English language caused me to be misunderstood by my distinguished colleague. Would the gentleman say there are any Republican members on the Committee on Rules who have shown any interest at all in voting out this bill? Will he give me the name of one member?

Mr. CUNNINGHAM. In answer to the gentleman, I think the only way you can know the truth is to have the majority party bring the matter up for a vote so that that could be determined. I do not believe that we, as responsible members of this important body, can go on the basis of guesswork.

Mr. O'HARA of Illinois. I think the gentleman is right—there should not be any guesswork about it. But where I find a great moral issue involved and find on one side four members, and they are Republicans and they are from the North, standing up like a stone wall with two Southern Democrats and not moving—I do not think I have to resort to any guesswork.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to the gentleman from California.

Mr. ROOSEVELT. May I say to the gentleman that it is a well-known fact that the members of the Rules Committee may request a meeting of the Rules Committee at any time. Certain Democratic members have indicated a desire to have that meeting. They have not been able to have it, but if just one of the Republicans joined with them in that request they could have a meeting, but as long as they are not able to get one Republican, a meeting cannot go forward. If three or four members would indicate that they would come to that meeting, the Democrat members have already indicated that they are happy to join them. But until their Republican friends do that, there is nothing to happen in the Rules Committee.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am glad to yield. I am looking for some logic on your side.

Mr. CUNNINGHAM. Yes; and I will spell it out to you. I am looking for some logic on your side other than the political maneuvering that is going on here today. You made this statement: The Rules Committee has four Republicans voting with two Democrats, and they could get this legislation out. Earlier in your remarks, and I congratulate you for it, you said it is the responsibility of the majority party to bring about this legislation. My question is this: Do you feel that six of the Democratic members on the Rules Committee are not in favor of bringing out this legislation?

Mr. O'HARA of Illinois. I do not know that I have any feeling at all, except what one may have when he sees something just as plain as one's hand before one's eyes. I see on the Rules Committee four Republicans and two Democrats joined up against the solid Northern Democratic membership of that Committee. I know that if one of the four Republicans budged we would have this legislation out.

Mr. CUNNINGHAM. I am wondering, then, if there is involved in your comment a criticism of the other Democratic members of the Rules Committee? If the leadership is in favor of this legislation why could they not make a change in the personnel on the majority side of the Rules Committee, which is within their power to do? In other words, when this Congress was organized in January, the members of the various committees were drafted and approved by the leaderships on both sides. If this matter is as desperate as many think it is and it is bogged down and we are having all this controversy, if the Democratic leadership is genuinely interested in getting this out without making a political football out of it, it would seem to me the Democratic leadership could make a change in the Democratic membership on the committee.

Mr. O'HARA of Illinois. My friend, let me say this. I was seeking to sympathize. I do not like to see my Republican colleagues from the North put on the rack by their own leadership. It will be hard for them to explain. May I ask the gentleman, Has he signed the discharge petition?

Mr. CUNNINGHAM. The gentleman from Nebraska has signed the discharge petition as I stated before.

Mr. O'HARA of Illinois. I congratulate the gentleman, but I am not surprised. While there is no one on his side of the aisle who is more loyal to his party, and we all recognize his ability, I have observed that on moral issues like this he votes with his conscience.

Mr. CUNNINGHAM. The gentleman makes the statement that he just made because that is the basis on which it ought to be determined and not on a political basis.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. ROOSEVELT. The last remark of the gentleman from Nebraska I think is illustrative of the type of argument which has obstructed us very much.

He knows as well as I do or anybody else in the House does that to change the members of a committee at this time in this session would be simply asking for the impossible. We also know that actually it was a question, as the distinguished gentleman from Illinois has said, a question of the individual. Four of them we know honestly and conscientiously do not want a civil rights bill. Four of the Democrats have said openly they want one and would vote for it. Four members on the Republican side have said they would support the civil rights legislation. It is simply a question of arithmetic then. Why will not the four Republican members who profess to be for civil rights join with the four Democratic members who are for civil rights and get the bill out? Why can we not argue it on the basis of merit rather than of partisanship? Let the four Republican members who said they are for civil rights show it by their actions.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield for a response to the gentleman from California?

Mr. O'HARA of Illinois. After I have yielded to the gentleman from Illinois [Mr. YATES]. I promised him I would yield.

Mr. YATES. I have a statement to make. May I make my statement?

Mr. O'HARA of Illinois. I will very much appreciate my friend and colleague joining me in the well.

Mr. YATES. I thank the gentleman for yielding to me.

Mr. Speaker, I would like to join the gentleman from Illinois in his excellent statement this afternoon.

The debate this afternoon is a most important one in making clear the position taken by the Democratic Party and the Republican Party in the field of human welfare and civil rights. Of late, the Republican Party has professed to be the champion of the little man and of minority groups. Its members are loud and strong in their profession of advocacy of the civil rights program; but there is little action to support their

protestations. They are now continuing the record they have made over the years, and they cannot deny it.

Let us look at the record. The record shows it was the Democratic Party through the New Deal and Fair Deal which first gave impetus to the hopes of the minority groups in America. Their programs brought a social revolution which changed the people's attitude toward their government.

As explained by Republican editor William Allen White, the victory of the Democrats indicated a firm desire on the part of the American people to use government as an agency of human welfare.

Under this concept, the powers of government were used by Democratic administrations to assure the American people of the right to a useful and remunerative job; of the right to earn enough to provide adequate food, clothing, and recreation; of the right of every farmer to raise and sell his products at a return which would give him and his family a decent living; of the right of every businessman to trade in an atmosphere of freedom from unfair competition and domination by monopolies; of the right to a decent home; of the right to adequate medical care and the opportunity to achieve and enjoy good health; of the right to a good education for their children; and of the right to adequate protection from the economic fears of old age, sickness, accident, and unemployment.

Taking action to achieve these goals, the Democratic Party initiated legislation for a minimum wage law; for a full employment law; for a Federal aid to education bill; for raising health standards through adequate medical care; for good housing, including public housing; for a farm bill that would permit farmers to live in decency; for unemployment compensation and for social security.

And all this time what were the Republicans doing? They were opposing every single one of the New Deal measures. The record shows that all the social reforms which are recognized today as being an essential part of our democratic way of life were enacted into law in spite of—not because of—the Republican Party.

Why did they oppose such reforms? They said they were socialistic.

Socialistic: Not to all Republicans. The Democratic program was not socialistic to Dr. Channing H. Tobias, for example, who at the time was an independent Republican. He said that he proposed to support President Roosevelt in 1944 "because his philosophy of government and the generally progressive course he has followed for the past 12 years have vested the common man of every race, creed, and color with a dignity and inspired him with a hope that he has never known before."

Dr. W. E. B. DuBois, after looking carefully at the record, was convinced "without the slightest doubt that Franklin D. Roosevelt has done more for the uplift and progress of the American Negro than any President since Abraham Lincoln."

And with respect to President Truman, Mr. Thurgood Marshall—one of the most respected attorneys in Washington—had this to say in a radio interview when he was asked about possible presidential candidates in the last presidential election:

> The candidate that gets nearest to Harry S. Truman will more than likely get the votes of the people who believe in civil rights. That's my belief.

It is to be expected that these outstanding leaders would so express themselves. The rise of the average American under the Roosevelt reforms was unbelievable. Knowing that there could be no true freedom unless there is freedom from want, the New Deal of the Democratic Party set about first the elimination of the ravaging effects of poverty, and bringing a dignity to the forgotten man that he never before enjoyed. Both the President and Mrs. Roosevelt gave him a recognition and the feeling that he was a necessary part of the community—that he belonged.

And as for Harry Truman, he became the symbol of progress in the field of human rights. It was he who established the first commission to study the complex problems of assuring every citizen's constitutional rights. It was he who fathered the greatest all-round legislative program in the field of civil and constitutional rights this country has ever known.

Yes, and it was he who stayed by that program right through the 1948 Democratic Convention and right through the election, even though he knew it might split his own party and cost him the Presidency. And year after year President Truman kept urging his program on the Congress.

Just compare President Truman's actions with those of the present administration. Under President Truman the Federal Government stood squarely behind the constitutional rights of all individuals. Shortly before he left office he stated his view of the responsibility of Federal Government in this field.

> I am not one of those—

He said—

> who feel that we can leave these matters up to the States alone, or that we can rely solely upon the efforts of men of good will. * * * The full force and power of the Federal Government must stand behind the protection of rights guaranteed by our Federal Constitution.

I was in the 81st Congress when the civil rights bills were filed to implement the civil rights program, as recommended by President Truman's Commission. They might have been passed if the Northern Democrats had received the cooperation rather than the opposition of the Northern Republicans. But because most of the members of the Republican Party chose to work with reactionary Democrats from the South, the bills were defeated.

For example, I remember very well the fight on an FEPC bill in 1950 because I was right in the middle of it. After months of maneuvering the bill finally came to the floor on Washington's birthday, February 22d. The Southern Congressmen who opposed the bill fought it with the only filibuster that the House knows, quorum calls and roll calls. Even though the bill had been made the legislative business of the day, after completion of the reading of Washington's address, which is always done on his birthday, Congressman Cox of Georgia got up and moved that the House adjourn out of respect to the memory of George Washington. Time after time that day I watched Republican Members of the House walk off the floor so that a quorum call could be made by a Southern Member. A quorum call takes 40 minutes. There were about 10 of them.

We got a vote on FEPC at 3 o'clock the next morning. Those of us who favored the strong bill, watched with dismay when a substitute bill which took away all the enforcement powers of FEPC was offered. Was it offered by a Southern Democrat? It was not. It was offered by the ranking Republican member of the Committee on Education and Labor, and the Republicans approved it. On that vote, a majority of the Democrats voted against the substitute bill. Sixty-eight percent of the Republicans voted for it.

In all the legislative battles when Southern Democrats have fought civil-rights measures, it was the Northern Democrats, rather than the Republicans, who led the fight against them. A few years ago Congressman WINSTEAD, of Mississippi, offered an amendment to the Selective Service Act which gave the right to every inductee to serve in a segregated outfit, if he chose. That amendment, which was approved by the House Armed Services Committee, was defeated on the floor of the House because of a magnificent speech by Congressman WILLIAM L. DAWSON, of Chicago, delivered in support of the motion to strike it out filed by another Democrat, Congressman PRICE, of Illinois. Congressman DAWSON, a Democrat, is the first Negro chairman of a major congressional committee in the history of the Nation.

Nor is Congressman DAWSON the only member of the Negro race in Congress. Three other Negro Members grace these Halls—and all are in the Democratic Party. None are from the Republican Party.

The record shows that the Republican Party has fought public housing; it has fought the minimum wage law and subsequent increases; it has fought social security and increased coverage and benefits; it has fought unemployment compensation; it has fought appropriations for health measures and hospitals; it has fought FEPC; it has fought Federal aid to education. It has fought all progressive legislation.

But now the Republicans say forget the past. We have a new Republican Party. We are now the party of Eisenhower. We are "modern Republicans." Forget the fact that the Republican Party did little to help the average man when it was in power. Forget that the Republican Party fought all measures for the people. Forget that it is the party of big business. This is a new party, say the Republicans.

Well, former President Calvin Coolidge was once asked the question: "Mr. President, do the people where you come from say a hen lays or a hen lies?" Mr. Coolidge replied: "The people where I come from, sir, lift her up to see."

Let us lift up the hen and take a look at the new Republican Party. What has the President done in the field of civil rights? In contrast to the fighting leadership given to the civil rights program by Harry Truman, President Eisenhower has done little or nothing. During the first 3 years of his administration he presented no civil rights program at all to the Congress. And when the Supreme Court handed down its decision in 1954, regarding school desegregation cases, did the President hail the decision? Did he take steps to implement or encourage communities to carry it out? He did not. He has not to this day declared that he favors that decision. He has not declared at any time that he favors the elimination of segregated schools.

Did President Eisenhower include FEPC in his program? He did not. The President has stated that he is opposed to FEPC. A few years ago when Secretary of Labor Mitchell testified before a Senate committee that he favored a strong FEPC with enforcement provisions, the President declared that Secretary Mitchell was entitled to his opinion. As far as he, the President, was concerned, he did not agree with him.

A civil rights bill was passed a few years ago, the first one in 80 years. It was a democratic Congress which passed it and it is true that many Republicans helped by voting for the bill. It is also true that the bill that was passed had the support of the administration. Passage of that bill established the fact that in order to obtain passage of civil rights measures, Republicans must join with Democrats in supporting the legislation. And Republicans helped pass that bill.

Why, then, should they now refuse to take similar action on the pending bill? It is a moderate bill. They have no reason to oppose it. Why do they not join with Northern Democrats in signing the discharge petition so that the bill may be considered by the Congress? Why does the minority leader draw himself up in parliamentary dignity and declare that he favors orderly procedures for the bill and that "this is a Democratic Congress. The Democrats have the responsibility for enacting the bill." He knows very well that the Democratic Party, being a national party, and having Members from the South, will find a number of Democrats refusing to vote for the bill. That same attitude prevails among Republican Members from the South and from the border States as can clearly be disclosed by an examination of the voting records of Members from such States. But Republicans from northern States have no reason to act like their southern brothers. The Republicans from the North are not bound by southern prejudices and customs on civil rights legislation.

In a few days the Republican Party will represent itself as the party of Abraham Lincoln in speeches and banquets all over the United States, made and held to celebrate the martyred President's birthday, but if Abraham Lincoln were to see the manner in which the members of the Republican Party were procrastinating on the civil rights bill he would abjure his party membership.

Mr. Chairman, the choice is clear. Almost without exception, Democrats from the North have signed the discharge petition to bring the civil rights bill to the floor. Almost without exception, Republicans have refused to sign it. They will make excuses, but they cannot gainsay their record. Let them, if they can, henceforth go to the people and state again that they favor civil rights legislation in the face of that record.

The point of President Coolidge's story which I related earlier becomes clear. The hen has been lifted and the results speak for themselves.

I listened to what my good friend from Illinois said a few moments ago of the time that both he and I were in the 81st Congress. We had certain legislation that we had to consider. I am sure that he recalls, as I do, the fight we had for the passage of the FEPC bill and that we learned at that time of the coalition, which is echoed today, the coalition of the reactionary or conservative Democrats from the South and the conservative Republicans from the North. I recall after months of maneuvering how the FEPC bill came to the floor. It was Calendar Wednesday. It was Washington's Birthday, as a matter of fact. I recall that immediately following the reading of Washington's farewell address, Mr. Cox of Georgia got up and moved that the House adjourn out of respect for the memory of the ex-President. Of course, that was voted down. But there was quorum call after quorum call when Republican Members left the floor in order to permit the Democrats from the South to make a point of no quorum. There were 10 or 12 quorum calls that were resorted to because it is only through quorum calls that a filibuster can be carried on in the House. It was 4 o'clock in the morning that we finally got a vote on the FEPC bill.

The gentlemen will recall that one of the votes we had touched upon the question as to whether or not we should have a strong FEPC bill or whether we should have a weak FEPC bill. There was a substitute offered for that FEPC bill which pretty much weakened it. The gentleman will recall who offered that amendment. It was not a Democrat from the South who offered that amendment. It was the ranking Republican member of the Committee on Education and Labor. That amendment carried because of the votes of the Southern Democrats and the Republicans. On that vote a majority of the Democrats voted against the substitute bill. Sixty-eight percent of the Republicans voted for it.

In all the legislative battles in which Southern Democrats have fought civil rights measures, it was the Northern Democrats rather than the Republicans who led the fight against their brethren from the South.

A few years ago the gentlemen will recall when the gentleman from Mississippi [Mr. WINSTEAD] offered an amendment in the Armed Services Committee to permit segregation in the Armed Forces because of race. When that bill came to the floor of the House one of our colleagues from Illinois [Mr. PRICE] offered an amendment to delete the Winstead proposal from the armed services bill, and it was a Member from Illinois, Mr. WILLIAM L. DAWSON, a Democrat, the first Negro chairman of a major congressional committee, who made the speech that swept the House and resulted in elimination of the so-called Winstead amendment.

I think we should point out, insofar as party adherence to civil rights is concerned, and the loyalty of minority groups to either party, that the gentleman from Illinois [Mr. DAWSON] is not the only member of his race in the House of Representatives. There are other Members, but all of them without exception are in the Democratic Party. None of them is in the Republican Party.

The record shows that the Republican Party has fought public housing, it has fought the minimum wage law, it has fought social security, and increased coverage and benefits; it has fought unemployment compensation; it has fought appropriations for health measures and hospitalization; it has fought FEPC, Federal aid to education. It has fought all progressive legislation. But now the Republicans are saying this: They were saying this when they declared that they were modern Republicans. They said, "We have a new Republican Party. We are not the party of Eisenhower. Let us forget the fact that the Republican Party did little to help the average man when it was in power; forget that the Republican Party fought all the measures of the people, that the Republican Party supported all the measures of big business. This is a new party," now say the Republicans.

My colleagues will recall former President Calvin Coolidge who was once asked the question: "Mr. President, do the people where you come from say 'A hen lays' or 'A hen lies'?" Mr. Coolidge relied: "The people where I come from, sir, lift her up to see."

Let us look at the record. Let us lift up the hen and take a look and see whether the new Republican Party is a champion of civil rights. What has the President done in the field of civil rights and what has his party done in the field of civil rights in contrast to the fighting leadership which was given to the civil rights program by President Harry Truman? President Eisenhower has done little or nothing, certainly during the first 3 years of his administration, at a time, sir, when the Republican Party was in control not only of the White House, but when the Republican Party, during the 83d Congress was in control of both Houses of Congress. Not one step was taken to implement a civil rights program. There were no Democratic chairmen of committees at that time to whom the Republicans now point to and say "Look what is happening." At that time the committee chairmen were all Republicans and yet there was no program that was given to the Congress. There

was no program that emanated from the Republican Congress in support of civil rights. And, when the Supreme Court handed down its decision in 1954 in the school desegregation cases, did the President hail the decision? He did not. Did he take steps to implement it? Did he take steps to encourage communities to carry it out? He did not. As far as I have been able to determine nowhere have I read that the President of the United States has declared that he favors the decision of the Supreme Court in the school desegregation cases. He has declared only that it is the law and that he proposes to carry it out. And, has President Eisenhower, since he made that statement recommending civil rights, included FEPC in the program? He has not. FEPC was last heard of by a President when Harry Truman was in the White House. As a matter of fact, President Eisenhower has declared that he opposes FEPC, and this declaration of opposition came in response to a question by the press after Secretary of Labor Mitchell had declared before a Senate committee that he favored FEPC. The President was asked whether he agreed with Secretary of Labor Mitchell, and he said, "No, the Secretary is entitled to his own opinion."

A civil rights bill was passed a few years ago, the first one in 80 years. It was a Democratic Congress which passed that bill. And, it is true that the Republicans helped by voting for that bill. It is also true that the bill had the support of the administration. I suggest and urge my friend from Nebraska to listen to this, if I may, because of the interchange which occurred a few moments ago, because of the passage of that bill I think the principle was established that the Republicans, if they favor civil rights, must join with Democrats who favored civil rights in the passage of that bill, too. The Republicans helped pass that bill. Why do they not now help in passing civil rights legislation? Why do they not join with Northern Democrats in signing the discharge petition so that the bill may be considered by the Congress? Why does the minority leader draw himself up in parliamentary dignity and declare that he favors orderly procedure for the bill and also states that this is a Democratic Congress and that the Democrats have the responsibility for enacting this legislation? He knows very well that the Democrats, being a national party, have members from the South who will refuse to vote for the bill. But, let me point out, too, that there are a few Members of Congress who are Republicans who come from Southern and border States, and these, too, have demonstrated, and the record is clear on this, they have demonstrated in every vote that has come up that they will vote in accordance with the same standards and in accordance with the same customs as the Democrats from the South vote. The Republicans from the North, however, are not bound by southern prejudices, they are not bound by southern customs on civil rights legislation.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield at that point?

Mr. O'HARA of Illinois. I yield to the gentleman.

Mr. CUNNINGHAM. As I said earlier, that is another in a series of excuses and alibis because the gentleman's party does not assert and cannot assert responsible leadership. So they alibi here. Speaker after speaker all afternoon has talked about their dear friends in the South, who have their convictions and their ties, but they cannot and do not sign the petition. That is just an excuse, an alibi.

Mr. YATES. Does the gentleman deny that it was a combination of Republicans and Democrats who passed the first civil rights bill in 80 years during the 84th Congress and only because there was a union of voting of Republicans and Democrats that the bill was passed? The gentleman now, after having accused us of making political capital and political maneuvering, seeks to state that we are making excuses. We are making no excuses. We are declaring that those who come from the South, whether they be Republicans or whether they be Democrats—and the record is clear to substantiate this point—if they come from the South they will vote against civil rights legislation. That is why it is essential that those who come from the North, if they favor passage of civil rights legislation, should join in support of it.

Mr. CUNNINGHAM. I should like to make the observation in view of what has been said that it must just be a coincidence then that for the first time in 80-odd years we had a civil rights bill, and that is when we had a Republican in the White House.

Mr. YATES. On the contrary. It was a coincidence that that occurred, but it was a coincidence, too, that the Republicans joined with the Democrats. The Republicans did not join with the Democrats in earlier days. Let me point out that with respect to the other body, part of the difficulty lay in their filibuster rule, and the one who saddled that filibuster rule until the recent change, upon the other body, was not a Democrat, but the late Senator Wherry, a Republican from Nebraska, as the gentleman well knows.

Mr. CUNNINGHAM. It has been stated here—it was a surprise to me, just lately after hearing all of the other talks—that there are some northern Members of the gentleman's party who have not signed. The impression has been given that all of the northern Members have signed, and it was just the southern Members who have not signed.

Mr. YATES. I do not know just what the situation is with respect to the signing of the petition, but I would declare without that knowledge, and I would be willing to bet upon it, that almost without exception the Democratic Members from the North have signed that petition. There are some who have not. I would be willing to declare further that almost without exception the Members from the North in the Republican Party have not signed that petition. I would be willing to place that petition in the RECORD, if it were in accordance with the rules. But I think that my assertions will be substantiated.

Mr. CUNNINGHAM. I would only suggest that with the few signatures that are still needed the responsible members of the majority party pushing this petition might want to convince their northern members that they ought to sign, and if they did that maybe they would have enough signatures.

Mr. YATES. I would suggest to the gentleman that if every Democrat from the North were to sign that petition it would still not make up the necessary number to bring the bill to the floor. But, regardless of that point, the gentleman has been very vociferous in urging that politics not be a part of this deliberation. Why should not members of the Republican Party from the North join Democrats from the North in bringing the bill to the floor and permitting us to work its will on it? Does the gentleman not favor it? Of course he does, because he signed the petition.

Mr. CUNNINGHAM. I am sorry that the gentleman was not on the floor earlier when that subject was thoroughly discussed. If he had been, he would know, from having listened to the various speeches that they were loaded with political implications and the presentation this afternoon is clearly a political matter.

Mr. YATES. What is a very political matter?

Mr. CUNNINGHAM. That this whole afternoon was a political maneuver, a very critical series of statements that brought politics into this, directed at the minority party.

Mr. YATES. I am glad the gentleman recognizes a political maneuver, because certainly the Republican Party has been engaged in political maneuvering with the Southern members of our party for a long time. I am sure that if there is any political maneuvering going on the Republican Party is well aware of it. I think it is appropriate that we have this discussion at this time because in about 2 weeks the Republicans will go back to their districts all over the country and will attend Lincoln birthday banquets and will pose as the champions of civil rights in the name of Abraham Lincoln. I declare that if Abraham Lincoln were to see the way in which Members of the Republican Party are procrastinating now in asserting their championing of the cause of civil rights—and this is the test; this bill is the test—I feel quite sure he would abjure his party membership.

Mr. CUNNINGHAM. The fact remains that the Democratic Party has a 2 to 1 majority. It has a strong platform on civil rights. I presume that you speakers went up and down the country proclaiming the platform in order to secure votes. The people saw fit to give you a 2 to 1 majority here in the Congress. One of the things that you said you were going to do was to pass civil rights legislation. The simple fact is that you have not done it; you have not been able to bring civil rights legislation to the floor of this House of Representatives. The people are going to know that the responsibility rests upon your shoulders, and no amount of alibiing and excuses can change that.

Mr. YATES. I would suggest to the gentleman that the people will know where the responsibility lies. The administration has declared that it is for civil rights. The gentleman cannot tell me that if the administration wanted the members of the Rules Committee from the gentleman's department to clear the civil rights bill to the floor—and we have four members on our side of the Rules Committee who are willing to bring the bill out—it would not do so. There has been no indication from the President or from the White House that this is what he wants.

Secondly, you cannot tell me that if the members of the gentleman's party wanted to consider civil rights legislation, and they say they want to consider it, they could not have it by signing the discharge petition.

Mr. CUNNINGHAM. On the statement the gentleman has just presented, by the same token if the leadership on his side of the aisle, the Speaker and the majority leader, also wanted civil rights legislation passed, they certainly would have just as much influence on your eight members as the President would have on our four members of the Rules Committee.

Mr. YATES. I do not say to the gentleman that they have not used any, but I say to the gentleman he was exactly wrong because I am sure that just as he stated that members of my party went through the length and breadth of the land in the North and through our districts campaigning on a program of civil rights, so did members of my party go through their districts in the South campaigning against the program of civil rights and that those members of the Committee on Rules who voted for such a bill would be going against their pledges to their people.

Mr. CUNNINGHAM. I would only make the observation at this point that your party evidently runs on two different platforms.

Mr. O'HARA of Illinois. Mr. Speaker, while I am very happy to yield to all my colleagues, and I believe I have been generous in yielding time, my time is running out. I am happy that the conscience of my good friend from Nebraska is clear since he signed the discharge petition. I do not want to remain in the embarrassing position of continuing to apologize for his colleagues who have not signed the petition.

Mr. CUNNINGHAM. I shall not do that, and may I say to my colleagues I have not done that. It is clear to me that all of the apology comes from the Democratic side of the aisle. Theirs must be an extremely embarrassing position. I recognize their situation. I have charity in my heart for them. I have charity in my heart for anyone that is down on his luck. So I signed the petition—I want to help them out.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am delighted to yield to my colleague from New York.

Mr. STRATTON. Mr. Speaker, I have been interested in the colloquy of the two gentlemen from Illinois and the gentleman from Nebraska on this subject. I am inclined to agree with the gentleman from Nebraska that this subject should not be a subject of partisan concern. It ought to be a subject and an issue on which Americans of good will in both parties can unite. I want to express my appreciation to both of the gentlemen from Illinois, who are in the well and the other Members who have taken time this afternoon to bring this issue to the attention of the House and the American people. I would like to join with them, Mr. Speaker, particularly to appeal to my colleagues in New York State and, particularly, in the upstate area of New York, part of which I have the honor to represent, to join with me regardless of party in signing the discharge petition. It is my understanding that very few of the gentlemen from my area of the State on the other side of the aisle have signed this petition. I hope, as the result of the discussion that has been had here today, they will reconsider their decision and see fit to join us in our endeavor to bring this legislation to the floor.

Mr. Speaker, as a new Member of this body, I was somewhat concerned as to whether one should sign a discharge petition and whether this was really a proper device to use. We have heard reference today to doing things in an orderly fashion. Well, let me say that I have examined the situation and ascertained to my satisfaction, at least, that this was the only practicable way in which adequate civil rights legislation could be brought before this body for action. Therefore, it seemed to me that anyone who is genuinely in favor of civil rights he had a personal responsibility to sign the petition which, as a practical matter, would alone make it possible for the House to take action on civil rights. We have heard references today to people in either party who may or may not be in favor of the principle of civil rights, and there are certainly many in my own party who have made it clear that they are vigorously opposed to civil rights. But just because of this fact, Mr. Speaker, there is all the more responsibility on those Members who have previously expressed themselves as being in favor of civil rights to join in taking the only step that can be taken to get this bill out and onto the floor of the House. In fact I think there is some degree of responsibility on the part of every single Member who says he favors civil rights and yet who hesitates to sign this petition—a real responsibility that he will have to face up to later on in terms of his own conscience, and, perhaps, to the electorate if this legislation does not get onto the floor for action. Indeed, those who would suggest that the petition not be signed are suggesting that Members abdicate a responsibiliity which I believe they cannot abdicate.

May I say, having had the opportunity over the recess to visit in a number of countries abroad, I think the world is looking to us for leadership in this matter. Oftentimes we have been inclined to think of this kind of leadership just as a matter of passing out a few million or billion dollars. Here is an opportunity for us to assume real world leadership and it is not going to cost us a nickel. This legislation is a matter of moral leadership which may in the long run be even more effective than some of the money we have been spending in past years.

So I want to urge my colleagues, Mr. Speaker, particularly from the upstate area of New York, where we, too, are concerned with the problem of civil rights, to join with us in signing the discharge petition. I thank the gentleman for being so courteous and for yielding so that I might make this statement in support of his point of view.

Mr. YATES. Mr. Speaker, the choice is clear. Almost without exception, as I stated before, the Democrats from the North have signed the petition, and almost without exception the Republicans have not signed the petition.

In passing, I want to congratulate the gentleman from Nebraska for having signed the petition.

I wish that his influence and his example could prevail upon his colleagues to join with him. But we will hear excuses from the Republicans. We have been accused of making excuses, but the fact is we are taking every step we can to bring the civil rights bill to the floor, and the Republicans are not joining with us. Let them, therefore, if they can, henceforth go to the people and state again that they favor civil rights legislation in the face of that record.

Mr. Speaker, the point of President Coolidge's story as I related earlier, becomes clear. The hen has been lifted, and the results speak for themselves.

I thank my colleague from Illinois for yielding.

Mr. O'HARA of Illinois. I thank my distinguished colleague from Illinois for his valuable and inspiring contribution.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield for a consent request?

Mr. O'HARA of Illinois. I yield.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. RHODES] be allowed to insert his remarks at the conclusion of those of the gentleman from Illinois.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. BURDICK. I should like to commend the distinguished gentleman from Illinois for his stirring addresses this afternoon, and also commend the other speakers, the gentleman from California [Mr. ROOSEVELT], the gentleman from New York [Mr. CELLER], and the others who made such fine presentations this afternoon.

Mr. O'HARA of Illinois. Mr. Speaker, I think the issue has been made clear. The Speaker of this House, and the majority leader both have encouraged Democratic Members of this body to sign the discharge petition, and that is something most unusual for the leadership. It is because of a realization on the part of the Speaker and of the majority leader that there is involved in this a great moral issue—and the strong and effective

civil rights legislation—to which the Democratic Party is pledged. So they have encouraged the Democratic membership to do the unusual thing as a recommendation of the leadership, to sign the discharge petition.

As I understand it, practically all of the Northern Democrats have signed the petition. I doubt that there are any Northern Democrats who have not signed. Relatively few of the Republican Members have signed the petition. If more Republican Members from the North do not sign, civil rights legislation is dead.

I know that in my district I will be judged not by what my colleagues from the South might have done or anybody else might have done; I will be judged in my district by the fact that my name is on the discharge petition. I am sure that will be true of every Member of this body, Republican as well as Democrat. People are not fools. People have common sense. You cannot go in the northern districts and say: "Well, I am for civil rights but when I had the opportunity to bring about the consideration and enactment of strong civil rights legislation I held back." No, no; people do not take that sort of thing.

And I am not criticizing any of my colleagues. I know how sincere the gentleman from Nebraska was when he was standing up here making a fight, I will not say for the honor of his Republican colleagues, but certainly his conscience was bothering him for them. He had signed the petition; there was not any holding back on his part. He did not say: "Well, now, maybe there will be a party advantage in not signing this discharge petition; maybe we can put the Democrats on the spot; maybe we can say that Speaker RAYBURN and Leader MCCORMACK and the Democrats killed this"; no, he went in and signed the discharge petition. Then, I think a little bit concerned for his Republican colleagues who had not taken the same step, he stood up valiantly fighting against reason, logic, and common sense to preserve their honor, as it were.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Nebraska. He and I have a common interest. We both have signed the discharge petition.

Mr CUNNINGHAM. I want to make just a brief comment. I have always had a clear conscience and I do not worry about the other fellow's. That is no one's business but his own.

Mr. O'HARA of Illinois. I congratulate and commend the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. OHARA of Illinois. I yield to the distinguished majority leader.

Mr. McCORMACK. In relation to the observation my friend just made, may I say that when my conscience is clear I am sometimes very much concerned about the conscience of some of my friends.

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Connecticut.

Mr. KOWALSKI. Mr. Speaker, we are talking about conscience. This brings my thoughts back to World War II in Europe. At that time I was Chief of Training in ETOUSA Headquarters. We received a directive which was inspired by our great war leader, President Roosevelt. It came through Eisenhower's headquarters directing my section to develop a policy for the integration of Negro soldiers into our white American units. As you may know, in those days we had Negro tank battalions, infantry battalions and truck companies. I was privileged with another Member on the other side of the aisle who was then an officer in my section to write the initial policy for this integration. Later I had an opportunity to visit some of the units into which the Negro soldier had been integrated. I saw Negroes fighting and dying shoulder to shoulder with our white American citizens.

Today it would seem to me President Eisenhower might search his conscience and make an effort to assist those same Negro soldiers who fought so well in Europe to secure the right to vote. In the light of his great influence, he could do so much with a few words addressed to the right people to urge our Republican colleagues to sign the discharge petition.

Mr. O'HARA of Illinois. I thank my distinguished colleague from Connecticut for his valuable contribution and his poignant suggestion of a Presidential directive to the Republican Members of the House who have not signed the discharge petition. I have no doubt a word from the President, or even a quiet word from the able minority leader, would have results.

I have not any doubt that many of our Republican colleagues who have not signed the discharge petition are thoroughly sincere. I think they are just as sincere as our colleagues from the South who have not signed. They are against civil rights legislation. But I do wish they would come out and let us know. We can respect any man if we believe he has sincerity in his convictions. But we do not like hypocrisy. We do not like them saying, "Yes, we are for civil rights," when they are not. We do not like people playing both sides of the fence.

The issue, Mr. Speaker, is crystal clear. He who signs the discharge petition is for the enactment of strong civil rights legislation. He who refuses to sign, under whatever pretext, is on the other side of the fence.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am pleased to join my Democratic colleagues in urging prompt action on the civil rights bill.

I wholeheartedly concur with the sentiments expressed by my colleague the gentleman from Pennsylvania [Mr. MOORHEAD] on the floor of the House Monday. I know that he would be here today reaffirming his support for the civil rights bill if it were not for the fact that he is attending an important housing meeting in Pittsburgh today.

As he pointed out in his speech Monday, signature of the discharge petition "would be our divining rod" to separate the real attitude of the two political parties on civil rights. I commend our colleagues to Congressman MOORHEAD's penetrating remarks on the dismal record of the Republican Party in failing to produce needed signatures to the discharge petition.

Mr. Speaker, it is clear that the civil rights bill will not be considered by the House unless a sufficient number of Republicans sign the discharge petition. This is not a partisan issue. Both parties have adopted strong civil rights planks in their platforms. It is a matter of performance. We now have the opportunity to bring to the floor a sound and reasonable civil rights bill containing provisions to strengthen present laws to guarantee basic rights to all citizens.

I urge my colleagues who have not already done so to sign the discharge petition so that we may proceed to consider this important legislation without further delay.

CIVIL RIGHTS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 60 minutes.

Mr. COHELAN. Mr. Speaker, I join with my colleagues here this afternoon to speak of the "American Dilemma" which is the so-called Negro problem and specifically to focus attention on the opportunity which we now have to enact sound civil rights legislation.

It is my view that we are talking about the "American Dilemma," that is, that this is, in the first place, the problem of all Americans. Furthermore, in the second place, we recognize that this is not a problem created by those who are discriminated against themselves, but by those who discriminate and, finally, by those who permit discrimination, the American people.

It is a mistaken view that the civil rights issue is created by the Negro citizens themselves. The often-expressed idea that "they," meaning these Negroes, "keep pushing and forcing the issue" and that such "pushing" creates the civil rights issue is shortsighted and naive.

The fact is that the civil rights issue exists because we have too long allowed continued discrimination in America. For this reason, I say it is the problem of America. This is generally the significance of the phrase "An American Dilemma" as Economist and Sociologist Gunnar Myrdall used it to title his masterful work on the subject.

The authors and signers of the Declaration of Independence "intended to include all men," Lincoln reminds us. "They did not mean to say all were equal in color, size, intellect, moral development, or social capacity." But they did consider all men equal in their God-given and hence "unalienable" civil rights. They so declared, Lincoln urged, in order that enforcement "might follow as fast as circumstances should permit." He added:

"They meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approxi-

mated, and thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people of all colors everywhere."

In a world where colored people constitute a majority of the human race, where many new free governments are being formed, where self-government is everywhere being tested, where the basic human dignity of the individual person is being denied by totalitarian systems, it is more than ever essential that American principles and historic purposes be understood. These standards—these ideas and ideals—are what America is all about.

I wish to quote the Reverend H. Solomon Hill, a constituent of mine in the Seventh District of California, who is pastor of the First African Methodist Episcopal Church in Oakland, Calif., and chairman of the National Association for the Advancement of Colored People housing committee in that city. Recently, in response to a charge that implied in substance that the Negro community was making the issue in a local dispute over public housing, Reverend Hill said:

Erase 150 years of slavery, erase 80 years of low wages, segregation, and having doors slammed in our faces. Then you might find some moral reason for condemning instead of helping. But don't continue to push these people into a vicious circle and then blame them for being there.

Our first admission must be that all Americans have a direct responsibility in this matter, whether from California, Illinois, New York, or Mississippi.

Let me quote from the recent speech of our distinguished colleague, the gentleman from Connecticut, Mr. CHESTER BOWLES, who said at the May 22, 1959, conference of the Health and Welfare Council here in Washington:

We must recognize the problem of discrimination as a national, not a sectional one.

Yet many northerners still smugly look at racial discrimination as a sectional problem. Thus they condemn what they consider to be the slow pace of integration in the South, while remaining indifferent or nearly so to the discrimination all around them.

In most northern cities the professed equal protection of the laws still hides extensive segregation in fact—by residential exclusion and by the natural selection of poverty.

Nothing will speak more persuasively to the South than a better example among the too-ready critics farther north.

In these remarks, the gentleman from Connecticut spelled out some of the specific reasons why we must face this issue on a local level throughout the Nation. In itself, this is not precisely the same point to which I have been speaking, but elsewhere Mr. BOWLES made the larger point, saying:

For we must go on in fulfilling the promises of the Constitution and of our national conscience. We can pause for reappraisal, but we cannot stop or go back.

The two points complement one another. In short, while the civil rights issue is on our national conscience—or should be—it is also a practical problem in virtually every community in the Nation. The Nation—as a nation—faces the moral problem, as well as the practical problem of discrimination.

We cannot sectionalize our conscience as Americans any more than we can sectionalize our economy, our national defense, or our law. We cannot have 50 distinct and separate codes, legal, ethical, or moral.

Let us look for a moment at the history behind civil rights legislation, for it shows—to a greater extent than we realize—that this issue has been progressing nationwide.

Today we know the need for Federal antilynching legislation. The issue has most recently been dramatized by the discouraging developments in the Mack Charles Parker case in Mississippi. The precedent for such legislation can be found in South Carolina and Texas where, in 1949 to 1951, antilynching laws were adopted on a State level.

Today we can point to real progress, although spotty, in the area of bans on discrimination in employment. In 1948 it was President Truman whose Executive Order No. 9980 banned discrimination in employment in Federal agencies. That same year President Truman created the Federal Fair Employment Board to investigate complaints in civil service.

In the State of California alone, local fair employment practices legislation has a noteworthy history. The city of Richmond, Calif., adopted such an ordinance in 1948.

Other similar ordinances have been on the books for some time in the cities of Bakersfield, Calif., and San Francisco. In Los Angeles, in 1951, local laws were passed forbidding discrimination in the more limited field of construction workers on urban redevelopment projects.

Statewise in California, antidiscrimination revisions were made affecting civil service workers in 1949. Discrimination in the hiring of teachers was banned in 1955. Finally, last year, in 1959, a California Fair Employment Practices Act, authored, incidentally, by the Honorable Byron Rumford, State assemblyman from the city of Berkeley, which is also my own home, was passed.

The State of California's Fair Employment Practices Act establishes a legal principle in one specific area in the State which is of particular pertinence to our present deliberations in Congress in 1960.

That law provides that a five-man State FEP commission need not wait for the filing of formal complaints to go into action. The Commission itself is authorized to make investigations where it thinks discriminatory activities are going on.

Early last year, in testifying before the House Judiciary Subcommittee No. 5 in support of H.R. 3147, the original civil rights bill which is now soon to be before us in modified form as H.R. 8601, I pointed out that this kind of authority for enforcement by a governmental agency is of utmost importance.

I spoke in favor of the so-called part 3 authority which was at that time still a part of the House civil rights bill and mentioned our California Fair Employment Practices Act by way of emphasizing the point that the need for somewhat similar authority was recognized and enacted in that legislation.

In passing FEP legislation with this kind of enforcement clause, the California State Legislature, speaking for the citizens of the State, made it quite clear that we realize enforcement of civil rights cannot be left to the private citizen alone. In California we have recognized that civil rights are not enjoyed in a consistent manner and to the same degree in all areas when the burden of enforcement is placed upon private citizens.

California is just one section of the Nation where this continuing work to end discrimination is taking place today. There are many others, in all portions of the country.

I would suggest, however, that this kind of local action—incomplete as it may be—is the precedent for the Federal legislation we are now considering.

I would suggest that we want a new Federal Civil Rights Act which includes the part 3 authority we have mentioned, the antilynching ban we have mentioned, and the Federal registrar authority that is now under consideration in the other House. This as well as the provisions of H.R. 8601.

In support of civil rights legislation, I submit the following statements by two distinguished Americans:

ADDENDUM I—QUOTATION FROM REMARKS OF HENRY CABOT LODGE, AMBASSADOR OF THE UNITED STATES TO THE UNITED NATIONS

If we are to win the struggle for the minds of men—particularly in Asia and Africa—we must show at home that we practice what we preach about equal rights for all, and that what we do is animated by spiritual values.

I believe that the man in Africa and Asia sees the big difference between the Soviet Union and the United States—in that the United States has proven that man's material well-being can be improved without violence, without coercion, and without sacrificing his civil rights.

It is up to us to live up to our own standards. When in Asia and Africa men read of the happenings in Little Rock, for example, our country's interests suffer. When photographs appear in the press of Negro children in school in Virginia, great good will for the United States is created.

Our greatest struggle, therefore, is with ourselves rather than with the Soviet Union. We face the simple fact that enthusiasm for a bad idea can prevail over lack of enthusiasm for a good idea.

ADDENDUM II—QUOTATION FROM AN ARTICLE BY ADLAI STEVENSON WHICH APPEARED IN THE FEBRUARY 7, 1959, ISSUE OF THE SATURDAY REVIEW

The issue of the rights and status of our colored citizens is our small share of a worldwide problem. The 400 years' dominance of men of white skin is ending. The vast colored majority of mankind is seeking the opportunity and the respect that white people have been lucky enough to enjoy for so long—sometimes at the colored people's expense. But, within this worldwide crisis, we in America, with our colored minority, have a major role to play—for good or evil. The unfinished work that Lincoln left us, of creating a society in which all men can hold up their heads as equals and self-respecting citizens, can never be accomplished unless there are enough white men and women who resist in the core of their being the moral evil of treating any of God's children as essentially inferior.

Nor is this simply a question of our own national community. It is a painful fact that the Communists show a worldwide con-

cern, which is largely lacking among the men of the West; the whole human race is their horizon. Their "brotherhood" is materialist, collectivist, atheist, and we dislike it, but it embraces everybody, and it is the framework of policies that takes the missionaries of their new order to the ends of the earth. We have no corresponding commitment to our fellow men. For hundreds of years, we have preached the Christian promise of brotherhood, but today, when vanishing space and scientific revolution have turned our planet into a single neighborhood, the ideal means little in terms of concern or conviction, in terms of policy or action.

Here we are in the Atlantic world, 16 percent of the world's peoples consuming 70 percent of the world's wealth. We cannot be indifferent to the moral implications of this gap. I do not know how we can gain a new perspective about the narrow world of plenty and poverty in which we live unless moral insights of justice and compassion stir us to understand the privileged position in which we live.

CIVIL RIGHTS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. MULTER] is recognized for 60 minutes.

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may revise and extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MULTER. Mr. Speaker, first permit me to commend the distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], and all of our many other colleagues who have participated today in this discussion of the important matter of civil rights.

It is appropriate for me to again call attention to that nice phrase which we found in the President's state of the Union message, to wit, "a storm of semantic disorder." No phrase more aptly describes the conduct of this administration, from its inception to date, on both the national and the international scene. The words and conduct of the President with reference to civil rights emphasizes the point I make.

When the President wants to spend more Government money, when he wants to increase the cost of government, when he wants to make the big banks richer by increasing interest rates, he does not hesitate to send for his Republican congressional leaders and tell them what he wants and how to get it for him, nor does he hesitate to send his Cabinet officers to the Hill to pressure congressional members of his Republican Party to do his bidding.

But when it comes to civil rights we get nothing but empty words from him—fine phrases but no action. I am being a little too harsh on him when I say no action. Did he not appoint a Commission to look into the matter? Of course, he did. Did he not pick outstanding Americans to do the job for him? Of course, he did. Did they not bring in a good report with fine recommendations? Of course, they did. Then what did he do? He turned his back on them.

We recall all too well the number of times that the President's Republican congressional leaders stood on the floor of this House and told us what the President wanted and what he needed and what he demanded by way of legislation. But when it comes to civil rights all we hear from them are excuses as to why they will not help us get a civil rights bill to the floor.

I can understand why no Member, Republican or Democrat, who comes from any of the Southern States will sign a discharge petition to bring the bill to the floor. Right or wrong, almost all of them campaigned for reelection on promises, explicit or implicit, that they would oppose civil rights legislation. But every other Member of Congress is in duty bound, yes, in honor bound, to do all within his power to implement the pledges in their party platforms on civil rights.

The Democrats are doing that almost to a man. Unfortunately, the Republicans are running away from that pledge, almost to a man.

I want to reiterate on this floor what I have said off this floor. There is no principle involved that can possibly justify any Member of this House not signing a discharge petition. A man is either for or against the bill. That can be a matter of principle. But if he is for the bill there is no principle that can possibly justify his not using every effort, including putting his signature on a discharge petition, to bring the bill before the House for action. As long as the method of bringing a bill before the House by discharge petition is a part of the House rules, it must be recognized as being good principle to sign a discharge petition and bad principle not to sign it unless one is opposed to the bill. One can even justify signing a discharge petition when he intends to oppose a bill or parts of a bill, because the democratic process should always be used to give the Members of the House an opportunity to work their will with reference to every important piece of legislation.

Let us destroy this veil of camouflage once and for all. The Democratic Party has a majority by numbers in the House of Representatives. When we deduct from that majority the number of Democratic Members who year in and year out have opposed civil rights, the Democratic Party no longer controls a majority of the votes of the House. We can bring a civil rights bill to the floor and pass it only if that large number of Democratic Members are joined by those Members of the Republican Party who pretend to be for civil rights. The test of their good faith is not how they will vote on final passage or on any particular amendment but whether or not they will place their names on record on that discharge petition so as to bring the bill before the House for action.

CIVIL RIGHTS LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 60 minutes.

Mr. PORTER. Mr. Speaker, this demonstration has made its point. I shall not detain the House for long with my remarks. Our point has been a simple one but one we wanted to drive home. Certainly I am hopeful, my good friend, the gentleman from Nebraska [Mr. CUNNINGHAM], will take this message back to the members of his party.

The message is simple. It is plain. It is undeniable: The Republicans are blocking the discussion of civil rights legislation on the floor of this House. We do not ask them to subscribe to any particular bill, nor to back what the President's Commission recommends with respect to Federal registrars or anything else, but merely to sign the discharge petition and so prove that they are willing to allow discussion of this legislation on the floor of the House.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield.

Mr. CUNNINGHAM. Of course, I cannot agree with the statement that the gentleman has made. Naturally, I could not relay that message to the members of the minority party. I would reiterate, however, what I said before which is that this legislation is being blocked in some other way. It is hard to discern just who is responsible. With the gentleman's party being in a 2-to-1 majority, I think the American people would expect his party through its leadership to bring legislation of this importance before us in an orderly manner.

Mr. PORTER. The gentleman has sat here all afternoon. The point, it seems to me, is clear. Members of my party almost to a man have acted with respect to their declared convictions. Some of them are opposed to civil rights. Most of us are in favor of civil rights and we have either signed or not signed the petition in accordance with our declared convictions.

Now where do your Republican colleagues stand? Have they acted in accordance with their purported convictions? I know where you stand. I know where approximately 36 Members of your party stand, but where do the others stand? I heard your Vice President 2 years ago, when he purported to lead a civil rights fight, but I have not heard him these days at all. I heard your President the other day in this very Chamber say that he wanted everyone to have the right to vote. Where are these leaders? What are they doing? Where are these people with regard to their consciences? If the gentleman would like to speak again, I will be glad to yield to him.

Mr. CUNNINGHAM. The gentleman from Oregon asks where my party stands. My answer would be that my party, I am sure, stands on the principle that the majority party in the House of Representatives with a 2-to-1 majority, elected by the people who have placed their confidence in those elected Members, should bring legislation before the Congress in an orderly way.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield.

Mr. PUCINSKI. The gentleman will be interested to know that according to the Associated Press dispatch, an advance dispatch, on Vice President NIXON's speech, which he is going to give in Chicago this evening as part of the Republican banquet, the story says:

And he [Mr. NIXON] proposed to accept what he termed the exciting challenges of domestic problems with an improved educational system, constructive civil rights programs—

And so forth and so on.

I presume then that we probably can look forward to the Vice President coming back from his visit to Chicago and leading the members of the Republican Party and helping us to get this discharge petition signed and to get this legislation to the floor of the House.

Mr. PORTER. I thank the gentleman, but I wonder if those words will ever end up as deeds and as signatures by members of the Republican Party on this discharge petition.

Mr. PUCINSKI. It appears to me that this is an excellent opportunity for the Vice President to put his deeds where his words are.

Mr. PORTER. May I say to the gentleman from Nebraska [Mr. CUNNINGHAM] that I, without any hesitation at all, ask the Republicans to help in this matter.

We want you to help. You helped us before on this civil rights legislation; we need your help now, we want you in this matter. We are asking for it and you are saying "in an orderly manner." Does the gentleman wish to offer his reply? If so, I would like to yield to him.

Mr. CUNNINGHAM. The gentleman is very gracious. I realize the predicament the majority party finds itself in and has been throughout the course of the afternoon perhaps in fair criticism of at least four members of the majority who are serving on the Rules Committee.

I am sure the gentleman will agree that if there is such criticism it would be only fair that the criticism be perhaps directed to the very Members who have spoken here, because each and every one of you voted to name the eight members of your party to the Rules Committee.

Mr. PORTER. The gentleman recognizes that only a handful of his party including himself have signed this discharge petition to get this matter on the floor of the House where it can be discussed. But most of the gentleman's Republican colleagues, however, have not offered to help. That is the point of this demonstration. The gentleman called it "a very, very political matter." It is indeed. I think that the American people, the people who voted us all into office will decide who is to blame in keeping this matter from coming before the House. I hope the gentleman will be able to use his influence on at least a few of his colleagues to follow his own course in the matter.

I would like to read the 15th amendment; it takes only a minute. It is very clear and is something that should be brought to our attention at this time.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The President said in his press conference the other day, against the advice of one of our great lawyers, a member of his Civil Rights Commission, that certain features of the proposed legislation were unconstitutional.

We are looking to the Republican Party in this case for help in getting this matter on the floor, for discussion, not for leadership. The banner over the outdoor religious meeting in "On the Beach" for a small and ever lessening group, proclaims: "There is still time, Brother." And I put the emphasis on the word "brother" in this case because we are talking to you brothers, Republicans. We want and need your help in going ahead to enact some brotherhood legislation.

I will close by reading two verses of an old hymn:

Earth might be fair and all men glad and wise,
Age after age their tragic empires rise,
Built while they dream, and in that dreaming weep,
Would man but wake from out his haunted sleep,
Earth might be fair and all men glad and wise.

Here is the final verse:

Earth shall be fair, and all her people one,
Nor till that hour shall God's whole will be done.
Now, even now, once more from earth to sky
Peals forth in joy man's old undaunted cry,
"Earth shall be fair, and all her folks be one."

CIVIL RIGHTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I want to commend and congratulate the distinguished and able gentleman from California [Mr. ROOSEVELT] for arranging this time to discuss the all-important civil rights bill. His effective leadership in this field has been inspirational, and those of us concerned with the problem of civil rights owe him a deep debt of gratitude.

You, too, Mr. Speaker, deserve the thanks and praise of us all interested in this subject for your stanch support of our efforts to discharge the civil rights bill from the Committee on Rules. Unfortunately, lack of interest among our Republican colleagues has made it difficult to obtain the required number of signatures on the discharge petition. According to the distinguished minority leader, if I understand him correctly, civil rights is a Democratic Party problem. It is our responsibility, he has told the Nation, to bring this bill to the floor of the House.

NEGATIVE ATTITUDE OF ADMINISTRATION

The negative attitude of the Republican leadership should not surprise us because, after all, it comes right from the top as it has all along. A phone call from the White House, Mr. Speaker, would bring the civil rights bill to the floor. But it is a call that will not come. The President, it seems, does not interfere with the legislative process unless it serves his purpose. He took a strong stand on antilabor legislation. He has exhorted the people on foreign aid and adequate defense. These served his purpose. Obviously civil rights does not.

This is not a new attitude, Mr. Speaker. Here is an article by Associated Press news analyst James Marlow entitled "President Remains Unfirm on Southern Resistance." It appeared in newspapers throughout the country on December 11, 1958:

WASHINGTON.—President Eisenhower has consistently sidestepped saying whether he thinks racial integration in public schools is good or bad. He did say it should go slower.

He's been less consistent in deciding how to enforce the Supreme Court's 1955 order for ending enforced segregation. And he seems as vague today about handling southern resistance as he was when the Court first spoke.

This showed up again Wednesday at his news conference.

He said in the past he had taken an oath to enforce the laws. But as recently as September 11, 1956, he seemed to think he himself couldn't do anything, that the job was up to U.S. marshals.

That day he said: "The Federal Government is not allowed to go into any State unless called upon by the Governor who must show that he is unable with the means at his disposal to preserve order."

And on July 17, 1957, he was saying "I can't imagine any set of circumstances" that would ever induce him to send troops into a State to back up the Court. He added that day: "I believe the common sense of America will never require it."

He reversed his field a couple of months later when Gov. Orval E. Faubus of Arkansas used National Guardsmen to block the court-ordered integration of Little Rock's Central High School.

Then Eisenhower sent in troops, not at Faubus' request but over his protests.

Eisenhower's main theme on achieving integration is that it is a slow process. He has talked of patience, of educating people on the issues. He has said laws can't change the hearts or prejudices of people.

But Wednesday he showed impatience with people who don't obey the law. He was asked how he feels about the refusal of Alabama officials to produce voting records demanded by the Government's Commission on Civil Rights.

The Commission, created by act of Congress, is investigating complaints of Alabama Negroes that State authorities have frustrated their attempts to register and vote.

Eisenhower said: "Well, I don't feel very well about it * * * I think this is a rather sad sort of thing, because all the way around we are running into this refusal of complying with the basic laws of the land, laws that have been upheld by our courts as legal and proper."

He called the performance of the Alabama officials "reprehensible."

But does he have any plans himself for handling southern resistance, such as asking Congress for new laws? He was asked the question: "Do you favor new legislation to bring about the enforcement of integration?"

Eisenhower seemed to have no plans at all, beyond saying he thought the Commission should be allowed more time to do the job of inquiring into civil rights violations. The Commission's 2-year term ends next year.

He said: "Now with respect to any new laws which you are talking about in the whole field of civil rights, I simply will say this, This is something that is studied all the time."

Just where will all the studying lead to? Eisenhower said, "I don't know."

But Wednesday's anger at those who don't comply with the laws was not the same as the attitude he expressed last August 8 when he said: "Mere laws will never solve this problem."

The President's cautious, halfhearted attitude toward adequate civil rights legislation has hurt the cause of civil rights time and time again. How many times has he urged caution in carrying out the Supreme Court's school desegregation decision? How many times has he cut the ground from under supporters of civil rights legislation with statements of doubt and uncertainty? I recall during the debate on the Civil Rights Act of 1957 one of the major issues was section 121 of part III of that bill which would have permitted the Attorney General to institute civil action for preventive relief in civil rights cases. The opponents of the section claimed that it had nothing to do with the protection of voting rights and therefore did not belong in the bill. Those of us, anxious to enact real civil rights legislation, admitted the section went beyond voting rights by providing for Federal action on conspiracies against other civil rights guaranteed by the 14th amendment. This was the heart of the bill. This was the section which would have enabled the Justice Department to enforce the Supreme Court's school decisions. The President was asked at his July 3, 1957, press conference if he were willing to have the bill rewritten to apply only to voting rights—an obvious reference to the pending amendment to strike section 121. His answer was:

Well, I would not want to answer this in detail, because I was reading part of the bill this morning, and there were certain phrases I didn't completely understand. * * * I would want to talk to the Attorney General and see exactly what they do mean.

He emphasized that he was not a lawyer and said, "I know what the objective was that I was seeking, which was to prevent anybody illegally from interfering with any individual's right to vote."

Three weeks later section 121 was eliminated by the Senate. The President's uncertainly, equivocation, backsliding vacillation contributed to this defeat of adequate civil rights legislation.

And the situation, sad to say, Mr. Speaker, has not changed. Last January 13 at another press conference the President was asked about a proposal by his own Civil Rights Commission for Federal voting registrars. Two days before a leading Republican civil rights advocate in the Senate introduced legislation authorizing the President to appoint such officials. The President said, "I do not even know if it is constitutional." Just yesterday a watered-down version of the Commission's proposal was sent to Congress by the administration proposing the use of referees appointed by Federal courts rather than Federal officials acting as registrars.

There seems to be a pattern of Presidential activity in the civil rights field, Mr. Speaker. Whenever he makes a strong statement in support of civil rights, which he has, nothing much happens either in his administration or on the other side of the aisle. But when he makes an equivocal statement, or an uncertain statement, sure as night follows the day, the cause of civil rights suffers another setback in the form of watered-down proposals, anti-civil-rights votes by Republicans in the House and Senate, and the like.

ANALYSIS OF OPPOSITION'S CASE

The halfhearted interest the administration has taken in civil rights plus the outright opposition of anti-civil-rights forces has made the task of enacting adequate civil rights legislation extremely difficult. Those who oppose this bill take a stand against one of the most important pieces of social legislation to come before this body. The eyes of the entire world are on us. The people of the world, especially in Asia and Africa, wonder how long we who advocate freedom and independence for them will continue to tolerate second-class citizenship within our own borders. Today they are the uncommitted. Unless we show them that we mean what we say they may well be committed in the not too distant future to forces unalterably opposed to our way of life.

What is the basis of this fierce opposition to such an important piece of legislation? An examination of the minority views in the report on H.R. 8601 is important if we are to fully understand the thin reed upon which the anti-civil-rights group base their opposition.

Opposition to title I, which proposes to amend the Criminal Code with respect to the obstruction of court orders in school desegregation cases, appears to stem from a deep concern for the Constitution of the United States.

The language of this title—

Says the minority report—

is of a doubtful constitutionality.

The reasons cited for this conclusion is that the language "may be violative of the right to freedom of speech" and it may "fall because the language is vague and indefinite." This concern for the Constitution is heartening but carries little actual weight as a basis for defeating this bill or keeping it bottled up in the Rules Committee.

In the first place, the cry of "unconstitutionality" by opponents to a particular measure is a common argument. Practically every social advance this country has made in the past 50 years has been branded unconstitutional by the opponents of progress. Social security was considered unconstitutional in 1935 by those who opposed it. But it weathered the storm. To raise the specter of unconstitutionality at this juncture is an act of desperation. The bill, reported from the able Committee on the Judiciary, has been carefully studied I am sure by the members, all of whom are lawyers, its able staff, and the House legislative counsel. I doubt if this group would draft legislation violative of the first amendment to the Constitution and to suggest so casts unfair reflection on these individuals. The first objection, therefore, is so questionable that it deserves little merit or consideration. Finally, if the minority of the Judiciary Committee is concerned about the unconstitutionality question I wish they would help bring the bill to the floor to enable the rest of us to have the benefit of their views on this vital question. Not one of them, to my knowledge, has signed the discharge petition. If each of them did, and brought two colleagues along with them, we would have a sufficient number of signatures to bring the bill to the floor for a full-scale debate on the issue of constitutionality.

Opposition to title II, which involves flight to avoid prosecution for damaging or destroying any building or other real or personal property, is based on the reason that it "does not belong in the bill." Legislation to deal with the problem of desecration or destruction of religious or other types of buildings seems peculiarly related to the question of civil and constitutional rights. Many, if not all, of past bombings, have been motivated by religious or racial hatred. When you bomb someone's home because of his color is not civil rights involved? When you bomb a church because of the religion practiced therein, is not civil rights involved? What is civil rights if not these things? When you bomb a church you deprive a person of a place to worship. That is a civil right. When you bomb a school you deprive a person of a place to learn. That is a civil right. When you bomb a home you deprive a person of a place to live. That is a civil right. This bill will protect those rights and title II therefore rightfully belongs in it.

I recall last year, Mr. Speaker, making a similar argument about what does and does not properly belong in a bill during the debate on labor legislation. We were told that the bill under consideration was a labor reform measure designed to bring democracy to union members and prevent corruption in the labor movement. A number of us wondered what the Taft-Hartley amendments were doing in a bill of that nature since they had nothing whatever to do with reform. The 10 members of the minority who all voted for the Landrum-Griffin bill were not concerned then about what does and does not belong in legislation.

Opposition to title III, which involves Federal election records, is also based on the constitutional question as to whether Congress has the authority to enact legislation requiring all records of elections preserved for 2 years from the date of any Federal election. Also according to the minority there is no need, no justification, for this section. According to the majority of the committee:

Experience has shown the need for this legislation. So long as there is lacking a suitable provision for access to voting records during the course of an investigation and prior to the institution of a suit, the authority of the Attorney General is rendered relatively ineffective. The Department

of Justice has no existing power in civil proceedings to require the production of these records during any investigation it may conduct on complaints of a denial to vote because of race. The need for this legislation is evident from the refusal of some State and local authority to permit such inspection.

So there is a valid, justified need for title III. The constitutionality of title III was decided long ago in *United States* v. *Classic* (313 U.S. 299) where the authority of Congress to legislate concerning any and all elections affecting Federal offices, whether general, special, or primary, as long as they are "an intricate part of the procedure of choice or where, in fact, the primary effectively controls their choice."

Opposition to title IV, which extends the life of the Civil Rights Commission for 2 years, seems based mainly on the fact that the Commission had not, at the time the minority report was published, issued any reports. Now, House Report 956, containing the minority views in opposition to H.R. 8601, was issued on August 20. Three specific references were made to the fact that the Commission had not filed a report even though it was not required to file such a report until September 9, 1959, on which date it did so. The minority's other argument against extending the Commission was that it was "inconsistent" to make a study of certain aspects of the civil rights problem and, at the same time in the same bill, ask the Congress to enact statutes on the very same subject matter." This does not appear inconsistent at all, Mr. Speaker. Rather it is a recognition of the fact that we know enough about civil rights to enable us to legislate now, but we also know there is even more to learn so we will continue studying it in the meantime. That is just good sense.

Opposition to title V, concerning education of children of members of the Armed Forces, seems based again on the argument that the title is not relevant to the purpose and subject matter of the overall proposal. What does title V do? It merely provides that when a school, receiving Federal funds because of the impact of Federal activity in the area, is closed due to a civil rights dispute, as happened recently in Norfolk, Va., the Federal Government can make arrangements to provide education for the children of the members of the Armed Forces on active duty in the area. If every school in those States where the closure of schools is a possibility somehow all closed down at the same time about 70,000 children of military personnel would be affected. To help these children is considered by the minority as a backdoor approach to Federal aid to education. I think, Mr. Speaker, the argument falls by its own weight. As for the argument that this situation does not involve civil rights I can only say that where a State or a community closes a school because it has been integrated under a court order, thereby depriving children of the Armed Forces personnel of an education, someone's civil rights have been violated.

Mr. Speaker, I urge the adoption of adequate civil rights legislation and I urge those Members who have not signed the discharge petition to do so in order that we might consider the bill and fully debate it on its merits. No matter how strong their opposition might be they should not thwart the will of the majority of this House.

In conclusion, Mr. Speaker, perhaps as long as man is man—I think we must face this fact—our constitutional dedication to political and civil equality will never be once and for all completely realized. But to grant the fact of man's imperfectibility is not to condone inaction. Nor may inaction be condoned on grounds that the heart of the discrimination problem lies in beliefs and habits not spontaneously scrapped following enactment of legislation. Indeed, it is because men are less than perfect that laws become necessary. A law is both necessary and good when it accommodates the conduct of those it affects—and with time the beliefs which underlie conduct—to certain moral truths. This bill, H.R. 8601, I submit, Mr. Speaker, is a good start and one that merits the quick approval of men of good will.

MEMORIAL ON CORREGIDOR

Mr. TOLL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KEOGH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEOGH. Mr. Speaker, this 2d session of the 86th Congress is faced with many problems of great importance. Momentous decisions must be made for the solution of them in both the domestic and foreign fields.

From long association with the conscientious and competent men who compose Congress, I have every confidence that the legislative recommendations of our committees and acts of Congress will be of substantial benefit to the people of the United States. The burden upon the U.S. Congress will be even heavier in 1960 than is usual and customary in most years.

That is why I rise at this time to call to your attention certain legislation that might be overlooked which I consider to be of very great and far-reaching importance, for reasons which I will explain later. There should be no further delay in completing the memorial on Corregidor, dedicated to the 5 million who served in the far Pacific in World War II, both Americans and Filipinos. This permanent tribute was contemplated by Congress when it created by statute the Corregidor Bataan Memorial Commission.

A striking contrast exists as to what has been done in Europe and in the Far East. In Europe Congress has erected beautiful memorials to honor those Americans who served in World Wars I and II at an expense of nearly $40 million. They engender a better understanding of America and will continue to be a credit to the character of the United States in the minds of the people of Europe. The European nations are justly proud of the fact that thousands of visitors come to their countries to see them.

In all the Far East, where one of the most remarkable dramas in our entire history occurred, comparatively little of the same kind has been done. There is one beautiful cemetery near Manila, for those who saw service in the American Army, and that is all. Congress has not meant to draw any invidious distinction between the European theater and the Far Eastern theater, and the men who served in each. The Corregidor Memorial when completed will be the answer, and will be cherished by the Philippines and the Far East, as is now the case with our inspirational memorials in Europe.

The Corregidor Bataan Memorial Commission was established at the end of 1953 by Public Law 193 of the 83d Congress. Congressman Richards and Congressman CHIPERFIELD filed identical bills, but agreed to use the Richards bill. The powers of the Commission were clarified and broadened by Public Law 298 of the 84th Congress. The Commission is virtually a congressional committee since, of its nine members three are U.S. Senators, three U.S. Representatives, and three are civilians. All serve without compensation. The Commission has stated:

> A complete memorial should be a combination of inspirational and so-called practical value although an inspirational memorial in itself is of the highest practical value. The Corregidor Bataan Memorial contemplates the erection of one beautiful, sensitive, impressive structure with the significant island of Corregidor as its pedestal or base. The memorial will contain a fireproof library, a museum of the memorabilia of the war, the names of all who served, and as a living memorial when completed will actively work at carrying on the cause for which these men died.

Serious study has been undertaken in the United States and the Philippines by specialized groups as to the best use of the completed memorial to develop active living programs in line with the purposes for which men died and sacrificed in World War II.

The design of the memorial was chosen after a nationwide competition was held. Forty-three architectural firms competed anonymously. A special committee, composed of leading architects in the United States and the following: Admiral Nimitz, General Kruger, and General Kenney, recommended the accepted design. Mr. Belluschi, the head of the school of architecture at Massachusetts Institute of Technology, was the chairman of the selection committee. The Philippine Shrines' Committee sent a delegation to the United States to confer with the Corregidor Bataan Commission and approved the selection. The jury of awards in its report said in part:

> The final selection was made through gradual elimination. The majority found the winning design to possess sculptural qualities of a high order, to be a simple form to remember, to admire and to love; the jury believed that it had spiritual power and its meaning did not need to be explained any more than the Washington Monument needs to be explained.

The whole island of Corregidor is virtually the base of the memorial. It will

stand at the top of Corregidor which is 500 feet above the surrounding sea. The memorial will rise from that point approximately 250 feet higher or 750 feet above the bay and nearby China Sea. Between its two uplifted arms, reaching toward the East and the West, there will be a perpetual beam of light extending to the sky and throwing its rays far out across the China Sea.

The Philippines has set Corregidor aside as a shrine and directed its commission to work with the Corregidor Bataan Memorial Commission. They have plans to restore Malinta Tunnel. There was enacted one of the greatest dramas of our history and world history. In the early days of 1942, Malinta Tunnel was the capitol of the Philippines and its great President Quezon was there carrying on for the future of the Philippines. It was the headquarters of General MacArthur and all that was left of the high command of the American forces. It was there that the treasury of the Philippines was located. It was the hospital for the sick, wounded, and dying, as well as the only real shelter for our intrepid starving troops, from the savage bombings by land and air.

General MacArthur said he could never forget their "gaunt faces unafraid." The countless thousands both young and old who will visit memorialized Corregidor for generations to come will feel its deep meaning and will never forget the lessons it teaches.

It is not my purpose at this time to discuss the memorial in its many phases, important as they are. Nor is it my intention to give a long list of those who have or are giving their support to the Corregidor Memorial idea, but it is interesting to note the widespread interest. I can mention a few—General MacArthur, Admiral Nimitz, General Kruger, General Kenney, General Jones, General Wainwright, deceased, General Moore, deceased, the Veterans of Foreign Wars, the American Defenders of Corregidor and Bataan; in the Philippines, the Congress of the Philippines, the veterans almost to a man, and almost every large group of Filipinos. They are hopeful that the actual erection of the memorial will not be further delayed.

Mr. Speaker, I do not intend to discuss comprehensively the appropriateness, the sentiment, and the value which go into this memorial, both to the United States and the Philippines. I would like to mention briefly a few of them.

It will be a symbol to every participant in the Pacific war of the months and years of his service and sacrifices to preserve liberty against an aggressor bent on conquest, tyranny, and enslavement. Primarily it will be this country's tribute to those who gave their lives to preserve freedom in the world, and the memorial will continue to carry on the things for which they died.

Nearly 19 years have passed since this Nation embarked on 4 years of desperate warfare 8,000 miles from home and its front extended almost halfway around the earth. We had one faithful ally in the Far East, the Philippines. In my opinion, it is most fitting, deserved, and meaningful to place this memorial on Corregidor. The Philippines were a part of the United States for almost one-third of our national existence up to 1946. This beautiful and impressive memorial on their soil will be an expression of our recognition of that fact and of the price they paid for remaining loyal to the United States during the occupation of their homes for 4 years. Their deliberate choice of loyalty to the United States caused them to suffer more loss of life than the combined losses of the American forces in both the European and Pacific areas combined. America and those who believe in freedom should never forget that if the Philippines had not declared by word and deed their adherence to the United States, their losses in life would have been less by several hundred thousand. And today, only 1 hour from Communist China by air, they again defiantly proclaim their loyalty to us.

The Congress has passed four separate pieces of basic and clarifying legislation as to the Corregidor Memorial. The Commission has acted only under the direction of Congress. Only one more legislative act is needed to authorize the total expenditure of not more than $7½ million for the memorial, H.R. 3223. The House voted such an authorization in the 85th Congress, but time ran out before it was acted upon by the Senate.

In my opinion, the Congress should act upon this bill not reluctantly but enthusiastically, for the reasons I have mentioned and many others. Finally, it is the hope that this memorial will not be a glorification of war but a dedication to the cause of lasting peace in the world. I urge the prompt completion of this inspirational memorial on Corregidor.

CIVIL RIGHTS

The SPEAKER. Under the previous order of the House, the gentleman from Wisconsin [Mr. FLYNN] is recognized for 30 minutes.

Mr. FLYNN. Mr. Speaker, I rise at this late hour on this, the longest legislative day in the current session of Congress, to express the viewpoint of a freshman midwestern Representative to this august body of Congress. I feel that this evening I am expressing not alone my personal viewpoint, but also the viewpoint of those hard-working, God-fearing, virile and honest midwestern citizens who believe in integrity in government, sincerity in politics, and devotion to principle and ideal. I rise to participate in this discussion on the issue of civil rights. Civil rights as it affects America as a whole, civil rights as it affects minority groups within America, civil rights as it binds us as a Nation in the eyes of the people of other lands insofar as justice is concerned in our treatment of minority groups.

I am a 1960 Wisconsin Democrat, in the Congress of these United States. If I were serving this Congress in 1860 I would be serving as a Republican. The Republican Party was organized at Ripon, Wis., in 1856 by a band of revolutionary Democrats who could no longer subscribe to the principle of slavery, which was promulgated and protected by the Democratic Party of that day. Were I living at that time, I would have been one of the lusty band of independent politicians who set out for the sake of principle and justice to organize the new Republican Party in order that they might fight the inherent wrongs of slavery, and promulgate the principle of the equality of man. These independent thinkers were not impressed by the rank oligarchy of the South nor afraid of the threats and intimidations made by those who sponsored the cause of slavery, that fought for a cause that was right in the knowledge that might makes right, and in the belief that they had no moral right to knuckle under to powerful interests that advocated a principle as morally wrong as slavery is. Let me, therefore, the 1960 Democrat, give praise and recognition to the principles and zeal of the Republicans of 1860.

Today in the Halls of Congress, we are fighting to get out of committee, a civil rights bill that will accomplish a bit of that which is needed to guarantee equal rights to the colored people of the United States. By equal rights I mean an equal right to vote without the paying of oppressive poll taxes; an equal right to be educated in the public schools of America; an equal right to work in the factories of our Nation; an equal right of assemblage; an equal right to free speech, and an equal right to enjoy the pleasures of this democracy. The chairman of the committee holding this bill is a southerner. He, and some other members of this committee, refuse to act upon or send this bill to the floor of Congress so that it can be acted upon in a democratic manner. This abuse of power by committee chairman and committee is repulsive and galling to the mind of the honest and independent midwesterner, and they did not send me here to put my stamp of approval upon this practice or to refrain from speaking out against this and other abuses. We have been unable to withdraw this bill from the committee by means of a discharge petition because we have been unable to muster the support of two-thirds of the Members of Congress to join in this fight for the equality of man—219 signatures out of a total membership of approximately 437 are needed. To the present time only 190 signatures have been secured; 30 of these signatures are Republican, 160 signatures are from Democrats, 29 additional signatures are needed before this body can even consider the watered-down civil rights bill which presently is tied up in committee.

Why can we not secure the additional 29 names? Why have only 30 Republicans signed the discharge petition on civil rights? The answer is as clear as the sun that shines in the heavens: The answer is that the great majority of the southern Representatives have come to this body with a closed mind on the issue of civil rights. They are as opposed to a national declaration of the equality of man today as were the southern leaders in 1860 opposed to the abandonment of slavery. England abandoned

slavery long before the United States fought the Civil War. England today is far ahead of us in its civil rights program, yet the same forces of reaction fight against the principles of fairness and justice and equality in this country today that fought against these same principles in the days of Abraham Lincoln. He was not afraid to fight these forces and neither should we be afraid.

Nevertheless, today we see among us representatives who do not come from the South, but who are afraid to take issue with the southern leadership and to oppose the South on this important issue. We see others who follow the principle so prevalent in these Halls—that it is best in order to get along that you go along. Midwestern Wisconsin citizens will not subscribe to this set of principles.

I charge that the real reason why we are unable to secure enough signatures to the discharge petition to get it out of committee is because the Republican Party in Congress through its leadership has entered into an unholy alliance with the Tory Democrats of the South. I charge that the Republican Party of 1960 is as bankrupt in its idealism, and as corrupt in its principles as was the Democratic Party on the issue of slavery in 1860. I charge that the Republican Party has made a deal with southern Democrats wherein they have guaranteed to support the South in its civil rights stand, in its fight against recognition of fairness and fair play for the colored, in its fight against the equality of man, in return for southern congressional support for those issues and principles that the party bosses of the Republican Party here in Congress want to inflict upon the Nation. I refer to the Republican-sponsored hard-money policy. I refer to the Republican-sponsored high interest rates wherein they are permitting the bankers and financiers of the Nation to drain white with excessive interest charges the small businessman, the farmers, the independent borrower, the homeowner, and all those who in the normal course of events must borrow money from time to time. I refer to those antilabor Republicans who used the Republican Party to inflict the Landrum-Griffin bill on working men and women of this Nation, and who in so doing have emasculated the Wagner Act, which was the Magna Carta of all working people. I refer to the Republican advocate of special interest and special legislation, who desires to use the Republican Party to gain special tax considerations and business advantage, at the expense of the American taxpayer and the other citizens. I refer to the Republican bankers who desire to use the Republican Party machinery to pass such bills as the vault cash bill which gave to the members of the Federal Reserve banks the right to $15 billion of the taxpayers' money without one penny of consideration therefor in the year 1959. I charge that the Republican champions of special legislation and special interest have traded the birthright of their party with the southern Tory Democrats in order that both sets of party bosses may succeed in thwarting the true will of the American people and in order that a minority may rule for the benefit of a minority.

As a 1960 Representative in Congress from Wisconsin; the State where the Republican Party was born in revolt against the injustices and wrongs of slavery, I will not be afraid to speak out against the real faults in our legislative processes and against the real culprits of special interests, privileges and abuses who through conspiracy are able to thwart the will of the American people and thereby succeed in continuing a government, controlled by the minority, for the benefit of the self-interests of the minority.

I say to you that the Republicans in the First District of Wisconsin will stand shoulder to shoulder with me, a 1960 Democrat, in fighting these self-same abuses and wrongs that their grandfathers fought in 1860. Party label does not determine the true worth of man. Principle rises above politics and that which men stand for determine the future of the parties. The Republican Party which the Wisconsin people organized in 1860 has today been taken over by the slothful forces that controlled and dominated the Democratic Party in 1860. The only hope of successfully fighting this issue lies in electing more northern, western and eastern Democrats to Congress so that the 160 Democrats that had the fortitude to sign the discharge petition on civil rights may be increased in number so that there will be an adequate number of Democrats in Congress willing to sign not only the discharge petition on civil rights but willing to break the antiquated rules of the congressional fraternity and to vote to discharge any bill, when it is in the public interest that said bill have a public hearing. It is necessary that we in 1960 elect enough northern, western, and eastern Democrats to Congress to insure a majority, so that we can break the stranglehold which big business and big finance has over the Republican leadership, and so that we can break the stranglehold which big bigots and racial haters have upon the Tory Democratic leadership of the South. It is necessary that we elect northern Democrats who will have the fortitude to lead in the assault on both bigot and bossism, by being the first to sign discharge petitions when said discharge petitions are in the public interest.

It is essential that we elect northern Democrats to the next Congress who have the fortitude of Bob La Follette and who regardless of personal feelings and in spite of personal loss are willing to stand up and be counted in the Halls of Congress when issues such as civil rights are being brought up, and to vote, and speak in the public interest. It is essential that we elect at least 36 additional northern, western, and eastern Democrats to Congress, Democrats who have the strength of their convictions and the willingness to vote in the interest of the people, in order that we may eradicate the domination of American Government by big business and big finances and the domination of American Government by southern prejudices and special legislation. It is necessary that we elect at least 36 additional northern Democrats to Congress, Democrats whose voice will be heard and who will be willing to make their voices heard in order that we can stop the constant assault upon human and civil rights, in order that we can stop the constant assault upon the dignity and composition of the Supreme Court of our land. America is not big enough or strong enough to engage in legislation, as did the Bourbon kings of France, for the benefit of the few with tax money forced by the tax collectors from the pockets of the many. There is far too much reaction, votes in the interest of the privileged few, votes against the public interest in the Halls of Congress by people who pride themselves on voting soundly, because they vote, not the way their conscience dictates to them, but, rather, in the manner that the bosses of their party dictates to them.

Let us remember what Lincoln said at Springfield in 1858:

> As I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this to the extent of the differences is no democracy.

The elections of 1960 will the the 100th centennial of the election that elevated "Honest Abe" to the Presidency of the United States. He feared not to fight the fight for the right. He feared not stepping upon the toes of those who disagreed with him. He subscribed not to the principle that if one would "get along" he must "go along." He feared not the party bosses or the political bosses of his day. He feared not the men who would become the master of his soul. He dared to fight against oppression in places where oppressions occur. He dared to fight for the right when that fight was necessary. He dared to believe that a Nation divided on basic principle could not stand and grow and prosper and become a strong Nation. He taught us that it is proper to fight to stamp out oppression and to fight for such things as civil rights even though the fight was fretted with some danger and peril rather than to be willing to live side by side with it. He taught us that it was right to take the power of government away from those who abused that power for their special privilege or interest, or who used that power to oppress other human beings. Let us remember the words of Lincoln in Independence Hall, in 1861, when he said:

> I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence. I have often pondered over the dangers which were incurred by the men who assembled here and framed and adopted the Declaration of Independence * * * but if this country cannot be saved without giving up principle, I am happy to say, I would rather be assassinated on this spot than surrender to it. * * * This is what I am willing to live by, and if it be the pleasure of Almighty God—to die by.

The issue of civil rights abridges political rights because political rights spring from man, whereas the right of freedom and equality, fraternity, and liberty spring from God and is part and parcel

of the essence of human dignity. I am proud and happy to have the opportunity in these hallowed halls of Congress to participate in the fight against those evil forces of greed, avarice, and hate, which sponsor the theory that man whose skin is black may be denied equality in this, the greatest, Nation under the roof of heaven, with men whose skin is white or any other color. I am equally happy and indeed it is the realization of a lifelong ambition to be privileged in these same hallowed halls in this 86th Congress to fight those forces of reaction which today dominate the Republican Party and which have stolen from the Republican Party the idealism and principles which were infused into that party by its founding fathers at Rippon, Wis., in 1856. I am eager to fight those fatcats of greed, avarice, and special privilege who have been using and today are using the machinery of the Republican Party to secure special advantage and consideration for those, whose large contributions to that party make possible a continuation of that which I complain. I refer in particular to passage of legislation such as the Vault Cash bill in 1959, and to the principles of "hard money" and high interest rates, to which the Republican Party is principally dedicated through those leaders who dominate and control it. I call upon the citizens of this country, upon the honest, God-fearing men and women of all classes, to do in 1960 what the same type of God-fearing men and women did in 1860; to wit, to leave the party of their fathers and join hands with the northern Democrats in the only political group currently upon the American scene with the ability and willingness to fight the forces of special interest, special legislation, greed, hate, and avarice that dominate both the Republican Party and the Tory Democratic Party of the South. I call upon these people to elect more northern Democratic Congressmen to Congress in 1960 in order that a true attack may be made upon the archaic rules that bind Congress to the past; rules that make Congress fail to respond to the needs and requirements of the present and the future. I ask for the election of these northern Democrats in order that we may change the rules that permit a committee of Congress to bottle up bills, such as the civil rights bill, which we are discussing here this evening, and to make those needed changes which will be in the interest of all of the people rather than in the interest of the few, or in the special interest of those who contribute heavily to political campaigns. I beseech every Member of this body to recognize that it is the law above that demands passage of a civil rights bill. I ask every Member to give their support to the passage of a bill that will brand the United States the world around as being still the land of liberty and freedom and a land where it may truly be said that all men are not only born equal, but that all men retain that equality throughout their entire life.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Utah.

Mr. KING of Utah. Mr. Speaker, I take the floor of the House at this time to urge consideration of H.R. 8601, the so-called civil rights bill, and to urge the enactment of the same, along with such appropriate amendments pertaining to the appointment of Federal registrars as may be offered.

I stand here, not because I am a member of the Judiciary Committee; nor because the civil rights issue is a flaming issue in my district. On the contrary, my district is made up of persons, 98.5 percent of whom are members of the Caucasian race—probably as high a percentage as that of any other congressional district in the country. I do not stand here, Mr. Speaker, because of any political gain which might be mine from so doing. In fact, I believe it demonstrable that there is not one other Member of this body who would stand to gain less, politically speaking, by taking sides on the issue of civil rights, than I.

I stand here, therefore, because I feel it is right to do so, and for no other reason.

I signed the discharge petition. The record will show that my signature was one of the first—No. 20, I believe—out of some 190 signatures. I am proud of this fact.

To me, Mr. Speaker, the issue here is as basic as democracy itself. Stated simply, it is whether the blessings of democracy are intended for all people, or whether they are intended for those to whom birth has accorded a more favorable social or political position.

Seen in its historical perspective, the enactment of H.R. 8601 is a necessary and inevitable step forward in a long struggle to make democracy in America a living reality.

"Democracy" is the most glorious word in our political lexicon. This word derives from the Greek words "demos," meaning the people, and "kratein," meaning to rule. Democracy is the rule of the people. It is the rule of all the people.

The issue, then, is simply this: When we refer to ours as the "government of the people, by the people, and for the people," do we mean what we say, or do we not mean what we say? The issue is as simple as that.

Let me first of all destroy a historical fallacy which has beclouded our thinking on this subject.

This fallacy is that the winning of the American Revolutionary War marked the end of the battle to enfranchise all Americans. The facts are that the American Revolution marked, not the end, but the beginning of this battle. This debate today, constitutes one of the many skirmishes in that battle, and there will be others.

In 1789 the law was fairly general that only those freeholders who met certain property qualifications were entitled to vote. These constituted about 10 percent of the total while male population. They included no women, and, of course, no slaves.

Moreover, the right to vote itself, insofar as it applied to national offices, was far less significant then than it is today, even to those who enjoyed it.

The voter did not vote directly for the President nor the Vice President, but only for electors who, in turn, made their own independent selection of those men who were to fill these high offices. Moreover, the voter did not vote directly for the Members of the U.S. Senate. The latter were selected by the respective legislatures of the various States.

Students of constitutional law know of the bitter battles which were fought and won, to make possible the enactment of the 13th, 14th, 15th, 17th, and 19th, amendments, and of the evolution of the electoral college and of the party system, all of which have had the effect of broadening the basis of suffrage in the United States, to make the word "democracy" more literal, and more meaningful.

Yet today, we are informed by the President's own Civil Rights Commission that there are large, ugly patches on our Nation's map in which second-class citizenship is enforced by quasi-legal practices and social customs. Entire segments of our population are in effect deprived of the right to vote through subterfuges and legal manipulation.

These practices are morally indefensible in any country, and especially in a country whose roots and foundations are solidly embedded in the rich traditions of fair play and equal rights for all.

If that be true, and no one in this House dares stand up to deny it, then why are we having so much difficulty in getting a majority of the House to sign the discharge petition? I shall leave the answer to that question to the historians, and conclude by calling upon all fairminded Members of this body to do their best to secure the passage of this much-needed bill.

No peroration could improve on the simple words of Edwin Markham, with which words I close:

> The crest and crowning of all good,
> Life's final star, is brotherhood.

STAMP OUT BIGOTRY

Mr. BYRNE of Pennsylvania. Mr. Speaker, the action of the Neo-Nazis in Germany, in defacing synagogues and church buildings makes all right-minded people apprehensive as to whether or not the virus with which Hitler infected Germany has been completely eradicated.

Chancellor Adenauer's statements concerning these outrages and his promise of speedy punishment if those responsible are apprehended have done much to reassure not only the people of Jewish faith, but all others who were shocked and amazed at this rebirth of bigotry and prejudice. However, definite action must be taken now.

It would seem that it is immediately necessary for the West German Government to review the internal situation in West Germany to determine whether or not former Nazi leaders, influential or otherwise, have again resumed activities, and also whether or not any of them have positions of authority, either on the local or national level, or in any civic activities even of a minor nature. It would appear also to be essential to

examine the real objectives of the various political parties in West Germany to ascertain whether they are being directed and influenced by those who have any sympathy for the Nazi philosophy which brought so much misery and suffering to the German people as a whole.

As for the race goons in our own city and elsewhere in the United States, upon detection, prompt action should be taken to meet out swift justice and adequate punishment to them. We cannot tolerate in any degree the introduction into our American way of life the practice of this despicable ideology and bigotry inspiring these depredations and desecrations. Meantime, the police in Philadelphia and elsewhere, I am certain, will diligently patrol the areas surrounding synagogues and churches in order to give maximum protection possible in order to prevent a recurrence of these base incidents.

IMPORTANCE OF CIVIL RIGHTS TO THE U.S. POSITION IN INTERNATIONAL AFFAIRS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, a rather unusual thing happened a few years ago, but very few people seemed to notice or comment upon it. It happened at a news conference held by the then Secretary of State, John Foster Dulles. One of the newsmen seriously asked the Secretary if a certain purely domestic event was going to hurt the conduct of our foreign policy.

The strange aspect of this event is this: that we, today, do not think such a question improper or irrelevant. Yet such a question would surely never, seriously, have been asked in this country before World War II, and I doubt that such a question, even today, crops up very often, if at all, in any other country in the world.

But nobody thought it strange that our Secretary of State should be asked about the integration problem, and specifically about the Little Rock affair. And no one was surprised when the Secretary expressed his concern about the reaction to Little Rock in the foreign press or when he advanced the idea that such incidents hurt the position of the United States in its dealings with other nations.

The fact is—and every thinking person knows this—that we have assumed a position of leadership in the world, that this position carries with it a heavy responsibility, that in occupying this position our national life, our political, social, economic, and cultural behavior, has become an open book. Like it or not, the walls of our house have turned to clear glass. Like it or not, to use a hoary phrase, we are become the cynosure of the world's eyes. Like it or not, we are our own prime exhibit as to the value of the democratic way of life we are fond of preaching to the rest of the world.

The banner we wave before the world has emblazoned upon it one awesome principle: the protection of the rights of the individual. That principle is at the core of the ideology we champion. That is the principle totalitarians detest. You cannot come to a political accommodation on it. Either you are for it or you are against it; there is no halfway about it.

The rest of the world rightly looks to America for guidance in the struggle to achieve and then to protect the rights of the individual. How can we appear to practice one policy abroad and another at home and expect to keep the respect of our friends and those we wish to make our friends?

Discrimination in America costs us something we cannot afford to lose—the good will and trust of all nonwhite countries the world over, and even the respect of other democratic countries like Great Britain and France. Acts of discrimination in this country make us appear unworthy of our position of leadership. They foster in nonwhite peoples a cynical view of all our pronouncements. Such acts oil the anti-American propaganda machinery in the Soviet bloc and of their sympathizers outside the bloc.

We simply cannot hope to win the propaganda war against communism while racial discrimination in the United States exists as a blatant contradiction to the whole theory of democracy. Two-thirds of the world is nonwhite. Two-thirds of the world has suffered from and is reacting to centuries of colonial oppression. Two-thirds of the world is understandably suspicious and skeptical of a white man's offer of assistance and friendship. Every unfortunate racial incident in this country is gleefully swooped upon by the anti-American and antiwhite press of the world and blown up to fantastic propaganda proportions, all to the detriment of our foreign policy.

There is no lack of illustrations for my point. In 1954, after the historic decision of the Supreme Court in the school segregation case, virtually the entire press of Western Europe reacted with enthusiastic approval. Publications usually lukewarm to U.S. policies, or opposed to them, joined in this approval. Among these were the following: In England, the Labor Party's Daily Herald and the highly respected Observer; in France, the neutralist spokesman, Le Monde; in Switzerland, the Tribune de Geneve; in Germany, the influential Stuttgarter Zeitung. Some idea of the ideological impact of that decision is reflected by the fact that papers like L'Humanite, the leading French Communist daily, did not print a single word about it while it was front-page news in practically every non-Communist publication.

That is what happens when we implement our principles. What happens when we flout them? I quote a few paragraphs from a letter by Kenneth Holland, president of the Institute of International Education, published in the New York Times on October 13, 1957:

> The events in Little Rock during the last few weeks have done more to lower the prestige of the United States in the eyes of foreigners than anything that has happened in recent years.
>
> In France, Germany, and now Poland our friends ask, "Is it really true?" Our enemies gloat over our failure to provide basic human rights. Students everywhere ask many questions; older people are sometimes too polite. * * *
>
> Practically every newspaper in Europe has used the photographs and dispatches from Little Rock on the front page. The Communist press has outdone itself in bringing to its readers the story of Little Rock. These papers have never before had such ready-made copy.

CHESTER BOWLES, now a Congressman from Connecticut, returned to this country from a trip abroad immediately after the Little Rock affair and warned America of the particularly harmful blow to U.S. prestige in the Middle East. Reports from Mexico, Japan, South Korea, Egypt, the Sudan, India, Ghana, Sweden, West Germany, Italy, and a host of other countries described the resentment, the consternation, the bitterness, the shock, the contempt with which news of Little Rock was greeted.

The reaction to the reports of such disgraceful American incidents hurts us abroad in at least three ways. First, our own prestige as a nation is hurt. Second, the prestige of the ideology we espouse is hurt. Finally, and just as importantly, the prestige of the foreigners, in or out of power, who stand up as our friends, this too is diminished. What diminishes us, diminishes our cause and our allies.

Our response to this problem must be unequivocal. The President of the United States spoke for us all when he declared:

> Whatever America hopes to bring to pass in the world must first come to pass in the heart of America.

Racial discrimination, discrimination against any minority, must be erased from the American scene, not only for the sake of our own souls, but also for the sake of the future of the world.

Mr. Speaker, under unanimous consent, I include with my remarks an article by the editor of the Christian Science Monitor, Mr. Erwin D. Canham. This article appeared in a special section of the New York Times January 17, 1960. It is entitled "The Rights of Man":

> THE RIGHTS OF MAN
>
> (By Erwin D. Canham)
>
> The acid test of a good society is its respect for the rights of man, of individual man.
>
> The problem of race relations is part of the problem of the rights of man. The society whose members respect and guard the dignity and ineffable worth of individual man is the good society. It would be wonderful if we could banish forever that phrase "race relations," and think solely of human relations: of man's relation to man.
>
> This does not mean that we ignore the fact of race or color in the total human relationship. It has to be taken into account, as one of many elements in the complex pattern of society. It is fortunate that the United States is a nation of many races. As we face and solve the problem of relations between diverse peoples—peoples of different religious and ethnic origins, talents, and cultures—we prepare ourselves for world leadership, for citizenship in a very diverse world. Had we been an isolated and homogeneous people, living in an artificial compartment of congruence, we would have been ill-equipped for life in the world as it is.

Failure to respect the rights of man is the evil influence which poisons any society. It is as harmful when it runs, as it so often does, between white and white, Negro and Negro, Asian and Asian, as it is when it crosses racial lines. It should not be isolated and narrowed to the mere relationship of races, for it is a universal human problem.

For centuries, men almost everywhere failed to respect the rights of women. In some societies, otherwise quite advanced, women have even now not gained their full status as sovereign human individuals. Wives are in some places not yet accorded their legal and human rights. The rights of children are not guaranteed and protected in many societies. Workingmen in many nations have not gained the right to bargain with their employers on just terms. And in all totalitarian societies, which for adventitious reasons may have very good practices in race relations, there are deep and fundamental denials of the rights of man.

Taking the world as a whole, there is more denial of basic human rights between members of a single race than there is between members of different races. Even some newly liberated societies, escaping from ancient bonds, have forged for themselves new fetters of arrogance, greed, and hate.

So let us put the American problem in its true context, and recognize how broad and general is the denial of rights between men. We can solve it better, I am sure, by getting at the wellsprings of hate and prejudice which are not merely interracial. And yet the race problem, narrowly viewed, challenges and threatens the good society in America. It is a historical inheritance, with deep roots. It is not merely sectional. It can spring up in the industrial ghettos of the North viciously, just as it exists in the agrarian society of the South. The difference between North and South is put in a familiar, shrewd observation which is almost a folk saying, "In the South, it doesn't matter how close you get as long as you don't get too high; in the North, it doesn't matter how high you get as long as you don't get too close." The problem of race relations—of human relations—may be much graver in the northern cities in the next decade than it will be in the South.

Hence the problem must be recognized and handled as a national problem, and a problem far transcending color. If it is not solved—and we must recognize both the progress that has been made toward its solution and the very long way we still have to go—the United States cannot be a world leader. We cannot raise a banner to which desperate, disadvantaged, awakening people can repair. We will take our place with the declining societies of the past, and we will fail in our historic mission.

I do not think we will fail. I think we are turning the corner. But the corner we are turning must be that of the recognition of the rights of all men, seen and understood as individuals. What are some of these rights? One is the right to opportunity. The chance to advance one's self, to make one's best contribution to the well-being of humanity—which will also be the best contribution one can make to one's self and to one's loved ones—is a right which must not be denied. Another basic right is the right of choice. Individuals must be free to decide for themselves in what direction they will travel and aspire, what training and education they will seek, provided they can qualify under rules which are applied fairly to all. The right to work, trammeled only by ability, is another basic right. And there are many others.

But no rights are absolute. All are exercised in the framework of the rights of others. Society must make rules. The problem of America is to make sure that its essential rules apply fairly to all. And there are some situations where rights are not absolute and there are no rules, or should be no rules. Here the balancing and moderation of the rights of all can usually be handled only by a decent sense of the fitness of things. It is important to distinguish between interracial or interhuman situations where rights are involved and where rights are not involved. It is as useful to understand what one does not have a right to do as it is to be sure of one's rights. And yet, of course, the battle of justice continues on the positive side for the affirmation and implementation of rights.

Let me be specific. Take housing. There is terrible trouble in many all-white housing developments, just because families have not yet learned the elements of neighborliness and decent living together in respect for the rights of others. The whole neighborhood suffers. A Gresham's law of boorishness, and, indeed, of delinquency and crime, sets in. This is a problem of education, of social work, of strains and stresses and maladjustments which need to be healed.

At base, it is precisely the same problem when it is on an interracial plane. But many have not yet seen it to be the same problem. Many white people still resist the Negro neighbor, only because he is a Negro. And I suppose that some Negroes resist whites, just because they are white. The challenge is deeper than color. It is good neighborliness. And we face the same task of education and of healing, often on both sides.

One of the most profound but simple solutions of an interracial problem was written years ago in the New Yorker, by Robert Nathan. He said that a certain king one day solved the Jewish problem. He simply issued a decree abolishing Jews. Henceforth, in that happy kingdom, there were no more Jews, but only people. And everybody got along as well as people can be expected to get along, which is all we can ask.

In setting the race problem in its broadest context of human relations, I am not seeking to blur the dreadful problem we face, the horrible abuses of which we have been guilty. Failure sooner to recognize and act upon our commitment to the rights of man has laid a taint on our society. But I am persuaded we will not remove the taint merely by coping with a racial problem. If by some miracle we could wipe out all denial of rights between members of different races, we would still be faced by the broader, deeper task. So we must press forward with the single mission of ending all men's inhumanity to all men.

In presenting the problem as that of man's relationship to man, I have stopped one step short of how I should like to describe the real situation. It is really a problem of man's relationship to God. Man's selfhood rests upon his being as the son of the Creator. The rights of man are rights with which he was endowed by God: "Life, liberty, and the pursuit of happiness." However humanistic might be our faith, however agnostic, we can still agree that man's selfhood has within it a transcendent and spiritual validity. And that is enough to raise man's duty to his brother man above the level of materialism, of politics, of passion, to the level of true and eternal social justice. In respecting the rights of man—the rights inherent in all men, everywhere—we are recognizing man's status, to use the religious words, as the image and likeness of God. The fact can be described in perfectly acceptable, but nonreligious terms.

And so the United States, which was founded with the deep insight of men who identified the rights of man, however poorly even they were able to live their ideals, must rise above the forces of evil which now as ever would deny the true place of man. The affirmation and exemplification of the rights of man are the banner, the song, and the evidence by which we who strive for a free society can sweep away the false miasma of totalitarianism. Hate, greed, prejudice, fear are warring for the soul of man at the heart of the free societies, just as they challenge from the launching pads of the police state. They battle for every man's soul within himself. But they can be mastered by knowing and living the rights of man. This is our birthright, imperfectly expressed, imperfectly lived, but ever available and—once lived—ever invincible.

CANAL ZONE INCOME MEETS FOREIGN TRADE DEFICIT

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 10 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, in recent months I have read many statements in the press concerning the Panama Canal but seldom any discussion of the economic problems involved in the operation of one of the greatest transportation projects in the world.

Thus I noted with particular interest an informative news story in the December 26, 1959, issue of the Baltimore (Md.) Evening Sun which presents important information of economic angles. It shows that Panama receives more than $71 million annually from Canal Zone sources, which is $12 million more than the annual budget of that republic. As to the foreign trade of Panama, it points out that imports in 1958 were $92,800,000 as compared to exports of $21,200,000—a deficit made up by income from Canal Zone sources.

The indicated news story follows:

CANAL PAYS PANAMA 12 MILLION MORE THAN ITS ANNUAL BUDGET

PANAMA, December 26.—Twenty-seven ships laden with freight and passengers are lifted and lowered 85 feet from one ocean to another on a daily average. Fifty million tons of cargo go out through the Panama Canal's locks between the Atlantic and the Pacific every year.

That is what the shortcut waterway means in trade 45 years after its building.

What does it mean to Panama? What more does Panama want?

In money the U.S.-operated Canal Zone means more than $71 million yearly to the country it divides. This is some $12 million more than the national budget. It makes up Panama's own foreign trade deficit, the difference between what it sells and what it busy.

WANT MORE MONEY

Yet some of Panama's million poverty-stricken inhabitants are unhappy. They want more money from the "colossus of the north" in return for use of the strip 10 miles wide across their country. Most of all, they say, they want their flag to fly over it.

Panamanians feel their sovereign rights were sold out to the United States by the French engineer, Philippe Bunau-Varilla, when the fledgling government of Panama sent him to Washington in 1903 to sign a treaty with Secretary of State John Hay.

The United States in its urge to build the canal had encouraged Panama to cut off from Colombia. French private interests

having failed at the loss of 22,000 men to dig a big ditch across the isthmus. The United States bought their property and rights for $40 million in 1904.

RIGHT TO GOVERN ZONE

The treaty Bunau-Varilla signed granted the United States the right to govern the zone for all time "as if it were sovereign." Panamanians say Bunau-Varilla did it to get back some of the money the French had sunk in the swamp jungles.

The United States paid the infant Republic $10 million outright and began paying a yearly rent of $230,000. It finished the lock-type canal in 10 years at a cost of $425 million. At the same time, it made tropical Panama a healthy place to live.

Exercising sovereign rights through the Canal Zone Government and operating the waterway through the Panama Canal Company, the United States signed further treaties with Panama in 1936 and 1955. These, among other things, granted certain commercial concessions to this rapidly growing country.

TWENTY-FOUR MILLION DOLLARS A YEAR

Canal Zone authorities say direct benefits to Panama now amount to $24,600,000 a year. This is paid in wages to 16,000 Panamanians who work in the zone, in contracts for construction and services, for food, and supplies.

In addition, they estimate that $47 million are pumped into the economy of Panama through the payrolls and purchases of other U.S. agencies, the spending of Canal Zone families, and the U.S. Armed Forces on guard over the canal, disability relief payments to former employees, and the spending of U.S. tourists.

This compares with the Panama Government's budget for 1959 of approximately $58 million. The total equals the deficit between Panama's imports of $92,800,000 in 1958 and its exports of about $21,200,000, mainly of bananas, shrimp, and cocoa beans.

LIVE LARGELY OFF CANAL

U.S. authorities say that Panama thus lives largely off the canal. Yet many Panamanians resent the 11,000 Americans who live and work in the zone, look enviously at the way they live. They think much of the money finds its way into the wealth of the first families who form one of Latin America's last remaining oligarchies.

They resent different wage scales for Panamanian and U.S. employees of the canal. Authorities say the wages of Panamanian employees in the zone run from 20 to 150 percent higher than in Panama, where only now a minimum wage of 40 cents an hour is under consideration.

A U.S. agreement that the zone would buy food and supplies from Panama if feasible is interpreted differently on opposite sides of the boundary. Panamanians seem to feel that "feasible" means "available." Americans say products available in Panama are not always up to the quality zone residents want.

WANT ONE-HALF OF REVENUE

Some Panamanian politicians are demanding half of the gross revenue from the canal tolls, which was $83,100,000 in 1958. The net revenue last year was $2,700,000. Panama has been collecting a rent of $1,930,000 yearly since 1955.

Throughout its 45 years, the canal's tolls have remained the same. Some Panamanians propose an increase to provide more money for Panama. Canal authorities, on the other hand, say their aim is to serve shipping of the world on the most economic basis possible.

"The canal still plays a role in Uncle Sam's defense picture but modern war techniques have diminished its importance for the movement of combat vesels," says Maj. Gen. William E. Potter, the zone's Governor. "Its primary mission is in the world trade, providing safe and expeditious transit for vessels of all nations from one ocean to another."

EMPTINESS OF THE DEMOCRATIC ARSENAL

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MEADER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MEADER. Mr. Speaker, some may have failed to perceive that the intemperate, extravagant, adjectival characterizations filling the air at the Sheraton Park rally Saturday last revealed the pitiful emptiness of the Democratic arsenal of weapons for political debate in 1960.

The solid achievements of the Eisenhower administration: the preservation of economic freedom in an era of abundance and the maintenance of peace without ignominious concessions are unassailable. This was the admission Democrats made Saturday by resorting to the only attack left them—invective and epithet.

"Juvenile delinquent," "neglect and indecision," "8 gray years," "stagnation in our national morality and character," "slickers," were stinkbombs which little men hurled at the wall of the Eisenhower record. The wall was undamaged but the throwers were drenched in the odor.

The thinking citizen, to whom we all must appeal, will be driven to the Republican standard by such advertising gimmicks, catchwords, and character assassinations.

RAILROAD EMPLOYMENT

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I would like to call to the attention of the Members of Congress, and the general public, the remarks of S. C. Phillips, assistant president of the Brotherhood of Locomotive Firemen and Enginemen, made January 15, 1960, at the railroad workers rally held in Milwaukee, Wis.

I feel the remarks of Mr. Phillips merit the reading and attention of our colleagues.

The remarks follow:

REMARKS OF S. C. PHILLIPS, ASSISTANT PRESIDENT, BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, AT THE RAILROAD WORKERS RALLY, MILWAUKEE, WIS., JANUARY 15, 1960

Mr. Chairman, sisters and brothers, it is indeed a privilege to be here on this auspicious occasion. I feel honored to have been asked to share this platform with outstanding representatives of labor and government as are here this evening and to take part in this meeting of railroad workers whose very presence here tonight indicates a burning desire on their part to defend the good name of railroad labor.

I was on the stage of the Chicago rally last November but little did I think then I would appear as a speaker at a similar rally 2 months hence. Let me say that the committee which has made all the arrangements for this very successful meeting is indeed to be congratulated for the fine work they have done in preparation for this gathering.

The spirit generated in Chicago inspired this meeting tonight. I know the spirit and determination in evidence here in Milwaukee will set off a spark in other communities where railroad workers want to tell the Nation that they are not featherbedders; that they are not economic drags on a supposedly sick industry, but rather are dedicated, unselfish, forthright workers who serve our country 24 hours a day, 7 days a week.

I keep remembering the Chicago rally. You know President Meany of the AFL–CIO was with us that night and he drew a clear parallel between the situation in the steel industry and the issues which have been raised in the railroad industry. Although the steel strike has been settled the parallels hold true and bear repeating.

When two major industries—railroads and steel—follow the same course of employee abuse through paid advertisements we have to assume that there is some basic plan in the background or underground.

The steel industry kept raising its prices every time wages were increased to impress on the public mind that high prices went hand in hand with higher wages. Nothing was said about record corporation profits as a cause of inflation.

In our own industry the railroad presidents went to Congress with their hats in their hands to plead for relief because the railroads were supposed to be one step from bankruptcy. They wangled public sympathy and enough of a nod from Congress to start wrecking passenger service. Once they had the help of the Smathers bill, the railroad corporations kept the ball rolling and tried to channel public sympathy for railroads in a negative way toward the employees. The great featherbedding campaign got under way.

Much was said in the recent steel dispute about featherbedding. Newspaper readers were subjected to the same type of advertising against steel workers as are the featherbedding ads of the railroads.

But just 10 days ago a big bubble burst in Washington. The featherbedding bubble of the steel magnates turned out to be vulnerable to the sharp eyes of public opinion. And when it burst, did anyone find a list of featherbedding abuses by employees? No, they did not. As a matter of fact, there wasn't anything in it but hot air—all the hot air that the Madison Avenue peddlers of deceit have been throwing at the citizens of this country for nearly a year.

The railroads featherbedding bubble is made of the same material, and contains the same ingredient—Madison Avenue hot air.

You know they used to say that no one wins in a strike. That used to be true until the advertising boys got a foot in the door. The companies lose profits and customers, workers lose wages and savings, but the ad agencies collect their fees. If there's an increase in steel prices it won't be to pay for the wage increase given the steelworkers. No, steelbuyers will be paying the advertising bills of the steel companies.

As many of you know, I have been in railroading for a good many years and for more than 40 years I have been an active rail unionist. I started out as a fireman, became an engineer and still hold seniority

as such on the western division of the Southern Pacific, Pacific Lines, at Oakland, Calif.

It may surprise some of you younger men here tonight but 40 years ago the railroads were complaining about the same things they complain about today. True, Madison Avenue probably had brownstone houses instead of ad agencies in the 1920's, but the railroads used other less expensive means to complain about the mileage basis of pay, safety regulations which we fought to bring about, and all the other items that railroad corporations lump together and call featherbedding.

To be honest, we didn't have too much 40 years ago compared to today, but even then the railroads thought what we did have constituted featherbedding.

It's the same old tune played over and over again. I will say, however, that in all my years of railroading, I have never seen as vicious, as misleading, or as false a campaign against railroad workers as the one which the railroad managements of this country are now conducting.

What is behind this campaign? The most obvious answer, of course, is that a 3-year moratorium on changes in wages and working conditions on the railroads expired November 1, 1959. When Dan Loomis, as spokesman for the railroads, launched this campaign last February in a speech in St. Louis, he and the industry were already starting to set the stage for the then forthcoming negotiations. In this connection, the aim of the campaign is to try to create an atmosphere which would give the railroads a psychological advantage in collective bargaining.

However, the railroads also have other motives, less obvious, in undertaking this massive effort to brainwash the American people.

It is important to remember that under the Railway Labor Act, every major dispute that cannot be resolved between the workers and management eventually goes before a Presidential Emergency Board which issues a report on the facts and recommends what it regards as a fair settlement. A major purpose of the railroads in their current propaganda campaign is to brainwash all potential referees and arbitrators, as well as the general public, to such an extent that it will be impossible for railroad workers to secure a fair and equitable report and recommendations from such a board.

Coupled with their charges of "featherbedding" is the steady propaganda line that the railroads are in a bad state of economic health, that they are now unable to compete with other forms of transport, and that they must have Government help in order to survive.

They have done a good job in creating in the public's mind an equally false notion that the railroads of this Nation are near bankruptcy. This, of course, also is helpful to them in their bargaining position, but it is, I believe, of even more value to the railroads in their lobbying and legislative efforts to win tax concessions, exemptions from regulatory measures, and other special favors.

Before I turn to the specific issue of featherbedding, therefore, I want to briefly touch upon this related question of the present state of health of the railroad industry. The truth, here, too, is quite different from what the railroads would have the public believe. Although the railroads are crying "wolf," the fact is that they are today in sounder financial shape than at any prior time in their history.

Moreover, railroad companies today are still the largest and most important carriers in the transportation field, and they are still the most profitable of any form of transport. They realize a margin on gross revenues that is two to three times larger than those of the domestic airlines and trucklines, and their margin also is more favorable than that of inland waterway shipping.

Let us also compare the railroads' present earnings with past profits. In the period from 1921, when the Government relinquished its wartime control and operations, through 1958, the average annual net earnings of the railroads was $499 million a year. In 1958, which the railroads called a very bad year and which was a recession year for all American industry, the railroads nevertheless reported a net income, after taxes and all expenses, of $602 million. In addition, they took another $600 million out of their operating revenues and placed it in their capital account for "depreciation," which they are able to utilize in any way they see fit.

These are the official Interstate Commerce Commission statistics for the industry as a whole, and I defy anyone to show that they support in any way the carriers' propaganda that they are going bankrupt.

The charge of featherbedding is being made against railroad workers with the primary intent of taking away from the workers a major share of their present income. The carriers have set the amount involved at half a billion dollars a year, and while they say that the public is paying this cost, I want to point out that the railroads have indicated no intention of reducing their rates to the public by this amount, if they succeed in cutting the pay of their workers.

Strangely enough, throughout their propaganda campaign, the railroads never have given the public a breakdown of how they arrived at their figure of $500 million as the alleged cost of featherbedding. Although this figure has no foundation in fact, newspaper writers and others have been repeating it without question until it has probably become the most widely disseminated of modern myths.

On last November 2, however, the date arrived for the carriers to make public just what changes they had in mind in the present working rules which supposedly will eliminate this fantastic amount of alleged waste and at the same time, according to their propaganda, will halt what they refer to as "the needless destruction of jobs in the railroad industry. Now that they have served notices we can determine the strange arithmetic by which the industry's propagandists have arrived at this fantastic figure.

First, say the railroads, more than $200 million of this total is made up of the wages now paid to firemen in freight and yard service, whom the railroads want to eliminate. Passing over for the moment the completely unrealistic—and dangerous—nature of this proposal, I am unable to understand how the destruction of jobs in the railroad industry is halted by a proposal to eliminate many thousands of jobs now in existence.

Next, the railroads say that they would save $150 million a year by revising the so-called dual basis of pay for train service employees. This is nothing other than a proposal to cut the present piece rate earnings of these employes by this amount. It is a pay cut proposal, pure and simple.

Another $100 million of the figure is attributed to the wages now paid to other workers who, the railroads say, fill "useless crew positions on trains". Presumably, these are primarily brakemen, although the railroads have not spelled this out in any detail. I shall explain later just how fantastic and dangerous this proposal to eliminate these jobs is in the light of the realities of present-day railroading, but once again I must ask, how do you stop the needless destruction of jobs by further destroying them?

Finally, the railroads say that $50 million of their figure represents the money railroads pay out because of "full crew" laws and other safety statutes in 23 States. Those laws were enacted because the people of those States, speaking through their elected representatives, determined, under our democratic processes, that the railroads could not be relied upon without such legislation to take adequate safety precautions to protect the interests of the traveling public and railroad employees alike.

This breakdown of the railroads' phony $500 million figure for the cost of alleged "featherbedding," on its very face, reveals just how tenuous and misleading the industry's propaganda claim has been. Look at the facts about railroad operations, which lead all practical railroad operating men to vigorously oppose the proposed changes in the work rules which the carriers have called for.

In the first place, of the present 800,000 workers in the railroad industry in the United States, only 200,000 workers are employed in these so-called operating positions. Of that total, approximately half are engaged in yard service and are paid on an hourly basis, so that the so-called dual basis of pay, which is the basis of the railroad's "featherbedding" propaganda, applies only to about 100,000 train and engine service employees who are engaged in so-called road service and are required to work under conditions which are not present in any other industry.

The minimum train crew in road freight service is only five men—an engineer, a fireman, a conductor, and two brakemen. This has been the standard minimum crew for considerably over 40 years, and it hasn't increased today despite the fact that trains are many times longer, heavier, faster, and potentially more destructive of job opportunities than ever before.

The pay system by which road operating workers are compensated is a piece rate incentive system, where the unit of pay is the miles run. One hundred miles is merely a unit of work for which a unit of pay is received.

When you consider how much greater is the responsibility of these railroadmen, upon whom depends the safety of equipment and lading worth several million dollars per average train plus the lives and security of many passengers, it is clear that the 100-mile measure used to pay operating employees clearly is not intended to represent a day's work in the usual sense, but rather is only a unit of work.

The railroads now propose to run their crews 160 miles for less money they now pay for 100 miles. In other words, they are asking these employees to take a pay cut of more than 60 percent for the work to be performed.

It might be well to point out here that the railroads charge shippers and passengers on a basis of per mile carried. That is why the dual basis of pay was put into effect at the insistence of management because it relates wage costs directly to operating income. Despite all their propaganda, there is no evidence that increased train speeds and other factors will ever mean any substantial reduction in freight rates or passenger fares. Since living costs generally are rising, it's more likely that both will be increased.

As a matter of fact, they would already have gone up more if the railroads in recent years had not been the beneficiaries of the greatest increase in productivity among their employees of any industry. In the past decade, the productivity of railroad labor has soared an amazing 100 percent—and it has been rising in recent years at a steadily increasing rate, faster than in any manufacturing industry.

The carriers argue that higher train speeds, because of dieselization, make present day

scales archaic. But in 1946, before the U.S. roads turned to diesel power in freight service, the average train speed was only two miles per hour less than the average freight train speed of 18.9 miles per hour in 1958. Steam engines could move just as fast as Diesels, but it took more engines and more crew members and that's where productivity tells the real story.

A 100-car freight train with two to four steam engines had a crew for each engine. Now one engineer and one fireman are responsible for any number of diesel units operating in multiple and they can, and do, run as high as 9 and 10 units hauling trains of 200 to 300 cars.

In any piece rate system, there are always some operations which pay comparatively high wages, and when the railroads in their propaganda cite runs where they claim two so-called "days' pay" is being earned in a few hours they are referring to these exceptional and infrequent "Red Apple" runs.

Such runs are held by less than one percent of all railroad employees, and they are held only by employees who have worked up the seniority ladder step by step by putting in 25 to 30 years or more of service under conditions and pay rates which are decidedly sub-standard in terms of modern industrial wage scales and working practices. For every example which the railroads cite as "featherbedding," there are scores of instances at the other end of the pay structure where the employees are clearly grossly underpaid.

As a matter of fact, if the railroads were to go on a straight time basis similar to that in other industries, they would, on the basis of 1957 employment, have to pay out some $647 million a year more to their employees than they actually did. That, let me point out, means that any fair and equitable adjustment of the dual basis of pay system to modern industrial standards would cost the railroads well over $100 million more than their alleged $500 million cost of "featherbedding."

Let me point out that, under their present pay system, most of the overtime worked by railroad employees in road service is paid for at the straight-time rate, and working days of as much as 16 hours at the straight time rates are not at all uncommon. In addition, these employees get no night-shift differentials and no premium pay for Sunday and holiday work. They do not get paid for the time they must spend in regular service away from home at the far terminal, and in no instance do they receive allowance for their "away from home" expenses while they are waiting to make the homeward run. Under such conditions, it is clear that the compensation even on the higher paid runs cited by the railroads quickly evaporates.

When the railroads talk about modernizing the working rules for the operating employees in road service, of course, they aren't proposing adjustments of this kind. All that they really mean, we now know, is that they want to preserve these conditions but make their employees perform 60 percent more work for less pay.

To offset this clearly unbearable loss in take-home pay, the railroads also are advancing another proposal involving the mileage ceilings of engine crews. At present the average crew operates between 4,000 and 4,800 miles per month in passenger service and between 3,200 and 3,800 miles per month in freight service.

What would this proposed rules change really mean? Frankly, it would place thousands of enginemen out of work, while a few high-seniority men would be allowed to make higher overall earnings, but at a great increase in their total working hours. Here a safety factor enters, because higher speed trains mean greater strain upon the enginemen and consequently greater fatigue. Instead of lengthening hours as train speeds rise, the requirements of safety demand that the total be steadily reduced.

A third rules change which has been asked by the railroads involves the location of terminal points. Railroad management is asking for authority to establish and relocate existing terminal points at its own discretion. On the surface, such a proposal may not seem too significant, but let's look at some of its implications.

What is involved here is literally the creation of ghost towns in many areas and the destruction of billions of dollars in property values with no appreciable advantages to the railroads. Railroad communities, and there are many of them, depend almost solely upon the men and women who work and live there. If income among railroad workers drops or disappears, all of the business establishments in these communities suffer.

Whenever one of these terminal points is moved, a great economic and social upheaval occurs for the people involved. Engine and train crewmen, who have usually purchased homes in these communities, must move in order to preserve their jobs and their source of income. Dispatchers, yardmen, shopmen, and clerks must follow. These railroad families, whose life savings have been invested in homes near the abolished terminal point, thus find much of their equity wiped out because they must try to dispose of them at a time when the market has completely vanished. With the departure of these railroad families goes the reason many towns have for existing. Schools, recreational facilities, municipal buildings—all erected at a considerable cost by the community—stand empty and unused, and these once prosperous communities plunge into decline. The economic loss is made all the more tragic by the uprooting of the lives of good citizens, whose roots and friendships are in the communities which the railroad wants the unilateral right to abolish.

Also involved in this proposal is the seniority protection of the men who operate from one division point to another. The carriers seek to disrupt the seniority that years of faithful service has gained for those who have spent 5, 10, 20, and even 30 and more years in the industry.

There's a human element in every industry and business and I think we too often mistake production, automation, and technological progress as controlling factors in life rather than relate them to the overall concept of human values. We have human needs, human desires, and human rights. Machines should not supersede those things nor should they control our outlook on life. Machines should work for humanity.

A certain amount of specialization exists in the railroad industry. The shopmen know their jobs well, as do switchmen, brakemen, conductors, firemen, and engineers.

Another type of specialization is found in the difference between yard and road assignments among engine and traincrews. It is one thing for an engineer and his fireman to know the intricate switching assignments of a huge yard and another to know the roadbed, track curvature, and grade, and other requirements of a road assignment. The same is applicable to trainmen and yard switchmen. Their jobs demand distinct knowledge and skill which provides for safe and efficient operation.

A yard crew cannot be seriously expected to take a long freight train over tracks foreign to them. Nor can a road crew coming off a run be expected to perform yard switching in surroundings and conditions dangerously unfamiliar to them.

It's something like a railroad vice president of personnel being asked to spend the last 2 hours of his day as superintendent of the electrical shop. He'd be a hazard.

The coming of diesels to the railroads brought an end to an era that most railroaders recall with a feeling of nostalgia. The puffing steam engines created a lot of smoke and soot, but they had a special charm no one could deny. Aboard these engines the locomotive firemen fed the "iron hog" for nearly a century. First they used wood. Then came coal and later there were the automatic stokers that eliminated most of the coal shoveling even though coal was still used as fuel.

Dieselization brought an end to the great old "puffers" and their stimulating whistle became a thing of the past. The fireman, however, did not fade into history. Instead, he exchanged his coal shovel and knowledge of automatic stokers for a new set of work tools. These tools were diesel engine trouble-shooting books, a working knowledge of the great new power that uses oil to generate electricity.

His name didn't change—probably because of his proud tradition—but his duties in many respects became more complicated and certainly more important. The fireman retained his regular work as safety lookout on the left side of the cab and his duties in assisting the engineer and training to be an engineer himself one day. To those he added the responsibility of supervising the power-producing units of any number of diesel units operating in multiple as one locomotive.

Perhaps you already know that when a train is in operation, engine malfunctions cause warning signals to light up in the locomotive cab. It is the fireman who first of all has the responsibility and secondly the skill to investigate these trouble calls, locate the disorder and if possible restore the unit to operating conditions without interfering with the continuous operation of the train.

He's readily available when and if an engineer becomes incapacitated, and no matter what grandiose claims are made about the dead-man's control there is no better safety device than the engineer and his fireman working as a team. I might add that those are the sentiments of many top railroad officials, as well as railroad operating workers without exception.

None of the automatic devices introduced in railroading makes the fireman obsolete, because he is one employee who is responsible for checking and supervising the power production of the technological device involved—the diesel engine.

In summary, the locomotive fireman is indispensable to railroad safety, to the proper and efficient operation of trains, and he is needed to provide the supply of new workers undergoing training to become locomotive engineers.

Just as railroad management is ignoring all of the demands of safety in its reckless proposal to remove firemen from freight and yard service operations, it is similarly irresponsible in its effort to eliminate what Mr. Loomis has referred to as the "brakeman who handles no brakes on power-brake-equipped freight trains."

It just happens that the Interstate Commerce Commission regularly reports casualties to employees of the railroads in many subclassifications and among them is one involving the accidents sustained in the "operation of handbrakes." If brakemen are handling no brakes, as Mr. Loomis alleges, how then did it happen that in 1954 there were 3 train servicemen killed and 688 injured (and disabled for more than 3 days) in the operation of handbrakes? In 1955, 6 were killed and 793 injured in the operation of handbrakes. In 1956, there were 5 killed and 863 injured in the operation of handbrakes. More than 12 percent of all casualties to brakemen in those 3 years occurred in the operation of those handbrakes that have supposedly vanished.

Brakemen not only are clearly performing an important and dangerous function, but the steady increase in their casualty rate shows that the need for an adequate number in the interests of safety is increasing, and not diminishing as railroad management contends.

Similar to management's proposal to eliminate firemen is its demand that it have the sole right to determine the use of conductors, brakemen, and engineers.

There is a popular conception circulating in management circles that the managers of an industry must have the exclusive right to decide when and where employees will be used. This greater flexibility, they say, will enable the industry to receive full benefit of automated techniques.

Let's look at that proposition in the case of the railroad industry. It, too, wants to decide when and where it can use employees. Employees have their rights, too, and have the power and right to protect themselves against unwise management encroachment.

But consider another aspect. The railroad industry has demonstrated over the years an inability to provide safe, efficient operation without the guidance of Government agencies and the checkrein influences of our labor organizations. Insurance companies still classify railroad operating work as hazardous and charge considerably higher rates on these job classifications.

It was the railroad brotherhoods that fought for and helped bring about every safety regulation and device we now take for granted on the railroads. These include even such basic requirements as electric headlights, automatic car couplers, locomotive inspection, and even the entire signal system in use in this country. Labor's efforts to improve railroad safety have always been bitterly opposed by railroad management at every turn.

That situation is still true today. Over 2 years ago we asked management to work with us in setting up a joint labor-management safety committee to try to halt the steady rise in railroad accidents that has been taking place. We could not secure the railroads' cooperation, and therefore the organizations set up a safety committee of their own.

Safety legislation inaugurated by the rail unions or in support of Interstate Commerce Commission actions in this respect invariably gets the tag of "make work" legislation or "legalized featherbedding" pinned on it by rail management.

Kenneth Tuggle, Chairman of the ICC, however, has defended such legislation as necessary to employee and public safety and says it does not in any manner have the purpose of creating jobs.

Historically, the financial interests that control our railroads have always placed profit above safety, and that is what they are doing now in their present featherbedding campaign.

Given the prerogative to assign crews at its own discretion, railroad management most assuredly would follow its past attempts to milk as much work from the least number of employees possible without regard to safe operation and efficient service to shippers and the traveling public.

Yes, my friends, the railroads say they are going to modernize once they can clear the tracks of all the featherbedding. But look at the definition the railroads give to the word "modern."

To the financiers modern railroading means less employees and fewer trains serving less customers and fewer communities. You can see the philosophy of retrenchment in the demands that have been served on us. Four major objectives are hidden in the legal prose of the slide-rule artists that concocted them.

First of all, the proposals place 350,000 railroad jobs in jeopardy. Our friend, Dan Loomis, disputes this figure as untrue but then goes on to say that some jobs are involved. Well, if 350,000 jobs are not on the line, I hope Mr. Loomis can tell us how many are. If he reads his own proposals he'll note that he's asking that two men be dropped from every train and yard crew. Elimination of terminals eliminates the jobs of the nonoperating employees at those terminals. Throwing out the mileage regulations cuts the operating personnel even more as does the destruction of the demarcation line between yard and road work. Mr. Loomis may deny it, but we stand on our statement. The demands of the railroads would cut the railroad work force by 350,000 men and women. The attendant impact on the economy and the national defense is a question for Mr. Loomis to answer.

I have already mentioned that the railroads seek elimination of terminals. This proposal represents a very real threat to the prosperity of 2,000 to 3,000 communities that are either totally or partially dependent on railroad wages.

These rule changes have a direct bearing on our paychecks. The railroads aren't publicizing the fact but taken together the wage and rules demands of the carriers, if put into effect, would wipe out 12 years of wage increases for operating employees.

An example of this is the engineer in passenger service who was paid an average of $11.83 for 100 miles in 1948. The carriers now propose that the same engineer be paid $11.48 for running 160 miles in 1960.

Maybe you already know that the year 1948 is one of the years used as the base for the Consumer Price Index—the cost-of-living index. Since 1949 the index has increased 25.6 percent and that increase came over the same period that the carriers now want to subtract from wage history. It sounds ridiculous in the light of the steel settlement, but it's in black and white, friends, and the railroads have pulled out all stops to get what they want.

The fourth item in the notices which might not be discernible at first glance is best represented by the phrase "management shall have the unrestricted right." This phrase is the crux of issue and appears more than a few times in the notices. What does it mean? It simply means that management wants the authority to write, enforce, and abolish the rules under which we will work. In other words, management wants the right to tear up a union contract when the worker is getting too much of a break.

These four objectives represent the purpose for the million-dollar campaign against rail employees.

Incidentally, the carriers' very pious claim that it's the rules not the workers that they are attacking is refuted in the four objectives. The only way you can take a job away from a man and then tell him that he is not being affected is through the use of doubletalk, and we are dealing with masters of that art.

We who work in the railroad industry have unlimited faith in its future. We know just how far more efficient a form of transportation the railroads could be if they were only properly used. We would like to work with management toward that end, because we believe that jobs in the industry can best be preserved, not by seeking to destroy safety standards, but by doing constantly better the transportation job which only the railroads are equipped to do.

As a result, railroad labor in this country has never fought the introduction of labor-saving devices when they have contributed to more efficient—and safe—railroading. The unmatched productivity increase among workers in the railroad industry is ample testimony to this fact.

Railroad management should settle disagreements with its workers in the traditional way—at the bargaining table and not in propaganda campaigns in the public press.

We hope such an era of labor-management cooperation on the railroads is in the offing.

In closing it seems fitting and apropos to quote for you a statement of Chairman G. E. Leighty on the steel settlement:

"All of American labor owes a debt of gratitude to the members of the United Steelworkers for their firm stand in defense of safe, sanitary, and humane working conditions in the face of the industry's demand that existing agreements be wiped out and these matters left exclusively to management.

"The preservation of work rules in the steel industry is, of course, a matter of particular interest to railroad workers, who are now confronted with a similar campaign of unprecedented intensity by railroad management which seeks to wipe out rules which are designed to protect the safety of both railroad employees and the traveling public against the steadily increasing hazards of railroading. The costly strike which steel management forced upon its employees over this issue should be an indication to railroad management that neither American workers nor the American public in general will ever permit a return to the jungle days of railroad operations when management, and management alone, was the sole judge of what constituted proper and safe working and operating conditions.

"The settlement of the steel dispute conclusively proves that management's contention that protective work rules are equivalent to featherbedding is completely unfounded. Moreover, the victory of labor in the steel industry shows that management cannot win its current ill-advised efforts to set back the clock of industrial relations through a return to arbitrary management rule in place of mutually agreed upon rules governing conditions of employment.

"Railroad workers, like their brothers in the steel industry, intend to do all in their power to insure to the American people that our industry will not be the one which opens the breach for an assault by reactionary managements upon the democratic processes of collective bargaining and the protective labor standards which have come to symbolize a large part of the American way of life.

"Likewise, while we do not regard the wage gains won in the steel industry as necessarily setting a pattern for all others to follow, we do point out that these advances emphasize the lag which has taken place in the wages of railroad workers in recent years and make our pending modest demands all the more reasonable. At the same time they make the railroads' insistence that their employees—who lead all other workers in the Nation in increased productivity—take a 15-cent hourly pay cut fantastic, unrealistic and completely ridiculous."

Your kind attention and indulgence has been appreciated and for which I thank you very much.

CIVIL RIGHTS

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DINGELL. Mr. Speaker, America is at another crisis in the field of civil rights. The civil rights bill, H.R. 8601, which offers significant opportunity for

advancement in the field of human rights, lies dormant in the House Rules Committee blocked by a coalition of Republicans and Southern Democrats. Three Republican votes, which can be easily gotten in support of this administration measure by either the Republican minority leader or by the President, are not forthcoming for want of action by either the minority leadership or by the White House.

The other method of bringing this legislation to the floor is a discharge petition filed and sponsored by the Honorable EMANUEL CELLER, chairman of the House Judiciary Committee, and by the Democratic study group.

According to reports in the press this discharge petition which will bring the civil rights bill, H.R. 8601, to the floor has approximately 175 signatures of which less than 30 are those of Republicans.

In order to bring civil rights legislation to the floor, Members of this House must drop partisanship and join in the signing of this discharge petition. Floor consideration of this matter is so near and so easy to achieve if our Republican colleagues will but join us in this drive to protect the rights of everyone.

Failure to secure the required 219 signatures will also prevent any strengthening amendments being offered to the bill, such as the provisions of my bill to establish a system of Federal registrars to guarantee all citizens the right to vote, and my bill to authorize the Attorney General to institute civil injunctive proceedings to protect all civil rights of all persons and not just voting rights as authorized by the 1957 act.

H.R. 8601, THE CIVIL RIGHTS BILL

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. ADDONIZIO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, I am pleased to raise my voice with my Democratic colleagues in support of prompt action on H.R. 8601, the civil rights bill. The overwhelming majority of the American people believe in equal rights and equal opportunities for all citizens. They are opposed to second-class economic or political citizenship for racial, ethnic or religious reasons. Although some progress in the field of civil rights was made during the past 2 years, there is unmistakable evidence that the Civil Rights Act of 1957 needs to be reinforced. The bill reported by the House Judiciary Committee, H.R. 8601, would assure that the Nation will move forward in the long struggle to achieve full rights for all citizens.

H.R. 8601 is a good, constructive bill which deserves the wholehearted support of all Members who believe that constitutional rights must be translated from theory into reality. As one of its first signers, I am heartened by the number of signatures now appearing on the discharge petition, and I am proud of the support given it by my Democratic colleagues. It is most disappointing that so few on the Republican side have cooperated in this move to facilitate consideration of this most important measure. I appeal to my Republican colleagus to delay no longer in enabling this legislation to come before the floor for a vote. Nothing will be accomplished by words, no matter how noble and eloquent. It is past time for action, decisive action to meet this grave issue. The discharge petition is designed for that purpose.

The Congress must continue to devote itself to the solution of this problem until all the innumerable injustices that arise from racial prejudice have been stamped out. I urge approval of H.R. 8601.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMPSON of Texas, for 30 minutes, today, and to revise and extend his remarks and include an article.

Mr. SIKES (at the request of Mr. DADDARIO), for 20 minutes, on Thursday, February 4.

Mr. ADDONIZIO (at the request of Mr. DADDARIO), for 10 minutes, today and tomorrow, to revise and extend his remarks and include extraneous matter.

Mr. POWELL (at the request of Mr. DADDARIO), for 30 minutes, on Tuesday and Wednesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(At the request of Mr. DADDARIO and to include extraneous matter, the following:)

Mrs. SULLIVAN.

Mr. NIX.

Mr. EDMONDSON.

(At the request of Mr. CUNNINGHAM, and to include extraneous matter, the following:)

Mr. CURTIS of Massachusetts.

Mr. SAYLOR.

Mr. METCALF.

Mr. MOORE.

Mr. SHORT.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1508. An act to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. Con. Res. 81. Concurrent resolution proposing observance of week beginning January 31, 1960, as National Junior Achievement Week; to the Committee on the Judiciary.

ADJOURNMENT

Mr. DADDARIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 14 minutes p.m.) the House adjourned until tomorrow, Thursday, January 28, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1732. A letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report concerning agreements concluded during December 1959 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.) as amended, pursuant to Public Law 85-128; to the Committee on Agriculture.

1733. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend section 303 of the Career Compensation Act of 1949, to authorize travel and transportation allowances, and transportation of dependents and of baggage and household effects to the homes of their selection for certain members of the uniformed services, and for other purposes"; to the Committee on Armed Services.

1734. A letter from the Assistant Secretary of Defense, transmitting the annual report of the Department of Defense relative to its disposition of foreign excess personal property for fiscal year 1959, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

1735. A letter from the Chairman, Federal Power Commission, transmitting the 39th Annual Report of the Federal Power Commission for the fiscal year ending June 30, 1959; to the Committee on Interstate and Foreign Commerce.

1736. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 4(k) of the Communications Act of 1934, as amended, by relieving the FCC of the duty of making the annual report of personnel as now required by subsection (3) of section 4(k)"; to the Committee on Interstate and Foreign Commerce.

1737. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to establish the position of Administrative Assistant Secretary of Health, Education, and Welfare"; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. First interim report on Project Mercury (Rept. No. 1228). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMPSON of Texas:

H.R. 9969. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

H.R. 9970. A bill to provide for the disposition of the Fort Mifflin Naval Ammunition Depot, Philadelphia, Pa.; to the Committee on Armed Services.

By Mr. BOLAND:

H.R. 9971. A bill to amend the Mutual Defense Assistance Control Act of 1951; to the Committee on Foreign Affairs.

By Mr. BREEDING:

H.R. 9972. A bill to provide for the payment of pensions to veterans of World War I and their widows and children at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROYHILL:

H.R. 9973. A bill to make permanent certain increases in annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 9974. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. CHURCH:

H.R. 9975. A bill to continue until the close of June 30, 1961, the suspension of duty on metal scrap, and for other purposes; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 9976. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 9977. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 9978. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 9979. A bill to create a Federal planning commission to conduct a study of the possible establishment in the District of Columbia of a national fisheries center; to the Committee on the District of Columbia.

By Mrs. GRANAHAN:

H.R. 9980. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GRIFFITHS:

H.R. 9981. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KOWALSKI:

H.R. 9982. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 9983. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. LANKFORD:

H.R. 9984. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. MAY:

H.R. 9985. A bill to extend the Sugar Act of 1948, as amended, for 1 year, to increase domestic beet sugar and mainland cane sugar quotas, to authorize the President to reduce quotas of certain foreign nations, and for other purposes; to the Committee on Agriculture.

By Mr. MONTOYA:

H.R. 9986. A bill to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9987. A bill to provide for the issuance of interest-bearing stamps by the Secretary of the Treasury for the purpose of obtaining funds to reduce the principal amount of the public debt, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 9988. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained age 50 to qualify for disability insurance benefits, and to permit the payment of such benefits from the beginning of the individual's disability; to the Committee on Ways and Means.

H.R. 9989. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. RIVERS of Alaska:

H.R. 9990. A bill to authorize the Secretary of the Interior to pay for the destruction on Uganik and Kodiak Islands of livestock by bears from the Kodiak National Wildlife Refuge; to the Committee on Interior and Insular Affairs.

By Mrs. ST. GEORGE:

H.R. 9991. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. SMITH of Iowa:

H.R. 9992. A bill to amend title XI of the Federal Aviation Act of 1958 so as to prohibit the sale by coin-operated machines of insurance policies covering loss of life or personal injury suffered in aircraft accidents by airline passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of New Jersey:

H.R. 9993. A bill to amend title 38, United States Code, to extend the veterans' home loan program to February 1, 1965; to provide for direct loans to veterans in areas where housing credit is otherwise not generally available; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 9994. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNE of Pennsylvania:

H.R. 9995. A bill to provide for the disposition of the Fort Mifflin Naval Ammunition Depot, Philadelphia, Pa.; to the Committee on Armed Services.

By Mr. DAWSON:

H.R. 9996. A bill to amend section 402 of the Federal Property and Administrative Services Act of 1949, to prescribe procedures to insure that foreign excess property which is disposed of overseas will not be imported into the United States to the injury of the economy of this country; to the Committee on Government Operations.

By Mr. FULTON:

H.R. 9997. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HAYS:

H.R. 9998. A bill to amend the Foreign Service Buildings Act, 1926, to authorize the construction or alteration of certain buildings in foreign countries for use by the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCORMACK:

H.R. 9999. A bill granting the consent and approval of Congress to the northeastern water and related land resources compact; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 10000. A bill to amend further certain provisions of the District of Columbia tax laws relating to overpayments and refunds of taxes erroneously collected; to the Committee on the District of Columbia.

By Mr. AUCHINCLOSS:

H.J. Res. 587. Joint resolution authorizing the creation of a Commission to consider and formulate plans for an appropriate permanent national memorial to the memory of Woodrow Wilson in the District of Columbia; to the Committee on House Administration.

By Mr. BREEDING:

H.J. Res. 588. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. JONAS:

H.J. Res. 589. Joint resolution providing for the establishment of an Annual Youth Appreciation and Honor Week; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 590. Joint resolution providing for the establishment of an Annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. FALLON:

H. Con. Res. 526. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. MACK of Washington:

H. Con. Res. 527. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

By Mr. POWELL:

H. Con. Res. 528. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. AYRES:

H. Res. 430. Resolution creating a select committee to conduct an investigation and study of the feasibility of raising and restoring the Union ironclad vessel known as the *Monitor*; to the Committee on Rules.

By Mr. ROOSEVELT:

H. Res. 431. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

By Mr. HOLT:

H. Res. 432. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

By Mr. McFALL:

H. Res. 433. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to extend Public Law 550, 82d Congress, relating to education and training benefits, to service men and women as long as the draft continues, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWLES:

H.R. 10001. A bill for the relief of Maria Teresa Barbier Zimmitti; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 10002. A bill for the relief of Ida Exle (nee Ida Sterio); to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 10003. A bill for the relief of Kyoko Suti Stanton; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 10004. A bill for the relief of Maria Rubi Lupisan Anit; to the Committee on the Judiciary.

H.R. 10005. A bill for the relief of Tokutaro Gomi and Fusae Gomi; to the Committee on the Judiciary.

H.R. 10006. A bill for the relief of Stephan A. Clemente; to the Committee on the Judiciary.

H.R. 10007. A bill for the relief of Gus Nihoa; to the Committee on the Judiciary.

H.R. 10008. A bill for the relief of Takaichi Miyamoto and Misayo Miyamoto; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 10009. A bill for the relief of Jonas Cernauskas; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 10010. A bill to authorize the sale of a portion of the former light station property in Scituate, Mass.; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 10011. A bill for the relief of Zuzanna Katarzyna Sobus; to the Committee on the Judiciary.

H.R. 10012. A bill for the relief of Mihailo Vuksan and family; to the Committee on the Judiciary.

H.R. 10013. A bill for the relief of Stanislawa Wojewodzka Gorna; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 10014. A bill for the relief of Mrs. Birdie E. Polley; to the committee on the Judiciary.

By Mr. UTT:

H.R. 10015. A bill for the relief of Gerardo Wenceslao Alavez Garcia; to the Committee on the Judiciary.

H.R. 10016. A bill for the relief of Pablo Santana Castellon; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXVI,

323. Mr. FORAND presented a petition of Dominic Brogan of Pawtucket, R.I., and others, relative to requesting favorable consideration of the lowering of the social security retirement age to 60 instead of 65, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Removal of Disability Payments Age Limit Under Social Security Law

EXTENSION OF REMARKS
OF
HON. ARCH A. MOORE, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 27, 1960

Mr. MOORE. Mr. Speaker, I have today introduced a bill removing the 50-year age limit for persons receiving disability payments under the Social Security Act, and permitting the payment of such benefits from the beginning of an individual's disability.

Mr. Speaker, I earnestly hope that Congress will thoroughly examine and evaluate the social security program during the present session of Congress. It is apparent to a great many Americans that measures such as the removal of the disability age limit are urgently needed to improve and update Federal programs for the assistance of aged, disabled, and needy persons in our Nation.

Mr. Speaker, there is no reason why a person should have to wait until he is 50 years old before he can qualify for disability relief under the social security program. Such relief should begin when it is needed most; namely, immediately upon the determination that a person who has been paying into the social security trust fund has become totally or permanently disabled. This to me is the only fair and just approach to the overwhelming human problems involved in a person being injured or becoming so seriously ill as to prevent him from pursuing his regular line of work.

In introducing this bill today, I add my voice to those calling for fairer and better treatment of the disabled.

Mr. Speaker, I ask unanimous consent that the text of the bill be printed following these remarks:

H.R. 9988

A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained age 50 to qualify for disability insurance benefits, and to permit the payment of such benefits from the beginning of the individual's disability

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subparagraph (B) of section 223(a)(1) of the Social Security Act is amended by striking out "has attained the age of 50 and".

(b) The last sentence of section 223(c) of such Act is amended by striking out all that follows "1957" and inserting in lieu thereof a period.

SEC. 2. (a) Subparagraph (C) of section 223(a)(1) of the Social Security Act is amended by inserting "while under a disability (as defined in subsection (c)(2))" after "benefits".

(b) Subparagraph (D) of section 223(a)(1) of such Act is amended to read as follows:

"(D) has been under such disability throughout a period of at least six consecutive calendar months, or dies as a direct result of such disability".

(c) Section 223(a)(1) of such Act is further amended by striking out "beginning with the first month after his waiting period (as defined in subsection (c)(3)) in which he becomes so entitled to such insurance benefits" and inserting in lieu thereof the following: "beginning with the first month in which he satisfies subparagraphs (A), (B), and (C)".

(d) Section 223(a)(2) of such Act is amended by striking out "in the first month of his waiting period" and inserting in lieu thereof "in the first month in which he is under the disability described in paragraph (1)(C)".

(e) Section 223(c) of such Act is amended by striking out all that follows paragraph (2).

SEC. 3. The amendments made by this Act shall apply only with respect to monthly benefits under section 223 of the Social Security Act, or based upon the wages and self-employment income of an individual entitled to such benefits for months after the month in which this Act is enacted.

We Must Act Now: Tomorrow May Never Come

EXTENSION OF REMARKS
OF
HON. ROBERT N. C. NIX
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 27, 1960

Mr. NIX. Mr. Speaker, as the year 1960 comes upon us nearly 100 years after the Emancipation Proclamation, Negro Americans in some States are still being denied the right to vote, the right to equal education, the right to equality in the courts, the right to protection of their person, the right to protection of their property and a recognition of the dignity of their person. In almost every State they are denied equality in housing and employment.

This disgraceful and appalling situation does exist in the United States and it is known to every responsible figure in Government, religion, business and labor, from the President of the United States down to the candlestick maker. Neither the moral forces of the Presidency nor the united moral forces of Christendom has been directed with vigorous purpose to eliminate this evil. This is true despite the fact that in today's world, dynamic and explosive ideas joined with frustrations among the

people of many lands have rewritten history and overturned governments in China, Indonesia, India, Indochina, Burma, Ceylon, Pakistan, Tunisia, Cuba, Syria, Moravia, Egypt, Sudan, Guinea, Nigeria, Ghana, and the Cameroons are now at work in other areas as well as in one of our most vulnerable points—Panama.

We all recognize the fact that even with its imperfections the United States is the undisputed world leader, but we must also recognize that the leader is being challenged from every point on the globe. Her morals, her laws, her Christianity, her intent, her sincerity are all under question and therefore suspect. It is, therefore, necessary to assume that the 800 million peoples of Asia, Africa, and Latin America, and elsewhere, will judge the United States, will trust the United States, not by the old assurances of equality, justice, morality, and good intentions toward all men, but that their trust will largely depend on what is done by the United States to set its house in order. It is reasonable to assume that if our house is set in order, we will establish a true basis for the trust, confidence, and respect of men everywhere.

If, on the other hand, the United States permits repetitions of the Mack Charles Parker disgrace and the double standard of pseudojustice of the Florida rape cases, and the flagrant violations of the Negro's right to vote as well as other countless inequities, we will justly deserve the revulsion of the peoples of the world who can only conclude that we know the words of justice and godliness, but that we have lost the substance and meaning of Magna Charta, Bill of Rights, Constitution of the United States, and of Christianity.

In this hour of our greatest decision we dare not again forget that "what happens to the least of men anywhere, happens in time to all men everywhere and it will follow as day follows night; that by turning our backs on the wrongs we have the power to prevent, we must share the blame with those responsible for those wrongs."

This year of 1960 demands that the 2d session of the 86th Congress pass civil rights legislation assuring liberty and justice to all thereby proving to all nations that the United States truly believes that "whatsoever ye would that men should do to you, do ye even so to them: for this is the law of the prophets."

As a realist, I must note that there are among my fellow Americans some who flatly reject my statements. To these I recommend reflection, reason, and analysis.

There are others who hold themselves aloof from our conflict and agony, from the problems of the present and the hope of tomorrow. To these I say, you stab your country in the back by withholding your intellectual and moral judgment in this hour of imminent peril.

But to those millions who believe in the American dream, who are convinced that our destiny is linked with that of the uncommitted people of the world, I say the 2d session of the 86th Congress will pass positive and meaningful, as well as vocative, civil rights legislation and remove the roadblock to the peaceful and equal progress of all our citizens; we will root out, expose, and destroy the apostles of fear, ignorance, and demagoguery; we must never permit our freedom, our democracy, and our leadership to be sacrificed on the altar of prejudice.

Democratic Spending Policies Sound

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 27, 1960

Mr. METCALF. Mr. Speaker, in a recent news column, our colleague, DON MAGNUSON, of Washington, took issue with the contention by some that the Democrats are out to spend President Eisenhower's predicted $4.2 billion surplus at the end of fiscal 1961. On the contrary, as the column points out, there is serious doubt there will be a surplus of anywhere near the expected amount.

Mr. MAGNUSON, a member of the Appropriations Committee, and three of its subcmomittees, is certainly in a position to know what he is talking about. I concur with him that the Democratic spending policies will remain sound, based on the country's needs.

The column follows:

DEMOCRATIC SPENDING POLICIES SOUND
(By DON MAGNUSON, U.S. Congressman, Seventh District)

WASHINGTON.—As a Democrat in Congress, it is most aggravating to see and hear the constant assumption that President Eisenhower's prediction of a $4,200 million surplus at the end of fiscal 1961 will result in increased spending by the Democratic Congress.

I have seen it stated repeatedly in the Nation's press that "the Democrats have their eyes on that $4.2 billion melon"; "the Democrats are planning to seize upon the projected surplus as an excuse for increased spending," etc.

I know of no Democrat—in the leadership or in the ranks—who has given the slightest hint that the President's rosy prophecy will have any effect whatsoever on Democratic spending policies.

Yet, one sees in print almost daily the implication—if not the outright statement—that this is true, as if it were declared policy of our party.

In the first place, I also know of no Democrat who does not take the prediction of the big surplus with a large grain of salt. I know I do.

The President's hope for a surplus of $4,200 million is predicated on an enormous increase in revenues—an estimated $84 billion in fiscal 1961 as against an estimated $78,600 million in fiscal 1960, which will end June 30. It seems to me this is pretty risky figuring, based more on wishful thinking than on reliable indexes.

In the meantime, of course, it makes fine campaign fodder.

Let's look at the record of the Eisenhower administration, fiscally speaking, since the famous general campaigned his way into the White House on a platform of economy and reduction of the national debt. When he became President, the national debt was $266 billion. Next June 30, it is estimated, it will be $284,500 million.

The curve of the national debt throughout Eisenhower's 7 years has been constantly upward. There is nothing to lead me to believe that that trend will be reversed in his last year in office. So much for the "surplus."

Democratic spending policies are based upon our estimates of national needs, from military to human. For my part, the President's looking through rose-colored glasses will not affect my votes on money measures one iota, and I know I speak for the party's leadership in Congress and the party as a whole.

Geneva Test Ban Negotiations

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Wednesday, January 27, 1960

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I made relating to the Geneva test ban negotiations at Pontiac, Mich., on October 30. The speech dealt with the Geneva negotiations for a treaty on the cessation of nuclear weapons tests.

During the course of my remarks I advanced a proposal in an effort to prevent a deadlock in the negotiations from developing. This proposal would seek a treaty banning, under effective control and inspection, all nuclear weapons tests in the atmosphere, underwater, in outer space, and underground down to a level of about 5 kilotons. The level of about 5 kilotons was selected because from the scientific evidence then available it appeared to me that the number of onsite inspections required to check on suspicious events, that is, unidentified earth disturbances, of 5 kilotons and above would not be too great. In fact, I suggested that between 25 and 50 inspections within the Soviet Union might be sufficient.

News reports appearing within the last few days indicate that the United States is now about to advance such a proposal to the United Kingdom and the Soviet Union. According to these reports we shall propose an agreement to ban tests underground down to a certain size depending in part on the number of onsite inspections that can be negotiated.

One important aspect of the proposal to be offered by the United States, however, is not clear. In my Pontiac speech I suggested that the United States should be willing to agree not to test in the range below the 5-kiloton threshold for 2 years pending the outcome of a research program and an evaluation of the experience of the control system. To me a 2-year moratorium on tests below the range of the inspection level was a risk worth taking. If we found the Soviets testing in that range then we likewise would be free to test. But we have a much greater chance of detecting even small tests with the control system in operation than we have now with only our national stations to rely on.

It is possible that the pro-testers within the administration will prevail. If

they do, any threshold agreement proposed will be as high as possible, say 20 or 30 kilotons, so that the range of testing allowed will be large. Furthermore, the pro-testers will argue against the concept of a 2-year agreement not to test in the range below the threshold. They would not be willing to await the outcome of a research program. This is not strange since the pro-testers have done nothing that I can see to start research programs within the United States designed to improve our ability to detect and identify underground explosions.

I hope that the pro-testers will not win their case. I am heartened, nevertheless, that a threshold proposal along the lines I outlined at Pontiac is now apparently about to be offered at the Geneva test-ban negotiations.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NUCLEAR TEST BAN NEGOTIATIONS PROPOSAL TO BREAK IMPASSE

(Excerpts from speech by Senator HUMPHREY in Pontiac, Mich., Oct. 30, 1959)

I want to discuss with you tonight the problem of disarmament—a subject which lies at the very heart of international relations and military policy.

A few months ago, a congressional committee was informed by experts that a surprise nuclear attack on the United States would last just a few hours, but would cost the lives of about 50 million people—just about one-third of the population.

The large nations of the world have just about given up the old concepts of strategy—soldier against soldier, ship against ship, army against army. Now our military calculations involve the bombing of cities, the destruction of populated centers, the elimination of production facilities. These measures mean death to millions of people at a time.

And the most frightening thing is that we have almost grown accustomed to it.

But it does no good to express horror, or to display moral indignation.

The problem is also a practical one, and we must solve it practically. We must insist on a fair solution even as the loaded guns are pointed.

In his speech at the U.N., Mr. Khrushchev stated that the Russians want to reduce arms at the present time. This is encouraging. But up to now, they have shown little willingness to allow international officials to inspect the Soviet Union to ascertain whether they are performing according to agreement.

The job of American diplomats is twofold; first, to persuade the Russians to accept inspection, and second, to be sure that our inspection demands are reasonable and necessary to police an agreement effectively. We must not yield on any essential, because an agreement without real inspection would be worthless. But we must recognize that the Russians have a historic passion for secrecy, and that the thought of foreign inspectors traveling freely around their country is repugnant to them. We must make sure that our demands entail the maximum in control and the minimum in complexity.

This is the general task of American diplomats. I want to become more specific.

If the world is to witness any progress toward ending the arms race and toward reducing the burden of vast expenditures for defense, we must determine whether the Soviets mean it when they claim they are willing to accept controls. Our main, and at the moment, only opportunity to find out is through the nuclear test ban negotiations now in progress in Geneva.

I wish to discuss these negotiations with you tonight because they bear so directly on whether a breakthrough in the disarmament question is possible. If these negotiations succeed, then future arms control talks can be conducted in a much more favorable atmosphere than if they fail or become stalemated indefinitely. The negotiations are a test of Soviet willingness to accept controls.

My purpose tonight is to report briefly the status of the negotiations and also to share with you a specific proposal for breaking what is fast becoming an impasse in the test ban talks.

The three nuclear powers—the United States, Great Britain, and the Soviet Union—have been negotiating for 1 year. Definite progress has been made.

Soviet representatives are beginning to accept some concepts of control to police a nuclear weapons test ban. They have indicated a willingness to cooperate with the other nuclear powers in sending satellites into space to help detect nuclear tests hundreds of miles above the earth. They have agreed that a specified number, roughly 20, fixed control posts will be established within their borders to house a variety of instruments to record signals of possible nuclear explosions. And they have accepted the idea that on a few occasions a year a mobile inspection team consisting of foreigners and nationals may go to the site of an unidentified event registered at the control posts to determine whether such an unidentified event is a nuclear explosion.

For a country in which secrecy and suspicion are almost a cult, the willingness of the Soviets to accept the above controls is an advance over previous arms control negotiations. Never in 13 years of talks on disarming have the Soviets come this close to accepting controls in specified treaty language.

However, the United States finds that the Soviet position on controls is still inadequate in three major respects.

First, our Government says the control posts should contain a higher proportion of foreigners than the Soviet Union has yet been willing to accept. The United States has asked for a ratio of two foreigners to every national. The U.S. position perhaps could be modified and I believe that if both sides wish to reach an agreement the difference between the two sides on this point can be compromised.

The second criticism of the Soviet position concerns the budget. The Soviet Union has tried to insist that the budget for the International Control Organization should be adopted unanimously; in other words, it should be subjected to a veto by any one of the three nuclear powers. But the Soviet Union has not always demanded a veto in the adoption of budgets, to name for example, the International Atomic Energy Agency. So it is very conceivable that this obstacle need not remain one for long.

Now I come to the third area in which the United States maintains that the Soviet position on control is inadequate. And this is the most important and the most difficult of all. On this point, the negotiations could fail or stalemate. This question is the number of times that a mobile inspection team may travel to the site of an event which could be suspected of being a nuclear explosion. As I have said, the Soviets maintain that this will be necessary only a few times each year.

The United States objects to the restriction of a few. But on this question the United States has no counterproposal of its own. We object to the few sought by the Soviet Union but have nothing to offer in return. We say that the number of mobile inspection visits should be related to the number of unidentified events which might be suspicious. U.S. scientists have attempted to estimate how many unidentified events there might be, particularly those underground. Their estimate is based on calculating about how many earthquakes there will be in the Soviet Union and of these how many the control posts will be able to assert are definitely earthquakes and not nuclear explosions. Some of our scientists calculate that the number of events that could be subject to inspection is a very large one. This figure, in fact, is so large that our negotiators are quite certain that the Soviet Union will never accept mobile inspection teams investigating the site of every one of hundreds of unidentified earthquakes.

The big problem, then, is how many of the hundreds of unidentified earthquakes should be subject to inspection to give a high degree of assurance that the Soviet Union is not able secretly to conduct a militarily significant series of nuclear weapons tests.

I have presented to you as objectively and as briefly as I can the major issues that are before the nuclear powers as they resume their negotiations at Geneva. I have indicated that with respect to the first two of the major unresolved issues, on staffing and on budget, the differences can probably be reconciled. On the third issue I am not so sure a reconciliation is possible. I say this because the Soviet Union gives little indication that it will submit to mobile inspection more than a few times a year. And the United States is not even able to say how many inspections it thinks would be necessary. So you have a situation in which the Soviet Union maintains a position that is highly unsatisfactory to us and in which the United States has no position at all. Without a position on the part of the United States, it is difficult to see how any compromise can be reached.

What is the answer to this apparent impassé? I have urged the administration to reach some position on the question of the number of inspections. Its answer is that no position is possible until the Soviet Union is willing to discuss the technical complexities of the problem. The Soviet Union, contending that it spent an entire summer discussing the technical difficulties, prefers to solve the problem by picking a number out of a hat, and a low number at that.

Many people, particularly those inside or close to the Atomic Energy Commission, would solve the impasse by advocating a nuclear weapons test ban that covers only atmospheric tests. They say that because atmospheric tests are so much more easily detected than those underground or at high altitudes, such a limited agreement would eliminate the necessity of any mobile inspection teams at all. The Soviet Union, thus far, has claimed that it wants a comprehensive agreement; that is, one that covers all nuclear weapons tests. It has rejected an atmospheric ban.

I believe that an atmospheric ban is better than no agreement. I believe that it is less desirable than a total ban because it would allow not only the United States, the United Kingdom, and the Soviet Union to continue testing, but it would also allow other countries, such as Communist China and France and many others, to become nuclear powers.

Furthermore, if all our testing were done underground, I think this could result in an increase rather than a reduction of world tension. With all countries burrowing down into the ground to test their weapons each would have less knowledge of what the other was doing, thereby increasing suspicion and distrust.

If the Soviet Union is unwilling to discuss the technical complications of a comprehensive agreement and if the United States is unwilling to reach a negotiating position regarding the number of annual inspections it believes would be both safe and reason-

able, then some other way out of the impasse must be found. For we must not let the Geneva negotiations fail.

I do not pretend to have the perfect solution to this problem. But I offer here tonight one possibility for your consideration and discussion.

For a comprehensive test ban our scientists believe that the number of unidentified events in the Soviet Union alone would number several hundred, obviously too many to inspect. However, this number drops drastically as the size of the nuclear explosion or earthquake increases. For example, if the control organization had to inspect only for explosions of approximately 5 kilotons or larger, the number of inspections needed in the Soviet Union would be somewhere in the range of 25 to 50. Such a range does not appear to me to be too high, either from a practical point of view or from the viewpoint of the Soviet Union with its suspicious outlook toward any inspection or control.

My proposal, therefore, is as follows:

Point 1: Let the United States extend its general moratorium on all nuclear tests now scheduled to end on December 31 for a maximum of 1 year. This would give the nuclear powers ample chance to reach agreement. I would not extend this moratorium more than 1 year, if the Soviets stall longer than that, it is a sign they are trying to get a test ban with no controls whatsoever. I think the United States must not allow this to happen.

Point 2: We should be prepared to enter into an agreement banning nuclear tests equal to and above 5-kiloton explosions. The agreement would specify that all unidentified events with a signal equal to and above a 5-kiloton explosion would be subject to inspection. The ceiling on the number of mobile inspections would be somewhere between 25 to 50. In this way I believe we could arrive at a number of mobile inspections that would correspond to our present best educated guesses from a scientific point of view as to what is necessary.

Point 3: We should be prepared to join with the other countries for 2 years from the time the agreement goes into effect in a moratorium on tests below 5 kilotons. At the end of that time we shall know two things: (1) whether the Soviet Union and other countries are cooperating in installng the control posts; and (2) whether by observation and further research the control posts can be improved to detect and identify most of the unidentified events below a size of 5 kilotons.

Point 4: During the 2-year period in which the control posts and inspection system for the 5 kiloton threshold agreement were being established we should conduct a comprehensive research program in cooperation with the Soviets, with the United Nations, and also by ourselves. Such a program would be designed to find ways of improving the control system so that all suspicious events would be subject to inspection within a reasonable ceiling.

Point 5: The agreement should specify that if the international control posts or our own detection system gave evidence that the Soviet Union was not cooperating in the moratorium on tests below 5 kilotons—those not subject for 2 years to mobile inspection—then we would be free ourselves to test in this range. We would present our evidence to the international control commission to show that the moratorium had been violated. And if the Soviets do not agree to install appropriate and reasonable controls for tests below 5 kilotons we should be free to test in this range if our defense requires it.

My proposal is one I believe can be reached within a short time, given the sincere desire to reach agreement on the part of the Soviet Union and the United States. This is one that should be offered rather than have the negotiations fail or continue indefinitely as a stalemate. This proposal covers the requirements of the United States, namely that a control system should be based on what scientists estimate can be done. It also covers the requirements of the Soviet Union, that a control system must not be confused with extreme complexity, which to them looks like espionage. And it is a proposal which gives considerable assurance that we can have a total and effective test ban agreement.

In advancing this proposal before you tonight I believe some important and related points should be stressed.

A cessation of atomic tests is arms control, but it is not real disarmament. It is only a first step toward disarmament.

We believe that disarmament is necessary, that it must eventually come, and that without it, the whole world is in danger. We are willing to accept the kind of international inspection which alone can make disarmament effective and meaningful.

Well, then, why don't we say it? Why don't we identify our country with these goals? Why don't we let the peace-loving people of the world understand that the United States is the leader in the great quest for peace?

Why do we leave it to Khrushchev to go before the United Nations General Assembly and proclaim the great goal of complete disarmament, as though he had invented it?

I think the present administration has been extremely negligent in allowing this idea to become associated, in the eyes of the world, with the Soviet Union, when in fact, it has been an American idea.

In addition to proclaiming our sincere and dedicated conviction to a system of comprehensive disarmament, we must also be prepared with the necessary technical studies for control and inspection in each stage of disarmament. And we must also be prepared to change a vast segment of our production from arms manufacturing to peacetime pursuits.

There is no doubt in my mind that money saved on armaments will find other uses. It would make it possible to shift emphasis to many urgent peacetime tasks. To discuss the many opportunities that we would have to make use of savings from a reduction of defense expenditures is another speech. I am certain this audience will forgive me if I refrain from giving you another speech this evening.

The big question is, will we find these other uses quickly enough, and will these other uses employ the very people and the very facilities that formerly were engaged in military production?

It will take considerable planning to make the transition smooth. Healthy reconversion is not just one big overall problem. Rather, it consists of thousands of specific problems, involving particular groups of employees. The fact that the general national level of prosperity will continue offers no reassurance to individual workers who would lose jobs.

Finally, I want to conclude by underlining the point that—when I speak of disarmament, I mean mutual disarmament, under effective controls which will give assurance that all parties are living up to the agreement.

I do no mean unilateral disarmament.

Indeed, I strongly oppose the tendency of the Eisenhower administration to reduce our armed power unilaterally, or try to rely solely on the massive nuclear deterrent because it is cheaper than the conventional forces which are needed for local issues, and to place the budget ahead of national security.

All of this is dangerous to our national defense. It encourages adventures on the part of the Communists which may lead to wars which otherwise might have been avoided. Weak defenses make disarmament more difficult. A nuclear war is horrible to contemplate. But also horrible is the prospect of a United States and a free world so weak that domination by the Soviet dictatorship becomes unavoidable.

Disarmament is at the very center of our foreign relations. I have stressed it tonight because I believe deeply that solutions can be found if our leaders, the Soviet leaders, and the leaders of other nations are convinced that large-scale devastating wars no longer can be made a substitute for resolving disputes in ways that are peaceful, equitable, and just.

Mr. HUMPHREY. Mr. President, this statement indicates the course which I believe our Government should follow relating to the negotiations on the cessation of nuclear weapons tests. I am happy to note in the morning press that the recommendations which I made at Pontiac, Mich., on October 30 are now the recommendations of our Government at the Geneva Conference.

Those recommendations include a comprehensive ban on all atomic or nuclear tests in the atmosphere, at high or low altitudes, or in outer space; also underwater tests or submarine tests, as well as the large underground tests which readily lend themselves to inspection and detection.

With respect to the smaller weapons or smaller explosions, my recommendation included a joint cooperative effort by the United States, Great Britain, and the Soviet Union, through a series of test explosions under United Nations supervision, in order to improve detection and inspection.

Also I called for a vastly expanded program in research on nuclear weapons testing, in order to improve the control and inspection methods.

On Appreciation of Youth

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 27, 1960

Mr. EDMONDSON. Mr. Speaker, today I have joined a number of my colleagues in proposing, by means of a House concurrent resolution, the annual proclamation of a Youth Appreciation Week in America.

Last year I had the opportunity to observe, at first hand, one of the ceremonies climaxing such a week under sponsorship of the Optimist Clubs of Muskogee, Okla.

It was a most impressive occasion, and no observer could mistake the profound impression upon the young people of our community.

The Optimists have proved to me that it pays to accentuate the positive among the young people of America. Their sponsorship of Youth Appreciation

Week has been a real benefit to communities all over the country, and it has been good for both the young people and their parents.

I hope the resolution will soon receive the unanimous approval of the Congress.

The Need for Depressed Area Legislation

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 27, 1960

Mr. SAYLOR. Mr. Speaker, as Congress gets down to the business of acting upon the many important issues that must be acted upon in the coming months, it is important that every Member be apprised of two important facts relating to a highly urgent matter:

First. Despite the rising level of general industrial and business activity, there remain surplus labor areas in which thousands of American families are deprived of an opportunity to obtain adequate food, clothing, and shelter; and

Second. President Eisenhower has reiterated his desire for legislation to assist areas of urgent need.

The White House position in this regard should be noted carefully by the Congress. The President has appealed for a law specifically designed to provide assistance to regions of chronic unemployment, but he cannot in conscience subscribe to the catchall bills that have been proposed from time to time for the purpose of attaching to a reasonable and proper measure an assortment of pork barrel projects that have no relevance to distressed areas. Nor can any of us whose immediate concern is for those unemployed citizens who have been looking in vain for Congress to take the lead in stimulating the economy of their neglected communities.

Surplus labor legislation should and must be kept free of political implication, for the savage consequence of prolonged unemployment have no regard for party affiliation. A number of the depressed regions are represented by our colleagues on the other side of the aisle, and I have been working with many of my friends over there for many months on this problem. Those of us who have walked through stricken communities cannot help but resent their situation in a period when most of America is enjoying a high degree of prosperity. Our only recourse is to appeal to Representatives of districts which have fortunately escaped the horror of chronic idleness persisting in our constituencies for many years.

I do not belittle efforts that the Federal Government has put forth in its program to wipe out pockets of unemployment. In many States there is ample evidence of success in the small business programs, financial assistance for urban renewal, public facilities, State and local industrial development corporations, and the procurement of goods and services and construction of Government facilities.

Yet even these projects have their limitations, with some areas almost wholly outside the perimeter of benefits extended. A sound distressed area bill is therefore vital to reinvigorate the economy of those communities which, through no fault of their own, have not been able to take advantage of other Federal programs.

Mr. Speaker, I introduced a distressed area bill soon after the 85th Congress convened in 1958. Similar bills have been proposed by other Republicans and Democrats alike. Which of these measures is enacted is of no significance. I assure you that I shall give my enthusiastic support to whichever one comes up for a vote. I ask only that the House reject any attempts to tack on a myriad of other items that have no relationship to the serious problem which is facing us at this time, and work towards a bill that will become a reality.

General MacArthur Observes 80th Birthday

EXTENSION OF REMARKS
OF
HON. DON L. SHORT
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 27, 1960

Mr. SHORT. Mr. Speaker, today marks the 80th birthday of General of the Army Douglas MacArthur. There will be greetings from all over the world as the general observes the occasion in New York City.

General MacArthur is possibly the most decorated soldier in history. He has been described as a hero of St. Mihiel, Bataan, Corregidor, New Guinea, Manila, and Inchon.

As we pause to observe the birthday of this great American, we might well contemplate his contribution to another event—the signing of a 10-year mutual cooperation and security treaty by President Eisenhower and Japanese Prime Minister Kishi. The treaty removed remaining traces of Japan's former occupation status, and in effect will bring that country into alliance with the United States as an equal partner.

The treaty signed last week was in effect another tribute to the general. The conduct of the occupation by General MacArthur, during which time he completely revised and reoriented a former Japanese warlord government toward democracy, and the high principles to which he adhered during the transition, are marked by the huge measure of good will the United States enjoys in that country today. General MacArthur did not enter Tokyo as a vengeful conquerer, but as a partner in rebuilding a country battered both materially and spiritually by war.

History may someday record that the manner in which General MacArthur conducted the occupation of Japan was his greatest contribution to the country he has served so well.

It seems particularly appropriate to call attention to these facts about this outstanding American today on his 80th birthday observance.

Alexander Graham Bell Lecture Delivered by Secretary of Labor James P. Mitchell at Boston University

EXTENSION OF REMARKS
OF
HON. LAURENCE CURTIS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 27, 1960

Mr. CURTIS of Massachusetts. Mr. Speaker, Boston University was honored to have Secretary of Labor James P. Mitchell deliver the first address inaugurating the university's Alexander Graham Bell lecture series on November 12, 1959. In extension of my remarks, I include the excellent address delivered in the Sargent Gymnasium of the university's Charles River campus, as follows:

President Case, distinguished members of the faculty, alumni of Boston University; I am privileged to initiate the Alexander Graham Bell series of lectures.

The theme of this series is "Man's Communication to Man." The hope that underlies this theme is most certainly that as the people of the several nations of earth improve their ability to communicate they will also increase their wisdom to use instruments like the telephone, the telegraph, the television channel, the printing press, and the radio to establish the understanding upon which peace must ultimately rest.

All of us in the free world share that hope.

I think, however, we would be foolish to believe that the means alone are sufficient without a corresponding improvement in man's social orders and in man himself.

For the fact that the human intelligence has broken down time, space, and language barriers should not in itself create in us the false optimism that pervades an age of propaganda, for the record of using these facilities of communication in the interest of individual enlightenment and national understanding is still a comparatively poor one.

Man's genius for devising the technical instruments to aid him in his search for a better world is still in advance of his genius for using those instruments to attain to that great goal.

We still have no guarantee that because an earth satellite may someday soon reflect instantaneous and undistorted messages to earth that those messages themselves will be ones of enduring wisdom, faith, or understanding.

With this clearing away of the obvious, then, I will approach the theme of "Man's Communication to Man" in three of its important aspects:

First, the problem of communication between a free and open society and a controlled, closed society;

Second, the problem of communication within a free society, in which information is power and economic interest is often a deciding factor in the use of communications media;

Third, the problem of communication in a specific part of that free society that is in itself a showcase of American values and the American ability for self-government; namely, the labor-management area.

During the recent American Fair in Moscow, a member of the staff of the Department of Labor stood by a Department exhibit and conversed, for many hours each day, with the Russian people. His experiences, as he told me about them, are illuminating.

His general impressions were these:

The questions the Russian people asked him showed two things: their means of communication, controlled by government, have been used for decades to present a distorted picture of the outside world and especially of the United States, but the Russian people generally do not believe their own propagandists.

The United States was pictured as a land of very poor living conditions, high unemployment, inadequate wages, and general exploitation of the workers by the wealthy owners and of the Negro by the rest of society.

The Russians, however, do not accept this picture at face value. When a professional agitator appeared at the exhibit he would often be silenced by the other spectators and forced to withdraw in embarrassment. Frequently the people would apologize for the incident.

With this cynicism about their own controlled information—the only paper printed outside the Iron Curtain on the Moscow newsstands, for example, was the London Daily Worker—the Russian people have the corresponding problem of not knowing what to believe.

They have existed in an information vacuum for 40 years and they are desperately anxious for news from the outside. Almost every day, after many hours of answering questions, our staff member would be followed as he walked across the exhibit area. If he stopped to converse with a single Russian he would immediately be surrounded by a crowd of 50 or more.

They asked him, generally, four kinds of questions: Those on living standards, including hours of work, earnings, cost of living, minimum wages, industrial disputes, labor standards, workmen's compensation, unemployment insurance and so on; they asked him especially about unemployment, and finally about the status of the Negro in our society and the ability of the ordinary person to get a good education.

Because of the entire popular literature and all of the communications media in Russia is devoted to proving that Marx and Lenin were right, the Russians often found it difficult to understand his answers.

It was almost unconceivable to them, for example, that Americans work, on the average, 8 hours a day for 5 days of the week. This was contrary to what they had always been taught, that in America the rich get richer through exploitation of the so-called working class.

They found it difficult to believe that a worker in the United States could change jobs and location at will.

They were little short of astounded to discover that the average worker in the United States earns $385 a month—four times the Russian average where everyone, even waitresses, are on a piece-rate basis.

They did not know whether to believe it or not that American workers can join unions freely; they were surprised that unions were legal in America.

We approach, then, the problem of communicating the truth, with the knowledge that the truth will be distorted. We face the problem of communicating the truth to a people of rising educational attainment but who are uninformed, curious about the outside world yet unable to form a clear picture of it, cynical about what they are told yet uncertain as to the real truth.

Recent developments within Russia, Mr. Khrushchev's visit to this country, indicate there may be some hope that a freer exchange of information between the Russians and ourselves may be possible, however limited in scope. Certainly we must take that hope for what it is worth.

This means, in the materials we present to them, less criticism of their system and more truthful presentation of our own.

I believe the only effective posture we can take is that of a truthful people.

I think we should report about our unemployment problem, our distressed areas, our migrant farmworkers, in their proper perspective as problem areas in a huge, healthy economy employing 67 million people and supporting the kind of living standard that speaks very well for itself.

I think we should report about the racial problems we have as a part of the whole story of a nation of many diverse creeds and colors and nationalities, and explain some of the things we are doing to solve them.

The lasting hope for peace is that Russian society will join the affairs of the world as an enlightened and informed member. I genuinely believe that the Russian people themselves desire this.

Light will shine into Russia only when the Russian leadership allows it; of that we can be certain. But this should not discourage us from keeping that light shining and steady.

And there are reasons to hope that things are improving. The American and Russian fairs were breaches in the Iron Curtain. The jamming of our broadcasts has stopped. And with the President's coming visit to Russia we have, I feel, a major opportunity to open another door in our relationship.

In his speech before the United Nations in 1958, the President spoke of "a world community of open societies" as the proper condition for permanent peace.

Change, the order of life and the world, can come peacefully or through the use of force. It can come by making of societies armed camps, bases for aggression, or it can come by opening societies to exterior influences and clearing away, piece by piece, bit by bit, the barriers to free communication.

Whether or not such measures can or would successfully deter the rulers of Soviet Russia from their announced determination to bring the change of communism to the world by aggression and force, none can know. We do know this: We must believe at all times in the appeal of the truths of our own society and our own faith in its motives.

This means for us a constant reappraisal of the way we inform our own people, and an honest examination of the problems of communication within our own free society.

Open communication is one of the assumptions of freedom, for in any society information is power. To withhold information from the people is to deny the people power.

Because this is so, free communication is one of the most sensitive and important aspects to American life, but one which poses for us one of the traditional dilemmas of a free people: where there is a freedom, there can be an abuse of it.

At times it seems that in the area of communication the abuses exceed the benefits.

The nature of our society, made up of various self-interest groups and commercial interests in competition for acceptance and popularity, is such that a free use of the communications media can lead to the corruption of those media by giving them over to propagandizing in its most offensive form.

Sooner or later this causes a reaction and cry goes up for regulation. I am not one to join in that cry. I do not believe that in this area an aroused, angered, and embarrassed popular opinion is an infallible guide to corrective action.

I would put my faith, rather, in two sources to guarantee that what we see and what we read and what we hear are truthful.

The first source is ourselves.

The second source is an awakened and enlightened responsibility on the part of the men who manage our communications media—producers, writers, editors, photographers, reporters.

If we were the literal prisoners of our communications media, if we had no choice but to read newspapers and magazines, open our mail, watch television, and listen to the radio, but we still retained the power to change what we saw, then the change we would demand would reflect that condition of bondage—and theoretically government would be the proper instrument to respond.

The present demand for regulation, reflecting the self-righteousness of scandalized individuals, seems to me to imply that we have no choice but to serve these media.

But every person is at liberty to turn his television set off—shoot a hole in it with a shotgun if he wants—close or not buy the magazine, throw the mail into a wastebasket unopened. I believe that reform, when and where needed, should reflect this condition of freedom—and the proper agency to respond are the private agencies that have the responsibility.

But it goes deeper than this.

When Americans ask their Government to change or control something for them, it is an indication they are unable to do it themselves in their private capacities.

So this demand for reform in the communications media leads me to believe there is a serious failing somewhere in the individual's ability to use his freedom of choice. It leads me to believe that he is, to some extent, a prisoner of the popular values that are themselves the corrupting sources of the media he complains about.

The argument ends, of course, here—on the campus of an educational institution and the thousands of others like it.

I said that the first source of reform was ourselves. I meant by that the educational system of America is in our hands, and it is to the educational system that we must look to provide the values that alone make men truly free.

This freeing of the individual, which is the very act of education, must be coupled to an awakening of responsibility by the managers of our media, a responsibility I feel has been suppressed in favor of maintaining competitive position.

The commercial domination of the television industry, to take one important example, has frustrated the brilliant hopes society once had for that medium's ability to enrich and improve lives.

There is no more dangerous form of deception than to create secular appetites in a general populace faced with strict and stern responsibilities to themselves and the rest of the world—yet this is the very substance of commercial programing. One of the most powerful, certainly the most attractive, form of communication ever devised by man has been used not as a spokesman but as a salesman.

And this at the very time in history when there is a desperate national need to be informed—not only of world events but of the striking discoveries being made in the fields of medicine, archeology, astronomy, mathematics, physics, biology, to name just a few.

Imagine the problems we face each day in the field of self-government, race relations, economic growth, city planning and development, education, delinquency, use of manpower—I can go on—yet how much of the substance of these things is squeezed in between the western and the murder mystery?

The American citizen, surrounded by the most effective means of communicating with his fellow man in the history of the race, is often denied the true experience of the realities of our civilization.

Instead he is smothered by fictions. He is deluded into thinking that he will be happier, healthier, more successful if he purchases and uses a certain product. Certainly the deception practiced as a part of the format of any particular program is a small thing when compared to this massive and willful confusion of values.

I have said this many times before, from many public platforms, and I would like to repeat here that we must ask ourselves whether or not an educational system that teaches the prices of everything and the values of nothing is little more than a prelude to gullibility. So long as the experience of education fails to result in a conviction about values, then we will continue to have the problems I am discussing today. On the other hand, a truly educated people would make any regulation of their own means of communicating unnecessary.

In general, the confusion of values evident in the problems of our media are also evident, in another way, in another vital area of communication within our society—that between labor and management.

Here, however, it is not a case of the commercial exploitation of a media but of the commitment in many cases of two institutions, labor and management, to concepts that are no longer true or useful.

The attitudes of labor and management reflect too much of the past and not enough of the future.

The class war is over but too often the rhetoric lingers on.

If you take a copy of many labor newspapers in one hand and a copy of many management newsletters in the other, you will find little objective truth.

Respected men on both sides utter in public the slogans and the battle cries of 50 years ago, until the relationship degenerates into an orgy of name calling that shames them both, and that merely adds to the difficulty of communicating between them.

Instead of responding to creative and compelling new motives—motives of partnership in a troubled world that needs their strength, motives of domestic growth not endangered by self-centered interest, motives of solution to the problems of technological change and foreign competition, to name a few—they too often waste their energy in this self-induced hysteria of sloganeering.

Waging the battles of 1910 on the fields of 1960 is not only wasteful, it is dangerous.

The context that labor and management exist in today is far different than it was as recently as the war. Their actions are no longer isolated. Their responsibilities no longer extend only to their members and shareholders but to the entire national interest in an economy characterized by interdependence and by multiple, private ownership of property.

Yet they are unable to communicate as they should, even while these responsibilities hang over them.

I think there have traditionally been three major barriers to open communication between labor and management—social, political, and economic.

There were once very great social distinctions between company presidents and labor leaders. Today, one can find bargaining sessions in which the company president began his career on the assembly line while the union spokesman is a college-trained lawyer. The unhappy class division that kept them apart—and I sometimes wonder if it ever really existed—no longer exists between American labor and management.

The second barrier has been a political one. It resulted from the centering of both of these institutions around political doctrines that appeared best to further their own ends.

But over the years, not only has the composition of the labor movement changed, not only has the management structure changed, but the political doctrines themselves have changed—as they always have and will in this country.

Yet the old division is maintained, and it can be a block to communication.

With some prominent leaders one has to constantly distinguish between the statements they make as the representatives of their union, or their company, and the statements they make as political personalities.

Just the other day a prominent labor leader, speaking in Washington, said that the invocation of the Taft-Hartley injunction in the steel dispute by the President was a political payoff to the steel companies that had contributed to the 1956 election.

Now how can we expect to rationally meet the problems we face, problems which require reason and discipline to solve, in such an unprincipled political atmosphere.

The third and final barrier between labor and management are differences in economic philosophy. In many cases, these differences are genuine. A labor leader might well believe that full employment and economic growth would result from lifting consumer buying power through wage increases, and that a slight increase in the cost of living is a small price to pay, while a management respresentative might believe just as strongly that increased profits, resulting in increased expenditures for plant and equipment, is the surest way toward growth and full employment.

What is needed here is more communication and not less.

But it has to be a new form of communication, carried on outside the bargaining table, carried on frequently over a period of time, to agree on what they can agree on, and to develop a mutually understandable vocabulary to deal with those problems they cannot agree on.

Let them agree on one idea as a starting point. That idea is this:

Owners and stockholders, union members and employees, the consumers and the public, all have a right to a fair share of increasing productivity.

Let them agree that the time has come when a third chair is at every bargaining table, the chair in which the public sits—the chair in which as consumers and taxpayers they sit themselves.

In our modern economy, the decisions made by labor and management have an impact on the national interest, which is, after all, their interest.

This is certainly not a hard thing to agree to and it is a start.

It is possible to apply this idea to particular industries, if both labor and management within that industry talk it over and talk it out away from the bargaining table.

Labor and management in this country have got to start talking to each other in a more meaningful way. They have to rid themselves of the old social and political divisions that no longer exist, for our economy is the bedrock of the Western World and its strength depends upon the good sense and the good will of the men who operate it.

I have talked considerably longer than is my custom. I would like to take 1 more minute to sum up, generally, this first Alexander Graham Bell lecture.

It is my belief that in communicating with the largest nonfree society of modern times, that we should keep the light shining into that state, even though we know it may be distorted. I think we should stand at all times in a posture of truth, and concentrate our efforts on presenting the true values of our society and not so much criticism of theirs. I hope that doors are beginning to open between us, and we should proceed in the firm conviction that freedom and truth have their own appeal.

To make this effort succeed, however, we must reappraise the means of communication within our own free society, and the use of those means. If regulation is needed to assure that those means will be used to instruct and uplift, it should be the self-regulation that results from education. And the managers of the media have a responsibility they have not exercised to the fullest.

In another area of vital communication, I believe that labor and management in the United States find it difficult to communicate because there are shadow differences between them reflecting an older time, and which are not useful for today and tomorrow.

And finally, if both labor and management can agree to the element of public interest in their deliberations, they can go on to discuss, outside of the bargaining table, the methods by which this understanding can best be implemented in individual industries.

I have been privileged to appear here today. I hope that in future years the memory of Alexander Graham Bell will be honored in the only meaningful way, by a growing understanding among men, a wider peace among nations, and truer virtue in each member of the human family.

The Need Is To Strengthen, Not Weaken, the Food, Drug, and Cosmetics Act—Testimony on Proposed Color Additives Legislation

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 27, 1960

Mrs. SULLIVAN. The House Committee on Interstate and Foreign Commerce is at present engaged in important hearings on legislation which passed the Senate in the closing hours of the last session dealing with the use of coal tar and other coloring matter in food and cosmetics. The legislation is primarily intended to aid industries in these fields to continue to use dyes which cannot any longer pass Food and Drug Administration tests for harmlessness.

In my testimony before the committee this morning, I urged a go-slow policy by the committee, pointing out, first of all, that the proposed legislation provides virtually no added protections for the consumers and would, as it passed the Senate, actually weaken the consumer protections of the Food, Drug, and Cosmetics Act; and, second, that if any legislation is passed to aid industry and to clear up legal confusions in the use of dyes, that it be only as part of an overall tightening and improvement of the entire Food, Drug, and Cosmetics Act. I particularly urged that several loopholes not related to color additives in the 1938 and 1958 acts be closed, and that we now enact as part of the Food, Drug, and Cosmetics Act the same pretesting requirements on ingredients used in cosmetics as we now require for additives used in food processing.

My testimony this morning was as follows:

THE NEED IS TO STRENGHTHEN, NOT WEAKEN, THE FOOD, DRUG, AND COSMETIC ACT

(Testimony of Congresswoman LEONOR K. SULLIVAN, of Missouri, before House Committee on Interstate and Foreign Commerce, on proposed color additives legislation, Wednesday, January 27, 1960)

The tremendous turnout you had here yesterday morning when Secretary of Health, Education, and Welfare Arthur S. Flemming testified on the color additives issue indicated clearly the widespread interest in the subject matter of these hearings. I doubt if you ever tried to squeeze more spectators into your hearing room. Obviously, this legislation is serious to many groups in our society—to the food and chemical and cosmetics industries, and to the general public—particularly the housewife.

My purpose in appearing before you this morning is to urge you to please take your time on this legislation. I am not going to suggest that you sit on the bills and do nothing about them, but I sincerely urge that you make haste slowly—that you study this matter as carefully as any issue ever to come before the committee, for you are dealing with the health of the American people in the most direct manner possible.

CIRCUMSTANCES OF SENATE ACTION

I make such a point of urging caution because I know you are under strong pressures to act quickly on color additives legislation. We all know that late in the session last year, without any hearings at all and under procedures which seemed to indicate it was a very minor and routine bill, the Senate, by unanimous voice vote, passed a most far-reaching bill on color additives. We know it is a defective bill in a most serious respect. Yet it came out of committee, as I said, without hearings, and was called up under a routine call of the calendar for passage by unanimous consent, with no full explanation and with virtually no debate or even discussion. The only thing we find in the CONGRESSIONAL RECORD of the debate which occurred was a colloquy over the effects of S. 2197 on the right of Florida citrus growers to use a not-quite-harmless coal tar color in coloring Florida oranges. When the Senator from Florida was assured that S. 2197 would not interfere with the use of Citrus Red No. 2 on Florida oranges, the bill passed automatically.

Some of the members of the committee will recall that immediately after the Senate acted on this matter last August, I contacted them to urge that there be no such precipitate action in the House. I appreciate the fact that no attempt was made to jam through a bill in the frantic closing hours of the last session. I appreciate the fact that full hearings are now scheduled into the color additives issue.

DELANEY ANTICANCER CLAUSE A MINIMUM REQUIREMENT

I don't want my testimony to imply anything improper on the part of anyone in the Senate—I just think that in the closing rush of last August this bill could not possibly have received the close attention it deserved. Nevertheless, the circumstances of the Senate's action were such that I find it very hard to feel right about this legislation, even if we close up its most glaring loophole by inserting the same kind of anticancer provision which Congressman DELANEY wrote into the food additives bill in 1958. I cannot understand why the bill as it came from the Senate did not include such a clause. Without it, I think this legislation would be far worse than present law covering the use of coal tar colors. Furthermore, by taking out from under the Food Additives Act of 1958 dyes made from other than coal tar bases, it would increase the danger of carcinogens in our diets, unless, of course, the provisions of the Delaney amendment are written into this bill as a minimum requirement.

Obviously, then, despite its impressive title as a bill to protect the public health, S. 2197 as it passed the Senate would weaken the protections of the Food, Drug, and Cosmetics Act. And this is certainly no time in our history to be weakening the consumer protections of our laws. On the contrary, our laws to protect the consumer need strengthening, and this is particularly true of the Food, Drug, and Cosmetics Act. We have put a number of patches on it in recent years, but it is far from being as strong as it should be.

HOW WOULD CONSUMERS BENEFIT?

Clearly, some of the shortcomings of the present act do exist in this area of coal tar colors. But I am not convinced the deficiencies are as serious to the consumer as they seem to be to many of the industries affected.

The present law says in effect that no coal tar color can be used in or on food or cosmetics unless it is deemed harmless. This law grew out of the conviction of scientists that coal tar colors are inherently risky and should be circumscribed in use to such an extent that if there is any question at all about their safety they should not be used in or on food, or in other substances which may be ingested. In recent years, new testing methods have shown that some of the coal tar colors previously thought to be harmless are not in fact completely harmless although they may be, and probably are, safe in the manner normally used in commercial products. Nevertheless, because these colors cannot pass the test any longer of being harmless under all circumstances, the law states they cannot be used—they must be withdrawn. As a result some of the yellows used in coloring margarine and butter, some of the reds—most of the reds, I believe—in lipsticks, and various other familiar colors used in foodstuffs are in the process of being delisted—of being prohibited for use on products which people eat (or, in the case of lipsticks, swallow).

Mr. Chairman, I am not quite sure I see how the consumer is being damaged by the removal of these colors. Nor do I see why the consumer would benefit from the changes suggested in this legislation. I can readily see why many industries want legislation enacted which would set up entirely new criteria for approving the use of coloring matter, including the setting of tolerances for the use in or on food of apparently harmless quantities of dyes which may not be harmless in greater quantities. But I do not yet see how the consumer interest would benefit from this color additives legislation.

CAN WE BE CERTAIN THAT SAFE LEVELS ARE REALLY SAFE?

True, the proposed legislation would place on the manufacturer, not the Government, the burden of proof for establishing the safe levels of coal tar colors. But as our whole experience with the coal tar colors shows, today's proof of safety may be inadequate in terms of tomorrow's testing methods. Do we then go to the consumer and say, "Sorry, we made a slight mistake; a coal tar color we knew was not completely harmless but which we thought was safe to use in certain concentrations has now turned out to be unsafe and dangerous, and if you've been eating it in your food we're very sorry about it?"

Mr. Chairman, just how important is it to have these artificial colors in foodstuffs if there is any danger whatsoever to the consumer through their use? True, the margarine manufacturers want their product to look like butter; the butter producers want their butter to look like yellow butter regardless of its natural color; the Florida citrus growers want their greenish-looking oranges to be orange in color, and the manufacturers of all sorts of products—sausage casings, cakes, cookies, pies, bread, processed cheese, spreads, canned and frozen vegetables, confectionary, ice cream, gelatin desserts, puddings, and so on—all want to dazzle us with the looks of their products even if they have to create the look artificially with coal tar colors which cannot any longer pass the test of being harmless.

Now we are told that the consumer wants and demands these attractively colored foods and therefore it is an economic necessity for industry to provide them.

CONSUMERS ASSUME DYES ARE SAFE

I do not doubt that a housewife buying oranges will generally select the product which looks more natural by reason of having been dyed to look that way rather than the greenish one next to it which appears to be unripe; I do not doubt that in selecting a lipstick she will want the color which, to her, best matches her complexion and outfit; I do not argue that in buying processed foods, she is attracted by the appearance of the product.

But the point is that the consumer, in buying these brightly colored or natural-looking colored items in the store, believes—takes it for granted—that the coloring dyes used are safe, and that otherwise their use would not be permitted by the Federal Government.

What this proposed legislation would do is to say the coloring matter frequently used may not be entirely safe under all circumstances, but we believe and trust and hope and have reason to think it is safe in the amount used and in the manner used. And so the housewife will then continue to be able to buy margarine which looks like butter, and butter which, because of a deeper yellow shade, looks more like butter, and so on, even if the looks are artificially contrived through use of not-quite-harmless dyes.

Under S. 2197 as it passed the Senate, these dyes could even be cancer-inducing, yet could be used if the manufacturer could establish that the cancer manifested itself only at substantially higher levels of concentration.

CANCER-INDUCTION IS CUMULATIVE PROCESS

This, of course, does not jibe with the findings of outstanding cancer experts that cancer-induction is a cumulative process which begins with the first dose of the cancer-inducing agent. Secretary Flemming referred to this matter at some length in his prepared testimony yesterday and in a technical report he also submitted, so I need not go into it in any detail. Many of you—perhaps all of you— saw the letter I obtained on this matter last year from Dr. Harold F. Blum of the National Cancer Institute and which I placed in the CONGRESSIONAL RECORD, volume 105, part 13, pages 17264–17265, in direct reference to the bill which had just passed the Senate and which is now before you. But in view of Secretary Flemming's technical report from the NIH, I think we can now take for granted the fact that carcinogens must not be allowed in food or in anything ingested. Present law already prohibits this as far as all food colors are concerned—the coal tar colors under the basic Food and Drug Act of 1938 and the other colors under the Food Additives Act of 1958.

So, again, I ask how does this legislation help the food consumer?

We are told that the job of analyzing and retesting all of the coal tar colors already in use or authorized for use to see if they are still harmless would take the Food and Drug Administration at present levels of operations at least 20 years. This legislation would throw that burden onto the manufacturers and they would have to complete the task in 2½ years. Frankly, I think what would happen is that at the end of 2½ years we

would either be flooded with anguished demands for an extention of time, or many of the dyes would then go off the market because the cost of proving their safety was too high. I for one would be willing to give the Food and Drug Administration the funds to do this testing itself—under the present law.

BROADEN SCOPE OF HEARINGS

I realize, Mr. Chairman, that I am not helping the committee very much if all I do in testifying here is to say "take it easy." I know you have a problem to contend with and many pressures upon the committee to act quickly. Therefore, I think it would be constructive to make this suggestion.

Broaden your hearings and your studies to include not just this one question of coal tar colors and other color additives but to include all of the aspects of the Food, Drug and Cosmetics Act. It is time for that kind of look at the overall picture. In the past 6 months or so we have had one explosion after another over phases of the law and its operation—cranberries, stilbestrol in chickens, the lipstick crisis, the food additive clearances, and so on. I think tremendous progress has been made in alerting the general public to some of the issues involved in food, drug, and cosmetics legislation, and that this is an excellent time to take a good, hard look at the basic law and its patchwork amendments and to undertake a tightening of many of their provisions. This would, of course, carry some dangers with it—the danger perhaps that groups which have suffered economically from operation of some of the consumer-protections of the law would attempt to use such hearings and any new legislation as a means for weakening rather than strengthening the law. But I don't think they could succeed—certainly not if all of us who are deeply concerned about this problem are willing to fight off the pressures to weaken the law.

And the end result could well be a general strengthening of the law—so that the Government, for instance, would no longer have to rely on voluntary agreement in the poultry industry to take stilbestrol out of poultry feed; so that, for instance, cosmetics which are now in the twilight zone of Governmental protection can be put under the same stringent tests for safety as our food additives must now pass; so that other loopholes in the law may also be closed.

WE NEED PRETESTING OF COSMETICS

I think color additives legislation in the context of that kind of approach would be far better legislation than either of the bills now before you. For such an omnibus approach would permit you to eliminate the loopholes in the 1938 law under the new drug sanction and the similar loophole in the 1958 amendments which requires FDA to prove the harmfulness of any additive which had previously been sanctioned for use by a governmental agency. Secretary Flemming in his testimony referred to the stilbestrol problem and the unfairness, as well as the danger to the public, of these so-called "grandfather's clauses" covering chemicals once approved and thereafter protected against delisting until the Government can definitely prove their harmfulness.

In the field of cosmetics, the law is hopelessly obsolete. The Government at present cannot move against a suspect cosmetics item until it has proof of the product's harmfulness. My bill, H.R. 1360, and a similar bill by Congressman DELANEY, would provide the same consumer safeguards on ingredients in cosmetics that the food additives amendments of 1958 provided in connection with the use of chemicals in food. These cosmetics bills have been pending before you for some years, without any action or even hearings. I think this is the year and this is the time—in connection with the color additives bills—to take up this closely related subject of safe cosmetics.

The color additives bill makes it imperative that we do so. For the color additives bill would not only change the basis under which coal-tar colors could be used in cosmetics. It would also establish, for the first time, a basis for clearing in advance the safety of non-coal-tar colors used in cosmetics. That would be helpful. But what of all of the other ingredients in cosmetics? If we are going to require manufacturers to prove the safety of their non-coal-tar color additives in cosmetics, why not in the same legislation and at the same time and under the same standards require the manufacturer to establish the safety of all ingredients in his cosmetics product?

At present, as you know, enough women must be harmed by a new cosmetic item to alert the Food and Drug Administration into looking into the matter; then the FDA must prove the product harmful in order to remove it from the market. I receive letters from women from all over the country complaining about various cosmetics they have used—shampoos or wave set products they claim have caused them to lose their hair, polishes which set up allergic reactions, lotions and creams and powders and lipsticks and deodorants and whatnot which caused embarrassment, discomfort, or pain. I usually pass these complaints along to FDA and sometimes they find the product involved warrants a fullscale investigation and other times they will report merely that the reaction was probably a rare allergic one.

WOMEN WANT SAFE LIPSTICKS

But if a woman is allergic, the label on a cosmetics item tells her nothing. She has to learn the hard—and painful—way.

Speaking as a woman as well as in my capacity as a Member of Congress, I urge you, Mr. Chairman, to go slow on this color additives bill and to enlarge the scope of your hearings to include all issues involved at present in the Food, Drug, and Cosmetics Act. As a woman, I am aware of the fact that some of our favorite lipstick shades may soon be off the market unless this color additives bill is passed quickly. But I am not convinced we would be doing the women of this country any favor at all to assure them the continued availability of lipstick shades which are not safe to use. True, it is claimed we don't swallow our lipstick. But I think the people who make that claim don't use the stuff themselves.

We like the bright and light shades but if they cannot safely be produced, then we prefer to do without these particular shades. In any event, I am sure the cosmetics industry is resourceful enough—it is an extremely resourceful industry—often too much so—but I am sure it is resourceful enough to find substitute colors if it has to. And I think every woman would agree that rather than use unsafe coloring matter, we would be quite happy to settle for a darker shade if necessary, just so long as we could be completely assured it was safe.

I don't think, under this proposed legislation, that any such flat and unequivocal guarantee of safety could be made about any coal-tar color for which a tolerance had to be set. I will not and cannot argue with the scientists on that, but it is my personal opinion—if a coal-tar color is unsafe in any quantity, no matter how large, my feeling is it should not be used at all in foods, drugs, or cosmetics.

If, on the other hand, legislation is absolutely necessary to clear up some of the confusion in the color additives field, then I urge that it be done only as part of an omnibus bill closing all loopholes in present law and including comprehensive safe cosmetics legislation.

SENATE

THURSDAY, JANUARY 28, 1960

(Legislative day of Wednesday, January 27, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in this hour of the world's deep distress we turn to Thee, mindful of our insufficiency. We are but broken reeds, lashed by wild winds that mock our boasting pride uttered in days of calm.

Thine alone, O Lord, is the greatness, and the power, and the glory, and the victory.

In this new decade of human destiny deepen in us the sense of surpassing opportunity and of glorious mission to do our full part in averting a global catastrophe as our willful world is given this one last chance.

Hear our prayer: America, America, God mend thine every flaw.

Send us forth to waiting tasks conscious of a great heritage worth living for and dying for, and with a deathless cause that no weapon that has been formed can defeat.

We ask it in that Name that is above every name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 27, 1960, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, and that statements made in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to express the hope that Senators will be in attendance on the session of the Senate today, in order that we may finish the pending legislation this evening, if at all possible. I am prepared to stay as late as necessary if it seems possible to pass the joint resolution today. If that is not possible, we certainly hope to conclude action on it this week.

Several other bills have been announced as having been cleared by the policy committee. We will have another meeting of the committee in the early part of next week. We expect to follow action on the bills which have already

been cleared with the school construction bill. We consider the school question to be one of the most important issues facing the Nation, and we expect some extended debate in connection with it. It is necessary for us to conclude action on that bill, if at all possible, before we take up the discussion of the civil rights bill, which we have planned for February 15. I hope that all Senators may arrange their schedules so they can be in attendance during this period.

Several civil rights bills have been pending before the committees for some time. We have had something like a deluge of them in the last few days. The distinguished dean of Southern Methodist University, Dean Storey, in behalf of the Chairman of the President's Civil Rights Commission, has made recommendations regarding registrars, and has presented that program to the committee.

The distinguished Attorney General, presumably speaking for the President, has suggested a referee plan.

I am very hopeful that these new proposals, and any other proposals Senators may have in mind, can be carefully considered by the committee so that appropriate recommendations can be made to the Senate before the Senate is called upon to act in the matter.

In any event, we have given our word on the matter, and we want Senators to plan their schedules so they can be available to discuss civil rights beginning February 15 until the debate is concluded. Between now and then we will have for consideration the pending joint resolution and the other bills which have been cleared by the policy committee, including a very major measure, the school bill.

Mr. CASE of South Dakota and Mr. MANSFIELD addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I yield first to the acting minority leader [Mr. CASE] and then I shall yield to the Senator from Montana.

Mr. CASE of South Dakota. I am sure the Senators on this side of the aisle will want to cooperate to the fullest in maintaining the schedule which the majority leader has suggested.

Mr. JOHNSON of Texas. I will say to the Senator from South Dakota I have never, in the 10 years I have occupied a leadership position, found it difficult to get the cooperation of the minority.

Mr. CASE of South Dakota. I wish to make the observation, with respect to this evening, that I am sure the majority leader has in mind that this is the night when the women's auxiliaries of the American Legion and Veterans of Foreign Wars have their receptions and dinners, in connection with which many Senators have made some plans.

Mr. JOHNSON of Texas. There is hardly an evening when we do not have very important dinners to attend.

Mr. CASE of South Dakota. I mention this only in connection with the plan for today, and to express the hope that the joint resolution before the Senate may be expeditiously considered.

Mr. JOHNSON of Texas. I know my friend will cooperate in trying to get the matter to an early vote. We had a problem. Yesterday was Eisenhower Day throughout the land, and we could not get any votes on the pending resolution because I desired to cooperate with my friends of the minority, as they so generously cooperate with us from time to time.

Before the smoke has cleared away from the Eisenhower Day celebrations across the country Senators will be ready to leave for Lincoln Day ceremonies. February 12 is Lincoln's birthday. Senators will leave on the 7th and will not get back until the following Monday.

If we are to face up to the problems which must be solved, and if the Congress is to make the record all of us desire it to make, we are going to have to act on a school bill, on the poll tax amendment, on the civil rights bill, on the housing bill, and on a number of pieces of comprehensive legislation, in addition to the regular appropriation bills.

So I hope the activities on the dinner circuit will not interfere with too many Senators' attendance, because there is not an evening we do not have a dinner to attend, and I do not like to distinguish between which one is minor and which one is major.

Mr. CASE of South Dakota. I recognize that what the Senator has said is accurate, but in light of his statement, I thought we ought to try to expedite consideration of the pending proposal. Many Senators have commitments with respect to the annual dinners, and I thought we might help in getting expeditious consideration of the pending joint resolution during the day.

Mr. JOHNSON of Texas. I cannot do anything about Senators' commitments. I desire to expedite action on the pending joint resolution today, and I shall try to do so. I hope we can finish action on the measure. I should like to finish by about 5 o'clock. But I think Senators who make commitments up to February 7 and after February 12 ought to realize what I have said the minority leader and majority leader have agreed to. We are going to do everything we can within our control to see that we get through our business here in time for the conventions. In order to do that, we will have to come in early and stay late. That means that some Senators will have to miss dinner engagements. I went to a very important dinner night before last honoring the Senator from Rhode Island [Mr. GREEN]. I could not leave my office until 8 o'clock and the guests at the dinner were seated at 8 o'clock. A similar situation often exists with other Senators. Sometimes I have to leave those dinners and return to the Senate.

I hope the Senate will not stop and the clock will not be turned back because Senators have important dinner engagements. When we get to the civil rights debate we may have to watch our breakfast engagements, too.

I now yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wanted to ask the majority leader if it is the intention of the leadership to bring up the school aid bill immediately following the disposition of the joint resolution which is now before the Senate.

Mr. JOHNSON of Texas. No; I would not want to be committed to or prohibited from taking up a number of bills which have been cleared and are on the calendar. I expect to call up several bills. I expect the school bill to be one of the major pieces of legislation considered this year, and I want to take it up as soon as I can following the disposition of the pending joint resolution. But there will be other bills sandwiched in between. I hope we can get the school bill acted upon before February 15, and I am going to make every effort to have that done. But, for instance, if it were cleared, we could not call it up by motion before next Tuesday because of the absence of some Senators who are interested in that proposed legislation.

Mr. MANSFIELD. If I may ask the leader one more question, does he intend to bring up before next Wednesday the bill reported by the Interstate and Foreign Commerce Committee having to do with cables, boosters, TV stations, and the like? It is Order No. 950, Senate bill 2653, to amend section 409(c) of the Communications Act of 1934.

Mr. JOHNSON of Texas. I should like to discuss that with the Senator. There is one group writing letters recommending that it be taken up. There is another group writing letters urging us to wait until they get back. I have letters from some Senators saying, "Please take it up now." I have letters from others saying, "Please do not take it up until after the 15th."

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. The Senator, in answer to questions, has given several negative answers. Is the majority leader able to tell us affirmatively what some of the bills are that may be brought up?

Mr. JOHNSON of Texas. Yes. They have been previously announced. I will repeat them. One is the bill to which the Senator from Montana [Mr. MANSFIELD] referred, Order No. 950, Senate bill 2653, the community antenna bill. That is a bill which will receive the consideration of the Senate. It is just a question of arranging a time to suit the convenience of Senators. Another is Order No. 1035, Senate bill 743, to amend the Federal Coal Mine Safety Act. That is a bill which will receive the consideration of the Senate.

Order No. 1049, introduced by the Senators from Michigan [Mr. MCNAMARA and Mr. HART], to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, is a major bill, and its consideration will take much time of the Senate.

I could start with the first order and go through the list, but most of the bills on the calendar have been cleared. It is simply a question of working out when we can consider them in the Senate. I doubt that we will get to all the ones I have already listed, because we have agreed to go slowly from February 7 and back until the first of the following week.

I hope my minority colleagues will take that into consideration at the end

of the session, when they issue their statements about our achievements, and will say that we did the best we could in the light of all the engagements we had away from the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON AGREEMENTS CONCLUDED UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on agreements concluded under title I of the Agricultural Trade Development and Assistance Act of 1954, during the month of December 1959 (with accompanying papers); to the Committee on Agriculture and Forestry.

AMENDMENT OF CAREER COMPENSATION ACT, RELATING TO TRAVEL AND TRANSPORTATION ALLOWANCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 303 of the Career Compensation Act of 1949, to authorize travel and transportation allowances, and transportation of dependents and of baggage and household effects to the homes of their selection for certain members of the uniformed services, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT OF DEPARTMENT OF DEFENSE ON DISPOSITION OF FOREIGN EXCESS PERSONAL PROPERTY

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the disposition of foreign excess personal property by the Department of Defense, as of June 30, 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

ADMINISTRATIVE ASSISTANT SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish the position of Administrative Assistant Secretary of Health, Education, and Welfare (with an accompanying paper); to the Committee on Post Office and Civil Service.

CONCURRENT RESOLUTION OF SOUTH CAROLINA GENERAL ASSEMBLY

Mr. THURMOND. Mr. President, on behalf of myself and my colleague, the senior Senator from South Carolina [Mr. JOHNSTON], I present a concurrent resolution of the General Assembly of South Carolina memorializing Congress to appropriate funds to conduct basic and applied research at a research center, to be established in the Pee Dee area of South Carolina, on problems involved in the usage of soil and water resources in the middle Atlantic coastal plains areas. I ask that the concurrent resolution be appropriately referred.

There being no objection, the concurrent resolution was received and referred to the Committee on Appropriations, as follows:

Whereas many basic and practical problems are involved in the usage of soil and water resources by agriculture, industry, municipalities and others; and

Whereas the demands for the use of these resources are ever increasing and the solution of the many problems involved has become a nationwide interest; and

Whereas soil and water conservation research is urgently needed in many areas and especially in those which have a much higher production potential than that indicated at the present; and

Whereas the middle coastal plains areas which lie in North Carolina, South Carolina, and Georgia, containing approximately 30 million acres, is considered to be an area which needs the attention of research scientists with a view to studying flooding, water supply, water erosion, wind erosion, crop rotation and residue management, salinity, soil fertilization and liming, reclamation of marshland, forest establishment and management, economic and social aspects of soil and water conservation, internal drainage, tillage, and many related problems; and

Whereas in document No. 36 of the 1st session, 86th Congress, entitled "Facility Needs—Soil and Water Conservation Research," the Pee Dee section of South Carolina is recommended as a research center which should be provided with facilities for an appreciable expansion to attack the many diverse problems on the sandy soils of the middle coastal plains involving mineral, nutrition, soil and water management because the Pee Dee area is in the approximate geographic center of the three-State area and has typical soils, topography, problems, and average climate conditions; and

Whereas it is felt by the members of the General Assembly of the State of South Carolina that there is a tremendous need for such a research center, to be administered and operated by the Federal Agricultural Research Service, Soil and Water Conservation Research Division, in cooperation with participating State experiment stations; and

Whereas it is the desire of the members of the general assembly that funds be appropriated so that such research center may be established: Now, therefore, be it

Resolved by the house of representatives, the senate concurring, That the Congress of the United States be memorialized to appropriate sufficient funds to conduct basic and applied research at a research center to be established in the Pee Dee area of South Carolina on problems involved in the usage of soil and water resources in the middle Atlantic coastal areas; and be it further

Resolved, That copies of this resolution be sent to the clerks of the House of Representatives and the Senate of the United States and to each Member of the U.S. Congress from South Carolina.

INEZ WATSON,
Clerk of the House.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 8684. A bill to provide transitional provisions for the income tax treatment of dealer reserve income (Rept. No. 1045).

TENTH ANNUAL REPORT OF SELECT COMMITTEE ON SMALL BUSINESS (S. REPT. NO. 1044)

Mr. SPARKMAN. Mr. President, from the Select Committee on Small Business, I submit the committee's 10th annual report, and ask that it be printed.

As has been the case in every preceding year, this report is a unanimous one, and summarizes an active and fruitful year of activity by the committee.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Alabama.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENNEDY (for himself, Mr. CLARK, and Mr. JAVITS):

S. 2929. A bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of belief; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 2930. A bill for the relief of Aubey Singh Chattergoon; to the Committee on the Judiciary.

By Mr. BEALL (for himself and Mr. BYRD of Virginia):

S. 2931. A bill to amend the Hatch Act so as to permit certain political activity by Federal employees residing in Maryland or Virginia and employed in the District of Columbia or surrounding counties of such States; to the Committee on Rules and Administration.

By Mr. CLARK:

S. 2932. A bill to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody; to the Committee on the Judiciary.

S. 2933. A bill relating to accumulation of income by certain charitable trusts and corporations; to the Committee on Finance.

By Mr. TALMADGE (for himself, Mr. BYRD of Virginia, Mr. ROBERTSON, Mr. JOHNSTON of South Carolina, Mr. HILL, Mr. SPARKMAN, Mr. EASTLAND, Mr. STENNIS, and Mr. LONG of Louisiana):

S.J. Res. 154. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

(See the remarks of Mr. TALMADGE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS:

S.J. Res. 155. Joint resolution authorizing the establishment in the District of Columbia of a memorial to Albert Einstein; to the Committee on Rules and Administration.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

Mr. CLARK, on behalf of himself, and Senators BEALL, BYRD of West Virginia,

CARROLL, CHURCH, GRUENING, HENNINGS, HUMPHREY, JAVITS, KEFAUVER, KENNEDY, MAGNUSON, MCCARTHY, MCGEE, MORSE, MOSS, NEUBERGER, PROXMIRE, SYMINGTON, WILLIAMS of New Jersey, YOUNG of Ohio, PASTORE, ENGLE, and RANDOLPH, submitted a concurrent resolution (S. Con. Res. 83) to strengthen the authority of the United Nations to prevent war, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

STATE CONTROL OF PUBLIC EDUCATION

Mr. TALMADGE. Mr. President, last January, eight colleagues and I introduced a proposed constitutional amendment which we sincerely felt offered a reasonable and realistic solution to the worsening educational crisis growing out of the Supreme Court's 1954 decision prohibiting separate schools for the races.

The proposal was widely acclaimed not only in the South but also in all other sections of the country. Many newspapers carried editorials commenting favorably upon it and I had a number of them printed in the CONGRESSIONAL RECORD. I received hundreds of letters from individuals throughout the Nation endorsing the approach proposed by the Talmadge school amendment as fair, sound, and workable.

Extensive public hearings were held last May by the Subcommittee on Constitutional Amendments at which an impressive number of responsible and respected leaders, including some of the country's best legal scholars testified in support of so amending the Constitution of the United States. The 282-page printed transcript of testimony taken at those hearings stands as irrefutable proof of the fact that support of the Talmadge school amendment is not limited to any one region, but is national in scope.

Unfortunately, the joint resolution embodying the proposed amendment was tabled in the subcommittee by a vote of 3 to 2 as the result of some of the specious objections which were raised to it.

There were some who contended that the language was too broad.

There were others who maintained that it opened the door to economic, religious and racial discrimination.

There were others who insisted that it would nullify the guarantee of "equal protection of the laws" contained in the 14th amendment.

There were others who charged that it would result in all manner of lowered standards, capricious regulations, and restricted educational opportunity.

Of course, Mr. President, all of those fears were completely groundless, and those of us sponsoring the proposed amendment sought so to assure the members of the subcommittee. As the principal author, I advised them that the sponsors would welcome any clarifying language which they felt was needed to allay the various apprehensions which had been expressed.

It was disappointing, therefore, that the subcommittee decided to table the proposal rather than revise its wording and give the full Committee on the Judiciary an opportunity to pass on it.

Consequently, the other sponsors and I have endeavored to rewrite the original joint resolution in an effort to satisfy the objections which have been raised to it, while, at the same time, striving to preserve the original objective of restoring control over public education to the States as intended by the framers of the Constitution. The result of our efforts is contained in a new joint resolution which I shall offer for introduction and appropriate reference at the close of my remarks.

Our revised amendment would read as follows:

Notwithstanding any other provision of this Constitution, every State shall have exclusive control of its public schools, public educational institutions, and public educational systems, whether operated by the State or by political or other subdivisions of the State or by instrumentalities or agencies of the State: *Provided, however,* That nothing contained in this article shall be construed to authorize any State to deny to any pupil because of race, color, national origin, or religious belief the right to attend schools equal in respect to the quality and ability of the teachers, curriculum, and physical facilities to those attended by other pupils attending schools in the same school system.

Mr. President, it is my firm belief that this new language for the Talmadge school amendment should serve to set at rest all the fears of those who have had doubts either as to the motives of its sponsors or as to the ultimate result of its application.

Nothing in that language, Mr. President, would relieve any State of its obligation within the context and intent of the 14th amendment to guarantee all of its citizens equal protection of the laws. It would merely assure for all time to come that insofar as public education is concerned, no State could be deprived of its constitutional right to operate its public schools in accordance with the wishes of its citizens within the limits of constitutional guarantees.

Let me point out and emphasize, Mr. President, that the Talmadge school amendment is neither a segregation nor an integration measure. It rather is a proposal to reassert affirmatively the time-honored right of local people to administer their schools on the State and local levels in accordance with prevailing conditions, circumstances and attitudes. Under it, school patrons in each State would be free to determine for themselves through their elected representatives whether segregation, integration, or some median procedure would best serve the interests of their children and State.

The basic question involved is far more fundamental than the mere matter of who attends what school. It goes to the very heart of our concept of constitutional republican government; that is, the right of local self-determination.

The bedrock of our form of government is, in the words of the Declaration of Independence, that it derives its "just powers from the consent of the governed." And whenever we in this country get away from that foundation of our freedom, as of that moment we will have ceased to be a Nation in which the people govern themselves.

Mr. President, I recognize that on the issue of separation of the races in the schools of the Nation there is a wide divergence of opinion and individual feelings are strong and inflamed on both sides. Many false emotional factors have been injected, and those undoubtedly account for the fact that the Talmadge school amendment to date has not been considered on its merits.

As I endeavored to stress when I introduced the original version of the amendment last year, Mr. President, the constitutional and sociological ramifications of the Supreme Court's school ruling have stirred a continuing controversy which has divided the best minds of the country.

There are two opposing camps of opinion—those who consider the decision to be the law of the land and who are determined to force its implementation regardless of the results and those, like myself, who consider the decision to be outside the scope of the Constitution and who are dedicated to seeking its reversal by every lawful means.

On one hand, there is the accomplished fact of a Supreme Court edict, while on the other hand the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of it.

The only realistic, constitutional way by which the public schools in many areas of the South can be spared the fate of being crushed between those two millstones lies in recognizing that public schools are local institutions which must be operated by local people on the State and local levels if they are to survive.

It was with the view of affording such a solution that the original Talmadge school amendment was proposed last year, and it is with that same objective in mind that the revised version is being presented at this session.

I ask unanimous consent, Mr. President, to have the text of my statement before the Senate upon the introduction of the original amendment on January 27, 1959, printed at this juncture in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROPOSED AMENDMENT TO THE CONSTITUTION TO VEST EXCLUSIVE ADMINISTRATIVE CONTROL OF PUBLIC SCHOOLS IN THE STATES AND THEIR POLITICAL SUBDIVISIONS

Mr. TALMADGE. Mr. President, no one can view dispassionately the recent course of events which has resulted in the closing of public schools in various localities of the South without experiencing a deep sense of sorrow.

Neither can one objectively contemplate a future in which those events are allowed to

continue to their ultimate conclusion without experiencing a shocking sense of alarm.

The closing of any school anywhere is a lamentable occurrence.

The closing of a public school system is a terrible tragedy.

The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe.

Yet, Mr. President, a realistic appraisal of the facts of the matter affords no conclusion but that that will be the inevitable result of binding the citizens of the South in the chains of circumstance now being forged around them.

And the real losers of such an eventuality unfortunately will be those who will have the least to say about it—the schoolchildren of the South and their parents.

The importance of education hardly can be overstated.

With the exception of seeking the salvation of his immortal soul, man has no greater responsibility than seeing that his young are educated to the fullest extent of their abilities and are equipped spiritually and intellectually to achieve mankind's highest destiny.

The American concept of universal education, more than any other factor, is responsible for the greatness which this Nation has achieved. And it very likely may prove to be the determining factor in the outcome of our present life-or-death struggle with international communism.

This critical juncture in our national life is no time to permit divisive issues to rob the Nation of the minds and talents of a great segment of its youth by closing the doors of the public schools in their faces.

It is time, Mr. President, that someone spoke out in behalf of the voiceless masses who will suffer the consequences of such rash action.

From their standpoint there is little difference between those who would destroy public schools with bombs and those who would close them with court orders.

The end result of both actions is the same—to deny the children affected their right to a public education.

Let us put the question in its proper perspective.

The constitutional and sociological ramifications of the decision of the Supreme Court that separate, but equal, education is violative of the 14th amendment have stirred a continuing controversy which has divided the best minds of the country.

There are those who consider the decision to be the law of the land and who are determined to force its implementation regardless of the results.

There are others, like myself, who consider the decision to be outside the scope of the Constitution, and who are dedicated to seeking its reversal by every lawful means.

Since there is no likelihood that those two viewpoints ever will be reconciled, it is essential to the future welfare of the Nation that all citizens face up to the two incontrovertible facts of the situation. They are these: First, regardless of whether one accepts it or not, the Supreme Court's school decision is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by Congress or the people; and, second, regardless of whether one likes it or not, the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of that decision and there is no prospect of any change in that position within the foreseeable future.

Therefore, Mr. President, unless it is the wish of the Senate and the Congress that the Nation be torn asunder and the schools of the South destroyed, action must be taken soon to resolve the issue on a realistic, constitutional basis in the light of the facts just stated.

To those who insist that compliance be compelled by Federal force, I would point out the disastrous consequences of such an attempt in Little Rock, Ark.

Federal bayonets are not the answer.

To those who would have the Federal Government finance and operate the schools of the South, I would point out the abhorrent results we have witnessed in our lifetimes from the attempts by Nazi Germany and Communist Russia to control education at the national level.

Federal control of education is not the answer.

To those who advocate inaction and who would sit by idly and smugly while children go without an education, I would point out the unspeakable hypocrisy of using children as pawns of political expediency.

Rearing a generation in ignorance is not the answer.

What, then, Mr. President, is the answer?

That is a question to which I have given 2 years of serious thought and careful study and about which I have sought the ideas and advice of lawyers and laymen throughout my State and region.

In all candor I must admit, Mr. President, that I do not believe any one man, any one legislative body or any one court could devise a comprehensive answer which would cover all situations and meet all contingencies inherent in the present controversy.

That is why I am convinced that the historians of the future will record as one of the gravest and most costly mistakes of our Nation the decision of the Supreme Court to make judicial questions out of matters of human relations which the sum total of the experience of mankind dictates should be left to the orderly process of evolution.

But now that the Court has arrogated unto itself the authority to release the unknown contents of this Pandora's box, I submit, Mr. President, that it is now incumbent upon Congress to act to provide for the resolution of the resulting problems and tensions in a way compatible with American constitutional concepts.

That way, Mr. President, lies in the recognition of the fundamental fact that public schools in the United States are local institutions which have been established and are operated and financed by local people on the local level.

That way lies in freeing the Governors, legislatures, and school boards of the individual States to deal with each situation in the light of its own peculiar circumstances and in accordance with prevailing public opinion.

That way lies in removing external pressures seeking to force compliance with unacceptable directives and edicts and rather permitting local school patrons to determine for themselves the manner in which the schools attended by their children shall be administered.

That way can be paved, Mr. President, by the submission by this Congress for ratification by the States of an amendment to the Constitution of the United States which would read as follows:

"Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision."

Under such a constitutional provision, the citizens of each State and subdivision would be left free to determine for themselves—in accordance with local conditions and procedures and prevailing attitudes—how and when their schools would comply with the Supreme Court's school decision.

Such a provision would prevent destruction of the public schools of the South and would end for all time any threat from any quarter of Federal control of education.

Such a provision would assure uninterrupted instruction for all children, regardless of their color or place of residence.

Such a provision would permit either retention of the status quo or orderly change as dictated by the requirements of public opinion and make certain that whatever change might take place would be by the constructive process of evolution rather than the destructive process of revolution.

Such a provision would create a basis for unity throughout the Nation at a time when it is vitally important that we present a united front before our enemies.

It goes without saying that the course I advocate will not be acceptable to those who wish to further their own partisan ambitions by punishing the South or to those who prefer for selfish reasons to keep the issue unresolved.

But I submit, Mr. President, that it offers a constitutional solution to a national dilemma which is compatible with everything that is American and affords the one way in which those of us who disagree on the constitutional and sociological questions at issue can meet on firm common ground to serve the best interests of the present and future generations of American youth.

I sincerely believe that there is not a Member of this Congress—regardless of the degree of his personal belief on this question—who could not vote for such an amendment with a clear conscience and in complete consistency with his principles.

As for myself I am and always have been a stanch adherent of the principle of local self-government and local self-determination. I regard it as the cornerstone of our freedom; and there is not an issue in our national life today to which I would not be willing to apply it without reservation.

I cannot bring myself to believe that any Member of the Senate who sincerely desires to see this disruptive issue peacefully and permanently resolved, and who genuinely is concerned about the welfare of all the children of this Nation, would oppose the submission of such an amendment.

I cannot comprehend any thinking individual ever opposing the submission of any proposition to a vote of the people or their elected representatives.

The very basis of our form of government is, in the words of the Declaration of Independence, that it derives its "just powers from the consent of the governed."

That is the crux of the present effort to force a new social order upon the South by judicial dicta—it is being done without the consent of the people directly affected.

The sentiment of the people of my State of Georgia is best summarized by two editorial excerpts.

The first, from the column of David Lawrence in the July 6, 1956, issue of U.S. News & World Report, states:

"The question before the country today is whether communities are free to adjust their school system to meet their own local conditions and local sentiment. Those States which desire to integrate their schools ought to have the sovereign right to do so, and those which desire to operate mixed schools in some counties and separate their schools in other counties, either by color or by sex or by intelligence tests, should have the same sovereign right."

The second, from an editorial by Editor James H. Gray in the November 27, 1958, issue of the Albany, Ga., Herald, reads:

"Surely, if common sense is going to be injected into this question—and there has been too little of that because of the political

capital that is being made of the votes of minority groups—this vital principle of consent of the governed must be maintained. Obviously, it can only be safeguarded by careful attention being paid to local conditions and local sentiment. * * * Freedom cannot flourish in a society where Federal force and political whims are the predominant cementing elements."

It is interesting to note, Mr. President, that the 2d session of the 85th Congress in two separate enactments affirmed the local nature of public schools and provided for their control on the local level.

In the National Defense Education Act, Congress declared:

The Congress reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education.

In the Alaska Statehood Act, Congress provided in section 6(j) that "the schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions."

The States of the South, with no disrespect to their sister State of Alaska, feel they are equally entitled to exclusive control of their schools and colleges. The amendment I am offering today, if submitted and ratified, would assure for all time that all States would enjoy that right.

The Supreme Court in its initial decision acknowledged the "variety of local problems" presented by its ruling and instructed the district courts to take "local conditions" into account in formulating their decrees under it. However, when the Little Rock district court sought to do just that last year, the High Court reversed itself and held that integration would have to proceed despite local conditions and the public interest.

The Supreme Court thus has sought to establish itself—without benefit of constitutional or legislative authorization—as a super board of education superior to the Constitution, to Congress, and to the consent of the people. In the course of less than 5 years it has so disrupted laws governing education that every school in the Nation now is subject to the whims of whatever five men happen to constitute a majority of the Court.

I do not believe, Mr. President, that it is the intent of this Congress or the wish of the people of this Nation that the local schools which were paid for and are financed on the local level should be at the mercy of a court which has no knowledge of educational needs or the public interest in fulfilling them.

Of all our public institutions, none are more needful or deserving of stability and continuity than are our schools. It is inconceivable that the younger generation can be educated for responsible citizenship in the future under continually changing rules of instruction.

It is basic in organized society that the rights and wishes of the individual must be subordinated to the dictates of public opinion and the requirements of public interest. And it would be well for members of all three branches of Government—executive and judicial as well as legislative—to reflect upon the fact that the source of all law is the people and that laws and court decisions are enforcible only to the degree that they conform to the consent of the governed.

It is with the desire to invoke our heritage of the "consent of the governed" that I herewith submit for appropriate reference a constitutional amendment which would vest exclusive administrative control of public schools in the States and their political subdivisions.

Mr. President, I introduce the joint resolution on behalf of myself and the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the senior Senator from South Carolina [Mr. JOHNSTON], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS], and the Senator from Louisiana [Mr. LONG].

Mr. President, I ask unanimous consent that the joint resolution may be read twice by its title and appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 32) proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools, introduced by Mr. TALMADGE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the joint resolution may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution was ordered to be printed in the RECORD, as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"'ARTICLE —

"'Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision.'"

Mr. TALMADGE. Mr. President, as I observed earlier, there are those who prefer the issue and there are those who genuinely want to resolve it.

I hope that two-thirds of the Members of the Senate and of this 86th Congress count themselves in the latter category, and will be willing to stand up and be so counted.

This amendment is compatible with everything that is American. It is the American way. It is the constitutional way. It is the way of reason and common sense.

I pray, Mr. President, that for the future of education in the United States this 86th Congress will give the people of America, through it, the opportunity to reclaim their constitutional right to run their schools on the local level according to the wishes of local people.

Mr. TALMADGE. Mr. President, the argument that the Talmadge school amendment would result in lowered standards, capricious regulations, restricted educational opportunity, and various fancied forms of racial, religious, and economic discrimination is a gross insult to the intelligence, vision, aspirations, and humanity of all Americans of all regions.

No responsible individual would advocate or condone any backward step in the quality or quantity of American education. All thinking citizens recognize that the great need of our Nation in this era of scientific and technological revolution is for more and better education, and the extraordinary efforts which the citizens of the South presently are making to provide such education for all children of all races, national origins, and religions bespeaks more eloquently of their sincerity and good faith in this regard than anything I might say.

There would be no curtailment or infringement of educational opportunity for children of any race in the South as the result of the incorporation of the Talmadge school amendment into the Constitution of the United States. To the contrary the actual result would be an acceleration of the present effort to improve the educational opportunity of all children to justify the confidence of the remainder of the Nation in giving specific constitutional recognition to the right of the people of the South to work out solutions to their problems in accordance with the prevailing situation in each particular State.

Mr. President, the American people will have degenerated to a sad state indeed when, as some opponents of the Talmadge school amendment contended last year, the Supreme Court and its strained interpretations of the 14th amendment are the only remaining safeguards against inferior education in this country.

Fortunately for the Nation, Mr. President, the American people do not have so low an opinion of their conscience, sense of justice and fair play and ability to manage their own affairs as do some of their detractors on the national scene.

It is to give the American people the opportunity to prove that point, Mr. President, that I introduce for myself and the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON] the Senator from South Carolina [Mr. JOHNSTON], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS] and the Senator from Louisiana [Mr. LONG] a proposed constitutional amendment and ask unanimous consent that it be read twice, appropriately referred, and printed in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 154) proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools, introduced by Mr. TALMADGE (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States:

"ARTICLE ——

"Notwithstanding any other provision of this Constitution, every State shall have exclusive control of its public schools, public educational institutions and public educational systems, whether operated by the

State or by political or other subdivisions of the State or by instrumentalities or agencies of the State: *Provided, however,* that nothing contained in this article shall be construed to authorize any State to deny to any pupil because of race, color, national origin, or religious belief the right to attend schools equal in respect to the quality and ability of the teachers, curriculum and physical facilities to those attended by other pupils attending schools in the same school system."

Mr. ROBERTSON. Mr. President, I support the proposed amendment submitted by the distinguished junior Senator from Georgia [Mr. TALMADGE] which reserves to the States the exclusive control over public schools, not because I feel that the Constitution needs this addition, but simply because it seems to be a practical necessity to offset a flagrant misinterpretation of the Constitution.

The men who wrote the U.S. Constitution did not intend to give the Federal Government any jurisdiction over public education. This was shown not only by the lack of any mention of this subject in the text of the Constitution, but also by the debates in the Philadelphia Convention and the State ratifying conventions and by contemporary interpretations of the actions of those bodies.

The closest the Constitutional Convention came to the subject was when it considered, and rejected, a proposal for a national university. Proposed drafts of the Constitution submitted by both James Madison, of Virginia, and Charles Pinckney, of South Carolina, contained a provision for the university. The idea was backed by George Washington, who continued to cherish it to the extent that in his will he left 50 shares of Potomac Canal stock for the establishment of a university "if the National Government is inclined to extend a fostering hand." Virginia, North Carolina, South Carolina, and Pennsylvania supported a resolution offered by Madison and Pinckney to establish this educational institution, but the proposal was defeated by votes of a majority of the Representatives of the other States.

There was lengthy debate, both during and after the Convention, on the question of the division of powers between the Federal Government and the States, and advocates of the Constitution were able to obtain ratification only by promising that certain amendments would be promptly adopted. That pledge was fulfilled by the First Congress when it adopted the 10 amendments which we call the Bill of Rights.

The ninth amendment provides:

> The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

The 10th amendment reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Even these assurances did not completely satisfy my State, however. The Virginia ratifying convention named a committee headed by Gov. Edmund Randolph and including James Madison and John Marshall to draft a form of ratification which would include certain reservations as to States rights. This resolution, which was adopted, stated that "the powers granted under the Constitution, being derived from the people of the United States," could be "resumed by them whensoever the same shall be perverted to their injury or oppression" and that "no right of any denomination can be canceled, abridged, restrained, or modified by the Congress, by the Senate, or House of Representatives, acting in any capacity, by the President, or any Department or officer of the United States, except in those instances in which power is given by the Constitution for those purposes."

Deciding which pupils should attend a particular public school clearly is not one of the powers delegated to the United States by the Constitution nor is it prohibited to the States by the Constitution or the first 10 amendments.

Neither is it covered by the 14th amendment, despite the 1954 effort of the Supreme Court of the United States to read into the amendment a power over local school systems.

Last year David J. Mays, chairman of the Virginia Commission on Constitutional Government, who is distinguished not only as a lawyer but also as a writer on historical subjects, told the Senate Subcommittee on Constitutional amendments of the research done by an expert staff which he had assigned to examine the relation between schools and the 14th amendment. Mr. Mays said extensive studies in the New York Public Library, the Library of Congress, and other places led to the conclusion that the 14th amendment had no application at all to schools.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. TALMADGE. Is it not true that the same Congress which submitted the 14th amendment created, at the same time, a system of separate schools in the District of Columbia?

Mr. ROBERTSON. Indubitably so; and the junior Senator from Virginia was just about to mention that fact; that is, that the conclusion reached by this distinguished lawyer from Richmond, after exhaustive research of all the available records in the New York Public Library, the Library of Congress, and similar places elsewhere, and of all the debates in the Constitutional Convention, of the Federalist Papers, and everything pertaining to any of the ratifying conventions, showed that there was no intention whatever, by direction or indirection, to give the Federal Government any control whatsoever over the schools.

As I say, this conclusion was based on actions and attitudes of legislative bodies of 37 States and of the Congress in the sixties and seventies of the last century. One clear indication of the interpretation of the 14th amendment at the time of its adoption was the action of Congress itself in setting up segregated schools in the District of Columbia.

A later indication of congressional intent might be found in the laws providing for admission of Alaska and Hawaii as States of the Union. Each of these contained a specific provision which said that schools and other educational institutions supported in whole or in part by trust funds provided through grants of Federal property shall remain forever under the exclusive control of the State.

Unfortunately, however, the Supreme Court in 1954 not only ignored the position traditionally taken by the legislative branch of the Government, but also reversed the rulings of previous Courts by demanding that schools be desegregated.

Among the previous decisions discarded by the Court in 1954 was the 1927 decision in the case of *Gong Lum* v. *Rice*, 275 U.S. 78. That earlier decision had been made by a Court headed by Chief Justice Taft, who previously had been a member of the circuit court of appeals, President of the United States, and a professor of law at Yale. Other members of the Court joining in the unanimous decision were Justices Holmes, Brandeis, Stone, Van Devanter, McReynolds, Sutherland, Butler, and Sanford.

Acting on the complaint of a Chinese girl, the Court ruled that public education was within the exclusive jurisdiction of the States and that there was nothing in the 14th amendment or the Constitution to prohibit a State from segregating students on the basis of race. This decision also held that if the facilities provided for members of a colored race were equal to those provided for whites in a separate school there were no constitutional grounds for complaint.

The Gong Lum decision was in line with numerous other decisions of the Federal courts and State courts, and if it had been allowed to stand, there would be no need for the new constitutional amendment proposed in Senate Joint Resolution 32. But, although the decision in the 1954 case of Brown against Board of Education technically bound only the immediate parties to it, so long as that ruling stands it is morally binding on lower courts and serves as a constant prod pushing us not only in the direction of integrated schools, but also toward more Federal controls over education.

Our courts will be filled with cases involving the desegregation issue until either, first, the Supreme Court again changes its position, or second, the States have been given an opportunity—such as is proposed in the pending resolution—to amend the Constitution and to say positively that control over public schools is reserved exclusively to the States.

The people of the United States should be given an opportunity to pass on that question, not merely as a means of removing schools from the field of controversy and allowing school officials to concentrate on their responsibility for educating children, but also because there is involved here a basic question of philosophy of government.

Either we are to remain a Federal Union, as contemplated by the Founding Fathers, with States exercising sovereignty in certain areas and the Federal Government recognized as supreme within its own limited area of power, or else we shall become a monolithic State with all important powers concentrated in the central government.

The experience of history indicates that no government has been able to remain in power for a long time over a wide area, including people with differing characteristics, except by use of the Federal principle of division of powers. We have built a great enterprise system on that firm foundation. Adoption of the amendment assuring States against interference with their right to control the training of their youth will buttress our Constitutional foundation.

Therefore, Mr. President, I hope that the pending resolution will be approved.

MEMORIAL TO ALBERT EINSTEIN IN THE DISTRICT OF COLUMBIA

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the establishment in the District of Columbia of a memorial to Albert Einstein.

Mr. President, one of the greatest men of our time and the world's leading scientist was Albert Einstein, who died in 1955. There have been many great men in our generation; but his name stands out among the others as one whose work will probably temper the course of the world for many generations still to come. Without his genius, the tremendous achievements in the physical sciences and in the exploration of space may in all likelihood not have occurred in our lifetimes.

Albert Einstein published his Theory of Special Relativity as far back as 1905. Albert Einstein was an immigrant to the United States, a refugee who fled Nazi persecution. A winner of the Nobel Prize in 1921, he became a special target of the Nazis. He fled finally in 1933 and came to Princeton, N.J., where the university made it possible for him to continue his work. Had he not been a man of exceptional distinction, our present immigration laws might very well have kept him out of our country, to the very great detriment of world progress.

In this connection I should like to point out urgent need of amendments to the Immigration and Naturalization Act which would seek to modernize and correct many weaknesses in our present immigration procedures, and include the admission into the United States of a fair share of the Iron Curtain refugees.

Our country was extremely fortunate in being able to provide a home and an atmosphere in which a man like Albert Einstein could continue his incomparable work. His name will be an inspiration in science to the present and future generations of young scientists as well as to the youth of our country, who have not been privileged to know him. I believe it would be eminently fitting that we establish in the capital of the United States a memorial to Albert Einstein which would stand as an expression of our Nation's high regard for this extraordinary, yet very modest and humble man, and I propose this resolution to that effect. I expect that there will be adequate private subscription for this memorial.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 155) authorizing the establishing in the District of Columbia of a memorial to Albert Einstein, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that the joint resolution authorizing the establishment in the District of Columbia of a memorial to Albert Einstein, which I introduced earlier this afternoon, may lie on the desk until the close of business on Monday, February 1, so as to give other Senators an opportunity to cosponsor it if they so desire.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES—AMENDMENTS

Mr. JAVITS. Mr. President, on behalf of myself, and Senators DOUGLAS, ALLOTT, BARTLETT, BEALL, CASE of New Jersey, CHURCH, CLARK, COOPER, HART, HUMPHREY, KEATING, LONG of Hawaii, MCCARTHY, MORSE, MOSS, MURRAY, MUSKIE, NEUBERGER, PASTORE, PROXMIRE, SCOTT, WILLIAMS of New Jersey, and YOUNG of Ohio, I submit amendments, in the nature of a substitute, intended to be proposed by us, jointly, to the joint resolution (S.J. Res. 39) to amend the Constitution to authorize governors to fill temporary vacancies in the House of Representatives. I ask that the amendments be printed under the rule.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

Mr. BEALL submitted an amendment, intended to be proposed by him, to Senate Joint Resolution 39, supra, which was ordered to lie on the table and be printed.

Mr. KEATING. Mr. President, I send to the desk amendments to Senate Joint Resolution 39, which amendments would accomplish two things: First, separate permission would be required for ratification of all of these amendments; second, these amendments would give to the residents of the District of Columbia the right to vote for electors, and also to be represented in the Congress.

I ask that the amendments be printed.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

CAMPAIGN SPENDING—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1960, the names of Senators MANSFIELD, KENNEDY, MORSE, MURRAY, and HART were added as additional cosponsors of the bill (S. 2823) to provide for Federal contribution to the cost of election campaign of candidates for Federal offices, conditioned upon effective control and publication of other sources of financing such campaigns; to encourage small individual campaign contributions and to reduce the importance of large contributions in Federal elections; to provide Federal financial assistance for State voters' and campaign pamphlets; and for other purposes, introduced by Mr. NEUBERGER on January 14, 1960.

FAIR LABOR STANDARDS TRADE ACT OF 1960—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 21, 1960, the name of Senator PASTORE was added as an additional cosponsor of the bill (S. 2882) to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States, introduced by Mr. KEATING (for himself, Mr. BEALL, Mr. BRIDGES, Mr. COTTON, Mr. DODD, Mr. PROUTY, Mr. WILEY, and Mr. SALTONSTALL) on January 21, 1960.

NOTICE OF HEARING ON NOMINATION OF JOHN J. GRADY, TO BE DEPUTY DIRECTOR FOR MANAGEMENT OF INTERNATIONAL COOPERATION ADMINISTRATION

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate yesterday received the nomination of John J. Grady, of Illinois, to be Deputy Director for Management of the International Cooperation Administration.

In accordance with the committee rule, the pending nomination may not be considered prior to the expiration of 6 days from receipt.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William K. Holt, Jr., of Georgia, to be U.S. marshal, middle district of Georgia, vice Billy E. Carlisle, resigned.

Kenneth G. Bergquist, of Idaho, to be U.S. attorney, district of Idaho, for a term of 4 years, vice Ben Peterson, resigned.

Gilbert B. Scheller, of Illinois, to be U.S. marshal, southern district of Illinois, for a term of 4 years, vice William J. Littell, resigned.

Dudley G. Skinker, of Maryland, to be U.S. marshal, District of Columbia, for a term of 4 years, vice Carlton G. Beall, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, February 4, 1960, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc.,

were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Address delivered by the Vice President at Chicago, Ill., Dinner with Ike on January 27, 1960.

THE CHINESE NEW YEAR

Mr. SALTONSTALL. Mr. President, today marks the beginning of the Chinese New Year—the advent of the year 4658 in the Chinese calendar.

For the Chinese people, this is a 15-day period of celebration marked by firecrackers, lanterns, and dragon parades. Also it is a period of dedication, marked by spiritual ceremonies and symbolisms as ancient as civilized man.

Even though their numbers are relatively small in the 50 States of the Federal Union, the Chinese people make up an industrious and loyal part of the American heritage. I know that the Members of the Senate will want to join with them in observing this important date on the calendar.

The Chinese New Year begins at the close of the great cold of winter, when the earth begins its reawakening and when spring is throbbing its life call through all living things.

The last night of the old year is the occasion for a family feast, followed by a first day of the New Year also devoted to the family—a day in which all disputes are forgotten and forgiven in a general reconciliation. The Chinese people prepare for their New Year by cleaning and redecorating their homes, and by settling all outstanding debts accumulated during the old year. Aside from its cultural aspects, the last practice has social and economic significance which should be valuable to the American society.

This New Year's Day is also everyone's birthday, a child born anytime within the past year being considered 1 year of age on this date.

Today, Mr. President, the exalting spirit of the Chinese New Year is troubled by the discord within the Chinese nation and the exclusion of the mainland of China from the councils of nations. The teeming homeland is ruled by leaders whose aggressive policies threaten to undermine our efforts to assure the peace of the world. But we can all hope for the day when China will speak again with one voice, and when that voice will be the voice of reason and peace, of freedom, understanding, and progress.

We in the U.S. Senate, Mr. President, have special cause to mark this particular Chinese New Year's Day, because there sits among us today the first Member of Chinese ancestry of this historic body.

The people of Hawaii have honored this great leader by electing him a U.S. Senator, and in so doing they have honored our Nation. His election and service are living proof to the Asiatic world of the opportunities for the individual under a free government, and which are a challenge to free people.

In my own State, Mr. President, leaders of Chinese ancestry have become valued citizens and have made worthwhile contributions to their adopted land. I wish to extend to them my heartfelt greetings at the outset of another New Year and my hope that the coming year will provide new opportunities for leadership and service by this ancient and dedicated people.

SPIRES AND THE SICKLE

Mr. DODD. Mr. President, I should like to invite the attention of my colleagues to another moving and brilliant article published in the Washington Star of January 24, 1960, written by our beloved chaplain, Dr. Frederick Brown Harris. I ask that it be printed in the body of the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPIRES AND THE SICKLE

(By Dr. Frederick Brown Harris)

There is nothing more important for a nation whose very breath is freedom than to know the truth about Soviet Russia. As the land of the spires appraises the land of the sickle, what are the facts? The true reply to that question may determine whether this Republic based on the will of the people can long endure. We know the principles and objectives of America. We seek no people's defeat, but only their highest good. No exchange of visits by the head of a democratic state where the people rule and a police state where individuals are only cogs in a state machine can possibly make clear the ultimate intention of the latter regime. With them, diplomacy is often the process of concealing thought. The glamour of visitations as a national spectacle may but take the attention from fundamental issues.

Today we are asking a distinguished preacher and a devout and intelligent young layman to step into the "Spires" pulpit and give us their reasoned impressions of the Government of the Soviets. These two American churchmen recently have spent a sufficient length of time under Russian skies to know what they are talking about.

The first one to speak to us is Richard W. Judy. He has returned after a whole year's study at Moscow University. He is now at Harvard. He was at Moscow University as an exchange student from America. He is an active member of a church in Kansas. After a year of intimate mingling with thousands of Russians, including his fellow students in the university, he says:

"The enemy is strong, but strength without will and faith is like muscle without nerve. The enemy's driving force is religion. The fact that this religion is secular does not deprive it of the power that all true religion possesses, a power grounded deeply in faith. Christians believe in God. Communists believe in the laws and forces of history, and that these laws are on their side.

"It does not matter that the majority of the people in the Soviet Union are apathetic and indifferent to the grandiose plans that their leaders harbor. The important thing is that those leaders sit at the top of a system in which all the resources of society can be mobilized and directed toward ends which the leaders think worthwhile.

"The Communist leaders are pursuing their goals with a zeal and determination based upon the faith that the laws of historical development are on their side. If the values we profess to hold dear are to be protected and nurtured we will have to have a rebirth of faith and belief in their worth. Only if this is done will we have the necessary will to shrug off our apathy and complacency and to make the sacrifices which the struggle demands."

And now, following this student there comes to the pulpit Bishop Gerald Kennedy of the Methodist Church, one of the best informed church leaders and with one of the keenest minds in all America. In referring to the arranged visit of our President to Russia the bishop declares, "It is no exaggeration to say that the fate of the world may hinge in large measure on the results of that visit." Addressing our Chief Executive, he says, "May God be with you in your journeys—our Nation prays."

Now, without interrupting him, let us pass on the bishop's comments growing out of his long visit to Russia:

"The official position is atheistic; every new generation becomes more hostile to believers. With us, no man wakes up on Sunday morning facing the risk of being seen at church by a boss who might hold it against him. The Soviet Government will deny that this is true, but I happen to know it is. You can hardly miss what you have never had. And so, how important is freedom to people who have never had it? Actually, the men in the Kremlin are offering their people a new religion. It is supposed to be materialistic and practical, but it is developing all the mystical overtones of a new Los Angeles cult. This new religion will brook no competition for the souls of men, and it has not only the power of the government behind it but guns and bombs. It is too clever to drive the Christians underground, but it keeps them helpless and futile in a gradually narrowing vise. It does create a drabness in society and a sadness in the heart, but it creates also a fanticism in young men and women, if it succeeds in getting them early enough.

"Khrushchev suggests, 'Let us live together, with each of us going his own way. Do not keep your guard up,' he advises us get rid of nasty suspicions. Russia, he says, does not want war, and I believe him. War would upset their plans and schedules.

"I do not believe that war is inevitable. But I do not believe either that these two systems can live side by side without one going down. For the first time in history we are facing a terrible enemy who denies the very basis of our life. The beliefs by which we live the Russians ridicule; the faith that has undergirded our growth they hate. Have you ever seen a nation built on atheism? Where, I ask myself, do you begin to negotiate? Where do you find a meeting place?

"Either Christianity is true or communism is true, but not both. We shall not escape the toughest fight we have ever fought. Coexistence is a pleasant term, but one of these systems is going down. That the outcome will be determined by our faith is frightening. Do we really believe that what we have is worth great sacrifices? Have we any real understanding of what freedom costs? Do we have any compelling vision for the world of tomorrow? I tremble when I realize how much depends on the churches of the free world."

And now, as Bishop Kennedy leaves the pulpit under the Spires, let us repeat together words from our National Anthem, words which, carried out in this fearful day, may mean our lives, our fortunes, and our sacred honor:

"Then conquer we must, for our cause it is just,
And this be our motto, In God is our trust."

AWARD OF LEGION OF HONOR TO MSGR. BELA VARGA

Mr. DODD. Mr. President, yesterday afternoon at 5:30, Msgr. Bela Varga, last freely elected President of the Hun-

garian Parliament, leader of the Hungarian liberation movement in exile, and papal prelate, was invested as an officer of the Legion of Honor by Ambassador Herve Alphand at the French Embassy in Washington.

Since the subjugation of his country by the Communists Monsignor Varga has served as head of the Hungarian committee—Hungary's liberation movement in exile—which has its headquarters in New York.

The award received by Monsignor Varga is the highest honor which the French Government can bestow. President De Gaulle has conferred this honor on Monsignor Varga in recognition of his courageous assistance during World War II to more than 2,000 French officers and soldiers who had escaped from German prison camps into Hungary.

The story of Monsignor Bela Varga is, in my opinion, one of the great personal epics of the eternal struggle for human freedom and dignity. Monsignor Varga has never asked for credit, nor has he attempted to publicize his story. But now that his services have at last been recognized by the Government of France, I believe his story should be more widely told as an inspiration to all men who cherish freedom.

As a parish priest and as one of the leaders of the Smallholders Party, Bela Varga fought the Nazis in Hungary from 1936 on. In 1939, fleeing before the German invasion, a flood of 120,000 Polish refugees—20,000 of them Jews—crossed the border into Hungary seeking asylum. The shadow of Nazi power fell like a pall across the whole of central Europe. Even men who were not pro-Nazi became wary of offending the Nazis and their quislings. But there were those who could not be intimidated. Among the foremost was Msgr. Bela Varga.

With the help of a few brave and sympathetic men in the Hungarian Government, he converted his village of Balatonboglar into a massive refugee center. During 1939 and 1940, he played a central role in arranging the evacuation through Italy and Yugoslavia of some 45,000 able-bodied Poles who joined the army of General Anders. The refugee operation he directed even included a special home for Jewish orphans.

But this was not all. Monsignor Varga realized that in the struggle against the Nazi evil, humanitarian deeds were not enough. The evil itself had to be extirpated. Old personal ties led him into an association with the Polish Government in exile in London. His rectory at Balatonboglar became a staging point for couriers traveling back and forth between the Polish underground and the free world. It also housed a secret radio, which was used for communication by the Polish underground.

In August 1942 a Polish paratroop officer by the name of Taddeus Zsidek arrived in Balatonboglar, bringing with him the first documentary confirmation of the existence of the infamous Nazi extermination camp at Auschwitz. To make sure that these documents were safely delivered, Varga disguised Zsidek as his Jesuit brother, Andrew Varga, and traveled with him through Nazi-controlled Croatia and Fascist Italy to Switzerland.

Funds for the Jewish community in Poland, which were transmitted to the charge d'affaires in Budapest, Edmond Fietovics, were smuggled across the border by Monsignor Varga's underground.

In February 1944, when the Nazis took over complete control of Hungary, Monsignor Varga was compelled to go into hiding with a price of $20,000 on his head. For months he remained in hiding. But then the Nazis began rounding up the Jews of Budapest en masse and deporting them in cattlecars to the extermination camps. Cardinal Mindszenty, then Bishop Mindszenty, gave Monsignor Varga the assignment of organizing the clergy and clerical institutions of Budapest in an effort to help save the Jews. Many thousands of them were hidden in the cellars of monasteries and convents and churches. Many thousands more were provided with false papers. So effectively was the entire operation performed that, when the Nazis finally retreated from Budapest, more than 120,000 Jews emerged, as if by magic, from the ground. In no major city of Europe which was completely under Nazi occupation did so great a number of Jews survive.

In the course of these activities, Monsignor Varga risked his life a thousand times.

Fortunately, there are many witnesses to Monsignor Varga's heroism during this period, among them Chief Rabbi Ferenc Hevesi of Budapest.

Mr. President, I ask unanimous consent to have reproduced in the RECORD at the conclusion of my remarks the statement issued by the Hungarian Committee in New York in connection with yesterday afternoon's ceremony, and also a letter from former Prime Minister Stanislaw Mikolajczyk, of Poland, to Monsignor Varga, dated March 15, 1950, in which is set forth Monsignor Varga's heroic record of assistance to the Polish Government in London and to Polish refugees in Hungary, both Christian and Jewish.

I feel it proper that the Senate of the United States should, in this limited way, take notice of the honor which was conferred on Monsignor Varga yesterday afternoon at the Embassy of France. By inserting these documents into the RECORD of the U.S. Senate, we shall be paying a modest homage to a man who, in my opinion, already possesses the greatest honor our times can confer on anyone: He has been sentenced to death by both the Nazis and the Communists.

With men like Monsignor Varga to lead it, the Liberation movement in exile is something the Communists have every reason to fear.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

MSGR. BÉLA VARGA, LAST FREELY ELECTED SPEAKER OF THE HUNGARIAN PARLIAMENT, HONORED BY PRESIDENT DE GAULLE FOR WARTIME SERVICES TO THE FREE FRENCH MOVEMENT

In Washington, at 5:30 p.m., Wednesday, January 26, 1960, Msgr. Béla Varga, papal prelate and leader of the free Hungarians in exile and the last freely elected President of the Hungarian Parliament, will receive the insignia of the Officer of the Legion of Honor from French Ambassador Hérve Alphand in a ceremony at the French Embassy.

President Charles de Gaulle conferred the decoration on Msgr. Béla Varga for his valiant and courageous assistance given to the French officers and soldiers who, during World War II, had escaped from German prison camps to Hungary.

Msgr. Béla Varga organized relief work for the French prisoners of war and the Polish refugees who came to Hungary and found haven in and around his parish in the village of Balatonboglar. Through this organization about 2,200 French soldiers, among them 300 Jews, were sheltered in the hotels and tourist homes of Balatonboglar, a resort of Lake Balaton. Every Sunday the French Tricolor was hoisted at the church and after Mass the French prisoners of war marched in closed formation through the main streets singing their patriotic songs—a unique sight in Hitler-controlled Europe. There was 55,000 Poles to reach safety and enlist in General Anders' Army.

Although Monsignor Varga was subjected to insults and threats, his principles as a priest and humanitarian gave him strength to continue his mission; he aided the French soldiers to reach General de Gaulle's Movement and they could continue their fight for the cause of France. Many were helped to find employment as teachers, clerks, cooks, etc.

When the Arrow-Cross Movement led by the schizophrenic Ferenc Szálasi was put into power by Hitler on October 15, 1944, Monsignor Varga was sentenced to death by the Hungarian Fascists for his work.

After the war, Monsignor Varga—as one of the leaders of the Smallholder's Party—was elected President of the Hungarian Parliament. In 1947, when the Communists seized the power in Hungary, he was forced to leave the country. He took refuge first in Austria, and, in the same year, came to the United States. At present, at the age of 57, Msgr. Béla Varga is the chairman of the Hungarian Committee, the political representation for a free Hungary.

This honor was conferred upon Msgr. Béla Varga as appreciation of his services to the Free French Movement by its leader, Gen. Charles de Gaulle when he was elected President of the Republic.

WASHINGTON, D.C., *March 15, 1950.*

The Reverend Father BÉLA VARGA,
President of the Hungarian National Committee, New York City.

DEAR FATHER VARGA: Since during the war our correspondence had to be strictly secret, had to contain special, seamingly meaningless expressions and had to be signed with pseudonyms, I am very happy that I can now write to you, my dear Father, openly what I could not put in writing during the war and what I feel is my duty to write to you.

I take this opportunity to thank you most heartily for the help you have given to my countrymen during the Second World War.

I remember with what enthusiasm and devotion you helped to organize the Polish Secondary School at Balatonboglar in Hungary at which the children of the Polish refugees were able to continue their education which was interrupted by the Hitlerite invasion of Poland.

I remember your very active part in bringing charitable care to Polish citizens both Poles and Jews who escaping from Hitlerite revenge found assistance and temporary haven in your nice country.

I also know very well how many Poles and Jews—thanks to your personal efforts—were rescued from Poland and through secret channels transported to the Middle East and Palestine.

As Minister of the Interior and later Premier of the Polish Government in London I knew in detail how much you helped our liaison organization in Hungary connecting the underground movement in Poland, how you protected them and provided with most precious information.

I will never forget your help when you personally transported our emissaries traveling under disguise under most dangerous conditions, the emissaries who brought materials and information valuable not only to the Polish Government but also to all the Allies.

Through your great help, devotion, and sacrifices you have rendered great service to the Polish citizens and to common cause of the Allies who were engaged in a deadly fight against Hitlerism and fascism.

I wish to thank you once again for all you have done for us and to assure you of our everlasting gratitude. I strongly believe that the ties of friendship that bound us in those difficult times will continue and that after our countries are again free we will be able to demonstrate in public in free Hungary and in free Poland our sentiments and the sentiments of our nations.

I remain,

Very sincerely yours,

STANISLAW MIKOLAJCZYK, M.P.,
Former Premier of Poland, President of the Polish Peasant Party, President of the International Peasant Union.

FORTY-SECOND ANNIVERSARY OF THE PROCLAMATION OF AN INDEPENDENT UKRAINE

Mr. DODD. Mr. President, last Friday, January 22, was the 42d anniversary of the proclamation of an independent Ukraine.

Almost three centuries of czarist domination and attempted Russianization had not been able to extinguish the will to freedom in the hearts of the Ukrainian people. When the czarist regime collapsed in World War I, the Ukrainian people asserted this will by proclaiming their independence and establishing a democratic parliamentary government.

In all of their early statements, the Bolsheviks had promised the right of national self-determination to all the subject peoples of czarist Russia. But these promises were as false as all their other promises. In 1920 the Red Army invaded the Ukraine, dispersed its legal government, and inaugurated a reign of terror which persists to this day.

I am profoundly convinced that, wherever it has taken power, the tyranny of communism has won for itself the undying hatred of the great mass of people. I am also convinced that this hatred is particularly intense in areas like the Ukraine where hatred of foreign oppression combines with the general hatred of communism.

Nowhere in the vast territory of the Soviet Union has the Kremlin encountered greater or more stubborn resistance than in the Ukraine. And nowhere has the Kremlin been more ruthless. According to a study made by the Legislative Reference Service of the Library of Congress, from 5 million to 8 million Ukrainians perished in the regime-made famine of 1943. In addition, almost 2½ million were deported from the Ukraine to Siberia and other remote areas.

The policy of Ukrainianization, which the Bolsheviks tolerated for several years after their takeover, soon gave way to a policy of compulsory Russification. Why is this so? Hugh Seton-Watson, a British student of Soviet affairs, has suggested that the Soviet Government seeks the destruction of the non-Russian nationalities, not in the interest of the Russian nation per se, but rather because the totality of its power demands the destruction of national differences and the creation of a monolithic, unified, Russianized, Soviet people. Whatever the explanation may be, there can be no disputing the mass of evidence that the Soviet regime has been seeking to destroy the national spirit of the Ukrainian people by destroying their culture and progressively Russifying their language.

According to all reports, the Kremlin has not been successful in achieving this objective. After 40 years of persecution, mass murder, and cultural oppression, the Ukrainian people, more than 40 million strong, are perhaps more united than ever before in their desire for freedom and in their yearning for national independence.

May I suggest, Mr. President, that in observing the anniversary of Ukrainian independence this year, we go a bit beyond the simple expression of sympathy which has characterized our resolutions of previous years. I feel that this is a time when we ought to ask ourselves whether we are doing everything that is within our power to foster the will to liberation among the captive nations of central and eastern Europe and among the captive peoples of the Soviet Union itself.

Because of certain inhibitions that seem to be an organic part of democracy, it would be politically unrealistic to expect any American administration—or, for that matter, any democratic government—to engage in open subversion of the Soviet regime or openly to espouse the cause of Ukrainian independence. Needless to say, the Kremlin suffers from no reciprocal inhibition. But there are a number of things we can and should do to encourage opposition to the regime in general as well as the natural desire for independence of some of the non-Russian peoples.

We should remind the Bolsheviks at every opportunity how they promised the right of national self-determination when they were seeking power and how they trod this promise underfoot once they achieved power. We should in our broadcasts place emphasis on events and holidays that have special national significance. Certainly we must avoid anything which might give the impression that we accept the subjugation of the satellite states of Europe or the national structure of the Soviet Union itself as things that are final and irrevocable.

Everything that has happened since the Khrushchev visit makes me fear that we are, in effect, turning our back on the entire policy of liberation. If we do, we do so at our own risk. The dissatisfaction of the peoples of the captive nations, of the Ukrainians and the other subjugated minorities within the Soviet Union, has played a far more important role than is commonly realized in restraining the Kremlin's expansionism.

Every lapse on our part which can be utilized by the Kremlin to discourage the spirit of resistance, leaves it that much freer to engage in pressures, ultimatums, limited aggressions, and military challenges. Every measure that we take to encourage the hope of liberation is an additional deterrent to Soviet aggression, an additional assurance of peace.

We must, therefore, in the critical period which now confronts us, rededicate ourselves, in terms of concrete actions, to the goal of freedom for all men everywhere.

THE NEW RECONSTRUCTION ERA

Mr. TALMADGE. Mr. President, we have all heard the statement that there is nothing new under the sun. Two days ago the Attorney General of the United States, Mr. Rogers, unveiled his civil rights program for the election year 1960. The program unveiled by Mr. Rogers would authorize Federal courts to throw in receivership the election machinery of all 50 States of the Union. It would not only authorize the Federal courts, through someone appointed by them, to determine who could vote, but would also authorize the Federal courts to count the votes, thereby displacing the elected officials of 50 States of the Union.

I know that Mr. Rogers perhaps thought he had some bait which would be particularly attractive in an election year, but his proposal is not new. It was adopted by the Congress of the United States in 1871, during the first Reconstruction era, when the South was a conquered province occupied by Federal troops.

Now, almost 100 years after the former proposal was enacted into law—and I will say Congress was wise enough to repeal it in 1894, when reason reasserted itself—the administration has come forward with it again as bait in a new election year, for a second Reconstruction era, which would throw into Federal receivership the election machinery of not only the Southern States but also of all 50 States of the Union.

Mr. President, it amounts to nothing less than the wildest dreams of Thaddeus Stephens reincarnated. I shall address myself further to this subject at a later date.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to my distinguished friend the junior Senator from Virginia.

Mr. ROBERTSON. I wish to commend my distinguished colleague from Georgia for referring to a bill similar to the one now being proposed by the distinguished Attorney General of the United States. The present proposal is similar to what was known as the force bill, during what we call the Reconstruction Period.

Mr. TALMADGE. It was one of the force bills. As the Senator will recall, there was a series of them.

Mr. ROBERTSON. Is it not true that it authorized Federal troops, with drawn bayonets, to operate at the polls on election day?

Mr. TALMADGE. It did; and in that bill the same procedure was authorized that is now proposed. The Federal courts were authorized to throw into receivership the election machinery of every State in the Union. As the Senator well knows, we already have on the statute books of the Nation three remedies for any citizen who is qualified to vote but is not registered.

First, there is an equitable remedy which each citizen may pursue in the Federal courts in his own name. He may recover damages or seek an injunction

Second, there are criminal provisions.

Third, there is the Civil Rights Act of 1957, which authorized the Attorney General to act as the lawyer, at the taxpayer's expense, for any citizen who feels he is qualified to vote.

Mr. ROBERTSON. Is it not true that the force bill was passed as a retaliatory and punitive action against the South?

Mr. TALMADGE. That is certainly true. Under the conquered province theory, Federal troops and military governors were sent there to rule.

Mr. ROBERTSON. Is it not true that later its use in the city of New York became obnoxious?

Mr. TALMADGE. That is true. That is one of the reasons why, in 1894, the same act was repealed by the Congress of the United States.

Mr. ROBERTSON. That was when the problem reached the State of New York and the New England States.

Mr. TALMADGE. The Senator is eminently correct.

Mr. ROBERTSON. Was it not the junior Senator from Georgia who said to me yesterday that it is unfortunate, indeed, for civil rights legislation, that those who do not have the problem are the first to come forward with the remedy?

Mr. TALMADGE. They always seem to have more knowledge about how to settle problems a long way from home than how to solve those of their own States and areas.

Mr. ROBERTSON. Now we are asked to repeat the mistake which Congress made nearly 100 years ago.

Mr. TALMADGE. Exactly.

Mr. ROBERTSON. At that time the problem was in the South. A law was enacted for the South; but when the problem reached the State of New York, the situation looked entirely different.

Mr. TALMADGE. The Senator is entirely correct. When that happened, the law was repealed.

CIVIL DEFENSE—A WASTEFUL MESS AND BURDEN ON TAXPAYERS

Mr. YOUNG of Ohio. Mr. President, American taxpayers are again being asked to shoulder one of the largest peacetime budgets in our history in order to adequately provide for defense requirements, for an expanded program of space research, and for the Nation's economic growth and well-being.

We, as elected Senators whose responsibility it is to help manage taxpayers' money, must work with fidelity and zeal to eliminate unnecessary spending and to cut out waste in Government wherever it can be found.

The most obvious place to start is with our outmoded Office of Civil and Defense Mobilization. We would have to look long and hard to find an agency in the Federal bureaucracy that is more wasteful and inefficient. About the most that can be said for it is that it provides a haven for defeated politicians, subaverage planners, and boondoggling bureaucrats.

The two words that best describe our civil defense program are "mess" and "myth."

Any relationship between this agency and a realistic civil defense program is purely accidental. It is about as realistic as Civil War cannonballs and the bow and arrow in this nuclear and space age.

A billion dollars has already gone down the drain in wasteful spending by Federal, State, and local governments on Civil Defense officials' salaries and worthless projects. Perhaps Americans should be thankful this total was not greater. The fact is that over $2.1 billion was requested by Civil Defense authorities over the past 10 years.

In return for their money, taxpayers have received chaos and confusion—$1 billion worth.

Now the President is requesting over $76 million for fiscal 1961 for this superannuated agency. This is a 50-percent increase over the $52 million that was sent down the drain last year.

During the last session of Congress, I brought to the attention of the Senate examples of the mess created by this bungling bureaucracy. I am positive that for every one cited, a hundred others are not brought to light.

For instance, in Cleveland, Ohio, while housewives are assaulted on our streets; while muggins and purse snatchings fill column after column in the daily newspapers; while some major crimes go unsolved; while Police Chief Story publicly cries out for more manpower to halt the rapid rise of crime—six Cleveland police officers are on assignment to the useless local civil defense organization.

One ablebodied lieutenant and five patrolmen, among them Vincent H. Fiebig and James P. Foley, draw full salaries apparently sitting round waiting for a nuclear bomb to drop. When members of my staff sought to reach them in recent weeks, they were told that the officers were "out in the field," wherever that is.

For Patrolman Fiebig this may be offering advice on purchasing securities during the time he is assigned to his so-called civil defense duties. He is vice president of the Suburban Securities Co., but does not hold a license to sell securities. My information is that he is presently under investigation by the Ohio States Securities Division for his activities in the security field. My friend, Mayor Celebrezze, should be advised that this appears to be his major activity.

Patrolman Foley appears to have a reputation for maneuvering his way into police department jobs somewhat removed from the scrutiny of his superior officers. In 1952 he was fined the equivalent of 500 days' pay, for being absent without leave from the police department for 28 days. While supposedly working on a confidential assignment, he was in California and was photographed with Bob Hope and Tony Martin at Paramount Picture Studios. This was exposed in the Cleveland Press, and his financial loss followed.

Returning to uniform duty, he wrangled the plum of this civil defense assignment. It appears to me, and probably it seemed to him, that here is an assignment where nobody will check where he is or what he is doing. It really does not matter except from the taxpayers' viewpoint.

It is enough to say that men, women, and children in Cleveland deserve the maximum in protection from policemen on active duty. If they knew the facts, they would resent the featherbedding of these six men assigned to the ridiculous, worse-than-useless civil defense organization.

Many fine officers of the Cleveland Police Department daily and nightly risk their lives on the streets of Cleveland and deserve the support in added manpower that can be bought with the $35,000 or $40,000 paid annually to this civil defense detail.

The civil defense organization in Cleveland and surrounding Cuyahoga County has an annual budget of $250,000. Recently, this outfit, headed by John Pokorny, purchased over 300 yellow raincoats and boots for use in case of emergency. At the same time, this organization had no plans for participating in a Nationwide Civil Defense Day set for December 7, 1959.

Perhaps Wilson G. Stapleton, mayor of Shaker Heights and, as such, acting civil defense director of the suburban community and great progressive city of Shaker Heights, where I have lived for years, put it most succinctly when he said he did not know how these coats and boots would be very important in case of an emergency. He further was quoted as saying he was going to keep his in a closet in his office along with the civil defense flag he is supposed to put on his car. If the Soviet Union or forces of Red China attack Cleveland or suburban Shaker Heights as a prime target, then our mayor has a yellow raincoat, boots, and a civil defense flag. According to Mayor Stapleton, the whole civil defense operation leaves a sad taste in his mouth.

These are just a few of the examples of the mess created by civil defense authorities on the local level. Such ridiculous excesses would never occur but for the encouragement given local and State governments by the Federal agency, an ever-growing bureaucratic octopus continually extending its tentacles into phases of governmental activity.

A perfect example of this is the new gleaming 3,200-foot concrete airstrip at Ohio University in Athens, Ohio. The only hitch is the university does not own an airplane. This concrete strip has never been used, and will never be used.

This $195,000 airstrip was supposed to handle civil defense air traffic when the university was named last year as the emergency seat of Ohio State government. However, Athens is no longer the official emergency civil defense capital. There is now no specific site. Let us

hope that these defeated politicians heading the Nation's civil defense and drawing high salaries, do not select some other site in Ohio and build another civil defense airstrip, at additional cost to the taxpayers.

What is more, the Cleveland Press of September 28, 1959, reported that until a reporter told him, Thane M. Durey, deputy director of Ohio civil defense, admitted he did not even know about the new emergency airfield. Incidentally, not one civil defense official in Ohio has a shelter in his own backyard or in his basement, despite the fact that along with Gov. Nelson Rockefeller and others they have been urging their fellow Americans to build such shelters.

Although this useless airstrip was not paid for with Federal funds, it is the policy of the Federal Civil Defense Agency to encourage more State participation, and evidently this brings about such ridiculous situations and a waste of taxpayers' money.

It is the program on the national level, supported by taxpayers' money, that spawns the growth of State and city organizations and aids and abets wasting money.

If we cut off the head of this outmoded octopus here in Washington, its wasteful satellites in State and local government will soon wither away.

During the last fiscal year, the Congress wisely refused this agency $12 million it requested for matching the personnel and administrative expenses of State and local civil defense organizations. The $12 million throwaway would have permitted the Civil Defense Agency to pad its rolls with an additional 4,000 unnecessary paid personnel in city halls and county courthouses throughout America.

I note that this year's budget contains a request for the same appropriation. It would be folly to throw open the public trough to an agency with such an inexhaustible thirst.

Do we need more useless airfields?

Are more boots and raincoats purchased with taxpayers' money for auxiliary civil defense workers necessary?

Must we encourage our cities to assign more policemen to useless but costly civil defense details?

The Nation has survived the year without the additional 4,000 gravytrain riders, and I daresay we shall manage to get along without them during the next. It is my fervent hope that we not only restrict such wasteful expenditures, but further curtail the amounts of last year's oversized appropriation.

On all levels our civil defense preparedness is a myth. When the sirens blow at 12:15 p.m. each Monday in Cleveland, and at other times in other cities across the Nation, they seem to ask, "What earthly good is civil defense as it is now being practiced?" No one seems to know whether he should run, hide, or both, or just go to the nearest cocktail bar.

Mr. President, civil defense is a matter entirely for the Armed Forces. Defense of civilians, in event this Nation should be involved in a nuclear war with the Soviet Union, is, in fact, a most important factor in the Nation's defense.

Immediately, in event of a surprise attack or a declaration of war, the Commander in Chief—the President of the United States—would declare a national emergency; the Armed Forces would take over—as they should—and political hacks, hasbeens, and other paid civil defense officials—civilians with armbands—would not be permitted, and should not be permitted, to interfere with the movement of our Armed Forces nor to direct any important part of our national defense effort.

Paid civil defense officials have been utterly useless up to this good hour in situations of fires, floods, and havoc caused by windstorms.

Many Senators have served in the Armed Forces of our country, and can visualize what a hard-boiled Army sergeant would have to say, in time of an emergency and attack, if a civilian wearing an armband tried to interfere with the movement of our Armed Forces.

High-salaried civil defense officials have made no sacrifices whatever. Those devoted civil defense volunteer workers are the only ones who have made sacrifices or sustained injuries in recent years in times of floods and other catastrophes occurring in various localities. Our citizens, as auxiliary policemen and deputy sheriffs, have always come forward to help their neighbors in such times, and will continue to do so.

In Canada, in England, and in other nations, civil defense as we know it in our States and Nation, has been abolished and a branch of the army entrusted with the defense of civilians.

Mr. President, experience keeps a dear school. We should have learned by now. Civil defense, as it has been conducted throughout the past 10 years, has proven worthless. It should be scrapped. Taxpayers' money, thus saved, could be diverted to useful purposes or to reduction of our national debt.

ADEQUATE NATIONAL DEFENSE—ADDRESS BY SENATOR JACKSON

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the address delivered today by the Senator from Washington [Mr. JACKSON] before the American Legion's national security commission.

This address is of great interest to the Senate. It deals with the central problem of our time: Can our free society sustain the great national effort required to outperform tyranny. In particular, the Senator from Washington has raised vital questions about the adequacy of our defense program.

Mr. President, I urge the Members of the Senate to read and ponder this important address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR M. JACKSON, DEMOCRAT, OF WASHINGTON, BEFORE THE NATIONAL SECURITY COMMISSION OF THE AMERICAN LEGION AND OFFICIALS OF THE AMERICAN LEGION AUXILIARY, THURSDAY, JANUARY 28, 1960

Mr. Chairman and friends, I should like to express my appreciation for the opportunity to address you this morning.

Some of us in Congress have been working for many years in the cause to which you are pledged—adequate national defense. In our efforts on Capitol Hill, we rely heavily on the help and support of members of this Commission.

At this time of year, it is customary to address oneself to the defense budget—to see what items are included, what is missing, and what ought to be added.

Let me say immediately that I intend to try to remedy deficiencies in the defense program in four major areas:

1. We should provide more funds to reduce the vulnerability of our forces-in-being.

Fifteen years ago the superiority of this country in atomic weapons provided a positive deterrent to major war. Today, our edge over the Soviet Union, if any, is slight—and the time is nearing when this Nation's deterrent forces will be vulnerable to Soviet strategic attack—unless we take emergency measures.

The present budget puts too little emphasis on the programs to protect our deterrent in the critical period just ahead.

Programs which are in serious need of funds include those to obtain—

A better early warning of missile attack;

Further dispersal of SAC; and

An around-the-clock airborne alert of our SAC heavy bomber fleet.

Speaking of economy in Government. Had even a portion of the sum required to take these emergency measures been invested in the race for the intercontinental ballistic missile, at an early stage, we would be more secure today, and at far less expense.

Take this one immediate example of the price we have to pay for this false economy. I am informed that a continuous airborne alert of a substantial number of the heavy bomber fleet will cost not less than $1 billion for the first year of operation.

2. We should move faster to a truly invulnerable system of retaliatory power that the Soviets know to be invulnerable.

The risk of surprise attack and total war will be radically reduced when we have, in being, an invulnerable retaliatory striking force capable of surviving a first strike and dealing a devastating second strike.

The most invulnerable deterrent now in sight is the ballistic missile buried in the earth, mounted on mobile railroad cars, and carried on nuclear submarines. In particular, I have in mind the solid-propellant Minuteman missile and the Polaris submarine system.

Funds should be added to accelerate both these programs.

In view of the long lead time in the building of Polaris submarines, I am recommending the speedup of the Polaris system by adding 7 submarines, making a total of 10 in the fiscal year 1961 budget.

The point is, once we have committed a major share of our defense effort to a vital weapons project, we have to push that project to fruition without delay. Unfortunately, the Defense Department often acts like an improvident farmer who plants but will not weed or fertilize—the starved and stunted crop is too little and too late.

3. We should restore the Army to 15 full divisions and accelerate the program of modernization.

Our most immediate military danger is the Soviet-inspired probe and penetration. And as we reach a period of strategic stalemate, where both we and the Soviet Union have relatively invulnerable strategic forces capable of surviving surprise attack and dealing a devastating counterblow, the danger of the Communists nibbling away will be increased.

Even if the Soviets were to cut their ground troops as Khrushchev claims over the next 2 years, they would still have three times as many soldiers as we have.

Yet, this country has relentlessly cut its Army from 20 divisions to 18, then to 15, and now down to 14.

Furthermore, our troops are shackled by World War II equipment and lack of mobility.

We ask the nations who are under the muzzles of Soviet guns to resist the powerful and often superbly equipped forces across their frontiers; we pledge our assistance. Yet we would be hard pressed to move only one division by air transportation, and these countries, and the Soviets, know this fact.

We have high quality new equipment going into production, but our production is too little and too slow. In certain key categories of modern weapons the Soviets have 3 to 10 times what we do.

On top of everything else, of the $382 million Congress added to the budget last year for modernization, the administration is spending only $43 million for that purpose. One hundred and sixty-four million dollars has been diverted to other purposes, and the remaining $175 million has been impounded.

What a way to assure a modern army.

4. We should provide more funds to assure a vigorous research and development effort on critical new weapons and space projects.

A rise in research and development funds is proposed in the present budget, but not enough.

We need major breakthroughs in such fields as antisubmarine warfare, reconnaissance, and communication satellites, and defense against missiles, as well as in the broad field of basic research. Unless more money is provided there is danger that new requirements will not be met, or that they will be satisfied only at the expense of important existing projects.

We live in an age when our security depends on scientific achievement. Just as every progressive corporation that wants to get ahead must invest heavily in research and development, so today must a wise and prudent government.

As you know, my friends, I have maintained for years that our defense program has not been big enough, bold enough, or soon enough. My concern with our defense posture started long before the present administration took office. Of course, we should now be moving faster and on a broader front than we are.

But we must not assume that the only problem of our day lies in the defense budget. The real problem confronting us is not that simple, or easy.

Our real problem is the total Soviet challenge. The free world is on trial for its life—in a struggle that is novel in nature and unprecedented in its demands.

Mr. Khrushchev calls the contest peaceful competition. He takes it almost for granted that the Communist world will soon lead us militarily. But this is only the start of his plan. The Communists propose to have better factories than ours, better scientific laboratories, better schools, better houses, better farms, better cities, and a higher standard of living than ours.

By outdoing us in one field after another, the Communists intend to show the world that their system is the winner and that there is no real alternative except to join up with them.

The Communists do not conceal the seriousness of the challenge they pose. On the contrary, they print it on banners in letters a foot high, "To overtake and surpass the United States."

My thesis today is simple: Failure to outperform tyranny will be as fatal as defeat in all-out war. We can outperform the adversary, but not the way we are going.

Let us look for a moment at the record.

We are losing ground on the military front.

Our strategy of deterrence has rested upon offsetting Soviet quantity with American quality. It has depended upon our lead in advance weapons systems—nuclear firepower, high-performance aircraft, and missiles.

Fifteen years ago our advanced weapons lead was incontestable. Today it requires all the literary skill of a battery of Pentagon speech writers to show that we are ahead in any area, and they aren't very convincing.

First, we said we would not try to match the Soviets man for man. Then we said we would not try to match them tank for tank. Next, we said we would not try to match them plane for plane. And now we say we will not try to match them missile for missile.

In what will we try to match them, my friends?

We are losing ground on the economic front.

The Soviet economy is growing much more rapidly than ours, and more steadily, uninterrupted by the recessions which from time to time reverse our upward trend.

Administration spokesmen assure us that we will still be able to outproduce the Soviets in 1970. This is scarcely news. The question is: What is the outlook a little further ahead?

Responsible economists say that if present trends continue, it is entirely possible that Soviet economic output may exceed ours within the next generation.

Today, with a gross national product less than half ours, the Soviets already match us militarily and they successfully wage economic warfare on battlefields of their own choosing. With their lower living standards, and much lower production of consumer goods, the Soviets are now formidable competitors in the priority items of survival. If this in 1960, then what of the future?

We are losing ground on the scientific front.

In 1945, our scientific lead was clear. Today, the Soviets have almost caught up. They have registered four stunning scientific firsts—first to achieve the intercontinental ballistic missile, first to orbit a satellite, first to send a rocket to the moon, and first to photograph the far side of the moon.

Despite all our speeches about the importance of scientific education, the Russians continue to graduate scientists and engineers at a rate twice our own. Perfectly qualified and cautious men predict that they will surpass us scientifically in the next decade.

We are losing ground on the psychological front.

With the ICBM and sputnik, Moscow successfully struck at the heart of America's prestige—its heretofore undisputed industrial and technical superiority.

I can speak from personal experience in this regard. Just 4 years ago, I warned that the Soviets were winning the race for the ballistic missile. I said we need not assume that Moscow would actually use such missiles in atomic war. Their purpose, I argued, was twofold: first, to stockpile the missile in their military arsenal; second, to bid for the imagination of peoples by showing scientific and industrial superiority to the United States, and to use the fearful new weapon for ballistic blackmail.

Do you know how the Defense Department responded to my warning? They answered: the ballistic missile "does not kill you any deader than a bomber does with an atomic bomb." That is how well the Defense Department evaluated the military and psychological implications of the most important weapon of our age.

Then came sputnik. Talk about economy in Government. I wonder how many billions of dollars of prestige it has cost us—because our Government thought orbiting a satellite was just one more technical achievement, without special significance.

The psychological effect of being the first to put a man in space cannot be underestimated. It will have an enormous impact on the underdeveloped world and on the Russian people as well—if they do it first.

There are those who say that the remorseless growth of Soviet power and influence cannot continue at the present rate, or that the Russians and Chinese will fall to quarreling among themselves. These things might conceivably come to pass.

But our plans cannot be based on that assumption. They must be founded on the hard record of the past, and on an objective reading of the foreseeable future.

As of now, the situation is clear: our own power, as against that of the Soviet Union, is in decline. We are going downhill. The process so far has been cumulative and accelerating.

The results of a continuation of this process should be abundantly clear:

First, Soviet foreign policy will become bolder, more adventuresome, and more difficult to deal with. They will have more power, of every kind, for carrying out their plans.

Second, our allies will become less and less willing to stand up to Communist pressure. They will be more and more tempted to make concessions and deals.

Third, the example of Soviet success will progressively attract the in-between nations which want to join the winning side, and the backward peoples trying to decide which side their bread is buttered on. At the same time, underdeveloped countries will increasingly be subject to Communist penetration through aid and trade.

Fourth, we shall be compelled to negotiate with the Soviet Union from a position of increasing weakness. President Eisenhower may not think the lag in missiles and space will affect his decisions at the forthcoming summit meeting. But Mr. Khrushchev, our allies, and the rest of the world will be well aware of the deficiencies in our bargaining power.

Fifth, the cumulative effect of growing Communist power and weakening American power will be a progressive loss of abiilty to influence events, and a chain reaction of defeats for freedom.

As a nation, we have not begun to grasp the magnitude of the peril. Some spectacular Soviet advance, like the first sputnik, occasionally jolts us. Worried letters are dispatched to congressional offices, and our newspapers write troubled editorials. But that which was plain and clear in the hour of shock is soon forgotten. Our Government officials issue elaborate apologies, proving that two and two did not really equal four after all.

My friends, what can we do about it?

Can a free society generate and sustain the great national endeavor required to outperform tyranny? This is the crucial question.

I believe we can. But to do it we shall have to fulfill some tough conditions.

One thing is clear: We must recognize that this is a contest-for-keeps.

Trus, it is not a hot war. But the stakes are the same—the survival of free institutions and the shaping of the international order.

Freedom and all we stand for will be equally dead if the Communists win out by any method—be it the brutal violence of a shooting war or the erosion of our strength through a series of bloodless victories.

A second thing is clear: We will have to make a supreme effort—and become again the aroused, confident and purposeful people which, at our best, we are.

When a Hitler strikes for world domination, free men spring to arms in defense of their liberties. They fight and work with an irresistible will to victory.

Think back to what we accomplished in Word War II. Between 1940 and 1944 we increased the real value of our gross national product by 55 percent, and while putting 11 million men into uniform and sending them

all over the world, we were still able to increase the real consumption of goods and services by about 11 percent during that period.

And this Nation has proved its ability to make the supreme effort in more than wartime. The spirit of an American people who discovered and tamed the vast western frontier, who built and maintained a great democratic society, who mastered the challenge of the industrial age and developed the highest standard of living in the world—such a spirit can and must be applied to the present struggle.

This contest will not be won by a business-as-usual approach. The challenge is worthy of our best, for it is aimed at our best.

A third thing is clear: We must have a national strategy for survival in freedom.

No struggle, whatever its nature, can be won without a strategy for winning.

And what is our strategy? Is it a balanced budget? Peace and prosperity? No battle was ever won by slogans, speeches, or soothing cliches.

At no time are the national tasks presented in terms that are meaningful to the men and women on our farms, in our universities, our shops, factories and mines, to children in school, and to housewives.

It is far more difficult to sustain a long-drawn-out effort than to perform the dramatic duties of a shooting war. Khrushchev knows this and is banking on it. All the more essential, therefore, is the development of a clear and convincing plan of action.

Our people must be told what is required of them. The Congress should be given a clear idea of what our purposes are and how we propose to achieve them.

I believe the effort to develop a national strategy and the public discussion accompanying the effort would do much to create the unity of purpose and the national will needed for success.

A fourth thing is clear: We must improve our organization for making and executing national strategy.

It has been almost 13 years since we took a look at the basic problem of how we should organize to make and execute national security policy. The National Security Act of 1947, which created the Department of Defense and the National Security Council, was essentially a codification of the experience of World War II. The years following the passage of that act, however, have seen radical changes in the nature of the tasks confronting our Nation.

With this in mind, the Senate last summer authorized a comprehensive review of our national policymaking machinery. The Subcommittee on National Policy Machinery, of which I have the honor to be chairman, was instructed to study the effectiveness of present policy machinery and methods. The President has assured the cooperation of the executive branch with the subcommittee work, and the review is being conducted throughout on a nonpartisan basis. Serving with me in the study are Senator HUMPHREY and Senator MUNDT.

In February we start a comprehensive set of hearings, looking toward recommendations and legislation for constructive reforms.

We are seeking ways to define national goals, and to arrive at policies to move toward our goals, including a master program of requirements and priorities. We want a government that will develop the capabilities required for success, and then will use them skillfully and stubbornly until the foundations of a just and peaceful world have been securely established.

A fifth thing is clear: We must determine our national requirements and then find economically sound ways to meet them.

Government officials tell us these days that "fiscal soundness" keeps us from making a larger effort.

Everybody favors fiscal soundness. But an arbitrary limit on survival programs is not fiscal soundness at all—it is national folly.

Could there have been anything more unimaginative than the defense budget ceiling of $14 billion in 1950—just before the Korean attack? In 3 years we had to treble our defense program, and we have held it at about that level ever since. Now even a $40 to $41 billion defense program is too small.

Suppose a man's life depended on an operation, and he was willing to pay the doctor $400 but not $500. Would that be fiscally sound?

Our requirements should be provided for in ways that are fiscally sound, rather than fiscally unsound. In other words, we must pay our way. That is all that fiscal soundness means.

We should determine our needs in the light of the danger. Then we must find fiscally sound ways to meet those needs—by expanding our economy and, if necessary, by providing more funds through additional taxes.

There is no question about our country's ability to pay the amount it will take to put us back in first place. We can afford to survive.

Let me say merely this in conclusion:

Our country now bears the main responsibility of turning back an historic challenge to freedom and of leading the world to a better age.

Our need in these days is for vision to see the danger as an opoprtunity and for the strength to persist.

Soviet ambitions will not be checked by military deterrents alone. We must also be fit for the contest of will, the clash of ideas, and the test of worth which lie ahead. It is only our best effort in every task that will build the overall deterrent to disaster.

This is no time for rosy speeches. This is no time for complacency.

This is a privileged time. We are trustees of all the confidence of mankind in the future. Ours is still the chance to redeem the trust.

NO EASY CURES FOR JUVENILE DELINQUENCY

Mr. HENNINGS. Mr. President, for over 35 years now, I have been active in youth work. I firmly believe that one of the most challenging and pressing tasks facing us today is the need to find ways and means for rehabilitating hundreds of thousands of youngsters who get into trouble each year. Perhaps even more important is the need for seeking explanations for the wave of juvenile misbehavior we are now experiencing, for it is only through discovering some of the causes that we can hope to help today's youngsters out of their dilemma and prevent tomorrow's children from falling into the same trap.

As chairman of the Senate Subcommittee To Investigate Juvenile Delinquency during the past 3 years and a member since its inception 6 years ago, it has become painfully evident to me that today we are not dealing strictly with childish misbehavior. In the past few years—and the tragic incidences are increasing all the time—we have seen a sharp rise in murder and mayhem committed by young teenagers.

We have only to recall last fall's outbreak of juvenile violence in many cities throughout the country, to realize that all too often juvenile delinquency can more adequately be called juvenile crime. Why just the other day here in the Nation's Capital, a gang of eight juvenile thugs were arrested and charged with a series of vicious, senseless chain beatings.

All too often, however, people are inclined to think that juvenile delinquency and crime is peculiar to large metropolitan areas. This simply is not true. For several years now, FBI statistics have shown sharper increases in juvenile delinquency in rural communities than in large cities.

Evidence of the concern being voiced throughout the country over the very real problem of juvenile delinquency can be seen in editorial comment from widely separated parts of the country.

Mr. President, I ask unanimous consent that two of these editorials, one entitled ""On the Nature of Juvenile Delinquency," from the Little Rock Arkansas Gazette; and one entitled "Urban Jungles" from the Portland, Maine, Press-Herald Telegram—reprinted from the Washington Post—be printed at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Little Rock (Ark.) Arkansas Gazette, Sept. 28, 1959]

ON THE NATURE OF JUVENILE DELINQUENCY

J.D., as juvenile delinquency is coming to be known through our dreary affinity for easy abbrevations (and easy solutions), is a problem so tangible in its effects but so nebulous in its causes that everybody—which is to say, nobody—has a solution.

At a very minimum, it would seem, juvenile delinquency must be addressed at two levels—that of the group and of the individual.

It is the group approach that must necessarily engage most of the attention of the special Senate committee which has just opened new hearings in New York under the chairmanship of Senator HENNINGS of Missouri, who, by one of those miracles of the democratic processes, may well be the U.S. Senator best equipped for this particular type of investigative task.

In quite a large sense, the extreme manifestations of juvenile delinquency we now are witnessing in the larger cities of the North form but one more rumble—excuse the expression—in the long medical history of digestive upsets that have followed the absorption of immigrant groups in New York and other cities.

Because the patient has rallied before, after having been writtin off, does not mean that the present ailment could not turn malignant if it should be allowed to go undiagnosed and unchecked. This is why we already have heard talk of a new Federal agency to combat juvenile delinquency, an agency which, again almost by definition, would have to be most concerned with the group approach.

The immigration problem in the North today includes not only the Puerto Ricans, but southern Negroes and, distressed as they might be to realize it, southern poor whites. Although there is integration in some New York street gangs, and apparently little prejudice on an individual, man-for-man basis, there is no doubt that racial, cultural, and religious differences are an important factor in the street gang warfare. But then they always have been. For example, Mae West, in her autobiography, has recalled that almost 50 years ago, when members of Brooklyn's "Eagle Nester" and "Red Hook" gangs fought a pitched battle over her.

The "birch" may, in fact, offer part of the answer, but we must realize that we cannot go back to one feature of the Victorian period—the woodshed—while moving even farther away from that period in other ways.

The Victorians kept parental discipline, after a fashion, but they also were more prone to discipline themselves. For example, going into debt was regarded as being almost as unthinkable as what today is called going on relief.

Yet today authorities pretty well agree that the mother who goes out to work to help the family budget is a major contributing factor in the whole, broad problem of juvenile delinquency. At the same time, all of us know women who are successful "working mothers" in both important senses of the word.

The starting point for any individual approach to the problem is the parents' constant awareness that the child is an individual. This is, only incidentally, a good starting point for any problem between humans of any age. It is only when our individuality goes unrecognized elsewhere that we seek to sublimate it by traveling in packs.

In the case of children, recognition involves more than a vague permissiveness to do as they please or a random clout on the ear when they overstep undefined bounds. At the same time, it can involve nothing more than an unforced awareness that the child in question is there, and the child's own constant awareness that his parents know he is there and are concerned about what he does, what he believes, and what he thinks.

One of most touching of many touching moments in the film classic, "How Green Was My Valley" was the moment when the father, sitting at the table with his youngest son and his worries, head down, looks up at an immoderate bit of noise having to do with the child's bowl and spoon and says simply, "Yes, son, I know you are there."

[From the Portland (Maine) Press-Herald Telegram, Sept. 29, 1959]

URBAN JUNGLES

The hearings on juvenile delinquency now being conducted in New York City by a Senate Judiciary Subcommittee under the chairmanship of Senator HENNINGS can be immensely serviceable to the Nation. They deal with a most disquieting contemporary phenomenon—the rise in great cities all over the country of a kind of jungle warfare carried on with unprecedented ferocity by youthful gangs tragically alienated from their communities. Senator HENNINGS has stated the situation in these terms:

The past decade has seen a sharp yearly rise in unprovoked attacks by juveniles, especially of the "rat-pack" or gang-type assaults. We are not dealing here with the usual type of juvenile delinquent: the social rebel who may need only a little firm guidance to set him straight. We are dealing with teenage terrorists; actual and potential murderers who derive pleasure from beating, torturing, maiming, and killing.

There has been a spate of stories lately, originating from Washington as well as from New York, to substantiate this estimate. They report a kind of violence which seems at once senseless and sadistic—violence for its own sake rather than as a means to some other end. But to characterize it, as Senator HENNINGS has done, is merely to observe the symptoms of a disease. And to deal with it, as so many authorities have suggested, through more vigorous police action, is to deal solely with the symptoms, leaving the underlying causes uncorrected. The subcommittee's inquiry, it must be hoped, will discover the causes and propose some more realistic remedies than a counteracting police violence.

It should be noted in this connection that the police commissioner of New York, Stephen P. Kennedy, appears to have kept his head while all about him were losing theirs and blaming it on him. He refused to resort to dragnet arrests, blind toughness, or other shortcuts involving trespasses on legal and constitutional rights.

While police vigilance is undoubtedly necessary to keep the juvenile gangs under control, it is vital to recognize that the root of the problem lies in giving these youngsters—largely Negroes and Puerto Ricans—some sense of status and place in the community, some sense of commitment to its values and participation in its life so that they do not feel themselves wholly outcast and driven to seek status in defiance, hatred, and brutality.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated by title.

The CHIEF CLERK. A joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

NEEDED: EARLY ACTION ON NORTH AMERICAN BROADCASTING AGREEMENT AND BROADCASTING AGREEMENT WITH MEXICO

Mr. WILEY. Mr. President, currently there is pending before the Senate Foreign Relations Committee two proposed international agreements: First, the North American Regional Broadcasting Agreement and second, the Broadcasting Agreement With Mexico.

Generally, the agreements would establish a pattern for utilization of radio frequencies in the standard broadcast band between 535 and 1605 kilocycles by prescribing engineering standards, procedures, classes of stations, radio frequency priorities, and similar regulation by participating countries.

These include Canada, Cuba, the Dominican Republic, the United Kingdom—for Jamaica and the Bahamas—and the United States. Provision is also made for the adherence of Haiti to the agreements.

The need for the agreements arises out of the basic fact that airways do not stop at international boundaries. With the tremendous growth of the broadcasting industry, nationally and internationally, there is a need for assuring the least amount of interference by stations in one nation with stations in another nation.

We recognize, of course, that once such treaties are ratified, our stations will necessarily be required to operate within their confines with whatever problems that may arise from such limitations.

In the interests of protecting all segments of the industry—for example, that of the daytime broadcasters who seek from time to time to extend their broadcasting time—I hope the subcommittee will make a real attempt to find answers to the objection which has been raised.

Despite the objections, however, there is widespread feeling in the broadcasting industry that the agreements should be approved.

As I understand, the matters are scheduled for consideration in early executive session by the special subcommittee established for the consideration of the treaties. I respectfully urge, in view of the 10-year period during which this matter has been under consideration that it be handled expeditiously and reported as early as possible.

Having received a number of communications from outstanding stations in my home State of Wisconsin, I request unanimous consent to have printed at this point in the RECORD the following items: First, messages from Wisconsin stations urging approval of the agreements; second, an editorial from the January 25 issue of Broadcasting magazine, entitled "NARBA, Now or Never"; and third, a résumé of "Reasons for Supporting Ratification of NARBA and the Mexican Agreement," prepared by Mr. Hollis M. Seavey, director of Regional Broadcasters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WTMJ-TV, WTMJ, WTMJ-FM,
THE MILWAUKEE JOURNAL STATIONS,
Milwaukee, Wis., January 14, 1960.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: I am writing to you as a constituent and as a broadcaster in the hope that you will interest yourself in the matter of the North American Regional Broadcasting Agreement and the Mexican Broadcasting Agreement.

Because of the importance which I as a broadcaster attach to the aforementioned agreements I have taken considerable time over the past several months to acquaint myself with the background and history of the negotiations as well as the broadcast principles upon which they were founded.

From all I can gather, the negotiations were consummated by our State Department and Federal Communications Commission people with considerable distinction and potential benefit to the United States and its citizens.

It is understandable that some broadcasters or small groups of broadcasters, as reflected in the hearings before the subcommittee, should have some objection to the agreements. However, it is my firm belief—and I am of the opinion that the State Department and the FCC feel the same way—that these agreements by and large are in the best interests of the broadcasting industry as a whole. Most of my background information comes from a publication by the Government Printing Office of the hearing before the subcommittee of the Committee on Foreign Relations, U.S. Senate, 86th Congress. As a member of the Foreign Relations Committee I presume you are acquainted with the document.

It is obvious to any broadcaster that sound waves or electronic waves cannot be captured within boundaries and that, under the circumstances, there must be some working agreement between parties concerned to forestall any inevitable chaotic situation. The history of U.S. broadcasting will show numerous periods of annoying foreign interference to the detriment of our citizens and our broadcast service. It is only because of working agreements between the countries concerned that the situation over the past several years has been amicable.

The agreements in question have been sitting in the Foreign Relations Subcommittee for the past 9 years and, as I understand it, it has been only by the goodwill of the

other countries involved that interference difficulties have not arisen. One cannot wonder at the adverse diplomatic effect on the goodwill of our neighbors because of the inaction of the committee and the Senate. Certainly one would expect that it should not take almost a decade for a great country such as ours to make up its mind in an area in which there must be an international agreement if any sort of adequate broadcasting operation is to exist. One would feel that it would be difficult to explain to neighbors why action has not been taken. One would likewise feel that the inaction of the United States would give cause to a feeling on the part of those who have already signed that they should go their separate ways without consideration for the United States. If this attitude should pertain it could only result in exceeding harm to broadcasters on clear channels, regional channels such as that owned by my company, and hundreds of local operations lying within border areas.

The exact interference which would be caused to a station can only be pointed out case by case by competent engineers, but it is not unreasonable to believe that all stations lying within our great State of Wisconsin could be adversely affected by interference from stations in Canada if that nation chose suddenly to increase power on certain of its wave bands, or grant additional stations on wave bands not now being used because Canada has thus far upheld the letter of the treaty. The interference would reduce the listenable signal of Wisconsin stations and thus reduce service to the people of the State. It would be tragic if this were allowed to happen.

There is a general feeling, as I have sensed it, among competent people that in the agreements the United States has come off exceedingly well. It seems to be the general belief among competent people that if an inevitable chaotic state did not result from the U.S. Senate inaction we would at least have to renegotiate an agreement which would in all likelihood result in something less than we now have. In other words, delay is jeopardizing the future status of radio in the United States.

I urge you to do all you possibly can to clarify this matter. The broadcasting industry cannot exist without an agreement between neighbor nations. It is intolerable to think that the United States has waited this long without taking action in an area where chaos is the only alternative to mutual understanding. If the U.S. Senate does not feel, after proper discussion of the matter, that the agreements can be ratified then it must direct the proper parties under our Constitution to carry on negotiations which will be satisfactory to it. If only in the interest of international goodwill, it would seem to me action is a must.

Sincerely,

GEORGE COMTE,
General Manager of Radio and Television.

RADIO STATION WKBH,
La Crosse, Wis., January 20, 1960.

Senator ALEXANDER WILEY,
Washington, D.C.

DEAR SENATOR WILEY: This letter is written to urge you in all sincerity to vote and work for the ratification, without reservation, of the North American Regional Broadcasting Agreement and the Bilateral Agreement Between the United States and Mexico.

I know you are already familiar with the main points of these agreements. As you know they give the Federal Communications Commission complete freedom of action in its domestic allocations policy. This feature alone is of great value to U.S. daytime radio stations which can petition for changes in their facilities without fear of international complications. We in the industry believe that if attempts were made to negotiate new agreements with the countries involved, several unpredictable years would elapse and the U.S. broadcasting industry would end up either with no agreements or ones with terms much less favorable than those contained in the present agreements.

I believe it should be pointed out to you that since practically all radio transmitters are located in or adjacent to cities or towns, and since these agreements are intended to prevent interference between stations of our country with stations of other countries parties to these agreements, that the chief area where such interference could take effect are those areas some distance from the transmitters. This of course is because of the fact that radio signals get weaker as you get further from the transmitter. For this reason, if and when any interference should result, it would undoubtedly take place some distance from the radio transmitter and its location would be in the rural areas of our country. You are very well aware that radio is a very important part of the lives of these people.

For this reason and the other reasons mentioned I trust that you may see fit to work and vote for the passage of these agreements.

Very truly yours,

HOWARD DAHL,
Manager.

GREEN BAY PRESS-GAZETTE,
Green Bay, Wis., January 21, 1960.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: We are very much concerned about the North American Regional Broadcasting Agreement and the Bilateral agreement Between the United States and Mexico.

We understand that the hearings on this agreement are to begin on January 25 and I regret that I cannot be there in person. I am convinced that ratification is essential to the national public interest as well as to the individual business interest of each and every broadcaster.

As a member of the Senate Committee on Foreign Relations I thought you would like to know how we feel about this at home, and hope you will do all in your power to assure the ratification.

Yours respectfully,

JOSEPH HORNER, Jr.,
General Manager, Green Bay Press-Gazette and Radio Station WJPG.

MILWAUKEE, WIS., *January 27, 1960.*

Senator ALEXANDER WILEY,
U.S. Senate, Washington, D.C.:

We urge immediate ratification of North American Regional Broadcasting Agreement and broadcasting agreement with Mexico without reservations.

We would appreciate your making this wire part of the record of your subcommittee hearing which we understand is open until 5 p.m. Friday.

JAMES T. BUTLER,
Vice President and General Manager,
WISN–Radio, Milwaukee.

LA CROSSE, WIS., *January 27, 1960.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

We urge immediate ratification North American Regional Broadcasting Agreement and broadcasting agreement with Mexico without reservation.

Please make this wire part of the record of your subcommittee hearing.

HERBERT H. LEE,
Radio Station WKTY,
La Crosse, Wis.

EAU CLAIRE, WIS., *January 27, 1960.*

Senator WILEY,
Washington, D.C.:

We urge immediate ratification North American Regional Broadcasting Agreement and broadcasting agreement with Mexico without reservations.

Would appreciate you making this wire part of your record of your subcommittee hearing now in progress.

LEO HOWARD,
General Manager, WEAU–TV.

NARBA NOW OR NEVER

All but lost in the turmoil involving broadcasting is the 10-year-old treaty on AM broadcasting on the North American Continent which has languished before the Senate Foreign Relations Committee. Failure to ratify the NARBA treaty, and the collateral 1956 agreement with Mexico, at this session could trigger an allocations war of indiscriminate channel-jumping with disastrous effects on reception.

The Daytime Broadcasters Association, which asserts representation of some 250 of the 1,700 stations now operating from sunrise to sunset, has openly lobbied against Senate ratification. Two bills are pending to instruct the FCC to authorize 6 a.m. to 6 p.m. operation. The FCC, the State Department, and virtually all other entities in AM radio, have implored the Senate to ratify the agreements or invite chaos. But the daytimers have been able to muster sufficient strength to block action.

There has been one significant development, however. The regional stations, which heretofore have put up no organized resistance, have now established regional broadcasters for the avowed purpose of fostering Senate ratification. At long last, they realized that while the daytimers have ostensibly sought fixed hours only on Mexican and United States clears, the legislation they espouse would strike at domestic regionals, and without directional or any other protection. The FCC has twice rejected the daytimers' proposals, so they now seek from Congress what they cannot get from the expert body charged with the responsibility of providing maximum interference-free service to the public.

The daytimers cannot be criticized for wanting to improve their lots, notably during the most lucrative radio hours. But they should not seek to do it at the expense of old-established services or through legislative pressure. The new Regional Broadcasters, organized at the call of Payson Hall, director of broadcast properties of Meredith, has no simple task, because it is easier to block legislation than to enact it. Ratification hearings begin today (January 25) before the Senate Foreign Relations Subcommittee.

Among the regionals are many of the old-established and most respected stations. This is their opportunity to cite the facts. And there isn't too much time in which to do it with Congress eyeing adjournment by July.

REASONS FOR SUPPORTING RATIFICATION OF NARBA AND THE MEXICAN AGREEMENT

1. The agreements establish international regulation in the standard broadcast band. Countries signing the agreements are restricted to the assignments contained therein, preventing the threat of chaotic interference and drastically reduced coverage by all classes of stations.

2. If attempts were made to negotiate new agreements with the countries involved, several unpredictable years would elapse and the U.S. broadcasting industry would end up either with no agreements or ones with terms much less favorable than those contained in the present agreements.

3. Two agreements are definitely in the best interests of U.S. broadcasters as a whole and the listening public. All segments of the industry were entitled to participate in the negotiations of both treaties and to confer with Government representatives. Diverse views of industry observers were fully

explored and every attempt was made to satisfy them.

4. The agreements give the Federal Communications Commission complete freedom of action in its domestic allocations policy. This feature alone is of great value to U.S. daytime radio stations which can petition for changes in their facilities without fear of international complications.

5. The agreements provide for consultations between governments for the investigation and elimination of objectionable interference, as well as compulsory arbitration of disputes in the event they are not settled otherwise.

6. Important priority rights established for the United States through the provisions of these agreements would be completely lost in the absence of ratification.

7. U.S. daytime radio stations operating on Mexican clear channels benefit greatly from one provision in the Mexican agreement. Presently, all U.S. daytime radio stations operating on channels on which the Mexican Government has a I–A priority may operate with a power of no more than 1 kilowatt. This ceiling is raised to 5 kilowatts under the terms of this agreement.

8. The rapid growth of standard broadcast stations in all countries of the North American region since the signing of NARBA in November 1950, makes the need for treaty protection all the more urgent.

THE LIBRARY SERVICES ACT IN WISCONSIN

Mr. WILEY. Mr. President, throughout the country our libraries are performing a necessary and tremendously valuable service for our citizens.

We realize, of course, that education is not a process which stops at graduation from formal schooling. Rather, in this fast-changing world, education must be continued on a day-to-day basis, if we hope to keep pace with, understand, and make contribution to the progress in life going on around us.

Through our libraries, invaluable opportunities are provided for individuals of all ages, in all walks of life.

Currently, there is pending before the Senate Labor and Public Welfare Committee a recommendation for extending the library services under which our library program has been substantially strengthened and improved for the benefit of people throughout the country. Particularly, it has provided library services for small communities and rural areas, many of which, until now, have not had such services.

In view of the significant need for improvement and expansion of these services to the people of the United States, I believe that Congress should favorably consider the necessary continuation and improvement of this program.

Today, I was pleased to receive from S. Janice Kee, secretary of the Wisconsin Free Library Commission, a brief résumé of the splendid work that has been made possible through operation of the Library Services Act in Wisconsin. In addition, there was recently published in the Wisconsin Library Bulletin an informative article by George D. Russell, under the title "The Public Library: A Touchstone to a Good Community."

I ask unanimous consent to have the articles printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE LIBRARY SERVICES ACT IN WISCONSIN

Using Federal funds appropriated under the Library Services Act of 1956 (Public Law 597), the free library commission is sponsoring library extension and development projects in 18 Wisconsin counties; has initiated a scholarship program to provide more trained personnel, through University of Wisconsin extension division, and graduate study, for Wisconsin's public libraries; and has made a grant to the university extension division's bureau of government for a statewide survey of public libraries.

The six projects for improving, developing, and extending public library service in rural areas are:

MILWAUKEE PUBLIC LIBRARY RURAL SERVICE

A cash grant was awarded the Milwaukee Public Library in 1958 to provide bookmobile service on a demonstration basis to rural areas in Milwaukee County. Following the trial period, eight communities of fewer than 10,000 population voted, in October 1959, to continue this service at their own expense.

SOUTHWEST WISCONSIN LIBRARY PROCESSING CENTER

Nineteen independent public libraries in five counties of southwest Wisconsin banded together in a federation, early in 1959, for cooperative purchasing and processing of books. Since founding of the center, located in Fennimore, two additional libraries have contracted for this service. Central book-selection aids are available, and the center's librarian, Mrs. Janet Jahns, assists area librarians in workshops and other community library service activities.

SHAWANO CITY-COUNTY LIBRARY IMPROVEMENT PROJECT

A cash grant to the Shawano Library was made to strengthen extension services to rural adults and provide in-service training for staff members. Two trained librarians—an assistant director (Isabel Harding, who joined the staff in October 1959) and a bookmobile librarian (being recruited)—are being added to the staff, and a second bookmobile, for adult services, is in operation.

FOUR-COUNTY LIBRARY PROJECT

County library committees in Ashland, Bayfield, Iron, and Price Counties are jointly sponsoring this project, which includes developmental book loans in 9 small libraries and bookmobile service to 43 area communities that do not have libraries. The Vaughn Library at Ashland is the reference and information center for this project. Bookmobile service began October 21, 1959; John R. Dols is the librarian.

SIX-COUNTY LIBRARY PROJECT

Similar in service to the four-county activity, this project is based on the public libraries in Antigo, Merrill, and Rhinelander, which will serve as coequal centers for operation in Langlade, Lincoln, Oneida, Forest, Florence, and Vilas Counties. Bookmobile service started January 20, 1960; Mary Claire Pansch is the librarian.

BARRON COUNTY LIBRARY PROJECT

This project is a result of an intensive study by the Barron County Library Committee. A central collection of books has been deposited at the Rice Lake Public Library and is available to all the libraries in the county; the county library committee is continuing to explore ways of establishing countywide library service.

Mrs. Edna W. Holland, Antigo, is regional consultant to library projects in northern Wisconsin.

COUNTY LIBRARY COMMITTEES

Section 43.255 of the Wisconsin statutes provides for the appointment of county library committees by county boards, to survey and study the library needs of the county and to develop and report to the county board plans and proposals for improving library service within the county.

For more information about the free library commission's program, and for specific information about the Library Services Act—and what it can mean to your community—write to: S. Janice Kee, secretary, Wisconsin Free Library Commission, 217 North, State Capitol, Madison, Wis.

THE PUBLIC LIBRARY: A TOUCHSTONE TO A GOOD COMMUNITY

(By George D. Russell)

Until a happy set of circumstances brought me to the free library commission, the public library as a community institution was something quite obscure in my mind. Obscure because, having been born and raised on a farm in rural Wisconsin, I was one of what we on the commission staff have referred to as "unserved people"—people with no legal access to a public library. Make no mistakes: I had been able to read some books as a youngster in grade school since we received traveling library boxes of books from the office of the county superintendent of schools. But this, I have learned, is certainly not good library service, and even this service ended with my graduation from that rural school. And, oddly enough, no one—not once, to my recollection—ever did mention that there was such a thing as a Wisconsin Free Library Commission, with good books just waiting to be borrowed.

Nor can I say that there were no public libraries in my area. In the nearest town, there was what was called a public library, and, if I'm not mistaken, I could have used it without paying a fee, even though I lived outside the city limits. The important point here is that I did not make use of this public library on any occasion. I would be the first to admit that part of this failure to use this facility must be attributed to my own lack of initiative, but I am by no means prepared to admit that I alone should bear the blame. How many teenagers would be tempted to enter one of the dingiest buildings in town? I had never been encouraged, nor even told that I could do so. I can offer no accolades to the teaching profession for any special effort in introducing me to the wonderful world of books and reading. Perhaps I assume that the teaching profession has an obligation which is not properly theirs, but I believe not, and in fact I believe that it ought to be one of their primary concerns.

Although this has been my own experience, I would wager that it matches that of thousands of others in many communities in Wisconsin. The fact is that in many places in Wisconsin people do not have libraries, or, if they have them, they are not encouraged to use them, or, at most, they have tried to use them and have come away discouraged and empty-handed because they couldn't find the book they wanted. Good library service—adequate library service—is not just any old collection of nondescript books on a few dirty shelves; rather, in simplest terms, good library service means bringing together the right person and the right book—and at the right time, I might add.

MARKETPLACE FOR IDEAS

A public library need not be a dingy, forlorn place, with a few books tended in a slipshod manner by just anyone that happens to need a job for a few hours a week. A good library—I mean the kind that every Wisconsin citizen has a right to—should be as bright, cheerful, inviting, and busy as the nearest supermarket. It should be a marketplace for ideas.

When we go into the supermarket, shopping for such everyday things as groceries, we don't look for just milk; we want homogenized milk with vitamin D added. The

farmer isn't satisfied with planting just corn; he wants hybrid 110-day maturity. So it is with the discriminating reader of today: he doesn't want just any book; he wants a specific book on a specific subject, published during a certain year. To be able to place that book in the hands of the inquiring reader is approaching good library service. Why should one expect the reader to be any less specialized in searching for his mental sustenance than he is in fulfilling his physical and material needs?

ROLE OF THE INDIVIDUAL

And for those who argue that the majority don't use the public libraries, that it's only a small minority that do use them, I say forget about majorities and minorities—they're for election returns; let's talk about individuals and individual needs. History shows that the great developments, technological, philosophical, or ideological, and the solutions to critical problems, and discoveries have always been and will be made by individuals, not majorities.

It is the individual that counts, and where library service is concerned, any individual—no matter who he is or where—ought to be able to get the particular book or information he seeks.

This is not saying that every community ought to buy every book that has been or is going to be published. This would be ridiculous and prohibitively expensive. But most public libraries in Wisconsin ought to have a great many more and better books than they do have, and, more important, if they cannot provide the serious reader with the particular book he wants, they should be able to connect him with a larger resource center which does have the materials he seeks.

This, of course, calls for cooperation among libraries and governmental units—the kind of cooperation that makes the resources of all the units available to all the libraries participating in the cooperative venture. This is a concept which is sound, both economically and politically, and one which the free library commission is working to have publicly accepted. It is, however, one which has met with the least favor with those who would benefit the most—the smaller communities and especially the rural areas of Wisconsin.

WHOSE RESPONSIBILITY?

And who is to blame for this unhappy state of affairs? Is it the librarians, library board members, government officials, or the public at large? The answer is not an "either-or" one; perhaps the blame should be shared by all. But a curious thing does come to my mind after these 2 years: It often seems that those who raise the greatest hullabaloo about preserving our democratic way of life are quite often the same ones who are the most resistant who do the least—to promote and support the institutions of government which common sense tells us will do the most to preserve the way of life they say they cherish.

Of all the reasons—or perhaps excuses is a better word—that one hears from people who resist providing adequate support for good libraries, perhaps the most common are that library service is not demanded or used by enough people to justify the expenditures and that it can't be afforded—taxes are already too high. I have answered the first of these charges, at least to my own satisfaction, because I believe that the individual's importance must not be neglected.

To the people who continually raise the cry that they do not have enough tax money, I say, not enough money for what? I don't want to take the car out of anyone's garage, the bright picture tube out of anyone's comfortable living room, or all the highballs or cigarettes out of anyone's hand. But I do make a plea for striking some kind of balance between the material things so commonly but perhaps somewhat wrongly associated with the good life and those things which, in the long pull, will do the most to preserve what we so loudly cherish.

My challenge is to library board members, librarians, and to anyone interested in, and aware of, the importance of good public library service—but particularly to the librarians and most particularly to library trustees. You are in a position to do something about public libraries. I often think that library board members—and even many librarians—must not really be aware of the opportunities, the really significant contributions they can make to the education of mankind. Or if they are aware of this, then a lot of them should not be board members or librarians because their performance certainly doesn't reflect their understanding.

FUNCTIONAL FREEDOM TO READ

Every so often we hear a great to-do about the legal freedom to read—about the suppression of a free press. I am concerned that so few people ever view with alarm the more practical freedom to read; that is the functional freedom to read, to be able to get that which has not been suppressed. It seems to me that there is a tyranny of nonavailability, of nonaccessibility to man's recorded knowledge that, at this point in our history, is equally as vicious as the suppression of any of our other precious freedoms.

To do something about this functional freedom to read seems to me the special job, the responsibility, the duty of librarians and library board members. If your efforts don't receive the attention and publicity that is associated with schools when you make your case for better library service in your community, your opportunities and responsibilities are no less serious; whether your efforts are applauded or criticized, they are important.

Today, not tomorrow or the next day, is the time to do something about your library, for it ought to be planned for the future and not impelled by crisis. Everything you do in the name of good public library service will make your community a better one, for I believe that the good public library is a touchstone to a good community.

PAY TODAY, BORROW TOMORROW ECONOMICS

Mr. KEATING. Mr. President, I wish to comment briefly on the great debate now raging over our Nation's fiscal policies and over the financing and scope of the activities of the Federal Government.

Mr. President, the policies of spectacular increases in Government spending and the irresponsible creation of cheaper money for America are ill advised. They invite disaster.

This point is clearly illustrated in an editorial which appeared in this morning's New York Times entitled, "Study, or Rationalization?" The title refers to the majority report of the Joint Economic Committee on the January 1960 Economic Report of the President recently transmitted to the Congress. In referring to this report, the editors of the Times state, as they have stated in other editorials, that one can sense on the part of those calling for forcing unwarranted and artificial interest rate cuts, a fear "of losing face politically by retreating from an untenable position."

These are strong words. Events over the past few months have shown that they are needed—for the policy advocated by some for cheap money and luxury for all has been shown to be unwise.

Many of those pressing for action along these lines also call for new and spectacular Federal spending programs. They have little concern about a woefully unbalanced Federal budget. Money will be cheap, and we can borrow forever.

To sum up, they seem to feel that individuals and governments should operate on what might be called a "pay today, borrow tomorrow" approach to life.

Fortunately, the advocates of this policy are a minority. The American people know that you cannot eat "pie in the sky." Those of us who favor Federal fiscal responsibility and who are concerned about the preservation and strengthening of our free economic system are making ourselves heard. Common sense economics are understood by informed and interested Americans, and many of our fellow citizens are also speaking out on this issue. They too are being heard. The budget is balanced. The national debt is going to be cut. Inflationary trends in our economy are being dealt with in a sensible and proper manner.

Mr. President, I ask that the above referred to editorial from the New York Times, which is an important expression of support for a sound economic policy for America, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STUDY OR RATIONALIZATION?

The Joint Economic Committee of Congress has released its conclusions on the vaguely comprehensive subject, "Employment, Growth, and Price Levels." To put it more precisely, it has issued two reports, a nine-man majority report and a six-man minority report, and the supplemental views of three of the individual members.

A considerable area of agreement is to be found in all these comments, but when it comes to the subject of economic growth and recommendations for dealing with it through fiscal and monetary policies, all semblance of harmony disappears. The story of the most bitterly controversial section of the majority report is the story of an attempt to erect a program for increasing the annual rate of economic growth within the general framework of cheap money and without losing face politically by retreating from an untenable position on the interest rate ceiling, the most conspicuous symbol of the policy.

The report has elected to build its case to show that economic growth has been neglected under the Eisenhower administration on what purports to be the historical record. It notes that "from 1953 to 1959" growth has been at a rate of only 2.3 percent. This contrasts with an average rate of growth of 4.6 percent between 1947 and 1953 (that is to say, under the Truman administration).

Now, between June 23, 1950 and the end of the Truman administration the Nation was leading the forces of the U.N. in an unofficial war in Korea, a war that touched off an enormous defense effort in this country. In short, the period chosen to emphasize the slowdown of growth in the past 7 years begins with the low point of the postwar conversion period and concluded on the year of peak Government spending on the rearmament program.

The use of such statistics as these is not only, as the minority accurately points out, "as phony as a $4½ bill" but it is dangerous for those employing it. This careful selection of the period covered, calculated to make the best possible showing for the previous administration, is almost certain to raise

the question, "How did the country do under its cheap money policy in the 4 years of peace before late June 1950?" And the answer is one that can only be described as embarrassing. In those 4 years we got almost no economic growth (an annual average of about one-third of 1 percent) but we had a glorious inflation—an inflation that carried the wholesale price index of 69.6 to 103, which is an increase of 33.4 points, or 43.5 percent.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 81) proposing observance of week beginning January 31, 1960, as National Junior Achievement Week.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRIDGES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECENT BROADCAST BY CERTAIN AMERICANS OVER BRITISH TV

Mr. BRIDGES. Mr. President, the beatnik philosophy stemming from a cancerous soul sickness apparently is not confined only to those who call themselves beatniks. The 20 so-called angry Americans, who classed themselves as the dissenters on a recent British television program had, from the published excerpts of their statements, one thing in common. I am referring, of course, to a statement published in this morning's Washington Post entitled "'Angry Americans' Air Dissent on British TV."

These persons, according to the published excerpts of their statements, had one thing in common. They revealed an inability to adjust themselves to the ordinary facts of life as it is lived in these United States today. Their greatest scorn was reserved for what they termed American conformity, in seeming complete unawareness of the fact that any organized society has to have a degree of conformity: otherwise there would be anarchy. The slowness of their perception is evident when one considers that never has a free people had more liberty for difference of opinion than exists in this country today.

Let us look at who some of them are. I quote from the article in this morning's Washington Post:

> Critics of the American way included educators C. Wright Mills of Columbia University; Kenneth Galbraith of Harvard; Robert Hutchins of the Ford Foundation's Fund for the Republic; novelist Norman Mailer; Comedian Mort Sahl; Cartoonist Jules Feiffer; Poet Alan Ginsberg—

And then who should be listed but Alger Hiss. Alger Hiss has a name well known. He is a former State Department service officer, whom, of course, we all remember very well, as to the part he played in recent American history. Alger Hiss is in Great Britain now complaining about the United States of America—

> Alger Hiss, former State Department officer convicted of perjury; TV commentator Alexander King; Norman Thomas, head of the American Socialist Party—

And so on. These are some of the persons who are in a foreign land now complaining about America and finding fault.

It is a disgusting spectacle to me that these people, enjoying the bountiful fruits of our civilization, should ridicule the social and economic structure which makes those fruits possible. Although their intent obviously was to be of disservice to this country, there can be no such result from their efforts with any thinking people, who will readily recognize them for the misfits they are. The roster of 20 includes no names that have ever been distinguished for notable contributions to the social, political, and economic fabric of this country.

Mr. President, I ask unanimous consent that the article by William Harcourt, of Reuters news service, be printed at this point in the RECORD, both for the list of names and the sampling of remarks that were made.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"ANGRY AMERICANS" AIR DISSENT ON BRITISH TV

(By William Harcourt)

LONDON, January 27.—A cross section of "angry Americans"—from beatniks to college professors—told a British television audience tonight why they are dissatisfied with the American way of life.

Presented by Associated Television on Britain's commercial channel, the 90-minute program entitled, "We Dissent," listed political apathy, the need to conform to get ahead, and the acquisition of junk as among the major evils.

Producer Kenneth Tynan interviewed the more than 20 dissenters in beatnik coffee bars, on university campuses, in the street and in penthouse apartments.

Critics of the American way included Educators C. Wright Mills of Columbia University; Kenneth Galbraith of Harvard; Robert Hutchins of the Ford Foundation's Fund for the Republic; Novelist Norman Mailer; Comedian Mort Sahl; Cartoonist Jules Feiffer; Poet Alan Ginsberg; Alger Hiss, former State Department officer convicted of perjury; Norman Thomas, head of the American Socialist Party, and representatives from journalism, the clergy, and trade unions.

Sociologist Mills touched on the problem of apathy, of political indifference. Americans neither accept nor reject.

Economist Galbraith criticized the contrast between the opulence of American private consumption and the poverty of public services.

Hiss said fear led to the tendency to conform, but "our legal tradition benefited tremendously from nonconformist thought."

Novelist Mailer scored the "boring, cancerous state of American life."

Feiffer claimed, "Nobody pays attention to the issues * * * maybe because they are too frightening."

Socialist Thomas found "no distinguished and imaginative leadership in our Government."

A San Francisco beatnick said it was necessary to "embrace some form of poverty to wipe the dirt off your face."

Poet Ginsberg said the "beat" was "only revolutionary in the sense that Christ was a revolutionary."

Mr. BRIDGES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. HOLLAND. Mr. President, I have already submitted my amendments numbered 9–2–59—C, which have been printed and are lying on the table. They have already been read. Unless there is a request by some other Senator, I shall not ask that they be read again.

Mr. President, I ask unanimous consent that these amendments may be considered en bloc.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, do all of the Senator's amendments pertain to the poll tax matter?

Mr. HOLLAND. They do. While I refer to them as amendments, one of them simply puts in a number "1" for the present paragraph offered by the Senator from Tennessee [Mr. KEFAUVER]; and another deletes certain quotation marks.

Mr. CASE of South Dakota. They all pertain to the same subject?

Mr. HOLLAND. They all pertain to the same subject matter, and all basically make up one amendment.

Mr. CASE of South Dakota. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none; and, without objection, the amendments will be considered en bloc.

Mr. HOLLAND. Mr. President, my amendments would merely add to the proposal of the Senator from Tennessee [Mr. KEFAUVER] a second section which is identical to the language contained in Senate Joint Resolution 126 which I introduced on August 6, 1959, for myself and 60 other cosponsors. Since that joint resolution was introduced, 6 other Senators have joined as cosponsors, making a present total of 67. Among these cosponsors are Senators from both political parties and from every area of the Nation, including the majority leader [Mr. JOHNSON of Texas] and the majority whip [Mr. MANSFIELD] as well as the minority leader [Mr. DIRKSEN] and the minority whip [Mr. KUCHEL.]

Mr. President, I ask unanimous consent that the names of all 67 cosponsors be printed at this point in my remarks.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

COSPONSORS OF SENATE JOINT RESOLUTION 126

Mr. HOLLAND, Mr. JOHNSON of Texas, Mr. DIRKSEN, Mr. MANSFIELD, Mr. KUCHEL, Mr. ANDERSON, Mr. ALLOTT, Mr. BARTLETT, Mr.

BEALL, Mr. BIBLE, Mr. BRIDGES, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. KERR, Mr. DODD, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FREAR, Mr. GREEN, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HRUSKA, Mr. KEATING, Mr. LONG, Mr. MARTIN, Mr. MCCLELLAN, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. WILEY, Mr. YARBOROUGH, Mr. KEFAUVER, Mr. MCNAMARA, Mr. MCCARTHY, Mr. WILLIAMS of New Jersey, Mr. BUSH, Mr. MORTON, Mr. PROUTY, Mr. YOUNG of North Dakota, Mr. LAUSCHE, Mr. MAGNUSON, Mr. JACKSON, Mr. CANNON, Mr. CLARK, Mr. HUMPHREY, Mr. CAPEHART, Mr. HENNINGS, Mr. SYMINGTON, Mr. KENNEDY, Mr. MOSS, Mr. CARROLL, and Mr. MUSKIE.

Mr. HOLLAND. Mr. President, beginning on January 13, 1949, in the 81st Congress, more than 11 years ago, and in every succeeding Congress, I have introduced for several other Senators and myself a joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications of electors participating in the election of elective Federal officials, including electors for President or Vice President, and Senators and Representatives in Congress. In the first five Congresses in which I introduced this joint resolution I was joined only by outstanding Senators from the South, and I ask unanimous consent that the names of those cosponsors be printed in the RECORD at this point in my remarks.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

PAST COSPONSORS

EIGHTY-FIRST CONGRESS

Mr. Holland, of Florida; Mr. George, of Georgia; Mr. Connally, of Texas; Mr. Tydings, of Maryland; Mr. O'Conor, of Maryland; Mr. Ellender, of Louisiana; Mr. Long, of Louisiana; Mr. Broughton, of North Carolina; and Mr. Robertson, of Virginia.

EIGHTY-SECOND CONGRESS

Mr. Holland, of Florida; Mr. Smathers, of Florida; Mr. George, of Georgia; Mr. Hoey, of North Carolina; Mr. Smith, of North Carolina; Mr. McClellan, of Arkansas; Mr. Fulbright, of Arkansas; Mr. Byrd, of Virginia; Mr. Robertson, of Virginia; Mr. O'Conor, of Maryland; Mr. Ellender, of Louisiana; and Mr. Long, of Louisiana.

EIGHTY-THIRD CONGRESS

Mr. Holland, of Florida; Mr. Smathers, of Florida; Mr. George, of Georgia; Mr. Hoey, of North Carolina; Mr. Smith, of North Carolina; Mr. Ellender, of Louisiana; Mr. Long, of Louisiana; Mr. McClellan, of Arkansas; Mr. Fulbright, of Arkansas; and Mr. Robertson, of Virginia.

EIGHTY-FOURTH CONGRESS

Mr. Holland, of Florida; Mr. Smathers, of Florida; Mr. George, of Georgia; Mr. Ellender, of Louisiana; Mr. Long, of Louisiana; Mr. McClellan, of Arkansas; Mr. Fulbright, of Arkansas; Mr. Ervin, of North Carolina; Mr. Scott, of North Carolina; and Mr. Thurmond, of South Carolina.

EIGHTY-FIFTH CONGRESS

Mr. HOLLAND, of Florida; Mr. SMATHERS, of Florida; Mr. MCCLELLAN, of Arkansas; Mr. ELLENDER, of Louisiana; and Mr. LONG, of Louisiana.

Mr. HOLLAND. Mr. President, in fairness to the Senator from South Carolina [Mr. THURMOND], let me state for the record that he withdrew his name as a cosponsor soon after the joint resolution was introduced in the 84th Congress.

Hearings were held by a subcommittee of the Senate Judiciary Committee on this proposal in the 81st, 83d, 84th, and 86th Congresses. The hearing record was printed each time and the hearings of August 17 and 27, 1959, the last hearings, are available to all Senators.

Mr. President, until the most recent hearings, my testimony before the Judiciary Committee was directed largely to the question of whether a constitutional amendment is necessary or whether a mere Federal statute would legally accomplish the purpose of prohibiting the imposition of a poll tax as a prerequisite to voting in Federal elections. I think the carefully documented argument I have made down through the years as to the absolute necessity of a constitutional amendment to accomplish the result desired is unanswerable and the fact that I was joined in this Congress in cosponsoring this proposed constitutional amendment by 66 other Senators leads me to conclude that I need not take the time of the Senate today to go into that question in great detail. However, Mr. President, if Senators desire to read my complete argument on that constitutional question, it will be found in the hearings of last year beginning at the third paragraph on page 19, and concluding at the middle of page 42.

Briefly, Mr. President, the basic argument that a constitutional amendment is necessary centers around the question of whether the required payment of a poll tax, or other tax, or the meeting of any property qualification, is a "qualification" within the meaning of article I, section 2, of the U.S. Constitution and the 17th amendment to the Constitution.

The pertinent provisions of each are included in the Constitution in the same words, though article I, section 2, was incorporated by the Constitutional Convention of 1787 and the 17th amendment was ratified by 36 States in 1912 and 1913.

I quote first that part of section 2 of article I of the original Constitution which is applicable:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The first paragraph of the 17th amendment, adopted, as I have said, in 1912 and 1913, reads as follows:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have 1 vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The testimony I have just mentioned, appearing on pages 19 through 42 of the last hearing record, contains the pertinent constitutional or statutory provisions—or colonial charter provisions where a State was operating under such a document—at the time the U.S. Constitution was written. I also included pertinent excerpts from various State constitutions in effect when the 17th amendment was submitted, showing the use of the words "qualify," "qualification," "qualified," and so forth, in connection with poll tax payment requirements.

It is significant that each of the Thirteen Original States had, in the fundamental documents under which they were operating at the time the Federal Constitution was formed and adopted, either a poll tax requirement, as in New Hampshire, or property-ownership requirements or taxpaying requirements, or 2 or even 3 of these conditions, and that in 9 of the 13 documents the word "qualified" or "qualifications" or both were used in referring to those particular economic requirements and conditions.

It seems to me to be true beyond any question of doubt that those who participated in the Constitutional Convention of 1787 and used the words "qualifications requisite for electors of the most numerous branch of the State legislature" would be bound to know and did know that these States had prescribed, not as a prerequisite for voting, but as a stated "qualification" for voting, payment of poll taxes, payment of other kinds of taxes, and ownership of properties of various kinds and descriptions, and that all of these conditions for voting had been styled over and over again in these various constitutions and other fundamental documents as "qualifications" or as being necessary to "qualify" electors or as, when existing, having "qualified" persons to serve as electors.

I have the deep conviction—and I share this conviction with many constitutional lawyers throughout the country—that the present Constitution of the United States completely prevents and prohibits the accomplishment of the removal of the poll tax as a requirement for voting in Federal elections in any way other than by a constitutional amendment.

I shall not proceed to cite in great number the names of the eminent constitutional authorities from other parts of the Nation, as well as the South, who have taken that position, but one of the finest speeches made in support of that position was made on the floor of the Senate by the eminent Senator from Wyoming [Mr. O'MAHONEY]. Again, in committee, he took the same position.

Another of such speeches was made by the late distinguished Senator Borah, of Idaho.

We sponsors of Senate Joint Resolution 126 strongly believe that the proposed constitutional amendment should be speedily submitted by this Congress to the States for ratification, and, if so submitted, we believe it will be quickly ratified by at least the required 38 States. The ratification of the 17th amendment, which was in some respects comparable to our proposed amendment, was complete in a little less than 1 year.

The poll tax requirement, now limited to five States, namely Alabama, Arkansas, Mississippi, Texas, and Virginia, has been accorded far greater importance than it deserves. The fact of the

matter is that the amount of poll tax required to be paid in the several States is so small as to impose only a slight economic obstacle for any citizen who desires to qualify to cast a ballot. This requirement operates, of course, equally on citizens of all races and colors and is generally subject to important exemptions which limit its application, such as the exemption of veterans, of women, and of citizens beyond a certain age. Nevertheless, the question has remained a vexing one.

I deeply feel that we should permanently solve it by the submission and ratification of this amendment.

Mr. President, what is contained in my proposed amendment? I will call attention briefly to five details in my pending amendment, as follows:

First, that it is applicable to primaries and other elections in which Federal officials are nominated or elected, namely, presidential electors, Senators, and Representatives in Congress.

Second, that it prohibits the imposition of a poll tax as a prerequisite for such voting for Federal officials only, but does not interfere with the States in fixing qualifications for voting for State or local officials or upon State or local matters.

In this regard, Mr. President, on pages 42 through 46 of the printed hearings of last year there appears a document prepared for me by the Library of Congress, entitled "Poll Taxes as Levied in New England States," which illustrates clearly the type of local control which should be allowed to continue. I will not discuss that information in detail, but I call attention to the fact that in several of the New England States the payment of a poll tax was a prerequisite for obtaining such things as hunting and fishing licenses, automobile licenses or motor vehicle registrations, and the like.

Up until recent years, several of the New England States retained the payment of a poll tax as a condition for participating in their cherished town meetings. It is my understanding that one New England State, Vermont, still retains such a requirement, that is, the poll tax requirement as a condition for participating in and voting in town meetings.

The varying requirements in New England alone illustrate the wisdom of our staying away from any general effort to intervene in the field of control of local and State elections.

Incidentally, in my own State of Florida, our constitution contains a requirement that participants in county, district, and municipal bond elections must be "freeholders."

Third, that the remedial effects of this amendment would apply not only to the State laws of all the States, but to the laws of the United States; in other words we would not rest upon the assumption that the present sentiment so dominant in the Congress of the United States will continue to exist, but would protect the right of citizens to vote for Federal officials notwithstanding any possible later change of attitude by the Congress of the United States.

Fourth, that the proposed amendment would prohibit any other tax that is different from the ordinary poll tax, so called, from being prescribed as a prerequisite for voting.

Fifth, that the proposed amendment would prevent either the United States or any State from setting up any property qualification as a prerequisite for participation in an election of Federal officers, with the exception of qualifications relating to those citizens who by law are denied the right to vote in the several States because they are paupers or persons supported at public expense or by charitable institutions.

I should like to explain briefly why that particular exception has been made. Some years ago when I referred the proposed amendment to the staff of the Library of Congress and to the Office of the Legislative Counsel of the Senate, they called to my attention the fact that if we excluded property qualifications in general terms we might run into opposition from several States which have, either in their constitutions or statutes, provisions which prohibit participation in elections by paupers, or persons who are inhabitants of public institutions and charges upon the general public. The staff of the Library of Congress called attention to the fact that various States have adopted such procedures because it had been found that corruption in their State elections had resulted from efforts to dominate the voting of inhabitants of poorhouses and institutions of that kind to the degree that they felt that it was important to prohibit the voting of such public charges.

For the record, the following 12 States, which are widely scattered, have varying provisions on this subject: Delaware, Louisiana, Maine, Massachusetts, Missouri, New Hampshire, Oklahoma, Rhode Island, South Carolina, Texas, Virginia, and West Virginia.

Mr. President, in my judgment it would be wholly futile to prohibit a denial of the right of suffrage under the imposition of the poll tax while at the same time leaving the way open to any State which might want to limit the number of its electors, to do so by the imposition of another tax or the enacting of any property qualification which it might see fit to impose, thus leaving those two additional possibilities in the picture. The same restriction would apply to the Congress.

When the U.S. Constitution was first drawn the matter of limitation of electors under tax payment requirements, meaning taxes other than poll taxes, and under property qualifications, was a much greater general deterrent to voting than was the poll tax, which at the time existed as a prerequisite to voting in only one State, the State of New Hampshire. It seems to me, particularly in view of the fact that the property qualification and the tax payment qualification, other than poll taxes, have been included within the various qualifications for voting by various States as late as 1930 or thereafter, that any method of dealing with this subject should be sufficiently broad to prevent the defeat of the wholesome objectives of these amendments by practically inviting some States to turn to other means of gaining the same end.

In my opinion the case in support of the proposed amendments has been fully made four times in the records of the Senate Judiciary Committee. I am perfectly willing to stand on that record which shows, first, the desirability of prohibiting the poll tax requirement in connection with the elections of elective Federal officials, and, second, that the only clearly legal way to approach this problem is through the adoption of a constitutional amendment.

With regard to the latter, let me say that one thing which makes this problem particularly difficult is the fact that it is tied with other issues well known to Senators, which violate the traditions and settled convictions of the people in the Southern States. This fact makes it necessary, it seems to me, that any constructive step taken in this matter be taken in such a way that there can be no question whatever as to its validity and as to its being a democratic and sound way to proceed. Anything less than that will not be acceptable. We must secure throughout the entire Nation a more wholesome and a fuller participation in Federal elections by all intelligent citizens who have these qualifications of age, mentality, residence, law observance, and so forth, that may be prescribed by the separate States.

It is because I believe that the submission and ratification of my pending amendment as an amendment to the Federal Constitution will accomplish this fuller participation by our citizens in the election of Federal officials that I have strongly supported it during the past 11 years and that I strongly support it now.

Mr. JOHNSON of Texas. Mr. President, would the Senator from Florida prefer to complete his prepared statement, or would he yield at this point for an interruption?

Mr. HOLLAND. I am very glad to yield now to the Senator from Texas.

Mr. JOHNSON of Texas. I intend to support the amendments offered by the senior Senator from Florida and his colleagues. I have long felt that this is the proper method of doing away with the poll tax as a prerequisite for voting in elections. In my 10 years in positions of leadership in the Senate I have been convinced that there is no more patriotic, statesmanlike, and courageous Senator in the Senate than the senior Senator from Florida [Mr. HOLLAND].

He and I do not always think alike. One of the wonderful things about this country is that we can think together without necessarily thinking alike. I am proud of the fact that most of the time the Senator and I do think alike, as we do in this instance. The Senator from Florida has poured into this effort a great deal of legal knowledge, energy, and dedication to the public welfare, which I hope will result in the Senate adopting his amendments to the joint resolution offered by the Senator from Tennessee [Mr. KEFAUVER] by an overwhelming vote.

I realize that there are those who prefer an issue to results, and that they have been in charge of the effort to repeal the poll tax since I came to Congress in 1937, but it has not yet been

repealed by following the statutory method.

I believe the proposal of the Senator from Florida is the proper way of getting at the objective. I believe the votes are here to adopt his amendments. I also believe that the States will act promptly on the amendment. When and if they do, the whole Nation will owe a great debt of gratitude to the Senator from Florida.

Mr. HOLLAND. Mr. President, I certainly appreciate more than I can say the most gracious and generous words of the distiguished majority leader. I am glad that he is strongly supporting this amendment.

I was about to refer to the question of my experience and observations. Let me say at this time that I base my position not only upon the strong conviction that men and women who are citizens of the United States should be allowed to vote unless they are under some disqualification which pertains to their nature, not to their economic status, but also on the tremendous remedial effects in my own State of the prohibition of payment of the poll tax as a prerequisite for voting, not only in Federal elections, but in all elections. I have seen the good results that have come to our State in many ways through this great benefit to its citizens.

I cannot say how grateful I am to the distinguished majority leader, the Senator from Texas, for supporting us in this effort.

Mr. President, I have had some practical experience and actual observation in this field which I think is worthy of mention. In 1937 I was a member of the State Senate of Florida when the law was passed outlawing the payment of the poll tax as a requirement for voting in our State in all elections. I supported the passage of that act outlawing the poll tax.

At once an increase became evident in voting participation in our State by both white and Negro citizens.

Since the white people are generally left out of this discussion, I think perhaps the first figure which I mention will be most interesting because it relates entirely to the increase in voting by white citizens which took place after the poll tax was outlawed. In both the 1936 and 1940 gubernatorial elections in our State there were no participants except white citizens because the Democratic primary at that time was a white primary until passage in 1943 of a law allowing participation of all citizens in the primaries. This 1943 law, which was passed during my administration as Governor, was passed to help carry out the mandate of the U.S. Supreme Court requiring that State party primaries could not be confined to white voters.

In the 1936 Democratic primary the total votes cast for Governor in the first primary was 328,749, all by white voters. In 1940, 4 years later, the total votes in the first Democratic primary was 481,437 votes, all by white voters. There was an increase of votes cast in the white primary between 1936 and 1940 of 152,688, or a little better than 46 percent gain.

Of course, the State was growing somewhat during that period though not so rapidly as it has been growing in late years. In the 1935 State census our total population was 1,606,842. In the 1940 Federal census our total population was 1,897,414, or a gain of 290,572 in those 5 years. This population increase amounted to 18 percent in those 5 years as contrasted with the 46 percent increase in the voting of white Democrats between 1936 and 1940. It is certainly sound to conclude that the removal of the poll tax requirement allowed and encouraged many white citizens to vote who had not been voting in earlier elections when the poll tax requirement applied. Between 40,000 and 50,000 white voters, in my opinion, who participated in the 1940 election were enabled to do so by the banning of the poll tax requirement. Any examination of the figures will justify that conclusion.

In addition to this, however, it was noted at once in our State that the control of the local elections in certain counties through the payment of poll taxes by a ring of local politicians ceased to exist following the ban of the poll tax requirement, and that cleaner elections on the State and local levels have prevailed in our State since the poll tax was banned in 1937. I do not believe there is a single person who is conversant with the political situation in Florida and has observed it through the years who would not agree heartily both that a larger percentage of our people are voting since the ban of the poll tax, and that we have had cleaner politics as a result of said ban.

Following the passage of the 1943 law, which allowed our Negro citizens to participate in primaries, we have noted an immediate and continuing increase in participation by the Negro citizens. At this point I ask unanimous consent to have included in the RECORD a table, No. 27, from the report of the Civil Rights Commission showing how the registration of our colored citizens has increased from a beginning of 48,141 in 1946 to a 1956 total of 148,236, and a 1958 total of 145,036.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 27.—*Additional Florida registration statistics for past years*

County	Total population 1950	Negro population 1950	Negro registrants 1946	1948	1950	1952	1954	1956	1958
Alachua	57,026	16,551	1,192	1,964	2,152	2,159	2,829	3,153	2,169
Baker	6,313	1,546	32	103	97	113	186	361	397
Bay	42,689	7,165	525	1,770	1,194	2,207	2,434	2,012	1,904
Bradford	11,457	2,800	308	480	232	508	682	859	770
Brevard	23,653	6,001	608	780	1,805	2,042	1,780	2,160	1,747
Broward	83,933	21,359	685	1,825	2,200	3,542	4,720	6,958	7,607
Calhoun	7,922	1,119	2	36	0	58	130	231	265
Charlotte	4,286	672	231	194	194	178	240	268	273
Citrus	6,111	1,555	31	327	213	496	485	580	400
Clay	14,323	2,105	224	750	764	843	843	1,193	910
Collier	6,488	1,986	17	9	9	130	523	741	327
Columbia	18,216	6,124	171	223	338	745	966	1,645	971
Dade	495,084	65,392	5,310	7,666	15,510	18,580	20,155	19,048	20,785
De Soto	9,242	2,002	475	655	760	751	738	807	915
Dixie	3,928	562	58	128	133	241	91	181	70
Duval	304,029	81,840	12,420	14,685	25,717	21,350	25,969	27,368	26,453
Escambia	112,706	25,123	2,467	4,704	6,210	5,769	6,627	6,733	8,077
Flagler	3,367	1,534	5	5	2	2	10	13	19
Franklin	5,814	1,496	250	503	185	356	311	521	523
Gadsden	36,457	20,468	32	137	140	6	8	5	7
Gilchrist	3,499	346	11	10	8	10	11	29	34
Glades	2,199	898	28	172	209	262	261	262	146
Gulf	7,460	2,007	45	142	170	250	415	481	502
Hamilton	3,981	3,790	40	50	55	170	217	507	512
Hardee	10,073	750	12	187	210	280	282	375	292
Hendry	6,051	1,580	2	0	92	324	538	135	563
Hernando	6,693	1,539	90	235	216	395	467	622	486
Highlands	13,636	3,466	535	1,277	1,230	1,111	1,279	1,243	2,169
Hillsborough	249,894	38,315	2,177	6,660	7,959	5,772	5,103	8,856	9,822
Holmes	13,988	609	109	114	122	156	137	130	140
Indian River	11,872	2,962	45	119	232	276	294	427	512
Jackson	34,645	11,574	768	1,557	1,888	2,179	2,847	3,430	2,090
Jefferson	10,413	6,513	147	174	76	125	155	183	432
Lafayette	3,440	325	0	0	0	0	0	0	0
Lake	36,340	8,542	240	802	916	1,327	1,586	1,363	1,363
Lee	23,404	4,694	342	1,243	1,348	1,401	1,473	1,818	1,132
Leon	51,590	20,381	508	2,266	2,745	3,708	3,735	4,046	4,089
Levy	10,637	3,603	87	233	174	472	256	603	413
Liberty	3,182	581	0	0	0	0	0	1	0
Madison	14,197	6,477	0	0	0	0	681	1,010	953
Manatee	34,704	7,916	365	677	997	1,031	1,250	1,686	914
Marion	38,187	14,594	1,389	2,888	3,460	3,891	3,979	4,324	3,004
Martin	7,807	2,203	94	162	315	551	522	706	615
Monroe	29,957	3,221	497	827	902	1,239	1,218	1,652	1,648
Nassau	12,811	4,007	631	654	781	921	964	1,223	1,263
Okaloosa	27,533	2,198	24	195	321	306	413	606	684
Okeechobee	3,454	641	63	261	278	368	266	348	367
Orange	114,950	22,766	1,490	1,934	3,938	2,541	2,744	3,137	3,146
Osceola	11,406	1,492	130	344	203	296	244	358	354
Palm Beach	114,688	34,797	2,416	4,051	5,185	5,205	5,879	6,120	6,291
Pasco	20,529	2,776	160	327	364	651	637	624	670
Pinellas	159,249	18,712	1,514	2,963	3,244	3,673	3,524	3,477	3,610
Polk	123,997	25,577	1,888	3,478	4,478	3,935	3,710	4,989	5,599
Putnam	23,615	8,608	334	1,510	1,067	1,302	1,394	1,770	1,821
St. Johns	24,998	8,327	1,348	1,911	2,107	2,289	2,518	2,051	2,170
St. Lucie	20,180	6,394	406	954	1,158	1,648	1,482	1,813	1,893
Santa Rosa	18,554	1,584	4	92	155	516	628	730	749
Sarasota	28,827	4,611	465	574	711	586	725	783	683
Seminole	26,883	11,940	867	1,768	2,702	3,248	1,643	2,242	1,581
Sumter	11,330	3,052	112	209	184	480	559	790	574
Suwannee	16,986	4,985	248	238	309	381	475	565	397
Taylor	10,416	3,181	110	107	113	109	108	91	67
Union	8,906	3,231	0	1	0	0	0	0	0
Volusia	74,229	16,385	2,847	5,673	5,749	5,435	4,485	5,761	4,856
Wakulla	5,258	1,627	2	65	31	121	144	345	393
Walton	14,725	1,958	303	558	564	725	819	954	710
Washington	11,888	2,119	204	624	594	810	611	733	738
Total	2,766,305	605,246	48,141	85,230	115,415	120,913	130,405	148,236	145,036

Population figures are from U.S. Census, 1950.
Registration figures are from Florida secretary of state, published regularly

Mr. HOLLAND. Mr. President, the best available estimate of Florida Negroes registered in 1944 is 20,000, as made by Mr. Hugh D. Price, a dedicated scholar, in his scholarly work, "The Negro in Southern Politics"—see pages 32 and 33. The official report of the secretary of state of Florida, Hon. R. A. Gray, which I hold in my hand, shows that in 1959, when we had a special statewide election on proposed amendments to our State constitution, the total registration of Negro citizens had risen to 152,675. A rise from 20,000 to 152,675 in that period of time, and without any great increase in the Negro population of Florida, shows clearer than any words the result of banning the poll-tax requirement.

It is quite clear, Mr. President, that repeal of the poll-tax requirement in our State has brought about largely increased voting by both the white and colored citizens.

Banning of the poll-tax requirement is not a panacea or an immediate cure-all, but it does operate as a permissive opening of the door for the registration and participation of larger numbers of our citizens, both white and colored. As to Negro citizens of Florida, I think it is important to note that their registration began in counties where the climate of local opinion was favorable and has gradually extended into other counties of our State, until there are now only 5 or 6 small counties out of 67 where the registration of Negroes is not generally accepted and where they do not vote in all elections in which they desire to participate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD table 26 of the Civil Rights Commission, which shows, by counties, the increase in voting participation among the Negroes in Florida, and also the percentage in each county.

There being no objection, table 26 was ordered to be printed in the RECORD, as follows:

TABLE 26.—*Florida registration statistics*

County	Total population, 1950	White population over 21 1950	Whites registered, 1958	Percent white population over 21 registered	Nonwhite population over 21, 1950	Nonwhites registered, 1958	Percent nonwhite population over 21 registered
Alachua	57,026	27,176	13,433	49.4	9,430	2,169	23.0
Baker	6,313	2,481	3,423	100.0	818	397	48.5
Bay	42,689	21,138	19,159	90.6	4,028	1,904	47.3
Bradford	11,457	4,883	4,535	92.9	1,408	770	54.7
Brevard	23,653	12,466	19,272	100.0	3,544	1,747	49.3
Broward	83,933	44,558	84,997	100.0	12,234	7,607	62.2
Calhoun	7,922	3,623	4,038	100.0	594	265	44.6
Charlotte	4,286	2,534	3,895	100.0	462	273	59.1
Citrus	6,111	2,975	3,576	100.0	879	400	45.5
Clay	14,323	7,226	5,402	74.8	1,230	910	73.9
Collier	6,488	2,688	4,164	100.0	1,402	327	23.3
Columbia	18,216	7,198	5,250	72.9	3,357	971	28.9
Dade	495,084	313,924	337,838	100.0	42,682	20,785	48.7
De Soto	9,242	4,965	3,995	80.5	1,229	915	74.5
Dixie	3,928	1,814	1,948	100.0	307	70	18.1
Duval	304,029	145,484	105,652	72.6	52,832	26,453	50.1
Escambia	112,706	52,167	51,956	99.6	14,521	8,077	55.6
Flagler	3,367	1,267	1,532	100.0	872	19	2.2
Franklin	5,814	2,492	2,897	100.0	904	523	57.9
Gadsden	36,457	11,183	6,310	56.4	10,930	7	.6
Gilchrist	3,499	1,695	1,670	98.5	203	34	16.7
Glades	2,199	771	735	95.3	584	146	25.0
Gulf	7,460	3,070	3,234	100.0	1,129	502	44.5
Hamilton	3,981	2,893	3,805	100.0	1,983	512	25.8
Hardee	10,073	5,764	4,303	74.7	404	292	72.3
Hendry	6,051	2,625	2,339	89.1	1,034	563	54.4
Hernando	6,693	3,301	3,248	100.0	869	486	55.9
Highlands	13,636	6,542	8,922	100.0	2,054	934	45.5
Hillsborough	249,894	140,750	105,116	74.7	24,941	9,822	39.4
Holmes	13,988	7,219	6,698	92.8	326	140	42.9
Indian River	11,872	5,776	6,708	100.0	1,764	521	29.5
Jackson	34,645	12,994	9,440	72.6	5,843	2,090	35.8
Jefferson	10,413	2,395	3,038	100.0	3,272	432	13.2
Lafayette	3,440	1,701	1,902	100.0	176	0	0
Lake	36,340	18,360	16,362	89.1	5,110	1,363	26.7
Lee	23,404	12,506	14,359	100.0	3,017	1,132	37.5
Leon	51,590	19,281	15,054	78.1	11,213	4,089	36.5
Levy	10,637	4,200	5,139	100.0	2,107	413	19.6
Liberty	3,182	1,452	1,706	100.0	333	0	0
Madison	14,197	4,480	3,617	80.7	3,151	953	30.2
Manatee	34,704	18,836	17,293	91.8	4,425	914	20.7
Marion	38,187	15,261	12,018	78.7	8,387	3,004	35.8
Martin	7,807	3,972	5,450	100.0	1,374	615	44.7
Monroe	29,957	17,117	9,856	57.6	2,043	1,648	80.7
Nassau	12,811	5,078	5,041	99.3	2,123	1,263	59.5
Okaloosa	27,533	14,396	15,321	100.0	1,177	684	58.1
Okeechobee	3,454	1,686	2,147	100.0	406	367	90.4
Orange	114,950	63,527	56,358	88.7	14,321	3,146	21.9
Osceola	11,406	7,214	7,102	98.4	958	354	36.9
Palm Beach	114,688	57,518	67,009	100.0	22,253	6,291	28.3
Pasco	20,529	11,528	13,097	100.0	1,713	670	39.1
Pinellas	159,249	108,183	134,223	100.0	12,118	4,610	38.0
Polk	123,997	62,211	55,761	89.6	15,492	5,599	36.1
Putnam	23,615	9,463	10,979	100.0	5,199	1,821	35.0
St. Johns	24,998	11,007	10,605	96.3	5,053	2,170	42.9
St. Lucie	20,180	9,073	11,179	100.0	3,732	1,893	50.7
Santa Rosa	18,554	9,259	10,390	100.0	928	749	80.7
Sarasota	28,827	17,520	20,915	100.0	2,896	683	23.6
Seminole	26,883	9,892	9,529	96.3	6,881	1,581	22.9
Sumter	11,330	5,044	4,216	83.6	1,703	574	33.7
Suwannee	16,986	6,769	5,312	78.5	2,606	397	15.2
Taylor	10,416	4,142	4,483	100.0	1,945	67	3.4
Union	8,906	3,842	2,598	67.6	2,435	0	0
Volusia	74,229	41,392	43,350	100.0	10,415	4,856	46.6
Wakulla	5,258	2,021	2,601	100.0	833	393	47.1
Walton	14,725	7,310	5,479	74.9	1,051	710	67.6
Washington	11,888	5,438	5,564	100.0	1,056	738	69.9
Total	2,766,305	1,458,716	1,448,543	99.4	366,797	144,861	39.5

Population figures are from Bureau of Census, 1950.
Registration figures are from secretary of state of Florida, published regularly.
Population shifts, in migration, changes in age of population, or failure to strike the names of deceased or departed registrants have resulted in percentage calculations in excess of 100 "registered" in some counties. In such cases 100 percent is shown.

Mr. HOLLAND. Mr. President, that list shows the strong points and the weak points. It shows that in five or six counties—all small counties—there is practically no participation. It shows that in some counties participation by Negroes is as much as 90 percent of the qualified adult Negroes. In many other counties, the participation is above 60 percent. Taking the statewide average, 39.5 percent of all Negroes over age 21 are registered to vote in Florida.

The facts as shown demonstrate clearly that any process of this sort must be gradual and must attune itself to the thinking of the people—and I mean both white and colored citizens—in the various communities.

The proposal to ban the poll tax offers an invitation for citizens to get together and approve a more general participation. Such an invitation has been generally accepted in my State, to the point where the present level of participation has risen to a total registration of 152,675 Negro citizens who were registered last year.

We have used no compulsion in Florida and we would use no compulsion through the adoption of the pending amendment and its ratification by the States. I think we cannot stress too often that a permissive approach must be used in this sensitive field rather than one which proposes compulsion. After all, Mr. President, this is one of those problems which exists largely in men's minds and in the attitude of the communities where people of both colors are living together in relative peace over a great area of our Nation. It is no time to get impatient because the adjustments take place slowly and in accordance with the state of mind of the citizens in the hundreds of different communities in the southeastern part of our Nation where this question is most vital.

I would not expect the adoption of this amendment to solve the racial part of the problem at once any more than our repeal of the poll tax requirement in Florida has done so. I would expect, however, immediate improvement of the present situation by registration and voting of Negro citizens in areas where the climate of opinion favors it, and I would expect to see that trend continue in an orderly fashion as more and more communities see that the results are not revolutionary and not hurtful, but instead tend to bring about more amicable relations between the people of different races, as has been the case in my State.

Mr. President, if this amendment had been submitted to the States 11 years ago when it was first offered—and I knew at that time that it could not be submitted—or even 2 or 3 years ago, in my opinion it would have been already adopted and its beneficial effects would

already have been felt. I strongly urge that the Senate act to submit the amendment to the States so that it can be acted upon by them in the early future. I know of no other way in which the problem can be solved because when approached in any other way there is the question of legality and there is also the inflammatory problem which would make it difficult, if not impossible, for Congress to take action upon it. That has proved to be the case in the 14 years I have been a Member of this body.

Mr. President, what I want in this matter is a solution and not an issue. I hope that all Senators who agree with me that what we want and what the country needs is a solution and not a continuing and divisive political issue, will vote for the inclusion of this amendment in the pending resolution and then for its submission to the States for their early consideration and, I believe, their early ratification.

Mr. CASE of South Dakota. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. CASE of South Dakota. There is one aspect of this matter to which I call attention, and on which I should like to have the comments of the able Senator from Florida. That is as to the procedure of proposing the Senator's amendment to an amendment which deals with a totally different question.

In the Senate, if we had two proposals presented to us, and if we wanted to do so, we could ask for a division of the question. For all practical purposes, we will have an opportunity to vote on the amendment relating to the elimination of the poll tax as a distinct proposition, except for the fact that we also will be voting upon tying it to an amendment which deals with a totally different subject, to wit, that of providing for emergency appointments to the House of Representatives in case the number of Representatives at any time should fall below a quorum of the total number.

Most persons with whom I have talked agree, I believe, that the amendment offered by the distinguished Senator from Tennessee [Mr. KEFAUVER], which is the pending business, to make it possible for the executive authority of a State to name someone to fill a vacancy in the House of Representatives, whenever the number of Representatives falls below a quorum, is designed to take care of a special situation, an emergency situation, in the life of the Nation. Many persons might vote for that proposal who might have some doubt about voting for the poll-tax amendment. Many State legislatures might support the proposal of the Kefauver amendment, but might not want to vote, at the same time and in the same way, on the poll-tax amendment. This goes entirely to the question of procedure and not to the merits.

I am wondering if there is any provision in the Senator's amendment, or if any device could be adopted, which would give to the State legislatures an opportunity to divide the question, so to speak, and to vote upon the two proposals separately.

Mr. HOLLAND. That was the question to which we had the most careful research directed by counsel of the Library of Congress, the legislative counsel of the Senate, and by the able counsel of the Committee on the Judiciary. In all cases, the answer was that there was no objection whatever to the tying of these two proposals together; and that neither would there be any objection to having them considered separately and voted upon separately; there are precedents in both directions.

In the case of the Bill of Rights, there was one resolution which was submitted covering 10 separate articles of amendments, which were later adopted, and, I believe, two additional ones. They were voted on separately by the States; and, as the Senator well knows, only 10 of the amendments were adopted.

There are many other examples. For instance, the 14th amendment is probably the best example of a situation where greatly diverse matters were submitted within the framework of a single amendment.

In this case, frankly, I referred the matter to the Senator from Tennessee [Mr. KEFAUVER] and told him I was perfectly willing to handle it either way. He felt this was the better way to handle it. I believe the reason for his so feeling, as he himself would state, is that the Senate has passed this amendment twice by an almost unanimous vote only to see it languish and die in the other body. The vote was 70 to 1 in the 83d Congress and 76 to 3 in the 84th Congress.

I am speaking now of the Kefauver amendment, the one which provides for the emergency naming of Members to the House of Representatives in the event disaster should strike the country and make it impossible for a quorum to be convened in the House of Representatives. Of course, in the case of the Senate, the Constitution already provides that the State Governors can appoint Senators to fill vacancies. But that is not so in the case of the House. His proposal provides that if more than half of the Members of the House are no longer available, the Governors may, until the next election, temporarily fill the vacancies from their States, but his proposal has not received from the other body the attention which I believe it deserves.

I strongly support the amendment. I think that in this atomic age we all should be realistic and while all of us hope and pray and believe that no such emergency will take place, at the same time we know that one of the criticisms most often leveled at our form of government by others, who do not sympathize with it, is that it is inflexible and does not permit ready adjustment to every situation which may arise.

So I strongly approve the amendment offered by the Senator from Tennessee. I would not do anything to harm it at all. For that reason I submitted the matter to him in two forms, and my understanding is that he preferred that the amendment be offered in the form in which I have presented it. If the Senate should prefer it the other way, I would certainly have no objection.

Mr. CASE of South Dakota. Mr. President——

Mr. HOLLAND. Let me make just one further observation. If so submitted, the Senator realizes there would be one vote on the question of submission to the States for ratification.

Mr. CASE of South Dakota. Unless someone would ask for a division on the question, when I assume it could be divided.

Mr. HOLLAND. I am sure it could be divided before the final vote, but as to the final vote, I am not sure.

Mr. CASE of South Dakota. The question can always be divided.

Mr. President, I had not sought at this time to get into the merits of the respective amendments. I, too, feel that the amendment offered by the Senator from Tennessee [Mr. KEFAUVER], has distinct merit. I am thinking of how the problem will be handled in the legislatures. It certainly is conceivable to me that many legislatures might support the one amendment and not the other, and that might apply in some instances to one side of it and in some instances to another side of it.

The 14th amendment, it is true, does embrace divers subjects; but the mention of the 14th amendment also brings to mind the fact that whenever one refers to the 14th amendment as having some bearing on the matter, one has to indicate what part of the 14th amendment he is talking about. Particularly with amendments, it has seemed to me desirable to have them refer to one subject, either dealing with direct election of Senators, women's suffrage, or whatever the subject might be. I think it would be desirable to preserve an option for the States when they come to the ratification of these proposals.

Since the Senator has referred to the Bill of Rights and the first 10 amendments, I have wondered if it might not be structurally feasible to present the matter so that when the joint resolution was finally adopted, assuming it was approved by both Houses, the matter could be presented to the several legislatures, so that in the final result there would be separate amendments for them to approve, one dealing with the poll tax matter, and the other dealing with the emergency of vacancies in the House of Representatives.

Mr. HOLLAND. The Senate certainly can do so if, in its wisdom, it comes to that conclusion.

I am perfectly willing to discuss that matter with the Senator or with anyone else who may be so minded. I think the Senator from Tennessee is equally willing. We actually have a draft based on the other approach to which the Senator has referred.

I will say to the Senator from South Dakota the two matters are not wholly dissimilar, because they both have to do with Federal officials, the one having to do with election of Federal officials and the primary and general elections by which they are elected; and the other having to do with the temporary replacement of those Members of the House of Representatives, in the event they should be wiped out by any disaster to such a

degree that no quorum was available. So there is not by any means a want of similarity in the two proposals.

Mr. CASE of South Dakota. Mr. President, I do not care to prolong the discussion at this point, particularly in view of the Senator's stated willingness to consider the possibility of preserving the identity of each amendment. I would think, however, that many people might not accept the necessary relationship between the two amendments. Many people might be persuaded that we should take care of the emergency contemplated in the proposal of the Kefauver amendment, which not only embraces filling vacancies in the House of Representatives, but also carries with it the possibility of insuring continuity in the Presidency through the fact that if we always have a House of Representatives with a quorum we shall always have a Speaker, and the Speaker could succeed to the Presidency in the event of the contingency contemplated by existing law and the amendments.

I do not think it really desirable that we should say to some States where the poll tax issue may have a special significance that they may not join in ratification of the amendment which deals with emergencies caused by such a disaster as the Senator has mentioned, unless they also vote to abolish the poll tax. So it seems to me highly appropriate to preserve a procedure that will insure to the States an opportunity to vote on the two issues separately, and which will, in the final analysis, if both amendments are approved and ratified, stand in the Constitution as distinct proposals and as distinct amendments.

Mr. HOLLAND. I certainly respect the point of view of my distinguished colleague, and will be glad to discuss that matter with him or with anyone else with that point of view.

Mr. President, in closing this discussion, I merely want the RECORD to show that the two matters are not dissimilar by any means. The Constitution already provides for succession to vacancies in the Senate and for succession to the Presidency, which the Senator has already mentioned. The amendment which I would add to the resolution of the distinguished Senator from Tennessee would relate to the election of Senators, Representatives, Presidents, and Vice Presidents through the choice of presidential electors. So it seems to me there is a very clear sequence of movement in providing in the one case—which is not now so provided in our Constitution—an assurance against inability to function. It would be an assurance against the House being left in a helpless situation, and it would be an assurance against the country being left in a helpless situation also, because the country, in time of dire emergency, should not be left without ability to function through a generally representative legislative body.

There are some who think that even with less than a majority of elected Members the House could still continue to function. I have no fixed opinion on that point.

Mr. President, I appreciate the questions of the Senator from South Dakota. I yield the floor.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, today it is my intention to put in focus what we are acting on in respect of this whole matter, which I think is something deserving the attention of the people of the country, for it is a very serious position in which we all find ourselves.

This proposed amendment to the Constitution to eliminate the poll tax is sponsored by a great many Senators, as I recall the figure, more than 60. It sounds like a very attractive idea.

Mr. President, I must say I am at some loss to understand why this proposal is being tacked onto the unfinished business, the proposed constitutional amendment, and why it could not stand on its own. I see no advantage in this approach. I only see that it will complicate the situation, and make people feel that an effort is being made to make the amendment process tougher.

I have no qualms myself about what I shall do; certainly, in my opinion, it will be in the national interest. I am confident that if what I shall propose is successful and results in substituting what I shall propose to substitute for the whole joint resolution, we can come back to the Kefauver proposal at any time, with no problems at all.

I repeat, I am at a loss to understand why so important a matter as a constitutional amendment to eliminate the poll tax and its alternative, which I will urge, of a law to eliminate the poll tax, should not be considered and debated on its own. I am at a loss to understand why it has to be fastened on as a tail to a joint resolution as to which, in this body, I do not believe there is any disagreement, and which certainly could be in a very pleasant way, without the problems which are now involved, considered on its own.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I will yield in a moment.

I must leave the decision on that score, of course, to the leadership of the majority, but I wish to make it plain to them and to the country that I do not consider that the pending amendment to the joint resolution does otherwise than complicate the matter. I think we ought to have an explanation from them as to why, if we are to act upon an important civil rights question like this, we cannot simply act on it directly and in a straightforward way without having it tacked onto another proposed constitutional amendment, with the complexities which that raises, and which I will describe.

I now yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding.

Mr. President, I think the record already shows clearly what the situation is. The Senator from Florida has been offering the amendment to the Constitution relating to poll taxes, which I shall call "his amendment," continuously since 1949, or for 11 years. We have had hearings on the matter four times by subcommittees of the Committee on the Judiciary. The printed records speak eloquently of those hearings on each occasion. Four different printed records are available.

The subcommittees have reported the measures favorably to the full committee. I will not say the subcommittees did so in every instance, because my recollection does not go back that far, but I believe they did in every instance, and I am sure they did in this Congress. I believe that has been the case in each Congress.

The time has come when somehow, in some way, this matter should be debated by the Senate as a whole, because the Judiciary Committee as a whole has neither approved nor disapproved the proposed amendment to the Constitution. The committee has simply tucked away in the archives the hearings records and the favorable reports of the subcommittees, so that absolutely no action could be taken.

The Senator from Florida regrets that there is no other way than this to bring up this question. However it has been announced for a long time, and it was well understood by the distinguished Senator from New York that this was the method which would be used. The Senator from Florida has no apology whatever for using this method, which is thoroughly parliamentary, thoroughly considerate, and which, as the Senator has characterized it, enables us to handle on the floor of the Senate for the first time a constitutional amendment proposing to do away with the poll tax evil in the election of Federal officials.

Mr. JAVITS. Mr. President, I have no quarrel with my colleagues from Florida. The procedure he has adopted is something of which he has availed himself, as any Member could. I might quarrel on this subject with the leadership. At least, I have made a request for an explanation from the leadership, and not from the Senator from Florida.

As to the factual situation, it will be my intention, when the amendment of the Senator from Florida shall have been disposed of, to offer a substitute for the entire joint resolution, which substitute will provide for the elimination of the poll tax by statute. The Senate will then be faced, in a perfectly parliamentary way, with the very clear alternative of a law or a constitutional amendment.

It seems almost inconceivable that this question should not, in the most deliberate way, be submitted to the Senate; and it seems almost inconceivable that it should not be the subject of thorough exploration and a well-considered vote.

Let me say now, in order that there may be no mistake about it, that whatever one Member can do to bring about a record vote on this particular question will be done by me. We all know that it is not within the competence of one Member to bring that about, but I wish

to make my view upon that subject unmistakably clear now.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. Let me ask, for clarification, how the Senator's proposal would deal with the basic amendment, the Kefauver proposal, even conceding that the poll tax question might be taken up on the basis of a statute. The Senator would not contend, would he, that what is sought to be done by the Kefauver amendment could be accomplished in any other manner than through a constitutional amendment?

Mr. JAVITS. I certainly do not so contend. I believe perhaps the Senator was not present in the Chamber when I entered my protest. The parliamentary situation is such that the only recourse I have in order to raise the question is to offer my proposal as a substitute for the entire joint resolution. I was pointing out that this is not in prejudice to the Kefauver proposal, which is reported from a committee, and which the leadership could bring up at any time. It should not be permitted to prevent the perfectly unqualified, unencumbered decision by the Senate on the question whether it chooses to bring about the elimination of the poll tax by a constitutional amendment or by a statute. I do not see that my proposal would in any way prejudice the Kefauver proposal. I was protesting the way the leadership has brought up the Kefauver proposal and sought to tack an amendment onto it. As I say, I have no quarrel with the Senator from Florida. He has an absolute right to do what he has done. I do not quarrel with him at all, but the procedure adopted does result in the necessity of approaching the subject in this way.

Mr. CASE of South Dakota. But, if the Senator's proposal were agreed to, it would result in the dropping of consideration of the Kefauver amendment at this time.

Mr. JAVITS. At this time—and I emphasize the words "at this time."

As to the merits of this question, the decision as to whether the poll tax should be eliminated by a law or by a constitutional amendment has been the subject of very longstanding debate. I refer all my colleagues to a very comprehensive Law Review article on the subject, entitled "The Constitutionality of National Antipoll Tax Bills," published in the Minnesota Law Review for February 1949. This article analyzes the cases and the arguments in the greatest detail, and indicates that there is an enormous amount of case law on this subject, as well as an enormous amount of parliamentary activity.

On five successive occasions the House of Representatives has passed antipoll tax bills. Let me give the specifications: In the 77th, 78th, 79th, 80th, and 81st Congresses. On two of those occasions I served in the House, and had the privilege of supporting those measures.

I point out that the House has passed such measures, for this reason: If we do not raise the question here, it is very likely to be raised anyway. It certainly will not go by default. Very likely, if we send a constitutional amendment to the House, the House will pass a bill, and then there will be a stalemate, unless a conference can resolve the question of which approach to take. In this case there is nothing to compromise. We either do it by statute—and what the statute says is another matter—or we do it by constitutional amendment.

Why should a person like myself, so interested in eliminating this encumbrance upon the voting right of the people of our country, take this route instead of accepting the easy way which is proposed by the constitutional amendment supported by so many Senators, and letting it go at that?

There are two reasons for that, both very persuasive and extremely important. The first lesson is that the path of constitutional amendments is thorny and time consuming. But even more than time consuming, it is a very uncertain path. It may or may not be approved by the requisite number of States. Indeed, the record is quite extraordinary. I should like to give the facts to my colleagues.

Between 1927 and 1959, a span of 32 years, 1,819 constitutional amendments were proposed. Eventually only three of that total number were ratified by the States as amendments to the Federal Constitution. The last amendment, which was the two-term amendment relating to the Presidency, required 4 years for approval by the requisite number of States.

Under those circumstances do not we who believe so very deeply that this practice is wrong, in terms of the national right to vote, have the right to feel that if we are to act on the question affirmatively—and we can act on it affirmatively by a statute which would effectively eliminate this incubus—it should be done directly, and we should not have the stretchout which, at the very least, would result from a constitutional amendment, and, at the very worst, perhaps result in the defeat of this measure because it could not muster the support of the necessary number of 38 States.

Sometimes there is no alternative. Our Constitution must be revered as well as observed. So the Senator from Tennessee [Mr. KEFAUVER] has pursued the constitutional amendment route, because it is essential in the case of his proposal. We all agree on that.

But here we have the very profound question, to say the least, of whether a statute could do the job of outlawing the poll tax. I certainly understand that I must demonstrate that, and I think I can, quite conclusively. The other body has acted on five occasions, by statute. Any measure we might pass would have to be approved by the other body. It seems to me that the most prayerful consideration, to say the very least, must be given to, and the most considered vote must be taken on a question of such importance. That is the first point.

The other point is equally important. We do not live in a dreamworld. We live in a very practical, working world. Everyone, including the proponent of the proposed amendment, knows that we are about to enter into a very full, and perhaps very heated, debate on all issues of civil rights, and that among those issues, and very prominent among those issues, is that of voting. Many measures will be suggested, some with administration support, some with the support of a majority in this Chamber, and some with heavy support, though not necessarily a majority. Those measures will deal with the very same question, the right to vote, and the question of what limitation there is upon the power of the State in respect of restricting that right.

Once we adopt the principle of going to the country with a constitutional amendment whenever we materially touch the right to vote, it seems to me that that principle might very well be invoked—because the Senate would have approved it—in connection with many other measures.

Let me give my colleagues an example. We can be very practical. One of the provisions in almost every bill on this subject, including the bill of the majority leader, and the administration's package, is the preservation of voting records for a stated period.

The Constitution provides that the Congress shall have the right to determine the manner, place, and time of holding elections for Senators and Members of the House. Is the preservation of voting records included in the "manner, place, and time"? There may be a great deal of argument on that question. But if we establish the precedent proposed, the easy way to do it is to have another constitutional amendment. That is only one example.

We shall constantly be faced with the hard rock of the argument, "You have already decided it. Whenever there is any doubt about it, go to the country with a constitutional amendment."

We know the leaden weights which such a procedure would place on the feet of any civil rights legislation. We do not go to the country with a constitutional amendment every Wednesday.

The Senate would be placed on record upon an issue which I think is very clear upon the cases and the law, that a constitutional amendment is needed when it is not needed. If I and others like me allowed such a question to pass by default, it would be a dereliction of duty for which I could never forgive myself. I think that is true of many other Senators.

When I first came to offer my proposal, in view of the fact that it was imminent, and we all knew that the distinguished Senator from Florida would offer his proposal, and I sought cosponsors on my measure, it was possible to persuade some 24 other Senators to join me in my proposal. Interestingly enough, 17 of the 24 are in the group of 66 Senators who sponsor the constitutional amendment method.

Mr. HOLLAND. Sixty-seven.

Mr. JAVITS. Sixty-seven; yes. That is significant, I think. Of course, as a last resort, if there is no other way, Senators will take the course of the constitutional amendment. I shall do so myself. There is no question about it. No one doubts it. That is no great dis-

covery. However, if there is another way—and there is certainly a substantial body of opinion in the Senate and a substantial body of opinion in the country that there is another way—we are entitled to most respectful consideration of our proposal of the statutory course.

Mr. President, for these reasons, which I believe are formidable reasons to anyone who is deeply interested in the civil rights field, it is my deep conviction that we must go the route of statute, not the route of constitutional amendment. I shall at the proper time—and I shall describe both where and when—offer a substitute.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. Of course I yield.

Mr. CASE of South Dakota. Has the Senator given consideration to the effect, parliamentarily, in the House should his proposal be adopted, so far as committee reference is concerned? Under the rules of the Senate, constitutional amendments are considered by the Committee on the Judiciary. Matters relating to the election of the President, Vice President, and Members of Congress go to the Rules Committee. If that same jurisdictional division exists in the House, and the proposed constitutional amendment should be changed to a proposed statute dealing with elections, when it reached the House of Representatives it would go to the Committee on Rules; whereas if it should go to the House as a proposed constitutional amendment, it would go to the Committee on the Judiciary. Has the Senator considered that aspect of the matter?

Mr. JAVITS. I am glad the Senator asked that question. I might say that the committee in the other body to which the Senator is referring is the Committee on House Administration, rather than the Committee on Rules.

Mr. CASE of South Dakota. Of course the Committee on Rules in the House serves a different purpose.

Mr. JAVITS. Yes. I get the Senator's point, though. I would say to the Senator that we have almost answered the question in identifying the committee. The fact is that the Committee on Rules and Administration in the Senate has a rather different jurisdiction than the Committee on House Administration has in the House.

It is my understanding that in the other body the tendency is to refer, not a proposed change in an organic statute, but questions relating to election of Members—under the provision of the Constitution which relates to each House being the judge of the qualifications of its own Members—to the Committee on House Administration; and that when it comes to proposed legislation, the jurisdiction might go either way. There is no certainty or any assurance whatever, based upon the practice in the House, that it will go to the Committee on the Judiciary or to the Committee on House Administration.

Mr. CASE of South Dakota. It seems to me that it might be worthwhile to explore that point. I have in mind, for example, the possible attitude of the distinguished Representative from New York who is chairman of the House Committee on the Judiciary. His attitude might very well be that of the Senator from New York, or it might be something else. I do not pretend to speak for him, but I do know that the composition of committees sometimes affects the disposition of a bill.

Mr. JAVITS. I should like to point out to my friend from South Dakota that on the five occasions when the House has passed on similar bills—and I will check on this matter during the next hour and come back with the information about it—the bills had been considered by the Committee on the Judiciary on some occasions and the Committees on House Administration or Rules in others.

Mr. CASE of South Dakota. It would be worthwhile to check on it. It would also be well to bear in mind that should the Senator's proposal be adopted by the Senate, and if then the House made some changes in the bill, and the bill went to conference, there is some thought in my mind that the conferees would be different if it were proposed as a statute than if it were proposed as a constitutional amendment.

Mr. JAVITS. I respectfully differ with my colleague. Here in the Senate without question it would go to the Judiciary Committee.

Mr. CASE of South Dakota. In the Senate; yes.

Mr. JAVITS. Yes. If my colleague will permit me to finish I should like to say that if a report on the bill came from the Committee on the Judiciary, that would settle it, it seems to me.

Mr. CASE of South Daokta. What about the conferees on the part of the Senate?

Mr. JAVITS. The conferees on the part of the Senate would probably come from the Judiciary Committee. We cannot avoid that either way. A proposed constitutional amendment is referred to the Committee on the Judiciary.

Mr. CASE of South Dakota. I agree that the conferees from the Senate would come from the Committee on the Judiciary in the case of a proposed constitutional amendment. However, if it were a statutory provision which deals with the election of Members of Congress, the conferees would very likely come from——

Mr. JAVITS. From the Committee on House Administration.

Mr. CASE of South Dakota. From the House Administration Committee; yes.

Mr. JAVITS. I refer to S. 2868, the bill which has been introduced by myself and other Senators. That bill was referred to the Committee on Rules and Administration. I point out that that is not the situation in the House. As I say, I shall run it down and get the references to the five occasions on which the House has actually passed this kind of bill.

Mr. CASE of South Dakota. Merely for convenient reference for those who may read the RECORD, I should like to read some appropriate paragraphs from the rules of the Senate which deal with the jurisdictional question. The rules provide:

> Committee on the Judiciary, to consist of 15 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Those subjects are enumerated. The second one is: "constitutional amendments."

Similarly, the rules provide:

> Committee on Rules and Administration, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Then various subjects are listed, including matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; presidential succession.

Since that distinction is made in the Senate, it occurred to me that it might be interesting to see what would be the effect on the parliamentary situation if the Senator's proposal were adopted; and what would be the effect in case the proposal were adopted with changes made by the House, so that it would have to go to conference; and also the possible effect, in the final analysis, upon the action of the conferees.

Mr. JAVITS. I have stated that according to the information which I have now—and I will get a little further information later—that in terms of reference in the House this bill would be referred to the Committee on the Judiciary. Here in the Senate, as I have pointed out, my bill—the bill I introduced together with other Senators—was referred to the Committee on Rules and Administration which, I point out, would give a very favorable climate in this body to the conferees who would be considering the bill.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I call the Senator's attention to the fact that his bill was introduced by him and other Senators only on January 20 of this year. That is within the past few days. So far as I know, there has been no hearing held on it, and there is no probability of a hearing being held on it during this hectic session; whereas my bill has been introduced for 11 years and has had many cosponsors—this time, 67—and has also had four hearings held on it and has been reported favorably by the Subcommittee on the Judiciary which conducted the hearings.

Any criticism the distinguished Senator from New York might have of the Senator from Florida because he has offered his proposal as an amendment to the pending joint resolution would be compounded as it might be directed to the Senator from New York, because his bill was introduced only a little while ago, and apparently in an effort to obstruct consideration of the poll-tax proposal of the Senator from Florida.

Mr. JAVITS. The Senator from New York will not let the Senator from Florida

place on him any complaint against the Senator from Florida which the Senator from New York has not made. The Senator from New York is not endeavoring to obstruct anything, and he would appreciate it if he were not accused of it. The Senator from New York is not thin-skinned, and can fight this battle without these characterizations.

As to the merits, a bill of this character was considered by the Senate Committee on the Judiciary back in 1945, and that committee reported the bill. There is absolutely nothing new to this proposal. This has been the subject of law school debates for years. It does not seem to me that there has been any less scrutiny of the statutory aspect of this matter than there has been of the constitutional amendment route.

In addition to that, it is very obvious to me that it would be absolutely essential to introduce the statutory concept if we were to consider the amendment route, as the leadership has obviously given the green light to its consideration. It should be borne in mind that antipoll tax bills have died on the floor—I am certain every Senator is well aware of that—by the filibuster route, after very, very, thorough discussion. So we are not dealing in an area of first impression, an area in which people do not know anything about the subject.

I am deeply convinced in my own conscience that I would be derelict in my duty if I did not offer to the Senate the alternative of proceeding by the statutory route, and I believe that by so doing I am not only not obstructing, but am serving the national interest.

I am not criticizing, I do not intend to criticize, and I will not be driven into criticizing whatever may be said about the actions of my friend and colleague from Florida.

Mr. HOLLAND. Mr. President, I appreciate the generous statement of the Senator from New York. I think the RECORD ought to show, however, the fact that the bill of the Senator from New York was introduced only on January 20 of this year, after the leadership had announced the course which was to be followed in the calling up of the so-called Kefauver resolution, and had announced that the poll tax provision, sponsored by the senior Senator from Florida and 66 other Senators, would be offered as an amendment. So the country can judge what the motives of both the Senator from New York and the Senator from Florida might be.

I wish to ask a question, if I may, of the distinguished Senator from New York. Has the Senator from New York ever heard any question advanced as to the legal propriety, as to the legal sufficiency, of the constitutional method of approach to the subject of the poll tax?

Mr. JAVITS. I certainly have. I have heard it hotly debated and controverted, and I intend to debate it myself on the ground that a statute will do the job. I shall maintain that it is the elementary responsibility of legislators to accomplish by statute what needs to be accomplished. This is the very essence of a republican form of government: not to go to the people or to the legislatures in terms of constitutional amendments, if such are not necessary.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. Not quite yet.

I should like to say also that Jack Dalton on a white horse, so far as my reading and my seeing moving pictures is concerned, has never been degraded as a hero by the American people simply because he arrived at the last moment. It seems to me that if one arrives in time on a deserving course, he is on time. I am not miffed or discouraged by the statement of the Senator from Florida.

I now yield to the Senator.

Mr. HOLLAND. Mr. President, the Senator from New York has not answered my question directly, but I wish to state that no one, to my knowledge, has ever questioned the adequacy or the propriety of the constitutional method of approach to the poll tax question, whereas the distinguished Senator from New York well knows that while he can muster authorities in favor of the statutory approach to the question, there are many others of equal authority who deny that a statute would be adequate to deal with the subject. Such authorities include, as I remarked a few minutes ago, the distinguished senior Senator from Wyoming [Mr. O'MAHONEY], who is certainly an eminent lawyer in his own right; the late Senator Borah, of Idaho; and many others who, equally with the Senator from Florida, and with much more authority behind what they said, felt that the statutory method of approach was inadequate, unconstitutional, and would lead simply to litigation, not to a solution of the problem.

It seems to me that what we are now confronted with is the question whether we want an issue or a solution. The Senator from Florida wants a solution.

I thank the Senator from New York.

Mr. JAVITS. Mr. President, the Senator from Florida is a good, tough fighter. No one knows that better than I. But I am not overwhelmed, and I doubt that a great part of the Senate will be overwhelmed. I hope that a majority of the Senate will not be overwhelmed. I am perfectly ready to take on the test of debate and the test of the authorities. It will not be the first time that the Senate has been besought to be scared away from an issue, because the constitutional amendment route is certainly one which nobody can challenge legally. Since there is no higher law, what is there to challenge? We immediately concede every legal point the minute we take the constitutional route.

It seems to me the burden is on those who would have us proceed, not by law, but by the constitutional amendment route. Those who proceed by the constitutional amendment route are seeking to pursue an extraordinary remedy. It seems to me the burden of proof is not upon us, but is upon them to demonstrate that so extraordinary a remedy is required.

I should like to come to the merits of the controversy, because that is what we must ultimately do anyway. First, I invite Senators to read the article in the Minnesota Law Review.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MAGNUSON. I am greatly troubled about the amendment of the Senator from Florida, because, like the Senator from New York, I, too, would like to get at the question, as I know the Senator from Florida would, because he has sponsored for quite a while proposals to repeal the poll tax.

I have some doubt as to the constitutionality of the proposal of the Senator from New York. This is a curbstone opinion; I have not read too many authorities on the subject. However, if the objective can be accomplished by legislation, that is the way it ought to be done. I am thinking in terms of protecting ourselves both ways.

Does the Senator from New York feel that if his amendment providing for action by statute should be adopted, we should also submit the constitutional amendment to the States, so that if the courts should declare the amendment of the Senator from New York unconstitutional, the process would still continue, and there would be no delay. Neither the Senator from Florida nor anyone else wants delay, but there may be some legislative difficulty.

Mr. JAVITS. I think that is the real difficulty. The real difficulty, as the matter is now presented, and as it undoubtedly will be presented, is that there is simply no other way. If we want to pursue the satisfactory way——

Mr. MAGNUSON. I think all of us would feel very bad about it if we adopted the proposal of the Senator from New York, legal proceedings then took place, 2 or 3 or 4 more years went by, and we found ourselves right back where we started. We know that the method suggested by the Senator from Florida might take a little longer, but we also know that in the end it would achieve the result which is sought. That is the question which bothers me. Does not the Senator agree that with his amendment we are taking a legal chance?

Mr. JAVITS. We take a chance on everything we do. Many of the laws which Congress passes are declared unconstitutional. Many people tell us that what we do with respect to one thing or another will be declared unconstitutional. We were told that the civil rights bill, which was under debate for many weeks, would be unconstitutional. As a matter of fact, some elements of the Civil Rights Act have been declared unconstitutional by the lower courts, and are now before the Supreme Court for final decision. But that is what we must expect every day. It is the risk we run in enacting any statute.

Of infinitely greater importance, once we feel or are convinced that we are right, is that we are doing our duty with the assurance which the people expect of us as representative legislators.

As I started to say, if it is proper—and we have to be convinced of that—to proceed by statute, that is our first duty. The burden of proof is not on

me. It seems to me that the burden of proof is on those who would take the extraordinary course of a constitutional amendment.

We legislate daily on all kinds of matters. Certainly it would be safer—it is the highest law—to proceed by constitutional amendment.

We shall have another civil rights bill before us at this session. Perhaps the Senator from Washington was not in the Chamber at the moment I pointed this out, but the minute we say we are going to follow the constitutional amendment route on this question, we will be faced with that procedure in half, at least, of all the measures which will be recommended in connection with the civil rights bill, because numerous constitutional questions are inherent in the proposed civil rights legislation. Once we decide that we will follow the course of the constitutional amendment on civil rights, there will be no end of such proposals.

There is a long history connected with this matter. It has been considered five times in the other body, but they have not sent it over here. We have not acted on it. Occasionally we have had what is called a filibuster. It seems to me there is no really fundamental question of law involved, any more than there is in other pieces of legislation. Therefore, it is our duty to take the statutory route.

Mr. MAGNUSON. I do not disagree with that. I do not believe any suggestion has been made that the constitutional way—that is, by amendment of the Constitution—would be certain. But the Senator from New York must admit that there might be some question, legally, about his proposal. I hope the Senator is right in his analysis.

The reason I have participated in this debate is that I, too, have a little interest in the subject. I introduced proposed poll tax legislation in Congress in 1937. That was a long time ago. I was then a Member of the House. We never had enough votes to get it out of committee. Like the Senator from New York, I wanted to get it out immediately. But there was a little more opposition then than there is now. That was 22 years ago. More States had the poll tax then.

The States themselves have made great progress in this field. But there was seriously raised the question whether I should not have done at that time what the Senator from Florida has suggested. So there is a legal controversy, which has been patent for a long time, over the legislative method. I shall probably support it, but I would not like to see it become a disservice to this cause, if there is grave concern that by taking a shortcut we would have to start all over again.

Mr. JAVITS. I may say to my good friend and colleague from Washington that we have found that the place where it has been so difficult to get action on a statute is in the Senate, not in the House. Perhaps this will be filibustered, too. I have no idea about that. One cannot guarantee anything. But this seems to be an opportunity, when the climate is right, anyway, to try to do what has been tried many times before without success. It seems to me this is the time to make a profound case in this whole situation, and I thank my friend, not only for his forensic ability, but for his foresight and statesmanship in proposing it many years ago. As the Senator has said, even if we proceeded by way of constitutional amendment, it could fall by the wayside and dangle for years.

Mr. MAGNUSON. I will say that it was thought the better way to proceed was first by action in the House, for the stumbling block was the Senate. I am glad the Senate has progressed so far that political strategists think it is better to start in the Senate and hope something will be done by the House.

I think many persons who are seriously interested in this matter are not against what we are trying to do, but probably have some conscientious legal doubts about the legislative method, which I tried originally 22 years ago.

Mr. JAVITS. I have never questioned, and I hope I never will, the deep sincerity of any Senator, no matter what he is advocating, even if I thought he was wrong, and I do not now. I say that deliberately. We can differ on the course to be pursued, without questioning each other's motives. I certainly do not question the motives of those who do not feel as I do.

Mr. MAGNUSON. I shall support the Senator's amendment, because this is where I came in 22 years ago; but I have all this time wondered about the method to be adopted. Perhaps if we followed the suggestion of the Senator from Florida our effort might take a little longer. I doubt it, though. I think the State legislatures are ready to act quickly. I know that is the sure method.

Mr. ROBERTSON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. Yes.

Mr. ROBERTSON. When the Senator from New York was interrupted for questions by my distinguished colleague from Washington, I understood he was preparing to quote from an article published in a Minnesota Law Review.

Mr. JAVITS. Yes.

Mr. ROBERTSON. Was the author who wrote that article a lady from Texas who had moved to Minnesota to teach?

Mr. JAVITS. It was written by Janice E. Christiansen, instructor in government, University of Texas; author of "The Constitutionality of Proposed National Legislation To Abolish the Poll Tax as a Requirement for Voting in National Elections"; the thesis being on file in the University of Minnesota Library, 1946.

Mr. ROBERTSON. Does she start the article by quoting a number of authorities saying it is unconstitutional, and then quoting two or three cases, and then saying that, in her opinion, it is doubtful, but she would decide in favor of constitutionality?

Mr. JAVITS. I am not citing that article——

Mr. ROBERTSON. Let us be fair. That is the only one which looks in that direction, and that lady lacks a great deal of being a constitutional authority.

Mr. JAVITS. I was not citing the lady in question as my authority for my position. All I was doing was directing attention to a documentation of the cases which I had found up to a certain date, which is useful to any legal researcher. The authorities on this issue are the Supreme Court of the United States, the other courts, the Constitution of the United States; and certainly I am not invoking as an authority the author of this article. For all I know, she may deserve to be relied on; I do not know. Therefore, I am not utilizing this article for that purpose at all.

I have just referred my colleagues to a compendium of cases upon this subject matter. Annotations are helpful in legal research. That is the only purpose for which I have invoked this article.

Mr. ROBERTSON. Our distinguished colleague has a reputation for being a very able and distinguished lawyer, who served as head of the legal department of the Empire State, the most populous and in some ways the most important State in the Union. He is discussing today an issue which has been before us, as the Senator from Washington has said, for the past 20 years. There have been a great many statements pro and con on the subject.

I hope that before he concludes, the Senator from New York will cite the latest case, 1951, that came from Virginia, decided by the district court, affirmed by the Supreme Court per curiam. *Butler* v. *Thompson*, D.C.E.D. Va. 97 F. Supp. 17, aff'm., 341 U.S. 93F, upholds, without any question, the legality of the Virginia poll tax. I know the Senator wants to be fair about whether this proposal should be accomplished by act of Congress or, as the Senator from Florida [Mr. HOLLAND] proposes, by an amendment to the Constitution. I hope he will be willing to remain in the Chamber when I present the history of the section of the Constitution which preserves to the States exclusive jurisdiction over the qualification of voters, and my discussion of the Senator's proposal, to the effect that it is not a question of qualification, but relates to the manner of voting.

The Senator has said that perhaps there will be a filibuster against this proposal. If one of us who take the opposite view speaks any longer than the Senator from New York in presenting his views, that would not be a filibuster, would it?

Mr. JAVITS. No. Perhaps I did not make myself clear to the Senator. I said I did not anticipate a filibuster. I think those who filibustered in another day seem to have come around to the feeling that perhaps a filibuster is not such a good idea. Perhaps the whole climate of the country and the Senate has changed. This is an extremely hopeful sign of the times. I would wish to encourage it, not discourage it. Hence, I shall make my statement as brief as I can, though, as the Senator knows, other Senators have sought the floor and have taken as much time as I have. I certainly hope every Member of the Senate will feel free to discuss this subject in any detail he wishes to, and I have every expectation that we shall come to the

best conclusion possible within a very modest period of time.

My colleague referred to a case, which gives me a good point of departure for this legal argument. That case was similar to the case of Pirtle against Brown, which was decided in the circuit court of appeals in 1941, and which upholds the constitutionality of the poll tax. So did the case of *Breedlove* v. *Suttles*, 302 U.S. 277, decided in 1937, a Supreme Court case.

We are not here arguing that the poll tax is unconstitutional. It has been sustained as being constitutional, I regret to state. What we are arguing is that the U.S. Congress can pass a law which would eliminate it, that such a law would be constitutional, and therefore a constitutional amendment to achieve the same purpose is unnecessary. Moreover, in accordance with the traditional legislative practice and the Republican form of our Government, it is our duty to act by statute where that is proper, rather than seek the refuge of a constitutional amendment.

Mr. President, I have given my reasons for proposing this course of action. I should now like to give a few facts and figures. In the first place, the length of time taken to approve constitutional amendments, including the last constitutional amendment, and the very few constitutional amendments in our history which have been approved, is certainly a matter of the first moment by way of evidence.

Then, too, the requirements for the approval of constitutional amendments by so large a proportion of the legislatures of the States is a factor.

Also the fact of the evil of a poll tax and its restriction upon voting, which evil is sought to be reached, is a factor. It is so contrary to the concept of national policy that the country would not expect us to stand still if we can do something about it much sooner by statute than we could by a constitutional amendment.

I should like to proceed now to the legal argument, because this is what it finally boils down to, and to start by pointing to the provisions of the Constitution upon which I rely as demonstrating the constitutionality of such a statute. Again I precede this analysis with the table of enactments by the House of Representatives of anti-poll-tax legislation, so called, in the form of proposed statutes passed on five occasions by the House of Representatives.

I ask unanimous consent that the table upon that subject may be included in the RECORD as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Poll-tax legislation

Congress	Bill No.	House action	Senate action
77th	H.R. 1024	Rules Committee discharged	S. Rept. 1662.
78th	H.R. 7	Judiciary Committee discharged	S. Rept 530.
79th	H.R. 7	Judiciary Committee discharged	S. Rept. 625.
80th	H.R. 29	House Administration Committee; H. Rept. 947	S. Rept. 1225.
81st	H.R. 3199	House Administration Committee; H. Rept. 912	No action.

Mr. JAVITS. Mr. President, the provisions of the Constitution which are especially applicable to this particular matter are, first, those of section 4, article I, which deal with the whole vexing question of qualifications for voting. I should like to read that particular provision into the RECORD, so that it may form a proper background for my observations upon that subject. The Congress is given the authority to deal with the manner, the places, and the time of conducting elections. It is one of the arguments of the anti-poll-tax advocates that it deals with the question of manner, and the backing for that proposition is found in the soldier voting statute.

In analyzing the provisions which eliminated the poll tax for soldier voting, and which have been enacted and reenacted in our own law, and in sustaining those provisions, there has been utilized as authority this general power which is vested in the Congress.

The text of that provision of the Constitution is:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

In that regard, as I said, there is the manner of voting, and that concept was carried out in the so-called soldier voting laws, where the poll tax was eliminated. I believe that is equally applicable to this proposed statute.

The second point upon this subject is the power of the Congress to deal with corrupt practices in connection with voting. This power has been sustained time and again in the various corrupt-practices acts. As a matter of fact, the other day in this body we passed a so-called clean-elections bill, in which we availed ourselves of that power under the Constitution. That act, for example, Mr. President, deals with the question of how an election shall be financed, how a primary shall be financed. There is nothing in the Constitution which says anything about that specifically.

In other words, the argument that the words "times, places, and manner of holding elections for Senators and Representatives" do not apply to campaign contributions could be just as effectively made with regard to the poll tax, but the courts have, nonetheless, sustained the corrupt-practices legislation on the ground that such things represent a restriction or a burden upon a national right, which is the right to vote for Representatives in the Congress of the United States.

This, I submit, is as true of the particular issue with which we are dealing today as it is in the other area.

Of course, it is also a fact that the Congress can find that the poll tax lends itself to corrupt practices by enabling people to buy up poll-tax certificates and to pass them out to those who will subsequently vote.

Mr. President, it seems to me that the analogy as between the two is very strong and persuasive.

Mr. President, with respect to the constitutionality of the anti-poll-tax bill, I invite attention to section 4, article IV of the Constitution, which reads as follows:

> The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

Mr. President, this guarantee to every State of the Union of a republican form of government, which is set forth in the text of the Constitution, is an extremely vital element in regard to the constitutionality of an anti-poll-tax bill. The facts have demonstrated that there has been in the poll tax that kind of a burden upon voting which has a tendency to deny the republican character of our Government and which is inimical to the conduct of a republican form of government.

Mr. President, in the same connection, there has been some feeling, which has been sustained by some of the cases, that the poll tax represents a burden upon a national right, which is the right to vote for Representatives in Congress and for Senators.

Mr. President, the declaration of the constitutionality of the poll tax is not affected by any such point until the Congress finds that the poll tax is a burden and proposes to legislate in the field. If the Congress enacts the substitute which I shall submit, the Congress will be making that finding, and will give an additional constitutional basis for the legislation.

Finally, Mr. President, reliance must be placed upon the 14th and 15th amendments.

The 14th amendment deals with equality of opportunity to vote. A strong case is made out by the proposed legislation itself and by the findings of Congress upon the subject that the poll tax in actual practice operates to deny an equal opportunity to vote, that there is not equal protection of the laws in that regard.

In regard to the guaranteees of the 15th amendment, the poll tax operates as a denial of or as an abridgement of the right of citizens to vote by virtue of race, color, or previous condition of servitude. That, again, is based upon the factual way in which the poll tax actually works out.

Mr. President, that is a summary of the legal argument. There is one further point with respect to it. It will be noted that the Constitution makes a distinction between the provisions which relate to the right to vote for Representatives and Senators and the provisions which relate to the right to vote for presidential electors, in that the constitu-

tional provisions are different with respect to each. In respect of making my amendment applicable to presidential electors as well, there are a number of Supreme Court cases which hold that the designation of presidential electors is the performance of a national function. I shall give a cititation to such cases.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ROBERTSON. Did the Senator say that he was going to amend his proposal to include electors, or that it was not necessary to amend it to include electors?

Mr. JAVITS. The substitute which I shall propose includes both Members of the House and Senators, as well as electors.

Mr. ROBERTSON. The original draft, however, did not include electors, did it? I have a little comment on that point when it comes my turn to speak.

Mr. JAVITS. I do not know where the Senator gets that information. The measure which I offered as an amendment in the nature of a substitute for Senate Joint Resolution 126, at the top of page 2, deals with elections for President and Vice President, with electors for President and Vice President, and with elections for Senators and Members of the House of Representatives.

Mr. ROBERTSON. Last year there were four or five such bills. We have them every year. It is a little difficult to keep up with the wording of every bill. The Senator does add the property qualifications of five or six States, besides the poll tax.

Mr. JAVITS. Exactly.

Mr. ROBERTSON. But the Senator does not go so far as the Morse bill of last year, which proposed to eliminate the New York literacy test.

Mr. JAVITS. I am not familiar with the provisions of the Morse bill.

Mr. ROBERTSON. I thought the Senator would be familiar with it.

Mr. JAVITS. I only point out that I believe the Congress has power in this field to act within whatever area of legislation it desires to act; and, in my view, it desires to act in respect to a specific field, the poll tax, with which my proposal deals. It is that particular thing that I am seeking to reach by my amendment, as it affects every so-called Federal election.

On the question of electors, I should like to conclude by reading a statement from the opinion of the Court in *Burroughs and Cannon* v. *United States*, 290 U.S. 534, at page 544. That case dealt with the Corrupt Practices Act. The Court denied that the Congress was limited, in making the application of the Corrupt Practices Act, or confined only to Representatives and Senators, and prevented from including presidential electors. The statement reads as follows:

> The congressional act under review seeks to preserve the purity of presidential and vice presidential elections. Neither in purpose nor in effect does it interfere with the power of a State to appoint electors or the manner in which their appointment shall be made. It deals with political committees organized for the purpose of influencing elections in two or more States, and with branches or subsidiaries of national committees, and excludes from its operation State or local committees. Its operation, therefore, is confined to situations which, if not beyond the power of the State to deal with at all, are beyond its power to deal with adequately. It in no sense invades any exclusive State power.
>
> While presidential electors are not officers or agents of the Federal Government (*In re Green*, 134 U.S. 377, 379), they exercise Federal functions under, and discharge duties in virtue of authority conferred by, the Constitution of the United States. The President is vested with the executive power of the Nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the Nation in a vital particular the power of self-protection. Congress, undoubtedly possesses that power, as it possesses every other power essential to preserve the departments and institutions of the General Government from impairment or destruction, whether threatened by force or by corruption.

The decision also cites with approval *In re Yarborough*, 110 U.S. 651, generally sustaining the same point of view.

So, Mr. President, I have made my proposed substitute applicable both to Representatives and Senators, as well as to electors for President and Vice President, as I believe the cases show very clearly that all such legislation comes within the powers of the Congress, when the Congress chooses to assert such powers. A constitutional amendment is not required, the courts having held that such legislation is well within the power of Congress. The Congress should legislate upon this subject by statute, along the lines of the struggle which has continued for years. The distinguished Senator from Washington [Mr. MAGNUSON] told us about introducing a bill in 1937.

In this body it has been extremely difficult to get at anti-poll-tax legislation. At long last I hope we are at it now.

So my case to the Senate is summed up in the proposition that it is our duty to legislate, and that it is our responsibility to submit a constitutional amendment only when we are clearly convinced that we do not have the power to legislate. The burden is upon those who would have us submit a constitutional amendment instead of legislating. That burden cannot be borne, in the light of the cases, and in the light of the long history of the rather hotly fought battle on the poll tax. I am delighted, at long last, to see a substantial majority of the Senate in agreement that the poll tax is an incubus which should no longer be carried on the body politic of the American people, but that it should now be dealt with.

I deeply believe—and I hope very much that a majority of the Senate will agree—that the way to deal with the subject is by eliminating the poll tax by means of legislation, which is well within our powers.

At the proper time—which I understand will be after the Holland amendment has been disposed of—I shall offer my proposal as a substitute for the entire joint resolution.

Mr. President, I yield the floor.

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. KENNEDY. Mr. President, on behalf of the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from New York [Mr. JAVITS], and myself, I introduce, for appropriate reference, a bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of disbelief.

I wish to read into the RECORD at this point a joint statement by the Senator from Pennsylvania [Mr. CLARK] and me, and I am sure the senior Senator from New York [Mr. JAVITS] will wish to join us in the statement.

The bill we have introduced today, which is a modification of a similar proposal we sponsored last session, is designed to strike out of the National Defense Education Act a section which has seriously weakened the effectiveness of that act and given offense to countless members of the academic community in all parts of the country. That section is 1001(f)(1) which states that no person shall receive funds under the act unless he has filed an affidavit certifying—

> That he does not believe in, and is not a member of and does not support any organization that believes in or teaches, the overthrow of the U.S. Government by force or violence or by any illegal or unconstitutional methods.

Our objections to the "affidavit of disbelief" are these:

First. It is unnecessary. Section 1001(f)(2) requires all beneficiaries of the act to take a standard loyalty oath of allegiance to the Government. This bill does not change that requirement. Why should a student be required to swear that he is loyal as well as that he is not disloyal? Severe criminal laws exist for use against those who teach or advocate the violent overthrow of the Government, whether or not they have applied for benefits under the Education Act.

Second. It is ineffective. No convinced Communist would hesitate to take either the oath or the affidavit.

Third. It defeats the purpose of the act. While the disloyal person would not hesitate to take it, some intelligent conscientious young people, of the very kind the act is designed to help, have refused to participate in the defense education program because of this requirement. A number of the finest institutions of higher education in the country, in all regions, public and private, sectarian and nonsectarian, have refused to accept any funds because of section 1001(f)(1), and the list of these institutions is growing.

Fourth. It is discriminatory. Businessmen who receive Government loans or contracts, farmers who receive Government subsidies, veterans and their dependents who receive Government pensions—none of them have to file

sworn statements that they do not believe in organizations which believe in the overthrow of the Government. Only students are required to do so. And not all students—just those from poor families who are obliged to borrow funds to complete their education.

For these reasons, and many more, we urge the early passage of our bill to repeal the "affidavit of disbelief."

We are confident that the bill in its present form has the support of the overwhelming majority of the college and university students and teachers in the United States, and that it merits and will attract a majority of votes in the Senate.

The PRESIDING OFFICER (Mr. CLARK in the chair). The bill will be received and appropriately referred.

The bill (S. 2929) to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of belief, introduced by Mr. KENNEDY (for himself, Mr. CLARK, and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The Chair also wishes to express the hope that the bill will attract the support of a large majority of Senators.

Mr. KEATING. Mr. President, I should like to inquire of my distinguished colleague whether he feels that in the committee there is a reasonable chance this measure, which represents, as I understand, the action taken last year prior to the recommittal motion, has a reasonable chance of being reported favorably by the committee to the Senate.

Mr. KENNEDY. I will say to the Senator, last year we reported a bill providing for a complete repeal of the affidavit provision. That bill came from our committee by a vote of 13 to 2. Now what we have done is to provide that the pledge of allegiance shall remain, but the affidavit of disbelief is to be repealed. It is my judgment that the committee will again report such a provision by an overwhelming vote, and I hope shortly.

I am most concerned about what will happen on the floor of the Senate. I believe this is where we should address our concern. I think the majority will support the provision.

Mr. KEATING. I share the hope of the Senator from Massachusetts that we can get action on the measure in its present form, for I believe it will be a great improvement over the original measure which came before the Senate last year. It should command the support of a majority of the Members of the Senate. I certainly hope that it will.

I myself have had a great deal of mail on this subject, and I see no reason on earth why a student applying for a loan should not take the same oath which we as Members of Congress or those in the military service take, but to require the other affidavit in addition seems to me to be unnecessary, to be unwise, and to defeat the very purpose which is sought by many sincere people.

Mr. KENNEDY. The endorsement given by the junior Senator from New York I think will aid in passing the bill.

Mr. KEATING. I thank my friend from Massachusetts profusely for his kind remarks, which I feel sure are a considerable overstatement but which comport with the usual generous spirit in which he has always treated me.

Mr. KENNEDY. I thank the junior Senator from New York, and I thank the senior Senator from New York, a cosponsor of the bill.

Mr. JAVITS. Mr. President, I thank my colleague. I should like to state that I offered an amendment when the bill was before the Senate for debate, to eliminate the non-Communist affidavit and to preserve the loyalty oath. That amendment was adopted, but unfortunately was not agreed to by the conference committee.

I think what the Senator from Massachusetts, who has taken a leading position on the bill traditionally, is now doing is very sound. I am very glad to join with him.

Mr. President, I have a brief statement in regard to the repeal of the non-Communist affidavit provision in the National Defense Education Act of 1958.

I am joining as a principal cosponsor of the bill of the Senator from Massachusetts [Mr. KENNEDY] to remove from section 1001(f), title X, of the National Defense Education Act the requirement that every student applying for loan funds to further his higher education must sign a non-Communist affidavit. This requirement has been found so objectionable by the administrations and student bodies of 13 leading U.S. colleges and universities that they have withdrawn from this loan program while 6 other well-known institutions have cited the affidavit as the reason they will refuse to participate in the program at all.

The amendment introduced by the Senator from Massachusetts [Mr. KENNEDY], today would repeal that provision requiring students to sign a non-Communist affidavit while retaining the requirement that a loyalty oath be signed. With the elimination of the negative affidavit, and the retention of the more positive oath, I believe there is every reasonable expectation that those colleges and universities now out of the program will indeed rejoin or join it. Thus students desirous of obtaining National Defense Education loans will have available to them the broadest possible educational opportunities for developing their special talents—and that to me is the compelling reason for my cosponsorship of the bill.

In my home State of New York, Sarah Lawrence College in Bronxville, Columbia University, Cornell University, Queens College, Rensselaer Polytechnic Institute, and Syracuse University have all protested the affidavit requirement in strong terms to me personally, and in some cases directly to the Department of Health, Education, and Welfare.

It is important to stress that the Secretary of Health, Education, and Welfare, Arthur Flemming, has urged that this section of the act be repealed. Although it is unfortunate that even for a few months, students dependent on Federal loan funds to further their college education have perhaps been prevented from applying to the college of their first choice, the Congress should properly heed the reasoned arguments of the leaders of American academic and intellectual life who ask the repeal of the affidavit on the basis that it is seriously discriminatory in singling out such a large and important part of our population—American students. I hope that the Labor and Public Welfare Committee of which I am a member, and to which this legislation has been referred will give it prompt consideration.

Mr. President, I join with my colleague from Massachusetts in the anticipation that we shall have very prompt action in the committee upon this matter, and that the committee will act favorably in reporting the bill to the Senate.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gruening	McClellan
Bartlett	Hartke	Mansfield
Beall	Hennings	Prouty
Brunsdale	Hill	Robertson
Byrd, W. Va.	Holland	Scott
Cannon	Javits	Sparkman
Case, S. Dak.	Johnson, Tex.	Talmadge
Church	Johnston, S.C.	Thurmond
Clark	Jordan	Wiley
Cotton	Keating	Williams, Del.
Dodd	Kefauver	Yarborough
Frear	Lausche	Young, Ohio
Green	McCarthy	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] the Senator from Tennessee, [Mr. GORE], the Senator from Oklahoma [Mr. KERR], the Senators from Wyoming [Mr. MCGEE and Mr. O'MAHONEY], the Senator from Oregon [Mr. MORSE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from Michigan [Mr. MCNAMARA] is absent because of a death in his family.

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Indiana [Mr. CAPEHART], the Senators from Kansas [Mr. CARLSON and Mr. SCHOEPPEL], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], and the Senator from California [Mr. KUCHEL] are necessarily absent.

The PRESIDING OFFICER (Mr. GRUENING in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. ANDERSON, Mr. BIBLE, Mr. BRIDGES, Mr. BUSH, Mr. BUTLER, Mr. BYRD of Virginia, Mr. CARROLL, Mr. CASE of New Jersey, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ENGLE, Mr. ERVIN, Mr. FULBRIGHT, Mr. HART, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HUMPHREY, Mr. JACKSON, Mr. KENNEDY, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MARTIN, Mr. MONRONEY, Mr. MORTON, Mr. MUNDT, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RUSSELL, Mr. SALTONSTALL, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. ROBERTSON. Mr. President, first the junior Senator from Virginia would like to have the RECORD show that the decision that the quorum call which has just now been concluded should be a live quorum was made by the Senate leadership.

Before the junior Senator from Virginia discusses Senate bill 2868, introduced by the distinguished Senator from New York [Mr. JAVITS], he wishes to make a brief reference to the concluding remarks of the Senator from New York, who said that this incubus—referring to the poll tax in five States—can no longer be carried by the body politic of this Nation.

That reminded me of a reference in a speech against a poll tax bill in August of 1948, in which I referred to a qualification of the State of New York known as the literacy test, which was at that time—and I assume still is—the equivalent of a seventh-grade education.

I asked the distinguished Senator from New York if he was familiar with the Morse bill of last year, which sought to take from the States their clear constitutional right to fix the qualifications of voters. It would include, of course, the property test, the poll tax test, the educational test, and similar tests they desired to apply. I asked him if he recalled that the Senator from Oregon proposed in his bill last year to wipe out all literacy tests. He said he did not know anything about that.

Let me read from what I said on that subject 11 years ago:

> I am also told that in order to register in New York one must pass a literacy test which is equivalent to a seventh-grade education. Suppose we were to apply that New York test to Virginia, Mississippi, and Florida. I do not like to make public confession of this, because in the district which I formerly represented in the House, known as the Shenandoah Valley, there are a great many elementary schools, high schools, preparatory schools, and colleges. As farming areas go, it is a rather prosperous section, and as people go, the people of that section are fine people, and I am very proud of them. The chief recruiting officer in that area told me 2 years ago, when I complained of the fact that the Army was taking so few boys from Virginia, that in that district 42 percent of those who volunteered were rejected because they did not have the equivalent of a seventh-grade education. I said, "Then your tests must be too exacting, and your standards must be too high. Those boys have plenty of common sense and courage. They know how to shoot, and they would make fine soldiers. The tests must be too severe." He replied, "No; the modern army has a great many newfangled scientific devices, and if the boys are not educated we cannot use them."

That was in the Shenandoah Valley, one of the best areas in the State of Virginia. Of course, the precentage then, and since, in the 20 counties, where there are as many colored boys as there are white boys, of those who were rejected because they could not meet the seventh-grade test is far higher than 42 percent.

Yet the distinguished Senator from New York refers to a requirement of $1.50 a year, all of which goes to the schools, and from which Virginia is deriving nearly $2 million in revenue, as an incubus upon the body politic which can no longer be carried. But a literacy test, which would disqualify many foreigners who cannot speak English, is entirely proper. That is no incubus.

Because voters come and go, there is in New York a requirement to register before each election. It seems they are not trusted, for there is no provision for permanent registration. The requirement to register before each election disqualifies more prospective voters in the city of New York alone than does the failure to pay a poll tax in the entire State of Virginia.

The Senator from New York says the poll tax is an incubus and should be repealed. Although he is a brilliant lawyer, I feel he gave a demonstration today of the old maxim, "There are none so blind as they that won't see."

He knows the history of the Constitutional Convention in Philadelphia, and of the history of the ratifying conventions. He knows the explanation given in the Federalist Papers by both Alexander Hamilton and James Madison—that we were creating a new Federal Union of sovereign States and that the Founding Fathers were determined to keep that Union from acting in a despotic manner. He knows that the sovereign States kept to themselves, and shall always keep to themselves, the right to determine the qualifications of electors.

The Senator from New York [Mr. JAVITS] knows of the legal decisions, and cites the 14th and 15th amendments to the Constitution. I will refer to a series of cases on both amendments to show that they have no relation whatever to the qualifications of voters.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the distinguished Senator from Georgia.

Mr. RUSSELL. I am sure that my distinguished friend from Virginia, who is an eminent constitutionalist and scholar, is aware of the fact that the language to which he refers, giving the States the right to prescribe the qualifications of voters, is the only language that appears in the Constitution and in the amendments thereto in identical terms in two places.

Mr. ROBERTSON. Article I, section 2, and the 17th amendment.

Mr. RUSSELL. In the 17th amendment. So no argument can be made as to what the 14th and 15th amendments did in the case of the election of Senators. If these amendments repealed the original power of article I, it was reinstated when the 17th amendment was adopted as to Senators.

Mr. ROBERTSON. Absolutely. There can be no question about it.

Mr. RUSSELL. So there can be no collision between the 15th amendment and the 14th amendment and the qualification in the original Constitution, because the last word on the subject was in the 17th amendment, wherein the identical language was approved by the States subsequent to the adoption of the 14th and 15th amendments. So, if the 14th and 15th amendments were contrary to the qualification power in article I, it was reaffirmed and reestablished when the 17th amendment was adopted as to the election of Senators.

Mr. ROBERTSON. I could not agree more fully with the Senator. I wish to ask my distinguished colleague from Georgia if he agrees with this: "There are none so blind as they that will not see."

Mr. RUSSELL. That saying is as old as Holy Writ, and I will be the last to dispute it.

Mr. ROBERTSON. As the Senator has pointed out, the 17th amendment carries the exact language he has referred to, adopted after the 14th and 15th amendments had been adopted. It states that the "electors in each State shall have the qualifications of the electors of the most numerous branch of the State legislatures." But the amendment does not say anything about Congress determining the "times, place and manner of holding elections."

I conclude, therefore, that the Senator from New York hopes to change the Constitution in every respect. He urges that we should wipe out the power of establishing a property qualification as is done by seven States—many of them Northern States, such as Maine and Massachusetts. Virginia, of course, abolished the property qualification long ago, and so did the State of the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. All of the Thirteen Original States had, in one form or another, a property qualification for the exercise of the franchise.

Mr. ROBERTSON. The Senator from Virginia now wishes to discuss the specific provisions of S. 2868, because we are put on notice that that is where the real fight is coming. We are told to repeal the poll tax by constitutional amendment is the legal thing to do, but that that process is too slow. Where does that leave us with respect to all the other constitutional questions and civil rights questions which it is proposed to bring up before the session is over?

To amend the Constitution by legislative procedure is easier, it is argued. If we do that by the statutory method with respect to one civil right, then we will be confronted with the same situation when we consider the other rights which are not the subject of a constitutional amendment because they are reserved to the various States.

Mr. RUSSELL. Mr. President, will the Senator yield further?

Mr. ROBERTSON. I am glad to yield.

Mr. RUSSELL. The Senator is aware of the fact that if it is possible to create by statute an alleged civil right in violation of the Constitution, then it is a simple matter to take away by statute any constitutional right which any citizen of the United States may enjoy.

There was a time when I was very critical of some of my brethren in the Senate for undertaking to eliminate by statute the plain provisions of the Constitution. However, in the light of the precedent set by the Supreme Court in 1954, when they changed the Constitution by Court decision—and I do not believe that the Court has as much power in that area as has Congress—I am constrained not to be quite so critical of some of my brethren for undertaking to change the Constitution by statute.

Mr. ERVIN. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I am glad to yield to the distinguished Senator from North Carolina.

Mr. ERVIN. As I recall, the Supreme Court, in a comparatively recent case, Breedlove against Suttles, held that a State has the constitutional power to impose a poll tax as a condition precedent to voting.

Mr. ROBERTSON. That is absolutely correct. I will cite that case later.

Mr. ERVIN. Does not the Senator think that those who undertake to repeal the poll tax by statute, as distinct from a constitutional amendment, are manifesting a lack of confidence in the judicial stability of the Supreme Court?

Mr. ROBERTSON. One could well think so. The distinguished Senator from New York tried to justify himself by saying, "I am not claiming that the imposition of a poll tax is unconstitutional."

Of course, being a good lawyer, I assume he knows how many cases, including a recent case in Virginia, Butler versus Thompson, have held that the poll tax was constitutional. But, he said, that does not mean that Congress cannot make it unconstitutional.

In the opinion of the Senator from Virginia, Congress cannot make anything unconstitutional without reference to the meaning of changing the Constitution. That is what is proposed here. An effort is being made to try to shade the meaning, so the proposal does not mean qualifications. An effort is being made to try to shade the meaning of fraudulent practices, which, the Senator from New York says, the Federal Government has a right to control; ipso facto, he says, the imposition of a poll tax causes fraudulent practices, because we have heard of fraud being committed under it. He says: We have a poll tax; fraud has been committed in connection with it; therefore, the poll tax is fraudulent.

I believe that is the kind of argument that Cicero would have called post hoc, ergo propter hoc: If one follows the other, the other is the cause.

In calling once again the poll tax an incubus upon the body politic of the United States, the Senator from New York says that we cannot wait for the legitimate processes of a constitutional change.

The Senator from Virginia, on the contrary, does not see that there is any necessity for change. In my opinion, we are getting along very well in Virginia, nor do we deny anyone proper rights. Moreover, other States which have poll taxes feel the same way. As the distinguished Senator from Georgia said to me today, those who do not have the problem are proposing a remedy. They therefore offer to tell us what to do about poll taxes, registrars and referees.

The proposal of the Senator from New York is very serious. I am sure that the 22 Senators who cosponsor the bill would realize that if they would take the time to read the history of the Constitutional Convention, the explanation of it by Madison and Hamilton, the debates in the ratifying conventions and the decisions of the Court as these issues came before it.

I ask them to consider seriously the issue because we swore as Senators to uphold the Constitution of the United States.

Far be it from the junior Senator from Virginia to imply that any colleague would consider lightly that oath. But he does urge that they consider the principles and facts involved in such bills as this one before us.

We have a form of government which, as it is at present constituted, is older than any other in the world. It is the deliberate opinion of all who have commented on our prosperity, diversity of interests, and success as a Nation, that the only thing which has enabled us to hold together as a Nation longer than has any other form of government is the fact that we have given to the central government limited powers. We have reserved to the 48 States, now to the 50 States, powers not given to the Central Government. I am persuaded that we cannot encroach lightly upon the powers of the States and expect this wonderful experiment in representative democracy to survive.

Therefore, I say the Javits bill is a serious attack upon the rights of the States and should not be treated lightly by any Member of the Senate.

Mr. President, my purpose in taking the floor today is to point out the fallacies in the latest of a number of bills which seek to outlaw the poll tax. Specifically, my discussion will treat S. 2868, introduced on January 20 by the Senator from New York [Mr. JAVITS] for himself and other Senators.

Serious consideration of an amendment to the Federal Constitution as proposed by Senate Resolution 126 makes my task easier. For it is my conviction that the list of 66 Senators who have signed the resolution—known as the Holland resolution—is at least a demonstration of their own doubt of the constitutionality of such action by legislation. No less a person than Clarence Mitchell, of the NAACP, recognized this interpretation in his statement on Senate Joint Resolution 126 before the Subcommittee on the Judiciary—see hearings before subcommittee of the Committee on the Judiciary, on Senate Joint Resolution 126, 86th Congress, 1st session, August 17 and 27, 1959, page 71. The same fear was expressed by the Senator from New York [Mr. JAVITS] when he introduced S. 2868.

Let me add that, in my opinion, if such a result is to be effected, the proper means would be by constitutional amendment, rather than by legislative action. But I would not favor the result.

I shall turn to S. 2868 and to such new developments as there may be in a subject that has been thoroughly debated for 20 years.

THE THEORY OF S. 2868

S. 2868 would make it unlawful to require any tax or to impose a property qualification as a prerequisite to voting in a national election, or to interfere with a person's registering or voting because of his failure to pay the tax or meet the qualification. The bill states that any such action "shall be deemed an interference with the manner of holding primaries or other elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, and an obstruction of the operations of the Federal Government." In his amendment, the Senator from New York seeks to spell out what he knows is not in the law. He calls it a "manner," when, of course, he is dealing with the qualifications of electors, rather than with the manner in which they shall vote.

It is a little difficult to discover the penalties the authors of the bill have in mind for future violators of the act. This is because, unlike former bills, there is no provision for injunction, fine, or imprisonment. In my opinion, the vagueness of S. 2868 on the subject of remedies is a fitting companion of the weakness of its constitutional basis.

I would note here, however, that the present proposed legislation is less extreme than some. For instance, it does not seek to outlaw literacy or intelligence tests as did a measure introduced last July 9; on the other hand, it does outlaw property qualifications, a step often not included in the other proposals.

In the words of its sponsor, the intent of the bill is not only to eliminate poll taxes in the five States where they remain, Alabama, Arkansas, Mississippi, Texas, and Virginia, but also to remove any other economic (property) qualification for voting. Thus, if passed, it would apply to statutes on the books of Florida, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and South Carolina.

In my judgment, S. 2868 would be unconstitutional because it would conflict

with the constitutional provisions that the qualifications for electors are to be prescribed by the States.

I am comforted to find that my doubt about the constitutionality of such bills is shared by the recent report of the U.S. Commission on Civil Rights, September 9, 1959. After discussing briefly the cases' arguments in issue, the report states at page 118:

> The debate on these bills would thus seem to indicate that the constitutionality of Federal antipoll-tax legislation is at least doubtful.

That is the Commission which proposed the appointment of the registrars. Coming from such a source, it is an admission indeed.

The theme that will prove dominant in my analysis is as follows: If it is established by congressional action that Congress has the right to determine any qualification for voters in all elections, that principle can be applied to every form of qualification. Thereafter a temporary majority in the national legislature will be able to broaden or restrict the electorate to serve its own ends. It is because of this fear, that the National Government might be able to qualify the electors of the States to keep itself in power; or conversely, that the States might combine to destroy the National Government, that led to the present constitutional provisions. As will become clear in a moment, such a danger was anticipated, debated, and provided for by the Founding Fathers.

Here are the provisions of the Constitution of the United States which are involved:

Representatives, article I, section 2:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The 17th amendment, relating to the election of Senators, was recently referred to by the distinguished senior Senator from Georgia [Mr. RUSSELL]. It reads:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote.

Mr. President, mark you this. This was after the 15th amendment was adopted.

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Representatives and Senators, article I, section 4:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

ANALYSIS OF THE ARGUMENT

The first question is whether the imposition of a poll tax as a prerequisite for voting is a matter of qualification of a voter, under article I, section 2, of the Constitution, or whether it is a matter involving the "manner" of holding an election and covered by article I, section 4, of the Constitution. If the poll tax is a matter of qualification, then it is up to the State to determine what restrictions it wishes to impose, subject only to the condition that the State may not impose restrictions discriminating against prospective voters on the basis of race, color, or previous condition of servitude in violation of the 15th amendment, or against voters on account of sex in violation of the 19th amendment. If, on the other hand, the poll tax is a matter involving the "manner" of holding an election, then the Federal Government may, if it wishes, supersede the requirements imposed by the States.

Likewise, from time to time efforts are made to invalidate restrictions and discriminations in voting requirements on the ground that they violate the privileges and immunities, or equal protection, provisions of the 14th amendment.

In my opinion, the imposition of a poll tax is a matter of the qualifications of a voter, controlled exclusively by the State under article I, section 2, of the Constitution. Therefore, the Federal Government cannot under article I, section 4, of the Constitution, prohibit the imposition of a poll tax under the guise of regulating the "manner" of the election. Accordingly, article I, section 4, of the Constitution is not a proper basis for S. 2868, section 1 of which defines the imposition of a poll tax as an interference with the "manner" of holding primaries and elections for national officers.

As will be demonstrated, the Supreme Court has made it clear that poll taxes and other qualifications imposed by the States are based on article I, section 2, and are solely within the control of the State.

Moreover, Congress does not have any power to regulate even the "manner" of appointing electors for President and Vice President. Thus, if it be conceded that the qualifications of electors for these offices did relate to the manner of holding elections, the bill before the Senate would be unconstitutional. Article II, section I, of the Constitution is explicit when it provides that "each State shall appoint, in such manner as the legislature thereof may direct," the electors for President and Vice President.

So when S. 2868 tries to supersede that language, it is in the teeth of the words of the Constitution itself.

Section 1 of S. 2868 also states that poll taxes shall be deemed an abridgment of the right and privilege of citizens of the United States. This may be a reference to the 14th, 15th, and 19th amendments.

Court decisions have held that the 14th and 19th amendments do not preclude the imposition of a poll tax. Moreover, the case of Butler against Thompson, discussed later, has held that the Virginia poll tax is a valid exercise of the State's authority under article I, section 2, of the Constitution, and neither in its terms nor its application violates the 15th amendment. S. 2868, in finding that all poll taxes abridge that amendment, would not be constitutional.

In the same section of the bill is a congressional finding that poll taxes are a tax on "such rights and privileges." For the sake of argument, let us assume that such "privileges of U.S. citizens" to vote, as proponents of the bill assert, do in fact exist. Nevertheless, reasonable taxes may be imposed to raise money for the support of government.

The Breedlove case, which I shall discuss later—which case was mentioned earlier today by the distinguished Senator from North Carolina [Mr. ERVIN]—points out that so long as the statute appears to be bona fide, and that payment as a condition to voting appears a reasonable method of collection, the tax law is not forbidden by the Constitution.

These taxes as well as property qualifications are also deemed by S. 2868 to be "an obstruction of the operations of the Federal Government."

I admit I am perplexed as to what operations are intended by this clause, except by referring to the Federal Constitution. For it is that instrument which defines the scope of Federal and State powers. Therefore, we will later read it in detail to discover how it defines these so-called voting operations of the National Government.

The aim in succeeding parts of my speech is to reveal the history of State power over voter qualifications, as shown by the constitutional debates and the Federalist papers, and then to develop the court decisions which prove the assertions above. Fortunately, the framers of that document left us in no doubt on the subject.

DIFFERING QUALIFICATIONS OF THE STATE

A. The Constitutional Convention

At the outset, we should take note of the fact that in 1789 the States had rigorous and widely differing requirements for voting. These were summarized by Chief Justice Waite in his opinion in *Minor* v. *Happersett*, 21 Wall. 162 (1874), at page 172. The general requirement was ownership of property, usually real estate. In 1789 Georgia liberalized its requirements by extending the vote to those who had prepaid taxes, even though they did not qualify by property ownership. Other States followed suit. Thus, the adoption of the poll tax was not a device for restricting suffrage, but one of liberalization.

Specifically, at the time the Thirteen Original States formed the Union, the provisions of six State constitutions and the colonial charters of Rhode Island and Connecticut, in referring to a poll tax, as in New Hampshire, or to a property tax requirement, used either the word "qualifications" or the word "qualify" as applicable to those requirements for voting. For language of those documents, see hearings before a subcommittee of the Committee on the Judiciary on Senate Joint Resolution 126, 86th Congress, 1st session, August 17 and 27, pages 23–29.

These differences occasioned many debates in the Constitutional Convention on the possibility of uniform qualifications for voters.

In examining the records of the Convention, it is well to keep in mind that three principal problems were involved:

First. The first and most important question was whether the Representatives should be chosen by the people or by the State legislatures. This threshold issue was resolved in favor of popular election in the Committee of the Whole and the decision was sustained by the formal action of the Convention.

Second. Once popular election had been voted, the next question was what qualifications should be required of electors for Representatives, and whether Congress should be given any power to change the qualifications as so established. The committee of detail decided to define the qualifications of electors in the Constitution itself and to deny to Congress any power to change the definition. While some members of the Convention favored setting forth in the Constitution even more detailed qualifications for electors, the report of the committee of detail was adopted by the Convention.

Third. The next question was the extent to which the States and Congress should participate in regulating the times, places, and manner of holding elections for Senators and Representatives. The committee of detail gave the subject to the State legislatures in the first instance, with a power of revision in Congress. With some modifications, this plan was adopted by the Convention.

Popular suffrage

The decision to provide for Representatives to be chosen "by the people" rather than by State legislatures was an important one for the history of popular suffrage. Moreover section 2, article I, finally evolved:

ARTICLE I

SEC. 2. The House of Representatives shall be composed of Members chosen every second year "by the people" of the several States, and the electors in each State shall have the qualifications requisite for electors of the "most numerous branch" of the State legislature.

The quoted words also assured a broad popular base.

Nevertheless, in my opinion, too much emphasis has been laid upon this decision of the Committee of the Whole, popular suffrage, and on the words "by the people." An example of this emphasis may be found in the U.S. Commission's Report on Civil Rights—page 5, footnote 9.

To my understanding, on the contrary, the full import of the final wording of this section means the following:

As a definition of an electorate the phrase "by the people" would be entirely unsatisfactory, for it includes every living human being, even the infant in the cradle, wholly incapable of participating in an election. No State today undertakes to define its electorate as simply "the people" without any further specification.

Moreover, if the phrase "by the people" had been intended to define an electorate, then the concluding clause of article I, section 2, "and the electors of the most numerous branch of the State legislature" would have been meaningless, unnecessary, and out of place. The most numerous branches of the State legislatures in 1787 were elected by the people. If the phrase "by the people" was sufficiently definite so as to designate the electorate for Representatives, it was also definite enough to define the electorate for the most numerous branches of the State legislatures. If this was the case, the framers would have produced a clause that read something like this:

The House of Representatives shall be composed of Members chosen every second year by the same people who choose the most numerous branches of the State legislatures.

The Constitution uses a different term than "by the people" to define the electorate, or the group of individuals, who shall participate in the choice of Representatives. The term is "electors."

The question then arises as to what aggregation of individuals constitutes the group known as electors. The Constitution is specific:

And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The electors for Representatives are the groups of individuals who have the qualifications requisite to voting for Representatives. The electors, or qualified voters, in each State are defind by the Constitution as those individuals who "have the qualifications requisite for electors of the most numerous branch of the State legislature."

The very simplicity of this section tends to mislead one to take the view that the States establish the qualifications of electors for Representatives. As the U.S. Supreme Court pointed out in United States against Classic:

In a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States (313 U.S. 299, 315 (1941)).

Careful analysis shows this is not true. The Constitution itself defines the qualifications of electors for Representatives and does so in imperative language, "the electors shall have."

Article I, section 2, does not give the States any power to decide who shall vote for a U.S. Representative. A State has no power to deny the right to vote for a U.S. Representative to a person who is qualified to vote as an elector for the most numerous branch of that State's own legislature. Similarly, a State has no power to give the right to vote for a U.S. Representative to a person who is not qualified to vote as an elector for the most numerous branch of that State's own legislature. A State is simply without any power in the premises.

Just as clearly, article I, section 2, does not give the Congress, or any other branch of the Federal Government, any power to decide who shall vote for a U.S. Representative. Congress has no power to deny the right to vote for a U.S. Representative to a person who is qualified to vote as an elector for the most numerous branch of that State's own legislature. Similarly, the Congress has no power to give the right to vote for a U.S. Representative to a person who is not qualified to vote as an elector for the most numerous branch of that State's own legislature. Congress is simply without any power in the premises.

The long and short of the matter is that neither the States nor the Congress has any power over the qualifications of electors for U.S. Representatives, since this subject has been completely covered in the Constitution.

Qualifications in the committee of detail

Once popular election had been voted, the next question was what qualifications should be required of electors for Representatives, and whether Congress should be given any power to change the qualifications as so established. The committee of detail decided to define the qualifications of electors in the Constitution itself and to deny to Congress any power to change the definition. While some members of the Convention favored setting forth in the Constitution even more detailed qualifications for electors, the report of the committee of detail was adopted by the Convention.

On July 24 the Convention named a Committee of Detail to report a Constitution conformable to the resolutions adopted by the Convention. Among the resolutions referred to this committee of detail were the following:

Resolved, That the Members of the first branch of the Legislature of the United States ought to be elected by the people of the several States.

Resolved, That the Members of the second branch of the Legislature of the United States ought to be chosen by the individual legislatures (2 Farrand 129).

The papers of this committee show the development of what came to be article I, section 2, clause 1, and article I, section 4, clause 1, of the Constitution.

Among the papers of the committee of detail is the final draft, designated document IX by Farrand, in handwriting by James Wilson and emendations by Rutledge. It contains the following provisions:

The Members of the House of Representatives shall be chosen every second year, by the people of the several States comprehended within this Union. The qualifications of the electors shall be—

Then these words were stricken—

prescribed by the legislatures of the several States, but these provisions concerning them may, at any time be altered and superseded by the Legislature of the United States—

And these words were substituted—

the same from time to time as those of the electors, in the several States, of the most numerous branch of their own legislatures.

* * * * *

The times and places and the manner of holding the elections of the Members of each House shall be prescribed by the legislatures of each State; but their provisions concerning them may, at any time, be altered—

The words "or superseded" were stricken out here—

by the Legislature of the United States.

This final draft of the committee of detail is of unusual significance because it shows that the committee considered and deliberately struck out of its report a provision giving Congress the power to

alter and supersede the qualifications of electors as prescribed by the legislatures of the several States. Instead, the committee defined the qualifications of electors in the Constitution, denying the power to both the States and the Congress.

I am reading the genesis of the present language. I am showing the Senate that the framers of the Constitution considered doing what we are considering doing today. Those men who wrote the Constitution struck out that language.

If those who do not think this was the best instrument of government ever devised by the hand of man want to change it, they are free to do so. Let us not do it, however, by a bare majority of Congress that can, on another occasion, by another majority, change it again.

Mr. President, except for changes in orthography, the final draft of the committee of detail was printed and delivered to the Convention on August 6 (2 Farrand 176, 177). This report read as follows:

IV

SEC. I. The Members of the House of Representatives shall be chosen every second year, by the people of the several States comprehended within this Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures.

* * * * *

VI

SEC. I. The times and places and the manner of holding the elections of the Members of each House shall be prescribed by the legislature of each State; but their provisions concerning them may, at any time, be altered by the Legislature of the United States (2 Farrand 178–179).

The proposal of the committee on detail which I have just mentioned touched off a long debate, in which Gouveneur Morris, of Pennsylvania, advocated a uniform rule in the Constitution limiting the franchise to landowners. He objected to making the question of qualifications dependent on the will of the States, not because he thought they would unduly restrict the electorate, but because he feared they would be too generous in extending the privilege.

Oliver Ellsworth, of Connecticut, warned, however, that the right of suffrage was a tender point, carefully guarded in the State constitutions, and that tampering with it might wreck the new National Government.

James Wilson, of Pennsylvania, also took issue with Morris. He said it would be difficult to settle on a uniform rule for all States, and he pointed in particular to the possibility that a disagreeable situation might arise if electors of the State legislature and Congress were not the same.

"It would be very hard and disagreeable," Wilson said, as reported by Madison, "for the same persons, at the same time, to vote for Representatives in the State legislature, and to be excluded from a vote for those in the National Legislature"—5 Ell. Deb. 382.

George Mason, of Virginia, also contended for the very point I am stressing today—that a power to alter the qualifications of voters would be a dangerous power in the hands of the National Legislature. Once the principle is established that the Congress can make such changes, the power used at one time to expand the electorate may be used at another to restrict it, and, theoretically at least, the restriction could be carried so far that we would have a despotism.

Mr. Mason called attention to the fact that eight or nine States already had abolished landholding qualifications, although most of them continued to require some material evidence of the citizen's responsible interest in his Government.

At the conclusion of this debate the Morris proposal to limit the ballot to freeholders was defeated by a vote of seven States to one and the committee plan was adopted without a dissenting vote. Its language was changed only slightly, and became that part of section 2 of article I of the Constitution which reads:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

This ended the debate on the qualifications of voters. The people were to elect the Representatives; the qualifications of electors were to be the same as those prescribed by the States for the most numerous branch of the State legislatures.

This debate reveals the importance of the theme I earlier mentioned, that the Central Government must not be given the power to perpetuate itself by controlling electorate qualifications.

Manner of holding elections

On August 9 the Convention considered article VI, section 1, of the report of the committee on detail, which read as follows:

The times and places and manner of holding the elections of the Members of each House shall be prescribed by the legislature of each State; but their provisions concerning them may, at any time, be altered by the Legislature of the United States.

The debate which followed shows clearly the scope the Convention intended that this provision should have. The debate is reported in Madison's Journal as follows:

Mr. Pinckney and Mr. Rutledge moved to strike out the remaining part, viz "but their provisions concerning them may at any time be altered by the Legislature of the United States." The States they contended could and must be relied on in such cases.

Madison pointed out that the necessity of a Central Government supposes that the State legislatures will sometimes fail or refuse to consult the common interest at the expense of their local conveniency or prejudices.

This view of the question seems to decide that the legislatures of the States ought not to have the uncontrolled right of regulating the times, places, and manner of holding elections. * * * It was impossible to foresee all the abuses that might be made of the discretionary power. Whether the electors should vote by ballot or viva voce, should assemble at this place or that place; should be divided into districts or all meet at one place, and all vote for all the Representatives; or all in a district vote for a number allotted to the district; these and many other points would depend on the legislatures. * * * Whenever the State legislatures had a favorite measure to carry, they would take care so to mould their regulations as to favor the candidates they wished to succeed.

I digress to mention a little point of colonial history in Virginia. What Madison was concerned about was that the legislature might do this if the Federal Government did not have any power over the times, places, and the manner of holding elections.

The enemies of James Madison, who led the fight for the ratification of the Philadelphia Constitution, redistricted his home of Orange and carried the district clear down to Richmond, with the intention of defeating him in his race for election to the U.S. House of Representatives. His opponents came pretty close to defeating Madison under the provision about which I am talking and which it was said might sometimes be abused. That was an early illustration, the first I know, of gerrymandering, when the opponents of ratification did it. The provision only carried by a majority of nine in the convention, and the opponents retaliated against the chief architect, the man who promised to carry out the intention of the convention by proposing for adoption the Mason bill of rights and the 9th and 10th amendments. They were to resolve the doubts raised by Patrick Henry and Mason, that we were framing a new instrument of oppression of the States and the people thereof. His opponents almost gerrymandered Madison out of political life.

Mr. King then said:

If this power be not given to the National Legislature, their right of judging of the returns of their Members may be frustrated. No probability has been suggested of its being abused by them.

The motion of Mr. Pinkney and Mr. Rutledge to remove control by the Federal Government did not prevail.

On the motion of Mr. Read the word "their" was struck out, and "regulations in such cases" inserted in place of "provisions concerning them." The clause then reading "but regulations, in each of the foregoing cases may at any time, be made or altered by the Legislature of the United States." This was meant to give the National Legislature a power not only to alter the provisions of the States, but to make regulations in case the States should fail or refuse altogether.

Those are Madison's notes I have quoted:

Article VI, section 1, as thus amended was agreed to (be sent to the convention) (2 Farrand 239–42; see also 2 Farrand 229, 244).

The committee of style reported back the Constitution, with only slight changes in phraseology in these provisions, on September 12 (2 Farrand 582, 585, 590, 592). When the report was considered, the Convention made one change in article I, section 4, reported by Madison in the following language:

Article I, section 4: "Except as to the places of choosing Senators" added nem: con: to the end of the first clause, in order to exempt the seats of government in the States from the power of Congress (2 Farrand 613).

In this form these provisions of the proposed Constitution were approved and submitted to the States for ratification (2 Farrand 651, 653).

In summary, the records of the Federal Convention of 1787 show that the Convention was closely divided on whether there should be popular election of Representatives. After popular election was accepted, the Convention divided on the extent to which the qualifications of electors should be written into the Constitution and whether Congress should be given any power in the premises.

I am sure Senators remember the words of Benjamin Franklin when he proposed this solution:

> In this emergency, when we are groping in the dark, as it were, to discover political truth, and scarce able to perceive it when presented to us, why has it not once occurred to us to ask the Father of Light to illuminate our understanding?

That indicates not only the great wisdom but also the great statesmanship of the best qualified group of men who ever sat down to frame a constitution in the history of the world. They had studied history all their lives, and they came forth with one of the greatest documents in all political history. Yet we think we can lightly amend it, or pass an act of Congress, forgetting our oaths to support the Constitution. That is the thing that makes this issue so vital to me, and to the future of our Nation.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. TALMADGE. I compliment my distinguished friend and colleague from Virginia on the able and scholarly speech he is making on this subject.

My own State of Georgia repealed the poll tax 15 years ago, but I do not think that necessarily means that Virginia or any other State ought to repeal its poll tax merely because the State of Georgia has done so.

Does the Senator believe that the Congress has demonstrated any superior knowledge as to how the affairs of Virginia or Oregon should be conducted, as compared with the knowledge possessed by the General Assembly of Virginia or of the State of Oregon?

Mr. ROBERTSON. The Senator from Virginia, as a college boy, studied Woodrow Wilson and read his books. He was a Woodrow Wilson delegate to the State convention at Norfolk in 1912, and he thought that Woodrow Wilson, as a political philosopher, was about as near to Thomas Jefferson as anyone in modern times. The junior Senator from Virginia thought that no one could be more correct than Woodrow Wilson when he said:

> I do not want a smug lot of experts to sit down behind closed doors in Washington and play providence for me.

That summarizes his statement, the principle of which I am trying to emphasize. We would not have had a Federal Government if we had not been willing to protect the rights of the States.

Of course, the States can handle their domestic affairs better than can the Central Government in Washington. As Thomas Jefferson said, whenever we must be told from Washington when to sow and when to reap, we shall lack for bread. I could not agree with my friend from Georgia more completely. Certainly the Congress has not shown any superior wisdom over that of the States in conducting the domestic affairs of the country.

Mr. TALMADGE. Does not the distinguished Senator feel that the legislatures of the 50 States of the Union are closer to the people, and are better qualified to judge what laws they should have regarding their election machinery, than any agency that operates through compulsion, be it by means of a constitutional amendment, legislation, or otherwise, from Washington, D.C.?

Mr. ROBERTSON. I could not agree more completely. That was one reason I was so emphatic in my support in 1950 of the Senator's senior colleague [Mr. RUSSELL] for the Presidency. He had served as Speaker of his State's house of representatives. He was probably the youngest man who had ever served in that capacity. He knew county government. He knew the legislature. He had served as Governor and had served in the National Legislature. He knew this Government from the grassroots on up. He knew enough so that as President he would not have tried to run every little precinct from Washington and tell it what to do.

Mr. TALMADGE. Mr. President, will the Senator further yield?

Mr. ROBERTSON. I yield.

Mr. TALMADGE. Is it not true that the more remote government is from the people, the less responsive it is to the will of the people?

Mr. ROBERTSON. The Senator is absolutely correct.

Mr. TALMADGE. Is it not true that when we centralize all regulatory power in the Central Government, far removed from the people, that is the beginning of dictatorship, under which the people cannot control the Government, but rather are controlled by the Government?

Mr. ROBERTSON. The Senator is correct. The great bulwark against any drift into socialism, and eventually from socialism into dictatorship, is the rights of the 50 sovereign States. When we break those down, we destroy the great protection the framers of our Constitution intended for the preservation of the Republic as a representative form of government.

The final decision was to deny Congress all power. Qualifications of electors were defined in terms of an objective standard—the qualifications fixed by the people of the several States for electors for the most numerous branches of their own legislatures. Over strong opposition Congress was given power to regulate times, places—except as to Senators—and manner of holding elections.

As has been indicated, the members of the Constitutional Convention were conscious of the need to satisfy the people of the various States sensitive on the subject of suffrage rights. It was therefore one of the subjects which received close attention in The Federalist Papers written at the time to convince the State conventions to adopt the Constitution.

B. The Federalist

In No. 52 of the Federalist, it was written—we think perhaps by Hamilton:

> The definition of the right of suffrage is very justly regarded as a fundamental article of republican government.

The Federalist author continued:

> It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone.

I call attention to the following words of the paragraph in the quotation:

> To have reduced the different qualifications in the different States to one uniform rule would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention.
>
> The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is comformable to the standard already established, or which may be established by the State itself. It will be safe to the United States because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge rights secured to them by the Federal Constitution.

Then, in the "Fifty-fourth Federalist," it was remarked:

> The qualifications on which the right of suffrage depend are not, perhaps, the same in any two States. In some of the States the difference is very material.

C. Ratifying conventions

Later, at the Massachusets ratifying convention, in answer to a query as to whether Congress might prescribe a property qualification for voters, Mr. Rufus King, a member of the Federal Convention, said:

> The idea of the honorable gentleman from Douglass transcends my understanding; for the power of control given by this section extends to the manner of elections, not the qualifications of the electors.

And James Wilson, who had warned in the Constitutional Convention of the difficulty that might result if qualifications of State and national electors were different, had this to say in the Pennsylvania convention:

> In order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States, there can be no electors of them; if there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction, the existence of State legislatures is proved to be essential to the existence of the General Government.

Those familiar with the Virginia ratifying convention know that Patrick Henry opposed the ratification of the

Constitution on the ground that it gave the Federal Government too much power. One issue was whether the Federal Government could pass on the qualifications of the voters or whether Virginia, as in the past, could fix those qualifications. If the latter, the Federal Government would merely determine the times, places, and manner, if it wished to do so, of holding those elections, but those who had the right to vote under the State law would then freely participate.

Wilson Nicholas, a member of the Virginia convention, gave the members positive assurance that the Federal Government could not and never would undertake to pass upon and fix the qualifications of voters.

He was a little too optimistic. But that was the assurance.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. I hope the Senator does not mean to impugn the good faith of the delegate Nicholas. I do not believe that any member of the Convention at that time would ever have thought that any Member of Congress would propose a statute undertaking to invade the right of the States to fix the qualifications of voters.

Mr. ROBERTSON. The Senator is correct. It was inconceivable to them. They could not believe that the time would ever come when anyone would stand on the floor of either House of Congress and propose a law to fix the qualifications of voters in any State.

Virginia agreed to ratify the Constitution only on the assurance that the first session of the Congress would propose bill-of-rights amendments to the Constitution, and even went a step further when the Convention named a committee, headed by Gov. Edmond Randolph and including James Madison and John Marshall, to draft a form of ratification that would include certain reservations as to States rights.

I want my southern friends to be reminded of the conditions under which Virginia entered the Union, and the conditions under which she left the Union in 1861. That was when Mr. Lincoln called for 75,000 volunteers to whip 5 Southern States back into the Union.

The resolution reported by that committee and adopted by the Convention said:

> The powers granted under the Constitution, being derived from the people of the United States, be resumed by them whensoever the same shall be perverted to their injury or oppression, and at their will.

Alexander Hamilton could not persuade New York to ratify the Constitution until the same reservation was adopted with respect to that State.

In explaining the voting plan to the North Carolina Convention, John Steele, like Wilson Nicholas, said:

> Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors: The power over the manner of elections does not include that of saying who shall vote. The Constitution expressly says that the qualifications are those which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine who these electors shall elect—whether by ballot, or by vote, or by any other way.

In summary, the records of the State ratifying conventions show that there was strong opposition to giving Congress any control over elections. The explanations given in the conventions, demonstrating that the powers of Congress were very limited and did not extend to voter qualifications, sufficiently allayed the fears of the people so that the Constitution was ratified by a sufficient number of States.

SENATORS AND THE 17TH AMENDMENT

The significance of these limitations is reinforced by the adoption as late as 1912 of the 17th amendment. It provided for popular election of Senators in language identical to that of article I, section 2. This amendment says:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Thus, the Constitution and the amendments make it even clearer that Congress has no power over the qualifications of electors for Senators than it does in the case of Representatives.

If the manner of holding elections does include, as the bills before the Senate purport to declare, the power to fix qualifications for electors, Congress would still have no power to establish the qualifications of electors for Senators. On the contrary, the adoption of this viewpoint takes from Congress the power to regulate the manner of holding elections for Senators.

This is because the 17th amendment expressly provides that the electors for Senator "shall have the qualifications requisite for electors of the most numerous branch of the State legislatures," but the amendment is silent as to the power of Congress to regulate the "time" and "manner" of holding elections. If there is a conflict, the provision of the 17th amendment defining the qualifications of electors, being express and late in time, must prevail over the earlier provision contained in article I, section 4.

Such legislation, it should be remarked, was adopted after more than a century of experience with the suffrage provisions contained in the Constitution and also after there had been ample time to observe operations of the newer poll taxes which were adopted between 1875 and 1908. It is a matter of record, however, that when the 17th amendment was debated in Congress, no issue was raised on the right of the States to determine the qualification of electors. But, on the contrary, serious consideration was given to a proposal to take away from Congress, by amendment, the authority to alter the times, places, and manner of holding elections.

The Senator from Florida [Mr. HOLLAND] recently called attention to the fact that ratification of this amendment was necessary by four out of five Southern States—North Carolina, Texas, Arkansas, Tennessee, and Louisiana. Each of these at that time in its constitution had poll tax requirements for voting for the election of the most numerous branch of their State legislature—for the constitutions at the time, see hearings on Senate Joint Resolution 126, before a subcommittee of the Committee on the Judiciary, 86th Congress, 1st session, August 17 and 27, pages 31 to 39.

Let us see how the framers interpreted the word "manner." That is what is being relied on in the Javits bill, which will be offered as a substitute.

Federalist interpretation of "manner"

Study must now be given to the fourth section of article I. It reads:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The main purpose of this section was to enable both bodies, the State and Federal Governments, to preserve themselves by the regulation of elections. In No. 59, Federalist, Hamilton wrote:

> It will, I presume, be as readily conceded that there were only three ways in which this power could have been reasonably modified and disposed; that it must either have been lodged wholly in the National Legislature, or wholly in the State legislatures, or primarily in the latter and ultimately in the former. The last mode has, with reason, been preferred by the Convention.
>
> They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Note that Hamilton, always an advocate of strong Central Government and fearful of State encroachments, in attempting to win support for the compromise provisions of the Constitution which he had helped to frame, claimed no more than that the national authority might interpose itself in the regulation of elections when necessary to its safety.

He argued that giving the exclusive power of regulating elections for the National Government to the State legislatures would leave the existence of the Union at their mercy, since they could annihilate it simply by refusing to hold any election for national officials. This is another recurrence of the theme I have tried to develop.

Turning then to the other side of the picture he said:

> Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of State governments?
>
> The violation of principle, in this case, would have required no comment; and to an unbiased observer, it would not be less apparent in the project of subjecting the existence of the National Government, in a similar respect, to the pleasure of the State governments. An impartial view of the matter cannot fail to result in a conviction, that

each, as far as possible, ought to depend on itself for its own preservation.

Continuing his discussion in the Sixtieth Federalist, Hamilton said that with the House of Representatives being elected directly by the people, the Senate by the State legislatures, and the President by electors chosen for the purpose by the people, there would be little probability of a common interest to cement these different branches in a predilection for any particular class of electors.

As to the Senate he said:

It is impossible that any regulation of time and manner, which is all that is proposed to be submitted to the National Government in respect to that body, can affect the spirit which will direct the choice of its members.

Also discussing article I, section 4, in the Virginia ratifying convention, Mr. Madison explained:

It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these, in the first place, to the State governments, as being best acquainted with the situation of the people, subject to the control of the general Government, in order to enable it to produce uniformity and prevent its own dissolution.

And, considering the State governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But if they be regulated properly by the State legislatures, the congressional control will very probably never be exercised.

This, it should be remarked, deals only with the times, places, and manner of holding elections and not with qualifications of voters since, under the provision of article I, section 2, a State could not attempt to dissolve the General Government by disqualifying voters without automatically dissolving its own government.

It is essentially a distinction between substance and procedure. This distinction was made by a concurring opinion in *Newberry* v. *U.S.* (256 U.S. 232, 280 (1920)). Attempting to prove that primaries are a part of elections, Justice Pitney said that the manner of holding elections "can mean nothing less than the entire mode of procedure—the essence, not merely the form, of conducting elections."

Arguments have been made that "manner" does not refer merely to procedure of elections; but to accept that premise is to agree to what the entire thrust of the constitutional debates refute, that the Central Government could impose uniform franchise qualifications. Rather, Hamilton argues that once the States set up a qualification, the Central Government could insist that it be carried out, that is, that elections be held. Hamilton's analysis was quoted by the majority opinion in Newberry against United States, where Justice McReynolds states that "manner" of holding elections does not mean power broadly to regulate them—pages 255 to 256.

Proponents, in the past, have sought to support legislation similar to that now before the Senate by claiming that to give article I, section 2, its natural meaning is to create a monstrosity, which will be used at any moment to destroy the Nation. The argument is that to allow the States the power of determining the electorate for Federal officials is to give the States the power to destroy the Federal Government. It is never made clear why the people of the several States, or of any single State, would want to do this, or how they would go about accomplishing this objective. Such an argument, based on an imagined evil, made in the year 1960 about a Federal Government that has lasted 170 years, survived a Civil War, and has continually grown stronger, needs no rebuttal.

Moreover, section 4, article I has been used as the author foresaw, to protect a Federal election from corruption. This will become evident later.

The foregoing history is convincing evidence that the members of the Constitutional Convention and the ratifying conventions intended the Constitution to give to the States and to the States only the authority to prescribe qualifications for voters. The courts have for years followed this interpretation.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. I am glad the Senator will discuss these decisions. It may be of some help to us if the Senator would give the year when each decision was rendered.

Mr. ROBERTSON. I will do that.

Mr. RUSSELL. My attitude toward the court is somewhat like that of a connoisseur toward wine; the year of the vintage has a great deal to do with my conclusions as to the decision.

Mr. ROBERTSON. The Justices who rendered these decisions were very fine jurists, even though some of them may not be inscribed on the walls of fame. These are all Supreme Court decisions, and they are all in line with the principle that the time, place, and the manner of holding elections have nothing to do with qualifications; and that poll taxes are a qualification, and therefore Congress has no jurisdiction over them.

Mr. RUSSELL. I do not believe the Senator will find anything in any decision in any year which is contrary to that general statement. I think that has been uniformly held by the Supreme Court.

COURT INTERPRETATION OF SECTIONS 2 AND 4 OF ARTICLE I

Mr. ROBERTSON. I quote first from an 1884 decision. That is rather far back.

In *ex parte Yarbrough*, 110 U.S. 651 (1884), the Court said, after quoting section 2, article I:

The States, in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress (at 663).

The case just cited was followed by *Swafford* v. *Templeton*, 185 U.S. 487 (1902). It involved the question of whether a person qualified to vote under State laws, who is wrongfully denied that right, has a cause of action for damages arising under the Constitution of the United States.

In answering this question in the affirmative, the Court interpreted Yarbrough in this way:

That is to say, the ruling was that the case was equally one arising under the Constitution or laws of the United States or from violation of a State law which affected the exercise of the right to vote for a Member of Congress, since the Constitution of the United States had adopted, as qualification of electors for Members of Congress, those prescribed by the State for electors of the most numerous branch of the legislature of the State (at 492).

Please note that since it is the Constitution which adopts them, rather than Congress, that body is without power to alter such adoption.

Likewise, in *McPherson* v. *Blacker*, 146 U.S. 1, 27, 35 (1892), a case involving the jurisdiction of the Supreme Court to review the constitutionality of a State law providing for presidential electors, section 2, article I, was discussed.

The Constitution does not provide that the appointment of electors shall be by popular vote, nor that the electors shall be voted for upon a general ticket, nor that the majority of those who exercise the elective franchise can alone choose the electors. It recognizes that the people act through their representatives in the legislature, and leaves it to the legislature exclusively, to define the method of effecting the object.

Mr. Chief Justice Fuller also said in his opinion in this case:

In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray *In re Green* (134 U.S. 377, 379 (33: 951, 952) "no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as the electors of Representatives in Congress." Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States, but otherwise the power and jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded.

State power over definition of voter qualification was again affirmed by the Supreme Court as recently as June 8, 1959. In *Lassiter* v. *Northampton County Board of Elections* (360 U.S. 45), involving an illiteracy test, Justice Douglas said:

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised [citations omitted], absent, of course, the discrimination which the Constitution condemns (at 50).

WARTIME LEGISLATION FOR SOLDIERS

The distinguished Senator from New York [Mr. JAVITS] raised the question of the freedom of members of the armed services from the poll tax. In my opinion, there is no analogy at all, for that was a war measure. Since members of the armed services could not come to their place of residence to vote, Congress said, in effect, "We will send the ballots to them, wherever they are." Congress determined the time, place, and manner, as a war measure, and sent the ballots to them.

I am not certain whether it carried a prohibition against the poll tax, or whether Virginia simply adopted a conforming law. But we sent ballots to the men in the armed services and did not even require them to register or pay a poll tax. We relied on their service record to show that they were 21 years old, which was the requirement of our State, and that their legal residence was in Virginia, and that they could vote.

I remember very well that I was in the House the first year the law took effect. With great trouble, I got the name and address of every member of the Armed Forces in the Seventh Congressional District and wrote him a letter in which I stated that I hoped he would vote. I did not ask him to vote for me; I simply expressed the hope that he would vote. Let us bear in mind that nobody wanted to raise a legal question about whether a member of the armed services, who was engaged in defending our liberties, should have the privilege of voting. Therefore, Members of Congress did not question the constitutionality of such legislation.

Moreover, no court has ever ruled on the validity of the Soldiers' Voting Act. In order to cite its passage by Congress against the decisions interpreting sections 2 and 4 of article I, the Senator from New York should discover a court ruling upholding the constitutionality of the act. I believe he can produce none.

PROTECTION AGAINST CORRUPTION OF FEDERAL ELECTIONS

The theory of protection against corruption of qualified voting has been developed both under section 2 and 4, article I.

Controversy over the extent to which the power of the United States can be employed to protect the integrity of national elections has arisen on several occasions. Efforts to exercise the Federal power have proceeded predominantly under criminal statutes against conspiracies.

Subsequently, a number of cases have arisen dealing with protection of the integrity of national elections. The Supreme Court held that—

(1) The failure of an election board to include the vote of 11 precincts for congressional candidates was unlawful because the right to vote includes the right to have the vote counted honestly and fairly.

(2) A conspiracy to bribe voters at an election for national officers was not an interference with rights guaranteed by article I, section 2, to other qualified voters.

(3) It was unlawful for election officials to conspire to stuff a ballot box at which a U.S. Senator is being chosen.

The three preceding paragraphs are taken from the report of the United Commission on Civil Rights, pages 108–109.

The main discussion of the Court in Yarbrough was interpretation of section 4, article I, Congress power over the "manner" of holding elections. The theory of protection against corruption was first developed in this case.

Yarbrough and others were prosecuted for interfering by physical attack with the exercise of the right to vote of certain qualified voters in an election of a Member of Congress from Georgia. After holding that Congress under the quoted section could pass an act prohibiting such violence, Justice Miller wrote:

Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud? (At 661.)

It was not until Reconstruction, however, that the Congress, choosing to exercise extensively its powers under article I, section 4, passed the comprehensive Enforcement Act of 1870 and kindred measures.

It was made a Federal offense to register falsely, to vote without legal right, to make false returns of votes cast, or to bribe or interfere in any manner with officers of elections. It was also made a Federal offense for any officer of elections to neglect duties imposed and required by a State or Federal law.

In 1894, Congress repealed, as I pointed out in a colloquy earlier in the day between the junior Senator from Georgia [Mr. TALMADGE] and myself, the portions of this Reconstruction legislation which dealt specifically with elections, but left effective the portions relating to civil rights generally.

The constitutionality of these laws was challenged a number of times before 1900. As a result of these challenges and resultant court interpretation, the following observations are warranted:

First. Congress need not assume the entire regulation of elections for Senators and Representatives but can make partial regulations to be carried out in conjunction with the States.

Second. Enforcement of article I, section 4, may involve two sets of sanctions: (a) The State may enforce their own regulations; and (b) Congress may both punish delinquency of Federal officers and restrain persons who attempt to interfere with the performance of their duties.

Third. Congress is empowered under article I, section 4, to enact legislation protecting a voter from personal violence or intimidation, and the election itself from corruption and fraud—*Ex parte Yarbrough* (110 U.S. 651, 661 (1884)); *United States* v. *Mosley* (238 U.S. 383, (1915)); *United States* v. *Saylor* (322 U.S. 385 (1944)).

Fourth. Federal officers and employees who solicit or receive contributions to procure the nomination of a particular candidate in a State primary election may be punished pursuant to article I, section 4—*United States* v. *Wurzbach* (280 U.S. 396 (1930)).

Fifth. The right of the Federal Government to regulate primary elections conducted under State law for the nomination of Members of Congress is now settled where such primaries are effectively made or sanctioned under State law as "an integral part of the procedure of choice or where in fact the primary effectively controls the choice"—*United States* v. *Classic* (313 U.S. 299, 318 (1941)).

The foregoing summary of the enforcement act is from the Civil Rights Commission Report, pages 114–115.

It is here in the realm of protection that *United States* v. *Classic* (313 U.S. 299, 320 (1941)) is appropriate. It points out that section 4 of article I is supplemented by the power of Congress to pass implementing legislation under the necessary and proper clause, article I, section 8, clause 18. The case does not stand for a general regulation of qualifications, for the holding of the case was that a primary was a part of a general election.

The foregoing authorities demonstrate that the Federal Government may protect the purity of its elections—but to equate all poll tax statutes with corruption is to miss the point. Those who believe corruption is the result have power to pass Federal legislation specifically outlawing such abuses as the purchase of poll tax receipts.

The distinguished Senator from New York is trying to equate the congressional power to protect Federal elections against corruption with the poll tax, saying, therefore, that the Federal Government can control that form of corruption by abolishing the poll tax. I maintain that there is no just relationship between the power to insure clean elections and the poll tax or any other property tax which a State has seen fit to impose on everyone in the State who votes for members of the most numerous branch of the legislature. But if the assessment is carried out without discrimination, as a Virginia case I shall quote directly said, the courts have uniformly held that it was within the right of the State to do so.

I have endeavored to show that the purpose of the two sections of the Constitution when written and as judicially interpreted does not admit of any restriction on State power to define voter qualifications. Nowhere in the body of the original Constitution will be found a restriction on the discretion of the States in fixing the qualifications of voters. However, restrictions were later added by the 14th, 15th, and 19th amendments. I point out that they were made effective by amending the Constitution, which is the only proper approach that should be taken by those who seek to eliminate the poll tax requirement.

What is the nature of these restrictions? Do they forbid a poll tax qualification?

THE MEANING OF THE 14TH AND 19TH AMENDMENTS

The 14th amendment provides:

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they

reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

In *Minor* v. *Happersett*, 21 Wall. 162 (1874), following the adoption of the 14th amendment, a woman argued that a Missouri law which limited the franchise to men deprived her of citizenship rights which the amendment gave her. The court denied her claim, because the right to vote before the amendment was not necessarily one of the privileges or immunities of citizenship, and the amendment did not add to them. "It simply furnished an additional guaranty for the protection of such as she already had"—at page 171.

The court concluded with the statement that it was "unanimously of the opinion that the Constitution of the United States does not confer the right of suffrage upon anyone, and that the constitutions and laws of the several States which commit that important trust to men alone are not necessarily void"—at page 178.

In *U.S.* v. *Cruikshank* (92 U.S. 542, 554–555), decided in 1875, it was said:

The 14th amendment prohibits a State from denying to any person within its jurisdiction the equal protection of the laws; but this provision does not, any more than the one which precedes it, and which we have just considered, add anything to the rights which one citizen has under the Constitution against another. The equality of the rights of citizens is a principle of republicanism. Every republican government is in dutybound to protect all its citizens in the enjoyment of this principle, if within its power. That duty was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more. The power of the National Government is limited to the enforcement of this guaranty.

In the case of *Breedlove* v. *Suttles* (302 U.S. 277, 238 (1937)), a Georgia statute making a poll tax a voting prerequisite to Federal and State elections was attacked on the ground that it violated the 14th and 19th amendments. The tax in question applied to all inhabitants of Georgia between the ages of 21 and 60, with an exception for females who did not register for voting. The court held that the classification of the law, not being an invalid discrimination, did not violate the equal protection clause of the 14th amendment. The court also held that the exemption for women who did not vote was not in violation of the 19th amendment. In the course of its opinion the court also stated clearly that the poll tax was not prohibited by the privileges and immunities clause of the 14th amendment and was a proper qualification for voting for the States to impose:

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. *Minor* v. *Happersett* (21 Wall. 162, 140 et seq.). *Ex Parte Yarbrough* (110 U.S. 651, 664–665). *McPherson* v. *Blacker* (146, U.S. 1, 37–38). *Guinn* v. *United States* (238 U.S. 347, 362). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources. *Hamilton* v. *Regents* (293 U.S. 245, 261).

There have been attempts to distinguish the Breedlove case on the grounds that the voting registration was for both State and Federal elections, and thus the necessity for a State to control its own election dictated the result.

But the distinction appears without merit since a later case solely involved a Federal election, *Pirtle* v. *Brown* (C.A. 6 (1941), 118 F. 2d 218, cert. den., 314 U.S. 621).

This case grew out of the complaint of a citizen of Tennessee, otherwise qualified, who was refused the right to vote in a special election to fill a vacancy in the House of Representatives because he had not paid his poll tax.

If there could be a more direct issue before the court than that, I do not know what it could be. That is the very issue before us now. He wanted to vote for a Member of Congress, and he had not paid his poll tax. The State officials said, "You cannot vote." The district court found against him. The decision was affirmed unanimously by the Sixth Circuit Court of Appeals, whose opinion followed closely the reasoning of Mr. Justice Butler in the Breedlove case.

The Supreme Court was asked to review the case, but, on October 13, 1941, the petition was denied, without any opinion or statement.

This case is highly significant because only a special election for a Member of Congress was involved, and the refusal of the Supreme Court to review it came as a great disappointment to those who had tried to discount the Breedlove case on the ground that both a State and a Federal election were involved.

TAX ON A NATIONAL FUNCTION

These two cases also serve to destroy the notion, sometimes advanced, that a poll tax is a tax on a national function, that of voting, and hence unconstitutional. Section I of S. 2868 makes a congressional finding that the tax is on the rights and privileges of citizens of the United States—to vote? For the sake of argument, let us assume that such privileges to vote, if that is what is intended by the phrase, do in fact exist as privileges of national citizenship.

The taxes imposed by the five poll-tax States do not assess voters as a class, however. In the constitution of each State, exemption is made for certain categories of voters, such as those over 60 or incapacitated. On the other hand, a large class of inhabitants ineligible to vote at all, such as aliens or others not able to meet the residence requirement, are still liable for the tax.

The purpose served by these taxes, ranging from a dollar to three dollars, is for the general school fund of each of these States. That is a legitimate purpose for incidence of State taxation.

Upon the whole, we think it is reasonable to conclude that the provisions requiring the payment of the tax as a prerequisite to voting do not so much connote a levy and assessment as they do an effective method of collection. They do not levy a poll tax upon any voter. They give due recognition to the poll tax assessment laws hereinbefore quoted, *Pirtle* v. *Brown* (at 220).

The central idea, expressed by Pirtle, that a legitimate purpose for which to raise funds has found a reasonable means of collection, is also expressed by Breedlove:

Payment as a prerequisite is not required for the purpose of denying or abridging the privilege of voting. It does not limit the tax to electors; aliens are not there permitted to vote, but the tax is laid upon them, if within the defined class. It is not laid upon persons 60 or more years old, whether electors or not. Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but that use of the State's power is not prevented by the Federal Constitution (at 283).

THE MEANING OF THE 15TH AMENDMENT

The restrictions of the 14th and 19th amendments have been studied. I should now like to examine that of the 15th, which reads:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

In *United States* v. *Reese* (92 U.S. 214 (1875)), the Court construed a statute passed under Congress' power of section 2 to enact appropriate legislation. The act was invoked by the applicant because his failure to pay a poll tax enabled the inspectors to prohibit his voting in a municipal election. In the opinion of Chief Justice Waite, the following statement is made:

Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress.

The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not.

See also *Quinn and Beal* v. *United States* (238 U.S. 347, 362 (1915)), where Chief Justice White stated for the Court that the States retained the power under article I, section 2, to establish qualifications of voters, "except, of course, as to the subject with which the amendment—15th—deals and to the extent that obedience to its command is necessary."

The same question arose in the Virginia poll tax case, Butler against Thompson. That is about the last case directly on the subject. It was decided in 1951. Circuit Judge Dobie, who was a brilliant teacher at the University of Virginia and a fine member of the court of appeals, rendered the opinion.

VIRGINIA POLL TAX HELD VALID

The question of Virginia poll tax as a prerequisite to voting was reviewed by

a special three-judge court as recently as 1951 in *Butler* v. *Thompson*, D.C.E.D. Va., 97 F. Supp. 17, affirmed, 341 U.S. 937. Judge Dobie quoted from an earlier opinion in the case of *Saunders* v. *Wilkins*, 152 F. 2d 235, 237, as follows:

The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252, held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Then followed the quotation from Breedlove against Suttles, which I quoted earlier.

The latter part of Butler against Thompson discussed the general principle that a statute may be administered in such a fashion as to be unconstitutional even though it is fair on its face, under the 14th amendment, as in *Yick Wo* v. *Hopkins*, 118 U.S. 356, or under the 15th amendment as in *Lane* v. *Wilson*, 307 U.S. 268. Judge Dobie reviewed the administration of the poll tax in Virginia and came to the conclusion on the basis of the evidence presented to him that it was being fairly administered, without discrimination on the basis of race.

Accordingly, Judge Dobie, speaking for the unanimous three-judge court, held that the Virginia poll tax statute did not violate either the 14th amendment or the 15th amendment, and was valid under article I, section 2 of the Constitution of the United States.

ENABLING LEGISLATION OVER POLL TAXES PREEMPTED BY COURT DECISION

S. 2868 and similar bills would make unlawful all poll taxes as a prerequisite for voting, presumably as a violation of the 14th or 15th amendments. On its face, S. 2868 would prohibit the Virginia poll tax as a prerequisite for voting. But the case of Butler against Thompson, above, had held that the Virginia poll tax is a valid exercise of the State's authority under article I, section 2, of the Constitution, and neither in its terms nor in its application violates the 14th or 15th amendments. S. 2868 purports to make a congressional finding of a fact which the Supreme Court has held not to be a fact. It exceeds the power of the Congress under the 14th and 15th amendments to enforce those amendments by appropriate legislation.

REPUBLICAN FORM OF GOVERNMENT

Not more than passing attention need be given to argument based on section 4, article IV, so dear to the Senator from New York. This section provides:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

Under this section it is contended that Congress may pass appropriate legislation under the "necessary and proper" clause to outlaw the poll tax because it reduces the size of the electorate, therefore denying a republican form of government. It is added that this legislation will not be unconstitutional since the Supreme Court historically has refused review of such a political question.

The short answer to this approach is that the definition of a republican form of government may only be found by examining those of the States when they adopted the Constitution. Among the qualifications which prohibited universal suffrage were tax statutes, including poll taxes. See the explanation of this section by Madison in No. 43, Federalist. Moreover, such is the judicial interpretation, Minor against Happersett, above, at pages 175 to 176.

CONCLUSION

Any attempt of the Congress to invade the rights of the States to fix the qualifications of their electors would be a serious threat to constitutional government. The reason for this conclusion is the theme that I have developed today:

The supposed power that Congress is asked to exert in order to abolish the requirement of poll tax payment or property qualifications as a prerequisite to voting for Representatives, is a power that the Congress can likewise exert to impose as prerequisites to voting.

I remind Senators, this includes both. There are five poll tax States in the South, and seven which have property qualifications elsewhere, some in the North.

It is impossible for a poll tax or property requirement to bar a person from being an elector for the most numerous branch of a State legislature, without also barring the same person from being an elector for a U.S. Representative. It is impossible because the Constitution says so. The Constitution says that the electors for U.S. Representative shall be the same as the electors for the most numerous branch of the State legislature. That is, the electors for the different offices shall have the same qualifications, for it is not necessary that qualified electors should vote for either or both offices.

The reason why the framers of the Constitution denied Congress any power over the qualifications of electors for Representatives is easy to find. They wanted to place this important power in disinterested hands. The framers of the Constitution succeeded in doing so, insofar as it was humanly possible, by using an objective standard.

No one directly establishes the qualifications of electors for Representatives. The qualifications are established indirectly, or in the most disinterested way that could be devised, when the people of the several States establish the qualifications of electors for the most numerous branches of their own legislatures. Could anyone say that the Members of Congress are disinterested in this matter? It is sometimes thought that the Members of Congress are interested in continuing in office—in being reelected. Because of this great self-interest on the part of Congress, it is only natural that the Constitution denies to Members of Congress any power of prescribing the qualification of their own electors.

The basic constitutional right, guaranteed to the people of the United States by article I, section 2, is that of free elections. Free elections require that the qualifications of the electors for Representatives shall be fixed by disinterested persons in a disinterested manner. The bills before the Senate violate this fundamental constitutional right.

The qualifications of electors for Representatives and Senators are defined in the Constitution by reference to an objective standard—the qualifications of electors for the most numerous branches of the State legislatures.

I hope I have now demonstrated what the voting "operations" of the National Government are—and how they may only be ascertained by reference to the Constitution.

These qualifications are subject to change in only two ways: First, by the people of each of the several States, acting individually and disinterestedly, to redefine the qualifications of electors for the most numerous branch of the State legislature; second, by the people of the several States, acting collectively and disinterestedly, to redefine, by the process of amendment in the manner prescribed in article V, the qualifications of electors as previously set forth in the Constitution.

The people of the several States have used the first method many times to change the qualifications of electors. The people of the several States have used the second method, constitutional amendment, three times in the last 90 years.

In 1869–70 Congress proposed and three-fourths of the States ratified the 15th amendment, which guarantees that the right of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. If Congress has the power to redefine the qualifications of electors the 15th amendment was unnecessary.

In 1912–13 Congress proposed and three-fourths of the States ratified the 17th amendment providing for the popular election of Senators. The amendment defines the qualifications of electors for Senators in the same language as the original Constitution defines the qualifications of electors for Representatives. If Congress has the power to define the qualifications of electors it was unnecessary to do so in the 17th amendment.

In 1919–20 Congress proposed and three-fourths of the States ratified the 19th amendment, which guarantees that the right of citizens of the United States to vote shall not be denied or abridged on account of sex. If Congress has the power to redefine the qualifications of electors the 19th amendment was unnecessary.

Parenthetically, it should be mentioned that the advocates of the power of Congress to define qualifications of electors necessarily must assert that Congress always had the power to abolish discrimination on account of race and sex in Federal elections, and that the 15th and 19th amendments were only necessary to abolish discrimination in purely State elections.

The argument is untenable for two reasons: First, if discrimination on account of race and sex was constitutionally valid in State elections it was also constitutionally valid in Federal elections, because Congress has no power to redefine the qualifications of electors. Second, it is impossible under the Constitutions to have in any State one group of electors for U.S. Representatives and Senators and a different group of electors for the most numerous branch of the State legislature. It is impossible because article I, section 2, and the 17th amendment say that these two groups of electors shall be the same.

The power claimed for Congress in S. 2868 to redefine the qualifications of electors as prescribed in the Constitution can exist only if the power of Congress under article I, section 4, to regulate the times, places, and manner of holding elections overrides: First, the constitutional definition in article I, section 2, of the qualifications of electors for Members of the House of Representatives; second, the power of the States under article II, section 1, to determine the manner of appointing electors for President and Vice President; and third, the constitutional definition in the 17th amendment of the qualifications of electors for Senators. If the congressional power under article I, section 4, overrides all these constitutional provisions, it must also override the 15th and 19th amendments.

If, contrary to the plain language of the Constitution, Congress can redefine the qualifications of electors so as to abolish duly prescribed poll tax and property requirements as prerequisites to voting, Congress can also, contrary to the plain language of the Constitution, redefine the qualifications of electors so as to prescribe the poll tax, a literacy test, race, or sex as prerequisites to voting. The power claimed for Congress over the qualifications of electors is nothing less than a claim that the power of Congress overrides the Constitution.

Mr. President, this to me is a most serious matter, although some persons do not seem to recognize it as such. It involves not only the whole Constitution, but it involves the direction in which we are proposing that our Government go. Is the United States to be a government of law? Are we going to maintain our Constitution? Or are we going to drive holes through the Constitution for political expediency? Let us call it what it is, and that is what it is.

Mr. President, Congress should reject S. 2868 because it undertakes to change, in an unconstitutional manner, the definitions established in the Constitution for electors for Representatives and Senators, and the manner prescribed in the Constitution for appointing electors for President and Vice President. The right of the people, as laid down in the Constitution, to have the qualifications of electors ascertained by reference to an objective standard, which has been duly established in a disinterested way by the people themselves, is a fundamental constitutional right that must be preserved.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to my friend from Georgia.

Mr. RUSSELL. Mr. President, I have had an opportunity this afternoon to listen to a great constitutional argument in the best tradition of the U.S. Senate. The distinguished Senator from Virginia has done a great amount of research in connection with his able and illuminating speech. He has gone back to the days of the Constitutional Convention, made clear the intentions of the Founding Fathers, as demonstrated in the debates in the Convention, and cited the judicial determinations on this subject in such a way as to completely demolish any pretense of validity in the argument that such an action can be accomplished by a simple congressional statute.

I cannot commend the Senator too highly for the magnificent speech which he has made and for the thorough job he has done. I particularly wish to associate myself with his last statement. If we start changing the Constitution by statute we shall set a precedent which will bring down the structure of free government, and do it at a very early date.

I realize, Mr. President, it is very popular of late to speak disparagingly about the Constitution of the United States and to claim that there are easy and short circuits to circumvent it, but those who actually made the sacrifices which gave us this Government—and no one has set them forth more clearly than George Washington, the first President, in his Farewell Address—thought that the Constitution meant something. All of them thought so. They were men who had known tyranny and who had broken its chains by their own efforts. Again and again they pointed out to posterity, in terms all of us should be willing to understand, whatever the political implications might be, that it was a dangerous thing to use short circuits in dealing with the Constitution of the United States.

I want to congratulate my friend on his able address.

Mr. ROBERTSON. Mr. President, I am very grateful for the lovely tribute my friend from Georgia has paid to me. I am also grateful, as every southerner is, for his wonderful leadership during recent years in our fight to preserve the rights of the States, as guaranteed in the Constitution by the 10th amendment.

I thank the Senator.

Mr. HILL. Mr. President, will the Senator yield to me?

Mr. ROBERTSON. I yield to my friend from Alabama.

Mr. HILL. Mr. President, I wish to associate myself with the words of tribute the distinguished Senator from Georgia [Mr. RUSSELL] has spoken on behalf of the Senator from Virginia. As we know, the Father of the Constitution, James Madison, came from Virginia. Many of the other great men who fought for and won our freedom in the Revolutionary War, and then contributed so much to the writing of the Constitution and to the bringing into being of our republican form of government, came from Virginia.

The Senator from Virginia has this afternoon given us a most scholarly, profound, and eloquent address. He has, as the Senator from Georgia said, demolished any and all arguments which might be advanced for any abolition of the poll tax by any proposed statute. He has made a magnificent constitutional argument. I am sure if the statesmen of Virginia, who contributed so much to the bringing into being of this Government and to the writing of our Constitution, under which we have enjoyed liberty and freedom and justice, could be present this afternoon they would be indeed proud of the distinguished junior Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I thank my colleague for his kind words. He has praised me far beyond my just desserts. I shall cherish the fine commendation he has made of my efforts to bring to the attention of the Senate the views of Virginians, who helped give birth to a new nation and helped explain to us the true meaning of the Constitution and its vital importance.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DIRKSEN. Mr. President, reserving the right to object——

Mr. HILL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The call of the roll will be resumed.

The legislative clerk resumed and concluded the call of the roll; and the following Senators answered to their names:

Byrd, W. Va.	Holland	Proxmire
Clark	Javits	Robertson
Dirksen	Johnson, Tex.	Saltonstall
Dodd	Keating	Smith
Ervin	Mansfield	Stennis
Green	Monroney	Thurmond
Hart	Morton	
Hill	Prouty	

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk proceeded to call the names of absent Senators.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT OFFICER. The absence of a quorum having been announced, the clerk will continue to call the names of absent Senators.

The legislative clerk resumed and concluded the call of the names of absent Senators.

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BIBLE, Mr. BRIDGES, Mr. BRUNSDALE, Mr. BUSH, Mr. BUTLER, Mr. BYRD of Virigina, Mr. CANNON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHURCH, Mr. COOPER, Mr. COTTON, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ENGLE, Mr. FREAR, Mr. FULBRIGHT, Mr. GRUENING, Mr. HARTKE, Mr. HAYDEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KEFAUVER, Mr. KENNEDY, Mr. LAUSCHE, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MUNDT, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. RANDOLPH, Mr. RUSSELL, Mr. SCOTT, Mr. SPARKMAN, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce for the information of the Senate that we do not expect any more quorum calls this evening. The distinguished Senator from Pennsylvania [Mr. CLARK], the distinguished Senator from Massachusetts [Mr. SALTONSTALL], and the distinguished Senator from Alaska [Mr. GRUENING] intend to address the Senate, and the Senate will remain in session until they have concluded their addresses or until any other Senator who may desire to speak has an opportunity to do so.

We will come in at 11 a.m. tomorrow. I am hopeful that Senators will be in attendance during the session tomorrow and that we may make some progress in connection with the pending business.

ORDER OF BUSINESS

Mr. CLARK obtained the floor.

Several Senators addressed the Chair.

Mr. CLARK. Mr. President, I ask unanimous consent that I may yield first to the Senator from Wisconsin [Mr. PROXMIRE] and then to the Senator from Massachusetts [Mr. SALTONSTALL] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

MR. NIXON'S REMEDY FOR INFLATION

Mr. PROXMIRE. Mr. President, I thank the Senator from Pennsylvania for his courtesy.

Mr. President, yesterday the policy position of the Democratic Party on price stability and growth in our economy was eloquently set forth by the chairman of the Joint Economic Committee, the Senator from Illinois [Mr. DOUGLAS], on the floor of the Senate.

In the course of what I regard as a brilliant and significant speech, the Senator from Illinois not only diagnosed America's serious economic problems, but also proposed a long series of specific proposals to help us achieve economic growth without inflation.

What is the position of Vice President NIXON, the sure Republican presidential nominee, on all this?

Mr. President, the issue between our two parties is sharp and clear. A comparison of the speech of the Senator from Illinois [Mr. DOUGLAS] and the reports by Vice President NIXON as head of the Cabinet Committee on Price Stability for Economic Growth will make that plain.

The contrast between the Democratic view as expressed in the speech of the Senator from Illinois and the Republican viewpoint as set forth in the Nixon reports is evident to anyone who heard or read the Senator's speech yesterday and then reads the lead article in this month's Harper's magazine. Harvard Professor John Kenneth Galbraith writes a perceptive avowedly partisan analysis of the Vice President's principal economic role.

In the course of this article, Galbraith concludes that in NIXON's first report as head of the Cabinet Committee on Price Stability and Economic Growth Mr. NIXON proposed a congressional censure of inflation; a warning against spending, with public need regarded as irrelevant; and an increase in interest rates. In his second report he proposes nothing. In his third and final report Mr. NIXON suggested that the Government should follow a passive fiscal role; that is, without changing tax rates, letting tax yields fall in recessions while, without changing appropriations, letting unemployment compensation and some other expenditures rise, with the reverse action following without legislation in periods of prosperity. He also proposes to knock the ceiling off long-term Government bonds.

Mr. Galbraith concludes that this most important administrative experience of Mr. NIXON has resulted in nothing. He adds:

> Nor in seeking to persuade us that he has done something does he show a high regard for our intelligence. For anyone who respects his fellow citizens could hardly expect them to buy this blend of nothingness.

I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. NIXON'S REMEDY FOR INFLATION

(By John Kenneth Galbraith)

A persistent and serious problem facing the United States is that of inflation. And a determined and serious aspirant for the office of President is RICHARD M. NIXON. In the nature of the case, our knowledge of how presidential candidates will handle important questions, if elected, is almost entirely conjectural. We are reduced to comparing promises.

Mr. NIXON is one of the rare exceptions. For the past year, he has been serving as chairman of the Cabinet Committee on Price Stability for Economic Growth—which at this writing has issued three reports. Thus we are able to take Mr. NIXON'S measure on a matter of great and nearly universal concern.

In contrast with his early wartime service with the Office of Price Administration, then under Leon Henderson (of which he has never made a strong point), Mr. NIXON has recently sought actively to identify himself with the problem of inflation control. A high-level committee that would deal effectively with inflation—meaning continuing increases in prices—was promised by President Eisenhower in his 1959 state of the Union message. A few days later, Edwin L. Dale, Jr., wrote in the New York Times that Mr. NIXON was a candidate for the post of chairman and that his supporters felt that "a precise, and publicly known, administrative role would help his chances for the Presidency in 1960." When his appointment was announced on February 1, the Times observed that this was "the closest he has come to formal executive power."

Having welcomed the responsibility, Mr. NIXON cannot but welcome a scrutiny of the way he has handled it. It would be best, no doubt, if this could be undertaken by a neutral and nonpartisan observer. It has been noted, however, that where Mr. NIXON is concerned, the supply of neutrals is limited. And he himself has spoken out against the morality of such a posture on great questions.

But most important, these are matters on which, once presented, the reader can pass judgment for himself and thus correct for the bias from which so few of us are free.

The Cabinet Committee consists (in addition to the Chairman) of the Secretaries of the Treasury, Agriculture, Labor, and Commerce, the Chairman of the Council of Economic Advisers, and (rather unexpectedly) the Postmaster General. The Executive Vice Chairman is Mr. W. Allen Wallis who is on leave from his post as dean of the Graduate School of Business of the University of Chicago. Mr. Wallis' reputation among economists is that of a conservative with a predilection for scientific exactitude. In a personality sketch published at the time of the second report, the Times described him as sharing with Mr. NIXON "the sort of intellectual companionship that enables each to sense the mental processes of the other."

The first report, according to the newspapers, was drafted by Mr. NIXON, then revised by Mr. Wallis presumably for perfection of technical and scientific content, and then cleared by him with the other members. We may safely assume that the dominant role and responsibility was Mr. NIXON'S, subject to the technical and professional guidance of Mr. Wallis.

The first report—it was described as an interim report—was released on June 29.

Much the most comprehensive of the three, it is a survey of the whole problem of inflation and its control. It isolates the causes of inflation, deals with its consequences, and prescribes remedies.

It is an exceedingly grave document—at times alarming. "It is the unanimous opinion of the Cabinet Committee on Price Stability for Economic Growth that our economy is now at a critical juncture urgently requiring action to forestall inflation and insure sound and sustained economic growth and progress." After citing the evidence for this condition of crisis, Mr. NIXON and his colleagues continue: "We are confronted, in summary, with overwhelming evidence that we have arrived at a time of decision as to the future course of our economy. * * * We face a serious threat, price increases which not only would be directly harmful to American families but would seriously endanger the healthy prosperity now developing." These are strong words. No man and no group had better opportunity to be informed. We owe it both to Mr. NIXON and to ourselves, therefore, to take them seriously.

Turning to the causes of this unhappy state of affairs. Mr. NIXON blamed the same forces that had been cited by President Eisenhower in his state of the Union message—(1) the pressure for more public spending, and (2) the implacable upward pressure of wages on prices. He drew attention both to the pressure on Congress for higher outlays and the "strong tendencies toward increased spending by State, county, and local governments." Speaking of the inflationary effect of wages, he noted that recent settlements had advanced wages substantially, and that pending or prospective settlements in many industries, including steel, "could result in wage increases of such magnitude as to lead to price increases."

After this diagnosis, Mr. NIXON turns to those who condone inflation. He sets himself uncompromisingly against them. Inflation is not harmless; it does not promote economic growth; it is not inevitable. It does inflict hardships on families with fixed incomes; it damages average and below-average families more than the well-to-do; it breaks faith with those who have saved and put their money in Government bonds, retirement funds, and like forms of saving. While resistance to inflation "is bound to cause temporary inconvenience to some * * * price stability will powerfully promote the welfare of all."

All but overt inflationists, of whom there are few, will agree that this is admirable. The danger is flatly faced. It is immediate and grave. There can be no retreat, no compromise. The war on inflation has its costs; these will be accepted in the interests of the overall good.

At every point, Mr. NIXON is firm and decisive.

THE UNTOUCHABLES

Although inflation has never been condemned in more forthright phrases, such attacks—to speak rather formally—must be viewed in their historical context. Specifically, statesmen have been denouncing inflation for some centuries. Often that has been all. Sometimes defiant speech has appeared to be a substitute for deficient will. As a result, on this, as on few matters of social policy, the public has developed the habit of looking on from the words, however compelling, to the action.

Having attacked inflation, Mr. NIXON moves on to the action, but many will think with a loss of power.

He begins on a discouragingly negative note. In fighting inflation, it is most important that we do not use the wrong weapons. Price and wage control, in particular, are more harmful than peacetime inflation. While his condemnation of controls is as eloquent as his attack on inflation—and of comparable length—the core of his argument is in a few words:

"Differences in prices reflect the priorities attached by consumers to different products; they therefore guide productive efforts * * *; [They also show] the scarcities of different raw materials, machines, and personal skills. * * * If prices are regulated, they cannot reflect accurately relative priorities of various goods and services * * * or the relative scarcities of the various means of producing goods and services. * * * The result * * * waste, inefficiency, slowing down of progress."

This is a heavy indictment. However, it raises some difficult questions—apart from the purely tactical one of whether it is wise to rally the forces to the ramparts and then read them a lecture on the weapons they must not use. If wages and prices are untouchable, then nothing directly can be done about the wage-price spiral which both the President and Mr. NIXON hold to be a cause of inflation. And unless some substitute action can be effective, then inflation won't be controlled.

Comprehensive wage-and-price controls are not now an issue. Neither Mr. NIXON nor his colleagues can imagine that there is the slightest chance of Congress soon enacting them. But some system of formal or informal restraint on wages and prices in key industries is a possibility—President Eisenhower has accepted the need in principle by pleading repeatedly for voluntary restraint in price-and-wage setting. But if such restraint worked, it would, like any effective regulation, keep prices from reflecting relative priorities or relative scarcities. So even this would be banned by Mr. NIXON'S reasoning. If only unregulated prices tell what consumers most want, or what most needs to be produced, then any interference, even effective voluntary restraint, will obviously impair this vital function.

However, it will surely be evident that Mr. NIXON has involved himself here in an unfortunate logical contradiction. (One perhaps from which his scientific and technical adviser should have saved him.) For he had already blamed the high prices of many important products on the wage demands of the unions, and the resulting price increases. If prices reflect the power or avarice of the unions, as Mr. NIXON says, then they do not reflect the priority attached to products by consumers or their relative scarcity. (The report attributes more responsibility to the unions, and less to the corporations, than I would, but that is another matter.) If steel is high because of the union, then it isn't high because of preference or scarcity as compared with aluminum.

Moreover, if prices reflect the power of the unions and the compensating action of the corporations, then Government intervention does not have the damaging consequences that Mr. NIXON and his colleagues condemn. For then such intervention doesn't interfere with the reading of priorities and scarcities—the unions and the corporations have already spoiled that. What intervention does is substitute public regulation for what Mr. NIXON and his associates have condemned as bad private control by unions and companies.

In brief, Mr. NIXON condemns public interference on grounds which assume there is no private manipulation of prices, but only after he has attacked private manipulation of prices as inflationary. This is hardly logical. And illogic apart, having conceded the importance of wage-price movements as a cause of inflation and having ruled out direct restraint, Mr. NIXON and his colleagues must then find indirect measures that will restrain the power of unions and corporations to raise prices. If they do not, this cause of inflation will persist. So will inflation.

One indirect but rather formidable remedy for wage-price inflation is hinted at by Mr. NIXON. This is to break the power of the unions and dismember the large corporations so that they would not have power to influence prices. At some time in the future, he promises to examine and report on the extent to which concentrations of power in labor and business contribute to inflation or impede economic progress.

If something easy could be done on these lines to stop inflation, it would have been done long ago. When unable to think of anything else, liberals automatically condemn concentrations of economic power and call for more energetic enforcement of the antitrust laws. As a remedy for inflation, it is rather less practical than incantation, which, indeed, it closely resembles. Possibly Mr. NIXON is thinking of legislation directly designed to break up unions and large corporations. But he hasn't said so, and it would be unfair to impute to him so drastic and unrealistic a program. There isn't anything else.

THREE REMEDIES

Now come the recommendations. And these are the real test of Mr. NIXON'S mettle. Those who are victimized by rising prices in the manner he has so vividly portrayed will not expect this shrewd and experienced public man to trifle with their troubles.

Unfortunately, when it comes to specific remedies, Mr. NIXON suffers a further and very severe loss of altitude.

He offers three. The first—a marked curiosity—had previously been mooted by the Council of Economic Advisers and proposed by the President. Now Mr. NIXON urges it as a matter of highest priority. It is simply that Congress resolve against inflation and declare it an undesirable thing. Reasonable price stability would be made a specific goal of Federal policy. Such price stability—the protection of the purchasing power of the dollar—has been a goal of Federal policy for generations. It has been proclaimed repeatedly and with passion. The new resolution could not add much even in passion. It would give the administration no power it does not now possess to fight inflation. It would remove no obstacles.

Some have suggested that Mr. NIXON was showing an interesting sense of novelty in seeking to bring the technique of the Formosa resolution to bear on domestic economic policy. Instead of passing resolutions to warn the Red Chinese, we do so to intimidate the forces of inflation. This originality seems to be the maximum claim.

Mr. NIXON'S second inflation remedy is curtailed Government spending and the balancing of the Federal budget. Even higher taxes, he sees as an inflationary force.

This familiar recommendation runs into the familiar problem that some of the things for which higher expenditures have been sought—schools, housing, defense, law enforcement, conservation—are rather urgent. To this Mr. NIXON is indifferent. He describes the pressures for increased spending as "irresponsible." Moreover, there is no economic sanction for his view that higher outlays, if covered with some margin by higher taxes, are inflationary.

More important still, while a budget deficit when the economy is operating at capacity can certainly be a cause of inflation, to balance the budget does not cure the inflation. That is because balancing the budget will not arrest the wage-price spiral. Mr. NIXON, though he blames the spiral, makes no claim that budget balancing would stop it.

Mr. NIXON'S third recommendation, urged at considerable length, is that the Treasury be given authority to raise the rate of interest on longer term Government bonds. This would enable these securities better to compete with issues of shorter maturity. The latter are described as practically the equiv-

alent to money, and the Government's just cranking up the printing presses and rolling out the greenbacks.

In passing, it should be observed that Mr. NIXON is here being extremely critical of Treasury debt management by his own colleagues. Long before the limit on the interest rate on long-term issues became operative, the Treasury was making increased use of shorter-term issues. As a result, the average length of the maturity of the securities outstanding has been reduced substantially since 1953.

However, Mr. NIXON is also greatly overstating his case. Short-term Government paper can be turned into cash if there is good reason for doing so. But the same is true, in degree, of any other asset. And one thing that may cause people to prefer cash is the expectation of higher interest rates—the very thing Mr. NIXON is urging. That is because higher interest rates bring a decline in the capital value of the bond or other asset. If such a decline is in prospect, some will try to sell first—which then brings down the price of the asset. One of the reasons the Treasury has had difficulty selling longer term bonds is that the expectation of higher interest rates has made them a rather speculative item.

Mr. NIXON believes higher rates would help sell the longer maturities. My own view is that a clear intention to hold rates stable would do as much. But such differences of opinion are perhaps unavoidable. The important things is that they be debated with reasonableness and restraint and without exaggeration. What is less open to debate is the effect of all this on inflation.

Higher rates on long-term Government bonds might help pave the way for a general tightening of the supply of loanable funds and of interest rates. This would mean a general curtailment of the demand for goods and services. If this curtailment were sufficiently severe, price increases would be arrested. But this, precisely, is the policy that has been employed ever since 1953. If it had worked—if it had reconciled full employment, expansion, and price stability—Mr. NIXON'S committee would never have been necessary. But we learned during this period—although the lesson is still being debated—that an active monetary policy, as it is called, gets price stability only at the cost of interrupted growth and recurrent recession. This was how we got price stability in 1954 and again in 1958.

For the rest of the time, most prices kept inching up. This was especially true of industrial prices where wage-price pressures operate. To keep unions and companies in, say, the steel or automobile industries from putting up wages and prices, a recession has to be pretty severe. The cure—unemployment, accumulating inventories, interrupted expansion—has no distinct advantages over the disease.

DO-IT-YOURSELF POLICY

These are Mr. NIXON'S remedies—a congressional vote of censure on inflation; a warning against spending, with public need regarded as irrelevant; and an increase in interest rates that, at most, represents a continuation of the policy that he was asked to improve.

None of these measures touches the wage-price spiral. On that, Mr. NIXON confines himself to explaining what should not be done. Perhaps the most damaging reflection on his judgment is the satisfaction he shows with his prescription: "The * * * three steps are direct defenses against the present danger of excessive price rises." They are his response to overwhelming evidence that we have arrived at a time of decision.

This was Mr. NIXON'S first report. The first of a series of further reports was released by the White House on August 17. These offered a chance for Mr. NIXON to retrieve altitude that had been lost in the earlier document.

Alas, this chance was missed. At the outset, in a memorable example of Federal prose, the August 17 report describes itself as one of several dealing with "building block questions from which can be constructed answers to broader public questions." This, if it can be translated, would seem to mean that Mr. NIXON was putting anti-inflation policy on a do-it-yourself basis. This turns out to be the case.

"Thoughtful citizens," the report declares with an air of conveying information, "are concerned increasingly with such questions as: Are continual price increases inevitable? If not, how can the general level of prices be stabilized?" The report then asks its principal question: "What do we really want from our economy?" One answer to this question, the reader will learn with manageable excitement, is "reasonable stability of prices." Thus equipped with building blocks, the reader then goes on to construct his answers to the broader public questions.

Other building-block questions and answers follow the same technique of supplying the reader with knowledge that he already possesses while avoiding answers he might find useful. It tells of the merits of an expanding economy, but postpones mention of how such growth can be insured. Then, perhaps sensing some public anxiety on the matter, Mr. NIXON explains that "our economy has grown since the founding of the Republic because we have had faith in ourselves, because we have developed institutions that reward enterprise and efficiency, and because we have believed in progress sufficiently to put aside enough (saving) from current income * * *." He also explains the advantages of maximum employment opportunity although without adding greatly to the information available to an unemployed man. "Much unemployment * * * involves hardships and lack of opportunity that we all associate with the word 'unemployment'," but if a man can get a job promptly, it isn't so bad.

Then Mr. NIXON returns to inflation. His denunciation is now even more severe than in his first report, and several new evils—encouragement to speculation, distortion of business accounting damage to our ability to compete in foreign markets—are added. He tells us again that "Resistance to rises in the general price level is bound to cause temporary inconvenience to some and to limit the gains of others, but * * * will powerfully promote the welfare of all." But this time there is no indication how this resistance movement is to be launched. Not even his first three recommendations are repeated. Possibly he did not think very much of them either.

When this report was issued, an administration spokesman said (one imagines with Mr. NIXON'S blessing) that it was now believed that the battle against inflation was being won. Expansion would henceforth be emphasized. Officials were now "reasonably optimistic that the line would be held on the general price level." This was not quite 7 weeks after Mr. NIXON had cited "overwhelming evidence that we have arrived at a time of decision as to the future course of our economy." The decision hadn't been taken.

Perhaps it should have been. On August 22, 5 days after the second report, the Department of Labor announced that the Consumer Price Index had risen again for the fourth consecutive month and to an all-time high. All component groups went up.

CLEARER ANYWAY

On October 25, Mr. NIXON released his third report—Managing Our Money, Our Budget, and Our Debt. During the preceding week, the Bureau of Labor Statistics announced that the cost of living had gone on to another all-time high. The steel strike, in which the issue was the effect of wages on inflation, had passed its hundredth day.

This is a better written report than those that preceded it, and Mr. NIXON evidently had thought better about those building blocks. But the clarity revealed a barrenness matching and possibly exceeding that of its predecessors. Recessions or depressions—periodic interruptions in growth—are accepted as a necessity of our life. The Government should follow a passive fiscal role. Tax yields will fall during recession and some expenditures—unemployment compensation, for example—will automatically rise. These automatic stabilizers are to be welcomed. But Mr. NIXON is opposed to affirmative action to offset recession or depression by increasing public outlays or reducing taxes. The extra spending effect might come, or it might be allowed to persist, after the recession had passed. This danger is worse than the recession. (The earlier Eisenhower policy under Arthur F. Burns was, incidentally, much more liberal. Then the policy of using the budget, including a reserve of useful expenditures, as a positive instrument for fighting depression was repeatedly affirmed.)

The rest of the report contains nothing new, and nothing old that bears usefully on the problem of inflation. Mr. NIXON repeats that monetary policy, specifically a tight-money policy when required, is useful for attacking inflation but he also adds that it has serious shortcomings. This is not news since, as noted, it was these shortcoming which led to his appointment in the first place.

He makes no suggestion as to how the shortcomings can be overcome except to follow the budget policy just mentioned and to remove the ceiling on the interest rate on Government bonds. Monetary policy, it should be observed, did not prevent inflation in the years before that ceiling became operative. Mr. NIXON argues once more that to lift the ceiling will have the effect of locking people and financial institutions into their holdings of long-term bonds. In future periods of tight money, interest rates will rise, the capital value of the bonds will fall, and then the bonds cannot be sold except at a capital loss. He still does not consider that, given fluctuating interest rates, people will see the possibility of such mousetrapping and be reluctant to buy the bonds in the first place.

There is no more.

The judgment to be rendered would seem to me clear. Mr. NIXON has done nothing. Nor in seeking to persuade us that he has done something does he show a high regard for our intelligence. For anyone who respects his fellow citizens could hardly expect them to buy this blend of nothingness. Perhaps it will be said in Mr. NIXON'S behalf—as so often before—that this is a subject on which he has not yet matured. So it may be. But even his friends will be forced to agree that this failure is the most mature example of such immaturity.

Let me add, also, that the finding of failure is my own judgment. Economics is an imperfect science. Anyone who claims that his economic judgments are emotionally detached, politically impartial, and otherwise objective is himself suspect. But I would strongly urge anyone who disagrees with the present judgment of Mr. NIXON'S reports, or even suspects that he might, to get them from the White House and read them thoughtfully and with care.

COMPTROLLER GENERAL RECOMMENDATIONS TO SBA

Mr. PROXMIRE. Mr. President, as chairman of the Small Business Subcommittee of the Banking and Currency Committee, I am aware of the interest

Senators have in the competent and efficient operation of the Small Business Administration.

Recently Mr. Joseph Campbell, the Comptroller General, has completed a review of the financial assistance activities in five field offices of the SBA. Mr. Campbell sent me a copy of the report and then summarized his findings and recommendations in a brief letter.

For the information of the Senate I ask unanimous consent that a copy of this letter be printed in the RECORD at this point, together with a copy of a letter I have written to the new Administrator of SBA, Philip McCallum.

There being no objection, the letters were ordered printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., January 20, 1960.

B-114835.

HON. WILLIAM PROXMIRE,
Chairman, Subcommittee on Small Business, Committee on Banking and Currency, U.S. Senate.

DEAR MR. CHAIRMAN: Herewith for the use of your subcommittee is a copy of our report to the Congress on the review of the financial assistance activities in five field offices of the Small Business Administration (SBA) made during the latter months of calendar year 1958.

Our examination showed that certain areas in the administration of financial assistance activities in the field offices would be strengthened and more effectively carried out by compliance with SBA's own regulations. To achieve better administration of the financial assistance activities, we recommended during our audit that the Administrator, Small Business Administration, take action to provide for closer supervision over the regional offices with a view to obtaining compliance with these regulations. The Administrator informed us that he was in general agreement with our recommendation and would take corrective action. He also agreed to study our recommendation that independently audited financial statements be required of prospective borrowers as a prerequisite to loan authorization on larger loans. A summary of our findings begins on page 3.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

JANUARY 23, 1960.

MR. PHILIP MCCALLUM,
Chairman, Small Business Administration, Washington, D.C.

DEAR MR. MCCALLUM: Mr. Joseph Campbell, Comptroller General, has recently written me to forward a copy of a report to Congress of the review of financial assistance activities in five field offices of the Small Business Administration, during the calendar year 1958.

In a covering letter he has summarized his recommendations suggesting: one, that the Administrator of the Small Business Administration take action to provide for closer supervision over the regional offices with a view to obtaining compliance with the SBA's own regulations; two, that independently audited financial statements be required of prospective borrowers as a prerequisite to loan authorizations on larger loans.

Mr. Campbell writes me, and I quote: "The Administrator informed us that he was in general agreement with our recommendation and would take corrective action," this is with reference to number one above, that is, compliance with the SBA's regulations. In connection with the independent audits, he writes me that the Administrator agreed to study the recommendations.

I would very much appreciate being kept informed on both of these matters. Can you tell me at your earliest convenience what action has been taken to provide closer supervision over regional offices to secure greater compliance with the SBA's regulations? Also, would you write me to tell me of the results of your study on the recommendation for independent audits?

I am reluctant to impose unnecessary work on a hardworking agency, and I feel responsible for being kept fully informed on recommendations as farseeing as these concerned here, particularly since they come from a source as responsible and authoritative as the Comptroller General of the United States.

Sincerely yours,

WILLIAM PROXMIRE,
U.S. Senator.

USE OR MISUSE OF INTELLIGENCE INFORMATION

Mr. SALTONSTALL. On January 27 the Senator from Missouri [Mr. SYMINGTON] under the title of "The Misuse of Intelligence Information," on page 1372 of the RECORD, stated in part:

Mr. President, the American people are being enticed down the trail of insecurity by the issuance of misinformation about our deterrent power; and specifically about the missile gap.

The intelligence books have been juggled so the budget books may be balanced.

I realize, Mr. President, that this is a political year and there will naturally be many differences of opinion based on politics, but I feel very strongly that discussion concerning our defense programs must be carefully judged on information as properly secured as is possible to do, and that the arguments should not be based on partisan differences.

There are, in my opinion, no more trustworthy citizens and public officials than Mr. Allen W. Dulles, Director of CIA, Thomas B. Gates, Jr., Secretary of Defense, Maurice Stans, Director of the Budget, and, finally, the President of the United States, Dwight Eisenhower. It is inconceivable, in my opinion, that any of these dedicated men would "juggle" intelligence so that budget books may be balanced.

The Senator from Missouri states that our intelligence estimates have now been revised so that they are based on intention rather than on capability. Relative to this point, Mr. Dulles, in a speech made in New York on January 26 before the Institute of Aeronautical Sciences states:

The best one can do is to see that one's batting average is relatively high, that the predictable and the calculable are stated with the degree of certainty that the evidence permits, and that the best that one can distill out of available facts is brought concisely, objectively, and quickly to those who have the responsibility for policy and action.

Furthermore, he said:

The analysis of any given Soviet weapons system involves a number of judgments. These include Soviet capability to produce the system; probable Soviet inventories of the weapons system as of today; the role assigned to this system in Soviet military planning; the requirements the Soviet high command may lay down for the weapon over the future. All these judgments are to some degree interdependent. They lead to a calculation of how far and how soon the Soviets are likely to develop the system. Manifestly this kind of estimating is of the highest importance to our own planning.

After providing this background, Mr. Dulles comes to our specific point:

Consequently in our estimates we generally stress capabilities in the early stages of Soviet weapons development and then, as more hard facts are available, we estimate their probable programing, sometimes referred to as intentions.

These quotations indicate Mr. Dulles' detailed understanding of the intelligence field. It is clear, in my opinion, that he emphasizes judgments and estimates based on the coordination of several different categories of intelligence. Enemy intentions certainly play an important role—it would be dangerous to overlook an assessment of our opponent's plan of how to use his capabilities.

I have in mind the intelligence concerning the Soviets long-range airplanes in 1956. Their capability to produce was greater than ours. We sent ahead to produce our B-52's, and thus have a much larger inventory of them today. The Russians, however, failed to activate the production schedules we had anticipated. It is clear, therefore, that while their capability indicated one course of action, their intentions determined a different course.

Implicit in the Senator from Missouri's speech of the other day is the idea that capability is no longer being taken into consideration by our Defense officials. It is important to point out that this is not at all true. Mr. Dulles' statement clearly shows that our intelligence effort is evaluated on a balance between the two.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I am speaking on the time yielded to me by the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I shall be very happy to indulge my friend from Missouri to the extent he desires. I have been trying for 5 hours to obtain the floor. I have finally been successful, and I have yielded to my friend from Massachusetts for no more than 5 minutes. I know, however, that this is a very important matter to the Senator from Missouri, and I am happy to yield such time as he may desire.

Mr: SYMINGTON. I appreciate very deeply the courtesy of my friend from Pennsylvania.

I thought I heard the distinguished Senator from Massachusetts say something to the effect that some statement I made was not true. Is that correct? It is not my practice to make incorrect statements of fact. I do not wish to invoke any Senate rules unnecessarily, but I wish to know what the Senator said.

Mr. SALTONSTALL. I said this:

Implicit in the Senator from Missouri's speech of the other day is the idea that capability is no longer being taken into consideration by our defense officials. It is important to point out that this is not at all true. Mr. Dulles' statement clearly shows that our intelligence effort is evaluated on a balance between the two.

That is, a balance between intention and capability.

Mr. SYMINGTON. Is the Senator saying that the statement in my talk was not true?

Mr. SALTONSTALL. No; I did not say that. What I meant to say, and what I think I have said, is that Mr. Dulles' statement would be a contradiction of what the Senator from Missouri said, to the effect that our intelligence effort is completely changed, and is based upon intention, and to no extent on capability.

Mr. SYMINGTON. Mr. President, will the Senator from Pennsylvania yield further to me? He knows the importance of the subject. He is an expert in this field himself. However, I do not wish to take to much of his time.

Mr. CLARK. I hope the Senator will feel free to take as much time as he thinks desirable.

Mr. SYMINGTON. I thank the Senator.

As I understand, what the Senator from Massachusetts is saying is that Mr. Dulles has said that what I said yesterday on the Senate floor is not true.

Mr. SALTONSTALL. No; that is not accurate. What I attempted to say—and I believe I did say, as the Senator would have known had he listened to my entire statement, is that Mr. Dulles said that our intelligence is based upon a combined estimate of capability and intention—not altogether on intention, and not altogether on capability.

Mr. SYMINGTON. If the Senator from Pennsylvania will yield further, on January 13, the Secretary of Defense said:

> Heretofore, we have been giving you intelligence figures that dealt with the theoretical Soviet capability. This is the first time that we have had an intelligence estimate that says, "This is what the Soviet Union probably will do." Therefore, the great divergence, based on figures that have been testified to in years past, narrows because we talked before about a different set of comparisons—ones that were based on Soviet capabilities. This present one is an intelligence estimate on what we believe he probably will do, not what he is capable of doing.

Mr. SALTONSTALL. That is correct. That is what the Secretary said.

Mr. SYMINGTON. Is he wrong?

Mr. SALTONSTALL. If the Senator will permit me to proceed a little further, I shall be glad to clarify the situation.

Mr. SYMINGTON. I shall be happy to have the Senator do so.

Mr. SALTONSTALL. What I attempted to say was that the intelligence estimates are based upon a combination of intention and capability.

Mr. SYMINGTON. Is the Senator referring to the talk Mr. Dulles made in New York?

Mr. SALTONSTALL. That is correct.

Mr. SYMINGTON. I thank the Senator.

Mr. SALTONSTALL. To continue, let me repeat that Mr. Dulles' statement clearly shows that our intelligence effort is evaluated on a balance between the two factors.

In this same regard, President Eisenhower said in his news conference on January 26:

> Now I think we should never talk about an argument between intentions and capability. Both of these things are, of course, necessary when you are making any intelligence estimates. I do say that this whole business of intelligence is a very intricate and complex thing and you cannot take any one basis, any one channel of thought and make a proper estimate on which a government or a commander can act.

We all love the game of football. I cannot help but compare the question of capability versus intention with the situation of a defensive back in modern football who looks over the line opposing him and sees a player who is capable of making a strong charge against the center of the line, another back prepared to make a fast end run, and a third who is renowned as a dangerous forward passer. He is presented with various capabilities. Yet it is his purpose to try to determine the intention of the offensive team and what it is going to do, and to accomplish this effectively he must not consider merely one capability.

When we talk of numbers of missiles in 1960–61–62 and 63, we must remember that we are rating only one element of deterrent power; and must consider ultimately the overall defensive strength of our country, which is based also on highly effective manned bombers, aircraft carriers, submarines, and the Army strength.

In the same way, our intelligence must try to reach a decision between what the Russians various capabilities are and what they intend to do with them. That is what the CIA Director, Allen Dulles, has to do. I know of no man who would be less likely to deliberately give a false estimate of intelligence.

Secretary of Defense Gates, in his statement to the Armed Services Committee, said:

> The impression in some quarters that the Soviet Union has overtaken or even outdistanced the United States in military power is simply not supported by the facts.
>
> A faster rate of production of Atlas or Titan would be required if they represented our only retaliatory capability. Important as they are they fortunately do not measure our total strength. Full account must be taken of our manned bombers, which in the time covered by our program presented here today can deliver a greater destructiveness with greater accuracy than the ICBM, together with our deployed carrier attack forces, and our deployed theater forces. All of these are atomic capable, and represent a clear balance heavily in our favor * * *. There is no deterrent gap.

Certainly there is no testimony that I have heard—at least to the present time—to indicate that our military needs were subjugated to the budget. On the other hand, there are the statements of the President and the Defense Secretary that the amounts in the budget are sufficient to cover our military security during the period under consideration.

This is certainly a time of extended examination. It is also, however, a time to dispute forcefully undocumented statements that the intelligence books have been juggled so that the budget books may be balanced. The character and the personality of Dulles, Gates, and the President, as well as the nature of the statements I have quoted from them, indicate that they were not.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Yes, with the permission of the Senator from Pennsylvania.

Mr. CLARK. Yes, indeed.

Mr. SYMINGTON. I thank the distinguished Senator from Massachusetts for telling me that he was going to talk this evening. I wish to suggest to him, however, that what he says Mr. Dulles said does not agree basically with what the Secretary of Defense testified before the House committee on January 13 and before the Senate committee on January 19. The testimony of the Secretary of Defense was also corroborated by the chairman of the Joint Chiefs of Staff in his testimony.

The Secretary said:

> This present one is an intelligence estimate on what we believe he probably will do, not what he is capable of doing.

It is a question as to who is correct in this case, the Secretary of Defense or the Director of CIA. No doubt a conclusion can be reached tomorrow, because the Director of the Central Intelligence Agency will appear before the committee tomorrow morning.

Mr. SALTONSTALL. That is correct.

Mr. SYMINGTON. We may get this question cleared up then.

Mr. SALTONSTALL. Yes.

Mr. SYMINGTON. Another speech which bears directly on this question was made by Gen. Thomas Power, generally considered to be one of the two outstanding experts on strategic air power. He made an important speech in New York City before the Economic Club. The speech, presumably, had been cleared by the Department of Defense prior to delivery.

Mr. SALTONSTALL. Was that sometime in December?

Mr. SYMINGTON. It was just a few days ago, I believe.

Mr. SALTONSTALL. I have not seen that speech.

Mr. SYMINGTON. In that speech, General Power strongly implies that when the Soviets have a certain number of missiles, and if we do not have an air alert the position of the United States will be practically hopeless. I think we also ought to have that speech clarified.

It worries me that anyone who is a part of the administration, regardless of his character—and I have never attacked anyone's character in this regard—should say our position is rosy, and that then another person, who certainly knows as much about the subject as anyone else, should say, "If they have a certain number of missiles, which we all know they will have very soon, or do have, unless we have an air alert, our position will be hopeless."

The important point about that is that the budget does not actually provide for any air alert. There is some money requested, but the money is requested only for some advance expenditures to prepare for an air alert sometime in the future.

I might add, in passing, that the amount in the budget is less than one-quarter of what the experts considered necessary in order to have an air alert.

Therefore, we now have, as I see, three divergent positions: First, there is the testimony of the Secretary of Defense, with respect to what the intelligence figures are based on. Second, we have the contrary position of the Director of the Central Intelligence Agency as to what the intelligence figures are based on. Third, we have the statement by the Chief of the Strategic Air Command which, if it is pursued to its logical conclusion, based on the intelligence estimates given us by the Secretary of Defense himself, makes clear that in a very short time the position of the American people will be critical, if not hopeless, unless we revise our plans and policies immediately.

Mr. SALTONSTALL. I know that the Senator and I can debate this subject at a future time, and I shall be glad to listen to him, and I hope he will be glad to listen to me. However, at the present time my remarks are based on the short sentence the Senator put in his speech, at page 1372 of the RECORD, that the intelligence books have been juggled so the budget books may be balanced.

That statement, in my opinion, is not an accurate statement, because we know from what he has just said and from what I have said that Mr. Dulles' intelligence estimates are based on, first, capabilities—and if the Senator will read the full speech he will see that this is true—first on capabilities, and then, when he finds the capabilities, he gets into intentions. So it is a balance between the two, as the President said in his press conference.

What General Power said about air alert perhaps goes beyond what General White has said. I have read some of the testimony of General White, but not all of it, because I was unable to be present when he testified. However, I believe that an air alert should be put into effect.

Mr. SYMINGTON. Does the Senator think that there is a difference between the testimony which was given at a classified hearing by General White and the statement before the Economic Club in New York by General Power? Does he not think it is more important to consider what General Power said to the American people, from the standpoint of accuracy, than what has been said in a classified hearing? The Senator referred to my statement that the intelligence books have been juggled so that the budget books may be balanced. I have not questioned anything that Mr. Dulles has done. Based on the testimony Secretary Gates gave us, however, I have a right to believe that the intelligence books have been juggled to balance the Budget books.

Mr. SALTONSTALL. I disagree with the Senator.

Mr. SYMINGTON. I understand. I should like to refer the Senator to a year ago this month when a high official of the administration made the statement in a semiprivate press conference, that, although the Russians were ahead of us in missiles we were rapidly closing the missile gap. I promptly told the Senate that such a statement was not true and that unless it was corrected publicly I would give the facts in percentages, without violating security. I give full credit to Secretary McElroy because he thereupon supported my statement by announcing that we were allowing the Russians to get a 3-to-1 lead in ICBM's.

Mr. SALTONSTALL. In missiles.

Mr. SYMINGTON. Missiles; that is correct. That is what I mentioned specifically when I said then that the assertions that we were rapidly closing the missile gap was incorrect.

Mr. SALTONSTALL. Missiles in 1960.

Mr. SYMINGTON. I wish to point out to the Senator that I do not make statements of this character casually. I believe the Senator will agree with me that I have done a great deal of work to understand the subject we are talking about. Inasmuch as the Senator has questioned my statement on the floor today I desire to tell him again, as I said last January, that I will keep on trying to get the truth out to the people on a percentage basis, unless the position taken by the Secretary of Defense is corrected. His position is not accurate, based on his own figures, and the American people have the right to know about this very serious matter. If General Power's statement is correct, we should have an alert as soon as possible. I believe the Senator from Massachusetts will agree with me on that.

It seems to me that once again we find that the American people are being given a false impression in public, contrary to what we are told in classified meetings.

Mr. SALTONSTALL. I should like to say in reply to the Senator from Missouri—and I appreciate the courtesy of the Senator from Pennsylvania—that while we cannot in open session discuss the classified statement of the Secretary of Defense, the statement that he released publicly is open; and that from what I have read of that statement and from what I have heard him say, I believe he was talking about fiscal year 1960, and that in fiscal year 1960 our deterrent power would be equal or superior to the power of any opponent we might face, so that no nation would dare to attack us. He went on to say what was being done for 1961, 1962, 1963, and 1964, and to talk about the various gaps, and the strength of our bombers and our carriers and our Polaris submarines; indeed, our whole strength came into the picture. I went out of the room feeling that the Secretary of Defense had made a statement that our deterrent power—that which was covered by his statement and that which we were considering in this session of Congress—was up to what was necessary for us to defend ourselves adequately and to prevent war from starting.

Mr. SYMINGTON. Am I correct in assuming that the Senator is stating that the Secretary of Defense says that, in his opinion, our deterrent power is adequate in 1960, but that it is not adequate for 1961 or 1962?

Mr. SALTONSTALL. No.

Mr. SYMINGTON. Then why does the Senator concentrate on the year 1960?

Mr. SALTONSTALL. Because that is the year which we are now considering. I agree with the Senator from Missouri or with anyone else who makes the statement that we must look ahead; and we are looking ahead. As the President said in his state of the Union message, we are building up our Atlas missiles. The Senator from Missouri and I have both combined our efforts to get more Polaris submarines. I think the Senator from Missouri and I both agreed last year on the need for additional money for the Army, in connection with its modernization of weapons. We are looking far ahead.

Mr. SYMINGTON. We agreed on the need, but we did not agree on the amount of money which should be appropriated to meet the need.

Mr. SALTONSTALL. That may be correct, but the amount which was finally appropriated represented the overall, composite judgment of the House and the Senate.

Mr. SYMINGTON. This is a very serious statement and it is made in all sincerity. We are now talking about the future of our country and the rest of the free world. In my opinion, based upon the testimony which was given by Secretary of Defense Gates as to what the Soviet intentions are, and comparing those intentions with our own production schedules, I do not believe our deterrent capacity in 1961, for example, will be adequate to maintain the security of the United States.

I am not limiting that conclusion to our missile deterrent capacity; I am talking about our overall deterrent capacity. I make that statement because I hope that after the hearings are completed and the matter becomes one of appropriations, the House and Senate will provide the funds necessary to increase substantially our missile production, and also enough funds to provide for an adequate air alert. Then, it is hoped the administration will use the money as intended by the Congress.

As a result of what the Secretary of Defense said, most people felt that the budget provided for an acceleration of our ICBM production. That is not true. The additional money requested is simply going at the end of the existing schedule. Therefore, there would not be any extra missiles for a great many months to come—none in 1960, 1961, or 1962.

One thing more, since the Senator from Massachusetts has raised the question. I think we must get this matter out on the table. If the statement or speech of General Power, which must have been cleared prior to delivery, is correct, if we use the figures which the Secretary of Defense has given us, which are classified, and if we use the official ICBM production schedules, which are classified, our position in 1961 will be such that we will not have an adequate overall deterrent capacity. I believe that matter is of such serious consideration on the part of the American people that they ought to know it, and that the funding for our defense should be adjusted accordingly.

Mr. SALTONSTALL. Let me make one statement in reply to what the Senator from Missouri has said. I again thank the Senator from Pennsylvania for

yielding to us. The Senator from Missouri is clearly entitled to his opinion as to what is going to happen, based upon the studies, in 1961. That is a matter which we should debate and consider very carefully when all the facts are known. I have confidence in the Secretary of Defense, and I have confidence in the President of the United States. I believe that when they give us their estimates of what is necessary for the year 1960 and what is necessary in order to prepare for 1961, the burden of proof is on those who disagree with them.

The Senator from Missouri is entitled to disagree with them, and he is entitled to and should debate the matter fully on the floor. I hope I will have the opportunity again to discuss these questions with him.

Without wishing to prolong the argument at this time, in justice to the Senator from Pennsylvania and his courtesy, I call attention to the fact that I do not believe there was any intention on the part of anyone to alter the Intelligence estimates so as to balance the budget. That is what I wanted to bring out this afternoon. I know the Senator from Missouri has confidence in the personality and character of the Director of the Central Intelligence Agency, as I do, and I believe he also has, as I know I have, confidence in the integrity and character of the Secretary of Defense and, of course, the President of the United States.

Mr. SYMINGTON. I thank the Senator from Massachusetts for his graciousness and courtesy and for the invariably high plane on which he conducts a colloquy of this kind.

Again, I express my appreciation to the distinguished Senator from Pennsylvania for allowing us to discuss this matter on his time. My only consolation is that the Senator from Pennsylvania is one of the experts in this field and I am confident is interested in what we are talking about.

What I have said is not a matter of my opinion; it is a matter of mathematical fact, based on the figures which were presented by the Secretary of Defense to the Committee, and based on the production schedules which have been presented to the Senate Committee on Armed Services by the Pentagon Building.

This is not a question of personal opinion; it is a matter of fact, that unless the budget is increased and provision is made for additional intercontinental new missiles and a true air alert now, we will very soon not have the overall deterrent capacity—not merely the missile capacity—necessary for the security of the United States.

Mr. SALTONSTALL. That is an opinion——

Mr. SYMINGTON. It is not an opinion; it is the product of clear mathematical analysis.

Mr. SALTONSTALL. The Senator did not hear me out.

Mr. SYMINGTON. I beg the Senator's pardon.

Mr. SALTONSTALL. That is an opinion of the distinguished Air Force general, without any question. Over him is a civilian head, and over both is the Commander in Chief. What we must work out is a balanced deterrent force. That is what I am certain the distinguished Senator from Missouri wants to do.

Mr. SYMINGTON. I thank the Senator from Massachusetts.

Again, I express deep appreciation to the Senator from Pennsylvania.

Mr. CLARK. I feel I am better informed because of this discussion. I certainly am happy to have yielded to my distinguished colleagues. I should like, if I may, to make this comment on the colloquy, particularly to the Senator from Massachusetts.

It seems to me that this is not a question of integrity or a question of character at all. Nobody questions the character of his good friend and mine, Secretary Gates, with whom I grew up as a boy in Philadelphia. Nobody questions the integrity of the Director of the Central Intelligence Agency or of the President of the United States. This is a question of judgment. The question is whether budgetary considerations have affected the judgment of these men, who are charged with the national defense.

In that regard, I call the attention of the Senator from Massachusetts to a most interesting article entitled, "The Missile Gap: Fishy Stuff," written by Joseph Alsop, and published in the Washington Post this morning. Mr. Alsop points out:

> The American intelligence estimate prepared at the time of the first sputnik gave the Soviets about 500 intercontinental missiles by the end of this year. If these first estimates happen to be correct, the Kremlin may already have enough ICBM's to "wipe out" our nuclear deterrent.
>
> During 1958, however, the first estimates were downgraded. New and lower estimates were conveniently revealed by former Secretary of Defense Neil McElroy, during his presentation of the business-as-usual 1959 Defense budget.

Mr. Alsop further says:

> During 1959, however, the revised estimates were revised yet again. The new and still lower estimates were conveniently revealed by Secretary of Defense Thomas Gates, during his presentation of the business-as-usual 1960 Defense budget.

Continuing, Mr. Alsop says:

> On the face of it, there is something very fishy about these repeated, strikingly convenient downgradings of intelligence estimates. How can anyone be so sure that Nikita S. Khrushchev was lying, in late 1958, when he stated that Soviet ICBM's were already "in serial production"? How can anyone prove that he was being deliberately misleading, more recently, when he seemed to say that a single Soviet factory had turned out 250 ICBM's last year?

Near the end of his article, Mr. Alsop says:

> Pearl Harbor was the result, the last time the American Government based its defense posture on what it believed a hostile power would probably do, and not on what the hostile power was capable of doing. If the estimates are wrong by no more than a hairsbreadth, something much worse than Pearl Harbor can now be the result.
>
> In this matter, it is folly to blame the estimators, and above all the Central Intelligence Agency. The CIA has never claimed to provide gospel instead of estimates. It has done its best with a bad, difficult business. But those who have pressed for downgraded estimates, and have then used mere estimates as gospel, can certainly be blamed. These sponsors of our business-as-usual defense budgets, headed by the President, are playing a vast game of Russian roulette with the national future.

Mr. President, I ask unanimous consent that the entire article written by Mr. Alsop may be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MISSILE GAP: FISHY STUFF

(By Joseph Alsop)

The American intelligence estimate prepared at the time of the first sputnik gave the Soviets about 500 intercontinental missiles by the end of this year. If these first estimates happened to be correct, the Kremlin may already have enough ICBM's to "wipe out" our nuclear deterrent.

During 1958, however, the first estimates were downgraded. New and lower estimates were conveniently revealed by former Secretary of Defense Neil McElroy, during his presentation of the business-as-usual 1959 defense budget. This second set of estimates gave the Kremlin 500 ICBM's by the end of 1961. If the revised estimates happened to be correct, the Kremlin should be in a position to win the world about 12 months from now.

During 1959, however, the revised estimates were revised yet again. The new and still lower estimates were conveniently revealed by Secretary of Defense Thomas Gates, during his presentation of the business-as-usual 1960 Defense budget. If the twice downgraded estimates happen to be correct, we may perhaps bridge the missile gap without any final catastrophe—provided the Pentagon's highly optimistic schedules for the Minuteman missile and other weapons of the future also happen to be correct.

On the face of it, there is something very fishy about these repeated, strikingly convenient downgradings of intelligence estimates. How can anyone be so sure that Nikita S. Khrushchev was lying, in late 1958, when he stated that Soviet ICBM's were already "in serial production"? How can anyone prove that he was being deliberately misleading, more recently, when he seemed to say that a single Soviet factory had turned out 250 ICBM's last year?

If he was telling the truth, Khrushchev must now have at least 150 operational ICBM's. The highest American authority, the Strategic Air Commander, Gen. Thomas Power, has publicly said 150 ICBM's could virtually wipe out our nuclear deterrent. And the answer to the questions posed above is, quite simply, that no one in America can possibly be sure Khrushchev was not telling the truth, despite our downgraded estimates.

The proof of that statement lies not merely in the disturbing record of the estimates and the peculiar machinery that produces them, both of which have already been described in this series. In the evidence itself lies the best proof that the estimates are no more absolutely reliable than their name implies.

The gaps in our evidence on the Soviet ICBM program are quite certainly very great. We do not know whether the Soviets have one, or two, or three, or more ICBM plants comparable to our own Atlas plant, which could turn out 150 ICBM's in 10 months if ordered into three-shift production. We do not know whether crews have been diverted for ICBM's from the admittedly massive Soviet IRBM program. We do not know about launching pads, since even the doubly downgraded estimates suggested that the Soviet ICBM's are probably rail mobile.

Such are the vast areas of ignorance, which unchallengeable authorities assert are concealed behind the national estimates. There are hints and indications, of course, to garnish the gap. But there is in fact only one main area of certainty. Our missile-watching radars have told us that the Soviets were not running great numbers of ICBM tests—only three per month until recently. We also have information about the Soviet testing facilities apparently confirming the information about the ICBM tests.

This limited Soviet program of ICBM tests has been almost the only excuse for twice downgrading the estimates. On this point, the Central Intelligence Agency, which is not in the missile business, is ill-equipped to argue with the Pentagon, which is very much in the missile business. The Pentagon uses American test requirements as the yardstick—a highly dubious yardstick for many technical reasons. Insisting on this yardstick, the Pentagon has also insisted that the Soviets cannot be engaged in a crash program of ICBM output.

The words, "crash program," are doubly revealing. They show first the deforming effect of budgetary pressures. A mere 10 months of capacity output by our own Atlas plant—the Kremlin requirement as stated by General Power—could not be called a crash program by anyone who had not lost his grip on reality.

Second, these words, "crash program," also imply a shocking fact that Secretary Gates has now publicly admitted. They show that our estimates are no longer calculations of Soviet capabilities—calculations of the utmost the Soviet can do, by a crash program for instance. They indicate that our estimates are now mere calculations of Soviet intentions. Despite Secretary Gates' subsequent attempts to fuzz the whole thing over, his original testimony on this point was crystal clear.

"Figures (of Soviet ICBM output) that have been testified to in years past * * * were based on Soviet capabilities. This present one is an intelligence estimate of what we believe (to Soviet) will probably do, not what (the Soviets are) capable of doing."

Pearl Harbor was the result, the last time the American Government based its defense posture on what it believed a hostile power would probably do, and not on what the hostile power was capable of doing. If the estimates are wrong by no more than a hairbreadth, something much worse than Pearl Harbor can now be the result.

In this matter, it is folly to blame the estimators, and above all the Central Intelligence Agency. The CIA has never claimed to provide gospel instead of estimates. It has done its best with a bad, difficult business. But those who have pressed for downgraded estimates, and have then used mere estimates as gospel, can certainly be blamed. These sponsors of our business-as-usual defense budgets, headed by the President, are playing a vast game of Russian roulette with the national future.

Mr. SYMINGTON and Mr. SALTONSTALL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield; and if so, to whom?

Mr. CLARK. I yield first to the Senator from Missouri; then I shall yield to the Senator from Massachusetts.

Mr. SYMINGTON. First, I congratulate the distinguished Senator from Pennsylvania for his fine statement. I, too, read the Alsop article and also the three of the same series which preceded it. I understand there will be two more. In my opinion, Mr. Alsop is doing a service to the people of the United States by presenting this excellent analysis of the way in which the administration is playing "ducks and drakes" with our national security.

I may say to the Senator from Massachusetts that I do not believe in attempts to meet facts with assertions about character. With all due respect to the character of the persons to whom he referred, I have sometimes found people without high character entirely right on certain subjects, and also people of the highest character who were not entirely correct on certain subjects. There is not necessarily a correlation.

I am becoming a little tired of what may be called the arrogant benevolence to which we are being treated. Perhaps one might prefer to call it benevolent arrogance. It seems to me that these matters should be judged not on the basis of the individual's character, but on the basis of fact and experience.

Mr. CLARK. Such as the experience of the commander of SAC.

Mr. SYMINGTON. I should say the commander of SAC is reasonably able to discuss the Strategic Air Force in some detail, and possibly with as much ability as the Secretary of Defense, who has been serving in his present capacity for only a few days, and who, prior to that, was Deputy Secretary of Defense, and prior to that was Secretary of the Navy.

I in no way criticize the high character of Mr. Gates, and I am confident the Senator from Massachusetts is not attacking the character of the Chief of the Strategic Air Command. I think that when we debate these subjects we should discuss the facts and should consider the relative experience of the persons in the particular positions to which we refer.

Mr. CLARK. I find myself in complete accord with the Senator from Missouri. I am happy to yield now to the Senator from Massachusetts.

Mr. SALTONSTALL. I will make a very brief statement. The Senator from Pennsylvania stated it was not a question of character, but of judgment. I think it is a question of both. I think it is a question of character, of having confidence in someone's telling the truth and giving his best judgment, to the very best of his ability, regardless of where it may hit or of political incidence. I think, in the case of the Secretary of Defense and the President of the United States, that they are today the ones in civilian life who are the best informed, and should be the best informed, of any two civilians.

Mr. CLARK. I am glad the Senator said "should be," instead of "are." They should be. The question is, Are they?

Mr. SALTONSTALL. I say they are, and should be. Those who controvert their judgment must bear the burden of proof to show that they are wrong. I think that is the way I would like to leave it.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. SYMINGTON. We have heard a number of divergent statements. It is not necessary to say that somebody is not telling the truth, but it is necessary to point out that somebody is not correct. Regardless of the personal character of the persons involved, facts are the vital things in this field. Therefore, I hope that the Senator from Massachusetts and the Senator from Pennsylvania agree with me, as I am sure they do, that we should get the facts before the American people, regardless of how high the character is of those who are in disagreement.

Mr. SALTONSTALL. I will say to the Senator that I agree with him entirely about getting the facts. I hope both he and I will have the facts by the time the appropriation bill comes before us, and have an opportunity to debate the question on the floor.

Mr. SYMINGTON. I thank the Senator.

Mr. CLARK. I am happy to have had the privilege of yielding to the two distinguished Senators.

I turn now to other matters.

The PRESIDING OFFICER. The Senator from Pennsylvania.

RECENT OUTBREAKS OF ANTI-SEMITISM AND ANTI-CATHOLICISM

Mr. CLARK. Mr. President, the recent rash of anti-Semitic and anti-Catholic outbreaks is shameful and frightening. Whether these desecrations are the result of organized, sinister planning or not, they are hardly meaningless. Their meaning lies in the moral vacuum which they indicate in their perpetrators. We cannot dismiss these acts as simple hysteria, for they have centered on a symbol of hatred, the swastika, almost unequaled in human history. They show us how far we must go to educate our young people to the fact that, as Theodore Roosevelt once said:

> Religious intolerance and bitterness are bad enough in any country, but they are inexcusable in ours.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

INFLATION EDUCATION SIDELINED

Mr. CLARK. Mr. President, I ask unanimous consent that an interesting news article by Mr. Peter Edson, of the Scripps-Howard publications, appearing in the January 22, 1960, issue of the Pittsburgh Press, and entitled "Ike Changes Mind—Inflation Education Sidelined," may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IKE CHANGES MIND—INFLATION EDUCATION SIDELINED

(By Peter Edson)

WASHINGTON.—Two important changes in Eisenhower administration policies are revealed by the new economic report of the President to Congress.

The big campaign to educate the American people into believing that inflation is the greatest danger menacing the country apparently has been dropped.

And a new policy favoring reduction of the national debt has been substituted for tax re-

duction as the best means to stimulate economic growth.

A year ago, when the country was just coming out of the 1958 recession, the economic report said, "The growth of the national economy was significantly aided by the 1954 tax changes." They cut taxes $7 billion.

Last year's report went on to say, "If the economy grows at the expected rate * * * a significant additional step in tax reduction can be taken in the foreseeable future."

TAX CUT OUT

But this year that idea is thrown into the ashcan. The administration backs completely away from tax reduction.

So instead of using the anticipated $4,200 million surplus for tax reduction, it will be used for reduction of the national debt.

The theory seems to be that it is debt reduction, not tax reduction which will "promote steady and vigorous economic growth * * * restrain inflationary pressures * * * facilitate noninflationary management of public debt."

A year ago when there was a great to-do about preventing inflation, the steel companies and unions were both told they must show real statesmanship and make a new labor contract which would be noninflationary.

You don't find anything like that in the new economic report. Instead, Government officials interpreting the new economic report give you the alibi that since steel management has said there will be no "immediate" price increase, the new contract is noninflationary.

COMPLETE SWITCH

It is explained that steel management now says wage payments under the new contract will represent a 3.5 percent increase in production costs over the first year.

Administration spokesmen therefore say that if the steel industry can achieve a 3.5 percent increase in productivity over the year, this will enable management to absorb increased costs of the new contract without having to raise prices.

The possibility of price rises from other causes, however, is not ruled out. It is said that they could come from a boom economy with heavier consumer demand and buying, inventory buildups by business, or heavy investment for plant expansion.

And such developments as these would reduce the administration's previous propagandizing against inflation to something of a cruel joke played on the American people.

It represents about as complete a change in economic policy as any administration has attempted in so short a time.

Mr. CLARK. Mr. President, one of the interesting comments in Mr. Edson's article is this:

The big campaign to educate the American people into believing that inflation is the greatest danger menacing the country apparently has been dropped.

Mr. Edson continues with an interesting analysis supporting that statement, which I hope my colleagues will find valuable.

Mr. President, I desire to refer to another subject.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

TO STRENGTHEN THE AUTHORITY OF THE UNITED NATIONS TO PREVENT WAR

Mr. CLARK. Mr. President, on behalf of myself, and Senators BEALL, BYRD of West Virginia, CARROLL, CHURCH, GRUENING, HENNINGS, HUMPHREY, JAVITS, KEFAUVER, KENNEDY, MAGNUSON, MCCARTHY, MCGEE, MORSE, MOSS, NEUBERGER, PROXMIRE, SYMINGTON, WILLIAMS of New Jersey, YOUNG of Ohio, PASTORE, LONG of Hawaii, LAUSCHE, ENGLE, and RANDOLPH, I submit, for appropriate reference, a concurrent resolution urging U.S. support of a program for world peace through world law.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 83) to strengthen the authority of the United Nations to prevent war, submitted by Mr. CLARK (for himself and other Senators), was received and referred to the Committee on Foreign Relations, as follows:

Whereas the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace; and

Whereas there can be no such peace without the development of the rule of law in the limited field of war prevention; and

Whereas peace does not rest on law today but on the delicate balance of terror of armed force; and

Whereas the United Nations General Assembly at its fourteenth session unanimously adopted "the goal of general and complete disarmament under effective international control" and called upon governments "to make every effort to achieve a constructive solution of this problem"; and

Whereas a just and lasting peace would not be assured even if nations lay down their arms unless international institutions for preventing war were strengthened; and

Whereas the United Nations constitutes an important influence for peace but needs to be strengthened to achieve the rule of law in the world community; and

Whereas the United Nations General Assembly at its tenth session resolved that "a general conference to review the charter shall be held at an appropriate time"; and appointed a "Committee consisting of all the members of the United Nations to consider, in consultation with the Secretary-General, the question of fixing a time and place for the conference, and its organization and procedures"; and

Whereas the United Nations General Assembly at its fourteenth session resolved "to keep in being the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter, and to request the Committee to report, with recommendations, to the General Assembly not later than at its sixteenth session"; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the U.S. position at the next meeting of the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter should be that the Committee recommends to the United Nations General Assembly that a charter review conference be held not later than December 31, 1962, and that member governments be requested to prepare recommendations and to exchange views with respect to United Nations Charter review and revision in order to facilitate the organization of the said conference and to further the chances of its success.

SEC. 2. The President is hereby requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations to promote a just and lasting peace through the development of the rule of law in the limited field of war prevention. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, within twelve months after the date of approval to this resolution, the results of such studies.

SEC. 3. It is further the sense of the Congress that the United States should present specific proposals to strengthen the authority of the United Nations to prevent war, at future international conferences concerning general disarmament and to the United Nations Disarmament Commission.

Mr. CLARK. Mr. President, among the sponsors of this resolution are five members of the Senate Foreign Relations Committee, Senators HUMPHREY, of Minnesota; KENNEDY, of Massachusetts; LAUSCHE, of Ohio; CHURCH, of Idaho; and MORSE, of Oregon; and three members of the Senate Armed Services Committee, Senators ENGLE, of California; BEALL, of Maryland; and SYMINGTON, of Missouri.

Twenty-six Senators are more than one-quarter of the entire body of the Senate. I hope this resolution will be of great interest to our colleagues and will soon be the subject of hearings by the Senate Foreign Relations Committee. Mr. President, the resolution expresses the sense of the Congress.

First. That the United States should recommend convening no later than December 31, 1962, a conference to review and strengthen the Charter of the United Nations;

Second. That the President be requested to initiate high-level studies to determine needed changes in the U.N. Charter to promote a just and lasting peace through the development of the rule of law in the limited field of war prevention; and

Third. That the United States should present specific proposals to strengthen the authority of the United Nations to prevent war at future international conferences on general disarmament.

The resolution supersedes and brings up to date Senate Concurrent Resolution 52, sponsored by most, but not all, of the same Senators as last year.

An identical resolution was offered in the House of Representatives today by Representative CHARLES O. PORTER, of Oregon, and was cosponsored by a number of other Representatives.

Mr. President, I ask unanimous consent that there may appear in the RECORD at this point in my remarks a list of the sponsors in the House of Representatives.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

House sponsors in addition to Representative PORTER, include Representatives HUGH J. ADDONIZIO, Democrat, of New Jersey; THOMAS L. ASHLEY, Democrat, of Ohio; JOHN A. BLATNIK, Democrat, of Minnesota; FRANK M. CLARK, Democrat, of Pennsylvania; JOHN R. FOLEY, Democrat, of Colorado; BYRON L. JOHNSON, Democrat, of Colorado; ROBERT W. KASTENMEIER, Democrat, of Wisconsin; THOMAS J. LANE, Democrat, of Massachusetts; HARRIS B. MCDOWELL, JR., Democrat, of Delaware; WILLIAM H. MEYER, Democrat, of Vermont; JOSEPH M. MONTOYA, Democrat, of New Mexico; WILLIAM S. MOORHEAD, Democrat, of Pennsylvania; ADAM C. POWELL, Democrat, of New York; JAMES M. QUIGLEY, Democrat, of Pennsylvania; GEORGE M. RHODES, Democrat, of Pennsylvania; RALPH J. RIVERS, Democrat, of Alaska; JAMES

ROOSEVELT, Democrat, of California; PETER W. RODINO, JR., Democrat, of New Jersey; and LEONARD G. WOLF, Democrat, of Iowa.

Mr. CLARK. Mr. President, it is clear that the United Nations is a vital influence for peace in the world today. The fact that national spokesmen, no matter how hostile their countries, can assemble in one chamber to air their grievances at times of world crises, provides an all-important safety valve for national emotions and prejudices. It is just as clear, however, and perhaps more so to the friends of the U.N. than to its opponents, that the limitations contained in the present charter make the U.N. ineffective when world peace is threatened by the big powers.

The Charter of the United Nations should be drastically revised and strengthened. A document drafted before the advent of the hydrogen bomb, sputnik, lunik, and intercontinental ballistic missiles is clearly inadequate to deal with today's problems of peace and survival and the coming advent of man into outer space.

As merely one example it should be noted that one-third of the earth's population, including 40 countries and 933 million people are not even presently represented in the U.N.

The present methods, organizational structure, voting procedures, veto provisions, arrangements for the pacific settlement of disputes, agencies for world economic and social advancement are all outmoded. A lot of hard work must be done to modernize the charter before it is too late.

Other U.N. defects are known to all of us. The disproportionate power given to small nations by the one-vote-per-member rule under the present charter permits the 42 smallest states in the U.N., with a total population of 147 million, to outvote the 40 largest states, which have 1,170,000,000 persons. Ninety-four times the veto has been used to prevent action by the Security Council and the difficulties and delays inherent in General Assembly action have been amply demonstrated. The deplorable picture of the U.N. Secretary General having to beg annually to obtain the small contributions called for in the U.N. budget, which amounts to $63 million in 1960, has become an international scandal. The need to expand the UNESCO council is widely recognized. The absence of an international police force may prove tragic to the coming disarmament negotiations.

The history of U.N. Charter Review efforts can be summed up in one word, "stagnation."

Now nothing was done about charter review in the first 10 years of the U.N.'s existence. The subject was placed on the agenda of the 10th General Assembly, which met in New York in 1955. With the United States taking the lead, the General Assembly resolved, by a vote of 43 to 6, with 9 abstentions, that "a general conference to review the charter shall be held at an appropriate time."

A committee consisting of all members of the U.N. was created "to consider, in consultation with the Secretary General, the question of fixing a time and place for the conference, and its organization and procedures." The committee "was instructed to report to the General Assembly no later than the 14th session to be convened in 1957."

The so-called committee on arrangements met in June of 1957, and the members decided to recommend to the General Assembly at its 12th session that the committee be kept in being and be requested to report not later than the 14th session, but no date for the charter review conference was set.

The 12th session of the General Assembly convened in October of 1957 and approved the committee's recommendations.

Last September the United Nations Committee on Arrangements met again, early in September. Although 20 members of this body, including four members of the Foreign Relations Committee, had gone on record by their sponsorship of Senate Concurrent Resolution 52 as favoring the convening of a U.N. charter review conference, our representative at that meeting opposed such action at the present time. Ambassador Lodge stated only that the United States favored charter review at the appropriate time, and that our Government was willing to have a review conference whenever a majority of the members considered it appropriate. Accordingly, the U.N. committee proceeded to defer until the fall of 1961 the whole issue of when to hold a conference, and the 14th General Assembly approved its recommendations and requested that the committee report back to the assembly within 2 years.

Thus there is ample time for the United States to prepare its position in regard to charter review and advocate that position among our allies and the uncommitted nations of the world in advance of the next meeting of the U.N. committee on arrangements.

The concurrent resolution states the sense of Congress that the U.N. position at the next meeting of the committee on arrangements should be that the committee recommend to the 16th session of the U.N. General Assembly that a charter review conference be held not later than December 31, 1962. The date is a target one only, and intended to indicate congressional feeling that a specific date should be agreed upon by the committee and recommended to the General Assembly. Otherwise it is abundantly clear that the whole issue will merely be put over for another 2 years.

Mr. President, in commenting on the similar resolution which I introduced last year, the State Department gave as one of its reasons for opposing U.N. charter review at this time the fact that the Soviet Union was strongly opposed to any review conference. The Department report stated:

> It must be borne in mind * * * that the U.S.S.R. is blocking the possibility of any charter change by its announcement that it will, in effect, veto any amendments unless the Chinese Communists are seated in the United Nations.

This is, indeed, the Soviet position, but I submit that it should have no bearing whatsoever on our own determination and advocacy of what is right and proper in this or any other sphere of international activity. It is apparent from section 109 of the charter, which I cited above, that the U.S.S.R. has no veto power over the convening of the charter review conference which can be called by a simple majority vote of the members of the General Assembly with the concurrence of 7 of the 11 members of the Security Council. True, the U.S.S.R. would not have to ratify changes recommended by a review conference. If Soviet Russia refused to accept sound organizational improvements in the U.N. however, it would do so only at the peril of alienating the vast majority of all nations. Unfortunately perhaps, the Russians have not shown such insensitivity to world opinion in the past, and any glib assumption that they would do so in the future must be examined critically.

Some fear that any change in the U.N. would be for the worse and that a charter review conference might weaken rather than strengthen the United Nations. If this were the case, U.S. ratification would not be forthcoming, and the organization would remain in its present form because of the provisions of section 2 of article 109.

Others, equally misguided in my opinion, oppose any strengthening of the U.N. on the grounds that it would be in derogation of our sovereign rights as an independent Nation. Sovereignty is an emotion-packed battle cry always raised against proposals to recognize the interdependence of nations, regardless of whether the proposals are well conceived and limited in scope. I believe that this battle cry has become shopworn, and I would commend to my colleagues Elmo Roper's article in the December 26 issue of Saturday Review, "Cracking the Sovereignty Barrier."

I am convinced that the people of this country are coming to a realization that we do not now enjoy and have not for some time in the past enjoyed unfettered sovereignty to do as we please. The United States is one of the two great powers in the world today. We represent, however, only 6 percent of the world's peoples. The nuclear stalemate prevents us from making over the world in our own image as recent events in China, Tibet, the Middle East, and Cuba demonstrate. In my judgment, Mr. President, we are not going to be able to help the people of West Berlin or Budapest in the long run unless we can replace the rule of terror with the rule of law in the world community.

With respect to the second part of the resolution, Mr. President, so far as we can tell, our State Department is giving no serious present consideration at a high level to the substantive issues of charter review. In a letter dated April 3, 1959, addressed to me by the State Department, this statement is made:

> Since no date for a (charter review) conference has yet been set, no special consideration is presently being given to the substantive issues of charter review.

On May 19, 1959, in commenting on Senate Concurrent Resolution 52, the predecessor of the present resolution, the Department stated:

> Present circumstances * * * do not, in the Department's view, warrant the initiation at this time of further high level studies in the executive branch of the Government in connection with charter review.

It is high time the administration bestirred itself to deal seriously with one of the most important issues of our time.

I am very hopeful that the present leadership in the State Department will soon, if it has not already, come to that conclusion.

With respect to the third part of the resolution, Mr. President, total and permanent controlled disarmament should be the ultimate aim of this country. It is already the stated goal of England and Russia, the only two other countries presently possessing nuclear weapons and the ability to penetrate outer space. In response to the plans for total and permanent disarmament offered by Selwyn Lloyd and Nikita Khrushchev in the U.N. last fall, we have gone no further than the statement made by Ambassador Henry Cabot Lodge:

> If all nations lay down their arms, there must be institutions to preserve international peace and security and promote the rule of law.
>
> It seems to the U.S. Government that there are three questions in particular to which detailed answers should be sought: (1) what type of international police force should be established to preserve international peace and security? (2) what principles of international law should govern the use of such a force? and (3) what internal security forces, in precise terms, would be required by nations of the world if existing armaments are abolished?

Mr. President, this is not enough. It is not nearly enough. It is, as Norman Cousins has well said, "our turn to speak."

Nor can we justify inaction on the ground that Mr. Khrushchev may oppose those inspection and control systems which are the heart of a workable general disarmament plan. On the contrary, the Russians have indicated their interest in setting up such inspection and control as a part of any total and permanent disarmament agreement. In his U.N. speech, Khrushchev stated:

> There should be initiated a system of control over all disarmament measures which should be created and should function in conformity with the three stages by which disarmament should be effected.

At a Washington press conference on September 27, Khrushchev stated:

> We believe that in the process of disarmament, in accordance with each stage of disarmament, there should be an appropriate stage of control, that is, the presence of representatives of other states and control over the regions subject to control in accordance with agreement. And this will be throughout the whole process of disarmament up to its full completion.

That this was not an unintentional ad lib response to a newsman's question was indicated by the fact that Mr. Kuznetzov, of the U.S.S.R., repeated Khrushchev's answer at U.N. on October 7, 1959.

Mr. President, I view the absence of specific proposals to strengthen the U.N. the main drawback in the Russian proposal. During the course of the disarmament debate at the United Nations last fall, no less than 31 U.N. delegations expressed views that better international machinery to preserve peace was a fundamental requirement for a disarmed world. The key portions of these statements have been put together in booklet form by Marion H. McVitty, official U.N. observer, and I commend that booklet to the attention of my colleagues.

The role of member nations advocating improvement in the structure of the U.N. and its component organs during this debate is an impressive one, and the spokesmen came from all areas of the world and from both sides of the Iron Curtain. India, Greece, Yugoslavia, Italy, Netherlands, Japan, Liberia, Australia, Colombia, Turkey, Belgium, Pakistan, France, Haiti, Ethiopia, Indonesia, Libya, Saudi Arabia, Burma, Canada, and several other nations were heard on this point.

The Italian spokesman was perhaps the most eloquent. Signor Ortona declared on October 23 that:

> A thorough study of the measures to be adopted to cope with possible violations of international agreements on total disarmament should be taken up. In this respect it appears quite clear that the rules at present contained in our charter, which have been conceived in view of a partial and not total disarmament, should be revised in order to furnish the Security Council and the Assembly with an international military instrument to guarantee peace effectively. The various states, while abiding by the planned measures for total disarmament, would not be in a position to place at the disposal of the United Nations—as it is provided for today—any armed contingent against a possible aggressor. * * * in total and general disarmament will thus imply also important revisions in the charter and the magnitude of their significance would induce one to believe that when such necessary statutory amendments take place, also the present right of veto would be revised, as it is based on the concept of preeminent military power, which would have ceased to exist. Anyhow, the exercise of the right of veto on this matter certainly would not be justified, as it would bear on a field in which rights and duties should be equal to all.

On November 20, 1959, the U.N. General Assembly unanimously adopted the goal of general and complete disarmament under effective international controls, and called upon member governments "to make every effort to achieve a constructive solution to this problem." The U.N. referred all disarmament proposals made during the 14th session to the 10-nation group—United States, United Kingdom, France, Italy, Canada, U.S.S.R., Bulgaria, Czechoslovakia, Poland, and Rumania—which will meet in Geneva on March 15, 1960, to attempt to reach an East-West agreement on general disarmament.

Mr. President, resolutions substantially similar to that which has been offered here this afternoon have been offered by 46 members of the House of Commons in England and have also been offered in the French and Italian Parliaments and in the Japanese Diet.

Shortly before Christmas I had a most interesting meeting in Tokyo with members of the Foreign Relations Committee of the Japanese House of Councilors, and discussed this subject with the Vice Minister for Foreign Affairs of Japan. I found in that country an overwhelming sentiment for world peace through the rule of law.

I hope that the United States will not lag behind our friends much longer in advocating the rule of law in the world community.

Mr. President, I am concerned about the position our Government is going to take at the coming ten-nation disarmament talks. As we all know, Mr. Coolidge of Boston was brought here by the President to prepare a report on disarmament with the assistance of the Defense Department and of the Department of State. Mr. Coolidge worked hard and diligently on that report. It is, of course, "top secret" and I have not seen it. In due course it will go to the National Security Council and the President.

Mr. Coolidge, however, did make a most interesting speech to the members of the Harvard Club of Washington a couple of weeks ago, which I had the pleasure of attending. It seemed very probable to me from what he said that his report will be almost entirely negative. His talk placed almost exclusive emphasis on the agreements we have had with Russia which are in default and the dangers of our taking any lead whatsoever in the disarmament field. I fear that if the report, which I suspect reflects primarily the thinking of the Pentagon and AEC, receives the support of the Eisenhower administration, we shall find that, although it is our turn to speak, we shall not have spoken. We shall remain for the foreseeable future, as we are now, the only nuclear power in the world which has not made serious, detailed proposals for total and permanent controlled disarmament under the rule of law.

I am hopeful that Mr. Herter and his colleagues in the State Department will support the pending resolution. It is high time the United States resumed the world peace initiative which it originally took when the Baruch-Acheson-Lilienthal plan electrified the world 15 years ago. We should be the leaders, not the laggards in worldwide efforts to achieve world peace through world law in the limited field of war prevention.

Mr. President, I yield the floor.

PARLIAMENTARY INQUIRY REGARDING SENATE JOINT RESOLUTION 39

During the delivery of Mr. CLARK's remarks,

Mr. KEATING. Mr. President, will my friend yield for a parliamentary inquiry?

Mr. CLARK. I am happy to yield.

Mr. KEATING. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The Senator will state it.

Mr. KEATING. Is the Kefauver joint resolution as originally introduced still open to amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND].

Mr. KEATING. Mr. President, after that is disposed of, will the original joint resolution relating to membership in the House of Representatives be open to amendment?

The PRESIDING OFFICER. That is correct.

Mr. KEATING. I thank the Chair.

Mr. CLARK. Mr. President, I ask unanimous consent that the parliamentary inquiry of my friend from New York may be printed in the RECORD after the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

PROTECTION OF VOTING RIGHTS

Mr. HART. Mr. President, after much apparent hesitation, Attorney General Rogers, presumably with the approval of the President, Vice President, and the administration, has finally announced a new plan to protect voting rights in this country. It calls for the appointment of referees by the Federal courts, referees who would be authorized to register citizens who had been denied the right to register and to insure that they are permitted to vote in any election. Its purpose is to strengthen the 1957 Civil Rights Act.

I want to make it clear, Mr. President, that I believe this plan has some merit. This should be said because there is naturally going to be a tendency to compare the features of the Attorney General's approach with the recommendation of the Civil Rights Commission calling for temporary Federal registrars; with bills which Senators HUMPHREY, JAVITS and MORSE have each introduced, to provide for temporary Federal registrars; with the proposal for a Congressional Elections Commission, which bill I submitted last August. The Rules Committee now is giving each of these measures careful study. The question before them, as I see it, is not one of choosing between three different plans. It is rather to devise a sound, workable plan, which might very well include the strong points of each of these approaches. Ninety-five years after Appomattox, it is clear that we need to find a way to guarantee every American citizen the right to vote without discrimination because of his race, color, or creed. For the record, Mr. President, I am submitting an outline comparison of the distinctive features of the bills introduced by the Senator from Minnesota [Mr. HUMPHREY], S. 2814, myself, S. 2535, and the Attorney General's proposal.

Mr. President, it seems to me the significance of Attorney General Rogers' proposal is not so much in the details of its procedure. It lies rather in the fact that the administration, at long last, is finally on record as endorsing the recommendation made last September by the Civil Rights Commission, which urges action by the Congress to strengthen voting procedures and to eliminate racial discrimination from their operation. In view of his obvious hesitations and misgivings about the weaknesses of the 1957 Civil Rights Act, he has initiated only four actions under it, I believe, the amazing thing is that it took him so long to make this new proposal. Now that we have the benefit of his experience available to us, I am certain that agreement among those interested in action on voting rights is possible. Senator HENNINGS, along with the sponsors of other approaches here in the Senate, and in the House, I am sure, will work with every diligence to bring a bill before the Congress which will be consistent with the objectives of all.

I want to make it clear, Mr. President, that I will support every reasonable step taken in this direction. I would hope that every Member of this body will do the same, whether he sits on the right or the left side of the aisle—or in the chair you now occupy, Mr. President.

This is a national problem, not a regional or sectional one.

This is a moral question, not a matter of procedure.

This is a matter of free elections, not a matter of party bickering. Our right to leadership in the free world is involved. When February 15 arrives, I hope we will be prepared to meet the challenge.

For the record I submit an outline comparison of the distinctive features of the bills introduced by the Senator from Minnesota [Mr. HUMPHREY] and myself, along with the Attorney General's proposal, and ask that it be printed in the RECORD at this point as a part of my remarks:

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

	S. 2535 (Congressional Elections Commission)	S. 2814 (Federal registrars)	Jan. 26, 1960, Attorney General's draft (Federal court voting referees)
Branch of Government where basic responsibility lies.	Legislative (Congressional Elections Commission).	Executive (Civil Rights Commission and President).	Judicial (Attorney General and Federal courts).
Elections encompassed	U.S. Senators and Representatives	President, Vice President, Presidential electors, U.S. Senators, and Representatives.	All Federal, State, and local offices in any given election.
Qualification of voters to be followed by new officer or agency.	Same as State qualifications	Same	Same.
How long registration effective	At the discretion of Commission for elections held under its supervision.	2 years or less	Same as State law.
How is registration effected	Under rules of Commission or adopting State and local registrar's list as applicable for elections held by Commission.	By certification to proper State or local official by Federal registrar of his lists.	By certification issued under decree of Federal court naming each individual found qualified.
Who can register under this procedure	All persons qualified under State law in district or State where election held by Commission.	All persons in a district where Federal registrar is established who qualify under State law.	Persons who have established before court referee they in fact were prohibited in exercising right to vote and are duly certified to local and State election officials under court decree.
Who acts as registrar?	State and/or local officials or Federal official acting for Commissioner.	Federal employee or officer residing in State and within or near registration district.	Federal court-appointed referee following decree of court to issue certificate.
Who must initiate action?	Request from State officials, or determination by Commission that individuals in State or district likely to be denied the right to vote and have vote counted.	9 or more individuals from 1 registration district petitioning Civil Rights Commission who believe they have been denied right to register and vote.	Attorney General by bringing action under subsec. (c), sec. 131, Civil Rights Act of 1957; or following appointment of court referee, an individual who personally claims he has been denied right to register and vote.
What is the nature of determination to be made by court or agency to trigger machinery?	Individual likely to be denied right to vote in State or district.	Any petitioner denied right to register and vote solely because of race, color, religion, or national origin.	Court must find that a person has been deprived on account of race or color of right to register and vote, and that such deprivation is pursuant to an established pattern or practice.
Extent machinery and bills affect conduct of election.	May conduct complete election, with full powers to establish and operate election machinery.	Provides that each individual registered under provision shall have right to vote and have vote counted in elections for Federal offices.	Provides that holder of certificate issued under court decree shall vote and have vote counted, and referee and other court officer to attend and observe election and count ballots.
Sanctions	No need for sanctions or enforcement. Cases against Commission to be brought for declaratory or injunctive relief in Federal district court.	Enforced by appropriate civil and equitable remedies instituted in Federal district courts by Attorney General.	Contempt proceedings brought under provision of Civil Rights Act of 1957.

RECESS TO 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, pursuant to the order previously entered, I move that the Senate now stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 28 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, January 29, 1960, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 28, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

James 5: 16: *The effectual fervent prayer of a righteous man availeth much.*

God of all grace and goodness, may we begin this new day with a refreshed and renewed sense of Thy victorious and indwelling presence.

Whatever our personal needs and troubles may be wilt Thou surround and sustain us with the assurance of Thy gracious providence.

Grant that amid the pressures of our troubled days we may have within us that peace which the world can neither give nor take away.

Inspire us to break down the barriers which divide mankind by sharing our blessings with the poor and destitute and by giving comfort and cheer to those whose hearts are heavy and broken.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 694. An act to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

BIRTHDAY ANNIVERSARY OF PRESIDENT WILLIAM McKINLEY

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and that all Members have permission to extend their remarks in the RECORD on the life and accomplishments of William McKinley.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOW. Mr. Speaker, the Ohio delegation and the citizens of the 16th Congressional District appreciate the Speaker's recognizing the Representative from the 16th Congressional District at this time to speak in memory of a great American, a great President, and a great Member of this Congress. In the past, for many years, the Speaker recognized the Honorable Tom Jenkins of Ohio to make that presentation. Tom Jenkins has passed away; he is no longer with us. It is now my honor to offer this tribute to William McKinley.

Mr. Speaker, I thought I might do that this year in this form. I have in my hands some typewritten slips that were presented me by William Dornan, the postmaster of Canton. These are the original slips that were used by President Theodore Roosevelt at the dedication of the memorial in Canton, Ohio. On these slips there is this notation:

From these printed slips President Roosevelt delivered his address at the dedication of the McKinley Memorial on September 30, 1907.

Then there are the initials W. R. D. Those initials are of William Rufus Day who was Secretary of State under William McKinley and later a Justice of the Supreme Court.

I shall read this address at the dedication of the monument because I think it is apropos today. These are the words of Theodore Roosevelt:

We have gathered together today to pay our need of respect and affection to the memory of William McKinley, who as President won a place in the hearts of the American people such as but three or four of all the Presidents of this country have ever won. He was of singular uprightness and purity of character, alike in public and in private life; a citizen who loved peace, he did his duty faithfully and well for 4 years of war when the honor of the Nation called him to arms. As Congressman, as Governor of his State, and finally as President, he rose to the foremost place among our statesmen, reaching a position which would satisfy the keenest ambition; but he never lost that simple and thoughtful kindness toward every human being, great or small, lofty or humble, with whom he was brought in contact, which so endeared him to our people. He had to grapple with more serious and complex problems than any President since Lincoln, and yet, while meeting every demand of statesmanship, he continued to live a beautiful and touching family life, a life very healthy for this Nation to see in its foremost citizen; and now the woman who walked in the shadow ever after his death, the wife to whom his loss was a calamity more crushing than it could be to any other human being, lies beside him here in the same sepulcher.

There is a singular appropriateness in the inscription on his monument. Mr. Cortelyou, whose relations with him were of such close intimacy, gives me the following information about it: On the President's trip to the Pacific slope in the spring of 1901 President Wheeler, of the University of California, conferred the degree of LL.D. upon him in words so well chosen that they struck the fastidious taste of John Hay, then Secretary of State, who wrote and asked for a copy of them from President Wheeler. On the receipt of this copy he sent the following letter to President McKinley, a letter which now seems filled with a strange and unconscious prescience:

"DEAR MR. PRESIDENT: President Wheeler sent me the enclosed at my request. You will have the words in more permanent shape. They seem to be remarkably well chosen, and stately and dignified enough to serve—long hence, please God—as your epitaph.

"Yours, faithfully,

"JOHN HAY.

" 'UNIVERSITY OF CALIFORNIA,

" 'OFFICE OF THE PRESIDENT.

" 'By authority vested in me by the regents of the University of California, I confer the degree of Doctor of Laws upon William McKinley, President of the United States, a statesman singularly gifted to unite the discordant forces of the Government and mold the diverse purposes of men toward progressive and salutary action, a magistrate whose poise of judgment has been tested and vindicated in a succession of national emergencies; good citizen, brave soldier, wise executive, helper and leader of men, exemplar to his people of the virtues that build and conserve the State, society, and the home.

" 'BERKELEY, *May 15, 1901.*' "

It would be hard to imagine an epitaph which a good citizen would be more anxious to deserve or one which would more happily describe the qualities of that great and good citizen whose life we here commemorate. He possessed to a very extraordinary degree the gift of uniting discordant forces and securing from them a harmonious action which told for good government. From purposes not merely diverse, but bitterly conflicting, he was able to secure healthful action for the good of the State. In both poise and judgment he rose level to the several emergencies he had to meet as leader of the Nation, and like all men with the root of true greatness in them he grew to steadily larger stature under the stress of heavy responsibilities. He was a good citizen and a brave soldier, a Chief Executive whose wisdom entitled him to the trust which he received throughout the Nation. He was not only a leader of men but preeminently a helper of men; for one of his most marked traits was the intensely human quality of his wise and deep sympathy. Finally, he not merely preached, he was that most valuable of all citizens in a democracy like ours, a man who in the highest place served as an unconscious example to his people of the virtues that build and conserve alike our public life, and the foundation of all public life, the intimate life of the home.

Many lessons are taught us by his career, but none more valuable than the lesson of broad human sympathy for and among all of our citizens of all classes and creeds. No other President has ever more deserved to have his life work characterized in Lincoln's words as being carried on "with malice toward none, with charity toward all." As a boy he worked hard with his hands; he entered the Army as a private soldier; he knew poverty; he earned his own livelihood; and by his own exertions he finally rose to the position of a man of moderate means. Not merely was he in personal touch with farmer and town dweller, with capitalist and wageworker, but he felt an intimate understanding of each, and therefore an intimate sympathy with each; and his consistent effort was to try to judge all by the same standard and to treat all with the same justice. Arrogance toward the weak, and envious hatred of those well off, were equally abhorrent to his just and gentle soul.

Surely this attitude of his should be the attitude of all our people today. It would be a cruel disaster to this country to permit ourselves to adopt an attitude of hatred and envy toward success worthily won, toward wealth honestly acquired. Let us in this respect profit by the example of the Republics of this Western Hemisphere to the south of us. Some of these Republics have prospered greatly; but there are certain ones that have lagged far behind, that still continue in a condition of material poverty, of social and political unrest and confusion. Without exception the Republics of the former class are those in which honest industry has been assured of reward and protection; those where a cordial welcome has been extended to the kind of enterprise which benefits the whole country, while incidentally, as is right and proper, giving substantial rewards to those who manifest it. On the other hand, the poor and backward Republics, the Republics in which the lot of the average citizen is least desirable, and the lot of the laboring man worst of

all, are precisely those Republics in which industry has been killed because wealth exposed its owner to spoliation. To these communities foreign capital now rarely comes, because it has been found that as soon as capital is employed so as to give substantial remuneration to those supplying it, it excites ignorant envy and hostility, which result in such oppressive action, within or without the law, as sooner or later to work a virtual confiscation. Every manifestation of feeling of this kind in our civilization should be crushed at the outset by the weight of a sensible public opinion.

From the standpoint of our material prosperity there is only one other thing as important as the discouragement of a spirit of envy and hostility toward honest businessmen, toward honest men of means; this is the discouragement of dishonest businessmen, the war upon the chicanery and wrongdoing which are peculiarly repulsive, peculiarly noxious, when exhibited by men who have no excuse of want, of poverty, of ignorance, for their crimes. Men of means, and above all men of great wealth, can exist in safety under the peaceful protection of the state, only in orderly societies, where liberty manifests itself through and under the law. It is these men who, more than any others, should, in the interests of the class to which they belong, in the interests of their children and their children's children, seek in every way, but especially in the conduct of their lives, to insist upon and to build up respect for the law. It may not be true from the standpoint of some particular individual of this class, but in the long run it is preeminently true from the standpoint of the class as a whole, no less than of the country as a whole, that it is a veritable calamity to achieve a temporary triumph by violation or evasion of the law; and we are the best friends of the man of property, we show ourselves the stanchest upholders of the rights of property, when we set our faces like flint against those offenders who do wrong in order to acquire great wealth or who use this wealth as a help to wrongdoing.

Wrongdoing is confined to no class. Good and evil are to be found among both rich and poor, and in drawing the line among our fellows we must draw it on conduct and not on worldly possessions. In the abstract most of us will admit this. In the concrete we can act upon such doctrine only if we really have knowledge of and sympathy with one another. If both the wageworker and the capitalist are able to enter each into the other's life, to meet him so as to get into genuine sympathy with him, most of the misunderstanding between them will disappear and its place will be taken by a judgment broader, juster, more kindly, and more generous; for each will find in the other the same essential human attributes that exist in himself. It was President McKinley's peculiar glory that in actual practice he realized this as it is given to but few men to realize it; that his broad and deep sympathies made him feel a genuine sense of oneness with all his fellow Americans, whatever their station or work in life, so that to his soul they were all joined with him in a great brotherly democracy of the spirit. It is not given to many of us in our lives actually to realize this attitude to the extent that he did; but we can at least have it before us as the goal of our endeavor, and by so doing we shall pay honor better than in any other way to the memory of the dead President whose services in life we this day commemorate.

Mr. COOK. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. COOK. Mr. Speaker, I appreciate the courtesy of the gentleman from Ohio [Mr. Bow] in yielding me this time, to pay tribute to the late President William McKinley, a great Ohioan, whose birthday we celebrate today.

William McKinley was born in Niles, Trumbull County, Ohio, in 1843. He went to school in Ohio and attended Allegheny College in Pennsylvania with the ambition to later study law. McKinley joined the Army as a private and distinguished himself with his service in the Civil War. President Lincoln himself cited him for gallant and meritorious service and discharged him as a brevet major.

After the war, McKinley began his study of the law and was admitted to the bar in Warren, Ohio, which is in my congressional district, in March of 1867 and started his practice in the city of Canton, Ohio.

In 1869 McKinley was elected to his first political job as prosecuting attorney of Stark County, at the age of 26. In 1876 he was elected to the Congress of the United States. He served three consecutive terms and was elected to what he thought would be his fourth term in the Congress, but a contest was filed, and he did not serve the full term. Then Mr. McKinley was reelected after being out of Congress for one term and served three more terms, at which time he was defeated. However, he went on to be elected Governor of Ohio for two terms and elected twice to be the President of the United States. In his second term he was assassinated. The whole country mourned his death, and the example of his life was one which strengthened in his contemporaries an undying belief in American principles.

I join with my colleagues in the Ohio delegation in honoring this outstanding American.

Mr. BOW. Mr. Speaker, I appreciate the comments of the gentleman from Ohio [Mr. Cook].

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. BROWN of Ohio. Mr. Speaker, I regret I was a bit late in getting to the floor, but I do wish to join with the Representative from the 16th District of Ohio, which gave President McKinley to the country, in the tribute being paid to him on this, his natal anniversary. The people of Ohio are still proud of the great record that Mr. McKinley made not only in the Presidency but in this House of Representatives as well. When I was a very small boy, President McKinley was the first President of the United States I ever had the opportunity to see. I can still remember the kindly smile on his face and the little pat that he gave me on the shoulder at that time when I was about 3 or 4 years old. William McKinley will always live in the hearts not only of all Ohioans, but in the hearts of all the American people.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. HENDERSON. Mr. Speaker, I wish to join with the others in this body this afternoon in paying tribute to a great American, a great Ohioan and a great President. Those principles for which William McKinley stood and in which he believed are still basic principles of our country and will long endure and be a part of our great American heritage.

Mr. McCORMACK. Mr. Speaker, January 29 marks the 117th anniversary of the birth of William McKinley, the 25th President of the United States.

The future President was born in the little town of Niles, Ohio, the seventh of nine children of William and Nancy Allison McKinley. His parents were sturdy middle-class working people of Scottish, Irish, and English descent. He received his education in the public schools, in Poland Academy, and in Allegheny College, in Pennsylvania.

In June 1861, with a mother's blessing and a father's affectionate farewell, he enlisted as a private in the 23d Regiment of Ohio Volunteer Infantry. Four years later he was mustered out as a brevet major.

After the war he practiced law in Canton and began a career in public office which was to extend over a quarter of a century. During that period he served the people of his community, State, and Nation as prosecuting attorney, Member of Congress, Governor, and President. In the early part of 1898 the Nation was gripped by war hysteria. Until early April, McKinley firmly held his ground against the war party and shouldered full responsibility for his Cuban peace policy. But the futility of further negotiation was brought home to him and on April 11, in a message to Congress, he recommended forcible intervention.

On September 6, 1901, while holding a public reception at the Pan-American Exposition in Buffalo, he was struck down by an assassin's bullet. He was removed to the residence of the president of the exposition and died there 8 days later.

As a public speaker, McKinley had few equals. His personality was natural and free from artifice, gentle, and strong. Naturally kindly, he was a good conciliator. It is to this man, quiet, dignified, considerate of others, unwavering in integrity, unchanged by success, and humble before his God, that we pay tribute today.

THE LATE HONORABLE RALPH ASHLEY HORR, A FORMER REPRESENTATIVE FROM THE STATE OF WASHINGTON

The SPEAKER. The Chair recognizes the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Speaker, it is my sad duty to notify the House of the death, on January 26, 1960, of Ralph Ashley Horr, a former Member who served as Republican Representative from the First Congressional District of the State of Washington in the 72d Congress from March 1, 1931, to March 3, 1933.

Mr. Horr was born in Saybrook, McLean County, Ill., on August 12, 1884. He attended the public schools and the University of Illinois at Urbana. In 1908 he moved to the State of Washington and settled in Seattle, where he was graduated from the Law Department of the University of Washington in 1911.

Following this he was admitted to the bar and commenced practice of law.

He was chief deputy county treasurer of King County in 1911 and 1912; graduate manager of athletics at the University of Washington, 1912 and 1913, served as chairman of the Republican county committee of King County and during the First World War served from August 21, 1918, as a lieutenant and battalion adjutant in the 26th Infantry Regiment with overseas service and was discharged March 18, 1920.

Mr. Horr was a prominent figure in Seattle legal and political circles until 1957 when he retired from law practice. However, he continued on as a precinct committeeman until the time of his death. Mr. Horr never ceased to have a deep interest in politics. Failing in his bid for reelection to the House, he ran unsuccessfully in 1936 for Governor of Washington.

Mr. Horr belonged to Delta Tau Delta and Phi Delta Phi fraternities and was active in the Masons, Elks, Moose, and Eagles.

Mr. Horr leaves his wife, Mrs. Lenora Horr, and a daughter. He also is survived by two sisters, a brother, and three grandchildren. I know that I speak for those Members of the House who served with Mr. Horr, now, of course, few in number, in expressing regret and extending deep sympathy to his family.

Funeral services will be held this coming Saturday in Seattle.

URGENT LEGISLATION BEFORE THE CONGRESS

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, today we come to the end of the 4th week of this new session of Congress. We knew in advance this session would necessarily be shorter than the sessions of the last few years.

By custom and under House rules our legislative calendar is made up and presented by the majority floor leader. Each week of this new session the majority floor leader has announced there would be no Legislative Calendar but that the House would be called into session each day to give Members an opportunity to sign the civil rights discharge petition.

Our Government faces one of the most critical periods in its history. Our national debt stands at an alltime high—nearly $292 billion. Our annual interest rate has reached an alltime high—considerably more than $9 billion per year. Many of our leaders acknowledge we have lost ground in missile production.

At this time, when we need so much to be bending all our energies to the task of keeping our Government sound and solvent, and our Nation in its long recognized position of world leadership, we waste 4 weeks of precious time jumping through the hoop for such radical organizations as the ADA and the NAACP. It is a sad commentary indeed on American statesmanship.

I call the attention of the House to the fact that there have been pending in this body since last year resolutions announcing that it is the sense of the Congress that our national debt should be reduced annually by an amount not less than 1 percent of the total outstanding debt. I introduced one of such resolutions, it being House Concurrent Resolution 204.

I arise to protest the wasting of time which has been going on now since the beginning of this session. I urge that the time and efforts of the House be devoted to solving the real and genuine problems which confront us instead of pandering to minority pressure groups for political purposes.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask the majority leader about the program for next week.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, on Monday there will be the call of the Consent Calendar and there will be seven bills under suspension of the rules:

H.R. 8318, exemption from tax of bicycle tires and tubes.

H.R. 5054, marking of imported articles and containers.

H.R. 1217, suspend duty on amorphous graphite.

H.R. 9464, qualifications, Chief and Deputy, Bureau of Ships of the Navy.

H.R. 9465, a bill relating to the loan of a naval vessel to China.

House Concurrent Resolution 459, a resolution relating to interpretation of treaties with reference to the Panama Canal.

On that I am informed a rollcall will be asked. The gentleman from Iowa [Mr. GROSS] told me over a week ago that he was going to ask for a rollcall vote on that and I have talked with members of the committee and chairman of the committee and they are going to ask for a rollcall on that also.

Then there is House Concurrent Resolution 465, relating to the desecration of places of worship and on that I am informed also a rollcall will be requested.

Then there is H.R. 5789, incorporating the Agriculutral Hall of Fame, if it is not passed on the Consent Calendar.

On Tuesday there will be the call of the Private Calendar.

If the Rules Committee reports out rules next week, several bills are in order. It all depends if the rules are reported out, of course. There is H.R. 3151 relating to withholding of city income taxes. I think that was up under suspension last year and did not get the necessary two-thirds vote.

Then there is H.R. 9662, certain technical changes in the 1954 Internal Revenue Code.

Then there is H.R. 8394, a bill relating to lightweight hogs.

The usual reservation that if any additional rules are granted in time, they will be called up.

Then there is the usual reservation that conference reports may be brought up at any time.

Any further program will be announced later.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr HOEVEN. The majority leader made reference to a bill relating to production payments on hogs.

Mr. McCORMACK. That is a bill reported out of the Committee on Agriculture relating to lightweight hogs.

Mr. HOEVEN. There is no rule on the bill as yet.

Mr. McCORMACK. The gentleman will note that I said, "If a rule is reported."

Mr. HOEVEN. A rule should not be reported without most careful and exhaustive hearings.

Mr. McCORMACK. My friend will note that I said that if a rule is reported the bill will be up for consideration. I did not say it would be; it depends on whether a rule is reported, when and if.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NATIONAL JUNIOR ACHIEVEMENT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 81, proposing observance of week beginning January 31, 1960, as National Junior Achievement Week, and make the announcement that several Members of the House have introduced similar resolutions, including the gentleman from Illinois [Mr. COLLIER] and the gentleman from North Carolina [Mr. JONAS].

The Clerk read the resolution, as follows:

Whereas it was the initiative, the sense of individual dignity, and the determination to mold their own futures that motivated those who founded this Nation; and

Whereas Junior Achievement, Inc., through its learning-by-doing program, is inculcating those ideals in American youth by helping them to set up and operate their own small-scale business enterprises; and

Whereas their experience in running Junior Achievement companies will provide

these young people with a heightened understanding of the privileges and duties of citizenship and better prepare them to assume the responsibilities of community leadership; and

Whereas thousands of American businessmen voluntarily give unstintingly of their time, their counsel, and their experience for the benefit of the members of Junior Achievement; and

Whereas it is understood that the week beginning January 31, 1960, and ending February 6, 1960, will be observed as National Junior Achievement Week: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is authorized and requested to issue a proclamation designating the week of January 31, 1960, through February 6, 1960, as National Junior Achievement Week and urging all citizens of our country to salute the activities of Junior Achievers and their volunteer adult advisers through appropriate ceremonies.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

THE WORLD COURT

Mr. ALFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALFORD. Mr. Speaker, it was shocking to realize that on yesterday two members of the Cabinet, the Secretary of State and the Attorney General of the United States, appeared before the Senate Foreign Relations Committee and advocated the enactment of legislation which would in effect impair the sovereignty of the United States. They recommended the passage of Senate Resolution 94, introduced by Senator HUMPHREY, which would strike out the words of the Connally amendment, "as determined by the United States." This action would seriously impair the sovereignty of our country by vesting potential power over purely domestic matters in an essentially foreign tribunal, two of whose members at the present time are representatives of Iron Curtain countries. Mr. Speaker, in all sincerity I respectfully ask of the Members of Congress or any loyal American how, in the name of all honesty and patriotism, we can take an oath under God to uphold the Constitution of the United States while at the same time advocating that the basic rights of American citizens be placed under the jurisdiction of a foreign court for possible determination.

The World Court, as it is commonly called, or the International Court of Justice, is the principal judicial organ of the United Nations and was created by the Charter of the United Nations and a statute annexed to and being a part of the Charter—article 92, Charter. These legal instruments have been approved by the U.S. Senate and executed as a treaty and, hence, is now supreme law of the land. All members of the United Nations are ipso facto parties to the statute and are bound by its provisions—article 93, Charter. In July 1945, after ratification of the U.N. Charter by the Senate, there was much pressure by the internationalists to get our Nation under the jurisdiction of the World Court. A resolution giving the consent of the U.S. Senate to our Government's acceptance of the World Court was introduced in November 1945 by Senator MORSE. A similar joint resolution was introduced in the House in December 1945 by Congressman Christian Herter, the present Secretary of State.

When the Morse resolution came to the floor of the Senate, an amendment consisting of six words was proposed by Senator Tom Connally, of Texas. These significant and meaningful words were "as determined by the United States." The Morse resolution with the Connally amendment was adopted in the Senate on August 2, 1946. The amended resolution provided the United States with the authority to determine which matters are within its own national jurisdiction.

There is much agitation by the internationalists today to repeal the Connally amendment. Such action would result in impairment of American sovereignty and could serve as a steppingstone to complete world government by those groups endeavoring to place our Nation under such alien control. For example if the Connally amendment is repealed, the World Court could decide that the U.S. immigration laws are international affairs and could, in effect, dictate American immigration policy. Also, surely all patriotic Americans can readily see that a motion to eliminate U.S. control of the Panama Canal would have little difficulty of approval.

Any resolution to repeal the Connally amendment must be defeated if the United States is to retain its sovereignty. How can any right thinking, intelligent, patriotic American justify exposing their country to the risk of being placed at the mercy of a foreign court. This, indeed, would be rule by man and not rule by law.

NAVY MUST STOP SUPPORTING ARAB BOYCOTT AGAINST ISRAEL

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, on December 18 last year the Navy issued an invitation over the signature of the Military Sea Transportation Service inviting charters for American-flag tankers to transport oil for naval purposes to and from critical areas of the Persian Gulf.

As you know, Arab nations in the Middle East have clamped an embargo on Israeli shipping and will not even service foreign ships which have at any time traded in Israeli ports.

One section of this Navy order stipulated that in the event any of its MSTS chartered vessels should be prevented from loading or discharging in any Arab port by local authorities because of the fact that that vessel had previously traded with Israel, then the charterer would have the option of canceling his Navy charter or substituting another vessel.

The practical effect of this instruction means that the Navy is tacitly going along with the Arab embargo against Israel, undertaken improperly and illegally and without basis in international law.

I believe it is highly improper that the Navy should take any action which, even indirectly, would have the effect of endorsing and carrying out any such illegal and outrageous policy, particularly when that policy is directed against a nation which this country helped to create, which wholeheartedly subscribes to and supports the same principles of freedom and democracy which our own country exemplifies, and which plays such an important role in the economic and military power of the free world in the critical area of the Middle East.

I have therefore today requested the Secretary of the Navy to withdraw this invitation No. 30 so that the Navy will play no further part in supporting this improper policy.

I am sure the Navy has no intention of discriminating against a country so closely allied to us in tradition and belief, and I am hopeful that the corrective action I have suggested will soon be taken.

LEGISLATION TO AUTHORIZE CONSTRUCTION OF AN OCEANGOING HYDROFOIL VESSEL

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I am today introducing a bill to authorize the construction of an oceangoing hydrofoil vessel. The purpose of such a vessel, when constructed, would be to demonstrate the commercial application of this revolutionary type of seacraft.

The Federal Maritime Administration had been doing much research in this field and recently awarded a $1½ million contract for construction of a 100-foot, 80-ton, 60–80-knot model. My bill would authorize the Maritime Board to construct the first of a fleet of hydrofoil vessels to operate in domestic and foreign commerce, designed for open-ocean, all-weather service to tie in with conventional water surface vessels. Maritime officials visualize hydrofoil ships crossing the Atlantic in 36 hours. They say that a craft 250 feet long, of 500 tons, and capable of 80 knots would be commercially feasible and well suited for such a run as between Alaska and the Pacific coast ports. This newly developed type of fast vessel has a great potential for the Great Lakes and all coastal areas.

Take for example the Alaska situation. Passenger ships were discontinued on this run years ago. Operational costs made continued service economically impossible. But with the establishing through the use of hydrofoil crafts, an 8-hour daylight trip, in the opinion of the Maritime Administration engineers would be highly profitable. The cost of transportation could be greatly reduced in fact and a good return on the investment of capital realized by an operator.

Recently, there was speculation that the United States was behind Russia in the development of an atomic-powered hydrofoil. In talking with our engineers, however, I am told that we have developed a small compact gas engine which has a horsepower equal to that of the largest cargo ships and that present contemplated use makes utilization of nuclear propulsion impractical.

Mr. Speaker, I have every reason to believe that in the very near future this country will be utilizing the hydrofoil principle in small and large vessels and that the consideration and passage of my bill is needed to initiate a transition of equal significance as in the past occurred when shipping went from sail to steam. This legislation has great significance.

CIVIL RIGHTS LEGISLATION

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, much debate has been heard already on the subject of civil rights legislation and the inability to get a bill on the floor. I have stated my position frequently that the civil rights bill should be brought to the floor. I have also stated that under the present appalling circumstances where the majority would rather play politics than bring the bill out, the shortest route now is the discharge petition. I signed the petition last session, having even then lost confidence in the majority leadership to control their own machinery. In the same context I have given intensive study to the report of the Commission on Civil Rights. The Commission undertook their task with great care and diligence and they have presented to the Congress certain findings of fact and recommendations. One of those findings of fact was that certain citizens are being deprived of the right to vote. There is ample evidence in the Commission record to support that conclusion. On the basis of those facts the Commission has recommended to the Congress that appropriate legislation be enacted to insure the right to vote to every citizen, regardless of race, color, religion, or national origin. I have also given intensive study to the recommendation on temporary Federal registrars and I am introducing a bill today to establish such a program. After examination of all possible remedies I am convinced that such a remedy will reap substantial gain in the solution of this deplorable problem uncovered by the Commission.

I shall also introduce today the proposal made by the Attorney General on which constitutes an alternate remedy for the correction of this problem. Dean Robert G. Storey, Vice Chairman of the Commission on Civil Rights, stated in his testimony last week before the Senate Committee on Rules and Administration the Commission fully recognized that other recommendations may be more meritorious. In my judgment the Congress should have before it the composite thinking of all who have dealt with this problem. Accordingly it is my desire to see that both measures come before our Judiciary Committee of which I am a member. I believe that careful analysis of these measures will provide the best possible remedy.

PROFESSOR GALBRAITH POINTS OUT WHAT CONGRESSIONAL DEMOCRATS CAN DO TO HELP THE TREASURY SELL LONG-TERM BONDS WITHOUT INCREASING THE 4¼-PERCENT RATE

The SPEAKER. Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, about a year ago the Congress asked the Joint Economic Committee to make a full investigation to get the answers to such questions as what to do about inflation, whether interest rates should be higher or lower, whether the interest rate ceiling on long-term Government bonds should be lifted, and so on.

The Commiittee spent about $200,000 on these questions, heard the best experts in the country, and did a great deal of hard work. And it got most of the answers. Certainly it got the answer to one question very clearly. The interest rate ceiling should not be lifted; interest rates are too high and should be brought down.

Furthermore, the committee recommended several things to be done promptly to help bring interest rates down. But it neglected to mention one thing which Congress can do, and the Democrats in Congress especially can do to help the Treasury sell long-term bonds under the present ceiling, simply with a flip of the wrist, a straightening of the spine, and a clear utterance that we intend to hold the line on interest rates.

A CLEAR INTENTION TO HOLD THE LINE ON INTEREST RATES WILL HELP AS MUCH AS RAISING INTEREST RATES

Writing in Harper's magazine this month on the recommendations of the Cabinet Committee on Price Stability for Economic Growth, which is headed by Vice President NIXON, Professor Galbraith has this to say:

> Mr. NIXON believes higher rates would help sell the longer maturities. My own view is that a clear intention to hold rates stable would do as much.

On this I fully agree with Professor Galbraith. If the Congress wants to help the Treasury sell longer maturities, it can give just as much help by making it clear that we do not intend to tamper with the interest-rate ceiling, as we can by repealing the interest-rate ceiling. I might add that there is a considerable body of opinion within the financial circles which support this view.

FINANCIAL WRITER SAYS INVESTING COMMUNITY IS HOLDING BACK, EXPECTING HIGHER RATES

For example, Mr. Donald I. Rogers, who is business and financial editor of the New York Herald Tribune, wrote on January 15 of this year on the question of why the stock market broke in the previous week. Much of the opinion in Wall Street, he reported, was to the effect that "the entire investing community" was holding back, waiting for an increase in interest rates. It had been widely predicted that the Federal Reserve was about to raise the discount rate, which is the Federal Reserve's normal way of signaling the financial community that higher interest rates are coming. Speaking of some of the opinions prevailing in Wall Street, Mr. Rogers said:

> From those who are prone to theorize at the drop of a point on the Dow-Jones average, you get the idea that the entire investing community is holding back, waiting for an increase in the discount rate, something which was predicted for this week.

The Federal Reserve did not make the increase in the discount rate on the date that was generally predicted, but the financial journals are still reporting it is likely to come yet. Mr. Rogers said further:

> The rate may still be raised.
>
> Another theory one hears is that the institutional investors, the pension funds and investment trusts, and other big accounts are holding back to see what happens in the next few days.

AN INVESTMENT BANKER SAYS RAISING INTEREST RATES CUTS GOVERNMENT BOND SALES

The clearest statement of the effect of this dilly-dallying over interest rates and constantly raising interest rates was made by a man who is actually in the investment banking business, in a letter which I put into the RECORD last June 12. This investment banker wrote me that he was flatly opposed to raising the 4½-percent ceiling on Government bonds for the simple reason that the Government's practice of continually cutting the price, as it were, of each successive bond issue was making it harder and harder for him to sell bonds. And that is his livelihood—selling bonds. He wrote:

> JUNE 9, 1959.
>
> We in the investment banking industry are extremely alarmed at the mechanical procedures currently employed by the Federal Government in the marketing of U.S. Government bonds and obligations.
>
> This morning in the newspaper a rather sensational news release reported that the Federal Government was in the process of not only raising its gross bonded debt limit

but was also actively engaged in raising the maximum interest rate which Government bonds might bear. This Government policy of continually cutting the price is as serious a financial problem as the commodity storage problems and all other fiscal problems.

* * * * *

As an example, if the Federal Government was interested in selling wheelbarrows and continually stated that while it was selling wheelbarrows today for $100, it would be selling the same wheelbarrow 3 months from now at $80, I believe it would be obvious that no one would buy at today's price. Everyone would wait until the 3 months had expired and buy at a reduced price. The bond sales procedures are doing exactly the same thing. The Government is advising that while today's bonds carry a 4-percent interest rate that tomorrow's bonds will carry 4¼ percent or higher. We employ a most amateurish procedure in continuously cutting the price in an attempt to sell our product.

So if a distinguished Harvard economist is right, if the investment bankers are right, and if a Wall Street reporter is right, then it follows that the Democrats in Congress are unwittingly doing the country a positive harm by shilly-shallying and sitting on the fence about whether we are going to scrap our party traditions and join the Republicans on the side of high interest.

A few clear and certain statements from the Democratic leaders that we are not about to tamper with Woodrow Wilson's interest rate ceiling—either to repeal it or jimmy it with some face-saving compromise—would definitely take the speculative winds out of interest rates and start them downward. This would help the Treasury sell longer term maturities—if it actually wants to sell such maturities—under the present interest ceiling, by putting an end to the expectation of the financial community that by holding back their funds for a week or so they will get a bigger bonus. Certainly we cannot blame the people in the financial community for holding back under the circumstances. No man in his right mind would want to pay $1,000 for a Government bond today expecting that Congress is going to take an action tomorrow that will cause the price of that bond to drop to $900.

Yet, just think of it, now we are being told that if we will take the ceiling off interest rates, interest rates will come down, by which logic the States and municipalities should all repeal their speed laws so as to make traffic go slower.

Then why do we shilly-shally and make fence-straddling statements which suggest one day that we are going to resist and suggest the next day that we are going to give in after all. Certainly the issue is clear enough. It was very clearly stated by the distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], in his remarks in the House last September 14 when he said:

THE ISSUE IN A NUTSHELL: TO APPROVE A BAD POLICY TO HELP THE FEW AT THE EXPENSE OF THE MANY

The issue then is this: If we remove the marketable bond interest-rate ceiling now, we in effect tell the administration that we approve of their tight money—loose fiscal policy mix. We do not approve it.

No; we did not approve of the administration's tight money, high interest, and loose fiscal policies last fall, and we do not approve of them now. The investigation report of the Joint Economic Committee certainly found every factual and logical reason for disapproving these policies and for putting a quick stamp of disapproval on these policies.

Professor Galbraith, in the Harper's article I mentioned, has summed up the effect and the intellectual content of these policies very neatly and simply. If anyone still has any doubt whether the high interest policy is good for the country, I recommend he read Professor Galbraith's article. I will put it in the RECORD at the close of my remarks.

Professor Galbraith's article analyzes Vice President NIXON's recommended policies for dealing with inflation, unemployment, economic growth, and so on. But these are not personal policies; they are precisely the same policies which the administration has been following all along. Professor Galbraith's analysis is, therefore, an analysis of a policy of government. It is an analysis of a whole cult, if not a culture.

We could change the stage sets and find any number of high dignitaries of Government playing the same role and giving the same performance in the same play. If we changed the backdrop from Mr. NIXON's office over to the marble halls of the Federal Reserve Board and added a few character lines such as "We cannot put our hand in the fire without getting burned," then we would find Mr. William McChesney Martin playing the same role in the same play. No matter who may be playing the leading role at the moment, it is always the same play. It begins with a grave announcement that the hour of crisis is at hand and one of the pivotal decisions of history must be made. Then follows the same comedy routine, with the same jugglers, the same talking-dog act, and finally the same huckster selling for 25 cents boxes of popcorn, every one of which is absolutely and unconditionally guaranteed to contain a prize worth $1.

The article from Harper's magazine follows:

MR. NIXON'S REMEDY FOR INFLATION
(By John Kenneth Galbraith)

A persistent and serious problem facing the United States is that of inflation. And a determined and serious aspirant for the office of President is RICHARD M. NIXON. In the nature of the case, our knowledge of how presidential candidates will handle important questions, if elected, is almost entirely conjectural. We are reduced to comparing promises.

Mr. NIXON is one of the rare exceptions. For the past year, he has been serving as Chairman of the Cabinet Committee on Price Stability for Economic Growth—which at this writing has issued three reports. Thus we are able to take Mr. NIXON's measure on a matter of great and nearly universal concern.

In contrast with his early wartime service with the Office of Price Administration, then under Leon Henderson (of which he has never made a strong point), Mr. NIXON has recently sought actively to identify himself with the problem of inflation control. A high-level committee that would deal effectively with inflation—meaning continuing increases in prices—was promised by President Eisenhower in his 1959 State of the Union message. A few days later, Edwin L. Dale, Jr., wrote in the New York Times that Mr. NIXON was a candidate for the post of chairman and that his supporters felt that "a precise, and publicly known, administrative role would help his chances for the Presidency in 1960." When his appointment was announced on February 1, the Times observed that this was "the closest he has come to formal executive power."

Having welcomed the responsibility, Mr. NIXON cannot but welcome a scrutiny of the way he has handled it. It would be best, no doubt, if this could be undertaken by a neutral and nonpartisan observer. It has been noted, however, that where Mr. NIXON is concerned, the supply of neutrals is limited. And he himself has spoken out against the morality of such a posture on great questions.

But most important, these are matters on which, once presented, the reader can pass judgment for himself and thus correct for the bias from which so few of us are free.

The Cabinet Committee consists (in addition to the Chairman) of the Secretaries of the Treasury, Agriculture, Labor, and Commerce, the Chairman of the Council of Economic Advisers, and (rather unexpectedly) the Postmaster General. The executive vice chairman is Mr. W. Allen Wallis who is on leave from his post as dean of the Graduate School of Business of the University of Chicago. Mr. Wallis' reputation among economists is that of a conservative with a predilection for scientific exactitude. In a personality sketch published at the time of the second report, the Times described him as sharing with Mr. NIXON "the sort of intellectual companionship that enables each to sense the mental processes of the other."

The first report, according to the newspapers, was drafted by Mr. NIXON, then revised by Mr. Wallis presumably for perfection of technical and scientific content, and then cleared by him with the other members. We may safely assume that the dominant role and responsibility was Mr. NIXON'S, subject to the technical and professional guidance of Mr. Wallis.

The first report—it was described as an interim report—was released on June 29. Much the most comprehensive of the three, it is a survey of the whole problem of inflation and its control. It isolates the causes of inflation, deals with its consequences, and prescribes remedies.

It is an exceedingly grave document—at times alarming. "It is the unanimous opinion of the Cabinet Committee on Price Stability for Economic Growth that our economy is now at a critical juncture urgently requiring action to forestall inflation and insure sound and sustained economic growth and progress." After citing the evidence for this condition of crisis, Mr. NIXON and his colleagues continue: "We are confronted, in summary, with overwhelming evidence that we have arrived at a time of decision as to the future course of our economy. * * * We face a serious threat, price increases which not only would be directly harmful to American families but would seriously endanger the healthy prosperity now developing." These are strong words. No man and no group had better opportunity to be informed. We owe it both to Mr. NIXON and to ourselves, therefore, to take them seriously.

Turning to the causes of this unhappy state of affairs, Mr. NIXON blamed the same forces that had been cited by President Eisenhower in his state of the Union message, (1) the pressure for more public spending, and (2) the implacable upward pressure of wages on prices. He drew attention both to the pressure on Congress for higher outlays and the strong tendencies toward increased spending by State, county, and local governments. Speaking of the inflationary

effect of wages, he noted that recent settlements had advanced wages substantially, and that pending or prospective settlements in many industries, including steel, could result in wage increases of such magnitude as to lead to price increases.

After this diagnosis, Mr. NIXON turns to those who condone inflation. He sets himself uncompromisingly against them. Inflation is not harmless; it does not promote economic growth; it is not inevitable. It does inflict hardships on families with fixed incomes; it damages average and below-average families more than the well-to-do; it breaks faith with those who have saved and put their money in Government bonds, retirement funds, and like forms of saving. While resistance to inflation is bound to cause temporary inconvenience to some, price stability will powerfully promote the welfare of all.

All but overt inflationists, of whom there are few, will agree that this is admirable. The danger is flatly faced. It is immediate and grave. There can be no retreat, no compromise. The war on inflation has its costs; these will be accepted in the interests of the overall good.

At every point Mr. NIXON is firm and decisive.

THE UNTOUCHABLES

Although inflation has never been condemned in more forthright phrases, such attacks—to speak rather formally—must be viewed in their historical context. Specifically, statesmen have been denouncing inflation for some centuries. Often that has been all. Sometimes defiant speech has appeared to be a substitute for deficient will. As a result, on this, as on few matters of social policy, the public has developed the habit of looking on from the words, however compelling to the action.

Having attacked inflation, Mr. NIXON moves on to the action, but many will think with a loss of power.

He begins on a discouragingly negative note. In fighting inflation, it is most important that we do not use the wrong weapons. Price and wage control, in particular, are more harmful than peacetime inflation. While his condemnation of controls is as eloquent as his attack on inflation—and of comparable length—the core of his argument is in a few words:

"Differences in prices reflect the priorities attached by consumers to different products; they therefore guide productive efforts * * * [they also show] the scarcities of different raw materials, machines, and personal skills * * * If prices are regulated, they cannot reflect accurately relative priorities of various goods and services * * * or the relative scarcities of the various means of producing goods and services. * * * The result * * * waste, inefficiency, slowing down of progress."

This is a heavy indictment. However, it raises some difficult questions—apart from the purely tactical one of whether it is wise to rally the forces to the ramparts and then read them a lecture on the weapons they must not use. If wages and prices are untouchable, then nothing directly can be done about the wage-price spiral which both the President and Mr. NIXON hold to be a cause of inflation. And unless some substitute action can be effective, then inflation won't be controlled.

Comprehensive wage and price controls are not now an issue. Neither Mr. NIXON nor his colleagues can imagine that there is the slightest chance of Congress soon enacting them. But some system of formal or informal restraint on wages and prices in key industries is a possibility—President Eisenhower has accepted the need in principle by pleading repeatedly for voluntary restraint in price and wage setting. But if such restraint worked, it would, like any effective regulation, keep prices from reflecting "relative priorities" or "relative scarcities." So even this would be banned by Mr. NIXON's reasoning. If only unregulated prices tell what consumers most want, or what most needs to be produced, then any interference, even effective voluntary restraint, will obviously impair this vital function.

However, it will surely be evident that Mr. NIXON has involved himself here in an unfortunate logical contradiction. (One perhaps from which his scientific and technical adviser should have saved him.) For he had already blamed the high prices of many important products on the wage demands of the unions, and the resulting price increases. If prices reflect the power or avarice of the unions, as Mr. NIXON says, then they do not reflect the priority attached to products by consumers or their relative scarcity. (The report attributes more responsibility to the unions, and less to the corporations, than I would, but that is another matter.) If steel is high because of the union, then it isn't high because of preference or scarcity as compared with aluminum.

Moreover, if prices reflect the power of the unions and the compensating action of the corporations, then Government intervention does not have the damaging consequences that Mr. NIXON and his colleagues condemn. For then such intervention doesn't interfere with the reading of priorities and scarcities—the unions and the corporations have already spoiled that. What intervention does is substitute public regulation for what Mr. NIXON and his associates have condemned as bad private control by unions and companies.

In brief, Mr. NIXON condemns public interference on grounds which assume there is no private manipulation of prices—but only after he has attacked private manipulation of prices as inflationary. This is hardly logical. And illogic apart, having conceded the importance of wage-price movements as a cause of inflation and having ruled out direct restraint, Mr. NIXON and his colleagues must then find indirect measures that will restrain the power of unions and corporations to raise prices. If they do not, this cause of inflation will persist. So will inflation.

One indirect but rather formidable remedy for wage-price inflation is hinted at by Mr. NIXON. This is to break the power of the unions and dismember the large corporations so that they would not have power to influence prices. At some time in the future, he promises to "examine and report on the extent to which concentrations of power in labor and business contribute to inflation or impede economic progress."

If something easy could be done on these lines to stop inflation, it would have been done long ago. When unable to think of anything else, liberals automatically condemn concentrations of economic power and call for more energetic enforcement of the antitrust laws. As a remedy for inflation, it is rather less practical than incantation which, indeed, it closely resembles. Possibly Mr. NIXON is thinking of legislation directly designed to break up unions and large corporations. But he hasn't said so, and it would be unfair to impute to him so drastic and unrealistic a program. There isn't anything else.

THREE REMEDIES

Now come the recommendations. And these are the real test of Mr. NIXON's mettle. Those who are victimized by rising prices in the manner he has so vividly portrayed will not expect this shrewd and experienced public man to trifle with their troubles.

Unfortunately, when it comes to specific remedies, Mr. NIXON suffers a further and very severe loss of altitude.

He offers three. The first—a marked curiosity—had previously been mooted by the Council of Economic Advisers and proposed by the President. Now Mr. NIXON urges it as a matter of highest priority. It is simply that Congress resolve against inflation and declare it an undesirable thing. Reasonable price stability would be made a specific goal of Federal policy. Such price stability—the protection of the purchasing power of the dollar—has been a goal of Federal policy for generations. It has been proclaimed repeatedly and with passion. The new resolution could not add much even in passion. It would give the administration no power it does not now possess to fight inflation. It would remove no obstacles.

Some have suggested that Mr. NIXON was showing an interesting sense of novelty in seeking to bring the technique of the Formosa resolution to bear on domestic economic policy. Instead of passing resolutions to warn the Red Chinese, we do so to intimidate the forces of inflation. This originality seems to be the maximum claim.

Mr. NIXON's second inflation remedy is curtailed Government spending and the balancing of the Federal budget. Even higher taxes, he sees as an inflationary force.

This familiar recommendation runs into the familiar problem that some of the things for which higher expenditures have been sought—schools, housing, defense, law enforcement, conservation—are rather urgent. To this Mr. NIXON is indifferent. He describes the pressures for increased spending as irresponsible. Moreover, there is no economic sanction for his view that higher outlays, if covered with some margin by higher taxes, are inflationary.

More important still, while a budget deficit when the economy is operating at capacity can certainly be a cause of inflation, to balance the budget does not cure the inflation. That is because balancing the budget will not arrest the wage-price spiral. Mr. NIXON, though he blames the spiral, makes no claim that budget-balancing would stop it.

Mr. NIXON's third recommendation, urged at considerable length, is that the Treasury be given authority to raise the rate of interest on longer-term Government bonds. This would enable these securities better to compete with issues of shorter maturity. The latter are described as practically the equivalent to money, and the Government's just cranking up the printing presses and rolling out the greenbacks.

In passing, it should be observed that Mr. NIXON is here being extremely critical of Treasury debt management by his own colleagues. Long before the limit on the interest rate on long-term issues became operative, the Treasury was making increased use of shorter-term issues. As a result, the average length of the maturity of the securities outstanding has been reduced substantially since 1953.

However, Mr. NIXON is also greatly overstating his case. Short-term Government paper can be turned into cash if there is good reason for doing so. But the same is true, in degree, of any other asset. And one thing that may cause people to prefer cash is the expectation of higher interest rates—the very thing Mr. NIXON is urging. That is because higher interest rates bring a decline in the capital value of the bond or other asset. If such a decline is in prospect, some will try to sell first—which then brings down the price of the asset. One of the reasons the Treasury has had difficulty selling longer term bonds is that the expectation of higher interest rates has made them a rather speculative item.

Mr. NIXON believes higher rates would help sell the longer maturities. My own view is that a clear intention to hold rates stable would do as much. But such differences of opinion are perhaps unavoidable. The important thing is that they be debated with reasonableness and restraint and without exaggeration. What is less open to debate is the effect of all this on inflation.

Higher rates on long-term Government bonds might help pave the way for a general tightening of the supply of loanable funds and of interest rates. This would mean a general curtailment of the demand for goods and services. If this curtailment were sufficiently severe, price increases would be arrested. But this, precisely, is the policy that has been employed ever since 1953. If it had worked—if it had reconciled full employment, expansion, and price stability—Mr. NIXON'S committee would never have been necessary. But we learned during the period—although the lesson is still being debated—that an active monetary policy, as it is called, gets price stability only at the cost of interrupted growth and recurrent recession. This was how we got price stability in 1954 and again in 1958.

For the rest of the time, most prices kept inching up. This was especially true of industrial prices where wage-price pressures operate. To keep unions and companies in, say, the steel or automobile industries from putting up wages and prices, a recession has to be pretty severe. The cure—unemployment, accumulating inventories, interrupted expansion—has no distinct advantages over the disease.

DO-IT-YOURSELF POLICY

These are Mr. NIXON'S remedies—a congressional vote of censure on inflation; a warning against spending, with public need regarded as irrelevant; and an increase in interest rates, that, at most, represents a continuation of the policy that he was asked to improve.

None of these measures touches the wage-price spiral. On that, Mr. NIXON confines himself to explaining what should not be done. Perhaps the most damaging reflection on his judgment is the satisfaction he shows with his prescription: "The * * * three steps are direct defenses against the present danger of excessive price rises." They are his response to overwhelming evidence that we have arrived at a time of decision.

This was Mr. NIXON'S first report. The first of a series of further reports was released by the White House on August 17. These offered a chance for Mr. NIXON to retrieve altitude that had been lost in the earlier document.

Alas, this chance was missed. At the outset, in a memorable example of Federal prose, the August 17 report describes itself as one of several dealing with building-block questions from which can be constructed answers to broader public questions. This, if it can be translated, would seem to mean that Mr. NIXON was putting anti-inflation policy on a do-it-yourself basis. This turns out to be the case.

"Thoughtful citizens," the report declares with an air conveying information, "are concerned increasingly with such questions as: Are continual price increases inevitable? If not, how can the general level of prices be stabilized?" The report then asks its principal question: "What do we really want from our economy?" One answer to this question, the reader will learn with manageable excitement, is reasonable stability of prices. Thus equipped with building blocks, the reader then goes on to construct his answers to the broader public questions.

Other building-block questions and answers follow the same technique of supplying the reader with knowledge that he already possesses while avoiding answers he might find useful. It tells of the merits of an expanding economy, but postpones mention of how such growth can be insured. Then, perhaps sensing some public anxiety on the matter, Mr. NIXON explains that "our economy has grown since the founding of the Republic because we have had faith in ourselves, because we have developed institutions that reward enterprise and efficiency, and because we have believed in progress sufficiently to put aside enough [savings] from current income." He also explains the advantages of maximum employment opportunity although without adding greatly to the information available to an unemployed man. "Much unemployment * * * involves the hardships and lack of opportunity that we all associate with the word 'unemployment'," but if a man can get a job promptly, it isn't so bad.

Then Mr. NIXON returns to inflation. His denunciation is now even more severe than in his first report, and several new evils—encouragement to speculation, distortion of business accounting, damage to our ability to compete in foreign markets—are added. He tells us again that "Resistance to rises in the general price level is bound to cause temporary inconvenience to some and to limit the gains of others, but * * * will powerfully promote the welfare of all." But this time there is no indication how this resistance movement is to be launched. Not even his first three recommendations are repeated. Possibly he did not think very much of them either.

When this report was issued, an administration spokesman said (one imagines with Mr. NIXON'S blessing) that it was now believed that the battle against inflation was being won. Expansion would henceforth be emphasized. Officials were now "reasonably optimistic that the line would be held on the general price level." This was not quite 7 weeks after Mr. NIXON had cited "overwhelming evidence that we have arrived at a time of decision as to the future course of our economy." The decision hadn't been taken.

Perhaps it should have been. On August 22, 5 days after the second report, the Department of Labor announced that the Consumer Price Index had risen again for the fourth consecutive month and to an all-time high. All component groups went up.

CLEARER ANYWAY

On October 25, Mr. NIXON released his third report, "Managing Our Money, Our Budget, and Our Debt." During the preceding week, the Bureau of Labor Statistics announced that the cost of living had gone on to another all-time high. The steel strike, in which the issue was the effect of wages on inflation, had passed its 100th day.

This is a better written report than those that preceded it, and Mr. NIXON evidently had thought better about those building blocks. But the clarity revealed a barrenness matching and possibly exceeding that of its predecessors. Recessions or depressions—periodic interruptions in growth—are accepted as a necessity of our life. The government should follow a passive fiscal role. Tax yields will fall during recession and some expenditures—unemployment compensation, for example—will automatically rise. These automatic stabilizers are to be welcomed. But Mr. NIXON is opposed to affirmative action to offset recession or depression by increasing public outlays or reducing taxes. The extra spending effect might come, or it might be allowed to persist, after the recession had passed. This danger is worse than the recession. (The earlier Eisenhower policy under Arthur F. Burns was, incidentally, much more liberal. Then the policy of using the budget, including a reserve of useful expenditures, as a positive instrument for fighting depression was repeatedly affirmed.)

The rest of the report contains nothing new, and nothing old that bears usefully on the problem of inflation. Mr. NIXON repeats that monetary policy, specifically a tight money policy when required, is useful for attacking inflation but he also adds that it has serious shortcomings. This is not news since, as noted, it was these shortcomings which led to his appointment in the first place.

He makes no suggestion as to how the shortcomings can be overcome except to follow the budget policy just mentioned and to remove the ceiling on the interest rate on government bonds. Monetary policy, it should be observed, did not prevent inflation in the years before that ceiling became operative. Mr. NIXON argues once more that to lift the ceiling will have the effect of locking people and financial institutions into their holdings of long-term bonds. In future periods of tight money, interest rates will rise, the capital value of the bonds will fall, and then the bonds cannot be sold except at a capital loss. He still does not consider that, given fluctuating interest rates, people will see the possibility of such mousetrapping and be reluctant to buy the bonds in the first place.

There is no more.

The judgment to be rendered would seem to me clear. Mr. NIXON has done nothing. Nor in seeking to persuade us that he has done something does he show a high regard for our intelligence. For anyone who respects his fellow citizens could hardly expect them to buy this blend of nothingness. Perhaps it will be said in Mr. NIXON'S behalf—as so often before—that this is a subject on which he has not yet matured. So it may be. But even his friends will be forced to agree that this failure is the most mature example of such immaturity.

Let me add, also, that the finding of failure is my own judgment. Economics is an imperfect science. Anyone who claims that his economic judgments are emotionally detached, politically impartial and otherwise objective is himself suspect. But I would strongly urge anyone who disagrees with the present judgment of Mr. NIXON'S reports, or even suspects that he might, to get them from the White House and read them thoughtfully and with care.

INADEQUATE PERSONAL EXEMPTIONS FOR LOW INCOME RECIPIENTS

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. ADDONIZIO] is recognized for 10 minutes.

Mr. ADDONIZIO. Mr. Speaker, everyone is well aware of the heavy tax burden in the United States. Yet, the average income earner usually has enough money left over after taxes to purchase a few luxuries, as well as convenient and expensive household appliances. Even most of the individuals earning less than average incomes can afford some of the comforts of life in addition to bare necessities. This is made possible largely as a result of the personal exemptions that are allowed under the Federal individual income tax. The personal exemption allows an individual to earn at least a certain amount of income before an income tax is applied. Thus, the personal exemption has become important for low-income recipients. I may add that in my opinion the exemption is inadequate and should be raised to at least $800 and preferably $1,000.

However, in the case of a family that is burdened by heavy expenses beyond their control, as well as having a low or average income, the existing personal exemption is so unrealistic as to work a real hardship. This was recognized when Congress provided an additional exemption of $600 for the blind and the aged. The Congress has failed, however, in providing this tax benefit to one similarly situated group which also needs some special tax relief. These are the

physically handicapped. Most of the individuals in this group are certainly limited in their earning capacity. They also must incur large unusual expenses in connection with or as a result of a disability. In fact, a handicapped employee may very often have to incur heavier medical and other expenses as a result of his handicap than an older person who is over 65 and who works beside him. Yet the older person gets an additional personal exemption—a total of $1,200—for himself, but the handicapped person is allowed an exemption of only $600.

Equity and human consideration require that the additional personal exemption, which has been so wisely provided by legislation to the blind and aged, should be granted also to the handicapped. Furthermore, I believe that if the handicapped individual is supported by his parent, the additional exemption should be available to the parent.

It certainly does not require much imagination to realize that the physically handicapped are limited greatly in their earning power. A disabled person may often have to undergo long periods of rehabilitation during which time he earns little or no income. Quite often prejudice and discrimination prevent the handicapped from finding suitable employment. In many cases they are considered for employment only after the physically more able are placed; then they are laid off more readily than the person not handicapped. As a result, handicapped persons usually suffer longer periods of unemployment than the average worker.

Many of the individuals who have had moderate incomes before their disability will no longer be able to perform the same duties when handicapped. In many cases this means a shift to a job or occupation for which the person has had no previous experience. The scale of pay will very often be substantially lower.

As I indicated above, the handicapped worker not only is severely limited in his earning power, but must incur heavy extraordinary expenditures as a result of his handicap. In many cases, the individual must purchase various devices such as braces, wheelchairs, and so forth, to help him move from one place to another. These aids are quite expensive. I understand, for example, an artificial arm or leg costs from $300 to $600. An orthopedic support may cost from $75 to $225. Orthopedic shoes range from $65 to $175 with additional initial costs for lasts and rubbers to protect the special shoes. A wheelchair may be priced from $100 to $450, with $200 as the average for a paraplegic. Moreover, the original cost of special devices is not the end of these additional costs. The equipment must undergo regular repair and eventual replacement.

Braces, crutches, and prosthetic devices cause unusual wear and tear on the clothing. Thus, clothing must frequently be provided with costly extra lining or may have to be tailor made.

For the handicapped worker, the form of transportation to and from work is of a costly nature. Whereas a healthy individual can commute to and from work by public transportation for a relatively low cost, the handicapped employee must often travel by taxicab or a specially equipped automobile. Even if the taxpayer is in a low-income group he must usually obtain all the power equipment such as automatic transmission, power steering, power brakes, and other special equipment that he would not otherwise obtain. In fact, he might not have even purchased an automobile at all at his level of income.

Other extraordinary costs of a handicapped person might include that of remodeling his home, such as providing ramps or larger and more accessible doorways or archways. The individual may have to hire extra assistance or attendance to care for him. Also, various types of insurance may carry higher premiums.

It would be difficult for me to see any justification in allowing the present special tax benefits to the well-to-do and prosperous businesses at a cost of billions of dollars of revenue annually at the same time that we deny the handicapped an additional personal exemption. For most of the handicapped taxpayers or the parents supporting them, the additional personal exemption would amount to a tax saving of only about $120 annually. Compare this, for example, to the substantial tax savings reaped by some oil tycoons as a result of the percentage depletion allowance. Or make a comparison with the substantial savings a financier gets when he pays tax on capital gains at a rate of 25 percent instead of 91 percent. Another such special benefit is the dividend tax credit. In 1957, the latest year for which data are available, the 207 taxpayers with incomes over $1 million reported a total of dividend tax credits of over $8 million. This represents an average tax saving of about $40,000 for each of these taxpayers. Although there are other special benefits which I could point to in the tax structure that give far more substantial benefits than the $120 or so tax saving from a $600 personal exemption to the handicapped persons, I shall mention only one more. That is the use of expense accounts to reduce the taxpayer's Federal income tax. It has been conservatively estimated that these expense deductions amount to between $5 billion and $10 billion annually. They reduce revenues from $1 billion to $2 billion annually. How can it be just or equitable for individuals on expense accounts to fill the plush restaurants, night clubs, and country clubs and other expensive places of entertainment and get a tax deduction for their expenses, and at the same time deny the poor, struggling handicapped worker, or the person who supports this disabled person, some small consideration as I have proposed today? To do so would be highly inequitable and not in accord with the American way of life. Therefore, let us not delay action any longer in getting our tax laws amended so as to provide additional personal exemptions for handicapped income earners, as well as for parents who must support handicapped individuals.

IN DEFENSE OF AMERICAN INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized for 10 minutes.

Mr. VAN ZANDT. Mr. Speaker, with each passing session of Congress the verbal heat generated within the House on the subject of foreign trade by both the liberal traders and the protectionist seems to increase in intensity over the vital issue of foreign trade competition.

This creates a healthy situation because a problem of such concern to the American people and to their industries requires continuous and effective deliberations if an honest and just policy for U.S. import-export policy is to be formulated.

Furthermore our debates here simply reflect to a great extent the floor actions at various meetings and conventions of industrial, labor, and agricultural organizations.

Several months ago, for instance, in San Francisco, the giant AFL–CIO had some differences of opinions on this timely topic. But keeping in tune with the changing competitive conditions, they boldly stepped out and modified their traditional free-trade policy and unanimously passed a resolution calling for tighter escape clause administration.

Similarly, the U.S. Chamber of Commerce, at its annual meeting in April 1959, reviewed and then revised its longstanding policy of slavishly supporting the Department of State's one for all and all for one world program. As a result it is reported that the chamber of commerce is now in the process of developing a fresh approach, more in keeping with the views of its business members than the views of the bureaucrats.

Various textile groups representing both industrial and labor components have also gone on record-by-resolution vigorously protesting the State Department-inspired imports produced under sweatshop conditions which, did they exist in this country, would be in constant violation of our laws in addition to the basic codes and norms of organized labor and industry.

The Ladies' Garment Workers, the United Hat, Cap and Millinery Workers, the Textile Workers, and the former free-trade Amalgamated Clothing Workers, to mention a few, are among the aroused labor unions who have experienced the cutting edge of Hong Kong competition and the so-called voluntary quotas of Japan.

The president of United Automobile Workers' local 239 in Baltimore complained bitterly, to no avail, about the 35,000 foreign auto imports which poured through the city port during the first 5 months of 1959. I do not have subsequent figures, but I have no doubt that in keeping with the national picture the imports are now substantially higher.

The UAW official translated his concern into the most meaningful of terms which no one could misunderstand: Over 300 General Motors workers in Baltimore were laid off and an additional

1,500 were working less than 40 hours a week as a result of these imports. Their equivalent represented work for 2,500 men for 13 weeks on two full 8-hour shifts, the official stated.

We in Pennsylvania share their anxiety and the concern of other newly affected industries. We bleed industrially and we suffer economically with each layoff, with each ton of coal that we are not asked to produce for our customers.

In 1947 we contributed a record 631 million tons of bituminous coal to the growing industrial might of the postwar period. In 1949, however, imports of residual fuel oil, a by-product or remaining residue of oil refinement, launched their initial offense and 75 million barrels entered the United States. Within the next 2 years bituminous coal production had dropped off by 193 million tons, to 438 million tons. Thus foreign residual oil had its foot in the door. Newly-affected, import-injured industries take note: Since 1950, 1.3 billion barrels of residual oil have shouldered into our domestic market, the energy equivalent of more than 310 million tons of bituminous coal.

Parenthetically, our American flag tankers, which in 1946 carried 76 percent of our oil imports, today carry only 4 percent because of foreign competition.

But coal and textiles have many new allies today among a most diversified group of industries: machine and hand tools, steel mill products, electrical power equipment, vegetable growers, tuna fishermen and tuna boatmakers, sporting arms, chemicals, and cameras, to name a few.

Three out of four watches now sold in the United States are foreign imports. In more meaningful terms, 10,000 former watchmakers were added to the ranks of thousands of workers who, year in and year out, must adjust and readjust to the life of a butterfly and flit from job to job each time the foreign manufacturer takes over an additional American market. As industry has in self-defense been forced to diversify its products in this game of international cat and mouse, so has the worker been forced to discard one skill after another with each successive job as he reluctantly relinquished his trade and perhaps more remunerative employment to his counterpart abroad.

The cold figures released by the Labor Department on total employment stimulate an artificial temporary warmth, but do not begin to answer the workingman's basic need of job stability and security.

For the answer one must look to the artists in the State Department who, in their zeal to paint miniature Americas throughout the world, each with its built-in Pittsburgh, Detroit, and Des Moines, unwittingly deface the originals beyond recognition like a child who just discovered that his $5 billion allowance will actually buy him a genuine chemistry set for his very own with which his inexperienced hands may gamble.

Let us look at another industry—sewing machines. Japanese sewing machine imports jumped from 64,000 in 1950 to 1 million in 1958. Add this to the sewing machine imports from other countries and one comes up with a more significant amount of market loss than even watches, or slightly over 75 percent.

You will hear little protest from these industries today for the simple reason they have nothing left with which to fight. The individual companies either dissolve or become agents for the foreign manufacturer, such as the White Sewing Machine Co., of Cleveland, or they farm out their manufacturing like the Hamilton Watch Co. to foreign interests.

The past 2 years have seen momentous changes in American foreign economic policy. Yet, even to a casual observer, a strange hush has descended upon the ranks of the liberal traders. Can it be that their long-championed cause of import promotion has finally been achieved and they rest content? Or is it that they see in their handiwork the creation of a Frankenstein which, beyond control, returns to devour its creator?

No longer are we entertained by a chirping chorus of easy arguments of "dollar gaps," "trade not aid," "imports increase exports," "lower unit production costs," and other melodies marshalled to bolster timeworn theories of academicians in Government service.

A few of the remaining spokesmen for the discredited free-trade philosophy are today, however, brandishing a shiny new economic theory which upon reflection runs at cross purposes to their prior concepts. The theme of the day, we are now told, is "Overseas, ho." Having promoted import-export policies in the past which are now playing havoc with the most integrated market ever developed and into which they have introduced highly disruptive commercial elements, they now suggest a remedy for the problem which they themselves deny exists. It would be an amusing situation indeed if it were not so deadly serious a game.

On the one hand the liberal-trade champion claims that we are not priced out of the marketplace. Yet on the other hand he now promotes foreign private investments in plant and equipment to recapture the markets which he denies we have lost, and to protect those markets which he denies we are likely to lose. The horns of a self-imposed dilemma are never comfortable.

Even more amusing is a second implicit byproduct of the current slogan, requiring reflection for all self-respecting free traders: That with the current turn of his theory, he himself has turned toward protectionism.

Recognizing that former U.S. markets are falling in Asia, Africa, Latin America, and especially in Europe—yet reluctant to accept the responsibility for the attending circumstances which led up to such an impasse—he now pushes hard for U.S. industrial development in these areas. American private capital invested abroad today provides about 5 million jobs for foreign employees in and resulting from facilities established overseas at a cost of about $28 billion.

I am keenly interested in industrial development programs: First, because of our area redevelopment efforts and labor surplus problems in Pennsylvania; and secondly, because I believe every nation, as with individuals, should develop to the maximum of its capacity.

I confess to my complete bewilderment, however, on each occasion when our well-intentioned theorists, trying ever so hard to make the facts fit their preconceived concepts of world planning, prematurely press upon an agricultural economy in Asia or Africa the complexities, the dynamism, and heavy responsibilities of a modern industrial system.

These economic experiments in worldly togetherness, eagerly launched from Washington with greater frequency than rockets from Canaveral—and with less accuracy—stem from one fixed, single-minded commandment.

All nations are to be made in the image and likeness of America, with their consent if possible, without it if necessary.

The result is complementary. National economies are replaced by scores of competing economies existing in various degrees of industrial indigestion.

Dutifully, mother America generously opens her harbors to the imports from her foreign-aid offspring and at the same time finds her own exports reduced. Suddenly, it is discovered a surplus labor situation confronts us; not surplus in the sense that there are more workers than there is work that could employ them, but more accurately that there is less work remaining than there are workers. The distinction is all-important because our problem in Pennsylvania is not the result of nature's indifferent distribution of excess population but rather the man-made and calculated accumulation of errors in Washington.

The liberal trader, both public and private, is fascinated by industrial development programs abroad. This is fine. I too am interested up to—but not one groaning dollar beyond—the point where the United States suffers an investment leakage which under normal conditions would flow into our regular growth at home. I have the feeling that his newfound investment theories may enlighten him with experiences which may make our arguments more significant, if not more acceptable, to him in the future.

I have noted this in the attitude of the American exporter. A newcomer to the hardship of shrinking foreign markets, he is more sympathetic these days to the plight of the domestic sales managers and appreciates the similarity in their mutual problems. In addition, I suspect he belatedly but rightly recognizes that his interests are more identified with those of the domestic manufacturer whom he represents than with the importer who has hoodwinked him over the years with glib assurances that "If you want to export you must back my call for more imports."

Now that the problem has surfaced and is recognized for what it is, I have a strong suspicion that the exporting manufacturer at last recognizes that importers and exporters are contesting and not supplementing agents for each other's markets.

Let me now examine briefly the case for protecting American industry, a cause I have consistently defended since

I first entered the House when there were but a few of us to defend it. To the liberal trader, I realize we protectionists are a rather low form of life, sort of reactionary creatures who must be tolerated and with whom, somehow, they must coexist. We have two left—excuse me—right feet, they say, which are out of step with the times, and we yearningly look back to the twenties rather than forward to the sixties.

What I say now I am sure will come as somewhat of a shock to my liberal-trade proponents. The protectionist earnestly seeks a high volume of foreign trade which he believes lies in the maintenance of a high level of production, employment, and wages in the United States. One hears nothing of this side of the protectionist's case, because the free press, like the freetraders, grudgingly give currency to this view, feeling as they do that it might break down the pat image which they have created for us but into which we do not quite seem to fit.

Furthermore, the trade protectionist believes that import competition, which derives its competitive advantage from lower wages abroad, no longer offset by equally low productivity, represents a clearly imminent threat not only to individual domestic industries but to the stability of the economy as a whole and, therefore, to the realization of a maximum level of foreign trade. But where to turn?

Complacent U.S. Government officials dismiss the complaints of individual companies who suffer diminishing markets to imports by the ready answer, "You're only one company; the problem has to be industrywide," not realizing that their apathetic attitude significantly contributes to making it just that—an industrywide problem. It is then too late, as the sewing machine, fishery, and watch industries know, since they were picked off, one by one, in their field of industry.

By and large in the early days of the trade program, the protectionist supported the trade agreements concept. But what we have today and what we were told then are totally dissimilar. Frankly, we have more and more agreements, and less and less trade.

Mr. Speaker, we of the protectionist persuasion submit in short that we are simply not in the running under the existing international competitive conditions that confront us. Every day in the United States our domestic producers compete with each other, neither seeking or asking for quarter. If a sale or bid is lost to another American competitor, the loser tightens his belt, reviews his estimates, cuts here and there, and makes preparations for the next job.

Why is this not so with foreign competition? Why all the fuming by the domestic producers, many of whom have stopped submitting bids on oversea projects and do so only halfheartedly here at home when they find one or several producers from abroad also bidding? By and large the U.S. manufacturer does not have the reputation of a crybaby who, the minute events go against him, tosses in the "crying towel." Does not this behavior in the face of one type of competition contrast considerably with the other?

Most certainly. Furthermore, is it not strange that despite our recognized industrial advancement there is no great rush by foreign producers to install branches and subsidiaries at every opportunity in the United States? We note the very opposite. Plants are being built and equipment installed at an ever-increasing pace by American companies in foreign countries where the transportation, availability of skilled workers, power, raw materials, and other industrial requirements cannot begin to compare with potential industrial development areas available in the United States.

Why, then, are the choice American locations which desperately need industry, forsaken in favor of the foreign which, by comparison, can contribute so little?

The answer is there for anyone who will see.

Other countries have not done for labor and agriculture what we have in this country. Wages abroad are much lower and with the modern machinery installed in recent years, lower production costs result. That is the magnet that draws our companies.

Where, in Asia, for example, will you find the economic and social conditions prevailing which in America place responsibilities on our industry just as real and just as demanding as any legal requirement? Labor and industry in the United States recognize the rights and duties which are required of them in an enlightened society. They both contribute to humanitarian causes, to civic, cultural, and educational projects. And with each contribution of time and funds to worthy domestic causes which raise our standard of living, we become just that much less competitive with the foreign producer.

The protectionist in America realizes the cumulative result of these many factors. I believe a few discerning liberal traders are beginning to understand our concern, at least in mind if not in heart. The protectionist fears, in short, for the welfare of our industrial base, the wellspring, the prime source of our economic progress. He sees in the excessive dispersal of our industry to all corners of the globe a dissipation of strength and a rising vulnerability to foreign competition.

As a man insures himself on behalf of his family, so the manufacturer and producer seek protection for their product on behalf of their industry. If we provide $40 billion per year for the protection of the political integrity of our borders, it is in keeping with the same rules of self-preservation to protect economically the means of our livelihood which make our way of life worth defending militarily. It requires slight mental effort to see the transition from one form of protection to another, either of military to economic, or of foreign markets to domestic.

Let us hope that the liberal traders will wake up and help find the way.

PANAMA CANAL ZONE, NOVEMBER 3, 1959, MOB VIOLENCE—SUPPRESSION OF NEWS IN THE UNITED STATES

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, in my address to the House on January 13 I emphasized the failure of the mass media of the United States to present adequately the tragic events at Panama on November 3, 1959, as savoring of a conspiracy of silence. Moreover, this case has illustrated a control of the press in favoring suppression of proper coverage of communistically connected activities on the isthmus that affect the security of the Western Hemisphere, including the United States.

Fortunately, the press of the Republic of Panama has covered the November 3 attempted mob invasion of the Canal Zone extensively. Profusely illustrated with pictures of mob actions in areas that are normally peaceful avenues, the story is truly shocking.

Thoughtful residents of the Canal Zone and Panama have sent me many newspaper clippings concerning that tragic incident and subsequent events. They are too voluminous for all to be read by busy Members of the Congress, but they and future historians should know that this record of recent isthmian violence does exist. It is available in the Library of Congress and other libraries subscribing to Panama newspapers.

In order that the real nature of the November 3, 1959, isthmian mob violence may be better known and easily available to editors, writers, and students, I include major news stories from leading papers of Panama as part of my remarks:

[From the Panama American, Nov. 2, 1959]

ZONIANS AWAIT NOVEMBER 3 DEVELOPMENTS—MIXED PREDICTIONS ON LIKELY RESULTS OF BOYD'S VISIT

An unofficial poll of Canal Zone opinion on the likely events tomorrow in connection with the invitation of Deputy Aquilino Boyd and Prof. Ernesto Castillero to join them in a flag-bearing visitation into the Canal Zone tomorrow, brought contrasting comments today.

On only one point was there unanimity: the Canal Zone community hopes there will be no trouble or violence.

Boyd and Castillero have repeatedly declared recently that their call is specifically for a peaceful demonstration, and that all Canal Zone regulations must be obeyed. Castillero has said that any demonstrator who gets into trouble with the Canal Zone law will not get any sympathy from him or Boyd.

Boyd has conceded that on such occasions there is always some danger of hoodlums infiltrating the movement, but he does not think it will happen tomorrow.

Some Zonians said that regardless of inflammatory sentiments expressed in the past

by Boyd, they believe he now seeks only a peaceful demonstration in affirmation of Panama's claims of sovereignty over the zone and her desire for greater benefits from the canal.

The National Government of Panama has taken no position on the march. There has been some comment, chiefly against the project, by columnists and in editorials.

Other observers point out that though it is obvious that the invitation of Boyd and Castillero has not gained support as a broadly based movement, it takes only a handful of persons to create planned disorder.

These people say that an incident of violence could be provoked regardless of the present intentions of Boyd and Castillero.

They hark back to a statement by Castillero in a Panama daily some months ago in which he said that some incidents of violence in the Canal Zone would be a good idea to draw the attention of people abroad to Panama's claims and aspirations.

They also recall that some time ago, in connection with the movement—then called a "peaceful invasion"—Castillero suggested that Panamanian demonstrators take over Balboa Stadium and sit on the steps of the administration building.

One Zonian said: "Those who planned this movement will see to it there is some violence, since drawing world attention to themselves and their ideas is the avowed purpose of the demonstration.

"If there is no international incident, their mission will not have been accomplished."

Today, as previously, canal officials would have nothing to say on the matter.

Unofficially, it is understood that Canal Zone police and other law enforcement agencies will maintain their usual control of traffic, and usual disciplinary measures for persons who commit infractions of Canal Zone laws.

One employee not engaged in this kind of work pointed out that at no time do police permit loitering around or trespassing in buildings in the jurisdiction.

On every hand, the word today seemed to be to make every effort to avoid an incident or clash of any kind.

Several people said that if the intent of the visit is truly peaceful, there will be no trouble unless a drunken person starts something.

Another said one over-excited teenager would be all that was necessary to start an unfortunate chain of events that could lead to violence.

"I just hope nobody gets hurt, especially no young people," a mother said.

A father said he didn't think anybody would. "In fact," he added, "I think there'll be no more hoodlum trouble than on a clear day at the height of the mango season."

Other Zonians stressed that the Panama flag has always flown conspicuously on the Canal Zone on November 3 and there's no reason why it shouldn't do so this year.

Another Zonian said it seemed to him that Boyd is making a great stir over sovereignty when in fact no issue exists. He observed that the United States has always been entirely content with rights "if it were sovereign" clause of the 1903 treaty.

Several Zonians deplored the efforts to set Panamanians and Zonians against each other.

One Zonian reported he thought he saw several demonstrators on Tivoli Avenue yesterday afternoon. Some groups were strolling up and down, holding Panamanian flags higher and in a stiffer manner than is customary during the usual annual observances.

Some cars going through the zone to the interior today were flying Panama flags, but observers thought the proportion was less than in other years.

In his press conference last Friday, Boyd stressed the peaceful intent of his move and said the invitation was for his countrymen, even for a short while, to go peacefully into the Canal Zone carrying a flag or displaying it on their vehicle. He said:

"This is not a call to violence. We don't want to provoke disturbances, nor to stir up seditious marches, nor mal intentioned demonstrations."

Boyd said he and Castillero would make their own zone visit during the morning hours.

[From the Panama Star & Herald, Nov. 3, 1959]

ZONE ALERT AS REPUBLIC OF PANAMA FETES INDEPENDENCE DAY—NATIONALISTS CALL FOR SHOW OF FLAG TODAY—SITUATION RECOGNIZED AS POTENTIALLY EXPLOSIVE DESPITE PROTESTATIONS OF PEACEFUL INTENT

As Panama entered into the celebration of its 56th independence anniversary today, an air of alertness pervaded the neighboring Canal Zone where a show of the flag has been called for by Panamanian nationalists.

Despite protestations of peaceful intent by the two men who have proposed the display, everybody recognized that the demonstration was potentially explosive. The general feeling was that a single person bent on creating a clash between Panamanians and Americans would have a made-to-order situation.

There was no show of official alarm in the Canal Zone. Questions on what special measures were being taken today, brought the terse answer from Balboa Heights that normal traffic control and normal disciplinary measures would be in effect. Caribbean command headquarters, asked if troops would be on the alert or on special duty today in the zone, replied: "We are here at the call of the Governor." Up to yesterday afternoon, Panama had not been placed off limits to military personnel. The feeling among civilians was to stay out of Panama, at least for today.

There was no doubt, however, that the Canal Zone, even while making no open display of security precautions, was ready for any contingency that might develop during the day.

Aquilino Boyd and Ernesto Castillero Pimentel, National party leaders, said last week they have invited Panamanians to enter the Canal Zone today, afoot or in cars, carrying a Panamanian flag. They disclaimed any call for an organized demonstration or march into the zone. They insisted that it is to be a peaceful gesture of reassertion of Panama's sovereignty over the Canal Zone. But other than their peaceful intent, they could give no assurance that their call might not result in trouble.

How many Panamanians planned to answer the Boyd-Castillero appeal no one could tell. Traditionally, Panamanians decorate their automobiles with small Panamanian flags, or—children especially—carry them afoot for the November patriotic holidays. In years past, many have entered the Canal Zone particularly during the parade hours when the main thoroughfares are closed to traffic.

Indications yesterday were that there would be no interference with this type of activity. Several cars flying the Panamanian flag from radio antennae and other convenient places circulated freely in the Canal Zone yesterday.

What worries everybody is the possibility that groups of hot-headed elements might seek to make a show of defiance or play the role of heroes in the Canal Zone today—thus giving rise to an incident that might generate widespread trouble.

Among these groups are students. The original call by Boyd and Castillero last July specifically included students. It was billed as a peaceful occupation of the zone with demonstrators sitting down in public places. In their statement last week, Boyd and Castillero said their invitation was addressed to all Panamanians generally but emphasized that the response would be up to each person individually, rather than urging an organized, mass demonstration.

One school which has always been at the forefront of agitation in Panama is the National Institute, whose buildings border on the Fourth of July Avenue boundary line. One usually well informed Panama source reported last night that some of the institute boys were planning to show the flag in the Canal Zone today, but whether it would be an organized march was not known.

Boyd yesterday stood on his press conference statement that he and Castillero would enter the Canal Zone some time before noon today to display the flag. But he still declined to say how, where or when.

The two politicians contended last week that under existing treaties Panamanians have the right of free access to public thoroughfares in the Canal Zone. There are provisions in the Canal Zone code and in the traffic regulations, however, which govern the behavior of persons while in the Canal Zone. These deal with loitering, vagrancy, disorderly conduct and breach of the peace, among others. There is a requirement that organized groups of more than 60 persons or caravans of more than 15 automobiles require a permit from the chief of police.

(In answer to a question, Canal Zone officials said that the immunity from arrest which members of the National Assembly enjoy in Panama does not carry into the Canal Zone. Boyd is a member of the national assembly.)

Generally it was felt that most of whatever activity develops in response to the Boyd-Castillero appeal will occur during the morning. This was indicated by Boyd himself in saying he and Castillero would enter the Canal Zone before noon.

It will be during the early morning, also that there will be the greatest massing of people in Panama City. This will be for the traditional salute to the flag, which will take place at 8 a.m., opposite City Hall in Cathedral Plaza. Students and citizens will gather to watch President Ernesto de la Guardia, Jr., raise the national flag atop the City Hall while the national anthem is sung by the massed spectators.

(Last Saturday, when a defect was discovered in the pulleys for the ropes to hoist the flag atop the three-story City Hall, Panama City officials obtained the services of the Canal Zone fire department's extension-ladder truck to make the necessary repairs quickly. The fire truck rode into the city under escort of the Panama national guard.)

A parade, which annually attracts thousands of spectators, will follow immediately after the salute to the flag. The route of march will be from Cathedral Plaza to Avenue A, thence to First Street, Bolivar Plaza, the Presidential Palace, B Avenue, the Lottery Plaza, and Central Avenue. The parade will disband at Cinco de Mayo Plaza, opposite the railroad station.

The rest of the program is devoted to official ceremonies and sports events, mainly. In the evening, there will be a fireworks display at the Panama Yacht Club on the seafront drive which runs past the American Embassy office building.

The patriotic celebration will extend through November 4—Flag Day—which marks the anniversary of the first public display of Panama's flag the day after the country proclaimed its independence in 1903.

The day's principal event will be the Flag Day parade, scheduled to start at 9 a.m., from Avenida Peru and 34th East Street. The route of march will be the entire length of Central Avenue to the Presidential Palace.

At the invitation of Panama officials, a contingent of the U.S. Armed Forces will march in the November 4 parade.

[From the Panama American (Canal Zone), Nov. 4, 1959]

ARMY GUARDS CANAL ZONE BORDER—120 HURT IN DAY OF ROCKS, BAYONETS, TEAR GAS, CLUBS

A gunmetal calm brooded over the isthmus today as combat-ready GI's maintained their positions behind barbed-wire barricades along the Canal Zone-Panama frontier.

They were under orders to preserve order in the zone after history's worst frontier violence between the zone and Panama.

At least 120 persons were wounded yesterday in a day-long fracas which caused President Eisenhower to observe at his Washington press conference today that excitable extremists in Panama and other Latin American countries are behind the numerous instances of anti-American mob action in the area.

Many of yesterday's demonstrators appeared fiercely anti-American.

Civilians and military alike on the zone are technically under Army orders till Gov. William E. Potter deems the tension has relaxed sufficiently to withdraw law-enforcement responsibility from Quarry Heights' Lt. Gen. Ridgeley Gaither and turn it back to the battle-bruised Canal Zone police, under Maj. B. A. Darden.

Panama is off limits to all servicemen and their dependents, and Potter has warned zone civilians from entering the Republic. For the first time in years, no US units marched today in Panama City's traditional Flag Day parade.

Two of six young Panamanians arrested during yesterday's ruckus are to face charges in Balboa Magistrate's Court this afternoon.

Rocks, tear gas, high-pressure firehose jets, riot sticks, bayonets, curses, birdshot and some bullets flew along the frontier line for hours yesterday as Aquilino Boyd's "peaceful invasion" erupted into a demonstration which, momentarily at least, dragged US-Panama relations to the lowest point in recent memory.

U.S. Ambassador Julian F. Harrington delivered to Panama's foreign minister a protest couched in "the strongest terms," declaring that the desecration of the Stars and Stripes which demonstrators tore from the US Embassy mast and ripped to shreds, put US-RP relations "in serious danger."

Panama has not yet replied to the protest, nor has there been any official Panamanian Government statement of yesterday's frontier violence.

Participants in the flag incident claimed it was sparked by a Canal Zone policeman trampling on a Panamanian flag during rough frontier scuffling along Tivoli Avenue at Ancon Boulevard.

The demonstrators, Boyd and Ernesto Castillero among them, raised the Panamanian flag on the Embassy mast and then sang the Panamanian national anthem.

In a later statement, Boyd and Ernesto Castillero said they had been unable to prevent the flag incident at the Embassy.

The cosponsors of the "peaceful invasion" had the following to declare of the day's events at large: "We consider that the objective we sought to achieve, the reiteration of our sovereign rights over the Canal Zone this November 3, to have been amply achieved.

"We believe that demonstrations of this kind are necessary and useful for the Panamanian cause. We congratulate the people of the capital city for their lofty and patriotic conduct along this journey which has opened a new path by which justice may be accorded to our country."

Tight-lipped Canal Zone authorities plainly put the blame for the affray squarely on Boyd.

On the Panamanian side of the frontier the demonstrators, many of them too excited to give a coherent account of what they were doing there, insisted yesterday that zone authorities got rough first.

The demonstrators mocked the GIs guarding the zone with a fence of bayonets with cries of: "We might as well be in Russia." There were many less printable epithets.

Potter stressed today that if people from the Republic had just come over into the Canal Zone peacefully carrying flags they would not have been bothered by Canal Zone police.

"The group that started it," he said, "spread from a mob along the border. Their disorder could not have been permitted, because if it had been, it was apparent that the rest of the mob would follow (into the zone)."

Potter said today he had been apprehensive for some time that the demonstrations scheduled for yesterday would bring disorder on the Canal Zone which he in his official capacity would have to control.

"The law is very specific," he said today. "An act of Congress charges me with responsibility for the security and protection of the Canal Zone.

"This movement had received so much advertising in advance that we felt it would get out of hand.

"As long ago as last August I told my people in the United States that unless there was some positive action on the part of the Panama Government, I was apprehensive.

"There have been many stories in Panama papers, indicating there would be trouble.

"When the trouble started yesterday, I called a Presidencia official and asked him to stop it now."

(Yesterday, in a formal statement, the Governor said that he felt that if National Guardsmen had taken steps earlier to break up the mobs forming along the border, the incidents in the Canal Zone would never have occurred.)

"Several prominent Panamanians have visited Canal Zone officials in recent days to express hope that we would do everything possible to prevent trouble, and this we think we did. Obviously we could not go into Panama to break up the mob."

The Governor went on to say that from what he had seen personally and the official reports reaching him, the rioters seemed to be of the same type of groups that normally compose local riots such as those of May 1958.

They seemed composed of some students, some hoodlums, chiefly young, with older men among them obviously egging them on.

"Only as a last resort to prevent real civil disorder and pillaging did I ask that troops be brought into the picture," he said.

Panamanian sources report nine of the 64 persons treated in Panama City hospitals yesterday had bayonet wounds, and three bullet wounds.

The military authorities deny firing any bullets. Only firearms activity was some birdshot.

Casualties among the Canal Zone policemen and firemen totaled between 45 and 64 during the day's disturbances.

On the Pacific side, one fireman was admitted to Gorgas Hospital with a fractured knee. Ten other firemen were given first aid treatment at the hospital and 8 other firemen and seven officers treated on the spot.

Twenty-one police officers were treated at Gorgas Hospital for cuts and bruises from flying rocks, hunks of concrete, and other objects.

On the Atlantic side, three police officers were struck by rocks and other objects. One officer's helmet was smashed and his head cut. They were sent to Coco Solo Hospital for first aid treatment, but were able to return to duty when needed.

One firefighter on the Atlantic side was bruised by rocks but did not require hospital treatment.

Among the Canal Zone law-enforcement officials who required first aid were Police Chief Darden, and the Chief of the Civil Affairs Division, Henry L. Donovan. They were hit by rocks.

Injuries to other policemen ranged from broken ribs to lacerations, bruises, and sprains.

Those hurt on the Pacific side were:

Sgt. Robert Engelke, Sgt. James A. Marchuck, Sgt. E. J. Husum, and Policemen Al Zon, D. S. Heilman, David L. Bishop, Robert W. Blades, Arthur L. Blystone, Herschel Dempsey, Robert E. McBride, Henry Perry, Daniel E. Harned, Fred E. Mounts, E. V. Amason, Paul V. O'Donnell, Anthony Malagutti, R. J. Tomford, Gardner Harris, Richard D. Meehan, Robert E. Lee, and R. M. Brome.

Six Panamanians arrested in Ancon during yesterday's rioting faced Balboa Magistrate John E. Deming today. Five were charged with disturbing the peace, one with simple drunkness.

One was a student, Ezequiel Gonzalez Nuñez, 16, a fourth-year pupil at the Jose D. Moscote School.

His disorderly acts were reportedly especially offensive. He is understood to have shoved and elbowed law-enforcement officers and finally to have dragged a flag around a Canal Zone policeman's neck and then yelled: "It's dirty now."

His actions are understood to have been those which set off the first real disturbance at the border.

Arrested during the same incident was another man of almost identical name, but no relation, Ezequiel Gonzalez Meneses, 23, unemployed. Today he was out on a pass from Gorgas Hospital. His head was bandaged and he wore a hospital pajama. It was arranged for him to sit during the hearing.

Luis Humberto Barletta Diaz, age 47, a garageman, who is a brother of Second Vice President Heraclio Barletta Bustamante; Donald Horacio Brathwaite Pyle, 22, a laborer; and Tomas Castillo Beitia, 41, a chauffeur, were arrested later after another incident.

All pleaded not guilty. Brathwaite and Castillo chose to be tried today and their cases were to be called at 1:30 p.m.

At the request of the two, Gonzalez and Barletta, court recessed to give them opportunity to contact relatives and discuss hiring lawyers. Gonzalez Nunez's parents were in court.

Later the three asked for and received continuations to 9 a.m., November 6.

Bail for each was set at $200 at the request of District Attorney Rowland K. Hazard who said that though the offenses were only misdemeanors, they occurred in "aggravated circumstances" and "the government wants to make sure they are tried in open court."

Up to noon, only Barletta had posted bail.

Bootblack Fernando Bliss, 44, who was charged with simple intoxication, though he was arrested in the riot area, was fined $10.

From every side on the Canal Zone, came reports that zone police were overly patient during the rioting, putting up with considerable indignity before asserting themselves.

Considerable property damage was reported on the Pacific side.

Demonstrators pushed five private automobiles into a fire which they had started when a bus dispatcher's shack on Shaler Road was overturned and set ablaze.

There was extensive damage to the exterior of the Ancon Masonic Temple and to the windows and grounds of the Catholic Home of Maryknoll Sisters on Tivoli Avenue.

The sisters were forced to evacuate the buildings.

Street lights along Tivoli and Fourth of July Avenue were broken and three plate glass windows smashed by rocks at the Fern Room of the Tivoli.

Four Canal Zone police radio cars were damaged; windshields and windows were broken and the bodies dented.

Windows were knocked out of the official sedan assigned to the chief of the Canal Zone fire division.

The body of one firetruck was dented and sections of fire hose were slashed with knives.

Some of the worst damage was at the Panama City railroad station where looting was still going on this morning.

Demonstrators set fire to a passenger coach standing on the station track, burning it to the sills. At least three private automobiles, some of which belonged to railroad personnel, were burned in the same fire.

The baggage room at the Panama station was looted and the small office enclosure in the baggage room burned.

A large safe in the baggage room was stolen.

One of the railroad's car inspectors was struck on the head by rocks.

The Panama freight house was open for business today with National Guardsmen on duty in the freightyards.

Yesterday's disturbances caused little absenteeism in company-government offices and units today, although a number of employees reported late.

A few Panamanian employees had previously requested time off for the national holidays and they had not been expected to report.

Buses were not running into the Canal Zone from Panama but bus service within the Canal Zone was operating out of a temporary bus station near the Ancon Laundry.

As GI's at the railroad crossing checked all entering cars, the waiting line was backed up more than a mile down the Panama City section of Frangipani Street this morning.

Crews from the community services division were out along the Pacific side border streets today cleaning up the debris left from the disturbances.

Classes were suspended at the Ancon Elementary School where a gasoline bomb was thrown at the school gymnasium just off Fourth of July Avenue before sunrise today.

All other Canal Zone schools are operating as usual as were traffic through the canal and company-government activities.

Using a Balboa Fire Department pickup truck as a base of operations the supply and community service bureau handed out 500 sandwiches and served 25 gallons of coffee prepared by the service center branch, to Canal Zone policemen and firemen yesterday, from noon on, when it became evident that they would be unable to go home for lunch.

There also were 75 hot meals served at the Balboa fire station to the men standing on the ready there.

Shortly after 8 a.m. white-suited Boyd, accompanied by about 12 friends including Castillero, took off in a caravan headed by Boyd's expensive silver Mercedes 300S for the zone.

On the Balboa Prado the expedition halted.

Carrying a made-in-Egypt Panamanian flag which Castillero had brought back from a trip on which he looked over Egypt's possession and operation of the Suez Canal, Boyd led a group including his wife and four young children to the Goethals Monument.

En route he was quietly intercepted by first-on-the-scene Canal Zone traffic officer, Freeland Hollowell.

The Canal Zone officer told Boyd his orders were that there should be no violence. Boyd said he had no such intention, and Hollowell let him move to the monument, where he posed for photographers.

The early appearance attracted scant public attention, but Potter was looking narrowly upon the scene from high up in his administration building office.

For 2 months he had been reading his reactions to Boyd's announced invasion.

Carefully observing Canal Zone traffic laws, Boyd drove off to repeat his flag waving demonstration on Miraflores Bridge and at the west bank ferry ramp. On none of these occasions was there more than an occasional bystander, and there was no visible reaction.

At the ferry ramp Boyd declared: "We sincerely believe that pretty soon we are going to have the flag of the Republic of Panama flying officially over this part of Panamanian territory."

Then he led the 11-car parade back over Miraflores Bridge and headed with his friends for the Atlantic side, where he repeated his performance.

Meanwhile the Independence Day parade through Panama City was beginning to break up, with many of the parading groups being dismissed in De Lesseps Park, in front of the national assembly building.

A group of youths who declared themselves to be students brought a large Panamanian flag to the Panamanian side of Tivoli Avenue, at Ancon Boulevard. This was to become the hottest spot in the battle through the rest of the day.

It is understood the youths were told they would not be allowed into the zone as a group. (Boyd's call had been for "all Panamanians to proceed individually" to the zone, carrying a Panamanian flag.)

Zone authorities insist that from the outset their precautions were directed against the entrance of unruly groups to the zone, and not against the Panamanian flag.

Many demonstrators spent quite a time in Canal Zone territory before the violent day was over, carrying the Panamanian flag there.

Many others passed through on their peaceful occasions, flying the Panamanian flag on their cars in independence day tradition.

The party of youths proceeded to march along Tivoli Avenue sidewalk, just inside the Republic, as a file of Canal Zone police paced grimly beside them, an equally brief distance into the zone. The police wore white helmets, and carried riot sticks.

This strange procession made its somber way up toward the National Institute, and back along Tivoli Avenue. Youngsters who strayed onto the road—Canal Zone territory—were bundled back onto the sidewalk.

Then, as the sidewalk narrowed at the basketball court where the Tivoli Avenue line of shops ends, a youthful marcher lurched out onto the road, possibly because of the press of other marchers.

A Canal Zone policeman, apparently considering the youth was lunging at him, grabbed the youth who in turn, according to eyewitnesses, made a grab for the policeman's gun.

The youth's fellow marchers insist the Canal Zone policeman plucked him from the marching group, dragged him across the frontier in the process.

Anyway, the fight was on.

The incident took place right at the ruins of the former American Club. Stones large and small remained from the demolition job. They were soon soaring across the frontier and crashing down among Canal Zone policemen.

From that moment on, there has been no true peace on the frontier.

As the reinforced border patrol of policemen moved back out of rock range to get their full riot gear, Canal Zone fire crews, many of them local raters, moved up with the high-pressure hoses. They were operating well within range of the rock throwers.

All zone authorities had praise for the manner in which the local rate firemen stayed on the job under the long bombardment of rocks.

Potter today praised the policemen and firemen for acting conservatively at all times and making every effort to avoid incidents.

The men were told that the restraint and self-control "exercised in the face of reckless, unreasonable provocations by large hoodlum elements of an uncontrolled crowd" undoubtedly served to avoid what could have been tragic consequences, and that they had done an outstanding job for which they could ever be proud.

Meanwhile as short a distance as one block back into Panama there was little to distinguish the day from any other independence day.

In the suburbs there was no indication of trouble, and in the Panama Cathedral President Ernesto de la Guardia, Jr., officers of his government, and members of the diplomatic corps were attending independence day services with no inking of the trouble already crackling outside.

For almost 4 hours the frontier battle flared and waned between Canal Zone police and firemen, on the one hand, and rock hurlers and individuals determined to carry the Panamanian flag into the zone, on the other.

Canal Zone officials believe that if a small detachment of National Guardsmen had been sent to clear the Panamanian side of the line in the early stages of the trouble it would never have developed as it did.

One high zone official has commented acidly on the strange absence of National Guardsmen at this stage, and has gone to no pains to conceal what he thinks about it.

A Balboa Heights statement said today of this aspect of the turmoil: "The Canal Zone Government since early morning had been perturbed at the failure of the Guardia Nacional to appear in the area of the mob gatherings. At any time the disturbances at the border could have been stopped had any positive action been taken by Panama."

Soon there was not a dry eye in the house or out of it. Tear gas reeked thick and persistent upon the scene.

On both sides of the line holiday-making spectators by the hundreds crammed vantage points to watch the tussle. One said it was a better show than Saturday night's "Telephon."

Early afternoon, Boyd, just returned from his Atlantic-side foray, showed up among the increasingly noisy demonstrators on Tivoli Avenue, along with Castillero.

His stay in the Canal Zone differed in spectacular respects from that earlier in the day.

According to eyewitness reports, as he was stepping onto the Canal Zone jurisdiction roadway he was assailed simultaneously by a squirt of tear gas, a jet from a firehose, and a couple of Canal Zone policemen, who gave him a honky-tonk bouncer's heave-ho back on to the sidewalk.

It was shortly after this incident that the demonstrators claimed to have seen a Canal Zone policeman mistreating a Panamanian flag and headed off for the Embassy to tear down the U.S. flag there.

Some of them returned some time later bearing what they proclaimed to be shreds of the ripped-up Embassy flag and flaunting them at the U.S. forces and onlookers over in the zone.

About this point, at 2:26 p.m., and with similar troubles breaking out on the Atlantic side, Potter decided that 4 hours under attack were enough for his thin blue line of law-enforcing Canal Zone policemen and their firefighter allies.

He called in the Army.

As the trucks packed with battle-dressed troops rolled purposefully up to dispersal

areas only a block or so behind the frontier, it was clear that this was no improvised action.

The troop commanders plainly knew their task in advance and moved in with practiced smoothness to carry it out.

As the demonstrators at the De Lesseps Park wall grew increasingly excited at the spectacle of a platoon of troops with fixed bayonets spanning Ancon Boulevard, National Guard Capt. Manuel Hurtado and only four men did a fine, desperate job of trying to persuade them not to do anything rash.

It was a long time before Hurtado and his patient, persuasive quartet got any reinforcement in their task of trying to avert a direct clash between the headstrong demonstrators and the implacable, heavily armed troops.

Several observers give hustling Hurtado much credit for averting serious bloodshed.

Foiled in their efforts to get into the zone, one of the larger bands of demonstrators took off down to the Panama Railroad Station—also Panama Canal property—where before the arrival of a National Guard motorcycle squad they wreaked the blazing damage described earlier.

Platoons from the First Battle Group, 20th Infantry Regiment, were stationed across Ancon Boulevard, Gorgas Road, San Blas Place, and at the limits.

It was the most determined display of armed might on the isthmus for many years, as the gasmasked troops stood in grim array, their bayonets extended toward Panama and the demonstrators catcalling on the sidewalk beyond.

In most cases the line of troops was as much as 50 yards back into the Canal Zone, standing impassive as demonstrators bore their flag up close to the bayonets, scurrying, taunting, and singing popular songs.

It was not until shortly before nightfall that Hurtado got reinforcements to help him empty out the frontier streets and areas from which the demonstrators had been surging perilously forward toward the zone.

As night fell the crashing of PAA and Grace Line plate glass windows was heard in De Lesseps Park as anti-American demonstrators expressed their feelings against U.S.-owned firms.

The booming of normal independence day fireworks in faroff Panama surburbs agitated some zonians, but after the National Guard moved in to keep the peace on the Panama side of the embattled frontier, calm descended and remained through the night.

In the course of deploring yesterday's violence, President Eisenhower said he favored building a second Panama Canal, but that the project was so complicated and required such study that it was not necessarily something he would ever recommend.

The President said that he had felt for the last 14 years that it would be a good idea to have another canal.

He did not indicate, however, where he thought a second canal should be located if a study showed it to be worth building.

He said he would not favor internationalization of the Panama Canal. He said the United States had a treaty with Panama covering use of the canal and the United States had lived up to terms of the treaty scrupulously.

The House Merchant Marine and Fisheries Committee is now studying the question of whether another canal is needed in the Panama area. It is expected to report on the matter at the next session of Congress.

Eisenhower said the United States was puzzled by anti-American outbursts in the Caribbean.

He said the United States confidently hoped that not only Panama, but every other civilized government would make certain that law and order are preserved.

[From the Panama Star & Herald, Nov. 5, 1959]

REPUBLIC OF PANAMA BLAMES TROUBLE ON ZONE SHOW OF FORCE—TROOPS GUARDING BOTH SIDES OF BOUNDARY LINE

With Panama and United States troops standing guard at intersections along the Canal Zone boundary yesterday, this country officially blamed American authorities—at least partly—for the wave of anti-U.S. demonstrations that plunged relations between the two countries to their worst crisis yet.

An official Panama counterprotest to the United States said, in effect, that the display of American force to repel demonstrators at the boundary line Tuesday was unjustified.

While officially deploring the desecration of the American flag, which was pulled down from the American Embassy flagpole and ripped, the Panamanian note pointed out that this action was "preceded by analogous acts performed with a Panamanian flag in the Canal Zone."

President Ernesto de la Guardia, Jr., told Panamanians in a nationwide broadcast last night that his government is not responsible for Tuesday's events. He added Panama "condemns and reproves the events which occurred at the Canal Zone boundary, because they are not called for on the part of authorities of a country which shares with us a vital and joint interest in the canal enterprise."

Anti-U.S. agitation continued yesterday in Panama City. The Fuerza y Luz Co. building in downtown Central Avenue was stoned by demonstrators, who also set fire to two parked company vehicles. A strong National Guard mounted and motorized detachment was dispatched to the scene and finally dispersed the demonstrators and the large crowd that had gathered. Some stones were thrown against the guardsmen, but no further incidents developed.

The widespread anti-U.S. feeling in the city prompted the U.S. Embassy to suggest that all American citizens in the Republic refrain from visiting the downtown and congested areas of the capital for the time being, unless absolutely necessary. Already, all of Panama was off limits to American residents of the Canal Zone, both civilian and military.

Troops of the 1st Battle Group, 20th Infantry, and the 53d and 549th military police companies took over the boundary line at 2:30 p.m. Tuesday after Canal Zone policemen and firemen had fought rock-throwing demonstrators with tear gas and firehoses for 4 hours.

The demonstrators responded to a call by nationalist leaders Aquilino Boyd and Ernesto Castillero Pimentel to show the Panamanian flag in the Canal Zone during Panama's Independence Day, which was celebrated Tuesday.

Boyd and Castillero themselves had displayed the flag on the Pacific side of the Canal Zone, and later on the Atlantic side, during an early morning uneventful automobile ride, during which they posed, flag in hand, for photographers at various public places.

The trouble started building up at 10:15 a.m., immediately after the conclusion of the independence day school parade. A group of about 10 demonstrators, who identified themselves as students, formed on the Panama side of the boundary at the Ancon Boulevard-Tivoli Avenue intersection. They crossed the street into the Canal Zone and were promptly stopped a few paces inside the Ancon Boulevard sidewalk by Canal Zone policemen, headed by Chief B. A. Darden. There was a brief exchange of words during which the demonstrators were told they could not go on and half a dozen policemen, carrying extra-long stocks, forced the demonstrators back to the Panama corner.

The flag-carrying group grew in size as it walked back and forth several times from the corner to the "J" Street intersection, at one time going as far as "H" Street opposite the Ancon Courthouse. The demonstrators were kept on the sidewalk by the Canal Zone police detail, which stayed on the street.

There was one young student in the group that kept stepping off the sidewalk onto the street. Every time he was forced back on the sidewalk, he jostled the policeman. Several times he brushed a policeman's helmet with the flag and then wiped the banner with his handkerchief, with a gesture indictating that the emblem had been soiled.

The group was heading back to the Panama corner at the Ancon Boulevard intersection when the student stepped off the curb again. Suddenly, a zone policeman grabbed him by the arm and yanked him to the middle of the pavement. Another demonstrater who apparently sought to hold back the student also was pulled violently to the street.

This happened at 11:15 p. m. right in front of the empty lot formerly occupied by the American Club. The building was demolished not long ago.

Rocks and large pieces of concrete, picked up from the lot, rained on the zone policemen. A radio patrol car which stopped momentarily while the struggling demonstrators were subdued—one of them with blows from a blackjack MM—had every window and the windshield smashed by rocks.

The battle was on. Policemen retaliated with tear-gas grenades and tear-gas sprayers. Fire trucks arrived almost immediately and half-a-dozen hoses were laid between the Maryknoll convent and the Tivoli Hotel. The streams of water were thrown almost continuously for the rest of the afternoon at the demonstrators, who kept trying to carry the flag into the boulevard. Demonstrators sometimes suceeded in picking up still smoking tear-gas grenades thrown by police and hurling them back on the Canal Zone side. Police also returned the rocks thrown by demonstrators.

Early in the clash, a lone Panama National Guard radio patrol car screeched to a stop at the intersection. Its two occupants got out briefly and, as the demonstrators fell back on De Lesseps Plaza, returned to the patrol car and left.

It was not until almost 1 o'clock that National Guardsmen were seen again at the intersection. But clearly they were not in sufficient numbers to control the crowd immediately.

The general estimate was that the demonstrators actually involved in the rock, tear gas, and water battle numbered about 200. There was a crowd of hundreds of spectators gathered in De Lesseps Plaza, by the legislative palace, but there was no more to join the demonstrators.

The clash continued for 4 hours, with only a few lulls when National Guard officers came to confer with Canal Zone police and later with Army officers about a mob along the border. Their disorder could not have been permitted, because if it had been, it was apparent that the rest of the mob would follow.

Police Chief Darden and Civil Affairs Director Henry L. Donovan confirmed yesterday the demonstrators were told that they could come into the Canal Zone, with flags, in small groups, provided they did so orderly, and also that they could parade from L Street to the limit along Fourth of July Avenue, but would not be permitted to enter the side streets in the Canal Zone. Darden and Donovan said the offer made no impression on the demonstrators. The parley was conducted in Spanish.

In this connection, Capt. Manuel J. Hurtado, of the Panama National Guard, reported as follows:

"At around 12:30 p.m. on orders from Chief Vallarino, I went with two radio patrol cars to the legislative palace, where according to reports reaching headquarters a clash was in progress between a crowd of Panamanians and civil police of the Canal Zone.

"When I arrived, the crowd was throwing stones, but without too much difficulty the people agreed to halt this. Before my appearance, a parley had been undertaken between North American and Panamanian spokesmen. Major Darden, of the Canal Zone police, had delivered to a lady professor a flag which the Panamanians had previously planted in the zone and he even agreed that a group of demonstrators parade past a zone section, with our flags unfurled, exiting by National Avenue (automobile row).

"I believe everything would have ended normally had not Major Darden received a counterorder, apparently from the Governor of the Canal Zone, General Potter, which he communicated to the demonstrators, whose reaction was to go through by all means. It could be perceived that Major Darden lacked control over his men and this aggravated the situation. The National Guard was doing as much as was possible to calm down tempers in that atmosphere of rocks and tear gas.

"At about 2:30 p.m. the crowd appeared ready to disperse, but then the (U.S.) Army appeared and tempers flared up again.

"The principal difficulty came from agitators. When the National Guard thought it had convinced the crowd to clear the area, the agitators egged them on to continue the struggle. I must acknowledge that there were university elements who behaved well."

In connection with Hurtado's report of a counterorder from the Governor, a Balboa Heights spokesman said Police Chief Darden had had his orders for a long time, and he knew what to do.

At least twice during the afternoon, the demonstrators actually succeeded in entering the Canal Zone, carrying the Panamanian flag. On the first occasion they entered by the Ancon Post Office intersection, marched down Frangipani Street to the corner of the Sacred Heart Chapel, and turned into Ancon Boulevard to emerge at De Lesseps Plaza. They were not interfered with. The second time, they entered again by the Ancon Post Office intersection and came down by the Ancon Elementary School. This time, however, army troops already had taken over and the demonstrators were driven out at bayonet point past the Masonic Temple.

The violence at the boundary line—most of which was centered at the Ancon Boulevard and J Street intersections—lasted until 6 p.m. At that hour, the demonstrators finally dispersed.

The toll of injured from Tuesday's disorders stood yesterday at 117. Sixty-two persons were treated at Santo Tomas Hospital dispensary in Panama, 17 of whom were hospitalized, 52 zone policemen and firemen were bruised or cut, and three soldiers were slightly injured. Three of the Panama injured were reported in serious condition—a man with a bayonet wound in the liver, an 8-year-old girl hit by a bullet in the lower abdomen, and a man who was struck by a Panama firetruck.

In connection with reports of persons wounded by bullets, Caribbean Command headquarters made the following statement yesterday: "U.S. military authorities in the Canal Zone today denied reports of Panamanian officials that American Army troops had used ball ammunition in dispersal of rioting demonstrators observing the 56th anniversary of the Republic of Panama. The only weapons fired against the crowds yesterday (Tuesday), said headquarters of the Caribbean Command, were riot guns loaded with birdshot."

Panama officials said the National Guard had made no use of firearms.

While the boundary clash was in progress, other demonstrators stoned the U.S. Information Service offices in Panama City where a Panama Independence Day exhibit was featured, and then went to the Embassy Chancery, where the building was stoned and the American flag pulled down and ripped. Glass windows in both buildings were smashed.

In connection with the Embassy incident, Boyd and Castillero Pimentel made the following statement yesterday:

"* * * We arrived at Fourth of July Avenue while a virtual full-dress battle was in progress between hundreds of Panamanian citizens and the Canal Zone police in the section across from the Legislative Palace.

"We placed ourselves at the head of the crowd and advanced along Fourth of July Avenue up to a spot where the zone police, with tear gas and water hoses, succeeded in dispersing it (the crowd).

"The multitude, in reprisal for the trampling of a Panamanian flag by Canal Zone policemen and indignant over the acts of bloody violence carried out against peaceful students and patriotic citizens, who had committed no reprehensible act, asked us to go to the Embassy of the United States of America to carry out a protest.

"At the head of that multitude, we proceeded to the Embassy, where, without our being able to prevent it, the people pulled down the North American flag and destroyed it. Then the flag of Panama was raised and those present sang the National Anthem. After these acts were carried out, the protest demonstration was terminated.

"We feel that the objective of conducting a symbolic reassertion of our sovereign rights in the Canal Zone on the 3d of November was fully accomplished. We believe that acts of this nature are necessary and convenient for the cause of Panama."

By dawn yesterday, Army troops had thrown barbed wire barricades at intersections facing the limits, J Street and the Legislative Palace, and along most of Fourth of July Avenue. The barricades were manned by troops in field uniforms and at some spots light machineguns had been emplaced. Cars including buses and pedestrains entering from Panama at the limits and San Miguel crossing were stopped and checked for destination and identification.

Along the Panama side of the boundary line, Panama National Guard detachments, also in field uniforms, and armed with rifles, guarded the intersections to keep demonstrators from approaching. Another march toward the Canal Zone actually was planned after the Flag Day parade yesterday, by university students but a spokesman said it was called off when "strange elements" tried to join it. A group which went to the Legislative Palace was stopped by the National Guard detachment there. It was on its return up Central Avenue that the Fuerza y Luz Building was stoned. The power company is a subsidiary of American Foreign Power.

Although tension remained high, there were few incidents at the boundary during Tuesday night. A report from Caribbean Command headquarters said:

"During the night, Panamanian flags were planted for 5- and one 15-minute period near the U.S.-owned Tivoli Guest House at Ancon a short distance inside the zone boundary at Panama City. Another Panamanian flag was planted yesterday (Tuesday) near the Caribbean Command Headquarters but outside the military reservation. Also during the night, demonstrators hurled a gasoline bomb at an American elementary school gymnasium and attempted to set fire to a patch of bamboo trees near the Tivoli Guest House. No damage occurred and no injuries were reported."

Governor Potter said yesterday the calling of Army troops Tuesday as an "augmentation of police power" that was part of the plan worked out by Canal Zone authorities in connection with the November 3 demonstration, which was first announced in July.

Panama officials said that no further protest had been received yesterday from the U.S. Embassy. On Tuesday, Balboa Heights said Potter had urged the American Ambassador to protest the failure of the Panama National Guard to appear promptly and to act to prevent the clashes at the boundary. The Embassy said it was consulting with Washington before acting on the Governor's request.

Six demonstrators were arrested in the Canal Zone. One, Fernando Bliss, 44-year-old shoeshiner, was charged with intoxication and fined $10 on his plea of guilty.

Five others were charged with disturbing the peace. They are: Ezequiel Gonzalez Nuñez, the 16-year-old student involved in the incident at the start of the boundary clash; Ezequiel Gonzalez Meneses, 23, unemployed (no relation to the student); Luis H. Barletta Diaz, 47-year-old garage owner; Donald H. Brathwaite, 22, a laborer at the Panama Abattoir; and Tomas Castille, 41, a chauffeur.

Brathwaite and Castillo announced they were ready for trial and their case was heard in Balboa Magistrate's Court yesterday afternoon. They entered pleas of not guilty, but were found guilty. Judge John E. Deming sentenced Brathwaite to pay a fine of $100 and to serve 30 days in jail. Castillo was fined $25 and sentenced to 30 days in jail.

On the request of the defendants, the cases of the two Gonzalez and Barletta were set for Friday at 9 a.m. Bail was set at $200 for each defendant. Barletta posted the bond. All three defendants entered pleas of not guilty.

In connection with Tuesday's disorders, the Panama Canal press office issued the following statement yesterday:

"Canal Zone policemen and firemen have been highly commended by Gov. W. E. Potter for their actions Tuesday in dealing with agitators along the Canal Zone-Panama borders on both sides of the isthmus.

"The Governor praised the policemen and firemen for acting conservatively at all times and making every effort to avoid incidents. The men were told that the restraint and self-control exercised in the face of reckless, unreasonable provocation by large hoodlum elements of an uncontrolled crowd undoubtedly served to avoid what could have been tragic consequences and that they had done an outstanding job for which they could ever be proud.

"Casualties among the policemen and firemen totaled between 45 and 50 during the day's disturbances. On the Pacific side, one fireman was admitted to Gorgas Hospital with a fractured knee. Ten other firemen were given first aid treatment at the hospital and eight other firemen and seven officers treated on the spot. Twenty-one police officers were treated at Gorgas Hospital for cuts and bruises from flying rocks, hunks of concrete and other objects.

"On the Atlantic side, three police officers were struck by rocks and other objects. One officer's helmet was smashed and his head cut. They were sent to Coco Solo Hospital for first aid treatment but were able to return to duty when needed. One firefighter on the Atlantic side was bruised by rocks but did not require hospital treatment.

"Governor Potter requested assistance from the military forces at 2:26 p.m. Tuesday after Canal Zone policemen and firemen had faced demonstrators on the Pacific side for 4 hours and when a similar incident be-

gan on the Atlantic side. The Canal Zone Government since early morning had been perturbed at the failure of the Guardia Nacional to appear in the area of the mob gatherings. At any time the disturbances at the border could have been stopped had any positive action been taken by Panama.

"Considerable property damage was reported on the Pacific side.

"Demonstrators pushed five private automobiles into a fire which they had started when a bus dispatcher's shack on Shaler Road was overturned and set ablaze. There was extensive damage to the exterior of the Ancon Masonic Temple and to the windows and grounds of the Catholic Home of the Maryknoll Sisters on Tivoli Avenue. The Sisters were forced to evacuate the building. Street lights along Tivoli and Fourth of July Avenue were broken and three plate glass windows smashed by rocks at the Fern Room of the Tivoli.

"Four Canal Zone police radio cars were damaged; windshields and windows were broken and the bodies dented. Windows were knocked out of the official sedan assigned to the chief of the Canal Zone fire division. The body of one fire truck was dented and sections of fire hose were slashed with knives.

"Some of the worst damage was at the Panama City railroad station where looting was still going on Wednesday morning. Demonstrators set fire to a passenger coach standing on the station track, burning it to the sills. At least three private automobiles, some of which belonged to railroad personnel, were burned in the same fire.

"The baggage room at the Panama station was looted and the small office enclosure in the baggage room burned. A large safe in the baggage room was stolen. One of the railroad's car inspectors was struck on the head by rocks.

"The Panama freighthouse was open for business Wednesday morning with National Guardsmen on duty in the freight yards.

"Tuesday's disturbances caused little absenteeism in company-government offices and units Wednesday although a number of employees reported late. A few Panamanian employees had previously requested time off for the national holidays and they had not been expected to report.

"Buses were not running into the Canal Zone from Panama but bus service within the Canal Zone was operating out of a temporary bus station near the Ancon Laundry.

"Crews from the community services division were out along the Pacific side border streets Wednesday morning cleaning up the debris left from the disturbances Tuesday.

"Classes were suspended Wednesday at the Ancon Elementary School where a gasoline bomb was thrown at the school gymnasium just off Fourth of July Avenue before sunrise Wednesday morning. All other Canal Zone schools are operating as usual as were traffic through the canal and company-government activities.

"Using a Balboa fire department pickup truck as a base of operations, the supply and community service bureau handed out 500 sandwiches and served 25 gallons of coffee prepared by the zone policemen and firemen Tuesday, from noon on, when it became evident that they would be unable to go home for lunch. There also were 75 hot meals served at the Balboa fire station to the men standing on the ready there."

[From the Panama American, Nov. 6, 1959]

ALL TROOPS NOW BACK FROM BORDER—REPUBLIC WILL REMAIN OFF LIMITS "TILL AGITATION CEASES"—GAITHER

The Canal Zone-Republic of Panama frontier on the Atlantic side was scheduled to return to normal at 3 p.m. today with the Army handing back responsibility for border control to the Canal Zone police. The same handover took place yesterday afternoon on the Pacific side.

The troops which have been withdrawn from the perimeter of the Canal Zone are being held in reserve positions. Some of them are back in their barracks, while others are being held close by the areas which were Tuesday's front lines.

Panama remains off limits to U.S. servicemen and their dependents, and according to Caribbean Command boss Lt. Gen. Ridgley Gaither will remain so "till the agitation ceases and I feel it safe for my personnel to enter the Republic."

It is understood Canal Zone Gov. William E. Potter, who has advised civilian residents of the zone to keep out of the Republic, shares Gaither's views.

Four Panamanians arrested during Tuesday's frontier fracas appeared in Balboa Magistrate's Court today.

Meanwhile charges of reprisal rose in Panama over Canal Zone cancellation of certain supply purchasing in Panama till zone inspectors can inspect the manufacturing processes.

It is believed that the inspectors will not return to the plants in Panama till the city is again on limits and Potter cancels his advice to stay out of town.

At the time the purchase restrictions went into effect, Potter instructed zone health and supply officials that inspections should be resumed as promptly as was practical. It was emphasized today that the purchasing restrictions were imposed jointly by the Panama Canal and Caribbean Command.

Work started today on tidying up the zone in the wake of the Independence Day affray. Nothing was yet being done about the looted Panama City and Colon Railroad station. The extent of the damage to these two buildings has not been assessed yet.

There was a slight flurry of frontier activity this morning and yesterday at Shaler Road, where three cars were burned Tuesday. National Guard forces were swiftly on the scene, and nothing developed.

The withdrawal of troops from the Canal Zone frontier on the Atlantic side followed an uneventful Colon Day, when thousands of celebrators traveled over from Panama.

One U.S. source today gave much credit for the Atlantic side tranquillity to Panama's 1903 heroine Miss Aminta Melendez, who was flying the Panamanian flag at half staff on her home following Tuesday's Canal Zone-Republic of Panama violence. Much respected in Colon, she called the U.S. Consulate there to express her regret at Tuesday's developments.

In Balboa Magistrate's Court today Ezequiel Gonzalez Nunez, a 16-year-old Panamanian student, and a man of a similar name, Ezequiel Gonzalez Meneses, 23, unemployed, were called for trial jointly on charges of disturbing the peace, November 3.

The parents of Gonzalez Nunez were present. Though Gonzalez Meneses had been given opportunity to contact his family, he told the court he had not reached them. Both had been given continuance to see counsel, but at first neither was represented by an attorney.

After the taking of evidence started, Panamanian attorney Woodrow de Castro, who was present to represent another defendant, Luis Humberto Barletta, offered to represent the two young men free of charge and they accepted.

Barletta, 47, a garage man, is a half brother of Panama's second vice president, Heraclio Barletta.

The Gonzalez pair's case lasted all morning and was to be resumed this afternoon. Barletta, who is also charged with disturbing the peace, will be tried next.

NOISY GROUP

Testimony by Captain Gaddis Wall, District Police Commander at Balboa, outlined to the court how Gonzalez Nuñez, bearer of a large Panama flag, had been one of a very noisy group which became increasingly disorderly on Tivoli Avenue Tuesday morning, pushing and shoving police and refusing to obey police instructions to stay on the Panama sidewalk after the disturbance had reached the point where they had been asked to do so.

The location of the Canal Zone boundary at this point was established, and Wall testified that the point where Gonzalez Nuñez was arrested was 5 or 10 feet inside the Canal Zone border.

WIPED FLAGS

Several times Wall said, the crowd had touched Canal Zone police with their flags then wiped the flags with their handkerchiefs to denote they were now dirty.

Finally Gonzalez Nuñez draped his flag around the neck of Canal Zone Policeman John F. McDowell.

Police Chief B. A. Darden, who witnessed the incident, ordered the arrest.

At this point, Gonzalez Meneses detached himself from the hostile crowd and tried to take the student away from police.

In court this morning to observe proceedings was Panama's acting director of physical education, Alfredo Minutto.

Attorney Carlos Garay, of the Foreign Office, was seated inside the court rail.

Earlier this morning a student committee had called on both the Education and Foreign Ministries to ask that they interest themselves in the young defendants' behalf.

In court earlier, a disturbing-the-peace case against Cayo Julio Rodriguez, 18, Panamanian, was dismissed on the government's motion. He had been accused of making obscene gestures toward police and troops on Thatcher Highway on Wednesday.

TODAY'S INCIDENT

This morning's Shaler Road incident took place when canal employees began clearing burned automobiles and other rubbish from the bus parking lot there—scene of much of Tuesday's rioting.

In the process a small Panama flag was found attached to part of a light pole. When it was being removed a group surged over from Panama, but the trouble was shortlived.

Shortly after 3:30 p.m. yesterday a crowd which had grown to approximately 300 people gathered in Panama near the Legislative Palace just off Tivoli Avenue.

Members of the crowd planted a 3 by 5½ foot Panamanian flag mounted on a mop handle as a mast in the Canal Zone about 30 yards below the Tivoli guest house parking area.

Maj. B. A. Darden, chief of the Canal Zone police, who had been alerted to the situation, telephoned Lt. Col. Saturnino Flores at the Guardia Nacional Headquarters in Panama.

Darden requested the cooperation of the guards in restraining the crowd to avoid violence while the flag was removed from the zone.

Within minutes a detachment of National Guardsmen mounted on motorcycles and in patrol cars arrived at the scene near the Legislative Palace and restrained the crowd.

The flag was removed by a Canal Zone policeman without incident.

Darden advised the National Guardsman in charge of the detachment that the Guardia Nacional could obtain the flag at any time desired from the Balboa police station.

Following the incident Henry L. Donovan, Director of the Canal Zone Government's civil affairs bureau, dispatched a letter to Flores, second in command of the National Guard stating:

"Dear Comandante Flores:

"I want to express sincere appreciation for the immediate response by the Guardia Nacional this afternoon when Major Darden telephoned you to request cooperation in restraining the crowd which had gathered

and planted a Panamanian flag in the Canal Zone. The immediate reaction on this occasion served to avoid what might well have resulted in further unfortunate incidents.

"We both can take pride in this fine example of what can be accomplished by the rapid cooperation of the Canal Zone police and the Guardia Nacional in a tense situation."

COUNTERMANDED?

In reference to Darden's denial yesterday that he had been unable to control his men Tuesday and that one of his orders were countermanded by Potter, National Guard commander, Col. Bolivar Valarino today backed up the report made by National Guard Capt. Manuel J. Hurtado regarding Darden.

Vallarino said Hurtado based his report on statements made by Darden in the presence of several persons including newsmen.

Hurtado's report said Darden had agreed in his presence to allow small groups of students to enter the Canal Zone with flags but later welshed on the agreement when he was countermanded by some higher authority, "probably Governor Potter."

Vallarino praised Hurtado as a levelheaded and conscientious officer who has never had any reason "to resort to slanted interpretations."

Meanwhile Canal Zone community life proceeded more or less normally, except for the Ancon elementary school which remained closed today.

There are 393 pupils in the Ancon school, most of them tuition students whose parents reside in the Republic of Panama.

The Ancon School has been closed since Wednesday.

The first street lights to be repaired today were three located near the Shaler Road bus terminal section. Before work could be started a Panamanian flag was removed from the top of one pole and the remnants of flags were removed from one other.

Street lights damaged in the Shaler Road area included six light standards which had been torn down and three others with broken light shades and bulbs.

It was expected that street lighting in the section of the city would be in full operation by the end of next week.

TELEVISION FILM LOST

Two weeks' worth of television film was destroyed by members of a mob when they looted the baggage room of the Panama railway station in Panama City and burned a railroad car Tuesday, Caribbean Forces network announced yesterday.

As a result it will be necessary for CFN to telecast repeat programs from now through November 29, until more film can be obtained from Armed Forces Radio and Television Service in Los Angeles.

CANAL ZONE BLAMED

Panama City newspapers today continued to put the blame for last Tuesday's incidents at the Canal Zone border on zone authorities in particular and U.S. officials in general.

The morning tabloid Critica editorially blamed Potter for the worsening of relations between Panama and the United States.

"Undoubtedly our problems with the United States have been becoming more aggravated by the noncompliance with treaty obligations.

"But * * * the deepening of the resentment and the crisis which has arisen within the last few days in our relations with the United States, are also due * * * to the inefficiency, lack of respect, abuse, and even ignorance of an official like William Potter * * *" the editorial said.

WOUNDED PICTURED

The other morning tabloid El Dia published pictures of those who received bullet wounds in Tuesday's fracas at the Panama-Canal Zone boundary.

One Carlos Emilio Santanach, who has a bullet wound in his left leg, said he was shot by an American soldier.

However, Salvador Herrera, who was shot in the right leg; Nicolas Perez Amores, also shot in the left leg, and Cecilio Jimenez, who has a bullet encrusted in his lower jaw, all declare they were shot by Canal Zone policemen.

Another of the injured from ball ammunition is 12-year-old Gloriela Moran, who has a serious bullet wound in the stomach according to Santo Tomas Hospital charts.

Yesterday, both Canal Zone military authorities and Darden said no ball ammunition had been fired by soldiers of Canal Zone policemen during the fracas.

Military authorities admitted one of the demonstrators had been prodded with a bayonet. Santo Tomas Hospital reported treating nine persons with bayonet wounds.

REPRISALS

Editorially, El Dia rapped Canal Zone authorities for taking economic reprisals against Panama by suspending purchases from local merchants.

The editorial recalled the actions of the Red Army in Budapest and Warsaw and wondered whether "the United States intends to apply sanctions to Panamanians simply because they want to be free and to exercise the sacred right of being free."

In one of two editorials, entitled "The Big Stick," the noon tabloid La Hora also referred today to the suspension of Panama deliveries to the Canal Zone, calling it "economic aggression undoubtedly aimed at submitting us to their exclusive will."

In the other editorial, La Hora called for the "removal of the Canal Company officials responsible for the armed intervention of American troops" in Tuesday's fracas, "as absolutely indispensible to opening the way for a return to normalcy and peace."

Yesterday, an editorial in the government newspaper El Pais pleaded for unity and good judgment on the part of all Panamanians.

That editorial, like others published yesterday and today in some Panama City newspapers, deplored the desecration of the American flag at the U.S. Embassy Tuesday, but insisted in the official government view that this incident was preceded by "the trampling and desecration" of the Panamanian flag by a Canal Zone policeman during the height of Tuesday's clashes with Panamanians attempting to enter the Canal Zone carrying Panamanian flags.

WASHINGTON

Meanwhile stateside, in Washington, Dr. Arturo Morgan Morales, chargé d'affairs of Panama, insisted today that Canal Zone police had torn down a Panamanian flag, provoking Panamanian demonstrators to attack the U.S. Embassy November 3.

The United States yesterday denied that it was responsible for the rioting. State Department spokesman Lincoln White said the United States had done nothing "to inflame the situation."

But Morgan Morales said that the Panamanian charges were supported by eyewitness accounts of U.S. newsmen to reports that Canal Zone police "tore down" a Panamanian flag tied to a lamp post by students who had entered the Zone.

DIFFERENCES

The Panamanian official said the demonstrations also resulted from long-standing differences between Panama and the United States over the interpretation of the 1955 treaty.

He said that the wage dispute was only one instance of "a series of misunderstandings."

Morgan Morales said Panama also disagreed with the U.S. policy to purchase foodstuffs for Canal Zone forces in areas outside Panama or the United States.

Morgan Morales called for "strict application" of the treaties and perhaps some changes. He also said it would be "a good idea" if Panama received more revenue from the canal.

"Panama feels she doesn't have all the advantages she should have," he stated in a recorded television interview.

BRASS TACKS OF THE ICC ADMINISTRATIVE PROBLEM

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, for many years there has been considerable discussion of the independent agencies as an instrumentality of government. Administrative practice and procedure generally have likewise recently received much attention.

Emphasis has been focused by the reports of the Commission on Organization of the Executive Branch of the Government, "Legal Services and Procedures"—March 1955. Similarly, congressional investigations have spotlighted difficulties in the tremendous area of agency operations and administrative procedure.

Many remedies are currently being discussed. Included are reorganization, uniform rules, abolition, division of responsibility, and other major reforms.

Anthony F. Arpaia, Commissioner and former Chairman of the Interstate Commerce Commission, is a brilliant and articulate lawyer. He has an intimate and comprehensive knowledge of the operation of our first independent agency, the ICC.

Recently, Commissioner Arpaia delivered an address at the New England Transportation Futurama, sponsored by the Transportation Association of America and the New England Council. His speech makes a strong case against the blunderbuss approach to solving the Federal administrative problems. He speaks clearly and forcefully. In a straight-from-the-shoulder attitude, he delineates the necessity of a selective approach using the ICC as an example. I know my colleagues will be interested in this timely speech, appropriately entitled "The Brass Tacks of the ICC Administrative Problem," which follows:

THE BRASS TACKS OF THE ICC ADMINISTRATIVE PROBLEM

(Address by Anthony Arpaia)

By the very title of this conference—"Transportation Futurama"—it is clear that your concern is with the future of transportation, not with its past. That future, in large measure, will depend on the part the Government will play in its regulation. No law is self-executing. Therefore, the means by which the Interstate Commerce Act is administered will be an essential part of its future.

Transportation regulation is now, and will for some time be, generally accepted as a necessary function of Government. Two aspects of it are presently under official inquiry and study. First, its scope, and secondly, its effectiveness and efficiency. In other words,

the answers to two questions are being sought: How much regulation do we need, and how should it be administered?

Perhaps the two topics cannot be completely separated, but I shall confine my discussion today to the subject of the Federal regulatory machinery. As a preliminary observation, I will say that the present total cost to the taxpayers for the regulation of surface transportation is modest. Hence, assuming that Government control will continue, the real question is, How can we get the most and best results for that cost?

Experts in and out of Government have for some time given this subject considerable attention. In fact, in the last 30 years there have been 22 official investigations dealing primarily or exclusively with the organization of the Interstate Commerce Commission. This number does not include those now under way. In addition, there have been many independent studies by outside experts. From such sources have come numerous proposals for the reorganization of Federal transportation functions. These proposals differ widely in extent and practicability. Some would go to extremes. To a few, the so-called independent agency, in spite of what the courts have said, is extraconstitutional. They would abolish it entirely. Others belong to the "standpat," negative school—they resist any change.

These extremists live in the past in varying degrees. Those who consider the independent agency as a headless fourth branch of the Government resort, in part, to conditions prevailing during the reign of James the First of England and the 18th century to support their thesis. On the other hand, the "standpatters" give no weight to the massive economic and technological changes which have revolutionized transportation in the last quarter century.

I do not question the sincerity of any of them. But sincerity is not the issue. Sincere men can be wrong, as history has repeatedly shown. Our concern is with reality, not with theorems; with utility, not abstractions. What we need first are the facts—a particularized analysis of the present operations. Then, and only then, can we evaluate necessary changes. Now, what are the facts?

Although the Interstate Commerce Act has seen major amendment from time to time, the Commission's organizational structure has remained essentially unchanged since its formation. True, in 1952 the Senate hired an outside group of management experts who made some recommendations in what was known as the Wolf Report. This resulted in some functional realinement of Bureaus within the Agency and the creation of the Office of Managing Director, whose duties are principally of the housekeeping type, but the Commission still remained the repository of an assortment of duties and the horizontal layers of authority remained undisturbed.

Until 1935, with slightly over 100 class I railroads and several hundred short-line and switching railroads within its jurisdiction, the combination of quasi-legislative, quasi-judicial, and administrative functions in one agency was manageable. At that time transportation problems were homogeneous and limited.

Vast changes began with the Motor Carrier Act of 1935. This and subsequent legislation not only added to the adjudicatory burdens, but thrust an unprecedented volume and variety of duties upon the Commission.

Before motor carriers were regulated, the administrative chores, for example, those relating to safety, locomotive inspection, service, compliance, accounts, annual reports, investigations, and statistics were incidental and closely related. The policing job was likewise limited—a railroad's operating rights were not restricted as to commodities, and its territorial authority could hardly be violated—it ran on fixed tracks between fixed points. None of the complications arising out of ambulatory operations of motor carriers existed. These complications were made worse by certificate restrictions of territory, routes, commodities, and service. The tariff filings of railroads were few in number as compared with those now filed for 18,000 or more motor carriers of various classifications, water carriers, and freight forwarders. There were no insurance requirements for railroads. Their equipment was more standardized and there was more uniformity in safety appliances, equipment, and operations.

Railroads did not require extensive Commission supervision over hours of service, keeping of logs, and minimum qualifications of hundreds of thousands of drivers. It was not necessary to police passenger bus requirements, brokers' licenses, shippers' associations, and illegal public transportation. To add further to this list of administrative burdens, the Commission became responsible for the safety of operations of millions of trucks engaged in interstate commerce, even though they are exempt from economic regulation, or are privately operated.

As a matter of fact, as of now, of the 2,286 people employed by the Commission, 1,429 or 62.5 percent, most of them in the field, are chiefly engaged in purely administrative duties which have little or no relation to the quasi-legislative and quasi-judicial functions which are, and should be, the Commission's principal concern if the shipping public is to be protected and the national interest in the economic soundness of public transportation is to be preserved.

Although the work of the Commission is split along functional lines by Bureaus, the responsibility of the Commissioners at the top is not, and cannot under the present system be so divided. Therefore, the underlying issue in the investigations and studies directed toward the improvement of efficiency of the Commission, whether recognized or not, is: Is it practical and realistic for a body of 11 men to effectively manage such extensive administrative tasks and, at the same time, properly perform their adjudicatory functions?

In addition to the fact that some of these duties are somewhat incompatible, there is necessarily an inordinate drain on the time of the Commissioners and diversion of attention and energy from the functions for which a Commission-type organization is essentially adapted and needed. But of greater moment is the organizational monstrosity presented when 11 Commissioners must somehow find the time, in between the heavy workload of deciding cases, to meet, deliberate and agree to take action necessary to give efficiency and direction to such completely administrative operations as I have mentioned.

One might as well expect a quarterback in the huddle to get a majority vote of the 11 men on a football team before putting the ball into play. The Commissioners do the best they can but the very cumbersomeness of majority approval as applied to these purely administrative matters makes it difficult to get action at all, since everybody's business shortly becomes nobody's business, and nothing is so frustrating as the eternal hanging on of an incompleted task.

The public and the Congress properly expect the Commissioners, not staff people, to account for every Commission action. The amount of time they must spend in answering mail, preparing regular and special reports, giving formal testimony on matters such as inadequate supply of cars, accidents, violations, accounting rules, safety and administrative efficiency, et cetera, sometimes reaches extraordinary proportions. Commissioners are held answerable too for the action, or lack of action, of the staff wherever located or whatever their duties.

Without question, matters which involve the determination of reasonable rates, public convenience and necessity, unjust discrimination, consistency with the public interest, reorganizations, the propriety of securities' issues, and the many sections of the act which require the establishment and interpretation of statutory policy, are functions which justify the judicial type of approach and composite judgment.

To develop rules and regulations covering uniform accounting, safety, filing of reports, and related activities, however, requires information, education, consultation, and negotiation in the first instance. It is only after such methods fail to produce a rule or regulation which will serve public purposes that the true quasi legislative function comes into play. It is then that a hearing or representations by all sides is necessary. If a new rule, or a change in a rule proposed by a bureau, is not accepted, the Commission, in the capacity of an independent, impartial agency resolves the problem.

Once the rules, regulations, or standards have been set, however, the duty of administering inspection, supply of cars, compliance with insurance requirements, compliance with hours of service, maintenance of drivers' logs, inspection of safety appliances and equipment, filing of reports, checking accounts, keeping of statistics, investigation of violations, and enforcement is a straightline managerial and administrative job requiring clearcut action. For this job, one-man management would be more appropriate and more effective.

The adjudicatory functions of the Commission have become of such complexity and magnitude that they allow little time for other tasks. They were enormously increased by legislation between 1935 and 1958. The Motor Carrier Act of 1935 immediately involved a flood of processing over 80,000 grandfather certificates for operating authority, plus the ever-continuing stream of applications for new authority since that time.

The transportation policy of 1940 changed the entire theory of regulation. Until that time the function of the ICC was mainly to protect the public against unreasonable or discriminatory rates. With the regulation of competitive transportion services and the adoption of the policy, in addition to its original function, the Commission was required to maintain healthy competition between carriers of all kinds while preserving the inherent advantages of each. Because of intense competition, the volume and complexity of rate, operating rights, control and merger, and other proceedings increased enormously.

A few statistics will illustrate the changes in the workload. To use only the most important categories of matters involving economic interests of the public and the carriers as an illustration: In 1934, there were only 61 proceedings authorizing extension of operating rights of railroads. In 1958, there were 3,895 proceedings for operating rights of all kinds, not including 3,999 applications for temporary authority. In 1934, there were 127 investigation and suspension rate cases; in 1958, there were 1,865 investigation and suspension proceedings In 1934, there were only 18 proceedings involving the acquisition, consolidation, or control of carriers. In 1958, there were 1,425 matters of this type.

Recent legislation further increased the workload. The rollback of exempt commodities with grandfather rights, the redefinition of contract carriage, the jurisdiction over discontinuances of passenger services, and the Government guarantee of private loans to railroads created another batch of matters requiring adjudication.

An example of the incompatibility of the position of the Commission arises out of its

responsibility in connection with the Government guarantee of loans. The Commission must, by law, determine whether an applicant railroad is eligible for a Government guarantee of a loan from private sources. Whether the applicant is qualified by the standards set by Congress for such assistance is a true quasi-judicial determination.

However, experience has shown that the Commission also is placed in the position of being the contracting party for the Government. It must prepare, negotiate, and sign the guarantee agreement, and supervise the loan. It administers the provisions of the loan and guarantee agreement, has the power to alter and extend the loan terms, declare a default if necessary, accept the collateral and pass upon it when default occurs. Although the situation has not yet arisen, I would assume that the lenders would expect the Commission to obtain the necessary appropriation from Congress in the event of a default. These are not adjudicatory tasks.

Is it appropriate that the Commission be required to fill the role of an interested party, when it must adjudicate matters which may vitally affect the economic interests of a railroad loan applicant during the life of the loan? Suppose, further, the railroad should wind up in bankruptcy—the Commission would be required to pass on a plan of reorganization in which it, as a party participant, was responsible for the creditor status of the U.S. Government. It is not only an inconsistent role but, frankly, downright uncomfortable.

Now, what does all this mean? It means simply that the heavy demands on the Commission's attention and time for purely administrative duties not only serve to impede the efficient exercise of adjudicatory functions, but that failure to distinguish between the two has given some color to the insinuation of those who would scuttle independent agencies that administrative law has degenerated into administrative lawlessness.

Confronted as we are with this situation—what course of action should be taken?

The answer, in my judgment, will not be found in the attitude of the apologists for the status quo nor of those critics who, thinking only in terms of the strict concepts of the pure judicial process, would scrap the entire system by dividing the functions of the Commission between several new agencies and courts.

The use of courts for the job of regulating transportation, in my judgment, is unworkable. Modern conditions require tools that are more flexible than detailed legislation enforced by formal judicial process. The Commission, as an independent agency performing a blend of quasi-judicial, quasi-legislative functions, has become a necessary instrument of Government. As such, it is characterized by flexibility, relative informality and is inexpensive and simple in its application. However, to insure its workability, this basic function should be freed from the impediment of duties which have become incompatible with its primary job of protecting users and preserving the economic values of transportation in the national and public interest.

What then is the alternative? Stubborn uncritical acceptance of the present organization solves nothing. Nor will its solution be advanced by sensational, generalized headline-making attacks on all independent agencies, on the erroneous assumption that their functions, processes, and burdens are alike.

I am not intimately acquainted with the specific problems of other administrative agencies and, from some of the comments others have made about the ICC, it is obvious that those who speak concerning us have only superficial knowledge of ours. The one thing which I do know is that in the light of substantial differences in the workload, distribution of functions, and statutory objectives, those who would apply a bludgeon instead of a scalpel to cure the unspecified ills of all administrative agencies are as dangerous as the curbstone doctor. They, in effect, urge conformity for conformity's sake. Yet, the greatest inequality results in trying to equalize the unequal, and the graveyard of progress is conformity.

If what I propose for the ICC is not spectacular, it is because the defect itself is not obscure or complicated. In my opinion, we can preserve the broad, flexible advantages of the ICC as an independent agency by a simple excision.

Those duties which are essentially managerial or administrative, so-called line functions, can best be performed by a single administrator. They require direct action and responsibility. Therefore, some means should be found to separate them from the Commission. This can be done by a vertical division of the Commission into two separate bodies: one to take over the administrative job and the other to retain the quasi-judicial and quasi-legislative work. Such a plan would preserve the experience and advantages of the present system without disruption and expense; it would require minor adjustment and, even if it were imperfect, could be tried without being irrevocable. As a transitory step—the administrative operations could be assigned exclusively to one of the Commissioners who could be freed of other duties.

I may add that my suggestion is not new or original. In fact, it was first made 30 years ago by a committee of the National Industrial Traffic League, an old established organization which represents all of the shippers of the United States. The majority of the committee favored dividing the ICC into two bodies; one for the control of rates, etc., and one for the control of facilities. If it was a valid judgment under conditions prevailing then, it should be more than valid now.

Those who would destroy administrative agencies would have us believe that there is something fundamentally wrong in the delegation of quasi-legislative duties to such agencies. Now, I don't mean to imply that the agencies haven't made mistakes, that their judgment is infallible, or that there isn't room for improvement. So long as the affairs of men are run by men and not machines, this is inevitable.

Nevertheless, their criticism sounds petulant, carping, and artificial. I hate to say this but I'll tell you why I think so. Every decision of the Commission touches the pocketbook and the emotions of someone—not remotely, but directly. It may be a carrier or a group of carriers, a shipper or an entire industry, a form of transport or all of the transportation industry. They could and do disagree, at times vigorously and bitterly, with our decisions. While some want more regulation and others less, none of them, to my knowledge, want to change the commission-type agency. Can it be that they harbor such sentiment and are unable or unwilling to give it expression? It is hardly likely.

Nowadays every conceivable activity in our economy is highly organized. There is no industry or trade that does not have a powerful association to speak for it; scarcely any part of our economic life is not represented in this fashion, from scrap iron dealers to florists. The segments of the transportation industry are similarly organized. These associations can speak for individuals and preserve the anonymity of their members. They are informed, alert, capably staffed, and vocal. It is improbable that they would permit coercive tactics, official abuse of power, arbitrary intervention into private business, and improper decisions to prejudice the interests they represent.

The interests of all these groups are in sharp conflict in matters coming before the Commission. A decision, at times, can hurt some of them to the tune of millions of dollars. Would such powerful associations, including labor, industry, shippers, farmers, taxpayers, chambers of commerce, public officials, practitioners, and motor carrier lawyers, long tolerate the exercise of control over the affairs of their members by a bumbling, inept, arbitrary, or illegal bureaucracy? Are those who are vitally affected clamoring for the abolition of the Commission? There is no such evidence.

The Supreme Court of the United States has upheld this delegation of power repeatedly. Those who pratcice before the ICC are satisfied with the fairness of its procedures. In fact, they themselves have helped to formulate them through the years. Although the ICC disposed in 1958 of more cases on the merits than all the civil cases decided during the same period by all the Federal courts of the United States combined, out of 44 cases appealed to the courts in the fiscal year 1959, the Commission was reversed in only 16 percent. By comparison, Federal district courts have been reversed in 23 percent of the cases appealed to the circuit courts.

Until recently, all the attacks of those who would jettison the independent agencies have been from people who had little contact with them. On September 10, 1959, Louis J. Hector, who had a short experience with the CAB, quit with a dramatic valedictory which got considerable publicity. He claims that the problems of the CAB are "born of the very concept of the independent administrative commission." I cannot agree with him that the machinery regulating the economics of transportation should be uprooted for some untried substitute. You don't tear down a structure which is essentially sound. If there are defects, you repair; if there are insects, you fumigate.

I conceive it to be the duty of a public officer to explain the strengths and weaknesses of our regulatory processes, not on the basis of pique or personal philosophy but on the basis of facts and logic so that those who must be served can make a necessary evaluation. In my experience of many years, as a transportation student, practitioner and member of the Commission, the only substantial complaint I have met is that of delay.

Delay is due to congestion; many courts also have delay. Delay cannot be cured by further constipating the functions of Government by added bureaucracy; or by substituting cumbersome, impractical machinery of three or four separate overlapping agencies for the work now performed by the Commission. Businessmen are realists. They want decisive and prompt action, since plans involving considerable investment often depend upon them. They don't want more redtape, delay, and the opportunity for pettifogging. As a matter of fact, the complicated setup proposed by some could drive a businessman to desperation.

I have tried to give only a general outline of the appropriate separation of functions. It may be that, although annual and other reports of carriers, and the supervision of accounts, etc., are administrative, the economic experts and the cost-study experts now with such bureaus should remain within the Commission. It is quite possible. I am not, within the limits of this talk, trying to delineate a detailed plan.

This proposal does not, of course, in any way preclude the improvement of procedures and processes of regulation which the Commission is actively and energetically pursuing. On the contrary, it would encourage

and promote such improvement by affording the Commissioners the time necessary to devote to such ends without the diversions and distractions they now face.

New demands on transportation arise constantly in a dynamic economy. No one can tary requirements make its public transdeny that the Nation's economic and millportation more and more indispensable. To the extent that the ICC can contribute to giving vigor and dynamism to our transportation system, this is a full-time job. In the face of indicia that our present transportation media must move fast to match the expanding needs of this Nation, I wonder if we have any choice in the matter of tuning up its regulatory machinery.

UNITED NATIONS CHARTER REVISION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. PORTER] may extend his remarks at this point in the RECORD and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PORTER. Mr. Speaker, on Monday I will introduce in the House a concurrent resolution on behalf of myself and Mr. ADDONIZIO, Mr. ASHLEY, Mr. BLATNIK, Mr. CLARK, Mr. FOLEY, Mr. JOHNSON of Colorado, Mr. KASTENMEIER, Mr. LANE, Mr. MCDOWELL, Mr. MEYER, Mr. MONTOYA, Mr. MOORHEAD, Mr. POWELL, Mr. QUIGLEY, Mr. RHODES of Pennsylvania, Mr. RIVERS of Alaska, Mr. RODINO, Mr. ROOSEVELT, and Mr. WOLF. The group of resolutions will be dropped in the hopper en bloc at noon on Monday. If any other Member, on either side of the aisle, would like to join with us in this, I ask that he please let my office know as soon as possible and no later than 10 a.m. on Monday. Of course, any Member may introduce a similar resolution at any time subsequently during the current Congress and I hope that many will do so.

This resolution deals with a matter of the utmost importance to our country—the peace of the world. It calls for top level study and for further initiative by our country aimed at strengthening the United Nations. A companion resolution is today being introduced by Senator JOSEPH S. CLARK and a number of his colleagues in the other body.

No issue, Mr. Speaker, which now confronts mankind ranks in importance with the issue of whether we will have war or peace. Regardless of precisely how disastrous one believes a modern nuclear war would be, there is no question or doubt on the part of anyone but that millions would be killed, millions maimed, and the heritage of centuries destroyed beyond repair.

Faced with the magnitude of the threat and conditioned by our inherited attitudes toward the problem of war, I realize that many of us find it difficult to know where we can begin, with firmness and sense, to work toward a saner solution.

Yet how can we seriously hope to find solutions to any problem until we determine what our long-range objective is? How can we relate our planning, our proposals, and our policy in a purposeful way to our objective as a Nation until we know just what our objective is?

I submit that there are several oft-stated fundamental propositions on which there is wide agreement:

First. We do not want war.

Second. Nuclear war would be a terrible disaster.

Third. We would prefer not to have to spend $41 billion—or more—on armaments each year.

Fourth. We feel we must in order to deter aggression by the Communists.

Fifth. We would like to disarm, but we cannot trust the Communists.

Sixth. We, therefore, quite rightly insist on adequate inspection and control measures before we will disarm.

If, as I believe, there is broad agreement on these points, then I submit that this is where we should start our thinking and not continue to belabor these points over and over and over again.

Since we do not have reason to trust the Communists, what inspection, control, and enforcement machinery are we prepared to propose and accept which would eliminate to the maximum extent possible reliance on trust alone by either party? Until we have determined, with great care, the answer to this question, how can we say that we are prepared, under such and such conditions, to join other countries in disarming?

Until we have determined the conditions which we would accept and have set them forth to the world, how can we know that any given nation will not accept them? Even more important, how can we hope to gain the support of other nations for our proposals and that essential understanding of their reasonableness and fairness which would build up a strong world opinion in favor of disarming under conditions which the United States feels will be safe for all?

This determination on our part is essential for progress which will be acceptable to us and which will gain us, for a change, the initiative in disarmament matters. The rest of the world is waiting for us to speak.

Any consideration of disarmament, Mr. Speaker, leads to consideration of national security. This in turn leads to consideration of those institutions which will be required to guarantee national security in a disarmed world. Since the United Nations is the major international organization charged with keeping the peace, it is natural to consider whether the United Nations is able to provide this security or whether it will need to be made stronger to fulfill this essential task. If it needs to be made stronger, as I believe, then specific measures for strengthening the United Nations or for creating some appropriate international machinery must be an integral part of our consideration of disarmament.

During the disarmament debate at the 14th U.N. General Assembly last fall, many nations pointed out the fact that changes would be needed in the United Nations if the goal which the members of the U.N. had unanimously adopted, namely, "general and complete disarmament under effective international control," were to be made a reality.

Our own Ambassador raised three fundamental questions to which he said the United States seeks answers:

First. What type of international police force should be established to preserve international peace and security?

Second. What principles of international law should govern the use of such a force?

Third. What internal security forces, in precise terms, would be required by nations of the world if existing armaments are abolished?

This debate clearly indicated that we and many other member nations feel that study is needed to determine what changes might be made in the United Nations structure before we would feel we could reasonably rely on this organization and disarm in safety.

Mr. Speaker, the concurrent resolution which I am introducing and which many of my colleagues are also introducing deals with these very matters. It asks for high-level studies to determine what changes should be made in the Charter of the United Nations to promote a just and lasting peace through the development of the rule of law in the limited field of war prevention. It urges that this country make specific proposals to strengthen the authority of the United Nations to prevent war when we meet with other nations in coming disarmament conferences. It urges that we seize the initiative that we began in 1955 at the 10th U.N. General Assembly to press for a U.N. Charter Review Conference and that we urge other governments to exchange views in preparation for this conference.

Now certainly is the appropriate time for us to capitalize on present auspicious international circumstances by pressing, firmly and sensibly, toward peace under a rule of law. At this point I include the text of the resolution:

HOUSE CONCURRENT RESOLUTION ——

Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes

Whereas the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace; and

Whereas there can be no such peace without the development of the rule of law in the limited field of war prevention; and

Whereas peace does not rest on law today but on the delicate balance of terror of armed force; and

Whereas the United Nations General Assembly at its fourteenth session unanimously adopted "the goal of general and complete disarmament under effective international control" and called upon governments "to make every effort to achieve a constructive solution of this problem"; and

Whereas a just and lasting peace would not be assured even if nations lay down their arms unless international institutions for preventing war were strengthened; and

Whereas the United Nations constitutes an important influence for peace but needs to be strengthened to achieve the rule of law in the world community; and

Whereas the United Nations General Assembly at its tenth session resolved that "a general conference to review the charter shall be held at an appropriate time"; and appointed a "Committee consisting of all the members of the United Nations to consider, in consultation with the Secretary-General, the question of fixing a time and place for the Conference, and its organization and procedures"; and

Whereas the United Nations General Assembly at its fourteenth session resolved "to keep in being the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter, and to request the Committee to report, with recommendations, to the General Assembly not later than at its sixteenth session": Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States position at the next meeting of the Committee on Arrangements for a conference for the Purpose of Reviewing the Charter should be that the Committee recommends to the United Nations General Assembly that a charter review conference be held not later than December 31, 1962, and that member governments be requested to prepare recommendations and to exchange views with respect to United Nations Charter review and revision in order to facilitate the organization of the said conference and to further the chances of its success.

SEC. 2. The President is hereby requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations to promote a just and lasting peace through the development of the rule of law in the limited field of war prevention. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, within twelve months after the date of approval to this resolution, the results of such studies.

SEC. 3. It is further the sense of the Congress that the United States should present specific proposals to strengthen the authority of the United Nations to prevent war, at future international conferences concerning disarmament and to the United Nations Disarmament Commission.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. FLOOD, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DULSKI.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 694. An act to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems; to the Committee on Education and Labor.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until Monday, February 1, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1738. A letter from the Acting Secretary of the Treasury, transmitting a report covering claims paid on account of the correction of military records of Coast Guard personnel for the 6-month period ending December 31, 1959, pursuant to 10 U.S.C. 1552(f); to the Committee on Armed Services.

1739. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the act of June 25, 1910 (36 Stat. 857, 25 U.S.C. 406, 407), with respect to the sale of Indian timber"; to the Committee on Interior and Insular Affairs.

1740. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to donate to the pueblos of Zia and Jemez a tract of land in the Ojo del Espiritu Santo grant, New Mexico"; to the Committee on Interior and Insular Affairs.

1741. A letter from the secretary-treasurer, Congressional Medal of Honor Society, United States of America, transmitting the annual report of the Congressional Medal of Honor Society of the United States of America for the calendar year 1959, pursuant to Public Law 249, 77th Congress; to the Committee on the Judiciary.

1742. A letter from the secretary-treasurer, Congressional Medal of Honor Society, United States of America, transmitting the annual auditor's report of the Congressional Medal of Honor Society of the United States of America for the calendar year 1959, pursuant to Public Law 642, 85th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 9662. A bill to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes; without amendment (Rept. No. 1231). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Interior and Insular Affairs. H.R. 9201. A bill to validate certain mining claims in California; without amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK:

H.R. 10017. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. GOODELL:

H.R. 10018. A bill to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 10019. A bill to amend title II of the Social Security Act to provide that a woman may be eligible for widow's insurance benefits regardless of her age if her husband was eligible for old-age or disability insurance benefits at the time of his death; to the Committee on Ways and Means.

By Mr. INOUYE:

H.R. 10020. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

By Mr. McMILLAN (by request):

H.R. 10021. A bill providing a uniform law for the transfer of securities to and by fiduciaries in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MERROW:

H.R. 10022. A bill granting the consent and approval of Congress to the northeastern water and related land resources compact; to the Committee on Public Works.

By Mr. METCALF:

H.R. 10023. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

H.R. 10024. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. MONTOYA:

H.R. 10025. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY:

H.R. 10026. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. PATMAN:

H.R. 10027. A bill to prohibit the Secretary of the Army from disposing of certain lands of the Camp Maxey Military Reservation, Tex., until it is determined whether or not the lands are required in connection with proposed improvements for flood control, water supply, and allied purposes on Sanders Creek, Tex.; to the Committee on Public Works.

By Mr. PELLY:

H.R. 10028. A bill to authorize the construction of an oceangoing hydrofoil vessel in order to demonstrate the commercial application of hydrofoil seacraft; to the Committee on Merchant Marine and Fisheries.

By Mr. RHODES of Pennsylvania:

H.R. 10029. A bill to prevent the use of stop watches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 10030. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 10031. A bill to amend section 309(a)(1) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

H.R. 10032. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WIER:

H.R. 10033. A bill to prevent the use of stop watches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 10034. A bill to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H.R. 10035. A bill to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes; to the Committee on the Judiciary.

By Mr. FLYNT:

H.J. Res. 591. Joint resolution authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson; to the Committee on House Administration.

By Mr. TOLL:

H. Con. Res. 529. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H. Con. Res. 530. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 10036. A bill for the relief of Mrs. Takako Coughlin; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 10037. A bill for the relief of Igino Manetta; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 10038. A bill for the relief of Mrs. Taka Iwanaga; to the Committee on the Judiciary.

H.R. 10039. A bill for the relief of Mrs. Rufina Cabebe; to the Committee on the Judiciary.

By Mr. PROKOP:

H.R. 10040. A bill for the relief of Joseph Frost and Mary Frost; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 10041. A bill for the relief of Mario Rodrigues Fonseca; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The "Featherbedded" Farm Program

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 28, 1960

Mr. DULSKI. Mr. Speaker, the dictionary definition of "featherbedding" is "pay for unnecessary or duplicating jobs, or limiting the amount of work to be done in a day as a means of stretching work."

The American people, from one end of our land to another, have been treated to the spectacle of gigantic advertising campaigns by industry, leveling this charge against the workers in major segments of our industrial machinery. As a result of this campaign, featherbedding is considered to be unethical, immoral, and indefensible.

A careful review of Federal legislation relating to agriculture leads one to the inevitable conclusion that the greatest area of featherbedding in our country today is concealed in our farm subsidy program, wherein farmers are being paid for work not performed. Agriculture is one business in America where idleness is not only encouraged but is made profitable through taxpayer-supported farm subsidy programs.

The present featherbedded farm program is a sick program because it tampers with economic laws under various guises which cannot be amended, and has failed miserably to accomplish its announced objective of a high per family real income for the farmer.

I agree that farming must be encouraged, but not in this giveaway manner. Farming, as defined by the typical pastoral scene of a ruggedly individualistic individual and his family tilling the soil on a small farm, is a misnomer or smokescreen to hide the real beneficiaries of this subsidy program—the gigantic agricultural corporations which are the real culprits draining the billions of dollars from the Public Treasury.

The small marginal farmer is being used and referred to as a man of the soil, and must be preserved at any cost.

To put the corporation farmers on an equal status with the rest of the segments of our society, we should throw them off the overburdened backs of the American taxpayers who have carried them long enough on the flimsy arguments to justify the current featherbedding, and provide them only with disaster protection such as given the workers in industry-unemployment insurance or welfare. It is just as much a disaster for a worker to lose his job as it is for a corporation farmer to fail to sell his crop at an adequate price.

There is a growing revolt among the average taxpayers who are treated to the spectacle of an example of one farmer receiving $40,000 of hard-earned tax dollars in one year for keeping land out of production to pay for work not performed—the definition of featherbedding accepted by all.

The American people are being taken by the farm program.

Address of Vice President of the United States at Chicago Dinner With Ike

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Thursday, January 28, 1960

Mr. WILEY. Mr. President, last night the Vice President of the United States delivered an address at the dinner with Ike at Chicago, Ill. It is a remarkable speech in many ways. I quote merely one paragraph:

> As far as I am concerned I don't think we need to be too worried about their comments, because if you think what they said publicly about me was bad you ought to hear what they're saying privately about each other.

The Vice President referred to comments made previously about him.

In this speech the Vice President has demonstrated the judgment he has shown through his years in the Vice Presidency. His Office has certainly qualified him to step up higher, and recent polls indicate that is just what the people think.

Mr. President, his salutation of the President was superb.

I ask unanimous consent that the address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES AT THE CHICAGO "DINNER WITH IKE," AMPHITHEATER, CHICAGO, ILL., JANUARY 27, 1960

This is a proud day in the life of this city, our party and our Nation. Seven and one-half years ago a great crusade was launched from this very hall to drive from our Nation's Capital a discredited administration and to elect as America's 34th President one of the truly great men of this century, Dwight D. Eisenhower.

Never in the history of this Nation has an administration more magnificently realized the dreams and objectives of those who worked and voted for its election. For the achievements of those years, the American people will be eternally grateful—the ending of one war, avoiding others and maintaining peace without surrender of principle or territory; unleashing our economy from arbitrary controls and encouraging and stimulating the creative enterprise of our people with the result that our Nation's prosperity has reached an all-time high; and above all the restoration of the highest standards of honesty, dignity, and integrity in the conduct

of the people's business by our national administration in Washington, D.C.

Every American who joined that crusade can proudly say tonight that under the leadership of a great President and his Republican administration, the American people in terms of peace, prosperity, and progress have enjoyed the best 7 years of their lives.

Tonight we salute the man who gave our party and our Nation this inspired leadership. We do it by our presence here. We do it with the contributions that this dinner represents. But the finest tribute that we can pay to him is by pledging ourselves to carry on the crusade he has so splendidly begun, by working and voting for another great victory for the Republican Party and for the American people this November.

Incidentally, as you may have noted, some of the Democratic Presidential candidates took a somewhat different view of the President's leadership at their meeting in Washington Saturday night. They also had some things to say about me.

As far as I am concerned I don't think we need to be too worried about their comments, because if you think what they said publicly about me was bad you ought to hear what they are saying privately about each other.

However since this is a salute to the President, I do feel it is appropriate for me to comment, at least briefly, on the constantly reiterated charge of our opponents that "Dwight Eisenhower has been a weak President—what the Nation needs is a strong leader."

His leadership does not need defense by me or by anyone else. But I would like to share with you some of the unforgettable personal experiences I have had in seeing the President in action during the last 7 years.

I have seen him calmly and wisely make the decisions requiring action on Lebanon, Quemoy-Matsu and Suez.

I have seen him make the even harder decisions not to act and talk when a lesser man's rashness could have risked war. Courage is not always shown by strong actions and brave words. Often it takes a far higher form of moral courage to be silent when talk may be harmful, and it takes both courage and judgment to choose a sound course in contrast to a spectacular course. I have often heard the President say in these difficult periods, "In a battle, give me a man who keeps his head when everybody else is losing theirs."

I have seen his magnificent sense of duty—duty that three times brought him back to his desk after illnesses that would have put younger men on the sidelines—going to Panama while still suffering intense pain from an operation—traveling to Europe for the NATO Conference 2 years ago when even speaking was an intolerable strain.

I have seen him deal with Mr. Khrushchev's deft sallies graciously, but with unmistakable and masterful firmness.

And like any great leader he is at his best when the going is roughest. After our defeat in the congressional election of 1958 when he was being written off as a lame duck President, he threw down the gauntlet to the spenders and with the help of a fighting, united band of Republicans in the House and Senate he saved the American people from billions of dollars in higher taxes and higher prices which the massive spending programs of his opponents in the Congress would have made inevitable.

Illinois Republicans can be proud tonight that EVERETT DIRKSEN'S splendid leadership in the Senate and the united support of Illinois' congressional Republican delegation contributed immensely to this magnificent achievement.

And there has never been a more eloquent answer to the charges of "American prestige is at an all-time low—no leadership—no sense of purpose" than the tumultous welcomes the President received on his recent trip abroad. This was a personal tribute. But it was also a tribute to Dwight Eisenhower, the leader of the free world, the living symbol of the greatness of America and its selfless dedication to the cause of peace and freedom.

If there is any further answer needed to the charges of no leadership, let me note one tremendous and revealing contrast between the campaigns of 1952 and 1960.

In 1952 the Democratic candidate for President couldn't run fast enough—away—from the sorry record of the Truman administration which even he termed a mess.

In 1960, every Republican candidate will be proud to defend the Eisenhower record against all comers and to ask the American people to register their approval on election day.

With such an outstanding record, what do we have to worry about? The answer is that the very record which is our greatest strength is potentially our greatest danger. Because we have such a fine record there will be an understandable temptation to stand pat on what we have done, to be smug and self-satisfied about the past and to fail to meet the new challenges of the future. This attitude is not worthy of our party. And what is infinitely more important, it is not adequate for the needs of the Nation in these times.

We can and should be proud of our record. And let me serve notice right here and now that I intend to defend it with all the strength at my command against those who attack it. But, we shall look upon our record not as our ultimate achievement but as the solid foundation upon which to build even greater accomplishments in the future.

Why is America a great Nation today? Because we Americans have never lived in the past. We are never content to rest on our laurels. We never like to settle for being second best in anything.

Let this be the spirit of our party and our people as we enter the crucial year of 1960.

No administration in our history had more reason to be proud of its record in domestic affairs, but we see exciting challenges in those domestic problems that remain unsolved.

We believe that overall the American educational system is the best in the world. But inadequate classrooms, underpaid teachers and flabby standards are weaknesses we must constantly strive to eliminate, always recognizing in the remedies we recommend that any Federal education program must not infringe upon State and local responsibility for and control of our school system.

We are proud that there has been more progress in the 7 years of this administration in the field of civil rights than in any administration since Lincoln's, but we shall continue to work for constructive programs which will assure progress toward our goal of equality of opportunity for all Americans.

We are thankful that American agriculture is the most productive in the world and that our problem is one of surpluses rather than scarcity. But we believe there is no higher legislative priority than a complete overhauling of obsolete farm programs under which the prices farmers receive for major farm products continue to go down and the costs to the taxpayer continue to go up.

The fact that there are more jobs at higher wages available to Americans than at any time in history does not weaken our determination to develop effective programs in which areas of chronic unemployment can be restored to healthy, productive units of our economy.

The fact that as a result of our policies 12 million more Americans are covered by social security and that benefits are almost 50 percent higher than was the case 7 years ago dos not in any way slow down our drive to find ever more adequate methods for protecting the aged, the unemployed and the disabled.

And the fact that the American economy has never been more productive than it is today only encourages us to find more effective methods to deal with disputes between labor and management so that the public interest may be more adequately protected but without controls which would stifle the productivity of our free enterprise system.

I am sure that a question which may have occurred to you is this: Aren't all Americans for these objectives, including our opponents? The answer is yes, of course. What is the difference, then?

We Republicans have unshakeable faith that the way to achieve these goals is by the free choices of millions of individual consumers, by the productive efforts of free management and labor, and by local and State action wherever possible—supplemented when necessary but not supplanted by the Federal Government.

The philosophy of most of our opponents is just the opposite. They claim that the road to progress has to be paved with bigger Government, more spending, and higher tax bills for the people to pay.

The record proves that our faith in freedom is well placed. Economic policies based on encouraging rather than stifling free enterprise gets results—they work. Because the fact is that for 20 years Democratic administrations promised to give the American people the economic abundance and prosperity that the people, stimluated by 7 years of Republican faith-in-freedom, have in great measure now achieved for themselves. And as long as they are left free of arbitrary controls, the American people will continue to achieve greater and greater abundance with fair shares for everyone.

Great as are our domestic problems, there is another which transcends them all—our survival in the struggle which is going on throughout the world today.

There is no part of our record of which we are more proud than in the area of national security and the conduct of foreign policy. But we know that the challenge which confronts us continues to be massive in character. Because while Mr. Khrushchev and his colleagues claim they have ruled out the use of force as an instrument of implementing their national policies, they have never abandoned their goal of communizing the world. Their people are being driven to superhuman efforts to realize this objective and their leaders have notified us of their intentions.

What should our answer be?

Militarily our objective must be to maintain sufficient strength, not for purposes of attack, but to deter any potential aggressor. Questions have been raised as to whether we have now and will continue to have in the future strength of this magnitude.

We need constant examination and constructive criticism of our defense posture, pointing up our weaknesses where they exist. But constructive criticism is one thing; making America appear weaker than she is to potential aggressors is another. It is time to quit selling America short. We are not a second-rate country with second-rate military strength and a second-rate economy.

Let's get these facts straight right here and now. No aggressor in the world today can knock out the deterrent striking power of the United States and its allies. This is the case today, and it will continue to be so in the future. We know this, our political critics should know it, and, what is most important, Mr. Khrushchev knows it.

What should our policy in the future be? Because we are living in an age of rapid technological advances in military science, we must submit our national security programs to a searching, month-to-month reexamination in the light of any new techno-

logical developments and of our best current estimates of the military capabilities of any potential aggressor. On the basis of these appraisals, we must make such readjustments as are necessary to keep our deterrent power at adequate levels. And let us resolve once and for all that America has the resources and the will to maintain the absolute deterrent strength necessary for survival, whatever sacrifices may be required.

But the maintenance of military strength adequate to deter aggression, while absolutely essential for our survival, does not by itself meet the responsibilities of world leadership which are ours.

We must leave no stone unturned in our efforts to find some more effective guarantee against the terrible destruction of nuclear war than the mere maintenance of a balance of terror.

We must continue to follow the President's leadership in his willingness to discuss our differences at the conference table whenever there is a prospect for success; in his search for an effective formula under which we could reduce the burden of armaments and discontinue testing of even more destructive nuclear weapons; and in his steadfast devotion to the principle that the United States must take the leadership in substituting the rule of law for the rule of force as a method of settling disputes between nations.

Above all, we must recognize that the greatest danger we face is in the nonmilitary rather than the military area. Millions of Americans heard Mr. Khrushchev on his recent visit to this country lay down his blunt challenge for peaceful competition between the Communist and the free world.

What should our answer be?

We should make it clear at the outset that we welcome competition, provided both sides compete under the same set of rules and provided the competition takes place both in the Communist and the free world. After all, competition is our idea. It is the motivating drive responsible for the economic, political, and cultural progress of this Nation. We are glad that Mr. Khrushchev recognizes its merits and we welcome his challenge.

Can we win in this competition? The answer is—yes, if we recognize some basic factors.

We must avoid at all costs any overconfidence just because the Communist idea is repugnant to us or because of our belief that the Communist system has built-in weaknesses which will eventually bring about its downfall.

We must always remember that a totalitarian system, in the short run, can concentrate immense power on chosen objectives; that the Russian people are working long and hard under the driving direction of fanatically dedicated leaders who are motivated by but a single objective—the communization of the world; that the leaders as well as the people have a highly developed competitive spirit and that they have the advantage of anyone who is running behind in a race—the stimulus of trying to catch up and pass the front runner.

We can win in this competition, in other words, if we recognize their strength and if we work harder, believe more deeply, and are motivated by an even stronger competitive spirit than theirs.

But in recognizing the seriousness of their challenge, we could make no greater mistake than to go overboard and start to judge American institutions by the Communist yardstick.

They have a patent on the system of bureaucracy, government controls, and government domination. But even they have found it necessary to modify their system by increasingly providing greater rewards for those who make the greatest contributions to their economy.

In other words, they are finding it necessary to turn our way. At a time they are turning our way, the greatest mistake we could make would be to turn their way.

Our answer to them, therefore, in the area of economic competition must not be more Government spending and more Government controls but stimulation and encouragement of the creative energies of millions of free peoples and of our system of productive private enterprise.

And we must not make the mistake of just meeting them on their chosen battleground. The answer to atheistic Communist materialism is not just more and better materialism.

To put it simply, they offer progress at the cost of freedom. Our alternative is progress with freedom—and, in fact, progress because of freedom.

I realize that there are many who complain that the Communists have a sense of purpose which we lack. And there is no question but that they do have a sense of purpose—that of imposing the Communist system on all the nations of the world.

We can certainly agree that we do not have this sense of purpose. Because, as the President reiterated over and over again on his recent trip, far from wanting to impose our system on other nations, we believe that all peoples must be free to choose the kind of government they want.

But the fact that we have no desire to conquer the world does not mean that our alternative to communism is simply to leave the world as it is—ignoring the misery, disease, and inequity on which communism thrives. We, too, have a purpose and a mission in the world today—and that is what we must make clear as we meet the Communist challenge.

We offer our partnership, our advice, and assistance in helping peoples everywhere to achieve the economic progress which is essential if they are to have better food and housing and health than they presently enjoy.

But we do not stop here. We say, broaden competition between communism and freedom to include the spiritual and cultural values that have especially distinguished our civilization and enriched our lives.

We insist that man needs freedom—freedom of inquiry and information, freedom to seek knowledge, to express his views, freedom to choose his own leaders and hold them strictly accountable, freedom to shape his own destiny—and above all—freedom to worship God in the light of his own conscience.

Let our mission in the world today be to extend to all mankind not just the ideal but the fact of freedom—by preserving and protecting and defending it, by helping others achieve it, by offering our own example of a free society at work.

This mission is not new. It is the heart of the American idea that goes back to the very foundation of this free Republic. It is the essence of the crusade launched here 7 years ago and we can be proud tonight that our great President, Dwight D. Eisenhower, is its living symbol in America and throughout the world.

SENATE

FRIDAY, JANUARY 29, 1960

(Legislative day of Wednesday, January 27, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, who, under all the wild commotion which, sweeping across the face of the earth, doth still control the evil forces which for the hour seem to defeat Thy purpose and hinder the coming of Thy kingdom, help us so to confront the problems that face us that from them may come victory to our own souls and spiritual gain for the world.

Grant that our hearts may be shrines of prayer and our free Nation a bulwark for the oppressed, a flaming beacon of hope whose beams shall battle the darkness in all the world.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 28, 1960, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittees were authorized to sit during the session of the Senate today:

The Committee on Rules and Administration.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, and that statements made in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF DIRECTOR OF SELECTIVE SERVICE SYSTEM

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursuant to law, his report for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on Armed Services.

REPORT OF DISTRICT OF COLUMBIA ARMORY BOARD

A letter from the Managing Director, District of Columbia Armory Board, Washington, D.C., transmitting, pursuant to law, a report of that Board for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on the District of Columbia.

BALANCE SHEET OF POTOMAC ELECTRIC POWER CO.

A letter from the president, Potomac Electric Power Co., Washington, D.C., transmitting, pursuant to law, a copy of the balance sheet of that company, as of December 31,

1959 (with accompanying papers); to the Committee on the District of Columbia.

REPORT OF ADMINISTRATOR OF GENERAL SERVICES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, his report on the operations of that Administration, for the fiscal year 1959 (with an accompanying report); to the Committee on Government Operations.

SALE OF INDIAN TIMBER

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of June 25, 1910 (36 Stat. 857, 25 U.S.C. 406, 407), with respect to the sale of Indian timber (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AMENDMENT OF COMMUNICATIONS ACT, RELATING TO REQUIREMENT FOR ANNUAL REPORT ON PERSONNEL

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 4(k) of the Communications Act of 1934, as amended, by relieving the FCC of the duty of making the annual report of personnel as now required by subsection (3) of section 4(k) (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT ON CLAIMS PAID RESULTING FROM CORRECTION OF MILITARY RECORDS OF COAST GUARD PERSONNEL

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report covering claims paid during the 6 months' period ending December 31, 1959, on account of the correction of military records of Coast Guard personnel (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Carolina, relating to problems involved in the usage of soil and water resources in the Middle Atlantic coastal plains areas; to the Committee on Appropriations.

(See the above concurrent resolution printed in full when presented by Mr. THURMOND (for himself and Mr. JOHNSTON of South Carolina) on January 28, 1960, p. 1498, CONGRESSIONAL RECORD).

A resolution of the House of Representatives of the State of Kentucky; to the Committee on Labor and Public Welfare:

"HOUSE RESOLUTION 16

"Resolution memorializing the Congress of the United States to extend Public Law No. 550, 82d Congress, relating to education and training benefits, to service men and women as long as the draft continues

"Whereas the Congress of the United States, expressing the will of the citizenry by the enactment of the Servicemen's Readjustment Act of 1944 (Public Law 346, 78th Congress) and the Veterans' Readjustment Act of 1952 (Public Law 550, 82d Congress), recognized the justice, equity, and general value of a sound education and training program for the veterans of our country; and

"Whereas the legislation enacted to provide such education and training benefits was for the purpose of restoring lost educational opportunities to those men and women who served in the Armed Forces of our country and has accomplished this purpose and has been an immeasurable factor in contributing to the economic security of our veterans and their families as well as to the security of the Nation as a result of the increase in our general educational level and in the professional and technical skills of the veterans; and

"Whereas the increased earning power of the veterans directly attributable to the program is resulting in payment of increased income taxes which will more than repay the total cost of the program; and

"Whereas notwithstanding the continuing involuntary military service program, Public Law 7, 84th Congress, denies entitlement to education and training benefits to all veterans who first entered service after January 31, 1955, which is grossly inequitable: Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky—

"SECTION 1. That the Congress of the United States extend education and training benefits similar to the benefits provided by Public Law 550, 82d Congress, as amended, to all veterans of our country who served during any period in which involuntary military service is authorized, and urges the Congress of the United States to enact legislation to accomplish this objective.

"SEC. 2. That the clerk of the house send attested copies of this resolution to the President of the U.S. Senate, the Speaker of the House of Representatives, the chairman of the Education Committee of each House, and to each Member of the Kentucky delegation in the Congress of the United States."

TRIBUTES TO SENATOR GREEN OF RHODE ISLAND

Mr. PASTORE. Mr. President, I am in receipt of numerous resolutions and editorials in further connection with the announcement of my colleague, Senator THEODORE FRANCIS GREEN, that he will not seek reelection in 1960. I ask unanimous consent to have these resolutions and editorials printed in the RECORD:

A resolution adopted by the General Assembly of the State of Rhode Island and Providence Plantations at its January session, A.D. 1960.

A resolution adopted by the stockholders of the Plantations Bank of Rhode Island on January 21, 1960.

A resolution adopted by the Disabled American Veterans, Department of Rhode Island, on January 25, 1960.

A resolution adopted by the Council of the City of Newport, R.I., on January 20, 1960.

An editorial from the Fall River (Mass.) Herald News for January 13, 1960.

An editorial from the Paterson (N.J.) Morning Call for January 16, 1960.

An editorial from the Trentonian for January 18, 1960.

An article from the newspaper, Labor, January 23, 1960.

There being no objection, the resolutions and editorials were ordered to be printed in the RECORD, as follows:

H. 1078

Resolution extending to Hon. THEODORE FRANCIS GREEN, U.S. Senator from the State of Rhode Island and Providence Plantations, the heartfelt commendation of the Rhode Island General Assembly and the people of the State for his extraordinary devotion to State, Nation, and the world

There have been many long, arduous years since Hon. THEODORE FRANCIS GREEN, U.S. Senator from the State of Rhode Island and Providence Plantations, made the decision to devote his ability and statesmanship to the State of Rhode Island, the Nation, and the world.

A linguist and scholar of brilliance, Phi Beta Kappa, and alumnus of Brown, Harvard Law, and the Universities of Bonn and Berlin, Senator GREEN is also a connoisseur of art, music, and architecture.

The details of his biography are and will be fully covered elsewhere, carrying salient achievements, including on file in the libraries of the State and Nation, microfilming of newspapers and day-to-day record of his efforts to do his legislative and citizenship share, believing that it should be to do so within his ability as the right and responsibility of every citizen to give his utmost.

So many accolades are his, we feel that we cannot in this general assembly resolution add anything more than has already been said. In his vital 92 years, he has devoted great consideration with feeling and understanding to so many needy problems with brilliant and true comprehension of universal needs.

We must always remember that through the years his decisions have had one motive—the welfare of the people as a whole—not just for party or State: Now, therefore, be it

Resolved, That the members of this general assembly join the accord which the Nation and the world are giving, thanking the Honorable THEODORE FRANCIS GREEN for his endeavor, with honesty of purpose and intent; and be it further

Resolved, That a duly certified copy of this resolution be transmitted by the secretary of state to U.S. Senator THEODORE FRANCIS GREEN, in tribute to his amazing career and his longevity.

AUGUST P. LA FRANCE,
Secretary of State.

RESOLUTION BY PLANTATIONS BANK OF RHODE ISLAND, PROVIDENCE, R.I.

Whereas the Honorable THEODORE FRANCIS GREEN has announced his intention not to seek reelection to his seat in the Senate of the United States of America; and

Whereas Senator GREEN has distinguished himself beyond measure in the fulfillment of his duties to his State and Nation, first as Governor of Rhode Island and then as U.S. Senator; and

Whereas Senator GREEN has devoted a lifetime of service not only to the people of this State and Nation, but to the people of the world as well; and

Whereas it is beyond the limits of this expression to detail his accomplishments and contributions to his fellow man because of their vast number and scope; and

Whereas the shareholders of Plantations Bank of Rhode Island have been singly honored by having him as chairman of the board of directors since he founded the bank in 1915, and during that long period have had the benefit of his superior knowledge and experience which have contributed immeasurably to the progress and growth of this institution: Now, therefore, be it

Resolved, That the stockholders at this annual meeting unanimously tender to the Honorable THEODORE FRANCIS GREEN their esteem and affection, and their heartfelt wishes for a longer life, continued good health, and sincere wishes that in the years ahead, his retirement from public office will serve to provide him with more time in which he may continue by active participation in State, national, and the world events to bring to the people he loves the benefit of his tremendous devotion and experience.

———, ———,
Secretary.

JANUARY 21, 1960.

RESOLUTION BY LAWSON-RAIOLA DISABLED AMERICAN VETERANS, CHAPTER NO. 15

Whereas the recent decision of Rhode Island's senior U.S. Senator, THEODORE FRANCIS GREEN, not to seek reelection in 1960 signalizes regretfully the end of a distinguished career of public service to the people of Rhode Island, to the Nation, and to the world by a truly great American; and

Whereas the Rhode Island of which we are justly proud; the United States of America to which we pledge our loyalty and devotion; and the entire world in which destiny has entrusted us with the reins of leadership have been enriched by the vigor, wisdom, and tireless efforts of THEODORE FRANCIS GREEN during the nearly three-quarters of a century that he has served selfless in public office; and

Whereas as a scholar, philanthropist, lawyer, educator, successful businessman, elected and reelected chief executive of Rhode Island, U.S. Senator for 23 years, former chairman of the Senate Foreign Relations Committee, former chairman of the Senate Committee on Rules and Administration, Senator THEODORE FRANCIS GREEN has with great distinction compiled an incomparable record of public service which goes back before the turn of the century and includes military and civilian service during four wars and other periods of peril that confronted our Nation; and

Whereas disabled veterans of Rhode Island, as well as all veterans, are ever mindful and abidingly grateful of the constant concern and compassion which THEODORE FRANCIS GREEN throughout his many decades of public service quickly and sincerely manifested in their welfare; and

Whereas the very existence today of the magnificent Veterans' Administration hospital in Providence, R.I., is but one of many hallmarks standing in testimony to Senator GREEN's achievements for, and in behalf of, veterans: Now, therefore, be it

Resolved, That the entire membership of Lawson-Raiola Disabled American Veterans Chapter No. 15, Bristol, R.I., does herewith, in deep sincerity and high admiration, express its appreciation to the Honorable THEODORE FRANCIS GREEN, senior U.S. Senator from Rhode Island, for his noble accomplishments in the cause of our State, Nation, and the world, and that we, as disabled veterans in lasting remembrance of his remarkable span of extraordinary public service, do pray that the choicest of God's blessings be abundantly showered upon him for many, many years; and be it further

Resolved, That a copy of this resolution be forwarded to the Honorable THEODORE FRANCIS GREEN; and that additional copies be sent to the Disabled American Veterans, Department of Rhode Island; to the Honorable JOHN O. PASTORE, U.S. Senator; and to the press.

JOHN D. SYLVESTER,
Commander.
ALBERT P. RUSSO,
Adjutant-Treasurer.

RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT

Whereas the Council of the City of Newport has learned of the difficult decision of Senator THEODORE FRANCIS GREEN to retire from the U.S. Senate after a long and illustrious career; and

Whereas the Council of the City of Newport, ever mindful of the service rendered to the city of Newport and State of Rhode Island by the distinguished senior Senator from Rhode Island, do hereby, on this 20th day of January A.D. 1960, wish him a well earned retirement and many long years of happy living and good health: Now, therefore, be it

Resolved, That a certified copy of this resolution, signed by the Honorable James L. Maher, mayor, and countersigned by the city clerk, be transmitted to the Honorable THEODORE FRANCIS GREEN.

JAMES L. MAHER,
Mayor.
JOHN F. FITZGERALD,
City Clerk.

[From the Fall River (Mass.) Herald News, Jan. 13, 1960]

GREEN'S RETIREMENT IS CAUSE FOR REGRET

Senator THEODORE FRANCIS GREEN's decision not to run for reelection can hardly be considered surprising in view of his age. Senator GREEN is now 92; if he were to be reelected, it would be for a term of 6 years. The Rhode Island Senator has already long passed any normal retirement age. He has now announced that infirmities of eyesight and hearing have forced him to forego another campaign and possibly another arduous term in Congress.

Although his decision is not surprising, it is nonetheless a matter for genuine regret. Senator GREEN's career has been more than a triumph of longevity. Rather, it has been a model of commonsense, a certain innocent worldly wit and wisdom, plus a real concern for the well-being of Rhode Island and the Nation as a whole.

These qualities he possessed from the start. They were less dramatic than other qualities which pushed some political hopefuls into the limelight early in life and kept them there spectacularly for a short time. But as the years passed, to these initial characteristics were added a maturity of judgment which can only be the fruit of experience. Finally, Senator GREEN became the epitome of a type altogether too rare in American public life, the elder statesman.

This country has always overvalued change. It has always been in a hurry. Too often it has sacrificed tradition for novelty. Too frequently it has failed to recognize the enhanced value of age in terms of judgment and experience. It is to the credit of Rhode Island that its voters recognized Senator GREEN's value to the State and the Nation by reelecting him.

And Senator GREEN himself lived up to the confidence displayed in him by retaining up to the present a phenomenal capacity for adjustment which will, one hopes, serve to keep him young for many happy years to come.

[From the Paterson (N.J.) Morning Call, Jan. 16, 1960]

A BIT TIRED AT 92

When THEODORE FRANCIS GREEN was elected to the Senate for the first time in 1936 at the age of 70, he was already an old man by some standards. But not by THEODORE FRANCIS GREEN's standards.

At the time he entered the Senate, this veteran of the Spanish-American War had already had a 30-year political career. He began as a member of the Rhode Island House of Representatives and had risen to become Governor of the State before going to Washington.

And then, instead of serving out his 6-year term in the Senate as an honorable prelude to retirement, he remained on the job for 24 years. Now, at 92, he will not seek reelection. He is the oldest Senator in the Nation's history. We congratulate him on his decades of able public service.

[From the Trentonian, Jan. 18, 1960]

NOT FINAL?

The case of Senator THEODORE FRANCIS GREEN, of Rhode Island, is difficult to understand.

He has decided not to seek reelection. While it's true that he's 92, age alone hardly could be the sole factor in such a decision by a man whose entire (and distinguished) senatorial career came after he had reached 70.

Seems to us that Senator GREEN was just feeling poorly. Maybe he'll change his mind.

[From Labor, Jan. 23, 1960]

TRIBUTES TO GREEN

Senator THEODORE FRANCIS GREEN, Democrat, of Rhode Island, who at 92 is the oldest Member of the Senate, announced last week he will not run for reelection when his term expires at the end of this year. His announcement brought forth a flood of warm tributes to him in the Senate, from spokesmen for both parties.

GREEN's Democratic colleague from Rhode Island, Senator JOHN O. PASTORE, paid the main tribute.

"THEODORE GREEN was a Democrat when it was not traditional for a person of his wealth and position to enlist in the then minority party in Rhode Island," PASTORE said. "No man did more than he to make it the majority party. Twenty-eight years ago, he led his party to power in his State. As Governor, he brought a fresh point of view—human and modern—to the State government.

"For 24 years, GREEN has graced this Senate floor. These halls have been abundant witness to his statesmanship. This is the Senate that he loves, and that loves him. He is a man who gives and commands loyalty. For him, no task was too intricate, no journey too arduous, fulfilling his obligations. He never ceased to be the servant of every good cause, educational, social, philanthropic.

"I know that Senators join me in this prayer: May God grant him many more years of health, happiness, and helpfulness."

RESOLUTION OF NEW ENGLAND CONFERENCE OF PUBLIC UTILITIES COMMISSIONERS

Mr. PASTORE. Mr. President, a resolution adopted by the New England Conference of Public Utilities Commissioners has been received by my office in opposition to S. 1789, Calendar No. 447, a bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

I might say, parenthetically, that this title is very misleading. In my opinion, this legislation is very discriminatory toward the railroads of the New England area and will do irreparable harm to our economy if it should become law.

I have already spoken on this subject on several occasions, but, suffice it to say that if we need more railroad freight cars this, in my opinion, is the wrong way to get them. Accordingly, I would hope that this legislation would be defeated, but at least that it would be referred back to committee for further consideration, thereby allowing these commissioners to come here to Washington to give their views in a more detailed fashion.

I ask unanimous consent that the resolution be printed at this point of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION TO THE INTERSTATE AND FOREIGN COMMERCE COMMITTEES OF THE 86TH CONGRESS, 2D SESSION

Whereas the public utilities commissioners of the States of Maine, New Hampshire, Vermont, Connecticut, Rhode Island, and the

Commonwealth of Massachusetts, in meeting assembled at Manchester, N.H., on January 20, 1960, after full discussion; and

Whereas the said commissioners having considered the adverse effects of these bills if enacted into law not only upon the railroads of the northeastern section of the United States but also upon the economy in general of this entire area; and

Whereas said commissioners are aware of the pending per diem cases before the Interstate Commerce Commission resulting from the Federal court decision in the premises and the studies of committees of the Association of American Railroads on the question of a proper basis of compensation to be paid for the use of freight cars: Now, therefore, be it

Resolved, That while said commissioners favor the increase of the national freight car fleet, they hereby record themselves as unalterably opposed to the passage of any of the above cited bills or similar bills which would have the effect of authorizing the Interstate Commerce Commission to fix by penalty the compensation to be paid for the use of freight cars; and it is hereby further

Resolved, That it is the unanimous opinion of said commissioners that such legislation would not accomplish the stated purpose of increasing the national freight car fleet but rather would be highly detrimental to the eastern railroads; and it is hereby further

Resolved, That a copy of this resolution be forwarded forthwith to the members of the Interstate and Foreign Commerce Committees of both branches of the U.S. Congress.

GEORGE A. MCLAUGHLIN,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 82. Concurrent resolution extending the Joint Committee on Washington Metropolitan Problems (Rept. No. 1064);

H. Con. Res. 449. Concurrent resolution to print as a House document the publication "Facts on Communism—Volume 1, the Communist Ideology" and to provide for the printing of additional copies;

H. Con. Res. 457. Concurrent resolution to authorize printing as a House document a publication relating to the nomination and election of President and Vice President, including the manner of selecting delegates to national political conventions;

S. Res. 208. Resolution authorizing the employment by the Committee on Post Office and Civil Service of an additional clerk;

S. Res. 209. Resolution authorizing an investigation of the postal service (Rept. No. 1068);

S. Res. 210. Resolution providing additional funds for the Select Committee on National Water Resources (Rept. No. 1070);

S. Res. 220. Resolution providing additional funds for the Committee on Banking and Currency (Rept. No. 1066);

S. Res. 221. Resolution authorizing the Committee on Banking and Currency to investigate certain matters pertaining to public and private housing (Rept. No. 1065);

S. Res. 225. Resolution providing additional funds for the Select Committee on Small Business (Rept. No. 1069);

S. Res. 226. Resolution providing for an investigation of national penitentiaries (Rept. No. 1048);

S. Res. 230. Resolution authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction (Rept. No. 1067);

S. Res. 231. Resolution authorizing a study of the Federal judicial system (Rept. No. 1047);

S. Res. 232. Resolution to investigate juvenile delinquency in the United States (Rept. No. 1046);

S. Res. 233. Resolution authorizing a study of matters pertaining to constitutional rights (Rept. No. 1052);

S. Res. 234. Resolution authorizing a study of administrative practice and procedure in Government departments and agencies (Rept. No. 1051);

S. Res. 235. Resolution to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny (Rept. No. 1050);

S. Res. 236. Resolution to investigate the administration of the Trading With the Enemy Act (Rept. No. 1049);

S. Res. 237. Resolution to investigate matters pertaining to immigration and naturalization (Rept. No. 1053);

S. Res. 238. Resolution authorizing an investigation of the antitrust and monopoly laws of the United States (Rept. No. 1054);

S. Res. 239. Resolution authorizing a study of matters pertaining to constitutional amendments (Rept. No. 1055);

S. Res. 240. Resolution authorizing an investigation of the Patent Office (Rept. No. 1056);

S. Res. 241. Resolution authorizing a study of matters pertaining to the revision and codification of the statutes of the United States (Rept. No. 1057);

S. Res. 242. Resolution authorizing an investigation of the administration of the national security law and matters relating to espionage (Rept. No. 1058);

S. Res. 245. Resolution providing assistance to Members of the Senate in the discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes (Rept. No. 1062);

S. Res. 246. Resolution to investigate the efficiency and economy of operations of all branches of the Government (Rept. No. 1061);

S. Res. 248. Resolution providing additional funds for the Committee on Government Operations (Rept. No. 1060);

S. Res. 250. Resolution authorizing a study of U.S. foreign policy by the Committee on Foreign Relations (Rept. No. 1059); and

S. Res. 261. Resolution authorizing the Committee on Armed Services to investigate certain matters relating to the common defense (Rept. No. 1063).

By Mr. HENNINGS, from the Committee on Rules and Administration, with an amendment:

S. Res. 249. Resolution to extend to March 31, 1960, time to file report by Select Committee on Improper Activities in the Labor or Management Field (Rept. No. 1072); and

S. Res. 252. Resolution to continue the Committee on Unemployment Problems until June 30, 1960 (Rept. No. 1071).

AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO INVESTIGATE CERTAIN MATTERS PERTAINING TO FEDERAL ELECTIONS

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 263) authorizing the Committee on Rules and Administration to investigate certain matters pertaining to Federal elections, and submitted a report (No. 1073) thereon; which resolution was placed on the calendar, as follows:

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with is jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining of—

(1) the election of the President, Vice President, or Members of Congress;
(2) corrupt practices;
(3) contested elections;
(4) credentials and qualifications;
(5) Federal elections generally; and
(6) Presidential succession.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $160,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

PROGRESS REPORT OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS (S. REPT. NO. 1074)

Mr. BIBLE. Mr. President, from the Joint Committee on Washington Metropolitan Problems, which was created under authority of House Concurrent Resolution 172, 85th Congress, as amended by Senate Concurrent Resolution 2, 86th Congress, as amended, I submit the committee's progress report to Congress on the Further Study on Transportation and Other Metropolitan Problems. I ask unanimous consent that the report be printed.

This report is a unanimous one and summarizes an active and fruitful year of activity by the committee.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Nevada.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING (for himself and Mr. JAVITS):

S. 2934. A bill to increase the amount of goods in transit allowed for visitors to the United States; to the Committee on Finance.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. MORSE, Mr. MURRAY, Mr. DOUGLAS, Mr. AIKEN, Mr. KUCHEL, Mr. HUMPHREY, Mr. MOSS, Mr. PROUTY, Mr. MCNAMARA, Mr. NEUBERGER, Mr. MANSFIELD, Mr. ENGLE, Mr. HART, Mr. RANDOLPH, Mr. HARTKE, Mr. YARBOROUGH, Mr. MCCARTHY, Mr. CHURCH, Mr. MUSKIE, Mr. CASE of New Jersey, Mr. BARTLETT, Mr. COOPER, and Mr. WILLIAMS of New Jersey):

S. 2935. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 2936. A bill to provide for the computation of basic pay of Lt. Gen. Joseph F. Carroll, U.S. Air Force; to the Committee on Armed Services.

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S. 2937. A bill to permit the use, for civil defense purposes, of certain property in Kanawha County, W. Va., heretofore conveyed by the United States to the West Virginia Board of Health, for public health purposes, without payment of compensation to the United States; to the Committee on Labor and Public Welfare.

By Mr. MCCARTHY:

S. 2938. A bill to amend section 4456 of the Internal Revenue Code of 1954 with respect to the method of paying the tax on playing cards; to the Committee on Finance.

By Mr. WILEY:

S. 2939. A bill for the relief of Dr. Chien Chen Chi; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. CHAVEZ, Mr. HAYDEN, Mr. JOHNSON of Texas, Mr. KERR, Mr. YARBOROUGH, and Mr. ALLOTT):

S.J. Res. 156. Joint resolution providing for a comprehensive program of research and experimentation for the purpose of investigating the growth of saltcedar and other phreatophytes, the hydrological and climatological factors influencing the use of water by such plants, and the various techniques for the eradication and control of such plants; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ANDERSON when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 84) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RESOLUTION

AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO INVESTIGATE CERTAIN MATTERS PERTAINING TO FEDERAL ELECTIONS

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 263) authorizing the Committee on Rules and Administration to investigate certain matters pertaining to Federal elections, and submitted a report (No. 1073) thereon; which resolution was placed on the calendar.

(See the above resolution printed in full when reported by Mr. HENNINGS, which appears under the heading "Reports of Committees.")

VISITOR'S TARIFF REGULATIONS FOR GOODS IN TRANSIT

Mr. KEATING. Mr. President on behalf of my distinguished colleague, the senior Senator from New York [Mr. JAVITS], and myself, I introduce, for appropriate reference, a bill to raise the limit on the amount of goods in transit allowed for persons visiting the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2934) to increase the amount of goods in transit allowed for visitors to the United States, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Finance.

Mr. KEATING. Mr. President, this bill would raise the limit on the amount of goods in transit allowed foreign visitors to the United States from $200, as provided in existing law, to $500. Let me explain what this would mean in actual practice.

As it now stands, a visitor to the United States can bring in duty free all wearing apparel and articles of personal adornment which he will need during his stay in this country. He can also bring in up to $200 worth of other goods, which are generally classified in broad terms as "goods in transit." This can include household effects, such as paintings, rugs, or furniture, which, of course, cannot be classified as wearing apparel or as being for personal adornment. If the visitor is a man, his goods in transit might also include jewelry or perfume as gifts, which again would not be classified as either his wearing apparel or as being for his personal adornment while he is in this country.

Under present law, if these goods in transit do not exceed $200 in value, a visitor to the United States need not worry. He can do with them what he chooses, and he can take them wherever he wants without any difficulty. However, if the value of his goods in transit exceeds $200, he must have them bonded or have them shipped in bond. This frequently involves "redtape," delay, and confusion for both, for the visitor and for our own customs people at points of entry into the United States. It is for this reason that I feel the unrealistic $200 limit on goods in transit should be raised.

Mr. President, this is not a large question. It is not a great issue. It is simply a means of making our newly arrived guests to the United States more comfortable and less confused on their arrival in this country. All of us know the feeling. Forms to fill out, papers to produce and keep in our wallets, fine print to read and interpret throw fright into the hearts of even the bravest of men. "Redtape" is internationally known, and internationally troublesome.

The effect of this particular piece of legislation would fall for the most part on persons entering this country, and not on American citizens. Insofar as this bill would eliminate complications and confusion, it will also be of real help to customs officers, terminal personnel, travel agents, and hotel employees in every American city which is a point of entry into this country.

New York City, as the Nation's largest and greatest port, would, of course, be greatly benefited by this bill. I have been informed by Mr. Royal W. Ryan, executive vice president of the New York Convention and Visitors Bureau, Inc., that the $200 regulation now in the law is "a source of considerable annoyance to foreign visitors entering this country through New York City."

There is another and special reason that New York City would stand to benefit from legislation along the lines of the bill which I have just introduced.

With the 1964 American World's Fair in New York just around the corner—and the year 1964 will be here quicker than many of us think—it is important that we begin now to take all possible and feasible steps to see to it that visitors to our Nation, and in particular to this great event in 1964, will have a smooth and trouble-free arrival in this country. I believe, Mr. President, this bill, if enacted into law, would be a step in that direction.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1798(b)(3) of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1798 (b)) is amended by striking out "$200" and inserting in lieu thereof "$500."

SEC. 2. The amendment made by this Act shall take effect on the thirtieth day following the date of the enactment of this Act.

PASSENGER TRAIN SERVICE ACT OF 1960

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system and insure the protection of the public interest with respect to railroad passenger train service.

Joining with me in the sponsorship of the bill are the senior Senator from Oregon [Mr. MORSE], the senior Senator from Montana [Mr. MURRAY], the Senator from Illinois [Mr. DOUGLAS], the senior Senator from Vermont [Mr. AIKEN], the senior Senator from California [Mr. KUCHEL], the senior Senator from Minnesota [Mr. HUMPHREY], the Senator from Utah [Mr. MOSS], the junior Senator from Vermont [Mr.

PROUTY], the senior Senator from Michigan [Mr. MCNAMARA], the junior Senator from Oregon [Mr. NEUBERGER], the junior Senator from Montana [Mr. MANSFIELD], the junior Senator from California [Mr. ENGLE], the junior Senator from Michigan [Mr. HART], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Indiana [Mr. HARTKE], the Senator from Texas [Mr. YARBOROUGH], the Senator from Idaho [Mr. CHURCH], the Senator from Maine [Mr. MUSKIE], the senior Senator from New Jersey [Mr. CASE], the junior Senator from Minnesota [Mr. MCCARTHY], the Senator from Alaska [Mr. BARTLETT], the Senator from Kentucky [Mr. COOPER], and the junior Senator from New Jersey [Mr. WILLIAMS].

Mr. President, I ask unanimous consent that the bill may lie at the desk until the close of business on Wednesday next, so that additional Senators may cosponsor the bill if they so desire.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, the authority to discontinue passenger train service was the subject of extensive hearings at the 1st session of the 86th Congress, but the Committee on Interstate and Foreign Commerce did not have sufficient time in which to report a bill prior to the adjournment of that session. Prior to that, during the hearings which were held on the bill which became the Transportation Act of 1958, there had been some discussion of the operation and discontinuance of passenger trains. It was felt that time, because of the so-called financial plight of the railroads, that there should be a simpler procedure to enable railroads to discontinue certain legs of their passenger service if and when such operations were not economically feasible, and if and when the public interest was not damaged or seriously hampered. Since that time the subject of the regulation of passenger train service has been given much study by all concerned.

Some of us, including the distinguished Senator from New Jersey [Mr. CASE], have viewed with some alarm the fact that railroad management, in a few instances, has taken advantage of the simplified procedure, which it was intended that they should do, but their action has not always developed in quite the way we believe it ought to have worked. We feel that somewhat more extensive hearings should be held, and more testimony taken with respect to the proposed discontinuance of those legs of railroad passenger operation which basically affect the public.

The bill I have introduced, on which much time has been spent by all concerned in this matter, would require, if enacted, the railroads to secure affirmative authority from the Interstate Commerce Commission or an appropriate State agency before there could be a discontinuance of the operation of passenger trains. Prior to this time, under the act of 1958, what we lawyers like to call the burden of proof was the other way. Under the proposal in the bill, the Interstate Commerce Commission must affirmatively act. We have no objection, after proper hearings, and after the Commission decides it is in the best interests of the public, the management, and everyone else concerned, to the granting of a petition for the discontinuance of the particular service. But the railroads first must secure affirmative authority from the Interstate Commerce Commission or an appropriate State agency before the operation of any passenger train service may be discontinued. The petition may be considered by either the Interstate Commerce Commission or a State agency.

The bill also requires the railroads to exert every reasonable effort to maintain safe and adequate passenger service for the public. In some cases—they may be very rare, but there are one or two which I know of—railroads have been denied the right to discontinue certain trains because to do so would not be in the public interest, as a matter of convenience and necessity, and then perhaps the service on those trains has not been quite what it should have been in some instances. The bill would charge the Commission with requiring the railroads to exert every reasonable effort to maintain safe and adequate passenger service for the public, whenever the railroads are required to provide such service.

The Commission would be charged with the responsibility of determining whether the railroads have fulfilled that requirement, and it would be empowered to issue such orders to the railroads as it might believe necessary to satisfy that requirement.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD for the benefit and convenience of all Senators.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD.

The bill (S. 2935) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Passenger Train Service Act of 1960."

DECLARATION OF FINDINGS, PURPOSES, AND POLICY

SEC. 2(a) The Congress finds that it is in the public convenience and necessity to foster and protect the continued development and growth of the railroads of the United States which are essential to a strong economy in time of peace and to the needs of national defense in time of national emergency; that the passenger operations of the railroads, no less than their freight operations, are vitally necessary to insure the military security of the United States in time of national emergency; that it is a recognized part of the railroads' public obligation and responsibility to provide reasonably frequent, safe, clean, and convenient passenger service; that, to accomplish the objective of securing an adequate and sound rail transportation system properly serving the public convenience and necessity, it is essential that the railroads exercise all reasonable and proper means of retaining and securing sufficient passenger patronage to permit continued operation of their passenger services; and that in the proper discharge of these obligations and responsibilities to the public, the railroads should not be permitted to engage in activities which tend to eliminate or discourage patronage of their passenger service.

(a) It is hereby declared to be the policy of the United States and in the public interest to foster and protect the foregoing objectives by (1) imposing upon the Interstate Commerce Commission authority over the passenger train service of the railroads, and (2) requiring the railroads to exercise all reasonable efforts to preserve, continue, and improve their passenger train service, as provided for in this Act.

SEC. 3. Part I of the Interstate Commerce Act (49 U.S.C. 1) is amended by the deletion therefrom of section 13a.

SEC. 4. Section 1 of part I of the Interstate Commerce Act is amended by adding at the end therof the following:

"(23)(a) No carrier subject to this part shall discontinue, in whole or in part, the operation or service of any passenger train or ferry, operating from a point in one State to a point in any other State or in the District of Columbia or from the District of Columbia to a point in any other State, unless and until such carrier shall first have applied for and obtained from the Commission, or from a State regulatory agency having jurisdiction, a certificate that the present or future public convenience and necessity permit of such discontinuance. Upon the receipt of protests to such applications, the Commission shall hold a public hearing on the application; and the Commission shall avail itself of the cooperation, services, records, and facilities of the authorities in such States in the performance of its functions hereunder.

"(b) Where the discontinuance, in whole or in part, by a carrier or carriers subject to this part of the operation or services of any passenger train or ferry operated wholly within the boundaries of a single State authority having jurisdiction thereof shall have denied an application or petition duly filed with it by said carrier or carriers for authority to discontinue, in whole or in part, the operation or service of any such passenger train or ferry, or shall not have acted finally on such application or petition within 120 days from the presentation thereof, such carrier or carriers may petition the Commission for a certificate authorizing the discontinuance. For the purposes of this subparagraph (b), the Commission may issue such certificate only after full hearing and upon findings by it that (1) the present or future public convenience and necessity permit such discontinuance, in whole or in part, of the operation or service of such passenger train or ferry, and (2) the continued operation of such passenger train or ferry without discontinuance, in whole or in part, will constitute an unjust and undue burden upon the interstate operations of such carrier or upon interstate commerce. The hearing provided for herein shall be held by the Commission in the State in which such passenger train or ferry is operated; and the Commission shall avail itself of the cooperation, service, records, and facilities of the authorities in such State in the performance of its functions hereunder.

"(c) When any application or petition is filed with the Commission pursuant to the provisions of this paragraph (23), the Commission shall notify immediately the Governor or Governors of the State or States in which the passenger train or ferry intended to be discontinued is operated, the Secretary of Defense, the Administrator of the Federal Civil Defense Administration, and the regulatory agencies in the State or States involved having jurisdiction over railroad operations: *Provided,* That in addition

to notice of the existence of the application or petition, the Commission shall notify those above listed of the time and place of the hearing provided for in this paragraph (23) at least 30 days in advance of the time set for said hearing.

"(d) In passing upon any proposed discontinuance under the provisions of this paragraph (23), the Commission shall consider, among other things, the effect of the discontinuance upon the military and civil defense needs of the Nation and the State or States involved, the carrier's discharge of its public responsibility and obligations to provide reasonably frequent, safe, clean, and convenient passenger train service, the value of the train or trains involved to the carrier's system revenues and expenses, and the carrier's revenues from all freight and passenger traffic in the State or States in which the carrier operates the train or ferry sought to be discontinued, as well as said carrier's expenses of operation in said State or States.

"(e) The Commission shall have the power to issue such certificate as prayed for, or refuse to issue it, or to issue it in part and deny it in part, and may attach to the issuance of the certificate such terms and conditions, including those for the protection of the interests of employees affected as a result thereof, as in its judgment the public convenience and necessity may require. From and after issuance of such certificate, and not before, the carrier by railroad may, without securing approval other than such certificate, comply with the terms and conditions contained in or attached to the issuance of such certificate and proceed with the discontinuance covered thereby. Any discontinuance contrary to the provisions of this paragraph (23) may be enjoined by any court of competent jurisdiction at the suit of the United States, the Commission, any commission or regulating body in the State or States affected, or any party in interest.

"(f) The Commission is authorized to call upon, for advice in any matter arising under the provisions of this paragraph (23) and paragraph (24), any agency of the United States Government, including those charged with the responsibility for the military security or civil defense of the Nation, and any such agency shall have the right to intervene as a party in interest in any proceeding arising under this Act.

"(g) As used in this paragraph (23) and paragraph (24):

"(1) The term 'passenger train' shall include one or more self-propelled units normally used to transport persons for hire, or a locomotive and one or more of the following cars used to transport persons for hire: dining cars, sleeping cars, lounge cars and coaches;

"(2) The term 'passenger train service' shall include all transportation services normally rendered by railroads by means of passenger trains and related facilities, including station and ticket facilities;

"(3) The term 'passenger traffic' shall include everything normally transported by passenger trains.

"(24)(a) It shall be the duty of every carrier by railroad to exert every reasonable effort to maintain sufficient passenger train service to meet the military and civil defense needs of the Nation in time of national emergency and to maintain and furnish safe and adequate passenger train service to the public, including, among other things, the observance of minimum standards of sanitation and comfort in all passenger facilities, maintenance of convenient schedules of operation, and the maintenance and use of passenger train equipment adequate to assure compliance with the objectives of this Act.

"(b) The provisions of subsections (1) and (2) of Section 13 of this Part shall apply in the event a claim is made that a carrier has not discharged its duty under subparagraph (a) of this paragraph (24). Should the Commission find, in an investigation instituted after complaint or upon its own motion without complaint, that a carrier has not discharged its duty under subparagraph (a) it shall by appropriate order prescribe such practice thereafter to be observed by the carrier, in such manner as, in the judgment of the Commission, will result in the discharge of the carriers' duty under subparagraph (a). A carrier which refuses or neglects to comply with any order of the Commission made in pursuance of this subparagraph (b) shall be liable to a penalty of $400 for each day during which such refusal or neglect continues, which shall accrue to the United States and be recoverable in a civil action brought by the United States.

"(c)(1) It shall be the duty of the Commission to see that the requirements of this paragraph (24), and the orders and practices made or prescribed hereunder are observed by every carrier. In order to carry out its duties under this paragraph (24) the Commission is authorized to inspect the manner in which the carriers serve the public in the conduct of their passenger train service, including inspection of the physical condition of the actual equipment used in the passenger trains with respect to passenger comfort and sanitation, the service rendered partons in stations, and all related matters.

"(c)(2) The persons employed by the Commission to assist in the carrying out of its duties under this paragraph shall file with it monthly inspection reports which shall cover a thirty-day inspection period, terminating not more than fourteen days prior to the filing of the report, and shall include the names of all carriers inspected, a description of the physical condition of each passenger train and related facility inspected with respect to passenger comfort and sanitation, the consideration of passenger convenience in the scheduling of the passenger trains, the inspector's recommendations to the Commission and any other information which the Commission may designate. The report shall be made on forms prepared and supplied by the Commission.

"(d) Nothing contained in this paragraph (24) shall supersede any laws of the several States except to the extent that this paragraph (24) prescribes requirements additional to those provided by State law."

SEC. 5. Nothing in any amendment made by this Act shall supersede, interfere with, or affect the procedures under, or rights, benefits or privileges created and protected by, the provisions of the Act entitled the Railway Labor Act, as amended.

SEC. 6. Section 16(8) of part I of the Interstate Commerce Act is amended by inserting therein after the word "provisions" the following: "of paragraph (23) of section 1 or".

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CASE of New Jersey. I express my appreciation to the Senator from Washington for the initiative he has taken in this matter. As chairman of the Committee on Interstate and Foreign Commerce, he has followed the subject of railroad transportation and all other phases of transportation with the greatest interest and zeal. I join with the Senator from Washington and many other of our colleagues, including the distinguished junior Senator from New Jersey [Mr. WILLIAMS], in sponsoring the bill.

Mr. President, this matter is a measure with which the Senate must deal as an important piece of unfinished business.

Mr. MAGNUSON. Mr. President, in the Transportation Act of 1958, we were conscious of the so-called commuter problem which affects so greatly the States of New Jersey and New York. The Senator from New Jersey [Mr. CASE] and the Senators from New York [Mr. JAVITS and Mr. KEATING] have always had a vital interest in the maintenance of adequate commuter service. In that act we included language which we thought would enable such service to be continued by the railroads in the public interest and convenience. But we now believe the language was somewhat inadequate. The Senator from New Jersey [Mr. CASE] has expressed this point of view many times in the committee.

I think the bill is fair to the railroads and to the public. It would require a little more to be done than is now required before the operation of train service could be discontinued. Although in many cases the railroads may be losing money on the operation of certain trains, there is still the question of public convenience and necessity involved. I cannot see how there could be any complaint raised, because the railroads could petition the State agency for discontinuance of certain service, or could apply to the Interstate Commerce Commission, if they wished. Either agency could affirmatively act on the petition and say, in effect, "All right. The facts show that this run should be discontinued."

Under the 1958 act, the interpretation has been somewhat reversed. The burden of proof has been the other way. By this bill, I believe the public interest will be better served, particularly in connection with the serious commuter problem, a problem which will not get better, but will get worse, in most of the heavily populated centers.

I hope the committee may be able to hold some really worthwhile, adequate hearings on the bill. I am certain that all parties concerned can come to an agreement to help solve a problem which is becoming, as I have said, much more serious as the days go by. I cannot understand why anyone should object to the bill. It simply provides a fair procedure to be followed on a petition for the discontinuance of railroad passenger train service. Surely it would protect management in such cases, because if and when a train was certified by either a State or the Federal agency for discontinuance, the carrier would be on very solid ground.

I ask the Senator from New Jersey if he does not agree with that statement.

Mr. CASE of New Jersey. They would be, indeed.

Mr. MAGNUSON. There would be no other complaint. The railroad would be on solid ground. Now when a train is discontinued, sometimes the communities affected fight the action, and everybody criticizes the railroads. But once a public agency affirmatively permits the discontinuance of such an operation, the railroad will be on solid ground. It would be shown that on the ground of public interest it was entitled to discontinue the service.

Mr. CASE of New Jersey. Mr. President, will the Senator from Washington yield further?

Mr. MAGNUSON. I yield.

Mr. CASE of New Jersey. In regard to the same point, let me say that the public now has the feeling—and correctly so—that it does not have a chance to have its day in court. Our purpose in this case—it is the purpose of the chairman of the committee and of the other members of the committee, and it is my own purpose—is to insure that a day in court shall be provided.

Mr. MAGNUSON. Yes.

I wish to state that on February 16, I believe, there will be before the committee, for informal discussion, representatives of the associations and commuter groups involved. At that time there will be full opportunity to discuss the bill; everyone who is interested will be given fair treatment, and the commuter will have his day in court.

Mr. JAVITS. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. JAVITS. The Senator from Washington will remember that when he introduced his bill, I raised this question, because I saw what was going to occur. I regret that it has occurred; and I am hopeful that now that the Senator from New Jersey and the Senator from Washington are of a fairly common mind, we may obtain some results. But certainly the commuter problem will not be solved by means of this bill.

Mr. MAGNUSON. That is correct; it will not be.

Mr. JAVITS. However, it is a means of restoring some degree of equal opportunity for both sides.

Will the Senator state whether he has in mind the possibility of exploring what can be done about commuter rates, especially in light of what I consider to be the very interesting initiative taken in Philadelphia, by means of the so-called intercity plan, by which the Government helped the roads do a good job, and fares were reduced, so as to make rail traffic more attractive? Perhaps other avenues could be explored in that connection.

Mr. MAGNUSON. As a result of the interest and the activities of all these groups I think very probably some worthwhile suggestions will develop. We are told that these groups will make suggestions as to steps which they believe will be satisfactory.

Certainly this bill will not solve the problem. However, if the service is kept in the public interest, then it must be adequate.

So, although the bill itself will not solve the whole problem, at least it will help.

Of course, sometimes, unfortunately, the service is not worth too much.

Mr. JAVITS. I hope the Senator from Washington will, in the leadership's position he has, endeavor to direct the discussions and the hearing toward some more comprehensive result. It may very well be that such an authoritative committee should suggest a plan for great metropolitan centers, such as New York, to follow; and that might have a very persuasive effect on what occurs in the local communities.

Mr. MAGNUSON. Furthermore, the Senate has directed our committee to make the so-called overall transportation study; and I assure the Senator from New York that the so-called commuter problem will be a very important part of that study and of the work we do before we conclude.

Mr. JAVITS. I thank the Senator.

Mr. MAGNUSON. The Senator from New York was somewhat of a prophet in regard to the 1958 act. However, we then confronted an emergency, and we had to do something about it. In its overall aspects, that act has worked fairly well.

Mr. JAVITS. I understand that it was a peripheral measure; but it turned out to be an awfully big bone in the throat of this whole problem.

I thank the Senator from Washington.

CONTROL AND ERADICATION OF CERTAIN PLANTS KNOWN AS PHREATOPHYTES

Mr. ANDERSON. Mr. President, on behalf of myself, my colleague, the senior Senator from New Mexico [Mr. CHAVEZ], the Senator from Arizona [Mr. HAYDEN], the senior Senator from Texas [Mr. JOHNSON], the Senator from Oklahome [Mr. KERR], the junior Senator from Texas [Mr. YARBOROUGH], and the Senator from Colorado [Mr. ALLOTT], I introduce, for appropriate reference, a joint resolution, the objective of which is to provide a better means for the control and eradication of certain water-wasting trees and plants known as phreatophytes. The encroachment of such foliage along the water courses of the West has reached an astonishing level, causing an annual water loss in this generally arid region of an estimated 25 million acre-feet.

The joint resolution I am introducing would provide for comprehensive basic research into the botanical, hydrological, and climatological factors influencing the growth of these plants and their uptake of water, as well as for investigation and experimentation into chemical or other means for the economical control and eradication of the more troublesome of these plants.

Because of the widespread interest in this problem in the West, and due also to the fact that this type of plant is spreading rapidly into the more humid areas where it will be even more difficult to control, I ask unanimous consent that the joint resolution be printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 156) providing for a comprehensive program of research and experimentation for the purpose of investigating the growth of saltcedar and other phreatophytes, the hydrological and climatological factors influencing the use of water by such plants, and the various techniques for the eradication and control of such plants, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas because of the shortage of water in the 17 Western States the future economic growth of such States will be sharply limited unless every effort is made to preserve the available water supply for beneficial uses; and

Whereas studies by the Bureau of Reclamation, the United States Geological Survey, and other Government agencies have shown that consumption of water in such States by saltcedar and other phreatophytes amounts to many millions of acre-feet per annum; and

Whereas saltcedar is the most aggressive and notorious of undesirable phreatophytes; and

Whereas the various river basins in the Western States contain thousands of acres of saltcedar and provide many ideal conditions for study and research in connection with this problem; and

Whereas Congress has recognized its responsibility in the field of water supply and conservation by the enactment of Public Law 448 of the eighty-second Congress, to provide for research into and development of practical means for the economical production, from sea or other saline water of water suitable for agricultural, industrial, municipal and other beneficial consumptive uses, and by the adoption of Senate Resolution 48 in the 1st session of the eighty-sixth Congress, and by conducting hearings in all sections of the United States in connection with the country's water problems, and

Whereas the Department of the Interior is in favor of the Department of Agriculture carrying out a comprehensive research program with respect to the control and eradication of saltcedar and other phreatophytes; and

Whereas the Department of Agriculture has recommended that additional research is needed before an efficient and economical large scale eradication program is feasible: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture is authorized and directed to provide for a comprehensive program of research and experimentation for the purpose of investigating the growth and propagation of saltcedar (tamarisk) and other phreatophytes. Such program shall include studies of the hydrogical and climatological factors influencing water use of such plants, and techniques for the control and eradication of such plants, and studies of the amount of water that can be recovered or preserved to beneficial use by the control and eradication of such plants.

(b) In conducting such program, the Secretary of Agriculture shall consult with and seek the cooperation of the Bureau of Reclamation, the U.S. Geological Survey, and State and local water authorities, and shall take such measures as may be necessary to insure that there will be no interference with regular stream flow, no contamination of water, and no damage to local farm crops.

(c) The program provided for in this joint resolution shall be carried out over a period of 5 years from the date of enactment of this joint resolution. The Secretary shall submit a report to the Congress upon the completion of the first year of operation of the program and at the end of each succeeding year of operation. Such reports shall indicate what progress has been made in the program and such other information as the Secretary deems appropriate. If at any time, in the opinion of the Secretary, an economical and

feasible process for the control and eradiction of saltcedar and other phreatophytes is developed, he shall submit such process to the Congress as soon as practicable with his recommendation that a demonstration project be authorized.

(d) There is hereby authorized to be appropriated to carry out the program provided for in this joint resolution the sum of $250,000 for each year such program is in effect.

Mr. ANDERSON. Mr. President, a shortage of water in many States of the West is hampering the full development of our natural resources, and the establishment of new industries in some of these areas.

I am glad to see that in the past 2 or 3 years there has been a widespread awakening as to our present and future water requirements. Hearings recently conducted throughout the country by the Senate Select Committee on National Water Resources were well attended and great interest was shown by business and civic organizations as well as the water agencies of the various States. I believe this is a good indication of the willingness of the American people to cooperate and contribute to the solving of such problems when they arise and are properly brought to their attention. As a result of the hearings a wealth of information was gathered that will enable the Congress to assist in planning for the future requirements of the country.

One thing that was evident at all of the hearings was the general agreement that we must seek every avenue available for salvaging and conserving water for beneficial purposes. I have long been interested in the protection and conservation of existing water supplies, and I have sought ways and means to provide new sources of water. The saline water legislation in which I was joined by a number of Senators in the 85th Congress was designed to deal with the salt and brackish water problem. The joint resolution that I am introducing today would deal with another phase of water salvage by initiating a program which we hope will enable us to discover an economical way to deal with the costly loss of good water to phreatophytes.

When we began to build dams in the West, many people thought they would provide about all of the water needed for beneficial use for a long time to come. However, as the population grew and as industry grew, demand on our water supplies expanded until we found that the water stored in our reservoirs was not always sufficient. Many times there was a crippling shortage. This situation, we found, was due in part to our failure to give proper attention to the care of our watersheds, to evaporation, and to waste.

The West is heavily dependent upon ground water in some areas and it is at groundwater that the phreatophyte strikes its heaviest blow. True, it chokes the water courses and causes mechanical losses in that way. But when it sends its roots 40, 60, and even 90 feet below the surface and literally dries up our wells, the loss is almost beyond belief. I am advised that these unusually thirsty plants growing densely acre upon acre in a river bottom, not only cause the surface flow to cease but can dry up the sands below. That actually has happened in some stretches of the Pecos River in the State of New Mexico.

In an article in the Reclamation Era of November 1959, Mr. F. L. Timmons, Research Agronomist, Division of Research, Department of Agriculture, points out that the U.S. Geological Survey in 1957 estimated that undesirable phreatophytes covered 15 million acres of bottom lands in the 17 Western States and that they consume nearly 25 million acre-feet of water annually. A study by the U.S. Geological Survey on 9,300 acres of land along a 46-mile stretch of the Gila River flood plains in Arizona amounted to 28,000 acre-feet, an average of 3 acre-feet per acre of land over a 12-month period.

Studies by the Department of Agriculture and by the National Resources Planning Board concluded that the average annual consumption of ground water on the Pecos River Delta above McMillan Reservoir in New Mexico occupied by a dense growth of saltcedar, was about 5 acre-feet an acre during a given year.

These are only two examples but they show conclusively that these "water wasters" are consuming annually large amounts of water from our streambeds thus lowering the water table and permitting less water to enter the downstream reservoirs.

Tamarisk or saltcedar, as it is commonly known, is the most prevalent consumer. Tamarisk is reported to have come into the United States from east Asia or India in form of seed about the year 1875. Because of its fast growing qualities and its decorative aspects, it is thought that it was shipped to the Southwest for use as wind breaks. It was not long until the plants began to appear in some of the streambeds. At the time, little attention was given to these water wasters. Later, it was observed, they were beginning to clog streambeds, causing flooding in some areas, and were spreading into irrigation and drainage canals. The spread was rapid once it started. Today these plants are spreading faster than they can be controlled by presently known means. As our need for water grows, these parasites are wasting larger and larger quantities of water. Under the heading "Outlook for the Future" in the report "Tamarisk (Saltcedar), History—Studies—Control," the following is quoted:

Stream losses in the Southwest have been on the increase and are caused to a large extent by the widespread of high water consuming plants, tamarisk. If the continued spread of tamarisk is allowed, the river basins of the entire United States will undoubtedly become infested. This in turn will, in addition to increasing water losses, block river basins and impede river flows, causing increased floods and water losses. Eradication of tamarisk (saltcedar) as well as other phreatophytes, in bottom land areas, is a basic problem. Control as well as eradication, is a long range problem, and work to accomplish this means must be considered. Just how these phreatophytes are to be controlled constitutes a major problem, and one that should receive prompt attention of all levels of government.

A few projects have been carried out to determine whether or not removal of saltcedar would actually increase the waterflow into reservoirs on streams. I am familiar with two of these projects conducted in New Mexico. One of them was the channelization and floodway clearing through dense phreatophyte growth on a 35-mile stretch of the Rio Grande above the Elephant Butte Reservoir at a cost of $1,463,000. It is estimated that this salvaged 200,000 acre-feet of water from 1951 to 1956. The future annual salvage is estimated to be 45,000 acre-feet.

In another 40-mile reach of the river the annual salvage resulting from channelization is estimated at 40,000 acre-feet. Once these channels are cleared, keeping them open and free from regrowth is a continuing and expensive process, and a heavy burden on those who will reap the benefit of additional water unless we can develop some method or process whereby these plants can be killed out permanently. It should not be overlooked that cooperation between the Bureau of Reclamation and the Agriculture Research Service has reduced these costs considerably, but the costs are still too great to permit the undertaking of a large scale eradication and control program.

I have corresponded with the bureaus and my staff has conferred with the Bureau of Reclamation and the Agriculture Research Service and both agencies agree that a comprehensive research program is needed. Through such a program they may find an economical solution to this problem.

This is a problem that we must deal with sooner or later. The longer we put it off the more difficult and more costly it will be. I propose that we deal with it now before it becomes an economic impossibility. The joint resolution I have just introduced for myself and on behalf of several other Senators will get us started with the job.

EXPRESSION OF INDIGNATION OF CONGRESS AT DESECRATIONS OF HOUSES OF WORSHIP AND OTHER SACRED SITES

Mr. JAVITS. Mr. President, I rise this morning to join what I know will be a chorus of indignation throughout the country with respect to an outrage committed in Kansas City last night when, according to the Associated Press reports, a bomb exploded outside a synagogue which was recently smeared with a swastika.

Mr. President, this event indicates that those who thought these incidents were little pranks by young boys have come very far from the truth. Apparently fanatical bigoted elements will not hesitate to use violence in order to bring fear to a group of people of one religious faith, or to make common cause with those who are acting similarly in a number of places in the world.

Mr. President, I am sure the police authorities of Kansas City will do everything they can to find the culprits. I am sure that there will be a sense of outrage in that whole area and throughout the United States.

Mr. President, I believe that this matter is very important. I believe, too, that on the national level our leaders and our legislators must call attention to the completely un-American character of this kind of activity, to our indignation in respect of it, to the blot upon our national honor that it should happen here, and to our determination that it shall not happen and that we shall move heaven and earth to see that it shall not happen.

Mr. President, in that connection, I think all of us will wish to note the statement issued by the board of bishops of the National Catholic Welfare Conference which appears in today's newspapers, too, calling upon all people of good will of our country to turn their faces strongly against this kind of violence and bigotry.

Mr. President, I think it would be well for our Members if I read the basic paragraph from the text of the statement issued by the Most Reverend Karl J. Alter, archbishop of Cincinnati, and board chairman, on the subject:

The fact that a malevolent spirit of hatred has found expression not only in one country, but in various countries simultaneously, would seem to indicate an organized plan of action of some common origin. Whatever may be the source of the evil or the sinister purpose to be served, the danger should be immediately recognized and effective measures taken to eradicate the infection before it can spread.

Mr. President, I ask unanimous consent that this news article may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the news article was ordered to be printed in the RECORD, as follows:

CATHOLIC LEADERS URGE ALL UNITED STATES TO PROTEST INCIDENTS OF BIGOTRY

WASHINGTON, January 28.—The Roman Catholic hierarchy in the United States called upon Americans today to protest privately and publicly against further manifestations of racial and religious hatred.

In a statement on behalf of the Administrative Board of Bishops of the National Catholic Welfare Conference, the Most Reverend Karl J. Alter, archbishop of Cincinnati and board chairman, said that recent defilements of synagogues, churches, schools, and other buildings indicates that "religious and racial hatred are widespread."

The conference is the secretariat of the 217 U.S. bishops, archbishops, and cardinals. Sixteen of the prelates are on the board, including the six American cardinals. In addition to Archbishop Alter, the board members are:

Richard Cardinal Cushing, of Boston; Albert Cardinal Meyer, of Chicago; James Francis Cardinal McIntyre, of Los Angeles; Francis Cardinal Spellman, of New York; John Cardinal O'Hara, of Philadelphia; and Aloisius Cardinal Muench, who is serving in the Vatican.

Also, the Most Reverends Leo Binz, archbishop of Dubuque, Iowa; Joseph E. Ritter, archbishop of St. Louis; William O. Brady, archbishop of St. Paul; Patrick A. O'Boyle, archbishop of Washington; Albert R. Zuroweste, bishop of Belleville, Ill.; Lawrence J. Shehan, bishop of Bridgeport, Conn.; Allen J. Babcock, bishop of Grand Rapids, Mich.; Joseph M. Gilmore, bishop of Helena, Mont., and Joseph T. McGucken, bishop of Sacramento, Calif.

TEXT OF STATEMENT

The text of the statement issued by Archbishop Alter follows:

"The widespread eruption of religious and racial bigotry recorded in recent press dispatches has not only shocked the whole civilized word but calls insistently for a vigorous and public repudiation of the evil by all right-minded citizens. We deplore any revival of the anti-Semitic prejudice which in its earlier manifestation culminated in such terrible disaster. The fact that a malevolent spirit of hatred has found expression not only in one country, but in various countries simultaneously, would seem to indicate an organized plan of action of some common origin. Whatever may be the source of the evil or the sinister purpose to be served, the danger should be immediately recognized and effective measures taken to eradicate the infection before it can spread.

"The defilement of various synagogues, churches, schools, and other buildings with derogatory symbols has revealed the existence of racial hatred. It has not been confined to any one group. Various Catholic and other Christian churches have been desecrated as well as Jewish temples, indicating that religious and racial hatred are widespread and constitute a common motivation of the outrages.

"Speaking for the Administrative Board of Bishops of the National Catholic Welfare Conference, I wish to declare our sympathy with those who have suffered injury. On behalf of the bishops I express our detestation of any and every kind of hatred and bigotry, no matter what its source or against whom it may have been registered. We call on all citizens, whether Christians or Jews, and on all those who love truth and justice, to protest privately and publicly against further manifestation of bigotry in all its aspects and in whatever form it may be expressed. We urge that all right-minded people refrain from any word or deed which might seem to condone the circulation of rumors, false reports, or misrepresentation which embitters our mutual relations and retards the advancement of our common welfare."

Mr. JAVITS. Mr. President, I also call attention, in the same connection, to the text of a resolution adopted by the United Nations Subcommittee on Prevention of Discrimination and Protection of Minorities, which condemned anti-Semitism and other forms of racial hatred as violations of the Charter of the United Nations and the Universal Declaration of Human Rights. The resolution was proposed by Judge Philip Halpern, a judge of the appellate division of the Supreme Court of the State of New York, who is a member of the Commission.

I hail that resolution as putting the United Nations into the line of responsibility which it should carry, and I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.N. ADOPTS PLAN TO FIGHT ANTI-SEMITES—WORLD GROUP TAKES ACTION FIRST TIME

(By Joseph Newman)

UNITED NATIONS, N.Y., January 28.—For the first time in the age-long history of anti-Semitism, the problem of the persecution of Jews today became a subject of international concern and action through the world organization of the United Nations.

Hitherto, anti-Semitic acts were considered as it was in the case of Nazi Germany, an internal matter of the country concerned. Henceforth, if a resolution adopted is carried out, the offending countries will be held accountable to the United Nations and will be obligated to stamp out anti-Semitism.

The resolution, unanimously adopted by the U.N. Subcommission on Prevention of Discrimination and Protection of Minorities, condemned anti-Semitism and other forms of racial hatred as violations of the Charter of the United Nations and the Universal Declaration of Human Rights.

It proposed that the 82 nations of the world organization "take all appropriate action to prevent and punish such acts, including the adoption of additional laws, if necessary, and the vigorous enforcement of existing laws."

It also proposed that the U.N. Secretary General undertake a world survey of recent anti-Semitic acts and measures taken by public authorities to prevent them and to punish the perpetrators. On the basis of this survey, the Subcommission will decide at its next session whether further action will be necessary.

The Subcommission is composed of 14 members from the United States, Britain, France, Russia, Austria, Chile, Finland, India, Lebanon, Philippines, Poland, Sudan, United Arab Republic, and Uruguay.

Judge Philip Halpern of the United States, who sponsored the resolution together with members from Britain, France, Austria, Uruguay, and Finland, said approval of the resolution was a "historic occasion."

Mr. JAVITS. Mr. President, I do not think it is enough that there be protests on the part of individuals, religious leaders, and others who feel outraged by what occurs in respect of these manifestations of religious hatred. I think the Congress, too, Mr. President, ought to express itself upon this subject.

Accordingly, I submit a concurrent resolution for that purpose, and I ask that it may remain upon the desk until the close of business on Tuesday for additional sponsors.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be held at the desk, as requested by the Senator from New York.

The concurrent resolution (S. Con. Res. 84) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites, submitted by Mr. JAVITS, was received and referred to the Committee on Foreign Relations.

Mr. JAVITS. Mr. President, the text of the concurrent resolution is exactly the same as that reported by the House Committee on Foreign Affairs, based upon a bill by Representative O'HARA, of Illinois. It is now on the House Calendar as No. 177. I understand that clearance has been given to call it up in the House.

Mr. President, I hope very much that we shall similarly call up this concurrent resolution in the Senate.

I close, Mr. President, by reading the concurrent resolution. It is very brief.

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this desecration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas, if left unchecked, this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

FEDERAL AID FOR SCHOOL CONSTRUCTION—AMENDMENTS

Mr. COTTON submitted amendments, in the nature of a substitute, intended to be proposed by him to the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, which were ordered to lie on the table and be printed.

PRICE SUPPORTS FOR DAIRY PRODUCTS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 27, 1960, the name of the Senator from Missouri [Mr. HENNINGS] was added as an additional cosponsor of the bill (S. 2917) to establish a price support level for milk and butterfat, introduced by Mr. PROXMIRE (for himself, Mr. KENNEDY, Mr. HUMPHREY, Mr. MCCARTHY, Mr. SYMINGTON, Mr. YOUNG of North Dakota, Mr. MORSE, Mr. MUNDT, Mr. AIKEN, Mr. CARLSON, Mr. MAGNUSON, Mr. JACKSON, Mr. PROUTY, and Mr. WILEY) on January 27, 1960.

ISSUANCE OF GOLD MEDAL IN RECOGNITION OF SERVICES OF DR. THOMAS A. DOOLEY—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BUSH. Mr. President, I ask unanimous consent that the name of the Senator from Idaho [Mr. CHURCH] be added as an additional cosponsor of the Senate Joint Resolution 148 to authorize the President of the United States to confer a medal on Dr. Thomas A. Dooley III, introduced by me on behalf of myself and other Senators on January 13, 1960. With the addition of this name, there are 45 sponsors of the joint resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES—ADDITIONAL COSPONSORS OF AMENDMENT

Mr. KEATING. Mr. President, I ask unanimous consent that the names of the Senator from South Dakota [Mr. CASE], and the Senator from Maryland [Mr. BEALL] may be added as additional cosponsors of the amendment intended to be proposed by me to the Senate Joint Resolution 39 to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives, which was submitted by me on yesterday.

The VICE PRESIDENT. Without objection, it is so ordered.

PROBLEMS OF THE AGING—EXTENSION OF TIME FOR FILING MINORITY VIEWS

Mr. HILL. Mr. President, at the last session of Congress the Senate passed Senate Resolution 65, providing for a standing committee of the Senate, the Senate Committee on Labor and Public Welfare, but more particularly a subcommittee thereof, to make a study of any and all matters pertaining to the problems of the aging.

That subcommittee was established by the Senate Committee on Labor and Public Welfare, and the Senator from Michigan [Mr. MCNAMARA] was made chairman of the subcommittee.

Senate Resolution 65 contained section 3, which provided that the committee should report its findings, together with its recommendations for legislation, as it deemed advisable, to the Senate at the earliest practical date, but not later than January 31, 1960.

I have conferred with the distinguished minority leader [Mr. DIRKSEN] who is not only a distinguished member of the Senate Committee on Labor and Public Welfare, but who is also a member of the subcommittee set up under Senate Resolution 65.

I ask unanimous consent that the minority of that committee may have until February 15, 1960, to submit its views.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DIRKSEN. Let me say to the distinguished chairman of the Committee on Labor and Public Welfare that this is done mainly at my request. We always like to have a look at the majority report before completing the minority views. The distinguished chairman was generous enough to accord 30 days' additional time. I have advised him today that I thought 15 days would be ample. That is the basis for the unanimous-consent request made today, and I express my deep appreciation and gratitude to him for this generosity on his part.

Mr. HILL. I express my appreciation to the distinguished Senator from Illinois for his very fine cooperation. He is always most cooperative, and I am deeply grateful to him.

EXTENSION OF TIME FOR SPECIAL COMMITTEE ON UNEMPLOYMENT PROBLEMS TO FILE REPORT

Mr. MCCARTHY. Mr. President, I ask unanimous consent that the time for the filing of the final report of the Special Committee on Unemployment Problems be extended from January 31, 1960, the date set in Senate Resolution 196, to March 30, 1960.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CASE of New Jersey:

Statement by him in regard to informational, educational, and cultural shows on television.

DAVENPORTISM REINCARNATED

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may be permitted to speak for 6 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, it should be obvious to all Americans by now that the long-dead and unmourned force bills of Reconstruction have an irresistible fascination for someone in the Eisenhower Department of Justice.

For the second time in 3 years we have been treated to the sad spectacle of that Department's digging up the bleached bones of those unspeakable statutes of oppression as the model for a contemporary force bill.

In 1957, an Eisenhower Attorney General named Brownell proposed a bill which would have revived the Reconstruction statute authorizing the use of the full might of the Army, Navy, and Marine Corps to enforce punitive legislation in the field of human relations.

Now, in 1960, an Eisenhower Attorney General named Rogers has proposed a bill which not only takes another page out of the Reconstruction acts, but actually goes it one better.

The only differences between the act passed in 1871 to put State and local election machinery in the receivership of Federal election supervisors and the bill proposed in 1960 to put State and local election machinery in the receivership of Federal election referees are two:

First. The name has been changed from "supervisor" to "referee."

Second. The scope has been expanded to include State and local as well as Federal elections.

In other words, Mr. President, the scheme is the same; only the name and the scope have been changed.

Fortunately for the Nation, Mr. President, the duplicity in both instances has not long gone undetected.

It is also fortunate that we have a fully documented record of the scandals, frauds, and abuses which resulted from the application of the first Federal election machinery receivership statute. It is a record of skulduggery and tyranny so nauseous that it prompted a Democratic Congress to repeal the law in 1894.

The most interesting aspect of the application of that act, Mr. President, is that—while it was aimed at disenfranchising southern Democrats—its use

to perpetuate Republican machine control in New York was its undoing. An investigation in 1892 by a select committee of the House of Representatives found that the law had been used—and I quote from the committee report:

> Only as part of the machinery of a party to compensate voters who are friendly to it, and to frighten from the polls the voters of the opposing party.

There was not a carpetbagger or scalawag in the South whose infamy even remotely approached that of John I. Davenport, chief supervisor of elections for the southern district of New York, under that act. Davenport personally collected $145,591.68 from the Treasury of the United States during the Republican Harrison administration for seeing to it that Republican votes got into the ballot boxes of New York and that Democratic votes were kept out.

Mr. President, as any student of history will attest, the term "Davenportism" during the last decade of the 19th century was the worst term of disrepute which could be applied against a public official.

Mr. President, all Americans should make it a point to refresh their memories about "Davenportism" and to ask themselves whether they desire a reincarnation of it today. In order that they may do so, I ask unanimous consent to have printed herewith in the RECORD excerpts from House Report No. 2365 of the 2d session of the 52d Congress, dated January 27, 1893. It is entitled "Report of Select Committee of the House of Representatives To Inquire Into the Supervision and Administration of Election Laws by Officers of the United States, in the City, County, and State of New York."

There being no objection, the excerpts from the report (No. 2365, 52d Cong., 2d sess.) were ordered to be printed in the RECORD, as follows:

INVESTIGATION OF ELECTION LAWS—EXCERPTS FROM REPORT TO ACCOMPANY H.R. 10344

The committee met for organization on September 8, 1892, in the city of New York, and from that time until and including election day, November 8, 1892, the committee held 11 meetings in the city of New York, at which the evidence of 46 witnesses was taken.

The committee, under its authority to issue the mandate of the House to compel the attendance of witnesses, and the production of papers, given by the resolution, served the subpena of the House upon all the officers of the United States having control of the administration and supervision of the U.S. election laws, in the city of New York, and upon the Secretary of the Treasury, for the production of the records on file in the Treasury Department relating to the matters into which the committee was directed to inquire.

The United States marshal for the southern district of New York, the U.S. district attorney for the southern district of New York, and such of their assistants and subordinates as were requested to do so, came promptly before the committee and gave, readily, such evidence as the committee required of them, and the Secretary of the Treasury sent by the hand of the chief of the division of judiciary accounts of the First Comptroller's office, in his Department, the records and documentary evidence required by the committee, and placed the same fully at the disposal of the committee.

The chief supervisor of elections for the southern district of New York, on being subpenaed to appear before the committee, refused to appear and refused to allow the records and papers in his possession relating to the subject matter of the inquiry ordered by the House to be examined.

In a written communication, addressed to the chairman of the committee, the chief supervisor, although refusing to appear before the committee at the time when he had been subpenaed by the Sergeant at Arms of the House to appear, that is, on October 14, suggested to the committee that he would be willing to appear and testify on November 16, after the election, then about to occur, was over. The desire of the committee being to inspect and study the working of the Federal election law while in actual operation before and on election day, and the communication being, in the opinion of the committee, an open and impudent defiance of the powers of the House of Representatives, no further attention was given to the witness.

The evidence taken before the committee and submitted with this report to the House relates entirely to the administration and supervision of the election laws by Federal officers within the city and county of New York.

It is assumed by the committee that the administration and results of such laws would nowhere appear more clearly or in a better light than in the city of New York.

It is believed that in the largest city in the country, where every class of our voting population is fully represented and where the respective parties have for years made their principal headquarters at important elections, and under the constant publicity given by the best organized and most effective newspaper press of the world, the actual workings of these laws and their good or evil results can be more clearly seen and appreciated and more intelligently judged than is possible anywhere else.

Your committee, after a very careful study of the operations of the Federal election laws before election and on election day in the city of New York, are of the opinion that all of these laws have entirely failed to produce any good results in the direction of the purity of elections or the protection of the ballot box, and have been productive of such serious and dangerous results that they ought at once to be repealed.

The reasons for our recommendation for the repeal of these laws, based on our study of their operation and results in New York, may be classed under four heads. They ought to be repealed—

First. Because they result in no conviction of offenders, and are therefore useless to prevent or punish crime.

Second. Because they cause great expense and are fruitful of constant and continuing frauds upon the Treasury.

Third. Because they are designed to be used and are used only as part of the machinery of a party to compensate voters who are friendly to it, and to frighten from the polls the voters of the opposing party.

Fourth. Because under and by virtue of these laws the gravest interference with the personal rights and liberty of citizens occur, and voters are punished by arrest and imprisonment for their political opinions.

In considering the first point above mentioned, it may be remarked in the first place that these laws are believed to have been, in the main, drafted and their enactment brought about by the present chief supervisor of elections in the southern district of New York. If anyone in the country was able to administer them in such a manner as to get good results from them the author of the system certainly ought to have been. Through most of the time during which he has held his position the National Government has been fully in accord with him and willing to aid him with all its power and resources. He has drawn from the public purse vast sums of money for his compensation in the administration of these laws and for the employment of thousands of deputies and assistants. He holds his office by a tenure which makes him practically independent of any criticism or danger of removal. He not only holds this office of chief supervisor of elections, but he has also had himself appointed a U.S. commissioner, so that he can sit as an examining magistrate.

With the power of the Government behind him and with the money of the Government to use, he has managed for years a detective bureau, by means of which he has sought to get proof of the crimes which he has claimed existed in the city of New York. When in his first capacity, as a detective, he had obtained such proof as he wished to use, he then, in his second capacity, as a public prosecutor, issued the warrants for the arrest of the alleged criminals. Sometimes he gave these warrants to the U.S. marshal to be executed, and sometimes, in a third capacity, as a sheriff, he seems to have made the arrest of the accused parties through his own deputies. Then, in his fourth capacity, as a U.S. commissioner, sitting as a magistrate, he has heard his own charges against the prisoner which he presented to himself as judge by himself as prosecuting attorney, and has decided himself upon their guilt or innocence. In this way he has arrested many hundred persons at each election. This is not at all difficult under these laws. He has merely to decide on the names of the parties whom he desires to arrest or to keep from voting and issue his warrants for their arrest. But in order to have any of these persons indicted or convicted it is necessary for him to take his alleged evidence before the grand jury, and to try his case before a judge and jury in open court, and without the special advantages which up to this point the Federal election law has given him. He must then have a case. At this point he has invariably failed. With all this machinery in the hands of its inventor and the use of unlimited money the law has resulted in nothing so far as the conviction of offenders is concerned.

During the entire time covered by the examination of the committee there has not been one conviction for illegal voting in the southern district of New York in the U.S. courts, and under these laws.

Since the present district attorney came into office, a period of nearly 4 years, as a result of many thousand arrests, only three men have been indicted for false registration. One of these men was acquitted. The other two were found guilty, but the cases showed the offense to have been technical merely, and in one of these cases the judge suspended sentence upon the defendant, and in the other allowed the defendant to go without imprisonment on the payment of a fine.

Since 1889 half a dozen persons have been charged with interfering with the Federal supervisors, and in view of the conduct of these supervisors, as shown by the evidence and seen by the committee, it is in the opinion of this committee a great proof of the patience and forbearance of the voters in the city that there has been so little interference with them. But even in these cases nobody has been convicted even of a technical violation of the law since 1889.

It will be therefore seen, although the chief supervisor, the U.S. district attorney, and the U.S. marshal in the city of New York have been in full accord for a period of about 4 years, and have had the fullest support from a friendly administration, that no offender has by reason of their efforts under these laws served 1 hour in prison as the result of a conviction. It is

therefore clear that these laws do not result in the punishment of any crime, and they ought therefore to be repealed.

The second reason why, in the opinion of the committee, the law should be repealed, is that it causes immense expense, and is purposely so arranged that there is no supervision over the cost, no limit to the amount expended, and no proper responsibility for the payment of the bills.

It is impossible to report upon the exact cost of the system, for the reason that the Treasury Department is unable at this time to state it. The witness Ferrell, sent by the Department before the committee, estimated the expense for this year at $1 million, but it is clear from his evidence that he had no accurate knowledge of the amount, which will doubtless be much more. When it is seen that the payments for the personal compensation of the chief supervisor in the southern district in New York for his services as supervisor and commissioner, entirely aside from the payment of his deputies and aside from the fees and disbursements, and the compensation of deputies of the U.S. marshal, have amounted during the present administration to a sum exceeding $107,000, the abuses under these laws to which your committee desire to call attention will be plain. This amount will doubtless be increased by a further very large payment, the amount of which your committee is unable to ascertain, which has been demanded and is expected by the chief supervisor from the Treasury Department before the close of the present administration. In connection with these payments, attention is called to the fact that from March, 1885, till May 17, 1889, during which time a district attorney was in office who desired to examine these bills, the chief supervisor never presented a bill, preferring to go without the money sooner than submit to examination. As soon as the present district attorney came in the bills were presented and approved and promptly paid.

As to the manner in which these payments are made and the bills verified, the examination of the Treasury officials and of the local district attorney shows an additional reason for the repeal of the law. The Treasury Department takes the ground that the certificate of the judge to whom the accounts are presented, in the presence of the district attorney and after a presumed examination by him, is binding on the Department, and that the bills when certified by the judge must be paid. The U.S. district attorney, in his evidence before the committee, took precisely the opposite view. He testified as follows:

"Of course I did not examine Mr. Davenport because I understood in accordance with the practice that his work was sent to Washington to the auditing officers of the Treasury Department, and all the items charged for in the account are examined and checked in the Treasury Department before any payment is made."

The district attorney was further asked, "Did you make any personal examination as to how much these charges amounted to altogether?" He answered, "That is a matter of accounting for the officers of the Treasury Department." He also said, "There was no reason why the accounts should be submitted to investigation except such as the Treasury officers always make in all accounts that are presented in court and proved before the court."

In view of the amount paid to the chief supervisor of elections for the southern district of New York, under the present administration, which payment is believed, in New York, to be a public scandal, the evidence of the former assistant district attorney, Mr. Rose, as to the manner of the approval of these accounts in court is interesting. Mr. Rose testifies that no one was present in the courtroom when one of these accounts, calling for the payment of $31,030.21 for the chief supervisor's personal compensation, was presented, except the judge, the chief supervisor, and himself; that the supervisor presented his account; that the judge asked him what he knew about the accounts; that he said he knew nothing at all about them, and that he had not examined or approved them; that the judge thereupon signed the certificate approving the account, and that the whole matter was transacted in 5 or 6 minutes. The chief supervisor did not on that occasion, explain a single item of that long account; he called no witnesses, and yet such a "certification and hearing" is claimed by the Treasury Department, under these laws, to be binding upon the Department.

It is not deemed necessary to go over in this report the figures of these accounts in order to demonstrate the frauds which may be perpetrated under the present law. It is believed that the law officers of the Government ought to make them the basis of proceedings against the person who has received the money, and the committee will so recommend at the proper time. It is sufficient perhaps to call attention as an example and in connection with the evidence just alluded to, as to the manner of the certification of these bills, to the facts in regard to the special elections in 1891. In that year there were two elections for Members of Congress in the city of New York, one of them caused by the death of General Spinola, who represented the 10th District, and the other by the resignation of the Honorable Roswell P. Flower, who had been nominated for Governor, and who represented the 12th District. In the 10th District the Honorable William Bourke Cockran was nominated, and in the 12th District the Honorable Joseph J. Little was nominated. The election of Messrs. Cockran and Little was absolutely certain. There was no possible reason or motive for any person to attempt to elect either of these gentlemen by fraudulent registration or illegal voting.

The chief supervisor, however, having solely in view his personal profit, proceeded to set in operation at this election in these two districts the Federal local machinery under his control, and 510 marshals and an equal number of supervisors were appointed. In his accounts as Commissioner, approved in the manner aforesaid, were included fees in 226 cases at this election, amounting to the sum of $6,989.95. This amount has already been paid him, and is in addition to the pay of a small army of supervisors and U.S. marshals, the fees of the U.S. marshal, the extra bills for printing, and the cost of a special telegraph wire, which the chief supervisor claimed he was obliged to have put in in order to prevent the election of Messrs. Cockran and Little by fraud. Whether he has any further bills for supervising this election we do not know. Of course, of these 226 persons alleged to have been arrested, not one was ever indicted or tried for any offense.

A further analysis made by the committee, and shown the evidence of the U.S. marshal and of Messrs. Frank, Korb, Griffou, and Korzineck, shows that in only 61 cases of the 226 for which the chief supervisor of elections for the southern district of New York has been paid were any warrants given to the U.S. marshal for service, and that as to the remainder of the 226 persons named, only 7 of those named as defendants can be found or identified at all. The seven persons who could be found who were named as defendants had no knowledge of any proceedings having ever been brought against them, and had never been arrested. Full fees were thus paid in 165 cases, which seem from the proof to have had no existence outside of the bill of the chief supervisor, and of which there is no record anywhere except in his accounts against the Government.

This account is only a sample account. In making the bills of the commissioner and chief supervisor for alleged cases of violation of the eletcion laws, no addresses of the defendants are ever given, nor any information as to the polling place at which they are alleged to have been registered. No evidence that the violations of law ever took place or that the cases ever existed, except the statement of the chief supervisor of his fees in the case, is anywhere to be found. In one of these accounts there are 179 "cases" and in another 426 "cases" in which there is absolutely nothing but the name of an alleged defendant, who was never arrested, and whose address is not given. Under a system like this the chief supervisor's and commissioner's compensaton is only limited by the number of names which he can take from the city directory or from his own imagination. These accounts are, however, certified to by the judge of the U.S. district court in the presence of the district attorney, and have been thereupon paid by the Treasury Department. It is submitted that in no other department of the Government and in none other of the Federal statutes do such absurdities exist, or is such fraud possible, Any law under which any Federal official can obtain, without evidence other than has been narrated above, such sums of money from the Government as have been paid and are about to be paid to the chief supervisor of elections for the southern district of New York, ought to be at once repealed.

The third reason why the law should be repealed is that, in the judgment of the committee, it is used mainly for partisan purposes. It is believed that this will be admitted to be true in the city of New York by every one who has any knowledge of the facts, and that an examination of the evidence taken before this committee will convince any impartial person that under these laws the power and the funds of the Government are freely used with the direct intention of affecting the result of elections.

It is not deemed necessary to enter into an extended argument to show that this should not be allowed.

The establishment for election purposes in the interest of one party of an army of political workers as large in number in the United States as the Regular Army of the United States, and the giving to them the badge and authority of the National Government, is an act of arbitrary power without a precedent in the history of our country. No political party temporarily in power ought to have any such advantage over its opponents, and the majority of this committee would be as unwilling to see any member of their own party in the city of New York clothed with the power now given to the chief supervisor and marshal as they are to allow the present incumbents to remain in the possession of these unfair advantages.

The law was designed for partisan advantage. It is perhaps fortunate that its execution in the city of New York has been mainly intrusted to one of a common class of political adventurers whose only real object has been to get money out of politics. In the hands of a man of ability who cared little for personal profit, but who was devoted simply and without scruple to the success of his party, it might have been the source of much more serious trouble. The powers which it confers should not under our system of Government be intrusted to anybody. In the interest of the people, whose right it is to act with any of the parties or in opposition to any of them, it ought to be repealed.

The fourth and final reason why these laws ought at once to be repealed is that under them great numbers of innocent persons have been and are at every election deprived

of their liberty and interfered with in the exercise of their undoubted right to vote. These facts are not to be disputed. They are known to all men in New York, and were brought to the personal knowledge of the committee and proven beyond question. The fact that all of the great number of citizens who were arrested during all these years were, with the exception of two, discharged as innocent after judicial investigation, is conclusive legal proof of the falsity of the charges. That most of them were discharged by the very magistrate who had caused their arrest shows the charges to have been not only false, but malicious.

Any system of laws under which, for any reason, citizens entitled to vote can be systematically arrested, held until their opportunity to vote is gone, and then discharged without redress, should have no place in the statutes of the United States. In this connection the members of the committee who sat in the Federal building as a subcommittee on election day, and had before them the supervisors and marshals who made the arrests and the prisoners who were arrested, desire particularly to call attention to the evidence given before them. The prisoners arrested, charged with false registration were, some of them, real-estate owners, one of whom, Mr. McKenna, had voted for 30 years at the polling district in which he offered to vote, and had been known as a businessman and houseowner to the marshal who arrested him for 12 years. These defendants included a private tutor, and a teacher, a court officer, a clerk in the register's office, and a rabbi of the Jewish faith. They were almost without exception persons of respectable appearance, who seemed to feel most keenly the arrest and the indignity put upon them, and they were all promptly discharged by the Federal magistrate who heard their cases, no proof being offered against them. Almost all of them were born in the city of New York.

With a few exceptions, the U.S. marshals and supervisors who made these arrests were in appearance most disreputable. Almost all of them were grossly ignorant, and in general they had been evidently recruited from the lowest mass of the population of a great city. Decidedly the best of them were the colored marshals, who were able to give their evidence in an intelligent manner. Undoubtedly, among the U.S. marshals and supervisors who were appointed at this election were very many respectable men, but those chosen to make these partisan arrests were of the lowest class of our population. It is a matter of regret to the members of the committee who were present on election day and heard the evidence in regard to these arrests that it is not possible to reproduce in description the contrast which existed between the persons who were hired to make these arrests and the citizens who were thus arrested, charged with offenses of which they were innocent, and thereby deprived of their right to vote.

Attention is also called in particular, in this connection, to the evidence of Messrs. Walker and Rose and Hotchkiss as to the excessive bail demanded of such defendants. In one case $10,000 bail was demanded by the chief supervisor, acting as a magistrate, for the appearance of a clerk in the custom house, a man of excellent character, charged with false registration; and in a number of cases bail which the commissioner acknowledged to be known to him to be good was refused, until Judge Wallace denounced the refusal and the attempt to deprive the prisoners of their votes as an outrage. These laws, instead of constituting a system for the protection of the franchise in the hands of honest citizens, have been used, as is shown by the evidence, to furnish the machinery for the corruption and forcible robbery of the franchise, and they ought, if for that reason alone, to be promptly repealed.

The committee therefore presents to the House a bill providing for the repeal of these laws, with a favorable recommendation for its passage.

Mr. TALMADGE. That report, Mr. President, was signed by three highly respected Democrats—Representatives Ashbel P. Fitch, of New York; J. A. Geissenhainer, of New Jersey; and Robert E. DeForest, of Connecticut. We Democrats of today will do well to heed their conclusions.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

SILVER ANNIVERSARY OF HOOVER DAM

Mr. BIBLE. Mr. President, Hoover Dam, which is located in my State and known as one of America's seven modern civil engineering wonders, will be 25 years old this year.

Construction on this great multipurpose river control project began on February 1, 1935, and the first power was generated on September 1, 1936, heralding a new era in the vast development of my State and in the entire Pacific Southwest.

It is interesting to note that the last of the turbines and the generators is now being installed at the dam, and this will bring the hydropower plant to its full capacity of 1,344,800 kilowatts. This turbine is being installed for my State and will permit it to utilize more fully its share of project power.

Aside from its great value in the field of water and power, this monumental dam has had other extremely beneficial effects upon my native State. For example, it brought into being Boulder City, one of Nevada's thriving communities which only recently was released from Federal control and taken into the framework of Nevada municipalities as a self-governing unit.

Another productive aspect of Hoover Dam has been its great tourist lure, along with the Lake Mead National Recreation Area, which is under the supervision of the National Park Service. Last year more than 3 million people visited this area to enjoy its many attractions in the fields of fishing, boating, swimming, water skiing, and camping. In the last quarter of a century, an estimated 35½ million people have visited this area.

Mr. President, Hoover Dam is the culmination of the dreams and the actions of many men. Before it reached fruition there were many unsuccessful attempts in Congress to authorize its construction.

Passage of the Boulder Canyon Project Act in 1928 signaled the actual beginning of this giant undertaking.

As we salute Hoover Dam on its silver anniversary, Mr. President, I believe it only fitting to pay tribute to those men of vision who were not deterred until they saw that modern-day wonder completed.

FEDERAL REGULATION OF COMPETITIVE PRACTICES

Mr. MUNDT. Mr. President, Federal Trade Commissioner Sigurd Anderson, formerly the Governor of the State of South Dakota, delivered a penetrating speech on the subject "Federal Regulation of Competitive Practices" at the Willard Hotel here in Washington, D.C., before the American Marketing Association on December 28, 1959. I ask unanimous consent that this speech be printed in the body of the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FEDERAL REGULATION OF COMPETITIVE PRACTICES

(Speech by Sigurd Anderson, Federal Trade Commissioner, before the American Marketing Association, Willard Hotel, Washington, D.C., December 28, 1959)

Chairman Cook, Dr. Johnson, fellow panelists and ladies and gentlemen of the American Marketing Association, it is a pleasure for me to come here today and represent the Federal Trade Commission. A representative of the Commission could well appear before the American Marketing Association who in a certain sense does as much to guide the destiny of future marketers as any group that I know of. The good that you do, as Dr. Cook has pointed out, is indeed something that will redound to the benefit of the public in the years ahead.

It is most appropriate that the American Marketing Association should take an inventory of marketing practices as we are about to enter the 1960's, a decade that may well be the marketer's dream. It is in that connection that I would like to discuss with you the important subject of "Federal Regulation of Competitive Practices."

Competition is one of the greatest driving forces in the American personality. In business, in politics, in athletics, in fact, in almost every phase of American life, you find that competition is a most necessary ingredient. The will to excel is most important to the American way of life. It must be borne in mind that competition is, and must be subject to rules of conduct. Unrestrained competition could and would result in injury to persons and to institutions. To properly guide competition, we have rules for football, for baseball, basketball, and golf and track and card playing, and most any kind of game that you could mention. This is to protect the game, to protect the competitors, and to protect the members of the watching public.

I come before you representatives of the Marketers of America to call to your attention that one of the most important things that goes into marketing is competition and that competition can be good or it can be bad and the future of the American economic community depends upon the nature of that competition. Governments on National, State, and local and, indeed, on international levels, have created "rules of the game" for those who buy and sell. Now I know that the idea of having rules for competitive practices is repugnant to many people because they like to think of the American way of life as a way of that is entirely untrammeled, that is, not hindered in any way by "blocks" to the free play of competitive forces. In the business world, competition must be fair

and clean and honest and legal and there can be vigorous competition even though that competition is fair, clean, vigorous, honest, and legal. There are many that believe that when one goes into the marketplace as a marketer he should be free to roll up his sleeves and to pull off his gloves and compete in any manner that he sees fit. That, ladies and gentlemen, is just not so in this year 1959.

I could perform no more useful service to the marketer than to point out that in this competitive American economy, the government, and particularly the Federal Government is very much interested in the modus operandi of the marketer who is engaged in interstate commerce. And I would point out to you that as teachers of marketing and those who guide the destiny of future marketers, you could well indeed caution your students that there are rules in the field of marketing that must not be overlooked, and that it isn't just money, and sales, and quantity, and quality that counts, but there is that very important moral quality, namely, high competitive standards. It can be said today that the Government is everybody's next-door neighbor. No marketer can ignore this caveat: never overlook any Government interest in how you run your business. This is not new as many people like to think; this is as old as the hills; the only thing is, there is more of it. And if people don't believe that, I call attention to the almost 150 volumes of the Federal Register that set out the rules and regulations under which business today has to operate. And I would like to say here that when laws multiply, they generally do so because of the fact that there are those in business who do not believe in observing the rules of good conduct. Public complaint about such conduct results in congressional action to protect the public.

The Federal Trade Commission is just one agency in the field of Federal regulation. The Department of Justice, the FDA—the Food and Drug Administration—and the Department of Agriculture, and many others are in the field of regulation. In fact, there are 225 Federal regulatory bodies. But just consider what the Federal Trade Commission has to do. We have jurisdiction under these acts: The Federal Trade Commission Act, the Clayton Act, as amended, the Webb-Pomerene Export Act, the McCarran-Ferguson Insurance Regulation Act, the Lanham Trademark Act, the Wool Products Labeling Act, the Flammable Fabrics Act, the Fur Products Labeling Act, and the Textile Fiber Products Identification Act. There, ladies and gentlemen, we have an enumeration of acts that the Federal Trade Commission administers, that cover almost every phase of human activity, verily from the womb to the tomb.

I would like to list some "red lights" for marketers.

1. First of all, as Dr. Cook has pointed out, in the field of advertising, a marketer must be honest. He does not have a right to falsely advertise his products; he does have the right to "puff" his wares; he may say that he thinks his products are excellent and that they may be the best, but he does not have a right to materially misrepresent his products. I would like to point out that in the Algoma Lumber Co. case, reported in 291 U.S. 67, the Supreme Court said that the public is entitled to get what it chooses, though the choice may be dictated by caprice or by fashion or perhaps by ignorance. In other words, it is a direction to say that if you advertise something, you had better advertise it fairly and honestly.

The Federal Trade Commission is now engaged in a great campaign against false and misleading advertising. During the last 2 months, the American public has been treated to an unfortunate spectacle that has involved advertising to the point where many people say they no longer believe what advertising says and does. It is indeed unfortunate that an $11 billion industry has to be put to the doubt such as is now taking place. I wish to reemphasize that marketers must be careful that their advertising is not false and is not misleading. There must be no preticketing and there must be no comparative pricing that are calculated to deceive; there must be no bait advertising. All of these are gimmicks to sell the public.

I would like to point out that the old rule of "caveat emptor"—let the buyer beware—has no legal or moral standing in the United States. Years ago, it was a battle of wits between the buyer and the seller. That is no longer the case, because the seller now has to have his product honestly and properly advertised and marketed.

You should strongly advise your young charges that when they set out to sell a product, they should not advertise it sensationally and falsely in order to gain public attention and then afterward get honest when they have acquired a market. That, I'm afraid, is done too often in these United States.

2. I would like to say also that price fixing is illegal per se. There is a temptation on the part of some marketers to say, "Let's get together and fix a decent price," or "Why beat our heads against each other?" or "Why send somebody to the wall because we compete?" or "Let's get together and set a price, one that we can all live with that will entitle us to the good things of life." And so they get together and fix prices, as they have done in the past and as they are decreasingly doing now because of regulatory measures by the Government.

3. Conspiratorial activities to fix prices, to allocate markets, and to limit production are all illegal per se. There are too many businessmen that haven't gotten the idea that there are crimes that get over into the field of business. There are too many that still believe that the only crimes are murder, rape, burglary, arson, holdups, and so on. There can be business crimes, too. It may be said that what may appear to a businessman to be a perfectly legitimate deal, may not be so. What looks like good business may be unlawful business.

4. I would like to point out that in certain cases a price discrimination may be a violation of section 2(a) of the Clayton Act, as amended. Generally, you cannot have a price to this customer that is discriminatory as to that customer. Differing prices to different customers are possible only under certain conditions. The provisos in section 2(a) and the defense in section 2(b) should be very carefully considered and weighed when a pricing program is planned. Section 2(a) is the best known and probably the most frequently violated section of the Clayton Act. It takes no considerable detail to tell the story of what a discriminatory price will do to a nonfavored competitor in an industry where the margin of profit is very small. A discriminatory price could, and often does mean bankruptcy.

5. It is also illegal to have brokerage arrangements whereby the buyers and sellers and certain brokers split or pass on fees. Section 2(c) of the Clayton Act, as amended, covers this point. At the present time the FTC has an interesting brokerage case before the Supreme Court. It is the *Broch* case, docket 6484. Therein, the Commission held that a seller's broker comes under the ban of 2(c), but the seventh circuit court held otherwise; hence our appeal.

6. It should also be pointed out that certain allowances cannot be given to some customers and not to others. Many times we may have a seller that says, "Sure, I'll give Customer A an allowance for doing advertising, etc., but I won't give it to Customer B," and Customer B says, "Well, that's a heck of a note. That's bad for me competitionwise." If the allowance runs into thousands of dollars, you're right, it is bad for Customer B, so he complains about it. He comes to the Federal Trade Commission, and what can we do? Our hands are tied. We have sworn to uphold the law, so we may investigate the complaint and may ultimately bring a suit against the seller and as a result, he gets a lot of publicity that he doesn't like and maybe an order to cease and desist.

A very recent case on discriminatory allowances is *Federal Trade Commission* v. *Simplicity Pattern Co., Inc.*, cited as 360 U.S. 55. In this case, decided by a unanimous court, holding for the Commission, the court said:

"We hold, therefore, that neither 'cost-justification' nor an absence of competitive injury may constitute 'justification' of a prima facie section 2(e) violation. The judgment of the court of appeals must accordingly be reversed insofar as it set aside and remanded the Commission's order and affirmed as to the remainder."

7. Attention should also be called to section 2(f) of the Clayton Act, as amended. Where the buyer solicits a favored price, discriminatory as to other competing customers and the negotiating buyer knows it is a favored price, the buyer may be in violation of section 2(f) and the seller may be violating section 2(a). Negotiated deals may have some built-in traps for businessmen.

A classic section 2(f) case is *Automatic Canteen Co. of America* v. *F.T.C.*, 346 U.S. 61. It's not easy for a seller to say, "No," to a large-volume buyer who knowingly solicits a discriminatory price. For a seller to say "No" under such circumstances sometimes calls for battlefield bravery.

8. It is possible to go down the line with more caveats, but time forbids anything more than mentioning such important matters as exclusive dealing arrangements that violate section 3 of the Clayton Act, as amended; or illegal mergers that are proscribed by section 7 of the Clayton Act, as amended. The rash of mergers the last 10 years have been productive of much activity in the antimerger field by both the FTC and the Department of Justice. Parties to a merger should carefully consider their action. Divestiture can be a painful course where full integration has been effected. Marketers should carefully weigh interlocking directorate situations, selling below cost where the intent may be to injure a competitor or refuse to deal with or sell to certain types of customers.

The "red lights" or danger signals above referred to should not be lightly regarded by the marketer, because violators thereof may get into trouble with the Federal Government, resulting in an order to cease and desist or a court decree. The above list is a long list, but I want to point out that the list of defendants and respondents in antitrust and trade regulation cases is long, too. There is nothing like knowing what the answer is, and one conclusion that may be drawn from my remarks here this morning, is this: That it is well to know what the business laws are. I'm not putting in a plug for lawyers, but I do believe, ladies and gentlemen, that lawyers have not become unnecessary in our complex society. I have learned that many companies today are putting in house counsel departments to guide them, not only for their board meetings but to guide them in their daily operations, and not just retain lawyers when they get sued. It pays to know.

Today's marketer should deal with the Federal Government not on the basis of a vulture sitting on the back of his chair, but as somebody with whom he is in a kind of a partnership. I want to say that 99 percent of all marketers are honest and decent, but there are too many that are not; many of them because of the fact that they have not learned the legal facts of business life. And

so here then this morning, I want to say as a representative of the Federal Trade Commission it is a pleasure to come here to make an appeal to you that you as guides and as mentors and as teachers, as the ones who are going to develop the marketers of the future, that this is a wonderful opportunity for you to teach them that in the business and economic community, competition has to be kept free and fair and honest and decent. Any other competition is out of place. Any institution teaching and developing business leaders for tomorrow could well teach antitrust and trade regulation courses with great profit.

The FTC stands ready, willing, and able to assist the marketers, the members of the American Marketing Association, and the public generally with the problems of business competition. The Commission prefers to advise and prevent lawsuits rather than to try lawsuits. But we are ready to do both. The Commission is dedicated to a cleaner and better competitive climate in the business community. But we don't want to perform the task alone. We demand that the marketers of America perform their rightful duties.

We invite the members of the American Marketing Association to become better acquainted with the Federal Trade Commission. The American Marketing Association and the Federal Trade Commission have much in common.

AMERICA'S DEFENSES

Mr. DIRKSEN. Mr. President, as recorded on page 1372 of the RECORD for January 27, the distinguished Senator from Missouri [Mr. SYMINGTON] stated as follows:

Mr. President, the American people are being enticed down the trail of insecurity by the issuance of misinformation about our deterrent power; and specifically about the missile gap.

The intelligence books have been juggled so the budget books may be balanced.

This is a serious accusation, which I make with all gravity.

Mr. President, as I take thought of the unending comment in this security field, I think of an old Missourian in the Civil War days who was passionately devoted to the candidacy of John C. Fremont. This old citizen of Missouri was quoted by the Chicago Times of that day in a comment which he made about Abraham Lincoln, the Commander in Chief. In that comment he said that Abraham Lincoln's head was "too light for the weight of his feet." Then he made a comment on conducting the war, and he said that running the war reminded him a good deal of the manner of a man who was climbing trees to catch woodpeckers. Some friend said, "You will never catch any woodpeckers that way." "Well," he said, "maybe not, but if I don't catch 'em I'll worry 'em like hell."

I apologize for the term, but it is an exact quote and I got it from the writings of Carl Sandburg.

It seems to me that in this security field all the comments which are being made are nibbling comments on the sniping side, and disparaging, it seems to me, of the defense effort of this administration.

Mr. President, I think the President of the United States put it in pretty good context in the speech he made from California on the closed TV circuit, when he said:

The tendency to disparage the unmatched power and prestige of our country has become an obsession with a few noisy extremists. Time and again we hear spurious assertions that America's defenses are weak, that her economic expansive force can be sustained only by Federal spending; that her education and health efforts are deficient. In this kind of preachment, political morticians are exhibiting a breast-beating pessimism in the American system.

When I think of all the comments by persons who seem to think they are better able to do this job in the defense field than is the President of the United States, I think of the Committee on the Conduct of the War which was established away back in the Civil War days. I make no exceptions. I have in mind Republicans as well as Democrats. On that committee there was a man named Benjamin Wade, from Ohio. He started out as a canal driver and as a mule skinner. Then he became a teacher, as I recall, and then a lawyer. That qualified him to conduct a war. He marched down to the White House, shook his finger at Lincoln, and said, "You have to fire General McClellan." Lincoln said, "Well, whom shall I use to replace him?" And Wade said, "Anybody." Lincoln, out of his majestic concepts, said, "I cannot fight a war with anybody; I must have somebody."

Away back in those days we had a little of the same attitude which is now apparent.

There was another member of that committee. He was a great citizen. He was at one time a candidate for the Presidency. He came from Michigan. He was a Republican. His name was Zack Chandler, which is a revered name in Michigan. He was a dry goods merchant, and he became a millionaire selling dry goods. That qualified him to conduct a war and to become an expert in that field.

Zack Chandler went to Bull Run. When he saw what happened there, he rushed to the White House and said, "Mr. President, you have to get another half million troops right away." He had great ideas, as a dry goods merchant, about running the war and about what the verities and realities were.

There was still another man. He was from my own State. He was a Republican, too. His name was Lyman Trumbull. Once he was a Democrat. He was born in South Carolina but changed his politics when he went to Illinois. I suppose, instead of a Northern Carpetbagger we would have to call him a Southern Carpetbagger, since he came from the South to the North. He was a very distinguished citizen and a very distinguished Senator. He was a very humane man. He was a teacher. He became a lawyer. He became a judge. And he became a Senator. Genial as he was and humane as he was, do Senators know what Lyman Trumbull said about Lincoln as Commander in Chief? It was this:

He is too slow, unmethodical, lacking in executive ability and resolution, and not prompt in action.

And he made this extraordinary statement:

In ordinary times Lincoln would have made one of the best Presidents, but he lacks confidence in himself and the will necessary in this emergency.

Mankind will have forgotten Ben Wade, Lyman Trumbull, and Zack Chandler for a million years, but Lincoln, the Commander in Chief, with his steady hand, will not be forgotten.

Perhaps the Senate should create a Committee on the Conduct of Something or Other. Perhaps we should call it the committee on the conduct of the cold and/or hot war. We might call it the "and/or" committee.

Perhaps we should put all the candidates on the committee. All of them have become experts in this field. We might even put on the committee a very distinguished former artillery captain from Missouri, who once served as Commander in Chief.

I treat this subject in this fashion because I still have confidence in the Commander in Chief of this country, whose whole life, virtually, has been dedicated to the business of furthering national security. Then to have it said that the American people are being enticed down the trail of insecurity by the issuance of misinformation about deterrent power is an awful thing. It is a reflection upon the President of the United States, who, while others knew nothing much about military matters, was the grand captain of the greatest military effort mankind has ever put forth.

I should be an expert in this field. I once served as a private in the Army. Then I rose to the exalted position of private first class. I shall never forget when I got that little chevron.

Then I became a corporal, and after a while I became a sergeant. When I became a sergeant I was walking on thin air, with all the exaltation that goes with it. I had all the answers in the book.

But that was as nothing compared to the time when I became a "shavetail" or second lieutenant. I once got a look inside the doors of a staff school. After that I felt that I could tell off the Commander in Chief. I knew how to run World War I, and just what to do to bring about the liquidation of the Kaiser.

We have many candidates today. They have been lieutenants, artillery captains, Navy commanders, and many other things. But when I put everything in proper focus, I find that the man in the White House was not selected by General Marshall and the President of the United States to conduct the world's greatest military show without their knowing that he had the capacity to direct a great security enterprise for the defense of the country.

I am distressed by the statement which was put into the RECORD by the distinguished Senator from Missouri.

Mr. President, I yield the floor.

OFFICIALS WHO SHOULD SKIP PARTISAN GATHERINGS

Mr. FULBRIGHT. Mr. President, in this morning's New York Times, Mr.

Arthur Krock, one of the most discriminating observers of public affairs in this country, draws attention to a picture of this administration which characterizes its attitude toward its responsibilities to the Nation. In view of the 40-odd billions of dollars of defense contracts to be let to our big businessmen by the officials of the Department of Defense, it is not surprising that in one evening the Republican Party should be able to collect $7 million for the next campaign. In due course, of course, many more millions of dollars are to be expected. This is just the initial downpayment to get the ball rolling, so to speak.

In view of this callous disregard of even the most elementary proprieties, it is not surprising that throughout our society we find disregard of the standards of conduct which formerly we believed to be characteristic of our people. Beginning with the TV quiz show scandals of last year, scarcely a day passes that we do not read about such things as short weights in the grocery stores in the New York area, fuel oil cheating in Brooklyn, the corruption in the city council of New York City, or the conspiracy to defraud among the Chicago police. The picture is not a reassuring one.

Mr. President, I ask unanimous consent to have Mr. Krock's article printed in the CONGRESSIONAL RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 29, 1960]

OFFICIALS WHO SHOULD SKIP PARTISAN GATHERINGS

(By Arthur Krock)

WASHINGTON, January 28.—Senator HUMPHREY, of Minnesota, made a complaint today against the participation of high Defense Department officials in Republican political activities in this presidential election year. He said this involvement was "unethical and beneath the dignity of the administration." He could have added that the appearance of such officials at party gatherings, including campaign fundraising dinners, is calculated to give a partisan color to the department responsible for military security.

Obviously the reaction to this in the Democratic Congress could further roil the atmosphere in which the administration's defense program is being examined by the legislative branch of the Government. This already has evoked much controversy over goals and the methods of attaining them. Since most of the critics are Democrats, among them citizens who clearly aspire to the Presidency, Republicans are hinting that partisan considerations are responsible for the violence of some of the criticism. But the Republicans would have small foundation for a hope that the people could be persuaded of this as a dominant motive if the Department of Defense seems to the public to be deep in Republican electoral politics. And the principal victim would be national security.

ITEMS OF COMPLAINT

Senator HUMPHREY cited, as grounds for his complaint, the drafting of the following as speakers at Republican fund-raising dinners with Ike last night: Deputy Secretary of Defense James H. Douglas, in Kansas; Army Secretary Brucker, in North Carolina; Assistant Secretary Short, and Air Force Secretary Sharp in Texas; and Defense Secretary Gates in Oregon. (The latter's speech was read for him only because his plane was grounded by weather.) The list fully establishes the point made by the Senator.

The same situation arose in 1948. But in that year President Truman, at the instance of Defense Secretary Forrestal, put a ban on the participation of officials of Forrestal's department in partisan political gatherings. This restriction followed an announcement by Senator Hatch, the chairman of the Democratic Speakers Bureau, that, except for Secretary of State Marshall and Under Secretary Lovett, all members of the President's Cabinet circle would take the stump for Mr. Truman in his campaign for election.

In this space at the time the following comment was made on Hatch's announcement: "This would mean that Forrestal is expected to be among the campaigners; that, though Marshall and Lovett were excused because of the nonpartisan character of their work, this does not apply to the Secretary of Defense. How any such difference could be found between the department which conducts our foreign policy and the department which must supply the power on which that policy rests requires an answer that only partisan politicians could give." That applies equally today to Senator HUMPHREY's admonition.

FORRESTAL AND KENNEDY INTERVENE

In 1948 W. John Kenney, as Under Secretary of the Navy, was in charge of the Navy's legislative relations. Congress had a Republican majority, and Kenney was carrying out Forrestal's instruction that Chairmen Andrews and Gurney of the House and Senate Military Committees, respectively, should be kept fully informed on departmental activities. When they and other Republicans in Congress expressed resentment of Hatch's announcement, Kenney reported and endorsed this feeling to Forrestal, who endorsed it to President Truman, and the Democratic campaign committees which were the source of the plan were told by the President to find their campaign speakers elsewhere. In the campaign of 1952 when Kenney was deputy director of the Mutual Security Administration, the same question arose, and the President took the same position.

This wise and proper policy calls for reassertion by President Eisenhower to the Republican National Committee and the other party groups which apply the pressure to Defense Department officials to make speeches at partisan gatherings, including campaign fund-raising dinners. These officials would be very happy if this pressure were removed from them, as it long has been from the Department of State. The President could do that with a word, and end the reluctant, improper, and dangerous participation of the Defense Department in partisan politics.

WHAT'S A JUVENILE DELINQUENT?

Mr. HENNINGS. Mr. President, it is axiomatic to say that the term "juvenile delinquency" covers a wide range of offenses committed by young people. Two boys—one picked up for armed robbery and the other brought into court for skipping school—might both be adjudged juvenile delinquents by the court. Their crimes, however, are hardly similar.

For strictly legal definition, this lumping together of all young offenders into the same category might be all right. But what we must ever bear in mind is that the term "juvenile delinquent" covers individual children and young people in many categories who have individual problems. Unless we recognize and treat the individual child through rehabilitation programs suited to his needs, we may actually do him more harm than good.

Wholesale prescriptions and pat arguments on handling juvenile delinquents will not do, as was very well stated in a recent editorial appearing in the Toledo (Ohio) Blade.

Mr. President, I ask unanimous consent that this editorial, entitled "What's a Delinquent?" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Toledo (Ohio) Blade, Sept. 23, 1959]

WHAT'S A DELINQUENT?

The violent juvenile gangs which infest big American cities (and those of many other countries as well) are to be the subject of a nationwide series of hearings by a Senate committee.

Appropriately, the committee will begin its inquiry in New York where the involvement of gangs in four killings in one hot August week this summer attracted national attention and stirred both the city and State of New York to new action against juvenile delinquency—where, just a day after the inquiry was announced, eight trenchcoated gang members shot down a 17-year-old on the steps of a Bronx high school.

In narrowing its current investigation specifically to gang activity, the Senate subcommittee, which has been studying juvenile delinquency since 1955, underlines something that is usually forgotten in the heated debate between the "treat 'em rough" advocates and the proponents of the so-called "soft" social worker school of thought.

This is that the term "delinquency" is as broad a term as "crime" itself as applied to adults. The delinquents involved—and there are about a million and a half youngsters who come to police attention in any year—run the gamut from veritable tots who have annoyed the neighbors with pranks to young men who are considered by the police to be already hardened criminals.

It is the failure to draw such distinctions which usually makes public discussion of the juvenile delinquency problem so confusing—and pointless. For example, former President Harry Truman, out for a morning constitutional in New York recently, seemed to give a small-town Missouri solution to a most complex urban problem—there would be less delinquency if there were fewer baby sitters and more application by parents of the "peach tree switch and mother's slipper." On the other hand, a priest, a former New York police chaplain, tells the mourners at a slain teenager's funeral that a law should be passed permitting the jailing of all gang members—they should be caged as wild animals are caged.

Mother's slipper might straighten out quite a few of the sort of children who in Mr. Truman's boyhood were called wayward youths. Caging may be the only solution for some of the twisted and sadistic members of big city rat packs who today beat, torture, maim, and kill one another and innocent bystanders. Between the two extremes there are literally hundreds of thousands of boys and girls who need the kind of help, guidance, and punishment at the hands of their parents and of society which is appropriate to their individual personalities and to the social conditions which have contributed to shaping their characters.

The difference in the children and young people concerned dictates the difference in corrective action. As an instance, the work

camps, patterned on the old CCC, that Gov. Nelson Rockefeller has proposed as one way of handling delinquents have been successful in a number of States—for a certain kind of boy.

The boys admitted to them have been very carefully selected. Virtually all such camps have barred youngsters with serious personality defects, with bad records for arson, running away, or creating disturbances in an institution. "On the whole," one report states, "the camps have been found most suitable for healthy extroverts who do not get along well in either academic or vocational training programs at institutions, but who give evidence of latent good character."

When it comes to detention by the State of juvenile delinquents, there is need for as much or more flexibility as in the type of confinement for adult criminals, which ranges from honor farms to maximum security prisons. A report of the Pennsylvania training school system in 1955 recommended no less than seven separate types of institutions for rehabilitating delinquents depending on their ages and mental condition.

If in talking of juvenile delinquency, then, we could remember that the term covers individual children and young people in many categories, and the whole range of juvenile misbehavior and actual crime, there would be less time wasted in pat argument over coddling versus hard-boiled punishment, fewer wholesale prescriptions like mother's slipper and cage them.

That would be an excellent beginning, so far as public discussion is concerned, in moving toward, not one, but the many solutions required for the different problems of different youngsters.

TRIBUTE TO GREECE AND THE GREEK LANGUAGE

Mr. SALTONSTALL. Mr. President, this Nation's culture—indeed all western culture—owes much to the people of ancient Greece. Our Founding Fathers were learned in the culture and writings of that great nation. Today, with the pressures of modern living, however, many of our schools have dropped the teaching of Greek.

Modern Greece—our close friend—has been a leader in the fight against communism. Our people have the opportunity to learn anew the value of the spirit which made both ancient and modern Greece great. The language, philosophy, and culture of Greece are expressed most beautifully in the Greek language, and it is fitting to recognize this.

His Eminence Archbishop Iakovos has suggested that we all pay tribute to the Greek language during Greek Letters Week, January 24 through January 31, which I am proud to do.

Mr. President, I also take pride in the fact that Tufts University is carrying out the spirit of this development in deed as well as word in this regard. I ask unanimous consent that an editorial from the Hellenic Chronicle of Boston, dated January 21, 1960, be printed in the RECORD as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TUFTS MOVES AHEAD

This week Tufts University launched the second stage of a noble experiment begun last fall with its first class in modern Greek literature. Now the organization of a unique committee for the promotion of Greek studies has been accomplished.

This unique campus-community committee is comprised of Tufts faculty members and individuals representing various segments of the Greek community working together for the mutual advancement of Greek letters. There are few places in the world that such wide democracy of purpose would prevail, and that the common goal of all concerned is dedicated toward closing the gap between the cultures of ancient and modern Greece is progress of vast worth.

The world's peoples have long acknowledged that, intellectually speaking, we are all Greek, deriving this status from the fountains of ancient Hellenic wisdom. However, since the revolution in 1821, and even before, the flow of Greek poetry and prose has not ceased, and that this wealth of literature, through translations, is now finding its way into the mainstream of American life is the good fortune of this generation.

The courses at Tufts, Ambassador Liatis' coming address on February 10 and the formation of the committee last Tuesday are promising signs for the cause of modern Greek letters in New England and America.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Is there further morning business?

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

THE UNITED STATES SHOULD COME OUT SQUARELY IN SUPPORT OF DE GAULLE IN THE ALGERIAN CRISIS

Mr. GRUENING. Mr. President, the events taking place in Algeria are of concern to every lover of peace. They carry with them implications which might prove disastrous to the hope that most of mankind shares—that progress can be achieved through peaceful means, through the rule of reason rather than through violence, turmoil, and bloodshed.

What is taking place in Algiers is of particular concern to Americans, not merely because our Nation is dedicated to the effort to secure peace on earth, but because it so deeply involves not only world destiny in general but in particular the destiny of our long-time traditional friend and ally, France.

I think it is well for Americans, when we think of France and her grave problems, to be ever mindful of the strong bonds that have tied the French people to the American people from the days of our yearning for independence nearly two centuries ago and for the freedom which we established not merely for ourselves, but through which we gave a shining and happy example to many other peoples. We Americans should never forget that but for France's assistance, that great destiny of ours might not have been achieved—at least, not at that time. All Americans are familiar with the names of Lafayette and Rochambeau, but far fewer know that they were only the two most outstanding figures in the great support which France gave to our struggling, revolutionary cause. Relatively few Americans know of the part played in helping our war for independence of such names as D'Estaing, DeGrasse, Lapèrouse and many others. But for the assistance of the French fleet, the great victory at Yorktown would probably not have been achieved.

I do not propose, at this time, to enter into an historical discussion of the relatively little known extent of French assistance to the cause of American independence. It is a subject that deserves and needs reexploration and reaffirmation. But we should recall, also, that in World War I, France held the fort in the cause of freedom while unprepared America was able, in comfortable security, to prepare to enter the conflict. And let us also recall that again, in World War II, France was once more the sacrificial victim against an even far more ruthless and brutal domination than had been threatened in World War I. Thus, three times has the blood of Frenchmen and of Americans been shed in a common cause. Of no other nation is that true in its relation to us. And, I would add, that in these turbulent times, in this period of global revolution, we should not lose sight of the fact that France is the one large nation on the continent of Europe which has never succumbed to the totalitarianisms of either the right or the left. Neither fascism nor communism has ever risen to power in France, while one or the other of these totalitarianisms overwhelmed some of France's neighbor nations. Indeed, it may truthfully be affirmed that France has borne aloft the torch of civilization and freedom in continental Western Europe.

Indeed, the Statue of Liberty, which the French Republic gave to the American Republic, and which stands in New York Harbor—undoubtedly the best known statue of modern times—is equally a symbol of France, the donor, as well as of the United States, the recipient.

And that brings us back to the present serious situation, where that greatest of contemporary leaders, Gen. Charles de Gaulle, is the central figure in epoch-making events. Let it be clear that he has achieved all his powers by evolutionary and democratic means. These powers were conferred upon him by a vote of the French people, freely asked and freely given. The issue on which he is now standing firm is basic—it is the issue of peace with justice. It is the issue of self-determination. When this great statesman enunciated his policy toward

Algeria a few months ago, he offered the Algerian people a free choice of the type of political status they wanted—a status to be determined by the votes of all Algerians, those of French descent and Christian faith and those who were Moslems, as well as any and all other of Algeria's citizens. Indeed, he had already established their suffrage, including that of women—in itself a radical, courageous, and farseeing act, unprecedented in that part of the world.

President de Gaulle offered the people of Algeria all three possible choices—complete independence, integration with France, or a dominion status whereby Algerians would set up their own government, run it completely as they wished, but with association in a French family of nations, very much like the association of nations in the British Commonwealth. He proposed that this choice be made not later than 4 years after peace had been established, and he defined peace specifically as a period in which not more than 200 persons would lose their lives, either in ambushes or in isolated attacks. The intervening period he would devote to the strengthening of peace and to the upbuilding of the Algerian economy, into which France is pouring over 200 billion francs a year, and in preparing the people for their choice of status at the polls.

The issue which France presents to the world today is whether that issue so familiar to Americans, so deeply ingrained in our American traditions and principles, the issue proclaimed in our Declaration of Independence, that governments derive their just powers from the consent of the governed shall prevail. Or whether a minority of people of property, of French origin, with the collusion of some dissident military, shall thwart these high objectives and precipitate a bloody carnage in which the noble and gallant strivings of President de Gaulle would go for naught.

This minority, which, having had the advantages of education, of economic and social opportunity, ought to know better, and should, rather, adopt for its guidance that peculiarly French ancient maxim of "noblesse oblige" will, if it resorts to armed resistance, be substituting bullets for ballots. If they do so, they will be committing treason, not only to their own country, France, which, paradoxically, they insist should arbitrarily and uncompromisingly maintain itself in Algeria regardless of the ultimate popular verdict, but they will likewise be betraying the very civilization which they seem to assume they exclusively represent. Were they to succeed, they would in all certainty defeat the very objectives which they claim they seek. For the only possible alternative to General de Gaulle's three-pronged proposal is continued and increasing violence and civil strife, steady deterioration of conditions in Algeria and its ultimate complete independence with probable liquidation of the European minority.

On the other hand, let us view De Gaulle's democratic solution in the light of what is happening and likely to happen on the African Continent.

Elsewhere in Africa, new nations are being born. They are being born with startling and unprecedented rapidity. France has liberated Tunisia, where conditions were quite different from those in Algeria. Since then, Ghana, Guinea, Somalia, the Sudan, the Congo and others are among those which have either just been liberated or are about to be and to achieve nationalism. Naturally, since it may be said that Americans started the movement for independence from Old World colonialism nearly two centuries ago, we are bound to view these ventures into freedom sympathetically. But we need not delude ourselves that many of these newly spawned nations—in fact, nearly all of them—are not tragically lacking in experience and self-government, and that their prospects of successful emancipation are, in most cases, far, far from bright. Over these infant nations will hang, as threateningly as the sword of Damocles, the specters of chaos or dictatorship, or alternations of anarchy and absolutism or—and this should concern us most of all—Communist penetration and domination.

Algeria can have a different prospect. It may, if its people choose, preserve the civilization which France has brought there and which offers the hope not merely of political self-determination, but of economic self-sufficiency and cultural self-expression, without which even a theoretically and practically desirable political status would be and is a mockery and a delusion.

Algeria, under the statesmanlike program which President de Gaulle has offered, and for which he stands unflinchingly, offers the hope that at least a part of the African continent may share in the inheritance of nearly two millennia of civilization which France brought to the Dark Continent over a century ago. De Gaulle's program and purpose may well point the way not merely for Algeria, but for other African little developed and little experienced peoples. It is tragic that a minority of his own blood and faith, who have secured the blessings and benefits of the civilization which France brought to Africa, are seeking to upset a program that alone offers a prospect for a just and happy solution.

The situation is one that requires the sympathetic understanding of the whole free world, and particularly of our own Government, which, I regret to say, has not, in recent years, shown as much comprehension as it might have of how much was at stake in supporting President de Gaulle's farseeing, courageous, and enlightened policies.

The timid and tepid neutrality which the United States has shown in the United Nations on the Algerian question is scarcely in accord with America's best traditions and our own enlightened self-interest. If we mean what we say about peace with justice and through law, and are true to our faith in the basic American principle of government by consent of the governed, the United States should make its support of France and of General de Gaulle's Algerian policy crystal clear.

Mr. President, in support of my deep conviction that the U.S. policy toward France has been tragically inept and mistaken, I refer to an editorial in the current issue of Life magazine entitled "Our Hopes Are With De Gaulle."

Now it is scarcely to be disputed that the Luce publications, of which Life is one, are strongly Republican. Therefore, when they indulge in caustic criticism of administration policies, their editorial opinions should be accorded special attention and consideration.

I shall now read Life's editorial, which, as I have said, is entitled "Our Hopes Are With De Gaulle," and comment briefly on it:

President de Gaulle's greatest problem, Algeria, the same one which brought him to power, is precipitating a new crisis in France. Set in motion by increased rebel terrorism, it was brought to a head—as was the coup d'etat which brought down the Fourth Republic—by Gen. Jacques Massu, the paratroop commander of the Algiers area who is the hero of the archreactionary ultras of the white French colons. Like him, they despise De Gaulle's program for self-determination in Algeria. Not only did Massu make thinly veiled threats of resistance to De Gaulle but he had the unforgivable audacity (in French eyes) of making them via a German newspaper. De Gaulle has answered Massu's insubordination in the only way it could be answered if his government is to command rather than take orders from the army; he recalled him to Paris, then stripped him of his command. This decision led to civilian riots in Algiers and has had to be reinforced by the declaration of a state of siege.

President de Gaulle believes, we hope rightly, that a majority of Frenchmen favor his generous and enlightened proposal for Algeria, one which would allow the 9 million non-European Algerians (once a cease-fire is established) to vote themselves complete independence or self-government within the French community or complete integration with France—whichever they wish. The generosity of his plan has brought such universal approval that a U.N. resolution backing the Algerian rebels was defeated in December, though the United States itself (to De Gaulle's disgust) abstained. In our view, Secretary of State Herter's decision to make that abstention, as a cheap play for Afro-Asian approval, was clumsy, pharisaical, and wrong. Since the United States had already warmly welcomed De Gaulle's program, he was entitled to its full and unreserved support.

Certainly such moral support should now be given him by all Americans, officially and unofficially, as he takes his case to the nation this week to face down the extremists of Algeria, who seek to be the tail that wags the whole dog of France.

Their opposite numbers, the Algerian rebel leaders, have so far refused to meet De Gaulle half way. But they have just reorganized their national committee to give it a cast of greater reasonableness. Their recent stepup of terrorism may be to test whether De Gaulle can really control the Army. Perhaps Massu's ouster will give them more confidence in meeting the cease-fire conditions which would make the general referendum in Algeria possible. Meanwhile, as De Gaulle summons the enormous force of his prestige and powers to solve the Algerian crisis before it destroys France, all thoughtful Americans will offer him their blessings and their prayers. While there is little tangible we can do, at the very least, in the old Dutch phrase, we can "help him hope."

Mr. President, I could not agree more completely with the condemnation by Life magazine that the U.S. policy toward France in the Algerian crisis was, in

Life's words, "a cheap play for Afro-Asian approval" and that it was "clumsy, pharisaical and wrong."

Mr. President, this is no time for neutrality. One of the great free nations of the world is in the gravest danger. Much of the fate of freedom in the free world hangs on the fate of France.

This is no time for neutrality and abstention. Ever since the days of Pontius Pilate, the archneutralist and archabstainer of all time, the world has condemned such neutralism and abstention when great values were at stake.

Mr. President, France did not abstain when our infant Nation was struggling in its birth pains.

France did not abstain when military autocracy launched an assault on the free world in 1915. It did not hesitate to take the lead in the war to which our great President, Woodrow Wilson, later summoned our own full national strength "to make the world safe for democracy."

France did not abstain when Hitler's hordes were bent on subverting the free world to a loathesome totalitarianism, a struggle in which the United States again later joined when we were attacked without warning.

Mr. President, I repeat, this is no time for neutrality. Nothing could be more helpful to the causes of freedom and democracy which our country officially espouses than for it to give De Gaulle's program, in the words of Life magazine, our "full and unreserved support."

The Eisenhower administration could perform no more useful service than for a clear and forthright expression to this effect by the President himself.

Mr. JAVITS. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. JAVITS. Mr. President, I should like to make a comment on the speech the Senator from Alaska has made. I believe his speech is most interesting and timely.

Certainly the situation in Algeria is so grave and so tense that I agree with the Senator from Alaska that it is time for the United States to adopt an official policy in that connection; I certainly believe that is called for.

I also agree that the De Gaulle policy for Algeria seems the most promising for bringing about the pacification of that country. Likewise, I agree that President de Gaulle needs the kind of fortification which he can obtain from America by having the support of our Government.

However, I should like to point out that the position which should be taken by the United States in connection with the stand of France in regard to NATO is not to be confused with the position the United States should take in connection with the stand of France in regard to the existing crisis in Algeria. I certainly agree that it is possible for a country to act wisely and with great statesmanship and dignity in respect to one issue—in the present instance, Algeria. I also believe that the Senator from Alaska is correct when he stresses the fact that President de Gaulle, of France, needs the assistance of the United States now, because he has proposed the most promising avenue for a solution of a problem, which is an extremely grave one.

On the other hand, one must also bear in mind that a nation can act unwisely; and sometimes it is said that a man's greatest strength is his greatest weakness.

The stubbornness of President de Gaulle with respect to Algeria certainly deserves our support.

On the other hand, the stubbornness of President de Gaulle with respect to NATO has bedeviled NATO and has weakened its position in the world.

So we must make a distinction between President de Gaulle's policy toward NATO—with respect to which I believe the Eisenhower administration has had to take De Gaulle to task, or else see NATO fall apart, as a result of having not only France, but other nations, including some of the smaller ones, remove their forces from the NATO military groups—and the stubbornness of President de Gaulle in respect to the situation in Algeria.

With that distinction clearly made, I believe the point the Senator from Alaska has made is entirely valid and is entitled to widespread support.

Mr. GRUENING. I thank the Senator from New York.

Mr. MANSFIELD. Mr. President, I wish to say that I, too, was disturbed by the fact that last year in the United Nations, when the question of Algeria came up, the United States abstained from voting. I felt then, on a purely personal basis, that the United States should have voted along with France, because of the great progress which had been made by President de Gaulle in respect to the free choice he gave the Algerians. I believe that choice went far beyond what anyone had a right to expect a French head of state to offer to Algeria.

But factors which perhaps we did not understand may have been responsible for the action of the United States in abstaining from participating in that particular vote.

However, I point out that insofar as our relationships with France are concerned, they have been close—perhaps closer than those which have existed between the United States and any other country in the world.

For example, I recall that at the Battle of Yorktown, more French soldiers than American soldiers were in the Continental Army. I recall that on that occasion the French fleet, under the leadership of Admiral de Grasse, was of critical importance in its support of the Continental Army. I recall that at that time the French treasury was pouring out its money in behalf of the American Revolutionaries.

All of us recall that from 1945, until the advent of De Gaulle, France was headed by a succession of premiers and by a succession of governments; I think the number was 24 or 25, until General de Gaulle came along.

To me, the difficult situation which confronts President de Gaulle at the present time, although purely an internal French affair, is, nevertheless, one which could have wide repercussions insofar as the future of the Fifth French Republic is concerned and also insofar as the future of the North Atlantic Treaty Alliance is concerned.

Therefore, Mr. President, on the basis of what the distinguished Senator from Alaska has said, I believe that we certainly do have a real interest in what is developing in that situation, as it affects Algerian-French relationships.

It is my hope—in accord with what the Senator from Alaska has said—that all of us, regardless of our particular political views, will give to General de Gaulle, in the hour of crisis which faces him, and to the fifth Republic, all the sympathy, consideration, and understanding that we possibly can.

As the civilian head of the French Government in Algeria said on yesterday, there is no other De Gaulle in the wings. And as I view the situation, France, and perhaps the Western Alliance also, depends on the future of President de Gaulle in this crucial hour. I am certainly hopeful that he will live up to the expectations of many persons throughout the world, and that this matter can be settled, with President de Gaulle in control of the French Government, on a stable and sound footing.

Mr. GRUENING. I thank the distinguished assistant majority leader [Mr. MANSFIELD] for his very helpful contribution.

I am glad he referred—as I did earlier in my remarks—to the great help the French people gave our country at the time of its birth. Should that help and friendship be forgotten, now that France is struggling for her life? I say no, especially when France, under the leadership of President de Gaulle, is taking so noble a stand in her Algerian policy.

On the other hand, a militant minority of people who are selfish and who have no outlook, no vision, no understanding of the fact that they are living in the second half of the 20th century, and that the old days are passing, have launched a bloody revolution in an attempt to upset the fine progress France has made. If that revolution is successful, its leaders will only be sealing their own doom. If France falls into chaos, they, themselves, will be liquidated by a rising majority of Moslems, and the whole world will suffer.

I believe this is a time for the United States to take a firm stand for all the world to see. I believe this is an occasion and opportunity for President Eisenhower, who recently has taken a trip to that area of the world, to demonstrate the U.S. position by an action that will speak more loudly than gestures of good will. Certainly this is a time of crisis where to act is imperative. Such action now is far more important than to receive the plaudits of flower-strewn parades.

Now is the time for us to speak out, and no longer to continue a timid, vacillating attitude which could only lead to defeat.

Mr. President, if the present Government of France falls, the result can be nothing but chaos for the free world.

VOTING REFEREE PLAN

Mr. KEATING. Mr. President, there is a tendency for almost all legislative

proposals dealing with civil rights to become ensnared in parliamentary maneuvers. That statement would perhaps be considered an understatement. There is a reluctance on the part of those who oppose such measures to permit them to follow their normal course of hearings, reports, debates, and votes. The hearings become harangues, the reports are never quite finalized, the debates are always under the cloud of a possible filibuster, and the idea of a final vote on the matter is anathema to its antagonists.

The administration's proposal for U.S. voting referees is in danger of becoming the latest example of this persistent pattern. In my opinion, this proposal should have the immediate consideration of the Committee on Rules and Administration. That committee now has under study the Federal registrar bills. The relationship between the two proposals is undeniable. Nothing would be more illogical or inefficient than to separate the two subjects for purposes of committee consideration. It is, therefore, my hope that no step will be taken, either wittingly or unwittingly, which will result in the reference of any proposal for voting referees to the Committee on the Judiciary.

The U.S. voting referee plan has been very well received. It has a number of distinct advantages over the Federal registrar plan. It applies not only to registration but to voting; not only to Federal but to State elections. On the other hand, the Federal registrar plan enjoys the merit of all administrative procedures—speed.

I know of no reason for considering these plans mutually exclusive. I am inclined to believe that both an administrative and judicial remedy may be needed to do the whole job. It is my plan to present in the Rules Committee hearings a bill which will combine the best features of both proposals.

This approach should forestall any difficulty about committee jurisdiction. Certainly, if the registrar bill is properly before the Senate Committee on Rules and Administration, then a single registrar-referee bill, or indeed the referee proposal in and of itself, would properly be considered by that committee. No matter what technical or procedural objections may be interposed, that committee cannot avoid considering the referee plan. I have urged the Attorney General to appear before the committee for the purpose of outlining the very interesting and constructive proposals which he has advanced and discussing them with the committee.

Mr. President, I ask unanimous consent that editorials from the New York Times and the Washington Post on this subject be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 28, 1960]

NEW MOVE ON CIVIL RIGHTS

In proposing a major strengthening of the Civil Rights Act of 1957, President Eisenhower's administration has taken the curse off the almost casual approach to this subject he showed in his state of the Union message early this month.

For the bill suggested by Attorney General William P. Rogers, Tuesday, would carry the strength and authority of the Federal courts one step further in making it possible for Negroes to vote in those parts of the South where they are now effectively denied the ballot. The Attorney General's plan goes beyond that offered last September by the Civil Rights Commission, which proposed Federal registrars in areas where registration was being improperly denied. The new plan would follow up a successful suit under the existing Civil Rights Act by court appointment of referees to see to it that qualified voters were actually permitted to vote, on pain of contempt proceedings against recalcitrant officials.

The Rogers plan appears on its face to be an improvement, in the direction of effectiveness and simplicity on the Commission's proposals. No doubt it too can be improved; but it represents an important advance in administration thinking that goes beyond President Eisenhower's frequent expressions of good will and on into concrete, specific, practical proposals for extending the franchise. The Rogers bill would apply not only to voting but also to registration; not only to State but also to national elections. And its enforcement would be through contempt proceedings before a judge, without a jury.

The House civil rights bill is now bottled up in the Rules Committee; but if the leadership were seriously interested it could be brought to the floor by discharge or by other parliamentary devices. In any case, the Senate is committed to take up the subject in about 2 weeks. If there is to be worthwhile civil rights legislation at this session, as there ought to be, Republicans as well as Democrats will have to do better in Congress than they have yet been willing to do. The Department of Justice plan may spur them on.

[From the Washington Post, Jan. 28, 1960]

CIVIL-RIGHTS COUP

Attorney General Rogers has injected a vital new element into the civil rights controversy. One effect of his proposal for Federal court referees instead of Federal registrars to prevent racial discrimination in voting is to throw off balance many supporters of civil rights legislation. Having come out for the registrar proposal recommended by the Civil Rights Commission, they find it difficult to switch now to the Attorney General's plan even though it is obviously preferable in some respects. The net effect should be, however, to strengthen the drive for an effective civil rights bill at the present session of Congress.

The Rogers proposal would have at least two notable advantages over the Federal registrar idea. First, it would buttress the right to vote in State as well as national elections. The Federal registrar plan, applying only to national elections, might result in segregated registration—white voters using the regular State machinery and Negroes using the Federal machinery good only for registration to vote in national contests. That might even facilitate discrimination at the polls and in the counting of votes.

Second, the referees to be appointed by Federal judges under the Rogers plan would not only register voters for State and national elections in communities where the courts might find a pattern of discrimination to exist; they would also, at the request of the court, follow up the cases to make certain that the referee-registered voters were allowed to vote and to have their votes properly counted. Once a case had been launched, other voters could obtain protection by providing additional evidence without starting new litigation. Local election officials who might attempt to thwart this purpose would be liable to punishment for contempt of court under the Civil Rights Act of 1957.

Even some sponsors of the Federal registrar plan fear that many of the Negroes who would be registered under its terms might be denied the right actually to cast ballots. They hope that Congress, seeing this frustration of its intent, would then pass additional legislation, extending Federal guarantees to the ballot box or voting machines and to the counting process. All this would be taken care of in a somewhat different way in the Rogers package.

Two arguments are being advanced against the Rogers proposal. Some critics fear that it would place an undue burden on the courts and that some hostile judges in the South would not conscientiously apply the plan. As to the first point, the burden on the courts would be greatly relieved by the appointment of referees to do the detailed work. This is a well-established judicial practice. Of course, some burden will fall on the courts under any system that can be devised. Constitutional rights that are challenged at every point cannot be enforced without extensive participation of the courts.

If some judges should decline to appoint referees or to sustain well-supported findings, the Department of Justice would have to appeal to the higher courts. Appeals could doubtless be reduced by defining in the law the precise duties of the judge where a pattern of racial discrimination in voting had been established. In case of flagrant violation of duty a judge could be impeached. Of course all these means of coping with an occasionally biased judge would take time, but that would also be true in greater or less degree under any proposal to protect voting rights.

As we see it, the most significant aspect of the Rogers proposal is that it puts the administration on record for positive and far-reaching voting-rights legislation. The effect should be to strengthen the hands of the civil-rights sponsors in Congress. Let the two plans be widely discussed on their merits. If the merits of the Rogers plan predominate, as seems to us probable, the Democratic Congress could scarcely afford to reject it because it has been advanced by a Republican Attorney General.

THE GRAND STREET BOYS' ASSOCIATION SALUTES THE TEACHERS OF THE NEW YORK CITY SCHOOL SYSTEM

Mr. KEATING. Mr. President, all too often we tend to overlook the magnificent contributions being made by the teaching profession to the progress and strength of our Nation. All too often we fail to express our appreciation to the dedicated teachers who are devoting their time, energies, and talents to the task of molding well-informed and useful citizens of tomorrow.

In recognition of this situation the Grand Street Boys' Association of New York City has set up a system of concrete means for expressing thanks to these people. A committee of outstanding educators has been formed to screen over 1,000 nominations of topnotch teachers in the New York City school system. One hundred of these teachers have been picked from this list to receive a special scroll, and 10 of them were awarded $500 prizes.

While these salutes cannot, of course, take the place of salary increases or other teacher benefits, they provide one means for people to express their gratitude to

this important profession. I am hopeful the leadership of the Grand Street Boys' Association will be emulated by other groups all across the country so that the morale and community standing of teachers everywhere will be raised to a point more commensurate with their vital role in our society.

It is altogether fitting that the Grand Street Boys should be showing such initiative in this field, for this fine organization has over the years made many important contributions to the welfare and progress of New York City, New York State, and the Nation. I am pleased to salute them for their efforts in this regard and delighted that the selfless and effective work of the teachers in the New York City school system is being so suitably recognized.

Mr. President, a number of editorials and articles in recent days have commended the Grand Street Boys' Association for this undertaking. I ask unanimous consent to have the syndicated column of Mr. George Sokolsky on this subject, which appeared in the newspapers of January 27, printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

BONUS FOR TEACHERS

(By George E. Sokolsky)

The Grand Street Boys' Association is an organization consisting mostly of those who came up from what, in their childhood, was the principal slum of New York, the breeding place for gangsters, gamblers, judges, musicians, successful businessmen, professors of universities and pickpockets. All were more or less underprivileged—or something that is now called that. The dividing line between the good and the wicked was none too sharp.

The head of that association is Judge Jonah Goldstein, who ran the gameroom in the Educational Alliance to pay his way through college and law school. I have known him for about half a century and the only change in the man is that he now eats more substantial food. We were none of us rich in those days but happier than Gamble Benedict who will inherit a large fortune some day, less the inheritance tax.

So Goldstein and the Grand Street Boys' Association have come up with an idea. When we were boys down there in the East Side, where many of us lived in cold-water flats and had only gaslight to read by, there were dedicated teachers who were able to cope with the boys and girls of various nationalities, religions, and dialects of English.

So out of gratitude and to encourage teachers to know that they are not just monitors of boys and girls but that they are respected as dedicated human beings devoted to their charges, the Grand Street Boys set up a fund to give an incentive gift to dedicated teachers. We all knew such men and women back in our schooldays on the East Side of New York.

The gift is not too large, only $500, but considering the inadequate pay of teachers, it helps along. Ten teachers received the $500 gift this year and 90 more received only a scroll.

I quote from one citation, that to Frank Alweis, of James Monroe High School, to indicate what is meant by dedication:

"By your superiors, by Barnard College and the Ford Foundation, your teaching has been characterized as vital, dynamic, and stimulating, marked by sound scholarship, noble character and high professional ideals. With zeal and devotion you have inspired able students to a high degree of creative achievement, culminating in scholarships awarded to them by our best colleges. At the same time you have not neglected the slow learners and those beset with emotional problems. Under the sponsorship of Columbia University, you have trained underachievers in better learning habits.

"In addition to your daily classroom chores, you have voluntarily devoted many hours to the advancement of your pupils, by arriving early, staying late, and often sacrificing part of your lunch period. Despite this, you have found the time to publish a history textbook, revise the official syllabus, and write 'a world history.'"

We hear and read so much these days about how inadequate teachers are; how their vacations are too long; and how many of them hold more than one job. What Judge Goldstein and the Grand Street Boys' Association have set out to prove, by selecting 100 teachers a year, is that there are today profoundly dedicated teachers who serve their pupils well and whose influence upon the lives of those who come within their orbit will always be ennobling. It is a task worth while and might be emulated by other communities.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEATING. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. EASTLAND. Mr. President, I am opposed to the amendment offered by the senior Senator from Florida [Mr. HOLLAND] to Senate Joint Resolution 39, relating to the qualifications for voting in Federal elections. Legislation to abolish payment of the poll tax has been kicking around the Congress for the past 25 years, and during this period of congressional debate a number of States, through their own initiative, have proceeded, by State action, to repeal the poll tax requirement. Is it not better to permit this trend to continue through State action rather than to incite a long-drawn-out poll tax controversy in the Halls of Congress?

I believe in the poll tax. Although that question is not within my power to determine, I certainly believe that my State should retain the poll tax and the money derived therefrom to help finance our public school system. I have never found that it prevents anyone from voting. It has nothing to do with preventing anyone from voting. In order to be qualified to vote in Mississippi, a person must pay the $2 poll tax for 2 years before an election. After he becomes 60 years of age, he is exempt. It is a very good and efficient system to raise money for public schools and education.

We hear much said about the Soviet Union, and the advantages it has over the United States in the field of education. I know that funds received from poll tax payments in the State of Mississippi provide for a more efficient school system there.

It is the judgment of the senior Senator from Mississippi that a person who does not care enough for the franchise to desire to pay a poll tax as a qualification should not be permitted to vote, because I do not believe that he cares enough about his citizenship. I think it is a very wholesome and very fair tax.

Mr. President, I do not challenge the constitutional amendment approach taken by the proponents sponsoring the amendment to Senate Joint Resolution 39. However, I do challenge the wisdom of the approach. As a matter of fact, the chief sponsor of the amendment, the distinguished Senator from Florida [Mr. HOLLAND], in testifying before a subcommittee of the Committee on the Judiciary on a similar proposal in the 83d Congress, stated:

I would like to see the abolition of poll taxes as a prerequisite for voting accomplished as speedily as possible in the five States in which the poll tax requirement still exists, and I would prefer to see that accomplished as a result of action taken by the States themselves.

If the poll tax is to be abolished, it is much better that it be done by the people of the States involved. After all, this is a Union of sovereign States, and this is a question which must be decided at the State level.

Let me say again that I believe in the equity of the poll tax. I hope that the people of my State will not exercise their power to repeal the poll tax. This requirement, as a qualification, remains in only five States, namely Alabama, Arkansas, Mississippi, Texas, and Virginia. I say, let those five States take action themselves, either to retain or to repeal, as they desire.

We all know that the payment of a poll tax as a qualification for voting is as old as America itself. The matter of the qualification of electors in the several States to vote in the election of Federal officials is governed, first, by section 2, article I, incorporated and drafted by the Constitutional Convention of 1787. It provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That provision was included in our original Constitution and remains operative today, spelling out with great clarity that the House of Representatives shall be chosen every second year in the States by the people of the States and that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

It is crystal clear that that provision means that each State is specifically allowed to retain the power to prescribe the qualifications for the electors of the most numerous branch of its State legislature and the Federal Constitution simply prescribes those same qualifications as the qualifications which shall be applicable to those who are allowed to participate in the election of Federal officials.

In 1912, the Congress of the United States submitted to the various States the 17th amendment, to provide for the direct election of Members of the U.S. Senate. Prior to the adoption of the 17th amendment, U.S. Senators had been elected under the preceding provision of the original Constitution, under which the legislatures of the several States elected U.S. Senators. The first paragraph of the 17th amendment states:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Thus, the qualifications clause of the 17th amendment for the election of Senators is the same as the qualifications clause for the election of Representatives. In other words, this means that the States are to determine the qualifications which apply to elections for Representatives and Senators.

During the course of my remarks in the U.S. Senate on September 14, 1959, addressing myself to this very section of the Constitution, the senior Senator from Georgia [Mr. RUSSELL] observed:

I point out to the distinguished Senator from Mississippi that that is the only language in the Constitution of the United States which appears in two places in identically the same words. It appears where the Senator has stated, in section 2 of article I; and in the 17th amendment, providing for the popular election of Senators, the identical language appears again.

There are those who like to contend that the 15th amendment somehow was a restriction upon section 2 of article I of the Constitution. That, of course, cannot be true since the 17th amendment, which was ratified some years after the 15th amendment, repeated the earlier language of the Founding Fathers in article I and is the latest expressed of the will of the people in the writing of their Constitution.

Thus, the distinguished senior Senator from Georgia was affirming the principle which has existed for more than a hundred and fifty years, and which the Founding Fathers intended and contemplated, namely, that it is the States themselves who have the power to determine the qualifications of their own electors.

The question of whether the States or the Federal Government should determine the qualifications of electors of Representatives was thoroughly debated by the delegates to the Constitutional Convention of 1787. On August 6, 1787, Mr. Gouverneur Morris moved to strike from article IV, section 1, of the existing draft—which became article I, section 2, in the final draft—the words:

The qualifications of the electors shall be the same, from time to time, as those of the electors, in the several States, of the most numerous branch of their own legislatures.

Gouverneur Morris' purpose was "in order that some other provision might be substituted which would restrain the right of suffrage to freeholders." The motion to strike was defeated.

Gouverneur Morris argued that another objection against the clause, as it stood, was that it made the qualifications of the electors of the National Legislature depend upon the will of the States, which he thought was not proper. Colonel Mason opposed the striking of the sentence, stating:

A power to alter the qualifications would be a dangerous power in the hands of the Federal Legislature.

Mr. Ellsworth argued that he thought "the qualifications were on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions"—Fifth Elliott's Debates on the Federal Constitution, page 385, and the following.

The debates in the Constitutional Convention reveal very clearly that it was the intention of the framers of the Constitution that the States should prescribe the qualifications of electors of Representatives in Congress by section 2 of article I. As Hamilton pointed out in The Federalist, this constitutional provision conformed to the "standard," meaning voting qualifications, established or to be established by the States—The Federalist, No. 52.

The qualifications prescribed by the State constitutions in force in 1787 and which were carried over into the Federal Constitution, demonstrate conclusively that the words "qualifications" and "qualified" were directly related to requirements for voting.

The constitution of Pennsylvania, 1776, provided in section 6 thereof:

Every freeman of the full age of 21 years, having resided in this State for the space of 1 whole year next before the day of election for representatives, and pay taxes during that time, shall enjoy the right of an elector.

That was a property qualification.

The constitution of New York, 1777, provided in article VII thereof:

That every male inhabitant of full age, who shall have personally resided within one of the counties of this State for 6 months immediately preceding the day of election, shall, at such election, be entitled to vote for representatives of the said county in assembly; if, during the time aforesaid, he shall have been a freeholder, possessing a freehold of the value of 20 pounds, within the said county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to this State.

That was a property qualification.

The constitution of North Carolina, 1776, provided in article VIII thereof:

That all freemen of the age of 21 years, who have been inhabitants of any one county within this State 12 months immediately preceding the day of election, and shall have paid public taxes, shall be entitled to vote for members of the house of commons for the county in which he resides.

New Hampshire was the first State to have the poll tax as a prerequisite to voting. The New Hampshire constitution of 1784 states:

The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz: Every male inhabitant of each town and parish with town privileges in the several counties in this State, of 21 years of age and upwards, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March; to vote in the town or parish wherein he dwells, for the senators in the county or district whereof he is a member.

And every person qualified as the constitution provides shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish, and plantation where he dwelleth and hath his home.

The members of the house of representatives shall be chosen annually in the month of March, and shall be the second branch of the legislature.

All persons qualified to vote in the election of senators shall be entitled to vote within the town, district, parish, or place where they dwell, in the choice of representatives.

Article II of the constitution of Maryland, provided:

That the house of delegates shall be chosen in the following manner: All freemen, above 21 years of age, having a freehold of 50 acres of land, in the country in which they offer to vote, and residing therein—and all freemen, having property in this State above the value of 30 pounds current money, and having resided in the county, in which they offer to vote, one whole year next preceding the election, shall have a right of suffrage, in the election of delegates for such county; and all freemen, as qualified, shall, on the first Monday of October 1777, and on the same day in which they are respectively qualified to vote, at the courthouse, in the said counties; or at such other place as the legislature shall direct; and, when assembled, they shall proceed to elect, viva voce, four delegates, for their respective counties, of the most wise, sensible, and discreet of the people, residents in the county where they are to be chosen, one whole year next preceding the election, about 21 years of age, and having, in the State, real or personal property above the value of 500 pounds current money; and upon the final casting of the polls, the four persons who shall appear to have the geratest number of legal votes shall be declared and return duly elected for their respective counties.

The applicable provisions of the constitution of 1776 of the State of New Jersey are:

ART. IV. That all inhabitants of this colony, of full age, who are worth 50 pounds proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for 12 months immediately preceding the election shall be entitled to vote for representatives in council and assembly; and also for all other public officers, that shall be elected by the people of the county at large.

ART. XIII. That the inhabitants of each county, qualified to vote as aforesaid, shall at the time and place of electing their representatives, annually elect one sheriff, and one or more coroners; and that they may reelect the same person to such offices until he shall have served 3 years, but no longer; after which, 3 years must elapse before the same person is capable of being elected

again. When the election is certified to the Governor, or Vice President, under the hands of the six freeholders of the county for which they were elected, they shall be immediately commissioned to serve in their respective offices.

The 1778 constitution of the State of South Carolina provides:

The qualification of electors shall be that every free white man, and no other person, who acknowledges the being of a God, and believes in a future state of rewards and punishments, and who has attained to the age of one and twenty years, and hath been a resident and an inhabitant in this State for the space of 1 whole year before the day appointed for the election he offers to give his vote at, and hath a freehold at least of 50 acres of land, or a town lot, and hath been legally seized and possessed of the same at least 6 months previous to such election, or hath paid a tax the preceding year, or was taxable the present year, at least 6 months previous to the said election, in a sum equal to the tax on 50 acres of land, to the support of this government, shall be deemed a person qualified to vote for, and shall be capable of electing, a representative or representatives to serve as a member or members in the senate and house of representatives, for the parish or district where he actually is a resident, or in any other parish or district in this State where he hath the like freehold. Electors shall take an oath or affirmation of qualification, if required by the returning officer.

The Massachusetts Constitution of 1780, article II, is as follows:

There shall be a meeting on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this Commonwealth, to be called by the selectmen, and warned in due course of law, at least 7 days before the first Monday in April, for the purpose of electing persons to be senators and councilors; and at such meetings every male inhabitant of 21 years of age and upward, having a freehold estate within the Commonwealth of the annual income of 3 pounds, or any estate of the value of 60 pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant. And to remove all doubts concerning the meaning of the word "inhabitant," in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office or place within this State, in that town, district, or plantation where he dwelleth or hath his home.

The selectmen of the several towns shall preside at such meetings impartially, and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators.

The Georgia constitution of 1777, article II, states:

All male white inhabitants of the age of 21 years, and possessed in his own right of 10 pounds value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident 6 months in this State, shall have a right to vote at all elections for representatives, or any other officers herein agreed to be chosen by the people at large; and every person having a right to vote at any election shall vote by ballot personally.

The constitution of Virginia, of 1776, states as follows:

The right of suffrage in the election of members for both houses shall remain as exercised at present; and each house shall choose its own speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election, for the supplying intermediate vacancies.

Mr. President, it is abundantly clear from a review of the constitutions of the Original States that at the time those States entered the Union all had either a poll tax requirement or property ownership or taxpaying requirements, and that the words "qualified" and "qualifications" were used in referring to those conditions. Furthermore, it is clear that these conditions had to be complied with before a person became eligible to vote. Not all citizens could vote. Only those who qualified by meeting the requirements specifically set forth in the State constitutions. This historical fact was commented upon by Mr. Chief Justice White, speaking for the Supreme Court, in *Minor* v. *Happersett* (21 Wall. 162), of the qualifications requisite for voting in the various States at the time the Federal Constitution was adopted. He said:

When the Federal Constitution was adopted all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their charters from the Crown. Upon an examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power. * * * In this condition of the law in respect to suffrage in the several States it cannot for a moment be doubted that if it had been intended to make all citizens of the United States voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

It is clear that the framers of the Constitution of 1789 simply carried over into it, in section 2 of article I, the idea that the word "qualifications" included requirements for the payment of a poll tax or the payment of a property tax and the ownership of property where such requirements exist under State law.

As a matter of fact, the ownership of property as a prerequisite for voting was carried over from colonial days up to the year 1933 by the State of Pennsylvania. Thus, while there are remaining today only five States having the requirement of the payment of a poll tax, since the inception of our Union of States these States at one time or another had in their laws provisions similar to the poll tax provision. It is still a qualification for voting in municipal and town elections in the State of Vermont.

During the past 150 years one after another of our sovereign States, by the actions of their own State legislatures, have repealed the poll tax provision, so that only five States are left. If it has taken 150 years for the majority of the States to repeal their poll tax provision, is there any great haste, or is there any reason to believe that the five remaining States should not be permitted through their own legislative process to repeal this prohibition, or to retain it, rather than directing the adoption of a constitutional amendment specifically at them?

I submit, Mr. President, wisdom requires that Congress abstain from this field of legislation, and leave the matter to the action of the State legislatures of these five States.

Mr. President, it is well settled that it is the right of the States alone to determine the qualifications of their voters, and that principle, as I stated earlier in these remarks, was carried over from the charters of the Colonies into the State constitutions of the Original States and was incorporated into our Constitution by the drafters of that document.

Mr. President, in the judgment of the senior Senator from Mississippi, one of the basic factors in our system of government is that the States themselves have the right to choose, to decide, the qualifications of electors. That is a State prerogative. But under the amendment of the senior Senator from Florida, there would be an invasion of the rights of the States and a fracture of one of the fundamental principles of the American Government.

Section 2 of Article I of the Constitution provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

James Madison, one of the writers of The Federalist papers, in discussing the qualifications of electors in the electing of Federal officials, stated in Federalist No. 52, at pages 341 to 342:

I shall begin with the House of Representatives.

The first view to be taken of this part of the Government relates to the qualifications of the electors and the elected.

Those of the former are to be the same with those of the electors of the most numerous branch of the State legislature. The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress, would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established, by the State itself. It will be safe to the United States, because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge the rights secured to them by the Federal Constitution.

During the debates in Congress on the 17th amendment, providing for the direct election of U.S. Senators by the people, rather than being selected by the State legislatures, the principle was enunciated time and time again that

the States alone are to determine the qualifications of the voters.

During the course of that floor debate it was repeatedly stated and agreed that the States alone are to determine the qualifications of their voters. It is the State who, in the first instance, says who can and who cannot vote; and then, after the State determination, the Federal Government guarantees to those whose status has been determined by the States, the right to exercise that franchise. In other words, the Federal Government is not to interfere with any qualifications which the State fixes with reference to the voters.

But what is being attempted here today? The Congress by constitutional amendment would be interfering with a qualification of a voter that has been fixed by the State and has long been observed by the State, namely, that a voter, to be qualified, must have paid a poll tax.

During the course of the debate on House bill 1024, providing for elimination of the poll tax in elections of Federal officers, the then senior Senator from Florida, Mr. Andrews, made some interesting remarks on the floor of the Senate on November 21, 1942. His words then are as pertinent today as they were on that day in 1942; and at this time I wish to quote some of Judge Andrews' remarks:

> If any citizen desires to know who are qualified to vote for Representatives and Senators in his State, all he has to do is to look at the constitution of his State and the statutes of his State, and he will find the answer. He will not find it anywhere else.
>
> The paying of a poll tax is inconsequential so far as the mere qualifying of electors in the States to vote is concerned. The amount is not excessive; in fact, in many States it is only $1 a year. The requirement for the payment of a poll tax has been in vogue in most of the States comprising the Union for many years; in fact, before the Constitution there was a poll-tax requirement in the Colonies. In 32 States of the Union there is now levied a poll tax, but it so happens that in only 7 or 8 States of the Union the prepayment remains a qualification for registration and participation in elections at the polls.
>
> The registration books constitute an honor roll of citizenship; indeed, they evidence the fact that a man or a woman is a member of the great body of interested and responsible citizenship of the United States and thus entitled as a citizen of the United States to express his or her views and wishes at the polls.
>
> Some States have abolished the poll tax as a prerequisite to voting. It happens that my own State of Florida is one of the States which has entirely abolished the poll tax. In 1937 an act was passed by the Florida Legislature repealing the law providing for the payment of a poll tax as a qualification for registration and voting. The next regular session of the legislature in 1939 eliminated all poll taxes entirely. There were a great number of people who felt that the poll tax should not be repealed because the proceeds, though small, went directly to public education. Originally the poll tax was not levied for public-school purposes. Three-quarters of a century ago the poll tax was collected from persons who did not put in a prescribed number of days work on the public roads.
>
> Since that time, however, public education has been developed and expanded, and the public school system has become so necessary for the education of our people that, by statute, the proceeds from the poll tax have been devoted to the support of public schools. The repeal of the poll tax in Florida did not have any effect whatsoever on the casting of ballots so far as race, color, or previous condition of servitude were or are concerned.
>
> The registration of voters regardless of race, creed, or party affiliations was greatly increased; but, so far as I am advised, there was no increase whatsoever in the vote cast by our colored people; yet there has been created all over the United States a feeling that if the pending bill could be passed it would have a profound effect upon the number of votes cast by the colored people. What has happened in the State of Florida is sufficient to show that no such result would be brought about. All may vote who are qualified and register in the poll books. There are infinitely more poor white people who probably did not vote by reason of the poll tax than colored.
>
> I was in favor of the abolition of the poll tax in my State not only for the reason I have stated but for another reason. The poll-tax requirement for voting afforded designing politicians an opportunity by collaboration with the heads of great organizations, to provide means whereby people who do not feel able to pay their poll tax had it paid for them, on condition they agree to vote a certain ticket. Such things perhaps have occurred all over the United States.
>
> The question may be asked why should a person who believes as I believe, that it was wise to abolish the poll tax in Florida, oppose the pending bill? I have just read from the Constitution of the United States which provides, in clear terms, that the power to provide qualifications for voters was and is a power retained by the States. If the Congress can pass a law doing away with the qualifications now so provided in certain States, it could go further and pass a law providing that there shall not even be registration, which is now the prima facie evidence that one is entitled to vote. If such an attempt had been made during the Constitutional Convention, or during the time the Bill of Rights was under discussion, it would have failed.

As Judge Andrews so cogently observed in 1942, if the Congress can pass a law doing away with the voter qualifications now provided in certain States, as is here attempted by way of a constitutional amendment, it can go further and provide that there shall not even be voter registration. If this path is pursued by the proponents, there will be no authority left in the States over their own voters and the inevitable result will be Federal preemption of the entire voter field.

Mr. President, the amendment offered by the distinguished senior Senator from Florida is certainly a long step in the direction of federalization of elections and the control of all elections, even in the counties and in the towns, by the Federal Government.

I say that if this course is followed by the Congress, the words of Chief Justice Fuller in *McPherson* v. *Blacker* (146 U.S. 1), at page 36, no longer will have meaning. Chief Justice Fuller said:

> The "right to vote" protected or secured by the Constitution is, and only is, the right to vote as established by the laws and constitution of each State.

If we deprive the States of the power to determine the qualifications of their voters, the right to vote will be only that right conferred by the Federal Government. The States will have nothing to say about their own voters.

Mr. President, in the 83d Congress there was before the Senate Joint Resolution 53, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. On May 21, 1954, after debate, the Senate rejected that proposed constitutional amendment. It was the considered judgment of the Senate on that day that the power of the States to determine the age at which its citizens may vote is a qualification which should be retained by the States themselves. I believe that the arguments made on the floor of the Senate in the 83d Congress by those opposing a constitutional amendment which would lower the voting age to 18 are equally applicable here today in opposing this constitutional proposal to outlaw the poll tax. It was stated again and again on the floor of the Senate, in the debate on the constitutional amendment lowering the voting age to 18, that the States themselves should determine the qualifications of their own voters; that if a constitutional amendment were adopted lowering the voting age to 18 and taking that power from the States, then there would be other attempts by way of constitutional amendments to take other powers concerning voters from the States. The end result of this would be to lodge all power and control over voting requirements in the Central Government, rather than in the States, where the Constitution properly determined they should be.

During that debate on the 18-year-old amendment, Members of this body echoed and reechoed the statement that the Federal Government should not invade the States and say to their people: "We are going to tell you what to do and we will deny to you the right to legislate in this vital field of maintaining and operating the elective process and deciding the qualifications of your electors."

In that debate a most persuasive speech was delivered in opposition to favorable consideration of that constitutional amendment by the senior Sentor from Georgia [Mr. RUSSELL]. It is so pertinent to the matter under consideration here today that I desire to quote some remarks of the Senator from Georgia. He stated:

> It so happens that I represent in part in this body the one State which allows persons to vote on attaining the age of 18. That was brought about by using machinery provided under our State law. There is not a single State in the Union which does not have adequate machinery at the State level to enable it to fix the age of voting at any age. I think that permitting all those attaining the age of 18 to vote in my State has worked very well. I have no complaint to make with regard to that; but I do not propose to vote to coerce any other State of the Union to follow the example of my State. Neither do I propose to vote for an amendment which would put my State in a straitjacket which would prevent it from making a change in that regard. For illustration, suppose in the next few years the Legislature of Georgia decided that the age of 18 was 1 year too soon to allow persons to vote, and the people of my State wished to change the

voting age to 19. That right is guaranteed to the people of my State by the terms of the Federal Constitution. If they wished to do so, the voting age could be changed to 19 instead of 18. I do not propose to encase the people of my State in any Federal straitjacket such as this measure offers.

Mr. President, States are fast losing their identity as units of government. Our once proud dual system seems to be giving way to the view that all power should be concentrated in Washington, that only Washington has the wisdom to direct and control the people of the United States in every detail of their daily lives. We know we have achieved our present greatness not through the concentration of power in the Federal Government, but because the functions of Government were kept close to the people, and all the people took great interest in their Government, because we have felt greater responsibility for local governments, and because, embraced within the Federal Government, we have 48 laboratories of government, each of which could try out measures and undertake to adapt itself to different conditions and different laws. The people of the United States have not heretofore considered it to be advisable or desirable to have every bit of the power of Government concentrated in Washington, with an allegedly allwise Congres sending word down to the States, which would reflect upon the intelligence, integrity, and capacity of every State legislature, the Governor of every State in the land, and telling them, "You have the machinery available to you right at hand to fix the voting age within your State, but you have not the intelligence, the patriotism, and the integrity to use it properly.'

I do not want the Federal Government to invade the States and say to their people, "We are going to tell you what to do. We are going to put you in a straitjacket. Henceforth and forevermore, you will be denied the right to legislate under State laws in this vital field of maintaining and operating the elective process in this Government and deciding the qualifications of your electors."

This step will be followed by others; perhaps the insistence that the votes should be counted here in Washington, and when that day comes the Republic will be gone. It will be well for us to remember what took place with regard to the election which resulted in what is known as the Tilden-Hayes case, when the Federal Government undertook to operate the election machinery of some of the States.

The Senator from Georgia [Mr. RUSSELL] predicted in 1954 what could happen today. He said that one proposed constitutional amendment after another could be brought up designed further to limit the power of the States. And if that procedure were followed, ultimately there would be no power left in the States, but all power would be in the Federal Government, and that would be the doom of the United States.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. EASTLAND. I yield.

Mr. RUSSELL. Mr. President, I am flattered to have the distinguished Senator read my remarks with respect to the proposal to amend the Constitution of the United States so as to freeze the voting age requirement. My State, it so happened, was the only one at that time which would permit voting at the age of 18, but, as I stated, I did not propose to coerce any other State.

It so happens that my State does not collect any tax for the right to vote.

Of course, there is a great misunderstanding about the poll tax. I found one eminent Member of this body once who thought the word "poll" in relation to the poll tax had something to do with the voting place. As a matter of fact, this tax is a capitation tax or a head tax, and it is designated by one of the oldest of the four letter Anglo Saxon words "poll," which means "head." This is a head tax.

I assure the Senator that I feel as strongly on this subject today as I did when I made those remarks in 1954. I am delighted that the Senate of the United States on that occasion failed to give the two-thirds vote necessary to propose the amendment to the Constitution, even though that proposal had the endorsement of a new national administration and one of the most popular Presidents this country had ever known.

People learn as they go along. I am delighted the President of the United States has not revived the demand that we amend the Constitution and shrink the electoral process by action in the National Capital. There is no doubt about the fact that, if it is permitted to prevail, the demand on the part of a group of self-righteous reformers that everything in this country conform to their views will ultimately destroy the way of life which has given us the greatest civilization the world has ever known.

A group here in Washington, D.C., subject to the demands of power politicians, continually says to Members of Congress who are slaves of pressure groups, "You must conform—you must conform—to what we think is the proper rule of conduct."

They say that the 50 States must conform; that the more than 3,000 counties of this great land of ours, confronted with different problems and having different schools of thought—indeed, having different ethnic strains of people—must conform.

Mr. EASTLAND. Is it not true that the whole theory of our Government is that there should be no conformity?

Mr. RUSSELL. I was coming to that point. We are told that 170 million American citizens who have been free men must conform to the views of this group as to what kind of citizens we should have. They propose to make robots out of the American people—to make us all in one mold, to make us all of one kind, to make us all think alike. They will wind up by having us drink alike, eat the same foods, pursue the same rules that are laid down in Washington, D.C.

Mr. EASTLAND. Does the Senator agree that when we go into the field of federalizing elections, which the Holland amendment would do, it will destroy this country and destroy the liberties of the American people?

Mr. RUSSELL. I was very pleased when the Senator read my prediction in 1954. I stand on that same position today. If the day ever comes when we federalize elections and bring the ballot boxes to Washington, D.C., to have the votes counted—if we break down the compartments of the 50 States of the Union—that day we will have invited a dictatorship and a destruction of individual liberty in these United States.

Mr. EASTLAND. Mr. President, the Constitution provides that the States are to prescribe the qualifications of electors of the most numerous house of the respective State legislatures, and within those qualifications is the qualification of age of the voter. In the nature of suffrage there must be the age qualification, and the States by their own constitutions prescribe the age at which a voter is eligible to vote. By constitutional amendment the Congress attempted to limit the power of a State to determine at what age its citizens may vote. That attempt was defeated on the floor of the U.S. Senate on May 21, 1954. Another qualification the States have imposed in the past, and which is now observed as a requirement by only five States, is the payment of a poll tax as a prerequisite for voting. Here today, is an attempt to limit the power of the States in that area. If that proves successful, then what can be done next? A residence requirement is common and perhaps universal, but the time of residence varies greatly in the different States and each State, within its own constitution, prescribes a residence requirement as a voting qualification. It follows that there could be next on the horizon a constitutional amendment taking from the State the power to determine the residence requirement for its own electors.

Registration of voters is commonplace and proper qualification. The several States, by their constitutions, establish registration requirements. Possibly within the near future attempts will be made, via the constitutional amendment route, to take away this power of the State to determine registration requirements for its voters.

A number of the States have literacy and educational tests as a proper qualification for a voter. A constitutional amendment could be proposed to take that power from the States.

The end result will be, if the present action is successful, to limit the power of the State to determine its qualifications by way of a poll-tax requirement, and all of the other voter qualifications followed by the States today will be taken from them and lodged in the Central Government.

I say it is possible, of those who feel that the State should have no power at all over the qualifications of its own electorate continue their efforts, there will be no State power over the electorate, but everything will be in the hands of the Federal Government. In my judgment, the adoption of this amendment today would be but a step in the direction of concentrating in the Federal Government all power over State electors, and if the proponents are successful in having this constitutional amendment approved, the other steps will inevitably follow:

Mr. President, I should like to correct a misapprehension which has ex-

isted for as many years as the poll tax controversy has been before the Congress, that the poll tax, as such, in effect in the five States is discriminatory between the races. Nothing could be further from the truth. The present poll tax qualification existing in the five States of Alabama, Arkansas, Mississippi, Texas, and Virginia does not discriminate in any way, shape, or manner as between the races. These poll tax laws apply to whites in exactly the same manner as to Negroes. Nonpayment of the tax is a bar to a white person voting the same as in the case of a Negro. The discrimination, if any, is between those who conform to the law and those who do not. The poll tax laws merely provide that before voting a citizen must have paid a poll tax.

The impression also exists that those who oppose legislation repealing the poll tax are trying to preserve poll taxes as such. Our opposition to this measure is predicated on the basis that any action by way of repeal should come from the States themselves rather than by action of the Federal Government. In opposing favorable consideration of this amendment we stand on the principle that fixing qualifications for voting should continue to be the right of the States and should not be taken over by the Federal Government.

Past history reveals that the poll tax has been, is being, and can be ended by action of the States themselves, thereby making action by the Federal Government in this field unnecessary. The charge has been made that discrimination against Negroes keeps them from voting. In my State a person over 60 years of age is exempt from payment of the poll tax. In some States the age is 50 years.

It is our strong feeling that those who demand action by the Federal Government by way of the constitutional amendment route indirectly give aid and comfort to those who try to break down our American system of government by taking from the States functions which they should exercise and always have exercised under our constitutional form of government. If the effort to whittle away part of the sovereignty of the States is successful in this instance it can be accomplished in other fields, and eventually there will be little left of the States as governmental entities.

Mr. President, more than 150 years ago the framers of our Constitution debated at great length in the Constitutional Convention the question of the qualifications of electors. After full and unlimited debate the collective judgment of that great Convention recommended that the qualifications requisite for Members of the U.S. House of Representatives be the same as those requisite for electors of the most numerous branch of the State legislature. There were those in the Convention who desired to place the power of determining qualifications in the National Government. However, the Members of the Convention determined that the right of fixing the qualifications should be within the power of the States, and that power has remained with the States for more than 150 years. Today, because there are five remaining States that have a qualification on their statute books pursuant to their own constitutions, it is proposed that Congress reverse the action taken by the framers of our Constitution in 1787.

Mr. President, I believe the Senate of the United States is striking a mortal blow at the sovereignty of our individual States in limiting the power of the States to determine the qualifications of its voters.

In the 77th Congress the Committee on the Judiciary had under consideration S. 1280, a bill concerning the qualifications of voters or electors within the meaning of section 2, article I of the Constitution and making unlawful the requirement for the payment of a poll tax as a prerequisite to voting. A subcommittee of the Committee on the Judiciary submitted an adverse report to the full committee on this proposal. The adverse report of the subcommittee contained a statement which bears repeating at this point. The statement is this:

> It is acknowledged by the proponents of this bill that Congress has no power to fix or alter the qualifications of voters for State office and so they propose only to abolish the poll tax for election of Federal officials. To do this, they must deny that a poll tax is a qualification. Otherwise, they would be forced to admit an attempt to disregard section 2 of article I. This they cannot do without conceding the unconstitutional character of the bill. So they adopt the ingenious ruse of declaring in the first section of the measure that the poll-tax requirement is not a qualification of voters but an interference with the manner of holding a Federal election and as such subject to regulation by Congress under section 4, article I. Here, however, they are met by the historic fact that when the Constitution was adopted all of the original States had property or tax qualifications for voters.
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> The framers of the Constitution knew, for example, that the actual payment of a State or county tax was a voting qualification in Pennsylvania when the instrument was drawn and that the other States had similar provisions. The framers accepted these qualifications, whatever they might have been in all of the States, by the language of section 2 of article I and nowhere did they give Congress the power to alter them. They did give Congress the power to alter State regulations governing the times and manner of choosing Senators and Representatives as well as the places of choosing Representatives, but no such supervisory power over voting qualification was granted. Certainly such power cannot be implied by contending that although the Constitution makers, who were perfectly familiar with property qualifications, did not have them in mind when writing section 2 of article I which deals with qualifications, but did intend to give Congress power to change them when they wrote section 4 of article I which deals with the manner of holding elections.
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> It would be difficult to imagine any language more clear than the first clause of section 2, article I:
>
> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."
>
> If Congress by law should undertake to provide, as the proponents of this bill urge Congress to do, qualifications for the electors of Members of the National House of Representatives other than and different from those "requisite for electors of the most numerous branch of the State legislature" in any State, it would be acting in direct contravention of the mandate of the Constitution that they should be the same.

It should be noted that the chairman of the subcommittee considering the proposal at that time was the distinguished Senator from Wyoming [Mr. O'MAHONEY], who was then and is now a member of our Committee on the Judiciary and one of the leading constitutional lawyers of all time. That subcommittee, in considering S. 1280, also stated:

> It is better to await the wise action of the remaining States than by a strained construction of the Constitution to apply by statute the power of the central Government to force upon any State a particular course of action in a field which the Constitution left to the States.

I submit that the statement of the then subcommittee of the Committee on the Judiciary is as appropriate today as it was 17 years ago. It is my considered judgment that the Congress would be wise today to await the action of the five remaining States, by action of their State legislatures, rather than to whittle away by constitutional amendment a power which was left to the States themselves by the framers of the Constitution.

Throughout the history of our country regulation of voting has been traditionally and appropriately a function of the States. In fact, the intrusion of the Federal Government into the regulation of voting has been generally considered unconstitutional except in those instances precisely defined in the 14th and 15th amendments. In *Minor* v. *Happersett* (88 U.S. 162 (1874)), Mrs. Minor was refused registration to vote for electors for President and Vice President of the United States, and for a Representative in Congress at the general election held in November 1872. She was refused because the Missouri constitution authorized voting my male citizens only. Mrs. Minor contended that the right to vote at elections affecting Federal offices was a right and privilege secured to her by the Constitution of the United States which could not be abridged by the State of Missouri. The Court said:

> If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri confining it to men are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.

Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(At this point Mr. EASTLAND yielded to Mr. MAGNUSON to introduce a bill (S. 2935), and debate ensued which appears earlier in today's RECORD under the appropriate heading.)

Mr. HILL. Mr. President, will the Senator from Mississippi yield, so that I may suggest the absence of a quorum, if it is understood that in yielding for that purpose he will not lose the floor?

Mr. EASTLAND. Yes, if unanimous consent for that purpose is given.

Mr. HILL. I so request.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Is there objection? Without objection, it is so ordered.

Mr. EASTLAND. Then, Mr. President, I yield.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

The Senator from Mississippi has the floor.

Mr. EASTLAND. Mr. President, at the time of the interruption I was quoting from the decision of the Supreme Court in the case of Minor against Happerset. I continue the quotation:

The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case, one need not determine what they are, but only whether suffrage is necessarily one of them.

It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature. Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State. Each State must appoint, in such manner as the legislature thereof may direct, the electors to elect the President and Vice President. The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.

The amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly, it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizen (*Minor* v. *Happerset*, 88 U.S. 162, 170 (1874)).

Finally the Supreme Court said:

Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be (*Minor* v. *Happerset*, 88 U.S. 162, 170 (1874)).

This was the consistent doctrine of the Supreme Court for generations. In *United States* v. *Reece* (92 U.S. 214 (1875)), election inspectors were indicted under sections of a postwar Civil Rights Act for depriving a Negro citizen of the right to vote in a municipal election. The Court held that those sections of the statute were vague and indefinite, therefore unconstitutional, because they did not precisely limit the definition of the Federal crime to deprivation of voting rights protected by the 14th and 15th amendments.

The Court said—*United States* v. *Reece* (92 U.S. 214, 217–218 (1875)):

The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, education. Now it is not. If citizens of one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guarantee against this discrimination; now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. This, under the express provisions of the second section of the amendment, Congress may enforce by appropriate legislation.

In the case of *Breedlove* v. *Suttles* (302 U.S. 277, 238 (1937)), a Georgia statute making a poll tax a voting prerequisite to Federal and State elections, was attacked on the ground that it violated the 14th and 19th amendments. The tax in question applied to all inhabitants of Georgia between the ages of 21 and 60, with an exception for females who did not register for voting. The court held that the classification of the law, not being an invalid discrimination, did not violate the equal protection clause of the 14th amendment. The court also held that the exemption for women who did not vote was not in violation of the 19th amendment. In the course of its opinion the court also stated clearly that the poll tax was not prohibited by the privileges and immunities clause of the 14th amendment and was a proper qualification for voting for the States to impose.

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. *Minor* v. *Happersett* (21 Wall. 162, 170 et seq.), *Ex Parte Yarbrough* (110 U.S. 651, 664–665), *McPherson* v. *Blacker* (146 U.S. 1, 37–38), *Guinn* v. *United States* (238 U.S. 347, 362). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources (*Hamilton* v. *Regents*, 293 U.S. 245, 261).

The question of Virginia poll tax as a prerequisite to voting was reviewed by a special three-judge court as recently as 1951 in *Butler* v. *Thompson* (D.C.E.D. Va., 97 F. Supp. 17, affirmed, 341 U.S. 937). Judge Dobie quoted from an earlier opinion in the case of *Saunders* v. *Wilkins* (152 F. 2d 235, 237), as follows:

The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles* (302 U.S. 277, 283, 58 S.Ct. 205, 82 L. ed. 252) held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

In the case of *Pirtle* v. *Brown* (118 Fed. 2d, 218, 221), the Circuit Court of Appeals of the Sixth Circuit considered this question: Whether or not the Tennessee Constitution and statutes, which make the payment of a poll tax a condition precedent to the right to vote for Members of Congress, are repugnant to any of the provisions of the Constitution of the United States.

Pirtle, otherwise qualified, but having failed to pay the poll tax required by law, attempted to vote. The defendants, judges of election, declined to allow him. In the action brought by Pirtle, the Federal District Court rendered judgment for the defendant. Pirtle appealed to the Circuit Court of Appeals. The contention of the appellant, Pirtle, was that article IV, section 1, of the Constitution of Tennessee, and section 2027 of the Tennessee Code, violated the "privileges and immunities" clause of the 14th amendment to the Federal Constitution. The Circuit Court of Appeals held that this point had been conclusively decided against appellant in the case of Breedlove against Suttles, and that the Tennessee Code and Constitution did not

violate the "privileges and immunities" clause of the Federal Constitution.

In so holding, that court said:

But in any event, we are not dealing with the question whether the payment of poll tax as a prerequisite to voting violates some natural right or fancied political right. The inquiry is, whether such provision denied any privileges or immunities protected by the Federal Constitution. We have already seen that article I, section 2 of the Constitution of the United States guarantees to the elector for Members of Congress no other privileges than those accorded him by the State as an elector for the most numerous branch of the State legislature. But appellant goes beyond this. He urges that the quoted provision of article IV, section 1 of the Constitution of Tennessee and section 2027 of the code violates the "privilege and immunities" clause of the 14th amendment; that his right to vote for a Member of Congress is not taxable, regardless of whether the amount of the tax imposed is trifling or substantial. We need not labor the point. It has been conclusively decided against appellant in *Breedlove* v. *Suttles, supra* (302 U.S., p. 283, 58 S. Ct., p. 208, 82 L. ed. 252), where the court said:

"2. To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is confererd by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. *Minor* v. *Happersett* (21 Wall. 162, 170, et seq., 22 L. ed. 627; *Ex parte Yarbrough* (110 U.S. 651, 664, 665, 4 S. Ct. 152, 28 L. ed. 274); *McPherson* v. *Blacker* (146 U.S. 1, 37, 38, 13 S. Ct. 3, 36 L. ed. 869); *Guinn* v. *United States* (238 U.S. 347, 362, 35 S. Ct. 926, 59 L. ed. 1340, L.R.A. 1916A, 1124). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources. *Hamilton* v. *Regents* (293 U.S. 245, 261, 55 S. Ct. 197, 203, 79 L. ed. 343)."

I believe that it would be inconsistent for the Congress today to propose the enactment of a constitutional amendment to outlaw the poll tax by such route, in view of the fact that the principle has been long established that the States alone are to determine the qualifications of their voters. This would be the first time the principle of a State determining the qualifications of its voters has been vitiated on grounds other than race or sex. It is sound reasoning to me that Congress should not be spending its time trying to outlaw a qualification for voting required by only five States, and that this State action by so small a minority should not engage the attention of the Congress and the constitutional amendment route. It is my feeling that the proponents of this proposal could better use their time by advocating the abolition of the poll tax through the State legislatures themselves, that is, work on the State legislatures of these States now having such a tax rather than to seek action by the Congress by way of a constitutional amendment.

However, even if there were only one State remaining that required payment of a poll tax as a qualification for voting, we should not vitiate the right of a sovereign State to determine the qualifications of its own voters. Any action relating to a determination of the qualifications of the voters should come from the sovereign States themselves. If this proposal directed at five States is adopted by the Congress and ratified by three-fourths of the States, a pattern and precedent will be set so that subsequent action could be taken to initiate further constitutional amendments which would whittle away at the power of the States to control the qualifications of their voters. It would be logical, if this constitutional amendment process were adopted, for a succeeding Congress to attempt by constitutional amendment to remove from the laws of the States the educational qualifications provided in various States as a prerequisite to voting. Successive steps could follow which, if carried to their ultimate conclusion, could deprive the sovereign States of any control whatsoever over the qualifications of their own electors. I can only repeat that the sensible and logical approach, if the proponents so desire, is to seek repeal of the poll tax provision through the State legislatures, rather than by cluttering up the Constitution with an amendment affecting only five States. In other words, I believe that these States should have the power to repeal or retain the poll tax requirement.

Mr. President, 17 years ago the Senate was considering legislation outlawing the poll tax as a qualification for electors. During the course of the debate on that bill one of the greatest legal arguments ever made on the Senate floor was delivered by the Honorable JOSEPH C. O'MAHONEY, of Wyoming, who has long been recognized as one of the leading constitutional lawyers in this body. I believe that Senator O'MAHONEY'S statement made 17 years ago on the rights of States to fix the qualifications of their electors is so persuasive and so informative and cogent in its reasoning that his remarks should be recalled today. Senator O'MAHONEY said:

We now come to the question whether or not the pending bill represents a constitutional attempt to exercise constitutional congressional power. To me the answer to the question is so clear that I wonder how it can be debatable. At the very outset of the hearing on the pending bill I propounded the constitutional questions and asked the advocates of the bill to present arguments in support of their contention that the power to fix the qualifications of voters resides in a majority of Congress rather than in the States. The answer to that question has been merely the ingenious and clever stringing together of words, phrases, and emotional appeals by special pleaders who found themselves confronted by language and history which no person can misunderstand.

Bear in mind the fact that the framers of the Constitution clearly intended to make the States equal, and that they were careful to preserve in the States those powers which were not delegated to the Federal Government. We are confronted with the question of what they did about determining who should be the electors and who should fix the qualifications of the electors.

Let it be remembered that the men who sat in the constitutional convention and drew this instrument, which everyone recognizes as one of the most remarkable instruments ever drafted, did not provide for popular election of Senators. They provided that Senators should be elected by the State legislatures; and of course they neither exercised any jurisdiction, nor attempted to exercise any jurisdiction, over the qualifications of members of the legislatures. Their decision was that so far as the Members of the Senate were concerned the selection should be made by whomever the people of the several States might choose to send to the State legislatures.

Even in the matter of the election of the President, they erected a barrier between the people and the Chief Executive by creating the electoral college. The idea was that a group of wise men should be chosen as electors by the several States—chosen independently in the several States; let us not forget that—that such electors should meet in their own States, that they should not come together in any general body to debate, but that, meeting separately in their several States, they, in the exercise of their judgment, should choose the President. The genius of the people of America for self-government was so great, however, that though we have never changed the electoral college, the electors now, as a matter of course, vote for the candidates chosen by the parties by whom they in turn are nominated.

Of course, it may be pointed out here with respect to the election of Senators that the 17th amendment made no change in the fundamental concept of the independence of the States or the right of the States to determine the qualifications of the voters.

Bearing in mind that Senators as Federal officials were not to be elected by the people, and that the President was not to be elected by the people, we find the explanation of section 2 of article I, which is the only provision in the Constitution dealing with voters' qualifications. It has already been read during the course of this debate; but for the sake of the continuity of my argument let me read it again:

"The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

What is the answer? One of the principal advocates of the bill before us, in an article which he prepared for a law journal, acknowledged that for years it was generally assumed that the sole power to fix the qualifications requisite for electors for the House of Representatives resided in the States; and he said there never was any thought otherwise until some bright mind conceived the idea of separating the qualifications requisite for electors of Federal officials from those requisite for electors of State officials, and of arguing that a poll-tax requirement is not a qualification, but merely an interference with the manner of holding an election, because section 4 of the first article provides:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

So the argument of the proponents of this bill must be that the poll-tax requirement is not a qualification, but an interference with the manner of holding an election.

Can anyone say that that is not a strained construction—so strained, Mr. President, that some of the advocates of the bill are not content to rely upon it, but say that the real basis of the bill lies in the provision of the Constitution by which the United States is required to guarantee to each State a republican form of government. Then we are asked to believe that a poll-tax requirement is a violation of the principles of a republican form of government. How can that be contended in the face of the fact that the men who drafted the section, the men who drafted the Constitution, had been chosen by the people of States in every one of which there was some form of a property-ownership or tax-payment qualification?

Mr. President, the poll-tax requirement as a prerequisite for voting was not abolished in the State of Massachusetts—and I speak of Massachusetts because I was born there, and because I know that it has been one of the most progressive and liberal States of the Union—until 1892. It was not abolished in the State of Pennsylvania until 1933. So during all that time, from the moment when the Constitution was written by men chosen in States which recognized the ownership of property and the payment of taxes as qualifications for voting, right down to this decade, the right of the States to impose or to repeal such a qualification had been recognized; and no one sought to question it until the bright idea dawned that, by calling red blue, we could amend the Constitution—a qualification is not a qualification. Let the Congress by a majority vote so declare, and the necessity of amendment the Constitution as the Founding Fathers directed us to do in article V would be obviated.

* * * * *

Therefore, it seems to me to be perfectly clear, from the text of the debate in the Constitutional Convention itself, that the men who drafted this instrument knew precisely what they were doing, and when they defeated Gouverneur Morris' amendment to fix the qualifications in the Constitution, they did so precisely because they wanted that right to fix qualifications to remain with the States.

Mr. President, that is the heart of the question. The States have the right and should retain the right to fix the qualifications for voters.

I read further:

This was because, in the words of Mr. Wilson, that it would be disagreeable to have two sets of electors, one voting for State officers and the other voting for Federal officers.

The proposal was voted down in the Constitutional Convention. The proponents of the bill ask us to vote it up by a statute. They contend that although the Constitutional Convention said that the qualifications for those who are to choose the only Federal officials who are to be elected by the people shall be the same as the qualifications of those who are to choose the most numerous branch of the State legislature, we should now alter that program, that procedure, that policy, and should make the qualifications different.

The Senator from Wyoming [Mr. O'MAHONEY], in engaging in colloquy with the late Senator Bankhead, of Alabama, and the then Senator Connally, of Texas, made further observations which, I believe, bear repeating here:

Mr. O'MAHONEY. The Senator is quite right, and that leads me to make this observation. In the light of the debate which I have already read earlier today it is clear that if the framers of the Constitution had wanted to make a Federal rule of qualification, since it is clear that they knew exactly what the issue was, they would have written it into the Constitution. One member, seconded by another member of the Convention, indeed tried to do that, and the effort was defeated, and then, as the Senator from Alabama has so cogently remarked 125 years later, when the people of the country were providing for the popular election of U.S. Senators, they decreed again that the qualifications of the electors who should choose the Senators should be the same as those of the electors of the most numerous branch of the respective State legislatures. There can be no question, it seems to me, of the meaning of the language.

The drafters of the Constitution, and the States, when they amended the Constitution to provide for popular election of Senators, did precisely what the Senator from Texas said; they decreed that the Federal qualifications in each State should be those which each State adopted for itself. That is not only my view, the view of the Senator from Texas, the view of the minority of the Judiciary Committee; it has been the view of every person who has commented upon the Constitution from the time it was written and adopted down to the hour when the sponsors of the proposed legislation undertook to separate Federal qualifications from State qualifications.

Mr. President, section 2 of Senate Joint Resolution 126 provides that nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions. This section of the proposed constitutional amendment poses problems; and I believe that if this measure were enacted, it would have serious effect on the laws of a number of States.

The senior Senator from Florida, the author of the amendment, in testifying before the Constitutional Amendments Subcommittee of the Committee on the Judiciary, in the 84th Congress, stated that he added section 2 to his amendment for the reason that if the proposed constitutional amendment were to exclude property qualifications in general terms, the joint resolution might run into opposition from States which have either in their constitutions or in their statutes provisions which prohibit participation in elections by paupers or persons who are inhabitants of public institutions and charges upon the general public, and that section 2 was, therefore, added to the joint resolution to meet that point. The distinguished Senator from Florida went on to observe that various States have adopted such procedures because it has been found that corruption in State elections has resulted from efforts to dominate the voting of inhabitants of poorhouses and institutions of that kind, to the degree that such States felt it was important as a State policy to prohibit, either by constitutional amendment, as is found in some States, or by statute, the voting of public charges of that kind.

In connection with section 2 of the amendment, the distinguished author of the joint resolution included for the record a memorandum, dated December 7, 1950, from the Library of Congress. While the memorandum from the Library of Congress observes that the provisions of section 2, relating to paupers or persons supported at public expense or by charitable institutions, would meet the possible objections of some States, it does cast some doubt as to the possible effect of this joint resolution on certain provisions of law relating to registering and voting in the New England States. The Library of Congress memorandum observes that the proposed constitutional amendment would possibly require new legislation in Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, where the laws relating to registration and voting are closely integrated with poll-tax assessments or collections. Rhode Island constitutional and statutory provisions reducing the length of residence required for persons owning real estate would also be eliminated. Such a provision discriminates in favor of property owners, disqualifying nonproperty owners for a year.

Mr. President, the possible effect that this proposed constitutional amendment could have on the registration and voting laws of the New England States lends further substance to my view that Congress would be showing better judgment by seeking the abolition of the poll tax, through action by the legislatures of the five States, rather than adopting a constitutional amendment, which could possibly create havoc with some provisions of State laws.

Mr. President, I cannot help but feel that Congress should not be directing its energies and attentions toward a small minority of five States and should not be calling into play the constitutional amendment route of amending the Constitution in order to do away with the poll-tax requirements of five States. The Congress has better things to do, and matters of nationwide importance should not be neglected while the Congress debates a constitutional amendment striking out a provision of State statutes having to do with the qualifications of electors. In view of the language of section 2 and its possible effect upon the voting and registration laws of the New England States, I suggest that, rather than muddy the waters any further, we permit the affected States to remedy the situation in the way that has been accomplished by the other States which have abolished the poll tax. Mr. President, let me say that I hope the Mississippi Legislature never will do that, but that is a decision for its determination.

I do not believe that the Senate in its wisdom should act in such haste in proposing a constitutional amendment directed at the prerogatives of five States of the Federal Union, and in the same amendment include language which casts a cloud upon the validity of laws of other States of the Union. Is it sensible to direct legislation toward the conduct of five States and in the same breath disrupt the laws of other sovereign States?

In connection with the possible cloud that section 2 of the Holland joint resolution would cast upon State laws relating to registration and voting, and closely interwoven with poll-tax assessments, Senators should reflect upon the action taken by the Subcommittee on Constitutional Amendments on Senate Joint Resolution 25 in the 83d Congress. In reporting a similar Holland joint resolution to the full Judiciary Committee, the subcommittee struck the provisions of section 2 from the joint resolution. If there was then doubt about section 2, that doubt remains today.

Mr. President, what has been the prior history of this proposed constitutional amendment?

In the 81st Congress, the distinguished senior Senator from Florida, for himself and other Senators, introduced Senate Joint Resolution 34 on January 13, 1949. A public hearing was held on the resolution by the Constitutional Amendments Subcommittee of the Committee on the Judiciary on May 18, 1949. On

May 23, 1949, Senate Joint Resolution 34 was reported from subcommittee to the full Committee on the Judiciary. What happened to Senate Joint Resolution 34, Mr. President? On June 2, 1949, Senate Joint Resolution 34 was postponed indefinitely by action of the full Committee on the Judiciary.

In the 83d Congress the distinguished senior Senator from Florida, for himself and other Senators, on January 23, 1953, introduced Senate Joint Resolution 25. More than a year later, on May 11, 1954, a public hearing was held by the Constitutional Amendments Subcommittee on Senate Joint Resolution 25. On May 13, 1954, that resolution was reported from subcommittee to the full committee, with no action taken by the full Committee on the Judiciary.

In the 84th Congress the distinguished senior Senator from Florida, for himself and other Senators, introduced Senate Joint Resolution 29 on January 26, 1955. More than a year later, public hearings were held by the Subcommittee on Constitutional Amendments in April 1956; and on June 14, 1956, Senate Joint Resolution 29 was reported from subcommittee to the full committee. The full committee, in its wisdom, took no action on Senate Joint Resolution 29.

In the 85th Congress the distinguished senior Senator from Florida, for himself and other Senators, on January 17, 1957, introduced Senate Joint Resolution 33. The Subcommittee on Constitutional Amendments took no action during the 85th Congress on this resolution.

Mr. President, in the past 10 years the Committee on the Judiciary has had ample opportunity to consider and study the proposed constitutional amendment which is before the Senate today. During that 10-year period the Senate Committee on the Judiciary could have, in its judgment, reported a constitutional amendment to the Senate for consideration. In this 10-year period the Judiciary Committee did not report such a resolution, and, as a matter of fact, in the 81st Congress, as previously mentioned, the committee actually postponed further consideration of this proposal.

It is worthy of mention that each year that this amendment was introduced in this 10-year period it was always introduced at the commencement of a session of a Congress. Yet this time, it was introduced at a late hour in the 1st session of the 86th Congress.

I submit, Mr. President, that the Senate could well abide by the wisdom exercised by the Committee on the Judiciary in the past 10 years, and refrain from taking any action on this resolution, but rather leave it up to the five remaining States themselves to take the necessary action sought by this proposed constitutional amendment.

I desire to advert for a moment to the provisions of the Mississippi constitution pertaining to the payment of poll taxes. That provision is contained in the Constitution of 1890 and is section 243, which reads as follows:

SEC. 243. A uniform poll tax of $2, to be used in aid of the common schools, and for no other purpose, is hereby imposed on every inhabitant of this State, male or female, between the ages of 21 and 60 years, except persons who are deaf and dumb or blind, or who are maimed by loss of hand or foot; said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county but in no case shall the entire poll tax exceed in any 1 year $3 on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll tax.

This section of the Mississippi constitution requires the payment of a poll tax without regard to voting qualifications. Every citizen not within the exceptions stated in the section is required to pay the tax whether he or she votes or not.

Section 206 of the Mississippi constitution provides for the creation of a common school fund sufficient to maintain the common schools for a term of 4 months, which common school fund sufficient to maintain the schools for 4 months is to "consist of the poll tax to be retained in the counties where the tax is collected, and a State common school fund to be taken from the general funds in the State treasury." It further provides that any county may levy additional taxes to maintain its schools for a longer term than 4 months.

Section 241 of the Mississippi constitution enumerates the qualifications of voters, one of which is the requirement that all poll taxes shall have been paid for the 2 preceding years, provided the person has had an opportunity to pay the tax. The $2 poll tax required to be assessed and collected by the counties helps make up the funds provided for the maintenance of the schools for 4 months. Additional taxes collected by the county may include $1 per capita poll tax, which levy, with any additional property taxes the county may impose, goes into its own school fund. The State helps to provide the funds up to the amount necessary to maintain the schools for 4 months. Beyond that the county itself assumes the burden.

Section 9744 of the Mississippi Code makes all taxes a lien upon the property assessed. Section 9746 makes every lawful tax a debt against the owner of the property or the person or corporation owning the business or profession upon which the tax is imposed.

In dealing with poll taxes, section 243 of the Mississippi constitution provides that the poll tax shall be a lien only upon taxable property. It would thus appear that there are no harsh provisions for the assessment and collection of poll taxes. The tax is required of only those who presumably are able to pay it without its being a burden. Persons above the age of 60 years are exempted as are persons who are deaf, or dumb, or blind, or maimed by loss of hand or foot. The tax being a lien only upon taxable property, persons not owning taxable property—that is, property above his exemption—do not have to bother to pay the tax. Persons who are denied the right to vote because of their failure to pay poll taxes, are persons under the age of 60 who are not deaf, dumb, or blind, and have not suffered the loss of a hand or a foot.

In the event the constitutional amendment were adopted prohibiting the States from making the payment of poll taxes a qualification for electors, the amendment would relieve no citizen of Mississippi of the obligation to pay the poll tax. It is a legitimate and proper tax imposed for the support of public schools. It should be kept in mind that so far as Mississippi is concerned poll taxes have to be paid by every voter regardless of sex, or color, race, or previous condition of servitude. All must pay it except those who come within the exemptions. There is no discrimination. All are treated alike, as the payment is required of all. In the event of the enactment of this constitutional amendment, so far as it affects Mississippi, the poll tax is a requirement for all within the class to pay. It would prohibit the payment of a poll tax being used as a requirement for voting.

In summary, it can be stated that our Constitution, as adopted in 1787, placed no limitations upon the power of the States to prescribe the qualifications for their voters. However, since the adoption of the Constitution, two limitations have been written into the Constitution by constitutional amendments. The 15th amendment prohibited the States from denying the right of a citizen to vote on account of race, color, or previous condition of servitude. The 19th amendment took away the power of the States to exclude persons on account of sex.

These constitutional amendments proposed to the people by the Congress and ratified by the States recognized that there were no limitations in the original Constitution on the power of the States to prescribe whatever qualifications for voters they might impose. Prior to the 15th amendment the States could exclude from voting persons of specified race or color, or previous condition of servitude. After the adoption of the 15th amendment, the States could not so limit the right to vote for those reasons. Prior to the 19th amendment the States could exclude women from voting. After the adoption of the 19th amendment, the States had to treat men and women alike for voting purposes.

Thus, despite the enactment of these two constitutional amendments, the States are still free to prescribe whatever qualifications they see fit to require of voters, except that persons may not be denied the right to vote because, first, of their race, color, or previous condition of servitude, or second, because of sex. These are the only limitations presently existing on the power of the sovereign States to prescribe their qualifications for electors.

I submit that a constitutional amendment such as here proposed, which would deny to the States the right to make payment of a poll tax a qualification, would be a far more disturbing invasion of the rights of the States than were the 15th and 19th amendments, because this proposed amendment goes to the very heart of the right of a State to prescribe the qualifications for all voters. The 15th and 19th amendments did not affect the qualifications of voters in general. They did not change the qualifications the voters had to meet. They did not take away any right the States had to prescribe qualifications for existing voters;

but, the amendment now proposed would limit the right of the States as to all voters. This would constitute a precedent for the Federal Government to take over all the powers of the States to prescribe the qualifications of their electors. It is a step toward a centralized Federal Government at the expense of the powers and qualifications traditionally reserved to the States.

Mr. President, I submit that it is far more desirable to let the five remaining States which still impose a poll tax to act through their own legislatures rather than to have the National Government, through a constitutional amendment, whittle away the sovereignty of the individual States.

Mr. President, that is all I intend to say today, but I wish to give notice that before this debate is over I am going to have much more to say on this question.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, yesterday the distinguished junior Senator from Virginia [Mr. ROBERTSON] addressed himself to the proposed amendment of the Senator from New York [Mr. JAVITS], which would seek to abolish, by statute, the poll tax in the several States. The address of the Senator from Virginia was so masterful and so destructive of the arguments presented in behalf of the Javits amendment that I shall address myself more particularly at this time to the proposed amendment offered by the Senator from Florida [Mr. HOLLAND], which amendment embodies a proposed amendment to the Constitution to abolish the poll tax.

There is far more at issue in this debate than the poll tax. Those of us who oppose the proposal to abolish the poll tax do so because of a deep concern for the Constitution of the United States and the preservation of our Federal system of government.

As we all know, the poll tax is a diminishing phenomenon. It is levied in only 5 of the 50 States. The rates are uniformly moderate, and its influence on the size of the electorate is too insignificant to be measured.

Let me interpolate to say that the poll tax in the State of Alabama is only $1.50 a year, and it cannot go back for more than 1 year. In other words, the full amount anyone might have to pay to vote would be $3. If he failed for 1 year to pay his poll tax, the next year he would pay $3, but the very maximum amount he would have to pay, even if he were in default for many years, would be only $3. The regular poll tax is only a dollar and a half. I emphasize that every dollar derived from the poll tax is earmarked for our public schools, and goes for the education of the youth of Alabama. This is a tax for educational purposes.

Yet we are asked to consider an amendment to the Constitution of the United States in order to deal with this so-called evil, which all the facts show is far more imaginary than real.

My opposition to the proposal is based upon three main points:

First. An amendment further restricting the States powers to determine the qualifications of the electorate would constitute a diminishing of the States remaining powers and functions.

The Founding Fathers provided for the possibility of amending the Constitution, but I am certain that they did not envision the eventuality of amendments which would undermine the very basis of our Federal system of government.

I therefore believe that the proposed amendment offered by the distinguished Senator from Florida [Mr. HOLLAND] contravenes the very spirit and philosophy of the Federal Constitution.

In the second place, on the face of it it is unnecessary. As I have suggested, we are dealing with an artificial issue. At this time poll taxes are so rare and so innocuous that it requires considerable imagination to claim that they serve as any barrier to the exercise of the franchise by anyone.

In the third place, such an amendment is most undesirable. The use of the amendment process should be confined to pressing issues of national import which cannot be handled without changing the Federal Constitution. In the absence of such issues it is incumbent upon us to adhere as faithfully and as diligently as possible to the basic document, the spirit, and the philosophy of our Federal Republic.

It will be recalled that in the early days, and for many years in the history of our country, many of our States required the payment of poll taxes as a prerequisite for voting. Practically all the States had some such qualifications. Some of the States had a much more stringent and burdensome qualification, namely, the ownership or the holding of property.

The poll tax came into being not to restrict suffrage, but as a measure to increase the number of eligible voters by substituting the poll tax for other onerous taxes and stringent requirements.

At the time the Constitution was being written in 1787, most of the States—at least 9 of the 13—had spoken, and had fixed, by their own constitutions, the qualifications of those who should vote for the members of their own legislatures.

What were those qualifications? I should like to sum up, in a few minutes, the qualifications which the original States, which brought the Constitution into being, had themselves prescribed for their voters.

First, let us look at the small, but great, State of New Hampshire, from which some of the minutemen came in the early days, the State which gave us Daniel Webster. Before this debate is concluded, I shall perhaps refer to some of Mr. Webster's great speeches on the Constitution.

The men from New Hampshire fought the battles of the Revolution in order that the Constitution might be born, that the rights of the States might be safeguarded, and, most of all, that the power might reside in the hands of the people, and not in a central, arbirtary government. This, indeed, is what the minutemen died for—the boys from the hills and mountains of New Hampshire.

What were the qualifications in New Hampshire? A voter had to be a freeholder. He had to own property; he had to own real estate. But the qualifications in New Hampshire did not stop there. They went further, and what do Senators suppose a voter had to do? He had to pay a poll tax, the very tax we are discussing now. Voters in New Hampshire had to pay a poll tax at the time the Constitution of the United States was being written.

The next State in the list is the State of the granite hills, the beautiful little State of Vermont, a State whose sons also played a heroic part in the War of the Revolution. When the Constitution of the United States was being drafted, in order to vote in Vermont a man otherwise eligible to vote—in order to meet the prerequisite—had to be a freeholder. He had to own property.

The next State is the great old Commonwealth of Massachusetts, the State of Samuel Adams, John Hancock, John Adams, John Quincy Adams, Dr. Warren, and the other great heroes of the Revolution. In order to vote in Massachusetts the requirement was that one must own a freehold with an annual income of 3 pounds, or an estate of 60 pounds. One had to be a property owner in order to vote in Massachusetts. That State did not let one off with paying a poll tax of a dollar or a dollar and a half; a voter had to be a property owner.

In the great Empire State of New York the voter had to be a freeholder of 20 pounds, paying rent of 40 shillings. He had to have a freehold of 100 pounds in order to vote for State senator. They seemed to prescribe a greater prerequisite for voting for State senator than for members of the most numerous branch of the legislature, which meant they prescribed a greater prerequisite for voting for State senator than was required for voting for a Member of the Federal Congress.

In New Jersey one had to own an estate of 50 pounds; he had to be a property owner.

In Pennsylvania the voter had to be a State or county taxpayer.

In Delaware the citizen in order to exercise the right to vote also had to be a State or county taxpayer.

In Maryland the voter had to be a freeholder of 50 acres, or have property worth 30 pounds.

In North Carolina the voter had to own a freehold of 50 acres in a county, and must have owned it for 6 months before the election. It was also a requirement that the voter had paid his public taxes. If the citizen had not paid his public taxes he could not vote. In other words, he not only had to own the property, but he had to pay all the taxes on the property, and if he was in any way delinquent in the paying of his taxes, he could not vote.

In South Carolina the voter had to be a freeholder of 50 acres or a town lot, or he had to pay taxes equal to the tax on 50 acres. That is, if the voter did not own 50 acres, he must, as a requirement for voting, have paid a tax equal to the tax on 50 acres.

In Georgia the voter had to own property in an amount of 10 pounds, or have a trade as a mechanic, or be a taxpayer.

The State of Kentucky was not one of the Thirteen Original States. It was one of the first States to be admitted into the Union, however, after the adoption of the Federal Constitution. It came into the Union in 1792, only 3 years after the formation of the Federal Government. In order to be a voter in Kentucky, a citizen had to be a taxpayer.

In Tennessee, which was admitted shortly thereafter, a voter had to be a freeholder.

Mr. President, these were the qualifications of electors when Kentucky and Tennessee were admitted into the Union shortly after the adoption of the Constitution.

These were the qualifications the States prescribed respecting their electors when the Constitution was being drafted in Philadelphia, when the delegates from the States were busy writing that document at the Constitutional Convention.

Thus, in the debates at the Constitutional Convention, as reported by Elliott, we find James Madison, who had such a major part in writing the Constitution that we commonly refer to him as the father of the Constitution, suggesting that there be a definite statement of qualifications placed in the Constitution, and expressing the opinion that the freeholders of the country—landowners—would be the safest depository of republican liberty.

The delegates to the Constitutional Convention knew what the States qualifications were, and therefore when they wrote into the Constitution that the qualifications for electors for Members of the House of Representatives should be the qualifications for the electors for the most numerous branch of the State legislatures, they knew exactly what they were doing.

They knew what those qualifications were in the 13 States. As we recall under the original Constitution Senators were elected by the members of the State legislatures. We also recall that when we provided in the 17th amendment, which was adopted in 1913, for the direct election of Senators, rather than their election by the State legislatures, there was written into the 17th amendment the same provision, namely, that the qualifications for electors for U.S. Senators should be the qualifications prescribed by the States for electors for the most numerous branch of the State legislatures.

We must recall that in 1787 when the Constitution was written the States were absolute sovereigns. They had joined in the Declaration of Independence. They had proclaimed their independence of the British Crown. They had fought through 8 long, terrible, and bloody years to win their independence, and they stood absolutely independent and free from any other sovereignty on this earth. Their own sovereignty was full, complete, and absolute.

So they gathered in Philadelphia in their sovereign capacities, through their delegates, to write the Constitution of the United States. The question was, How much of their sovereignty would they yield to the Federal Government? The Federal Government was not in being; it had no existence; it had no sovereignty. The only sovereignty the Federal Government could have would be such sovereignty as was granted it by the sovereign States of that time.

Anyone who is at all familiar with the history of the writing of the Constitution, anyone who has taken the time to read Mr. Madison's notes on the Constitutional Convention and what transpired in that Convention when the Constitution was being written, knows how jealous were the several States of their sovereignty and how reluctant they were to yield very much of that sovereignty to any federal government.

Mindful of their sovereignty, zestful and determined, insofar as possible, to keep within their own hands as much of their sovereignty as they possibly could, and still have a federal government to meet the problems which had to be met by a central federal government, what did they do? They provided that every State should have two Senators—two Members in this body—no matter how large or how small the State might be, no matter what its industrial development might be, no matter what its financial development or its agricultural development might be. No matter what might be the status of a State in its power, its influence, its ability to influence other States and other persons in other States, every State in the United States should have equal representation in the Senate, it should have two Senators—its own two Senators. Then, as will be recalled, the delegates to the Convention went one further step, and provided that no State should have its representation in this body reduced or taken away from it without its consent. This meant that no matter how small the State might be, how weak, how ineffective, how uninfluential it might be, it would have equal representation in this body; it would have two Senators along with the two Senators of the most powerful, the wealthiest, and the greatest State of the Union.

It was in this spirit of jealous regard for their rights and determination to secure the primary authority of the States in the Government, that the question of qualifications of electors was considered and debated.

When we consult Madison's notes we find that there were three schools of thought in the Constitutional Convention with reference to the matter of qualifications of electors to vote for Members of Congress.

One school of thought felt that the qualifications should be prescribed in the Constitution itself.

The second school of thought felt that the qualifications should be left to Congress; that the Constitution should provide that the Congress should have the power to prescribe the qualifications.

The third school of thought, which, as we know so well, prevailed in the Constitutional Convention, was that the qualifications for the electors should be those fixed by the States for the most numerous branch of the State legislature.

That provision, as we know, is section 2, article I, of the Constitution of the United States.

We find in Mr. Madison's notes, as compiled by Mr. Jonathan Elliot, and published by J. B. Lippincott in Philadelphia in 1907, in volume V, page 385:

> Mr. Gouverneur Morris, of Pennsylvania, moved to strike out the last member of the section, beginning with the words "qualifications of electors," in order that some other provision might be substituted which would restrain the right of suffrage to freeholders.

In other words, Gouverneur Morris not only wanted the Constitution to fix the qualifications for the electors but he wanted at least one of those qualifications to be that the elector should be a freeholder, that he should own property. So Gouverneur Morris moved to amend the proposal to write in the qualification that the electors should be freeholders.

Mr. Fitzsimons seconded the motion.

Mr. Williamson was opposed to the motion.

Mr. Wilson, who was also, incidentally, from the State of Pennsylvania, and was one of the ablest men, as we know, in the Convention, and one of the ablest of the Founding Fathers, then rose to speak.

Before I read what the different delegates said, I should like to call the attention of the Senate to the committee which proposed the provision in section 2, article I, of the Constitution—the section to which I have just referred—which is the section dealing with the qualifications of voters. The committee was termed, in the language of the Constitutional Convention, "the committee of detail."

The committee of detail was composed of Mr. Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts, who was chairman of the Committee of the Whole; Oliver Ellsworth; and James Wilson, of Pennsylvania. John Rutledge, as we recall, was offered a place on the first U.S. Supreme Court, and was afterward appointed Chief Justice of the United States. Edmund Randolph, we recall, was George Washington's first Attorney General. Later Oliver Ellsworth was Chief Justice of the United States, and James Wilson was a member of the President's Cabinet.

Where could there have been found at that time in all the world, or where could there be found today or at any other time in all the world, a committee of abler or more distinguished lawyers and students of government, or more capable political draftsmen than the men who constituted the committee which wrote section 2 of article I? Where could a more brilliant galaxy of stars in the field of statesmanship be found than these great lawyers, students of the

philosophy of government, students of human nature, men of commonsense and wisdom, who constituted the committee which wrote section 2 of article I?

I was about the read that after Gouverneur Morris moved to amend the committee provision leaving to the States the fixing of the qualifications for electors of Members of Congress, so as to require that the electors be freeholders, or so as to make sure that they were property owners before they could vote for Members of the House, Mr. Fitzsimons seconded the motion. Mr. Williamson opposed it. Then Mr. Wilson, of Pennsylvania, one of the ablest men who sat in that Convention, rose and made this observation, according to Madison's notes:

This part of the report was well considered by the committee, and he [Mr. Wilson] did not think it could be changed for the better. It was difficult to form any uniform rule of qualifications for all the States. Unnecessary innovations, he thought, too, should be avoided.

When I quote that language about unnecessary innovations, I come back to my statement of a few minutes ago, namely, that Mr. Wilson and the other delegates who had gathered to write the Constitution knew exactly what qualifications were fixed by their own State constitutions. So when Mr. Wilson was speaking about no innovations, he was, impliedly, at least, making a plea for the qualifications fixed in his own State of Pennsylvania and fixed by the constitutions of the other Original States.

Mr. Wilson went on to say:

It would be very hard and disagreeable for the same persons, at the same time, to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

All of us have many times been in polling booths to vote. We know that the words spoken by Mr. Wilson not only were true in 1787, but they are just as true today. Can Senators imagine the disorder, the confusion, and the uncertainty that would be thrown around the exercise of a right which is the most sacred right, perhaps, possessed by any American citizen—the right to the ballot—if there were one set of qualifications for electors for Members of Congress, President, and Vice President, and if there were another set of qualifications for electors of State legislatures and State officers?

Mr. LONG of Louisiana. Mr. President, at this point will the Senator from Alabama yield for a question?

Mr. HILL. I yield to my distinguished friend from Louisiana.

Mr. LONG of Louisiana. In line with the able argument the Senator from Alabama is making, he will concede, will he not, that the Congress does have power to propose, as a constitutional amendment, that the qualifications of voters be fixed by a means different from that used in fixing the qualifications of electors of the State legislatures; and that if the legislatures of three-fourths of the States ratified such a constitutional amendment, it would be effective?

Mr. HILL. Of course, under the Constitution the Congress has the power to propose any kind of constitutional amendment—either a wise one or a foolish one; and if such an amendment, whether wise or foolish, were proposed, and if the necessary measure were passed by two-thirds vote of both Houses of Congress, and if the proposed constitutional amendment were ratified by the legislatures of three-fourths of the States, then, as the Senator from Louisiana knows, under the Constitution such a provision would become part of the Constitution.

Mr. President, while I do not believe that the very practical question raised by Mr. Wilson was the controlling one in the drafting of article I, section 2, those men, being men of commonsense, men with a keen, profound knowledge of human nature and the ways of people and of events, were undoubtedly persuaded by the consideration of how impractical it would be to have varying qualifications for the different electors.

After Mr. Wilson made his statement, Gouverneur Morris, the author of the motion rose. I read further from Madison's notes:

Such a hardship—

That is, being a freeholder or the owner of property, because that is what his motion provided as a qualification—

would be neither great nor novel. The people are accustomed to it, and not dissatisfied with it, in several of the States. In some, the qualifications are different for the choice of the Governor and of the Representatives; in others, for different houses of the legislature. Another objection against the clause as it stands is that it makes the qualifications of the National Legislature depend on the will of the States, which he thought not proper.

He was unwilling to recognize this right in the State. Mr. Morris was unwilling that this power should continue to be vested in the State. He wanted it in the Federal Government.

Mr. LONG of Louisiana. Mr. President, at this point will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Has not the freeholder requirement been almost completely eliminated?

Mr. HILL. Yes; just as has the poll tax.

Mr. LONG of Louisiana. It is retained in some cases in bond issue elections.

Mr. HILL. However, as the Senator from Louisiana says, it has been largely eliminated.

Mr. LONG of Louisiana. Has that been done by action taken by the States?

Mr. HILL. Certainly.

Mr. LONG of Louisiana. Not by action by the United States?

Mr. HILL. No; not at all by action by the United States, but by action taken by the several States, in the exercise of their own State sovereignty—just as I have said the poll tax has been eliminated in all but 5 of the 50 States, and that has been done by the States, in the exercise of their own State sovereignty.

As I have stated previously, the truth is that today the poll tax is what we might term a diminishing phenomenon; and I have pointed out that in my State it amounts to only $1.50, and every penny of it goes to the schools, for the education of our youth.

Then Mr. Ellsworth, of Massachusetts, rose and said that he thought the qualifications of electors stood on the most proper footing. Note this language:

The right of sovereignty was a tender point and strongly guarded by most of the State constitutions. The people will not readily subscribe to the National Constitution if it should subject them to be disfranchised.

He was arguing against Mr. Morris' motion to make the ownership of a freehold a qualification.

The States are the best judges of the circumstances and temper of their own people.

Notice that language. The States—the people back home, the people who gather in the State capitols, the people who go to the ballot boxes back in the hamlets, the communities, and the crossroads—"are the best judges of the circumstances and temper of their own people." Would anyone dispute that today?

Mr. Butler, a delegate to the constitutional convention, made this significant statement:

There is no right of which the people are more jealous than that of suffrage.

Thus emphasizing, fortifying, and reaffirming the idea that the determination of the qualifications of electors should remain in the hands of the people of the States.

After all, Mr. President, it is only by means of the right of suffrage that the people are able to maintain their power, their authority, their sovereignty over their government. If the people's right of suffrage were to be taken from them, no longer would there be government of the people, by the people, and for the people.

Mr. President, I shall read from the statement of Mr. Dickinson. He was a gentleman of rather reactionary views; but I think we should have his views, since we are studying this whole subject. Mr. Dickinson had a very different idea with regard to the tendency toward vesting the right of suffrage in the freeholders of the country. He considered them as the best guardians of liberty, and the restriction of the right to them "as a necessary defense against the dangerous influence of those multitudes, without property, and without principle, with which our country, like all others, will in time abound." He very strongly favored the writing in of a qualification that electors must be property owners.

In reply to Mr. Dickinson, Mr. Ellsworth had this to say:

How shall the freehold be defined? Ought not every man who pays a tax vote for the representative who is to levy and dispose of his money? Shall the wealthy merchants and manufacturers who will bear full share of the public burden be not allowed a voice in the imposition of them? Taxation and representation ought to go together.

On the question as to whether a freehold or property ownership should be prescribed as a qualification, Mr. Madi-

son, being a very wise and very practical man, expressed the view that that might well be determined upon the question as to how such a qualification would be received back in the States.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to my distinguished friend, the Senator from the great State of Virginia, which gave to the Nation the great James Madison. On yesterday, the Senator from Virginia made in this Chamber a speech which was so masterful that I did not hesitate to say that I felt that if Mr. Madison and some of the other Founding Fathers from Virginia could then have been in the Senate galleries, they would have been proud of the Senator from Virginia. So I take pleasure in yielding to him.

Mr. ROBERTSON. Mr. President, my kind friend from Alabama gives me praise beyond my just due.

I wish to commend him for the emphasis he is placing on two facts:

First. Those who framed the Constitution, in Philadelphia, were better prepared than anyone else to say to the ratifying conventions—as the Senator from Alabama has mentioned—what was meant, what was intended.

Second. Congress should never for a moment overlook the fact that we would not have had a Federal Union, under our present Constitution, if positive assurance had not been given not only by those whom the Senator from Alabama has named, but also by Alexander Hamilton that the sovereignty of the States would not be unduly impinged.

Mr. HILL. That is correct. I shall quote Hamilton a little later.

Mr. ROBERTSON. I am sure the Senator will. Under no circumstance did anyone ever think about taking from the States the right to determine the qualifications of their voters. They referred to it as a tender subject.

I very highly commend the distinguished Senator from Alabama for his excellent service today in bringing this matter to the attention of the Senate—and I hope those who have not been present will read what he is saying before we vote—emphasizing that we would not have had any Union if this right had not been reserved to the States. We do not know how long we can preserve the Union if the Congress usurps the function of amending the Constitution by an act of Congress, and takes from the States first the right to determine the qualifications of voters, and then opens the door for any change in voter qualifications a bare majority of a Congress may, for political expediency, wish to make in some subsequent year.

Mr. HILL. I thank my distinguished friend, the Senator from Virginia, for his very timely and able contribution. What he has said is absolutely true. The men who sat in the Convention, who engaged in the debates in the Convention, who engaged in the actual drafting of the Constitution, knew best of all, knew far better than any who should come after them, what their intent and purposes were in writing the Constitution. As the Senator has said, we would never have had any Federal Constitution, we would never have had a Federal Government, if the view had not prevailed that the qualifications of the electors should be left to the several States.

The Senator from Virginia spoke of Alexander Hamilton. Mr. President, I am delighted he alluded to him, because in the 60th Federalist, Mr. Hamilton defended the Federal Constitution against the charge that it favored the rich. That charge had been made against the Constitution. His remarks on this subject are very pertinent to the issue before us. I now quote from Mr. Hamilton.

The truth is—

He wrote—

that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect or be elected. But—

Went on Mr. Hamilton—

this forms no part of the power to be conferred upon the National Government.

Mr. Hamilton added:

Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.

Unalterable by the Congress.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield to my distinguished friend from Virginia.

Mr. ROBERTSON. In other words, we know the 13 States that ratified the new Constitution all had some restrictions on suffrage and most of them had property restrictions, as did Virginia originally. So the charge was made that perhaps when the new government would be formed it would move into that field, and that only the rich would be able to vote, and that they would vote into power a government favorable to the interests of the rich.

Mr. HILL. That is correct.

Mr. ROBERTSON. Alexander Hamilton said, "Do not worry about that. The Federal Government can never invade that field, because we have left it exclusively to the States."

Mr. HILL. The Senator is exactly correct in his interpretation of what Alexander Hamilton said. That will be clear to anyone who takes the time to read his words. He said that the Federal Government will never invade that right, that it is a right left exclusively, as the Senator from Virginia has said, to the several States.

What happened, Mr. President? The Committee on Detail, on August 6, 1787—and, as I have stated, the Committee on Detail was the special committee for the drafting of the Constitution—recommended that—

The qualifications of the electors shall be the same, from time to time, as those of the electors of the several States, of the most numerous branch of their own legislatures—

This, of course, is a provision of section 2, article I, of the Constitution.

What happened? When that committee made the recommendation, a motion was made to prescribe in the Constitution the qualification of possessing a freehold; and that motion was voted down. What was the vote on that motion? It was voted down by a vote of 7 to 1. Only one State voted for the motion, and that was the little State of Delaware. Delaware voted "aye." New Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia, North Carolina, and South Carolina voted "no."

Mr. President, the thinking of the men who wrote our Constitution is found not only in the debates held in the Constitutional Convention, but also in the writings of those who participated in it.

We know that Thomas Jefferson was not a member of the Constitutional Convention that wrote the Federal Constitution, because he was at that time our Minister to France, but he was in very close touch with the delegates to the Convention. We know that he had no closer ally or friend than James Madison, Father of the Constitution.

We speak of Washington as the Father of our Country—which he was. I think we might speak of James Madison as the Father of the Constitution. I think we might well say that Thomas Jefferson was the great prophet of American democracy.

In Mr. Jefferson's draft of a proposed constitution for Virginia, the State of my distinguished colleague [Mr. ROBERTSON], which was written in June 1776, while Mr. Jefferson was serving as a Member of the Continental Congress in Philadelphia, Jefferson suggested in his draft:

All male persons of full age and sane mind, having a freehold estate in (one-quarter of an acre) of land in any town or in (25) acres of land in the county, and all persons resident in the Colony who shall have paid scott and lot to Government the last (2 years) shall have right to give their vote for the election of their respective representatives.

He proposed that language for the Virginia constitution; but, on the other hand, when it came to the writing of the Federal Constitution, he violently opposed there being any provision of this sort prescribed in the Federal Constitution.

I quoted a little while ago from Alexander Hamilton.

As we know, one of the greatest minds of that period, beginning with the War of the Revolution and coming on down through the Articles of Confederation, and the drafting of the Federal Constitution, and even in the administration of the Federal Government in the early days of George Washington, was the brilliant, profound, magnificent mind of Alexander Hamilton. Perhaps this country has never known a more penetrating or more incisive mind than that of Alexander Hamilton. As we know, Hamilton was not a democrat, and I am using the word with a little "d." He did not believe in, he did not have faith in, the capacity of the people to govern themselves. He believed in a strong Central Government. He thought it was necessary to have central, arbitrary power concentrated in the Government in Washington. He went so far that many speak of him as a monarchist. Certainly we know that in the plan which he submitted to the Constitutional Convention he provided for life tenure for

the Chief Executive, the President of the United States. As I recall, he provided for certain hereditary rights; for many things that were to be found under the arbitrary central power of the governments of the kings and the monarchies of the nations of Europe.

Mr. Hamilton, writing about the Constitution—and we must remember what his feelings and his views were—had this to say in chapter 52 of The Federalist:

I shall begin with the House of Representatives. * * * The first view to be taken of this part of the Government, relates to the qualifications of the electors and the elected.

"The qualifications of electors." He went straight to the very question we are discussing here today, because he knew what the whole question involved, so far as determining what our Government was, and what it would be down through the years. He knew it went to the whole question of our dual system of government, the whole question of the structure of our Government, of a divided authority between the Federal Government and the State governments. The brilliant mind of Hamilton knew what he was talking about. He goes on to say:

Those of the former—

That is, of the House of Representatives—

are to be the same—

That is, the qualifications are to be the same—

with those of the electors of the most numerous branch of the State legislatures. The definition of the right of suffrage is very justly regared as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution.

In other words, the Constitution had to say what these qualifications were, and by whom they would be prescribed. Hamilton then continues:

The provision made by the Convention—

That is the provision now written into section 2 of article I—

The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State—

He said—

because it is conformable to the standard already established or which may be established by the State itself.

This was the leading Federalist, this was the outstanding Nationalist in the days of the beginning of our Government proclaiming in his writings in The Federalist that this method must be satisfactory to the States, because under the Constitution as written it was left to the States.

Again in the 57th Federalist the question was asked. And the writer replied to his own question:

Not the rich, more than the poor; nor the learned, more than the ignorant; nor the haughty heirs of distinguished names, more than the humble sons of obscurity and unpropitious fortune. The electors are to be the great body of the people of the United States. They are to be the same who exercise the right in every State of electing the corresponding branch of the legislature of the State.

In the 59th Federalist we find this significant statement:

Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of State governments?

In the 60th Federalist, Alexander Hamilton expressed fear that elections might be manipulated in the interest of the "rich and the well born." The only way in which this might be done, he wrote, would be by prescribing property qualifications either for those who may elect or may be elected.

But, he added, this forms no part of the power to be conferred upon the National Government.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HILL. I yield to my colleague from Alabama.

Mr. SPARKMAN. Was there any suggestion at any time of the requirement of uniformity in the States?

Mr. HILL. I said earlier that it was suggested the qualifications be written into the Federal Constitution.

Mr. SPARKMAN. I refer to the final result.

Mr. HILL. No. As I said, the suggestion was voted down by a vote of seven to one.

Mr. SPARKMAN. Is it not true that an examination of the statutes of the several States of the Union today shows a great lack of uniformity not only with reference to the subject presently under consideration, the poll tax, but also as to other subjects, such as the length of time a person must live in a State, in a county, or in a precinct; property taxes; and whether the person is a pauper? Some States decline to register paupers. Many other things indicate a great lack of anything like uniformity.

Mr. HILL. The Senator is exactly correct. There were varying requirements to qualify one to be an elector in the several States.

Mr. SPARKMAN. Dependent upon what the States respectively decided?

Mr. HILL. That is correct.

Mr. SPARKMAN. Each State for itself?

Mr. HILL. Each State in its own full and complete and absolute sovereignty made its own decisions as to the qualifications of electors.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend from Virginia.

Mr. ROBERTSON. When the junior Senator from Virginia made a rather exhaustive study 11 years ago of the various qualifications he found there was a New England State which absolutely prohibited paupers from registering. I do not like to be invidious about it, but I could name the State.

There was a northwestern State which prohibited those who believed in polygamy from registering. That provision was no doubt aimed at the Mormons.

Mr. HILL. Yes.

Mr. ROBERTSON. At that time they had not repudiated their belief, or the statute had not been changed.

Those are only two illustrations; many more can be cited to show that each State exercised the privilege left to the States, and to indicate the wisdom of our Founding Fathers when they said, "We are not going to try to write any type of uniformity into this document; we will leave it to the good judgment of the States not to be unfair to themselves in the election of their legislators in order to penalize some Federal official."

Mr. HILL. The Senator is absolutely correct.

Mr. SPARKMAN. Mr. President, will the Senator yield to me once more very briefly?

Mr. HILL. I yield to my colleague and friend from Alabama.

Mr. SPARKMAN. As a matter of fact, commenting upon the statement made by the distinguished Senator from Virginia, I have before me now the work by the Library of Congress, Legislative Reference Service, which all of us have seen, entitled "Qualifications for Voting." I find that in it are listed eight different States that refuse to permit paupers to register.

Mr. HILL. I thank the Senator for that contribution. We know that is absolutely true. There were many different qualifications which the States in the exercise of their own sovereignty prescribed.

As the Senator from Virginia in his magnificent address on yesterday brought out very clearly, there was not only this tremendous regard for the rights of the States and this excessive zeal and jealousy for the preservation of the sovereignty of the States in the Constitutional Convention in Philadelphia which brought forth the Constitution, but also, as we know, the Constitution to be effective, to come into being, had to be ratified by conventions in the several States.

If we turn to the conventions in the several States, we find that great battles raged in most of them over ratification of the Federal Constitution. What was the question? The question was whether the delegates in Philadelphia had given to the Federal Government too much power. The three most powerful States, the three most influential States at that time, were Virginia, New York, and Massachusetts. In their State conventions, because of the fear that the Federal Government might be given too much power, that the States might be lodging too much power in the Federal Government, only 53 percent of the votes in those conventions were cast for ratification. So, since only 53 percent of the votes were cast for ratification, it will be realized that there was a rather close race.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. In the calling of the Virginia convention, in order to get as many delegates as possible, it was

stated that all the members of the general assembly were eligible, and that delegates could be elected in addition to that number. Yet out of that group, which constituted nearly all of the political leaders of the State, the vote for ratification was only a majority of nine, and that was primarily due to the influence of George Washington.

Mr. HILL. No doubt if it had not been for the tremendous confidence of the people of Virginia in General Washington, Virginia would not have ratified the Constitution.

As the Senator stated on yesterday, and as I bring to the attention of the Senate today, two of the greatest patriots of the Revolution—Patrick Henry, who sounded the tocsin of war and gave us the battle cry of the Revolution; and George Mason, who wrote the Virginia Bill of Rights—opposed ratification of the Constitution.

As Senators will recall, that great statesman of our time, Woodrow Wilson, said he would rather have been the author of the Virginia Bill of Rights than the author of any document ever penned by the hand of man. That bill of rights is not only the Bill of Rights we find today in the Constitution of the United States, but it is the bill of rights we find in the constitutions of all the several States. It is the great guarantee of the rights of our people.

I have previously discussed the safeguards on which the delegates of the individual States insisted in order to protect their rights and to retain as much as possible of their State sovereignty. After the delegates representing the sovereign States had finished their work of writing the Constitution, putting in all the safeguards to insure the primary authority of the States, they closed the Constitution by writing into it the declaration that the Constitutional Convention acted "by the unanimous consent of the States" present. They wanted the people to know at that time, and wanted all succeeding generations to know, including the Senators sitting here in the year of our Lord 1960, some 173 years after the Constitution was drafted, that it was the sovereign States which had drafted and formulated the Constitution.

As stated a moment ago, two of the foremost patriots of the Revolution, Patrick Henry and George Mason, who had done so much to win our independence from the British Crown, to win our freedom, opposed the ratification of the Constitution. They felt, as did many of their compatriots, that there might be too great a surrender of sovereignty on the part of the States, that there might be too much yielding of power to the Federal Government.

I emphasize these points because the history of the ratification of the Constitution shows clearly that if the sovereignty of the States and the rights of the States had not been positively recognized in the Constitution, if all the safeguards and protections of their sovereignty and their rights had not been put into the Constitution, the Constitution would never have been ratified, and we would never have had a Federal Government.

We know, of course, that mankind has struggled through the centuries to break down arbitrary power. Sometimes it is difficult for us, living in free America, to realize the long struggle of mankind, century after century after century, to break arbitrary power. The high-water mark of the struggle to break down arbitrary power, to bring about the distribution of power, and place it in the hands of the people, was reached when our ancestors fought the American Revolution and broke the power of the British Crown over the people of the then Original Thirteen Colonies or States. The framers of the Constitution knew that the States, with their State governments, county governments, city governments, and town governments, were the citadels of local self-government. They knew that their concept of government by the people required full and plenary recognition of the rights and the sovereignty of the States. If the people were to hold and exercise the power of the Government, there had to be recognition of the sovereignty of the States.

The people were fighting against a pool of centralized arbitrary power at the seat of government. They were fighting to keep the well springs of our system of government in the hands of the people—as I have said, in the local communities, the crossroads, the hamlets, and the towns. What would it have availed the people to break the tyranny of the British Crown had they themselves set up in Washington a Government with central arbitrary power? They were determined, after all the sacrifices they had made, and all their bitter sufferings, to reserve the power in their own hands. I repeat, that to do this they knew that they had to maintain the sovereignty of the States, because within the States and within the States alone, are the citadels of governmental power.

A few minutes ago we were speaking about the State conventions, which met to ratify the Constitution. It is interesting to note that in those State conventions one of the first questions raised—and raised many times—was the very question we are discussing today, the question of section 2 of article I of the Constitution. To bring into being a Federal Union through the Constitution, it had to be ratified by at least nine of the States.

In the Massachusetts convention, there was a "doubting Thomas" by the name of Dr. John Taylor, from the town of Douglass, Mass. He wanted to be very sure about this new Constitution. He wanted to make certain. He was fearful that section 4 of article I, the section with reference to the times, places, and manner of holding elections—not the section with reference to qualifications—might give Congress the power to describe property qualification for voters in the sum, as he expressed it, of 100 pounds. He inquired of Mr. Rufus King, who, as we recall, was a member of the Constitutional Convention in Philadelphia, and was also a member of the Massachusetts State convention, whether under section 4, Congress could in any way go into the question of qualifications.

Mr. King, one of the leading members of the Philadelphia Convention, had this to say:

> The idea of the honorable gentleman from Douglass transcends my understanding, for the power of control given by this section—

That is, section 4—

> extends to the manner of election, not to the qualifications of the electors.

He made that answer because he knew that the qualifications were prescribed in section 2, and were the qualifications which the States themselves would make.

In the Pennsylvania State convention Mr. James Wilson, who, as will be recalled, had been one of the outstanding men in the Constitutional Convention at Philadelphia, in the writing of the Constitution, made this statement to the State convention:

> In order to know who are qualified to be electors of the House of Representatives—

That is, the Federal House of Representatives—

> we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States there can be no electors of them. If there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction the existence of the State legislatures is proved to be essential to the existence of the general government.

In other words, there must be action by the State legislature to have a Representative in the Federal Legislature.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. Of course, that was the assurance given; but to go back to what Mr. Rufus King, a member of the Constitutional Convention, said to the gentleman from Douglass, the gentleman from Douglass wanted to know if, under the Constitution, a property qualification might be required.

Mr. HILL. He said a qualification of 100 pounds.

Mr. ROBERTSON. There was not much inflation in those days. I suppose a hundred pounds was a great deal of money then.

Mr. HILL. It was.

Mr. ROBERTSON. It would not be so much now.

Mr. HILL. No.

Mr. ROBERTSON. King said it transcended his understanding how anyone could be so dumb as to think that the Federal Government would have any control over property tests. Is not that what he said, in effect?

Mr. HILL. Exactly.

Mr. ROBERTSON. He had not read the Javits bill, which seeks to abolish the property test in seven States.

Mr. HILL. The Senator is correct.

Mr. ROBERTSON. In addition to the poll tax. They are all in the same bill. There is no use trying to throw dust in our eyes on the point of the difference between the poll tax and the property test. They are all in the same bill.

Mr. HILL. They go to the same point. One would tax us on one flank, and the other would tax us on the other flank. However, the objective is the same.

Mr. ROBERTSON. They are all in the same bill.

Mr. HILL. They are all in the same bill. As I read a few minutes ago, Mr. King, who had been in the Philadelphia Constitutional Convention, at the writing of the Federal Constitution, had this to say:

The idea of the honorable gentleman from Douglass transcends my understanding—

As the Senator says, in everyday parlance Mr. King could not understand how the gentleman could be so dumb.

Mr. ROBERTSON. That is correct.

Mr. HILL. Mr. King said:

The idea of the honorable gentleman from Douglass transcends my understanding, for the power of control given by this section extends to the manner of election, not to the qualifications of the electors.

I may say to my friend from Virginia that, as we have noted earlier, the question arose in the Virginia convention, and Mr. Nicholas, one of the delegates, had something to say. As I recall, Mr. Nicholas was also a member of the Philadelphia Convention, which wrote the Federal Constitution. Certainly he was a member of the State convention. This is what Mr. Nicholas said:

If, therefore, by the proposed plan, it is left uncertain in whom the right of suffrage is to rest, or if it has placed that right in improper hands, I shall admit that it has a radical effect. But in this plan—

That is, in the Federal Constitution—

there is a fixed rule for determining the qualification of electors, and that rule, the most judicious that could possibly have been devised, because it refers to a criterion which cannot be changed.

The Senator from Virginia could not change it, in this Year of our Lord 1960.

Mr. Nicholas went on to say:

A qualification that gives a right to elect representatives for the State legislatures gives also, by this Constitution, a right to choose representatives for the General Government.

The yardstick was prescribed. The yardstick which was fixed by the States should be the yardstick for the election of representatives from the particular States. It was contemplated, as I have stated again and again, that it would be fixed that way, not only because they thought it was the wisest and best way to do it, and not only because they knew if they did not do it that way the Constitution would never be ratified and come into being, but also because they felt that, in doing it that way, it would be fixed for all time to come, and could not, as Mr. Nicholas said, be changed.

I might add that in reading the notes of the Convention, Mr. Nicholas gave the members of the Richmond ratifying convention most positive assurance that the Federal Government could not and never would undertake to pass upon and fix the qualifications of voters.

In North Carolina, Mr. John Steele, who was a member of the ratification convention, wished to make this matter absolutely clear, so there could never be any question in anyone's mind about what North Carolina was doing when it ratified the Constitution. Here is what Mr. Steele said:

Who are to vote for them?

By that is meant, of course, who are to vote for Members of the House of Representatives and for President and for Vice President. He then said:

Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a Representative to the General Government. Does it not expressly provide—

By the word "it" he means the Constitution, of course—

that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature?

Mr. Steele went on to say:

The power over the manner of elections does not include that of saying who shall vote.

Of course, all of us should understand that. Section 2 of article I deals with the "who" of the electors. Section 4 of article I deals with the "how" of the elections.

Mr. Steele went on to say:

The Constitution—

Speaking of the Federal Constitution, of course—

expressly says that the qualifications are those which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way.

The view expressed by Delegate John Steele, in the North Carolina convention, was confirmed by Delegate William R. Davis, who also had been a delegate to the Constitutional Convention in Philadelphia.

The meaning of section 2 of article I was so clear, that the question was not even raised in the conventions of Rhode Island, New Jersey, Delaware, and Georgia; and so far as the reports show, in New Hampshire, Connecticut, and Maryland no question was raised about the section. It was so clear that even a fourth-grade school child on reading it would know what it meant.

Mr. President, with reference to the resolutions adopted by the several States in ratifying the Federal Constitution, we find that in none of those resolutions was any question raised about section 2 of article I. It was so clear that there was no question to be raised. It was ipse dixit; it spoke for itself.

However, it is interesting to note that in referring to section 4 of article I, by which certain powers are given to the Congress with reference to the fixing of the times, places, and manner of holding elections, some of the ratifying resolutions did raise questions; and it is interesting to note that in each case where such questions were raised, those States in their resolutions ratifying the Constitution wished to make certain that Congress knew that they felt that Congress should never exercise the power given under section 4 of article I unless the States had failed to function in prescribing the times, places, and manner of holding elections.

South Carolina, in its resolution of May 27, 1788, declared:

And whereas it is essential to the preservation of the rights reserved to the several States and the freedom of the people under the operations of the General Government that the right of prescribing the manner, time, and places of holding elections to the Federal Legislature should be forever annexed to the sovereignty of the several States, this convention does declare that the same ought to remain, to all posterity, a perpetual and fundamental right in the local government, exclusive of the interference of the General Government—

That is, the Federal Government—

except in cases where the legislatures of the States shall refuse or neglect to perform and fulfill the same, according to the tenor of the said Constitution.

All this shows how jealous the States were, how jealous the people were to preserve to the States and to the people their rights.

In 1865 a congressional joint committee was created to draft the 14th amendment. The chairman of the committee, which was composed of 15 members, was Senator William Pitt Fessenden of Maine. Since Senator Fessenden was in ill health, Senator Jacob M. Howard of Michigan, the ranking member, frequently assumed the chairmanship.

Among members of the joint committee, on the House side, were Roscoe Conkling, of New York; George M. Boutwell, of Massachusetts; Henry T. Blow, of Missouri; and John A. Bingham, of Ohio. Mr. Bingham, I believe, is credited with being the actual draftsman or author of the first section of the 14th amendment. Other members from the House were Justin S. Morrill, of Vermont, and E. B. Washburne, of Illinois. I believe the record discloses that Kentucky had representation in the person of Representative Grider.

In the Senate the first section was discussed by Senator Howard. On May 23, 1865, he had this to say:

The first section of the proposed amendment does not give to either of these classes the privilege of voting. The right of suffrage is not, in law, one of the privileges or immunities thus secured by the Constitution. It is merely the creature of law. It has always been regarded in this country as a result of positive local law.

In other words, where the section speaks of guaranteeing certain privileges and immunities, Senator Howard made it clear that those privileges and immunities did not apply to, had no reference to, and did not in any way include any right of suffrage.

This indicates that in 1865, when the Senate was considering the 14th amendment to the Constitution, the men who were its authors, proponents and advocates held fast to the same proposition in the matter of qualifications of electors which had been expressed and had been so stoutly proclaimed in 1787 by the

framers and authors of the Constitution of the United States.

As to section 2, Senator Howard said—and I am reading now from page 2766 of the Congressional Globe:

This section does not recognize the authority of the United States over the question of suffrage in the several States at all. It leaves the right to regulate the elective franchise still with the States and does not meddle with that right.

In closing the debate, on June 8, and just before the joint resolution was passed upon by the Senate, Senator Howard said, at page 3039 of the Congressional Globe:

We know very well that the States retain the power which they have always possessed of regulating the right of suffrage.

Remember, Mr. President, I am quoting the words of the man who, on this floor, was charged with the responsibility of piloting through the Senate the 14th amendment. In speaking, he was not only speaking for himself, but for the entire committee of 15 members who had worked with him and had jointly with him drafted the 14th amendment.

He proceeded to say:

We know very well that the States retain the power which they have always possessed of regulating the right of suffrage. It is the theory of the Constitution.

Says Senator Howard, speaking for the committee:

That right—

That is, the right of suffrage—

has never been taken from them; no endeavor has ever been made to take it from them, and the theory of this whole amendment is to leave the power of regulating the suffrage with the people or legislatures of the States and not to assume to regulate it by any clause of the Constitution of the United States.

Could any language be stronger than these words I have quoted from Senator Howard, spoken some 77 years after our Government came into being?

On this committee of 15 there was one Democratic Senator who happened to be the Senator from Maryland, Senator Reverdy Johnson. He said:

I suppose that even the honorable Member from Massachusetts (Senator Sumner) will not deny that it was for Massachusetts to regulate her suffrage before 1789; and if it was, she has the power still unless she has agreed to part with it by devolving it upon the General Government. Is there a word in the Constitution that intimates such a purpose?

That is, the purpose of giving such a power to the Federal Government.

Who at that time, in 1787, denied that the State was clothed with the power of prescribing the qualifications for the most numerous branch of the State legislature? * * * The State and nobody else.

The right of choosing the allotted number in each State is to be exercised by such part of the inhabitants as the State itself may designate. Words could not have been adopted more obviously leading to the conclusion that, in the opinion of the writers of The Federalist—

Here the Senator was quoting from The Federalist, as I should have said—

the States were to have the sole right of regulating the suffrage. There is nothing innate in the right of suffrage.

Senator Henry Wilson, of Massachusetts, who later became Vice President of the United States in the second administration of Ulysses S. Grant, said in the close of the debate:

The men who framed the Constitution made those State constitutions; they well knew what the qualifications were.

He added:

Every State constitution provides for electors, prescribes the qualification for suffrage. The laws of the States provided for qualifications of electors. Every State, from the adoption of the State constitution to this hour, has claimed the authority and exercised it to settle the questions pertaining to suffrage. They never supposed that the Federal Government had the power to change it. They never gave that power, and they never intended to give that power.

The issue of voter qualification arose again in connection with the 17th amendment. It will be recalled that that amendment to the Constitution was adopted in 1913. That was 126 years after the ratification of the Constitution of the United States. After 126 years, when the people of the United States saw fit to change their method of electing U.S. Senators, when they desired to have their Senators elected, not by the legislatures, as provided in the original Constitution, but directly by the people themselves, what did they provide? They provided, in the 17th amendment, as follows:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote.

Then there is this language:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The people adopted the same identical language for the qualification of electors for the U.S. Senate which was adopted for electors for Members of the House of Representatives at the very beginning. In other words, they ratified and reaffirmed the wisdom of the Founding Fathers and of the original States in providing that the qualifications of the electors for Members of the Congress should be the qualifications requisite for electors of the most numerous branch of the State legislatures. I think it can be said here that had the 17th amendment made any change in the fixing or determination of those qualifications, it would never have been ratified by the people of the United States. The people were determined that these qualifications should remain, to be fixed by the States.

Mr. President, I realize, of course, that it is difficult to cite Court decisions in opposing a constitutional amendment. Once such an amendment has been duly adopted, all legal questions are resolved. Yet in this instance I should like to call the Senate's attention to a number of dicta and legal opinions which support my contention that the proposed amendment contravenes the basic spirit of the Constitution.

One of the great decisions was written by a great Justice of the Supreme Court, at whose feet I was privileged to sit as a student when I was attending law school at Columbia University. I refer, of course, to then Justice and later Chief Justice Harlan F. Stone, of the Supreme Court of the United States.

In 1941, Mr. Justice Stone wrote, as a part of the Supreme Court's opinion in the case of *United States* v. *Classic* (313 U.S. 299):

Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity with the requirements of State law, subject to the restrictions prescribed by section 2 and the authority conferred on Congress by section 4 to regulate the times, places, and manner of holding elections of Representatives.

We look then to the statutes of Louisiana here involved to ascertain the nature of the right which under the constitutional mandate they define and confer on the voter.

Another case to which I call attention is the case of *Minor* v. *Happersett* (21 Wall. 162), decided on March 21, 1875, a case which the distinguished Senator from Virginia [Mr. ROBERTSON] cited yesterday. In that case the extent of the distinction between the rights of a citizen of the United States and the rights of a citizen of a State with regard to voting was laid down and explained.

Chief Justice Waite of the Supreme Court declared that the fact that the right to vote could not grow out of citizenship alone was clear when one considered who was a citizen of the United States. He said that everyone born here is a citizen of the United States; and therefore if voting depended on citizenship, every child, every pauper, every criminal, every person born here would have the right to vote.

The opinion in this case contained the summary statement:

When the Federal Constitution was adopted, all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their charters from the Crown. Upon an examination of these constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power.

Again, in 1915 in the case of *Gwinn and Beal* v. *U.S.* (238 U.S. 347) Chief Justice White had this to say about the effect of the 15th amendment on State power—page 362:

Beyond doubt, the amendment does not take away from the State governments in a general sense the power over suffrage which had belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the

general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

The limitation on the powers of the Federal Government was defined with clarity by the Supreme Court in the case of *Carter* v. *Carter Coal Co.* (298 U.S. 238) in which the Court said:

The general rule with regard to the respective powers of the National and State Governments under the Constitution is not in doubt. The States were before the Constitution; and, consequently, their legislative powers antedated the Constitution. Those who framed and those who adopted that instrument meant to carve from the general mass of legislative powers, then possessed by the States, only such portions as it was thought wise to confer upon the Federal Government; and in order that there should be no uncertainty in respect to what was taken and what was left the national powers of legislation were not aggregated but enumerated—with the result that what was not embraced by the enumeration remained vested in the States without change or impairment. Thus, "when it was found necessary to establish a National Government for national purposes," this Court said in *Munn* v. *Illinois* (84 U.S. 113, 124), "a part of the powers of the States and the people of the States was granted to the United States and the people of the United States. This grant operated as a further limitation upon the powers of the States, so that now the governments of the States possess all the powers of the Parliament of England, except such as have been delegated to the United States or reserved by the people." While the States are not sovereign in the true sense of that term, but only quasi-sovereign, yet in respect of all powers reserved to them they are supreme—"as independent of the General Government as that Government within its sphere is independent of the States." And, since every addition to the legislative power to some extent detracts from or invades the power of the States it is of vital moment that, in order to preserve the fixed balance intended by the Constitution, the powers of the General Government be not so extended as to embrace any not within the express terms of the several grants or the implications necessary to be drawn therefrom.

It is no longer open to question that the General Government, unlike the States, possesses no inherent power in respect of the internal affairs of the States and emphatically not with regard to legislation. The question in respect of the inherent power of that Government as to the external affairs of the Nation and in the field of international law is a wholly different matter which it is not necessary now to discuss.

Mr. President, I should now like to call the attention of the Senate to a few words to be found in Cooley's Constitutional Limitations, eighth edition, Carrington, volume 2. Mr. Cooley, a great and universally accepted authority on the Constitution, declared:

Among the absolute, unqualified rights of the States is that of regulating the elective franchise; it is the foundation of State authority; the most important political function exercised by the people in their sovereign capacity. Whilst "the right of the people to participate in the legislature is the best security of liberty and foundation of all free government," yet it is subordinate to the higher power of regulating the qualifications of the electors and the elected. The original power of the people in their aggregate political capacity, is delegated in the form of suffrage to such persons as they deem proper for the safety of the commonwealth; Brightly Election cases (*Anderson* v. *Baker* (32, 33, 34, 23 Md. 531)).

Every constitution of government in these United States has assumed, as a fundamental principle, the right of the people of the State to alter, abolish, and modify the form of its own government according to the sovereign pleasure of the people. In fact, the people of each State have gone much further and settled a far more critical question by deciding who shall be the voters entitled to approve and reject the constitution framed by a delegated body under their direction (1 Story, Constitution, ch. 9, sec. 581).

Then Mr. Cooley says:

From this it will be seen how little, even in the most free of republican governments, any abstract right of suffrage, or any original and indefeasible privilege, has been recognized in practice (ibid.). In no two of these State constitutions will it be found that the qualifications of the voters are settled upon the same uniform basis, so that we have the most abundant proofs that among a free and enlightened people convened for the purpose of establishing their own forms of government and the rights of their own voters the question as to the due regulation of the qualifications has been deemed a matter of mere State policy, and varied to meet the wants, to suit the prejudices, and to foster the interests of the majority.

The exclusive right of the several States to regulate the exercise of the elective franchise and to prescribe the qualifications of voters was never questioned.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. Is it not true, may I ask of the distinguished Senator from Alabama, who studied law under that great jurist, Harlan F. Stone, that in all his study of this vital constitutional question, which he is so ably discussing today, he has never found a court decision or a commentator on constitutional law, such as Mr. Cooley, whom he has just quoted, who has held otherwise than that under the Constitution the qualifications of electors are absolutely under the control of the States, subject to the limitation that there cannot be one test for the members of the most numerous body of the State legislature, and a different test for Federal officials?

Mr. HILL. It must be the qualifications prescribed by the States for the members of the most numerous branch of the State legislature, and there is not one authority to be found anywhere in the court decisions, or among the students of our constitutional system or any writer on constitutional government, which in any way dissents from that proposition.

Mr. ROBERTSON. As the distinguished Senator from Alabama has pointed out, Mr. Nicholas told the Virginia convention that this principle was so permanently and positively imbedded in the Constitution that it could never be changed.

Mr. HILL. That is exactly what Mr. Nicholas told the Virginia convention; and the Senator from Virginia, who is a great student of the history of Virginia, has told us how close the vote was in that constitutional convention, held in Richmond, Va., on the question of whether the State of Virginia would ratify the convention. Undoubtedly, but for the very able, positive, definite, clear, unequivocal assurance given to the convention by Mr. Nicholas, the Virginia convention would not have ratified the Constitution.

Mr. ROBERTSON. With all due deference, they asked him a little more than that. They said, "In addition to that assurance, will you put into the Constitution this amendment: That all powers not delegated to the Federal Government nor prohibited to the States shall be reserved to the States or to the people thereof?"

In other words, they had spelled out what the Federal Government should do, and they wanted to make it so clear, when James Madison, Nicholas, and others had assured them that the Constitution had left to them the sole control of the qualifications of the electors, that they wanted the 10th amendment to provide that that right shall never be changed.

Yet we are now asked to repudiate Mr. Nicholas.

Mr. HILL. That is correct.

Mr. ROBERTSON. We are asked to repudiate Ellsworth, Madison, Alexander Hamilton; to repudiate everybody who ever said anything about what the Constitution meant; to repudiate all the courts; to repudiate all the commentators on the Constitution; and to vote to change the Constitution in this respect by wiping out not only the poll tax, but also the property requirements of the sovereign States.

Mr. HILL. That is exactly the question before us. Shall we set ourselves up, as the Senator says, to repudiate all those distinguished men who brought this Government and its Constitution into being, and under which we have enjoyed greater freedom, greater independence, and a higher quality of justice than is enjoyed by any other nation and which have built the mightiest nation this world has ever known?

I observe across the aisle our friend, the distinguished senior Senator from Colorado [Mr. ALLOTT]. I pay tribute to him as one of the most profound students in the Senate. He is a great student of the history of our country and a great student of the Constitution of the United States.

Mr. President, Mr. Cooley continues:

The right to vote is not of necessity connected with citizenship. The rights of the citizen are rights, such as liberty of person and of conscience, the right to acquire and possess property, all of which are distinguishable from the political privilege of suffrage.

Senators will notice that Mr. Cooley there departs from the use of the word "right" and uses the word "privilege"; not even conceding that there is any right to suffrage; that it is a privilege conferred by government, and under our Federal system conferred by the States.

The history of the country shows that there is no foundation in fact for the

view that the right of suffrage is one of the "privileges or immunities of citizens."

Mr. President, in opposing the anti-poll-tax resolution, we who oppose it, we who fight so bitterly against it are not only fighting for the protection of the rights of the States, but we are also fighting to save our dual form of government—to save the American Republic.

In the very beginning, article I, section 2, vested in the State governments the power over suffrage. Without the possession of this power in the States, the whole structure upon which the division of State and national authority under the Constitution and the organization of both governments rests would be without support, and the authority of both State and Nation would fall to the ground. Surely, after more than 170 years of the tried and proven wisdom, of the tried and proven effectiveness of this section, it is most unfortunate that now this question, which strikes at the very foundation stones of our dual system of government and which would tear down the very structure of our Government, should be injected into the Senate of the United States. It is no time for the consideration of a matter so serious, so important, so fundamental to the lives, the liberties, and the rights of the people of the United States. The matter should be laid aside and no further consideration given to such a fundamental proposal striking at the very base of the temple of American rights and American freedom.

The poll tax is rapidly losing favor throughout the United States. Today only five States have such a tax. In my own State of Alabama there has been a recent reduction of the tax cumulative feature from 24 years to 2 years. This means that the poll tax can at no time amount to more than $3. Any contention that a tax in this amount constitutes a real barrier to voting is patently ridiculous.

I do not see any reason why Alabama or the other remaining States which have a poll tax should abolish it before the people of the States have come to the conclusion, without pressure or harassment, that the tax is undesirable or impractical. Meanwhile, I should like to remind my colleagues of the Senate that the poll tax has a long and quite respectable history, that it was supported by England's greatest liberal, John Stuart Mill, and that Judge Thomas M. Cooley, in his work on constitutional law, said:

> Many of the States admit no one to the privilege of suffrage unless he is a taxpayer. * * * To require the payment of a capitation (poll) tax is no denial of suffrage; it is demanding only the preliminary performance of public duty, and may be classed, as may also presence at the polls, with registration, or the observance of any other preliminary to insure fairness and protect against fraud (p. 263).

The poll tax may be controversial, but the controversy can by no means be regarded as settled. It can, however, be regarded as academic, since the outcome will not materially affect the political or economic conditions of any State of the Union.

I suggest, Mr. President, that making this academic issue the subject of a constitutional amendment amounts to belittling that great document, the Constitution of the United States, which owes much of its greatness and timelessness to its authors' uncompromising concentration on essentials.

The resolution before us constitutes yet another step in the recent headlong and heedless rush to further diminish the sovereignty of the States.

Let me recall to the Senate what President Andrew Jackson said in his farewell address:

> My experience in public concerns and the observations of a life somewhat advanced confirm opinions long since imbibed by me, that the destruction of our State governments or the annihilation of their control over the local concerns of the people would lead directly to revolution and anarchy and finally to despotism and military domination.

In discussing the necessity for the unity of the United States, Andrew Jackson continued:

> But the Constitution cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the coercive powers confided to the General Government. The foundations must be laid in the affections of the people; in the security it gives to life, liberty, character, and property, in every quarter of the country; and in the fraternal attachments which the citizens of the several States bear to one another, as members of one political family, mutually contributing to promote the happiness of each other.
>
> Hence the citizens of every State should studiously avoid everything calculated to wound the sensibility or offend the just pride of the people of the other States. And they should frown upon any proceedings within their own borders likely to disturb the tranquillity of their political brethren in other portions of the Union. In a country so extensive as the United States, and with pursuits so varied, the internal regulations of the several States must frequently differ from one another in important particulars; and this difference is unavoidably increased by the varying principles upon which the American Colonies were originally planted; principles which had taken deep root in their social relations before the Revolution, and, therefore, of necessity, influencing their policy since they became free and independent States. But each State has the unquestionable right to regulate its own internal concerns according to its own pleasure; and while it does not interfere with the rights of the people of other States, or the rights of the Union, every State must be the sole judge of the measures proper to secure the safety of its citizens and promote their happiness and all efforts on the part of the people of other States to cast odium upon their institutions, and all measures calculated to disturb their rights of property, or put in jeopardy their peace and internal tranquillity, are in direct opposition to the spirit in which the Union was formed and must endanger its safety.
>
> Motives of philanthropy may be assigned for this unwarrantable interference; and weak men may persuade themselves for a moment that they are laboring in the cause of humanity, and asserting the rights of the human race; but everyone, upon sober reflections, will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others. Rest assured that the men found busy in this work of discord are not worthy of your confidence and deserve your strongest reprobation.
>
> It is well known that there have been those among us who wish to enlarge the powers of the General Government and experience would seem to indicate that there is a tendency on the part of this Government to overstep the boundaries marked out for it by the Constitution. Its legitimate authority is abundantly sufficient for all the purposes for which it was created, and its powers being expressly enumerated, there can be no justification for claiming anything beyond them.
>
> Every attempt to exercise power beyond these limits should be promptly and firmly opposed. For one evil example will lead to other measures still more mischievous; and if the principle of constructive powers, or supposed advantage, or temporary circumstances shall ever be permitted to justify the assumption of a power not given by the Constitution, the General Government will before long absorb all the powers of legislation, and you will have in effect, but one consolidated Government.
>
> From the extent of our country, its diversified interests, different pursuits, and different habits, it is too obvious for argument that a single consolidated Government would be wholly inadequate to watch over and protect its interests; and every friend of our free institutions should be always prepared to maintain unimpaired and in full vigor the rights and sovereignty of the States, and to confine the action of the General Government strictly to the sphere of its appropriate duties.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. ROBERTSON. Is it not a fact that that great Democratic President, Andrew Jackson, by keeping the Federal Government within its legitimate bounds and by refusing to encroach upon the rights and privileges of the respective sovereign States, not only produced an era of great harmony and prosperity, but also was able to pay off every dollar of the national debt?

Mr. HILL. Indeed so; history shows that he made that great record. As the distinguished Senator from Virginia has said, not only did there then develop an era of great harmony and prosperity, but the national debt was then fully paid.

Mr. ROBERTSON. And, as the junior Senator from Alabama [Mr. SPARKMAN] has just whispered to me, Andrew Jackson did not have the advantage of an income tax, either.

Mr. HILL. Indeed he did not; in fact, about the only revenue then available to the Federal Government was that from customs or import taxes. The modern sales taxes did not exist at that time.

Mr. ROBERTSON. Yes; the only revenue then available to the Federal Government was that from tariffs, only.

Mr. HILL. That is correct.

Mr. ROBERTSON. Mr. President, I wish to take this opportunity warmly to commend my distinguished friend, the Senator from Alabama, for the splendid presentation he is making here this afternoon of a vital principle of constitutional government.

As I said earlier in the afternoon, I hope that all our colleagues who were not able to be in the Chamber today will read in the CONGRESSIONAL RECORD the splendid speech of the Senator from Alabama, before they vote on the Javits bill.

Mr. HILL. Mr. President, let me thank my distinguished friend, and tell him how deeply I appreciate his words. I particularly appreciate them inasmuch as they come from one who on yesterday made so magnificent and masterful address on this very subject.

Mr. President, at this time let me point out to the Senate that a later President, a great scholar and teacher of our system of government, also expressed thoughts that we can ignore only at our peril. Woodrow Wilson said:

It is difficult to discuss so critical and fundamental a question calmly and without party heat or bias when it has come once more, as it has now, to an acute stage. Just because it lies at the heart of our constitutional system to decide it wrongly is to alter the whole structure and operation of our Government, for good or for evil, and one would wish never to see the passion of party touch it to distort it. A sobering sense of responsibility should fall upon everyone who handles it. No man should argue it this way or that for party advantage. Desire to bring the impartial truth to light must, in such a case, be the first dictate alike of true statesmanship and of true patriotism. Every man should seek to think of it and to speak of it in the true spirit of the founders of the Government and of all those who have spent their lives in the effort to confirm its just principles both in counsel and in action.

The principle of the division of powers between State and Federal governments is a very simple one when stated in the most general terms. It is that the legislatures of the States shall have control of all the general subject matter of law, of private rights of every kind, of local interests, and of everything that directly concerns their people as communities—free choice with regard to all matters of local regulation and development.

Woodrow Wilson said we tend to think of our American political system as distinguished by its central structure—its President and Congress and courts set up by the Constitution—but "as a matter of fact, it is distinguished by its local structure, by the extreme vitality of its parts. It would be an impossibility without its division of powers."

He also said:

From the first, America has been a nation in the making. It has come to maturity by the stimulation of no central force or guidance, but by an aboundingly self-helping, self-sufficient energy in its parts, which severally brought themselves into existence and added themselves to the Union, pleasing first of all themselves in the framing of their laws and constitutions, not asking leave to exist and constitute themselves, but existing first and asking leave afterward, self-originated, self-constituted, self-confident, self-sustaining, veritable communities, demanding only recognition. Communities develop not by external but by internal forces. Else they do not live at all. Our Commonwealths have not come into existence by invitation, like plants in a tended garden; they have sprung up of themselves, irrepressible, a sturdy, spontaneous product of the nature of men nurtured in a free air.

It is this spontaneity and variety, this independent and irrepressible life of its communities, that has given our system its extraordinary elasticity, which has preserved it from the paralysis which has sooner or later fallen upon every people who have looked to their central government to patronize and nurture them.

Let us also pay very close attention, Mr. President, to the following words of the late President Wilson:

The remedy for ill-considered legislation by the States, the remedy alike for neglect and mistake on the part of their several governments, lies not outside the States, but within them. The mistakes which they themselves correct will sink deeper into the consciousness of their people than the mistakes which Congress may rush in to correct for them, thrusting upon them what they have not learned to desire. They will either themselves learn their mistakes, by such intimate and domestic processes as will penetrate very deep and abide with them in convincing force, or else they will prove that what might have been a mistake for other States or regions of the country was no mistake for them, and the country will have been saved its wholesome variety. In no case will their failure to correct their own measures prove that the Federal Government might have forced wisdom upon them.

Wilson concluded his lecture with the assertion that—

We are certified by all political history of the fact that centralization is not vitalization. Moralization is by life, not by statute, by the interior impulse and experience of communities, not by fostering legislation which is merely the abstraction of an experience which may belong to a nation as a whole or to many parts of it without having yet touched the thought of the rest anywhere to the quick. The object of our Federal system is to bring the understandings of constitutional government home to the people of every part of the Nation to make them part of their consciousness as they go about their daily tasks. If we cannot successfully effect its adjustments by the nice local adaptations of our older practice, we have failed as constitutional statesmen.

And still closer to our time, Franklin D. Roosevelt, while Governor of New York, had this to say on the proper relationship between the States and the Federal Government:

Fortunately for the stability of our Nation, it was already apparent (when the Constitution was adopted) that the vastness of our territory presented wide geographical and climatic differences which gave to the States wide differences in the nature of their industry, their agriculture, and their commerce. * * * Thus, already it was clear to the framers of our Constitution that the greatest possible liberty of self-government must be given to each State, and that any national administration attempting to make all laws for the whole Nation, such as was wholly practical in Great Britain, would inevitably result at some future time in a dissolution of the Union itself.

The preservation of this home rule by the States is not a cry of jealous Commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country.

The whole success of our democracy has not been that it is a democracy wherein the will of a bare majority of the total inhabitants is imposed upon the minority, but because it has been a democracy where through a division of government into units called States the rights and interests of the minority have been respected and have been given a voice in the control of our affairs. * * * To bring about government by oligarchy masquerading as democracy it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the danger of any such departure from the principles on which this country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever they seem in danger.

I have been quoting Franklin D. Roosevelt. After outlining the rights granted by the Constitution to the Federal Government, he said:

As the individual is protected from possible oppression by his neighbors, so the smallest political unit—the town is in theory at least, allowed to manage its own affairs, secure from undue interference by the larger unit of the county, which in turn is protected from mischievous meddling by the State. The whole spirit and intent of the Constitution is to carry this great principle into the relations between the National Government and the governments of the States.

Let us remember that from the very beginning, differences in climate, soil, conditions, habits, and modes of living in States separated by thousands of miles rendered it necessary to give the fullest individual latitude to the individual States. Remembering that the mining States of the Rockies, the fertile savannas of the South, the prairies of the West, and the rocky soil of the New England States created many problems, introduced many factors in each locality, which have no existence in others, it is obvious that almost every new or old problem of government must be solved, if it is to be solved to the satisfaction of the people of the whole country, by each State in its own way.

As I have said, when the Founding Fathers gave up a portion of the sovereignty of the States to the Federal Government, they did so with a great deal of trepidation, and they did so only with the firm conviction that it was unity alone—unity of purpose, unity of resolve, and unity in their mutual dedication to human liberty, that unity about which Andrew Jackson spoke in his farewell address—that could enable the people of our country to long endure and abound in the joy of the priceless legacy which a heroic young Nation had won at the cost of much sacrifice and loss of life.

At this momentous hour in the history of America and of the world, the objective for which we must strive with all of our fervor and determination is unity.

Let us be done, Senators, with this measure before us, which can only distract and misguide our people, which separates and divides us, and which opens the way for the destruction of fundamental rights of the States and the fundamental rights of the people of all the United States.

Let us stand united, strong, and resolute in our unity; let us support squarely the rights of the people of the United States and the rights of the States of the United States, that our Government

may be preserved. Let us stand squarely upon the Constitution of the United States—rock of freedom, ageless and enduring foundation of our rights, our hopes, and our democratic faith.

ORDER FOR ADJOURNMENT UNTIL MONDAY AT NOON

During the delivery of Mr. HILL's remarks,

Mr. DIRKSEN. Mr. President, will the Senator from Alabama yield, in order that I may make a motion, if there is agreement that in yielding for this purpose he will not lose the floor, and that the motion which I intend to make shall appear in the RECORD at the conclusion of his remarks?

Mr. HILL. Yes, Mr. President, with that understanding, I yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Then, Mr. President, let me state that I am authorized by the acting majority leader to move that when the Senate concludes its session today, it adjourn until Monday, at 12 o'clock noon.

Mr. President, I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. SPARKMAN. Mr. President, first, I want to say that I have greatly enjoyed the very able presentation by my colleague the Senator from Alabama [Mr. HILL], as I have the other speeches which have been delivered on this subject. This is a matter of greater importance than perhaps some may be prone to think it is.

I rise to register my opposition to this latest proposal to cut away rights of the States. I refer to the antipoll tax amendment proposed to the measure before the Senate today.

The measure before the Senate, in the form of a Senate joint resolution, proposes an amendment to the constitution which would deprive all States of the right to levy a poll tax as a prerequisite for voting. While I realize a constitutional amendment would have to be ratified by three-fourths of the States, passage of this joint resolution as proposed to be amended would inevitably result in further restricting the rights of States and the granting of more power to the Federal Government.

Some argue that the amendment would affect only five States, that is, Alabama, Mississippi, Arkansas, Texas, and Virginia. I contend that it would affect 50 States, inasmuch as a right is a right, whether it is used or not.

There is another very sound and practical reason for not tampering with the right of the States to levy poll taxes. That reason is simply this: The poll tax is a form of revenue collection used in the five States just named to help with the operation of their State governments. With the Federal Government moving steadily into many fields of taxation, there is little left for the States.

While we struggle here to bring about a balanced Federal budget, let us remember that the States are also having trouble raising necessary funds and balancing their budgets. Although the revenue derived from poll taxes may seem to some to be small, it is of substantial importance to Alabama in the support of our public schools.

I confess that it has caused me considerable wonder from time to time why there is so much concern over the payment of a poll tax as a prerequisite for voting in five States of the Union, and yet there is no particular concern, so far as I have ever known, over requirements in various States for certain property prerequisites.

While we do have a poll tax in Alabama, a great part of the population is exempt from it. Veterans of World War I, World War II, and the Korean conflict, and members of the National Guard, are exempt from the poll tax. All persons over 45 years of age are exempt, as well as the blind, the deaf, and totally disabled persons owning taxable property not in excess of $500. These exemptions apply to all races. Thus, Senators can see that a substantial number of Alabamians pay no poll tax at all.

Another reason why it is unwise to bring up this legislation is the certain belief, especially of the people in the five States which have the tax, that it is a further effort on the part of Congress to enact or bring about the approval of measures treating with the race issue, to dictate to the States on a State matter.

Now is no time to stir to fever pitch the emotions and feelings of any of our people on the highly controversial and explosive race problem by considering a measure which, regardless of what is intended, will be thought of as further treating with the problem.

As I told the Subcommittee on Constitutional Rights on April 10 of last year, proposed action relating to racial matters, or which may be so interpreted, will speed up deterioration of the previous harmonious relations that existed between the races.

I explained further that I wished each member of the committee could understand the racial tensions that have been generated by civil rights agitation since 1954.

Communication between the leaders of the two races has been largely destroyed. It has become well nigh impossible to settle problems once settled on a mutually satisfactory basis. Suspicion has replaced trust. Fear has replaced mutual confidence.

The unwise and unjustified school desegration decision of the Supreme Court in 1954, and agitation for the enactment of measures relating to racial matters, have brought about resentment and distrust between the Negro and the white that will require generations to heal.

Mr. President, I feel very earnestly that all of us need be concerned about the maintenance of the system of government our forefathers set up. They established here a dual system of government, a Republic made up of a federation of sovereign States. There was a system of two spheres of government set up, the Federal, the State. A certain sphere was set off in which the Federal Government was to be absolutely supreme, another one was set off in which the State government was to be supreme. There was no overlapping of the two spheres in which both governments were to operate with concurrent authority.

I believe in that dual system of government. I believe it is the best way to get good government. It is the best way to keep government close to the people by keeping powers lodged in the sovereign States.

I desire to see that system continued. Approval of the amendment before the Senate unquestionably would impair that system.

I cannot emphasize too strongly that the measure before us today, no matter how well intentioned its proponents may be, is in essence another instrumentality or vehicle to enable the Federal Government to make further inroads upon the historic constitutional rights of the States.

Oh, what wrongs some seem willing to commit in the name of treating with the race issue. What madness has seized us that drives men to seek to alter an immutable social phenomenon at the expense of tearing asunder the very fabric of our constitutional government.

There has been no showing whatever that in those few States where a poll tax is yet exacted as a prerequisite to voting there is any disenfranchisement by the tax, or that if such disenfranchisement does occur it falls with any greater force on one race or color than upon another, or that the tax constitutes any unreasonable burden upon the exercise of the right of franchise.

I have pointed out earlier that the poll tax in my own State of Alabama is a revenue measure and that it does indeed produce needed revenue in a State where revenue sources are sorely inadequate.

The people of Alabama do not regard the poll tax as a burden upon the right of franchise. Why do I make such a statement? Because events in Alabama show it to be true. Until a very few years ago, the $1.50 per year poll tax in Alabama was cumulative in its effect throughout the total number of years a citizen was required to pay a poll tax for the privilege of voting. This period of years is from age 21 through age 45. For many years the law required that if a person did not pay his poll tax in the year he became otherwise eligible to vote, say at age 21, his delinquent poll taxes accumulated until such year as he chose to pay up all his back taxes and vote.

If a person became eligible to vote in Alabama, say at age 21, but did not actually vote until age 45, such person would owe an accumulated tax of $36.

Over a period of years, many citizens did fall in arrears to such an extent that payment of such back poll taxes became burdensome. Recognizing this burden, the people of Alabama, the people themselves, decided, and acted, to do away with this extensive cumulative requirement.

Acting of their own free will and accord, the people of Alabama voted to wipe out $30 of every $36 owed by citizens for back and current poll taxes. In doing so, the State of Alabama lost much revenue and much potential revenue, because all over $6 in delinquent poll taxes was forgiven.

The people of Alabama acted within their own judgment, acted voluntarily to do this, knowing full well that it would mean losses in revenue to the State of Alabama. But the people of Alabama had themselves been conscious that a heavy accumulation of back poll taxes had become a burden for some upon the exercise of franchise.

The people of Alabama made the decision themselves, free from dictation or compulsion, and knowing full well such action would mean that Alabama would have to find another way to raise the equivalent amount of lost revenue.

I call attention to the fact that the remaining five States where a poll tax is exacted as a prerequisite to voting are among the lowest income States in the Union. Senators from States which enjoy higher incomes should be conscious of this fact.

We do not forget that in the earlier years of our country other States, too, occupied a relatively low position with respect to per capita income. In those days, many other States likewise exacted a poll tax as a prerequisite to voting. As the revenue potential of those States increased, the States, one by one, recognized other sources of revenue and repealed their poll taxes.

Such States reached their own decisions and acted voluntarily. They acted out of their own judgment and in their own circumstances, free from any coercion or usurpation of their historic constitutional authority.

Is there any reasonable basis for assuming that the remaining five States will not themselves pursue a similar course of action when the judgment of the people of those States leads them to feel that such action by them is indicated?

Certainly none will be heard to say that the people of these five States are any less capable of exercising sound judgment or of pursuing wise and judicious courses in the light of their circumstances.

However earnestly some may feel it desirable that we rid ourselves of a poll tax wherever it may be found to exist in this Nation, the means here offered of superimposing the judgment of the National Government and its power upon the historic judgment and power of the five remaining States, are not justified by the ends that are being sought.

No one should delude himself for one moment into thinking that the means sought in the resolution before the Senate will not bring about a permanent trespass and inroad by the Central Government upon the jurisdiction of the States. It is vain to argue otherwise.

Senators should be aware of the implications of the course which it is proposed this body pursue—a course of continuing this latter-day business of encroaching more and more upon the historic and constitutional rights of the States.

Senators well know the provisions of the Constitution. Each of us has taken an oath to uphold it and defend it. Defense of the Constitution, to my mind, means not alone defense of it against foreign ideologies which threaten to overthrow it and our system of government. Defense of the Constitution includes, in my judgment, defense of it against whimsical and frivilous proposals to change and emasculate it.

Our form of government was conceived in and rests upon the concept of balanced powers. This concept was implemented in the most marvelous document ever to come from the mind of man. Our Constitution is the embodiment of the intellectual artistry of our Founding Fathers.

The balance of powers created by the Constitution is as delicate as the finest instrument with which no reasonable mind would dare to tinker.

Yet, we are called on today to tinker, for the sake of expediency, with the most delicate instrument in the whole world.

If the amendment proposed is adopted upon the recommendation of men and women who are sworn to uphold and defend the Constitution of the United States, there can be no question whatever but that we will have contributed at least a degree of imbalance to the delicate balance created by our Founding Fathers. We will have taken weight from one side and put it on the other side. It will, of course, be argued by some that a little weight and a little imbalance should not make much difference. I charge that it does make a difference—a very vital difference.

It will make a difference in that whatever gradation of imbalance is affected, we will have moved that much further away from perfect balance and perfect functioning—the political equipoise envisioned and provided by the framers of the Constitution.

I am, of course, not so naive as to claim perfection, even in the Constitution, but none will assert that the Constitution is not the most nearly perfect document every conceived for a government of men.

I am far more concerned with the trend we are pursuing in the attempted management of our affairs than I am with whether people pay a poll tax or do not pay a poll tax.

If we adopt the resolution before us today, we will be accelerating the recent disturbing and alarming trend toward stripping away the elemental essentials and attributes of State sovereignty as proclaimed, reserved, and guaranteed by the Constitution.

One might be heard to ask: Why some should be so disturbed over such a little preemption of State judgment and authority by the Federal Government? I hold with the old Scotch proverb, "mony muckles mok a mikle," which when translated means "many littles make a lot." Many little imbalances contribute to one large imbalance. Many little trespasses constitute a great encroachment.

I am mortally afraid of the conclusion to which such a course will lead. Today, it is proposed in the resolution before us that the National Government do no more than forbid a State its historic right to levy a poll tax. If this kind of course on which it is proposed we proceed—a course of simply prohibiting or forbidding the individual States to lay down certain requirements for voters—leads to no more than further future enumeration by the Federal Government of qualifications which States may not in their judgment lay down, it will have effectively and completely had the Federal Government preempt the power of the States to act in the area of franchise and elections. The States will no longer have authority or right of judgment in this historic area where judgment and authority are indispensable to the preservation of our system of government.

For anyone to argue that this trend may not go very far is to close his eyes to reality and to one of the most recent public documents filed with the Congress. He need look no further than the recommendations of the Civil Rights Commission, incorporating, for example, a proposal for temporary Federal registrars, a proposal for universal suffrage, a proposal dealing with the preservation of registration and voting records, and a proposal concerning a national census and inquiry into the whys and wherefores of citizens exercise of the heretofore conceived to be our secret ballot.

Some of these proposals deal only with the matter of prohibiting to States certain actions. Others go further and throw the Federal Government bodily over into the business of managing and controlling elections and the election machinery in the several States.

If the Federal Government is given the power to forbid the exercise by the States of reasonable judgment within the area of jurisdiction reserved to them by the framers of the Constitution, it will be only a matter of time until the Congress finds itself powerless to withstand pressures to have the Federal Government run and control completely the franchise processes and the election machinery of this country.

I say it is time that we stop and take a look at the directions in which we are being tossed by the winds of politics and the waves of race emotion and hysteria.

We are caught up in a great psychosis of expediency. Some Senators are letting themselves be driven by sectional feeling and race emotion to support actions which they know within their secret consciences constitute absolute abridgments of the Constitution and

complete rejection of the carefully conceived plans of the framers of the Constitution. State control over the powers and processes of franchise is the hallmark of our republican form of government. Take away such historic and constitutionally delineated jurisdiction and control and vest them in the Central Government and we will begin the inauguration of autocratic power in "the land of the free." Oh, I know this will not come about overnight. Nor will it come as a result of any single action, but if this proposed constitutional amendment becomes the law of the land, we will have taken a long leap toward the substitution of autocratic government for representative self-government, through a process of erosion and attrition—step by step and bit by bit. We will have insured for ourselves autocratic government just as surely and as effectively as if we repealed outright and forthwith article I, section 2, and the 10th amendment to the Constitution albeit we will have seen it come a little more slowly.

Nothing could be clearer than that the proposal before the Senate today is in direct conflict with the Constitution of the United States. The courts have uniformly held that the States have broad powers to determine the conditions under which the right of suffrage may be exercised. *Lassiter* v. *North Hampton County Board of Elections* (360 U.S. 45); *Pope* v. *Missouri* (179 U.S. 328, 633); *Mason* v. *Missouri* (179 U.S. 328, 335). Article I, section 2 of the Federal Constitution in its provision for the election of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials shall be chosen "by the people." Each provision goes on to state that the "electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Moreover, the right to vote "refers to the right to vote as established by the laws and constitution of the State"—*McPherson* v. *Blacker* (146 U.S. 1, 39).

Members of the Senate would be well-advised to reread, or read if they have not read it, the decision in the case of *Pope v. Williams* (193 U.S. 621, 632):

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. * * * It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Notwithstanding the clear wording and intent of the Federal Constitution, as uniformly interpreted by the courts, it is proposed by the resolution before us to have the Federal Government get into the business of fixing voter qualifications in the various States. True, the resolution accomplishes it backhandedly by forbidding States to fix a certain qualification. But the effect is no less harmful or destructive than a positive proclamation of a qualification.

The proposal, if adopted, will undermine the entire fabric of our system of government.

Regardless of such good intent as the sponsors of the resolution may have, the resolution has the practical effect of asking Members of the Senate and House of Representatives to recommend that the historic meaning of the Constitution of the United States be violated and that the intention of our Founding Fathers be ignored and their judgment repudiated.

It is no mere happenstance that the conduct of elections and the fixing of qualifications of electors has been left to the States. The concept is basic, the one to serve as a check upon the other. The importance of this repository of power has been stressed by the Supreme Court in innumerable cases. It is well expressed in *Quinn* v. *United States* (238 U.S. 347). There the Supreme Court characterized the power of the State government over suffrage as one "which has belonged to those governments from the beginning and without the possession of which power, the whole fabric, upon which the division of State and National authority under the Constitution and the organization of both governments rests, would be without support and both the authority of the Nation and the States would fall to the ground."

These are strong words. Unquestionably they were not lightly spoken. The power of the States over suffrage, which must include the power to fix the qualifications of voters, is undoubtedly, as the Supreme Court said it was, basic to the foundation of our Government.

The proposal before us would, if adopted and ratified, limit the power of the States with respect to the fixing of voter qualifications. It is true that the limitation would be only as respects the exaction of a poll tax. But, no matter how narrow this limitation, it is nevertheless a limitation upon the historic and constitutional power of the States.

A limitation is a limitation. Where the delicate balance of power between the States and the Federal Government, where our historic system of checks and balance is involved, the degree of the limitation is unimportant.

The fact that a limitation of any degree is imposed where none was previously imposed is the vital question. Whatever can be done by degrees can ultimately be accomplished in wholesale fashion. I, for one, would never support any measure which ran counter to the letter and the spirit of the Constitution in a matter so intimately associated with the delicate balance of powers upon which the preservation of our system of government rests.

If this resolution before us should be submitted to the legislatures of the several States and to the people, there can be no escaping the conclusion that it carries with it the recommendation of this body: That the Founding Fathers were wrong; that the Supreme Court has been wrong throughout our history in holding that the plenary powers of State government over suffrage were essential to the continued existence of both State and national authority under the Constitution; and that the Constitution should be overthrown to the degree and to the extent that control over at least some of State authority over elections and election machinery should be taken away from the States. As for me, I propose to abide by the Constitution and to leave suffrage and the regulation of it where it has always belonged—indeed, where it has always been.

I cannot support this proposal which will have the effect of disturbing and upsetting and throwing out of balance the historic and delicate balance of powers recognized and safeguarded by the Constitution in the system of checks and balances which our forefathers intended should never be disturbed.

It is inconceivable to me that the U.S. Senate should, with all the many problems besetting the Nation and the world today, burden itself with the consideration of legislation that is as narrow in immediate application as that which proposes the constitutional amendment now under discussion. It is inconceivable that 100 Senators should spend so much of their precious time—time that is critically needed for consideration of other subjects—in proposing a change in the Constitution aimed today at 5 of the 50 States in the Union.

We have other things to do than to rewrite the Constitution in a way that destroys the rights of the five States which choose to continue to employ voting requirements that many other States, North and South, have exercised throughout the life of this country.

I happen to think that my colleagues and I would be devoting ourselves far more in the national interest if we spent our time and energies in trying to hammer out legislation for a workable farm program, for the farmers of all 50 States, rather than spend, as we are doing, hours and hours on a measure aimed at affecting only 5 States.

The only national aspect that I can see to this resolution is that it adds dangerous fuel to a fire which may ultimately consume the cloak of sovereignty of every State in the Union.

Make no mistake about it, if this proposed amendment is adopted and ratified, every State in the land will have surrendered a part of its sovereignty to the National Government or, rather, had such sovereignty taken away by a wave of emotion and rash action. Each and every State will be less free and less sovereign than it was before.

Senators know that one encroachment invites another. Precedents invite a succession of actions. Wrongs have a way of begetting wrongs.

Today, it is the poll tax in only one-tenth of the States that is under attack. But let other States take heed. Tomorrow, it may be some qualification peculiar to them which will be under attack. It may be proposed that the Federal Government forbid citizens in other States to do what they are doing—

something they feel, and the courts uphold them in their feeling, they are entitled to do under the authority of the Constitution of the United States.

The young State of Alaska, for example, permits striplings of 19 to cast a ballot. Will the people of Alaska be told by the Federal Government that their 19-year-old citizens are forbidden longer to vote? Will Georgia be told that its 18-year-old citizens must not cast a ballot? Or will we by that time have reached the point where the Federal Government will be affirmatively prescribing and ordering voter qualifications? Will every State be told that, since we are a great conforming mass, all States must be and must act exactly alike and that all 18- and 19-year-old citizens must be permitted to vote?

Will Idaho be told by the Federal Government that it must admit to the ballot all Chinese or persons of Mongolian descent not born in the United States? Today, Idaho excludes such persons from the ballot.

Will the Federal Government decide tomorrow it wishes to take over the whole field of residence requirements in the various States and counties and beats? Senators know that there is the widest variation among States, counties, cities, and beats as to the residence requirements as a requisite to the right of franchise.

Will the Federal Government seek to tell the State of New Hampshire that its 6 months' requirement for voting in a town is too long a period?

Will the Federal Government tell the State of Ohio that it cannot require persons living in a precinct or ward to live in a precinct or ward for 40 full days before becoming eligible to vote?

Or will the Federal Government decide, for example, that the State of Nebraska has the fairest ward or precinct voting requirement—only 10 days residence required and that this must be taken as a national standard?

Will the Federal Government decide that Colorado has the ideal residence requirement for voting in a city or town?

Will the Federal Government, under our conforming mass theory, say every State and every town and city must have exactly the same residence requirements?

Will the Federal Government decide that Oregon, with its 6 months' State residence requirement as a prerequisite to voting, has the ideal waiting period; that any longer waiting period anywhere discriminates against transients and hoboes, or whoever they be?

Will the Federal Government, under our conforming mass theory, decide that the rights of transients and hoboes can be protected only if a 6 months' residence requirement is fixed in every State?

I understand that New Hampshire does not exclude from the ballot idiots and insane persons under guardianship. I am looking at a document compiled by the Legislative Reference Service of the Library of Congress on qualifications for voting. The document is dated July 27, 1959. I note from the Library of Congress compilation that some three or four other States act as does New Hampshire with respect to idiots and insane persons under guardianship.

I am sure that New Hampshire and the other few States like her in this respect have good and sufficient reason for their laws. I have faith in these States and confidence in the judgment of their legislators and their people. I do not question what these States might have done, or their motives. But it appears from the Library of Congress compilation that all of the rest of the States in the Union, well over 40 of them, do not admit idiots and insane persons under guardianship to the ballot. Will the Federal Government in time decide that exclusion of such persons from the ballot is a discrimination against such persons?

Will the Federal Government, in keeping with this latterday conforming mass theory, prohibit and forbid other States to exclude idiots and insane persons under guardianship from the ballot? Or, will it be decided that the removal of any such discrimination can perhaps more readily be accomplished and the conforming mass theory better effectuated by having the Federal Government forbid New Hampshire and the other few States like her to admit insane persons and idiots under guardianship to the ballot? We should ask ourselves what it is that we are seeking? Is it the removal of discriminations or is it the effectuation of a perfect conforming mass of human matter where we are today free, separate, and distinct individuals who are proud to exhibit unfettered bodies, hearts, and minds, motivated by a soul.

America was settled by people from the Old World who were sick and tired and sore at heart from being regimented, oppressed, and made to conform to the will of autocratic power. The settlers of this country came here to escape regimentation, oppression, and conformity. They came here in search of personal liberty and individuality and the opportunity to be what they aspired to be and what God in His Heaven ordained that they be. If they had wanted to remain exactly like everybody else, one mass of human misery, penury, and degradation, they would have stayed right where they were and never have come to these shores.

How often we speak of the freedom and dignity of the individual. Indeed, we have achieved the highest degree of individual dignity ever achieved on the face of the earth. Our people have attained and enjoyed a higher dignity because they have been free and individualistic and because they have escaped from the kind of entombed mass of miserable humanity some would unwittingly have us go back to.

This conforming mass theory constitutes an impeachment of the very ideal of the freedom and dignity of man proclaimed by the Declaration of Independence and realized under the guarantees of our Constitution.

Up to this point in the life of our country, we have managed to get and stay further away from the conforming mass theory than anywhere else on the face of the globe. If we succumb now to the force of Federal edict and usurpation of State powers where, I ask, can those persons who still wish to be different find a haven? America is the last great stronghold of individualism; the last great bastion of individual dignity.

Let us keep it that way.

Mr. THURMOND. Mr. President, I rise in opposition to the proposed constitutional amendment which would prohibit the imposition of a poll tax as a condition of suffrage by a State.

Let me say, at the outset, that I find no particular virtue or advantage in a poll tax as a condition to voting. At the time I was elected Governor of South Carolina in 1946, the constitution of South Carolina contained a provision which made the payment of a poll tax a prerequisite to voting eligibility. I felt then, and I feel now, that the poll tax was not a satisfactory source of revenue for the State, nor was it a suitable or workable prerequisite to exercise of the ballot. I, therefore, proposed to the legislature that a constitutional amendment repealing this requirement be submitted to the people of the State. The legislature concurred in my proposal and submitted the constitutional amendment to the people, who voted favorably thereon. The payment of a poll tax is, therefore, no longer a condition of suffrage in South Carolina.

There have been numerous proposals for Congress to attempt to prohibit poll taxes by enactment of a statute. It is a credit to the Senate that the question we face now is not before us in the form of a proposed statute, for the Constitution gives the Federal Government no authority to act in this field. The very fact that we are now debating a proposed constitutional amendment dealing with this matter is a clear-cut recognition by the Senate that Congress at present has no constitutional authority in the matter of voter qualifications or eligibility. This is, however, about the only encouraging feature of the proposal with which we are confronted.

Mr. President, in the days following the war for independence with England, commonly referred to as the American Revolution, our forefathers inaugurated what historians call an experiment in democracy. I believe that the historians' characterization is accurate, when properly defined.

Mr. Webster gives two definitions to the word "experiment." One definition defines an "experiment" as "a trial or special observation made to confirm or disprove something doubtful." It appears, Mr. President, that the proponents of the proposed constitutional amendments view the work of our Founding Fathers in light of this definition, and that they particularly dwell in their thoughts on the last word, "doubtful."

There is another definition given by Mr. Webster for the word "experiment," and it is in the sense of this definition that history will affirm that our constitutional federated republic was an "ex-

periment in democracy." The definition which is correct for this use of "experiment" is "an act or operation undertaken to test, establish, or illustrate some suggested or known truth."

The difference in these definitions as applied in this instance is simple. The former indicates that our Founding Fathers were basically ignorant in the principles of government, embarking on an unlighted course without means of navigation, or in modern parlance, betting blindly on a long shot. Our 170 years of glorious history and progress under the government planned by the God-inspired wisdom of the drafters of the Constitution dramatically demonstrates the inaccuracy of the phrase "experiment in democracy" if defined in such a sense.

Every facet of our daily lives bears unquestionable proof that those who conceived our governmental system were steeped in understanding of the lessons taught by the history of man's struggle to devise a government under which he could enjoy the opportunity to achieve his destiny, and that their thinking was balanced by practical experience of the inequities and abuses that inevitably flow from ineptly designed or selfishly administered government. With what could have been no less than divinely inspired wisdom, their experiment in democracy was an operation to illustrate a known truth.

Mr. President, let us examine some of the practical problems and basic concepts which were foremost in the thinking of those who conceived of our constitutional federated republican form of government.

There were in America 13 newly independent States, isolated geographically from the rest of the civilized world, and from a contemporary standpoint, weak militarily, individually and even collectively. Far from being a homogeneous society, they were bound together by no legal bonds, their working relationship having sprung primarily from a common cause against a common enemy. Even the fervor for the common cause varied substantially in degree from one State to another.

The efforts for union of these States was born, not from any feelings of self-identification by the peoples of one State with those of another, but from a necessity for survival. There was no desire for equality or similarity of treatment with the peoples of another State, for all of those hearty souls were too fresh in the memory of the suffering which stemmed from an "equality of treatment" given by England to the several colonies. The experience acquired as colonists inspired an intense desire for self-determination, as well as a well-founded mistrust of any governmental unit which could not be observed and controlled close at hand.

It was undoubtedly this very heterogeneity among the several independent States that emphasized in the minds of the Founding Fathers the historically proven truth that any government worthy of existence must preserve and protect the maximum degree of local self-government, with only the minimum degree of power absolutely essential to military survival and economic progress vested in a central government. This principle of government is a truth, as valid in every respect today as it was in the days following the Revolution, specifically proven once and for all by the constitutional drafters' "experiment in democracy."

Mr. President, the federated structure of our governmental system is the principal reason for its continued successful existence. It was not for the primary purpose of protecting basic rights of individuals that the U.S. Constitution was designed. The people of the various States were aware that they could well protect themselves from despotic action by a government within their own State. Each State government is completely capable of protecting individual rights of its citizens with safeguards against the loss of personal liberty and freedom. The governments of the several States served their people well in this respect before the Union was formed, and have continued to do so within the framework of the Union. All of the States do not impose the same requirements on their citizens, nor do all the States provide either the same substantive rights or the same procedural remedies for their citizens.

The lack of uniformity among the several States is not to be deplored, but rather to be acclaimed. Conformity is not natural to people of different regions, who enjoy different political, religious, and social heritages, who live under different economic conditions or even live in different climates. We should constantly keep in mind that conformity is not a goal of our democracy. It is a goal of absolute forms of government, such as communism; and absolute forms of government exist, in the final analysis, by force—not from the support of the people. The advantage we enjoy from democracy over dictatorial regimes stems solely from the individualism of democratic peoples.

Let us be candid. Conformity is despicable, a blight and leech on the progress of society, for it can be attained only at the level of the lowest common denominator.

The federated system of government is designed to thwart conformity. It is a system whereby the peoples of different mores can work together in harmony for their mutual advantage. The federated system is an agreement to disagree. Let us not endanger the structure itself by attempting to achieve a greater degree of conformity.

One of the great assets of our federation, Mr. President, is that no one need endure the laws of a particular State if they be repugnant to him. The Constitution provides for a full and free commerce between States. If, for example, one objects to the poll tax as a condition of suffrage in the State of his residence, he is perfectly free to remove to one of the 45 States which impose no such qualification.

When the Union was formed, there was a total of 13 States. There were substantial differences in the economies of the various States, as there were in the areas of political, religious, and social heritages. They were truly heterogeneous, as I have stated. But how much greater the heterogeneity of the various States today. There are now 50. They are spread from the semitropics of Florida to the arctics of Alaska, from the deserts of Arizona to the Pacific-washed isles of Hawaii. Whereas the Thirteen Original States had differences in economy, we now have a dissimilarity which is far greater in degree. Where once a dozen religious beliefs held sway, thousands flourish. The common language which we share has facilitated understanding, but let us not deceive ourselves into believing that it has destroyed our differences. God willing, our individualism will survive forever.

There is no reason, therefore, to change the pattern of nonconformity which has proved successful. We have already endangered the system by our conformity efforts at the Federal level through an abusive expansion of powers of the Central Government. If, indeed, there should be any additional transfer of constitutional powers, it should be in the other direction.

Mr. President, a constitutional amendment is a serious matter and should not be proposed in the absence of compelling reasons. Partisan or political considerations should be put aside, and play no part in this vital area.

How much urgency is there for such drastic action in the form of a constitutional amendment to eliminate the poll or capitation tax as a condition of suffrage? None. It is a matter of small import, blown up all out of proportion by overemphasis from politically inspired propaganda.

In the days immediately following the Revolution, the former Colonies, then States, performed a minimum—but adequate for the times—amount of service. The expenses of government were comparatively slight. The burdens of government fell less evenly on the population than is normal in a State today. It was the general feeling that those who bore the responsibilities of government should exercise the ballot. It is not surprising that the ownership of property and the payment of taxes were common and usual prerequisites to the right of suffrage.

In the early days of the Union, there were no direct taxes of any consequence on the populace for the support of the Federal Government. The costs were so slight that they could be and were borne almost entirely by tariffs.

As an expression of the belief that those who bore the responsibility of government should vote, all of the States imposed taxpayment, or its equivalent, property ownership as a condition of eligibility for voting. These voters eligibility requirements were summarized by the U.S. Supreme Court in *Minor* v. *Happerset* (21 Wallace 162), as follows:

> Thus in New Hampshire, "every male inhabitant of each town and parish with town privileges, and places unincorporated in the State, of 21 years of age and upward, excepting paupers and persons excused from

paying taxes at their own request," were its voters; in Massachusetts, "every male inhabitant of 21 years of age and upward, having a freehold estate within the commonwealth of the annual income of £3, or any estate of the value of £60"; in Rhode Island, "such as are admitted free of the company and society" of the Colony; in Connecticut, such persons as had "maturity in years, quiet and peaceable behavior, a civil conversation, and 40 shillings freehold or £40 personal estate," if so certified by the selectmen; in New York, "every male inhabitant of full age who shall have personally resided within one of the counties of the State for 6 months immediately preceding the day of election * * * if during the time aforesaid he shall have been a freeholder possessing a freehold of the value of £20 within the county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to the State"; in New Jersey, "all inhabitants * * * of full age who are worth £50; proclamation money, clear estate in the same, and have resided in the county in which they claim a vote for 12 months immediately preceding the election"; in Pennsylvania, "every free man of the age of 21 years, having resided in the State for 2 years next before the election, and within that time paid a State or county tax which shall have been assessed at least 6 months before the election"; in Delaware and Virginia, "as exercised by law at present"; in Maryland, "all free men above 21 years of age having a freehold of 50 acres of land in the county in which they offer to vote and residing therein, and all free men having property in the State above the value of £30 current money, and having resided in the county in which they offer to vote 1 whole year next preceding the election"; in North Carolina, for Senators, "all free men of the age of 21 years who have been inhabitants of any one county within the State 12 months immediately preceding the day of election, and possessed of a freehold within the same county of 50 acres of land for 6 months next before and at the day of election," and for members of the house of commons, "all free men of the age of 21 years who have been inhabitants in any one county within the State 12 months immediately preceding the day of any election, and shall have paid public taxes"; in South Carolina, "every free white man of the age of 21 years, being a citizen of the State and having resided therein 2 years previous to the day of election and who hath a freehold of 50 acres of land, or a town lot of which he hath been legally seized and possessed for at least 6 months before such election, or (not having such freehold or town lot), hath been a resident within the election district in which he offers to give his vote 6 months before such election, and hath paid a tax the preceding year of three shillings sterling toward the support of the Government"; and in Georgia, "such citizen and inhabitants of the State as shall have attained to the age of 21 years, and shall have paid tax for the year next preceding the election, and shall have resided 6 months within the county."

Clearly, Mr. President, conditioning suffrage on payment of taxes was the normal and usual practice in the early days of the Union.

As time has passed, the services and misservices of government, both of which are extremely expensive—as is illustrated by the size of the national debt—have increased enormously. In an unsuccessful attempt to pay for these Government functions, innumerable taxes at both the Federal and State levels have been levied. As a result, there is almost no one who does not share in the responsibility of government insofar as finances are concerned. With a few exceptions, the burden of taxes is so widespread that a taxpayment prerequisite to suffrage excludes practically no one. Most States have recognized this fact, and have repealed meaningless constitutional and statutory provisions imposing such eligibility requirements. At the present time, there remain only five States which still have such requirements on voting privileges.

As in the States which have abandoned such voting requirements as the poll or capitation tax payment, the requirements in the remaining five are undoubtedly meaningless from a practical standpoint. Such a tax is rarely as high as $5 a year, and in this inflationary economy the number of people who cannot pay this low amount is small indeed.

Mr. President, I do not mean to imply that there are not substantial numbers of people in the five States which require payment of poll or capitation tax as a condition to voting who do not pay the poll or capitation tax. Although I have no statistics on this matter, I assume that there are large numbers who are delinquent. It is a known fact that large numbers of the American people are complacent about exercising their ballot. This is amply illustrated by the fact that a substantial percentage of those who register to vote do not participate in the election itself. It is only logical to assume that a major portion of those who do not pay their poll or capitation tax, have the financial ability, but do not have sufficient interest in voting to pay the tax. This is borne out in States which had, but recently repealed, poll-tax requirements. There has been no substantial increase in the registration or voting in South Carolina since the repeal of the constitutional provision which made payment of a poll tax a condition of eligibility to vote.

The only logical conclusion to be drawn from an objective analysis of the situation is that we are conducting an exercise in self and public deceit. There is no real consequence to the issue about which this proposal has arisen. Even were the proposed constitutional amendment passed by the Senate and the House, and ratified by the States, it would have no significant effect on the numbers of persons who have the opportunity to vote, nor on the number of persons who fulfill their responsibility by exercising the right of the ballot.

Mr. President, as I have said, although my State, upon my recommendation while I was Governor, has repealed the poll tax as a prerequisite for voting, it is my firm conviction that this is a matter which should be left to each State. Therefore, I oppose passage of the joint resolution to amend the Constitution in the manner proposed, which would take away a certain right which now rests within the States and would transfer it to the Central Government in Washington.

ADJOURNMENT TO MONDAY

Mr. ALLOTT. Mr. President, under the order previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 41 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, February 1, 1960, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Informational, Educational, and Cultural TV Programs

EXTENSION OF REMARKS

OF

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Friday, January 29, 1960

Mr. CASE of New Jersey. Mr. President, I congratulate the three major networks on their decision to devote an hour each week of their most valuable time to cultural and educational programs which will start next November.

Such voluntary cooperation to improve television programing should be encouraged.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I made on the subject on January 17.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLIFFORD P. CASE

The suggestion by Chairman John C. Doerfer of the Federal Communications Commission Thursday that the television networks set aside a half hour each weekday night for informational, educational, and cultural shows makes a lot of sense.

It would give real meaning to the Federal Communications Act requirement that our television stations be operated in the "public interest, convenience, and necessity."

Such a step toward setting a floor or minimum standard during the preferred evening time would help achieve the goal of balanced programing. Possibly an hour, rather than a half hour, would be required for a realization of the full potential of this type of program. I mention this since minimum standards, once established, so often tend to become maximum ones.

I am pleased to read the initial responses of the three major networks. I recognize the strong pressures which competition forces on them in programing and I feel

that this suggestion can help them achieve a higher standard of service by placing all of them on the same basis.

As the ranking Republican on the Senate Communications Subcommittee, I believe our subcommittee should determine promptly whether additional legislation is necessary in order to give effect to this suggestion.

SENATE

MONDAY, FEBRUARY 1, 1960

Rev. James Clayton Pippin, minister, First Christian Church, Falls Church, Va., offered the following prayer:

Eternal God, Thou who art the King of Kings and the Lord of Lords, and upon whose shoulders all the governments of this world rest, empower these, Thy children, with the strength to be worthy servants under Thy rule. May our trust in Thee be stamped upon the coin of our character, that with pure motive we, as a Nation, would be faithful to Thee, not primarily because some other nation is faithless, and not only because we desire our Nation to be perpetuated, but grant, O God, that we may serve Thee because we love Thee and because we know that a Nation so serving makes Thy great heart glad.

As we begin the month in which we celebrate the birthdays of two of our greatest Americans, may their spirit of faith and brotherhood be born anew in us. Although a monument may never be built in our name, guide us so to labor toward preserving the ideals of this good land that theirs may never be torn down.

O Thou who art the seat of all wisdom, give us the wisdom to be loyal to Thee above any party, above any selfish desire for gain, that this grand Ship of State may sail on and on, until the day when the kingdoms of this world shall have become the Kingdom of Thy Son, our Lord, in whose name we pray. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 29, 1960, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF FARM CREDIT ACT OF 1933, RELATING TO CERTAIN INCREASED REPRESENTATION

A letter from the Governor, Farm Credit Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives (with an accompanying paper); to the Committee on Agriculture and Forestry.

STATEMENT OF RECEIPTS AND EXPENDITURES OF CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washing, D.C., transmitting, pursuant to law, a statement of receipts and expenditures of that company, for the year 1959 (with accompanying papers); to the Committee on the District of Columbia.

REPORT AND RECOMMENDATION CONCERNING CLAIMS OF GOVERNMENTS OF ISRAEL AND FRANCE AGAINST THE UNITED STATES

A letter from the Secretary of State, transmitting, for the information of the Senate, a report and recommendation concerning claims of the Governments of Israel and France against the United States (with an accompanying paper); to the Committee on Foreign Relations.

REMOVAL OF REQUIREMENT THAT GRANTORS FURNISH, FREE OF EXPENSES, EVIDENCES OF TITLE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to repeal that part of the act of March 2, 1889, as amended, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certifications and evidences of title (with an accompanying paper); to the Committee on Government Operations.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT, TO PERMIT CONVEYANCES AND GRANTS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to permit conveyances and grants to States, counties, municipalities or other duly constituted political subdivisions of States of interest in real property which are needed for an authorized widening of a public street, highway or alley, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

REPORT ON REVIEW OF USE OF CONTRACTOR-FURNISHED DRAWINGS FOR PROCUREMENT PURPOSES, NAVY DEPARTMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the use of contractor-furnished drawings for procurement purposes, Department of the Navy, dated January 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON CERTAIN CONTRACTS MADE BY DEPARTMENT OF THE INTERIOR

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report on contracts made under the provisions of the act of June 4, 1936 (49 Stat. 1458, 1459), for the fiscal year 1959 (with accompanying report); to the Committee on Interior and Insular Affairs.

AMENDMENT OF LAW RELATING TO MINING LEASES ON CERTAIN LANDS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the law relating to mining leases on tribal Indian lands and Federal lands within Indian reservations (with accompanying paper); to the Committee on Interior and Insular Affairs.

DONATION OF A CERTAIN TRACT OF LAND TO THE PUEBLOS OF ZIA AND JEMEZ, N. MEX.

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to donate to the pueblos of Zia and Jemez a tract of land in the Ojo del Espiritu Santo Grant, New Mexico (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF PROCEEDINGS OF ANNUAL MEETING OF JUDICIAL CONFERENCE

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report of the proceedings of the annual meeting of the Judicial Conference of the United States, held at Washington, D.C., September 16–17, 1959 (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF CODE RELATING TO PENALTIES FOR THREATS AGAINST THE SUCCESSORS TO THE PRESIDENCY

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service (with accompanying papers); to the Committee on the Judiciary.

GRANTS-IN-AID TO CERTAIN NONPROFIT INSTITUTIONS

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to authorize grants-in-aid to universities, hospitals, laboratories, and other public or nonprofit institutions to strengthen their programs of research and research training in sciences related to health (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT ON CERTAIN POSITIONS COMPENSATED UNDER PUBLIC LAW 623, 84TH CONGRESS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on positions in grade 16 compensated under Public Law 623, 84th Congress, at that Administration, for the calendar year 1959 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON CERTAIN POSITIONS IN FEDERAL BUREAU OF INVESTIGATION

A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, a report on positions in grades GS–16, GS–17, and GS–18, in that Bureau, as of December 31, 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

REPORT OF U.S. ATOMIC ENERGY COMMISSION

A letter from the Chairman and members of the U.S. Atomic Energy Commission, transmitting, pursuant to law, the annual report of that Commission for the calendar year 1959 (with an accompanying report); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a list of papers and documents

on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the council of the city and county of Honolulu, Hawaii, relating to the establishment of an East-West Cultural Center in Hawaii; to the Committee on Labor and Public Welfare.

A resolution adopted by the 60th Annual Convention of the Veterans of Foreign Wars of the United States, Kansas City, Mo., favoring the enactment of legislation to provide funds for the Corregidor Bataan Memorial Commission to conduct a study for the erection of a suitable memorial to the Philippine and American soldiers, sailors, and marines who lost their lives while serving in the Philippines during World War II; to the Committee on Foreign Relations.

RESOLUTIONS OF IDAHO STATE INTERTRIBAL COUNCIL

Mr. CHURCH. Mr. President, I have received resolutions adopted by the Idaho State Intertribal Council, meeting in semiannual conference on October 1, 1959, at Fort Hall, Idaho, numbered 15, 16, and 18, dealing with specific legislation concerning Indian affairs, I ask unanimous consent that the resolutions be printed in the RECORD at this point, and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Government Operations:

"RESOLUTION 15

"Whereas the Idaho State Intertribal Council, organized and duly authorized through the official tribal delegates, meeting in semiannual conference, on October 1–2, 1959, at Fort Hall, Idaho, did duly discuss and consider S. 2244, of the 86th Congress; and

"Whereas many Indian tribes feel that there is a great need of usable equipment obtained from Federal Government surplus property and for which many Indian tribes cannot afford because of limited funds; and

"Whereas it is deemed beneficial that legislation proposed under S. 2244, of the 86th Congress, to many Indian tribes and that such equipment can be used to the best interest of many Indian tribes in promoting projects within its Indian reservation, developing its resources: Now, therefore, be it

"Resolved, That the Idaho State Intertribal Council hereby endorses and supports proposed legislation under S. 2244, of the 86th Congress; and be it further

"Resolved, That the said council urges Congress, its subcommittees and committees to support S. 2244."

To the Committee on Interior and Insular Affairs:

"RESOLUTION 16

"Whereas the Idaho State Intertribal Council, organized and duly authorized through the official tribal delegates, meeting in semiannual conference, on October 1–2, 1959, at Fort Hall, Idaho, did duly discuss at some length Senate Concurrent Resolutions No. 12 and No. 36, introduced in the 86th Congress; and

"Whereas Senate Concurrent Resolution 12 appears to the council to be a statement of policy in dealing with the Indians from which the Indians of Idaho could begin to build upon a more solid foundation in attempting to raise the social and economic levels of their members without fear of being forced into termination before their goals had been reached; and

"Whereas Senate Concurrent Resolution 36 is a restatement of Senate Concurrent Resolution 3, of the 85th Congress, of which many Indian tribes and organizations have endorsed; and

"Whereas Senate Concurrent Resolution 3 has been supported by the Idaho State Legislature (35th sess.) through endorsement by House Joint Memorial No. 7: Now, therefore, be it

"Resolved, That the Indians of Idaho, speaking through their intertribal council, hereby urge the passage of Senate Concurrent Resolutions No. 12 and No. 36 of the 86th Congress; and be it further

"Resolved, That the intertribal council opposes enactment of Senate Concurrent Resolution No. 28, which is contrary to the aforementioned resolutions and its language is similar to House Concurrent Resolution 108."

To the Committee on Labor and Public Welfare:

"RESOLUTION 18

"Whereas the Idaho State Intertribal Council has been duly organized and authorized by its official tribal delegates, meeting in semiannual conference, did duly consider proposed legislation under S. 812, of the 86th Congress; and

"Whereas the said proposed legislation, under S. 812, would enable a Youth Conservation Corps, similar to the former Civilian Conservation Corps program; and

"Whereas such bill would enable conservation and development of tribal resources, human or natural, on many Indian reservations, if enacted; and

"Whereas such bill would also aid curbing of juvenile delinquency and enable specialized training and skill of conservation practices as well as resources development, within Indian reservations: Now, therefore, be it

"Resolved, That the Idaho State Intertribal Council hereby endorses for enactment of S. 812, making possible a Youth Conservation Corps; and be it further

"Resolved, That the said Idaho State Intertribal Council urges the 86th Congress, its committees, and subcommittees, to support S. 812 for enactment.

REPORT ON FEDERAL EMPLOYMENT AND PAY BY JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of December 1959. In accordance with the practice of several years' standing I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

PERSONNEL AND PAY SUMMARY

Information in monthly personnel reports for December 1959 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In December, numbered—	In November, numbered—	Increase (+) or decrease (−)	In November, was—	In October, was—	Increase (+) or decrease (−)
Total [1]	2,364,253	2,372,247	−7,994	$1,006,487	$1,049,514	−$43,027
Agencies exclusive of Department of Defense	1,312,007	1,315,802	−3,795	546,462	564,736	−18,274
Department of Defense	1,052,246	1,056,445	−4,199	460,025	484,778	−24,753
Inside the United States	2,204,540	2,211,994	−7,454			
Outside the United States	159,713	160,253	−540			
Industrial employment	557,747	560,206	−2,459			
Foreign nationals	181,767	181,976	−209	23,103	22,752	+351

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during December 1959, and comparison with November 1959, and pay for November 1959, and comparison with October 1959*

Department or Agency	Personnel				Pay (in thousands)			
	December	November	Increase	Decrease	November	October	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	86,518	87,594		1,076	$36,838	$38,897		$2,059
Commerce [1] [2]	62,744	62,969		225	20,025	15,947	$4,078	
Health, Education, and Welfare	59,898	59,909		11	26,503	27,099		596
Interior	50,004	[3] 50,473		469	23,921	25,507		1,586
Justice	29,996	30,087		91	16,438	17,178		740
Labor	6,192	6,216		24	3,249	3,236	13	
Post Office	[4] 559,193	560,269		1,076	218,137	227,226		9,089
State [5]	36,256	36,270		14	16,177	16,455		278
Treasury	74,206	74,413		207	36,446	38,278		1,832
Executive Office of the President:								
White House Office	408	407	1		240	244		4
Bureau of the Budget	432	434		2	324	334		10
Council of Economic Advisers	33	32	1		25	27		2
Executive Mansion and Grounds	72	72			30	33		3
National Security Council	64	61	3		42	44		2
Office of Civil and Defense Mobilization	1,761	1,760	1		1,079	1,111		32
President's Advisory Committee on Government Organization	4	4			2	3		1
President's Committee on Fund Raising Within the Federal Service	4	4			4	4		
Independent agencies:								
Alaska International Rail and Highway Commission	2	2			2	2		
American Battle Monuments Commission	488	496		8	83	84		1
Atomic Energy Commission	6,695	6,703		8	4,072	4,312		240
Board of Governors of the Federal Reserve System	598	598			332	348		16
Boston National Historic Sites Commission	2	2			1	1		
Civil Aeronautics Board	731	728	3		446	464		18
Civil Service Commission	3,595	3,621		26	1,825	1,920		95
Civil War Centennial Commission	6	5	1		5	4	1	
Commission of Fine Arts	4	4			2	3		1
Commission on Civil Rights	76	75	1		35	40		5
Commission on International Rules of Judicial Procedure	3	3			2	6		4
Development Loan Fund	93	90	3		64	63	1	
Export-Import Bank of Washington	226	222	4		139	146		7
Farm Credit Administration	[6] 624	824		200	460	491		31
Federal Aviation Agency	34,113	33,983	130		18,901	19,136		235
Federal Coal Mine Safety Board of Review	7	7			3	4		1
Federal Communications Commission	1,277	1,275	2		740	768		28
Federal Deposit Insurance Corporation	1,238	1,231	7		685	709		24
Federal Home Loan Bank Board	961	957	4		528	546		18
Federal Mediation and Conciliation Service	344	343	1		258	267		9
Federal Power Commission	840	837	3		486	510		24
Federal Trade Commission	736	738		2	471	486		15
Foreign Claims Settlement Commission	47	46	1		32	35		3
General Accounting Office	5,029	5,047		18	2,631	2,757		126
General Services Administration [7]	27,331	27,321	10		11,295	11,627		332
Government Contract Committee	32	30	2		16	17		1
Government Printing Office	6,499	6,532		33	3,161	3,199		38
Housing and Home Finance Agency	10,998	11,003		5	5,690	5,964		274
Hudson-Champlain Celebration Commission	3	3			2	3		1
Indian Claims Commission	16	16			14	14		
Interstate Commerce Commission	2,307	2,304	3		1,277	1,332		55
Lincoln Sesquicentennial Commission	6	6			4	4		
National Aeronautics and Space Administration	9,567	9,525	42		5,487	5,702		215
National Capital Housing Authority	327	325	2		131	134		3
National Capital Planning Commission	43	43			26	25	1	
National Gallery of Art	314	314			117	119		2
National Labor Relations Board	1,624	1,579	45		892	918		26
National Mediation Board	116	117		1	81	84		3
National Science Foundation	549	562		13	293	315		22
Outdoor Recreation Resources Review Commission	35	35			21	20	1	
Panama Canal	13,856	13,876		20	4,245	5,948		1,703
Railroad Retirement Board	2,291	2,328		37	1,059	1,113		54
Renegotiation Board	290	293		3	202	211		9
St. Lawrence Seaway Development Corporation	155	170		15	95	96		1
Securities and Exchange Commission	946	936	10		543	568		25
Selective Service System	6,255	6,275		20	1,672	1,764		92
Small Business Administration	2,122	2,098	24		1,141	1,184		43
Smithsonian Institution	1,100	1,091	9		449	461		12
Soldiers' Home	1,018	1,012	6		304	302	2	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	37	36	1		23	22	1	
Subversive Activities Control Board	28	27	1		$21	$22		$1
Tariff Commission	237	236	1		148	153		5
Tax Court of the United States	148	150		2	100	104		4
Tennessee Valley Authority	13,916	14,117		201	7,139	7,616		477
Texas Water Study Commission	34	31	3		20	20		
U.S. Information Agency	10,811	10,811			3,643	3,614	$29	
Veterans' Administration	[8] 172,954	173,167		213	65,384	67,212		1,828
Virgin Islands Corporation	522	622		100	84	124		40
Total, excluding Department of Defense	1,312,007	1,315,802	325	4,120	546,462	564,736	4,127	22,401
Net decrease, excluding Department of Defense			3,795				18,274	
Department of Defense:								
Office of the Secretary of Defense	1,813	1,802	11		1,179	1,256		77
Department of the Army	385,915	387,632		1,717	163,376	175,430		12,054
Department of the Navy	348,220	350,692		2,472	159,922	[3] 167,237		7,315
Department of the Air Force	316,298	316,319		21	135,548	140,855		5,307
Total, Department of Defense	1,052,246	1,056,445	11	4,210	460,025	484,778		24,753
Net decrease, Department of Defense			4,199				24,753	
Grand total, including Department of Defense [9]	2,364,253	2,372,247	336	8,330	1,006,487	1,049,514	4,127	47,154
Net decrease, including Department of Defense			7,994				43,027	

[1] December figure includes 202 seamen on the rolls of the Maritime Administration and their pay.

[2] December figure includes 29,374 enumerators for the census of agriculture as compared with 29,389 in November, and their pay.

[3] Revised on basis of later information.

[4] Excludes 307,324 temporary Christmas employees.

[5] December figure includes 13,321 employees of the International Cooperation Administration, as compared with 13,274 in November, and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The December figure includes 3,197 of these trust fund employees and the November figure includes 3,193.

[6] Excludes 183 employees transferred to Federal Land Banks pursuant to Public Law 86-168.

[7] Includes 3 employees of the Federal Facilities Corporation.

[8] Subject to revision.

[9] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during December 1959, and comparison with November 1959*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	85,503	86,581		1,078
Commerce [1]	62,202	62,424		222
Health, Education, and Welfare	59,449	59,464		15
Interior	49,556	[2] 50,024		468
Justice	29,710	29,801		91
Labor	6,125	6,126		1
Post Office	[3] 558,003	559,057		1,054
State [4]	8,765	8,829		64
Treasury	73,667	73,877		210
Executive Office of the President:				
White House Office	408	407	1	
Bureau of the Budget	432	434		2
Council of Economic Advisers	33	32	1	
Executive Mansion and Grounds	72	72		
National Security Council	64	61	3	
Office of Civil and Defense Mobilization	1,761	1,760	1	
President's Advisory Committee on Government Organization	4	4		
President's Committee on Fund Raising Within the Federal Service	4	4		
Independent agencies:				
Alaska International Rail and Highway Commission	2	2		
American Battle Monuments Commission	14	14		
Atomic Energy Commission	6,655	6,662		7
Board of Governors of the Federal Reserve System	598	598		
Boston National Historic Sites Commission	2	2		
Civil Aeronautics Board	731	728	3	
Civil Service Commission	3,592	3,618		26
Civil War Centennial Commission	6	5	1	
Commission of Fine Arts	4	4		
Commission on Civil Rights	76	75	1	
Commission on International Rules of Judicial Procedure	3	3		
Development Loan Fund	93	90	3	
Export-Import Bank of Washington	226	222	4	
Farm Credit Administration	[3] 617	814		197
Federal Aviation Agency	33,260	33,145	115	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,275	1,273	2	
Federal Deposit Insurance Corporation	1,236	1,229	7	
Federal Home Loan Bank Board	961	957	4	
Federal Mediation and Conciliation Service	344	343	1	
Federal Power Commission	840	837	3	
Federal Trade Commission	736	738		2
Foreign Claims Settlement Commission	47	46	1	
General Accounting Office	4,955	4,972		17
General Services Administration [5]	27,327	27,317	10	
Government Contract Committee	32	30	2	
Independent agencies—Continued				
Government Printing Office	6,499	6,532		33
Housing and Home Finance Agency	10,856	10,862		6
Hudson-Champlain Celebration Commission	3	3		
Indian Claims Commission	16	16		
Interstate Commerce Commission	2,307	2,304	3	
Lincoln Sesquicentennial Commission	6	6		
National Aeronautics and Space Administration	9,565	9,523	42	
National Capital Housing Authority	327	325	2	
National Capital Planning Commission	43	43		
National Gallery of Art	314	314		
National Labor Relations Board	1,600	1,555	45	
National Mediation Board	116	117		1
National Science Foundation	549	562		13
Outdoor Recreation Resources Review Commission	35	35		
Panama Canal	394	394		
Railroad Retirement Board	2,291	2,328		37
Renegotiation Board	290	293		3
St. Lawrence Seaway Development Corporation	155	170		15
Securities and Exchange Commission	946	936	10	
Selective Service System	6,099	6,119		20
Small Business Administration	3,103	2,079	24	
Smithsonian Institution	1,089	1,081	8	
Soldiers' Home	1,018	1,012	6	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	37	36	1	
Subversive Activities Control Board	28	27	1	
Tariff Commission	237	236	1	
Tax Court of the United States	148	150		2
Tennessee Valley Authority	13,914	14,115		201
Texas Water Study Commission	34	31	3	
U.S. Information Agency	2,693	2,723		30
Veterans' Administration	[7] 171,870	172,071		201
Total, excluding Department of Defense	1,254,979	1,258,686	309	4,016
Net decrease, excluding Department of Defense			3,707	
Department of Defense:				
Office of the Secretary of Defense	1,771	1,757	14	
Department of the Army	335,491	336,934		1,443
Department of the Navy	326,165	328,557		2,392
Department of the Air Force	286,134	286,060	74	
Total, Department of Defense	949,561	953,308	88	3,835
Net decrease, Department of Defense			3,747	
Grand total, including Department of Defense	2,204,540	2,211,994	397	7,851
Net decrease, including Department of Defense			7,454	

[1] December figure includes 202 seamen on the rolls of the Maritime Administration.
[2] Revised on basis of later information.
[3] Excludes 307,127 temporary Christmas employees.
[4] December figure includes 1,881 employees of the International Cooperation Administration, as compared with 1,879 in November.
[5] Excludes 180 employees transferred to Federal land banks pursuant to Public Law 86-168.
[6] Includes 3 employees of the Federal Facilities Corporation.
[7] Subject to revision.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during December 1959, and comparison with November 1959*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,015	1,013	2	
Commerce	542	545		3
Health, Education, and Welfare	449	445	4	
Interior	448	449		1
Justice	286	286		
Labor	67	90		23
Post Office	[1] 1,190	1,212		22
State [2]	27,491	27,441	50	
Treasury	539	536	3	
Independent agencies:				
American Battle Monuments Commission	474	482		8
Atomic Energy Commission	40	41		1
Civil Service Commission	3	3		
Farm Credit Administration [3]	7	10		3
Federal Aviation Agency	853	838	15	
Federal Communications Commission	2	2		
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	74	75		1
General Services Administration	4	4		
Housing and Home Finance Agency	142	141	1	
National Aeronautics and Space Administration	2	2		
National Labor Relations Board	24	24		
Panama Canal	13,462	13,482		20
Independent agencies—Cont.				
Selective Service System	156	156		
Small Business Administration	19	19		
Smithsonian Institution	11	10	1	
Tennessee Valley Authority	2	2		
U.S. Information Agency	8,118	8,088	30	
Veterans' Administration	[4] 1,084	1,096		12
Virgin Islands Corporation	522	622		100
Total, excluding Department of Defense	57,028	57,116	106	194
Net decrease, excluding Department of Defense			88	
Department of Defense:				
Office of the Secretary of Defense	42	45		3
Department of the Army	50,424	50,698		274
Department of the Navy	22,055	22,135		80
Department of the Air Force	30,164	30,259		95
Total, Department of Defense	102,685	103,137		452
Net decrease, Department of Defense			452	
Grand total, including Department of Defense	159,713	160,253	106	646
Net decrease, including Department of Defense			540	

[1] Excludes 197 temporary Christmas employees.
[2] December figure includes 11,440 employees of the International Cooperation Administration, as compared with 11,395 in November. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The December figure includes 3,197 of these trust fund employees and the November figure includes 3,193.
[3] Excludes 3 employees transferred to Federal Land Banks pursuant to Public Law 86-168.
[4] Subject to revision.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during December 1959, and comparison with November 1959*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,296	3,296		
Commerce	1,694	2,020		326
Interior	6,883	6,481	402	
Treasury	5,040	5,142		102
Independent agencies:				
Atomic Energy Commission	152	152		
Federal Aviation Agency	734	780		46
Federal Communications Commission	13	13		
General Services Administration	1,200	1,215		6
Government Printing Office	6,499	6,532		33
National Aeronautics and Space Administration	9,567	9,525	42	
Panama Canal	6,919	6,931		12
Tennessee Valley Authority	11,153	11,360		207
Virgin Islands Corporation	522	622		100
Total, excluding Department of Defense	53,681	54,069	444	832
Net decrease, excluding Department of Defense			388	

Department or agency	December	November	Increase	Decrease
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 133,800	[2] 134,463		663
Outside the United States	[1] 8,300	[2] 8,386		
Department of the Navy:				
Inside the United States	200,917	202,067		1,150
Outside the United States	516	522		6
Department of the Air Force:				
Inside the United States	158,886	158,985		99
Outside the United States	1,647	1,714		67
Total, Department of Defense	504,066	506,137		2,071
Net decrease, Department of Defense			2,071	
Grand total, including Department of Defense	557,747	560,206	444	2,903
Net decrease, including Department of Defense			2,459	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of December 1959 and comparison with November 1959*

Country	Total		Army		Navy		Air Force	
	December	November	December	November	December	November	December	November
Belgium	11	11					11	11
England	3,513	3,449					3,513	3,449
France	21,694	21,789	17,142	17,120	4		4,548	4,669
Germany	81,542	81,749	69,175	69,380	[2] 57	57	12,310	12,312
Japan	64,430	64,158	21,713	21,175	[2] 16,527	16,750	26,190	26,233
Korea	6,152	6,311	6,152	[1] 6,311				
Morocco	3,816	3,901	2	2	[2] 844	833	2,970	3,066
Netherlands	43	43					43	43
Norway	23	23					23	23
Saudi Arabia	1	1					1	1
Trinidad	542	541			542	541		
Total	181,767	181,976	114,184	113,988	17,974	18,181	49,609	49,807

[1] Revised on basis of later information.

[2] Subject to revision.

STATEMENT BY SENATOR HARRY F. BYRD, OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of December totaling 2,364,253. This was a net decrease of 7,994 as compared with employment reported in the preceding month of November.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1960, which began July 1, 1959, follows:

Month	Employment	Increase	Decrease
July	2,370,694	3,703	
August	2,364,320		6,374
September	2,345,359		18,961
October	2,348,807	3,448	
November	2,372,247	23,440	
December	2,364,253		7,994
Net decrease for 1st 6 months of fiscal year 1960			2,738

Total Federal employment in civilian agencies for the month of December was 1,312,007, a decrease of 3,795 as compared with the November total of 1,315,802. Total civilian employment in the military agencies in December was 1,052,246, a decrease of 4,199 as compared with 1,056,445 in November.

Civilian agencies reporting the larger decreases were Agriculture Department with 1,076, Post Office Department with 1,076 and Interior Department with 469. The decreases in Agriculture and Interior Departments were largely seasonal.

In the Department of Defense, decreases in civilian employment were reported by the Department of the Navy with 2,472, the Department of the Army with 1,717, and the Department of the Air Force with 21.

Inside the United States civilian employment decreased 7,454, and outside the United States civilian employment decreased 540. Industrial employment by Federal agencies in December total 557,747, a decrease of 2,459.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,364,253 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 181,767 foreign nationals working for U.S. military agencies during December who were not counted in the usual personnel reports. The number in November was 181,976. A breakdown of this employment for December follows:

Country	Total	Army	Navy	Air Force
Belgium	11			
England	3,513			3,513
France	21,694	17,142	4	4,548
Germany	81,542	69,175	57	12,310
Japan	64,430	21,713	16,527	26,190
Korea	6,152	6,152		
Morocco	3,816	2	844	2,970
Netherlands	43			43
Norway	23			23
Saudi Arabia	1			1
Trinidad	542		542	
Total	181,767	114,184	17,974	49,609

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HART:

S. 2940. A bill for the relief of Zeldi Bornstayn;

S. 2941. A bill for the relief of Mrs. Ming-Chen Hsu (nee Nai-Fu Mo); and

S. 2942. A bill for the relief of Eugene Storme; to the Committee on the Judiciary.

By Mr. KEATING:

S. 2943. A bill to suspend certain postal rates; to the Committee on Post Office and Civil Service.

By Mr. KEATING (for himself and Mr. HUMPHREY):

S. 2944. A bill to authorize a study and investigation by the Mount Rushmore National Memorial Commission; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 2945. A bill authorizing the Secretary of Agriculture to establish demonstration food-stamp programs in the United States; to the Committee on Agriculture and Forestry.

S. 2946. A bill for the relief of James Demetrios Dourakos; to the Committee on the Judiciary.

By Mr. DWORSHAK (for himself and Mr. CHURCH):

S. 2947. A bill to enable the Oregon Short Line Railroad Co. to convey title to certain lands in Idaho to the Pocatello First Corporation of the Church of Jesus Christ of

Latter-day Saints; to the Committee on Interior and Insular Affairs.

By Mr. CHAVEZ:

S. 2948. A bill for the relief of Ti Huang; to the Committee on the Judiciary.

S. 2949. A bill to provide for the conveyance of certain mineral rights to W. W. Simpson, Jr., of Carlsbad, N. Mex.; to the Committee on Interior and Insular Affairs.

By Mr. FULBRIGHT (for himself and Mr. SPARKMAN):

S. 2950. A bill to increase the borrowing authority of the Housing and Home Finance Agency for college housing loans; to the Committe on Banking and Currency.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 2951. A bill to amend the act of August 1, 1956, entitled "An Act to provide certain basic authority for the Department of State"; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware (for himself and Mr. FREAR):

S. 2952. A bill to prevent the application of any milk marketing order to milk produced in certain counties of Delaware and Maryland unless approved by a majority of the farmers producing milk in such counties; to the Committee on Agriculture and Forestry.

By Mr. BIBLE (by request):

S. 2953. A bill to amend certain provisions of the District of Columbia tax laws relating to overpayments and refunds of taxes erroneously collected; and

S. 2954. A bill to exempt from the District of Columbia income tax compensation paid to alien employees by certain international organizations; to the Committee on the District of Columbia.

By Mr. HARTKE (by request):

S. 2955. A bill to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901; to the Committee on the District of Columbia.

By Mr. DOUGLAS:

S. 2956. A bill for the relief of Dr. Ting-Wa Wong; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 2957. A bill to amend the National Security Act of 1947 in order to vest administrative authority in the Secretary of Defense; to make mandatory a single overall war plan for the Armed Forces, with the military departments and the military budget tailored to that plan; to require the establishment of unified commands within the Armed Forces; to provide greater flexibility in the assignment and transfer of military personnel within and among the Armed Forces; to provide for a single Chief of Staff for the Department of Defense, who shall report to the Secretary of Defense; and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2958. A bill to amend section 4(k) of the Communications Act of 1934, as amended, by relieving the Federal Communications Commission of the duty of making the annual report of personnel as now required by subsection (3) of section 4(k); to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

Mr. ERVIN submitted a resolution (S. Res. 264) relating to the death of Hon. DAVID M. HALL, late a Representative from the State of North Carolina, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. ERVIN, which appears under a separate heading.)

STUDY OF FEASIBILITY OF ADDING LIKENESSES OF PRESIDENTS FRANKLIN D. ROOSEVELT AND DWIGHT D. EISENHOWER AT MOUNT RUSHMORE MEMORIAL

Mr. KEATING. Mr. President, on behalf of myself, and the distinguished senior Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill to authorize the Mount Rushmore National Memorial Commission to conduct an investigation and study of the feasibility of adding figures of Presidents Franklin D. Roosevelt and Dwight D. Eisenhower to the present memorial. It is my hope that this proposal will pave the way for including likenesses of these two recent outstanding Presidents alongside those of Washington, Jefferson, Lincoln, and Theodore Roosevelt.

It would be fitting to have the figures of Franklin Roosevelt and Dwight Eisenhower, each of whom commanded the hearts and minds of so many Americans and who contributed so much to our Nation, added to the panorama of other great past leaders. Both these men stirred our Nation to great heights. Each man played his part in making America more fully aware of its world responsibilities and its obligation to lead men of good will in the task of building world peace and security.

I am delighted that this measure has bipartisan support in this body, in the person of my good friend from Minnesota. On the House similar bills are being introduced by Representative PAUL A. FINO and Representative ALFRED E. SANTANGELO, both of New York. A moving force behind the drafting of this bill has been the Federation of the Italian-American Democratic Organizations of the State of New York.

No matter what Democrats may think of our present President, no matter what Republicans may think of President Franklin Roosevelt, all men of good will can agree that they are important historical figures who played vital roles in the story of our Nation. They deserve to be considered for their works and their place in history, apart from any partisan considerations. It is in this spirit that I offer this measure.

Mr. President, the Mount Rushmore National Memorial is a unique, magnificent and heartwarming aspect of our national life, enshrining as it does Presidents who have meant much to the progress and heritage of America. I hope this bill will make possible the addition of these two towering figures to this sculpturing marvel.

Mr. President, I ask unanimous consent to have the text of this measure printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2944) to authorize a study and investigation by the Mount Rushmore National Memorial Commission, introduced by Mr. KEATING (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mount Rushmore National Memorial Commission (hereinafter referred to as the "Commission"), created by the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers", approved February 25, 1929, as amended, is authorized and directed to conduct a complete investigation and study of the feasibility of including figures of Franklin D. Roosevelt and Dwight D. Eisenhower in the Mount Rushmore National Memorial adjacent to the present figures of Washington, Jefferson, Lincoln, and Theodore Roosevelt.

SEC. 2. The Secretary of the Interior, acting through the National Park Service, shall provide such assistance as the Commission shall deem necessary to carry out this Act.

SEC. 3. The Commission shall report to the President and to Congress the results of the study and investigation authorized by this Act not later than one year after the date of enactment of this Act.

INCREASED AUTHORITY FOR COLLEGE HOUSING LOANS

Mr. FULBRIGHT. In behalf of myself and the junior Senator from Alabama [Mr. SPARKMAN], I introduce, for appropriate reference, a bill to increase by $500 million the authority of the Housing and Home Finance Agency to make college housing loans. Two hundred fifty million dollars would become available upon enactment and $250 million upon July 1, 1960.

Legislation providing for the establishment of the college housing program was first introduced by the Senator from Alabama [Mr. SPARKMAN] in 1950. In 1955, I proposed several amendments to the program, which were adopted with his assistance, and since then the program has functioned with great success.

This program permits direct Federal loans, at low interest rates, to assist colleges and universities in building housing accommodations for students and faculty, and in building other service facilities, such as dining halls, cafeterias, student unions, and in- and outpatient health facilities.

The present revolving fund of $1.175 billion is exhausted. The Housing and Home Finance Agency advises me that some 126 colleges have applications for loans now pending. These applications aggregate about $150 million. I am told that regional offices of the Agency are continuing to accept applications for loans, and that there are many applications in the "pipeline" which are not represented in the $150 million backlog on hand.

Enrollment in our colleges and universities for the fall term of 1959 exceeded 3 million, and it is estimated that this enrollment will double by 1970, if continued without any stimulation. Of all

the many problems facing colleges and universities, perhaps one of the greatest is their inability to provide shelter and service facilities to meet the needs of students and faculties. If the forecasted increase in students occurs, as now seems inevitable, and if we do not continue to assist colleges in meeting shelter requirements, many students will be denied a college education for no reason except lack of housing.

Although I believe that even greater quantities of funds could be wisely channeled into loans of this type, I am hopeful that the increased authorization of $500 million will be adequate to permit approval of acceptable applications at their present rate of receipt through fiscal year 1961.

Unfortunately, the President's program for fiscal year 1961 does not propose additional authorization for the college housing program. To the contrary, he recommends termination of the program and proposes the enactment of S. 1017, a bill he sent to the Congress last year, which is referred to as the "College Facilities Act of 1959."

S. 1017 would permit the Commissioner of Education to guarantee taxable bonds issued by private colleges and universities to obtain money with which to construct housing, academic buildings, or related facilities. In addition, S. 1017 would authorize grants to pay one-fourth of the debt service on bonds issued by both private and publicly supported institutions.

It is amazing to me that the President still persists in his efforts to end the existing loan program, when the majority of educators who have addressed themselves to this proposal have stated that they favor the present program. They do not favor the adoption of the program as contemplated by S. 1017. This position is shared by the State Universities Association, the American Association of Junior Colleges, the Association for Higher Education, the Association of American Colleges, the American Council on Education, the National Education Association, and the American Association of Land Grant Colleges and State Universities.

It has been evident for a long time that the present administration does not want to assist colleges and universities in meeting their acute housing problems. For example, for 4 years the President proposed to restore to the college housing loan program two provisions which were removed in 1955. These two provisions had made it impossible for colleges and universities to use the program. One proposal would have increased the interest rate, thereby increasing the debt service and forcing the schools to raise fees of students, or to deplete other revenue sources already overextended. The other proposal would have set up a standard of reasonable private terms whereby Federal loans would be denied if private funds could be obtained at an interest rate from one-fourth to one-half percent higher.

After failing to make the program unworkable by crippling amendments, the President has now offered an entirely new program which, in the opinion of many educators, is just another way to delay or reduce Federal assistance.

I do not propose today to discuss how our most formidable international competitor, the Union of Soviet Socialist Republics, may have moved ahead of us in some fields. However, it becomes more evident daily that the U.S.S.R. is investing heavily in human resources and talents. This investment is undoubtedly a key factor in the growth of the Soviet economy.

Investment in education is likewise a key factor in the growth of our economy. The subject of economic growth is analyzed and discussed at length in the January 23 issue of Business Week magazine. The Business Week article states in part that "the growth and power of nations depend primarily upon the qualities of their people. That puts the focus of a long-term growth program not just on our tax laws, or on plant and equipment spending, but on our schools and colleges and universities and laboratories, and all the other seedbeds of American talent."

I agree heartily with this conclusion, and we cannot risk abandoning a successful loan program in the uncertain hope that some other program may work as well. The need for loans is critical; the vehicle for loans is functioning; and this bill would provide necessary funds. I hope that the bill can be enacted quickly.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2950) to increase the borrowing authority of the Housing and Home Finance Agency for college housing loans, introduced by Mr. FULBRIGHT (for himself and Mr. SPARKMAN), was received, read twice by its title, and referred to the Committee on Banking and Currency.

BASIC AUTHORITY FOR THE DEPARTMENT OF STATE

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a bill to amend the act of August 1, 1956, entitled "An act to provide certain basic authority for the Department of State," and for other purposes.

The proposed legislation has been requested by the Secretary of State in a letter to the Vice President of January 20, 1960, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from the Secretary of State to the Vice President with regard to it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2951) to amend the act of August 1, 1956, entitled "An act to provide certain basic authority for the Department of State," introduced by Mr. FULBRIGHT, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act of August 1, 1956, entitled "An Act to provide certain basic authority for the Department of State" is amended by changing the period at the end of the section to a comma and adding the following: "and the Secretary may provide for the payment of such other expenses as he deems appropriate to assure a suitable program for any participant coming to the United States under the exchange of persons program administered by the Department of State."

The letter presented by Mr. FULBRIGHT is as follows:

JANUARY 20, 1960.

The Honorable RICHARD M. NIXON,
President of the Senate.

DEAR MR. VICE PRESIDENT: I am transmitting herewith a proposed bill to amend the act of August 1, 1956, entitled "An act to provide certain certain basic authorities for the Department of State."

One of the most serious problems facing the Department at this time in the operation of its international educational exchange program arises from the inability to provide in a systematic way for certain expenses that are vital to the success of programs arranged for distinguished foreign visitors invited to this country. The objective in inviting these persons is to increase understanding between the people of other countries and the people of the United States. Often this objective can best be accomplished through meetings between these visitors and Americans of similar interests, background, and status. Because these visitors are able to remain in this country for only limited periods of time, and their American counterparts similarly have pressing demands upon their time, programs must be arranged which make maximum use of the time available. Many of the most productive meetings that can be arranged are in the form of luncheons, receptions, or similar functions.

Most of the meetings between these visitors and Americans are arranged by the cooperating agencies, both private and government, that assist in carrying out the international educational exchange program. The Department considers the cost of luncheons and other similar arrangements for meetings that are in every respect a vital part of the program to be reasonable and proper program expense. The Department believes, however, that it needs specific legislative authority for the payment of such expenses.

The attached draft bill is intended to provide such authority. The authority would be used sparingly and only as program requirements demand. It is estimated that approximately $20,000 from regular program funds would be used for this purpose over the period of the next fiscal year.

The Department urgently requests the enactment of the proposed legislation at an early date.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Most sincerely,

CHRISTIAN A. HERTER.

PROPOSED DRAFT BILL

A bill to amend the Act of August 1, 1956, entitled "An Act to provide certain basic authority for the Department of State"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act of August 1, 1956, entitled "An

Act to provide certain basic authority for the Department of State" is amended by changing the period at the end of the section to a comma and adding the following: "and the Secretary may provide for the payment of such other expenses as he deems appropriate to assure a suitable program for any participant coming to the United States under the exchange of persons program administered by the Department of State."

PREVENTION OF APPLICATION OF MILK MARKETING ORDERS IN CERTAIN COUNTIES OF DELAWARE AND MARYLAND

Mr. WILLIAMS of Delaware. Mr. President, the clear policy of the Agricultural Marketing Act is to assist producers by stabilizing prices at fair and reasonable levels for the commodity covered by the act.

The act does not contemplate giving certain large handlers in an area benefits at the expense of local handlers.

The upper Chesapeake milk marketing order violates both of the above concepts, as follows:

First. Producers on the lower Eastern Shore counties were enjoying stable prices and good markets previous to the issuing of the marketing order.

Second. More producers in the area sell to local distributors than sell to Baltimore handlers. Those local distributors have a high utilization since most of the milk goes as bottled milk. They do not have facilities to handle large amounts of class 2 and class 3 milk as do large handlers in the metropolitan area. Therefore, the order would result in their having to pay into the pool to take care of surplus, money that now goes to the producer. Therefore, the order discriminates against handlers in the Eastern Shore counties.

When the referendum was held there were 1,855 votes cast. Of this number about 90 percent of the votes were cast in a block by the Maryland Milk Producers Association. Only 30 individual farmer votes were cast by producers in the area and of those, 10 voted in favor of the order and 20 were opposed.

It is clear the order was put into effect solely as a result of the block vote of the Maryland Milk Producers Association who voted all their members in the affirmative without first polling them to find out if a marketing order was desirable.

It appears that the net effect of the order on the Delmarva Peninsula will be to raise the price of milk 1 cent per quart to the consumer and to lower the net price to the farmer on the Eastern Shore—both at the same time.

This does not mean extra profits for the distributors but the difference is paid by the dealer into the Baltimore milk pool for distribution to those farmers in other areas who are producing surplus milk.

It is true that farmers in the surplus area will receive an increase but this is possible only by reducing the present price being paid to our own farmers.

Here we have a marketing order covering the Eastern Shore counties of Maryland and also affecting Delaware producers being voted into existence through a referendum at which time only 30 individual producers for the area voted and of the 30 producers, only 10 favorable votes were cast. In the whole area only 192 individual votes were cast and of those only 31 were favorable.

Thus it must be assumed that the votes putting the order into effect were cast by cooperative associations having large memberships in areas not contiguous with the Eastern Shore.

The congressional delegation, representing the Eastern Shore, are today introducing a bill which would eliminate the Eastern Shore area from the upper Chesapeake milk marketing order until such time as a majority of producers in the area have by a majority of individual votes indicated they wish to come under the order.

At a later date, I shall introduce proposed legislation to prevent block voting which makes it possible for a cooperative or association to vote all its individual members as a unit without any regard as to their individual views.

It is my opinion that decisions of approval or disapproval of any milk orders should be decided by a majority vote of the farmers themselves. That is a vote of 6 to 1 against the order.

Mr. President, on behalf of myself, and my colleague, the junior Senator from Delaware [Mr. FREAR], I introduce the bill, and ask that it may be appropriately referred, and also that the text of the bill may be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the text of the bill will be printed in the RECORD.

The bill (S. 2952) to prevent the application of any milk marketing order to milk produced in certain counties of Delaware and Maryland unless approved by a majority of the farmers producing milk in such counties, introduced by Mr. WILLIAMS of Delaware (for himself and Mr. FREAR), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8c(11) of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608c(11)), is amended by adding at the end thereof the following:

"(D) No order issued under this section shall be applicable to milk produced in Kent and Sussex Counties, Del., and in Kent, Queen Annes, Caroline, Talbot, Dorchester, Wicomico, Somerset and Worcester Counties, Md., for resale in such counties unless and until a majority of the farmers who produce milk in said counties and who are eligible to vote on such order, shall, by individual ballot approve such order.

DEPARTMENT OF DEFENSE REORGANIZATION ACT OF 1960

Mr. SYMINGTON. Mr. President, it is at least as essential to have a modern defense structure, with clear lines of authority and responsibility, as it is to have adequate numbers of modern weapons.

Two ingredients are necessary for modernizing our defense organization: sound legislation, and the willingness to make that legislation effective.

The first is a responsibility of the Congress.

In order to fill that need now I am introducing a bill to amend the National Security Act in certain major respects.

The purposes of my bill are to—

First. Make mandatory a single overall war plan for the armed services.

Second. Require that the defense budget be tailored to that plan.

Third. Require the establishment of integrated or unified commands.

Fourth. Increase the flexibility of the assignment and transfer of military personnel within and among the Armed Forces.

Fifth. Require the appointment of a single Chief of Staff for the Department of Defense.

Sixth. Abolish the positions of Secretaries of the military departments and establish an Under Secretary for each of the services in the Office of the Secretary of Defense.

Seventh. Increase the authority of the Secretary of Defense.

This bill will strengthen civilian control and at the same time increase the capability of the military to carry out defense policy decisions.

It should be clear that this bill does not abolish the separate services, including the Marines. Rather, it is intended to make possible more effective performance of all military personnel.

I introduce the bill for appropriate reference, and ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2957) to amend the National Security Act of 1947 in order to vest administrative authority in the Secretary of Defense; to make mandatory a single overall war plan for the Armed Forces, with the military departments and the military budget tailored to that plan; to require the establishment of unified commands within the Armed Forces; to provide greater flexibility in the assignment and transfer of military personnel within and among the Armed Forces; to provide for a single Chief of Staff for the Department of Defense who shall report to the Secretary of Defense; and for other purposes, introduced by Mr. SYMINGTON, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Defense Reorganization Act of 1960".

DECLARATION OF POLICY

SEC. 2. The text of section 2 of the National Security Act of 1947, as amended (50 U.S.C. 401), is amended to read as follows:

"SEC. 2. In enacting this legislation, it is the purpose of the Congress to provide—

"(1) a comprehensive program for the future security of the United States through

the establishment of means for the integration of policies and procedures of the departments, agencies, and functions of the Government relating to the national security;

"(2) a Department of Defense, including the three military Departments of the Army, the Navy (including the United States Marine Corps), and the Air Force under the supervision and control of the Secretary of Defense, and to provide for their administration by Under Secretaries of Defense acting under the direction, authority and control of the Secretary of Defense;

"(3) for the elimination of unnecessary duplication and for more effective, efficient and economical administration within the Department of Defense through increased centralization of control exercised by the Secretary over activities of the Department in the fields of research, engineering, and procurement;

"(4) for the establishment of unified defense, strategic, combatant, logistic, and other unified commands composed of elements of two or more of the armed forces; and

"(5) for the unified direction and control of all of the armed forces through the adoption of a single over-all war plan and the appointment of a single chief of staff for the Department of Defense who shall be the controlling member of the Joint Chiefs of Staff."

UNDER SECRETARIES OF DEFENSE FOR THE MILITARY DEPARTMENTS

SEC. 3. Section 203 of the National Security Act of 1947, as amended (5 U.S.C. 171c), is amended by (1) redesignating subsections (b), (c), and (d) thereof as subsections (c), (d), and (e), respectively, and (2) inserting therein, immediately after subsection (a), the following new subsection:

"(b) There shall be in the Department of Defense an Under Secretary of Defense for the Army, an Under Secretary of Defense for the Navy, and an Under Secretary of Defense for the Air Force. Each such Under Secretary of Defense shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $22,000 per annum. The Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, and the Under Secretary of Defense for the Air Force, shall perform such duties and exercise such powers with respect to the administration of the Army, the Navy, and the Air Force, respectively, as may be prescribed by law or directed by the Secretary of Defense. All determinations made, regulations promulgated, and instructions given by any Under Secretary of Defense under any provision of law shall be subject to approval, modification, or disapproval by the Secretary of Defense to the same extent as if he had been authorized by such provision of law to make such determination, promulgate such regulations, or give such instructions. Each Under Secretary of Defense shall take precedence within the Department of Defense after the Deputy Secretary of Defense."

JOINT CHIEFS OF STAFF AND JOINT STAFF

SEC. 4. (a) The text of section 141, title 10, United States Code, is amended to read as follows:

"§ 141. Composition; functions

"(a) There are in the Department of Defense the Joint Chiefs of Staff consisting of—

"(1) the Chief of Staff of Defense, who shall have power of decision with respect to all matters arising for determination by the Joint Chiefs of Staff;

"(2) the Chief of Staff of the Army;

"(3) the Chief of Naval Operations; and

"(4) the Chief of Staff of the Air Force.

"(b) The Chief of Staff of Defense, assisted by the other members of the Joint Chiefs of Staff, is the principal military adviser to the President, the National Security Council, and the Secretary of Defense.

"(c) The Commandant of the Marine Corps shall indicate to the Chief of Staff of Defense any matter scheduled for consideration by the Joint Chiefs which directly concerns the Marine Corps. Unless, upon request of the Chief of Staff of Defense for a determination, the Secretary of Defense determines that such a matter does not concern the Marine Corps, the Commandant shall meet with the Joint Chiefs of Staff when that matter is under consideration. While the matter is under consideration and with respect to it, the Commandant has coequal status with each member of the Joint Chiefs of Staff except the Chief of Staff of Defense.

"(d) Subject to the authority and direction of the President and the Secretary of Defense, the Chief of Staff of Defense shall, after consultation with the other members of the Joint Chiefs of Staff—

"(1) prepare a single over-all war plan for the armed forces;

"(2) assign responsibilities to the armed forces in accordance with such plan;

"(3) review the major material and personnel requirements of the armed forces in accordance with such plan;

"(4) formulate policies for the joint training of the armed forces;

"(5) formulate policies for coordinating the military education of members of the armed forces;

"(6) provide for representation of the United States on the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations; and

"(7) perform such other duties as the President or the Secretary of Defense may prescribe."

(b) Section 142, title 10, United States Code, is amended by (1) redesignating subsections (b), (c), and (d) thereof as subsections (c), (d), and (e), respectively, and (2) adding thereto, immediately after subsection (a) thereof, the following new subsection:

"(b) The Chief of Staff of Defense shall perform the duties imposed upon him by section 141."

(c) Subsections (c) and (d) of section 143, title 10, United States Code, are amended to read as follows:

"(c) The Joint Staff shall perform such duties as the Chief of Staff of Defense prescribes. The Chief of Staff of Defense manages the Joint Staff and its Director."

UNIFIED COMMANDS

SEC. 5. Section 202(j) of the National Security Act of 1947, as amended (5 U.S.C. 171a(j)), is amended to read as follows:

"(j) With the advice and assistance of the Chief of Staff of Defense, the President, through the Secretary of Defense, shall establish from time to time (without regard to any requirement contained in the second or third sentence of paragraph (1) of subsection (c) of this section) such unified defense, strategic, combatant, logistic, and other unified commands as the President shall determine to be required for the effective performance of the single war plan of the armed forces. Each such unified command shall include units, elements, or personnel of two or more of the armed forces of the United States, and shall have such composition as may be determined from time to time under procedures established by the Secretary of Defense with the approval of the President. Such unified commands are responsible to the President and the Secretary of Defense for such military missions as may be assigned to them by the Secretary of Defense with the prior advice of the Chief of Staff of Defense and with the approval of the President. Units, elements, and personnel of the armed forces assigned to any such unified command shall be under the full operational command of the duly designated commander of that unified command. All units, elements, and personnel of the armed forces not assigned to any such unified command remain for all purposes within and subject to control by their respective departments. The responsibility for the support of forces assigned to such unified commands shall be prescribed by the Secretary of Defense. Units, elements, and personnel assigned to such unified commands may be transferred therefrom only by authority of and under procedures established by the Secretary of Defense, with the approval of the President."

TRANSFER AND REASSIGNMENT OF MILITARY PERSONNEL

SEC. 6. (a) The section 716 of title 10, United States Code, which appears first in chapter 41 of such code is amended to read as follows:

"§ 716. Secretary of Defense: authority to transfer and reassign military personnel

"(a) In order to assure maximum effective utilization of military personnel of the armed forces, the Secretary of Defense may, under such regulations as he may prescribe with the approval of the President, notwithstanding any provision of law other than a provision prescribing the authorized strength of any armed force—

"(1) transfer any officer or enlisted member of any branch, corps, department, or service of the Army, Navy, Air Force, or Marine Corps to any other branch, corps, department, or service of that armed force;

"(2) assign any officer or enlisted member of any of those armed forces in an active duty status to perform active duty with any other of those armed forces or with any unified command; and

"(3) transfer any officer or enlisted member of any such armed force to, and appoint such officer or enlisted member in, any other of those armed forces.

"(b) No officer or enlisted member so transferred or assigned may under this section be appointed in any higher grade or assigned any higher rank than that held by him on the day before such transfer or assignment."

(b) The item contained in the analysis of chapter 41, title 10, United States Code, which relates to the section 716 thereof appearing first therein is amended to read as follows:

"716. Secretary of Defense: authority to transfer and reassign military personnel."

UNIFICATION OF LAWS RELATING TO MILITARY PERSONNEL

SEC. 7. (a) It is the sense of the Congress that laws, regulations, and procedures governing the appointment, enlistment, retention, promotion, separation, and retirement of officers and enlisted personnel of like or comparable classes of the Army, Navy, Air Force, and Marine Corps should be uniform.

(b) The Secretary of Defense shall conduct a comprehensive study of all such laws now in effect, and within one year after the effective date of this Act shall transmit to the Congress a report containing (1) his recommendations for changes in existing law required to carry into effect the objective stated in subsection (a), (2) an analysis of the purpose and effect of the changes so recommended, and (3) proposed legislation to carry into effect the changes so recommended.

TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947

SEC. 8. (a) Paragraphs (7) and (8) of subsection (c) of section 202 of the National Security Act of 1947, as amended (5 U.S.C.

171a(c)) are repealed, and the following paragraph is inserted at the end of that subsection in lieu of those paragraphs:

"(7) Each military department (the Department of the Navy to include naval aviation and the United States Marine Corps) shall be separately organized and shall be administered by an Under Secretary of Defense under the direction, authority, and control of the Secretary of Defense. The Under Secretary of Defense for a military department shall be responsible to the Secretary of Defense for the operation of such department and its efficiency. Except as otherwise specifically provided by law, no Assistant Secretary of Defense shall have authority to issue orders to a military department unless (1) the Secretary of Defense has specifically delegated in writing to such an Assistant Secretary the authority to issue such orders with respect to a specific subject area, and (2) such orders are issued through the Under Secretary of Defense for such military department or his designee."

(b) The first sentence of paragraph (1) of subsection (c) of section 203 of that Act (as redesignated by section 3 of this Act) is amended by striking out the words "Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force", and inserting in lieu thereof the words "Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, and the Under Secretary of Defense for the Air Force."

(c) The second sentence of subsection (d) of section 203 of the National Security Act of 1947 (as redesignated by section 3 of this Act) is amended by striking out the words "Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force", and inserting in lieu thereof the words "Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, the Under Secretary of Defense for the Air Force".

(d) Section 204 of that Act (5 U.S.C. 171d) is amended by striking out the words "other than", and inserting in lieu thereof a comma and the word "including".

GENERAL TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE

SEC. 9. (a) Subject to the provisions of subsection (b) of this section, the following general amendments are made to title 10 of the United States Code:

(1) That title is amended by striking out the words "Secretary of the Army", "Secretary of the Navy", and "Secretary of the Air Force" wherever they appear therein, and inserting in lieu thereof the words "Under Secretary of Defense for the Army", "Under Secretary of Defense for the Navy", and "Under Secretary of Defense for the Air Force", respectively.

(2) That title is amended by striking out the word "Secretary" wherever it appears therein with relation to the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, and inserting in lieu thereof the words "Under Secretary".

(3) That title is amended by striking out the word "Secretaries" wherever it appears therein with relation to more than one of the Secretaries who on the day preceding the effective date of this Act were heads of the military departments of the Department of Defense, and inserting in lieu thereof the words "Under Secretaries".

(4) That title is amended by striking out the words "Secretary of" wherever they appear therein with relation to a military department of the Department of Defense, and inserting in lieu thereof the words "Under Secretary of Defense for".

(5) That title is amended by striking out the words "Secretaries of" wherever they appear therein with relation to more than one of the military departments of the Department of Defense, and inserting in lieu thereof the words "Under Secretaries of Defense for".

(6) That title is amended by striking out the words "Under Secretary of the Army", "Under Secretary of the Navy", and "Under Secretary of the Air Force" wherever they appear therein, and inserting in lieu thereof the words "Deputy Under Secretary of the Army", "Deputy Under Secretary of the Navy", and "Deputy Under Secretary of the Air Force", respectively.

(7) That title is amended by striking out the words "Under Secretary" wherever they appear therein with relation to the Under Secretary of the Army, the Under Secretary of the Navy, or the Under Secretary of the Air Force (as those offices existed on the day preceding the effective date of this Act), and inserting in lieu thereof the words "Deputy Under Secretary".

(8) That title is amended by striking out the word "Chairman" wherever it appears therein with relation to the Chairman of the Joint Chiefs of Staff and the words "Chairman of the Joint Chiefs of Staff" wherever they appear therein, and inserting in each such instance in lieu of the matter so struck out the words "Chief of Staff of Defense".

(b) No general amendment made by subsection (a) shall apply to any provision of title 10 of the United States Code which is specifically amended by any provision of section 10 of this Act.

SPECIFIC TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE

SEC. 10. The following specific amendments are made to title 10 of the United States Code:

(1) Paragraph (2) of section 175(a) is amended to read as follows:

"(2) the Under Secretary of Defense for or the Deputy Under Secretary of each of the military departments, or an Assistant Secretary of each such department designated under section 264(b) of this title;".

(2) Paragraph (1) of section 2302 is amended to read as follows:

"(1) 'Head of an agency' means the Under Secretary of Defense for a military department; the Deputy Under Secretary or any Assistant Secretary of the Army, Navy, or Air Force; the Secretary of the Treasury; or the Administrator of the National Aeronautics and Space Administration.".

(3) Section 2386 is amended by inserting therein, immediately after the words "Funds appropriated for", the words "the Department of Defense or for".

(4) Section 3012(a) is amended to read as follows:

"(a) The Department of the Army shall be administered by the Under Secretary of Defense for the Army under the supervision, direction, and control of the Secretary of Defense."

(5) Section 3032(a) is amended to read as follows:

"(a) The Army staff shall furnish professional assistance to the Under Secretary of Defense for the Army and to the Deputy Under Secretary and Assistant Secretaries of the Army."

(6) Section 5012(c) is amended by striking out the words "between the Army, the Air Force, and the Navy", and inserting in lieu thereof the words "by the Secretary of Defense."

(7) Section 5031(a) is amended to read as follows:

"(a) The Department of the Navy shall be administered by the Under Secretary of Defense for the Navy under the supervision, direction, and control of the Secretary of Defense."

(8) Section 5033(a) is amended to read as follows:

"(a) There is a Deputy Under Secretary of the Navy, appointed from civil life by the President, by and with the advice and consent of the Senate."

(9) Section 8012(a) is amended to read as follows:

"(a) The Department of the Air Force shall be administered by the Under Secretary of Defense for the Air Force under the supervision, direction, and control of the Secretary of Defense."

(10) The first sentence of section 8013(a) is amended to read as follows: "There are in the Department of the Air Force a Deputy Under Secretary and three Assistant Secretaries of the Air Force."

(11) Section 8013(b) is amended by striking out the word "four".

(12) Section 8032(a) is amended to read as follows:

"(a) The Air Staff shall furnish professional assistance to the Under Secretary of Defense for the Air Force and to the Deputy Under Secretary, Assistant Secretaries, and Chief of Staff of the Air Force."

(13) Sections 3034(d)(4), 5081(c), 5201(d), and 8034(d)(4) are each amended by striking out the words "unified or specified combat commanders", and inserting in lieu thereof the words "duly designated commanders of unified commands established".

(14) The section 716 of title 10, United States Code, which appears second in chapter 41 of such code is redesignated as section 717 thereof, and the analysis of that chapter is amended by striking out the section number "716" where it appears therein for a second time and by inserting in lieu thereof the section number "717".

APPLICATION TO OTHER PROVISIONS OF LAW

SEC. 11. (a) Each reference to the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force contained in any Act not amended by this Act shall be deemed to refer to the Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, or the Under Secretary of Defense for the Air Force, respectively.

(b) Each reference to the Under Secretary of the Army, the Under Secretary of the Navy, or the Under Secretary of the Air Force contained in any Act not amended by this Act shall be deemed to refer to the Deputy Under Secretary of the Army, the Deputy Under Secretary of the Navy, or the Deputy Under Secretary of the Air Force, respectively.

(c) Each reference to the Chairman of the Joint Chiefs of Staff contained in any Act or any provision of any Act not amended by this Act shall be deemed to refer to the Chief of Staff of Defense.

TRANSITIONAL PROVISIONS

SEC. 12. (a) Until the appointment and qualification of the first individual appointed to the Office of Under Secretary of Defense for the Army, Under Secretary of Defense for the Navy, or Under Secretary of Defense for the Air Force, the powers, duties, and functions of each such office may be exercised and discharged, without further appointment, by the individual who on the day preceding the effective date of this Act was serving as Secretary of the Army, Secretary of the Navy, or Secretary of the Air Force, respectively, and while so serving each such individual shall receive compensation at the rate prescribed by law for Under Secretaries of Defense.

(b) Until the appointment and qualification of the first individual appointed to the office of Deputy Under Secretary of the Army, Deputy Under Secretary of the Navy, or Deputy Under Secretary of the Air Force, the powers, duties, and functions of each such office may be exercised and discharged, without further appointment, by the individual who on the day preceding the effective date of this Act was serving as Under Secretary of the Army, Under Secretary of the Navy, or Under Secretary of the Air Force, respectively, and while so serving each

such individual shall receive compensation at the rate prescribed by law for the Deputy Under Secretaries of the Army, Navy, and Air Force.

(c) Until the appointment of the first individual appointed to the Office of Chief of Staff of Defense, the powers, duties, and functions of such office may be exercised and discharged, without further appointment, by the individual who on the day preceding the effetcive date of this Act was serving as Chairman of the Joint Chiefs of Staff, and while so serving such individual shall receive compensation at the rate prescribed by law for the Chief of Staff of Defense.

SAVING PROVISIONS

SEC. 13. (a) All contracts, commitments, orders, regulations, determinations and instructions of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force which are in effect on the day preceding the effective date of this Act with respect to, or in execution of, any power, duty, or function affected by any amendment made by this Act shall continue in effect, to the same extent as if such amendment had not been made, until rescinded, modified, superseded, or otherwise rendered inapplicable, on or after the effective date of this Act, by or under the authority of (1) the Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, the Under Secretary of Defense for the Air Force, respectively, or (2) the Secretary of Defense.

(b) No action or other legal proceeding lawfully commenced by, on behalf of, or against the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force relating to any official power, duty, or function of any such secretary shall abate by reason of any amendment made by this Act. Any such action or proceeding may be maintained after such amendment by, on behalf of, or against the Under Secretary of Defense for the Army, the Under Secretary of Defense for the Navy, or the Under Secretary of Defense for the Air Force, respectively.

(c) Except as expressly provided by amendments made by this Act, nothing contained in this Act shall alter or impair the status, organization, powers, duties, or functions of (1) the Department of the Army, the Department of the Navy, or the Department of the Air Force, or (2) any officer of any such department.

EFFECTIVE DATE

SEC. 14. This Act shall take effect on the first day of the ———— month beginning after the date of enactment of this Act.

REMOVAL OF REQUIREMENT FOR FEDERAL COMMUNICATIONS COMMISSION TO FILE ANNUAL REPORT ON PERSONNEL

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 4(k) of the Communications Act of 1934, as amended, by relieving the Federal Communications Commission of the duty of making the annual report of personnel as now required by subsection (3) of section 4(k).

I ask unanimous consent to have printed in the RECORD a letter from the Chairman of the Commission, requesting the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2958) to amend section 4(k) of the Communications Act of 1934, as amended, by relieving the Federal Communications Commission of the duty of making the annual report of personnel as now required by subsection (3) of section 4(k), introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission wishes to recommend at this time for consideration of the Congress the enactment of legislation amending the Communications Act of 1934 (as amended), to relieve the FCC of the obligation of making the annual report of new personnel as now required by section 4(k)(3) of our act (47 U.S.C. 154 (k)(3)). Attached is a copy of the bill as we drafted it as well as the justification.

The Bureau of the Budget has advised the Commission that it has no objection to the submission of this letter.

It is hoped, therefore, that this proposal will receive early and favorable consideration by the Congress. The Commission will be glad to furnish any additional information that may be desired by the Congress or by any committee to which this proposal is referred.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

JUSTIFICATION FOR PROPOSED AMENDMENT TO THE COMMUNICATIONS ACT OF 1934 TO RELIEVE THE COMMISSION OF THE OBLIGATION OF MAKING THE ANNUAL PERSONNEL REPORT AS NOW REQUIRED BY SECTION 4(K)(3), (47 U.S.C. 154 (K))

Section 4(k)(3) of the Communications Act requires the Commission to include in its annual report to Congress information respecting all persons taken into employment during the year covered by the report, including names, pertinent biographical data, experience, Commission position held and compensation paid, and a statement of the names of all persons leaving the Commission's employ during the same period.

The FCC has complied with the provisions of subsection 4(k)(3) since it was enacted in 1952, but in our opinion, this subsection serves only a limited purpose, and the effort and expense required for its operation is disproportionate to any benefits achieved.

To the extent this requirement can be eliminated our budgetary expenses could be diminished slightly. The following is an estimate of the time and effort absorbed in preparing this part of the annual report:

(1) Amount of time spent in editing and typing—approximately 3 weeks per year;

(2) Number of pages—varying from year to year, averaging 29 pages;

(3) Time of new employee spent in completing this biographical data form—approximately 15 minutes;

(4) Number of new people employed each year—approximately 250.

All persons taken into the employment of the Commission are required to complete the "Application for Federal Employment" (form 57) and a "Biographical Data Work Sheet." The later is used for compiling the supplement to the annual report to Congress as required by subsection 4(k)(3) of the act. All information required on the worksheet duplicates the information required on the application for Federal employment. So in the event the requirement of 4(k)(3) is abolished there would be no need for the worksheet. The Commission would still have the same information available in its files.

FEDERAL AID TO EDUCATION—AMENDMENTS

Mr. MORSE. Mr. President, on behalf of myself, the Senator from Alaska [Mr. BARTLETT], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senators from Connecticut [Mr. BUSH and Mr. DODD], the Senators from Montana [Mr. MANSFIELD and Mr. MURRAY], and the Senator from Iowa [Mr. MARTIN], I submit amendments intended to be proposed by us, jointly, to the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States. I ask unanimous consent that the amendments be printed at this point in the RECORD.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

On page 8, line 24, strike the period and insert in lieu thereof a comma and the following: "and to authorize a two-year program of loans for the construction of private nonprofit elementary and secondary school facilities."

On page 17, line 3, after "Act" insert a comma and "or a private school which receives a loan under the provisions of section 11,".

On page 17, between lines 15 and 16, insert the following:

"LOANS TO PRIVATE NONPROFIT ELEMENTARY AND SECONDARY SCHOOLS

"SEC. 11. There is authorized to be appropriated for the fiscal year beginning July 1, 1959, and the succeeding fiscal year, such sum, not to exceed $75,000,000 in any fiscal year, as is equal to 15 per centum of such sums as may be appropriated in such year pursuant to the authorization in section 4, for making loans to private nonprofit elementary and secondary schools in the States for constructing school facilities. Such loans are hereby authorized to be made by the Commissioner, and the total amount of such loans which shall be allocated to qualifying schools in each State for each such year shall be in an amount which bears the same ratio to the total amount appropriated in such year pursuant to the authorization in this section as the private nonprofit elementary and secondary school population in such State bears to the total such population for all the States.

Any such loan—

"(1) shall be made upon application containing such information as may be deemed necessary by the Commissioner;

"(2) shall be subject to such conditions as may be necessary to protect the financial interest of the United States;

"(3) may be in an amount not exceeding the total construction cost of the facilities for which made, as determined by the Commissioner, and shall bear interest at a rate determined by the Commissioner, which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum per annum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the contract for the loan is made and adjusted to the nearest one-eighth of 1 per centum; and

"(4) shall mature and be repayable on such date as may be agreed to by the Commissioner and the borrower, but such date shall not be more than forty years after the date on which such loan was made.

If any part of the total funds allocated to schools within a State under the provisions of this section remain unused at the end of the first fiscal year in which funds are made available under this section, it shall be reallocated at the discretion of the Commissioner for loans under the provisions of this section to schools in other States. Such reallocated sums shall be over and above the sum authorized to be appropriated in the succeeding fiscal year under the provisions of this section."

On page 17, line 17, strike out "SEC. 11." and insert in lieu thereof "SEC. 12."

On page 18, line 24, before the semicolon insert a comma and "or for the purposes of section 11 which is provided by a private nonprofit elementary or secondary school."

On page 19, after line 11, insert the following:

(g) The term "nonprofit" as applied to a school means a school owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

Strike out the amendment to the title and insert in lieu thereof the following:

"A bill to authorize a two-year program of Federal assistance for elementary and secondary school construction."

Mr. MORSE. I also ask unanimous consent to have the amendments lie on the table until the close of the day's business on Tuesday, so that those who wish to do so may join in their sponsorship.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. This amendment adds to the program of grants for public school construction, a program of loans for private school construction. It authorizes the appropriation of an additional 15 percent of the amount authorized for public schools, or $75 million a year.

In essence, this amendment is an extension of the same principle Congress applied to the National Defense Education Act; namely, that where grants are made to public schools for improvement of their facilities, loans should be made to the private schools for the same purposes.

Congress must face up to the fact that there is now an urgent national interest in our education system. But the education system of the United States must be considered as a whole and strengthened as a whole. At least 15 percent of the Nation's children attending elementary and secondary school are being educated in private schools.

Therefore, while our amendment does not extend an outright grant of funds to these schools, I believe Congress must extend credit for their construction needs.

The test of financial soundness, by which the Office of Education would screen applications under this amendment, makes clear that to receive a loan, the private institutions must demonstrate sound credit ratings. In other words, there is nothing in this amendment to encourage the formation of private schools just to take advantage of the Federal program.

The Commissioner of Education must be assured the money will be repaid—with interest.

Nonetheless, the high interest rates which now govern the lending of private funds are severely curtailing the construction of needed private elementary and secondary schools. Our amendment applies to these loans the interest rate formula now in effect for the college housing program.

The apportionment of funds among the States contained in our amendment would conform with the proportion which the number of school-age children attending private schools in each State bears to the proportion of such attendance nationally.

The Federal Government has followed the policy of lending to private, nonprofit institutions in the Hill-Burton hospital construction program, the college housing program, and the National Defense Education Act. I believe our amendment is a logical and desirable addition to S. 8.

I submit the amendments well aware of the fact that there will be those in our country who will oppose them under the mistaken notion that somehow or other they violate the basic doctrine of the separation of church and state.

No Member of this body is a stronger defender of the perpetuation and preservation of the doctrine of separation of church and state than is the senior Senator from Oregon. These amendments have nothing whatsoever to do with that issue. The amendments go to the question of whether or not we are to make available adequate school facilities for the boys and girls of the country.

The private schools of the country are performing a very important public function in the education field. If anyone has any doubt about it, imagine for a moment that we could press a button now and turn off all the private schools of America so that the currents of education they now make available to the American taxpayers suddenly ceased; imagine that all the boys and girls going to private schools today should appear tomorrow morning at the doors of the public schools. Then perhaps the taxpayers would have a better idea of the great public contribution the private schools are making to the education of our boys and girls.

For 16 years in the Senate I have taken the same position regarding any Federal-aid money appropriated for the benefit of boys and girls. When the money goes to the education of our boys and girls, there is no conflict with the traditional doctrine of separation of church and state. We need to recognize that wherever little boys and girls are going to school it is in the interest of the American taxpayer and in the interest of preserving the human resources of America that they get a decent education.

I close by saying, as I have been heard to say before, that there is a great educational challenge facing the American people, the challenge of seeing to it that we keep ahead of Russia in brainpower. We cannot keep ahead of her in manpower, but we owe it to future generations of American boys and girls to see to it that we assure them a better chance of having a heritage of freedom left to them.

The best weapon we have, so far as preserving the security of freedom for future generations of American boys and girls is concerned, is to see to it that in our generation we take the steps necessary to provide Federal assistance—in this case a Federal loan—in order to give boys and girls a good educational opportunity by providing them with school facilities which make it possible for them to develop the maximum potential of their brainpower.

MEMORIAL TO ALBERT EINSTEIN IN THE DISTRICT OF COLUMBIA—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Under authority of the order of the Senate of January 28, 1960, the name of the Senator from Minnesota [Mr. HUMPHREY] was added as an additional cosponsor of the joint resolution (S.J. Res. 155) authorizing the establishment in the District of Columbia of a memorial to Albert Einstein, introduced by Mr. JAVITS on January 28, 1960.

EXTENSION OF TIME FOR FILING REPORTS OF THE COMMITTEE ON THE JUDICIARY

Mr. STENNIS. Mr. President, on behalf of the Committee on the Judiciary, I ask unanimous consent that the time for filing reports pursuant to Senate Resolutions 52, 53, 54, 55, 56, 57, 58, 60, 61, 62, 63, and 91, 86th Congress, be extended to March 15, 1960.

These reports concern certain subcommittees of the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HILL:

Address entitled "A Charter of Independence for Senior Citizens," delivered by Senator RANDOLPH to the West Virginia Institute on Vocational Rehabilitation of the Aging, January 25, 1960.

HISTORY OF BALLISTIC MISSILES

Mr. DIRKSEN. Mr. President, it must have been 25 years ago that Representative LESLIE C. ARENDS, of Illinois, was first elected to the House of Representatives. Shortly after he arrived there, he was assigned to the House Committee on Military Affairs, which later became a component of the House Committee on Armed Services. He has served continuously on that committee. In addition, some years ago he was designated the minority whip.

Recently, Representative ARENDS has devoted a great deal of time to the development of what he calls a history of ballistic missiles; and in connection

with that work he has made use of research. Last week, I had occasion to examine the document he has prepared. Knowing, of course, that he could draw upon so many who are experts in that field, I felt that the statement was a truly significant one; and I believe it should have widespread currency.

For that reason, Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with my remarks, the statement by the Honorable LESLIE C. ARENDS, of Illinois.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BALLISTIC MISSILES [1]—A HISTORY

(By Hon. LESLIE C. ARENDS)

INTRODUCTION

Major military weapons never spring forth full-blown overnight. The first operational B–17 took a decade to develop. The B–29 and B–52 are likewise the outgrowth of years of effort.

Similarly with modern rocketry. Though in America it began 17 years ago, it turned seriously to long-range ballistic missiles only 7 years ago.

Not until fiscal year 1953 was expenditures in any one year on long-range ballistic missile programs even as much as a million dollars.

Since 1953 these programs have advanced with impressive speed. Today they involve the expenditure of 10 times as much each day as was spent in all of fiscal year 1952.

In the early postwar years military studies slowly advanced American ballistic missile knowledge. Propulsion, guidance, heating and weight problems appeared very difficult. Their solution obviously was costly. Yet, the level of effort remained low and sporadic. Moreover, critical data controlling warhead weights were unknown. Until 1953 the operational feasibility of long-range ballistic missiles seemed far distant to those in authority. As a result, these programs were deemed unworthy of major effort. To be sure, one such program, the forerunner to Atlas, was started as long as 14 years ago, in 1946, but it died 3 years later in the 1949 defense cutbacks. The program was revived in 1951 but even then only as a component development effort.

From World War II to 1953, due partly to skepticism as to the practicality of long-range ballistic missiles and due also to emphasis on strategic bombers, our missile effort, such as it was, went mainly into such air defense missiles as Nike-Ajax, Terrier I, and Falcon. Some short-range ballistic missiles and some relatively slow nonballistic aerodynamic type long-range missiles did receive some support. Corporal and Redstone are examples of the former and Snark and Navaho of the latter. Long-range ballistic missile efforts, however, were held down to low-support studies.

Viewed in retrospect, therefore, it is hardly remarkable that as of 1960, 15 years after World War II, American long-range rocketry is in some respects matched or surpassed by the Soviets. That result was foreordained by years of low-priority attention and lack of funds while the Soviets evidently were advancing their rocketry full blast.

What is remarkable is how rapidly the Intercontinental Ballistic Missile (ICBM) and Intermediate Range Ballistic Missile (IRBM) programs of the United States have advanced in less than 6 years. The speed of this advance in so short a period augurs well for the Nation's security. It is convincing testimony to the competence of our scientists and engineers.

[1] Intercontinental and intermediate range.

THE YEARS 1942–46

The year 1942 marks the beginning of our World War II rocket program. The work was principally on solid propellants, which burn like cigarettes within the rockets. It was carried forward with military support, by the Office of Scientific Research and Development. From it evolved our World War II "artillery rockets," air-to-surface rockets, rocket boosters for airplanes, other special rocket motors, and our first serious effort to propel rockets with liquid fuels. During the summer of 1945 this work produced the Army WAC Corporal, a rocket fueled by nitric acid and aniline.

When World War II ended, the Allied Nations placed scientific teams in Germany to analyze that nation's technical accomplishments in rockets and missiles. A number of the best German scientists and engineers were induced to go to Russia and to the United States. The United States, however, pressed this effort less aggressively than the Soviets.

In the latter part of 1946 the Russians identified other scientists and technicians associated with German missile programs. Hundreds of them were removed to Russia. German research facilities and production plants were stripped of machinery, instruments, blueprints and missiles or missile components. These too were shipped to Russia. Thus the Russians were able to exploit German missile technology. The indoctrination of Soviet scientists and technicians was thereby facilitated, and they acquired faster the know-how to bring uncompleted German ideas to practical realization.

The advantage the Soviets achieved due to their early decision to develop and extend this German missile technology is evident.

THE YEARS 1946–50

This period is one of halting, low-level efforts on long-range ballistic missiles.

In 1946 several potentially useful programs had been started. As captured V–2 rockets were used up, the development of American designed and produced rockets began.

For instance, the Army arranged in 1946 to rebuild the V–2's. In the so-called Bumper program, the V–2 was converted into a first-stage booster rocket. It carried a second rocket, the WAC Corporal, which in turn carried scientific instruments to high altitudes. Maximum speed attained during these later tests was about 5,200 miles per hour—maximum altitude, about 250 miles. The standard V–2 performance was 3,600 miles an hour and 100 miles maximum altitude.

The year 1946 marked also the Air Force's first attempt on the ICBM. The program, known as the MX–774 at Convair, was intended to advance long-range rocket techniques. It turned out, however, to be rather short lived. The Defense slashes of 1947 terminated this program. For the next several years Convair used corporated funds to carry on MX–774 weapons studies at low financial levels.

In 1946 the Air Force also established the Snark and Navaho programs. These were long-range, airplane-type guided missiles, not the ballistic type. However, from the liquid propellant rocket booster to be used with Navaho grew the high-thrust liquid propellant engines for today's Atlas, Thor, and Jupiter.

Also in the late 1940's the Navy developed the first version of its Viking, a high-altitude scientific research rocket.

THE YEARS 1950–53

The development of the Army's Redstone, a 200-mile tactical ballistic missile, was begun in 1950. Not until 1953 was the first Redstone missile fired, a flight test that was only partially successful. Much of the information obtained from this and subsequent Redstone firings was applied to the Jupier when that program was initiated in late 1955.

In the design of long-range ballistic missiles, weight is critical. Generally speaking, it takes about 200 pounds of launching weight to place 1 pound of warhead on a target several thousands miles away. Because the first atomic warheads weighed 9,000 pounds, clearly a major reduction was required in nuclear warhead weight for missile use.

During the 1946–53 period the Atomic Energy Commission embarked on a program of atomic weapon improvement which resulted in lighter and higher yield nuclear warheads.

It was on January 31, 1950, that development of thermonuclear weapons was permitted to go beyond low-priority studies in the United States. On that date the President directed the Atomic Energy Commission to proceed with this development.

However, during this entire period the significance of warhead improvement was not applied to the problem of long-range ballistic missiles. For this and other reasons, long-range ballistic missile development languished. The warhead problem, therefore, became one of the central factors in the delay of American progress on such missiles. During this slack period in the United States, the Soviets appear to have gone full speed ahead with their own long-range ballistic missile programs.

In October 1950, Mr. K. T. Keller, president of Chrysler Corp., was appointed Defense Department Director of Guided Missiles, with authority to institute a Manhattan-type project for missiles. However, after analysis of the missile programs, Mr. Keller decided against a Manhattan-type project on the grounds that it would take a year to institute such a program. In 1953, Mr. Keller was asked to remain with the new administration. He resigned late that year at his own behest.

Missile feasibility studies started in 1949 by the Rand Corp., were completed in the fall of 1950. These studies confirmed the military worth of long-range ballistic missiles. Subsequently, in January 1951, the decision was made by the Air Force to resume studies of the MX–774 weapon, redesignated "Atlas." This program however was given only a long-term, low-priority objective—that of determining whether a large 5,000-mile ballistic rocket was then technically feasible. Six months later, in June 1951, the Atlas project was formally reactivated.

On June 16, 1953, Secretary of Defense Charles E. Wilson ordered a review of the guided missile program to identify and eliminate duplication. He stated that "a continuous effort should be made to standardize on one missile for production and use by all military departments, wherever, within the employment limitation of each type of missile, standardization appears to be practicable." As a part of this review a group of civilian scientists headed by Dr. John von Neumann was requested to review the strategic missile programs. It was later known as the Strategic Missiles Evaluation Committee.

Between fiscal years 1951 and 1953 the ICBM program grew from a half million to 3 million dollars per year.

THE YEAR 1954

The Strategic Missiles Evaluation (Von Neumann) Committee reported in February the highly significant possibility of achieving a major technological breakthrough on warhead size and expressed its conviction that other technical problems associated with the development of ICBM's could be resolved in a period of a few years. The Committee also recommended the formation of a special management organization to assure early ICBM availability.

As for technical factors, the Von Neumann Committee recommended that the ICBM project be completely reoriented to take advantage of the advancing warhead technology, thus permitting relaxation of guidance tolerances and propulsion requirements. The committee also noted the potential desirability of an IRBM.

Nine days later the Assistant Secretary of Air Force (Research and Development) approved the broad reorientation of the program recommended by the Committee.

Accordingly, the Air Force set up a group to study the Von Neumann report and define the organizational realinement required to accelerate the ICBM. From June through August major management and procedural changes were placed into operation. A streamlined organization under the Air Force Research and Development Command was set up. It was known as the Western Development Division (WDD) and became an autonomous group responsible for directing and coordinating the effort toward primary objectives. Under the command of Brig. Gen. B. A. Schriever, Atlas became WDD's basic mission.

During the Castle tests in the Pacific through the period of March to May 1954, the feasibility of developing a smaller lightweight, high-yield thermonuclear weapon was proven, thus confirming the soundness of the Von Neumann Committee's recommendations.

THE YEAR 1955

By spring the Atlas program was expanding rapidly. The $3 million program in fiscal year 1953 had grown to $14 million in fiscal year 1954, to $161 million in fiscal year 1955.

In February the Killian Committee (Technological Capabilities Panel) recommended that concurrently with the ICBM effort, an IRBM program be initiated to develop a missile of 1,500-mile range.

In June the Scientific Advisory Committee (formerly the Strategic Missile Evaluation Committee) recommended that two ICBM's be developed concurrently in order to assure earliest attainment of an operational capability. In September the President approved assignment of the highest priority to the ICBM research and development program. The same month the Titan ICBM project was established in supplementation of the Atlas program to provide the desired multiple approach.

In November the Secretary of Defense approved the formation of the Defense Ballistic Missile Committee and ordered organizational changes in the military departments to handle the ICBM and IRBM programs. At the same time he approved a program of two 1,500-mile intermediate range missiles subsequently named "Jupiter" and "Thor." The Jupiter was to be launchable either from land or sea. It was intended that Thor would be based upon experience already gained in the Atlas program, while Jupiter would be based on experience gained by the Redstone Arsenal team from the V–2 and Redstone missiles.

The Secretaries of Army, Navy and Air Force at once implemented the new organizational program.

The Air Force placed its ICBM and Thor programs under the already established Air Force Ballistic Missile Division initially called the WDD.

A joint management committee was established by the Army and Navy for the Jupiter program. The Navy created the Office of Special Projects and assigned to it responsibility for the technical development of the sea-based IRBM. As a corrolary to the Jupiter program, which employed a liquid propellant, the Navy also began studies of a solid propellant version to reduce shipboard logistical problems.

Five hundred fifteen million dollars of defense funds was reserved to carry out these programs. In December the Secretary of Defense presented to the President and his advisers the new organizational alinement and the long-range missile programs. The President then assigned the highest priority to these programs.

THE YEAR 1956

On January 20, in order to assure a common interchange of technical information, as well as provide competent guidance for all the programs, the Scientific Advisory Committee was transferred from the Air Force to the Office of the Secretary of Defense. On the same date this Committee presented certain recommendations to assure that the long-range ballistic missile programs would proceed at maximum speed. The office of a special assistant for guided missiles to Secretary of Defense was established, first with Dr. Murphree and later Mr. Holaday occupying this key position.

In February, the Army activated the Army Ballistic Missile Agency at Huntsville, Ala., under the direction of Brig. Gen. J. B. Medaris.

In September, the Jupiter-C, a multistage test vehicle, was fired. It went 3,300 statute miles, rose to 680 statute miles, and reached a maximum velocity of 13,000 miles per hour. During the same period the Air Force X–17 reentry test vehicle flight tests clearly demonstrated that the reentry problem was solvable.

In October, the Scientific Advisory Committee recommended initiation of a new, smaller, solid-propellant IRBM with improved capability of being launched from a submarine.

In November, the Secretary of Defense reviewed service responsibilities for operational use of the IRBM. He assigned responsibility for operational deployment of land-based IRBM's to the Air Force and ship-based IRBM's to the Navy. Also in November the development of the Polaris (solid propellant) IRBM program (including six submarines) was approved by the Secretary of Defense and the Navy was authorized to terminate its participation in the Jupiter program.

The next month, following Navy withdrawal from the Jupiter program, separate Army and Navy Ballistic Missile Committees were established under the chairmanship of the respective Service Secretaries.

THE YEAR 1957

In August the estimated operational capability date for Atlas was changed from March 1959 to June 1959. In December an accelerated program of 9 squadrons of 10 missiles each was approved. The Titan, alternate to Atlas, program was reduced from 4 to 2 test missiles per month and the completion date for the first operational squadron was set back. During this period it was decided to discontinue the Navaho airplane-type missile project which had become obsolescent because of progress in the development of long-range ballistic missiles.

The President, in October, reaffirmed the highest national priority for both Jupiter and Thor systems to obtain an IRBM capability at the earliest practicable date and provide for continuance of both missiles until one proved successful. The Army was authorized in November to produce the Jupiter at a rate of five missiles per month. Four Jupiter 15-missile squadrons were to be established with the operational date of the first squadron to be December 1958.

Also to be operational in December 1958 was the first squadron of Thor, with 3 more 15-missile squadrons scheduled for a later date.

The decision was made to launch Polaris missiles from submarines only.

Nearly $1.4 billion was spent on ICBM and IRBM programs in fiscal year 1957.

THE YEAR 1958

Flight tests proved the performance of the Atlas guidance system and the integrity of the airframe. Among the successful test flights in the development series, one Atlas was placed in earth satellite orbit in December. Other flights demonstrated the operation radio-inertial guidance system.

A schedule was approved for four squadrons of Titan in hardened bases. Components of the missile system were delivered and a few of them tested.

Research and development of Minuteman were begun. Minuteman is to be a solid propellant, three-stage ICBM and will carry a nuclear warhead up to 5,500 nautical miles. It will be guided by a self-contained, all-inertial system.

Flight tests of Thor, Jupiter, and Atlas revealed a problem in the failure of certain components of the turbopump assembly used to pump propellants into the main engine. The difficulties were isolated and corrective modifications developed. Later flight tests verified success of the modifications.

The first Royal Air Force students entered training in the United States under U.S. Air Force instruction in May in accordance with government-to-government agreements for the RAF to man and command all Thor units in the United Kingdom. During the year, the Thor guidance system was improved, permitting an average impact accuracy better than that originally specified and by the last of the year Thor was meeting its production schedule with operational missiles being shipped to England for deployment.

The initial increment of the first Jupiter squadron was ready for deployment in December. Consideration was given to deploying them to Italy.

The President in November approved a nine-submarine Polaris program. The initial operational capability date of the first Polaris submarine was advanced to late 1960. Later it was again advanced to early 1960 with four more following at 3-month intervals.

Congress appropriated $90 million for the Minuteman program in excess of the amount in the fiscal year 1959 President's budget. This amount was applied against the fiscal year 1960 program (i.e., aprpoved for utilization beginning July 1, 1959).

Congress also appropriated $609 million over the President's budget for Polaris; the President released $309 million of this on December 23 for development and for conversion of a surface ship to a tender for submarines and for a sixth nuclear-powered ballistic missile launching submarine.

The total spent in fiscal year 1958 was more than $2 billion.

THE YEAR 1959

Flights of the operational prototype Atlas which began in April had little initial success and the planned date for achieving a limited operational capability was changed from June to September. Considerable effort was devoted to determining the causes of the malfunctions that resulted in the explosion of four out of five Atlas missiles launched before June 30 and how to correct them. Since June 30 causes of the malfunctions have been corrected and the first launch by the all-military team on September 9 at Vandenberg AFB was successful. A plan to improve the system's survivability and provide a faster reaction time was approved. Beginning with the third squadron, the complexes, each with three missiles and three launch positions, will be about 18 nautical miles apart and, to shorten missile launching time, all squadrons from the third on will have individual missile launchers. Beginning with the fifth squadron, each missile will be dispersed to a separate firing point.

Progress to date on the Titan resulted in approval of an increase in the number of squadrons from 4 to 11. Each squadron will have 10 missiles. The first six squadrons will be organized into three complexes, each with three launchers and the missiles will have radio-inertial guidance. The complexes will be about 18 nautical miles apart. In the 7th through the 11th squadrons, the nine launchers will be at least 18 miles apart and guidance will be all-inertial.

Prototype Minuteman missiles were fired from silo launchers, verifying the feasibility of launching Minuteman missiles from underground launchers of the silo type.

The total planned Thor force was reduced from nine squadrons to four, all deployed in England. In January it became evident that the construction, installation, checkout and modification effort in England would require more time and personnel than was originally planned. This caused about a 4-month delay in turning over the first squadron to the RAF. In June, RAF–U.S. Air Force representatives drafted preliminary procedures for declaring the U.S. squadrons satisfactorily operational in conformance with a governmental agreement.

The operational version of the ablating nose cone for Jupiter was flown on all missiles fired this year and has proved to be completely satisfactory. Two operational type nose cones were recovered with all their payloads in perfect condition. One of these carried biomedical experiments in support of National Aeronautics and Space Administration programs. A site for two Jupiter squadrons was selected in southern Italy. Each squadron of 15 missiles will be deployed in five sites, with three missiles at each, all launchers to be more than 11 nautical miles apart.

All major objectives of the Polaris program to date have been achieved. The launching system for the first Polaris submarine, the U.S.S. *George Washington*, passed its tests. The launcher for the next submarine class entered development; it will accommodate the 1,200-mile missile as well as the 1,500-mile missile planned for 1962. The first Polaris submarine was launched in June and is being completed. The sixth submarine will have several improvements, one being a greater operating depth. On July 1 contracts were let for the seventh, eighth, and ninth submarines. The first submarine will probably become fully operational in late 1960 and the remainder will follow at 3-or-4-month intervals.

In 1959, Congress appropriated $85 million for Atlas and $87 million for Minuteman in excess of the amounts included in the fiscal year 1960 President's budget. These amounts were approved for utilization in the fiscal year 1960 programs (i.e., beginning July 1, 1959).

On June 24 the President released $300 million Polaris money (the remainder of the $609 million mentioned earlier) for obligation in fiscal year 1960 for the seventh, eighth, and ninth Polaris submarines.

These programs have been operating at a level of slightly under $3 billion annually over the past 18 months.

SUMMARY

Today and for the near future, our deterrent and retaliatory capabilities depend largely on the ability of current Air Force and Navy jet bombers to survive enemy attack on the ground and in the air and to deliver nuclear weapons. However, with passage of time, potential enemies' ability to destroy jet bombers on the ground and in the air may be improving faster than the jet jombers' ability to survive, thus weakening their deterrent qualities. Therefore, in 1955 we gave highest priorities to our IRBM and ICBM programs.

The Atlas, our first ICBM, started in 1946, canceled in 1949, begun again at low priority in 1951, accelerated in 1954, finally became operational in 1959. This missile is the beginning of the ballistic missile phase of deterrence. We can strike a large portion of the earth with 5,500 mile range Atlas missiles launched from this country. On the other hand, potential enemies have Atlas-type missiles also and our Atlas missiles are vulnerable to surprise attack by them. Therefore, we are hardening and dispersing our newer Atlas launching sites and developing other ICBM's, Titan and Minuteman, which will be in even harder sites. Titan was begun in 1955 as a backup in case Atlas failed. Minuteman, a smaller, solid-propellant, 3-stage rocket was begun in 1958. These newer missiles, widely dispersed, will be capable of launching on shorter notice, so that some of them could be launched before enemy missiles destroy the sites, assuming we got sufficient warning.

The least vulnerable deterrent seems to be our Polaris-launching submarines, because they are hard to find. Polaris, begun in late 1956, will be operational late in 1960 with the availability of the first submarine.

Thor and Jupiter were approved in late 1955 and Thors were deployed in about 3 years from the development initiation date. These land-based IRBM's supplement the deterrence of ICBM's and Polaris.

From an expenditure of one-half million dollars in fiscal year 1951, programs for IRBM's and ICBM's will reach almost $3 billion in the current fiscal year. Missile programs in the research stage quickly overtake and obsolete those in production. Therefore programs are designed so as to meet current needs without stockpiling missiles that will soon be outdated. Furthermore our skilled research and development manpower is being taxed to the fullest on existing and scheduled missile programs. Both because of the evolutionary stages of missile development and the utilization of technical manpower, it is unfeasible and uneconomical to pour more money and men into "crash programs" that might disrupt the sound and orderly missiles program now intended to give the United States full deterrent power.

Department of Defense obligational program for missile systems,[1] fiscal years 1946–60

[Millions of dollars]

	IR/ICBM programs	Other surface-to-surface missile programs	All other missile programs	Grand total, all missile programs
Fiscal year 1946 and prior	(2)	19	51	70
Fiscal year 1947	(2)	20	38	58
Fiscal year 1948	(2)	36	45	81
Fiscal year 1949	(2)	45	53	98
Fiscal year 1950	(2)	65	69	134
Fiscal year 1951	0.5	185	598	784
Fiscal year 1952	.8	239	818	1,058
Fiscal year 1953	3.0	403	760	1,166
Fiscal year 1954	14.0	336	717	1,067
Fiscal year 1955	161.0	398	911	1,470
Fiscal year 1956	515.0	387	1,368	2,270
Fiscal year 1957	1,365.0	603	2,502	4,470
Fiscal year 1958	2,077.0	639	2,391	5,107
Fiscal year 1959	2,959.0	685	3,269	6,913
Fiscal year 1960	2,952.0	509	3,173	6,634

[1] Program data reflected in this table cover the developmental and capital costs involved in missile programs, i.e., the cost of bringing missile systems to operational status plus the costs of procuring missiles and related equipment for operational purposes. These data include all procurement, construction, and research and development programs directly associated with missile programs. These figures do not include military pay, operation and maintenance costs for operational missile units and sites and include only those shipbuilding and aircraft costs directly associated with providing missile capability.

[2] Excludes $2.3 million programed in fiscal year 1946–49 for the Air Force MX–774 ballistic missile research program which was a precursor to the Atlas ICBM.

NOTE.—Estimates are subject to minor revision due to program adjustments.

TRIBUTES TO SENATOR THEODORE FRANCIS GREEN

Mr. FREAR. Mr. President, several evenings ago, a sizable number of Members of Congress, other Government leaders, and private citizens gathered together to honor a most distinguished and illustrious citizen of the State of Rhode Island. The honored guest was, of course, our great colleague, Senator THEODORE FRANCIS GREEN. In the course of the program, several eloquent—though all too brief—addresses were delivered by a number of the Senator's colleagues in the Senate and House of Representatives.

Among them were the junior Senator from Rhode Island [Mr. PASTORE]; the distinguished chairman of the Senate Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]; Representative JOHN E. FOGARTY; and Representative AIME J. FORAND.

All of us who heard these fine remarks were greatly impressed, and in order that the Members of the Senate who were not present may have the opportunity to read them, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

SENATOR GREEN, THE RHODE ISLAND CITIZEN

(Remarks of U.S. Senator JOHN O. PASTORE at testimonial dinner given by Women's National Democratic Club for U.S. Senator THEODORE FRANCIS GREEN, January 26, 1960)

It is an honor for all of us to join in tribute to a great American and a good friend—the senior U.S. Senator from Rhode Island—my colleague, THEODORE FRANCIS GREEN.

It is my privilege to touch upon his life before he entered the Senate in 1937. It is the chapter of his indelible Democratic impress upon the Rhode Island scene.

How does one cover some 70 years in the 7 minutes at his disposal? Does he leap back 92 years to the birthday of "Mr. Democrat" on October 2, 1867? I think not. That would only serve to emphasize the length of life. The true dimensions of a man's career are the depth of his character and the loftiness of his principles.

On the other hand, I might place stress on young GREEN'S student days at Brown University—at Bonn—and at Harvard Law. And then again the test of a man is not how he is educated, but how he uses that education. Our guest of honor's learning was to be forever at the people's service.

His life-long prowess in athletics I shall not detail—his excellence in tennis wrestling, swimming—and all the other manly arts in which he engaged. These merely provided a sound body for a sound mind.

Mention could be made of his personal and family wealth—the banks he founded—the businesses he fostered—the material resources and the social position that was his. In Rhode Island, at the turn of the century, it was almost a heresy for a man of his heritage to espouse the Democratic cause. But this, our THEODORE FRANCIS GREEN did.

I will not say that the Democratic cause of that day was not popular. It was just a case of not being permitted. The political fortunes of Rhode Island at that hour were in control of a very special few—and they were not Democrats.

They were not even the elected officials—but they did dictate to elected officials—they determined legislation—they designated judges and they distributed favors. To them a Governor was only the puppet of the

bosses who created him. In the cold calculations of these men and in their bold contrivance of power they believed that they would be secure for a century. Democrats just did not win. The one mistake they made—they miscalculated THEODORE FRANCIS GREEN.

After 30 years, certainly this is being said without recrimination. I speak of it only so that you who may be unfamiliar with the Rhode Island political history may know something of the adverse atmosphere that THEODORE FRANCIS GREEN challenged and the adversity against which he rose to greatness.

I have said that the true dimensions of a man's career are in the depth of his character and the loftiness of his principles. In character and in principle THEODORE FRANCIS GREEN had only one goal—perfection in public service.

He placed character above opportunism and he championed the Democratic cause in a Republican State—and brought to it prestige and purpose and a persistency that would not accept defeat.

At 45 years of age he led the fight for Governor—and lost. He tried again at 61—and lost again. He fought again at 63—and was again defeated. But in all this he was paving the way for victory at the age of 65—and at a time when most men are thinking of retirement, THEODORE FRANCIS GREEN had only stepped across the threshold into a life of public service.

I come now with special pleasure to what I term a great hour of decision in the life of our friend. I speak of it intimately because I was there.

The time is 25 years ago—the place is the statehouse at Providence, R.I. I have just been sworn in to my first day of public service in the general assembly of my native State.

Governor GREEN has been elected to office for the second time. And now—on this day and for the first time—the Democrats are in control of both houses of the general assembly. The air is electric with sweeping changes in the making. Our friend, Governor GREEN, is at the helm. The Democratic Party has the votes. It can either set up the dynasty or direct the destiny. But there would never be any doubt about what Governor GREEN would do.

He put character above political power—and gave the State government back to the people. He gave back their government, their courts, and their Governor's office. He made the Office of Governor responsible and respected.

To the people's conscience he gave the understanding care of our neglected State institutions. He accepted the moral and physical guardianship of the unfortunate, the dependent, the aged, and the ill.

From that day forward, Rhode Island has been able to hold its head high as a little State with a big heart. That is a day that Rhode Island will never forget. It is an hour that I shall always remember.

That was my first real contact with the inspiring leadership of THEODORE FRANCIS GREEN. On that day, all Democrats were lifted by the inspiration of his courage and his character.

In all the intervening years, that lesson of his decision, his decency, and his dignity has never left us. In all the years that I have worked under him, and beside him, he has been my idol of intellectual honesty, my ideal of dedicated service to the people.

No period in the life of THEODORE FRANCIS GREEN can be separated from the history of Brown University. It has always been close to his home—and always close to his heart. It has been mutual love between alma mater and loyal son—an alumnus now for 73 years.

Brown University has an honor roll of great sons. To mention a few—John Hay in statesmanship, Charles Evans Hughes in judiciary, and John D. Rockefeller in human philanthropy.

To these let me add THEODORE FRANCIS GREEN, the citizen of the century—his own century of years, our own century of his great and good service.

And in this century's document of democracy, to the decisiveness of Harry Truman, to the wisdom of Woodrow Wilson, and to the record of Franklin Delano Roosevelt, let me add our own illustrious Rhode Island citizen, THEODORE FRANCIS GREEN, the contemporary of them all and the colleague of them all in building an America first in pride and first in power.

TOAST TO SENATOR GREEN BY THE HONORABLE J. W. FULBRIGHT

I ask you to join me in a toast to a great American.

What a life his has been.

And what tremendous satisfaction he must enjoy in looking back over his years as Governor, as Senator, and as chairman of the Foreign Relations Committee.

No breath of criticism has ever touched him for he is the soul of honor and integrity.

I know I speak for everyone here in wishing him well in the years ahead. And I know that I speak for everyone here in expressing the hope that he will permit us to celebrate his 100th birthday. We may not all be here but I am sure he will be; and what's more, he will probably walk down from Rhode Island for the occasion.

I raise my glass to the chairman emeritus, to the senior Senator from Rhode Island—that great and gracious gentleman, THEODORE FRANCIS GREEN.

EXCERPTS FROM REMARKS OF U.S. REPRESENTATIVE JOHN E. FOGARTY AT TESTIMONIAL DINNER IN HONOR OF SENATOR THEODORE FRANCIS GREEN IN WASHINGTON, D.C., JANUARY 26, 1960

Senator GREEN's eminent success in the field of foreign relations is undoubtedly based on a combination of factors, principal of which is a deep and genuine love of his fellow man coupled with what might be called an innate natural curiosity. This combination of factors has permitted him to get to know people—people of all nations and at all levels. In the Senator's mind the cementing of human relations has ever been the best possible hope for world peace and he has devoted much of his energy toward that end.

I believe that the world owes a considerable debt to Senator GREEN. Everything he has done has been done to bring the peoples of the world more closely together, which of itself adds to the strength of America. In our tribute to the Senator this evening, we pay our respects to a great American who has laid the basic framework for a large number of policies which have helped bring America to a position of preeminence in the world.

A former Speaker of the House, Champ Clark, once aptly commented that some public men are bigger than their reputations, some smaller than their reputations, and some equal to their reputations. Ladies and gentlemen, I'm sure you will all agree that THEODORE FRANCIS GREEN is one of those rare public men who are bigger than their reputations. He has enriched the times in which he has lived and all of us with whom he associated. He leaves a political heritage second to none in the annals of American Government.

To him I wish the blessings of continued health and many years in which to enjoy the rewards that God has in store for him.

REMARKS OF CONGRESSMAN AIME J. FORAND AT TESTIMONIAL DINNER IN HONOR OF SENATOR THEODORE FRANCIS GREEN BY THE WOMAN'S NATIONAL DEMOCRATIC CLUB, WASHINGTON, D.C., JANUARY 26, 1960

I am most thankful to the committee in charge for giving me this opportunity to participate in this tribute to Senator GREEN, whom I have known for many years and have had the pleasure to serve with for more than a quarter of a century.

Like you, I respect him and admire him. I consider it a great privilege to call him my friend.

When I was invited to speak on the subject "Senator GREEN, the World Traveler," I asked myself the question: Why does he travel so much? And believe it or not, I found the answer in the title of a television show—"Youth Wants To Know."

True, Senator GREEN gets a great deal of pleasure out of his travels, but Senator GREEN wants to know, and from all reports, he gets information and facts in all his travels. This has served him in good stead and has meant much to our country, as was so eloquently stated a few days ago by Senator FULBRIGHT when he said, "Senator GREEN has brought to the work of the Foreign Relations Committee the wisdom which comes only from long experience, the knowledge which comes only from personal acquaintance with most of the world's statesmen and the courage of his convictions."

Senator GREEN has traveled more, I believe, than any other Member of Congress. But don't let anyone get the idea that his travels date back only to the time he entered Congress. The fact is he started to travel before I was born.

It was way back in 1893, shortly after he left the Universities of Bonn and Berlin that he started his travels.

Since then he has made several trips around the world. To name countries he has not visited would be much easier than to list those he did visit.

He has been to Europe many, many times. He has been to Jamaica, England, Ireland, the Orient, the Scandinavian countries, Germany, Italy, Poland, Spain, Greece, France, Nova Scotia, Cuba, Mexico, Canada, South and Central America, Puerto Rico, the Bahamas, Australia, Switzerland, Venezuela, Brazil, Africa, and you name it, he's been there.

Senator GREEN prefers to travel by air. He loves to fly but when he can't fly that does not stop him. He'll use any means of travel—train, horseback or camelback, steamboat or rowboat, canoe or what have you.

And he is no slouch in his travels on foot, particularly on the dance floor.

I recall during his last election campaign, when his opponent's chief argument was that Senator GREEN was too old—he was then 87—Senator GREEN attended a Polish dinner. Sitting across the table was a pretty teenage Polish girl. Suddenly there was Senator GREEN and this pretty girl dancing a polka. After the dance the Senator asked, "Am I too old?"

During his travels he knows how to mix business and pleasure. Proof of this is found in the official reports he files and in the stories his fellow travelers tell.

I shall not dwell on the official reports. They speak for themselves. But I like to repeat what has been told to me by some who traveled with him. Nearly all have said they enjoy traveling with Senator GREEN, but nearly everyone has the same complaint. He drives too hard. He exhausts them.

I believe it was Senator WILEY who reported that he got up early one morning to go out to visit something he had missed the day before and as he was leaving the hotel at 7 o'clock in the morning he met Senator GREEN who was returning from a similar venture. He, too, had missed something but had gotten up earlier and had already accomplished his misison at the time Senator WILEY was starting on his.

Senator SPARKMAN likes to tell of something that happened in 1951 when he and

Senator GREEN were in Greece with seven other Senators, all much younger than Senator GREEN.

After lunch, at a yacht club in Athens, a diplomat advised the group that it being such a hot day, they should rest for a while and then late in the afternoon they could go to the Acropolis. Most of the group took the advice, but not Senator GREEN. He had places to go and he went.

On his return to the city from the club, the road led them along a beautiful stretch of water, so Senator GREEN stopped and took a swim. Then he visited some of the excavations of ancient ruins.

The young Foreign Service officer who accompanied him told the other Senators that Senator GREEN had almost worked him to death.

Late in the afternoon his colleagues went on the trip to the Acropolis. As they were going up to it they heard someone climbing behind them and as they looked back there was Senator GREEN climbing rapidly to catch up to them, and several steps behind him, was the young Foreign Service officer, with his tongue virtually hanging out.

I'd love to tell you more about this wonderful man but time will not permit so let me say, simply, Senator GREEN we love you, we respect you, and we admire you. God bless you.

THE HIGHWAY PROGRAM

Mr. MANSFIELD. Mr. President, in 1956 the Congress passed and the President approved a Federal Highway Act which was of the largest dimensions in the field of highway construction ever attempted by this or any other nation.

To our traditional ABC program was added a 40,000-mile interstate highway network which was to be authorized by 1969 and completed by 1972. The interstate network was estimated to cost the Federal Government $25 billion, plus $12 billion for the ABC roads making a total of $37 billion. Prime considerations in the justification of this new program were traffic safety and defense.

This act replaced the traditional method of financing by direct appropriation to a highway trust fund, into which were deposited certain existing excise taxes and some new increased excise taxes levied on highway users.

Not all of the highway user taxes were dedicated to the fund. It is interesting to note that over $1½ billion a year is still collected directly from highway users and put in the general fund.

In the light of this fact it is pertinent to examine what has happened since 1956. The trust fund is short of money. Last year, in order to meet this problem, the administration eyed an increase in highway user taxes—to be exact, a 1½-cent increase in the Federal tax on gas for 5 years. This would have brought the Federal tax to 4½ cents on every gallon of gas or diesel fuel.

The popular attitude seems to be to blame the current road program crisis upon the Congress for accelerating the highway program under the 1958 act to meet the recession. Congress did authorize an additional $515 million for the ABC system, plus $500 million for the ABC system, and no provision was then made for additional funds. In 1958 the Secretary of Commerce, Mr. Weeks, told the Senate Public Works Committee, as can be found on page 68 of the hearings:

I see no need for additional revenue legislation.

In fact, he was at that point asking on behalf of the President for exclusion from the trust fund of $32 million of the tax which is derived from aircraft use.

He was also asking that forest highways and public land highways authorization be charged to the trust fund, heaping another $32-odd million in annual costs upon the fund. Additionally another $4 million in alleged Treasury and Labor Department costs were to be paid out of the trust fund. In sum, the trust fund was to be depleted by $68 million annually, or over $1 billion over the life of the highway program.

I call to the attention of my colleagues the fact that when the 1956 act was set up $2,336 million were in effect taken from the trust fund. Three hundred and seventy-eight million dollars in highway user taxes was put in the general fund—and for what reason? The Senate report on the 1956 bill says that this was to help balance the year 1957 budget.

I call to the attention of my colleagues that this was one of the few Eisenhower budgets that was balanced; a $1.5 billion surplus developed that year.

The 1956 act also included as a charge against the trust fund the following estimated expenditures from prior authorizations of the year 1954 and prior acts.

	ABC	Interstate
1957	$690,000,000	$110,000,000
1958	450,000,000	150,000,000
1959	250,000,000	43,000,000
1960	140,000,000	
1961	75,000,000	
1962	50,000,000	
Total	1,655,000,000	303,000,000
Grand total	1,958,000,000	

Thus the trust fund was shorted in funds and saddled with costs to the tune of $2,336 million. These are moneys which, in my judgment, should be repaid to the trust fund on an orderly basis by the general fund.

It is also a fact that over $1.5 billion annually of the highway user taxes still go into the general fund, which more than offsets the $68 million in alleged taxes or charges cited in 1958 by the administration for impact upon the trust fund.

Under the circumstances, I do not believe Congress should enact further taxes to augment the trust fund.

Priority consideration should be given instead to taking appropriate portions of existing highway user taxes and dedicating them to the trust fund in amounts needed to permit the highway program to go forward at least at the authorization levels outlined by the 1956 act. I have in mind an ABC authorization of $950 million for 1962 and $975 million for 1963 with an interstate authorization of $2.2 billion for these 2 years. This will maintain the program on schedule in terms of the 1956 act. Additional revenues approaching $400 million for these years will be needed to meet this goal.

I believe it is incumbent on the Eisenhower administration, which is now in its last year, to cooperate with the Congress in restoring to the trust fund the funds which have been diverted to benefit the general fund and this administration. Restoring these funds to highways would be in accord with the pay-as-you-go principle so often enunciated by the President. The highway program could indeed finance its own way if allowed to operate on the income intended to accumulate in the trust fund.

We in the Congress can be proud of the effort we have made to help the President achieve balanced budgets. Due to the efforts of our Committees on Appropriations and all of the Members of both the House and Senate, Congress has cut almost $12½ billion from the administration's budgets since fiscal year 1954. We shall make a proportionate contribution toward fiscal responsibility again this year. The savings we have achieved in the general budget form another sound reason for making available to the trust fund the revenue properly due it.

THE STUDENT LOYALTY OATH

Mr. GOLDWATER. Mr. President, included in the National Defense Education Act, which the Congress passed during the last session, is a loyalty oath. The act requires that the students who receive the benefits of that act take an oath of loyalty to the United States, and declare that they do not believe in and are not members of and do not support any organization believing in or teaching the overthrow of the United States by force, violence, or by illegal or unconstitutional methods.

Unfortunately, Mr. President, a small group of college presidents do not like that requirement, and have put pressure upon the Senate and House of Representatives to have it removed from the act.

Therefore, I was very much interested to read in a newspaper article of last week that some of the alumni of Harvard University have suggested that the students themselves vote as to whether they want that requirement retained in the act.

The article reads in part as follows:

It seems incredible that the president of Harvard could be so inconsistent, discriminatory, dogmatic, and smug in denying to worthy students the opportunity to borrow Federal funds simply because a negative affidavit of allegiance to the United States is required.

The article, which appears over the signatures of certain of the alumni who are opposed to that action of the president of the university, is of such importance at the moment, because I feel certain that within the coming days this body will be asked to take action again on the National Defense Education Act, that I ask unanimous consent that the article be printed at this point in the RECORD, in connection with my remarks. I may add, in sounding a slight note of humor, that in examining some of the material I have on Arizona history the other day, I discovered that Gen. John C. Fremont was required to take an identical

oath of allegiance before he was sworn in as Governor of Arizona. So I felt that what was good for General Fremont might be good for some of our students.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASK HARVARD LET STUDENTS DECIDE—EIGHT ALUMNI DECLARE THEMSELVES ON OATH OF LOYALTY

BOSTON.—Eight members of the alumni of Harvard University have issued a public appeal to their alma mater asking the students on Government grants be permitted to decide whether or not they are willing to take the required oath of loyalty to the United States.

The action of the president of Harvard, Dr. Nathan M. Pusey, in denying to students the opportunity to get public aid because Dr. Pusey disapproves of the oath is strongly condemned. The text of the statement follows:

"It seems incredible that the president of Harvard could be so inconsistent, discriminatory, dogmatic and smug in denying to worthy students the opportunity to borrow Federal funds simply because a 'negative' affidavit of allegiance to the United States is required.

"The National Defense Education Act requires two things: (1) an affirmative oath of allegiance to the United States and (2) an affidavit that the applicant does not believe in, is not a member of and does not support any organization believing in or teaching the overthrow of the United States by force, violence or by illegal or unconstitutional methods.

"Obviously, the one is the corollary of the other. The negative affidavit is simply the logical complement to the positive oath of allegiance.

"Dr. Pusey and certain other educators who agree with him apparently do not object to the oath of allegiance requirement, although many of them in the 1930's strenuously objected to the law now on the books requiring a teacher to take such an oath of allegiance. [Mass. Gen. Laws (Ter. Ed.) c. 71, s. 30A.]

"They do not now dare to oppose the oath of allegiance in the Federal education law, because to do so would be to deny to college students the privilege of taking the oath of allegiance which is granted to lawyers, teachers, judges, Senators, Congressmen, servicemen, the President of the United States, and, yes, the Boy Scouts.

"As a matter of fact, the negative affidavit is much less broad in scope than the affirmative oath. For example, an alien might truthfully declare that he does not believe in the violent or illegal overthrow of the U.S. Government and still be justified in declining to take the oath of allegiance because he feels no affirmative loyalty to the United States, and indeed owes none.

"If the educators object to the negative affidavit on the ground of vagueness, and not for the patriotic and security reasons behind it, perhaps the law should be changed. Until that is done, however, why deprive worthy students of the right to the Federal funds simply because certain educators disagree with Congress? Actually, the negative affidavit seems most explicit.

HARVARD'S POLICY

"It is difficult to determine from Dr. Pusey's statement whether Harvard's policy was enunciated as a matter of principle, or simply because Harvard feels that the additional affidavit requirement in the law is superfluous or ineffectual. If the latter, why all the fuss and furor over something that would seem to be immaterial; why deprive deserving students of funds simply because Harvard considers the affidavit requirement useless? If, however, Harvard's new policy is based upon principle, why did Harvard compromise its principle last year by permitting its students to receive Federal moneys when the same oath of allegiance and affidavit were then required? Dr. Pusey's belief last year that the law would be changed is a poor rationalization for a compromise of principle.

"Dr. Pusey is disturbed that the National Defense Education Act discriminates against a few students who have conscientious objections to declaring allegiance to the United States. But what about Harvard's new policy? It clearly discriminates against the host of students who need money for education and who would be proud, as loyal Americans, to sign an oath of allegiance or a negative affidavit, no matter how broadly worded, at any time and whether or not Federal funds are involved.

"President Pusey and some other college presidents decry the affidavit requirement in the Federal law as an 'affront to academic freedom of belief and conscience.' Again, what about Harvard's new policy? It denies to each needy student at Harvard and elsewhere that very freedom to make up his own mind as to whether he will or will not declare allegiance to the United States in the form asked. Harvard itself is dictating conscience to its own students, thereby depriving them of the right to exercise and express their own beliefs and conscience.

"Dr. Pusey adverts to the right of every citizen to urge change in the law. Why, then, doesn't Harvard confine its efforts in that direction instead of acting like the boy who picks up his marbles and goes home because the other boys won't play the game his way?

"The thing that worries us most about the whole affair is the negative attitude adopted by so many of our institutions of higher learning. Instead of advancing the patriotism that is fostered in grammar school and high school, the presidents and many professors of certain of our colleges and universities actually ridicule any manifestation of loyalty to our country.

"For instance, Mark DeWolfe Howe, constitutional law professor at Harvard Law School, in a recent speech, with the sarcasm typical of ivory tower savants, accused Congress of inserting the affidavit requirement in the Federal education law 'in a burst of happy patriotism.'

"Since when has it become plebian or unsophisticated or 'old hat' to express one's patriotism?

"In this year 1959, when, on the one hand we have gang wars among our own juveniles and a real threat of war from abroad, it is sickening to hear certain of our college educators encourage youth to thumb their noses at any law they do not like; to act like spoiled children; and to laugh at the very burst of patriotism that brought this country through 183 years of freedom."

The letter is signed by Vernon D. Hitchins, Edmund M. Murray, Henry Swaebe, D.M.D., Harris A. Reynolds, Arthur J. McLaughlin, Jason A. Aisner, Robert C. Cochrane, Jr., Edward Hyde Earle.

A CRITICAL LOOK AT TRENDS IN TODAY'S GOVERNMENT—ARTICLE BY CHIEF JUSTICE M. T. PHELPS

Mr. GOLDWATER. Mr. President, the chief justice of the Supreme Court of Arizona, the Hon. M. T. Phelps, has served on the Supreme Court of Arizona since 1949, and is now in his second term as chief justice. He received his law degree from Vanderbilt University, at Nashville, Tenn. He practiced law in Phoenix from 1913 to 1923, and then was on the bench of the superior court until his elevation to our State's highest tribunal.

Mr. President, although Judge Phelps is not a member of the political party to which I belong, he is, in my opinion, one of the outstanding citizens of this country. He has great affection for the Constitution and for the historic American concept of freedom of the individual.

In the December 28, 1959, issue of the U.S. News & World Report, there appeared an article, written by Judge Phelps, entitled "From a State Chief Justice—A Critical Look at Trends in Today's Government." I ask unanimous consent that this outstanding article be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FROM A STATE CHIEF JUSTICE—A CRITICAL LOOK AT TRENDS IN TODAY'S GOVERNMENT

(By M.T. Phelps, chief justice, Supreme Court of Arizona)

The Federal Constitution provided the foundation for the best form of government ever conceived by the mind of man.

Its outstanding characteristic was that it created a government of limited powers; that it should have only such powers as were expressly, or by necessary implication, delegated to it by the provisions of the Constitution; that all powers not so delegated to it nor prohibited to the States by it were reserved to the States respectively or to the people. It was designed to be a government of laws, and that those whom we were obliged to trust in its administration were to be bound by its provisions to function within their constitutional limitations.

These limitations were observed for 125 years, and, as a result thereof, we became the most powerful nation on earth, and, by reason of our natural resources and the genius of our people, we became the most prosperous, and we are unquestionably the most advanced nation today in the field of the applied sciences. We were beginning to enter the field of mass production, not only of the necessities of life but of the luxuries as well.

It was at about that period that the generation to which I belong was entering upon the stage of action endowed with the richest heritage of any generation in history, and, oh, how woefully we have failed in the execution of the trust reposed in us.

At that time our individual liberties under the protective shield of the Constitution were yet intact. We then had the right to own property, real and personal, and to use it as we desired so long as we did not interfere with the rights of others. And we had the right to contract to sell it to whomsoever we pleased without let or hindrance from any source. Or we had the right to refuse to sell to persons to whom we did not wish to sell.

Today we are forbidden to use our real property as is our constitutional right, and we are denied the right to refuse to sell to persons to whom we do not desire to sell. We then had the right to keep it as against the wishes, plans or schemes of any group or groups of persons as long as we lived. Today, under the Urban Renewal Act initiated by the United States Congress, if implemented by State or local law, we can be forced to sell our homes against our wishes, to satisfy the aesthetic tastes of some city-planning commission.

There is now a nationwide movement being vigorously advocated by 27 liberal organizations to enact in every State in the union a law that carries the innocent title of a "fair housing" law which makes it a crime punishable by both a fine and im-

prisonment for a property owner, when approached by a real estate agent or other person to purchase his property, for the owner to inquire as to the color or race of the prospective purchaser.

This law has been enacted already in Massachusetts, Connecticut, Colorado and Oregon. It was introduced in 13 States last year and would have passed the Rhode Island Legislature but for the vigorous opposition of a great constitutional lawyer in Providence. Watch for it here at the next session of the legislature.

If you advertise an apartment in your home or apartment house, such an inquiry as above mentioned will subject you to both fine and imprisonment if the bill passes.

At that time we had the right to will our property to whomsoever we pleased without the slightest fear that, a hundred years after our death and the valid judgment of a court distributing it to the beneficiaries of our bounty, some court would decree such will to be void because its provisions did not conform with their more modern view of justice. Sadly, that is no longer true—the U.S. Supreme Court in 1954 set aside a will executed in 1835 and named beneficiaries thereof persons expressly excluded by the terms of the will.

ENTRY "WITHOUT A SEARCH WARRANT"

At that time our home was our castle, and no one under the provisions of the Constitution could enter it against our wishes without a search warrant, but the Supreme Court of the United States recently held that a city health inspector could enter the home of a citizen of Baltimore without a search warrant to ascertain its sanitary condition.

At that time we were free as individuals if engaged in farming to grow whatever crops upon our own soil our judgment dictated to be for our best interest. No Government agent snooped around armed with the purported authority of Congress to tell us how many acres we could plant to corn, cotton, wheat, rice or tobacco and to then and there impose a fine upon us if he discovered we had exceeded the acreage prescribed in the act which we could grow upon a farm in our class. We then had the right to due process of law in a court of justice and to produce evidence in our defense before the fine was fixed.

No authority was then vested in the Secretary of Labor to tell a cottongrower who procured his laborers through a U.S. employment agency the minimum wage he was required to pay his cottonpickers measured by the highest wage paid by any farmer in the area for the same kind of work, regardless of the difference in the circumstances of the parties or the quality of the cotton to be picked.

Nor was the Secretary of Labor vested with power to close labor camps because of unsanitary conditions, as was done recently in Santa Clara County, Calif., according to the Arizona Republic of September 17 of this year. Public health and public morals were a matter of local concern, and such action was taken only after a hearing before a proper tribunal and judgment pronounced after hearing.

The action of the Secretary of Labor, whether justified or not, in either case is the action of a government of men and not a government of laws. It was the act of a dictator. If the Secretary of Labor can do what he is reputed to have done; if Congress can enact a law of that kind, then Congress can authorize the Secretary or other public official to close your home and forbid your occupation of it upon any specious ground it may assign as the reason therefor.

At that time a local contractor in Phoenix or elsewhere engaged in the installation of plumbing or in building houses was not subject to regulation by the Federal Government upon the ground that he was engaged in interstate commerce or a business affecting interstate commerce because some of the materials used by him came from without the borders of the State.

At that time State courts determined whether they did or did not have jurisdiction to determine the legal rights of parties to a contract executed in the State for the performance of work within the State. In fact, the right of the State courts to determine their own jurisdiction had never been questioned under such circumstances.

But today, if it involves a contract between such contractor and a labor union and an unfair labor practice is charged, whether true or not, and often whether there is even a semblance of interstate commerce involved, the matter must be referred to the National Labor Relations Board, and, even though it refuses to entertain jurisdiction under the ruling of the Supreme Court, before a State court in the exercise of the sovereign rights of the people may assume jurisdiction it must petition such Federal Administrative Board for permission to do so.

Can you think of anything more out of harmony with the 10th amendment to the Federal Constitution which reserved to the States or to the people all powers not delegated to the Federal Government?

At that time window washers and janitors were not engaged in interstate commerce or a business affecting interstate commerce and, therefore, were not subject to regulation by the Federal Government merely because they worked in a building where there happened to be a tenant who was engaged in interstate commerce. This is no longer true. They must now obey the ipse dixit of Federal regulatory bodies.

At that time we were allowed to choose our associates in accordance with long-established customs of all enlightened peoples. This was considered by them to be conducive to the welfare of society. Today the U.S. Supreme Court decrees with whom we shall associate—not only in our schools but also in our neighborhoods—by declaring null and void all restrictions in deeds of conveyance relating to race or color. This is true notwithstanding the fact that it is the use to which we may put that which we own that constitutes property, rather than the ownership thereof. Ownership of either realty or personalty without the right to use it is not property nor a property right. One never knows if he belongs to the 400 until that Court prescribes his niche in society.

GOVERNMENT VERSUS PRIVATE ENTERPRISE

At that time the Federal Government was not engaged in business in competition with private enterprise. Today, it is reputed to be financing approximately 700 big corporations split up into about 3,000 companies, all of which are tax free and actively competing with private enterprise. This includes TVA, its fertilizer plants, etc. The reputed value of these enterprises is over $50 billion, which, if privately owned and subject to taxation, would lighten our taxload by millions of dollars.

At that time there were no urban-renewal projects, to which I have heretofore referred, costing the taxpayers millions of dollars annually and which, up to date, have cost the taxpayers $344,300,000. This is socialism in action in our country, just as the ownership of over $50 billion of industrial plants by the Government is socialism at work.

At that time, as above stated, the executive, legislative, and judicial branches of Government were functioning within constitutional limitations, and the respective States of the Union were in exclusive control of matters then considered as purely local in character, including their free system of education, agricultural pursuits, etc. Each State prosecuted without question from any source all crimes committed within its borders in violation of its statutes. Today we must surrender this sovereign right to the Federal Government if it has a law on the same subject, on the ground that it has preempted the field.

We may not now preserve the morals of our people. Within the past 3 months the U.S. Supreme Court reversed the Court of Appeals of New York which held that a certain book, "Lady Chatterley's Lover," was detrimental to the morals of the citizens of New York and should be suppressed. The book winked at adultery in certain cases, according to the decision. The Supreme Court had a different concept of what constituted immorality and reversed the New York Supreme Court decision, forcing the citizens of New York to accept the book whether they liked it or not.

The first outright defection from the principles embodied in the Constitution and first 10 amendments as adopted was the adoption of the 16th amendment to the Constitution in 1913 providing for a tax on incomes from all sources. That amendment placed no limitations whatever upon the amount of taxes the Government could levy and collect in proportion to one's personal income. All taxes previously provided for were limited by the Constitution.

We were induced by proponents of a new and strange philosophy to sow the wind, and we are now reaping the whirlwind which is rapidly leading us into national bankruptcy. It is the source of all funds for foreign aid, farm subsidies, Federal aid to public schools, and the 500 to 700 million dollars assigned to the President for emergency use to correct the economic imbalance between the United States and the backward nations of the world.

When the income tax amendment is repealed, these frills, this waste, will go, too, and a lot of bureaucrats will cease to dictate the policies of our Government. There will be sufficient funds to adequately finance the Federal Government if waste and intermeddling in nongovernmental functions is eliminated.

FOREIGN AID—WILLFULLY WASTED

Engaging in business in competition with private enterprise, foreign aid, farm subsidies, Federal aid to public schools is wholly unconstitutional. The funds used in foreign aid are willfully wasted and, if properly investigated, would amount to a national scandal. Yet Mr. Fulbright, head of the Foreign Relations Committee in the U.S. Senate, makes the statement in the September 21 issue of U.S. News & World Report that the way to win the cold war is to spend more money. He urges the President to increase spending for public schools, for weapons of defense, for airbases around the world, for foreign aid and civil defense. He dismissed as nonsense the idea that the Nation cannot afford more spending.

This is a sample of the quality of statesmanship at the head of our Nation today. With a national debt of approximately $290 billion, as against approximately $16 billion in 1928; with our national budget for 1959 at $77 billion, leaving an estimated deficit of $12 billion for this year, as against approximately a billion-dollar budget in 1912 and 1913, for the chairman of the Foreign Aid Committee of the U.S. Senate to make a statement like that for publication is an effrontery. It is more than that—it is an insult to the intelligence of the American people.

Our dollar is worth 47 cents plus today; our gold reserve at Fort Knox is rapidly shrinking, with less than $20 billion left. There is outstanding against this reserve foreign obligations, according to recent reports of $12 billion which is payable in gold on demand. If demand is made, our gold reserve will drop to less than $8 billion and the American dollar will have no value among the nations of the earth, and its purchasing

power will be nil at home. Legally, we are not on the gold standard, but watch the value of the dollar skid when the gold at Fort Knox is shipped to Europe.

We are carrying out to the letter the Marx plan as set forth in his "Manifesto."

DANGER IN THE KHRUSHCHEV VISIT

It is later than we think. Mr. Khrushchev's visit just recently is significant—he sought disarmament. This was predicted years ago, and it was said the American people would be easily persuaded to disarm. With Khrushchev's record, would you trust him? I certainly would not, President Eisenhower's views to the contrary notwithstanding.

But the frightening aspect of this move by Khrushchev is that we have surrendered to the United Nations the power to enter into a treaty with other nations to disarm and, only last week, the United Nations made it known through the press that it was glad the Big Four were considering the discussion of disarmament, but their conclusion, they said, whatever it might be, would be treated as advisory only and the commission set up in the United Nations would make the final decision in the matter. With a pro-Communist organization to decide these matters, what can we expect from the United Nations?

You recently read of their present negotiations to socialize South American nations, which, if it takes place, will so strangle the economy of this Nation that we cannot long endure even if we were not cursed with other ills that are gradually but surely leading us into a dictatorship and eventually into world government. On October 26 Mr. Lodge joined with a Russian representative to present to the United Nations a resolution favoring disarmament.

I am making a study of the Charter of the United Nations in an attempt to analyze and interpret its meaning and, although it contains no limitations upon the power of the United Nations and apparently intended to conceal more than it reveals, I consider it to be the result of a communistic conspiracy more dangerous to our national security than Soviet Russia is today, although I am not discounting the dangers Russia presents to our freedom.

I sincerely believe that it was extremely unwise to invite Khrushchev to the United States. He will translate into falsehood everything we said or did in every instance and his people will have a worse impression of us than they now have.

His insincerity in proclaiming he favors peace is clearly apparent from the action of the Russian lords jamming the Voice of America to the people of Russia on all reports from America concerning his visit here except the occurrence upon his arrival. He has recently announced he will aid China in recovering Formosa. His henchmen have treated members of our Embassy with total disrespect and he is now fostering Chinese invasion of Tibet and Laos.

The worst effect of his visit is the loss of confidence of those already enslaved by Russia and who would be our strongest support in the event of a shooting war with Russia.

FEDERAL ELECTION REFEREES

Mr. TALMADGE. Mr. President, now that it has been established beyond question that the Attorney General of the United States modeled his Federal election referee bill after one of the infamous Reconstruction Acts, I think the American people are entitled to ask Mr. Rogers, "Why?"

It is interesting to note that this same Attorney General Rogers has preached, both before and since assuming the office he now holds, about congested dockets in the Federal courts and the need for more Federal judges to cope with the situation. It is difficult to understand why, if the dockets of our Federal courts are as congested as Mr. Rogers contends he would want to increase the burden by forcing Federal courts to assume receivership of State and local election machinery.

Is it possible, Mr. President, that the congestion is not so great as Mr. Rogers would have us believe, but, rather, that he wants to see judges recommended by him put on the Federal benches of the land to administer such a law?

And, Mr. President, since most of the so-called congestion in Federal courts apparently exists in the large cities of the North, is it not possible that Mr. Rogers wants election referees appointed by Federal judges recommended by him to assure that the closely divided vote in pivotal metropolitan areas goes to the Republicans rather than to the Democrats?

Could it be, Mr. President, that the Attorney General of the United States is looking at this scheme through the eyes of a potential candidate for Vice President?

Could it be, Mr. President, that the Attorney General of the United States is laying the groundwork for a revival of "Davenportism" on a national scale, with himself both appointing the judges who name the election referees and then prosecuting before those same judges the cases their referees make?

Mr. President, on the basis of the facts at hand, it is impossible to accept at face value Mr. Rogers' pious contention that his only interest is in protecting the right to vote in the South.

Mr. President, I think the Attorney General owes the citizens of this country some frank answers about just exactly what he does have in mind.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, with the approval of the acting majority leader I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

MANAGEMENT OF THE NATIONAL DEBT

Mr. SALTONSTALL. Mr. President, the President said in his budget message, delivered to this body on January 18:

> Effective management of a (national) debt of this size requires a reasonable distribution among securities maturing at different times. * * * As long as the rate that would have to be paid on newly issued bonds exceeds the present statutory ceiling of 4¼ percent, it is impossible to issue and sell any marketable securities of over 5 years' maturity.
>
> Exclusive reliance on borrowing in a limited sector of the market is an expensive and inefficient way to manage the debt.

We all know, Mr. President, that this is not a new request; President Eisenhower has continuously urged congressional action for almost a year.

In the Washington Post and Times Herald of yesterday, January 31, 1960, I found an interesting editorial entitled "Realism on Interest Rates." This piece discusses the Joint Economic Committees' recently issued study on employment, economic growth, and price levels. It expresses both criticism and support on various elements of the present administration's economic policies.

But the principal point of the editorial, Mr. President, is interest rates on long-term Treasury bonds, and here the administration's policy is strongly supported by a newspaper usually concerned with aspects of growth. The editorial, indeed, claims that those who stand opposed to the request of the President on the removal of the interest rate ceiling on long-term bonds have retreated from reality. Also, the editorial states:

> It seems plain enough that the existence of the ceiling, far from holding down interest, is presently contributing to the substantial rise of the Federal interest burden and to the high level of interest rates generally.

As the ranking minority member of the Senate Finance Committee, the senior Senator from Delaware [Mr. WILLIAMS] also pointed out to this body on January 14 that we have statistics which show generally that we are now paying a higher interest rate for short-term money than we are on 20-year bonds.

Mr. President, I urge my Senate colleagues to support the President's request on lifting the arbitrary and outmoded 4¼ percent ceiling, and as soon as possible, before the situation grows even worse.

I ask unanimous consent that this editorial be printed in the body of the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REALISM ON INTEREST RATES

The Joint Economic Committee's recommendation against lifting the 4¼ percent interest rate ceiling on long-term Treasury bonds seriously marred what, in many respects, was a highly useful summary of its year-long study of employment, growth, and price levels. To be sure there are, as the Republican minority complains, a number of political overtones—such as the frequent and somewhat arbitrary choice of the years 1953–59 to illustrate economic trends that might better be viewed over a longer period. But such diversions can be understood, if not countenanced. They do not invalidate the main theme of the report, which is that the country can do much better in economic growth than it has lately done.

On the interest rate ceiling, however, the Democratic majority simply retreats from reality. As conditions for lifting the ceiling, the majority Members propose a number of reforms in debt marketing, including greater use of auction sales, the disposal of long-term issues in periods of recession and low-interest rates (with the Federal Reserve Board to undertake independent countercyclical action in the bond market in the interest of promoting recovery) and other steps calculated to lengthen the average maturity of the debt and reduce total interest costs. Some of these measures may have much merit. But as Republican Sen-

ator JAVITS observes in his supplemental views, "they are not likely to change materially the debt management problems facing the country right now." The minority urges that Congress promptly remove the 4¼ percent ceiling, as the President repeatedly has requested. And two Democratic Members, Representatives BOLLING and COFFIN, grant that "there is no logical reason for an arbitrary 4¼ percent ceiling."

As the Republican dissent notes, "refusal to abolish the 4¼-percent interest rate ceiling provides no ceiling on interest at all. It simply places a ceiling on maturities (5 years), thus forcing the Treasury to compete with the multitude of short-term borrowers, sending these rates higher and higher." There is sound reason to agree with the minority's observation that a long-term bond might well have sold for less than the 5-percent-plus rate commanded by the last short-term Treasury offering. As a result of its confinement, by law, to the short-term market, the Treasury has been obliged to increase its maturities in the under-5-year category substantially. The average maturity of the debt fell last year from a high of 4 years 9 months to 4 years 4 months.

No doubt there are many Members of Congress who refuse to support removal of the long-term interest ceiling largely because this appears, on its surface, to be a move toward higher interest costs—or perhaps merely because the subject is a difficult one to explain. But it seems plain enough that the existence of the ceiling, far from holding down interest, is presently contributing to the substantial rise of the Federal interest burden and to the high level of interest rates generally. Unless Congress means to leave the Treasury in a well-nigh impossible situation in meeting the forthcoming burden of refinancing, it ought to rise above the political fray—"rather than leave undone," as Mr. JAVITS said, "something which is in the national interest."

AGRICULTURE'S MEN OF THE YEAR AWARDS IN GEORGIA, FLORIDA, AND ALABAMA

Mr. RUSSELL. Mr. President, the Progressive Farmer magazine, in its January 1960 issue, devoted an article to the publication's choices for Agriculture's Men of the Year Awards in the States of Georgia, Florida, and Alabama.

In my own State the coveted honor went to the Honorable Phil Campbell. Mr. Campbell is the commissioner of agriculture of my State. He is one of the able young public servants who is devoting himself to the field of agriculture, and I publicly commend him for his many accomplishments, which have brought this recognition from such an authoritative source.

Mr. President, I also noted that the Florida award was presented to Mr. Frank L. Holland, of Winter Haven, Fla., who is the brother of my good friend and our admired colleague in the Senate, SPESSARD L. HOLLAND. It is evident that ability in the agricultural field is among the many talents inherent in the Holland family. The Senator from Florida [Mr. HOLLAND] has served with great distinction for many years on the Senate Committee on Agriculture and Forestry, and, in my opinion, is perhaps the best informed man in the United States on all phases of the culture of citrus fruits.

Mr. President, I ask unanimous consent that the article from the Progressive Farmer, together with related stories from the Winter Haven Herald and the Lakeland Ledger, two of Florida's outstanding newspapers, be printed in the RECORD.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection to the request of the Senator from Georgia?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MR. CAMPBELL—A LIFELONG FARMER WORKING FOR FARM PEOPLE

Phil Campbell, Georgia's commissioner of agriculture, has proved friend to both farmer and all other citizens of the State in these among numerous other ways:

He helped put in a quality program on State farm markets. Georgia farmers are encouraged to produce and sell high-quality fruit and vegetables. He helped plan and complete the building of a $10 million Atlanta State farmers market. He started major improvements on other Georgia farm markets.

He launched a program to get rid of brucellosis in Georgia cattle by 1960. This has saved thousands of dollars for Georgia farmers. Now 157 of the State's 159 counties have been cleaned up.

He started a program to promote meat-type hogs in Georgia and to improve selling of these, so farmers would get better prices.

He has worked to improve quality of Georgia-produced eggs. In spite of price difficulties, Georgia's egg industry is growing.

In cooperation with other southern commissioners of agriculture, he has helped get Federal funds to get rid of screwworms and fire ants in Georgia. He is also behind the program to get rid of white-fringed beetles.

He helped start inspection of poultry processing plants to protect buyers and promote almost nationwide selling of Georgia broilers.

In 1957 he led a movement by Georgia farmers which gives tobacco growers a "say-so" in opening of tobacco markets in their State.

With the cooperation of the extension service and the crop reporting service, he has published a farm history of each county of Georgia.

Mr. Campbell, a native of Clarke County, Ga., has been a dairy and cotton farmer since he was 18. He milked cows and grew cotton on his Oconee County farm while studying agriculture at the University of Georgia. He was elected commissioner of agriculture in 1954 and reelected in 1958. He has continued to live on and operate his farm near Watkinsville.

MR. HOLLAND—RESEARCH HAS LED TO VARIED SERVICE

Frank Lassetter Holland has not only worked for, but has spoken and fought for Florida farmers for more than three decades. As manager of the Florida Agricultural Research Institute since its founding early in 1933, he and his organization have cooperated in every proper way with public agencies and institutions and other farm groups for the good of Florida agriculture and its people.

The institute began with 11 members. It now has 46 commercial and cooperative fertilizer and pesticide manufacturers working closely together. The institute encourages research to find the best fertilization program for specific crops and soils—the program that will produce highest returns from the dollars invested in fertilizer. It works to find the most effective controls for plant insects and diseases; and to obtain legislation fair to both consumer and manufacturer, insisting on proper labeling, sampling, and inspection to protect the consumer.

"The Florida Agricultural Research Institute is always ready to lend a hand with research, but never attempts to influence research results," says Dr. J. R. Beckenbach, director of the Florida Agricultural Experiment Station. "As soon as our research shows the most desirable plant nutrition program, FARI and its member companies adopt it."

As one of the organizers and first chairman of the Florida Agricultural Council, Mr. Holland has helped obtain more nearly adequate State appropriations for agricultural research and extension work. He is secretary of the Florida conference group, composed of representatives of grower organizations, industry, and college. This group has presented the views of Florida agriculture before the Food and Drug Administration and Congress.

He has served as president of the Florida State Horticultural Society, one of the oldest organizations of its kind in the country, with widespread influence in all horticultural fields. In 1954, Frank L. Holland received the Florida Fruit & Vegetable Association's award of distinction.

[From the Winter Haven Herald, Winter Haven, Polk County, Fla., Jan. 15, 1960]

A DESERVED HONOR FOR FRANK L. HOLLAND

Frank L. Holland, one of Winter Haven's most respected professional men and civic leaders, has been honored by being named recipient of the 1959 Man of the Year in Service to Agriculture in Florida award by the Progressive Farmer, foremost agricultural journal of the South. It was the second time in 14 years that a Winter Haven man was so honored, Dr. Arthur F. Camp, former head of the State citrus experiment station at Lake Alfred, having received the award in 1945.

We know of no Floridian more deserving of the award than Mr. Holland, who has been head of the Florida Agricultural Research Institute here since its organization in 1933. Under his experienced guidance the Institute has grown to represent 46 fertilizer and insecticide firms in Florida and its contribution to the agricultural and horticultural growth of the State has been most impressive and far reaching. Holland has proved himself truly the man for the place in his business connections as he has in the many and varied civic activities that have made him a most valuable citizen of Winter Haven. Outstanding has been his service as chairman of the citrus committee of the chamber of commerce for many years. Executive Vice President E. L. Davis of the chamber speaks with deep appreciation of Holland's assistance in an advisory capacity in helping Winter Haven obtain the $1 million USDA citrus research laboratory, the new State plant board buliding, and the new facilities of the State Canners Association. He has also served the community in various other capacities and all spell out a high type of leadership which he has also given to State horticultural and agricultural interests. The Herald and all Winter Haven extends congratulations on this much-deserved recognition.

[From the Lakeland (Fla.) Ledger, January 1960]

FRANK HOLLAND HONORED FOR AGRICULTURAL WORK

WINTER HAVEN.—Frank L. Holland, manager of the Florida Agricultural Research Institute, has been named 1959 Man of the Year for Florida Agriculture by the Progressive Farmer magazine.

The announcement of the award was made by Alexander Nunn, executive editor of the magazine which is received regularly by 1,400,000 southern farm families. A story about the selection of Holland as Man of the Year appears in the January issue of the magazine, Nunn said.

Holland, a brother of U.S. Senator SPESSARD L. HOLLAND, of Bartow, has been associated with the Florida Agricultural Research Institute since it was founded in 1933. Since its inception, the institute has grown from a membership of 11 to a group of 46 commercial and cooperative fertilizer and pesticide manufacturers working to improve Florida agriculture.

CROP FERTILIZATION RESEARCH CONDUCTED

The institute encourages research to find the most effective fertilization programs for specific crops and soils, and for the most effective controls for plant disease and insects. It also works for better farm legislation and legislation to protect the consumer through proper labeling, sampling and inspection.

Holland's career in agricultural improvement work in Florida has brought him previous honors. In 1954 he received the award of distinction of the Florida Fruit and Vegetable Association.

He helped organize and was first chairman of the Florida Agricultural Council; he is secretary of the Florida Conference Group, composed of representatives of grower organizations, industrial establishments and colleges; and he is a past president of the Florida State Horticultural Society, one of the oldest organizations of its kind in America.

A native of Bartow, Holland attended Bartow public schools before entering the University of Florida, where he earned a degree in agriculture.

WORLD WAR I VETERAN

He entered the Army during his last year at the university and during World War I commanded a company of infantry overseas.

The day after his discharge from the Army he obtained a job with a citrus grower in Polk County, and since that time has been associated with citrus industry in all of its phases.

In 1927 he joined the extension service of Florida as Polk County agricultural agent, a post he held until his resignation in 1933 to join the Florida Agricultural Research Institute.

He has been a resident of Winter Haven since 1933 and is a member of the Methodist Church, the American Legion, the Elks Lodge, and the Bartow Chamber of Commerce.

Holland and his wife, the former Miss Dorothy Burwright, of Bartow, live at 324 Avenue B, NE.

Mr. TALMADGE. Mr. President, will my distinguished senior colleague yield?

Mr. RUSSELL. I am delighted to yield to my colleague.

Mr. TALMADGE. I commend my distinguished senior colleague for inserting the articles in the RECORD. And I also commend the Progressive Farmer magazine for the selection of these outstanding men.

Mr. President, I particularly desire to say a word about Georgia's distinguished Commissioner of Agriculture, the Honorable Phil Campbell. He became a member of the General Assembly of Georgia, representing Oconee County, when I was Governor of the State. He made his living, while he was a student at the University of Georgia, milking cows and growing cotton on a farm in Oconee County. He served in the general assembly, while he made a living doing the same kind of work. He was elected the commissioner of agriculture of our State. He is a graduate of the College of Agriculture of the University of Georgia. He has earned and richly deserves all of the honors which have been bestowed upon him. I am pleased to join with my distinguished senior colleague [Mr. RUSSELL] in paying tribute to Mr. Campbell.

Mr. RUSSELL. Mr. President, I am grateful to my colleague for associating himself with the statement I have made and for his own remarks about Commissioner Campbell. I do not know of any higher tribute which he could have paid any individual than the statement he made, that Commissioner Campbell had been able to make a living on the farm for the past 7 years. That is a real accomplishment.

DR. ISRAEL GOLDSTEIN TO DELIVER INVOCATION IN THE HOUSE

Mr. KEATING. Mr. President, I call attention to the fact that Dr. Israel Goldstein, rabbi of Congregation B'nai Jeshurun in New York City, is to offer the invocation this morning in the House of Representatives.

Dr. Goldstein's invocation marks the 100th anniversary of the first prayer delivered by a rabbi before the House. This took place on February 1, 1860, and was delivered by Dr. Morris J. Raphall, then rabbi of Congregation B'nai Jeshurun. Dr. Raphall's prayer of 100 years ago reflected the tension and anxiety of a nation on the brink of a great and costly Civil War. Times have changed, but the patriotism and loyalty of American Jews remain strong.

Mr. President, Dr. Goldstein's prayer is not a beginning. It marks a 100th anniversary. It is a significant reminder of the large and extremely significant role which Jews have played in the history of our Nation.

ANALYSIS OF PRESIDENT EISENHOWER'S FARM PROPOSALS

Mr. PROXMIRE. Mr. President, the Department of Agriculture has sent me an analysis of President Eisenhower's farm proposals which shows that the administration recommendations would during the next 4 years: increase farm output; sharply reduce farm prices; and significantly drop total farm cash receipts.

The Department of Agriculture had sent me a 29-page analysis in reply to my request last year of Secretary Benson to spell out for the Congress the effect of the Eisenhower proposals on farmers in coming years.

The farmers of America are hereby put on notice that their presently depressed income will, according to the administration itself, fall even further if the President's recommendations are put into effect. Already suffering from a 7-year depression, the farmer is herewith told by the administration's own experts that the Eisenhower program spells a further and deeper depression.

To make it worse, farmers can reasonably expect a development that the Department of Agriculture does not assume; that is that the prices farmers pay both for production and family living cost will continue to rise relentlessly in the next 4 years as they have in the past 4. If they do so the farmers' diminishing cash receipts will be eroded another huge 10 percent by 1963.

So the farmer is on notice from this administration that with all the rosy forecasts of a vast growth in American wealth and prosperity, the farmer is going to be left out; that he will remain the No. 1 victim of economic injustice. In this analysis the administration is admitting that it knows this and that it is planning it that way.

The Department of Agriculture report projects an increase of about 6 percent in farm output during the period 1960 through 1963.

The Department analysis would anticipate, under the Eisenhower proposals, a drop of from 10 percent to 12 percent in farm prices during the period.

The smaller drop would be expected under the first of two alternative administration proposals—a "transitional program" with a 35 percent increase in the soil conservation reserve, combined with "some progress towards less rigid support for wheat, tobacco, and peanuts," but with other programs remaining much the same as at present.

The other administration alternative, a "no control" program, assumes "the average level of supports for most of the major mandatory commodities adjusted moderately downward and controls removed on all commodities except tobacco." It would also cut the conservation reserve to 20 million acres.

The report predicts a drop in cash receipts for farmers of $400 million under the "transitional" program, from $31.8 billion in 1960 to $31.4 billion in 1963. It anticipates a decrease of $1.6 billion in cash receipts—from $32.4 to $30.8—if the "no control" program were adopted.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I have received from True D. Morse, Acting Secretary of Agriculture, together with a copy of the extremely significant report referred to. It is my understanding that this is the first time the Department of Agriculture has ever told the American people what the consequences of its own proposals will be if Congress puts them into effect.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., January 29, 1960.

Hon. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: This is in reply to your request for an analysis of the economic effects on agriculture that might result from the adoption of the President's proposals with respect to farm price supports.

As you know, the President's message of last January did not attempt to formulate a farm program in any final or rigid form, but rather urged that Congress take steps to establish more realistic and flexible levels of price support and to move in the direction of easing production controls. In the light of this, it seemed to our analysts that the best way of obtaining the type of estimates in which you are interested was to make them under a number of alternative assumptions

involving a fairly considerable range in the price support level and the degree of production control involved.

Though the actual work in response to your request was undertaken early last year, it was several months before a reasonable satisfactory set of preliminary figures could be obtained for such a comprehensive project. While these preliminary figures were being reviewed, we received other requests for projections of a similar analytic nature and, in making these, advantage was taken of new statistics relating to the current year and of the results of studies that had been made of longtime trends in crop yields. It was thought very desirable, therefore, to reexamine the preliminary analysis made in response to your request in the light of some of our subsequent work and to make the material submitted as up to date as possible.

Accordingly, we are transmitting to you the final results of the work undertaken at your request. The projections involved have been prepared by career technicians of the Department in as objective a way as the basic data and existing analytic methods permit.

Your attention is especially called to the preliminary discussion of the limitation of studies of this type. We all know that, in trying to visualize the effect of a comprehensive program over a period of years, there is a considerable latitude for individual judgment. However, we believe that careful study and judicious use of the estimates will throw light upon the implications of various proposals to alter present farm programs.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

ANALYSIS OF CERTAIN ALTERNATE FARM PROGRAMS

INTRODUCTION

The purpose of this analysis is to indicate the approximate effects of specified farm programs on agriculture output, prices received by farmers, and farm income over the next 4 to 5 years. The alternative programs considered are based in general on the idea that mandatory supports be related to a percentage of recent average market prices, and that steady progress be made in the relaxation of production controls.

SPECIAL PROBLEMS INVOLVED

Analysis of the economic impact of farm program proposals of this nature is especially difficult because of the fact that they necessarily call for a considerable degree of flexibility and administrative discretion. This feature is not, of course, unique to recently proposed programs. In the Agricultural Adjustment Act of 1938, for example, the prescribed loan levels for wheat, cotton, corn, and rice ranged from 52 to 75 percent of parity. However, the fact remains that programs of this type imply no absolute level of price support or degree of production control, but rather a wide range of possibility for both. The only practicable way to analyze the impact of such a program is to estimate the results under a number of alternative assumptions, each of which necessarily involves a considerable degree of artificiality, but can serve to indicate the range of results to which various combinations of price supports, production controls, and export subsidies might lead.

RELATION TO OTHER ANALYSES

Although the present study represents a special analytic effort, it is built upon and related to a number of analyses previously published by the Department. Between 1955 and 1957, several studies of the effects of alternative farm programs have been prepared at the direction of the Congress. The most relevant of these were: "Alternative Methods for Supporting Prices to Farmers and Controlling Production of Milk and Butterfat" (1955); "A Study of Various Two-Price Systems of Price Support and Marketing Which Could Be Made Applicable to Rice" (1955); "Various Methods for Supporting the Price of Cotton" (1956); and "Possible Methods of Improving the Feed-Grain Program" (1957). On its own initiative, the Department also published a study "Estimates of Cost of Programs for Price Support by Direct Payments" in October 1957. The present analysis is in a real sense a continuation of these earlier studies, both in terms of estimating procedures used and program implications. In recent months, 1960–65 projections of agricultural prices and production under specified assumptions were prepared at the request of Senator ELLENDER. The same basic methods of analysis have been used in all these studies, although differences in major assumptions lead to different results.

BASIC ASSUMPTIONS

Overall economic framework

For the economy as a whole, it is assumed that upward trends in population, productivity, and real income per capita will continue; and that retail prices and prices paid by farmers will not rise significantly above current levels. The projections corresponding to these assumptions are shown in the following table:

TABLE 1.—*Overall economic assumptions*

Item	Unit	1958	Projected			
			1960	1961	1962	1963
Population [1]	Million	174.1	179.8	182.6	185.4	188.1
Disposable income [2]	Billion dollars	310.5	338.0	351.0	364.0	378.0
Per capita disposable income [2]	Dollars	1,784	1,878	1,919	1,959	2,003
Retail prices	1947–49=100	123.5	124	124	124	124
Prices paid by farmers including interest, taxes, and wages.	1910–14=100	293	300	300	300	300

[1] Total population including Armed Forces overseas. Figure for 1960 is Census Bureau projection. Estimates for other years later than 1958 are interpolations based on Census Bureau projections for 1960 and 1965.
[2] Income estimates for 1960 and later years assume 1958 price level.

PROGRAM ASSUMPTIONS

The number of specific program assumptions that could be made under the present proposals are very large indeed. With respect to production controls, for example, one might assume no controls over the next 5 years, fairly strict controls, or some progression from fairly strict controls to no controls. With respect to price supports, many combinations are also possible, such as 90 percent of the previous 3-year average applied generally, 75 percent of that average applied generally, or something in between. With respect to exports, various levels of commercial sales, subsidized sales, or grants for economic development might be assumed. After examining a considerable number of possible alternatives, three were selected for intensive analysis, although the implications of several others will be discussed. The three program assumptions are as follows:

1. That present programs continue in effect for cotton, corn, rice, and dairy products, and that support levels for other major mandatory commodities (wheat, tobacco, and peanuts) are 90 percent of the average price received for the 3 preceding years, plus a degree of control sufficient to keep production of tobacco and peanuts in line with normal domestic consumption and recent levels of export. For wheat, controls are assumed to be sufficiently stringent to bring about a gradual reduction in stocks. It is also assumed that a conservation reserve program is in effect. Opinions as to what constitutes a desirable acreage reserve level vary considerably within a range of about 30 to 50 million acres, and no attempt was made to establish any particular optimum level. For analytical purposes, however, it was assumed that acreage within that program increases gradually to a level of about 40 million acres by the end of the period. In the following writeup, this group of assumptions is referred to as the "transitional" program, or program I.

2. That the major commodities for which price supports are mandatory are supported at 90 percent of the average price received by farmers for the 3 preceding years and that, except for tobacco, no production controls are in effect. Under this set of assumptions, the conservation reserve program is held at the 1959 level of about 20 million acres. This set of assumptions is referred to as "no controls" or program II.

3. That the prices of the major mandatory commodities are supported at 90 percent of the average price received by farmers for the 3 preceding years, but with a degree of control sufficient to keep production of this group of commodities, except corn and dairy products, in line with normal domestic and recent levels of exports. The assumption of a conservation reserve rising to 40 million acres is also retained. During the course of the analysis, it developed that the results under this set of assumptions were not significantly different from those under the "transitional" program. Hence, this analysis is focused on the "transitional" and "no controls" programs, with only limited reference to this third set of assumptions.

Under each of the three program assumptions it is further assumed that for the principal export crops the relatively high levels of exports reached during recent years will be maintained over the next 4 or 5 years, whether through commercial exports, Government programs, or some combination of both. This is in line with the efforts being made to find additional outlets for our farm products abroad in the interest of promoting peace and economic development.

The first, or "transitional," assumption is used because it recognizes the possibility that the present programs for cotton, corn, rice, and dairy products may well be continued without great change, but that some progress may be made toward less rigid support levels for wheat, tobacco, and peanuts. The second, or "no controls," set of assumptions is designed to show the results if the average level of support for most of the major mandatory commodities is adjusted moderately downward and controls are removed on all commodities except tobacco. In this latter case, controls were retained for tobacco because of the small acreage involved, the great uncertainty as to what would happen if controls were dropped and the fact that controls on tobacco have been relatively successful, with tobacco growers approving acreage limitations on most types by heavy majorities.

The estimates arrived at under these two assumptions are shown in considerable detail. The basic tables for the principal commodities affected by price support programs

typically show production, prices, cash receipts, exports, acreage, and changes in stocks.

Since a flexible range of price supports between 75 and 90 percent of the average market price during the immediately preceding years has been widely discussed, the question may well be raised as to why a set of estimates is not presented across the board at the 75-percent level. The reason for this is that there have been no indications that supports at this level would be employed generally or for any extended period. However, there may be instances where it would be desirable to reduce supports toward this lower level, and the implications of these will be discussed separately after presentation of the results arrived at under the two principal analytic assumptions.

Limitations of the study

Any analysis of this type is subject to a number of important limitations that must be borne in mind if the results are to be usefully interpreted. Accordingly, these will be discussed in some detail.

1. The estimates presented are built on a review of average statistical relationships between supply, prices, and consumption and longtime trends, toegther with the judgment of specialists in the respective commodity fields. The individual commodity estimates are not of uniform reliability. Statistical information and knowledge of economic relationships differ widely among commodities. The production response of crops that have been under control for long periods are particularly difficult to estimate under competitive conditions. Unfortunately, this applies to two of the most important and controversial crops; namely, cotton and wheat. Further, margins of error are especially wide for crops whose acreage and production are normally very small.

2. Estimates of commodity aggregates tend to be more reliable than those for individual commodities, and larger aggregates tend to be more reliable than smaller ones. Thus, it would normally be expected that estimates for a large crop such as corn would be subject to a smaller percentage of error than for a small crop such as rye; that estimates for grains as a total would be more accurate than the estimates for any single grain; and that estimates for the total of all crops would be more accurate than those for subaggregates, such as food grains and feed grains.

3. Analysis of a program applied to agriculture as a whole is inherently more difficult and more subject to error than analysis of a proposed program applicable to a single commodity or to a few related commodities. For example, in analyzing the impact of proposed changes in a particular program, such as dairy products or cotton, one can proceed on the assumption that other influences within the agricultural economy can be held constant. In analyzing an overall program, this simplifying assumption is precluded. One must, for example, consider all the interrelationships among such crops as cotton, wheat, feed grains, and soybeans, and in turn, the interrelationships among the feed grains and all the livestock items. It is obvious that this problem not only makes the analysis far more complicated, but multiplies the possibility of error for individual commodity estimates.

4. The application of uniform program assumptions to all commodities introduces a degree of artificiality that may be unrealistic for particular commodities. However, any attempt to avoid this by introducing numerous special assumptions for particular commodities would require prejudgment of policy decisions. The introduction of adjustments of this sort is obviously beyond the scope of this particular study.

5. The study is limited to the effects of the assumed conditions on production, prices, cash receipts, and changes in stocks. The equally important problem of Government cost, which involves estimates of storage cost, administrative expenses, and losses in export subsidies was not a part of the study.

GENERAL CONCLUSIONS

Before presenting the numerical results, a few general observations are in order.

1. There is hardly any doubt but that high support levels have contributed to excessive production, increasing surplus stocks, and high Government costs.

2. The downward adjustment of agricultural production to lowered support prices, particularly for wheat, cotton, and the feed grains, necessarily takes place over time, and the rate of adjustment cannot be gaged with any high degree of accuracy. Having made relatively large investments in land and capital equipment, farmers are reluctant to reduce inputs until the prospect of low prices over a fairly long period become rather definitely established. Thus, the shorter the adjustment period that is looked at in conjunction with lower prices, the poorer appears the price and income position of the farmers. The longer the period, the more likely that farmers will reduce excessive commitments, turn to better alternatives, and bring about some improvement in their price and income position.

3. The prospects of improving agriculture's position through greater flexibility in price supports is not uniform for all segments. The most promising area for the introduction of additional price flexibility is in the livestock-dairy-feed sector, provided that some means can be found for preventing excess acreage in wheat and cotton from being diverted into production of surplus feed supplies.

4. The question of the nature and size of any conservation reserve program is of very great importance. The more effectively this can be carried out in the cotton and wheat growing areas, the better the chance of bringing about needed adjustments, of limiting the decline in income received by producers of these crops, and of introducing more flexible and competitive pricing in the livestock-dairy-feed segment.

5. Finally, it needs to be especially emphasized that there are numerous program alternatives to those actually selected for analysis. The principal objective here has been to contrast results under something close to the present program with those under a program that shifted gradually to reduced supports and quite rapidly to freedom from controls. The temporary imposition of stringent emergency controls on a major commodity such as wheat could greatly alter the projected carryover situation.

SOME OVERALL QUANTITATIVE RESULTS

This section summarizes the results of the two principal program assumptions in terms of prices received by farmers, the index of farm output, cash receipts from farm marketings, and total acreage. Projections are given for the 4 years, 1960–63. Nineteen hundred and fifty-nine is omitted, since the analysis was made during that year, and comparisons between actual forecasts for 1959 and what might have happened under certain hypothetical programs have little meaning. Attention is best focused on the last 1 or 2 years, as it is only toward the end of the period that the assumed programs would have had sufficient time to make their influences felt throughout the farm economy as a whole.

Most of the comparisons made are between the 1963 projections and the actual average for the years 1955–57. This base period appears to be a better point of reference than 1958 which was influenced by a number of factors that caused farm income to be relatively high. The livestock markets were unusually strong; a record crop output augmented income from crops placed under CCC loans; delayed harvests in 1957 pushed marketings from some crops into 1958; and there was some increase in soil bank payments to farmers. Following are some of the highlights as presented in table 2:

1. Under both programs the assumed reductions in support prices would necessarily mean a drop in the general level of prices received by farmers. The average level projected for 1963 under program I is about 9 percent below 1955–57, while under program II, the drop would be about 13 percent. However, the drop in prices received for crops is appreciably greater than for livestock. The average projected level for crops in 1963 under program I is about 15 percent below 1955–57 as compared with about 5 percent for livestock. Under program II, the corresponding declines are 18 and 10 percent. The decline in crop prices is primarily a reflection of the decline in support levels. Livestock prices will, as usual, follow feed-grain prices downward as larger livestock output is stimulated. However, the drop will not be as great as for crops, due to the higher price and income elasticity of livestock products and also to the influence of factors other than feed in production and prices of livestock.

2. Increases in total farm output are substantial under both programs. Under program I, the projected increase in the index of farm output in 1963 is about 14 percent higher than in 1955–57, while under program II, the increase is approximately 18 percent. The increase in the livestock segment by 1963 is about 17–18 percent above 1955–57 under both programs. This is due to the stimulation of livestock production through lower feed prices combined with a continued growth in demand. The rise in crop production, largely from the expansion of wheat and cotton, is restrained by acreage controls and the influence of the conservation reserve program. Projected output of crops in 1963 under program I is about 10 percent higher than 1955–57. With the relaxation of controls, crop output rises to a level about 15 percent above 1955–57. A large part of the increase in crop output under both programs is due to the assumption of a gradual longtime increase in yields.

3. In general, the assumed decline in prices received is somewhat more than offset by the increased output in the farm economy as a whole. Thus, compared to 1955–57, cash receipts in 1963 are about 5 percent higher under program I, while under program II, they are about 3 percent higher. There is a considerable difference between the position of livestock and crops. With the relatively larger increase in output and the relatively smaller decrease in prices, cash receipts from livestock under program I are projected to be about 14 percent higher than in 1955–57, while cash receipts from crops are projected to be about 6 percent lower. Under program II, however, a further decine in livestock prices results in cash receipts from livestock only about 8 percent above 1955–57. But with production restrictions removed from crops under program II, increased sales tend to offset some further decline in projected prices, so that total cash receipts from crops projected under this program are still only about 3 percent below the level of 1955–57.

4. Under the transitional program, planted acreage in 1963 is appreciably lower than in 1955–57 due to the gradual expansion of the conservation reserve program. The actual projected drop is about 22 million acres. Under the noncontrol assumption, all of this acreage would be planted, and the total shown is about 3 million acres that actually were planted during 1955–57.

5. The most significant differences between the results under the transitional program and those under the no-control program are not those affecting cash receipts, but those affecting the carryover situation. Under the transitional program, production controls, together with the conservation reserve, tend to put a brake on stock accumulation. Carryovers of wheat and cotton would be somewhat reduced, but stocks of feed would continue to rise. Under the no-control program, however, marked accumulations would take place in the carryover levels of cotton and wheat, though this would be accompanied by an appreciable decline in the level of feed grain stocks.

Note on conservation reserve program

The importance of assumptions with respect to the size of the conservation reserve program for this or any other analysis requires special emphasis. If the number of acres in such a program is increased sufficiently, it serves as a substitute for direct controls and tends to eliminate the surplus problem. If, on the other hand, this program is eliminated or held at a very low level, the surplus problem tends to reemerge. Anyone can vary the results of this analysis quite considerably by making large changes up or down in the conservation reserve assumption.

Payments under the conservation reserve program will also serve to increase cash receipts to farmers somewhat above the levels indicated by the projected cash receipts from farm marketings. It is not possible, however, to produce a very firm estimate of how much this supplementary income might be under the two major program assumptions analyzed here without greatly expanding the scope of the present study. This is especially true under program I where the conservation reserve is gradually increased to a level of 40 million acres. With direct production controls on a number of commodities, notably cotton and wheat, there would be a strong tendency for the uncultivated acres to go into feed grains, the production of which is not controlled. The larger the size of the soil bank program, the greater the number of acres that must be taken out of cropland having good alternative uses. Under program II where only 20 million acres are kept in the conservation reserve, the payments would remain relatively low, probably adding not more than a quarter of a billion dollars to farm income. With the program totaling 40 million acres, average payments would probably have to be increased and total payments would likely be more than double the one-quarter billion dollars estimated under program II.

In the two sections that follow the projections for both the livestock and crop sectors are presented in somewhat more detail.

THE FEED-LIVESTOCK SECTOR

The impact of the alternative programs on this sector merit separate treatment. All parts of the sector are highly interrelated, and the statistical and economic knowledge concerning the interrelationships is somewhat better than for other parts of the farm economy. The data on which the subsequent discussion of both the livestock and crop segments is based will be found in tables 3 through 7.

Results under program I

Feed Grains—Production and Prices

Under this assumption the price of corn might be expected to decline gradually to about 95 cents by 1963. The decline in corn prices is limited by the operation of the provision in current legislation requiring support at not less than 65 percent of parity. Total acreage planted to feed grains rose to 158 million acres in 1959 compared with 150.6 acres in 1958. From this level, acreage is expected to decline to about 149 million acres by 1963. This would be about 8 percent below the 1955–57 average.

With normal weather, as compared with very good weather in 1958 and 1959, total feed grain output might be expected to drop from 158 million tons in 1958 and 167 in 1959 to around 150 to 152 million tons in the period 1960–63. This takes into account the long-time upward trend in yield and a small reduction in acreage. Projected production on the 4-year period would be about 12 percent above the 1955–57 average.

Livestock—Production and Prices

As a result of this rise in production, average annual supplies of feed grains throughout the 5-year period would be in excess of 230 million tons. With lower feed prices and continued large supplies, the number of grain consuming animal units under program I might rise to about 184 million in 1963 compared with 176 million estimated for 1959, an increase of 5 percent. Compared with the 1955–57 average, this would be a rise of nearly 13 percent.

Production responses for hogs, beef cattle, and broilers would all be appreciable, with projected increases of about 17 percent, 20 percent, and 48 percent respectively above the 1955–57 level. With increased supplies of these commodities, prices received by farmers would tend to show appreciable declines. For hogs, prices might drop to an annual average of around $13 per hundredweight by the end of the period. These projections for hogs are stated in terms of normal or average relationships, ignoring cyclical fluctuations that might take place. For cattle, the projected price is $16.25 per hundredweight, about 2 percent above the 1955–57 average. The projected declines in the prices of broilers and eggs from 1955–57 would be around 21 and 12 percent respectively.

Milk production might be expected to rise from about 125 billion pounds in 1955–57 to about 136 billion pounds by 1963, an increase of 9 percent. However, the price of milk at wholesale would be about the same as in 1958.

Effects on Cash Receipts

Since the expansion in output provides a considerable offset to the decline in prices, the change in projected cash receipts is fairly moderate. By 1963, total cash receipts from livestock and livestock products are projected at about 18.8 billion dollars compared with 16.5 billion dollars received in 1955–57, but there would be a slight drop in cash income received directly from feed grains. However, the income for feed usually represents only about 10 percent of total cash receipts from the total livestock feed complex. Therefore, projected cash receipts from livestock, livestock products and feed grains combined by 1963 would be about 11 percent above the 1955–57 average.

Effects on Feed Supplies

The projected expansion in grain consuming animal units, plus other domestic uses, would come close to consuming projected feed grain production by 1963. This, however, would not be enough to bring about a reduction in current carryover stocks of feed grains, which are expected to exceed 79 million tons at the end of the 1959–60 marketing year. There might in fact be some further increase in stocks over the 5-year period unless some way were found to expand exports above the recent high level of around 13 million tons.

Results under program II

Feed Grains—Production and Prices

Under this assumed program, the price supports on corn would be somewhat lower than under program I. Corn prices might reach a level of about 85 cents a bushel by 1963 compared with 95 cents under the transitional program. This lower price, combined with expanded acreages of wheat and cotton under the assumption of no controls, would tend to contract feed grain acreage, which is projected at about 145 million acres compared with 149 million acres under program I. This contraction in acreage would be accompanied by a decline in total output of feed grains, which is projected at 148 million tons as compared with 152 million under program I, and the record output of nearly 167 million tons in 1959.

Livestock—Production and Prices

The projected drop in the feed grain prices would give a further stimulus to the output of cattle, hogs, poultry and eggs, accompanied by some further small declines in the prices of these products. In the case of dairy products, however, the drop in the support price due to the use of 90 percent of the 3-year average would give a projected average wholesale price of all milk of $3.74 per hundredweight compared with $4.15 under program I. This would also tend to decrease milk output slightly below that projected for program I, and bring a decline in cash receipts of around 14 percent.

Effects on Cash Receipts

All in all, the price-production pattern envisioned under program II would result in cash receipts from livestock and livestock products in 1963 of about $17.8 billion compared with about $18.8 billion under program I and $16.5 billion received in 1955–57. Because of reduced feed grain output and lower prices, there would be a further decline in cash income received directly from their sale. Cash receipts from livestock, livestock products, and feed grains combined are projected at about $19.5 billion under program II compared with $20.7 billion under program I, a drop of nearly 7 percent.

Effects on Feed Supplies

The projected production of feed grains under this program would be less than required by the expansion of grain-consuming livestock. Accordingly, this deficiency would be made up by increased utilization of the large supplies of feed grains, with the annual reduction in stocks accelerating markedly by the end of the period. Thus, projected stocks of feed grains would be down to around 63 million tons by the close of the 1963–64 marketing year compared with an expected 80 million ton carryover into 1960–61. This carryover, however, would still be above the 1955–57 average of 50 million tons.

It would appear, therefore, that by the end of the period we would be approaching a situation in which feed grain prices might be expected to show increasing strength. This in turn would tend to check the increase in grain consuming animal units and strengthen the income position of the whole livestock segment. It should be emphasized, however, that this favorable development is predicated on the program assumptions which permit a large expansion in acreage devoted to wheat and cotton.

THE CROP SECTOR

In estimating the impact of the assumed alternative programs on crops, attention has been focused on a limited number of commodities, principally feed grains, which have already been discussed, wheat, cotton, soybeans, rice, peanuts and tobacco. Specific estimates are not presented for minor crops such as flaxseed and tung nuts. Furthermore, no analysis has been made for fruits and vegetables, as this important segment does not come within the scope of the central price support and production control program. However, in building up overall estimates under the different programs, an allowance has been made for

fruits and vegetables, as well as for many other commodities on the basis of recent trends in production, prices, and cash receipts.

Results under program I

Cotton

The projections for cotton are carried out under the assumption that the present program continues over the 5-year period. Under this assumption, the governing factors in the supply situation are the minimum acreage allotment limitation of 16.3 million acres and the gradual decline in support prices. In this connection, it should be noted that actual projected acreage in any particular year may be below the 16.3 million level because of the combined effects of abandonment and the conservation reserve program.

Under the specified conditions, acreage would rise from the low level of 12.4 million in 1958 to a projected 15 million in 1963, but the latter would be more than a million acres less than the 1955–57 average. Production would be higher than the 1955–57 average of 13 million bales, totaling approximately 14 million bales in 1963. Projected prices received would decline gradually from the 33.1 cents per pound received in 1958 to an assumed level of 26.2 cents in 1963. However, even with the expansion in production, there would not be much change in cash receipts, which are projected at about 1.9 billion dollars in 1963, about the same as in 1958 and slightly below 1955–57. Under the above conditions, stocks in 1963 might be about the same as the 8.9 million held in 1958. This compares with an average carryover of 11.5 million bales during 1955–57.

Wheat

This program involves the assumption that restraints on production, including the conservation reserve, will keep the output of this commodity in line with normal domestic consumption and some increase over recent export requirements, and also bring some reduction in stocks. Two specific alternatives have typically been advanced for wheat; namely, relaxation of controls and an intensification of them. The wheat assumption adopted under program I is used to illustrate the effects of the latter alternative.

Under such a program, wheat acreage would have to be reduced from 56.4 million acres in 1958 to not more than 50 million in 1960–63, while production would also have to drop from 1,462 million bushels in 1958 to a projected level of about 1 billion during 1961–63. This would be about 5 percent above the 1955–57 average. Furthermore, under the formula of 90 percent of average prices in the 3 preceding years, the average price received would drop from $1.72 a bushel in 1958 to around $1.32 in 1963. Given this combination of smaller production and lower prices, cash receipts from wheat would decline to an estimated $1.25 billion in 1963, about 30 percent less than in 1955–57. This would account for most of the projected decline in total cash receipts from crops from 1955–57 to 1963 under program I.

Although a program of this type would by definition bring about a gradual decline in surplus wheat stocks, total carryover by 1963 would still be in the neighborhood of a billion bushels. In order to bring about a further decrease in the size of this surplus, annual exports would have to be increased above the assumed 450–525 million bushels, or production further restricted below the assumed level of 50 million planted acres.

Tobacco

For this commodity, the present control program was retained for reasons already indicated, but with a projected decline in the level of price supports. Here, the result is a stable acreage, gradual increase in the production of flue-cured and burley tobacco, an appreciable decline in prices received, but with the expansion in production approximately offsetting the price decline. Thus, by 1963 cash receipts from flue-cured tobacco remain at about the 1955–57 level and those from burley somewhat lower. Furthermore, there is an appreciable decline in carryover of both types between 1958 and 1963.

Other

A number of changes, either up or down, are projected for cash receipts from soybeans, rice, and peanuts, as indicated in table 6. These crops, however, have little effect on the total level of cash receipts.

Results under program II

Using 90 percent of average prices in 3 preceding years as the basis of supports, abandoning controls on all commodities except tobacco, and reducing the conservation reserve has relatively little effect on total cash receipts from crops. Thus, by 1963, cash receipts from crop marketings under program II are projected at $13 billion, compared with $12.6 billion under program I. The comparable figure for 1955–57 is $13.5 billion. However, there are marked differences in the economic implication of program II as compared with program I for individual crops.

Cotton

There is hardly any doubt but that with the high initial support rates, a marked expansion would take place in cotton production at the outset, and surpluses would accumulate at an accelerating rate. For example, the acreage projection under program II in 1963 is 21.2 million compared with 15.6 million under program I. This does not seem unreasonable in view of the fact that planted acreage of cotton has exceeded 25 million as recently as 1953. It is extremely difficult to make a reliable forecast of possible production on this acreage under a situation involving no controls, but it is reasonable to assume that the upward trend in yields would continue and that the result might be an annual production of over 18 million bales. Even with total disappearance estimated at the relatively high rate of 14 to 16 million bales annually, the result would be a rapid acceleration of stock accumulation. However, if the price level reached by 1963 were to continue or decline somewhat further, one might expect some acreage contraction to develop. With 4 to 5 million bales being added each year, total carryover by 1963 could reach the startling level of around 24 million bales.

On the income side, the sharp increase in production would be offset in considerable part by the drop in price which is projected to reach about 23.4 cents in 1963 under program II compared with 26.2 cents under program I. Cash receipts would rise slightly with a projected total of $2.2 billion in 1963 under program II compared with $1.8 billion under program I, and slightly above $2 billion in 1955–57. But the cost of income maintenance in this particular instance would be the rapid increase of Government holdings of cotton.

Wheat

Without production controls, and with support prices initially at relatively high levels, it would be expected that the planted acreage of wheat under program II would jump sharply above the average of recent years. Because of the lack of knowledge as to what would happen under conditions of sudden decontrol, it is extremely difficult to project year-by-year changes in wheat acreage with any high degree of confidence. The projections made under program II portray a middle course between the hypothesis that a gradual lowering of the wheat price would bring about a rapid and appreciable reduction in acreage, and that which postulates a much slower downward adjustment, or even an increase in the short run. What is shown here is a large initial jump from an average of 56 million acres in 1955–57 to 67 million in the first year of decontrol, after which the increase in acreage is slowed up, coming to a halt in 1963 at the assumed price level of $1.23 a bushel.

Even after allowing for some drop in yields on the larger acreage that would be planted in the absence of controls, annual production in 1963 under program II is projected at close to 1,200 million bushels compared with 1,030 million under program I, and an average output of 963 million bushels in 1955–57. The output of 1,462 million bushels attained in 1958 on about 56 million acres was due to an extraordinary yield. This is unlikely to be duplicated in the near future.

There would be a small improvement in cash receipts from wheat under program II compared with program I since the price is lowered only moderately by the large production relative to disappearance. The projections are about $1,370 million and $1,250 million respectively. The comparable figure for 1955–57 is $1,740 million.

For wheat, as for cotton, program II means a further accumulation of stocks. Under this program, total wheat carryover is projected to over 1.5 billion bushels compared with about 1.0 billion under program I and about 1.3 billion at the beginning of the 1959 crop year.

Tobacco and Other Crops

The position of tobacco under program II is by assumption the same as under program I, and cash receipts from soybeans also remain virtually unchanged. Output of rice and peanuts, as well as cash receipts, rise somewhat under the assumption of no controls, and this is accompanied by a very marked rise in the stocks of these two commodities. However, the total impact of the changes occurring outside of wheat, cotton, and the feed-livestock sector is relatively small.

Note on the conservation reserve assumption

Under program II, it is assumed that the conservation reserve is maintained at the 20-million acre level. Another possible alternative would be to maintain the general assumption of no production controls but to increase the acreage reserve to around 40 million acres as under program I. It is difficult to say exactly what this might mean for farm prices and income, but it is fair to assume that these would be higher than under program II, perhaps tending to approximate the level of program I.

FURTHER LOWERING OF SUPPORT LEVELS

Although supports at 90 percent of the previous 3-year average without controls, as analyzed under program II, would probably result in a gradual reduction in the carryover of feed grains, stocks of cotton and wheat would increase. This raises the question as to whether a further lowering of support levels would impose any real check on the expansion of these crops. This is an extremely difficult question to answer satisfactorily, as an additional drop in the prices for these commodities pushes us still further beyond the range of recent economic and statistical experience. For example, use of the 75 percent principle over a period of 5 years would permit dropping the wheat price to around 85 cents a bushel, corn to around 70 cents a bushel, and cotton to about 20 cents a pound.

However, if supports were gradually reduced toward these levels, there is hardly any doubt that they would begin to impose appreciable checks upon output and lead to gradual reduction in stocks. Lowered prices

would be partially offset by larger marketings, but total cash receipts would decline somewhat below those projected for program II.

It might also be pointed out that these broad conclusions assume, as in the case of program II, an acreage reserve of 20 million acres. If this were increased to between 30 and 40 million acres, it would presumably be possible to bring about a rough equilibrium within agriculture at a price level somewhat above that which would result from the continued application of the principle of price support at 75 percent of the market price for the 3 preceding years. An acreage reserve of 50 million acres would, of course, mean a further strengthening of prices.

TABLE 2.—*Cash receipts, index of farm output, index of prices received by farmers, and acreage, under alternative programs, 1960–63, with comparisons*

Item	Unit	Average, 1955–57	1958	Transitional program [1]				No-control program [2]			
				1960	1961	1962	1963	1960	1961	1962	1963
Cash receipts:											
Livestock [3]	Billion dollars	16.5	19.3	18.9	19.0	18.9	18.8	18.6	18.6	18.1	17.8
Crops	do	13.5	14.3	12.9	12.8	12.6	12.6	13.8	13.5	13.2	13.0
Total [4]	do	30.0	33.6	31.8	31.8	31.5	31.4	32.4	32.1	31.3	30.8
Index of prices received by farmers: [5]											
Livestock	1910–14=100	235	273	252	244	235	225	247	237	224	212
Crops	do	230	223	210	205	199	196	206	200	193	188
All farm products	do	232	250	233	226	218	212	228	220	210	201
Index of farm output:											
Livestock	1947–49=100	121	125	129	134	138	142	130	134	139	143
Crops	do	106	118	113	114	115	117	118	120	121	122
All farm products	do	114	124	122	125	127	130	126	129	131	134
Acreage:											
Planted	Million	344	330	329	326	322	322	349	348	347	347
Total [6]	do	358	357	359	360	362	362	369	368	367	367

[1] Present program for cotton, feed grains, rice and dairy with 90 percent of average price in 3 preceding calendar years and controls for wheat, peanuts, and tobacco.
[2] 90 percent of average price in 3 preceding calendar years with controls only on tobacco.
[3] Includes an allowance of $250,000,000 for miscellaneous livestock products.
[4] Includes an allowance of 6 percent to cover miscellaneous items. Income from crops obtained by subtracting adjusted livestock figure from total.
[5] For years covered in the projection the index is not strictly comparable to that reported by the Crop Reporting Board. This difference is due to the use of crop years in the computations made for 1960–63, while the Board used calendar years. Based on crop year data, the index in 1958 was 249.
[6] Acreage and conservation reserve program both in effect 1956–58. Only conservation reserve during 1960–63.

TABLE 3.—*Acreage, planted and total: Estimates based on alternative farm programs, projections for 1960–63 with comparisons (million acres)*

Crop	Average, 1955–57	1958	Transitional program				No-control program			
			1960	1961	1962	1963	1960	1961	1962	1963
Corn	77.8	74.7	83.5	82.0	81.5	81.5	83.0	81.5	81.0	81.0
Oats	44.9	38.4	35.0	35.0	34.0	34.0	34.5	34.5	34.5	34.5
Barley	15.9	16.3	16.0	15.0	14.5	14.5	14.0	13.0	12.5	12.5
Sorghum grain	24.2	21.2	20.0	19.5	19.0	19.0	18.5	17.5	17.5	17.5
Total feed grains	162.8	150.6	154.5	151.5	149.0	149.0	150.0	146.5	145.5	145.5
Wheat	56.3	56.4	50.0	50.0	50.0	50.0	67.0	69.0	70.0	70.0
Rice	1.6	1.4	1.6	1.6	1.6	1.6	2.4	2.4	2.4	2.4
Cotton	16.5	12.4	16.2	15.7	15.1	15.1	22.3	22.0	21.5	21.2
Soybeans [1]	20.0	23.8	25.1	25.1	25.0	25.3	25.1	25.3	25.6	25.8
Peanuts [2]	1.5	1.5	1.8	1.8	1.8	1.8	2.0	2.0	2.0	2.0
Tobacco [1]	1.3	1.1	1.1	1.3	1.3	1.4	1.1	1.3	1.3	1.4
Hay	74.0	73.0	70.0	69.5	69.0	69.0	70.0	70.0	70.0	70.0
Total items shown	334.0	320.2	320.3	316.5	312.8	313.2	339.9	338.5	338.3	338.3
Total planted 59 crops	344.2	330.4	329.3	325.5	321.8	322.2	348.9	347.5	347.3	347.3
Soil bank	[3] 19.5	[4] 27.0	30.0	35.0	40.0	40.0	20.0	20.0	20.0	20.0
Total acreage	357.3	357.4	359.3	360.5	361.8	362.2	368.9	367.5	367.3	367.3

[1] Harvested.
[2] Picked and threshed.
[3] Average of combined acreage and conservation reserve programs during 1956–57.
[4] Includes acreage and conservation reserve programs. For 1960–63 the soil bank projections include only the conservation reserve.

TABLE 4.—*Production: Estimates based on alternative farm programs, projections for 1960–63 with comparisons*

Commodity	Unit	Average, 1955–57	1958	Transitional program				No-control program			
				1960	1961	1962	1963	1960	1961	1962	1963
Livestock:											
Cattle and calves	Million pounds	27,521	27,698	29,000	30,400	31,700	33,000	29,100	30,400	31,800	33,200
Hogs	do	19,125	19,421	21,100	21,700	22,100	22,400	21,500	22,100	22,800	23,600
Milk	Billion pounds	124.8	125.2	126.0	129.0	132.5	136.0	125.5	127.5	130.0	133.0
Eggs	Million dozens	5,022	5,057	5,042	5,433	5,517	5,633	5,042	5,433	5,583	5,683
Broilers	Million pounds	4,101	5,431	5,610	5,824	5,940	6,056	5,610	5,824	6,022	6,204
Crops:											
Corn	Million bushels	3,369	3,800	4,020	3,975	3,985	4,015	3,995	3,950	3,960	3,990
Oats, barley, and sorghum grain	Million tons	40.4	51.3	39.8	39.0	38.4	39.1	37.2	36.0	36.0	36.1
Total feed grains	do	134.7	157.7	152.4	150.3	150.0	151.5	149.1	146.6	146.9	147.9
Wheat	Million bushels	963	1,462	977	995	1,012	1,030	1,164	1,187	1,192	1,192
Cotton	Million bales	13.0	11.5	14.5	14.2	13.9	14.1	18.6	18.6	18.6	18.5
Soybeans	Million bushels	436	574	565	575	580	595	565	580	590	605
Rice	Million hundredweight	49.4	47.0	52.0	52.8	53.6	54.4	75.6	76.8	78.0	79.2
Peanuts	Million pounds	1,531	1,836	1,650	1,700	1,750	1,800	2,200	2,200	2,200	2,200
Tobacco, all	do	2,012	1,736	1,713	1,980	2,050	2,120	1,713	1,980	2,050	2,120
Flue-cured	do	1,294	1,081	1,075	1,250	1,300	1,350	1,075	1,250	1,300	1,350
Burley	do	488	466	450	510	525	535	450	510	525	535

TABLE 5.—*Prices received by farmers: Estimates based on alternative farm programs, projections for 1960–63 with comparisons*

Commodity	Unit	Average, 1955–57	1958	Transitional program				No-control program			
				1960	1961	1962	1963	1960	1961	1962	1963
Livestock:											
Cattle	Dollars, hundredweight	15.90	21.90	20.50	19.50	18.00	16.25	20.00	19.00	17.50	15.75
Hogs	do	15.70	19.60	14.00	13.75	13.50	13.00	13.50	13.25	12.50	12.00
Milk, wholesale	do	4.12	4.12	4.15	4.15	4.15	4.15	4.05	3.97	3.79	3.74
Butterfat	Dollars, pound	.592	.585	.570	.570	.570	.570	.557	.585	.660	.660
Eggs	Cents, dozen	37.8	38.3	38.0	34.5	34.1	33.3	38.0	34.0	32.6	31.3
Broilers	Cents, pound	21.2	18.5	17.6	17.5	16.9	16.8	17.4	17.3	16.3	16.1
Crops: [1]											
Corn	Dollars, bushel	1.25	1.11	1.00	.98	.97	.95	.97	.95	.90	.85
Oats	do	.66	.58	.53	.52	.52	.50	.52	.50	.48	.46
Barley	do	.95	.89	.78	.75	.75	.73	.75	.73	.70	.67
Sorghum grain	Dollars, hundredweight	1.93	1.76	1.50	1.45	1.45	1.40	1.45	1.40	1.35	1.30
Wheat	Dollars, bushel	1.96	1.72	1.61	1.51	1.42	1.32	1.58	1.46	1.36	1.23
Cotton	Cents, pound	31.22	33.10	29.16	28.10	26.20	26.20	27.27	26.10	24.50	23.36
Soybeans	Dollars, bushel	2.16	2.00	1.75	1.70	1.65	1.60	1.75	1.60	1.60	1.60
Cottonseed	Dollars, ton	49.70	43.80	34.00	34.00	34.00	34.00	39.00	35.00	30.00	32.00
Rice	Dollars, hundredweight	4.93	4.81	4.79	4.56	4.32	4.34	4.65	4.57	4.48	4.41
Peanuts	Cents, pound	11.1	10.6	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Tobacco, all	do	54.3	59.5	53.7	52.8	50.7	50.0	53.7	52.8	50.7	50.0
Flue-cured	do	53.2	58.2	53.0	52.0	50.0	50.0	53.0	52.0	50.0	50.0
Burley	do	60.8	66.1	58.0	57.0	54.0	52.0	58.0	57.0	54.0	52.0

[1] Except for the 1955–57 average, prices are for crop years.

TABLE 6.—*Cash receipts: Estimates based on alternative farm programs, projections for 1960–63 with comparisons (million dollars)*

Commodity	Average, 1955–57	1958	Transitional program				No-control program			
			1960	1961	1962	1963	1960	1961	1962	1963
Livestock:										
Cattle and calves	5,500	7,403	7,350	7,300	7,025	6,750	7,350	7,250	6,950	6,600
Hogs	2,809	3,416	2,850	2,850	2,850	2,800	2,800	2,775	2,750	2,700
Milk, wholesale	3,906	4,094	4,308	4,474	4,631	4,826	4,188	4,200	4,090	4,163
Eggs	1,723	1,770	1,753	1,729	1,741	1,743	1,753	1,704	1,686	1,654
Broilers	856	1,002	987	1,019	1,004	1,017	976	1,008	982	999
Total	16,518	19,301	18,896	19,000	18,872	18,751	18,651	18,569	18,126	17,780
Crops: [1]										
Corn	1,489	1,479	1,405	1,360	1,355	1,335	1,360	1,310	1,245	1,185
Oats, barley, and sorghum grain	682	956	645	610	605	595	580	535	510	495
Total feed grain	2,171	2,435	2,050	1,970	1,960	1,930	1,940	1,845	1,755	1,680
Wheat	1,740	2,253	1,444	1,382	1,323	1,254	1,713	1,616	1,512	1,368
Cotton	2,049	1,928	2,114	1,995	1,821	1,847	2,536	2,427	2,278	2,161
Soybeans	883	1,117	989	978	957	944	989	923	946	966
Rice	241	222	242	234	225	230	342	342	340	340
Peanuts	160	203	99	102	105	108	132	132	132	132
Tobacco, all	1,119	1,007	920	1,045	1,040	1,060	920	1,045	1,040	1,060
Flue-cured	685	629	570	650	650	675	570	650	650	675
Burley	321	294	261	291	284	278	261	291	284	278
Total	13,463	14,259	12,903	12,822	12,592	12,613	13,759	13,536	13,197	12,968
Grand total	29,981	33,560	31,799	31,822	31,464	31,384	32,410	32,105	31,323	30,748

[1] Except for the 1955–57 average, cash receipts are for crop years.

TABLE 7.—*Exports and year end carryover: Estimates based on alternative farm programs, projections for 1960–63 with comparisons*

Item and crop	Unit	Average, 1955–57	1958	Transitional program				No-control program			
				1960	1961	1962	1963	1960	1961	1962	1963
Exports:											
Feed grain	Million tons	8.6	12.5	13.0	13.0	13.5	14.0	13.0	13.0	13.5	14.0
Wheat	Million bushels	433	434	450	475	500	525	450	475	500	525
Rice	Million hundredweight	24.8	19.7	27.0	26.4	26.8	27.4	32.0	32.0	32.0	32.0
Cotton	Million bales	5.2	2.8	5.0	5.0	5.0	5.0	5.0	5.0	5.5	6.0
Carryover:											
Feed grain	Million tons	50.4	67.4	84.6	87.3	87.6	87.7	80.4	77.2	70.9	62.9
Wheat	Million bushels	941	1,277	1,289	1,194	1,091	981	1,437	1,511	1,564	1,592
Rice	Million hundredweight	24.3	15.7	11.2	11.0	11.0	11.0	28.5	44.6	61.7	79.8
Soybeans	Million bushels	12	62	50	55	50	35	55	60	65	70
Peanuts	Million pounds	375	488	350	350	350	350	400	425	450	475
Cotton	Million bales	11.5	8.9	9.6	9.8	9.3	8.8	13.7	17.9	21.2	23.6
Tobacco:											
Flue-cured	Million pounds	2,359	2,210	1,880	1,895	1,900	1,925	1,880	1,895	1,900	1,925
Burley	do	1,295	1,237	1,130	1,095	1,065	1,060	1,130	1,095	1,065	1,060

RULES OF ORDER FOR AMERICAN LABOR UNIONS

Mr. MUNDT. Mr. President, I have just received in my office a copy of a little booklet which I hold in my hand, entitled "Rules of Order Simplified," which is deserving of the attention of every Member of Congress, as well as those who attend public meetings where decisions are determined by majority vote. This booklet though small in size is large in purpose.

"Rules of Order Simplified" has been designed to complement those sections of the Labor-Management Reporting and Disclosure Act of 1959, which establish for the first time certain minimum standards of democracy in labor organizations. Some union constitutions have provided such protection for some time. Others have not. This booklet, which is an abridgment and simplification of "Roberts Rules of Order," explains for the benefit of union members how to practice the democratic rights, which are now guaranteed by Federal law.

The innovator of this valuable booklet is Mr. Maurice Franks, president of the

National Labor-Management Foundation; its author is Mr. Frederick C. Jonas, a distinguished and able member of the Chicago bar. It is being distributed by the National Labor Management Foundation located at 737 North Michigan Avenue, Chicago, Ill.

Mr. Franks, who served over 20 years as a national officer with the railroad brotherhoods, recognized early the vital importance of union members understanding the basic rules of parliamentary procedure if they were to make effective use of the democratic guarantees contained in the Landrum-Griffin bill's bill of rights as recommended by the McClellan investigating committee. So he set to work with Lawyer Jonas to prepare this handy pocket-size booklet, containing a simplified yet thorough explanation of the fundamental and most-used rules of orderly parliamentary procedure. The finished product is a masterpiece of brevity and practicality, and I am confident that it will contribute much to the cause of democracy within the ranks of organized labor.

This booklet is small enough so that any union member or any citizen in any other meeting governed by parliamentary procedure can put it in his vest pocket and carry it with him. It gives him a quick and ready reference as to his rights as an individual citizen seeking to convince his associates, by democratic processes, of the justice of a position which he holds.

The table of contents suggests that the little book contains a Foreword, Rules of Order, Their Importance and Use; Who's in Charge? The Order of Business; Reading of the Minutes; Reports of Offices and Committee; Unfinished Business; New Business, Your Powers as a Member; Making a Motion; Discussion and Debate; Amending the Motion; Leave To Withdraw a Motion. It lists Privileged Motions; Appeal From Decision of the Chair; Voting; Balloting; Majority Vote or More; also a Ready Reference in Regard to Motions; Allowable Interruptions; Charges and Complaints; Effect of Charges; The Trial; Parliamentary Terms; Legal Rights of Union Members. There is a chapter entitled "Know your Rights"; and one entitled "How To Assert Your Rights."

Starting at page 51 there is a chapter entitled "Legal Rights of Union Members." It explains the specific rights guaranteed by law which every union member now has in every labor union of America as a consequence of the bill of rights which was included in the Landrum-Griffin bill.

Mr. President, I ask unanimous consent that starting at page 51 of this little booklet, and running through page 59, the text be printed in the RECORD at this point as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

RULES OF ORDER

(By Frederick C. Jonas)

LEGAL RIGHTS OF UNION MEMBERS—SPECIFIC RIGHTS GUARANTEED BY LAW

While many organizations operate under their own adopted rules of procedure, free of Government regulations, others, including labor unions, are exceptions and are controlled in some degree by law.

A bill of rights for union members is written into Federal law to insure certain basic rights to union members within their union. So, regardless of parliamentary procedure under which union organizations are operated, these basic rights must be respected as the law of the land and override all other rules inconsistent therewith.

If you belong to a union, these rights are yours as guaranteed by Federal law:

1. Equal rights for all union members: As a union member in good standing, you have the right to attend meetings, nominate candidates, vote in election and have a voice in business transactions (subject to reasonable rules and regulations of the union).

2. Freedom of speech and assembly: You are guaranteed the right to meet and assemble freely with other members, express your views, arguments, and opinions at meetings, express views on candidates or business coming before the meeting (subject to reasonable rules and regulations of the union).

3. Dues, initiation fees, and assessments: In the case of a local labor organization, you are guaranteed the opportunity to vote on dues and initiation fees, and these cannot be increased except by majority vote and by secret ballot. You are entitled to notice of the intention to vote upon such questions.

4. Protection of the right to sue: You are guaranteed the right as a union member to sue in court or bring an action before an administrative body, even if the officers of the labor organization are defendants. You have a right to appear as a witness in any such suit or action. You have a right to petition any legislature or communicate with any legislator.

The only restriction as to suits is that you must first bring up the matter in the union meeting, provided the union has a reasonable procedure to take care of such suits or actions, and then the union must dispose of your action within a period of 4 months. If it does not, you can proceed on your own, without being placed in jeopardy.

5. Safeguards against improper disciplinary action: As a union member, you cannot be fined, suspended, expelled or disciplined by the union or its officers (except if you did not pay your dues); unless you have been (a) served with written specific charges; (b) given a reasonable time to prepare your defense; (c) afforded a full and fair hearing.

No union can deny a member these requirements and any provision in its constitution or bylaws inconsistent therewith is of no force and effect. Furthermore, the union cannot limit the right to sue, by its own rules, constitution or bylaws. These rights are guaranteed by law.

KNOW YOUR RIGHTS—YOUR UNION MUST RESPECT THEM

Your union is required by statute to furnish information concerning the new labor law of 1959 to its members. You are also entitled to a copy of your bargaining agreement under which you work. The law requires certain reports to be filed with the U.S. Secretary of Labor which you may examine, and in order to verify the report, you may examine the books, records, and accounts of your union.

Fair elections

You are entitled by law to a reasonable opportunity to nominate candidates for office in your union.

Every member in good standing is eligible, provided he meets reasonable qualifications and provided he is not disqualified by other provisions of the law.

You have a right to one vote, and you may support the candidate of your choice without danger of any penalty or interference by anybody.

You are entitled to 15 days' notice of the holding of an election. Such notice shall be sent to you by mail at your last known address.

If you are a candidate for office

You can request your union, to distribute campaign literature, at your expense, to your membership by mail, or otherwise. The union must do this for all candidates who request it, so long as the candidates are willing to assume the expense.

If your union has a contract requiring membership as a condition of employment, it is required to keep a list of the union membership at its principal office. You, as a candidate for office, are entitled to inspect such membership list in the course of your campaign.

Also, as a candidate for office, you are entitled to have an observer at the polls and at the counting of the ballots.

HOW TO ASSERT YOUR RIGHTS—RESORT TO COURTS OR TO DEPARTMENT OF LABOR

If your rights are violated, you may sue in the Federal court in the district where your local union office is located.

If an elected officer of the union is guilty of serious misconduct, and the union, under its constitution and bylaws, does not have adequate machinery for his removal, you may apply to the U.S. Secretary of Labor to remove such officer. A letter addressed to the Secretary of Labor, Washington, D.C., stating your case is sufficient. The Secretary of Labor will then conduct a hearing and the officer may be removed for cause shown in a secret-ballot election by the members. The Secretary of Labor may compel a vote to remove such officer by legal process.

After an election, a member may file a complaint with the Secretary of Labor charging a violation of the law or of the union's constitution and bylaws. The Secretary of Labor will investigate the complaint and, if it is meritorious, he may take appropriate legal action and the court may order a new election to be held under the supervision of the Secretary.

Should any union agent misappropriate union assets and should the union fail to take action against him, you, as a member, may sue in court for an accounting and other appropriate relief. Before doing so, you must obtain consent of the court to bring the suit. If you are allowed to proceed, you may, in a proper case, recover attorney's fees and expenses incurred.

Aside from any civil action, the law also provides a criminal penalty for misappropriation of union assets.

The foregoing are only the highlights of your rights as a union member under the present law. They are not intended as a complete presentation. For further information, reference is made to the complete text of the Labor-Management Reporting and Disclosure Act of 1959.

TIME TO END HIGH INTEREST RATE POLICY

Mr. PROXMIRE. Mr. President, the Federal Reserve Board has been following a policy of credit stringency and restraint. Interest rates have been deliberately increased by the Fed. They have done this by keeping the supply of money strictly limited, as the demand for money swells with the surging rise of the gross national product that measures the uses of money.

The effect of this policy is to discourage the building of homes, hospitals, schools, and everything else that is bought with borrowed money. The policy has also greatly increased the cost of all of this building.

The Fed justifies this policy on the ground that the economy is suffering from an excess of demand. They contend that the availability of more money now would mean lower interest rates that lower interest rates would mean more borrowing to build with pressure on limited supply of manpower, factories and raw material capacity, a pressure that would shove up prices—causing inflation.

Is the Federal Reserve Board right? It there an excess of demand? Is there powerful pressure today on a limited supply of manpower? Are our factories going full blast? Is the buying pressure heavy in raw materials?

First Mr. President, there is certainly no excess of demand for manpower. The fact is that the latest figures available show that last month a seasonally adjusted 5.2 percent of the work force were out of work. This is more unemployed than our Nation has suffered during the past 10 years except in 4 obvious recession years.

Are our factories being pushed by demand near capacity? Of course the classic example is the steel industry. In the wake of a record long steel strike, the steel industry is now busily at work. But even here it is apparent that capacity is not being strained. Indeed, two steel executives last week estimated steel output this year at 120 million tons and 130 million tons—well below capacity of 149 million. Present near capacity production is obviously temporary. To replenish strike-exhausted inventories to meet current consumption 80 to 85 percent of capacity would be required.

The auto industry this year will operate far below its demonstrated 1955 capacity of 8 million cars.

Machine tools are expected, on the basis of new orders, to move along at only about two-thirds of capacity.

In raw material resources, generally falling or stable prices clearly show that there is no significant demand pressure.

The Nation's investors foresee all this. During the past few weeks the stock market has taken a serious nosedive.

This may very well foretell a significan industrial cutback in a few months. As the New York Times pointed out yesterday:

> Since 1948 market breaks have had "lead-times" over industrial breaks of 2 months, 7 months, and 7 months.

With a number of exceptions, the stock market has generally been as reliable a prognosticator of what is going to happen to jobs and profits in the future as there is available.

Mr. President, it is time to end this tight-money policy. It is doubtful if the excess demand that troubled the Fed so in the past has really been there in recent years. At any rate, it appears more obvious daily that there is no excess demand now. I have consistently said that the Fed should follow policies which will reduce interest rates so that homes and schools and hospitals can be built at less cost. Now I point out that even those who are indifferent to this objective should favor low interest rate policies so that the jobs of working people and the welfare of industry can be fostered.

Mr. President, I ask unanimous consent that an article from yesterday's New York Times entitled "Action of Market Has Quick Trigger," be printed in the RECORD at this point and an analysis of current prospects for business this morning's Wall Street Journal also be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 31, 1960]

ACTION OF MARKET HAS QUICK TRIGGER—STOCK DIPS OFTEN PRECEDE DROPS IN FACTORY OUTPUT, LOOK AT CHARTS SHOWS PAST YEARS SCANNED—INDUSTRIAL ACTIVITY AND SHARE PRICES FREQUENTLY MOVE IN OPPOSITION

(By Burton Crane)

Many new investors, if one may judge by letters and telephone calls to newspaper offices, are puzzled because industrialists are happy and brokers are gloomy.

"How," they ask, "can business go up and stocks go down at the same time?"

A hasty look at the past shows that industrial activity and stock prices rise together only about 36 percent of the time and fall together about 15 percent of the time. The rest of the time they are moving, as they are moving now, in opposite directions. These calculations, of course, ignore minor fluctuations. Only those of 5 percent or more are counted.

The normal procedure is for the market to try to look ahead. It listens when Roger M. Blough, chairman of United States Steel Corp., predicts booming production for the first two 1960 quarters but a drop in the third quarter as inventories near optimum levels. Which, investors ask themselves, do they want to buy, the present or the future?

WHAT THE RECORD SHOWS

In the past, the record shows, stocks have rather regularly dipped from their peaks before industrial production has eased off. The record also shows that, now and again, investors have been too nervous and have sold stocks long before the economy was ready to coast downhill.

In June 1946, for example, stocks reached a peak and began to move lower. Measured by the New York Times industrial stock average, they didn't get back to that level for 47 months and in between they had a break (in 20 months) of 26.3 percent. But the peak in the stock market came 26 months before the peak in the industrial production index of the Federal Reserve Board. In fact, stocks started upward from their trough 6 months before production hit its high for the time being.

If the investor were to ignore what happened in 1946 and start his researches with 1948 he would discover what looks like a more normal relationship. And perhaps that is the wise thing to do, because almost everybody was wrong about the postwar situation. The economists did not expect the people to spend their wartime savings for cars and refrigerators and television sets, giving the apparently valid reason that they never before had had net dissavings except in time of dire necessity. But the people spent and the experts were wrong.

The word dissaving is used by economists to describe a condition in which the savings of past years are drawn down. Thus the figure for savings in the tabulation of personal income would appear with a minus sign when spending topped income.

The stock market dipped from its high in June 1948. Two months later the economy was also on the way down. The market fell for 12 months and took 16 months to get back to its old high level. The dip from peak to trough was 15.4 percent.

The market lost 15.7 percent from its December 1952, high, starting downward 7 months before the industrial index. It took 15 months to regain that old high.

The collapse in September 1955, caused by President Eisenhower's heart attack brought about a 13.1 percent loss but the market was back to its prebreak level by the end of the year. Industrial production had no bearing here.

The next two market breaks are a little confusing if considered separately. The one that peaked out in August 1956, had a lead time over the break in industrial production of 7 months. From peak to trough, it lost 11.7 percent. The market that peaked out in July 1957, dropped 22.4 percent in 5 months. The industrial production peak to which it must be related, however, was the same as that for the 1956 break. It came in March 1957, which means that stocks had a minus lead time of 4 months. It is easier, perhaps, to consider the 1956 and 1957 markets as one. That would give a lead time of 7 months and a break of 23.3 percent over 16 months. Stocks took 24 months to return to the August 1956 high.

The following table, using the Times industrial stock average and the Federal Reserve industrial production index, shows these two markets that need to be considered as one:

Stocks

High, August 1956	596
Low, February 1957	526
Recovery,[1] November 1958	605
High, July 1957	589
Low, December 1957	457
Recovery,[1] November 1958	605

[1] Date of return to old high.

Industry

High, March 1957	155
Low, April 1958	132
Recovery,[1] March 1959	157
High, March 1957	155
Low, April 1958	132
Recovery,[1] March 1959	157

[1] Date of return to old high.

The present situation is complicated by the recent steel strike. In June 1959 the industrial production index was 166. In December it was 165, climbing back, and probably has made a new high in January,. The industrial stock average had its high in August at 737 and fell to 651 in September, a loss of 11.7 percent. Last week it slipped back enough to threaten those old September lows.

Since 1948, market breaks have had lead times over industrial breaks of 2 months, 7 months, and 7 months. If stocks drop below their September low and if industry now moves above its June high, the technicians can say that a lead time of 5 months has already been established.

But investors can always remember what happened in 1946. Perhaps business can continue on upward for another 21 months and force them to reconsider all their policies.

[From the Wall Street Journal, Feb. 1, 1960]

THE OUTLOOK—APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By George Shea)

Several news items in recent days have added considerably to public knowledge of the current status of business in the United States. But unfortunately, this new information throws no fresh light on prospects for the year as a whole, which remain quite uncertain.

As most readers know, a pretty high rate of activity is fairly well assured for the early

part of the year, but a big question mark hangs over the later months. During the first 5 to 7 months, inventory rebuilding in steel itself and in numerous steel products is likely to give an extra stimulus. But after that, production may actually fall a bit below current consumption if businessmen decide to adjust their inventories by cutting down where accumulation has been heaviest.

At that time, many analysts hope, capital spending for improvements and expansion of plant and equipment will take up the slack. This hope is based in part on the fact that the trend of such outlays is upward. From the 1957 high of $37 billion they fell to $30 billion in 1958, then rose to $32 billion last year, with each quarter showing a small advance over the preceding one. A further increase to an annual rate of $34 billion is indicated for the current quarter.

Another encouraging factor is that such outlays generally swing up and down with business profits, and the first half of this year is expected to be highly profitable, which would tend to expand capital spending in subsequent months. And finally, estimates of a number of industries—except the huge petroleum industry—are for a substantial gain in capital spending for this year over 1959. The steel companies, for instance, expect to invest $1.6 billion this year against less than $1 billion last year.

However—and this is where the news items cited above have a bearing on the outlook—there is widespread evidence of ample capacity for the production of major goods, both raw and finished. Obviously, it is when capacity is being strained that business managers are most likely to plan new plants and facilities. When capacity is sufficient, this pressure to expand relaxes and capital spending is more likely to concentrate on improvements in efficiency.

That seems to be the case today. Two steelmakers this past week estimated their industry's output this year, one at 120 million tons and the other at 130 million. Both figures are well below capacity of almost 149 million. The current high rate of output is concededly due in part to restocking of inventories which were almost completely used up during the strike that ended November 7. To meet current consumption, steel output of 80 or 85 percent of capacity apparently would be sufficient.

In copper and nickel, whose markets are worldwide but in which American capital is heavily engaged, indications of ample capacity are clear. Free world nickel use in 1959 was estimated a few days ago at about 400 million pounds, or 25 percent more than in 1958, but capacity exceeds the 1959 consumption by 150 million pounds, and more capacity is being added. The copper trade insists that with the past year's long strikes ending, output is going to be substantially greater than consumption while inventories, as in steel, are being built up again.

The automobile industry produced almost 8 million cars in 1955, and since then has added to its capacity. But last year's output in this country was only a little more than 5.5 million cars, and even the most optimistic projections for this year fall well short of the 1955 figure.

Machine tool orders in 1959 totaled only $660 million as compared with shipments of almost $1.1 billion in the most recent big year, 1957. And the recent rate of new orders does not suggest any sharp expansion. This fact is important, not only as another example of capacity greater than demand, but also because upsurges in spending on plants and equipment are often led by upsurges in ordering of machine tools. Thus the most recent figures in this industry do not suggest any big increase in capital spending ahead.

With this whole background, it seems likely business executives will be pretty careful about their capital spending. Knowing that production during much if not all of the first half of the year will probably be in excess of basic demand, they are likely to wait and see. They may want to know by how much production outruns consumption before coming to any decisions on major expansions. They may decide to wait not only until the first 6 months are past, but also until the trend of business after that has become clear, which might mean waiting through much of the second half.

None of this means, of course, that capital spending will shrink to a trickle. Major industries nowadays plan such outlays on a long range basis to a great extent. They feel that regardless of the yearly ups and downs of business they must plan through the years for a very large minimum of annual spending to meet the demands of a growing population and an even more rapidly growing economic system.

But what we are discussing here is the prospect for an upsurge in the later months of this year that would offset the almost certain stoppage of inventory building in late spring or in summer. It is such an upsurge in capital spending that there is doubt about, and the doubt is not likely to be resolved for quite a few months.

This doubt, furthermore, tends to be intensified by the fact that this is not only an election year, but one where a substantial change in the political background is possible. The Eisenhower years have been for the most part years of prosperity. If the Democrats win the Presidency, sharp changes in national policies may well have to be faced. And if the Republicans win, there will also be a new man in the White House, whose policies in the detail of their application cannot be made known fully in a political campaign, no matter how openly he may lay his ideas before the people.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HART in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREEDOM OF THE PRESS

Mr. GRUENING. Mr. President, "freedom of the press" is a phrase which by constitutional mandate has been an integral part of the American idea and purpose since the enactment of the Bill of Rights. Americans take it for granted.

However, we ought occasionally to note that freedom of the press connotes and stimulates excellence in the reporting and interpreting of current events.

An example, in my view, of such superlative craftsmanship appeared yesterday in the New York Times, in an article written by one of its ablest Washington correspondents, James Reston, entitled "The Strings in Mr. NIXON's Bow."

Mr. President, my interest in this article arises not from any political or partisan motives, for I believe this article to be a balanced presentation, free from bias. As a former newspaperman, my appreciation of it is based on its masterful literary qualities. It is an example of the kind of lively, penetrating analysis, spiced with wit and humor, which makes James Reston's columns such pleasant reading, and otherwise notable.

I ask unanimous consent that the article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE STRINGS IN MR. NIXON'S BOW

(By James Reston)

WASHINGTON, January 30.—At 8:20 p.m. last Wednesday in Chicago Vice President NIXON threw down the gauntlet to the spenders at home, and promised to leave no stone unturned overseas.

Until merrier cliches come along—and they will—these will have to serve both as an indication of Mr. NIXON's style and his problem.

His problem in this election is to have two strings to his bow, to come out flatfooted for Eisenhower and still be cock of the walk; to carry water on both shoulders without upsetting the applecart; to fish in, and pour oil on, troubled waters; to defend the past and take time by the forelock without falling between two stools; and, of course, to bring home the bacon through thick and thin.

All this is enough to make strong men quiver, but Mr. NIXON is the kind of fellow who can steer between Scylla and Charybdis and take both precincts. His performance in Chicago was a masterpiece of political gymnastics and illustrates once more that, as a tactician, he is about the best in the business.

MASTER AT WORK

Not many men can both condemn and outpromise the spenders and get away with it, but Mr. NIXON made a good try in Chicago. He virtually canonized the President. He scorned the opposition. He defended the past as the best 7 years of our lives and then painted a picture of the future that made these 7 years look like a depression.

For the last month the Democrats have been scattering boobytraps for Mr. NIXON all over the landscape. He dodged them, every one.

Defending the President's leadership in the present mood of the country is about as difficult as praising George Washington, but Mr. NIXON rushes to his defense, anyway.

Shame, he says, painting a word picture of the President stamping out war in Korea, rushing to the defense of Lebanon, Quemoy, Matsu, and Suez, flying off to Panama when he was sick, keeping his head when all around were losing theirs. And who do you suppose was at the President's side when he was doing all this?

Not since the days of Red Grange has the State of Illinois seen such agility in a broken field. We do not have a second-rate defense, he asserted, but we must submit our national security programs to a searching, month-to-month reexamination.

The American educational system is the best in the world, but inadequate classrooms, underpaid teachers and flabby standards are weaknesses we must constantly strive to eliminate.

American agriculture, he added, is the most productive on earth but there is no higher priority than a complete overhauling of obsolete farm programs.

In short, he managed to call for many of the things the Democrats are demanding without any suggestion that he was criticizing the President on defense or schools, or the Secretary of Agriculture on the farm policy. Bigger programs were advocated and more Government spending condemned, and this may not be as contradictory as it

seems, for with revenues rising, the next President may have a substantial surplus in the Treasury.

A SKILLFUL ARGUMENT

Mr. NIXON's argument was not only skillful but in a way it was unavoidable. He cannot avoid defense of the present level of spending.

He must support his President's policies, but at the same time he has to keep from being sideswiped by the Democratic charges that he is satisfied with everything as it is.

He dealt with this effectively in Chicago:

"We shall look upon our record not as our ultimate achievement but as the solid foundation upon which to build even greater accomplishments in the future. Why is America a great nation today? Because we Americans have never lived in the past. We are never content to rest on our laurels. We never like to settle for being second best in anything."

Against this kind of thing, the Democrats have their problems. They think the country is sick, but it is like a sick man who feels good and is told constantly by his doctor that he's in wonderful shape.

Mr. NIXON is exploiting this feeling to the hilt. We're living the life of Riley, he says (forgetting that Riley was probably a Democrat), so why look a gift horse in you know what, or change horses in you know where?

FRANCE UNDER THE LEADERSHIP OF PRESIDENT DE GAULLE

Mr. GRUENING. Mr. President, on Friday I made some remarks about the importance of France being able, under the great leadership of President de Gaulle, to carry out his farsighted plan for self-determination in Algeria. Unfortunately, a minority of the minority of Algerians of French descent, with the assistance of a small group of military dissidents, launched a revolt against the Fifth Republic using as a pretext General de Gaulle's enlightened proposal to let all the people of Algeria determine—once peace has been reestablished—their own destiny, whether it be complete independence, association with France in a commonwealth status or integration with France.

Mr. President, what should be understood is that if this rebellion were to succeed—it might mean the fall of the De Gaulle government, the ending of the Fifth Republic and a return to the administrative chaos which has afflicted France in the 15 years since World War II. During this period, governments fell every few months.

The coming of De Gaulle to head the French Republic has demonstrated anew and most strikingly the patent, but not always appreciated, fact that democracy in order to function well must have leadership. General de Gaulle, who became President by the free choice at the polls of the French people, has furnished just such leadership. As a result of it France has acquired a political and economic stability which should be heartening to the free world. For without France the free world—the Western World in particular—would be in a tragically weakened position.

Mr. President, there has been some criticism on the part of this administration because of what it deemed France's presumed inadequate participation in NATO. I grant that a fuller participation is desirable, but I submit that that cooperation is far more likely to be obtained, as under De Gaulle's inspiring leadership France is strengthened, and that U.S. support of De Gaulle's policies will contribute substantially to that strengthening. It would seem to me fairly apparent that President de Gaulle's lesser participation in NATO has been caused in no small degree by our own Government's coolness toward France's obvious requirements as seen by that nation's chief, and it must be crystal clear that if the government of De Gaulle were to fall, France's contribution to NATO and the Western alliance would probably cease to exist.

Fortunately, the news from France and Algiers indicates that while the situation is still full of peril, France is winning out, the revolt of the "colons" is obviously lacking in support and that order and peace will again be established.

President de Gaulle's radio address to the people of France on his Algerian policy is a document of historic importance. It may determine the course of history not only for France, but for much of Africa, and because of France's key position in the turbulence of contemporary events for the free world.

I ask unanimous consent that General de Gaulle's speech be printed in the RECORD at the conclusion of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GENERAL DE GAULLE ON ALGERIAN POLICY

If I have put on my uniform today to address you on television, it is in order to show that it is General de Gaulle who speaks, as well as the chief of state.

In Algeria, we are fighting against a rebellion which has lasted more than 5 years. France is valiantly continuing to exert the necessary efforts to put down that rebellion.

But she wants to arrive at a peace that is peace; to do what has to be done so that the tragedy does not begin all over again; to act in such a way as not—when all is said and done—to lose Algeria, which would be a disaster for us and for the West. The world, a prey to vast crises and movements which are well known, is watching this struggle which disturbs it and in which the various opposing camps seek to take a hand. It is obvious that the unity, progress, and prestige of the French people are at stake, and that the future of this people is blocked as long as the Algerian problem remains unsolved.

Taking all this into consideration, I, in the name of France, made the following decision: The Algerians shall have free choice of their destiny. When, one way or another—through the conclusion of a cease-fire or through total defeat of the rebels—we shall have put an end to the fighting, when later, after a prolonged period of restored peace, the populations will have had a chance to understand what is at stake and, moreover, thanks to us, to achieve the necessary progress in the political, economic, social, educational, and other fields—then, it will be the Algerians who will say what they want to be. This will not be dictated to them. For if their response were not really their response, then while for a time there might well be military victory, basically nothing would be settled. On the contrary, everything can be settled and, I believe, settled in France's favor, when the Algerians will have had an opportunity to make known their will in all freedom, dignity, and security. In short, self-determination is the only policy that is worthy of France. It is the only possible outcome. It is the policy which has been defined by the President of the Republic, decided upon by the Government, approved by the Parliament, and adopted by the French nation.

Now then, there are two categories of people who do not want any part of this free choice.

First, the rebel organization, which maintains that it will cease fire only if I negotiate with it beforehand, by special prerogative, on the political destiny of Algeria, which would be tantamount to building it up as the only valid representative and to elevating it in advance to being the government of the country. That I will not do.

On the other hand, some persons of French descent demand that I renounce the idea of self-determination, that I say that everything has been done and that the fate of the Algerians has already been decided. That I will not do either. Self-determination is the only means by which the Moslems can themselves cast out the demon of secession. As to the terms of this or that French solution, I mean to have them worked out at leisure, when peace has been restored. After which, I reserve the right to commit myself—when the right time comes—for whatever I shall consider good. You may be sure that I will do this thoroughly.

It was then that, trying to force their pretended claims on the nation, on the state, and on myself, certain people in Algiers started an insurrection; it was then that they fired on the forces of law and order and killed fine soldiers, and they are now rising up in arms against the authority of France. Aided in the beginning by the accommodating uncertainty of various military elements, and profiting from the fears and feverish passions stirred up by agitators, they have thus far obtained the support of part of the European population; they have instigated a forced strike, the halting of transportation and the closing of stores. Because of them, there is danger that a disruption of the national unity may occur, to the indignation of the French nation and in the very midst of the struggle being waged against the rebels. There is not a man with any common sense who does not see what the inevitable consequences would be if this dreadful secession carried the day.

In face of the foul blow that has thus been struck against France, I speak first of all to the community of French descent in Algeria. This community has known me for many years. It has seen me many times in its midst, especially during the war, when its sons, in great numbers, were serving in the ranks of the Army of Liberation, or else when, following their upheaval of May 1958, I once again assumed leadership of France in order to rebuild the unity of Frenchmen on both shores of the Mediterranean. Whatever any agitators are trying to make this community believe, there are, between it and myself, very special ties that are very dear to me and very much alive. I know perfectly well what services this community renders France through its century of toil in Algeria, what cruel trials it is undergoing, what moving sorrow it has for the victims it mourns. But I must speak to this community in plain and unmistakable words.

Frenchmen of Algeria, how can you listen to the liars and the conspirators who tell you that in granting a free choice to the Algerians, France and De Gaulle want to abandon you, to pull out of Algeria and hand it over to the rebellion? Is it abandoning you, is it wanting to lose Algeria, to send there and to maintain there an army of 500,000 men equipped with tremendous amounts of materiel; to consent to the sacrifice there of a good many of our children; to pay out there,

this very year, civil and military expenditures amounting to a thousand billion (old francs), to undertake there a tremendous program of development; to draw from the Sahara, with great difficulty and at great expense, oil and gas in order to bring them to the sea?

How can you doubt that if, some day, the Moslems freely and formally decide that the Algeria of tomorrow must be closely united to France—how can you doubt that anything would bring greater joy to our country and to De Gaulle than to see them choose, between one solution or another, the one that would be the most French? How can you deny that all the work for the development of the Moslem populations, which was initiated 18 months ago, and is now still being pursued and which, after pacification, will have to be expanded yet more—how can you deny that this work tends precisely to create new and manifold ties between France and the Algerians? Above all else, how can you fail to see that, in rising up against the state and against the nation, you are surely heading toward ruin and at the same time you are running the risk of causing France to lose Algeria at the very moment when the decline of the rebellion is becoming evident? I solemnly appeal to you to return to law and order.

Next, I speak to the army, which, thanks to its magnificent efforts, is in the process of winning the victory in Algeria; however, some of the elements of this army might be tempted to think that this war is their war, not France's war, and that they have a right to a policy which would not be France's policy. To all our soldiers I say: In your mission there is no room for any equivocation or interpretation. You must liquidate the rebel force, which is seeking to drive France out of Algeria and to impose upon that land its dictatorship of want and sterility. At the same time that you are conducting the battle, you must contribute to the material and spiritual transformation of the Moslem populations so as to win their hearts and minds to France. When the time comes for the people to vote, it will be your responsibility to guarantee the complete freedom and sincerity of this vote.

Yes, that is your mission, as France gives it to you, and it is France that you serve. What would the French Army become but an anarchic and absurd conglomeration of military feudalisms, if it should happen that certain elements made their loyalty conditional? As you know, I have the supreme responsibility. It is I who bear the country's destiny. I must therefore be obeyed by every French soldier. I believe that I shall be obeyed, because I know you, because I have a high regard for you, because I feel affection for you, because I have confidence in General Challe whom I have placed at your head, soldiers of Algeria, and finally, because I have need of you for France.

This having been said, listen to me carefully. In the presence of the insurrection in Algiers and in the midst of the agitation—bordering on a paroxism—the Delegate General, M. Paul Delouvrier, who is France in Algeria, and the commander in chief may, on their own responsibility, not have wanted to give the signal themselves for a pitched battle, but no soldier, under penalty of being guilty of a serious fault, may associate himself at any time, even passively, with the insurrection. In the last analysis, law and order must be reestablished. The methods to be employed so that law and order will prevail may be of various sorts. But your duty is to bring this about. I have given, and am giving, this order.

Finally, I speak to France. Well, my dear country, my old country, here we are together, once again, facing a harsh test. By virtue of the mandate that the people have given me and of the national legitimacy that I have embodied for 20 years, I ask all men and women to support me, no matter what happens.

And while the guilty ones, who dream of being usurpers, take as a pretext the decision that I have made concerning Algeria, let it be known everywhere, let it be clearly understood, that I do not intend to go back on that decision. To yield on this point and under these conditions would be to destroy the trump cards that we still hold in Algeria, but it would also be to make the state bow before the outrage that is being inflicted on it and the threat that is aimed at it. Thus France would become but a poor broken toy adrift on the sea of hazards.

Once again, I call upon all Frenchmen, wherever they may be, whoever they may be, to reunite themselves to France.

Long live the Republic.

Long live France.

ADDRESS BY THE SECRETARY OF THE TREASURY BEFORE THE JOINT ASSEMBLY OF THE VIRGINIA LEGISLATURE ON JANUARY 30, 1960

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to print in the body of the RECORD a very notable address made by the Secretary of the Treasury, the Honorable Robert B. Anderson, before the joint assembly of the Virginia Legislature commemorative session on January 30.

This address was delivered in the old hall of the House of Burgesses at Williamsburg, Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SECRETARY OF THE TREASURY ROBERT B. ANDERSON BEFORE THE JOINT ASSEMBLY OF THE LEGISLATURE, COMMEMORATIVE SESSION, WILLIAMSBURG, VA., JANUARY 30, 1960

I am honored to participate in this commemorative meeting of the oldest continuous elective body in existence in the free world.

With every nation, the edifice of government, like the structure of buildings, rests on certain essential foundations. Every nation from time to time must reaffirm its values and its sense of purpose by reexamining the principles on which its structure of government stands.

You in the Virginia Legislature have a distinguished ancestry in the history of our Government. The Virginia House of Burgesses, which once met in this hall, became the pattern for many of the States of the Union and for the United States. Certainly no area of the country has contributed more to the foundations of our Government than the Commonwealth of Virginia.

I should like to pay a special tribute to the contribution to maintaining the foundations of our Government provided by the leadership of the distinguished delegates of Virginia to the Congress of the United States. Your Senators serve as outstanding chairmen on some of the most responsible committees of the Congress and several Members of the House of Representatives contribute with equal significance in their chairmanship of committees with whom the Treasury is directly concerned. The congressional delegation from Virginia and the other distinguished leaders of your State represent the highest traditions of sound government in action.

A Virginian wrote the Declaration of Independence, which placed clearly before the world not only the justification for our revolt against foreign tyranny, but the "new guards" which were to be established against tyranny in the future. A Virginian inspired the fighting spirit of the American Army through the ringing words of Patrick Henry. And from Virginia came the great American who was first Commander in Chief, first President, and for many years before that a member of this legislative body.

We may be sure that almost every phase of the Government which later emerged as that of the United States of America was carefully weighed by the distinguished group serving in the Virginia House of Burgesses in the years just before the formation of the Union. Washington, Jefferson, Patrick Henry, Richard Henry Lee—these were among the illustrious citizens of Virginia who met together informally in this city and worked together in the House of Burgesses to the end that the first truly free government in the history of the world should "stand firm on its bottom."

"To form a new government requires infinite care and unbounded attention," Washington wrote, shortly after he had left Virginia to take command of the Army, "* * * for if the foundation is badly laid the superstructure must be bad. Too much time, therefore, cannot be bestowed in weighing and digesting matters well." Commenting later on the Virginia act for religious freedom, Jefferson wrote to Madison from his post in Paris that Virginians should be proud of having produced "the first legislature who had the courage to declare, that the reason of man may be trusted with the formation of his own opinions. * * *" And considering these matters later, Jefferson added, "* * * *No experiment can be more interesting than that we are now trying, and which we trust will end in establishing the fact, that man may be governed by reason and truth."

A free people, governing themselves on the basis of reason and truth—that was the foundation stone of the new edifice. But let us remember that those who formulated the principles of the new Government were eminently practical men. They had to be. For they were not only building a structure which was entirely new, and which they meant to last; they were building for humanity. "Our cause is noble. It is the cause of mankind * * *" wrote Washington during the dark days of 1779. And again, in his first inaugural address, the President reaffirmed his deeply felt belief that liberty itself, as well as "the republican model of government," is "finally, staked on the experiment entrusted to the hands of the American people."

It was in this spirit of dedication to the future that the members of the new Government settled down to tackle the hard problems of the present. Not the least of these was the question of sound money and the public credit.

Does this issue sound familiar? Not only today, but on many other occasions in the past 175 years, the sound money question has been in the forefront of public discussion. The persistence of this issue in the changing economic scene is simply another illustration of the fact that the great principles of political freedom and self-government do not perpetuate themselves automatically. Each generation must earn all over again its heritage of freedom. A government of reason means that its people must make the hard decisions, under ever-changing circumstances, to grapple with difficult problems as they appear. They cannot delude themselves with the mistaken belief that such problems can safely be passed on to the future.

Today, there are indications that the sound money question may become one of the great issues of the 1960's. Because of the far-reaching implications of this issue, we cannot remind ourselves too often of the basic principles which are at stake. It is for this reason that I would like to review

with you today some of the financial traditions which we inherited along with the Declaration of Independence and the Constitution.

The first financial principle which had to be established in word and fact by the new Government of the United States was that all proper debts incurred during the revolutionary period must be acknowledge in full and "funded" into obligations of the Federal Government.

No patriotic American of those days regretted the cost of the war. It was "the price of liberty," as Hamilton put it. There had been a serious inflation. Credit was virtually destroyed, both at home and abroad. The States were strongly opposed to taxation by Federal authority. Bonds representing the national debt were selling in the market at 10 cents on the dollar or less. Money was needed immediately both to pay the expenses of the new Government and to meet the demands of foreign creditors.

Backed by the President, and in the face of an often hostile public opinion, Hamilton set out not only to establish the public credit and the currency of the United States on a sound basis, but to educate the Nation on the importance of this step. The French statesman Talleyrand, returning to France after a visit to America in the early days of the Republic, remarked to friends that it was one of the "wonders of the world" to see Alexander Hamilton—whom he called "a man who has made the future of a nation"—laboring all night at the problems he was trying to solve. Passing the Secretary's office in Philadelphia late one evening, Talleyrand had seen the light burning—and then had found Hamilton hard at work early in the morning. To appreciate this incident—and many similar ones—we may recall Washington's words:

"Whatever my own opinion may be," the President wrote "it always has been * * * my earnest desire to learn, and, as far as is consistent, to comply with, the public sentiment." But "it is only after time has been given for cool and deliberate reflection, that the real voice of the people can be known." Hamilton, in his "Reports on the Public Credit," set out to provide the strongest possible basis for cool and deliberate reflection.

First of all, he strove to make clear the fundamental importance to the new Nation of an unassailable credit position. On the day that Hamilton took office the Government was faced with bills for $78 million—a towering sum in those days, and a burden of debt which many people felt the country would be incapable of undertaking. Repudiation of the debt in whole or in part was strongly urged.

Perhaps no more courageous step was ever taken by a financial statesman than Hamilton's action committing the country to accept its obligations in full. "* * * The true definition of public debts is a property subsisting in the faith of the Government," Hamilton wrote. "Its essence is promise. Its definite value depends upon the reliance that the promise will be definitely fulfilled."

We may take note of that phrase, "definitely fulfilled" not evaded or postponed in some vague way to the future. Nor settled in a currency debased by inflation. And in this as in other matters affecting the public credit, Hamilton was supported by the great moral force of George Washington. Debts may be incurred in "unavoidable wars" the President observed at a later time, looking back over the early problems of the Government. But the country should make "vigorous exertions in time of peace to discharge the debts—not ungenerously throwing upon posterity the burden, which we ourselves ought to bear." Good faith, responsibility, trustworthiness, these were the precepts which the leaders of the new Nation felt must be built into the very foundation of a Government resting on reason and truth, if that Government was to last.

Then as now, there was no magic formula. "* * * it is essential that you should practically bear in mind," Washington told his fellow citizens in his Farewell Address, "that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised, which are not more or less inconvenient and unpleasant."

Hamilton, in his second "Report on the Public Credit," had expressed the same thought a little differently. "To extinguish a debt which exists, and to avoid contracting more," he observed rather drily, "are ideas always favored by public feeling and opinion; but to pay taxes for one or the other purpose is always, more or less, unpopular." Hence it is common, he added, "to see the same men clamoring for occasions of expense," who are also "declaiming against a public debt, and for the reduction of it as an abstract thesis; yet vehement against every plan of taxation which is proposed to discharge old debts, or to avoid new." Allowing for the formality of 18th century language, it must be admitted that this comment is pertinent to many situations encountered today. But, as Hamilton adds, "These contradictions are in human nature."

The second financial principle then—following on a sound funding of all just debts—was a public revenue sufficient to cover the debt management program as well as the necessary expenses of Government. And finally, there was the inescapable third measure—"true economy and system in the public expenditures" which would make it necessary to resort to credit, as Washington pointed out, "as sparingly as possible." Even Jefferson, whose views differed from those of Hamilton in so many respects, stated in unequivocal terms: "I am for a government rigorously frugal and simple, applying all the possible savings of the public revenue to the discharge of the public debt."

These, then, were the essentials of the program of financial integrity which the President and the Secretary of the Treasury put before the Nation—restoration of public credit, the adoption of adequate measures for maintaining it in a sound condition, and economy in Government thereafter. On this program, Hamilton was convinced, depended not only the Government's financial soundness, but the future prosperity of the entire country. Hamilton, in fact, was far ahead of his time in perceiving the importance of credit in fostering the growth of a new and underdeveloped Nation as well as the close relationship between the Government's financial condition and monetary conditions in the private economy. "Public and private credit are closely allied, if not inseparable," he wrote in his second report urging support for sound financial principles. "A shock to public credit * * * by the * * * disorders, distrusts, and false principles, which it would engender and disseminate," would undermine private credit also; for "Credit is an entire thing; every part of it has the nicest sympathy with the other part; wound one limb, and the whole tree shrinks and decays."

In the light of our long experience in wrestling with monetary and credit problems in the years since Hamilton's program was undertaken—and in the light of experiences in other countries also—it would seem that we should have arrived at a more profound wisdom on these matters than the founders of our country could have possessed. But I believe that it would be difficult to find anywhere a clearer statement of principle applicable to our own times than was set forth in the documents and programs of Washintgon's first and second administrations. The details of the programs required for fiscal and economic soundness have indeed changed. But the guiding precepts are as applicable to current problems as they were 175 years ago.

We are hearing now, for example, that inflation has little or no bearing on prosperity; that we should, by public expenditure, force an ever more rapid expansion in the American economy—regardless of whether these expenditures can be paid for out of revenue or not. We are being told that inflation in modern times is a new inflation, and that old principles for maintaining price stability do not apply.

But the plea for excessive deficit spending as a national policy is far from new. I suppose really it is about as old as Government itself. But to look back only into our own history, we find Hamilton toward the end of his first report on the public credit speaking out against those who urge that, once the war debts are funded, public debts are public benefits. In the view of Hamilton, this is a position inviting to prodigality, and liable to dangerous abuse; a position that holds the possibility of undermining all that had been accomplished in building the financial character of the Nation up to that time.

In the years since the formation of the Union we have passed from the position of a small and weak debtor Nation to one of world leadership—financially, economically, and in a military sense. Yet it is still true—and possibly in a more immediate sense than ever before—that the future of freedom is entrusted to the hands of the American people.

What does this mean in practical terms, in our times? It means that we must maintain an economic position of impregnable strength. Now, as in 1789, fiscal soundness is basic to economic strength. History shows us that every nation which has ignored this lesson has had to pay for its mistake in a long and bitter battle to retrieve position. I can see no evidence whatever that our own generation can provide an exception.

Just as the founders of our country perceived for their own time, so we, too, must recognize that a government can do none of the things which are necessary and desirable for a sustained period unless it is supported by a sound economy based on sound money. Only under these conditions can the necessary and desirable programs of the Government—be they military security, general services to the public, or mutual assistance to our allies—long be maintained for the enduring benefit of all Americans.

Moreover, we must recognize that not growth as an end in itself but growth in the output of goods and services people want and need must be the primary goal of economic policy. Sustained growth of this nature in the future depends heavily on a high rate of saving and capital formation today. It requires that the monetary unit in which investments are made and savings accumulated command confidence at home and abroad. Our rate of growth will be small indeed if fear of inflation is allowed to impair the will to save in traditional dollar forms. Inflation, either creeping or rapid, is the enemy of growth.

With prudent management of our affairs, both public and private, there is every reason for great confidence in our future. Certainly our economy is growing vigorously. Certainly our vast natural resources, and the vision and inventiveness of our people, give real hope for tremendous progress in the years ahead. If we act properly, there is no reason why we should not move strongly ahead, on the foundations established by our early leaders, to the greatest opportunities in our history.

As we go about our present tasks, both at home and in the performance of our international duties, we would do well to recall the words of Washington in a letter addressed to Lafayette in 1783: "We stand, now, an independent people. We are placed among the nations of the earth, and have a

character to establish; but how we shall acquit ourselves, time must discover." Thirteen years later, in his farewell message, Washington addressed this question to the people: "Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. * * * It is well worth a full and fair experiment."

We in our generation can have no higher goal than that of performing our part in this experiment in a manner worthy of our great heritage.

NEED FOR CLOSER TIES BETWEEN AMERICAN AND AFRICAN PEOPLES

Mr. SYMINGTON. Mr. President, during my recent trip to Africa, I had the great honor of meeting with the leaders of some of the newly independent, developing nations of that continent. None was more impressive than President Sekou Toure of the Republic of Guinea.

President Toure knows and understands the problems which an emerging nation must face. He has the determination and foresight which, I am sure, will meet the challenges of the future in a manner that will benefit his nation and the world.

President Toure made a lasting impression on those who met him during his recent tour of this country. This trip was an example of what can be done between nations if there is a mutual exchange of ideas and plans.

I hope that there will be many more such visits and exchanges between our peoples and those of the African nations.

We must also send our best representatives to serve in these countries—men like John Morrow, who is doing such a fine job as our Ambassador to Guinea.

President Toure gave me a message of thanks to our people for the reception accorded him and the delegation from Guinea on their recent trip to the United States. In this message he expresses the hope that the mutual understanding which resulted from the visit will lead to closer ties between the American and African peoples.

Mr. President, I ask unanimous consent that the message of December 16, 1959, from President Sekou Toure of the Republic of Guinea to the American people and Government be inserted at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE PRESIDENT, SEKOU TOURE, PRESIDENT OF THE REPUBLIC OF GUINEA

We were very happy to receive, on the 14th of December, a visit from Mr. SYMINGTON to Conakry during his short stay in Guinea.

We shall use this occasion to express again the absolute gratitude toward the American Government and people for the enthusiastic and sincere reception paid to the delegation of Guinea during that highly memorable tour to the United States.

This tour, as well as our contacts with diplomatic, economic, and cultural circles, and also labor leaders, have brought us to the firm conclusion that the mutual understanding gained through these contacts will enable us to promote a further and closer cooperation between the American and African peoples.

We are convinced that this cooperation will establish happiness and peace for our respective continents, and the rest of the world.

This is the message we address to the industrious and sympathetic people of America and her Government.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, has the morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of its unfinished business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND] to the joint resolution.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia.

Mr. RUSSELL. Mr. President, rarely has a piece of major legislation come before this body with the broad, diverse support that the pending proposal—the so-called Holland anti-poll-tax amendment—appears to command. The list of sponsors of the amendment reads almost like a rollcall of the Senate. All wings of all parties seem to be well represented among the proponents. This amendment, above any others which have been before the Senate in several years, calls to mind the old adage about strange bedfellows.

It is seldom a comfortable feeling to be in a hopeless minority. It is even less comfortable to face a majority which includes many good friends and staunch allies in other important, hard-fought legislative battles. That, unhappily, is the painful predicament in which I find myself today. It is a predicament from which there is no escape. From the distinguished and formidable support announced for this measure, I have not the slightest doubt at all that it will receive the requisite number of votes if it is submitted to the Senate for its approval. Yet I would be compelled to cast my vote against the amendment, even if I were to stand alone in doing so.

The proposed amendment, if approved by Congress and ratified by three-fourths of the States, would say to five States of the Union: "You are no longer permitted to devise your taxes in accordance with the judgment of your State legislatures. You cannot levy a tax as a prerequisite for voting, as the Constitution has allowed you to do since 1789. From now on, you are compelled to conform to the policy which we have devised for you outside the borders of your State. From this day hence, you will do what the majority tells you to do, whether you like it or not."

Mr. President, I have stated bluntly exactly what the pending amendment proposes. It is an effort by the majority to impose and enforce its will upon the minority by rewriting a provision of the Constitution of the United States.

I, for one, refuse to be a party to any attempt at constitutional coercion and to enforce compulsory conformity. I regard such measures as inconsistent with the spirit of the Constitution, incompatible with the philosophy of the Founding Fathers, and hostile to the fundamental precepts of our dual system of government.

Certain factors regarding the proposed amendment should be made clear from the outset.

First, the State of Georgia would not be directly affected by the passage and ratification of the amendment. The poll tax as a requirement for voting was abolished by the legislature and the people of Georgia 15 years ago. Georgia is not one of the 5 States which this amendment seeks to coerce.

I may say that until the time I served as Governor of my State in 1931, the Constitution of Georgia required that all taxes due the State—not simply the $1 head tax, but all taxes—be paid before any person would be qualified to exercise the franchise. During my administration, that practice was changed by the people of the State of Georgia; and later, in 1945, the poll tax itself was eliminated.

Second, I myself hold no brief for the poll tax, either as a qualification for voting or as a revenue measure. I think it is an outmoded method of raising revenue, and I do not approve of the general policy of applying it as a qualification for voting. That is my feeling now, and it was my feeling in 1942, when the same issue was before the Senate prior to the time Georgia abolished the poll tax. I refer to the CONGRESSIONAL RECORD for the debate in 1942, in which I stated:

The poll tax provision should perhaps be repealed, but insofar as Georgia is concerned it should be repealed by the people of Georgia. * * * If a measure to that effect were submitted to the people of Georgia on a vote, as a voter in that State I should vote to repeal the poll tax as a State function.

I made that statement to show that I was not then—as I am not now—an advocate of the poll tax. I supported a change in my State's constitution to remove it.

Third, the issue here has nothing to do with the question of Negro voting which has touched off so much sound and fury in certain political quarters and in certain elements of the press.

The requirement on the part of certain States of the payment of a poll tax is a prerequisite for all voters and prospective voters, without regard to creed or color. I have never heard it charged that the poll tax was applied in a manner so as to discriminate against any race. We may be certain that if that had been done in any one instance, we would have heard loud screams from the

minority pressure groups, and the case would have been before the Supreme Court long ere this.

Mr. ROBERTSON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield.

Mr. ROBERTSON. Possibly the Senator from Georgia may recall that in the most recent case involving the poll tax in Virginia, the court held that inasmuch as the poll tax is levied in a nondiscriminatory way against everyone in the State, it is perfectly legal and constitutional.

As to the Senator's reference to whether the poll tax is used in any State for the purpose of discriminating along racial lines, let me say that recently I obtained statistics on the registration of voters in the bordering State of North Carolina, which has a population slightly larger than that of Virginia. The statistics deal with the proportion of nonwhites who register to vote. From the statistics we find that in North Carolina, where there is no poll tax, the percentage of those who voted was only four-tenths of 1 percent higher than in Virginia, which requires the payment of a poll tax. Furthermore, the North Carolina statistics were not for the entire State, whereas the Virginia statistics were for the entire State.

In other words, so far as I can ascertain, the poll tax requirement in Virginia has had no effect from a racial standpoint; and the accuracy of that statement is shown by a comparison of the situation in Virginia, which requires the payment of a poll tax, with the situation in the adjoining State of North Carolina, which does not require the payment of a poll tax.

Mr. RUSSELL. Mr. President, I think the importance of the poll tax as a deterrent to voting has been blown up out of all proportion. In my own State, a decade and one-half ago, the payment of a one dollar a year poll tax was required. The revenue from the tax was used to support the common schools of the State, just as I believe is the case in practically all the States which at the present time require the payment of a poll tax. There may have been a time in the early days of the Republic, when property qualifications for voting were common, that a $1 poll tax might have deterred someone from voting. But to state that such a nominal sum would deter anyone from voting today would be to reflect upon the patriotism of anyone who really desired to vote.

After all, Mr. President, one dollar is less than the cost of keeping a man in cigarettes for a week. In a State which has high taxes, a citizen could do without drinking three bottles of beer and be able to save sufficient money to pay the poll tax and be able to vote. Or if he would walk to work four days during the entire year, he would be able to save enough to be able to pay this allegedly "onerous, burdensome poll tax of one dollar a year"—which is said to be keeping thousands of citizens from the polls. Mr. President, this is simply one of the little political playthings with which our friends toy while they make charges to the effect that the poll tax prevents citizens from going to the polls.

Mr. HILL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. HILL. The Senator from Georgia recalls, I am sure, that under the Minimum Wage Act, which was passed by the Congress, the minimum wage is now $1 for 1 hour of work.

Mr. RUSSELL. I am glad the Senator from Alabama has called attention to that point. If a citizen is not willing to work for 1 hour in order to support the common schools and to be able to vote, I do not think he is a very desirable citizen in the first place.

Mr. President, this whole charge is fantastic. It has been blown up out of all proportion.

It so happens that all five of the States that have not removed the poll tax are in the South. Every day some of our friends from other parts of the Nation examine the Southern States with a magnifying glass—in an attempt to find some flyspeck which, when magnified, might look as large as Stone Mountain. If they find something, they say: "Look at what the southerners are doing." Then they run to Washington and complain about it.

As a matter of fact, a $1 payment certainly is not a serious deterrent from voting, if, indeed, it is a deterrent at all.

Mr. President, there is no question that two-thirds of the Congress and three-fourths of the States have the legal authority to amend the Constitution in the manner now proposed. That is granted. However, the question here is whether it is proper, prudent, and a desirable precedent to begin to tinker with our fundamental law over such a small matter.

The poll tax is a matter of small moment to the individual whom the advocates of this proposal claim they wish to protect. But an amendment to our organic law is a matter that should never be taken lightly.

It is clear and uncontrovertible that each and every one of the 50 States under the Constitution has the right to prescribe qualifications for voting. Even the proponents of the pending amendment, I am gratified to note, recognize this basic concept of our constitutional system. At least the proponents of this amendment are seeking their objective through the process of an amendment to the Constitution, instead of through the palpably unconstitutional process of a mere statutory enactment.

Mr. President, I shall not dwell at length on the suggestion which has been brought forward here, in the form of the so-called Javits amendment or substitute, that the Constitution can be amended by statute. I realize that it means a great deal to some persons to hasten the process, so that they may attempt to show their constituents that they will get at the throats of the southerners faster. They propose to repeal the poll tax by statute, whereas if such action is to be taken at all, it should be taken by means of a constitutional amendment.

If we in this body ever surrender to the expedient of seeking to short circuit the Constitution of the United States in order to gain an objective which today may seem desirable to some of us, we may be sure that on tomorrow we will lose some fundamental right at the hands of one who is willing to be equally inconsistent with the entire philosophy of our constitutional system.

In the first place, Mr. President, the Constitution could not be more emphatic in delegating to the States the right and the authority to fix the qualifications for voting for Federal elected officials as well as for State and local elected officials. That is spelled out in the Constitution, not once, but twice. It appears first in section 2, article I.

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

It should be remembered that at the time when the Constitution was adopted, Members of the House of Representatives were the only Federal officials who were to be elected directly by the people. Therefore, that was the only office over which the question of voter qualifications could have arisen at that time. Undoubtedly the Founding Fathers thought they were settling that question once and for all.

Later, however, the 17th amendment was ratified in 1912, providing that U.S. Senators should be elected directly by the people. Again, the authority to prescribe voting qualifications was specifically delegated to the States.

At that time—even as late as 1912—there was still some respect in the Congress for the Founding Fathers. It was still thought then that they knew how to use language to express their purpose. So the authors of the 17th amendment simply used, without change, the identical language which appears in article I, section 2; namely, that—

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The other day I said here, in a colloquy with my friend, the junior Senator from Virginia [Mr. ROBERTSON] that this is the only instance in which identical language appears twice in the Constitution.

Mr. President, it is significant that the 17th amendment was adopted and ratified almost 50 years after the adoption of the 14th and 15th amendments, which related to the rights of the newly freed slaves. If either of those amendments had been intended to restrict or to amend the right of the States to prescribe voter qualifications, that intention surely would have been reflected in the later language of the 17th amendment.

Although the Constitution itself is explicit about the right of the States to fix voter qualifications, we also have the words of several prominent members of the Constitutional Convention to assure us of this intent of the Founding Fathers.

The question of qualification for voting was discussed and debated at some length in the Convention. James Madison, in his journal of the Convention proceedings, records that Gouverneur

Morris proposed that the right to vote be restricted to freeholders. According to "Madison's Journal," James Wilson, of Pennsylvania, argued vigorously against this proposed Federal qualification for voting. In defending that part of the draft Constitution which was to become article I, section 2, Wilson declared:

> This part of the report was well considered by the committee, and he [Wilson] did not think it could be changed for the better. It was difficult to form any uniform rule of qualifications for all the States. Unnecessary innovations, he thought, too, should be avoided. It would be very hard and disagreeable for the same person at the same time to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

Oliver Ellsworth, a delegate from Connecticut, also supported the provision to empower the States to prescribe voter qualifications. According to Madison, Ellsworth told the Convention that:

> The right of suffrage was a tender point, and strongly guarded by most of the State constitutions. The people will not readily subscribe to the National Constitution if it should subject them to be disfranchised. The States are the best judges of the circumstances in temper of their own people.

Mr. President, that last sentence—"the States are the best judges of the circumstances in temper of their own people"—is certainly applicable today. There have been dramatic changes over a relatively brief period of time in the extension of the right of suffrage. For example, we have done away with all the property qualifications as they originally existed and have broadened the right of suffrage. The States and the people of the States have shown that they are capable of making their own changes themselves without having to obey one set of rules made for all in Washington.

Morris' attempt to prescribe a qualification for voting in the Constitution was decisively defeated. Subsequently, the Convention approved the proposed language which now constitutes section 2 of article 1 of the Constitution.

Nor does the matter end there. Any lingering doubt that the Founding Fathers intended voter qualifications to be a State—not a Federal—function was demolished by Madison and Hamilton in the "Federalist Papers."

In a discussion of the role of the House of Representatives, Madison declared in "Federalist Paper" No. 57:

> Who are to be the electors of the Federal Representatives? Not the rich, more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscurity and unpropitious fortune. The electors are to be the great body of the people of the United States. They are to be the same who exercise the right in every State of electing the corresponding branch of the legislature of the State.

Hamilton examined the voter qualification question more directly in Federalist No. 52. He explained why the Constitutional Convention decided to let the States prescribe voter requirements in the election of Members of the House.

> To have reduced the different qualifications in the different States to one of uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established by the State itself. It will be safe to the United States because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such manner as to abridge the right secured to them by the Federal Constitution.

Mr. President, the clearly defined right of the States to prescribe qualifications for voting has been affirmed time and again by the Supreme Court. The question was before the court as recently as last June; it was again resolved in favor of the States.

In a unanimous decision upholding the right of North Carolina to apply a literacy test as a qualification for voting, the Court said:

> The States have long been held to have broad power to determine the conditions under which the right of suffrage may be exercised * * * absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So, while the right of suffrage is established and guaranteed by the Constitution * * * it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

Not only has the Supreme Court upheld and affirmed the right of the States to prescribe voter qualifications, but it has also declared the poll tax to be a perfectly legitimate and legal qualification for voting. In *Breedlove* v. *Suttles* (302 U.S. 77), the Court said:

> To make payment of a poll tax a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment.

No more need be said to establish firmly and clearly the right of the States to prescribe qualifications for voting—within, of course, the broad framework of the Constitution itself. This vital provision of our elective process is basic to the American system constitutional government—a government of divided powers, of checks and balances, dual form and delineated functions.

Under our system certain powers to govern are specifically delegated to the Federal Government while all others are reserved to the States and to the people. The States are accorded wide latitude under the Constitution to devise a plan of local government best suited to each's individual needs and circumstances. In a very real sense, the States are the testing laboratories of our democratic Republic.

It was within this context that the Founding Fathers wisely left to the States the task of prescribing voter qualifications. From the earliest days, this was a big and diverse country with a multitude of widely varying conditions and problems.

The establishment of a uniform and inflexible system of voting standards for every State and section of the country would have been as unwise and impractical as the establishment of a uniform system of local police or health protection. The Founders of the Republic wisely refrained from attempting to impose such uniform standards on the people; instead, each State was left to devise its own standards for voting consistent with the Constitution.

This system has worked exceedingly well. Under the broad powers granted to them, the several States have established individual standards that best fit their own circumstances and conditions.

At one time or another, virtually every State has had a poll-tax or property-ownership requirement as a prerequisite for voting. Both of these requirements are gradually disappearing through action by the States themselves.

According to the "Book of the States" for 1958–59, five States still levy some form of poll tax. They are Alabama, Arkansas, Mississippi, Texas, and Virginia. The same publication lists seven States that cling to some vestige of property requirement for voting. Those States are: Michigan, Montana, Nevada, South Carolina, Texas, and Utah.

There are, however, many other voting requirements maintained by individual States. I am informed, for example, that our newest State of Hawaii requires a voter to be able to speak, read, or write either the English or Hawaiian language as a prerequisite for voting. Obviously, this is a requirement which would be most appropriate for a Hawaiian, but it would be a very difficult requirement for citizens of the other 49 States, if they had to be able to read or write the Hawaiian language.

Some 18 States have other forms of literacy requirement as a prerequisite to voting eligibility. Five require that the voter be able to read a section of the State or Federal Constitution and write his own name. Arizona requires, for example, that a person must be able to read the Constitution of the United States in the English language in such manner as to indicate that he is neither being prompted nor reciting it from memory.

Wyoming has a requirement that the prospective voter must be able to read the State constitution in order to be qualified. Connecticut provides that in order to be qualified for voting one must be able to read any article of the U.S. Constitution or any section of the Connecticut statutes in the English language. Connecticut also requires that a prospective voter must be of good moral character and of a sound mind.

Two of the States of the Union, Mr. President, have made a dramatic change in the voting qualifications. My own State of Georgia led the way by amending the State constitution to permit all citizens of Georgia to vote at the age of 18. In other words, we lowered the voting age from 21 to 18 many years ago. Within the past 2 years Kentucky followed that example, and lowered the voting age from 21 to 18.

The States of the Union have developed and devised their various standards for voting entirely in accord with the letter and the spirit of the Constitution. In so doing, they have carried out the intent of the Founding Fathers.

We are now asked to alter this system which has served the country well for more than a century and a half. It is now proposed that we restrict the right of the States and enlarge the power of the Federal Government over the sensitive area of voter qualifications.

To be sure, it is not proposed—at the present time—to discard altogether the constitutional concept that the States should prescribe voting qualifications, but the fact that an amendment has been offered, undertaking to change the Constitution by statute, in the case of the proposed legislation which is pending, shows that this is only the start. It is here proposed only to prohibit—no, to order—five States to cease levying a poll tax as a prerequisite for voting.

It is not proposed, just now, to tamper with and restrict the rights of the remaining 45 States.

In other words, under the Holland anti-poll-tax amendment it will be all right for Vermont to continue to require a voter to take a "Freeman's Oath" but it will be unlawful for Alabama to levy a poll tax. Connecticut may continue to permit only those citizens adjudged to possess a sound mind and good moral character to vote; but Virginia may not collect a tax of $1.50 a year from its citizens who wish to exercise the franchise.

This amendment, if approved by Congress and ratified by the States, will be only the first in a series of moves to upset the delicate balance of State and Federal powers within our system. It is a part of the insidious and unceasing campaign to transfer all powers of government to Washington and to reduce the States to mere geographic entities.

Does anyone doubt that this amendment, if successful, will be followed by other proposals to extend still further the strangling grip of Federal control over the elective process? Already the shadowy outline of Federal election control may be seen in some of the so-called civil rights proposals which have been advanced.

One such proposal undertakes to authorize the Federal Government by statute to prescribe the type of literacy or educational tests a State may require as prerequisite for voting. Another would bar the States from fixing any voter qualifications at all except age and residence requirements.

Mr. TALMADGE. Mr. President, will my colleague yield at that point?

The PRESIDING OFFICER. Does the Senator yield?

Mr. RUSSELL. I am glad to yield to my colleague.

Mr. TALMADGE. My distinguished colleague made reference to one of the recommendations of the so-called Civil Rights Commission, which has proposed and has drafted a constitutional amendment which would limit, as the Senator pointed out, the power of the States to regulate the right of franchise solely to age and residence requirements. Is it not true that if such an amendment were submitted by the Congress and ratified by three-fourths of the legislatures of the States it would permit idiots to vote?

Mr. RUSSELL. Yes, indeed. It would permit idots to vote and criminals to vote. Nearly all the States have some disqualifying clauses affecting those who have committed crimes involving moral turpitude. Such an amendment would wipe out all that body of State law. If a man could escape from a penitentiary and get to the polls, no matter how heinous a crime he had been convicted of, under the proposal which bears the name of "civil rights," such a criminal would be entitled to walk up to the polls and to vote.

Mr. TALMADGE. In line with what the Senator has pointed out, is it not true that if someone were in the penitentiary awaiting execution for treason against his country, and that person escaped from the penitentiary on election day managed to find his way to the polls, he would be entitled to vote?

Mr. RUSSELL. He would be entitled to vote in the election, no matter how grievous his crime may have been. This simply shows how, in the hysteria generated every time anybody pronounces the two words "civil rights," people come forth and suggest cures for ills which do not exist, but which cures, if applied, would cause the whole body politic to sicken and wither away.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. TALMADGE. Does the Senator think that the so-called Civil Rights Commission, which has proposed a constitutional amendment which would permit lunatics, idiots and convicted felons to vote, is better qualified to dictate to the 50 sovereign States of the Union how they ought to handle their elective franchise than the 50 legislatures of the 50 States?

Mr. RUSSELL. I will take my stand with the 50 legislatures of the 50 States.

I was honored to serve in the House of Representatives of my own State for a period of 10 years, and during that time we had some rather unusual and bizarre suggestions made in the form of proposed legislation.

Georgia has a very large house of representatives. At the time I served in it it had 209 members. A great many bills are introduced. Not all of them are wise and easy to justify; but never in that period did any member make a suggestion so farfetched and foolish as the proposal of the Civil Rights Commission, that the States be denied even the privilege of preventing those convicted of crimes involving moral turpitude, and idiots, from exercising the right of franchise.

Mr. TALMADGE. I thank the Senator for yielding.

Mr. RUSSELL. I thank the Senator for his query, and for his contribution to this discussion.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield.

Mr. HILL. I do not know of a greater student of the Constitution or an abler expounder of that document than the distinguished Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. I thank the Senator for the compliment.

Mr. HILL. I know how carefully, thoughtfully, and painstakingly through the years he has studied the debates which took place at the Constitutional Convention in Philadelphia at the time the Constitution was written, and how carefully and painstakingly he has studied the debates which took place in the various State conventions which were called for the ratification of the Constitution.

Is it not the Senator's opinion that, had the Founding Fathers, when they wrote the Constitution, not left the matter fixing the qualifications of electors to the States, and if they had indulged in any such proposals as the distinguished junior Senator from Georgia has described, there would never have been any settled Constitution?

Mr. RUSSELL. Of course. The distinguished Senator knows that the Constitution was ratified by a mere hair. Two or three of the States ratified it by a very few votes, and two of the States after the other eleven had ratified. If it had ever been proposed that the Central Government should undertake to prescribe the qualifications of those exercising the right of franchise in the Thirteen Original States, there would never have been a Constitution, and a great many of those who signed that document could not have gone back home to the people who sent them there to represent them in the Constitutional Convention.

In those days people had some faith in themselves. They believed that they were able, within the States, to do some things. They believed that the city council could meet and come to some agreement as to the parking problems or the police problems of the community. They believed that the State legislatures had enough wisdom to grapple with the question of the qualifications of voters.

In this new day we have a new doctrine. The policy is to bring everything to Washington and let the Great White Father, sitting on the banks of the Potomac, write the parking regulations for the small communities, and prescribe the rules for voting in the various States. Let the Central Government decide what kind of health laws there shall be. Let there be one law in Washington which will settle all the issues disturbing local units of government, such as the question of whether to put fluoride in the water system. The new doctrine is to bring all those questions to Washington, the city of all wisdom.

I am proud to serve in the Senate. I have a very high opinion of the Senate when it is dealing with purely Federal problems. But I know that the Senate, the House of Representatives, and the President of the United States get beyond their depth when they undertake to prescribe rules of conduct for all the 170 million people living in more than 3,000 counties of the 50 States of the Union.

It is contrary to the purposes of our Government to follow any such policy. If these insidious efforts to whittle away,

bit by bit, the powers of the cities, counties, and States, continue, the day will come when this great device which has given us the greatest way of life and the finest system of government any people have ever known under the canopy of God's heaven will collapse and come down in ruins.

The affairs of government cannot all be handled from Washington. I care not how noble the purpose or how pure the motives, or how great the intelligence of those who direct the Government in Washington. They simply cannot apply a fixed rule of conduct to every one of the 170 million people in the United States, wherever they may live, without bringing about disaster and the loss of our liberties.

Mr. HILL. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. HILL. At the time the Constitution of the United States was written and adopted the people knew the history of mankind; they knew the history of governments and of nations; they knew the history of the rule of tyrants and dictators; they knew that the rights, the liberties, and powers of the people were safe, and could only be safe, as such powers were held in the hands of the people themselves. Is that not true?

Mr. RUSSELL. Providence has been kind to this country. One of its great benefactions was in the character of the men who wrote the Constitution of the United States. Those men knew tyranny. They had endured it, and they had put their all on the altar of freedom to break the chains of tyranny, and to step into a new day with a form of government for themselves.

I doubt whether there was ever any group of the same number of men anywhere with greater familiarity with the history of mankind and the influences that bring about a totalitarian form of government. Those men were scholars. They were students. They knew that the shores of human history were littered with the wrecks of civilization which had sprung up and flourished and then declined because the people had become indifferent and had entrusted all the powers of government to one source. There has never been a dictatorship that did not take power under the guise of doing great benefactions for the people.

The Founding Fathers knew that if all the powers of government were ever placed in one set of hands in Washington, Philadelphia, New York, or wherever else the seat of government might be located, it would mean the end of their dream of the American way of life and of the great civilization which we enjoy—the greatest that has ever existed. They took every possible precaution to avoid giving any one source of government in this country power enough to stifle the freedoms and liberties of the American people. Only within recent years has it become popular to tamper with that system in the Congress of the United States.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. First, I wish to assure the Senator from Georgia that, as a fellow Member of this body, it has been a treat to me to sit here and listen closely to his exposition of the very fine fundamental points of government which he has made in his remarks today. I know that he is a real apostle of the faith, and a believer in the Constitution. He expresses himself so clearly, firmly, and sincerely that one listening to him receives an additional great lesson. I thank him for his willingness to come here and speak with reference to these measures. Even though his State is not directly involved in the letter of the proposed legislation, the spirit of it certainly involves his State. The Senator from Georgia has been willing to espouse a cause.

A few weeks ago a very fine lady, who was raised in one of the States, asked me, in all sincerity, this question: "Why have the States any more?" I told her that if the proponents of the new doctrine were to continue to whittle away at the States, as they have done for several years, we might not have any more States. I feel sure the Senator agrees with that conclusion. I appreciate his remarks very much. I should like to have him address himself further to any phase of the subject he may see fit to discuss.

Mr. RUSSELL. I thank the Senator. The Senator is correct. My State does not levy any poll tax, and to that extent this simple proposal does not affect it; but the threatened Federal control of elections strikes at the jugular vein of our freedom. It strikes at the electoral processes in the several States which have 50 different programs relating to the holding of their elections.

Senators may recall that in 1954 it was proposed that we amend the Constitution so as to lower the voting age from 21 to 18 in every one of the 48 States. It so happened that my State was the only State at that time which had the 18-year-age requirement for voting. However, I opposed that proposed constitutional amendment, because I did not propose to put the rights and freedom of the people of the various States into a Federal vise here in Washington. I did not propose to take away from the people of Georgia the right to change still further the voting age requirement if, for example, they wished to lower the age to 17 or to raise it to 19.

Although my State was the only one which had the 18-year age voting requirement, I vigorously opposed the proposed constitutional amendment, which would have fixed the voting age at 18 all over the United States. Every State has the power to fix the voting age of its own people. States that wish to lower the voting age to 18 can do so.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. I remember quite well the fine speech the Senator from Georgia made on that very vital subject. That shows that he practices what he preaches with reference to the principles he espouses.

Does the Senator not think also that in the Senate, to which Senators are elected to represent the States, and where we have been talking about the powers of the States being whittled away, that this should be the last place where those rights should be whittled away or changed? If States cannot make their stand here, where else may they hope to be successful?

Mr. RUSSELL. Of course, under the old concept, when a man was sent to the Senate from a State, he was its ambassador. Senators were the ambassadors of their States sent to the Central Government.

This Chamber is the last citadel of individual rights and liberties in this country. I hope Senators will recognize the fact, not only with respect to this proposed legislation, but other proposed legislation as well. While I do not undertake to fix the standards for anyone else, this Chamber is the place where the States must be preserved if they are to be saved from degenerating into mere geographical entities.

I do not think any threat to our system is greater than that posed by the federalization of our elections. If the day ever comes when all the ballot boxes in the States are brought to Washington in order to count the votes, absolute control will then be centered in Washington. We will find that eventually a man will come along to assume absolute power.

I do not believe that the threat of Federal election control is either academic or farfetched. It lurks in this Chamber here today. It is found in committees and in legislation which has been proposed. The proposal now pending, regardless of how sincerely it has been advanced, is a part of that threat. Senators may choose not to recognize it as such, if they so desire. However, they cannot wish it away.

There is yet another disturbing implication in the pending proposal. The amendment is another attempt by a majority to club a minority of the States into conforming to the majority's wishes.

Five States, acting through their duly constituted governments, are engaging in a practice that is not immoral, unlawful, or contrary to the Constitution. But the practice apparently does not meet the approval of many of their sister States. Therefore, the majority is undertaking to change the Constitution in order to compel the five States to abolish the practice.

Mr. President, I do not believe in political coercion. I do not believe such a proposal is in keeping with the American tradition of fair play. It cannot be squared with our historical respect for minority rights and dissenting views, or with our determination to give the dissenter the right to present his views and to hold to them. That is in accord with our Constitution. All of the changes which are proposed fall into the pathetic pattern which prevails in many areas of our national life today, a pattern that demands conformity and penalizes individuality.

The demand for conformity, of course, is usually made in the name of "the people" or in the name of the "wishes of the majority." In observing this modern-day cult of conformity, I am reminded of a warning sounded a century

ago by the liberal English philosopher, John Stuart Mill. In his great essay, "On Liberty," Mill declared:

> It was now preceived that such phrases as "self-government," and "the power of the people over themselves," do not express the true state of the case. The people who exercise the power are not always the same people with those over whom it is exercised; and the *self*-government spoken of is not the government of each by himself, but each by all the rest. The will of the people, moreover, practically means the will of the most numerous or the most active part of the people—

He might have said the most vocal, if he had wished to describe the present-day pressure groups—

> the majority are those who succeed in making themselves accepted as the majority; the people, consequently may desire to oppress a part of their number, and precautions are as much needed against this as against any other abuse of power.

Mr. President, I suppose I am too old fashioned to see the proclaimed virtues of the pending amendment. I must confess ignorance of what its proponents expect to gain from it, except the dubious satisfaction of forcing 5 States to fall into line with the other 45.

On the other hand, I do see a great deal that can be lost by the adoption and ratification of the pending amendment. The loss will be to the Constitution which we love and revere.

In the final analysis, the issue at stake here boils down simply to this: Shall we preserve the Constitution as it was written and intended, or shall we revise the work of the Founding Fathers according to someone's contemporary notion of what he would like the Constitution to say and mean?

I hold no brief for the poll tax. I believe it is outmoded. However, I can find things in the statutes of almost every one of the 50 States of the Union which are more objectionable to me than the requirement that a person shall pay a dollar, which goes into the common school fund for the benefit of education, to entitle him to vote. When the question is presented to me whether I shall vote to amend the Constitution to force the will of 45 of the States on the remaining 5 States in a matter of this kind, the answer for me is clear. I, for one, possess neither the omniscience nor the genius that qualify me to improve on the efforts and wisdom of the Founding Fathers in leaving to the States the right to control their own election process.

I shall, therefore, in this instance, as I have in the past and as I shall in the future, so long as providence permits me to stay in this body, support the Constitution as it stands. I will defend the rights of the States, and the integrity of each of the 50 States of the Union, to control their own local affairs. Feeling as I do about the matter, I shall cast my vote against the pending amendment.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GRUENING. Do I correctly interpret what the Senator has said to this effect: First of all, that he does not particularly approve of the poll tax; that he does not view the poll tax, where it exists, as a device to prevent people from voting; that his own State of Georgia has repealed the poll tax; but that he objects to the proposed legislation because it would be the imposition of Federal law upon the powers of the States, which he believes should be sovereign? Is that a correct statement?

Mr. RUSSELL. I do not think the States have sovereignty in every instance. The Federal Constitution contains vast grants of power in which the Federal Government has control over the States. But in this instance it was clearly designed to give the States the power. I do not see any condition in this country which justifies 45 States imposing their will upon 5 States which have levied the poll tax for so many years. I do not regard such a tax as being any burden on the right of suffrage. I do not think the imposition of a $1 poll tax in this modern day is any deprivation of the right of suffrage.

Mr. GRUENING. In my judgment that is a very important point, because I think the belief is widespread that the poll tax, as it was used in certain States, was a device to prevent certain people who were poor from voting. I think it is important to have the assurance of the Senator from Georgia that that is not the case. I think that fact is buttressed by the statement that only five of the great number of States have such a tax. In other words, if this tax had been a device to prevent people from voting on the basis of race, or otherwise, it might have been so held by the courts.

Mr. RUSSELL. The Senator may be sure that if it had been used as a discriminatory device to prevent any special class of persons from voting, particularly those of the Negro race, it would have been stricken down by the Supreme Court long ago. I have never heard a charge that the poll tax was levied unfairly or in a discriminatory fashion in any State, or that any State used it as a device to circumvent the 15th amendment, which prohibits States from practicing any discrimination on the ground of race or previous condition of servitude in voting.

Mr. GRUENING. Coming as I do from a State which, when it made the transition from a Territory, received certain powers from the Federal Government, I find myself in great sympathy with the proposal to leave these powers to the States. Alaska has some legislation of which we are quite proud, such as that which regulates the erection of billboards on highways. Certainly Alaska would resent any requirement by the Federal Government that we as a State would have to permit the erection of billboards simply because 49 other States had so decided.

The question sometimes arises, How far should this practice be carried? If it is found that, because an injustice existed in certain States, some persons have been consistently denied the right to vote, does there not come a time when that becomes an issue of some importance, which perhaps presents a question to be determined by the Federal Government?

Mr. RUSSELL. I am not one of those who believes the Constitution is so sacrosanct that it should not be amended under any circumstances.

Mr. GRUENING. I am simply seeking light.

Mr. RUSSELL. The women's suffrage amendment and amendments of that kind were the natural consequences of changes in our civilization. I say there are no facts which have been brought forward to justify our saying to the legislatures, the Governors, and the people of the five States in question that they have not the intelligence, the integrity, or the ability which they should have to conduct the affairs of their States. The Constitution gives the Federal Government some broad powers over the States. The Federal Government guarantees each and every one of them a republican form of government, and Congress has the right to legislate in that field. There are very definite powers in that respect vested in the Central Government.

But no statement has been made, nor has it been charged, that the poll tax is levied in a discriminatory fashion. The commonsense of any Senator should tell him that $1 or $1.50 a year is not an amount which would cause hardship. The Senator from Alabama [Mr. HILL] has rightly pointed out that the minimum wage law provides for the payment of $1 an hour, so the payment of the poll tax would not require more than an hour or an hour and a half's work for the lowest paid person under that law.

There cannot be any great burden caused by the poll tax which would prevent people from voting. I sometimes think we take too much for granted—our great blessings, such as the right to exercise the franchise. I do not know but that it would be a good idea to make us appreciate the right of suffrage. I am not defending the poll tax. It is outmoded. It is the oldest tax known to man. It really is a head tax.

Mr. GRUENING. Does the Senator from Georgia consider the method of dealing with the question by means of a constitutional amendment to be just as objectionable as by the statutory method?

Mr. RUSSELL. Oh, no; I would regard such a statute as a rape of the Constitution. It would be most obnoxious.

If two-thirds of the membership of Congress and three-fourths of the States wish to force five States to change their laws, they have a right to do so. But I say no circumstances have been brought forward to justify the Federal Government's entry into the field of compulsion against these five States.

Mr. GRUENING. I thank the Senator from Georgia.

Mr. ERVIN. Mr. President, will the Senator yield for an observation?

Mr. RUSSELL. I am glad to yield.

Mr. ERVIN. My State of North Carolina formerly had a poll tax as a prerequisite to voting. The tax was collected from all male citizens alike, regardless of race or color. North Carolina many years ago abolished the poll tax as a prerequisite for voting. The abolishment of

the poll tax as a prerequisite for voting had no perceptible effect upon the voting practices in North Carolina.

I agree with the observation of the Senator from Georgia that if a statute were passed by Congress purporting to abolish the poll tax, such a statute would be clearly unconstitutional. The Supreme Court itself held, in a case from Georgia, the case of Breedlove against Suttles, that when Georgia had a poll tax as a prerequisite for voting, the imposition of a poll tax by a State as a prerequisite for voting was sanctioned by the Constitution. That case has been cited several times later by the Supreme Court with apparent approval.

It seems to me that the Senator from Georgia has made a very vital point in asserting that what is sought to be done by the amendment of the Senator from Florida is simply a manifestation of another attempt to centralize government in Washington.

My position about the poll tax is that, except as a revenue measure, I should like to see it abolished. Most of the States used to impose the poll tax as a prerequisite for voting. The great majority of them which at one time levied it have abolished it. Only five States have it now.

I think the Senator from Georgia has made a very valid point in saying that the power to provide qualifications for voters was left by the Founding Fathers to the States. I feel that an important situation is now developing in that respect. A recommendation was made some time ago by the Civil Rights Commission that the Constitution should be amended so as to concentrate that power in the Federal Government. The recommendation was that it be declared by constitutional amendment that every person possessing the State's requirements as to age and length of residence should have an absolute, constitutional right to vote in any election held for any purpose in any of the 50 States, or in any of their political subdivisions, if the person possessed a living, physical body, was regardless of whether he was with or without intelligence and with or without character, provided he was not confined in an institution for mental defectives or a prison on the day of registration and election.

That was a proposal to take away from the States the power to disfranchise idiots, lunatics, and persons convicted of crimes involving moral turpitude.

Mr. RUSSELL. The Senator said, "Unless he was confined to prison." Was that spelled out in the proposal?

Mr. ERVIN. Yes.

Mr. RUSSELL. I did not know it was provided that unless the person was actually confined to prison, he could vote. I rather apprehended that if such a constitutional amendment ever were adopted, it would allow a person who was in prison to be taken from prison, in order to have an opportunity to vote.

Mr. ERVIN. In other words, the proposal would allow a person to vote unless he was actually confined in an institution at the time of registration for the election.

Mr. RUSSELL. I was not aware that it was thus proposed that such a person be allowed to register and to vote unless he was actually confined—although perhaps that was the proposal.

Mr. ERVIN. Yes, it was.

But under this proposed constitutional amendment, if a man who was confined to a penitentiary was able to break out of it, or if one confined in an insane asylum was able to break out of it, on the day of registration or election, he would have a constitutional right to register and to vote, even though he was an idiot, one totally without intelligence, or even though he was serving a prison sentence or was under sentence of death for treason to his country.

All this goes to show the lengths to which some would go in their desire to centralize in the Federal government all the powers in regard to registration and voting, instead of leaving them where George Washington, Alexander Hamilton, James Wilson, and the other Founding Fathers left them—namely, in the States.

Mr. RUSSELL. I thank the Senator from North Carolina for his contribution.

Mr. President, I have concluded my remarks. However, I wish to say again that I am not a defender of the poll tax, per se. I do say there has been spread over the country more misinformation about the effects of the poll tax than about almost any other subject of which I have knowledge.

I think the poll tax is outmoded. In my secret heart I wish the five States now having it would abolish the poll tax. But so long as they stand on their constitutional right to impose this tax, under my concept of the Constitution of the United States, I shall stand here in the Senate and defend their right to impose it. I shall not seek to impose my views regarding the right and wisdom of laws passed by the various States.

Furthermore, if a day comes when the poll tax is imposed by only one State, instead of five, I would still defend its constitutional right, under our form of government and under the concept of the Founding Fathers, to impose a tax of that nature.

Mr. TALMADGE. Mr. President, I shall vote against the proposed amendment, not because I favor the poll tax, but, rather because I feel quite strongly that the question of whether such a tax should be levied is one which properly addresses itself to each individual State.

I do not object to having any particular State remove the poll tax. As a matter of fact, my State of Georgia did so in 1945. The results have been good, and the people of Georgia have had no reason to regret the change.

However, Mr. President, let me emphasize that Georgians would not presume to advocate or recommend that other States should do as it has done in eliminating the poll tax.

The people of Georgia believe the framers of the Constitution of the United States were correct in reserving to each State the power to determine voter qualifications; and they feel that anything which dilutes or circumscribes that right results in a weakening of our cherished Federal-State system and the time-proven constitutional checks and balances which serve to preserve it and keep it vital.

In a Nation so vast and diverse as ours, it is impossible to prescribe uniform rules which will serve the best interests of all States. Attitudes, conditions, and circumstances vary from State to State; and it must be recognized that what is good for one State is not necessarily good for all other States. On questions such as the one under consideration, for example, it is possible for two neighboring States to have totally opposite views and yet both be right.

Mr. President, the proposed amendment under consideration is another example of the alarming trend to substitute compulsion from Washington for the wisdom and good judgment of the elected representatives of the people serving in their respective State legislatures. I submit that the experience of the past has proved that it is impossible to enforce conformity of human thought and action from the national level, and that compulsion is not an answer to any question embracing public policy and governmental philosophy.

The question of whether a poll tax should be required as a prerequisite for voting is one which should be answered by each legislature. It is an issue with which State legislators are better acquainted and, therefore, better qualified to deal. I, for one, intend to vote to leave it in their able hands.

I will say, Mr. President, that I consider it to the credit of Congress that it has at last recognized that a proposed constitutional amendment is the only constitutional vehicle through which it can act on this subject. I hope that the consideration of this question in the form of a constitutional amendment will serve as a precedent for any other proposals for congressional action in the field of voting.

However, for reasons I have outlined—and feeling as I do that this issue properly should be determined by each State for itself—I cannot in good conscience support the proposed amendment; and I urge the Senate not to give its approval to it.

Mr. STENNIS. Mr. President, will the junior Senator from Georgia yield?

Mr. TALMADGE. I am delighted to yield to my distinguished friend, the Senator from Mississippi.

Mr. STENNIS. Mr. President, as one who represents in part a State which does have the poll tax, I thank the Senator from Georgia for giving the Senate the benefit of his views.

So long as the States are represented by men of his viewpoint and his qualities, I believe the States will continue to grow, and that the Senate will continue to serve the purpose it should serve, namely, the purpose of being a great fortress of strength to preserve the individual States of the Union.

Mr. TALMADGE. Mr. President, I am deeply grateful for the generosity of the comment my able and distinguished friend, the Senator from Mississippi, has made.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield to me?

Mr. TALMADGE. I yield to my distinguished friend, the Senator from North Carolina.

Mr. ERVIN. I simply wish to say that I share the views which have been expressed by both the senior Senator from Georgia [Mr. RUSSELL] and the junior Senator from Georgia [Mr. TALMADGE].

North Carolina, like Georgia, has abolished the poll tax as a prerequisite to voting; and if I were a member of the legislature of a State which had a poll tax as a prerequisite of voting, I would urge its abolition by that State.

But if we are to preserve the kind of government given us by the Founding Fathers—namely, a government which has a constitution which, as Chief Justice Chase said in the great case of Texas against White, looks in all of its provisions to an indestructible union composed of indestructible States—then I believe we should leave some of these basic rights to the States, and that the most basic of all of them which ought to be left to them is the right to declare the qualifications for voting.

The fact that most of the States which had a poll tax as a prerequisite to voting have abolished such tax on their own volition gives rise to the expectation that the five States now retaining a poll tax as a prerequisite to voting will also take such action in the near future. It seems to me that to resort to a constitutional amendment to abolish a poll tax in such a small number of States is about like using an atom bomb to get rid of a mouse, if I may express the analogy in that manner.

While I oppose a poll tax as a prerequisite to voting, and while my State has long since abolished it, if we are going to preserve the kind of country the Founding Fathers gave us under the Constitution, I think we ought to leave to the States the power to prescribe qualifications for voting, rather than concentrate such power in a highly centralized Federal Government.

Mr. TALMADGE. I thank the Senator. I certainly share his views. There is no more reason for the 45 States in the Union to say to the 5 States in the Union that have poll taxes, "You may not levy a poll tax," than there is for the 50 States of the Union to submit a constitutional amendment saying to all 50 States, "You shall not have on your highways a speed limit in excess of 50 miles an hour."

There is probably more justification for submitting a constitutional amendment relating to the speed limit, because hundreds of thousands of people are being killed on our highways year after year, some of them because they drive too fast; but is a problem which the States recognize can best be solved by State action without Federal interference.

Certainly, the electoral process is just as close to the people on the State level as is the fixing of speed limits on the highways, or any other matters which are determined by the Legislature of Mississippi, North Carolina, or any other State of the Union, every day.

As the distinguished senior Senator from Georgia [Mr. RUSSELL] stated in his extremely able speech, this is just another effort to transfer power from the counties and the State legislatures to Washington, D.C., because some of us here think we are better qualified to exercise the power than are the people on the local level who live with their problems every day. Yet, as I look about me and consider the problems which are constitutionally imposed upon us and note our rather frequent failure to handle adequately the job the Constitution imposes on us, I seriously doubt if we are as well qualified to handle those problems as are the State legislatures.

Mr. President, I yield the floor.

DOUBLE TALK IN POLITICAL SPEECHES

Mr. FULBRIGHT. Mr. President, it is seldom in this stolid and humorless era that an observer of our political scene sees through the absurd double talk of so many of the political speeches with which we are entertained. It is even more rare that such an observer who does grasp the inner meaning of such speeches has the talent to express the flimflammery in an amusing and unanswerable manner.

Mr. James Reston's column in the Sunday Times of January 31 is a classic, worthy of the attention of my colleagues.

I ask unanimous consent to have the article printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD as follows:

"THE STRINGS IN MR. NIXON'S BOW

(By James Reston)

WASHINGTON, January 30.—At 8:20 p.m. last Wednesday in Chicago Vice President NIXON "threw down the gantlet" to the spenders at home, and promised to "leave no stone unturned" overseas.

Until merrier cliches come along—and they will—these will have to serve both as an indication of Mr. NIXON's style and his problem.

His problem in this election is to have two strings to his bow, to come out flatfooted for Eisenhower and still be cock of the walk; to carry water on both shoulders without upsetting the applecart; to fish in, and pour oil on, troubled waters; to defend the past and take time by the forelock without falling between two stools; and, of course, to bring home the bacon through thick and thin.

All this is enough to make strong men quiver, but Mr. NIXON is the kind of fellow who can steer between Scylla and Charybdis and take both precincts. His performance in Chicago was a masterpiece of political gymnastics and illustrates once more that, as a tactician, he is about the best in the business.

MASTER AT WORK

Not many men can both condemn and outpromise the spenders and get away with it, but Mr. NIXON made a good try in Chicago. He virtually canonized the President. He scorned the opposition. He defended the past as the best 7 years of our lives and then painted a picture of the future that made these 7 years look like a depression.

For the last month the Democrats have been scattering boobytraps for Mr. NIXON all over the landscape. He dodged them, every one.

Defending the President's leadership in the present mood of the country is about as difficult as praising George Washington, but Mr. NIXON rushes to his defense, anyway.

Shame, he says, painting a word picture of the President stamping out war in Korea, rushing to the defense of Lebanon, Quemoy, Matsu and Suez, flying off to Panama when he was sick, keeping his head when all around were losing theirs. And who do you suppose was at the President's side when he was doing all this?

Not since the days of Red Grange has the State of Illinois seen such agility in a broken field. We do not have a second-rate defense, he asserted, but "we must submit our national security programs to a searching, month-to-month reexamination."

The American educational system is "the best in the world," but "inadequate classrooms, underpaid teachers and flabby standards are weaknesses we must constantly strive to eliminate."

American agriculture, he added, is the most productive on earth but "there is no higher priority than a complete overhauling of obsolete farm programs."

In short, he managed to call for many of the things the Democrats are demanding without any suggestion that he was criticizing the President on defense or schools, or the Secretary of Agriculture on the farm policy. Bigger programs were advocated and more Government spending condemned, and this may not be as contradictory as it seems, for with revenues rising, the next President may have a substantial surplus in the Treasury.

A SKILLFUL ARGUMENT

Mr. NIXON's argument was not only skillful but in a way it was unavoidable. He cannot avoid defense of the present level of spending.

He must support his President's policies, but at the same time he has to keep from being sideswiped by the Democratic charges that he is satisfied with everything as it is.

He dealt with this effectively in Chicago: "We shall look upon our record not as our ultimate achievement but as the solid foundation upon which to build even greater accomplishments in the future. Why is America a great nation today? Because we Americans have never lived in the past. We are never content to rest on our laurels. We never like to settle for being second best in anything."

Against this kind of thing, the Democrats have their problems. They think the country is sick, but it is like a sick man who feels good and is told constantly by his doctor that he's in wonderful shape.

Mr. NIXON is exploiting this feeling to the hilt. We're living the life of Riley, he says (forgetting that Riley was probably a Democrat), so why look a gift horse in you know what, or change horses in you know where?

VISIT TO THE SENATE BY SENATOR NANCY BUTTFIELD, OF AUSTRALIA

Mr. WILEY. Mr. President, I have a distinct honor and pleasure today. We have with us a fellow senator from Australia, who is visiting the Senate. She is Senator Nancy Buttfield. She is visiting the United States under the program of the International Exchange Service of the Department of State. She is a member of the Liberal Party. She comes from south Australia. She has been a senator since 1955. She is the chairman of the select committee on the promotion of tourism of the Australian senate, and is a member of the federal parliament standing committee for foreign affairs, the only woman to hold this position.

Senator Nancy Buttfield represented Australia at the All-Indian Women's Conference in 1958 and the UNESCO Conference on Children's Television in 1959. She is connected with numerous civic organizations in her home area, where she and her husband operate a 600-acre farm. She was born in Adelaide.

It was my high honor to preside at a luncheon which we gave for Senator Buttfield, at which were also present the Senator from Rhode Island [Mr. GREEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Delaware [Mr. FREAR], and the Senator from New York [Mr. KEATING]. We had a very fine discussion of problems in which we are mutually interested.

Senator Buttfield tells me she has two sons who are in their twenties. She is a very interesting as well as a very lovely person. It was my privilege yesterday to be at the Australian Embassy at a luncheon, when the Australian Embassy entertained her. It is my extreme privilege and pleasure to present her to the Senate. [Applause, Senators rising.]

Mr. KEATING. Mr. President, it was a great pleasure to meet Senator Buttfield and to have the opportunity for an exchange of views with regard to many of the problems which we mutually face. Australia and the United States have been friends and allies through dark days. We continue to be firm friends today. The Australian Forces in World War II gave an account of themselves which was unexcelled by the forces of any other country.

I can assure Senator Buttfield that we in the Senate are delighted to have her with us today. It was my pleasure to be a Member of the Senate delegation which attended the British Commonwealth Parliamentary Association Conference in Australia last year, where we were observers, in accordance with past invitations. It is therefore a particularly great pleasure to greet Senator Buttfield. I know I express the feelings of all of us in saying we hope she will enjoy her stay in this country and will profit from it as much as we have profited from our exchange of ideas with her.

The PRESIDING OFFICER (Mr. HART in the chair). On behalf of the Senate the Chair bids Mrs. Buttfield welcome. Australia has sent us a most attractive as well as a very able representative.

Mr. DIRKSEN. Mr. President, it is always interesting to have a visitor from a country with whom we have a community of language. The identity of the Anglo-Saxon language always makes it interesting and very pleasant to visit with one from what we often refer to as "Down Under," I believe.

I have never had the privilege of visiting Australia. If the Lord is willing and if He crowns me with sufficient years, I hope to have that pleasure.

I am delighted always to notice in our own press the stories of the pioneering experiments in the whole field of government which are conducted in Australia. Australians have taken a great lead in that field. We watch them with great interest.

Permit me to say to our visitor that not the least of the things which has always entranced me about Australia is that in order to make sure that their people get out and vote the Australians do not offer them something by ways of a little gesture in the form of a polite little bribe; instead, they make them give a good excuse, I understand, or fine them for not voting. I rather like the idea of so compelling people to exercise their responsibilities as citizens. Perhaps we can learn something in that field also.

It is a delight to have Mrs. Buttfield here with us.

Mr. FREAR. Mr. President, it was the pleasure, which I am sure has been expressed earlier, of four Members of this body to visit the great Commonwealth of Australia last fall. It was the first visit there by the junior Senator from Delaware, whose impressions were deep, and I am sure will live long in his memory.

I sincerely hope that I may be able to make another trip to Australia. One of the most important aspects of our visit, of course, was that we were able to see the operation of the Government of Australia. We did not see the action as the people of Australia see it or hear it day by day, but we saw the Parliament building, and, most important, Mr. President, we saw the members of that body. One who made a very lasting impression was the lady senator who is our guest today. She not only lives up to the reputation of women in Australia, but she exemplifies it. Throughout the world her travels and her activities are very well known.

Mr. President, I somehow wish that Senator Buttfield could impart some of the great characteristics of her country to the little State of Delaware on the east coast of the United States. I believe if we could get her to come to Delaware for a little while, she could become one of the strongest supporters of the Democratic Party in our State. [Laughter.]

She has the striking characteristics we all seek. They are very wonderful. We are grateful Senator Buttfield, that you could come and visit us.

Again I express to you our thanks for a great reception, and for the cordial and warm greetings we received in Australia. We would like to enjoy them again some time in the future.

Mr. JAVITS. Mr. President, I wish to express to our guest the thanks of one American—and she is sitting next to another [Mr. KEATING]—who enjoyed Australia's hospitality during the war. I was on duty in New Guinea and had leave to visit Australia for a short time. I went to the great cities of Melbourne, Brisbane, and Sidney and enjoyed the beautiful trees in Brisbane particularly. I cannot remember the name of the trees at present, but they were exquisite. Perhaps the senator remembers.

Senator BUTTFIELD. Poincianas.

Mr. JAVITS. Poincianas; yes, that is the name. It is a memory I shall always treasure. The recollection is very deep in the hearts of all Americans who served in that area of the world and who had the great privilege of having the opportunity to spend some leave in Australia.

I also wish to say I was much pleased to learn that my dear friend and colleague from New York [Mr. KEATING] actually has been to Australia after the war, in an official way, to bring to Australians the warm feelings and respect which we have for their country.

I also admire tremendously the leadership which the leaders of Australia have given in the United Nations.

For all those reasons and many others we bid you, Mrs. Buttfield, a very warm welcome. We are indeed happy to have you here with us.

WEST VIRGINIA HAS A FUTURE BECAUSE THERE'S NOTHING WRONG WITH THE PEOPLE—"THEY'RE INTELLIGENT AND CONSCIENTIOUS AND WANT TO GIVE A DAY'S WORK FOR A DAY'S PAY," SAYS SATURDAY EVENING POST WRITER—SENATOR RANDOLPH TELLS OF STATE'S PROBLEMS AND PRAISES ITS CITIZENS

Mr. RANDOLPH. Mr. President, West Virginians are determined to solve the economic and social problems of the State which have been accentuated by new production methods, especially the ever-increasing mechanical mining of bituminous coal.

We have been, by and large, courageous enough to recognize our economic status and we have been striving to solve the problems out of which it has grown.

Building a better West Virginia is our determined goal.

Writer Roul Tunley, whose article, "The Strange Case of West Virginia," appears in the current issue of the Saturday Evening Post, has written about "the paradox of want and plenty living side by side" in West Virginia.

It is, indeed, a paradox when want and plenty live side by side; but it does not occur in West Virginia alone. Here at the seat of the National Government there has been much squalor and poverty existing almost under the shadows of the Capitol and other Government buildings. In some urban centers of the country there are unhealthy, overcrowded tenements and conditions of economic and social distress within a few city blocks of the Wall Streets, the Broad Streets, the Michigan Avenues, and many hubs of finance and commerce. In most States of the United States—and certainly in numerous countries of the world—there are living manifestations of the paradox of want and plenty living side by side.

West Virginia is singled out in the current edition of the Saturday Evening Post. Other States and cities within several States have been singled out in periodicals of national circulation many times in the past—and doubtless it will happen to others in the future, unless and until more is done to strike at the root evils and to provide appropriate alternatives for conditions which bring about economic and social decline in this era of fast-changing events and technological developments.

Although the Saturday Evening Post article by Mr. Tunley portrays much of the gloomy side of our State under prevailing circumstances, it is, nevertheless,

one which likewise indicates that West Virginia does have a future. It is always best that, in discussing a State, the portrayal should be factual. There seems to be no reason to doubt that Mr. Tunley attempted to be factual, but surrounding the core of facts there have been added here and there certain exaggerations.

Where the author seems to have downgraded the abilities and work habits of West Virginians there are valid facts to offer in rebuttal. But, of course, the writer of the magazine article contradicted some of the earlier quotations within that article when he wrote that "any unbiased observer must agree that the people—of West Virginia—largely native-born, Anglo-Saxon stock, are gentle, proud, polite, and full of kindness to strangers." And he quoted an Ohioan who settled in West Virginia after World War II and became a successful operator of a small industry as having declared:

> There's nothing wrong with the people. They're intelligent and conscientious and want to give a day's work for a day's pay.

That accurately describes West Virginians.

While there is economic and social depression in predominantly mountainous coal-mining areas of the State as a result of rapid and necessary mechanization of coal production, there has also been considerable industrial expansion in the principal river valleys.

Industrial giants in the chemical and allied fields, such as DuPont, Union Carbide, Kaiser Aluminum & Chemical, Monsanto, Food Machinery & Chemical, Allied Chemical & Dye, Goodyear, American Viscose, and the Celanese Corp., as well as others, have found it advantageous to situate and expand in West Virginia, utilizing the skills and the labor of adaptable West Virginians to good advantage. Even now an international chemical enterprise, Montecatini, with headquarters in Milan, Italy, and sufficiently aware of the quantity and quality of the West Virginia labor market to be in the process of preparing a site for the construction of a multi-million-dollar plant in one of the State's southwestern counties.

Yes, West Virginia, as a State, and many of its citizens are victims of vast technological changes which have occurred more rapidly than alternatives could be created as counterbalances. This is likewise true in other existing pockets of labor surplus and economic depression in the United States.

But the basic fact remains that West Virginia is a State of rugged beauty, scenic grandeur, and sturdy, adaptable citizenry. There will emerge a better West Virginia, because we will build a better West Virginia.

My home community of Elkins, Randolph County, which is the site of the headquarters for the Monongahela National Forest and where the famous Mountain State Forest Festival is held annually, affords excellent examples of these facts.

Before I came to the U.S. Senate, I participated with other individuals in the founding of the Elkins Industrial Development Corp. Among our activities, we sought new industries for the community, and were successful in procuring one which would utilize both West Virginia natural resources and our citizens' skills and labor.

I refer to the Metalab-Labcraft division of the Norbute Corp., manufacturers and engineers specializing in scientific laboratory furniture and equipment. Our industrial development corporation procured a site and erected a plant facility for the enterprise.

On November 9, 1959—2 years after Metalab-Labcraft established and began operations in Elkins—I received a letter from the plant manager, Mr. John P. Russo, who clearly believes in the industriousness and the adaptability of West Virginians.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point extracts from the text of Mr. Russo's communication to me.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

METALAB LABCRAFT DIVISION,
NORBUTE CORP.,
Elkins, W. Va., November 9, 1959.

HON. JENNINGS RANDOLPH,
U.S. Senator,
New Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: Let me again say it was a distinct pleasure to spend a few minutes with you at the Rotary luncheon on November 9. My only regret was that I did not have an opportunity to convey to you some impressions which I feel must be described. As you probably may remember, Metalab Labcraft settled in Elkins just 2 years ago this month. At that time we had a backlog of orders which amounted to several million dollars. We had no trained source or labor and were in reality engaged in fulfilling these contracts with no qualified personnel. The most remarkable fact concerning this situation was that we employed immediately approximately 75 persons, with no past experience or skills in our industry and within the period of 6 months produced all of the items required for our backlog of work at that time.

Perhaps this feat is not impressive to you, since you are probably not aware of the necessary skills and training that are involved in the manufacture of our products. To me, as the operating head of this division, it will always stand out as a tribute to the native intelligence and capabilities of the workers in our areas. Primarily, our personnel had a background and experience in the mining industry and in timber production.

Please believe me, Senator, I am not trying to sound like a representative of the chamber of commerce, nor do I have any prior obligation, either moral or otherwise, which would initiate this letter. I have, however, felt for a long time that some official notice should be taken of our achievement as it affects, and has been affected by, the local labor population.

During the past 2 years we have developed our status in our industry from a new entrant in a very competitive field to a position commanding authority and respect by the leaders in our industry. At the present time we are employing approximately 250 local people. We have just recently completed an expansion to our local facilities giving us approximately 50,000 additional square feet of working space. Our annual payroll at the present time is approximately $750,000 and the anticipated payroll in perhaps another year will probably reach $900,000 annually.

As a personal observation let me state the following: I have been involved in our industry for the past 24 years. During that time I have been located in approximately eight different parts of the country and exposed to the qualifications, capabilities, and aptitudes of the labor pool in those areas. I also estimate that during this period of time that the number of people that have been under my direction either directly or indirectly approximate 5,000 persons. I say without equivocation, that I have never before seen a group of people who have combined their zealousness, attitude, cooperation, and native capabilities, to achieve the measure of performance that we have here.

Metalab Labcraft had conducted an intensive and thorough survey of new plant locations prior to our selection of Elkins. This survey was based on conditions that are generally sought in industry when a factory is being established or moved. We selected Elkins primarily because it is in the heart of the basic raw material for our product. It was expected that the labor supply would be of such a caliber that a training period would be necessary, and it was calculated that before we reached the competitive level in our industry, insofar as quality of production was concerned, that at least a year would be required. I am delighted to say that it took us just about half that time to arrive at a point in production which made us competitive with others in the industry.

Once again, Senator, let me repeat, I have no purpose in submitting this information to you other than to let you know that it is possible, and in our case, has been proven, that plants locating in our State are not taking a calculated risk, but are assured that good management can find capable and qualified labor, which, when combined, give as much chance for success in this State as in any other part of the country.

Please feel free to quote any of the facts stated herein.

With kindest personal regards, I am,
Very truly yours,

JOHN P. RUSSO,
Plant Manager.

FOREIGN AID

Mr. BYRD of West Virginia. Mr. President, 6 years I was a Member of the House of Representatives. Four years of that time I was a member of the House Committee on Foreign Affairs. During my 6 years in the House of Representatives I voted five times in favor of the mutual security appropriation bill, each year reluctantly for certain reasons. In my sixth year, I voted against the foreign aid bill.

The things I saw and heard while serving on the House committee convinced me that the time had come for the United States of America to take a new look at the program. I was convinced that we were scattering the tax dollars of the American people in too many countries, and that the returns from those tax dollars did not merit our continuing to engage in such a gigantic program in so many countries; I was also convinced that we should participate in programs only where we could be more sure of the cooperation and assistance of the native governments when the chips are down.

I have never believed that the United States could buy friends, nor do I mean to imply that the announced purpose of the mutual security program is to buy friends.

The mutual security program is just what the name implies. The purpose of

it is to strengthen the security of our own country and at the same time to strengthen the economies and the military potentials of the other countries in the world which we hope would stand with us in fighting communism, whether it be in the form of outright aggression or in the form of subversion and infiltration from within.

I believe this is a laudable purpose, but I feel that the mutual security cloak has been used to cover a multitude of things that are not necessarily in the best interests of our own security or the security of our friends.

I cannot believe that it is in the best interests of our country that we continue to lavish upon more than 60 countries of the world the hard-won fortunes of the American taxpayer, particularly at a time when our own public debt is greater by far than the combined public debt of all the other countries of the world.

I have said many times that there is waste in the program which should be eliminated, and that the program has been mismanaged. When I was a member of the Foreign Affairs Committee of the House I was in touch with facts and information upon which I could base my position. I am not a member of the Senate Foreign Relations Committee. Nevertheless, I feel that we are still going too far in the wrong direction, without a compass and without a chart.

I have often said that I think we should take a new look at the foreign aid program. I am positive that it could be reduced. I am certainly in favor of helping countries which cannot help themselves, and which, by their actions, their words, and their past deeds have shown that they will help America stand against the wave of communism.

I have not been in favor of supporting dictatorships when American tax dollars are used, not so much to stem the progress of communism as to solidify the hold of a dictator upon his own people.

So I see in this program something that is good and something that is bad. As we say down in the hills of West Virginia, there is never a pancake so thin but that there are two sides to it. I have never maintained that the program is all bad, but I have been sincerely opposed to the operation of it as it has been carried out in recent years.

I am nonplused and disappointed, of course, when the Chief Executive of our Nation continues to plead the cause of the foreign aid program, while at the same time he seems to be oblivious, as it were, to the needs of a great State and a great people located almost within a stone's throw of the Capitol. I find it hard to understand his attitude and the attitude of the administration in this regard.

On last Thursday the President opened the 1960 Republican national campaign. He denounced spending. I, too, am against spending. I am against squandering the American taxpayers' dollars promiscuously all over the face of the globe, at a time when nearly 300,000 West Virginians are living on "mollygrub," the term given to commodities that are in surplus as a result of our price-support program. Many thousands of families in West Virginia are existing on this inadequate diet of rice, meal, flour, dried eggs, and lard.

I have often taken notice of the fact that the President is in favor of spending a dollar anywhere in the world where apparently it is recommended to be spent by the International Cooperation Administration, while he is opposed to a coal research bill, an area redevelopment bill, Federal money for school construction, flood control dams, and other public works projects here in America.

It reminds me of a poem I learned a long time ago:

Woodman, spare that tree.

I like to think of it in this instance as the foreign-aid tree—

Woodman, spare that foreign-aid tree!
Touch not a single bough!
In youth it sheltered me,
And I'll protect it now.

West Virginians, who have given of their fortunes, who have given their sons and daughters in the service of their country, simply cannot understand stories which appear in newspapers which read like this one from the Washington Post:

Pakistan today, January 28, signed an agreement with the United States to buy 350,000 tons of American wheat for $26,000, payable in Pakistan rupees.

That amounts to less than 7½ cents a ton, and it is payable in Pakistan rupees, which means really that we get nothing.

Nor can West Virginians understand headlines such as this: "Poland To Get $40 Million in U.S. Aid."

The Associated Press article in today's Washington Evening Star reads thusly:

The United States is about to give $40 million more in economic aid—the third such installment in the past 8 months.

At the same time, the Polish Communist regime is reported nearly ready to sign an agreement compensating Americans for property seized in Poland immediately after World War II.

This will raise to slightly more than $300 million the amount of economic assistance given Poland in the past 3 years.

The State Department is reported ready—

The State Department is always ready—

to consider more such aid in the months ahead.

The Eisenhower administration supports the measure but has not been pressing it as a matter of urgency.

Yet, the President in his speech opening the 1960 GOP campaign denounced spending.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. The Senator's remarks today remind me of the information I put into the RECORD dealing with one phase of this subject, when I called the attention of the Senate to the fact that a number of foreign countries, particularly European countries, had applied our foreign aid money in so-called counterpart funds, after our money had been invested in those foreign countries, to the reduction of their national debts. In a great many cases that money completely wiped out their national debts. I believe it involved more than $2 billion. That was our money which we generated with our foreign aid. It was created by our dollars in the first instance—and it amounted to more than $2 billion—and that money was being used to reduce or pay off entirely the national debts of a large number of foreign countries.

Oddly enough, with regard to most of these countries, we today owe them in dollars amounts of money which exceed again the amounts we gave them to apply against their national debts. As the Senator has pointed out, the United States is deeper in debt than all the rest of the countries of the earth put together. We have virtually retired the national debts of some of these foreign countries by heaping those debts on our own back, when they were much better able to pay them to begin with than we are today.

Mr. BYRD of West Virginia. I thank the Senator from Louisiana. His remarks are as usual—cogent and perspicacious.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to my distinguished senior colleague from West Virginia.

Mr. RANDOLPH. I am grateful for my colleague's kind indulgence to give me this opportunity perhaps not to engage in colloquy but to bring additional information to him in connection with his very illuminating address today.

At the outset, I wish to say in good humor that when he speaks of pancakes in West Virginia, I should like to reinforce what he says by reminding our friends that in West Virginia the best buckwheat cakes in the world may be had. I know my colleague will agree with me when I say that a certain section of West Virginia raises the best buckwheat in the United States.

Mr. BYRD of West Virginia. If my colleague will permit me to supplement his statement, I should like to say that we also produce the finest maple syrup in the country to go with the buckwheat cakes.

Mr. RANDOLPH. That is correct. If we are to speak about the good food produced in West Virginia, which we would like to make possible to place on the tables of all our people, we would certainly wish to add that delicacy, West Virginia ham.

However, in connection with the very pertinent information which the Senator brings to his colleagues this afternoon, I would refer to an address I made on the floor of the Senate on January 21, which I believe reinforces the remarks the Senator is making, and which I believe is appropriate for me to note at this point. I said:

I doubt not that if General Eisenhower had spent as much time touring our own underdeveloped and distressed areas as he already has done in Asia and Africa, he would have an awareness of the problems of West Virginia and of other States in the same degree as he seems to have toward those of India and other countries.

I emphasize that there is need for a sympathetic and realistic approach by the White House to domestic matters, which was the central theme of my remarks on distressed areas. I ask the further indulgence of my colleague to read the next paragraph of my speech of January 21:

Now, I have never been one to declare that I will oppose economic assistance abroad until my claims and appeals for domestic development are met. But surely, in the interests of commonsense and national security, as well as humanitarianism, we must acknowledge our responsibilities to our own people at least as much as to those of Asia and Africa. In fact, I have said—and I declare with renewed emphasis—it is my opinion that for every dollar we make available for assistance abroad we have a double obligation to our fellow citizens in the United States.

I commend my colleague for the diligence with which he attacks the problem.

Mr. BYRD of West Virginia. I thank my colleague.

Mr. President, in the United States, as of November 1959, there were 172 distressed labor markets. This number compared with 119 such markets in January 1959. We must note that these figures would have been much higher had complete data been available for the State of Pennsylvania, a State so ably represented, in part, by its distinguished senior Senator [Mr. CLARK], who presently presides over the Senate.

West Virginia had 18 such distressed labor areas in November. The State has a civilian labor force of more than 643,000, but of that number more than 85,000 are unemployed at present. These are those for which there are records. The actual number undoubtedly is well above 100,000. Thus, a total of 13.3 percent of the labor force is unemployed, a figure which is well above the national average.

As of November 1959, 5.3 percent of the total national labor force was without work across the country. However, three major metropolitan areas in my State are well above the national unemployment rate: Charleston, with 9.1 percent; Huntington-Ashland, Ky., with 13.4 percent; and Wheeling-Steubenville, Ohio, with 11.2 percent.

Perhaps the smaller areas are even more disheartening. For instance, Beckley, which is the county seat of my home county, Raleigh County, has 29 percent of its labor force idle; Bluefield, only 50 miles away, has 21.9 percent of its labor force idle; Logan, 70 miles away, has 19.7 percent of its labor force idle. These communities are in the southern section of the State—the largest coal producing area of the world.

Of course, such figures are not limited to the southern portion of West Virginia. In the center of my State, in the cities of Clarksburg and Fairmont, the unemployment figures are 9.2 percent and 17.8 percent, respectively. In the once thriving railroad town of Grafton, 31.6 percent of the available workers are idle—almost one out of every three.

On the western border, the picture is duplicated. In the Point Pleasant-Gallipolis area, 11.7 percent of the labor force is without work.

So this unemployment cancer, as it might be referred to, figuratively, is spread throughout the whole frame of the State. Eighteen distressed labor areas constitute a picture which is discouraging.

Only one other State, Pennsylvania, has more distressed labor markets; but the percentage of unemployment in the Keystone State is lower due to the fact that it has many more citizens.

Mr. President, this is the time for assistance. The Apostle Paul said in his First Epistle to Timothy:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith * * *.

It seems to me that we are ever ready to participate in programs to assist our brothers across the sea, while at the same time those of our household here at home, who contribute to the Treasury from which must come funds to help those abroad, are forgotten. The people of West Virginia are not looking for a Government handout; they are merely seeking the opportunity to create their own means of support. The Area Redevelopment Act, which passed the Senate last year, would have made possible this opportunity. Similar legislation passed by Congress was vetoed by the President upon a former occasion. So it is difficult not to be a bit skeptical of the idea of handing out taxpayers' dollars to 65 or 70 countries throughout the world, some of them ruled by Communist regimes, loyal only to the Kremlin, while our own people are unemployed and in need of help.

If the President and his advisers were to have the solemn experience of seeing small children receive one balanced meal a day, and that meal the school lunch which is provided for them; if he and his advisers could see men with holes in their shoes, going from one place to another searching for work; if they could talk with fathers whose household utilities have been stopped—simply because of inability to pay the service bills; if they could see some of the mothers as they feed their infant children on the powdered milk which is being supplied through the Surplus Commodity program; I feel that they would better understand why those of us who come from these blighted areas oppose further foreign giveaways and why we want action dedicated to the interests of our own people. Mr. President, this is not a partisan matter with me. Of course, I could be strongly partisan about it. I represent the greatest coal-producing State in the United States. The greatest coal-producing county in the United States is one in which my father worked in the mines 35 years ago. Those mines no longer operate. The tipples no longer run. The steam engines no longer plow the valleys. Whole towns are deserted. Families are living in penury and want and privation.

Children are forced to quit school because they do not have adequate clothing. I visited some schools recently in West Virginia, and I found numerous instances of children taking the half pints of milk which are supplied in the school lunch program, putting them in their pockets or their bags, and taking them home to the babies. Yes, they would take food home to the babies. Imagine this if you can. Children willing to do without food themselves and taking food home from the school lunch program for the benefit of younger children.

Mr. President, I could relate many dismal pictures which I have seen in my visits around the Mountain State in recent months. West Virginia has for a long time leaned largely upon its coal industry, about which I have already spoken. West Virginia has the finest coal in the world—bituminous coal, soft coal, smokeless coal, from which thousands of by-products can be derived.

The coal industry is a sick industry. Mechanization has come to the coal industry; and the old pick-and-shovel miners of whom my dad was one, have departed from the scene, never to return. West Virginia can still produce as much coal, but with fewer men.

The coal industry in West Virginia needs help. This is why I was so strongly in support of the coal research bill which President Eisenhower vetoed last year.

I say the administration is blind and deaf to the needs of the coal industry, an industry that is basic to the Nation's security.

Mr. President, I shall state to the Senate what the Government of our country is doing for some of the mining industries of other countries. I shall take the time—long though it may be, and laborious though the effort may be—to read into the RECORD the amounts of money our Government has been spending in the past 5 years to assist the mining and minerals industries of other countries of the world. The figures I shall present have been provided by the International Cooperation Administration.

In the fiscal year 1955, the United States gave to China $5,000 for coal exploration, $715,000 for petroleum exploration, $5,000 for hard rock mining, $2,000 for coal production techniques, $4,000 to be used under the item of geological techniques, and $2,000 for mining engineering.

Mr. GRUENING. Mr. President, will the Senator from West Virginia yield for a question?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from West Virginia yield to the Senator from Alaska?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. I take it that the aid to which the Senator from West Virginia has referred was not given to Communist China, even though some aid was given to some Communist countries. Instead, I take it that that aid was given to the little island of Formosa, or to so-called Nationalist China. Is that correct?

Mr. BYRD of West Virginia. Yes.

Mr. GRUENING. I thank the Senator.

Mr. BYRD of West Virginia. I am glad the Senator from Alaska has emphasized that fact. I consider myself a friend of the Chinese Government on Formosa, but at the same time I believe we should be conscious of the needs of

our own coal industry here at home. And the Eisenhower administration has thus far shown little concern for its needs.

In the same year—the fiscal year 1955—we gave to Indonesia, for mining operations, $32,500.

In the Philippines we spent $28,000 on a nonmetallic minerals survey, $37,000 for a strategic minerals survey, $22,000 for technical assistance to the Bureau of Mines in the Philippines, and $35,000 for coal surveys.

I say to my colleague from West Virginia [Mr. RANDOLPH] that in Thailand we spent $52,500 for a geological survey.

In Vietnam we graciously contributed $7,000 for a coal strip mining survey.

In Afghanistan we contributed $67,000 for mineral resources and coal production.

In Egypt—and the mention of that name brings back memories of Uncle Sam's being kicked in the teeth, not once, but several times—we spent $8,000 for industry and mining, and $4,500 for industry and mining photogeology training.

In Greece we spent $22,624 for technical support to the mining industry, and $34,300 for a study of mining methods and ore dressing.

To India, one of our neutral friends, we gave $519,600 for exploratory lignite excavation and development, and $83,873 for minerals survey and development.

In Iran in the fiscal year 1955 we spent $17,124 for mineral resources development plans; and after the plans are prepared, heaven only knows how much we shall have to spend to implement them.

In Israel we spent $4,000 for petrochemistry, $43,600 for economic geologists, $12,500 for the appraisal and development of mineral resources, $38,034 for mineral technologists, $40,000 for minerals development, $15,000 for a Dead Sea brines survey, $3,000 for mineral resources, potash and salt extraction participantship, and $3,000 for petroleum exploration methods participantship.

In the same year we spent $50,000 in Liberia for mining and minerals exploration, and $20,000 for mines and geology.

In Nepal we spent $20,000 on a project for mineral deposit surveys.

In Pakistan we contributed $5,450 for metal mining engineering.

In Turkey we spent $10,000 for cobalt recovery processes and $204,400 for the Zonguldak coal basin development.

To the United Kingdom we contributed $4,000 for "U.S. bituminous coal-mining methods," whatever that means.

In Austria we spent $10,000 for coal mining experts.

To France we contributed $6,000 for iron mining experts.

In Spain—and how we do love to build castles in Spain—we spent $8,640 for a coal-mining study.

Now, as to Latin America—at last we are turning our attention to our friends to the south of us—we spent $10,828 in Bolivia on geology.

In Brazil, we spent $190,213 for geological survey mineral resources investigations.

In Chile we spent $64,400 for geology.

In Colombia we spent $19,238 for the development of coal resources of the Department of Cauca and the Cauca Valley.

In Cuba we spent $38,600 for mineral analysis and development, in the fiscal year 1955; and we spent $28,700 for basic geological research.

In Honduras we spent, for coal resources survey and development, $7,950.

In Mexico we spent $850—a small token of our good feeling—for an instrument calibration technician.

In Peru we spent $78,961 for advisory services, mineral resources. We spent in the same year $81,905 in Peru for advisory services in mining and metallurgy.

In the same year we spent $10,400 in British Guiana for a mining and minerals project.

So much for fiscal year 1955.

In 1956 we spent, in Cambodia, $25,000 for mineral development.

In China, again, in that year, we spent $103,000 for coal mine improvement; $10,182 for solid fuels and minerals exploration survey; $25,000 for coal exploration; $7,000 for petroleum exploration; $100,000 for coal mine demonstration; $27,000 for geological equipment.

In Indonesia we spent $154,959 on mining operations.

In Korea we spent $1,800 for coal mining operations and management.

We spent a bare $550,000 for the development of the Hambaek coalfields there.

Mr. RANDOLPH. Mr. President, if I may interrupt my colleague, did he say a bare $550,000?

Mr. BYRD of West Virginia. It was a niggardly sum of $550,000. We also spent $500,000 on test drilling of the same coal field. In the Philippines we spent $53,000 for a nonmetallic minerals survey; $240,000 for a strategic minerals survey; $29,500 for technical assistance to the Bureau of Mines; and $53,000 for coal surveys.

In Thailand we spent $45,900 for a geological survey; we spent $30,500 on a minerals experimental center; and we spent $10,000 for experimental metal mining operations.

In Afghanistan, in the year 1956, we spent $93,000 for mineral resources and coal production.

In Egypt we spent $1,500 for industry and mining; mining and minerals; and $58,750 for minerals resources development.

In Greece we spent, in the fiscal year 1956, $13,720 for technical training in the minerals field.

In India we spent $9,100 for exploratory lignite excavation and development; and $133,723 for a minerals survey and development.

In Iran we spent $2,500 for mineral resources.

In Israel we spent $39,000 for petrochemical research; $105,200 for mineral exploration and development; $40,000 for the Department of Metallurgy; and $45,000 for conservation techniques in oilfield development.

Now we come to Jordan. I do not recall that we spent any money there in connection with mining in 1955, but we spent $51,200 for Dead Sea mineral resources in 1956.

In Lebanon, we spent $30,000 on a mineral survey.

In Nepal, we spent $5,000 for Nepal American Minerals Cooperative Service; and $74,000 on minerals deposit surveys.

In Pakistan we spent $502,000 for the development of Makarwal collieries; $53,700 for the Bureau of Mines and Geological Survey Advisory Service; and $75,000 for surveys of chemical and industrial potential of Sui gas.

In Turkey we spent $661,000 for the Zonguldak coal basin development; $401,000 for a copper mine expansion program; and $100,000 for a copper mine sulphuric acid sea line.

Now, as to Africa, in Liberia, we spent $20,000 for mining and minerals exploration demonstration and training project; $23,000 for mines and geology.

Returning to Spain, we spent $3,840 for a coal mining productivity study; $11,925 for coal mining consultants; $12,800 for a lead and iron ore mining productivity study and $100,000 for laboratory equipment.

To Yugoslavia—one of our tried and trusted friends—one upon whom we cannot depend—we gave $35,700 for nonferrous metals and metallurgy; and $12,700 for fuels.

In Bolivia we spent $162,000 for a mining survey——

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Yes, I yield.

Mr. RANDOLPH. To refer to Turkey for a moment, I have no desire to be critical of that friendly country, but I note that in the figures assembled for 1956 we spent $661,000 for coal basin development.

I should like to refresh the recollection of my colleague by saying this is about one-third of the amount of money which was called for, for the fiscal year 1959, when we passed the Coal Research and Development Commission bill last year, and which, after the session had closed, the President failed to sign.

It is noteworthy that in the United States we ask for a reasonable amount of money for a domestic research project, but even this reasonable amount was thought by the President to be not justified.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. I notice the long list of countries which are receiving aid for coal surveys, coal exploration, coal development—all kinds of assistance to the coal industry and to those engaged in it—while the President vetoed a modest bill to provide a survey which would enable the people of West Virginia, perhaps, to find a way to develop their coal industry and put their coal miners back to work and enable them to have a little food on the family's kitchen table.

The Senator mentioned Bolivia. I wonder if the Senator from West Virginia has read the recent report of the

Committee on Government Operations to show how shockingly our program in Bolivia has been mismanaged. The report indicates that program after program, involving the expenditure of large amounts of the American taxpayers' dollars, proved to be utterly worthless and had to be abandoned, and that millions of dollars worth of food had been lost, strayed, or stolen in transit to Bolivia.

I recommend that report to the attion of the Senator from West Virginia, in view of the fact that for 4 or 5 years, while he was a member of the Committee on Foreign Affairs of the House, he supported the foreign aid program. I think that how the Bolivian program has been mismanaged is something the American people should know about. I think the Senator is to be highly commended for bringing to their attention today the fact that we are spending millions of the taxpayers' dollars abroad for industry and relief, when our own people are denied the smallest measure of relief by this administration.

I should like to ask the Senator whether he knows of any previous administration in which the interest of foreign countries was considered superior to or as having priority over the needs of our own people.

Mr. BYRD of West Virginia. I do not. I do not know of any previous administration which gave foreign countries priority over our own people.

I am grateful for the Senator's contribution concerning the report as it pertained to Bolivia. I am sure the Senator will have something to add concerning the manner in which we have attempted to rehabilitate the fishing industries of other countries, some of which were engaged in fishing before Leif Ericson or Columbus came to America. At the same time, perhaps the Senator's own good State of Alaska is having difficulty with its fishing industry.

Mr. GRUENING. I will say to the distinguished Senator from West Virginia that we do not have to single out any particular industry in which foreign countries are favored, and our people are told, "we cannot appropriate money for things for our own country because the expenditures are wasteful; they are extravagant; they will be inflationary; they will tend to unbalance the budget."

We can name any human activity, whether it be reclamation, irrigation, road construction, housing, classrooms, or what not for which we are not allowed money. We can name many domestic activities for which we cannot have appropriations, or can have them only in limited amounts, whereas we find American money being expended for such activities in 50 countries all over the world.

Mr. BYRD of West Virginia. I thank the Senator.

In fiscal year 1956 we gave to Brazil $204,500 for U.S. Geological Survey mineral resources; and $85,400 for mineral resources development.

To Chile we contributed $86,500 for geology.

We gave $23,000 to Colombia for coal resources development.

It seems to me that some of our chickens are coming home to roost, when I think of Cuba. The example of Cuba is an example of the ingratitude which men can show toward those who have given assistance. There we spent $29,900 for basic geological research and $32,000 for mineral analysis and development.

To Mexico we gave $38,000 for minerals technology cooperation, Bureau of Mines; and $116,800 for industry and mining, and to Honduras we gave $29,107 for a mining coal resources survey.

To Peru we gave $98,338 for advisory services mineral resources; and $49,390 for advisory services mining and metallurgy.

To British Guiana we gave $6,000 for mining and minerals.

In the fiscal year 1957 we gave $15,000, for the purpose of mineral development, to Cambodia.

We gave $782,000 to China, again, for coal mine improvement. We gave $25,000 to China for solid fuels and mineral exploration survey; and $5,000 for petroleum exploration.

To Indonesia we gave $122,000, under the item of mining operations, in the fiscal year 1957.

We can see that the figures have been increasing for Indonesia, and for China.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. Are we not being asked by the administration steadily to increase the foreign aid program at the very same time when we are enjoined to stop spending at home?

Mr. BYRD of West Virginia. Absolutely.

Mr. GRUENING. How does the Senator reconcile this strange contradiction?

Mr. BYRD of West Virginia. I think it simply reveals to us the crazy world we live in. I simply cannot understand the asinine policies of the administration, which lead more and more in the direction of giving more and more abroad while we deny our people at home what they need.

We continue to talk about a balanced budget and about the national debt. The President conveniently overlooks the fact, as I said a moment ago, that our national debt is already far larger than all the national debts of the other countries of the world put together. The President conveniently overlooks the fact that the interest on the national debt is partly the result of American tax dollars appropriated in past years for foreign aid.

All the cost of the foreign aid program is not embodied in the item itself. A part of it is in the form of interest that we are annually being called on to pay on the moneys which have been expended for foreign aid in the past.

Mr. GRUENING. And are we not borrowing money from our own people in order to give foreign aid, when at the same time we deny our own people what they need?

Mr. BYRD of West Virginia. We are. We are borrowing money from our own people.

Mr. GRUENING. And while we are borrowing it we constantly increase our costs, through the higher interest rates which the administration is now seeking to make even higher.

Mr. BYRD of West Virginia. We are contributing to the inflationary spiral.

Mr. GRUENING. I thank the Senator.

Mr. BYRD of West Virginia. In Korea in 1957 we spent $139,000 for test drilling of Hambalk coalfields; and $100,000 for test drilling, Han Kook Geological Industrial Co. We spent $475,000 for geophysical survey and test drilling, ROK Office of Geological Survey. We spent $150,000 for mine development of the Monazite ore separating plant. We spent $3,247,000 in the fiscal year 1957 for mine development of the Dae Han coal mines in Korea. We spent $136,000 for geophysical survey and test drilling.

In Laos we spent $8,000 for mining and minerals survey.

In the Philippines we spent $41,000 for nonmetallic mineral survey. We spent $25,000 for technical assistance, Bureau of Mines. We spent $24,000 for coal surveys.

In Thailand we spent $58,000 for geological survey, $22,000 for minerals experimental center, and $130,000 for an airborne geophysical survey.

In Vietnam we spent $56,000 for Nong Son coal exploration survey.

In Afghanistan we spent, in the fiscal year 1957, $875,000 for minerals resources and coal production.

In Ceylon we spent $56,000 for minerals exploration.

In Egypt we spent $22,000 for minerals resources department.

We spent $14,000 in Greece for technical training in the minerals fields.

We spent $113,000 in India on minerals survey and development.

In Israel we spent $78,000 for minerals development, $25,000 for the department of metallurgy, and $2,000 for conservation techniques in oilfield development.

In Nepal we spent $137,000 for mineral deposits surveys.

In Pakistan we spent $593,000 for Makarwal colleries.

We spent $50,000 for the Bureau for Mines and geological survey.

Next is Turkey. I want to make it emphatically clear that I consider Turkey to be one of our stanchest friends. I believe that the spending of American dollars in Turkey redounds to the best interests of our own country.

The Turks were fighting their neighbors to the north a long time before America became a republic, and they have shown by their words and deeds that they will stand on the side of the free world. I merely wish to point out the expenditure of moneys in scores of countries abroad for mining, mining surveys, coal mine development, and so forth, while our own native domestic coal industry has suffered.

In Turkey, we spent $380,000 in fiscal year 1957 for Zonguldak Coal Basin development; and $178,000 for the copper mine expansion program.

In Turkey we also spent $450,000 for western lignite mines in the fiscal year 1957, and we spent $500,000 for private mining development. We also gave $20,000 for preventive maintenance advisers which makes a total of $1,528,000 spent in Turkey in the fiscal year 1957 in the mining industry.

In fiscal 1957 we gave $10,000 to Liberia for mining and geology. We gave $24,000 to Libya—this is a new one—$24,000 to Libya for a minerals investigation, and again $42,000 for a minerals investigation to the same country.

Mr. GRUENING. Mr. President, will the Senator yield for a comment?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. In mentioning Libya the Senator said this is a new one.

Mr. BYRD of West Virginia. It is new because I do not recall having read the name in the two prior fiscal years.

Mr. GRUENING. The Senator is correct. The situation appears to be this. In this wave of nationalism and desire and aspirations of countries for independence with which Americans naturally sympathize—because we were the originators in modern times of the movement for independence and liberty—I would assume that these new nations seeking independence would try to wait at least for a year of two. However, what happens is that the mother country, the old colonial power, in yielding to the request of a prospective independent nation, says, in effect, "All right, kid, you are now on your own."

What happens then? The mother country stops the subsidy to her former colony, and then good-natured Uncle Sam rushes in immediately, hardly able to wait for the new country to be spawned before offering the new country our taxpayers' dollars. We do not even wait to see whether the country can support itself. We do not even go to the mother country and say, "You should take care of this infant for a few years." The Senator will find, as he proceeds, that in subsequent years there will be additional countries added to the list every time a new country is spawned. New countries are being spawned at a very rapid pace, and those countries will be added to our assistance rolls as soon as they are spawned. That list consists now of 70 countries. By the time the Senator has concluded his research he will probably find that there are 75 countries.

Mr. BYRD of West Virginia. The list may have increased by one or two countries in the time that I have been reading these figures.

Mr. GRUENING. It is entirely possible, because the list of beneficiaries is so long it would be entirely possible that several countries have been born in the interval.

Mr. BYRD of West Virginia. In fiscal year 1957, we gave to Southern Rhodesia for metallurgical chemistry, $3,000. We gave to Spain, in fiscal year 1957, $90,000 in laboratory equipment, and $6,000 for an iron ore mining productivity study.

To Yugoslavia we gave $138,000 in fiscal year 1957, for industry, mining, and minerals.

To Latin America we gave $199,000 to Bolivia for a mining survey. We gave $44,000 to Brazil for a geological survey and mineral resources investigation, which was a nonferrous project. We also gave Brazil $209,000 for a geological survey and mineral resources investigation, a ferrous project. We also gave Brazil $44,000 for mineral resources development.

To Chile we gave $130,000 under an item called geology.

To Colombia we gave $13,000 for coal resources development in the department of Cauca and the Cauca Valley.

To Cuba we gave $18,000 for mineral analysis and development, and $19,000 for basic geological research.

Mr. RANDOLPH. Was that B.C.?

Mr. BYRD of West Virginia. That was in fiscal year 1957.

Mr. RANDOLPH. I was thinking of before Castro.

Mr. BYRD of West Virginia. We are both interested in what we are giving A.C., after Castro.

We gave $75,000 to Honduras for industry mining coal resources development.

To Mexico we gave $35,000 for minerals technology cooperation, bureau of mines; and $59,000 for industry and mining.

To Peru we gave $76,000 for advisory services in mineral resources geology, and $42,000 for advisory services in mining and metallurgy.

In fiscal year 1958 we gave to Taiwan $689,000 for coal-mining development, and $13,000 for mineral development, other than coal.

To the Indonesian Republic we gave $154,000 for mining operations.

In fiscal year 1958 we also gave $245,000 to Korea for coal-mining development; $630,000 for development of metals and minerals mining; and $79,000 for mining and geological training.

To the Philippines we gave $52,000 for a nonmetallic minerals survey; $397,000 for a strategic minerals survey; and $25,000 for technical assistance to the Bureau of Mines.

To Thailand we gave $52,000 for mining development. To Vietnam we gave $12,000 for the Nong Son coal exploration survey.

To Afghanistan, in fiscal year 1958 we gave $164,000 for mineral resources and coal production.

To Ceylon we gave $14,000 for mineral exploration. To India we gave $18,000 for exploratory lignite excavation and development; $279,000 for a geological survey; $41,000 for an oil and gas commission; and $10,000 for assistance to the coal industry.

That does not take into consideration the amount of money that we have given to India for the purchase and supply of railroad cars and other hauling equipment. The same holds true in the case of the other countries as well. That is a pertinent factor in coal production.

Mr. GRUENING. Nor do those extensive figures which the distinguished Senator has been reading into the RECORD take into account numerous contributions by other foreign loan and spending agencies of which the International Cooperation Administration is only one.

Mr. BYRD of West Virginia. In the Near East and South Asia, during fiscal year 1958, we gave Israel $82,000 for minerals exploration and development, and $6,000 for conservation techniques in oil field development.

To Nepal, in fiscal year 1958 we gave $130,000 for a project for mineral deposit surveys. To Pakistan we gave $246,000 for geological survey advisory service. It does not say whether it is East Pakistan or West Pakistan, but we can be sure that we are giving to both.

To Turkey, in fiscal year 1958, we gave $62,000 for the Zonguldak Coal Basin development, and $20,000 for a preventive maintenance adviser.

In Africa, we gave Ghana $8,000 during fiscal year 1958, and we gave $66,000 to Libya. We gave to the United Kingdom, for overseas territories, $15,000 for increasing the productivity of the wolfram mining industry.

We gave to Spain $12,000 for civil aviation "POL laboratory equipment;" and $11,000 for a copper mining productivity study.

To Yugoslavia for fiscal year 1958, we gave $308,000 for mining and minerals—coal mining, coke and coke byproducts; $33,000 for mining and minerals; $20,000 for mining and minerals; $3,000 for mining and minerals; $33,000 for mining and minerals; and $10,000 for technical inquiry service support.

The philosophy seems to be that the harder a country kicks Uncle Sam in the teeth the more money Uncle Sam takes out of his pockets to help that country. In Latin America, we gave $24,000 to Argentina for geology and mining training.

We gave $120,000 to Bolivia for her mining industry.

To Brazil, we gave $23,000 for geological education project; $62,000 for geological survey mineral resources; $246,000 for geological survey mineral resources; and $28,000 for mineral resources development.

It will not be long, I say to my colleague from West Virginia and to the Senator from Alaska [Mr. GRUENING], until we may be buying coal from other countries. Their mining industries will be in far better shape than our own.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. Does not the Senator from West Virginia believe that an interesting concomitant of this foreign spending is that we are not only helping foreign industries—giving them help which we deny our own industries—but are erecting competitors of our own industries? As the Senator from West Virginia has suggested, before long we will be buying coal, food, fish, and all kinds of agricultural products from those countries where we have created new industries and helped to build them up.

Mr. BYRD of West Virginia. There is no doubt about it.

To Chile we gave $217,000 for geology.

To Colombia we gave $25,000 for coal resources development.

To Cuba we gave $21,000 for mineral analysis and development and $6,000 for basic geological research.

We gave $13,000 to Honduras for coal resources development.

We gave $38,000 to Mexico for minerals technology cooperation and $19,000 for geological survey.

To Peru we gave $66,000 for advisory services, mineral resources; and $60,000 for advisory services, mining, and metallurgy.

To British Guiana we gave $2,000 for training in prospecting for materials.

In the fiscal year 1959 we gave to China $966,000 for coal mine development.

My, what that would do for West Virginia, I say to my distinguished colleague. What $966,000 would not do to stimulate the coal industry in West Virginia. We gave almost a million dollars for coal mining development in China.

In 1955, may I point out, the total amount of money spent on coal research in this country was $17 million. Yet we give in 1959—in 1 year—almost $1 million to China for coal mining development. But the $17 million spent in this country was spent by the coal industry itself, not by the Government.

Mr. RANDOLPH. An industry which could not afford to spend it, from the standpoint of the return on its capital investment; is that not correct?

Mr. BYRD of West Virginia. That is correct.

Mr. RANDOLPH. Because of the growing tide of imports of residual oil from Venezuela and other countries which are dumping this product at almost any price in the United States, our domestic coal industry is further jeopardized.

Mr. BYRD of West Virginia. To Indonesia, we gave $162,000 for mining operations.

To Korea, in fiscal 1959, for coal mining development, we gave $963,000; for development of metals, minerals, and mining, other than coal, $1,249,000; and $29,000 for mining and geological training.

To Laos, we gave $215,000 for mining and mineral surveys.

To the Philippines, we gave $29,000 for nonmetallic minerals survey; $228,000 for strategic minerals survey; and $38,000 for technical assistance to the Bureau of Mines.

To Thailand, we gave $48,000 for mining development and $30,000 for airborne geophysical survey.

To Vietnam, we gave, for the Nongson Coal Mine development project, $1,630,000.

To Afghanistan, we gave $82,000 for mineral resources and coal production.

To Ceylon, we gave $17,000 for minerals exploration.

To India, we gave $8,000 for exploratory lignite excavation and development; $137,000 for geological survey; $12,000 for oil and gas commission; and $27,000 for assistance to coal industry.

To Israel, we gave $78,000 for minerals exploration and development, and $6,000 for conservation techniques in oilfield development.

To Nepal, we gave $148,000 for mineral resources development.

To Pakistan, we gave $164,000 for geological survey advisory service.

To Turkey, we gave $3,000 for undersea coal mine operations, and $5,000 to Institute of Applied Geology.

To Ghana, we gave $168,000 for geological survey project, and $11,000 for industrial education project.

To Libya, we gave $74,000 for minerals investigation.

To Spain, we gave $2,000 for POL laboratory; $4,000 for USGC School of Photogeology; and $8,000 for oil exploration and production study.

Yugoslavia, our never-failing friend, received $266,000 for coal mining, coke, and coke byproducts; $72,000 for mining and minerals; $81,000 for mining and minerals; $18,000 for mining and minerals.

In Latin America, Argentina received, for geology and mining training, $26,000.

Bolivia received $127,000 for increasing and diversifying mining production.

To Brazil, we gave $120,000 for geological education projects, $93,000 for mineral resources investigations, $198,000 for mineral resources investigations, and $31,000 for mineral resources development.

To Chile, we gave $274,000 for geology.

To Colombia, we gave $19,000 for coal resources development in the Department of Cauca and the Cauca Valley.

I may be pronouncing some of the names incorrectly. I am familiar, however, with the value of the American dollar. I am not quite so familiar with the pronunciation of some of the foreign names.

To Cuba we gave $24,000 for mineral analysis and development. That was in the fiscal year 1959. I am sure that was not "B.C."

To Honduras, we gave $18,000 for coal resources survey.

To Mexico, we gave $44,000 for mineral technology cooperation, and $37,000 for geological survey.

To Peru, we gave $71,000 for advisory services, mineral resources, and $54,000 for advisory resources, mining, and metallurgy.

To British Guiana we gave $2,000 for photogeology training.

To the West Indies and East Caribbean, we gave $4,000 for a preliminary survey of pumice and pozzuolanic earth deposits.

Mr. President, I have read into the RECORD amounts of moneys which have been contributed to foreign governments by the U.S. Government during the fiscal years 1955, 1956, 1957, 1958, and 1959.

Mr. RANDOLPH. Mr. President, I have found it necessary to be off the floor because of a long-distance telephone call, but I believe, in totaling those figures, the aggregate would be approximately $15 million in that period of 5 fiscal years which the United States has provided these countries for coal mining operations of one type or another. Would that figure be approximately correct?

Mr. BYRD of West Virginia. That is correct. The figure is $14,605,900.

Mr. GRUENING. Mr. President, will the Senator yield for a comment?

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. If that total is correct, it is the total contributed by only one of the several agencies which are engaged in spending foreign aid—the ICA. It does not cover various other agencies which are likewise engaged very actively in the same pursuit.

Mr. RANDOLPH. Mr. President, I think I should say to my colleague from West Virginia that the Senator from Alaska has brought to our attention a very important point. He mentioned it earlier this afternoon. Frankly, the figures assembled are not only depressing to those of us who live in West Virginia and have need for dollars there, but are startling.

I presume similar expenditure facts can be procured from the other agencies mentioned by the Senator from Alaska.

I remember that the Senator called attention to $3,000 which was given to Turkey in the fiscal year 1959. I wanted to make sure if that was for undersea coal-mining operations. I am told that is true.

Mr. BYRD of West Virginia. Mr. President, in the 1961 budget which has been submitted to the Congress, the administration has requested an increase amounting to $279,000 for a study of the processing and utilization of bituminous coal—a rather paltry sum as compared with some of the amounts of money which are being sent to other countries of the world to rehabilitate or to develop and strengthen their coal-mining industries.

West Virginia is not going to continue to hold the poor status it holds today. I am confident that our State, with its great people and its limitless resources, has a very brilliant and wonderful future. I am not at all discouraged about the future of West Virginia.

Mr. RANDOLPH. But my colleague is discouraged, is he not, about the attitude of the present administration, which—over and over again—indicates that we must not cut one dollar from the foreign aid appropriations it requests, but, apparently, insists that we must not give consideration to what we believe to be rather small requests for domestic coal research and development programs. My colleague calls our attention to that inconsistency, does he not?

Mr. BYRD of West Virginia. Yes, I do.

Furthermore, I believe it should be remembered that the expenditures which some of us here on the floor have requested from time to time for various purposes, such as the area redevelopment legislation of last year, would be paid back to the Federal Government manyfold.

Conversely, much of the funds which our country is sending abroad will perhaps never be repaid. On the contrary, they will be used to stimulate industries in those countries, and their industries will compete with our own industries; and the expenditure of these sums in those countries will result in a burden which will continue to be an onerous one to the taxpayers of the United States for all of the years to come.

We now, of course, have the development loan program, which is just another rathole into which are being poured the dollars of American taxpayers. It has an innocent-appearing and fine-sounding name—"the development loan program"; and many persons are being fooled by it. However, under that program we are lending dollars which will not be repaid in dollars. Instead, they will be repaid in the currencies of the various countries, and it will not be possible for our Government to spend those currencies in this country, or convert them to dollars. This program is just another giveaway program; and it is the creation of the Eisenhower ad-

ministration. As it is becoming more and more difficult from year to year to get the foreign giveaway program approved by Congress, in view of the mounting opposition, the Eisenhower administration has found it necessary to call it by a new name. It is the same old pill but it is supposed to taste better.

I wish to emphasize that I am not opposed to spending a dollar anywhere in the world if it will benefit the United States. On the other hand, I believe that there must be some sense of balance in connection with this entire matter.

I am against giving priority to foreign aid, as opposed to domestic programs which will help our own suffering citizens.

Mr. RANDOLPH. Mr. President, will my colleague yield to me?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from West Virginia yield to his colleague?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. Earlier this afternoon I indicated that the administration is in opposition to the development of most aid programs in the United States, although, at the same time, it actively favors the development of assistance programs in foreign countries. We believe domestic programs should be enacted into law for the benefit of American citizens at the same time that the foreign aid programs, which have been mentioned by my colleague in the course of his very able remarks of this afternoon, are pushed forward.

Mr. BYRD of West Virginia. I thank my colleague.

Mr. GRUENING. Mr. President——

Mr. BYRD of West Virginia. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to make sure that I understand the import of the speech the able Senator from West Virginia is making. As I understand, the import of his remarks is as follows: In contrast to the very large number of projects in foreign countries, including those for coal mining, coal exploration, coal surveys, colliery rehabilitation, nonmetallic studies—which would relate primarily to coal, for the only other ones in that category are sand and gravel—which are costing very large amounts of money, this administration vetoed the proposal to make a study of the improved use of this resource in the United States, in order to obtain better use of that resource and to determine whether the miners could be better used. The Senator from West Virginia, in the course of his remarks, has pointed out that these two things have happened at the same time, under the same administration. Is that correct?

Mr. BYRD of West Virginia. That is correct. The Coal Research and Development Commission, as it was planned by the Congress, would have made possible a program of research, the purpose being to develop new uses for coal and new and improved methods of transporting and mining coal; and, undoubtedly, in the long run that program would have contributed to the strengthening of the industry, and to the employment of the people and the improvement of the economy, not only in West Virginia, but also in Pennsylvania, Kentucky, and the other coal-producing States of the Union.

Mr. RANDOLPH. Mr. President, will my colleague yield to me?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. I am happy that our colleague, the Senator from Alaska, has called attention to that legislation, which was the subject of a pocket veto by the President 5 days after the 1st session of the 86th Congress came to a close.

I believe it important for us to realize that the need for such a program as would have been provided by the coal research bill was attested to by the fact that the measure received bipartisan support and sponsorship. The distinguished minority leader of the Senate [Mr. DIRKSEN] was one of the sponsors of that legislation, which received overwhelming support in both the House of Representatives and the Senate. Notwithstanding that action on Capitol Hill, apparently the Chief Executive had a lack of understanding of this vital problem.

Mr. BYRD of West Virginia. I thank my colleague.

Mr. GRUENING. Would it not be true that the veto of that measure had unfavorable effects, not only upon West Virginia, but also upon all the other coal mining States, such as Kentucky, Virginia, Alabama, Arkansas, Colorado, New Mexico, Ohio, Illinois, Pennsylvania, Utah, and any other States in which coal is mined? Is it not a fact that the coal mining industry is sick and that the United States is treating all patients except this one? Is it not also a fact that our coal mining industry is, on the whole, in a rather depressed state?

Mr. BYRD of West Virginia. Yes.

Mr. GRUENING. Is it not also true that many of the men who formerly were employed in that industry are now without employment, or else have only part-time employment, and many of the members of their families are unemployed, and that those unemployed persons constitute a problem which is at least as serious as that indicated by the hungry faces the President said he saw in the course of his recent trip to foreign countries?

Mr. BYRD of West Virginia. Absolutely. In West Virginia, where 135,000 miners formerly were employed, today only 48,000 or 50,000 men are working in that industry. The figures vary; one organization has stated that 60,000 are employed. But I understand that according to the United Mine Workers of America, approximately 48,000 are employed.

West Virginia suffers as it does because of many factors, one of which is the importation of residual oil. Another is the dieselization of locomotives. But an adequate coal research program would go a long way toward improving the outlook and so would area redevelopment legislation such as that which the President vetoed during the 85th Congress.

Mr. President, all of this reminds one of the story of Timon of Athens. Timon, according to Shakespeare, was a wealthy lord of Athens, and he reveled in the joy of ostentatious giving as a generous friend, as a kindly master, as a liberal patron of the arts, and as a lavish entertainer. He was naturally of a frank and cordial nature, and so he dispensed his favors with an entire lack of discrimination, and he esteemed as his friends all those among the throng of flatterers, and gave to them his bountiful fortunes.

The cynical philosopher, Apemantus, ridiculed the motives of these hangers-on and he warned his credulous friend against them. Flavius, his true, honest steward, tried to curb his reckless extravagance, but Timon foolishly refused to be crossed in his generosity, and he paid a ransom to get his follower, Ventidius, out of prison. He once bestowed a fortune on a servant so that he might marry, and he gave precious stones as favors at a gorgeous banquet to his friends.

There came a time, presently, when Timon's creditors began to suspect his actual financial state, and they sent their agents to press him for the bills he owed. The importunities of these men at length forced Timon to listen to his faithful steward, who had warned him, and who proved to him that he was bankrupt and that his credit was gone. And so Timon sent his faithful servant, Flavius, to the Senate for a loan for his master, and the loan was refused.

Thunderstruck, Timon consoled himself with the thought that he could draw upon all of those wonderful friends to whom he had so graciously given and helped in the past. But, as we can readily surmise, one by one these fair-weather friends denied his request for a small loan. One of them tried to bribe the servant to say he was out. Another of his so-called friends regretted his lack of funds. Another one affected anger at not being the first to be approached.

Timon's eyes were at last opened to the parasitic nature of his worthless friends, and he invited them to a final banquet, to which they all came with lame excuses for denying his appeal. Covered dishes were brought in, filled with warm water, which Timon threw in his guests' faces as he cursed them, and, in lieu of money, he pelted them with stones.

Timon's philanthropy passed into the extreme of universal hatred of mankind, whom he bitterly denounced as he left Athens forever for a hermit's life in a cave near the sea. Much more, there is, to the story, but at the end Timon died and was buried in a rude, seawashed tomb.

I am persuaded that America could very well learn a lesson from Shakespeare's creation, Timon of Athens. America has given and given and given. She has poured out her fortunes. She has given of her best blood. She has sent her technicians abroad. She has gone in debt, herself, in order that her friends might enjoy the better life. But I fear that the time may yet come, Mr. President, when we may see America's fair-weather friends, most of them, at

least, desert her. We have already seen her embassies stoned, her leaders spat upon and cursed, and her flag torn down and desecrated. It is time that we think of our own, lest in the end, like Timon of Athens, we find, when it is all too late, that we have been cheating ourselves.

Mr. GRUENING. Mr. President, I commend the junior Senator from West Virginia for a most ehlightening and most valuable presentation, which I hope will be read by every one of our colleagues. I think it goes to the heart of one of the most important problems our Nation now faces—whether we shall continue to unbalance our budget by giving aid where it is often not wanted, where it is very largely wasted, where it is producing no friends. At the very same time we are denying to our own people the very same type of projects which we are initiating and carrying out in 70 foreign countries, when, in such fields as education, housing, highway construction, power development, and almost everything that the human mind can conceive of, those programs are needed, somewhere, by the American people.

Mr. BYRD of West Virginia. I am very grateful for the splendid contributions that have been made to this discussion here today by the Senator from Alaska. I have heard him speak on this subject before, on the floor and off the floor.

Mr. GRUENING. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I think the Senator from West Virginia should be commended for calling attention to a matter to which serious consideration should be given by the Senate. I am appalled when I realize the extent to which our national debt has grown.

Twenty-eight years ago our national debt was approximately $20 billion. Today our national debt is approximately $286 billion. We have expended in the past 28 years almost $122 billion in interest alone. Our national debt during the current fiscal year will be carried at a cost of $9 billion, in round figures.

During recent years we have either given away, in one form or another, approximately $70 billion, or made soft loans of that amount. The truth of the matter is that every bit of the $70 billion has been borrowed money, borrowed in large part from unborn generations of future taxpayers. If an individual who is in debt should borrow money to give away, his friends and his family would demand that an inquisition in lunacy be held. The result of that inquisition would be that such a person would have a guardian appointed for him. Yet this Government stands with a lavish hand, giving away money or making soft loans.

The Senator has quoted with great eloquence from that great writer, William Shakespeare. William Shakespeare said, in this connection, "Loan oft loses both itself and friend."

That is the experience we have had on many occasions, and the experience we are going to have in the future. It seems to me that we ought to ponder the matter the Senator has discussed so eloquently, to see exactly where this is leading us and what it will do not only to our present-day economy, but also to the economy of those who are going to inherit the greatest national debt of any nation in the history of the world.

Mr. GRUENING. Mr. President, if the Senator will yield, I should like to make a comment on the pertinent remarks of the distinguished Senator from North Carolina.

Mr. BYRD of West Virginia. I yield.

Mr. GRUENING. Shakespeare also said, "Neither a borrower, nor a lender be."

Never before in our history has Uncle Sam been so great a borrower and so great a lender as in the last 6 years.

THE DEFENSE OF AMERICA

Mr. SCOTT. Mr. President, I think we need sometimes to look backward to see whether the fears of the doom sayers at a given time were justified.

I recall that only a short time ago—some 3 or 4 years ago—in this Federal Legislature, there were many Members who spoke with great concern and emotion about the supposed bomber gap. We were told, in almost identical words with those with which we are now confronted concerning the so-called "missile gap," that the country was going to pot in a hand basket, that the Russians were ahead of us, that the Russians would be superior to us in uncounted numbers of bombers, and that the failure of the Department of Defense and of the President to realize this fact was endangering the national security.

Many of us will recall the very phrases used by some of the doom sayers. What actually happened?

Intelligence estimates, based on Soviet capability, indicated that the Russians might surpass us in the production of long-range bombers. Yet nobody is worrying about the bomber gap today, because what actually happened was that the bomber gap failed to materialize because the Russians, for reasons of their own, did not produce the bombers they were capable of producing.

Our intelligence people discovered this fact, and the early estimates of the Soviet bomber capability were revised downward to conform to Soviet intent, to what our information indicated the Soviets actually were producing.

There is no assurance that the same thing will hold true of the Russian missile production, but if current intelligence estimates indicate the Russians have not built missiles up to the limits of the capability estimates of a year ago, this is a legitimate factor to take into account. It does not mean, as an editorial in the Washington Star makes clear, that the administration is "dealing from the bottom of the deck," and it does not justify accusations, recently made, that "the intelligence books may have been juggled so that the budget books may be balanced."

Actually, we are in a far stronger position than the Russians with respect to long-range bombers.

Now we hear a great deal about ICBM's. I notice the tendency of some of the doom sayers to link two comments together as if they had a direct relationship. The two comments are as follows: First it is said that there is a "missile gap" and the missile gap is in ICBM's, as if this were the only deterrent weapon available to either country. Then the statement is made that the Russians could destroy our capacity to make war by firing 300 missiles at one time.

I do not suppose the distinguished gentlemen who make these statements intend to be deliberately misleading. Such statements make good scare headlines, and they do scare people. Unfortunately, this is a presidential election year and there may exist a temptation on the part of some people, including perhaps some candidates, unfortunately, to try to win an election by scaring the very daylights out of the American people, in the hope that by so doing they will scare themselves into office on the backdraft as a result of the revulsion of Americans, if listeners should conclude we are indeed a second-class power.

In my judgment, the people who say that this country is a second-class power, under all the circumstances—in the light of the President's own assurances that we are the strongest nation on the face of the earth, both economically and militarily, and in view of the superior evidence that we intend to remain so—people who seek to derogate and to sell the United States short as a second-class power, are indulging in second-rate thinking, and second-rate thinking does not qualify anybody to be President of the United States, where we require first-class talent.

I return to the unfortunate habit of linking two statements together; that the Russians are ahead of us in ICBM production—which indeed they are—and then adding the statement that 300 missiles can be fired at the United States at a given time. I think, in fairness to the American people, these speakers should carefully point out that the 300 missiles which allegedly could be fired at us—nobody actually knows whether there are 300 or not, or where they are located, which is a matter of concern—are not ICBM missiles but refer in this context to intermediate range ballistic missiles.

It is not proper to comment, except in instances in which the information has been published, on how many ICBM's there are. One weekly magazine referred the other day to the possibility that we might have between 3 and 7, or between 5 and 10; and that the Russians might have between 12 and 18.

Consider what we are talking about. If this magazine is anywhere near correct, we are talking about a very small number of very serious and powerful weapons. But it is easy to say "3 to 1" if we are talking about the difference between 15 and 5, and, in order to scare the daylights out of the American people, the figure "300" is promptly introduced into the same dissertation. I hope that such is not the purpose, but the effect is to make the American people

believe that the Russians have 300 ICBM's which they have not. If that is in any intelligence report, I am sure it will come as a great surprise to the Government of the United States, and a matter of great satisfaction to the Soviet Union, which undoubtedly has not heard this statement, as a statement of fact, and could hardly receive it as such, since it is not a fact.

We could undoubtedly bring to bear a very large number—and the number is classified—of presently existing intermediate range ballistic missiles, and we could bring them to bear from areas which are not available to the Russians. We could bring them to bear from our fast carrier task forces, in which we have some 14 fast carriers. So far as I am aware, the Russians have none.

We could bring them to bear from some 12 or 13 advance bases. Outside the satellite areas the Russians have none.

We could bring them to bear, if we agreed so to do, with the help of some of our allies; and while the Russians have so-called allies, it is fair to say, I think, that the only satellites which the Russian Government can trust are not on earth, but in the air. I doubt if any satellite of the Russians on this earth could be trusted to be loyal in time of conflict.

I do not intend to paint a rosy picture, because the picture is not rosy. The picture is one which presents the necessity for unending vigilance, for an increase in our missile program and our military spending program, which has been ordered by this administration and for an increase in our space program, which has been ordered by this administration.

I wish our orators, no matter how eager they may be to be President of the United States, or to have someone whom they favor become President of the United States, would use a little more discretion in waving such unassorted figures around, and using the figure "300" in reference to ICBM's, because there is no relationship between one and the other.

We have certain additional advantages over the Russians. Among these are the development of our nuclear submarines, the development of our Polaris missile program, and the resultant inability of the Soviets to find the moving targets presented by those nuclear submarines and by the Polaris submarines, construction of which has been ordered increased and accelerated.

I think it is about time to say a little more about the strength of the United States as a first class power determined to keep the peace, determined to promote every effort by which peace may be attained, determined patiently to go to the summit, determined patiently, as the President and Vice President have demonstrated, to go wherever in the world there is a chance of extending the possibility of following after the ways that lead to peace.

So I hope that anxiety and vaulting ambition which sometimes overleaps itself, will not ride roughshod over reason so as to lead the American people into a state of panic, frustration, or unwarranted concern.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Forgotten Gap," published in the Washington Evening Star of January 28, 1960.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Jan. 28, 1960]

FORGOTTEN GAP

Senator SYMINGTON says the administration has been doing tricks with intelligence information in an attempt to deceive the American people as to the seriousness of the missile gap. The Missouri Senator, a presidential hopeful, also says he realizes that his accusations might "be labeled as politically motivated by those who prefer to conceal the facts, and by others who do not know the facts."

It is not our purpose to accuse Senator SYMINGTON of playing politics with this grave question. Nor do we pretend to know all the facts concerning the accuracy of this country's intelligence estimates. If we may be permitted one comment, however, it is that we wish Senator SYMINGTON had named names and had cited hard facts to support his charge that "the intelligence books have been juggled so the budget books may be balanced." There is a certain glibness to this—and also, in the absence of supporting evidence, a certain recklessness.

If the Senator was referring to current intelligence estimates, and the methods by which they are made, a statement made the night before by Allen Dulles, Director of Central Intelligence, is worthy of note. Mr. Dulles said: "I can assure you that in preparing them [intelligence estimates] we look to nothing but the available facts, disregarding all outside considerations, political, budgetary, or other. * * * Facts have no politics. We are diligently seeking the facts without fear or favor."

Judging from the text of the Symington statement, however, his principal complaint is that instead of relying on estimates of Soviet ability to produce missiles, as was the case a year ago, we are now taking into account their intention to produce. We see nothing wrong with this. But Senator SYMINGTON says that through this process "the administration has given the people the impression that the missile deterrent gap has been sharply reduced and possibly eliminated."

This brings to mind another and almost forgotten gap—the bomber gap, about which so much was being heard 3 or 4 years ago. Intelligence estimates, based on Soviet capability, indicated that the Russians might surpass us in production of long-range bombers. Senator SYMINGTON, and others, were greatly worried. But no one is worrying about this today. In fact, most people concede that we are much superior in long-range bomber strength.

What happened to the prospective bomber gap? Simply this. It failed to materialize because the Russians, for reasons of their own, did not produce the bombers they were capable of producing. Our intelligence people discovered this, and the early estimates of Soviet bomber capability were revised downward to conform to Soviet intent—to what our information indicated they actually were producing.

There is no assurance, of course, that the same thing will hold true of Russian missile production. But if current intelligence indicates that the Russians have not built missiles up to the limit of the capability estimates of a year ago, it seems to us that this is a legitimate factor to take into account. It does not mean that the administration is dealing from the bottom of the deck, and it does not justify the accusation that "the intelligence books have been juggled so the budget books may be balanced."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. BARTLETT, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. DAVID M. HALL, late a Representative from the State of North Carolina, and transmitted the resolutions of the House thereon.

DEATH OF REPRESENTATIVE DAVID M. HALL OF NORTH CAROLINA

The PRESIDING OFFICER laid before the Senate the following resolution (H. Res. 434), from the House of Representatives, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
February 1, 1960.

Resolved, That the House has heard with profound sorrow of the death of the Honorable DAVID M. HALL, a Representative from the State of North Carolina.

Resolved, That a committee of 12 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. ERVIN. Mr. President, I have never known a more gallant spirit than DAVID HALL, late a Member of the House from North Carolina. I send to the desk a resolution which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 264) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. DAVID M. HALL, late a Representative from the State of North Carolina.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, take a recess until 10:30 a.m. tomorrow.

Under the second resolving clause, the Presiding Officer (Mr. BARTLETT in the chair) appointed Mr. ERVIN and Mr. JORDAN members of the committee on the part of the Senate.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. ROBERTSON. Mr. President, I believe the chosen representatives of the people of Virginia, now meeting in a regular session of the State's general assembly, are competent to decide on submission to the voters whether or not the Virginia constitution should be changed to remove the poll tax as a prerequisite to voting.

I also believe that the right to make that decision, or any other decision as to qualifications of voters, should be left to the people of the individual States, as the framers of our Federal Constitution intended.

Therefore, I am opposed not only to the Javits proposal to outlaw by statute the poll tax or property qualifications for voting for reasons which I stated to the Senate last week, but also to the Holland proposal to ban the poll tax qualification by a constitutional amendment.

The arguments against changing the constitutional rights of the States to determine qualifications of voters were presented to the Senate so unanswerably last week in speeches by the Senator from Mississippi [Mr. EASTLAND] and the Senator from Alabama [Mr. HILL] that I shall not attempt a lengthy review of the objections.

It cannot be emphasized too strongly, however, that the precedent which would be set by eliminating one restriction which some States have chosen to place on voting can be followed by elimination of other restrictions until a uniform pattern of voting was established that could destroy the fundamental concept of a Federal Union of sovereign States.

The right to fix qualifications of voters was deliberately and carefully reserved to the States by the Philadelphia Constitutional Convention and that action was emphasized in all the State ratifying conventions and in explanations of the Constitution, reassuring doubtful States that their rights would be protected.

Proposals to outlaw the poll tax qualification by Federal action are doubly unwise because they are unnecessary.

The poll tax, or more properly, head tax, is one of the oldest forms of taxation known to the civilized world. In the days of Christ, for instance, it was the only tax imposed by Rome on Palestine and other conquered provinces. In Virginia, a poll tax was imposed upon all citizens for support of public schools long before a provision was inserted in the State constitution making payment of the tax a prerequisite for voting. The tax in Virginia which now produces from $1¾ to $2 million a year for our schools does not discriminate against nonwhites, as is demonstrated by the fact that in Virginia the percentage of nonwhites who qualify to vote is substantially the same as in our sister State of North Carolina, which has no poll tax.

In Texas presentation of a poll tax receipt is virtually the only voting registration requirement and there, as in Virginia, this is far less restrictive than the educational tests imposed by many Northern States which do not have a poll tax.

All States have laws denying the right to vote to convicted felons and several States deny the vote to publicly supported paupers or have property qualifications. It is inconceivable that good government would be fostered by removing all voting qualifications and extending the franchise to every inhabitant without any restriction. The attack on the poll tax is a move in that direction, however, and one which would seriously embarrass five States which would have inadequate time to substitute other qualifications for the tax.

I hope, therefore, that the Senate will reject all the pending proposals dealing with the poll tax.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. STENNIS. Mr. President, I have heard extended discussion today, especially with reference to the poll tax as a prerequisite to voting, and the question of the States having the right to regulate the qualifications of voters.

I believe there is a good deal of misunderstanding about the amount involved in a poll tax. I do not know of any State which has a requirement in dollars of more than $2 a year. It has been stated in the RECORD by one of the speakers, who I know was honestly mistaken, that the requirement is $3. That is an error. Furthermore, the arrears can apply for only a 2-year period, or a total sum of $4. In addition, a person 60 years of age or over is exempt from the tax. There are additional exemptions such as those pertaining to people who are crippled to the extent of being limited in their ability to earn a livelihood, and so forth.

In the imposition of the poll tax absolutely no difference or distinction of any kind is made by any of the States as between the races or as between the sexes, or anything of that kind. It applies uniformly to all.

In my State the entire amount goes into a common school fund, and can be spent only for the purpose of public education and, as I recall, only in the county in which the tax is paid.

These matters seem elemental, but I repeat them because there is confusion and misinformation about the operation and the effect of the tax and the purposes to which it is applied.

The pending business before the Senate is Senate Joint Resolution 39, which is a proposal to permit the Governors of States to appoint Representatives in the House of Representatives should vacancies to the extent of one-half the membership of that body occur.

Mr. President. there is absolutely no affinity and no reasonable basis for any connection whatsoever between these two proposals. One has to do solely with the filling of vacancies in the House of Representatives. In certain contingencies those who now have the right to vote for Representatives, would have that authority taken away from them, and it would be placed in the Governor of each State. No one would vote.

The second proposal, offered by the Senator from Florida [Mr. HOLLAND] goes to the election laws, and deals with the qualifications of electors in the 50 respective States. Not by logic or reason at all, but only by the application of a fertile imagination can there be found any affinity or any connection whatever between the pending joint resolution with reference to appointments of Representatives by the Governors and the qualifications of electors. So it is a strange combination indeed. I submit most respectfully that it would be almost childish for the Congress in the same resolution to submit such unrelated and disjoined proposals to the States of the United States to be voted on by them as amendments to the Constitution of our great Nation.

With all deference to every one, I submit that it simply should not be done in that way, and that the Senate is not living up to its responsibilities, in the very serious obligation of passing on proposed amendments to the Constitution of the United States, when it undertakes to submit to the States two proposals of such diverse character in the form of one amendment to the Constitution. Frankly, it looks to me as though one is being used as a vehicle for the other, to see if they can travel along together.

I do not know whether or not any one other Senator has done so, but in a few minutes I propose to discuss the merits and the major provision of the pending joint resolution, which proposes to transfer the authority to fill vacancies in the House of Representatives from the people of the respective districts to the Governors of the States, but only for a limited time.

However, let me say one word further about the proposal concerning the so-called poll tax. I notice there is no limitation upon the time the amendment if ratified, shall go into effect. In other words, if the amendment should be submitted by Congress to the States, it could float around before the State legislatures for 3, 4, 5, 6, or even 7 years, without being ratified by three-fourths of the States, and then the people of Texas, Arkansas, Alabama, Mississippi, or any other State affected, might wake up some morning and read in the newspapers that some State—say Michigan or Wisconsin or California, or whatever State it was which filled out the three-fourths requirement—had approved the amendment, and the States affected by the amendment would automatically find their election laws greatly changed. There would have to be a rewriting and a revision of their entire election laws.

It would be impossible to hold elections in those States until there had been called, as doubtless there would have to be called, special sessions of the legislatures.

These provisions are interwound and intertwined with provisions of the constitutions of the States. There would have to be constitutional conventions or special legislative sessions held in the States in order to submit to the people the proposed changes in the State constitutions. I think that this matter has not been thought out sufficiently, and therefore is a reckless proposal.

Of course, if the amendment should be ratified by 38 States, it would immediately become the law of the land and would be binding on all the States. But my point is that certain provisions of the State constitutions would be affected. Many questions would arise as to what parts of the State constitutions would be affected. Practically speaking, an epidemic of lawsuits would be started, with not only Federal elections, but other elections approaching. I do not know of anything which would create greater chaos and confusion—and unnecessarily so—in the election laws of the various States affected than to have Congress submit to the States, and to have three-fourths of the States adopt a constitutional provision of this kind as the resolution is now drafted.

It occurs to me that if the joint resolution should be passed and the proposed constitutional amendment submitted to the States, an excellent opportunity would be afforded for a nationwide campaign, in which persons who were able and willing, and who could take the time and money to do so, might go before the State legislatures of our great Nation and outline in detail to them just what had been done in the past 30 years to whittle away the powers of the State legislatures, and to take away from the States their inherent powers of government, many of which have been expressly retained under the Constitution, but others of which have been taken away by interpretation. Such a campaign might result in a great awakening among the State legislatures as to just how far the Federal Government has already gone and what the trend is, and might result in a realization on the part of the States that unless that trend is stopped and the power to take away is checked, it will soon be a misnomer to say that there are States of the Union.

I was greatly shocked not too long ago when a very intelligent woman said to me, in Washington, "Why not abolish the States, anyway? We do not need them any longer."

I replied to her that we are abolishing the States pretty fast by whittling away their powers in one way or another, restricting their privileges, and invading their field of taxation and other fields of State activity.

So on the surface, at least, I am afraid her question had more application than at first blush it might seem to have.

That trend is so pronounced, and is moving so far and so fast, that whenever proposed legislation of any kind is brought before us on even a worthy subject, we shall have to ask ourselves the question, How far is the Federal Government going in regulating, controlling, and dominating the whole subject? I think we can address that question to any proposal made now with reference to Federal aid for education. Certainly there could not be a higher or more laudable undertaking of a government, there could not be any greater program for any government to underwrite than the training, improvement, and elevation of the human mind.

But even with respect to a subject like that, when a bill is introduced in the Senate and is referred to a committee, necessarily the most pressing question is not the merits of the bill, but how far will it go eventually in permitting the Federal Government to take over the subject matter with which it attempts to deal? By placing it in the control of the Federal Government, will the Federal Government eventually dominate the field?

Returning, for the time being, to the original proposal which is now before the Senate, I believe this is a matter which has been passed upon by the Senate twice before without its having been given the consideration it deserves and the attention to which it is entitled. I refer now to the proposal introduced by the Senator from Tennessee [Mr. KEFAUVER].

Article I, section 2, of the Constitution of the United States contains a very simple, a very plain and explicit provision. With reference to the House of Representatives, we find this language:

> When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

I do not know that that provision has ever been questioned seriously before the introduction of this joint resolution. The joint resolution provides:

> On any date that the total number of vacancies in the House of Representatives exceeds half of the authorized membership thereof, and for a period of sixty days thereafter, the executive authority of each State shall have power to make temporary appointments to fill any vacancies, including those happening during such period, in the representation from his State in the House of Representatives.

This proposal was before the Senate once before, on June 4, 1954, and was adopted then by an overwhelming vote. At that time I did not vote for the resolution, because I thought it was unwise, unsound, and untimely.

The history of this matter is that the joint resolution concerning vacancies in the House of Representatives then went to the House. From that time until this very moment the House has not acted on either that joint resolution or a similar measure.

The matter was again before the Senate on May 19, 1955. It was then in the form of Senate Joint Resolution 8, in which virtually the same language was used. That joint resolution was passed by the Senate by an overwhelming vote. At that time I did not vote for it, because I thought it was unwise, unsound, and unnecessary. I thought then, and I think now, that such a measure only disturbs our people, is an affront to the Members of the House of Representatives, and is an encouragement to those in the Kremlin to make plans in regard to an attack upon us.

At any rate, since May 19, 1955, the House of Representatives has not acted on that joint resolution, and neither has the House held hearings on either that measure or a similar one. The House has not proposed to make the slightest gesture of any sort toward beginning to consider such a measure, much less pass it—and very properly so, I believe.

I repeat that I think it is very, very presumptuous on the part of the Senate to take the initiative in connection with a matter in regard to prerogatives and problems which primarily, and first of all, concern the House of Representatives. I believe such action by the Senate constitutes an invasion of the very great and highly respected prerogatives and rights of the House of Representatives.

Furthermore, Mr. President, I notice that not one Member of the House of Representatives has come before the Senate committee to testify in favor of that proposal. So far as I know, not one Member of the House of Representatives has evidenced any interest in it. All the Members of the House to whom I have mentioned the subject have immediately said that, so far as they are concerned, they believe the proposal to be without merit.

Since that is the situation as I have ascertained it, what logic or sense is there in continuing to bring this matter before the Senate, and continuing to agitate in the Senate for the passage of such a measure, and continuing to keep the subject in the news columns of the press? Such activities seem to me to constitute only idle gestures.

As I have said, if anything needs to be done in regard to this matter, certainly the House of Representatives should be the first branch of the Congress to take action. Simple courtesy would require that the House act on it first.

Since the beginning of the Government of the United States, each Member of the House of Representatives has taken his seat only as a result of action taken by the people of his district. I hope that will always be the case. That is one of the great strengths and foundation principles of our Government. I do not believe there could be a more far-reaching change in the basic law of our Nation than an exception of any kind to that very fine and very important principle. I believe that is the main reason why nothing has been said about this matter in the House of Representatives, and that is why the House is not interested in the new system which has been proposed by some Members of the Senate. Certainly it is to the credit of the Members of the House of Representatives that, over the years, each one of them has wanted to keep that very sound, basic principle of the Government as one of the foundations of their particular branch.

With all deference to Members of the Senate who submitted the proposal, had

it placed on the calendar, spoke in favor of it, and voted for it, I cannot see any reason or logic—top, side, or bottom—in connection with attempts to resort to the unusual procedure of repeatedly bringing this matter before the Senate.

According to statements made by the authors of the joint resolution, evidently it is based on the belief that there may come a black day when more than half of the seats in the House of Representatives will be made vacant—in short, because of the falling of a nuclear bomb or because of attack by nuclear weapons of some sort. Mr. President, that is a possibility; and I would not say we do not believe it to be possible, because in the course of time it doubtless will be possible. But if that were to happen—although of course we pray that it will not—in view of the present capacity, and even the present aim, not half or anywhere near half of the Members of the House of Representatives would be spared; if such an attack were to occur at a time when the House was in session, virtually all the Members of the House of Representatives would be incapacitated.

In addition, the chances are that in such case the President, the Vice President, the Speaker of the House of Representatives, and the President pro tempore of the Senate will be hit. I mention them in that order because it is the order of succession at the head of the executive branch of the Government.

Furthermore, in the event of such an attack, there would not be time to engage in the legislative processes. Instead, someone would have to take over at the head of the executive branch of our Government, and that person would have to assume dictatorial powers; and for days and days there would be no chance to engage in the normal processes of our governmental activity.

If we wish to make a real provision to keep our Government in operation in the event of such an attack, I believe the proper approach would be to take further action with reference to the executive branch of the Government.

I am speaking of the remote possibility of such an occurrence, and of the practical approach to be taken in the event of such an occurrence. Although it would be possible, certainly it is very, very unlikely that such a thing would happen in the absence of some sort of warning. Some persons say we would have 15 minutes warning. We hope there would be more than that. Certainly at such a time, and for days prior thereto, the atmosphere would be charged with an implied notice of some kind. There would be some kind of notice or some sort of notice, by means of either the early warning system or other scientific methods of some kind, before one blast of a nuclear weapon could wipe out more than half the membership of the House of Representatives. It is just one of those possibilities on which we play here, and talk about, and imagine, for days and even weeks. I think the only practical effect of that is to encourage some adversary who may be thinking in terms of such an attack.

It is, to me, a sign of weakness to be amending the Constitution of the United States with reference to the method of selecting successors to Members of the House of Representatives, and blasting bodily one of the basic foundations of our form of government.

I was saying, before the Senator from Illinois [Mr. DIRKSEN] came into the Chamber, that from the inception of our Government to this very day, a Member of the House of Representatives has come there only through one door, and that is through election by the people. I hope it always will be that way, with no exception of any kind, at any time, under any circumstances. That is one of the great prerogatives of the House Members, and they are to be commended for their very fine attitude. The House is not interested in this proposal, apparently. The Members have never given it the slightest attention.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. DIRKSEN. Apropos the Senator's last observation, there is a slightly grim, gruesome implication to a resolution such as this when it goes to the House, because, after all, if it is brought to the House floor and discussed, they will be thinking in terms of the liquidation of one-half of that body. Somebody phrased it today in rather curt fashion. He said, "A proposal to pick out your own headstone." I suppose much of that kind of thought will enter into the discussion. But the House may not be too serious about a proposal like this.

Furthermore, I think I am on solid ground when I say that I know of no particular reason why the House cannot modify its own rules. If one-half of the membership plus one Member constitutes a quorum, the House can provide that in case of an act of God or a catastrophe, where the number is suddenly diminished, one-half plus one of the remaining number who are not incapacitated shall constitute a quorum. I should think, unless I am in error about the House rules, that would satisfy the requirement.

Mr. STENNIS. The Senator from Illinois has made a most practical suggestion, and it meets the situation in a fine way. Having been a former and influential Member of that great body, I think that fact adds additional strength to his proposal. It certainly is in keeping with orderly business and parliamentary soundness, and would not disturb any present law, and would not make any encroachment whatsoever upon the prerogatives the House of Representatives has as the people's forum and the people's court. Nobody can get in that door except through election by the people.

Very seriously, Mr. President, it seems to me that for the Senate of the United States to keep on bringing this matter up year after year after year, based upon only an imaginary situation, is a tremendous encouragement to any adversary who may be planning or designing or thinking of perpetrating in future years such an act as seems to be the basis for the joint resolution.

Moreover, I believe, that it certainly raises a very serious question in the minds of governmental heads and legislative bodies of other countries of the world, who, we hope, look upon us as leaders, as a strong nation, with a strong Government, and not afraid to face the future. So we should not be putting up signs that read, in effect, "In case of attack, run this way. If any bomb falls, we are going to have the State Governors appoint Representatives."

I do not believe in continuing to pass resolutions and tampering further with the Constitution. I would rather stand firm on our present position and prepare for the worst, but not keep talking about it in terms of being afraid that something is going to happen or that we are apparently preparing to be wiped out.

Moreover, if the times are so demanding, if we think the pressure is so great, that something like this joint resolution should be passed, instead of doing paperwork and taking up time on a measure which it is clearly demonstrated the House is not even going to consider, we ought to be using our time in telling the people of the country that conditions are so severe and an attack is so imminent or the probability of one is so strong that there has got to be some belt-tightening done; that we will have to give up some of our easy way of life and buckle down and tighten our belts. I do not hear talk like that. If conditions are so serious, we ought to be telling the people that we must get rid of the long weekends; that we must start working harder, that we must have some crash programs, that we must stop making so many refrigerators and sport model automobiles and other products which may be classified as luxuries or semi-luxuries, or at least unnecessary, and tell them that we must buckle down and provide more missiles and guns and other implements to offset a threatening situation.

I do not believe we should be engaging in this paperwork and talking about academic matters of this kind, because of bare possibilities, but we ought to get down to the facts of life. If things are so bad, we ought to emphasize the crash programs.

Mr. President, I am sorry that this proposal has not been debated more by Members of the Senate, and that it has been passed overwhelmingly in the past. This is the first time I have said anything about it on the floor, although I have voted against it each time it has come up. I think it is one of those things to which we should pay attention, yes, but not paramount attention. We have not looked into the basic, fundamental principles that are involved, and we have not really weighed the relative importance of a proposal of this kind as against some of the other means available.

As I have said, if we really believe that this matter is so demanding and the need is so imminent, we should be putting on priority lists some of the highly necessary programs for procurement of metals, utilization of skills, and other activities which are necessary to offset such a situation. So I hope at this time there will be more debate upon the di-

rect merits of the proposal, and that it will not be adopted by the Senate.

The fact that I am opposed to the proposed poll-tax amendment, which has no affinity whatsoever to the main purpose of the joint resolution, has nothing to do with my attitude toward the latter. I have voted against it every time it has been before the Senate, and that extends over a period of almost 5 years.

The House has not given any intimation yet of having the slightest bit of interest in the matter. I do not think they will evince any interest in it, and I do not think they should. I wish we could put the matter to rest.

I think it is mighty serious, Mr. President, apart from the subject matter of this proposal, the situation becomes rather serious when every few days we undertake to talk about amending the Constitution. We have the greatest Government in the world. We have the finest outline of governmental rights and responsibilities. Fortunately, the people, I think, have shown a great deal more wisdom with reference to amending the Constitution than has the Congress. I refer to the State legislatures and to the people of the States themselves. I say that with all deference, because of the great number of proposals which have been made in Congress to amend the Constitution.

Except for the first 10 amendments to the Constitution, very few proposals have been agreed to in the many decades of the life of our great Nation.

I hope we can let matters like this rest. As the Senator from Illinois said, we can work out a simple solution within the framework of our present law. The House of Representatives itself, according to the suggestion, has inherent authority, and could simply provide what is needed under its own rules, which can be amended from time to time as the occasion demands. In that way the situation can be met.

Mr. President, the hour is nearly 5:30 p.m. I have another phase of my speech which will not take long, but with the permission of the Senate I wish to yield the floor, and when I can get the floor tomorrow for some reasonable time I shall address myself to the other matter I have in mind.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. I was greatly interested in the Senator's observation about the inclination to offer amendments to the Constitution of the United States. I am sensible of the fact that there is a body of thought that the Constitution is not sufficiently flexible for this civilization. With that view, of course, I disagree. The amendatory power is present, and always the country has shown the necessary spirit and inclination to approve amendments when in the wisdom of the people they were thought to be necessary.

I submit, so that it will become a part of the discussion and legislative history, that there must be at least 35 or 40 constitutional proposals now pending before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary. Those proposals cover a wide range of subjects, and in a way hint at an inclination, I think, on the part of the lawmakers of the country to move in on our organic law. We must depend, of course, upon the wisdom, the prudence and the restraint of the people as they come to grips with the problems. We must make sure that we do not insinuate into the organic law things which should not be there.

Mr. STENNIS. I thank the Senator from Illinois very much for his comments. I agree heartily with what he has said. We must have flexibility in order to meet the problems of the times, but one of the great strengths of our Government is that the Constitution does belong to the people, and through their processes they can amend it. So far the people have not been quick to rush in on matters, but have always risen to the occasion when there was a real need for a basic change.

Mr. DIRKSEN. That is quite true.

Mr. STENNIS. I thank the Senator very much for his interesting and kind remarks.

Mr. President, I yield the floor.

THE STEEL SETTLEMENT

Mr. DIRKSEN. Mr. President, on January 26, 1960, Mr. C. M. White, chairman of the board of the Republic Steel Corp., of Cleveland, Ohio, sent a statement to all the stockholders of the corporation setting forth the company's estimate of the negotiations and settlement of the steel controversy.

When I first glanced over this statement several items promptly caught my eye. The first was the observation in the fourth paragraph of the statement which said that "the settlement which ended the long labor dispute was on terms which are a great deal better from our standpoint than the public has been led to believe."

In the same paragraph Mr. White observed that there was achieved a slowdown in the rate of increase in labor costs.

Also in the statement there appears this significant observation:

> To us, the spirit of the union leaders at all levels in working out matters in this area (working rules) is more important than language in the basic contract.

I felt on examination of this statement that it merited wider distribution than it might receive and for that reason I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REPUBLIC STEEL CORP.,
Cleveland, Ohio, January 26, 1960.

To the stockholders of Republic Steel Corp.:

In past years it has been our practice to wait until issuance of our annual report in late March to give you the results of our business for the previous year. However, because of the unsual events which took place during the year and their climax a week or two ago, we felt that you should have the preliminary figures on the year's results as quickly as they became available. We also feel we should give you our views on the recent setttlement of the 1959 labor dispute which so greatly affected these results. More detailed, audited figures and a comprehensive report on 1959 business will be contained in the annual report which you will receive late in March.

In spite of the strike, our sales for the year amounted to $1,076,832,407. This is an increase of 18 percent as compared with 1958. Net income, however, seriously affected by the costly strike, amounted to $53,890,116 or $3.43 per share—13 percent below 1958. It was, nevertheless, more than enough to meet our dividend requirements. A statement of consolidated income, subject to annual audit, is attached to this report.

The 116-day steel strike affected our business during 1959 not only during the strike but during the 6½ months preceding it and the 8 weeks at the end of the year during which we operated under a Taft-Hartley injunction. The strike threat resulted in a very high rate of operations during the first half of 1959 as customers made every effort to build up inventories. Business in November and December was at comparably high rates as customers ordered steel to meet current production needs and at the same time to rebuild their inventories.

The settlement which ended the long labor dispute was on terms which are a great deal better from our standpoint than the public has been led to believe. While we did not fully attain our objectives of reaching an agreement which would hold added costs within the 2.6 percent increase in productivity per year which Secretary Mitchell says the steel industry has experienced over the past 10 years, we did, nevertheless, materially slow down the rate of increase in our labor costs.

In the past 10 years, employment costs in the steel industry have increased approximately 8 percent per year. The present settlement will reduce this increase to approximately 3.5 to 3.75 percent per year for the life of this contract. When one considers that the 1956 labor agreement resulted in an increase in employment costs of 81 cents per hour over the life of the contract as opposed to 39 cents for the current contract period, it is apparent that the present settlement represents a considerable improvement.

The settlement is materially better than the settlements which might have been imposed upon us based on the recent agreements negotiated by the steelworkers' union with the aluminum or the can industries or with Kaiser Steel Corp. We estimate the aluminum, can, and Kaiser settlements would have increased our employment costs approximately 4.5 to 5 percent if applied to the steel companies, or nearly 30 percent more than we actually settled for.

The cost-of-living escalator clause in the contract, which provided 17 cents an hour during the last 3-year contract period, has been materially watered down in two respects. First, the maximum increase in the cost-of-living adjustment that will be involved over the 30-month contract period on wages is 6 cents. Secondly, such cost-of-living adjustment increase may be reduced to cover increases in the cost of the group insurance program. On the basis of past experience, we estimate that insurance costs will increase over 4 cents during the period.

On the local working conditions issue, while we did not get the arbitration we desired, we did get public pledges from the union leaders that they would cooperate in increasing efficiency and eliminating waste. To us, the spirit of the union leaders at all levels in working out matters in this area is more important than language in the basic contract. We did succeed in keeping out of the contract any restrictive language whatsoever on our right to make changes in machinery, equipment, and processes—so-called automation changes.

We enjoy the advantage of a long-term contract. The wage terms run for 30 months

and the insurance, pension, and subagreements for 36 months. Such long-term contracts are of great value for they enable us to plan our operations and our capital improvement programs with full knowledge of our employment costs, which constitute more than one-third of our total costs of production.

While the long dispute has been costly, there are some collateral benefits. Our extensive program of advertising, publicity, direct mail, radio, television, and speaking has made the American people and their Government more familiar than ever before with some of the acute problems of our industry. The effect of wage-push inflation, the threat of foreign competition, and the threat of wasteful work practices and costly and inefficient local working conditions, which we are required to maintain, are, we believe, well understood by millions of citizens. Our efforts to alert the Nation to the continued threat of these problems will continue. In the face of the hot economic war being waged with the Soviet Union, our national future depends on public concern over such problems, both in the steel industry and in the other major industries.

As Vice President NIXON outlined the situation to us, we found ourselves in this position: (1) The union had made settlements with the aluminum industry and the can industry, and it would be difficult for the union to settle with us for anything less and justify it to their constituents; (2) we were coming up to a vote by our employees on the companies' last offer which the Government officials felt, and our own surveys indicated, the union would win handily, with the result that the union's position would be stiffened and strengthened; (3) Congress was about to convene, and if the dispute were thrown into the Congress it might enact legislation which would be inimical not only to the steel industry, but to all industry in the country.

The Vice President felt strongly that at the end of the road we would not make a better settlement, and probably a worse one than he and Secretary Mitchell could recommend to us then without incurring all the risks of bad legislation. Despite the fact that we were reluctant to do it, we had to admit that his logic was correct and that the wise course was to accept the recommendations made to us. In our opinion, this settlement was the best that we could have had, either before the strike, during the strike, or after the resumption of operations under the Taft-Hartley Act.

Since our employees returned to work in early November, their attitude has been excellent and their cooperation with us most satisfactory. As a result we were able to set an all-time steel ingot production record in December. We believe this attitude will continue. Union officers at all levels have pledged their cooperation in eliminating waste and improving efficiency. Their cooperation is welcome and should enable us to reduce materially the inflationary potential in the settlement.

Our immediate business outlook points to an almost unprecedented high level of business through most of 1960. We have resumed work on the many capital projects which were halted by the strike. These will materially improve efficiency, increase output and counter rising costs. Progress of these improvements will be discussed in greater detail in the annual report.

Again may I extend the appreciation of the management of our company for the splendid support given us in this trying period by our stockholders. Of the many letters we received, there was not a single one which did not support our efforts to bring about a noninflationary settlement of the dispute by free collective bargaining.

Sincerely,

C. M. WHITE,
Chairman.

Republic Steel Corp. and subsidiaries, statement of consolidated income, years ended Dec. 31, 1959, and Dec. 31, 1958

	1959	1958
Sales less discounts allowed	$1,076,832,407.00	$910,382,817.00
Dividends, interest, and other income	7,157,714.00	7,170,992.00
Total	1,083,990,121.00	917,553,809.00
Costs and expenses:		
Manufacturing cost of products sold	885,950,484.00	711,821,790.00
Administrative and selling expenses	52,186,220.00	47,087,886.00
Provision for depreciation, depletion, and amortization	34,666,022.00	33,074,198.00
Interest on long-term debt	3,849,910.00	2,619,822.00
Sundry other deductions	647,369.00	528,433.00
Federal taxes on income—estimated	52,800,000.00	60,500,000.00
Total	1,030,100,005.00	855,632,129.00
Consolidated net income	53,890,116.00	61,921,680.00
Net income per share of common stock	3.43	3.96
Shares of common stock outstanding	15,693,074.00	15,635,759.00

NOTE.—Subject to annual audit.

RECESS TO 10:30 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, pursuant to the resolution previously agreed to, as a further mark of respect to the memory of the late DAVID M. HALL, a Representative from the State of North Carolina, I move that the Senate stand in recess until 10:30 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p.m.) the Senate, as a further mark of respect to the memory of the late Representative DAVID M. HALL, of North Carolina, took a recess until tomorrow, Tuesday, February 2, 1960, at 10:30 o'clock a.m.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 1, 1960

The House met at 12 o'clock noon.

Dr. Israel Goldstein, rabbi of Congregation B'nai Jeshurun, New York, offered the following prayer:

Lord, Creator, Father, we pray Thee, make Thy light to shine upon this day which we joyfully mark as the 100th anniversary of a prayer intoned within this Legislative Hall for the first time by a teacher of the Jewish faith, Rabbi Morris Jacob Raphall. It was a day as meaningful for America as for the household of Jacob, tokening not only religious freedom and equality but interreligious fellowship.

One hundred years ago our Nation was riven by strife on the threshold of a tragic Civil War.

We thank Thee that today our Nation stands before the world one and indivisible. May it stand not only in the panoply of might but in the splendor of spirit, not too proud to acknowledge its own blemishes and seek to correct them, and not too meek to aspire to the role of world leadership by example, in helping to lift burdens of oppression, poverty, ignorance, and disease, wherever the uplifting hand is needed and welcomed. May we begin at home by cleansing our own habitations from the germs of hatred and prejudice. And may we join forces with the vigilant safeguarding of goodwill everywhere, aware that the toleration of evil often paves the way for evil's domination.

We thank Thee, O Lord, that the restoration of Zion, a prayer and a dream a hundred years ago, has come to fulfillment in our time with the noble help of these United States.

In a hundred years, thanks to the progress of science, the ends of the earth have come together across the barriers of time and space. Grant Thy children the moral wisdom to match proximity with neighborliness.

In a hundred years the inventions of destruction have left us no alternative to peace. Grant us the will to pursue peace relentlessly and the inventiveness to surmount the obstacles in the way.

Sustain with Thy blessing the President of these United States and all who conduct the affairs of government. May Thy face be turned unto our beautiful America and unto Thy children everywhere.

May it be Thy will that 100 years hence America shall yet stand unsurpassed as a citadel of human fellowship and a fortress of peace and freedom in a free and peaceful world.

"Adonay oz l'amo yitain, Adonay yevaraych et amo vashalom." The Lord endow us all with strength, the Lord bless us all with peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 28, 1960, was read and approved.

INTERNAL REVENUE TAXATION DESIGNATION

The SPEAKER laid before the House the following communication:

JANUARY 27, 1960.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: Pursuant to section 8002 of the Internal Revenue Code of 1954, the Honorable JOHN W. BYRNES, of the Committee on Ways and Means, has been designated as a member of the Joint Committee on Internal Revenue Taxation to fill the vacancy created by the death of the late Honorable Richard M. Simpson.

Sincerely,

WILBUR D. MILLS,
Chairman.

BUSINESS IN ORDER ON TUESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order today under clause 4, rule XIII, the Consent Calendar rule, and under clause 1, rule XXVII, pertaining to suspensions of the rules, be dispensed with and that such business shall be in order on tomorrow, Tuesday, February 2, 1960.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS IN THE RECORD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that, without establishing a precedent, but in view of the death of our dear colleague, all Members who desire to do so may extend their remarks in the CONGRESSIONAL RECORD and include therein extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE HONORABLE DAVID M. HALL

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, it is with much sadness that I announce to the House the death of the Honorable DAVID M. HALL of the 12th District of North Carolina. Mr. HALL was a sincere, dedicated citizen of our State; dedicated to the welfare of North Carolina, the welfare of the Government of the United States, and of his own area of our State, the 12th District.

His life was carried on with determination, for from childhood he was beset with infirmities that would ordinarily have retarded the progress that he did make.

It was with great admiration that all of us in North Carolina followed his career; the completion of his formal education, his desire to go forward and be a part of his community, of the State, and eventually to take part in the work and in the debates of this, the greatest legislative body on the face of the earth. He was a devout Christian gentleman.

Mr. Speaker, I should like to express to his family the deep feeling of the North Carolina delegation at his passing, to say how much we respected him and how much we will miss him.

Mr. Speaker, I yield to my colleague, the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, along with my distinguished colleague the gentleman from North Carolina [Mr. BONNER], and in behalf of the citizenry of my State and my own district, I should like to pay tribute to the courage of our late distinguished friend. While I have seen other men who wore the uniform of their country which perhaps signified courage—this one man, in my opinion, wore the uniform of courage. Despite afflictions which would make stronger men cringe, he never complained.

His office was just down the hall from mine in the Old House Office Building, and I used to go down and visit with him occasionally, sometimes after various operations that he had had and seizures which put him in some of the hospitals where he spent so much of his life. He never complained to me about the fate that was his or about his difficulties.

He was interested in the work of the Congress. He loved being a Member of Congress. He loved his committee, the committee on Science and Astronautics and he used to tell me how much he enjoyed sitting with the committee and taking part in the hearings. He loved Members of this Congress as dedicated men, because he was a dedicated man.

This man was truly a courageous American, and I salute his courage and extend my sympathy to his family and friends.

DAVID HALL lived a life that would serve as an inspiration to any who knew him. He was quiet by nature, but one could sense, underneath his gentleness, great determination, and strong will. His life was no compromise with anything he thought wrong, and, aside from the magnificient physical courage I have spoken of, he had the courage of his convictions.

We extend our sorrow to his beloved and gracious family. We join them in sorrow at his passing. We who knew him here in Congress knew of the great future he had had his life been spared. We knew, and we now salute, his love for his country, and his countrymen.

DAVID HALL served his people well. His home district should be proud of him, even as we are proud to have served with him.

The world is a better place today because he lived, and today, tomorrow and for days to come, many of us, in times of trouble, or affliction, or distress, shall gain courage from his courage, life from his life, and faith from his example.

South Carolina joins her sister State in mourning. Our deepest sympathies go out to his family.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, I join my colleague from North Carolina, and colleagues from other States who will be speaking today, in paying a personal tribute to the memory of our departed friend and colleague.

The news that DAVID HALL had passed away came as a shock because I had been persuaded to believe that he might be on the road to recovery from his most recent attack and had looked forward to seeing him return to his post of duty here in the House of Representatives. But this was not to be and, as it comes to all men sooner or later, death came to DAVID HALL and removed him from our midst.

It was my privilege on yesterday, albeit a sad one, to attend the funeral services for DAVID HALL in the beautiful little town of Sylva, Jackson County, N.C. The great outpouring of people, from all walks of life, who turned out in very inclement weather to pay their final respects to their friend and neighbor was very impressive. But the most impressive thing about the service to me was the unanimity with which the ministers and townspeople commented on the great courage and determination displayed throughout his life by this young man whose untimely death we mourn today.

As all of us could observe who knew DAVID, he was greatly handicapped by physical infirmities and disabilities. These would have caused most men to give away to despair. But not this unusual young man who was blessed with a keen mind and an indomitable determination to rise above his infirmities, to overcome his handicaps and make a success of his life. Those of us who were privileged to serve with him here know how well he succeeded in this undertaking.

DAVID HALL will be missed by many who, despite his physical handicap, looked to him for leadership and guidance. Although his service was not lengthy in the House of Representatives and on the important committee where he served so well, I am sure he will be missed by all of his colleagues here who had formed such a warm regard for him and who respected him so highly. And he will be missed by a host of friends who believed in him and followed his struggle against tremendous odds with such admiration. I should like to be numbered among those who will miss DAVID in the days that lie ahead and I join with them in mourning his passing from this earthly scene.

Mrs. Jonas joins me in expressing deep and sincere sympathy to DAVID'S beloved and devoted wife, to his lovely and charming young daughters, to his mother, his brother, and other members of the family.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the members of the North Carolina delegation be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCOTT. Mr. Speaker, circumstances beyond his control prevented our colleague, DAVID M. HALL, from participating in the wars our country has engaged in from time to time on the high seas and battlefields of the world. Even so, no soldier of fame or fortune ever demonstrated greater strength and courage.

Stricken at an early age by a blow that would have totally defeated one of lesser quality and courage, he returned to the battlefield of an active and useful life, not just once but time after time he returned. There is no substitute for courage, determination, initiative and stamina. He had all of these and more, perhaps in greater quantity, if such can be so measured, than any person it has been my privilege to know. In my estimation he was a hero in the many, many battles he had to face during his career. He faced many an armored knight, so to speak, who rained upon him blow on blow. He knew the cutting depth of many a rapier thrust, but he never fled the field. He was one of the most honorable and conscientious men it has been

my privilege to know. He was a friend and he lived "in a house by the side of the road."

A man of weaker steel could not have undertaken the hardships and sacrifices incident to a congressional campaign, but he was a pure-blooded, fighting man from the beginning. He knew no retreat; he knew no defeat. He loved freedom and justice. He fought for these all of his life. And now true freedom has come to DAVID, and from Him alone who sets the heart at rest.

I join our colleagues and the host of other loyal friends in extending to Mrs. Hall, her fine children and other members of the family my sincere and heartfelt sympathy. In this time of trial and sorrow, may they find a degree of comfort in the strength and courage that stood DAVID in such good stead through all of his adult life.

Mr. LENNON. Mr. Speaker, I deeply regret the passing of my fellow North Carolinian, our friend and colleague, Representative DAVID M. HALL, on Friday, January 29, 1960.

In spite of DAVID'S handicap of being in a wheelchair since the age of 12, his indomitable spirit and energy propelled him through college where he earned his law degree, won for him election to the North Carolina State Senate and ultimately a seat in the U.S. House of Representatives.

DAVID'S outlook on life was refreshing, and his courage in spite of physical infirmity was an inspiration to all who knew him. His capable service in the North Carolina State Senate and the U.S. House of Representatives and his dedication to duty earned for him high respect and esteem.

A man of deep principle, great logic, and ability, DAVE HALL was a distinguished North Carolinian, a great American, and a devoted public servant.

Those of us who attended the funeral yesterday afternoon in Sylva, N.C., were moved by the demonstration of profound sorrow and sense of loss of those who had loved and admired DAVE during his lifetime.

We brought back to Washington with us some of the spirit that DAVE always demonstrated, as well as his inspiring courage, which was a part of his entire life.

I join with my colleagues and DAVID HALL'S host of friends in expressing my deepest sympathy to his widow and children.

Mr. WHITENER. Mr. Speaker, it is with a profound sense of sadness that I join with my colleagues today in the House in voicing my admiration and respect for the life, character, and public service of the late DAVID MCKEE HALL.

On January 29, 1960, it pleased Almighty God to call DAVE HALL to greater service in the land of everlasting life. And in his departure from our midst to gain the rich reward that awaits those who labor in good and just causes DAVE HALL has left behind a host of sorrowing friends and a vacuum in the public life of his State and Nation that will not be easily filled.

Mr. Speaker, in every generation we are blessed with men who reach great heights over seemingly insurmountable difficulties. The life of DAVE HALL is an outstanding example of the truth of this statement.

Although he was only 41 years of age at the time of his passing, he had triumphed over difficulties that would have defeated many men of less courage to make a record of outstanding service in his native North Carolina and to gain a seat in this Congress.

Our departed colleague was born on May 16, 1918. He received his education in the public schools of Jackson County, N.C. From the age of 15 he was a paraplegic confined to a wheelchair; yet this did not deter him from becoming a special student at the University of North Carolina. He received his law degree from the University of North Carolina in 1948, and from that time to the day of his death he was actively identified with the public life of North Carolina.

In spite of his physical handicap he served with distinction in the North Carolina State Senate in 1955, and from 1955 to 1959 he was an active member of the North Carolina Board of Water Commissioners.

When the Honorable George A. Shuford declined to run for Congress after the North Carolina Democratic primary election of 1958, DAVE HALL was selected as the nominee of his party and was elected to the House of Representatives on November 4, 1958.

From the very first day he arrived in Washington until the time of his death he displayed exemplary devotion to duty and an active interest in advancing the welfare of his district, State, and Nation. Though confined to a wheelchair, he carried on his demanding duties in a manner that gained the admiration of all of us who knew and worked with him.

Mr. Speaker, DAVE HALL was a close personal friend of mine. For many years we were associated together in public life of North Carolina. His undaunted spirit and devotion to the best interests of the people he was always willing to serve was a constant inspiration to me and to his many friends.

DAVE HALL came from a remarkable family long identified with the public life of North Carolina. His uncle, the Honorable Dan K. Moore, served with distinction for many years on the North Carolina Superior Court bench.

His mother for years has been keenly interested in educational work and in providing opportunities for the youth of North Carolina. She still devotes her time and energies to helping young men and women prepare themselves for the future. Without a doubt DAVE HALL received from his mother much of his indomitable spirit and sense of devotion to public duty. In 1959 his mother was selected as North Carolina's "Mother of the Year."

Mr. Speaker, we have lost an able colleague and a dedicated public servant. But all of us who knew, admired, and loved DAVE HALL can take renewed strength from the example of courage, devotion to duty, and unselfish spirit to public service that he has left behind.

To his widow and three small daughters, to his mother and the other members of his family, and to the countless hundreds of people who were privileged to call him friend, I extend my deepest sympathy on this sad occasion. May they find consolation in knowing that DAVE HALL lived a good and useful life in the service of his fellow man.

Though sadness reigns in the hearts of friends when they must take leave in this life from a friend, yet death does not ring down the final curtain. In the words of the poet:

There is no death! what seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death.

Mr. KITCHIN. Mr. Speaker, the passing of DAVID M. HALL has saddened the hearts of all who were so fortunate as to know him and become associated with him. His courage and determination should be a challenge to all men, young and old. His entire life was filled with adversity but this never deterred his indomitable spirit and his persistent ambition to achieve goals that are seldom in reach of capable men in good health.

My acquaintance with him was brief and not so close as I would have wished, but contacts with him left no doubt in my mind as to his keen intellect and his unusual abilities, and a wisdom far beyond his years.

His dedicated service to his State and Nation will long be remembered and his colleagues and friends will miss him acutely.

Mr. ALEXANDER. Mr. Speaker, it is with profound sadness that I rise to pay sincere tribute to the memory of my good personal friend and colleague, DAVID M. HALL.

DAVE HALL was a man of unusual character—and one of the most courageous men I have ever known. He was a paraplegic from boyhood, but he worked his way through school and received a law degree from the University of North Carolina. He practiced law and was active in his home town of Sylva, N.C., in all community affairs. He was elected to the North Carolina State Senate in 1955 where he did an outstanding job.

In spite of the fact that DAVE was confined to a wheel chair he was driven by an indomitable spirit to higher and higher goals and was elected, in 1958, by the good people of North Carolina's 12th District to represent them in the Congress of the United States.

Throughout his life he suffered much and went through many hardships, but was always pleasant, a regular fellow, and never lost his composure. Although he underwent two major operations last spring and an operation in New York last fall for cancer, he was planning to run again for the nomination to return to Congress from his district and, until the time of his death, exemplified Karle Wilson Baker's poem, "Courage Is Fear That Has Said Its Prayers."

I understand that my good friend DAVE HALL had undergone more than 200 major operations during his life; that on more than one of these occasions he was given no chance to recover. Nevertheless, through his own strong

will to live, his indomitable spirit and unwavering courage he always pulled through.

DAVE HALL won the admiration of his colleagues by his determined courage, the nobility of his vision, the resourcefulness and enthusiasm of his service in the House of Representatives since his election to the 86th Congress. His passing will be a great loss to North Carolina and to the Nation.

He was strongly recommended by many people throughout western North Carolina to be chosen the young man of the year, on a national basis, for 1960, by the Junior Chamber of Commerce.

May his wife and three fine daughters find comfort in the lasting honor and affection of his friends, of which Mr. Speaker, I am thankful and better for having been one.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, along with my colleagues of North Carolina, it is with a sense of irreplaceable loss and profound regret that I learned of the untimely death of our colleague and friend, the Honorable DAVID M. HALL. Certainly, the amazing display of courage by a man who for 30 years of his young life was confined to a wheelchair, is something which could not but fail to be a powerful source of inspiration to all who knew him. Despite a crippling malady he undertook with inspiring faith a career in life which would have taxed the strength of any man who enjoyed health as an initial advantage. Never did he display despair nor did he feel that life was futile despite the fact he suffered from a persistent cancer for which he had to undergo surgery 200 times. Until the moment he was completely incapacitated by this dread disease, he carried on the duties and discharged the responsibilities of his high office. He had the qualities of greatness exemplified by a persistent and unyielding faith in the future which led him to maintain that he would seek reelection.

While it is true that he shall no longer sit with this body, his example shall, certainly, be here with us always.

To his family, I offer my deepest sympathies and sincerest condolences in the moment of bereavement.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from California [Mr. GEORGE P. MILLER].

Mr. GEORGE P. MILLER. Mr. Speaker, it was my privilege to serve on the Committee on Science and Astronautics with DAVID M. HALL, getting to know him early in his membership in this body. It took an indomitable will for a man crippled as he was to reach Congress. I think the high respect and regard in which he was held in his home community was evidenced yesterday by the great number of people who turned out to pay their respects to him. I was one of those who was chosen to go to Sylva, N.C., to represent his colleagues in this body at the funeral. Knowing DAVE HALL and seeing the group that assembled there and talking to his friends and neighbors again confirmed the statement I have made of this fine man who commanded the respect of all who knew him. I want to extend my sympathy to his very lovely wife and to the three charming daughters that he leaves behind. I know that nothing that is said here can assuage their grief, but they should know that we in the House of Representatives do sympathize with them.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BROOKS], chairman of the Committee on Science and Astronautics.

Mr. BROOKS of Louisiana. Mr. Speaker, it is with sadness and a deep sense of personal loss that I arise to eulogize our departed comrade.

DAVID HALL was a member of our Committee on Science and Astronautics. In the short time he was with us, we on the committee grew to love and respect him.

He had a gentle disposition and a courage which surmounted the physical ailments which wracked his body. He was very conscientious in his work. He tended each meeting of the committee that he could and, when he had to go to a hosiptal for treatment, as he did from time to time during his all too brief stay with us, he would apologize upon his return for his absence.

But it was his unquenchable courage above everything else that impressed those of us who served with him on the committee.

Something occurred shortly before his final illness which will give you some idea of the measure of this man who, though slight in stature and constantly wracked with pain, had an indomitable will which drove him on until the last, determined to do his best to represent his constituency and his country as long as he could.

The National Science Foundation sponsored a trip last year to Antarctica to observe the progress being made there in scientific research. As the committee which has jurisdiction over science, we were invited to send a representative.

DAVID HALL heard about it. He wanted to go. He desperately wanted to go. This was not what some would call a junket. It was a trip to a cold and fearsome continent, but this man who could not even walk was ready to assay the perils of this forbidding region. It was with great reluctance that he finally gave up the idea. It was not long after this that he went to New York for the operation which was soon to be followed by his death.

This, then, was the measure of the man whose passing we mourn. He was with us for all too brief a moment, but we who grew to know and love him will always treasure his memory.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Speaker, the death of my friend and colleague DAVID MCKEE HALL, the distinguished Representative from North Carolina, took something vital out of me just as it left empty a seat in this Congress which can never again be filled by a man of his great heart, mind, and energy. In the short period he served here, he demonstrated a talent and a sense of justice which made older men bow to his wisdom. This Congress and this country would have been greater in the esteem of the world had he longer lived.

I was honored to serve with him on the committee on science and astronautics. I was elated when he volunteered, in spite of his handicap which certainly did not deter his ambition and drive, to accompany me last fall to the London conference of the International Astronautical Federation. He was worried then that the Communists were infiltrating the international scientific associations, that they would eventually get control of them and use them for their own propaganda purposes.

Accordingly, he worked diligently with members of the American delegation and other free-world delegations for proper ground rules and effective regulations. His efforts were successful, as were all of the projects he undertook in committee. I am so proud of his record that I am going to request that the report on the London astronautical conference, which I am about to file be dedicated to our late colleague DAVID M. HALL.

Although Congressman HALL was confined to a wheelchair since the age of 15 and went through some 200 operations, he had great strength, character, and moral and physical stamina which enabled him to achieve great success. He studied at the University of North Carolina and received an LL.B. degree from its law school in 1948. He was a successful attorney and farmer. He served as a member of the North Carolina State Senate, and was for several years a member of the State board of water commissioners. Then came the crowning moment of his successful though brief career, when he was elected to the 86th Congress and took his seat here just a year ago on January 3, 1959.

To achieve all this in the face of such handicap requires an indomitable spirit and character. All of us who were privileged to know him and to work with him readily recognized the great strength of his character. I know that he left an indelible mark on me, and I shall always cherish my association with him.

He married the most wonderful and understanding woman in the world, who was a great source of comfort and inspiration to him. Sarah Hall is the mother of his three lovely daughters: Ann, age 11; Allison, age 9; and Hannah, age 5. I know that his great deeds, his wonderful name, his dauntless character will forever serve as a consolation in their days of great bereavement.

Mr. Speaker, I can think of no more apt prayer on this occasion than the famous prayer of peace by St. Francis of Assisi:

Lord, make me an instrument of Thy peace. Where there is hatred, let me sow love. Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light. Where there is saddness, joy. O divine Father, grant that I may not so much seek to be consoled, as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive.

It is pardoning that we are pardoned. It is in dying that we are born to eternal life.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. ROUSCH.]

Mr. ROUSH. Mr. Speaker, for those of us here in this Congress who became acquainted with DAVID HALL I believe the feeling is that we regret we had not known him sooner. He was one of those persons who possessed certain high qualities which make a profound and lasting impression on our lives.

He suffered from a physical affliction which in itself would have been an insurmountable obstacle to most of us. But not to DAVE. This physical disability proved to be no obstacle to his tenacious spirit, nor to his keen and alert mind, nor did it dampen his fine and lively sense of humor.

I sat beside DAVE during our committee hearings and was thus permitted to a greater share of contact with these fine qualities than most of my colleagues. I am grateful that I had that experience for my own life was enriched by it.

I know DAVID will be missed by his family. They should know that we share their sorrow. Our prayer is that God will sustain them and comfort them and that He will give our country more men like DAVID HALL.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, DAVE HALL was a member of the subcommittee of which I have the honor to be chairman. He was a very dedicated man. I was particularly impressed last spring with the fact that during some rather important hearings he specifically arranged for his treatment out at the hospital to come at a time in the morning which would permit him to rush back to the committee. Day after day he went to the hospital early, took his treatment, and rushed back at a great deal of pain and effort on his part to do the things which he believed he should be doing.

He was truly a dedicated servant of the people. Certainly his State and the Nation have lost a great man in the passing of DAVE HALL.

I extend to his wife and to his children my deepest sympathy. May his deeds sustain them in this time of trial.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Speaker, I was saddened on Saturday when I learned the news that our colleague, DAVID M. HALL, had been called to his final and eternal reward. During the short period of time that DAVID HALL served in Congress, I had the opportunity of talking to him, of exchanging stories and getting to know him. He was a man of indomitable courage and understanding. Despite an affliction which confined him to a wheelchair since the age of 15, he lived a full life. From his wheelchair he ran his service station, sold automobiles, earned a law degree; he went to Raleigh, N.C., as a State senator, practiced law and ultimately won a seat in Congress.

Those who have suffered illnesses and long confinement can appreciate the courage and idomitable will which he possessed. He submitted to over 200 major operations during a lifetime of 42 years. He never flinched nor did he waiver. He was cheerful and was looking forward to coming back to the 87th Congress as a Congressman. I, for one, was the beneficiary of his humanity and understanding. Last year, when I suddenly was compelled to rush to Bethesda Hospital and was being transported through the corridors for X-rays, DAVID HALL was there for treatment and met me and asked me about my problem. When he recognized that I had hurriedly come to the hospital, he wheeled himself along the corridors in his wheelchair and purchased for me at his own cost toothpaste, a toothbrush and a comb and brush to make my confinement a little more comfortable. He was a man who, despite his own troubles, took time out to give comfort to another person in distress. His humanity matched his courage and I shall miss him.

I extend my heartfelt condolences to his widow and his three children, who have lost a loving mate and an inspirational father.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BONNER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the life and character of our late colleague, the Honorable DAVID M. HALL.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. RAYBURN. Mr. Speaker, we all join with the family and friends of DAVID M. HALL. We all admired him for his fortitude in his long suffering, which he bore with great bravery. He was a good and fine man.

Mr. DENT. Mr. Speaker, death, as always, leaves us a little saddened and especially so when it takes from our midst a loved and cherished colleague.

The passing of our friend and fellow public servant, DAVID M. HALL, reminds us vividly of his unselfish self-sacrificing years of service to his district and the people of these United States.

Although his freedom of movement was impeded by affliction for many years, he was never known to be other than a smiling, earnest, and sincere worker, in every field of endeavor.

His kindness and consideration for others was as much a part of him as his very life itself.

I extend my heartfelt condolences to his bereaved wife and three minor children. His life will, I am sure, be the healing balm that will inspire them to continue on in the path he cut so clear, honest, efficient, and true.

A real American has left our midst. In his memory we will be Americans—all of us.

Mr. LIBONATI. Mr. Speaker, we lost a young man of great courage in the passing of Representative DAVID M. HALL. His diligence, integrity, and sincerity will always be a living example to all the Members of the Congress. He was devoted to his State, country and family.

A bone infection menaced him through life but, as a true Roman gladiator, he never faltered in his honest quest to serve the Republic. Like the brave man he was, Mr. HALL never flinched before the physical dangers that beset him—hundreds of surgical operations did not quench the flame of a promising political career.

He struggled throughout his life to accomplish the impossible—from a wheelchair at an early age, he managed a gas station, sold autos, was graduated from law school, and served as State senator, reaching the heights of his ambition as a Member of Congress, January 1959.

The House has lost one of its keen intellects. He was a quiet and gentle individual who, in spite of his physical trials, was kind and considerate of the feelings and interests of others. He was conscientious and devoted to his work, both in committee hearings and House sessions. He had great faith in God and man.

To his bereaved and loving wife, Sarah, and his devoted children, Sarah Anne, 10; Edith Allison, 9; and Hannah McKee, 4, I extend my heartfelt condolences and pray that our Heavenly Father give them strength to bear this great sadness, and bless his Christian soul. He gave unselfishly and courageously of himself to others to the very end.

Mr. FLYNT. Mr. Speaker, it was with deep sorrow and sadness that I learned of the untimely passing last Friday of our friend and colleague, Hon. DAVID M. HALL, late a Representative from the 12th District of North Carolina.

Mr. HALL came to the House of Representatives as the youngest Member of the delegation from the State of North Carolina. By his ability, his sincerity, and his devotion to duty he endeared himself not only to his friends and constituents at home, but to his colleagues and associates in the House of Representatives. It was my pleasure to become acquainted with him immediately upon his election to this body, and I was privileged to know him better as time passed by.

It was an inspiration to serve with him in this body. He will be greatly missed by all of us who knew and served with him. Mrs. Flynt joins me in extending our heartfelt sympathy to Mrs. Hall and their three daughters.

Mr. OLIVER. Mr. Speaker, DAVE HALL, our able and distinguished colleague, was a neighbor of mine. Our offices are located directly across the corridor from each other.

It is, therefore, with firsthand knowledge that I can pay this sincere tribute to one of the most courageous, conscientious and capable Members of this body with whom it has been my privilege to serve.

It is my judgment that, if DAVE had been spared by our Devine Providence, indeed in a relatively few years he would have become one of the leaders of this body.

His capacity for work without stint or thought of his own physical well-being, his courage to rise above the physical frailties which must have strained his stamina far beyond the limits imaginable for those of us who, by the grace of God, are not physically handicapped; his gentleness of disposition, always displayed even under the most trying conditions; his determination and fortitude to take a position and stay with it, regardless of pressure; and, his willingness to help any and all who solicited his cooperation, express rather inadequately the many wholesome facets of his personality and character which impressed themselves upon me as we would meet daily in the pursuit of our congressional duties.

His Nation, State, and district have lost a great public servant. We have all lost a friendly and capable colleague. I have lost a good neighbor.

To his family, I extend this expression of my sincerest condolences. Mrs. Hall and Sarah, Edith, and Hannah, you have my deepest sympathy. May God bless you in this hour of your great bereavement.

Mr. HECHLER. Mr. Speaker, I would like to join with my colleagues in paying tribute to a man with a great heart and indomitable courage, our departed friend, the Honorable DAVID A. HALL.

DAVE'S entire life revealed his courage at every turn. He struggled to gain a good education, to secure a law degree, to advance in politics, and finally to make a record as an outstanding freshman Member of this body.

He was easy to get to know. I recall our first meeting when we, as freshmen do, reviewed with each other our experiences during the 1958 campaign. I marveled at some of the campaign exploits of this fine man, who worked so hard in getting out to meet the people despite the fact he was confined to a wheelchair.

Then as a colleague on the House Committee on Science and Astronautics, DAVE HALL showed his true mettle by the avid manner in which he plunged into new and deep subject matter, his penetrating questioning of witnesses, and his dedication to his country in his desire to see our Nation develop a powerful missile and space program.

Finally, there was another richly human quality about DAVE HALL that none of us, his friends, will ever forget. No matter how trying must have been the physical difficulties which he suffered, I have never met or seen DAVE without experiencing the glow of enthusiasm which emanated from him. He had a hearty laugh and a wonderful sense of humor. He gave a lift to everyone he saw. He made us all feel bigger than we are.

Along with my colleagues, I will miss DAVID HALL. His passing is a great loss to the House of Representatives, to the State of North Carolina, and to the Nation.

Mr. RIEHLMAN. Mr. Speaker, all of us are saddened at the loss of DAVID HALL. Our hearts go out to his wife and daughters in their hour of grief.

Although I did not enjoy the privilege of a close friendship with DAVE HALL, I am compelled to pay tribute to this man who swam against the tide the greater part of his life and conquered adversity at every turn in the road to get himself educated, established in the practice of law, and elected by his fellow citizens to represent them in this, the greatest legislative body on the earth.

My only opportunity to observe the work of DAVE HALL was during the course of our service together on the Science and Astronautics Committee. I was impressed at the outset by his keen interest, his thorough preparation for committee meetings and hearings, and his ability to firmly grasp the intricacies of a difficult problem. He was an able and a dedicated man.

DAVE HALL'S achievements should prove a valuable lesson to all of us who have at some time in our lives thought we had a problem too difficult to surmount. We have seen, in him, what a stout heart and a desire to conquer adversity could accomplish.

Mr. GROSS. Mr. Speaker, it is with deep regret that I learned of the death of our colleague, the Honorable DAVID HALL, of North Carolina.

During the 1 year that he was permitted to serve in the House of Representatives he spent a great deal of time on the floor, for he quickly became aware that only by such attendance could he keep abreast of legislation and learn the procedures by which the House conducts its business. It was during the long days of the last session that I came to know him and the courage and perseverance that enabled him to overcome the enormous handicaps that beset his life.

Had he lived I know that DAVID HALL would have been an outstanding Member of Congress, a splendid Representative of the 12th Congressional District of North Carolina.

I extend my sympathy to his widow and the three daughters who survive him.

Mr. DURHAM. Mr. Speaker, I knew DAVE HALL from the days when he was a student at the University of North Carolina, which is located in my home town of Chapel Hill. Everybody who knew DAVE in his student days admired him for his courage in the face of crushing physical disabilities and for his keen and inquiring mind. After receiving his law degree in 1948, DAVE returned to his home community and engaged in the practice of law and also in farming operations, two strenuous pursuits which would tax the strength of a person in robust health.

DAVID HALL'S tenure of office here was relatively brief, but already he had made his mark and earned the respect and admiration of his colleagues in this body and in the committee where he so ably served. He was a member of the Committee on Science and Astronautics, an appropriate assignment, it seems to me, for a young man who felt a keen interest in the opening up of a new world. He was devoted and dedicated to his committee work and to it he brought a fine and understanding intellect.

We know that since boyhood DAVE had suffered from a bone infection which necessitated his undergoing more than 200 operations. Through these ordeals he emerged with his fighting spirit still intact, exemplifying the theme of the old ballad of Sir Andrew Barton, which runs:

> I'll but lie down and bleed a while,
> And then I'll rise and fight again.

DAVE always rose and fought again, and even after this last surgical ordeal he was confident that he could continue his career and return to these Halls. Since courage was the foundation stone of DAVE'S life and career, the following quotation from Seneca seems to provide a fitting epitaph to our colleague, who never gave in to the vicissitudes of life but rose above them in a fashion that should be a lesson and inspiration to us all:

> Now has my valor borne me to the stars, and to the gods themselves.

To DAVE'S family—his wife and children, his mother, and his brother and sisters—I extend my deepest sympathy in their great bereavement and express the hope that the fine monument of DAVE'S life and works will comfort and sustain them in their hour of loss.

Mr. MOELLER. Mr. Speaker, I join with my colleagues in the House in paying tribute to the memory of the late Hon. DAVID MCKEE HALL whose recent untimely death deprived this House and our country of the services of a devoted and outstanding public servant. I felt a particularly close relationship to DAVID HALL because he and I came to Congress together as new Members at the beginning of the 1st session of the 86th Congress and were assigned together to the new Committee on Science and Astronautics. From that common bond I came to know him as a man of unusual attainments and great courage. In the work of our committee he proved himself to be a keen student, an industrious and able worker, and the possessor of a sound analytic judgment which enabled him to cut to the heart of a matter and to emerge with a reasoned decision on any of the complex problems with which we were presented.

The fortitude he had shown throughout his life from the time he was stricken with the crippling ailment which eventually resulted in his passing from us showed clearly in his all too short career as a Member of this House. He was a man of indomitable courage and strong conviction. It took such a man to surmount his great physical handicap and to become the educated statesman and wonderful husband and father that he was. Those traits were the hallmark of his short tenure as the Representative of the 12th Congressional District of North Carolina. I had occasion to observe many times that even though DAVID HALL

might stand alone in his convictions on a particular issue that fact did not deter him. Once having reached such a conviction on the basis of his moral and intellectual judgments, he was able to withstand the pressures exerted by other forces and to stand firm for what he believed to be the right. Although his voice might be the only one raised to voice a "nay" on some issue before us, that "nay" was clearly heard and carried with it the assurance that he had not been distracted from his duty as he saw it.

Withal, DAVE HALL was a warmly human and a lovable man. His keen sense of humor and his engaging personality endeared him to all of us who had the good fortune to work with him and to know him as a friend. His leavening presence on our committee will be sorely missed. His unique courage will not soon be equaled in our midst. His indomitable spirit will never find a replacement among us.

Mr. Speaker, I know that even more than we mourn DAVID HALL'S passing here, his lovely wife and daughters and his many friends at home in North Carolina will share the sweet sorrow of his memory. Mrs. Moeller and I extend our hearts and our prayers to them in the sure knowledge that the overpowering love of the Almighty Father of us all will bring them the solace they need and the courage to carry on in the unwavering pattern that he set for them.

Mr. HERLONG. Mr. Speaker, I came to know DAVID HALL early in the 86th Congress through relatives of his in my own congressional district who are personal friends.

I admired him for his philosophy of government, and for his great personal courage. Had his career in the House of Representatives not been cut short, I am sure it would have been a brilliant one.

The world is, I believe, better for DAVID HALL'S example. His State and congressional district are better because of his having lived there. I am sure that I am better because of having known him.

Mr. BONNER. Mr. Speaker, I offer a resolution.

The Clerk read the resolution (H. Res. 434), as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable DAVID M. HALL, a Representative from the State of North Carolina.

Resolved, That a committee of 12 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. COOLEY, Mr. BARDEN, Mr. DURHAM, Mr. BONNER, Mr. GEORGE P. MILLER, Mr. ALEXANDER, Mr. FOUNTAIN, Mr. JONAS, Mr. KITCHIN, Mr. LENNON, Mr. SCOTT, and Mr. WHITENER.

The Clerk will report the balance of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 29 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 2, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications, were taken from the Speaker's table and referred as follows:

1743. A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation entitled "A bill to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives"; to the Committee on Agriculture.

1744. A letter from the Director, Selective Service System, transmitting the Ninth Annual Report of the operations of the Selective Service System for the fiscal year ending June 30, 1959, pursuant to the Universal Military Training and Service Act, as amended; to the Committee on Armed Services.

1745. A letter from the Secretary of State, transmitting a draft of proposed legislation entitled "A bill to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States"; to the Committee on Foreign Affairs.

1746. A letter from the Comptroller General of the United States, transmitting a report on the review of the use of contractor-furnished drawings for procurement purposes by the Department of the Navy; to the Committee on Government Operations.

1747. A letter from the Administrator, General Services Administration, transmitting the 10th Annual Report on operations of the General Services Administration for the fiscal year 1959, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

1748. A letter from the Managing Director, District of Columbia Armory Board, transmitting the 12th Annual Report and Financial Statement of the District of Columbia Armory Board for the fiscal year ending June 30, 1959, pursuant to Public Law 605, 80th Congress; to the Committee on the District of Columbia.

1749. A letter from the vice president, the Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for 1959, pursuant to chapter 1628, Acts of Congress 1904; to the Committee on the District of Columbia.

1750. A letter from the president, Potomac Electric Power Co., transmitting a copy of the balance sheet of the Potomac Electric Power Co. as of December 31, 1959, filed with the Public Utilities Commission of the District of Columbia, pursuant to the act of March 4, 1913 (37 Stat. 979); to the Committee on the District of Columbia.

1751. A letter from the administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1752. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to amend the Public Health Service Act to authorize grants-in-aid to universities, hospitals, laboratories, and other nonprofit institutions to strengthen their programs of research and research training in sciences related to health"; to the Committee on Interstate and Foreign Commerce.

1753. A letter from the Acting Secretary of the Interior, transmitting a report of a summary of certain contracts made by the Bureau of Indian Affairs for the fiscal year 1959, pursuant to the act of June 4, 1936 (49 Stat. 1458, 1459); to the Committee on Interior and Insular Affairs.

1754. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the law relating to mining leases on tribal Indian lands and Federal lands within Indian reservations"; to the committee on Interior and Insular Affairs.

1755. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting the Annual Report of the U.S. Atomic Energy Commission for 1959, pursuant to the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

1756. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service"; to the Committee on the Judiciary.

1757. A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting a report with respect to positions in the Federal Bureau of Investigation in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1758. A letter from the Administrator, General Services Administration, transmitting the General Services Administration's report on positions compensated under authority of Public Law 623, 84th Congress, during calendar year 1959, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1759. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to permit conveyances and grants to States, counties, municipalities or other duly constituted political subdivisions of States of interests in real property which are needed for an authorized widening of a public street, highway or alley, and for other purposes"; to the Committee on Public Works.

1760. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to repeal that part of the act of March 2, 1889, as amended, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certificates and evidences of title"; to the Committee on Public Works.

1761. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 29, 1959, submitting a report, together with accompanying papers and an illustration, on Great Lakes Harbors study-

interim report on Detroit River, Trenton Channel, Mich., requested by the resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1956, June 27, 1956 and July 29, 1955, respectively (H. Doc. No. 319); to the Committee on Public Works and ordered to be printed with one illustration.

1762. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 9, 1959, submitting a report, together with accompanying papers and illustrations, on an interim report on Alabama-Coosa Rivers, Ala. and Ga. This report is in response to an item in the Public Works Appropriation Act, 1956, approved July 15, 1955 (H. Doc. No. 320); to the Committee on Public Works and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 4786. A bill to restore to Cheyenne River Sioux tribal ownership certain land located in Dewey County, S. Dak.; with amendment (Rept. No. 1232). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H.R. 6462. A bill to amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution, and for other purposes; without amendment (Rept. No. 1233). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8234. A bill to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho; with amendment (Rept. No. 1234). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10042. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income-tax purposes, the expenses incurred by him for transportation to and from work; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 10043. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10044. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BUCKLEY:

H.R. 10045. A bill to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to increase the amounts authorized to be expended; to the Committee on Public Works.

By Mr. DENT:

H.R. 10046. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 10047. A bill to authorize a 4-year program of Federal assistance to States and communities to enable them to increase public elementary and secondary school construction; to the Committee on Education and Labor.

By Mr. EVINS:

H.R. 10048. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10049. A bill to amend section 7 of the Clayton Act to provide for prior notification and suspension of certain acquisitions, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10050. A bill to authorize a study and investigation by the Mount Rushmore National Memorial Commission; to the Committee on House Administration.

By Mrs. GREEN of Oregon:

H.R. 10051. A bill to authorize the establishment of a national showcase of the arts and sciences in the District of Columbia to encourage young American artists and scientists; to authorize the holding of an International Olympiad of the Arts and Sciences on a biennial basis in the District of Columbia and thus to enhance the prospects of a durable peace; and for other purposes; to the Committee on Education and Labor.

By Mr. GROSS:

H.R. 10052. A bill to incorporate the Legion of Guardsmen; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.R. 10053. A bill to provide for a payment-in-kind program for corn, and for other purposes; to the Committee on Agriculture.

By Mr. HOLIFIELD:

H.R. 10054. A bill to provide for the presentation by the United States to the people of Mexico of a monument commemorating the 150th anniversary of the independence of Mexico, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HOLLAND:

H.R. 10055. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10056. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

H.R. 10057. A bill to study the use of conservation programs to provide healthful outdoor training for young men and to establish a pilot Youth Conservation Corps; to the Committee on Education and Labor.

By Mr. JOHNSON of California:

H.R. 10058. A bill authorizing bank protection and channel maintenance of the Sacramento River, Calif., in the interest of flood control, and for other purposes; to the Committee on Public Works.

By Mrs. KEE:

H.R. 10059. A bill to afford additional time during which vocational rehabilitation may be afforded to those disabled veterans of World War II or the Korean conflict who have been prevented by reason of their service-connected disabilities from pursuing and completing a suitable course of rehabilitation training; to the Committee on Veterans' Affairs.

By Mr. LANKFORD:

H.R. 10060. A bill for the relief of certain employees and former employees at the naval weapons plant in Washington, D.C.; to the Committee on the Judiciary.

By Mr. McGINLEY:

H.R. 10061. A bill to amend title 23 of the United States Code entitled "Highways" as revised, codified, and enacted by Public Law 85-767, so as to provide for effective competition in the construction of Federal-aid highway systems; to the Committee on Public Works.

By Mr. MASON:

H.R. 10062. A bill for the relief of La Salle County, Ill.; to the Committee on the Judiciary.

By Mr. MORRIS of New Mexico:

H.R. 10063. A bill to amend title 38 of the United States Code in order to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

By Mr. MORRIS of New Mexico (by request):

H.R. 10064. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. NELSEN:

H.R. 10065. A bill to provide that private aircraft may travel between the United States and Canada or Mexico without requiring the owners or operators thereof to reimburse the United States for extra compensation paid custom officers and employees; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 10066. A bill granting the consent of Congress to the several States to enter into compacts providing for the uniform tax treatment of nonresidents; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 10067. A bill to establish a research program in the National Arboretum to develop hardy trees and shrubs; to the Committee on Agriculture.

By Mr. RIVERS of South Carolina:

H.R. 10068. A bill to amend section 303 of the Career Compensation Act of 1949, to authorize travel and transportation allowances, and transportation of dependents and of baggage and household effects to the homes of their selection for certain members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. ROOSEVELT:

H.R. 10069. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 10070. A bill to authorize a study and investigation by the Mount Rushmore National Memorial Commission; to the Committee on House Administration.

By Mr. SHIPLEY:

H.R. 10071. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALLHAUSER:

H.R. 10072. A bill to provide for the establishment of a Commission on the U.S. Science Academy; to the Committee on Science and Astronautics.

By Mrs. WEIS:

H.R. 10073. A bill to suspend certain postal rates; to the Committee on Post Office and Civil Service.

By Mr. WITHROW:

H.R. 10074. A bill to amend the act entitled "An act to provide better facilities for the

enforcement of the customs and immigration laws," to increase the amounts authorized to be expended; to the committee on Public Works.

By Mr. ZELENKO:

H.R. 10075. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; to the Committee on Education and Labor.

By Mr. JONES of Missouri:

H.J. Res. 592. Joint resolution authorizing the President to issue annually a proclamation designating the ———— week in ———— as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.J. Res. 593. Joint resolution providing for a comprehensive program of research and experimentation for the purpose of investigating the growth of saltcedar and other phreatophytes, the hydrological and climatological factors influencing the use of water by such plants, and the various techniques for the eradication and control of such plants; to the Committee on Agriculture.

By Mr. MORRIS of New Mexico:

H.J. Res. 594. Joint resolution providing for a comprehensive program of research and experimentation for the purpose of investigating the growth of saltcedar and other phreatophytes, the hydrological and climatological factors influencing the use of water by such plants, and the various techniques for the eradication and control of such plants; to the Committee on Agriculture.

By Mr. PRICE:

H.J. Res. 595. Joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals; to the Committee on the Judiciary.

By Mr. PORTER:

H. Con. Res. 531. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROOSEVELT:

H. Con. Res. 532. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MONTOYA:

H. Con. Res. 533. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H. Con. Res. 534. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RIVERS of Alaska:

H. Con. Res. 535. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Colorado:

H. Con. Res. 536. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McDOWELL:

H. Con. Res. 537. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ADDONIZIO:

H. Con. Res. 538. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MEYER:

H. Con. Res. 539. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WOLF:

H. Con. Res. 540. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 541. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 542. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 543. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Con. Res. 544. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H. Con. Res. 545. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANE:

H. Con. Res. 546. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KASTENMEIER:

H. Con. Res. 547. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Con. Res. 548. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Con. Res. 549. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. QUIGLEY:

H. Con. Res. 550. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COHELAN:

H. Con. Res. 551. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BURKE of Massachusetts:

H. Con. Res. 552. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRADEMAS:

H. Con. Res. 553. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H. Con. Res. 554. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agrements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

By Mr. BENTLEY:

H. Con. Res. 555. Concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 10076. A bill for the relief of Dr. Wolf Edward Klawans; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 10077. A bill for the relief of Wong Tit Man, Chan Ying Nor, Wong Wai Kon, Wong Wai Moon; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 10078. A bill for the relief of Mrs. Emily Perry King; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 10079. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

By Mr. SAYLOR (by request):

H.R. 10080. A bill for the relief of Max Haleck; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 10081. A bill for the relief of Jaime Abejuro; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

324. By Mr. DOOLEY: Resolution adopted unanimously by the Board of Directors of the Civic and Business Federation, White Plains Chamber of Commerce, White Plains, N.Y. urging the President and representatives in the Congress of the United States to effect every possible economy in the Federal budget for 1960–61 and that all budgeted surplus revenues be applied exclusively to reduction of the Federal debt which now exceeds $290 billion; to the Committee on Ways and Means.

325. By the SPEAKER: Petition of the director, national legislative service, Veterans of Foreign Wars of the United States, Washington, D.C., petitioning consideration of their resolution with reference to urging passage of H.R. 3223, "in order to perpetuate the memory of all those who while serving under the American flag in the Pacific area paid their part of the price which purchased victory in the Pacific in World War II"; to the Committee on Foreign Affairs.

326. Also, petition of the city and county clerk, Honolulu, Hawaii, relative to requesting that Congress take necessary measures to establish an East-West cultural center in Hawaii for the training and educating of Asian and American students"; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

One-Hundredth Anniversary of Rabbi Morris J. Raphall's Prayer in Congress

EXTENSION OF REMARKS
OF
HON. JOSEPH E. KARTH
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. KARTH. Mr. Speaker, it is particularly fitting when we today commemorate the 100th anniversary of the occasion of Rabbi Morris J. Raphall's delivering the first prayer by a Jewish minister in the Halls of Congress that we pause and reflect on the deep and venerable roots of the Jewish community in American society.

This moment is an especially appropriate time because of the various acts of medieval intolerance which have lately been manifested against Jewish houses of worship.

Barbaric acts of anti-Semitism strike at not a particular isolated group, but at all of us. A democracy survives not in a society of an elite self-imposed on coteries of second-class citizens, but in a society of truly equal individuals. It is sober fact that we in the United States are still striving for that great achievement of democratic equality of which our forefathers dreamed. We are on the threshold of its realization. The struggle for full equality awaits the fateful decisions to be made within these very walls shortly.

Rabbi Raphall was an especially illustrious minister of a long and distinguished line of spiritual leaders of the Congregation B'nai Jeshurun of New York City.

Dr. Raphall was called in 1849 to this famous congregation in New York City from Birmingham, England, where he had become famed as the foremost exponent of the Jew to the non-Jew and had served to win for Jews the battle for equal political rights which were as yet denied them in the British Empire.

Rabbi Raphall's fame as preacher and scholar became quickly established in America too, not only among the Jewry but also among the Christian clergy so that when the invitation to open a session of the House of Representatives with a prayer came to him, he had long been acclaimed for his erudition and his oratory.

His prayer to the House of Representatives on February 1, 1860, in many respects was prophetic for a nation shortly to be torn asunder by civil war. Portions of his prayer have signifiance for our time too. He said then:

The Constitution and institutions of this Republic prove to the world, that men created in Thine image and obedient to Thy precepts are not only capable—fully capable of self-government, but that they know best how to combine civil liberty with ready obedience to the laws—religious liberty with warm zeal for religion—absolute general equality with sincere respect for individual rights.

And even more significant, he exhorted:

"Let Thy grace guide them, so that amidst the din of conflicting interests and opinions, they may each of them and all of them hold the even tenor of their way—the way of moderation and of equity—that they may speak and act and legislate for Thy glory and for the happiness of our country; so that from North and from South and from East and West, one feeling of satisfaction may attend their labors while all the people of the land joyfully repeat the words of Thy Psalmist:

"Lo! how good and how pleasant it is for brethren to dwell together in unity."

Dr. Raphall remained the pillar of New York's Jewish community until his death on June 22, 1868, after nearly 20 years with Congregation B'nai Jeshurun.

It is good that we commemorate this occasion and in the light of this facet of history we reexamine our consciences so we might be strengthened in our resolve to be just.

Congress Should Express Its Indignation at Desecration of Places of Worship

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. BRADEMAS. Mr. Speaker, it was with shock and dismay that I and many other Americans have read during recent weeks of the anti-Semitic and anti-Catholic demonstrations in Western Europe and elsewhere in the world, including the United States.

The poisoned mercury of religious bigotry spreads rapidly and in many directions if left unchecked; its flow is not easy to arrest.

As if to emphasize the blasphemy of their acts, the persons who were responsible for touching off this wave a few weeks ago chose Christmas eve as the time for desecrating a synagogue in the city of Cologne in West Germany.

Mr. Speaker, those who say that anti-Semitism is dead and that the deeds of the Nazis should be passed by on the other side speak too soon. "Even when it is shameful and frightening," said Commonweal magazine recently, "history cannot be denied. That 5 million Jews were murdered by the government of a highly cultured European Christian people is a monstrous, hideous fact, for them and for the rest of the world. That nazism is quite dead becomes every day an increasingly dubious judgment; but, even if it were quite dead, it would still need to be referred to."

THE "HITLERIAN HERITAGE" OF THE ANTI-SEMITES

The January 23, 1960, issue of Ave Maria, a fine Catholic weekly published at Notre Dame, Ind., comments in similar vein:

Have we forgotten * * * the horror of Germany under Hitler, the murder of countless Jewish—and Christian—men, women, and children who were innocent of any crime? Hitler did not create anti-Jewish feeling; he merely systematically cultivated it and fanned it into a white heat of hatred which allowed him to perpetrate his crime against humanity in the name of justice. * * * When the parlor bigots today sit around and make their anti-Semitic remarks, do they not realize their Hitlerian heritage?

Mr. Speaker, because I feel so deeply the dangers of such acts of desecration of places of worship, I have today introduced a House concurrent resolution by means of which the Congress of the United States can express to the world its profound sense of indignation and shock at this epidemic and can call on all peoples and all governments everywhere to work to the end that these shameful events shall not happen again.

CONGRESSIONAL RESOLUTION EXPRESSING SHOCK AT DESECRATION OF PLACES OF WORSHIP

The text of the resolution follows:

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this desecration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas if left unchecked this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

THE HIGH COST OF PREJUDICE

Mr. Speaker, we know from the turbulent history of our national experience in the United States the high cost of racial and religious prejudice.

We can see very clearly how the intolerance that burst forth with the desecration of a synagogue in Cologne soon spread to other West German communities; then to Vienna, London, Glasgow, and finally to our own country, in New York City.

LEADERSHIP OF NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

The month of February, Mr. Speaker, is the month during which the people of America celebrate Brotherhood Week. I am proud of the fact that in recognition of this week, the citizens of South Bend, Ind., as well as of other communities of the Nation, operating through

the agency of the National Conference of Christians and Jews, have taken the leadership in combating religious intolerance. I hope that, precisely because of the unhappy events that have taken place during recent weeks, every American community will this month dedicate itself to the erasing of religious hatred and ill will among Americans of different creeds.

For we all know that when one man or one house of worship or one religious faith is today made the object of attack, tomorrow another may feel the sharp lash of bigotry.

NO MAN IS AN ISLAND—ASK NOT FOR WHOM THE BELL TOLLS

No man is an island, entire of itself—

Said John Donne—

Every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less as well as if a promontory were, as well as if a manor of thy friends or if thine own were; any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

John J. O'Connor

EXTENSION OF REMARKS
OF
HON. JOSEPH W. MARTIN, JR.
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. MARTIN. Mr. Speaker, the death of John J. O'Connor removed one of the colorful and dynamic figures who served in Congress in the early days of the New Deal. He was a man of great ability, a powerful orator and persuasive in debate. No "rubber stamp" was John. He disliked many of the Roosevelt proposals and never hesitated to express himself forcefully. He made a great contribution to the useful role of Congress by discussing fully all questions in the days when the Republicans were so weak in numbers. His independence and frankness brought down upon him the wrath of F. D. R., and he was singled out to be purged together with Senator Millard Tydings and Senator George, of Georgia. John was the only successful purge of that year and that by a very small margin.

John was chairman of the "fighting Rules Committee" of that time of which I was privileged to be a member. That fact as well as the fact that he was born in Raynham, a town in my district, brought us into close friendship. I knew well his brother Basil, a law partner of President Roosevelt, as well as the other members of his fine family. Ardent Democrats, but they always voted for me for Congress. His good mother, when over 80, hired a taxi to go to the polls to help me in one of my more exciting campaigns.

When I last saw him a year ago I realized he appeared to be not as well as he was in the old days but nothing of an alarming nature.

John J. O'Connor was an outstanding Congressman and a great American. He served his country with great ability during a tempestuous period. Those of us who knew him regret keenly his passing. To his family I extend my deepest sympathy in their hour of sorrow.

Excerpts From an Address by Senator Joseph S. Clark

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. HOLLAND. Mr. Speaker, I am very pleased to place in the RECORD excerpts from the speech of Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, made on Friday, January 29, 1960, at the Roosevelt Day luncheon of the Allegheny County Democratic Committee, Pittsburgh:

"I am confident," said Senator CLARK, "that we will elect a Democrat President and win for our party control of the State senate while we are about it. There are four reasons for this belief:

"First, we are the majority party in both Pennsylvania and the Nation. The 1958 and 1959 elections proved that.

"Second, this year we will be running against real Republicans, not a national military hero. The issue between the parties will be clearly drawn. Simply stated, it is democracy against plutocracy. The choice is clear.

"Third, our candidate for the Presidency will be running against RICHARD NIXON. The people of this country have too much commonsense to elect as their President either the old NIXON or the new NIXON.

"Fourth, Mr. NIXON must run on the Eisenhower record. In Walter Lippmann's trenchant phrase, the Eisenhower administration has put 'private comfort and private consumption ahead of national need. The President has spent his 7 years in office reducing the share of the national income devoted to public purposes. We are falling behind in the race [with international communism] because we are not allowed to run.'"

Senator CLARK deplored the emphasis given to what he called "popularity polls."

"The partisan press," he said, "is already consigning us to defeat—but elections are not won on Gallup polls in January. It is the official count at the ballot box in November which determines who wins.

"We all remember 1948. Let us also observe how close the parallel is between Mr. NIXON and Mr. Dewey."

CLARK stated that the Republican issues of "peace, prosperity, and progress" would break down under Democratic attack. "It is we, not they," he said, "who are taking the lead for peace through disarmament and a revision of the United Nations Charter.

"It is we, not they, who are advocating the governmental policies necessary to achieve lasting prosperity: an end to tight money and high interest rates, a first-class educational program, adequate aid for depressed areas, and an equitable tax system which will give us the revenues to reduce our national debt and still meet our responsibilities at home and abroad. It is we, not they, who understand the need for strong governmental action to assure progress through sustained economic growth and a rededication to the spiritual principles which made our country great."

Senator CLARK cited an editorial reprinted by the Washington Post from the New Republic which, he said, well described the Eisenhower thesis. The President's message, the editorial said, is "save now, be strong later; save now, educate later; save now, cure unemployment later; save now, reclaim our towns and cities later; save now, research later the cause and remedy for mortal disease; save now, build housing later; save now, clear the air later; save now, purge our streams later; save now, nourish later the people—and the hopes—of new nations."

"The American people," the Senator continued, "are getting ready for the coming political breakthrough. We can achieve it by sending a Democrat to the White House supported by a Democratic Congress next year. Our only danger lies in apathy and a failure to take the initiative. We must stick to our party platform, pass the bills we said we would, let the vetoes fall where they may, and carry the issues to the country. I refuse to believe that the American dream has become so faded that we will continue to shut our eyes to overcrowded schools, underpaid teachers, inadequate colleges, hospital shortages, old people without medical care, men and women working at poverty wages, polluted streams, slums in our cities, a stagnant economy and unemployment areas shifting for themselves, and all this for the purpose of providing another tax cut for the rich and well-to-do.

"Only under our party can our country redeem itself and move forward to national well-being at home, national security abroad, and that sound and idealistic world leadership to which our destiny calls us."

U.S. Science Academy

EXTENSION OF REMARKS
OF
HON. GEORGE M. WALLHAUSER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. WALLHAUSER. Mr. Speaker, I introduced a bill today providing for the creation of a commission to conduct a complete investigation and study, with recommendations, relating to the establishment of a U.S. Science Academy.

My bill differs, I believe, in several important respects with many of those previously introduced. I would like to point out some basic differences to the Members.

It does not provide for the establishment of an academy, but for the establishment of a Hoover-type commission, which seems to me to be the proper approach to the problem of evaluating all of the facts that would be necessary to eventually establish such an Academy.

Again, the bill conceives that the Academy would train and assist unusually qualified students, who have completed their college training, in the fields of physical science, mathematics, or engineering, and whose services would be retained by our Government for a specified number of years after graduation.

In this atomic and space age, it should be obvious that scientific progress is essential for the future welfare and security of our country, and I believe that it is important for us to have the very best brains of our youth available to the various arms of our governmental establishment. They could assist materially in progressing toward not only a more secure life for our people, but also for one containing as many human comforts as possible.

I urge the Members of this august body to study this legislation and to join with me, on a bipartisan basis, if they choose, in introducing identical bills, so that its concept will have full support.

Centenary of the First Jewish Prayer in Congress

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. PUCINSKI. Mr. Speaker, it was 100 years ago today that the Congress of the United States first gave full and formal recognition to the Jewish religion, and to the position of the rabbi as preacher and religious teacher, by selecting a rabbi, Morris Jacob Raphall, of New York, to open a session of the House of Representatives with prayer. This 100th anniversary of the occasion is suitably observed by the invocation offered in our behalf today, but there is the happy difference that there is today nothing to surprise anyone in the presence of a Jewish rabbi in this post of honor, and nothing unusual in the event when the Members of our National Legislature bow their heads humbly as a Jewish religious leader speaks for them to the Lord and Master of us all.

Well may our hearts echo today those holy words, spoken in Hebrew and in English by Rabbi Raphall a hundred years ago and prized in Christian as in Hebrew tradition:

> The Lord bless thee and keep thee. The Lord show His face to thee and have mercy on thee. The Lord turn His countenance to thee and give thee peace.

I am particularly gratified that the House of Representatives of the Congress of the United States has paused long enough today to reflect on this 100th anniversary of the first Jewish prayer offered in Congress. It is significant that we, as Members of Congress, should pay tribute to this momentous occasion because it indeed reflects that in this country we Americans have respected the rights of equality and freedom of religion since the very founding of our country.

Today's observance is particularly significant when we reflect that in many corners of the world and, unfortunately, even in some isolated areas of our own country, the evil specter of religious bigotry is again being manifested.

By paying tribute to this 100th anniversary today, we in Congress unequivocally state that the legislative branch of our Government shall never condone such bigoted conduct. I trust that the example we have set here today will be an inspiration to all men of good will and, in its own way, contribute to a halt in these outrageous attacks on religious institutions throughout the world. By this tribute today, we have again demonstrated that we recognize religious freedom and tolerance as the very cornerstone of our democracy.

I wish to add my own note of congratulations to Rabbi Israel Goldstein, who delivered this morning's opening prayer, for his inspiring words. Rabbi Goldstein is the spiritual leader of the Congregation B'Nai Jeshuran, in New York City. It is significant that Rabbi Raphall was the spiritual leader of this same synagogue 100 years ago when he opened the session of the House of Representatives with a prayer. Rabbi Goldstein's inspirational message today reconfirms the deep dedication of the Jewish people to the institutions of freedom and liberty and tolerance throughout the world.

I should also like to congratulate Dr. Abraham G. Ducker, president, Chicago's College of Jewish Studies, for calling this very significant anniversary to my attention. It was indeed through Dr. Ducker's suggestion that we have been able to arrange today's tribute to the 100th anniversary of the first invocation delivered by a rabbi in the House of Representatives.

Trade Agreement Extension Act

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. SAYLOR. Mr. Speaker, I am happy to join in support of the resolution proposed by the distinguished gentleman from West Virginia [Mr. BAILEY]. While it is the duty of Congress to reverse as quickly as possible some of the illogical trade policies that are directly responsible for so much unemployment in this country, the resolution will meanwhile serve notice that Congress will not tolerate further international agreements handing over domestic markets to foreign producers.

The headlong drive for free exchange of goods in international commerce has caught up with us with a vengeance. Time was when a comparatively few of us stood up here on the House floor to appeal for relief from unfair foreign competition. Now that the grave perils of the free-trade theory are beginning to divulge themselves in a multitude of industries and communities of the land, the demand for corrective measures is becoming increasingly more audible.

Those of us whose constituencies depend heavily upon coal and the railroads for a healthy economy are particularly pleased to note the growing ranks of opposition to policies that subordinate the interest of American labor and industry to diplomatic motives. For years we were practically alone in our crusade for a limitation on the imported residual oil that has created such havoc in the economy of mining regions in Pennsylvania, West Virginia, Virginia, and eastern Kentucky.

Time was when the term "selfish interest" was applied in the case of anyone who sought tariff or quota protection to give American miners and railroaders a chance to reclaim their jobs. The free trade army—commanded by leftover State Department leftwingers—insisted that everyone would ultimately benefit by opening the doors of this country to any and all alien commodities. Down and down went U.S. tariffs, setting us up for today's serious predicament that becomes more critical as the inflow of foreign products and the outgo of gold continue almost unchecked. The resolution under consideration here today can be an important means of getting us back in the proper direction. Actually, it should be welcomed by the diplomats who have been representing us at meetings of the General Agreement on Tariffs and Trade, because this action by Congress would provide a medium of getting themselves off the hook which they assisted in setting up and which is now being used to strangle American labor and industry. Once the resolution is adopted, our generous "GATTeers" need only explain to their suave friends at the international roundtable that it is the sense of Congress that no further trade concessions be made in the next 2 years. Sorry, but our orders are to "stand pat" before we sacrifice any more industries. That is all that need be said when the boys gather at Geneva or wherever else the good fellows who trade off domestic markets without semblance of a quid pro quo plan to meet their foreign friends this year and next.

Meanwhile, back at the legislative branch, perhaps we will be able to plan for a showdown on the entire foreign trade program. Perhaps we can get an answer to the question of whether we are willing to permit our own factories and plants to shut down in order to please people elsewhere in the world. There is a possibility, too, that by now we can even convince the policymakers in the State Department of the fallacious reasoning behind the free trade doctrine. Somehow those credulous functionaries were unable to comprehend that the manufacturing facilities erected at various points around the globe at the expense of the American taxpayer would produce materials directly competitive with our own products. Now the picture becomes more vivid with the rush of American dollars into alien areas where labor and materials are cheap. When the average hourly earnings in industrial

occupations amount to more than $2 in the United States, slightly more than 60 cents in the United Kingdom, and less than 25 cents in Japan, there is no doubt about why we are being undersold all along the line. And behind the products made abroad—in addition to the reputations of leading foreign companies—are such labels as National Cash Register, Remington Rand, Hamilton, Singer, Ford, General Motors, Chrysler, General Tire & Rubber, and scores of other established brand names.

Since the end of World War II American business has invested more than $27 billion in factories, oil wells, mines, and other enterprises in foreign lands. One large manufacturer cut employment from 9,000 to less than 5,000 in a factory here after opening a similar plant in Europe. A steel processor laid off his 1,000 employees in New York State to set up shop in Japan and take advantage of cheap labor there and low tariffs here. Indeed, transferring job opportunities to Europe, South America, and Asia has become a principal export activity of the United States.

Speaking for the congressional district which I represent, I can testify that our coal, railroad, pottery, ceramics, glass, machine tools, and other industries have suffered constant oppression from imported materials. Now our steel industry has become a target of shippers from countries where labor is cheap and standards of living far below ours. Unless we take action, not a single area of the country—whether it be industrial or agricultural—will escape similar fate. Now is the time to transmit our views to the State Department. Let us give this resolution the support it needs and thus get started on the way back to a sane foreign trade program.

Cordell Hull Award Presented to Speaker Sam Rayburn

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. EVINS. Mr. Speaker, it was my privilege along with many Members of the Congress to attend the recent banquet of the Committee for a National Trade Policy at which our distinguished, able, and beloved Speaker of the House, the Honorable SAM RAYBURN, was presented the Cordell Hull Award.

This was an occasion of particular pleasure to me because both Speaker RAYBURN and the late great Secretary of State Cordell Hull are Tennesseans. Both of these great Americans stand with our greatest sons in service to the Nation and in the love, respect, and admiration by which they are held by our citizens. Mr. RAYBURN was born in Roane County, adjoining the district which I have the honor to represent in the Congress, and Mr. Hull was born in Pickett County, one of the fine counties of the great Fourth District of Tennessee which I represent. Judge Hull preceded me in representing the people of that area in the Congress and I indeed counted it an honor to be able to number him as one of my constituents.

Secretary of State Herter, in presenting the Cordell Hull Memorial Award to Speaker RAYBURN, said that the award is bestowed upon Speaker RAYBURN for his vision and statesmanship in furthering the internal trade policies of Franklin D. Roosevelt's Secretary of State.

Speaker RAYBURN in his speech of response and acceptance said that "this is a particularly appropriate time" to recall the life, deeds, and ideals of Cordell Hull in promoting two-way friendship and free flow of trade between friendly nations.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the text of the address of Secretary of State Herter, and the text of your address on this occasion.

REMARKS BY THE HONORABLE CHRISTIAN A. HERTER, SECRETARY OF STATE, AT A DINNER HONORING THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES, GIVEN BY THE COMMITTEE FOR A NATIONAL TRADE POLICY, MAYFLOWER HOTEL, WASHINGTON, D.C., JANUARY 28, 1960

I am honored to have been selected by this outstanding and highly commendable organization, the Committee for a National Trade Policy, to present the Cordell Hull Memorial Award to your distinguished guest. The interest that your group manifests in seeking solutions to our trade problems is most sincerely welcomed by your Government.

It is particularly appropriate that tonight your gathering will honor one who has helped to solve so many problems in the field of interstate and foreign commerce, the Honorable SAM RAYBURN, of the great State of Texas.

When Texas was admitted as a State in 1845, there were many who regarded it as one of the most underdeveloped regions in the world, and some who thought it would always remain so. But as we all know, in the years which have intervened, Texas has done a remarkable job of belying that thought.

I say we all know this, and I can see no imminent danger that Texans will let us soon forget it.

In trade, Texas is justly famous as an exporter of oil, cotton, cattle, minerals, lumber, and pretty girls. The State imports a wide variety of consumer goods, machinery, finished textiles, and of course they still buy U.S. postage stamps from outside the State.

In 1887 Texas imported SAM RAYBURN from Tennessee, and it has had reason to be very proud of this importation ever since. The balance of payments position as between Texas and Tennessee was markedly changed as a result of this move.

No one has ever claimed that the CONGRESSIONAL RECORD is a compilation of the world's greatest literature, but it is often fascinating reading. I have had a small job of research done in the pages of the RECORD of the 63d Congress which reveals that SAM RAYBURN delivered his first speech in the Halls of Congress on May 6, 1913. And the pages of the proceedings on that day uncover some remarkable facts which may or may not be dismissed as sheer coincidence. For on that day, although several other hotly contested issues were debated on the floor, including the question of whether women should be given the right to vote, SAM RAYBURN addressed himself to the pending tariff bill, making an eloquent plea in favor of tariff reductions. And on that same day, another Member of the House spoke on another section of the tariff bill—a section which incorporated the novel idea of a Federal tax on personal income. The Member explaining various features of this section was the Honorable Cordell Hull, Member of Congress from Tennessee. On that night of May 6, 1913, I daresay that no one could have forseeen that on the night of January 28, 1960, an award honoring the memory of Mr. Cordell Hull would be presented to Mr. SAM RAYBURN, both natives of Tennessee, both renowned in the annals of the Nation, both able statesmen, and both distinguished Democrats. And that differences of view as between the two major political parties at least on the subjects of the tariff and foreign policy have with the passage of the years become sufficiently bettered as to make seemly the presentation of this award by a Republican Secretary of State.

From my own experience as a Member of the House of Representatives, I can testify that "Mr. SAM" has developed a patient and understanding tolerance for Republicans. He has a keen eye for those situations which call for the partisan approach and those which call for the bipartisan or nonpartisan. Cordell Hull also possessed this virtue, and in his memoirs he refers to his friendship with Congressman E. J. Hill, of Connecticut. Of Congressman Hill he says:

"From 1907 forward Mr. Hill, a Republican, and I sat for hours at a time of Sundays and evenings discussing tariff, trade, and other business conditions * * * I owe much to him for the inspiration that drove me to study the interrelation of trade throughout the world."

Now I must concede that the choice of words here and the quick identification of Mr. Hill as a Republican might be taken to mean that Cordell Hull found it quite remarkable to have discovered a Republican who knew anything about world trade, but the noble sentiment is really not thereby impaired.

Returning to Mr. SAM's first speech in Congress on that memorable day in 1913, it is remarkable how early it became clear that devotion to country is his guiding star, transcending all others. Proof of this I believe is found in his initial address. If you will indulge me for a further minute, I should like to read to you a couple of brief excerpts from his message that day. He began by saying this:

"Mr. Chairman, as a new Member of this great body, I, of course, feel that I should have regard for the long-established custom of the House, which in a measure demands that discussions of questions shall be left to the more mature Members * * * but I feel that as a representative of more than 200,000 citizens of the Fourth Congressional District of Texas, I should be allowed to break in a measure whatever of this custom remains, and exercise my constitutional right to speak my sentiments on this floor and refuse to be relegated to that lockjawed ostracism typical of the dead past."

Now, from that day to this night, so far as I am aware, Mr. SAM has not had reason to complain of "lockjawed ostracism." Even so, he chooses to speak only when he has something to say, and then he speaks sparingly.

After making a well-reasoned plea for tariff reductions, "Mr. SAM" closed with these words:

"I came to this body a few weeks ago with childlike enthusiasm and confidence. It has

always been my ambition to live such a life that one day my fellow citizens would call me to membership in this popular branch of the greatest lawmaking body in the world. Out of their confidence and partiality they have done this. It is now my sole purpose here to help enact such wise and just laws that our common country will by virtue of these laws be a happier and a more prosperous country. I have always dreamed of a country which I believe this should be and will be, one in which the citizenship is an educated and patriotic people, not swayed by passion and prejudice, and a country that shall know no East, no West, no North, no South, but inhabited by a people liberty loving, patriotic, happy, and prosperous, with lawmakers having no other purpose than to write such just laws as shall in the years to come be of service to humankind yet unborn."

These words, spoken 47 years ago, are the words of a great man. They have been followed by deeds which testify to his greatness. All Americans are ever grateful that SAM RAYBURN has served this Nation these many years. As a close friend and longtime admirer of his, I am very proud to present the Cordell Hull Memorial Award to this distinguished gentleman.

REMARKS OF HON. SAM RAYBURN, SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES, IN ACCEPTING THE CORDELL HULL AWARD AT A BANQUET OF THE COMMITTEE FOR A NATIONAL TRADE POLICY, INC., MAYFLOWER HOTEL, WASHINGTON, D.C., ON THURSDAY, JANUARY 28, 1960

This is a happy occasion for me.

In the first place, it is a high privilege to be presented to you by my fine friend and former colleague in the House of Representatives, Secretary of State Christian Herter, who in my judgment is a worthy successor to the man in whose memory we gather tonight.

Any citizen of this country or any other would feel deeply honored to be the recipient of the Cordell Hull Award. Coming as it does from an organization dedicated to carrying on the great work to which Cordell Hull gave the tremendous energies of his mind and body, this award symbolizes America in her finest role—that of the good neighbor.

For 42 years—a goodly portion of any man's life—my life was warmed by the close friendship, the wise counsel, and the stirring example of Cordell Hull. I never cease to be inspired when I think of that good man's love of his country, his dedication to peace in all its aspects, and his record of matchless public service.

From the days of his humble childhood in a Cumberland Mountain log cabin, Cordell Hull had only one ambition and one aspiration—to serve mankind and to help men everywhere to live together in unity.

History now records how close he came to the fulfillment of that boyhood dream.

Not long before his death he is supposed to have told a friend that out of his long adventurous career he was proudest of four things.

First, that he had helped in the shaping of the United Nations. His role in this effort was so great that Franklin Delano Roosevelt referred to him as "the Father of the United Nations."

Second, he had initiated the policy of nonpartisanship in the conduct of our foreign affairs.

Third, he had put into practice the good neighbor policy in cooperation with the other American nations.

And fourth, he had headed up the drive toward a more liberal trade policy through the reciprocal trade program.

Any one of these accomplishments would be the mark of a distinguished career in American politics, but here are four mighty undertakings.

He might easily have mentioned many other things out of his busy and fruitful lifetime.

From humble beginnings he rose to a member of the Tennessee Legislature, a Tennessee circuit judge, a captain in the Spanish-American War, and he served 24 years in the Congress of the United States—22 years in the House of Representatives and 2 years in the Senate. After that he served nearly 12 years as Secretary of State under Franklin Roosevelt, the longest time one man ever held that high office. In an office once occupied by such towering figures as Thomas Jefferson, James Madison, Daniel Webster, John Marshall, John Quincy Adams, John C. Calhoun, John Hay, and Charles Evans Hughes, he established himself as one of the truly great Secretaries of State.

This modest man might have recalled that he had the high honor of leading the American delegation to the London Monetary and Economic Conference, to four Inter-American Conferences, and to the Moscow Conference in 1943. He was much too humble to have mentioned that public opinion polls year after year found him to be the most popular member of President Roosevelt's Cabinet.

Many people now have forgotten that from 1921 to 1924 in the period of greatest Republican ascendancy in this century, Cordell Hull as chairman of the Democratic National Committee helped to rebuild a defeated and discouraged Democratic Party giving not alone of his energy but also lending substantial amounts of his own money as well.

It was altogether fitting that the world paid homage to this man of peace in 1945 when he was awarded the Nobel Peace Prize.

I want to reminisce a few moments about Cordell Hull, the human being. He was one of the first close friends I made after I came to Congress on March 4, 1913, the day Woodrow Wilson became President of the United States.

I lived in the old Cochran Hotel as did many other Members of Congress including Cordell Hull. Each night after supper most of these men would pull their chairs together at the end of the big old lobby and for several hours they would explore together in serious candor the great issues of the hour. As a freshman Congressman I listened with rapt attention, and I have often thought that this was the best school of political science I ever attended.

Perhaps because we both had been born in Tennessee or perhaps because we held very similar views on political issues, Cordell Hull and myself became warm personal friends. As the junior member of that partnership, I was the great gainer profiting from his experience and wisdom.

When the Underwood tariff bill was taken up by the House of Representatives in 1913, it included the first constitutional income tax. Cordell Hull was the author of this tax plan. During that debate, I made my maiden speech in Congress in support of the bill. This tax plan has been the cornerstone of our fiscal policy from that day to this.

Before World War I, Cordell Hull became convinced that "unhampered trade dovetailed with peace; high tariffs, trade barriers, and unfair economic competition with war * * * I reasoned that, if we could get a freer flow of trade—freer in the sense of fewer discriminations and obstructions—so that one country would not be deadly jealous of another and the living standards of all countries might rise, thereby eliminating the economic dissatisfaction that breeds war, we might have a reasonable chance for lasting peace."

He also opposed high tariffs because "I believe (they) meant a higher cost of living for American citizens. They assisted in building trusts and monopolies. By cutting down the sales by other countries to us, they also cut down the purchases by other countries from us."

Cordell held the doctrine that other countries could not continue to buy from us unless they could continue to sell to us. He knew that other people could build walls against our products as easily as we could build walls against theirs, and that they had done so with a vengeance in times past.

In his memoirs he told the story of how a simple incident in the Tennessee mountains impressed the importance of trade upon his youthful mind.

"When I was a boy on the farm in Tennessee," he recalled, "we had two neighbors—I'll call them Jenkins and Jones—who were enemies of each other. For many years there had been bad feeling between them—I don't know why—and when they met on the road or in town or at church, they stared at each other coldly and didn't speak.

"Then one of Jenkins' mules went lame in the spring just when Jenkins needed him most for plowing. At the same time Jones ran short of corn for his hogs. Now it so happened that Jones was through with his own plowing and had a mule to spare, and Jenkins had a bin filled with corn. A friendly third party brought the two men together, and Jones let Jenkins use his mule in exchange for corn for the hogs.

"As a result, it wasn't long before the two old enemies were the best of friends. A commonsense trade and ordinary neighborliness had made them aware of their economic need for each other and brought them peace."

He carried this faith in liberal trade into action throughout the rest of his life.

Someone once said that "the only monument in life that Cordell Hull ever wanted was a deep nick in a tariff wall."

Cordell Hull had an almost religious belief in what came to be known as the good neighbor policy. He believed that we could not look for closer cooperation throughout the world unless we first showed that cooperation could work in the Western Hemisphere.

Friendship, he knew, is a two-way street. To have friends, we must be a friend. Patiently, tirelessly through the years Cordell Hull labored with great success to make one free neighborly community of all the American nations. Out of this concept of the good neighbor policy grew our point 4 program and eventually our continuing determination to help the underdeveloped nations of the world to a better way of life.

I loved and followed Cordell Hull as a statesman, but my fondest memories concern his qualities as a human being. I don't think he ever knew what it was to be afraid. When he believed something to be right and true, he never ceased to battle for it. He had a deep yearning to make the path a little smoother and the burden a little lighter for all people wherever they lived. He never sought credit for anything that he accomplished. The only reward he wanted was the accomplishment of his purposes. In his personal life as well as in his political philosophy he embodied the concept of the good neighbor.

He had that rare combination of gentle humility and rugged strength which were also Lincoln's qualities.

I think this is a particularly appropriate time for us to remember Cordell Hull and the great political ideals for which he stood.

In a time when our relations with our sister American Republics are troubled, when our own Vice President is insulted in a neighboring country, when American property is being expropriated almost daily, it might pay us to try to envision how Cordell Hull would have treated this situation.

The same is true of the increasingly competitive trade situation in the world. As nations recover from the devastation of war and competition for markets becomes fiercer, we hear new demands from every side for higher trade barriers. Now let us think—how would Cordell Hull have met this situation?

In closing, let me say again how deeply touched I am by this honor which you have paid me in the memory of one of the giants whom I was privileged to call my friend.

In the beautiful library which I have built in my home town as a gift to all the people, I have many treasured mementos. The Cordell Hull Award which you have so kindly given me tonight will have an honored place among them and will rest there forever for people to see.

It might have been of Cordell Hull that the poet Shelley wrote, " 'Til the future dares forget the past, his fate and fame shall be an echo and a light unto eternity."

And I think one may fairly say of him as once was said of Thomas Jefferson: "The honors which other men had given him were unimportant; the opportunities he had given to other men to become free were all that really counted."

On Mount Rushmore—the Faces of Franklin D. Roosevelt and Dwight D. Eisenhower Will Be Eternal

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. SANTANGELO. Mr. Speaker, I have introduced today for appropriate reference a bill to authorize the Mount Rushmore National Memorial Commission to conduct an investigation and study of the feasibility of adding figures of Franklin D. Roosevelt and Dwight D. Eisenhower to the present memorial. It is my hope that this bill will pave the way for including likenesses of these two Presidents alongside those of Washington, Jefferson, Lincoln, and Theodore Roosevelt.

It would be fitting to have the figures of Franklin D. Roosevelt and Dwight D. Eisenhower added to the panorama of other great past leaders. President Franklin D. Roosevelt stirred this Nation to cast out fear from our hearts and initiated programs which lifted our Nation from the depression and gave encouragement and strength to the youth of our country, our farmers, our workers, and all economic groups. Later he inspired the free peoples of the world to rise up and resist the spread of ruthless tyranny and tear asunder the chains of slavery imposed upon free peoples by totalitarian regimes. President Dwight D. Eisenhower led forces of the United States and our allies to military victory. He has been an inspirational figure throughout the world and carries the confidence of foreign nations and the American people by his fatherly image and trustworthiness. Each man played his part in making America fully aware of its world responsibilities and its obligations to men of good will in the task of building world peace and security.

I am delighted that my colleague and friend, Congressman PAUL A. FINO, of New York, is also introducing this bill. On the Senate side, this measure has bipartisan support in the person of my good friends, Senator HUBERT H. HUMPHREY, of Minnesota, and Senator KENNETH B. KEATING, of New York. A moving force behind the drafting of this measure has been the Federation of the Italian-American Democratic Organizations of the State of New York, whose officers are as follows: Honorary advisory board; Hon. Nina Rao Cameron. Hon. George B. B. DeLuca, Hon. Ross J. Di Lorenzo, Hon. Athony Di Paola, Hon. Frank A. Emma, Hon. Enzo Gaspari, Hon. Lawrence E. Gerosa, Hon. Angelo R. Parisi, Hon. Charles Polleti, Hon. Paul P. Rao, Jr., Hon. Vincent P. Rao, Hon. Ben Scafidi, Hon. Joseph P. Vaccarella; president, Jack Ingegnieros; vice presidents, Miss Sarina D'Amato, Prof. Bartolomeo Liscio, Frank Valenti; treasurer, Mrs. Antoinette Loscuito; executive secretary, J. P. Sommer; publicity, Miss Terry Milburn.

No matter what the Republicans may think of Franklin D. Roosevelt or what the Democrats think of President Dwight D. Eisenhower, informed and impartial men of good will can agree that they have played vital roles in the story of our Nation. They deserve to be considered for their works and place in history, apart from any partisan considerations. It is in this spirit that I offer this measure.

Mr. Speaker, the Mount Rushmore National Memorial is a unique, magnificent and heart-warming aspect of our national life enshrining as it does Presidents who have meant much to the progress and heritage of America. I hope this bill will make possible the addition of these two towering figures to this sculpturing marvel.

Vandalism to Houses of Worship

EXTENSION OF REMARKS
OF
HON. GEORGE M. WALLHAUSER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. WALLHAUSER. Mr. Speaker, I would like to add my voice to those who express shock and horror at the recent outbreak of vandalism to houses of worship and anti-Semitic feeling.

This is evidence of religious intolerance and is shocking to every thinking person, who, I feel certain, must be indignant over these shameful acts.

I sincerely hope that our citizenry has been sufficiently alerted to the serious problem of combating bigotry and will continue to be ready to join in the fight against it.

Group Insurance Protection for Federal Employees

EXTENSION OF REMARKS
OF
HON. THRUSTON B. MORTON
OF KENTUCKY
IN THE SENATE OF THE UNITED STATES
Monday, February 1, 1960

Mr. MORTON. Mr. President, I ask unanimous consent that an article written by my distinguished colleague from Kansas Senator FRANK CARLSON and appearing in the February issue of the Journal of American Insurance be printed in the CONGRESSIONAL RECORD.

My colleagues will recall the dynamic and effective leadership that Senator CARLSON provided in the enactment of the Federal Employee Health Benefits Act. He has consistently championed such legislation during his 9 years in the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEALTH BOON FOR UNCLE SAM'S STAFF
(By Senator FRANK CARLSON)

A new era of security-assured independence will open for 2,300,000 Federal Government employees and their families this year in the anniversary month of Independence Day.

On July 1 they'll come, for the first time, under the protection of a new, Government-wide group health insurance program, comparable to those already serving some 90 million workers in U.S. private industry and their dependents. This will be made possible by the Federal Employee Health Benefits Act, passed by the 86th Congress just before adjournment last summer.

Heretofore, the employees and their families, about 4½ million people in all, have had to arrange their own health plans, and many have been carrying inadequate coverage. But with the participation of such a large group, they now should be able to get broader coverage for their money. And, certainly the biggest boon to most of them, the Government will assume half the cost of their insurance.

While the Government will share the cost, just as many private employers are doing nowadays, it is notable that it did not seek to set up a big new bureaucratic branch to run its own health insurance program. In fact, such a possibility was never even considered—a tribute, I think, to the job private enterprise has done in providing health insurance benefits to 123 million Americans who are covered today.

This program is expected to cost about $214 million a year. Thus, the cost to the taxpayers will be about $107 million annually. Of this, no more than 1 percent will go for administrative expenses—again, because private insurers will be running the program.

All Federal employees are eligible to participate—public health workers, post office employees, Congressmen and their staffs, the employees of every government department, agency, bureau, and office in Washington, in

all 50 States, in U.S. territories, and workers stationed overseas. It has been estimated that 75 to 90 percent of them will sign up.

They'll have a choice of the following plans:

(1) A regular cash indemnity policy with an insurance company. It will reimburse the employee for hospital and medical costs incurred. The insurance carrier, chosen by the Civil Service Commission in December from about a dozen of the Nation's largest, will be Aetna Life Insurance Co. Aetna will reinsure with all other qualified companies wishing to participate:

(2) A service-type plan, such as Blue Cross-Blue Shield. It generally makes a settlement with the hospital or doctor directly.

(3) An existing group health insurance program operated by one of the national government employee organizations, such as the National Federation of Post Office Clerks, or by the agency for which the employee works. Such plans have been set up by the FBI, Central Intelligence Agency, and Office of Civil and Defense Mobilization, for example. Some of these plans have been in operation for a number of years, providing hospital and medical coverage for thousands of employees at cost.

(4) Comprehensive group-practice prepayment plans, such as those offered by Group Health Association in Washington, the Kaiser Foundation on the West Coast, or the Health Insurance Plan of Greater New York, or individual-practice prepayment plans. Many thousands of Federal employees also are covered by these programs.

In every case, the principal effect of the new law will be that the Government will now pay half of each employee's insurance premiums. If an employee has been paying $10 a month for his coverage, for example, he now will have to pay only half that. Since half of our Federal employees make less than $4,800 a year, and some half a million earn less than $4,000, it's clear what a help this will be to them.

It may be that rather than continuing his present coverage at half the cost, the employee will choose to increase his protection, perhaps paying $15 a month for it. He'll improve his $10 coverage by a third, yet pay only $7.50. And many employees now facing the terrible risks of illness without any insurance at all will be able to buy group coverage at a price they can afford.

Naturally we had to set limits on the amount the Government will match under the new law. For instance, for a single employee the Government will pay $1.25 to $1.75 per pay period (biweekly). For an employee plus his family, the Government's share can range between $3 and $4.50 biweekly. That's for a policy under the cash indemnity or service benefit plans. The employee is free to choose the level of coverage he wants, and the Government, within these limits, will match his payments.

For members of employee group plans or prepayment programs with set subscription charges, the Government will pay up to $2.50 a pay period for a single person and $6 for a family as its half.

LAW TOOK YEARS OF EFFORT, COMPROMISE

The employee's half will be deducted from his paycheck. His half actually may be more than half his total premium if he chooses to buy more extensive coverage than the maximums prescribed in the new law.

It took many years of effort to achieve the passage of this legislation. Since 1947 Federal employee health insurance bills had been considered by the Congress, but they got nowhere because the groups involved could never agree on the provisions. Finally, though, agreement was reached among the employees, the administration, the insurance industry, Blue Cross-Blue Shield, the American Medical Association, American Hospital Association, and the various employee group health plans. Our subcommittee, headed by Senator RICHARD NEUBERGER of Oregon, held extensive hearings last April, and in July the Senate passed the bill 81 to 4. The House then held its hearings, made some changes in the bill, and approved it 383 to 4. A conference committee ironed out the differences between the two versions, and the final bill, cut down somewhat from the original in costs, was signed into law by President Eisenhower on September 28.

Some of us in Congress and the administration tried to cut the costs still further, thinking of our already gigantic national debt and the effect of new spending on the Federal budget. We thought $80 million as the Government's share of this plan would have bought some good benefits. But with some groups asking for $145 million and more, there had to be some compromising. The administration also fought for years to hold the Government's share to one-third of the total cost, while the employees' organizations thought the United States should pay two-thirds. So the final 50–50 cost sharing was a compromise too.

PLAN COMPARABLE TO PRIVATE INDUSTRY'S

No one connected with the bill would even pretend it is perfect, or that it will work without some complaints and adjustments. But in view of the deep-rooted disagreements over a Federal employee health insurance plan during the past 12 years, I think all parties are pretty well satisfied that this is a good, workable law. At least the Government—the Nation's largest employer—has recognized its obligation to its employees, and is now offering them a health plan every bit as generous as they'd find in most private industries.

With medical and hospital costs what they are nowadays, few families feel they can be without a health plan of some sort. Along with the retirement program, the group life insurance plan adopted 4 years ago and generous sick leave provisions, this health insurance program is probably the greatest "fringe benefit" our civil servants could get. Some 27 percent of the Government's $13 billion annual payroll item already has been for fringe benefits. Financing half of this new health plan will boost those figures still higher. Nevertheless, if the Government is to compete with private business for competent, high-caliber employees, it cannot lag so far behind industry in the insurance protection it offers. This unfortunately has been true for some years. Now this new law goes far toward alleviating that situation.

This legislation does not include retired Government employees and their dependents. However, bills are being considered this session which would provide them with a health plan, too.

RESERVES NEEDED TO AVOID RATE INCREASES

There is another omission in the new law that I think will have to be watched: It does not require the accumulation of a sufficient reserve to cover the future rises that must be expected in hospital and medical costs. To keep boosting the rates for this program to cover these rising costs would be unfair both to employees and to the taxpayers who pay the Government's share. Yet that is exactly what will have to happen, if past experience is any indication.

The people taking Blue Cross in New York City, for example, had their rates boosted by a third in 1952, another 22 percent in 1958, and a whopping 26½ percent last year. Needless to say, there are a lot of unhappy Blue Cross subscribers in New York City. Other plans weren't all that bad off; nevertheless, rates have been rising constantly, and the experts say we can expect hospital costs alone to go up at least 5 to 10 percent for the next 8 or 10 years. It takes a good reserve to cover increases like that without having to ask the policyholders for higher premiums every year. Yet this law requires setting aside of 3 percent of the premiums at the most for reserves. So when these cost increases come, as they will, the only solution will be to raise the insurance premiums or cut down on benefits. Either way, our Federal employees are going to get hurt.

It is my hope that once the plan begins operating and we see how it is working out, we can hold new hearings and, if necessary, amend the present bill to fit the needs. For the time being, though, we have a program we can be proud of, and our Government employees will rest a lot easier come July 1, knowing they are protected by health benefits as generous and reasonable as they'd find anywhere. Adequate insurance means peace of mind, and it's time our Federal Government workers got their fair share of both.

Federal Aid to States for School Construction

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, February 1, 1960

Mr. DINGELL. Mr. Speaker, It appears that the President has abandoned the whole concept of Federal aid to States for construction of primary and secondary schools.

Can he have lost sight of the fact that we are short 140,000 classrooms needed to house our bulging school population, now some 2½ million children in excess of school capacity? Some experts even set this classroom shortage at being 500,000 classrooms short. These 140,000 classrooms would constitute a building one room wide across the United States from Atlantic to Pacific. With the tremendous population expansion anticipated during the next few years, the shortage will grow and feed upon itself with each passing year.

In order to forcibly remind the President of his orphaned and abandoned administration proposal for Federal aid to States for school construction, I am reintroducing the administration's 4-year program of Federal aid to States, introduced on January 27, 1957, as H.R. 3976 and H.R. 3986. I regard this bill as grossly inadequate to meet the need, unfair to large and prosperous States, unsuited to its purpose, and insufficient to meet the crying need of this country. This is the first, and I hope the last, time I introduce a piece of legislation with which I am not in sympathy.

I favor proposals offered by the distinguished senior Senator from the State of Michigan, the Honorable PAT MCNAMARA, and the bill sponsored by the distinguished senior Senator from Montana, the Honorable JAMES MURRAY, and my colleague in the House of Representatives, the Honorable LEE METCALF, known as the Murray-Metcalf bill. These bills offer significant advance in the field of

education and would enable this country to meet its school needs in an age where education is everything to business, science, the community, to the individual, and to the United States in its competition with an atheistic, communistic dictatorship whose purpose is to rule the world by conquest, or if possible by economic and technological competition.

Inadequate though this legislation is, I introduce it with a challenge to the President of the United States and to the members of his party to at least support their own measure for school construction during this Congress. I remind the President and his partisans that 2 years ago Mr. Eisenhower pointed out that there were over 2.5 million children in excess of normal capacity of existing buildings and that the need for Federal assistance is not theory, but demonstrated fact since it cannot now be said realistically—that the States and communities will meet the need for school construction. The school needs of this country are too great, too many children are on half days, in overcrowded classrooms taught by overworked teachers, for inaction on any level of Government. Certainly the words of the President himself are conclusive of the need.

Unless something is done shortly about school construction the United States will be in danger which will exceed anything which we have met in the past, including the missile lag, the sputniks and Russian acquisition of nuclear and thermonuclear weapons. The danger will be an educational lag resulting in the loss of scientific and technological lead in the world to Russia. If the present situation continues Russia and even China not too long hence will surpass the United States in scientists, technicians, and in invention and scientific effort in all fields. The point may be reached ultimately where the United States will be weakened financially and economically, so deficient in production of new scientific thoughts and new weapons as to cease to be a factor in world politics. When this has come to pass the United States will not even be a secondary power; America will simply be a thrall to Russian communism. Inadequate though this legislation is, it is the least which can be done by the Congress, and I challenge the President and the party to support their own program reminding them of their words of 2 years ago.

The bill would provide $325 million for 4 fiscal years for grants to the States and municipalities. The Federal share on a project would be not less than one-third nor more than two-thirds varying in accordance with the States relative income per child of school age.

It authorizes appropriations of $750 million for a 4-year program to enable the Federal Government to purchase obligations of local school districts issued to finance public, elementary, and secondary school construction where bonds could not be marketed at reasonable rates of interest by the State or municipality.

It provides $150 million for a 4-year program for Federal advances to State school financing agencies for deposit in reserve funds to be used to back up issues of obligations for public, elementary, and secondary school construction purposes.

Lastly, the bill provides for miscellaneous grants of $20 million over 4 years to enable States to meet their administrative expenses for construction or development programs to increase school construction and promote greater efficiency in planning and financing such construction.

I am extremely critical of this legislation because the matching requirements place an unfair and undue burden on prosperous States like New York, Connecticut, California, Illinois, Ohio, Michigan, and Indiana. The provision for Federal purchase of State and local obligations is a pathetic effort to meet the real needs of the States which will create a bonanza for investment bankers to broker bonds from municipalities and States to the Federal Government with a large rakeoff, when the whole matter could be handled more cheaply and with less money dribbled off in sundry administrative costs through direct Federal grants. Moreover, many communities are already bonded to the limits of their financial ability to carry debt and still others have reached their statutory debt limit. To these, this provision will be an insult.

This is not an effort to put the administration or the Republican Party on the spot. America, the administration, and both political parties are on the spot and failure to act vigorously at this time may result in a situation of irreparable harm to the United States before we are aware of it.

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 1960

Mr. ALGER. Mr. Speaker, I include the following Newsletter of January 30, 1960:

WASHINGTON REPORT
(By Congressman BRUCE ALGER)

The 1961 Federal Budget is 1,030 pages, weight 4 pounds, 4 ounces, and filled with detailed expenditure figures for every branch of Government. Estimated expenditures are $79.8 billion, estimated receipts, $84 billion. The budget does not, however, cover all Federal moneys. The cash flow or cash budget (including trust funds of all kinds) is estimated at $94 billion expenditures and $102 billion receipts. The $4.2 billion debt repayment suggested by the President is recognition of the need in more prosperous times of reducing the debt, instead of constant deficit financing no matter what the shape of our economy. The latter course is the road to ruin. Here's an example of budget language:

"The budget presents a balanced program which recognizes the priorities appropriate within an aggregate of Federal expenditures that we can soundly support. I believe the American people have made their wishes clear: The Federal Government should conduct its financial affairs with a high sense of responsibility, vigorously meeting the Nation's needs and opportunities within its proper sphere while at the same time exercising a prudent discipline in matters of borrowing and spending, and in incurring liabilities for the future."

What does it mean? It is clear to me. Yet this is the kind of language that each person can bend to his own interpretation or need. Here is language more specific:

"In times of prosperity, such as we anticipate in the coming year, sound fiscal and economic policy requires a budget surplus to help counteract inflationary pressures, to ease conditions in capital and credit markets, and to increase the supply of savings available for the productive investment so essential to continued growth. * * * If expenditures are held to the levels I am proposing for 1961 and reasonable restraint is exercised in the future, higher revenues in later years will give the next administration and the next Congress the choice they should rightly have in deciding between reductions in the public debt and lightening of the tax burden, or both. Soundly conceived tax revisions can then be approached on a comprehensive and orderly basis, rather than by haphazard, piecemeal changes, and can be accomplished within a setting of economic and fiscal stability."

Now that says it. All we have to do as people and Congressmen is to believe it and practice it, not just pay lipservice. Election year forensics unfortunately may "muddy up the water" of such commonsense. For my part, I shall support these budget statements of the President, perhaps even repeating them later should I encounter differences of viewpoint—whether differing with a Democrat-led Congress or Republican administration.

The President's economic report expanded the elementary economic bases underlying the administration's analysis of the Federal role in our national economy. The President said, "A well-informed and vigilant public opinion is essential in our free society for helping achieve the conditions necessary for price stability and vigorous economic growth. * * * It would be a grave mistake to believe that we can successfully substitute legislation or controls for such understanding. Indeed, the complex relationships involved cannot be fixed by law and attempts to determine them by restrictive governmental action would jeopardize our freedoms and other conditions essential to sound economic growth."

I am convinced that many Members of Congress do not believe the statement above; rather, they believe that Federal law is the panacea and cure for all economic problems. In fact, though I agree with most of the President's economic message, it demonstrates to me (contrary to the language quoted) that too heavy reliance is placed on the "Full Employment Act of 1946" which places far too much responsibility in the Federal Government for providing jobs under the guise of providing the "proper climate" for business success and growth. It is not the role of Federal Government to provide jobs any more than it is to feed, clothe, house, and provide other basic necessities for our people; nor can government do these things without the tyranny of a regimented and controlled economy. Herein lies the difference between a free society and socialism.

The announced retirement from Congress of GRAHAM BARDEN, able and respected North Carolinian, serves to point up the dilemma confronting the less liberal element remaining in the Democrat Party. Of the really vital issues which may divide our people, none are more important than those which must be thrashed out before con-

gressional committees concerned with the courts, education, labor and public works. With Mr. BARDEN's retirement, in any Democrat-controlled Congress, the House committees handling legislation in these areas will all be controlled by New York City Democrats of distinctly liberal persuasion. Charles Buckley, enthusiastically endorsed by the ADA, rules the Public Works Committee whose activities involve such a whopping proportion of government expenditures each year. EMANUEL CELLER presides over the important Judiciary Committee, and now with BARDEN's departure, ADAM CLAYTON POWELL can expect to be elevated to the chairmanship of the key Committee on Education and Labor.

A Charter of Independence for Senior Citizens

EXTENSION OF REMARKS
OF
HON. LISTER HILL
OF ALABAMA
IN THE SENATE OF THE UNITED STATES
Monday, February 1, 1960

Mr. HILL. Mr. President, the diligent senior Senator from West Virginia [Mr. RANDOLPH] has developed and presented a challenging program which he has entitled, "A Charter of Independence for Senior Citizens."

Our able colleague, whose record of interest and accomplishment in the field of social legislation and public service dates back a quarter of a century to the days when we were privileged to serve together in the U.S. House of Representatives, has set forth his eloquent and sincere views concerning the needs of our older citizens in a speech delivered at the West Virginia Institute on Vocational Rehabilitation of the Aging, January 25, 1960, at Institute, W. Va.

Senator RANDOLPH, as a Representative, was active and forthright in his support of the great social security program at the time of its enactment. He has consistently worked for its improvement and for many other movements and programs intended to provide aid and comfort for the blind and other handicapped persons.

During the last session he was a leader in this body in the passage of the Youth Conservation Corps measure which embraces certain features of the popular CCC program which we both supported with vigor during the early period of the Franklin D. Roosevelt New Deal era. It was my privilege, as chairman of the Senate Committee on Labor and Public Welfare, to have appointed the senior Senator from West Virginia to serve as chairman of the subcommittee which held hearings and prepared the majority report on the Youth Conservation Corps bill.

Knowing of our colleague's abiding interest in and sterling qualifications to perform real service in connection with studies of problems of our senior citizens, as well as our youth, I likewise was privileged to appoint him to membership on the Subcommittee on Problems of the Aged and Aging.

Senator RANDOLPH, as a member of the latter subcommittee, devoted his time to hearings during the latter part of 1959 across the country and presided over those hearings held by the subcommittee for West Virginia at Charleston. His speech before the West Virginia Institute on Vocational Rehabilitation of the Aging is particularly appropriate, and I ask unanimous consent to have the address printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A CHARTER OF INDEPENDENCE FOR SENIOR CITIZENS

Ray Power, fellow West Virginians, and guests, the questions which you are confronting during this conference are aspects of one of the fundamental problems of modern American civilization. It is a problem which no society in history has ever before faced in such magnitude.

During the recent recess of Congress, I participated, as a member of the Senate Subcommittee on Problems of the Aged and Aging, in hearings conducted in representative cities throughout the Nation. Our subcommittee held hearings in Washington, Boston, Pittsburgh, Miami, San Francisco, Detroit, Grand Rapids, and Charleston, W. Va. I took part in all but those held in Pittsburgh and Michigan, and I presided over those in our State.

We received the scholarly and scientific testimony of the experts, and we received the often heart-wrenching and pathos-laden reports from the elderly folk themselves. This evening I share with you some of the findings of our subcommittee and some of my own observations drawn from these hearings.

But, first, let me sketch in the briefest detail the national scope of what my friend and colleague, Senator PAT MCNAMARA, has called the quiet revolution.

APPROXIMATELY 16 MILLION CITIZENS OVER 65 YEARS OLD

Perhaps these figures are well known to many of you, but we cannot emphasize them too frequently. In 1900 there were only 3 million Americans aged 65 or over, contrasted with approximately 16 million today, 5 million of whom are 75 or over. These 16 million, within the next decade, will swell to 20 million, of whom 7 million will be 75 or over. These figures received a dramatic expression in our Washington hearings when it was stated that of all the persons who have ever reached the age of 65, 25 percent are alive today.

In terms of West Virginia statistics, the total population of the State in 1957 was 1,962,000. Of that total, 164,000 persons were age 65 years or more, and this number constituted 8.3 percent of the West Virginia population.

Between 1950 and 1957, the number of persons 65 years and over increased by 18.7 percent, with only two other States, Mississippi and Arkansas, having experienced the same type of change.

Then, too, in West Virginia persons 45 and over amount to 28 percent of the population. I am told that each month the public employment offices in West Virginia receive an average of 1,200 new applications from older jobseekers.

During the last fiscal year, approximately 15,000 new applications were received from workers over 45 years old, and during that same year 3,710 of them were placed in nonagricultural positions, including almost 2,000 in service jobs—the bulk of them in private households.

Experts on census evaluations point out that in one important way West Virginia's population pattern differs from the normal of the country. Ours is a State predominantly rural. The latest available official census (1950) reveals that 65.4 percent of West Virginia's population was rural, and this is the fifth highest agrarian population—percentagewise—among all the States.

LIFE EXPECTANCY IS INCREASING FOR AMERICANS

A man of 65 may today expect to live another 13 years; a woman of 65 now has a life expectancy of 15½ years, with the average age at death being about 70. But, by the year 2000, it is estimated that the average will be 82; and it was not uncommon during our hearings for experts to testify that with continued progress in medical science, by the end of this century many people may expect to live to be 125.

These are but the bare outlines of the revolution—and this is not too strong a term—taking place in our population pattern. It is a revolution for which we have been inadequately prepared—psychologically, socially, economically, and medically. Although in some of the States genuine advances have been made in the fields of low-rental housing, employment counseling, and medical care, our national treatment of the problems of the aged as a whole has been marked by callous indifference and neglect. While we glorify in our claims of being the richest nation on earth and having achieved the highest standard of living in history, we allow millions of our senior citizens who have contributed so much to our national achievements now to suffer personal isolation and poverty, degraded housing conditions, and pitifully inadequate nutritional standards and medical care.

This condition is essentially the product of a default in our national attitudes and a failure to develop national planning in the light of new knowledge and new perspectives.

First, with reference to our national attitudes: As a comparatively young nation, with a history first of an expanding physical frontier and then expanding technological and economic frontiers, we have customarily placed the accent on youth and vigor and action. We have not, as a culture, given the veneration to age and wisdom and contemplation that these qualities have received in many other more traditional societies.

URBAN SOCIETY ACCENTUATES PROBLEM OF OUR AGED

Also, until the 20th century we were largely a nation of farmers and small townsmen, and the comparatively few elderly people in our society offered little welfare or maintenance problem. Normally, each family took care of its own, and on the farm and in the small town there was a role to be occupied and work to be done by the elderly. But in the urban life of today—in the project house or the three-room efficiency apartment—there is often no place for the elderly.

Thus, as a nation we have looked the other way while millions of our senior citizens have been forced upon the "tundra of neglect"—to use the graphic phrase of Gen. John F. McMahon, commander in chief of the Volunteers of America.

A second basic inadequacy in our perspective of the elderly is the arbitrary assumption that old age begins at 65—and after that the person is ready to be placed upon the shelf. The arts of modern medicine have long since invalidated this assumption in its general application, and for disproof in particular instances we need only look at the the creative work of such leaders as our two living ex-Presidents, Herbert Hoover and Harry S. Truman; elder statesman Bernard Baruch; world personalities Winston Churchill, Conrad Adenauer, and Eleanor Roosevelt;

and great poets Carl Sandburg and Robert Frost—as well as that of some of the vital and active oldsters among my own colleagues in the U.S. Senate.

I am most happy to note the presence tonight of Dr. A. A. Shawkey. He will be "90 years young" next August. Dr. Shawkey has been an active and prominent physician during a fruitful lifetime of service.

Thus, among our 16 million senior citizens today, there is a precious store of skills and abilities, experience and wisdom, which we allow to atrophy through mere neglect and indifference. Not only do we thereby squander a critical national resource, but we also violate the cardinal principle of our own society—that is, the right of each person to a life of dignity and self-respect.

THREE-FIFTHS OF THOSE 65 RECEIVE LESS THAN $1,000

Now, to return to some of the findings of the Senate hearings: according to expert testimony presented to our subcommittee, three-fifth of the persons over 65 received an income of less than $1,000 in 1958, with half of the elderly couples receiving less than $2,000 and about 1½ million widows receiving average social security benefits of $56 a month.

Yet the last budget designed for an elderly couple by the Social Security Administration—and priced at 1950 costs—ranges between $1,600 in New Orleans and a little over $1,900 in Milwaukee. Considering that the general consumer price index has risen approximately 22 percent since that time and medical costs almost 50 percent, it is little wonder that Commissioner William C. Mitchell of the Social Security Administration declared: "* * * The cost of maintaining a healthful, self-respecting mode of living * * * is likely to be more than a sizable proportion of our senior citizens can afford."

The picture was sketched for us in more vivid terms during our hearings by the testimony of scores of elderly people who reported from their own experiences. Too frequently the term "golden years" is surrounded by bitter irony. The composite picture of our senior citizens, rather than being one of the elderly couple living in modest but graceful retirement, is all too often that of lonely men and women, marking off the days in rented rooms, in isolation from the mainstream of community life, eating in cheap cafeterias, and living in anixety under the constant spectre of a major illness which will wipe out whatever savings they may have.

As Dr. Margaret Mead observed during our Boston hearings, in some respects we treat our aged worse than the Eskimos, since they at least allowed the old people themselves to choose death if they had become a burden upon their children and grandchildren.

Throughout our hearings the most crucial area of concern, and the recurrent theme in the testimony of the elderly witnesses was that of health care. For old people spend more on health services than do the young, and this comes at a time when income has been sharply reduced. And I need hardly emphasize to you ladies and gentlemen that physical rehabilitation is the first step toward vocational rehabilitation.

In this respect I was particularly impressed by the testimony of Dr. Jack R. Ewalt, director of the Massachusetts Mental Health Center. Dr. Ewalt cited the National Health Survey which indicates that of the people aged 65 or over covered by the survey, 78 percent had some chronic illness. But, Dr. Ewalt points out, when one examines the figures on chronic illness more closely, one finds that in spite of chronic disorders only 14 percent of the older patients were unable to carry on major activity. Thirty-five percent were in no way limited in activity, an additional 8 percent not limited in any major activity, while 20 percent were in truth limited in the amount and kind of major activity they could carry on. Eighteen percent of the older people could not get around alone.

"Thus, at least 80 percent of older people insofar as their general physical and mental health is concerned, can carry on some type of useful activity."

OLDER FOLK ARE CAPABLE OF USEFUL EFFORT

This then should be the minimum goal of rehabilitation at every level of governmental activity—to assure that at least this 80 percent has the opportunity for independence and the self-respect of engaging in some constructive and useful activity.

It was pointed out also by Dr. Ewalt and other medical experts that many of the mental disorders associated with senility are more an expression of social, psychological, and economic pressures upon a person with lowered brain reserve than they are due to any change in the structure of the brain itself. Therefore, with adequate assessment and rehabilitative programs, many of the aged now simply vegetating in our institutions could be helped to rejoin the active currents of community life.

In addition, there are approximately 450,000 aged in institutions which are loosely classified as nursing homes. Yet, a study indicated that 60 percent of the homes have no registered professional nurse, and one-third have neither a registered nurse nor a licensed practical nurse. Many, if not the majority, of the patients would not need to be institutionalized if we had adequate low-rental housing planned specifically for the aged.

But to achieve our goals—to give every man and woman the will and the opportunity to use what is usable—to assure our senior citizens the right to spend their remaining years in pride and dignity rather than pity and degradation—we must take inventory now. This is not a casual situation which we may face in the luxury of our leisure, for millions of those most directly affected will not be here 5 or 10 years from now. And increasing numbers in the near future will be facing the same problems.

FOUR POINTS ARE STRESSED FOR SENIOR CITIZENS

To meet these problems, I have developed a charter of independence for senior citizens.

First, to assure such independence, hospital and medical insurance must be placed within the reach of the nonindigent aged; and social security and old-age assistance payments must be raised to a realistic level which will make possible a decent minimum standard of living.

Second, we can no longer postpone the creation and expansion of health centers dedicated to providing up-to-date restorative services for the aged who are chronically ill. Nor can we delay further the upgrading of the quality of care in nursing homes for those aged persons who definitely cannot be rehabilitated.

Third, my experience during the past several months as a member of the Senate Subcommittee on Problems of the Aged and Aging has convinced me that there are literally hundreds of thousands of older citizens who really do not belong in the institutions in which they now live. The establishment of extensive home medical care and homemaker services for such men and women is called for, as another step toward the independence of our senior Americans.

Fourth, because independence requires decent living arrangements and opportunities for meaningful activities, the elderly have every right to a greatly expanded program of low-rental housing, the establishment of community centers, and the provision of such services as counseling and adult education.

Certainly these are the minimal goals which must be realized by concerted and coordinated efforts at the local, State, and Federal levels. Needless to say, the realization of these goals will not be achieved without considerable financial outlay. But as the richest Nation in the world we cannot afford to do less.

It is worth remarking, that during recent years we have been consistently decreasing the proportion of our national income being devoted to all welfare purposes, including the aged. As Dr. Seymour Harris of the department of economics of Harvard University pointed out, "* * * despite a rise of gross national product of $124 billion in the last 6 years: that is, from 1950–51 to 1956–57, the rise in welfare expenditures by the Federal Government, exclusive of insurance was only $1.5 billion, or a little more than 1 percent." And as Dr. Harris later remarked, "The Federal Government now seems to have a horror of getting into debt, but no horror at all of getting everybody else into debt. The net result, therefore, is that State and local governments which have much more serious financial problems than Federal Government are asked by the President, for example, in his budget address of 1960, to assume a larger part of the burden of * * * taking care of the old."

NOT IN AGREEMENT WITH NARROW CONSUMER CONCEPT

This record is perfectly consistent with the aims of this administration as expressed by the Chairman of the President's Council of Economic Advisers last year when he stated "As I understand an economy its ultimate purpose is to produce more consumer goods. This is the object of everything we are working at: to produce things for consumers."

Ladies and gentlemen, this is, I suggest a shockingly gross and materialistic conception of our national destiny. If this is truly the aim—merely to produce and consume things—if this is the aim of the Nation which produced Jefferson and Lincoln, then we are already truly lost.

But I will not accept this low estimate of American aspirations. I believe our national destiny is more than this. I believe it is to continue to maintain and extend the ideals of human dignity, self-respect, and self-fulfillment for every individual. As these values bear upon the theme of this conference, I conclude by quoting an injunction left us by one with a somewhat higher vision of life than that of the bookkeepers of this administration.

In the words of John Galsworthy: "Restoration is at least as much a matter of spirit as of body, and must have as its central truth, body and spirit are inextricably conjoined. To heal the one without the other is impossible. If a man's mind, courage, and interest be enlisted in the cause of his own salvation, healing goes on apace; the sufferer is remade; if not, no mere surgical wonders, no careful nursing, will avail to make a man of him again. Therefore, I would say, from the moment he enters the hospital, look after his mind and his will; give him food; nourish him in subtle ways; increase that nourishment as his strength increases. Give him interest in his future. Light a star for him to fix his eyes on, so that when he steps out of the hospital, you shall not have to begin to train one who, for months, perhaps years, has been living mindless and will-less, the life of a half-dead creature.

"A niche of usefulness and self-respect exists for every man, however handicapped, but that niche must be found for him. To carry the process of restoration to a point short of this is to leave the cathedral without a spire. To restore him, and with him the future of our countries, that is the sacred work."

SENATE

TUESDAY, FEBRUARY 2, 1960

(Legislative day of Monday, February 1, 1960)

The Senate met at 10:30 o'clock a.m., on the expiration of the recess.

Rev. Hugh K. Wolf, pastor, St. Agnes Catholic Church, Vermillion, S. Dak., offered the following prayer:

O most loving God turn Thine ears to our prayer, and illumine, by the grace of the Holy Spirit, the hearts of our Senators, that they may worthily fulfill the duties of their great office. We pray that the Holy Spirit who proceeds from Thee may lead them to all truth.

Direct and guide them in their work of world leadership, so that their every action may be pleasing to Thee.

Grant that under our country's leadership true peace may be restored—that peace which the world cannot give. May, then, this august body, with Thy help show the way to right order, true justice, and charity, toward our fellow men. Enlighten, guide, strengthen, and defend them, through Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 2, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EDMUND S. MUSKIE, a Senator from the State of Maine, to perform the duties of the chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MUSKIE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARTLETT, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 1, 1960, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. BARTLETT. Mr. President, I ask unanimous consent that there be the usual morning hour for the introduction of bills and the transaction of routine business, and that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARTLETT. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—I merely wish to observe one of the inconsistencies which sometimes rise to plague us in the Senate. To transact the business of the Senate, we have been ordered to report here at 10:30 this morning, which some of us, at any rate, at least a few of us, I am glad to say, have been delighted to do. Nevertheless, now, in order to complicate the problem of obtaining a quorum for the transaction of business, we are confronted with a unanimous consent agreement to enter into a perfectly legal conspiracy authorizing certain Members of the Senate, to wit, the members of the Committee on Foreign Relations, to stay away from this session of the Senate so that they may attend on the business of the Committee on Foreign Relations. It is a rather interesting parliamentary inconsistency.

I have no objection to the request.

Mr. BARTLETT. The acting majority leader is in thorough agreement with the distinguished Senator from California.

Mr. KUCHEL. I was sure the able Senator from Alaska would agree with me. I may say I hope that before too long our colleagues will have seen fit to answer the call for a quorum, so that we may proceed with the business of the Senate.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

Mr. BARTLETT. Mr. President, following this exchange, it is with some diffidence that I make my next request. I ask unanimous consent that the Internal Security Subcommittee of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—the conspiracy is now being compounded, so that more of our colleagues may remain absent from the Senate.

Mr. BARTLETT. The acting majority leader is still in agreement with the Senator from California.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Aeronautical and Space Sciences Committee and the Preparedness Investigating Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the Senate Interstate and Foreign Commerce Committee be permitted to sit during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARTLETT. Mr. President I also ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

A letter from the Chairman, Advisory Commission on Intergovernmental Relations, Washington, D.C., reporting, pursuant to law, on the activities of that Commission, as of January 31, 1960; to the Committee on Government Operations.

AMENDMENT OF CODE RELATING TO PROTECTION OF EMPLOYEES OF DEPARTMENT OF LABOR AGAINST ASSAULTS AND HOMICIDES

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to include officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides (with accompanying papers); to the Committee on the Judiciary.

REPORT ON POSITIONS IN GRADES 16, 17, AND 18, TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on positions in grades 16, 17, and 18 of the Classification Act in that Department (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

The memorial of B. B. Feldenfeld, of Beaver Falls, Pa., remonstrating against the policy of the Small Business Administration in

making loans; to the Committee on Banking and Currency.

A petition signed by John S. P. Goode, and sundry other employees of the Quartermaster Research and Engineering Command, Natick, Mass., praying for the enactment of legislation to make available to them social security coverage, as well as civil service retirement benefits; to the Committee on Finance.

RESOLUTIONS OF KANSAS OIL MEN'S ASSOCIATION

Mr. CARLSON. Mr. President, the Kansas Oil Men's Association meeting in convention in Wichita, Kans., on January 18, 1960, adopted several resolutions in regard to the oil industry.

The resolutions committee was composed of W. B. Dalton, chairman, R. H. McClellan, Ernest Unruh, Charles Dungey and C. C. Abercrombie.

These resolutions deal with several phases of the oil industry's problem, but I wish to call attention to Resolution No. 1, which sets forth that the State and Federal gasoline tax in Kansas now adds approximately 43 percent to the retail price of gasoline.

In view of the importance of the oil industry to our Nation, and particularly to Kansas, I ask unanimous consent that these resolutions be printed in the RECORD, and referred to the appropriate committee.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"RESOLUTION No. 1

"Whereas efforts may be made by the administration to further advance the Federal gasoline tax by ½ to 4½ cents; and

"Whereas the State and Federal gasoline tax in Kansas now adds approximately 43 percent to the retail price of gasoline; and

"Whereas efforts may also be made to extend the 1-cent increase in the Federal gasoline tax beyond the original date of expiration of July 1, 1961; and

"Whereas large amounts of the automotive taxes now collected by the Federal Government are diverted from the highway trust fund to the general fund of the U.S. Treasury: Therefore be it

"Resolved by the Kansas Oil Men's Association in convention here assembled in Wichita, Kans, on January 18, 1960, That the U.S. Congress be strongly urged against a further advance of gasoline tax by one-half cent; and

"That the 1-cent increase levied as of October 1, 1959 be terminated July 1, 1961 as stipulated by the original law; and

"That all automotive taxes collected by the Federal Government be earmarked for the highway trust fund.

"RESOLUTION No. 4

"Whereas operation of the percentage-depletion tax provision for oil and natural-gas production over more than a third of a century has proved itself of immense public benefit by insuring this Nation adequate supplies of petroleum in peace and in war at amazingly low prices; and

"Whereas elimination or reduction of this time-proved provision would result in impairment of the health of the domestic industry to the severe detriment of our national security; and

"Whereas the percentage-depletion provision is no more than a tax-equalization measure that takes due cognizance of the unusual risks inherent in the exploration for and development of much-needed oil reserves: Therefore be it

"Resolved, by the Kansas Oil Men's Association in convention here assembled in Wichita, Kans., on January 18, 1960, That we strongly oppose any effort to reduce, eliminate, or otherwise tamper with present percentage depletion for oil and natural gas."

To the Committee on Interstate and Foreign Commerce:

"RESOLUTION No. 5

"Whereas recurrent proposals have been and are being made to divorce one or another segment of integrated oil companies from some or all other segments of such companies; and

"Whereas any such artificial divorcement would seriously impair the national welfare by depriving the public of the results of economies achieved through proper integration; and

"Whereas this divorcement would unduly restrict the natural development of the petroleum industry in accord with the basic principles of free-enterprise economics, thereby endangering the dynamic growth of a domestic industry essential to the national security; and

"Whereas such divorcement would put arbitrary, unwarranted limits on the opportunity of all within the petroleum industry, jobbers included, to expand their businesses to the full extent that their own capacity to serve the public warrants: Therefore be it

"Resolved, by the Kansas Oil Men's Association in convention here assembled at Wichita, Kans., on January 18, 1960, That we firmly oppose any and all moves to impose any measurement of divorcement on the petroleum industry.

"RESOLUTION No. 6

"Whereas there have been various proposals in the Congress of the United States to bar petroleum jobbers and other wholesale distributors of petroleum products from dealing in tires, batteries, and accessories; and

"Whereas any such legislation would constitute a serious infringement on the principles of competitive free enterprise; and

"Whereas this restrictive legislation would, without cause, deprive jobbers and other wholesalers of a legitimate source of income essential to their continued operations; and

"Whereas existing laws have proved entirely adequate to rule out such admittedly undesirable practices as would tend unduly to restrict trade or in any way promote monopoly in this area of sales: Therefore be it

"Resolved, by the Kansas Oil Men's Association in convention here assembled in Wichita, Kans., on January 18, 1960, That we actively oppose enactment of these proposed measures; and be it further

"Resolved, That a copy of this resolution, properly endorsed, be transmitted to the Honorable JAMES ROOSEVELT, chairman of the subcommittee on petroleum distribution practices, House Office Building, Washington, D.C., as an expression of the will of this assembly."

"RESOLUTION No. 9

"Whereas the various segments of the petroleum industry have in the past proved themselves fully capable, despite occasional conflicts, of adjusting differences of opinion among themselves in fairness to all parties concerned; and

"Whereas any departure from past practices of cooperative discussion and mutual concession could result only in sapping the strength of the industry; and

"Whereas any resort to Government intervention to settle issues of difference between the various segments of the industry would be particularly disastrous since it would invite bureaucratic regimentation of the entire industry: Therefore be it

"*Resolved,* That we, the Kansas Oil Men's Association in convention here assembled in Wichita, Kans., January 18, 1960, pledge ourselves not to ask for intervention by the Federal Government in the solution of any intra-industry problems; and be it further

"*Resolved,* That we call upon all others in the industry to follow this course instead of jeopardizing the national liberties by seeking alleged solutions through Federal action."

RESOLUTION OF CITY COUNCIL OF GILBERT, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the city council of the city of Gilbert, Minn., relating to certain deductions under the income tax provisions of the Internal Revenue Law.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

It was duly moved and supported that the following resolution be adopted: be it

Resolved, That the city of Gilbert, St. Louis County, Minn., acting through its city council at a regular meeting, go on record as urging its representatives in the U.S. Congress to pass a bill, H.R. 9233, introduced by Congressman FASCELL, which bill would amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; and

Further, That a copy of this resolution be forwarded to the Honorable JOHN BLATNIK, Congressman from the 8th District, HUBERT HUMPHREY, and EUGENE MCCARTHY, Senators from the State of Minnesota; and

Further, That a copy of this resolution be forwarded to the Opa-locka Civic Improvement League of Opa-locka, Fla.

Rollcall:

Ayes: Councilmen Pauline, Grahek, Brula, Clerk Godich, and Mayor Klobuchar.

Nays: None.

Motion declared carried and resolution declared adopted.

STATE OF MINNESOTA,
County of St. Louis, ss:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the city council of the city of Gilbert, St. Louis County, Minn., at a regular meeting held January 7, 1960, and that same was spread in the minutes of said meeting.

MARTIN L. GODICH,
City Clerk.

RESOLUTION OF LODGE 205, SLOVENE NATIONAL BENEFIT SOCIETY, DULUTH, MINN.

Mr. HUMPHREY. Mr. President, I have received a resolution adopted by Lodge No. 205 of the Slovene National Benefit Society of Duluth, Minn., favoring the enactment of House bill 4700, the Forand bill, to improve the social security system. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the most depressing care facing millions of retired citizens in the United States is fear of what will happen if and

when a serious illness strikes. Private insurance is not dependable, ever rising monthly premiums are forcing many of these people to forego this insurance, because the benefits they receive are insufficient even to provide for necessary food, clothing, and shelter; and

Whereas our Government is spending billions of dollars for various subsidies and foreign aid, including aid to some foreign governments which were our enemies during recent wars. Certainly, we should be mindful of our own people who helped to make America what it is today. We must remember too, that these people, besides helping to build America, reared the young men and women who fought and died on foreign soil; Therefore, be it

Resolved, That we again petition the present session of Congress to seriously consider to improve our social security system, by adopting the Federal health insurance bill introduced by Representative AIME FORAND; and be it further

Resolved, That we urge our Senators and Representatives in Congress, to work diligently to make this long overdue improvement possible at this session of the 86th Congress.

This resolution was unanimously adopted at the regular meeting of Lodge No. 205 of the Slovene National Benefit Society, Sunday, January 17, 1960.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

ADDITIONAL TEMPORARY EMPLOYEES FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 265) authorizing the Committee on Labor and Public Welfare to employ temporarily an additional assistant chief clerk and additional staff and clerical personnel, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1960, through January 31, 1961, to employ one additional assistant chief clerk, six additional professional staff members, and eight additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, 80th Congress, approved February 19, 1947, as amended.

STUDY OF PROBLEMS OF THE AGED

Mr. MCNAMARA, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 266) authorizing a comprehensive study of problems of the aged, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to the problems of the aging including, but not limited to, (a) a study of the major problems of the aged, (b) a study of the existing programs of agencies, both public and private, dealing with problems of the aged, (c) a study of the present role of the Federal Government in dealing with problems of the aged, and (d) a study of any additional Federal programs which should be undertaken to help solve the problems of the aged.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 267) authorizing the Committee on Labor and Public Welfare to make a study of matters pertaining to migratory labor, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to migratory labor including, but not limited to, such problems as (a) the wages of migratory workers, their working conditions, transportation facilities, housing, health and educational opportunities for migrants and their children, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be fixed so that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Robert O. Boyd, of Oregon, to be a member of the National Mediation Board;

Dr. Theodore Robert Van Dellen, of Illinois, Dr. Warner Lee Wells, of North Carolina, and Dr. Maynard Kiplinger Hine, of Indiana, to be members of the Board of Regents of the National Library of Medicine, Public Health Service;

J. Richard Crout, and sundry other candidates, for personnel action in the regular corps of the Public Health Service; and

Harry F. Colfer, and sundry other candidates, for personnel action in the regular corps of the Public Health Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARTLETT (for Mr. Moss):

S. 2959. A bill to clarify the right of States to select certain public lands subject to any outstanding mineral lease or permit; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSTON of South Carolina:

S. 2960. A bill to establish the position of Administrative Assistant Secretary of Health, Education, and Welfare; to the Committee on Post Office and Civil Service.

By Mr. WILEY:

S. 2961. A bill to include officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides; to the Committee on the Judiciary.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER:

S. 2962. A bill to grant 81 acres of public domain to the Cocopah Indians in Arizona; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. BARTLETT, Mr. FONG, Mr. LONG of Hawaii, Mr. JOHNSTON of South Carolina, and Mr. NEUBERGER):

S. 2963. A bill to provide for the transportation of first-class mail to and from the States of Alaska and Hawaii by the most expeditious means available; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2964. A bill for the relief of Kang Sun Ok; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 2965. A bill for the relief of Earl G. Phillips; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON:

S. 2966. A bill for the relief of Antigone Apostolaki Cassel; and

S. 2967. A bill for the relief of Huan-pin Tso; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 2968. A bill to preserve farm wheat acreage history for the years 1960 through 1964 without regard to whether any wheat is planted; to the Committee on Agriculture and Forestry.

By Mr. BRIDGES (for himself and Mr. SYMINGTON):

S. 2969. A bill to authorize the award posthumously of appropriate medals to Chaplain George L. Fox, Chaplain Alexander D. Goode, Chaplain Clark V. Poling, and Chaplain John P. Washington; to the Committee on Armed Services.

RESOLUTIONS

ADDITIONAL TEMPORARY EMPLOYEES FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

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(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

STUDY OF PROBLEMS OF THE AGED

Mr. McNAMARA, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 266) authorizing a comprehensive study of problems of the aged, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

STUDY OF MATTERS PERTAINING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 267) authorizing the Committee on Labor and Public Welfare to make a study of any and all matters pertaining to migratory labor, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full, which appears under the heading "Reports of a Committee.")

AMENDMENT OF CODE RELATING TO ASSAULTS AND HOMICIDES ON EMPLOYEES OF DEPARTMENT OF LABOR

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to make it a Federal crime to kill or interfere with the performance of duty of an official, or employee, of the Department of Labor.

The purpose of the bill is to provide Federal protection similar to that now covering other Federal employees or officers in the performance of their duties. The law now makes it a Federal crime under section 1114 of title 18, United States Code, punishable under Federal law for anyone to kill any officer or employee of the Federal Bureau of Investigation, post office inspector, the National Park Service, Bureau of Land Management, Department of Agriculture, or any of the many other Government officials and employees specified in that section, while engaged in the performance of their official duties.

Section 111 of title 18 also makes it a Federal crime for anyone forcibly to assault, resist, oppose, impede, intimidate or interfere with any person with such duties.

The proposed legislation would give similar protection to officers and employees of the Department of Labor.

Assault against a person, of course, is a crime in all States. Unfortunately, however, there have been instances in which the prospect of violating State laws has not served as a preventive for interference with Federal employees carrying out their duties.

If anyone contemplating interference with an official were aware that a violation of a Federal criminal statute would be involved, the probability of such interference would undoubtedly be reduced.

The amendment of the statute to include Department of Labor officials and employees, I believe, would be a justified extension of Federal protection to employees and individuals in the Federal employment.

I ask unanimous consent to have the text of the bill I am introducing printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2961) to include certain officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1114 of title 18, United States Code, is hereby amended by striking out "or any officer or employee of the Indian field service of the United States," and inserting in lieu thereof "any officer or employee of the Indian field service of the United States, or any officer or employee of the Department of Labor assigned to perform investigative, inspection, or law enforcement functions,".

GRANT OF CERTAIN LAND TO COCOPAH INDIANS IN ARIZONA

Mr. GOLDWATER. Mr. President, I introduce, for appropriate reference, a bill to grant 81 acres of public domain to the Cocopah Indians in Arizona.

The Cocopah Reservation consists of two noncontiguous tracts of land aggregating 446.20 acres. The tracts are located on the east side of the Colorado River, and they were reserved by Executive Order 2711, dated September 27, 1917, for the use and occupancy of the Cocopah Indians. The public domain that will be added to the reservation by this bill lies between the east line of a U.S. Reclamation Service levee in the Yuma project, and the western boundary line of one of the reservation tracts.

The Cocopah Indians have continuously occupied this land since the reservation was created, and have always considered it to be a part of the reservation. This view has also been shared by the Bureau of Reclamation.

Lots 3, 4, and 5 contain 8.33 acres and are being used for farming and gardening. If added to the reservation, they will form a natural western boundary. Because of their small acreage they cannot be used economically by anyone other than the Indian occupants. An Indian cemetery, church, and cry house, or special structure for mourners at funeral rites, are located on approximately 10 acres of lot 14. The remainder of lot 14, and all of lot 15 are being occupied and used by the Indians for farming purposes. While these lots have been used by the Cocopah Indians ever since their small reservation was established and assumed by them to be a part of their reservation, the question of ownership was raised only in the last few years. In response to a request for an opinion as to whether these lots were a part of the reservation, the Solicitor of the Department of the Interior concluded that they were not.

According to the Department of Interior's local records, no claim has been filed on any of these lots, which were temporarily withdrawn in aid of legislation on December 8, 1958.

The latest approved census roll of the Cocopah Tribe shows that of the 85 enrolled members 21 are residing on the public domain to be withdrawn under this bill. While all enrolled members will benefit indirectly by the addition of the public domain to the reservation, the 21 Cocopahs now residing thereon will benefit directly. To protect the interests of these Indians and to assure them of their continued use of the land, I am of the opinion that the public domain described in this bill should be made part of the reservation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2962) to grant 81 acres of public domain to the Cocopah Indians in Arizona, introduced by Mr. GOLDWATER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXPEDITIOUS HANDLING OF MAIL TO AND FROM ALASKA AND HAWAII

Mr. GRUENING. Mr. President, on behalf of myself, my colleague, the senior Senator from Alaska [Mr. BARTLETT] the senior Senator from Hawaii

[Mr. FONG], the junior Senator from Hawaii [Mr. LONG], the senior Senator from South Carolina [Mr. JOHNSTON], and the junior Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a bill to provide that first-class mail to and from Alaska and Hawaii and the other States of the Union be transported by the most expeditious means available.

The distinguished junior Senator from Oklahoma [Mr. MONRONEY] has sponsored a bill—Senate bill 2402—which is order No. 818 on the Senate Calendar, and which would achieve the same result for all the States. I have supported and still do strongly support S. 2402 because I feel that in this jet age we should no longer rely upon horse and buggy means for the citizens of the United States to communicate with each other. Mr. President, nothing can serve to bind the States closer together than speedy communication. I shall continue to support S. 2402 and hope it is enacted soon.

In the meantime, however, with the admission of Hawaii and Alaska into the Union, it becomes imperative that these two new noncontiguous States be brought as physically close within the Union as modern transportation advances can achieve. Already in Alaska, all mail within the 49th State is transported by air. The bill which we introduce today bridges the gap between the shores of Seattle and the shores of Alaska. In this age of speed, it is an intolerable burden to expect commerce to bear, to have mail from Seattle and San Francisco travel by slow boat to Alaska and Hawaii.

The junior Senator from Oklahoma [Mr. MONRONEY] has called the existing situation a bottleneck. Concerning it he said:

> Certainly the rates of carriage of first-class mail, at least, would be so low on contract cargo basis or on space available on airlines that are now subsidized pretty heavily in Alaska, that we could and should break this bottleneck at the earliest possible time.

With this statement I heartily concur. The bill I have introduced seeks to end this bottleneck. I hope it will be speedily enacted.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2963) to provide for the transportation of first-class mail to and from the States of Alaska and Hawaii by the most expeditious means available, introduced by Mr. GRUENING (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

DEMONSTRATION FOOD STAMP ALLOTMENT PROGRAMS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 27, 1960, the names of Senators CLARK, MORSE, SYMINGTON, HENNINGS, and YOUNG of North Dakota were added as additional cosponsors of the bill (S. 2920) to provide for the establishment of experimental food stamp allotment programs, introduced by Mr. HART on January 27, 1960.

EXPRESSION OF INDIGNATION OF CONGRESS AT DESECRATIONS OF HOUSES OF WORSHIP AND OTHER SACRED SITES—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of January 29, 1960, the names of Senators DOUGLAS, BUSH, and CLARK were added as additional cosponsors of the concurrent resolution (S. Con. Res. 84) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites, submitted by Mr. JAVITS on January 29, 1960.

FEDERAL AID TO EDUCATION—ADDITIONAL COSPONSOR OF AMENDMENTS

Under authority of the order of the Senate of February 1, 1960, the name of the Senator from Illinois [Mr. DOUGLAS] was added as an additional cosponsor of the amendments intended to be proposed by Mr. MORSE (for himself and Senators BARTLETT, CHAVEZ, CLARK, BUSH, DODD, MANSFIELD, MURRAY, and Mr. MARTIN) to the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, submitted on February 1, 1960.

REPORT ON ORGANIZATION AND PROCEDURE OF NATIONAL LABOR RELATIONS BOARD BY ADVISORY PANEL ON LABOR-MANAGEMENT RELATIONS TO COMMITTEE ON LABOR AND PUBLIC WELFARE (S. DOC. NO. 81)

Mr. MCNAMARA. Mr. President, on behalf of the Senator from Massachusetts [Mr. KENNEDY] I submit a report prepared by the Advisory Panel on Labor-Management Relations to the Committee on Labor and Public Welfare on the organization and procedure of the National Labor Relations Board. This panel was appointed by the Committee pursuant to Senate Resolution 66, as amended by Senate Resolution 141. I ask unanimous consent that the report be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

NOTICE OF ADDITIONAL PUBLIC HEARING ON SENATE RESOLUTION 94, BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, on January 27, 1960, the Committee on Foreign Relations met in public session both morning and afternoon to receive testimony from those who had expressed an interest in testifying on Senate Resolution 94, which would serve to amend Senate Resolution 196 of the 79th Congress, 2d session, which authorized U.S. acceptance of the compulsory jurisdiction provisions of the International Court of Justice under certain conditions. Some requests to be heard were received too late to be included in the schedule on January 27, and, at the conclusion of the hearings on that date, it was announced that an additional hearing would be scheduled in order that those who had asked to testify up to that date would have an opportunity to do so.

I wish to announce that the Committee on Foreign Relations will hold that additional public hearing on Senate Resolution 94 on Wednesday, February 17, 1960, at 10 a.m., in room 221, New Senate Office Building.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GOLDWATER:

Address delivered by him before the American National Cattlemen's Association at Dallas, Tex., on January 29, 1960.

By Mr. HUMPHREY:

Address entitled "Policies for the Sixties," delivered by him before the National Press Club at Washington, D.C., on January 5, 1960.

Excerpts from address delivered by him before Texas Farmers Union banquet at Fort Worth, Tex., on December 4, 1959, on the subject "The Forgotten Man: The American Farmer."

Address entitled "Banish Poverty From America," delivered by him before West Virginia Legislature at Charles Town, W. Va., on January 25, 1960.

DEACTIVATION OF AIR RESCUE SQUADRONS

Mr. BARTLETT. Mr. President, the noted political cartoonist, Herblock, recently expressed in his usual telling fashion the peculiar budgetary philosophy of the administration. Herblock's cartoon showed an automobile, stripped of its tires. The tires lay in a pile in the drawing. "That gives us a surplus of 4 tires," said a figure in the cartoon. "Now if we take out the engine."

I mention this, Mr. President, in passing only. It is easy to balance budgets—on paper at least—by eliminating essential Government services. We Alaskans fear that this technique has been applied to our detriment most recently in the decision to inactivate the 71st Air Rescue Squadron, which has been serving at Elmendorf Air Force Base, Alaska. The inactivation of the Alaska squadron parallels the inactivation of three other air rescue squadrons in the United States. In March 1960 the 41st Air Rescue Squadron, Hamilton Air Force Base, Calif., and the 46th Air Rescue Squadron, Otis Air Force Base, Mass., will be inactivated. Elimination of the 64th Air Rescue Squadron, Bergstrom Air Force Base, Tex., will follow in June of this year.

Perhaps no area in the world has greater need of air rescue and search operations than Alaska. Representative Peter Kalamarides, of the Alaska Legislature, expressed this need well in his letter of December 11 to the President of

the United States, protesting the inactivation announcement:

There is no other State in the Union with so many square miles of land that has so shockingly few miles of highway. No other State where population centers, both large and small, are separated by mountain masses and bodies of water accessible only to aircraft. No other State with so high a quota of light aircraft per population, the accepted mode of transportation within our boundaries, accepted because the airplane is the only resort. Naturally it follows that our heavy air traffic occasions accidents. And again, the cause of the majority of our accidents is the direct result of those peculiarities of our terrain, weather conditions, and the frequent and complete blackout and resultant loss of radio communications common to this most northern State.

Once on the ground, the disabled aircraft and its occupants have no chance of becoming airborne. There is no convenient highway they can reach where help might be obtained. No stream to follow to its confluence with a river where a village might afford shelter. The mountain masses are an iron curtain severing radio beams which might mean help would come.

Let no one believe that the two air squadrons which will continue to function in the zone of interior—one in Florida and one in Hawaii—will be able to perform the functions which are to be abandoned by the squadrons in Alaska, Massachusetts, California, and Texas. The Air Force has discouraged such hope. The Air Force has advised me that the remaining units will have a high degree of mobility and will have the capability of rapid movement to other areas where specific Air Force operations require their presence. Here, Mr. President, the keywords are "specific Air Force operations," an implication that a departure is contemplated from the concept of humane service which has done so much in Alaska and elsewhere to build morale, respect, and cooperation between the civilian community and the military community.

Moreover, Mr. President, the Air Force has further advised me:

It is expected that the reduced force will have a very limited capability to participate in civil SAR missions under the national search and rescue plan.

Neither of the remaining air rescue squadrons, based within the United States, will be responsible for SAR (search and rescue) operations in Alaska. However, were the nature of emergency of sufficient magnitude, it is possible that resources of the 76th ARS, Hickam AFB, Hawaii, might be deployed to Alaska to assist. Air distance from Hickam AFB to King Salmon, Alaska, is 2,220 nautical miles, to Point Barrow, 3,000 nautical miles.

So, Mr. President, there is little hope held out that the civilian and military fliers in Alaska can look for effective search and rescue operations from the air rescue squadron in Hawaii. Such operations would be undertaken only in an emergency of sufficient magnitude—whatever that is—and would involve an air distance trip of 2,220 nautical miles from Hawaii to the closest point in Alaska, King Salmon.

Mr. President, I am a student of air safety, but I am not an expert. I am impressed by the fact that those who know the Alaska air-safety picture do not believe that the inactivation of the 71st Air Rescue Squadron can be offset by activities of the Civil Air Patrol or the Alaska National Guard. I am impressed, too, by the realization that until December 1959 the Air Force believed that the operation of the 71st Air Rescue Squadron was essential to the mission of the Air Force and the cause of air safety in Alaska. Then, in December, the Air Force reached the decision that the operation of the squadron was one of those items "which no longer appear essential." Why no longer essential? Because there is less flying in Alaska? Because the climate in Alaska has become balmy and tropical? Because Alaska has shrunk in size? Or, perhaps, is it because the budget is king?

As I have noted, the experts in Alaska air safety do not think that the 71st Air Rescue Squadron, whose members performed 267 search and rescue missions in the last 2 years, can be replaced. These experts know that five SH–21B aircraft of the squadron will be transferred to the Alaska Air Command. They know that the State of Alaska, through its adjutant general, Maj. Gen. Tom Carroll, has asked the Air Force to transfer the other squadron aircraft to the Alaska National Guard, so that the State itself can shoulder voluntarily increased air safety responsibility. Nevertheless, Mr. President, the experts are not assuaged. The 131 personnel of the squadron will be lost to Alaska. The specialized search and rescue skill and experience will be lost to Alaska. The existence of a unit with designated search and rescue responsibility will be lost to Alaska.

The Governor of Alaska does not think the squadron can be replaced. The adjutant general of Alaska, and the Alaska Committee of the Western Oil and Gas Association do not think so either. Nor does Mr. A. Innes Taylor, consultant on survival, search, and rescue to foreign commercial carriers. Nor does Mr. Denzil McCain, president of the Alaska Airmen's Association. Nor does Representative Kalamarides.

Mr. President, I ask unanimous consent that letters on this subject written by Mr. Taylor, Mr. McCain, Representative Kalamarides, and Mr. W. C. Bishop, of the Alaska Committee of the Western Oil and Gas Association, be printed in the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 5, 1960.

GOV. WILLIAM A. EGAN,
State of Alaska,
Juneau, Alaska.

DEAR GOVERNOR EGAN: The decision to deactivate the 71st Air Rescue Squadron at Elmendorf Air Force Base was the final act in a deteriorating situation which has gone on for 3 years and which now poses a serious problem for all air commerce in the State of Alaska.

The problem is not only one that concerns scheduled airlines and light aircraft flying from the United States to and into Alaska, but also the foreign carriers that operate over the polar routes from Europe through Alaska to the Far East.

Thinking in the Air Force seems to be that the solution to the problem is to delegate search and rescue to the CAP. This is possible only in part for they do not have the aircraft or the personnel to operate the sustained search and rescue operations of the magnitude that may be required. To revert back to the old system of Air Force bases being responsible for search and rescue in their own areas as it was prior to the establishment of the Air Rescue Service is to reestablish a system which was not too successful some 15 years ago.

The CAP still risks its pilots to search for individuals who fly in low-cut shoes and without sleeping bags in the wintertime; on the other hand good bush pilots and the scheduled airlines must and do conform with certain safety measures and when missing must be searched for. We all know how costly search and rescue operations can be and it is understandable that for the Air Force it is necessary to reduce operating expenditures wherever possible in this age of "all for missiles" but to sacrifice the Air Rescue Service in order to do this is to fail in their responsibilities for rescue operations which are so complex in the vast areas of the State and the adjacent United States and Canadian Arctic Ocean sectors.

In my capacity as a consultant for three foreign carriers, I advise them in matters of survival, search, and rescue which affect their operations in flying the polar routes.

All survival equipment carried on Polar route aircraft is predicated on what is known as survival time. This is the expected time between when a plane goes down and when it is found. During the past 5 years this time has varied from 5 to 6 days. Now with the coming of the jets on these routes and their greater passenger carrying capacity and greater fuel consumption the problem has had to be looked at again, bearing in mind that there is a definite limit of weight that can be carried in the way of survival equipment. We know that in the area extending from North Greenland to Demarcation Point (Canada-Alaska border) the Royal Canadian Air Force has long-range aircraft equipped with the "Sarah" searching device, and that they can search an area of 30,000 square miles at 10,000 feet in a DC–4 within 4 hours. We also know that the RCAF has 96 aircraft equipped with "Sarah" and that in Canada 4,000 aircraft carry the Sarah Homing Beacon (3½ lbs.). These polar route aircraft have in the past had the Air Rescue Service to rely on, but of recent times they could expect little assistance north of the Brooks Range. With seven flights each way a week from Europe to Alaska and the Far East, these carriers spend better than a million dollars in services in Alaska. This will increase as the traffic becomes more dense, as other carriers use the route. We cannot lose sight of the fact that the shortest route from Europe to the Far East is not through Alaska, but over to the Arctic Ocean and Siberia. We need to hold what we have.

I am enclosing two documents for your perusal, one written in 1957 and the other in 1959.

May I suggest that the Federal Government be urged to retain an adequate Search and rescue squadron in Alaska equipped with long-range aircraft with the most modern electronic searching devices and that a meeting be called with the following represented: Director of State aviation, commander Alaskan Air Command, FAA, CAP, USWB, ICAO, Col. Bernt Balchan. I would be glad to assist you in this if desired.

I earnestly urge action on this vital matter and wish to inform you of my intense interest and offer any assistance which I can give.

Most sincerely,

A. INNES TAYLOR.

P.S.—The Arctic Aero Medical Laboratory of the Air Force at Ladd Air Force Base is now testing the "Sarah" searching device. Mr. Stanley is in charge of the test.

ALASKA AIRMEN'S ASSOCIATION,
Anchorage, Alaska, January 11, 1960.
Senator BARTLETT,
Washington, D.C.

DEAR SIR: The Alaska Airmen's Association wish to go on record as protesting the disbanding of the 71st ARS here at Elmendorf AFB. We sincerely urge you to do all that you can, not only for the airmen that they assist but the general public in remote areas. This Alaska is a pretty big place and as you know sparsely populated. The lack of roads is a great deterrent to almost anyone that doesn't have a plane and the 71st has proven itself most admirably. We ask that you give this consideration and try again as you did before to stop the disbandment.

Sincerely,
DENZIL MCCAIN, *President.*

ALASKA COMMITTEE,
Anchorage, Alaska, January 12, 1960.
The Honorable DUDLEY C. SHARP,
Secretary of the Air Force,
The Pentagon, Washington, D.C.

DEAR SIR: The Alaska Committee of the Western Oil and Gas Association, representing some 17 operating oil companies in Alaska, opposes deactivation of the 71st Air Rescue Squadron. At the same time, we would like to compliment the Air Force on the excellent service the 71st Squadron has and does perform for both the civilian and military in Alaska. We realize, of course, the first line of duty is to the Air Force.

During the summer season, the oil companies cooperate with all agencies in search and rescue work by having radio stations, helicopters, planes, camps, etc., in remote areas of Alaska. We are proud of this role, but it is seasonal. Locally, we have always endeavored to thoroughly indoctrinate all our personnel in the art of self-preservation and survival. Our record, to my knowledge, is one fatality, however, at times during the summer, it has been necessary for us to call on the 71st. Since we are well aware of the problems individual to Alaska, we feel that an air rescue squadron based in the vicinity of Anchorage is a must and can only be adequately performed by the Air Force.

In view of the urgent need, by both military and civilian, of such services in the State of Alaska, we request the Air Force reconsider the 71st Air Rescue Squadron deactivation plans.

Very truly yours,
W. C. BISHOP,
Chairman.

ANCHORAGE, ALASKA.,
December 11, 1959.
The PRESIDENT,
The White House, Washington, D.C.

MR. PRESIDENT: It is with grave concern that we in Alaska attempt to assimilate the portent within the news release that the 71st Air Rescue Squadron assigned to Elmendorf Air Force Base in Anchorage, Alaska, is to be deactivated in March of 1960.

We do not pretend to know or understand the reasoning which has prompted the deactivation of rescue groups elsewhere in these United States; however, we cannot lead ourselves to believe that the matter of air rescue in the State of Alaska can be properly or intelligently grouped and classified as similar to air rescue problems in other sections of the country. Prudence, indeed, would indicate that the lifeline of air rescue long established within the territory, and now State, of Alaska, should not be abandoned for light or transient causes.

I do not cry "wolf." I am not an irascible child crying against the removal of a favorite toy. I do not employ the distasteful usage of discrimination. I speak with a full worried knowledge of the peculiarities of my State to plead, to urge, to beg if it be necessary, that the deactivation of the Alaskan air rescue be stayed permanently.

There is no other State in the Union with so many square miles of land that has so shockingly few miles of highway. No other State where population centers, both large and small, are separated by mountain masses and bodies of water accessible only to aircraft. No other State with so high a quota of light aircraft per population, the accepted mode of transportation within our boundaries, accepted because the airplane is the only resort. Naturally, it follows that our heavy air traffic occasions accidents. And again, the cause of the majority of our accidents is the direct result of those peculiarities of our terrain, weather conditions, and the frequent and complete blackout and resultant loss of radio communications common to this most northern State.

Once on the ground, the disabled aircraft and its occupants have no chance of becoming airborne. There is no convenient highway they can reach where help might be obtained. No stream to follow to its confluence with a river where a village might afford shelter. The mountain masses are an iron curtain severing radio beams which might mean help would come. We carry emergency gear and rations in our Alaskan aircraft, regardless of the length of time or distance of our flights. Deprived of our sole chance of rescue by air, survival is numbered in days, even hours.

The development of Alaska is primarily one of logistics and communications. The search and development of oil, gas, and minerals, on a private or industrial basis, faces daily the thin line between life and death. The Government agencies in the course of their duties in conserving and promoting our forests, fishing, Federal airstrips, and radio control stations, the protection of wildlife and game, patrol their assignments by airplane.

Is the national need for the almighty dollar saved through the deactivation of Alaska air rescue so great, that its promoters would turn a deaf ear to the safety and welfare of our people? Is the courage of the Alaskans, whether civilian or government employed, considered so great that these same promoters of air rescue deactivation believe these folk can survive solely on courage? Man does not exist by bread alone, but draws his strength from faith and hope. Are the national budgetary limitations so great that dollars spent to offer hope and keep faith alive are to be extended to peoples on foreign soil but denied those Americans in need within our own shores? Any man who has kept a lonely vigil in the Alaska bush beside his disabled plane could tell you what it means to hear the beautiful sound of the air rescue helicopter, to see the great silver and red angel of mercy circling patiently, looking for a landing. Many and long are the stories told and retold of the exploits and mercy missions of the 71st. Perhaps no other single factor has so solidly welded into a united harmony a civilian and military population. Can an administration founded so soundly on the support and promotion of morale undermine that very thing, in a State so dependent upon morale? Can the removal of these some 131 personnel together with their mercy ships have a dollar value so vital to the interests of economy that this abandonment of Alaska Air Rescue can be so summarily enacted?

It has been said in the past that each department and bureau of the Federal Government had four complete staffs of employees working on Alaska's problems—one in Washington, one in Alaska, one in transit, and one on vacation. We should like now to feel that this is no longer true, that our problems are your problems and that you will grant us the right to determine what are our most urgent needs in this instance, and the help to take care of them—the 71st Air Rescue Squadron.

Respectfully yours,
PETER J. KALAMARIDES.

Mr. BARTLETT. Mr. President, the people of Alaska are apprehensive about the decision to inactivate the 71st Air Rescue Squadron, which has maintained a record of useful military and community service in Alaska. Risk for risk, we believe that the cause of air safety and human lives has unquestionable priority over the cause of budgetary savings. The cost of the squadron is measurable in thousands of dollars. I, for one, would hesitate to place value upon the lives of the civilians and airmen who live among us today because of the work of this squadron.

THE WINTER OLYMPIC GAMES

Mr. BIBLE. Mr. President, February 18 will signal the opening of the winter Olympic games at Squaw Valley, a spectacular event that will draw thousands of visitors from all over the world to the magnificent slopes of the Sierra Nevada Mountains.

Through legislative appropriation, Mr. President, the State of Nevada has evinced great interest in these winter Olympics, and the people of my State are rushing to completion plans designed to prove the fact that here you will find Western hospitality at its alltime best.

Reno, long known as "the biggest little city in the world," is the gateway to the Olympics, and its citizens are mindful of their responsibilities as hosts to vistors from America and many other lands. Sparks, a neighboring city, along with Nevada's capital, Carson City, as well as Minden and Gardnerville, will join nearby Lake Tahoe communities in doing their utmost to roll out the welcome mat.

A recent edition of the well-edited Nevada Highways and Parks magazine carries a lead article on Nevada joining her sister State of California in playing host to these games. I ask unanimous consent, Mr. President, that this article, entitled "Salute to the Olympics," be printed in the RECORD at the conclusion of my remarks.

On behalf of my colleague, the distinguished junior Senator from Nevada, and myself, may I express the hope that many of the Members of the Senate will be able to witness at least a part of these stirring events.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Nevada Highways and Parks magazine]

SALUTE TO THE OLYMPICS

Everything is set. Squaw Valley is poised and waiting, eager to play host to the world during the eighth Olympic winter games.

A few last-minute touches are yet to be made, but the Nevada hospitality center is about as ready as it will ever be for the massive invasion it will experience this month.

Although smaller than its near neighbor, the sky-filling ice arena, the Nevada building is by no means tiny. Inside its lofty walls, relaxing space will be provided for hundreds

of hungry and foot-weary spectators. Sweeping views may be seen from its two-story windows, notably the one to the south toward the ski jump which is sure to draw an endless stream of eager customers.

The Nevada building, like its less conspicuous twin to the west—the California hospitality center—is aptly designed to fit its setting. Its sharply pointed roof rises steeply, competing defiantly but futilely with the surrounding Sierra peaks. It is a structure which, once seen by anyone scanning the Squaw Valley skyline, will always be remembered.

And symbolically, it is a tangible expression of Nevada's support of these games which, for the first time, will draw world attention to the magnificent but little-known winter slopes of the Sierra Nevadas.

In Nevada, as in many parts of the country, enthusiasm for this 1960 event seemed at first slow to express itself. Naturally enough. Of the seven previous games, six were held in Europe and one—the Lake Placid contest in 1932—is remote in time if not in distance. It wasn't that people in this part of the West were against the Olympics, just that they didn't quite know all the rules of the game.

Another thing—the slopes of the Sierras have only lately been developed as a first-rate and important winter sports area. Merchants in California and Nevada began to enjoy the current land-office business in winter sports gear only a few years ago, about the time that new resorts, trails, and lifts began to sprout in the hills like springtime mushrooms. It used to be that for both watchers and doers, actual experience with the cold weather sports was somewhat in short supply.

But today the picture has changed completely. The number of avid snow sports fans increases every time there is a respectable storm in the high country. In contrast to the day 4 years ago when there was a "so-what" reaction to the news that Squaw Valley had been selected as the place, every new crumb of Olympics news is now eagerly awaited and names of athletes have become as well known as those of major league stars.

Add to the westerner's new-found interest in winter sports his familiar and well-tested zest for hospitality and a sure-fire combination is the result. Visitors to these games will indeed find a hearty welcome. They will find themselves surrounded by winter sports fans whose enthusiasm should immediately and—in the western tradition—loudly, be apparent. And they will discover that there is a real understanding today in the West of the basic purpose of these international games—to encourage young people everywhere into healthy and sportsmanlike competition.

Tougher than many people realize was the double task of getting Squaw Valley ready for hundreds of participating athletes, and at the same time providing necessary facilities for thousands of spectators.

Trickiest part of the job was overcoming weather and geography to transform this isolated and only partially developed area into a fully equipped site for the contests. Access into the valley was possible (until the new highway was completed this year) only by helicopter or via the single, often icy, road which meanders along the banks of the Truckee. Snowfall at the 6,200-foot valley floor level averages something like 9 feet annually and during winter months there is never a dearth of stormy, subfreezing weather.

Simply hauling in the raw building supplies, then, was an accomplishment, while putting together the complex of buildings large enough to hold a small city represented a real triumph of timing and planning.

So it is that everything will be ready and waiting for the athletes coming to Olmypic Village from every continent this February. There are dormitories with 300 rooms, a comfortable lounge, recreation and training facilities, sauna baths, and even banking and shopping facilities. There is a post office, a soda fountain, and buildings designed exclusively for the upkeep of skis and other sports hardware. There will be special menus for contestants featuring several different kinds of "home cooking." And to speed the hours between contests, there will be entertainment by a small galaxy of American radio, TV, and stage personalities.

For his nibs, the ordinary spectator, the huge ice arena will be the center of activity in the valley. This is a steel and concrete building of striking contemporary design which contains a 190-foot rink and seats from which some 7,000 people will watch hockey and figure skating competition. The south seating stands in the arena open out like oversized gates, allowing a direct view of speed skating on the adjacent 400-meter rink and of the opening and closing ceremonies. These ceremonies will be staged by Walt Disney, incidentally, with all the pomp and spectacle that is part of the Hollywood tradition.

Besides the two large rinks, there are three others for hockey and skating practice. On slopes of three surrounding peaks are laid out the courses that will be used for the six Alpine skiing events and, near the base of Papoose Peak, the 40-, 60-, and 80-meter jumps. Five ski lifts will transport competitors up to the ski courses on the slopes of Squaw, KT-22, and Papoose Peaks.

There are other installations, dozens of them—large and small, that could be mentioned for the vital part they will play during the games and after. And although there is neither space nor reason for a complete inventory here, it would be amiss not to mention a few, final items—the parking lot for some 12,000 cars, for example; the press center big enough for dozens of harried newsmen; complete sewer and water supply systems; restaurants and shops, including those at the two hospitality centers. Everything, in short—above and below ground—is ready for the February rush.

In Nevada, extensive planning for the games has been under way for months, climaxing in a feverish rush of preparations during the past few weeks. Center for this activity has been in Reno where hard-working city officials and members of the chamber of commerce have worked around the clock to get everything in shape for the February rush.

Also in Reno most meetings of the Nevada Olympic Games Commission and the Olympic games advisory board have been held. Function of these two bodies has been to assist top Olympic planners, at the same time coordinating Nevada's efforts with preparations going forward in California. An unending and varied array of matters had to be solved by the chamber and the committees—simple things like street decorations and more complex problems such as how to entertain hundreds of foreign athletes who will visit Reno following the contests. Rehearsed and ready are the dozens of Reno volunteers who will greet dignitaries, point out directions, and help with hundreds of assorted other chores.

While Nevada has been able to contribute only a limited amount of hard cash toward the staging of the games—as contrasted to the many millions spent in California—hospitality is available here in ample quantity. That the State will be called on to issue this commodity in generous amounts, there is no question. Western Nevada cities will become bustling arrival and departure points while Reno's fine new airport will take the brunt of the Squaw Valley traffic. Some 20,000 beds will be waiting in the Carson-Lake Tahoe-Reno areas for weary spectators and the celebrated entertainment spots on this side of the Sierras will no doubt come in for a fair share of attention.

Yes, Nevadans are waiting eagerly to greet their guests in February 1960. But they look forward with even greater anticipation to the contests on Squaw Valley's snowy slopes, hopeful that they will be the most successful ever held.

FEDERAL ELECTION REGISTRARS

Mr. TALMADGE. Mr. President, the proposal of the Attorney General of the United States that State and local election machinery be placed in the receivership of Federal referees appointed by Federal judges has been proved to be nothing more than a revival of one of the iniquitous Reconstruction acts.

The result of the enactment of such a scheme was graphically projected in an editorial featured by the Anderson (S.C.) Independent in its issue of January 29, 1960. The publisher of the Independent is a distinguished former member of this body, the Honorable Wilton E. Hall.

I ask unanimous consent, Mr. President, that the text of Mr. Hall's editorial entitled "Flock of Political Hacks Carrying Briefcases Next 'Carpetbaggers'?" be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Anderson (S.C.) Independent, Jan. 29, 1960]

FLOCK OF POLITICAL HACKS CARRYING BRIEFCASES NEXT "CARPETBAGGERS"?

Attorney General William P. Rogers is one of Vice President NIXON's closest cronies in Washington.

The other day Rogers and NIXON went into a huddle.

They talked about a plan to police elections in the South.

Rogers then announced his plan—creation of a flock of referees to be appointed by Federal judges.

This scheme is a substitute for the Civil Rights Commission plan which on its face was so glaringly unconstitutional that even the most ardent mixers were afraid to push it.

The Rogers-Nixon plan is aimed directly at the Southern States. It will enable the Federal Government to intervene and interfere in elections in any State in the Union, but the deal is directed at Dixie.

Senator RUSSELL, of Georgia, leader of the southern bloc, was quick to put his finger on the motive behind this latest outrageous proposal.

"It is regrettable," said Senator RUSSELL, "that the Attorney General of the United States has chosen to join in the mad political-year race to claim authorship of legislation tending to federalize our elections and to reflect upon and harass local election officials who are seeking to do their duty.

"The fact that he (Rogers) has stepped into the act lends color to the rumor that he is receptive to the nomination for the Vice Presidency on the Nixon ticket."

Even when aroused, Senator RUSSELL is always the gentleman and his use of the word "receptive" may be regarded as one of the understatements of the year. Rogers is hungry for the nomination, and one can be sure that he would not stop short of a series of Little Rocks if such action would help him obtain it.

You can be sure, also, that "Mixer" NIXON, a member in good standing of the

National Association for the Advancement of Colored People, is right in there scheming with his friend to take the second spot on the ticket.

The fact is that there is nothing new or unusual about the Rogers proposal to police elections in Southern States.

Senator TALMADGE, of Georgia, tears off the "modern" label and shows that the Rogers proposal is nothing more than a rehash of a similar law inflicted upon the South during the Reconstruction years. The scheme dates back to 1871.

During that period the South was overrun by carpetbaggers on Federal payrolls whose main business was to bar white people from the polls.

What the Ike-Nixon-Rogers combine now proposes is to send another flock of such vultures winging their way south. The only difference to be expected is that the new invaders will be slick, young political hacks and hopefuls wearing Ivy League suits and carrying the latest in briefcases.

Mr. TALMADGE. Mr. President, this morning the Honorable Charles J. Bloch, of Macon, Ga.—an eminent attorney who is numbered among this country's foremost authorities on the Constitution of the United States and the various court decisions interpreting it—testified before the Senate Committee on Rules and Administration in opposition to pending proposals for the appointment of Federal election registrars. He appeared as official spokesman of the State of Georgia, having been appointed deputy assistant attorney general by Gov. Ernest Vandiver and Attorney General Eugene Cook for that purpose.

In what undoubtedly is one of the most thoroughly documented analyses of the constitutional dividing lines between Federal and State authority in the field of voting, Mr. Bloch concluded that Congress does not have legislative power under the Constitution either to register voters or to conduct elections. He emphasized by citing decision after decision of the Supreme Court that Congress is limited by the Constitution to the fixing of the times, places, and manner of holding elections for Senators and Representatives.

Mr. Bloch's presentation is the work of a recognized scholar and dedicated constitutionalist and has no basis in partisanship. It is deserving of the most careful study and consideration of all Members of Congress who respect the oath they took to uphold the Constitution of the United States.

I ask unanimous consent, Mr. President, that the text of Mr. Bloch's testimony, together with my remarks in introducing him, be printed herewith in the body of the RECORD.

There being no objection, the introductory remarks and testimony were ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR HERMAN E. TALMADGE, OF GEORGIA, BEFORE THE SENATE COMMITTEE ON RULES AND ADMINISTRATION IN OPPOSING THE PROPOSED APPOINTMENT OF FEDERAL REGISTRARS AND IN INTRODUCING HON. CHARLES J. BLOCH, OF MACON, GA., DEPUTY ASSISTANT ATTORNEY GENERAL WHO TESTIFIED FOR THE STATE OF GEORGIA ON THE QUESTION

Mr. Chairman, it is a privilege to have an opportunity to appear before this committee on which I had the honor to serve during the 85th Congress. I wish to make a short statement of my views on the pending proposal and then to present one of our country's most eminent legal scholars who, as official spokesman for the State of Georgia, will discuss in detail the legal and constitutional barriers to such legislation.

There is no doubt in my mind but that the appointment of Federal registrars or Federal supervision of registration in any guise would be outside the scope of the limited constitutional authority of the Federal Government in the field of voting.

I am not alone in holding that view.

President Eisenhower at his news conference of last January 13 was asked whether he agreed with the recommendation of the Commission on Civil Rights that the President be empowered to appoint Federal registrars. He replied, and I quote: "I don't even know whether it is constitutional."

The reliable and respected Washington Star reported in its edition of Sunday, October 18, 1959, that this and the other recommendations of the Commission have "provoked bitter behind-the-scenes opposition" at the Department of Justice. The story written by Staff Writer Robert E. Clark quoted a person identified as "one high-ranking Justice official" as declaring that the appointment of Federal registrars "would do more harm than good."

The Constitution very clearly delineates between the responsibilities of the Federal and State governments in the field of voting. Simply stated, the dividing lines are these:

In all elections except those for President, Vice President and Members of Congress, the State is sovereign within the limitations of the 15th and 19th amendments both as to voter qualifications and as to the times, places, and manner of holding the elections.

In all elections for Members of Congress, the State is sovereign within the limitations of paragraph 1, section 2, article I, and the 15th and 19th amendments as to qualifications and the Congress of the United States is sovereign as to the times, places, and manner of holding the elections.

In all elections for President and Vice President, the State is sovereign as to the manner of selection and the places of meeting of the electors and the Congress of the United States is sovereign as to the times of their selection and meeting.

The issue would appear to turn on the meaning of the phrase, "manner of holding elections," over which Congress under paragraph 1, section 4, article I, does have undisputed final authority. It is contended by the advocates of the pending legislation that that authority extends to the registration process.

I challenge that thesis, Mr. Chairman, and I submit to this committee that had such been the intention of the framers of the Constitution they would have written it "manner of voting at elections" rather than "manner of holding elections."

Cases holding that the registration process is a part of the voting rights protected by the 15th amendment are immaterial because no exercise in semantics can get around the fact that the determination of voter qualifications is inherent in the process of registering voters and registration consequently is an exclusive State function.

On the specific point as to whether the power to control the manner of holding elections also embraces authority to determine who is and is not a legal voter, I would cite for the committee's study the following decisions holding that it does not—*Livesly* v. *Litchfield* (83 Pac. 142–143, 47 Oregon 248); *People* v. *English* (29 N.E. 678–679, 139 Ill. 622); *People* v. *Guden* (75 N.Y. Supp. 347–349); and *State* v. *Board of Commissioners of Sheridan County* (200 Pac. 469–471, 28 Wyoming 30).

In addition, I would refer the committee to the testimony of the Attorney General of the United States before a House Judiciary Subcommittee on March 11, 1959, where on page 227 of the printed hearings he answered in reply to a question as to how far the Federal Government can go in connection with voting:

"I think we can go just as far as we have asked to go in this legislation."

Mr. Chairman, the Attorney General was referring to the administration-sponsored civil rights bill of 1959 which proposed to require the retention of voting and registration records for a period of 3 years. While I would dispute the constitutionality of going even that far, I would point out and emphasize that the Attorney General by indicating that point as the extreme limit of Federal jurisdiction specifically ruled out any constitutional justification for Federal intervention in the registration process.

The witness I will introduce to the committee this morning will deal with these and companion points in specific detail.

Even assuming for the purpose of academic consideration that there exists constitutional authority for Federal control of the registration process, the Constitution still would be quite explicit on the point that the power would be judicial rather than executive in its application and execution. That is true because section 2 of article III is clear beyond question in vesting in the Federal judiciary the power to hear and determine all cases in law and equity arising under the Constitution of the United States.

Human beings being the imperfect creatures they are, there always will be instances of citizens who feel that they have not been accorded their full rights under the law. But I challenge anyone to cite a single instance in which any person possessing the qualifications required by the law of his State and claiming infringement of his right to vote has not received ultimate redress when taking his case into the courts.

Constitutional considerations aside, the gravest implication of the proposal that the President be authorized to appoint Federal registrars is that the power proposed to be granted is the power to control elections.

The power to control elections is the power to control not only Congress and the Federal Government but also all State legislatures and all State and local governments.

I do not believe that it is the wish of the Members of Congress who belong to either of our two great parties—or that it is the wish of the rank and file of American voters—that such power be vested in the hands of the President of the United States regardless of who he might be or to which party he might belong.

I do not believe the members of the Democratic Party would look with favor upon the appointment of Federal registrars by a Republican President.

I do not believe the members of the Republican Party would relish the appointment of Federal registrars by a Democratic President.

I do not believe that Democratic leaders like Messrs. DeSapio and Daley would welcome the registration of voters in New York City and Chicago by Federal registrars named by a Republican President.

I do not believe that Republican leaders like the distinguished junior Senator from Kentucky [Mr. MORTON] would like for voters to be registered by Federal registrars picked by a Democratic President.

Mr. Chairman, the issue is clear: We can keep our country free if we keep our elections free.

We cannot keep our elections free if the electorate is to be determined by registration officials who owe their allegiance to a

President who owes his allegiance to the political party which elected him.

To those who think otherwise I would point out the stark fact of history that Adolph Hitler's dictatorship became absolute when he was given power to appoint Members of the German Reichstag.

Mr. Chairman, it is my great pleasure this morning to present to this committee a man who possesses one of the greatest legal minds of this century.

He is a nationally recognized authority on constitutional law. He was president of the Georgia Bar Association in 1944–45 and served during my administration as Governor of Georgia as chairman of the Judicial Council of Georgia and a member of the board of regents of the university system of Georgia. He is the author of the widely acclaimed book, "States' Rights—Law of the Land," and of many excellent articles in the American Bar Association Journal and other prominent legal publications. Suffolk University of Boston, Mass., in awarding him the honorary degree of doctor of jurisprudence last June, paid tribute to him as a "champion of States rights"—an accolade which no American more richly deserves or has more rightly earned.

He is here today by appointment of the Honorable Ernest Vandiver, Governor of Georgia, and the Honorable Eugene Cook, attorney general of Georgia, as deputy assistant attorney general of the State of Georgia and is authorized to speak as the official spokesman of the State of Georgia on the pending bills.

It is an honor for me to introduce to you the Honorable Charles J. Bloch, attorney, of Macon, Ga., who, I might point out, is no stranger in testifying before this committee.

STATEMENT OF CHARLES J. BLOCH, OF MACON, GA., ON BEHALF OF THE GOVERNOR OF GEORGIA AND THE ATTORNEY GENERAL OF GEORGIA BEFORE SUBCOMMITTEE OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION, RE FEDERAL REGISTRATION BILLS, FEBRUARY 2, 1960

S. 2684 by Senator HUMPHREY defines the term "Federal office" as meaning the office of (1) President or Vice President of the United States, (2) elector for President or Vice President of the United States, (3) Member of the U.S. Senate, (4) Member of the House of Representatives of the United States, or (5) Delegate or Commissioner of any territory or possession representing such territory or possession in the House of Representatives. It defines the term "Federal officer" as meaning an individual occupying any Federal office. It defines the term "Federal election" as meaning any general or special election held solely or partially for the purpose of electing any Federal officer, including primaries.

At the threshold we are met with an effort to convert, by legislative fiat, a State officer into a Federal officer.

The Supreme Court in *Ray* v. *Blair* (343 U.S. 214, 224–225), said: "The presidential electors exercise a Federal function in balloting for President and Vice President, but they are not Federal officers or agents any more than the State elector who votes for Congressmen."

In so holding, the Supreme Court followed the rule which it had announced in *In re Green* ((Va. 1890) 134 U.S. 377). (See also *Todd* v. *Johnson* (36 S.W. 541, 99 Ky. 548); *Mason* v. *State* (18 S.W. 827, 55 Ark. 529).

In a case which affirmed a conviction in the District Court of the United States for the Western District of Missouri (18 F. Supp. 213), the Circuit Court of Appeals of the Eighth Circuit (Judges Gardner, Sanborn, and Thomas) held that presidential electors are State officers and not Federal officers since the Federal Constitution leaves it to State legislatures to define the method of choosing electors (*Walker* v. *United States* (93 F. 2d 383(3)); certiorari denied, 58 S. Ct. 642).

Cited in that case is the landmark case of *McPherson* v. *Blacker* (146 U.S. 1) in which Chief Justice Fuller said: "The appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States" (op. cit., p. 35).

This bill defines the term "registration district" as a political subdivision of a State authorized under State law to provide for the registration or qualification of individuals, living therein, to vote in Federal elections held in that State.

The gist of the bill is in sections 3, 4, and 5.

Individuals who (a) believe themselves to be qualified, under State laws to vote in Federal elections held in such State, (b) have within 1 year before filing a petition under this section, unsuccessfully attempted to register, in his registration district, to vote in any Federal election, and (c) believes he is being deprived of his legal right to register to vote in such election solely because of his race, religion, color, or national origin, may file with the President a petition requesting that a Federal registrar be appointed for the registration district in which such individual lives. Whenever the President shall have received within a period of a year nine or more of such petitions, he shall refer such petitions to the Commission on Civil Rights. If the Commission investigates and determines that such citizens are being denied the right to vote (sic) solely because of their race, religion, color, or national origin, the Commission certifies that fact to the President. Thereupon, the President shall appoint from among Federal employees living in or near such district an individual to serve as Federal registrar for such district until such time as the President determines that individuals living in such district are no longer being denied the right to vote in Federal elections solely because of their race, religion, color, or national origin.

The Federal registrars so appointed shall accept vote registration applications from all individuals living within that district who allege that they are being denied the right to register to vote in such district solely because of their race, religion, color or national origin.

Without any determination by any tribunal or person that those allegations are true, the Federal registrar proceeds to examine the applicants.

All applicants whom he finds have the qualifications requisite, under the laws of the State wherein such district is situated, for electors of the most numerous branch of the legislature of such State, shall be registered by him as being qualified to vote in Federal elections in such district, and the Federal registrar shall certify to the appropriate election officials of such State the name of all applicants registered by him and the fact that such applicants have been so registered.

Any individual who is registered under the act by a Federal registrar shall have the right to cast his vote, and any election official who denies him the right is punished criminally.

S. 2719, introduced by Senator MORSE, is substantially the same as S. 2684. It was supplemented by S. 2722 introduced by him on the same date. This provides for the preservation by State registration officers of all registration and voting records for a period of 5 years after the making thereof.

On January 11, 1960, Senator JAVITS introduced S. 2783 "to protect the right to vote in Federal elections against denial on account of race, religion, color, or national origin, by providing for the appointment of Federal registrars by the President."

This bill of Senator JAVITS' is almost word for word that of the one introduced by Senator MORSE (S. 2719) 4 months before. Why the additional bill was thought necessary, I do not know. On January 14, 1960, Senator HUMPHREY for himself and others introduced S. 2814, Federal Election Registrations Act of 1960. It is similar to S. 2684. Preceding all of the bills mentioned, S. 2535 was introduced on August 12, 1959 by Senator HART and others including Senators MORSE and HENNINGS.

This bill denominated as the "Congressional Elections Act" seeks to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of members of the Senate and the House of Representatives.

It tacitly recognizes what some of the others, S. 2684 for instance, do not: (1) That no one, except Presidential electors, vote for any one for the office of President or Vice President of the United States; (2) that a Presidential elector is a State officer and not a Federal officer; (3) that under the Constitution of the United States (art. II, sec. 1, par. 2) as construed by the Supreme Court unanimous [1] in 1892,[2] the legislatures of the several States have exclusive power to direct the manner in which the electors of President and Vice President shall be appointed.

"In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray in *In re Green* (134 U.S. 377, 379), 'no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as the electors of representatives in Congress.'" [3]

As I read this bill, phrases learned long ago ran through my mind. "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance. * * * He has combined with others to subject us to a jurisdiction foreign to our constitution and unacknowledged by our laws; giving his assent to their acts of pretended legislation. For taking away our charters, abolishing our most valuable laws and altering fundamentally the forms of our government; for suspending our own legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever." [4]

For those indictments so bitterly stated by the colonists in 1776, complaining of George III, appear again in this bill.

Purporting to act under the 15th amendment and under article I, section 4 of the Constitution, these Senators would have the Congress enact and the President approve a bill establishing "an agency of the legislative branch of the Federal Government, a Congressional Elections Commission, as an authority to conduct primary, special, and general elections for Members of the Senate and the House of Representatives."

That Commission would be composed of three members appointed by the President by and with the advice and consent of the Senate. They shall each receive a salary of $20,000 per year, except that the Chairman shall receive $20,500. Their terms would be 9 years, except that the first three members would have terms expiring December 31, 1963, 1966, and 1969 respectively.

The Commission would be authorized to make and maintain temporary and perma-

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[1] Chief Justice Fuller writing; Associate Justices Field, Harlan, Gray, Blatchford, L. Q. C. Lamar, Brewer, Brown, and Shiras concurring.

[2] *McPherson* v. *Blacker*, 146 U.S. 1.

[3] Ibid., 146 U.S. at p. 35.

[4] Declaration of Independence.

nent registers of voters qualified to participate in primary, special and general elections in the various congressional districts (title III, sec. 301).

No person shall be registered as a voter under that section who does not have the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is situated (sec. 302).

But, apparently, the members of the Commission, and its agents appointed by them pursuant to title VI, section 601, determine whether an applicant is qualified to vote under the laws of the State with no right of appeal except to the Federal Courts (title VII, sec. 701).

No State or local laws governing the time, place or manner of the registration of voters shall be applicable to or limit the power of the Commission to conduct registration of voters, but the Commission must endeavor as far as in its judgment is conducive to uniform and orderly election procedures, to conform its conduct of the registration of voters to the procedures governing time, place and manner of registration, prescribed in the State or local laws or ordinances in effect in the congressional district (sec. 303).

Thus far, S. 2535 coincides in purpose with the bills seeking to regulate registration for voting in so-called Federal elections.

But in title 4, the kangaroo really leaps. That title is, "Conduct of Elections by the Commission."

It seeks to authorize the Commission to conduct primary, special or general elections for the purpose of selecting and electing members of the Senate and the House of Representatives in any congressional district whenever "the Commission is officially requested so to do by the duly empowered official of the State in which the congressional district is situated", or whenever "the Commission determines that unless such election is conducted by the Commission, persons having the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is located are likely to be denied their right in such primary, special, or general elections to cast their votes and to have them fairly counted."

In *Ex parte Young* (209 U.S. at page 175), Justice Harlan dissenting, used cogent words which are so apt when we read what is being attempted in this bill.

Said he there: "This principle, if firmly established, would work a radical change in our governmental system. It would inaugurate a new era in the American judicial system and in the relations of the National and State governments. It would enable the subordinate Federal courts to supervise and control the official action of the States as if they were 'dependencies' or provinces. It would place the States of the Union in a condition of inferiority never dreamed of when the Constitution was adopted or when the 11th amendment was made a part of the supreme law of the land. I cannot suppose that the great men who framed the Constitution ever thought that time would come when a subordinate Federal court, having no power to compel a State in its corporate capacity, to appear before it as a litigant, would yet assume to deprive a State of the right to be represented in its own courts by its regular law officer."

And say I here: The principle of this legislation if established would destroy our governmental system. It would inaugurate a new era in the American system of government and in the relations of the National and State governments. It would enable three subordinate Federal officers to supervise and control the actions of elected officials of the States as if the States were dependencies or conquered provinces. It would place the States of the Union in a condition of inferiority never dreamed of when the Constitution was adopted or when the 10th amendment was made a part of the supreme law of the land. I cannot suppose that the great men who framed the Constitution and the Bill of Rights ever thought the time would come when it would be seriously proposed in the Senate of the United States that three men appointed by the President of the United States might go into a State and conduct its elections after having determined who might vote in those elections, superseding all of its elected and selected officials.

Only once in our history have any such proposals crystallized. After Sherman had burnt and pillaged the States of the South, they became military districts. Now it is proposed to convert us into voting precincts without going through the process of subjugation.

The chief law questions which arise in a discussion of these various bills are:

1. Does the Congress have the constitutional power to establish a commission, and delegate to it the powers to conduct elections for the purpose of selecting and electing members of the Senate and the House of Representatives?

2. Does the Congress have the constitutional power to establish a commission and empower it to regulate registrations for voting in congressional elections?

I limit the real law questions presented to the field of congressional elections for there are no elections for President or Vice President, and presidential electors are State officers as to whom the only power of Congress is that which may be conferred by the 14th and 15th amendments.

Both of these questions must be determined by a study of article I, section 2 and of article I, section 4, clause 1 of the Constitution, which provides:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Prior to the adoption of the 17th amendment, this section was the only source of power which Congress possessed over elections for Senators and Representatives, *Newberry* v. *United States* (256 U.S. 232; 41 S. Ct. 469; 65 L. Ed. 913).

The effect of the 17th amendment is to give to Congress the same breadth of power over the election of Senators as it previously had over the elections of Representatives.

The policy of Congress for a great part of our constitutional life has been, to leave the conduct of the election of its members to State laws, administered by State officers. Whenever it has assumed to regulate such elections it has done so by positive and clear statutes, *United States* v. *Gradwell* (243 U.S. 476, 485).

In that case, decided in 1916, the Court, at page 482, after stating that the power of Congress to deal with the election of Senators and Representatives was derived from section 4, article I of the Constitution of the United States, said:

"Whatever doubt may at one time have existed as to the extent of the power which Congress may exercise under this constitutional sanction in the prescribing of regulations for the conduct of elections for Representatives in Congress or in adopting regulations which States have prescribed for that purpose has been settled by repeated decisions of this court, in *Ex parte Siebold* (100 U.S. 371, 391 (1879); *Ex parte Clarke*, (100 U.S. 399 (1879); *Ex parte Yarbrough* (110 U..S 651 (1884); and in *United States* v. *Mosley* (238 U.S. 383 (1915))."

In the statement of Robert G. Storey, Vice Chairman of the Commission on Civil Rights before this committee on January 18, 1960, he said: "First, by article I, section 4, the Constitution has reserved [sic] plenary power to the Congress to legislate upon the 'times, places, and manner of holding elections for Senators and Representatives.' "

Whatever power Congress has under article I, section 4, was not reserved to it. It was delegated to it by the States. More important, though: Is that power correctly described as "plenary"?

The "extent of the power" was stated in the four cases cited in Gradwell.

(a) What then was the extent of the power in 1916?

(b) Has the extent of the power been since broadened?

To answer the first of these two questions it is necessary to examine the four cases, and one or two others.

The first of the four is *Ex parte Siebold* (100 U.S. 371).

Certain judges of election in the city of Baltimore, appointed under State laws, were convicted in Federal court under certain sections of the Federal statutes for interfering with and resisting the supervisors of election and deputy marshals of the United States in the performance of their duty at an election of Representatives to Congress under other sections of the Federal statutes, taken from the Enforcement Act of May 31, 1870, as amended in 1871.

The gist of the ruling is:

"Congress had power by the Constitution to enact section 5515 of the Revised Statutes, which makes it a penal offense against the United States for any officer of election, at an election held for a Representative in Congress, to neglect to perform, or to violate, any duty in regard to such election, whether required by a law of the State or of the United States, or knowingly to do any act unauthorized by any such law, with intent to affect such election, or to make a fraudulent certificate of the result, etc.; and section 5522, which makes it a penal offense for any officer or other person, with or without process, to obstruct, hinder, bribe, or interfere with a supervisor of election, or marshal, or deputy marshal, in the performance of any duty required of them by any law of the United States, or to prevent their free attendance at the places of registration or election, etc.; also, sections 2011, 2012, 2016, 2017, 2021, 2022, title xxvi, which authorize the circuit courts to appoint supervisors of such elections, and the marshal to appoint special deputies to aid and assist them, and which prescribe the duties of such supervisors and deputy marshals, these being the laws provided in the Enforcement Act of May 31, 1870, and the supplement thereto of February 28, 1871, for supervising the elections of Representatives, and for preventing frauds therein."

Clearly, the basis of this ruling was that the acts of Congress were regulations with respect to the "manner of holding elections," and therefore within the very letter of article I, section 4, clause 1.

In *Ex parte Clarke* (100 U.S. 399), there was considered the appeal of an officer of election, at an election for a Representative to Congress in the city of Cincinnati who had been convicted under section 5515 of the Federal Revised Statutes for a violation of the law of Ohio in not conveying the ballot box, after it had been sealed up and delivered to him for that purpose, to the county clerk, and for allowing it to be broken open.

That section 5515 is set out in full in the *Siebold* case (100 U.S. at page 381), and is as follows:

"SECTION 5515. Every officer of an election at which any representative or delegate in Congress is voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial,

district, or municipal law or authority, who neglects or refuses to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or who violates any duty so imposed; or who knowingly does any acts thereby unauthorized, with intent to affect any such election, or the result thereof; or who fraudulently makes any false certificate of the result of such election in regard to such representative or delegate; or who withholds, conceals, or destroys any certificate of record so required by law respecting the election of any such representative or delegate; or who neglects or refuses to make and return such certificate as required by law; or who aids, counsels, procures, or advises any voter, person, or officer to do any act by this or any of the preceding sections made a crime, or to omit to do any duty the omission of which is by this or any of such sections made a crime, or attempts to do so, shall be punished as prescribed in section 5511."

The Court, with two dissents, held that Congress had power to pass the law under which the conviction was had.

That statute clearly dealt with the manner of holding an election for Representatives.

It is important that that old statute passed practically contemporaneously with the ratification of the 15th amendment shows that Congress construed the word "elections" in the constitutional provision (art. 1, sec. 4, cl. 1) to mean the actual casting of votes, and the return and certification thereof. An election is "the act of choosing a person to fill an office or position by vote."

"Election" means the act of casting and receiving the ballots from voters, counting ballots, and making returns thereof *Kilgore* v. *Jackson* (118 S.W. 819, 822). To the same effect is *Lowery* v. *Briggs* (73 S.W. 1062); *State* v. *Nelson* (169 N.W. 788, 789, 141 Minn. 499), and many other cases.

While *In re Coy* (127 U.S. 731), is not cited in the Gradwell case, reference should be made to it, for at page 752 the extent of the power of Congress over the election of its members under this provision of the Constitution is stated.

Said Justice Miller speaking for all of the Court except Justice Field:

"But the power, under the Constitution of the United States, of Congress to make such provisions as are necessary to secure the fair and honest conduct of an election at which a Member of Congress is elected, as well as the preservation, proper return, and counting of the votes cast thereat, and, in fact, whatever is necessary to an honest and fair certification of such election, cannot be questioned."

In *Ex parte Yarbrough* (110 U.S. 651), an indictment charging that the defendants conspired to intimidate a Negro in the exercise of his right to vote for a Member of Congress of the United States was held valid.

The Court stated that article I, section 4 of the Constitution "adopts the State qualification as the Federal qualification for the voter; but his right to vote is based upon the Constitution, and Congress has the constitutional power to pass laws for the free, pure and safe exercise of this right" (p. 652).

One of the statutes under which Yarbrough was indicted (R.S. sec. 5520) penalized the intimidation of any citizen from giving his support or advocacy toward or in favor of the election of electors and Members of Congress, using the same word (election) as is used in the constitutional provision. (That "election" does not embrace registration is somewhat demonstrated by *Scott* v. *United States* (3 Wall. 642), written by Justice Miller, and cited by him at page 660 of the Yarbrough case.)

The congressional interpretation of the word "elections" in article I, section 4 is shown by the statutes alluded to by Justice Miller at page 661. An act of 1872 required all the "elections" for such members to be held on the Tuesday after the first Monday in November 1876, and on the same day of every second year thereafter. In like manner, he pointed out, Congress has fixed a day, which is the same in all States, when the electors for President and Vice President shall be appointed.

After alluding to those laws, the Court by a query very graphically illustrates the extent of the congressional power under this constitutional provision: "Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections?" (op. cit. p. 661).

At page 663 the "election"—the actual election—is defined as "the voting for those members."

The act of 1872 appeared in the United States Code as title 2, section 7, until amended in 1934 to conform to the new date for the opening of Congress as fixed by amendment No. 20. But, the statute then enacted provided for the establishment of a day certain "as the day for the election, in each of the States and territories of the United States, of Representatives" (United States Code, title 2, sec. 7, "Time of election").

When, in 1913, the 17th amendment was adopted providing for the election of Senators by the people, Congress enacted the act of June 4, 1914 (38 Stat. 384), providing:

"At the regular election held in any State next preceding the expiration of the term for which any Senator was elected to represent such State in Congress, at which election a Representative to Congress is regularly by law to be chosen, a U.S. Senator from said State shall be elected by the people thereof for the term commencing on the 4th day of March next thereafter" (U.S.C., title 2, sec. 1).

This section, too, was amended in 1934. The amendment does not detract from the meaning assigned by the Congress to the word "elections" in the constitutional provision—the voting for Senators and Representatives.

In 1915, after deliberating a year and a half, the Court decided (*United States* v. *Mosley* (238 U.S. 383)). This case was alluded to by Senator JAVITS in his testimony before this committee on January 19, 1960. The Court in that case construed the old section 5508 of the Revised Statutes, which had then become section 19 of the Penal Code. It was held constitutional and in the language of the Court "constitutionally extends protection to the right to vote for Members of Congress and to have the vote when cast counted." It was held to apply "to the acts of two or more election officers who conspire to injure and oppress qualified voters of the district in the exercise of their right to vote for Members of Congress by omitting the votes cast from the count and the return to the State election board"—all a part of the actual election.

Along with this Mosley case, Senator JAVITS cites *United States* v. *Saylor, et al.* (322 U.S. 385). We allude to it now although it was not decided until 1944. There in a 6 to 3 decision, the Court held that Congress had the power to punish a conspiracy by election officers to stuff a ballot box in an election in which a Member of Congress was to be elected, and that the Federal statutes were sufficiently broad to embrace such an offense.

Mr. Justice Douglas, with whom Mr. Justice Black and Mr. Justice Reed concurred, dissented. They thought that the general language of section 19 of the Criminal Code under which Saylor had been convicted was insufficient to embrace the acts for which Saylor had been indicted.

I quote Justice Douglas:

"Under section 19 of the Enforcement Act of May 31, 1870 * * * the stuffing of this ballot box would have been a Federal offense. That provision was a part of the comprehensive 'reconstruction' legislation passed after the Civil War. It was repealed by the act of February 8, 1894 * * * an act which was designed to restore control of election frauds to the States. The committee report (H. Rept. No. 18, 53d Cong., 1st sess., p. 7), which sponsored the repeal, stated: 'Let every trace of the reconstruction measures be wiped from the statute books; let the States of this great Union understand that the elections are in their own hands, and if there be fraud, coercion, or force used they will be the first to feel it. Responding to a universal sentiment throughout the country for greater purity in elections many of our States have enacted laws to protect the vote and to purify the ballot. These, under the guidance of State officers, have worked efficiently, satisfactorily, and beneficently; and if these Federal statutes are repealed that sentiment will receive an impetus which, if the cause still exists, will carry such enactments in every State in the Union.' This Court now writes into law what Congress struck out 50 years ago. The Court now restores Federal control in a domain where Congress decided the States should have exclusive jurisdiction. I think if such an intrusion on historic States rights is to be made, it should be done by the legislative branch of the Government. I cannot believe that Congress intended to preserve by the general language of section 19 the same detailed Federal controls over elections which were contained in the much despised reconstruction legislation" (op. cit., pp. 390–392).

Thereafter, Justice Douglas cited the *Bathgate* case, 246 U.S. 220, and then said: "Congress has ample power to legislate in this field and to protect the election of its members from fraud and corruption. * * * I would leave to Congress any extension of Federal control over elections."

Presently, we shall come to consider the problem: How far can Congress go under the Constitution in extending Federal control over election? How far can Congress go in this field of protecting the election of its members from fraud and corruption? Do the Senate bills under consideration exceed the powers of Congress delegated to it by the States? Does the Constitution of the United States warrant what Justice Douglas denominated as "such an intrusion on historic States rights?"

When we come to consider those questions, let us consider Justice Black's admonition in *Reid* v. *Covert* (354 U.S. 1, at p. 14): "The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a very dangerous doctrine and if allowed to flourish would destroy the benefit of a written Constitution and undermine the basis of our Government" (June 10, 1957).

Let us remember that the 10th amendment is just as much a part of the Bill of Rights as are the 1st, the 4th, the 5th, the 6th, the 7th, and the 8th.

The Senators, the Representatives, the newspapers, the television and radio commentators who scoff at us who plead for the rights of the States under the 10th amendment may some day rue the days they did so.

For when you make it customary and legal to discard the 10th amendment because, forsooth, your convenience and expediency so dictate, you undermine the other nine.

When you today encourage and countenance the disregard of the 10th amendment, you lay the foundation for others in a future day to encourage and countenance the disregard of the other nine.

If a majority of Senators and Representatives today in Congress can destroy the rights of the States solemnly reserved to them under the 10th amendment, a majority tomorrow can destroy your right to worship whatever your religious faith may be, Jewish, Catholic, or Protestant—a majority tomorrow can destroy freedom of speech or of the press whether sought to be exercised by the greatest or most humble newspaper—a majority tomorrow can deprive you or me of our lives, liberty, or property without due process of law—a majority tomorrow can authorize unreasonable searches and seizures, and abrogate trial by jury.

As a member of a so-called minority religious group, I know that I am protected in my right to worship only by a strict observance of constitutional protections afforded in the first amendment. I am fearful because I wonder when it will become expedient to destroy the first.

If the powers delegated to Congress under the Constitution of the United States are not broad enough for your purposes, don't distort the Constitution by unwarranted construction of it; seek to amend it in the manner provided in it.

If you reply that that is too long and difficult a road, again I call Justice Black as a witness. He, in the last 3 years, said:

"It may be said that it is difficult to amend the Constitution. To some extent that is true. Obviously the Founders wanted to guard against hasty and ill-considered changes in the basic charter of our Government. But if the necessity for alteration becomes pressing, or if the public demand becomes strong enough, the Constitution can and has been promptly amended," (354 U.S. at p. 14, footnote 27).

This study of the cases discloses the extent of the power of Congress under article I, section 4, and the 15th amendment. In 1916, it remained as it was in 1883 expressed in ex parte Yarbrough, supra.

Congress has the constitutional power to pass laws for the free, pure and safe exercise of the right to vote at elections for members of Congress, the qualifications of the voter being determined by State law. The States under article I, section 2 of the Constitution define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. The Constitution adopts the qualifications thus furnished as the qualifications of its own electors for Members of Congress (110 U.S. at p. 663).

Article I, section 2 of the Constitution must be construed in pari materia with article I, section 4, clause 1.

Certain of the people of the several States choose the members of the Congress. Those certain people are those who have the qualifications requisite for electors of the most numerous branch of their State legislatures. The Constitution, not the Congress, has adopted the qualification furnished by article I, section 2, as the qualification of its own electors for Members of Congress.

It is when, and only when, that group of electors shall have been determined by the laws of the State, restricted only by the 14th and 15th amendments, section 4 comes into play.

With that group of voters defined, selected, chosen and determined under the laws of the State according to the Constitution of the United States; with it having been determined by the laws of the State, restricted by the 14th and 15th amendment, who may participate as voters at an election for Senators and Representatives, Congress has the right to prescribe the "times, places, and manner" of holding such elections, but that prescription by Congress must be "by law." Congress has no right to prescribe qualifications for such electors except those determined by State law as limited by the war amendments. It is the elector who is qualified by State law who has the right to vote at the election held pursuant to article I, section 4 *U.S.* v. *Goldman* (25 Fed. Cas. p. 1353, case No. 15,225, Woods, Circuit Judge). It is the elector qualified by State laws who may be protected in that right under section 4 of article I (ibid).

Congress, under article I, section 4, can no more abridge the powers of the States under article I, section 2 and the 10th amendment, than it can abridge the freedoms guaranteed by the 1st amendment. *United States* v. *Congress of Industrial Organizations* (77 F. Supp. 355, 357, affirmed 335 U.S. 106).

Has the extent of the power of Congress over congressional elections been broadened since 1916?

Congress has no more power now to prescribe the qualifications of voters in congressional elections than it had in 1916, when Gradwell was decided.

The only change in the principles of constitutional law which we have stated is that there has been a broader definition ascribed to the word "elections" in article I, section 4.

In *United States* v. *Classic* (313 U.S. 299), Mr. Justice Stone said: "The questions for decision are whether the right of qualified voters to vote in the Louisiana primary and to have their ballots counted is a right 'secured by the Constitution' " (op. cit., p. 307). (See also p. 315.)

Justices Stone, Roberts, Reed and Frankfurter held that "A primary election which is a necessary step in the choice of candidates for election as Representatives in Congress, and which in the circumstances of the case control that choice, is an election within the meaning of article I, sections 2 and 4 of the Constitution and is subject to congressional regulation as to the manner of holding it" (313 U.S. 300(6)).

Justice Douglas dissented, joined by Justices Black and Murphy. (See, also *Smith* v. *Allwright* (321 U.S. 649).)

So, the extent of the congressional power today is just as it was in 1916 except that the word "elections" is to be construed to include "primaries" of the type described in the Classic case.

Does the sweep or extent of that power show any constitutional right in Congress to enact legislation such as that which confronts us?

The legislation embraces two attempts in general.

1. There is an attempt in S. 2535 to empower a Commission composed of three members appointed by the President to conduct the congressional election in any congressional district whenever:

(a) The Commission is requested so to do by the official of the State in which the congressional district is situated; or

(b) The Commission determines that unless it conducts such election, persons having the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the congressional district is located are likely to be denied their right in such primary to cast their votes and have them counted.

2. There is an attempt in all of the bills to provide for registration of voters in congressional elections by Federal registrars.

Is the provision in S. 2535 for a Commission to conduct congressional elections valid? Clearly it is not.

If for no other reason, it is not because it would constitute a flagrant attempt by the Congress to delegate its legislative power.

Article I, section 1 of the Constitution provides that "all legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives."

Under article I, section 4 of the Constitution, Congress may at any time "by law" fix the times, places and manner of holding elections for Senators and Representatives.

The phrase "by law" has a meaning in the field of constitutional law. It is not a phrase haphazardly used. It occurs many other times in the Constitution, e.g.:

(a) In article I, section 2, paragraph 3;
(b) In article I, section 4, paragraph 2;
(c) In article I, section 6, paragraph 1;
(d) In article I, section 9, paragraph 7;
(e) In article II, section 1, paragraph 6;
(f) In article II, section 2, paragraph 2;
(g) In article III, section 2, paragraph 3;
(h) In the third amendment;
(i) In the sixth amendment;
(j) In the 14th amendment, section 4;
(k) In the 20th amendment, section 4.

Under article I, section 7 of the Constitution, Congress cannot by law make or alter any regulations as to the times, places, and manner of holding congressional elections except by a specific bill which has been introduced and enacted into law, signed by the President, or passed over his veto.

The phrase "by law" has been many times judicially construed.

The term "by law" as used in Kentucky statutes means a statute *Commonwealth* v. *Wade* (126 Ky. 791 104 S.W. 965, 966).

The statutory provision that no money shall be paid out of the treasury except in pursuance of an appropriation "by law" means appropriation by a valid law *State* v. *Davidson* (114 Wisc. 563 90 N.W. 1067, 1068).

The phrase "by law" refers exclusively to statute law *Board of Education etc.* v. *Greenough* (13 N.E. 2d 768, 770; 277 N.Y. 193).

The phrase "by law" construed as meaning statewide legislation, and not ordinance *United States Fidelity & Guaranty Co.* v. *Guenther* (31 F. 2d 919 (per Circuit Judge Hickenlooper)).

The phrase "by law" as used in the Constitutional provision authorizing Congress "by law" to vest appointment of inferior officers in the courts of law means by specific legislation *Cain* v. *United States* (73 F. Supp. 1019).

The Congress cannot delegate to a Commission of three men, or any other member, its constitutional power to set the time and place and fix the manner of holding congressional elections. Even the stronger, the Congress, cannot authorize a Commission to conduct a congressional election which under article I, sections 2 and 4, is conducted by the State, except as the time, place, and manner of holding it may have been altered by Congress by law.

A few recent instances should suffice to demonstrate the invalidity of the delegation of power here attempted:

(a) *Panama Refining Co.* v. *Ryan* (293 U.S. 388, 55 S. Ct. 241, 79 L. Ed. 446);

(b) *Schechter* v. *United States* (295 U.S. 495, 55 S. Ct. 837, 79 L. Ed. 1570).

Is the attempt in these bills to provide for registration of voters in congressional elections by Federal registrars valid?

Except for the war amendments, the power of Congress over congressional elections is limited to provisions made by Congress by law as to the times, places, and manner of holding elections for Senators and Representatives.

The war amendments add nothing to that basic power except to authorize Congress to enact legislation preventing the States from denying the right to vote to Negroes.

Those amendments standing alone would not authorize Congress to enact any law as to the times, places and manner of holding congressional elections.

The registration of voters has nothing to do with either the time or place of holding elections. It has nothing to do with the manner of holding elections for the holding of an election presupposes a group of voters ready and qualified to participate in the election.

That the Founders did not mean by the phrase "manner of holding elections" to empower Congress to enact legislation with respect to the qualifications of voters who might participate in such elections is clearly shown by article I, section 2, paragraph 1 of the Constitution, by the history of the United States, and by adjudicated cases.

And, that the registration to vote may be considered by some courts as a concomitant of the act of actual voting in that it is a prerequisite to voting does not serve to embrace the registration as either a time, place, or manner of holding the election.

An abridgment by the State or a denial by a State of a citizen's right to register may by some courts be considered a denial or abridgment by the State of his right to vote, but such holding will not serve to amend the Constitution of the United States so as to permit Congress to alter State laws or enact new laws as to qualifications of voters.

When the Constitution was adopted, the States expressly delegated to the Congress the power to prescribe the time, places, and manner of holding elections for Senators and Representatives. Before they did that they had provided that the House of Representatives should be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

And to make certain that all that they intended to empower Congress to do in this field was embraced in article I, section 4, they immediately added the 10th amendment: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

When over a century later, an amendment to the Constitution (amendment 17), was added providing for the election of Senators by the people of the States, that amendment contained the same language as to Senators as was in the original Constitution as to Representatives, to wit: The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The States by law prescribed those qualifications.

The States by law determined how its officers should ascertain who possessed those qualifications.

That such was indisputably the plan of the Constitution can also be demonstrated in another manner.

Originally under the Constitution—prior to the adoption of the 17th amendment—it was provided (art. I, sec. 3), that the Senate of the United States should be composed of two Senators from each State chosen by the legislature thereof. Article I, section 2 provided that the House should be composed of Members chosen * * * by the people of the several States and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Now, article I, section 4 applies to Senators and Representatives—the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law, make or alter such regulations except as to the time of choosing Senators.

If under those sections, the Congress had the right to prescribe and administer qualifications requisite for the electors choosing Members of the House, then by the same token the Congress had the right to supervise and prescribe qualifications for the Members of the legislature who choose the Senators. Congress had exactly the same power over the times and manner of holding elections for Senators, as it had over the times and manner of holding elections for Representatives.

What the States did do in their delegation of power to the Congress has been well illustrated by what the courts have decided over the years.

Guinn v. *United States*, 238 U.S. 347, was one of the first cases in which the National Association for the Advancement of Colored People appeared before the Supreme Court. Perhaps it was the first. Mr. Moorfield Storey appeared for it. The Grandfather clause in the Oklahoma constitution was held to violate the 15th amendment. In so holding, though, Chief Justice White speaking for himself, and Justices McKenna, Holmes, Day, Hughes, Van Devanter, Joseph Rucker Lamar and Pitney, said:

"(a) Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which had belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

"(b) It is true, also, that the Amendment does not change, modify or deprive the State of their full power as to suffrage except of course as to the subject with which the amendment deals and to the extent that obedience to its command is necessary. Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both" (op. cit., p. 362, p. 34).

And further at page 366: "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen, its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."

In *Pope* v. *Williams* (193 U.S. 621), the Court said: "While the right to vote for Members of Congress is not derived exclusively from the law of the State in which they are chosen but has its foundation in the Constitution and laws of the United States, the elector must be one entitled to vote under the State statute."

Pope v. *Williams* refers to *Wiley* v. *Sinkler* (179 U.S. 58), and *Swofford* v. *Templeton* (185 U.S. 487).

In the former of these two cases, the Court unanimously held that in an action against election officers of the State of South Carolina for refusing the plaintiff's vote at an election for Members of Congress, the declaration was faulty in that it did not allege that the plaintiff was a registered voter under the laws of South Carolina. The latter follows it.

In *Mason* v. *Missouri* (179 U.S. 328), the Supreme Court of the United States unanimously affirmed a judgment of the Supreme Court of Missouri, and unanimously held:

"The general right to vote in the State of Missouri is primarily derived from the State; and the elective franchise, if one of the fundamental privileges and immunities of the citizens of St. Louis, as citizens of Missouri and of the United States, is clearly such franchise, as regulated and established by the laws or Constitution of the State in which it is to be exercised."

The courts of no State in the Union have more firmly and thoroughly proclaimed the Constitutional doctrine of States Rights than have the courts of Missouri.

In *Lehew* v. *Brummell* (103 Mo. 546, 15 S.W. 765, (1890)) the Missouri Supreme Court upheld the constitutionality of school segregation statutes enacted by her legislature many years before.

In *Blair* v. *Ridgely* (41 Missouri 63, 97 Am. Dec. 243), that court said: "Prior to adoption of Federal Constitution, States possessed unlimited and unrestricted sovereignty, and retained the same afterward, except so far as they granted powers to the general government, or prohibited themselves from doing certain acts. Every State reserved to itself the exclusive right of regulating its own internal government and police."

There the Court upheld the validity of a provision in the State constitution requiring that an oath of loyalty be taken by all voters as a condition precedent to their exercise of the right of suffrage at any election held in the State. In so doing, it cited approvingly the decision of Justice Washington while on circuit, in *Corfield* v. *Coryell* (4 Wash. C.C. 371), speaking of the elective franchise as one of the fundamental franchises under our form of government, to be regulated and established by the laws or constitution of the State in which it is to be exercised. (That case has been cited approvingly by the Supreme Court (179 U.S. 58).)

At page 257, the Missouri court uses these cogent words: "There is not to be found in that instrument a single sentence, paragraph or word which gives the National Government power over the qualifications of voters in any of the States. But the direct opposite is affirmed in that clause * * * which declares 'that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.'"

Those words are as true today as they were when they were written in 1867, with one exception. The war amendments prohibit the State denying or abridging the right to vote on the basis of race, color, or previous condition of servitude.

The 15th amendment provides that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Assuming (see *Reddix* v. *Lucky* (252 F. 2d 930)) that the right to vote includes the right to register as a prerequisite to voting, and that therefore, a State cannot abridge or deny a citizen's right to register on account of race, color, or previous condition of servitude, it does not follow that Congress has the right to usurp the field of registration even in congressional regulations merely because the war amendments prevent discrimination in that field. The congressional power in that respect is measured not by the war amendments, but by article I, sections 2 and 4, as restricted by the 10th amendment.

Fortunately the Supreme Court of the United States has spoken with unanimity on the subject recently. In *Lassiter* v. *Northampton County Board of Elections* (360 U.S.

45, 50–51; 79 S. Ct. 985, 989), Justice Douglas said: "We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States*, supra (238 U.S. 366, 35 S. Ct. 931), disposed of the question in a few words: 'No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed its validity is admitted.' The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised, *Pope* v. *Williams* (193 U.S. 621, 633, 24 S. Ct. 573, 576, 48 L. Ed. 817); *Mason* v. *State of Missouri* (179 U.S. 328, 335, 21 S. Ct. 125, 128, 45 L. Ed. 214), absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators, provide that officials will be chosen 'by the people.' Each provision goes on to state that 'the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.' So while the right of suffrage is established by the Constitution (*Ex parte Yarbrough* (110 U.S. 651, 663, 665; *Smith* v. *Allwright* (321 U.S. 649, 661–2), it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic* (313 U.S. 299, 315). * * * While section 2 of the 14th amendment, which provides for apportionment of Representatives among the States according to their respective numbers counting the whole number of persons in each State (except Indians not taxed), speaks of 'the right to vote' the right protected 'refers to the right to vote as established by the laws and constitution of the State.' (*McPherson* v. *Blacker* (146 U.S. 1, 399))."

The Justice had pointed out previously in his opinion (op. cit., p. 50) that the issue of discrimination in the actual operation of the ballot laws of North Carolina had not been framed in the issues presented for the State court litigation. It was mentioned in passing so that it might be clear that nothing said or done by the Court would prejudice a tendering of that issue at the proper time (Cf. *Williams* v. *Mississippi* (170 U.S. 213)).

In the statement of purpose prefacing S. 2535, it is said that "American citizens otherwise qualified to vote continue to be denied that right because of their race or color, and that qualified voters are thus arbitrarily and discriminatorily being denied the right to cast a vote for the selection and election of their representatives in the Senate and the House of Representatives."

If that statement is true, why have not those American citizens instituted actions in the courts of the land—Federal or State—seeking to redress the alleged arbitrary discrimination? If their claims are just, the courts afford them a remedy. The powers of the States reserved to them under the Constitution, never delegated by them to the Federal Government, should not be ravished to satisfy the lust of those who claim their constitutional rights have been invaded.

"When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men's rights are protected (Justice Bradley in *Civil Rights* cases (109 U.S. at p. 25, (1883))).

Mr. BARTLETT. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed, and the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND] to add a new section to the joint resolution.

Mr. STENNIS. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I should like to continue with my discussion of the pending business at the point where I left off yesterday afternoon.

I shall first summarize the points I raised with reference to the proposal that the Constitution be amended so as to permit the Governors of the respective States to fill vacancies by temporary appointments in the House of Representatives at any time the vacancies in the House membership exceed one-half the membership thereof.

Mr. President, yesterday I pointed out that this matter was before the Senate on June 4, 1954, in the form of Senate Joint Resolution 39, and that that measure passed the Senate by a very large vote, but at the same time with what I think was very scant attention. I also pointed out that more than 5½ years have elapsed since then, but still the House of Representatives gave no consideration to that joint resolution and has not given any consideration to the subject matter since then, even though on May 19, 1955, the Senate passed a similar joint resolution, also by a very large vote, but without pro and con consideration and debate. Even though that was more than 4½ years ago, the House of Representatives very properly has not given any formal consideration to the subject matter. No hearings have been held by the appropriate House committee. No House committee action has been taken. No action has been taken on this matter on the floor of the House. Of course, the Congress when the joint resolution was passed by the Senate has now expired, and that joint resolution could not now be considered. However, there has been no movement on the part of the House membership at this session or at the preceding session of this Congress to take up this subject matter or consider it in any way, even though it pertains solely and exclusively to the question of filling vacancies in the House of Representatives. I make clear that I do not say that critically; I think the House is most certainly very eminently correct and sound in its position of not going so far as to consider a constitutional amendment to meet a situation of this kind, however grave it may be, although I believe its graveness is greatly exaggerated.

Furthermore, not one Member of the House of Representatives came before the Senate committee to testify in behalf of the joint resolution; and, so far as I have been able to ascertain from the Members of that body, not one of its Members is interested in the proposal or is in favor of it.

I think this is one of the most unusual and striking situations to develop in the Congress—namely, that the body which is not directly affected has acted, not only once, not only twice, but is now asked to act the third time, in regard to a matter the need of which is certainly as easy to be judged by the Members of the House of Representatives as it is by the Members of the Senate. Yet certain of the Members of the Senate have been the only ones to attempt to initiate and put into motion a plan of action and conduct pertaining to filling vacancies in the membership of the other body.

Yesterday I said, with all deference to everyone concerned, that it seems to me rather childish for us to be taking a step of this kind. Furthermore, the need for it certainly is as evident to the Members of the House as it is to the Members of the Senate; and certainly this matter is of as grave concern to the House as it is to the Senate; and the House certainly has as much capacity as does the Senate to find a remedy.

As I also pointed out yesterday afternoon, whatever the situation is, there is a very simple and a very adequate remedy, and doubtless it is what the House has in mind: Instead of resorting to the long process of amending the Constitution and to that extent making a dent upon the very nature and foundation structure of the House of Representatives, the House can very easily and simply amend its rules, so as to provide that in case of an emergency of the kind envisioned, following a nuclear attack or partial destruction by bombing or any similar catastrophe, less than a majority of the House membership would be authorized to act, certainly for a reasonable length of time, which could be calculated to be the time required for the vacancies to be filled in the regular way. Thus, any situation of that sort would be met just as effectively, Mr. President; and such a plan certainly would be in accordance with sound parliamentary law.

However, the major point is that it would preserve intact the basic foundation and spirit of one of the very mudsills of the House of Representatives itself—namely, that from the inception of our Government until this very moment, no one has ever cast a vote as a Member of the House of Representatives, either on the floor of the House or in a House committee, or has ever taken any other official act of any kind as a Member of that body, unless first elected by the people as their chosen Representative so to do. I believe that is one of the great virtues and one of the great mudsills and foundations of the House of Representatives. Personally, I believe the Members of the House want to keep it that way, and we want them to keep it that way.

I like to think of the fact that no one can enter the sacred portals of the House of Representatives, as a Member of the House, until first successfully passing through the barrier of popular election and selection by the people of his State or the people of one of the districts of his State to directly represent them in that great body. To cast aside that system, without any need or necessity to do so, and without giving any consideration to the views of the other body, is to me unthinkable, unsound, and unnecessary; and I believe that by all means it should not be done.

In trying to prepare for such a contingency, anyway, should there be a nuclear attack or the dropping on the Capital of atomic bombs, nuclear bombs, or missiles, it seems to me that certainly thereafter about the only governmental power which would be exercised for a considerable length of time would be executive power, under the rule of necessity—arbitrary power of some kind, lodged in some person. So if we are really going to try to legislate on this matter, we had better do something about a successor or a succession to the holding of power by the executive branch of the Government, inasmuch as if there were to be such an attack, the President, the Vice President, the Speaker of the House of Representatives, the President pro tempore of the Senate, and others who, under present law, are eligible to succeed to the Chief Executive's post, most probably would be found here on Capitol Hill, or within the orbit of the attack, and the question would be how many of them would survive. So if action is necessary, instead of providing for the Members of the House or the Members of this body, first thought should be given to the executive branch.

However, I personally believe, anyway, Mr. President, that to popularize and advertise and pass on these matters year after year and time after time is to do nothing more than to alarm our people and to give encouragement to the adversary.

In my opinion, we are overdoing the idea of trying to think up and imagine any possibility that might happen or could happen, and we show too great a concern and forethought about such a problem as this which is so easy to talk about. Such concern as this can be pointed to in the councils of the world, outside our country, by our adversaries as evidence of our instability and nervousness, and even as evidencing the idea of inferiority, if we indulge in such channels of thought as this, to the extent of changing a basic principle of our Government by a constitutional amendment. I personally think the signs we have, "Shelter. Safety Here" spread all over Capitol Hill are an admission of weakness and evidence of fright.

Coming now to the next step in the proposal which is pending before the Senate, it is to hang on to this proposed constitutional amendment another proposed amendment which has nothing whatsoever—absolutely nothing of a substantial nature—in common with the first one. The second proposed amendment is offered as a rider or as a floor amendment. It does not come from any committee. It is offered as a floor amendment. It is to outlaw or abolish the poll tax.

One angle of the proposed constitutional amendment is to eliminate elections, to a degree, and adopt a new method of selecting Members of the Congress; and the other aspect of the proposal travels in the other direction, with reference to qualifications of voters in elections. One is based upon an emergency, with reference to a possible nuclear attack; and the other has reference to long-continuing law which is written on the face of the Constitution, and which has been the law from the very inception of our Government. There is no affinity between them whatsoever, except the very small fragment that they happen both to pertain to elections or the selection of public officials. But the methods provided, the substance of the proposals, are the very opposite.

Are we really seriously going to propose, as the Senate of the United States, these totally unrelated matters in the same amendment to the people and the State legislatures of our 50 respective States? Can we argue that the two go together, or that one depends on the other, or that they have any major dependence one on the other, or any major relation one to the other?

Skipping over, for the time being, the inconsistency of having one vote on final passage, and the possibility that a Senator may favor one aspect of the proposal, but not the other, and turning to the question of submitting to the State legislatures the proposed constitutional change with not only this lack of real affinity, but having a conflict within itself, as I understand the situation, the proposals would be submitted to the State legislatures with one choice, and they would have to take it or leave it. They could not split it up and take one without the other.

Mr. President, I submit that the question of amending the Constitution of the United States on any subject is a most serious one, and that the Senate would not be living up to its expectations or to its historical tradition if it should see fit to submit these two amendments together. I think the fact that they are proposed together is enough to defeat both of them.

Certainly, it seems to me we should not take the time to argue about these matters, or even submit such an amendment to the States when we have before us many pressing problems that make demands on the Congress for some kind of solution, particularly when one of the proposals could be settled by a simple rule in the House of Representatives, and the other of which has been debated here for 40 years. Certainly the change has not been found essential, and it cannot be so material for the welfare of the Nation. We are getting along, under present law, with the poll tax.

Mr. President, that is the substance, by way of a very brief review, of my argument with reference to that phase of the pending question. I proceed now to a discussion of the second proposal before the Senate, the so-called anti-poll-tax amendment to this totally unrelated joint resolution with reference to authorizing Governors to fill temporary vacancies in the House of Representatives.

Mr. President, a great deal has been said about the poll tax. A great deal is misunderstood about the poll tax. It is thought of, in some circles, as being a tax on the right to vote, or is loosely called that. A poll tax is a tax on the person. Like other taxes such as a tax on a piece of property, or a tax on income, it is a head tax. The word "poll" comes from the word meaning people. That is the basis of the taxation. It is based on the simple proposition that everyone who enjoys the fruits of the government should pay some tax. That is the origin of the tax—that there should be a tax upon each person. It is nothing new in American history. It has always been recognized, as I shall show by specific references to cases and historical facts.

Mr. President, it has always been characteristic of our Government to require every person to pay some tax. Many States and many of the Colonies at the time of the American Revolution, and afterward, required the payment of a property tax or poll tax, or some kind of a contribution to the costs of government, before citizens could enjoy the privileges of government.

I never have believed otherwise than that is a sound principle of government. I do not know that I have had many thrills in life greater than that I felt at the time I cast my first vote. I had the thrill of knowing that I was participating in the government directly, and I was also paying some tax, and therefore was sharing a part of the privileges and had a part in carrying some of the responsibility.

I never have believed otherwise, especially in view of the fact the right to vote is a privilege. Voting is a privilege; it is not a right. It never has been a right. I hope in our form of government it never will be a pure right. The

casting of a vote is a privilege, and that privilege arises from the States of the Union, not from the Federal Government. The Federal Government has never had the power to confer the privilege of voting upon anyone. That privilege arises from the States, and not from the Federal Government. There is written into the basic law of the Federal Government itself the direct provision that the Congress shall never—shall never—undertake to create the qualifications of electors. The privilege of voting comes from the States, and therefore the Federal Government adopts the qualifications the States prescribe.

Mr. President, a State cannot even set up a double standard, to say, "These will be the qualifications for electors who vote for Members of Congress," and these will be the qualifications of those who vote for other officials. That cannot be done. The States are forced to prescribe the qualifications of voters for members of the most numerous branch of the State legislature. Those automatically become the guide or the rule which applies to the election of Members of the National Congress.

I repeat, Mr. President, that voting is a privilege. That privilege arises from the State itself. Therefore, the States ought to have control.

Even apart from what is written into the Constitution, logic dictates that the States should have such control. As I have said, it is a privilege to pay something, to pay some kind of a tax or to make some contribution in order to be able to vote. I remember that as a young boy I heard a very fine sermon, the substance of which was, "Salvation is free." I did not believe it then, and I do not believe it now. I am not a theologian, and do not intend to enter into a discussion of theology. We could never earn salvation ourselves. It is doubtless free, in a sense, but I think in any realm reward requires some kind of effort on my part. I have to live up to something. I have to do something. I cannot be fully worthy; there is something I have to do. I still believe that.

I believe that in our free Government freedom is a two-way street. The people ought to be told that. It should be emphasized at every turn, everywhere, every day in every manner. There is something the people must do. The privileges we enjoy simply do not come like rain from the heaven. There is a two-way street. Privileges and responsibilities go hand in hand.

I know that in this day and time we have the "nothing down and a dollar a month" idea. I went by a shop window in Jackson, Miss., one day last year, and I saw an electric skillet of some kind in the window, with a sign which said, "Price, $12; nothing down and a dollar a month." I am afraid that serves to illustrate, Mr. President, the attitude we are getting into now, that, after all, Government involves nothing down and just a little paid along the way if we want to, and if we cannot make the payment then the Government will finance the deal anyway. I simply do not believe in the "nothing down" form of Government. I believe that would be harmful for all of us.

I do not think there is any sound principle of logic or commonsense or anything else to support such an idea. There should be at least some kind of a requirement for some kind of a payment on the part of all who go to the ballot box. I know that is the way it works in my State. The payment of the poll tax has proved to be a very reasonable regulation of the exercise of the high privilege of voting, and it is such a small amount that it is certainly easily within the reach of everyone to pay. But if any person should be crippled or should be otherwise incapacitated, such person can get a certificate of exemption. The tax is only $2 a year per person, and it applies to all alike, regardless of sex, color, or any other consideration. There is a provision that persons above 60 years of age, who presumably have a smaller earning capacity, are not even required to pay the tax, but merely have to be certified that they are exempt.

Some say they do not think the poll tax is sound in principle. I think it is. It is a very reasonable, very effective regulation. It requires that a person manifesting an interest in an election shall pay a small amount for the privilege of participating.

I have never seen an illustration of any material or substantial abuse with reference to the poll tax law. Stories are told about some ward politician showing up with a pocket full of poll tax receipts at the last minute, and getting persons whom he controls qualified to vote. Mr. President, I could not say that such things do not happen sometimes, somewhere, but I certainly know they do not happen in my State, and I do not believe they happen on any extensive scale anywhere. The laws require that the tax must be paid in advance, and no one can show up at the last minute and pay the poll tax for others so as to control their votes. That simply does not happen.

Another feature of the tax in my State is that a citizen has to pay only one year's arrears, if he falls behind in his payments. He has to pay only one year's arrears of the tax in order to be qualified to vote. There is none of the stacking up of delinquencies or anything of that kind.

We do not have any machinery of government for the collection of unpaid poll taxes. When the election is already past, the Government does not try to gouge the money out of the people anyway. That is simply not done. The law does not permit it. That is not the idea of the tax, anyway. The idea is tied in with the privilege of casting a vote.

On top of all that, Mr. President, the money goes solely and exclusively for the public education of all children in all the public schools. As I recall, the money has to be spent in the county where the tax is imposed or where the person lives. The money has to be spent for schools in that county. So the money is tied down to that degree. It cannot be spent for any other purpose except for the general education of children.

It is often said that this tax is something which is aimed at the colored people, in an effort to keep them from voting. This provision is a sound, simple regulation of the privilege of voting. I should say that if there were not a single colored person in my entire State, I believe there are many indifferent people whose numbers ought to be thinned out before the election. If they are not so constituted as to manifest some interest in the government, and if they are not will to pay some small token of a tax, it makes no difference who they are or what State they are in, if they do not show an affirmative interest, with more or less continuity, by a small token payment, as a general group they are very rightfully excluded from appearing at the last moment and canceling out the ballot cast by a citizen who does have an interest and who does carry the burdens of government.

So, as a reasonable regulation of this privilege, the law has nothing whatsoever to do with the color line in my State. There are hundreds of colored people who vote regularly, not merely in presidential elections or congressional elections, but in State elections and city elections. They have met the modest requirement, just as everyone else has.

On the other hand, until we had the sales tax in my State, that was all the tax many people paid. The small amount of poll tax was the only tax they paid. We now have a sales tax. One of its virtues is that it applies across the board, and everyone, according to his standard of living, pays something. However, the tax is still not so heavy as to be burdensome even on those with the most modest income.

Many sound legal principles apply to the question which we are discussing, and which we would glibly sweep aside by a proposed constitutional amendment. A great many of such principles go back to the fundamental proposition that the privilege of voting is derived from the State and not from the National Government. That is a judicial determination, reiterated many times by every court in our land; and we find it expressed by those who drafted the Constitution as well as those who have lived under it since that time.

I now wish to discuss the question in a more formal way, leading up gradually to some of the principles to which I have referred, as they are reflected in the adjudications of our courts, and in the documents connected with the writing of the Constitution.

It has been stated on the floor of the Senate that the proposed amendment would affect only five States; namely, Alabama, Arkansas, Mississippi, Texas, and Virginia; also that the proposed amendment would remove any other economic disqualification for voting, other than the poll tax, which is at present on the books of the States of Florida, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and South Carolina.

This is an unusual situation. The proposed amendment provides that it shall be submitted to the State legislatures, to be adopted at any time within a period of 7 years; and if it is not ratified within a period of 7 years, it will fall. That would leave a situation whereby, after 1 year, 2 years, 3 or 4 or 5 years, or even almost 7 years, the last State required to act could act favorably, and the people of all the States I have mentioned would suddenly wake up in the morning to find out that all their election laws with reference to property qualifications or poll tax qualifications of any kind had been swept aside. The Legislature of the State of Washington, for example, might cast a vote at 10 o'clock some night which would repeal all laws I have mentioned in Rhode Island, Vermont, Texas, Mississippi, or any other State. They would be repealed automatically. Such action would require the automatic repeal of laws which are intertwined with the election laws. It would require the calling of a legislative session in those States, no doubt, to rewrite and clarify the law, as a practical matter, before an election could be held. I do not know of anything which would cause more uncertainty and more confusion in the minds of the people than to open up a situation like that, and scramble the election laws, including the constitutions of many of the States. I think it would show disrespect to the States. In addition, it would impose a tremendous burden. The situation could be met only by a session of the legislature; and in some cases a constitutional amendment would be required, involving the lapse of the required time, whatever it may be, for the ratification of the amendment.

That situation would apply not only to Federal elections, but to city elections, county elections, and State elections. It would apply to elections which might be held in the meantime with reference to bond issues, the imposition of taxes, and a great many other matters.

I am not trying to find "bugaboos." I am trying to deal with the practical realities which any lawyer would consider.

I cannot understand why those who make this proposal insist that this provision be written like the laws of the Medes and Persians, without any exception or change, without crossing a "t" or dotting an "i." It is proposed that the regulation be uniform, and that the States be allowed to sink or swim, and left to find their way as best they can through this darkness.

This proposal would affect many laws which are intertwined. Perhaps the provisions which would be stricken down would affect as many as 100 statutory sections of State laws in a dozen or more States, which would have to be rewritten. There would be no guideline.

I do not know of anything that could happen which would throw so much confusion into the elections as would result from the adoption of such an amendment. Certainly great confusion would follow until there was time to clarify and rewrite the State laws.

Mr. President, I respectfully submit that we shall go far wrong if we consider that the proposal affects only those States which have poll taxes or economic sanctions in effect. In reality it affects 50 States, because it seeks to control the suffrage clause of the Constitution of the United States.

A great part of my remarks now with reference to the pending question will refer to the proposal submitted by the Senator from New York [Mr. JAVITS], wherein he will propose at the proper parliamentary time, as I understand, as a substitute for the pending proposed constitutional amendments, a proposed statutory enactment which would in effect repeal the poll tax.

Certainly if any action is to be taken on the subject matter, the only possible legal and constitutional way to do it is by proposing a constitutional amendment.

That point has been debated a long time and with almost unanimity of opinion, and that conclusion is firm in the Nation.

I respectfully call the attention of the Senate to the fact in the very beginning that this is one of the most important and one of the most touchy subjects to be found in our form of government. It is a subject matter with relation to which the framers of nearly all our State constitutions and of our own National Constitution have proceeded with great caution. When they came to consider the subject, almost invariably, instead of vesting the legislative bodies of the Government with power to prescribe and control what shall be the qualifications of electors, the people, through their organic law, have themselves prescribed those qualifications.

I desire to make the further point that it is not merely a matter of States rights. That question is involved, but it cannot be dismissed as merely a question of States rights as such. I think it affects the political integrity of the Nation and the preservation of constitutional government.

Mr. President, I ask that we always remember that this is not a political campaign matter we are considering. We are dealing with the Constitution of the United States. Let us remember also that we are dealing with one of the most delicate subjects within the Constitution.

Not long ago I stood in Independence Hall in Philadelphia. I walked around the chamber there, remembering that was where the Constitution of the United States was written. I tried to picture in my mind where it was that Benjamin Franklin sat. I tried to picture where James Madison sat. I thought of the presiding officer, George Washington, and I felt that a political halo hovered over that place. I thought of the great document those men penned there, how, while the world scoffed, they wrote that instrument, and how it has become the object of admiration of all the world, and how we have grown. That towering city of millions was little more than a village then, and I thought how we have grown into a great Nation, the most powerful in the world.

I thought of the city of Washington, where meet the political leaders of the world. My thoughts shifted back then to the scene of the Senate floor, and I knew this bill would most likely be brought up for consideration. I picked out in my mind the towering personalities in this Chamber, and compared them in my mind with the patriotic personalities who once sat on the floor of Independence Hall. I can say in all sincerity that they compared favorably in intellect, in intelligence, and in attainments, and they compared well in patriotism.

We come back again and again to the proposition that the Constitution of the United States provides that the qualifications shall be the same for electing members of State legislatures as for electing Members of Congress.

Mr. President, that was one of the foundation stones. It was finally agreed upon after a major controversy on the subject in Independence Hall. Students of the Constitution far abler than I have said that without that agreement perhaps there would never have been any basic agreements and no Constitution, at least not at the time is was accepted.

Again, Mr. President, can we lightly, as the successors to those men of political position at that date, come here now and sweep aside the basic principles which were written so clearly into the basic law? Congress cannot possibly have any kind of power to prescribe what shall be the qualifications of electors to elect members of the most numerous branches of State legislatures. If that be true, how can Congress, under any clause of the Constitution, have power to say that the Constitution is all wrong, and that we shall establish a list of qualifications for voters for Members of Congress, and that State legislatures can do what they please under the Constitution with respect to the qualifications of electors of the lower branch of State legislatures?

It is proposed that we shall not follow the Constitution with respect to the question of qualifications. I do not see how we can pursue such a course. That is why I say it is not a question of expediency. It is a matter of what might be proper under certain circumstances. It is a matter of doing something to which the wise and the just can repair, as George Washington remarked during the Constitutional Convention.

Certainly it means something when the Constitution provides in amendment 10:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Certainly that provision has a meaning. With all deference to the Senator from New York [Mr. JAVITS], who proposes a statutory measure in the nature of an amendment, and to the coauthors of his proposal, and to whoever might have helped draft the amendment, I in-

vite the attention of the Senate to the language of the amendment itself, which I think admits on its face that it has no constitutional base. I read now the language beginning on line 1, page 2, which provides:

That the Congress finds that the requirement that a poll tax or other tax be paid, or that any property qualification be met, as a prerequisite for voting or registering to vote at primaries or other elections for President, Vice President, elector for President or Vice President, or for Senator or Member of the House of Representatives is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, and an obstruction of the operations of the Federal Government.

SEC. 2. It shall be unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interfere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification.

That is what I call a legislative fiat. I raise the point that Congress has no power to interpret a word in the Constitution. That is a judicial function. I deplore what seems to me to be the too-oft repeated inclination, particularly in the past few years, to write long preambles or introductory chapters or forewords, so to speak, to bills, the language of which is frequently very loose. Such preambles or forewords are later used in behalf of a certain interpretation of a bill, just as an advertisement for a book may be used in order to try to promote the sale of the book.

We are moving a long way from the simple, basic principle that we, the congressional branch of the Government, are given certain prescribed powers and limitations, and are told to act within that field of activity; that they are our ground rules, and we must stay within them.

We cannot come here and say, as it were, that the football field shall be 110 yards long, when the rules provide that it shall be 100 yards long, and that the field of play shall be limited to that distance.

What team can go on the field and say, "We are going to make a touchdown, but we are going only 90 yards; we will move the goal line"? Such a thing would be ridiculous on its face.

I think introductions, forewords, and prefaces to bills are out of place. They beg the question; they are out of bounds. When we use them, we are off limits. We have no right and no power to go into those fields. We should have the self-discipline to make ourselves stay within the rules.

I deplore the fact that individual Senators cannot give more time and more careful scrutiny and attention to the bodies of the bills as well as to the preambles. That fact is illustrated by what is happening today in the Senate. Many committees are holding meetings of the highest importance. Senators cannot attend to more than one thing at a time. We take up many matters and pass upon them without serious study or scrutiny, except that which is given by a few experts.

So we must take the words of the Constitution as we find them. We must give them their ordinary, commonly accepted meaning, with such additional meaning as has been given to them authoritatively by the judicial branch of the Government.

The words in these measures are a clever way of trying to get around article I, section 2, of the Constitution, so as to transfer the matter over into article I, section 4, of the Constitution.

The proponents of the measure are trying to escape from the point raised, that the voters for Members of Congress must have the same qualifications as are prescribed for the most numerous branch of the State legislature. They propose to say by legislative fiat that the poll tax shall not be deemed to be a qualification.

I shall come later to the historical meaning of that word, I am raising the point now that the proponents of the measure must resort to legislative fiat to try to get around article I, section 1, of the Constitution. That is like saying that Congress shall have the authority to provide that the freezing point of water shall be 28° F., instead of 32°. That would be legislative fiat. The proponents of the measure are trying, by force of language, to say that the requirement that a poll tax be paid shall not be deemed a qualification, "but is and shall be deemed an interference with the manner of holding primaries and other elections."

The word "manner" is used in the Constitution. When a State prescribes that certain qualifications shall be met before one can become a qualified voter or elector, does that pertain only to the manner of holding an election? Let me make it clear that once a person becomes a qualified elector, he is clothed with certain high rights and prerogatives. I want him or her to be protected fully as a qualified elector. Once such a person has met the requirements, he is entitled to every protection. He is entitled to as much protection as the Constitution and the Federal Government can give him. That is simply a legal proposition, based upon the Constitution of the United States. This measure flirts with words and admits on its face, I believe, that Congress does not have the authority to proceed on the merits, but must resort to a juggling of words or a mesmerization of words in order to get some semblance of a legal basis upon which to stand.

Let us look into the historical significance of that question. Is a land tax, as it applies to voting, unconstitutional? Is the payment of a property tax of any kind as a prerequisite to voting, contrary to the Constitution of the United States? Or is the requirement that a voter own property of some kind contrary to the Constitution of the United States? Were not such requirements included in the word "qualifications" when it was used in the Constitution?

Let us see what the picture was when the word "qualification" was written into the Constitution of the United States, in article I, section 2. Let us see what those who framed our Constitution were considering and what was in their legal minds as the leading political thinkers of that day.

I refer now to section 14 of volume 716 of the Senate committee hearings of 1943, which can be found in the Senate Library. With the indulgence of the Senate, I shall consider the requirements of the various States which were represented at the Constitutional Convention.

The State of New Hampshire, by its constitution of 1784, required that before its citizens could become qualified electors, they must pay a poll tax. That fact is bound to have been within the knowledge of the framers of the Federal Constitution when they wrote this clause.

At that time Vermont required that before one could vote, he must be a freeholder, which word, as everyone knows, means that he must own land.

At that time Massachusetts, according to its constitution, required that before one could vote—and let us remember that these provisions were written into the organic law of Massachusetts—he must have a freehold of an annual income of 3 pounds or an estate of 60 pounds.

The constitution of 1787 of New York provided that one must have a freehold of 20 pounds or be paying rent of 40 shillings or have a freehold of 100 pounds, in order to qualify to vote for State senator, or he must be a taxpayer or a free man of Albany or of New York City.

All that was a part of the material which was before the members of the Constitutional Convention. They had before them the words of the constitutions of the States I have named, and in this case, in particular, the requirements regarding what must be done in order to qualify as a voter.

New Jersey required an estate of 50 pounds.

Pennsylvania required that in order to vote, a man must be a taxpayer.

Delaware provided that in order to qualify, one must pay the State and the county some tax. I still believe that requirement is as sound as a dollar, in its common sense and in its logic; and the further we get away from some requirement of that kind, the further we stray from common sense and the more certain we are to steer a downward course.

At that time Maryland required that a person have a freehold of 50 acres of property or 30 pounds in money, before he could vote.

I found a memorandum relating to the situation in Virginia at that time. The Virginia constitution did not require anything on this subject; but Virginia statutory law required that in order to qualify as an elector, a voter, a person must be a free man, having 500 acres of land unsettled or 25 acres of settled land.

The constitution of North Carolina required a freehold of 50 acres in a county for 6 months before the election, and also required that in order to qualify as a voter, one must have paid public taxes. That is in accordance with the basic principle that freedom is a two-way street; that if privileges are to be had, then some kind of contribution or support or effort on our part is necessary. In such case in North Carolina, then the citizen might vote for members of the State legislature.

In South Carolina, in 1778, the requirement was a freehold of 50 acres, as the qualification for an elector.

In Georgia the requirement was property of 10 pounds or that one be in a mechanical trade or be a taxpayer. In other words, it was necessary to do something affirmative.

The other original States, which did not have constitutional requirements on this subject, had various statutory requirements regarding it, and all of them were along the line of requiring that one be a freeholder or have paid a tax on some kind of property.

Mr. President, I have discussed that historic background, in order to show what necessarily was in the minds of those who framed the Constitution and wrote into the basic law, in plain, elementary language, that one must be qualified to vote for the most numerous branch of the legislature of the State, before he could vote for Members of the Congress. But once having met that qualification, then of necessity, by both State law and Federal law, such a person would be eligible to vote in the congressional elections.

Mr. President, I repeat that we cannot by mere declarations or pious statements of intent and purpose or by means of introductory remarks to a bill show that the drafters of the Constitution did not know what they meant, or that they meant something else.

I would not agree any more readily on any subject other than on the subject that the people of the various States, through their respective legislators who know their problems, are best qualified and best prepared to pass on these elementary subjects; and certainly I would be going a long way if I were to try to tell the people of Maine that I know more than they do about their own problems. The same may be said in regard to any other State.

Mr. President, inasmuch as this question was one of the most delicate and one of the most controverted to come before the Constitutional Convention, and inasmuch as those men of intelligence, information, and learning were passing in a most serious vein on the vital question of who should be qualified electors to vote for Members of the House of Representatives, when they finally settled on the words "and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Cannot we be sure in our minds that they knew what they were doing and what they were writing? Of course, they knew. They were not trying to write a new language or to give an imaginary meaning to the word "qualification."

Later, I shall be able to show that the word "qualification" runs all through the law.

I repeat that those men were not trying to write a new language. They were trying to create a new government. They were prescribing one of the most serious tests which was to be laid down, namely, the test as to who should be the ones to be qualified to choose the Members of the House of Representatives. We know they used that word advisedly and with all this mass of information before them, and we know they used that word in a very practical meaning and in a legal meaning. The law was full of it.

Many years later, and merely because of some sort of theory or because we do not believe the payment of a poll tax should be required, can we in good conscience say that they did not believe that the payment of taxes—whether a poll tax or any other tax—was intended to be included within the meaning of the word "qualification."

As I see it, that is the only point of argument the proponents of this measure could have. However, the door is positively closed in their faces by the history of that matter and by its subsequent development.

Mr. President, to continue to discuss what was in the minds of the framers of the Constitution when they used the word "qualification," I now read, for the benefit of the Senate, the words of the New York statute.

It provides:

> Every male inhabitant of full age who shall have personally resided within one of the counties of the State for 6 months immediately preceding the day of election * * * if during the time aforesaid he shall have been a freeholder, possessing a freehold to the value of 20 pounds within the county, or have rented a tenement therein of yearly value of 40 shillings, and been rated and actually paid taxes to the State.

Paying taxes, rated for taxes, owning a freehold. The books are simply full of requirements of that kind, which were staring these men in the face when they solemnly declared:

> Whatever qualifications the State prescribes for voting in the most numerous branch of its legislature, those shall be the qualifications provided for voting for Members of Congress.

I should like to quote at length the actual statute in effect at that time in the State of Rhode Island, which provided:

> Every male citizen * * * of the age of 21 years, who has had his residence and home in this State for 1 year, and in the town or city in which he may claim a right to vote, 6 months next preceding * * * and who is really and truly possessed in his own right of real estate in such town or city in the value of $134 over and above all encumbrances, or which shall rent for $7 per annum over and above any rent reserved or the interest of any encumbrances therein being an estate in fee simple, fee tail, for the life of any person, or an estate in reversion, or remainder, which qualifies no other person to vote.

Notice the word "qualifies." They are talking about qualifying, and they said a person could not use an estate, if the same estate were used to qualify someone else to vote.

By the same token, the Congress cannot do that, because it does not have the authority to depart from the standards set up by the State for their own legislature. I agree there is a Federal right. Surely, it is a Federal right, and it is by force of the Federal Constitution. I do not argue that the States as such have the right to fix the qualifications of electors for the U.S. Congress. The States do not have that right. They have the right to say who shall be qualified in their respective States to vote for the most numerous branch of the legislature. Then, when they have said that, the gavel has fallen, all time for debate has expired. The Constitution of the United States then, in these solemn words, comes along and says the Federal Government, the Congress, "shall adopt in each State" the qualifications and the requisites as prescribed in such State for voting for members of the most numerous branch of the legislature. When those electors vote for a Member of the House of Representatives, they are exercising a Federal right, they are voting in a Federal election. I submit the framers of the Constitution meant exactly what they said, and said exactly what they meant.

Going back a little further, Mr. President, into the historical background, I desire to call attention to the testimony of a few of those political writers of that day.

I should like to call as the first witness, George Mason, of Virginia, and ask him very brief questions on this point. I want to ask him if he is the George Mason who wrote the Bill of Rights. His answer is, "I am." I ask, "Now, Mr. Mason, what do you say about the Congress regulating or altering the qualifications of electors?" In reply, reading from Madison's reports of the Convention, at page 386, George Mason says:

> A power to alter the qualification would be a dangerous power in the hands of the Legislature.

Since the context shows that the subject under discussion was the National Government, when he speaks of the "Legislature" the reference, of course, is to the Congress. He says it would be "a dangerous power in the hands of the Legislature."

I next present as a witness James Madison, called the Father of the Constitution. I do not know that he alto-

gether deserves the title, but, at any rate, he was present and knew what was said and what occurred. Taking now James Madison's statement from The Federalist, article 57, he raises this point:

Who are to be the electors of these Federal representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished name more than the humble sons of obscurity and unpropitious fortune; the electors are to be the great body of the people of the United States.

They are to be the same to exercise the right in every State of electing the corresponding branch of the legislature of the State.

Mr. President, continuing in the course of bringing in witnesses on the question of what the word "qualifications" meant as used and the power of the Congress to go into the question, I now call forth one of the truly great men who graced the Supreme Court of the United States for almost 30 years, as I recall, the great Justice Story. He was overshadowed, in a way, during many of those years by the illustrious John Marshall. But, in my humble opinion, no man ever made a greater contribution, so far as soundness is concerned, to American constitutional law than did Justice Story. I have here a quotation from him while he was discussing section 4 of article I of the Constitution, which refers to the times, places, and manner of holding elections for Senators and Representatives. He said this:

There is no pretense to say that the power in the National Government can be used so as to exclude any State from its share of the representation in Congress.

Of course, those words were used prior to the amendments following the War Between the States. Here is the sentence in which I am particularly interested:

Nor can it be said with correctness that Congress can in any way alter the right or qualification of voters.

Of course, those words were all written after the Constitution was written, with the exception of the amendments following the War Between the States.

That brings to my mind this question: Suppose some State requires electors to have qualifications of various kinds which the Congress may think should not be required because of being too liberal or too extreme. Congress could not change the rule. That is what Justice Story said, and that is what the Constitution says.

I wish to proceed now to an actual case in the Supreme Court of the United States, Ex parte Yarbrough, decided in 1884, reported in 110 U.S. Supreme Court Reports, page 651. I invite the attention of the Senate to a reading of this case, and the other cases I shall cite.

Under section 4 of article I of the Constitution the Congress had passed a law with reference to the regulation of elections, and the petitioners in this case were convicted for intimidating a voter in a congressional election. The conviction was under a Federal law against interference and intimidation. The law was upheld by the Court as being valid under section 4 of article I of the Constitution, and the Court used the language I shall read from page 663:

If this were conceded, the importance to the general government of having the actual election—the voting for those members—free from force and fraud is not diminished by the circumstance that the qualification of the voter is determined by the law of the State where he votes.

That statement is merely a recognition of the law. No one disputed it. That is what the Court took to be the law. That was the plain understanding.

This is the main portion of the case I wish to quote:

The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States—

This is the Supreme Court speaking—

and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

That is where the word "same" to which I referred comes in. It was in this Supreme Court decision, rather than in the Constitution itself. But the meaning is logically inescapable that it is the same qualification, and the Court in this case upheld the Federal power; the decision was not adverse to the Federal Government, and in upholding the Federal power, the Court still laid down the qualification just as clearly as before. I shall read the last sentence again:

They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification of its own electors for Members of Congress.

It will be noticed further how the Court uses over and over again the word "qualifications." All the way through the law, in the constitutions of the States, in the Constitution of the United States, and in the Supreme Court decisions, the word "qualifications" is used.

I have another case I wish to cite. I am skipping over old cases in order to get down to the more modern ones.

The next case was decided in 1937. It was the case of Breedlove against Suttles, found in Three Hundred and Second U.S. Reports, page 277. The facts were that a Georgia law imposed a poll tax on all inhabitants between the ages of 21 and 60, excepting the blind and females who do not register and vote. The State constitution provided that one could not register and vote unless he had paid the poll tax required. The petitioner sought to require the registrar of elections to permit registration for voting in the State and Federal elections without the petitioner having paid the tax.

Now let us understand the facts. The petitioner sought to have the registrar of elections register him to vote in both Federal and State elections without having first paid the tax. That case went to the Supreme Court of the United States. It was decided in 1937. The late Justice Butler rendered the opinion in that case. It was a unanimous opinion. Getting down to the gist of his actual holdings, he had this to say, speaking for the Court:

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment.

We are coming now to the question of the 14th amendment. It has been claimed by some that the adoption of the 14th amendment changed the picture.

Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

Now let us get down to specific words. What I have heretofore read are rather broad statements. We now get down to specific words. Mr. Justice Butler said for the Court:

The payment of a poll tax as a prerequisite to voting is a familiar and reasonable regulation long in force in many States.

Mr. President, that is the specific holding. That is the language of and the specific holding of the Supreme Court of the United States. It is not a dictum. It is not an argument. It is a direct and positive holding of the Highest Court of the Nation. It was the law then It is the law now.

Neither this Congress nor any other Congress has any semblance of authority, by the clever use of words and phrases and clauses, to change the meaning of the Constitution of the United States, or the interpretations of the courts and of everyone else who has passed upon these matters.

Mr. President, there are more modern cases. I do not desire to detain the Senate, but I should like to refer to one more case decided more recently than the one from which I have read, if I may be indulged a moment.

Mr. President, this is the case of Saunders against Wilkins, 102 Federal 2d 235, p. 237.

This decision was written by the late Justice Dobie, a member of the Circuit Court of Appeals of the Federal courts. Judge Dobie had one of the finest minds I have ever come in contact with anytime, anywhere. He had one of the strongest, most powerful minds, and could impress his thoughts upon other people I believe more effectively than any other person I have ever known. It was my privilege to study law under him for 3 years, when I was taking my law course. I owe him and his methods in the field of legal learning more than I could ever pay, and I am only one of thousands this truly great man taught. He stated:

The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government.

That great man's fine words, boiled down into one short sentence, are the key to the whole concept of our great privileges. I repeat his sentence of his decision:

> The privilege of voting is derived from the State and not from the National Government.

I quote further:

> The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252, held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Mr. President, there are other cases, some of which are more modern, supported by great legal authorities and thinkers who endorse the conclusion which is incontrovertible, as I have outlined it in a humble way in these few remarks.

Mr. President, I believe the authorities I have cited, as well as others which could be cited—and I have many more here—are conclusive on the proposition that the Congress has no power, and I do not believe has any inclination, to try to substitute a statutory enactment for the basic fundamental provisions of the Constitution which have been so long in the law and so often reiterated by various Congresses, by writers, by the courts, and by practically everyone else.

I have one final word, Mr. President, as to the constitutional amendment. This may be an election year. A person may honestly think that a poll tax or any kind of tax ought not to be required. Everyone, of course, is entitled to his opinion. But, Mr. President, if we are to continue to have States there must be certain things in which the States are to have a part. The States must have a field of activity.

The Federal Government is fast usurping the activities, powers, and prerogatives of the State governments. As I said yesterday, a fine lady in the District of Columbia, who was raised in one of the States, said to me, in all seriousness not too long ago, "Why continue to have States, anyway?" My reply to her was that if we continue to whittle away their responsibilities, their powers, and their field of activities, their revenue, and everything else, we shall not have States very long.

I submit that in this Chamber, where every Senator representing a State is chosen by the people of the State at large, we should be the last ones to surrender any of the powers of the States. This should be the first place where such powers are championed.

As I said yesterday, and as I repeat now, if there were funds available, as the Senator from Alabama [Mr. HILL] very forcefully suggested to me, and if time were available, the proposed constitutional amendment could be used as a vehicle to carry a message to the legislatures of the 50 States, pointing out how, over the years, the powers of the State governments have been whittled away, reduced here, and chipped off there. We are now getting down to the very fundamentals of electors in the States, carving away the powers of the States, a bit here and a bit there. We could make the State legislatures vividly see the entire picture as it has developed, and let the people realize just what is happening, and how the powers of the States are disappearing.

There may not be any great interest in this subject at the present time. However, I believe that the turn of events in this country will cause the American people more fully to realize what is happening in connection with the encroachments of a powerful Government, and the transfer of power and responsibility to Washington. I am not afraid of the Federal Government. However, in the years ahead, the people will realize the trends and consequences. I believe that then they will rise up in disappointment, and partly in wrath, and that those of us who are responsible for these trends and for continually running downhill will not be heroes in their sight. Adjustments will come in the decades ahead. They may be exceedingly severe when they do come.

I believe the people of the United States have an abiding faith in their ability to govern themselves, and that they do not want the power and responsibility of local citizenship and State citizenship, or State powers and prerogatives, whittled away and transferred from them. There will be a new era, and there will be new thinking.

I do not suppose there is anyone who has the time or the money, even if he had the talent, to go galloping around to the 50 State legislatures, but this amendment could be a suitable vehicle, and now would be a fine time to outline the entire picture, so that the people and the legislatures of the various States could have before them an understanding of exactly what they would be voting away if they should accept the proposed amendment.

I do not wish to close without pointing out again, with all deference to other Senators, that I think it is absurd for the Senate of the United States to attempt to tie these two proposals together—one giving the Governors of the States the power to fill vacancies in the House of Representatives in the event of an atomic bomb or nuclear weapon attack on the city of Washington, and the other dealing with the old question of prescribing the qualifications of voters in all Federal elections, which means all State elections, too. I think the two proposals are inconsistent. There is no real affinity between them. There is no real need for us to combine the two proposals and submit them to the State legislatures on a take-it-or-leave-it basis. Such action would not only be unsound; it would be ridiculous. It would make us appear in the eyes of the people and of the legislatures to be committing childish acts in time of peril by merely coasting along and submitting proposals of this kind to the States when we should be considering the serious problems of the country.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I wish to commend the distinguished junior Senator from Mississippi for his most eloquent and able address.

Mr. STENNIS. I thank the Senator.

Mr. HILL. The distinguished Senator's colleague, the senior Senator from Mississippi [Mr. EASTLAND], delivered a very able and profound address on the pending business on last Friday. It was his intention to address the Senate again today on the subject before the Senate, but unfortunately he is confined to the hospital because of illness at this time, and therefore is unable to be present.

I, therefore, ask unanimous consent to have printed in the body of the RECORD at this point the address which the distinguished senior Senator from Mississippi [Mr. EASTLAND] had planned to deliver at this time.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EASTLAND

A constitutional amendment is now proposed that denies to the States the power and the right to make three particular requirements as a prerequisite to voting in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress. The three areas wherein the States are to be denied the right to impose conditions concern (1) any poll tax; (2) any other tax; and (3) any property qualification. While it is true that the Congress and the States have the right and power to enact not only this insignificant amendment but one that would transform and revolutionize our entire system of government, the exercise of the power does not necessarily mean that the purpose sought is wise or in the best interest of the people. Remember this, while you can deny a right or power in one limited area today, other rights and powers can be denied to you and your States tomorrow.

The greatest single miracle that was achieved in the promulgation of the U.S. Constitution was the welding together in a republican framework autonomous and sovereign Colonies that gave to the Central Government certain specific and delegated powers and retained for themselves and the people all other powers, rights and privileges.

Students of government and political scientists from abroad have always marveled as to how a country such as ours could survive with the now existing 51 separate legislative, executive, and judicial systems. Our Founding Fathers made this the primary condition to the establishment of a Union.

Section II, article I of the Constitution reflects the fixed intention of the Founding Fathers to require that portion of the entire population which should have the privilege of voting for candidates to a national office should be determined solely and alone on the basis of the qualifications of each separate State requisite for electors of the most numerous branch of the State legislatures.

Francis Newton Thorpe, in his book, "The Constitutional History of the American People," sets forth charts and tables which show the qualifications of electors in the several States prior to, contemporaneous with, and subsequent to the adoption of the Constitution. These charts follow in the CONGRESSIONAL RECORD at this point.

"[Extracts from 'The Constitutional History of the American People, 1776-1850,' by Francis Newton Thorpe (Harper Bros., New York), vol. I, pp. 93-971:]

"Qualifications of electors prescribed by the constitutions, 1776–1800

State	Constitution	Age	Residence	Property	Taxation	Religion [1]	Sex	Race	Native or naturalized
New Hampshire	1784	21	Town	Having town privileges, freehold.	Poll tax		Male		
	1792	21	do	Freehold			do		
Vermont	1777	21	1 year in State				do		Foreigner after 1 year's residence.
	1786	21	do				do		Do.
	1793	21	do				do		Do.
Massachusetts	1780	21	1 year in town	Freehold of annual income of £3, or estate of £60.			do		
New York	1777	21	6 months in county	Freehold of £20 or paying rent of 40s. Freehold of £100 to vote for State senator.	Taxpayer, or freeman of Albany or New York City.		do		
New Jersey	1776	21	12 months in county	Estate of £50			Male or female.	White or black.	
Pennsylvania	1776	21	1 year in State		Taxpayer		Male		
	1790	21	do		State or county tax		do		
Delaware	1776 [2]								
	1792	21	2 years in State		State or county tax		Male	White	
Maryland	1776	21	1 year in county	Freehold of 50 acres or property of £30.			do		
Virginia	1776 [2]								
North Carolina	1776	21	12 months in county	Freehold in county of 50 acres for 6 months before election may vote for State senator.	Paid public taxes, may vote for member of H.C.				
South Carolina	1776 [2]								
	1778	21	1 year in State	Freehold of 50 acres or town lot or paid taxes equal to tax on 50 acres.		Acknowledges the being of a God and a future state of rewards and punishments.	Male	White	
	1790	21	2 years citizen of the State.	Same as in 1778	If not freeholder, has paid tax of 3s. sterling.		do	do	
Georgia	1777	21	6 months in State	Property of £10 or being of a mechanic trade or a taxpayer.					
	1789	21	6 months in county, citizens and inhabitants of the State.						
	1798	21	do		Taxpayer				
Kentucky	1792	21	2 years in State or 1 year in county.				Male		
	1799	21	do				do	White	
Tennessee	1796	21	6 months in county	Freehold			do		

[1] In New Hampshire, Massachusetts, Connecticut, and Vermont in the 18th century, most of the electors were church members.
[2] Qualifications "as fixed by law"; see table below.

"The qualifications of electors as prescribed by law

State	Date of law	Age	Requirements
Massachusetts	Mar. 23, 1786		Freeholders who pay 1 single tax, besides the poll, a sum equal to ⅔ of a single poll tax.
Rhode Island	1762	21	Inhabitants. £40 in realty, or 40s. per annum rent, or eldest son of freeholder.
Connecticut	1715	21	Realty—40s. per annum, or £40 in personal estate.
New York	Mar. 27, 1778		Every mortgagor or mortgagee in possession, and every person possessed of a freehold in right of his wife, vote viva voce for senators and assemblymen; by ballot for governor and lieutenant governor.
New Jersey	Feb. 22, 1797	21	Free inhabitants having £50 property, and 12 months in the county. Women, aliens, and free Negroes, thus qualified, voted.
Pennsylvania	Feb. 15, 1799	21	Citizen of State 2 years, paying State or county tax 6 months before the election; sons of electors vote "on age"; i.e., at 21, without payment of the tax.
Maryland	{October 1785 / Dec. 31, 1796}		Free Negroes not to be electors.
Virginia	Law of 1762-69		Free Negroes and women not to be electors; an elector a freeman having 500 acres of land unsettled, or 25 acres settled, having thereon a house 12 by 12. Elector voted in the county in which the greater part of his land lay, if it lay in 2 counties.
Do	Law of 1781		Poll tax—½ bushel wheat, or 5 pecks oats, or 2 pounds sound bacon. Repealed November 1781, and made 10s.
South Carolina	Oct. 7, 1759		Elector—free white man possessing settled freehold estate, or 100 acres unsettled, or £60 in houses, or paying a tax of 10s.

"Neither by the Constitution nor the law were free Negroes (males) denied the right to vote in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, or Tennessee. There is evidence that they voted in New Jersey from 1776 to 1807 (see act of November 16, 1807, limiting the right to vote to free white male citizens); in New York (acts of March 27, 1778; April 11, 1815; April 19, 1822); in Pennsylvania under constitution of 1776 (see debate on inserting the word "white," as descriptive of the elector, in the report of the Constitutional Convention of 1838); in North Carolina (see debate on "abrogating the right of free persons of color to vote," under Constitution of 1776, in debates of the Constitutional Convention of 1835); in Tennessee, from 1776 to 1834 (see "Caldwell's Constitutional History and of Tennessee," p. 93, and compare the qualifications of the elector under the two constitutions). In New England, if the town meeting admitted the free Negro to a citizen's rights, he could vote. Public opinion in Rhode Island refused him admittance (see Constitutional Convention, 1818, art. VI, sec. 2; and of Rhode Island, 1842, art. II, secs. 1 and 2). It was not an established right in law, in 1842, that a person having African blood in his veins could be a citizen of the United States; he could not become such by naturalization, as the law restricted naturalization to white men. Free persons of color [1] were denied the right to vote in New Jersey, by act of assembly, in 1807; in Tennessee, by the constitution of 1834; in North Carolina, by constitutional amendment, in 1835; in Pennsylvania, by the constitution of 1838. Thus, of the States that originally allowed them the

[1] In New Jersey the right was taken away from them, from aliens, and from females—inhabitants—by the constitution of 1776, by act of assembly, Nov. 16, 1807. See debate on "abrogating the right of free persons of color to vote"; proceedings and debates of the convention of North Carolina called to amend the constitution of the State, which assembled at Raleigh, June 4, 1835, to which are subjoined the Convention Act, the amendments to the constitution, together with the votes of the people. Raleigh, 1836, pages 351 p. et seq. See also Curtis' dissenting opinion, *Scott* v. *Sanford*, 19 Howard, 393. There is no evidence that free persons of color voted in colonial times.

right, New Hampshire, Vermont, Massachusetts, and New York never withdrew it.

"Indians—Person of mixed white and Indian blood who has adopted the customs and habits of civilization; or

"Person of Indian blood residing in State who has adopted the language, customs, and habits of civilization after an examination before any district court of the State in such manner as may be provided by law and shall have been pronounced by said court capable of enjoying the rights of citizenship within the State."

The State of Texas disqualifies for voting "soldiers, marines, and seamen while employed in the regular service of the Army or Navy of the United States."

Mr. President, I want it clearly understood as I go into this subject that I am not trying to pass any judgments on the wisdom or justice of the laws of any State of this Union, save my own, insofar as voting qualifications are concerned. The setting of these qualifications and requirements is peculiarly within the constitutional rights and privileges of the States themselves. However, the avowed purpose of the proposed constitutional amendment is to throw stones at the State of Mississippi. So as a purely academic exercise I am going to take this occasion to comment on the voting requirements of some of the States and put these requirements in juxtaposition with those of other States.

The so-called literacy requirement of New York State is couched in this language:

"Unless he became entitled to vote prior to January 1, 1922, must, in addition to above qualifications, be able to read and write English unless prevented by physical incapacity."

New York probably has more U.S. citizens who read and write a language other than English than any other State in this Union. It even publishes many newspapers in foreign languages so that these citizens and aliens residing there, these non-English-speaking people, can be kept informed and conversant with the affairs of this country. Regardless of the degree of literacy of this class of New Yorkers, mastery of English is an absolute necessity to qualify to vote either in National, State, or local elections.

Louisiana is another State that has long had many fine, outstanding, highly literate, native or foreign-born non-English-speaking citizens. Thus the literacy requirements of this State are contained in these terms:

"Shall be able to read and write and, unless physically disabled, shall fill out his application for registration in writing in English, or in his mother tongue and shall sign his name. If he cannot write English, he may write it in his mother tongue from the dictation of an interpreter. If he is unable to sign his name, he may make his mark authenticated by the registrar who shall then read the application to him through an interpreter.

"Applicant shall also be able to read any clause in the constitution of Louisiana or of the United States and give a reasonable interpretation thereof. Interpretation only, without reading, held sufficient if applicant otherwise qualified for registration.

"Whenever an applicant for registration is unable to write his application because of inability to write English but can write only some other language and is not illiterate, he may sign his name to, or make his mark in the presence of two witness on, an affidavit stating this. He must in such case bring with him two qualified electors of his precinct to sign written affidavits attesting the truth of the facts set out in the application and accompanying affidavit. It shall be a violation of this law for any elector to sign the affidavit to the application of more than two persons in any 2-year period."

In New Mexico, literacy is not required as a condition to voting and the constitution further provides in regard to this subject that—

"The right of any citizen to vote shall never be restricted, abridged, or impaired on account of religion, race, language or color, inability to speak, read, or write English or Spanish languages except as may be otherwise provided in the constitution; and the provisions of this section and of section 1 of this article (qualification of voters) shall never be amended except upon a vote of the people of this State at an election at which at least three-fourths of the electors voting in the whole State, and at least two-thirds of those voting in each county of the State, shall vote for such amendment."

New Mexico had a further provision in its constitution wherein it disqualified for voting "Indians not taxed." This condition was declared unconstitutional in 1948.

Next door to New Mexico, Arizona requires as a prerequisite to voting:

"Unless physically disabled, must be able to read the Constitution of the United States in English and to write his name."

Now, on the other side of New Mexico, Texas has no literacy requirement whatsoever. All that is required as a qualification for voting is that one be a citizen of the United States, 21 years of age, 1 year residence in the State, and 6 months in county next preceding. Texas has another substantial difference in its voting requirements from those of most of the other States—registration is not required. I want to call what I am now saying to the particular attention of my two colleagues from that great State, who, incidentally, are both cosponsors of the Holland amendment. We all love them and know they want to stay in the Senate. But if this amendment is adopted and applied to the 1960 elections, with the law of Texas as it now is, the people of the great State are going to be denied the right to participate in the election of electors for President and Vice President, and when the 87th Congress convenes, not only Texas, but the entire United States would mourn the absence in Congress of our majority leader, the Speaker of the House of Representatives, and the entire Texas delegation. The whole weight of congressional representation for the entire State of Texas will rest solely and alone on the shoulders of the junior Senator from that State. Let me read to you what the election laws of the State of Texas provide:

"Poll tax: Must have paid his poll tax before February 1, before election, or if exempt from poll tax, must procure a certificate showing his exemption.

"Registration: Registration is not repaired. The lists of citizens who have paid their poll tax serve as a registration list. The certified list for each precinct of qualified voters who have paid their poll tax shall contain the following information about each person: (1) Number, (2) name, (3) precinct, (4) age, (5) length of residence, (6) occupation, (7) race, (8) length of residence in city and ward, (9) street and number of residence, and (10) post office address.

"Poll tax receipt: Each poll tax receipt shall show: (1) Name, (2) payment of tax, (3) age, (4) race, (5) length of residence in State, (6) citizenship, whether native or naturalized, (7) place of birth, (8) length of residence in county, (9) voting precinct, (10) occupation, (11) post office address."

Thus, in Texas the entire method of qualification and the machinery of voting and holding an election is based squarely, solely, and alone on the payment of poll tax. Without the payment of the poll tax or exemption therefrom under Texas law, there is no way for an election official to tell who is, or who might be, qualified to vote in any election. State elections could be held as usual. But how could you hold a national election when payment of the poll tax is the sole criteria for determining whether an individual is registered and qualified to vote? I am certain that Texas can solve this problem. But this points out how ridiculous it is to resort to a constitutional amendment to tamper with matters that have been within the exclusive province of the States.

California, another State which has a possible problem of U.S. citizens who cannot speak or read the English language, also has a literacy test. It provides:

"Must be able to read the Constitution in English and to write his name unless physically disabled or unless an elector or over 60 years old on October 10, 1911."

The 1950 census listed the white population of Alaska at 92,876 persons and the aboriginal stock at 33,853. The aboriginal stock is said to be composed of Aleuts, Eskimos, and Indians. I do not know what language these aborigines may speak, read, or write. But if any of them do vote they had to meet this literacy test:

"He shall be able to read the U.S. Constitution in English and to write in the English language, unless he is prevented from complying with this requirement because of physical disability only, or unless he has legally voted at the general election of November 4, 1924."

Our last State, Hawaii, has a somewhat different literacy requirement from Alaska insofar as voting requirements are concerned. It takes into consideration the descendants from the original native stock.

The State constitution of Hawaii provides:

"No person shall be qualified to vote unless he is also able, except for physical disability, to speak, read, and write the English or Hawaiian language."

Mr. President, this review shows how States, far removed from each other geographically, or adjacent, have varied requirements, or make literacy or language no requirement, for suffrage. I yield to no one in asserting the right of the State to adopt the course of action, or the requirement, or the lack of requirement, as it chooses. But fundamentally, the small matter of whether a $2 poll tax is required as a prerequisite to voting in Mississippi pales into insignificance when one considers the differences that must necessarily exist in applying these various literary tests, or lack of them, to the people of the several States involved.

Mr. President, as I have stated before, voting requirement laws of the 49 States other than my own are of no legitimate concern to me as a U.S. Senator, or as a resident of the State of Mississippi. I am forced to consider them because this presently pending amendment is aimed squarely at my State and its existing laws. Not having lived in the State of New York, it is understandable that I cannot appreciate the situation or condition that requires the legislature of that State to enact laws in the form that they now appear on the statute books. As a lawyer and an individual, it is hard for me to conceive or imagine the relevancy of the questions a prospective voter is forced to answer on the mandatory registration form as related to the voter qualifications.

Outside the literacy requirement, which has been previously discussed, a voter must be 21 years of age on election day, must be a U.S. citizen at least 90 days prior to election, and must meet residence requirements of 1 year in the State, 4 months in county, city, or village, and 30 days in election district next preceding the election.

Question No. 1 on the registration form is, Has voter previously voted at a general election? This question is irrelevant for any purpose other than to trap the voter in an untruth. If he is qualified, what difference does it make whether he voted previously

at a general election in New York State or not? Of course, this does not give to those who have access to the registration books a line on the individual; information that might be of great value to some people at some time for purposes far removed from voter qualifications.

Question No. 2 is enrollment number for party affiliation. I do not pretend to understand the reason for this question. I understand, at least as far as Senators and the high State offices are concerned, that party nominees are selected by conventions. If this is true, and one is qualified to vote, what possible relationship can party membership have to the casting of a secret ballot in a general election? Or, can an individual independent of any and all parties vote in a general election?

Question No. 3 is sex. Why ask this? Does the fact that one is a male or a female have anything to do with voting or registration qualifications in New York State? Of course, this does constitute another little tidbit of valuable information for a dossier.

Question No. 4 is name of political party with which voter enrolls. This question might be even considered unconstitutional were it not for the fact that the State of New York has the sole and only power to determine the qualifications of its electors in both State and National elections. But even aside from this, it is difficult to see what remote relationship the question could have to casting a vote in a general election.

Question No. 5 is address. This is a legitimate and necessary question.

Question No. 6 is name. This is most necessary and legitimate, but why should it be No. 6 instead of No. 1?

Question No. 7 is age. This is also necessary and legitimate.

Question No. 8 is marital status. Why this question? What does it have to do with voter qualification? But this is a necessary element to fill out the dossier.

Question No. 9 is term of residence. This is necessary and legitimate.

Question No. 10 is country of nativity. This language is awkward, but literate, English-speaking persons should understand it. However, it is just another expression to ask the simple question, "Where were you born?" and as such it is legitimate though not necessarily necessary to establishing the voting qualifications. Not one of the questions ask, "Are you a citizen of the United States?"

Question No. 11 is "If naturalized, how, when, and where?" This is most necessary and proper.

But Question No. 12 is "name of landlord." The address was given in No. 5. But now the question is not "Where do you live?" but "Who is your landlord?" This vital information has nothing to do with voting qualifications, but it is important information. If you own your own home you have to admit that you are your own landlord. If you rent, lease, or even live in a hotel, someone is going to have access to information and the actual name of a person who knows something about the personal and private life of the voter. The dossier is filling out.

Question No. 13 is year when voter last registered, name of State and city or town.

Question No. 14 address from which voter last registered or voted, and

Question No. 15 is name and address of business or place of employment.

These three questions fill out the past and close out the present. If you would just add the fingerprints and a picture, the New York police force and the Federal Bureau of Investigation would have it completely made. A full and complete dossier on every qualified voter in the entire State of New York. I am one of those who is willing to grant to the State of New York and admit that it does have the right and power to require of its citizens any kind and character of information from them that it chooses. But why try to cover up and obtain the information circumspectly through a so-called "Voter Registration Application"? Why not declare just a general registration day, or week, or month, every year or so and require every person above the age of 16 living in New York State to come in and give this information, adding to it the fingerprints and picture. Could you think of a greater determent to crime in the city of New York? But I would guess that most of the crimes now committed in New York are by those who are not on the voter registration list, and leaving them out makes the job of crime detection just that much more difficult for the police.

Six of the 15 registration questions are necessary to determine whether the voter meets the standard of qualifications set by the New York law. Two additional ones relate to party affiliations, the purpose of which these questions serve being unknown to me. The balance roam the past and present, filling in the details that give anyone having access to the books a complete and intimate picture of the individual: Whether he or she is married or single; where he lived in the past and where he voted in the past; whether he is a property owner or a tenant and if he is a tenant the name of his landlord; whether he is self-employed, and if he is the name and address of his business, or, if he works for somebody else, where he works and the name of his employer. To me, it is a shocking thing that a privilege as sacred as the right of State suffrage should be so debased as to make it an instrument to pry into the private and personal lives of the citizens. Dossiers are the foundations upon which police states are erected.

Knowing that there were other States that had concentrated population problems such as New York, I was most curious to see if they adopted a similar course in questionnaireing those who sought to vote. I turned first to Illinois, because Chicago has problems very comparable to those in New York City. Here are the questions asked by a registrar in Illinois: (1) Name and sex; (2) address; (3) residence, term of; (4) nativity; (5) citizenship, how acquired; (6) age at next election; (7) physical disability, if any; and (8) county and State in which he was last registered.

These are short, pertinent, and adequate to furnish every iota of information needed to qualify without one question that pries into the private or personal, or business life or activity, of the applicant for registration.

Now, let us turn to Pennsylvania. I might add here that neither Pennsylvania nor Illinois has a literacy requirement. Both of these States, in contrast to New York's strict English language literacy standard, permit even those who cannot sign their names to register by making their X. Pennsylvania required the following questions to be answered in the registration application: (1) Name; (2) occupation; (3) address; (4) term of residence; (5) prior registration (date and address); (6) sex; (7) color; (8) place of birth; (9) if naturalized, how, when, and where; (10) whether he is entitled to receive assistance in voting because, by reason of illiteracy, he is unable to read the name on the ballot or the voting machine labels; (11) party affiliation; (12) height; (13) color of hair; (14) color of eyes; (15) date of birth, or statement that he has attained majority (if date of birth is not material for naturalization through parent); and (16) if naturalization is through marriage, date of marriage.

Pennsylvania has more questions by number than does New York. But not one of them deviates from information that strictly relates to the voting qualifications set by the law.

To make this comparison, or rather contrast, completely fair, we will take another State blessed, or afflicted, with concentrated population problems. California requires answers to the following questions in its registration application: (1) Date of prior registration; (2) name; (3) address; (4) height; (5) place of birth; (6) method of requiring citizenship if not native born; (7) that he can read the Constitution in English and can write his name, or was an elector or over 60 years of age on October 10, 1911, or that he is physically disabled and cannot mark the ballot; (8) party affiliation. Applicant may decline to state this but will then be ineligible to vote in primary; and (9) that he is not disqualified by reason of a felony conviction.

No comment need be made on the character of these questions. They cover the subject and stay on the subject. As between the great city States, the questions on the New York State registration application stand out like a sore thumb. Regardless of how law abiding or conscious free an individual may be in the State of New York, I venture that the vast majority of the there registered voters would much prefer to pay a $1 or $2 capitation tax as a prerequisite to voting than to be forced to lay bear to the State their private and personal lives as is now required in the registration form. And think of those poor people in rural districts in New York State. I did not mention them before and they are grossly discriminated against. As I read the digest of the New York Statutes, they are forced to come in and register before every general election. Only in the great cities do they have what is called permanent registration.

One more point before I leave this New York registration discussion. If I lived in New York and wanted to be as independent as a "hog on ice" insofar as party affiliation is concerned, why could I not be treated there in the same manner that California treats its independents? Just bar me from a primary and let me vote in a general election for the candidate of my choice. It is impossible to determine from the application form in New York, but if it is to be taken literally, a nonparty member is actually disenfranchised from voting in a general election, or even from registration for that matter, because he cannot properly answer the questions in the registration form.

Mr. President, several of the States require some form of loyalty oath as a prerequisite to the exercise of suffrage. These oaths are interesting and varied in their content and I would like at this time to review some, or all, of them.

In Vermont, in order to be qualified to vote, a person must take the freeman's oath by which he solemnly swears or affirms that whenever he will give his vote or suffrage touching any matter that concerns the State of Vermont he will do it as, in his conscience, he shall judge will be for the best interests of the same as established by the Constitution without fear or favor of any person. This oath, which evidently antedates the adoption of the U.S. Constitution, does not even recognize the existence of the United States. Yet the qualification of Vermont electors to vote for national officers is based squarely upon it.

Alabama, on the other hand, requires an oath as a prerequisite to suffrage to defend the Constitution of the United States and of Alabama, and a statement disavowing belief in or affiliation at any time with any group which advocates the overthrow of the Federal or State Government by unlawful means.

In Connecticut, an applicant for registration swears that he will be true and faithful to the State of Connecticut and its constitution and government, and to the

Constitution of the United States; and that whenever he shall be called to give his vote on any matter concerning the State or the United States, he will give it as he shall judge will conduce to the best good of same without respect of persons or favor of any man.

Florida provides that an applicant for registration must swear or affirm that he will protect and defend the Constitution of the United States and of Florida and that he has the required age, residence, citizenship, and other qualifications for voting.

Idaho has an electors oath, where certain requested information must be given under oath, and a loyalty oath that the applicant regards the Constitution of the United States and of Idaho as interpreted by the courts as the supreme law of the land.

This Idaho oath would frighten the citizens of my State no end with its mention of court decisions in the same breath with that of the Constitution of the State of Idaho and the United States. But while many might challenge the phraseology of the oath, none should deny the State the power and right to prescribe whatever oath it pleases. Mississippi also has a loyalty oath and it provides that affiant will faithfully support the Constitution of the United States and the State of Mississippi, and will bear faith and allegiance to the same.

In North Carolina an applicant for registration must swear that he will support the Constitution of the United States, and the constitution of the State of North Carolina not inconsistent therewith.

This completes the list of loyalty oaths required by the various States as a prerequisite to voting in a State or national election.

Mr. President, a total of 23 States have literacy requirements as a prerequisite to the right of franchise in one form or another. Previously I have discussed the literacy requirements contained in the voter qualifications for the States of New York, Louisiana, Arizona, California, Alaska, and Hawaii. That discussion was directed primarily to whether the literacy qualifications required the use of the English language or whether mother tongues or other languages were permitted to be substituted for English. It is my present purpose to go one step further and discuss literacy in more general terms:

The degree of literacy required ranges from the simple act of signing one's name to the form when registering to the ability to read, write, understand, and interpret in many varying degrees.

Alabama requires that a prospective voter must be able to read and write in English any article of the Constitution of the United States which may be submitted to him by board of registrars. Those persons who were registered as voters before 1903 are still qualified and need not register again.

In Connecticut the character of literacy required is that he must be able to read in English any article of the constitution or any section of the statutes of the State.

Delaware provides that a voter must be able to read State constitution in English and to write his name if not physically disabled. This provision shall not apply to persons who were 21 years old or over and were U.S. citizens on January 1, 1900.

Georgia requires that the registrant must be able to read and write correctly in English any paragraph of the Constitution of the United States or of Georgia. The registrar shall mark on the registration card whether or not applicant can so read or write and whether inability to do so is due to physical handicap. If applicant cannot sign his name, he shall make his mark and registrar shall sign applicant's name.

In the State of Maine the literacy qualification provides that unless prevented by physical disability or unless he had the right to vote on January 4, 1893, the voter must be able to read the constitution of the State in English and to write his name.

Massachusetts requires that a person, unless physically disabled, must be able to read five lines of the constitution of Massachusetts in English, to be drawn from box by applicant, and to write his name.

I previously discussed Minnesota. The Minnesota requirements for suffrage do not contain literacy requirements as such. I would, however, like to repeat the peculiar requirements contained in the Minnesota constitution in regard to Indians:

"Indians—Person of mixed white and Indian blood who has adopted the customs and habits of civilization; or

"Person of Indian blood residing in State who has adopted the language, customs, and habits of civilization after an examination before any district court of the State in such manner as may be provided by law and shall have been pronounced by said court capable of enjoying the rights of citizenship within the State."

Frankly, I do not know whether the language, habits, and customs of civilization would extend to the ability to be able to read and write, but it is most difficult to conceive of how one could possess the language, customs, and habits of civilization and not be able to read and write.

The requirement of my State of Mississippi is that one must be able to read and write any section of State constitution and give a reasonable interpretation thereof; and must be able to demonstrate a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government.

Nebraska is a State that apparently requires only that the voter sign his name in the register when registering. If the voter cannot read, he shall receive assistance in marking his ballot.

In Nevada the literacy requirement is whether or not (a) he can read the constitution in English; (b) he can write his name; (c) he is entitled to vote by reason of having been an elector; (d) he can mark his ballot (if physical disability, state same). There is, however, also the following provision which touches on literacy: "The registration or reregistration of electors who are unable to sign their names shall be made only on personal application at offices of county clerks, where they may be identified by use of personal description on affidavits of registration. Such affidavits may be signed with a mark or cross, and the person before whom the affidavit is made shall insert the date which shall be the date of the jurat."

In North Carolina a prospective voter must be able to read and write any section of the constitution in English, except that this shall not be required of persons already registered before effective date of this act.

In Oklahoma, one must be able to read and write any section of the constitution of Oklahoma.

In Oregon the privilege of suffrage is restricted by literacy to those able to read and write English.

The State of South Carolina provides as a condition to suffrage that one must be able to read and write any section of State constitution or must be able to show that he owns and has paid all taxes collectible during previous year on property in the State assessed at $300 or more, unless he was registered prior to January 1, 1898, in which case he need not reregister.

In Virginia an applicant for registration, unless physically unable to do so, shall make application to the registrar in his own handwriting without aid, suggestion, or memorandum on a sheet of paper containing no written or printed data, information, questions, or words, in the presence of the registrar.

The constitution of the State of Washington requires a prospective voter must be able to read and speak English if not a legal voter on November 3, 1896.

Finally, Wyoming by its constitution requires as a condition of suffrage that one must be able to read the constitution of the State unless prevented by physical disability, providing that any person who was a qualified voter on July 10, 1890, shall continue to be qualified.

Nine States deny to paupers the privilege of the franchise. The pending amendment, in specific terms, permits the perpetuation of this denial. The proposed Javits-Douglas bill would permit paupers to vote in national elections.

Delaware simply disqualified paupers without any descriptive or modifying language.

Maine likewise employs the identical language in its disqualification clause.

Massachusetts disqualifies paupers for voting and adds that no veteran shall be disqualified because of receiving aid from a city or town or because of being exempted by chapter 59, section 5, from assessment of a poll tax.

New Hampshire denies to paupers the privilege of franchise unless they tender payment of reasonable expenses incurred by town or county. This law further provides that no person shall be considered a pauper who is receiving public assistance for which Federal funds are available, or unless he has been assisted as such within 90 days prior to election. This is an interesting difference New Hampshire draws between tax funds that are provided by residents of the towns and counties and tax funds that are derived from the U.S. Treasury.

Rhode Island also simply disqualifies paupers for voting.

The language utilized in the South Carolina constitution denies suffrage to paupers supported at the public expense.

Texas provides that paupers supported by the county are to be disqualified for voting.

Finally, the States of Virginia and West Virginia use the short form and simply disqualify paupers for voting.

Other disqualifications for voting are interesting and varied as they appear in the constitutions or laws of the 50 States. Their diversity points up how unnecessary and how unwise it is for this Senate to be now considering a constitutional amendment, directed at only a handful of States, on a subject matter that has always been held under the Constitution, law, custom, and usage to be the most fundamental single right to be retained by the several States and the people at the time the United States was formed.

The most necessary and the most general disqualifications for voting, accepted almost uniformly throughout the 50 States, bar those who are "non compos mentis" and individuals who have been convicted of a felony or infamous crime and not had their citizenship restored under the law. But after passing by these disqualifications, we then take off into the wild blue yonder.

Alabama has a provision that disqualifies for voting any person who shall be convicted as a vagrant or tramp, or of selling or offering to sell or buy his vote or the vote of another, or of making or offering to make a false return in a general or primary election to procure the election or nomination of any person to office, or of suborning any witness or registrar to secure the registration of any person as an elector.

The constitution of California disqualifies for voting "aliens ineligible to citizenship." This is a peculiar provision. But when one stops to consider it, a State does have the power to enfranchise resident aliens if it so desires, and California was by its constitution denying to the legislature the right to exercise such a power.

Colorado denies the privilege of suffrage to persons confined in public prisons, while so confined; but shall be invested with rights of

citizenship (except as provided in the Constitution) upon pardon or by having served out his sentence. Residence is not lost by imprisonment.

Delaware disqualifies for voting for 10 years after conviction persons convicted of election offenses under article 5, section 7, of the constitution of Delaware.

Florida has a provision which provides that persons convicted of bribery, perjury, larceny, or any infamous crime in this or other State, or interested in any wager depending on the result of any election, cannot vote. In view of this lastly stated condition, it certainly would not be sensible to make even the smallest little bet on the outcome of any election in Florida.

As I previously stated, Idaho disqualifies for voting bigamists, polygamists, prostitutes, or inmates of houses of ill fame, and, Chinese or persons of Mongolian descent, not born in the United States.

In the case of *Welch* v. *Shamway* (83 N.E. 549, 558), the Supreme Court of Illinois made a judicial determination that although there is no express provision either in the constitution or the statutes, the vote of a person non compos mentis ought not to be received.

In the compilation of State constitutions and statutes which I have utilized in this discussion, Indiana appears to have the harshest of all the disfranchisement provisions. This one provides that persons convicted of misdemeanor shall be disfranchised for a period of not over 5 years. After further investigation I have reached the conclusion that the statute does not mean just any misdemeanor—it is confined to a particular class of misdemeanors described under the penalties for violations of the election laws. In view of the description of offenses therein contained, the forfeiture of the franchise is not unduly harsh.

The State of Kansas has a disqualification for voting that is most interesting to me personally. While I would be glad to debate the logic, necessity, and wisdom for the phraseology, knowing what it intended to accomplish, I fear it would have barred many of my ancestors from the privilege of voting in that State. The section provides that persons who have voluntarily borne arms against the United States or aided in its attempted overthrow, except all persons honorably discharged from military service of the United States since April 1, 1861, who served 1 year or more, are disqualified for voting. Kansas also disqualifies persons dishonorably discharged from the service of the United States unless reinstated, and persons guilty of defrauding the Federal or any State government, and, persons guilty of giving, receiving, or offering bribes.

Louisiana has a disqualification for voting which would appear, at least in part, to embrace paupers. It was not mentioned previously in the pauper part of this discussion. The Louisiana law disqualifies for voting inmates of any charitable institution except the Soldiers' Home and the U.S. Marine Hospital at Carville. Louisiana also disqualifies for voting deserters from military service of the United States or from militia of Louisiana when called forth by the Governor or, in time of invasion, insurrection or rebellion, by the President of the United States until they have returned to the command from which they deserted, made good the lost time and served out term of enlistment, and, persons dishonorably discharged from Louisiana National Guard or from military service of the United States unless reinstated.

The State of Michigan has no voter disqualifications of any kind or character.

My State of Mississippi disqualifies for voting Indians not taxed.

Missouri denies the privilege of franchise to persons while kept in poorhouse or other asylum at public expense or while confined in any public prison, and, persons convicted of a felony or of a misdemeanor connected with exercise of right of suffrage unless they shall be granted a full pardon. After second conviction, such person shall be forever excluded from voting.

Nevada disqualifies for voting a person who, while a citizen of Nevada, fought or aided in a duel.

New Hampshire has a disqualified-for-voting provision involving taxes, other than poll tax, that comes within the ban of the proposed constitutional amendment. This law disqualifies from the franchise a person excused from paying taxes at his own request unless he tenders payment of all taxes assessed him during the year prior to his offer to vote. It further provides that no soldier or sailor who served in a war in which the United States was engaged and has been honorably discharged shall be deprived of his right to vote by reason of having received assistance from any county or town.

New Jersey disqualifies for voting persons convicted of blasphemy.

New York takes away the privilege of franchise from persons who shall pay or receive or offer to pay or receive money or thing of value for giving or withholding a vote at an election, or for registering or refraining to register as a voter, or who shall make any promise to influence the giving or withholding of any such vote or registration, or shall make or become directly or indirectly interested in any bet or wager depending on the result of an election shall not vote at such election.

Ohio disqualifies for voting persons convicted a second time of offense under election laws.

Oklahoma has a provision of law that prevents from voting persons while kept in a poorhouse or asylum at public expense except Federal and Confederate ex-soldiers. It was held in the case of *Hines* v. *Winters* (320 P. 2d 1114) that persons receiving old-age assistance from the State are not disqualified.

The laws of Pennsylvania provide that any person convicted of willful violation of any provision of the election code shall, in addition to any penalties provided in said code, be disfranchised for 4 years from the date of conviction, and that a voter guilty of bribery at election shall forfeit right to vote at that election.

Rhode Island has a constitutional disqualification for voting that must go back to its earliest history as a State. It disqualifies persons residing on lands ceded by Rhode Island to the United States.

I have been advised that the Texas disqualification-for-voting provision that I previously mentioned, "soldiers, marines, and seamen while employed in the Regular service of the Army or Navy of the United States," has been repealed by an amendment to the Constitution of the State of Texas.

The constitution of the State of Vermont provides that any voter who shall receive a bribe for his vote shall forfeit his right to vote at that election.

Virginia disqualifies for voting persons who, while citizens of the State since the adoption of the constitution, have fought a duel with a deadly weapon, or sent or accepted a challenge to fight such duel either within or without the State, or knowingly conveyed a challenge, or aided in any way in fighting such duel.

The State of Washington denies the privilege of the franchise to persons convicted of subversive organization after June 1, 1951.

Wisconsin disqualifies for voting persons interested in any wager depending upon result of any election shall not be permitted to vote at such election, and persons who have engaged in a duel either directly or indirectly, either as a principal or accessory.

This completes the section of my analysis devoted to the various and sundry reasons that individuals are disqualified for voting under the provisions of the constitutions and laws of the 50 States. There still remain other aspects of the similarity or dissimilarity between voting requirements in the States.

The one which I now propose to discuss involves a substantive and positive voter qualification that appears in the laws of only four of the States. It is generally described as a "character" qualification.

If I were asked to choose the language I preferred as between the four States I would unhesitatingly select the provision that appears in the laws of the State of Connecticut. The character qualification for the privilege of suffrage in Connecticut is that one must sustain good moral character.

Georgia's voters' qualifications provide that the applicant for registration must be of good character and understand obligations of citizenship under a republican form of government; or, must be able to read and write correctly in English any paragraph of the Constitution of the United States or of Georgia.

The Alabama character requirement for voting provides that one must be of good character and embrace the duties and obligations of citizenship under the Constitutions of the United States and Alabama.

The State of Louisiana provides that a prospective voter shall be of good character and shall understand the duties and obligations of citizenship under republican form of government.

Since good character is the foundation stone of good citizenship it is passing strange that more of our States have not adopted this qualification as a prerequisite for suffrage. Why should anyone be permitted to lay claim to the privilege of voting without being able to sustain good moral character?

Mr. President, requirements of residence as a prerequisite of voting vary from State to State to a marked degree. Some States, including my own, require 2 years' residence in the State, 1 year in the city or town, and 1 year in the ward or precinct before one is permitted to apply for registration. Some States have reduced the residence requirement to 6 months, and as little as 30 days in the county and 10 days in the precinct or ward. There is every conceivable combination in between these extremes. What the States choose to require, it has the perfect right and power so to do.

Mr. President, I have made this long and somewhat exhaustive analysis of the constitutions and laws governing the qualifications for, or the lack of qualifications for, voting in the 50 States of this Union for the purpose of pointing up the sheer folly for Congress to propose to the State legislatures a constitutional amendment that involves a prohibition against a handful of States as to what they cannot do in laying a prerequisite to voting in national elections. In the long history of these United States we have seen fit to amend the Constitution only 22 times, the first 10 of the amendments were more or less en bloc, so actually you might say 13 times. One of the 13 amendments deleted a previous one; this being a negative action reduces the changes to 12. Now the elaborate machinery of amendment is proposed to be set in motion on a question so insignificant that it is actually ridiculous. With the U.S. budget requiring tax collections in excess of $80 billion, this Congress and three-fourths of the States are now being asked to enact a constitutional amendment that will deny my State the right to exact a $2 capitation tax from its citizens for the aid of public schools as a prerequisite to voting for U.S. Senators, Members of the House of Representatives, and presidential electors. With Government, with a capital G, Federal, State, and local, costing as much as it does today, what could be more reasonable and sensible than to require a citizen to make some contribution,

however small it may be, to the support of these vast establishments as a small prerequisite to the privilege of franchise? Our forefathers were neither stupid men nor idiots. I do not think the Constitution is outmoded by modern times or developments nor do I think or feel that the convictions they held at the time the Constitution was adopted are outmoded or any less applicable today than they were then. This presently proposed constitutional amendment both slaps the Founding Fathers and original State governments in the face and kicks out considerable of their teeth. It is now proposed to violate one of the most sacred conditions upon which our Union was established—that section 2, article I, of the Constitution, which riveted in the States the power they retained to determine for themselves the qualifications of voters be amended to deny to the States a capitation tax, or other tax, or property qualification as a prerequisite to voting in a national election. The proposed amendment should and ought to be overwhelmingly defeated.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ROBERTSON. I wish to associate myself with the views expressed by my distinguished colleague from Alabama [Mr. HILL]. I agree with him.

The senior Senator from Mississippi [Mr. EASTLAND] delivered a fine address on this subject last Friday. Today the junior Senator from Mississippi has made an outstanding contribution to the discussion of the problem involved both in the proposal of the Senator from New York [Mr. JAVITS] to invade the rights of the States in a clearly unconstitutional way with a poll tax repealer bill, and in the proposal of a constitutional amendment to encroach upon what the Senator has said has always been regarded as the exclusive right of the States, the right to fix the qualifications of their voters. I commend my colleague for his brilliant speech.

Mr. STENNIS. I thank the Senator from Virginia very much. I thank the Senator from Alabama [Mr. HILL]. I am grateful to both Senators for their counsel and advice, and for their leadership not only this year, but over the years. We have been in this battle for many years, and I have benefited much from their fine counsel and leadership. I deeply appreciate it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JOHNSTON of South Carolina. I commend the Senator for his remarks here today. I believe that a great many people fail to realize exactly what we are doing in the Senate.

There is an amendment which has been in the Constitution ever since the beginning of the Government.

I have had occasion to look into the subject covered by the amendment. Anyone who will take the trouble to investigate will find that the people of the United States were paying poll taxes even before the Constitution of the United States was adopted. That was true in a great many of the Colonies. That is the way they collected taxes in the early days. Our forefathers saw fit to put that provision into the Constitution, and gave the States that right. The States were given the right to determine what the qualifications of the voters of the various States should be. They wanted to place some of this authority in the hands of the States throughout the United States, and that is where it is today.

So far as South Carolina is concerned, at the present time we do not have a poll tax. South Carolina repealed the poll tax provision about 9 years ago. The people voted on it 10 years ago, and the action was ratified by the legislature 9 years ago. We did that in South Carolina. The right to so act is enjoyed by all the States. With respect to matters of this kind, such as elections, I believe they are questions for State determination, and should not be considered as coming within Federal jurisdiction.

We start here with a proposal by the senior Senator from Tennessee [Mr. KEFAUVER], placing the authority in the hands of Governors, in case of an emergency, to appoint Members of the House of Representatives, so that there will not be any interference with the operations of Government at Washington.

Then we are confronted with a proposal to amend the Constitution in such a way as would give the Federal Government the authority to say that a State may not levy a poll tax. Then we are confronted with another amendment to the same joint resolution which would bring about the change by statute. I cannot understand how some persons who follow the decisions of the Supreme Court in one field, and approve of them, can say that the Supreme Court was all wrong in deciding cases in this field. It is hard for me to understand their attitude in this connection.

I wish to commend the Senator from Mississippi for his clear-cut address today on what I believe is for the best interests of the United States.

Mr. STENNIS. Mr. President, I thank the Senator from South Carolina very much, and I am especially appreciative of his fine attitude in coming here to do battle for what he believes to be a State's responsibility and a State's privilege under our Constitution in prescribing the qualifications of voters within a State, and joining with those of us who do not want States to take any step in this direction until they see fit in their wisdom to do so, even though his own State is not directly affected by the proposal. I thank the Senator very much.

Mr. JOHNSTON of South Carolina. The poll tax provision was written into our constitution in South Carolina during the Reconstruction days of 1868. It was readopted in 1895 as a part of our constitution. However, we saw fit to wipe it out 9 years ago.

Mr. STENNIS. Mr. President, I yield the floor.

THE NATIONAL FOUNDATION FOR ASTHMATIC CHILDREN AT TUCSON, ARIZONA

Mr. GOLDWATER. Mr. President, public health and medical research have been matters of concern to me, going back far before the start of my career as a U.S. Senator from Arizona some 8 years ago.

My interest has deepened as I have become more familiar with the complexity of these fields. It has deepened to an even greater degree since I became actively associated with a charitable foundation in my own State. I am speaking of the National Foundation for Asthmatic Children at Tucson, of which I have the privilege of being a member of the board of directors.

In this advanced Nation of ours today, upward of 30 million citizens suffer sufficient impairment of one kind or another to prevent realization of their complete potentials or hopes. This number excludes persons afflicted with epilepsy, tuberculosis, heart disease, or degenerative diseases of middle or old age. More specifically, it has been established that in the United States at least 15 to 20 million persons are afflicted with allergic disorders. Of these, 5 million are, or potentially will be, asthmatic. Asthma, I might add, is primarily a childhood disease, and children clearly are more responsive to and capable of being helped than are grownups.

The National Foundation for Asthmatic Children at Tucson is dedicated to combating this ailment. The warm, bright sun and the healthful climate in Arizona are welcome allies of the expert medical staff who carry on this work at Sahuaro School, operated by the foundation, in Tucson.

Incorporated under the laws of the State of Arizona as a nonprofit, nonsectarian, philanthropic, educational, and research organization, the National Foundation for Asthmatic Children provides resident care for boys and girls between the ages of 6 and 12. More than 87 percent of the children at Sahuaro School can return home to stay after an average sojourn in Arizona of only 2 years.

While at the school, children continue their regular classroom studies, and they receive medical, dental, psychological, and other care. Likewise, their spiritual needs, of whatever denomination, are met.

These asthmatic children come from many States across our Nation and from a number of foreign countries. The National Foundation for Asthmatic Children, supported by public contributions, pays total expenses of approximately 70 percent of all pupils and partial costs for the remaining 30 percent.

Americans, down through the years from colonial days, always have been willing to help other persons in need. There, of course, are areas and emergencies in which Government should provide direct assistance. However, there never should be conflict with the privilege Americans always have had of helping one another through organizations such as the National Foundation for Asthmatic Children.

Generosity of the American people has enabled this agency to progress well, and the National Foundation for Asthmatic Children will continue to provide care for as many boys and girls as possible.

THE TIGHT MONEY POLICY

Mr. PROXMIRE. Mr. President, a major argument for the tight money

policy is that it restrains inflation. Many of us doubt if this is true. But the classical argument is that tight money by limiting monetary supply drives up the price of money or interest rates and discourages borrowing—particularly it is supposed to discourage businessmen from borrowing by paying the higher interest cost of money. With less borrowing—there is said to be less demand and less of the pressure on resources that drives up prices.

But does it work?

Recently the National Industrial Conference Board made a survey of 228 manufacturers—the result of this survey indicates that tight money is working very feebly if at all today.

I ask unanimous consent, Mr. President, that a comment on this survey from the U.S. News & World Report of February 8, 1960, be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

What is tight money doing to business operations? Not much, according to a survey of 228 manufacturers by the National Industrial Conference Board.

Collections of accounts receivable are expected by about 40 percent of the firms to slow somewhat. Many firms also expect to reduce cash positions.

Business volume, however, is not expected to be cut this year because of tight conditions in the money and credit markets.

A majority of the firms doubt that they will have to change their credit practices during 1960. A small minority even intends to relax credit terms a bit during the year to prevent the scarcity from cutting into sales volume.

Only 3 percent of the firms reported to the National Industrial Conference Board that tight money would cause them to cut back capital investments. A good many firms, however, said that because of tight credit they were not expanding as much as they would like.

Internal financing is expected to take care of investment plans by 90 percent of the firms on the National Industrial Conference Board list. That shows a highly liquid position.

THE POLITICAL DEVELOPMENTS IN AFRICA

Mr. PROXMIRE. Mr. President, the world has been shaken in the past year by the explosive pace of political developments in Africa. Colonialism is dead.

Nowhere is the contest between freedom and communism likely to be fought more quickly or decisively than in Africa. African countries are on the verge of a commitment to democracy or communism that may endure for generations.

The brilliant Arnold Rivkin, director of African studies at the Center for International Studies, Massachusetts Institute of Technology, has written a compelling analysis of the urgency of free world action in recent issues of West Africa. He says that the Second Conference of Independent African States, scheduled for April 1960, in Addis Ababa, provides an immediate opportunity for independent Africa to meet the tough economic challenge that has been generally evaded—but must be met if freedom and democracy are to have a chance in Africa.

I ask unanimous consent that this series of articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MOBILIZING EXTERNAL RESOURCES FOR AFRICAN DEVELOPMENT

(By Arnold Rivkin)

Over 18 months have passed since the historic Conference of Independent African States met in Accra in April 1958, and adopted a resolution calling upon the eight states to work jointly to build their economies. The vehicle specified by the conference was a joint commission to make recommendations, inter alia, on the pressing problems of receiving external assistance and private foreign investment. Unfortunately, the demands of the fast-moving stream of African political development has been such that little, if anything, has been done to carry out this resolution.

Failure to act is a sad and irretrievable loss. Time not used to move economic growth forward usually signifies a faltering momentum and loss of production which cannot ever be fully made good—and which can be ill afforded by the economies of African States. Moreover, time not used in accelerating the rate of economic growth in Africa serves to accentuate the already grave disparity between the state of political development and the state of the economies of more and more African countries. Political independence not supported by economic viability could lead in Africa—as it has elsewhere—to disillusionment, to political chaos and paralysis, and finally to military coups d'etat or Communist "takeovers."

The second Conference of Independent African States, scheduled for April 1960, in Addis Ababa, provides a striking opportunity for a bold initiative, late though it is, by the leadership of independent Africa to come effectively to grips with the crucial problems of obtaining a reliable and adequate supply of external capital (public and private), technicians, other personnel, and technology to meet the growing needs of their economic development. The scheme for mobilizing external resources for African economic development discussed in the rest of these articles is put forward in the hope that it will highlight significant issues involved in outside assistance for African development, and stimulate consideration of them in the months remaining before the Addis Ababa Conference. If the articles do this, they will have served their purpose. If they go further and contribute in some small way to catalyze the elements of resource need and availability to increase and nationalize the flow of external aid to African economic development, then they will indeed have fulfilled their objective.

EXTERNAL RESOURCES: AFRICA DEFINES THE NEED

One of the dozen resolutions and declarations adopted at the Accra Conference, the resolution on economic and social matters, recognizes the crucial need for economic development and the role of external assistance in it. True to the mood of the conference, the resolution couples the statement of need for external assistance with a declaration of the inviolability of the independence and territorial integrity of the independent African States. The resolution provides for establishment of a Joint Economic Research Commission * * * to lay down proposals by which independent African States can receive foreign capital and employ foreign experts, and to encourage cooperation with other countries in such manner as not to affect their independence, sovereignty, and unity. In the final declaration of the conference the independent African States pledge themselves "to take measures * * * to encourage the investment of foreign capital and skills provided they do not compromise the independence, sovereignty, and territorial integrity of our states."

The independent African States publicly proclaimed in unmistakable terms their recognition of the importance of foreign public and private capital, technicians, and technology for their economic development. They need, and want these, but not at the price of compromising their sovereignty, and territorial integrity. In short, assistance is sought without conditions which would 'warrant any foreign intervention in the domestic affairs of the country."[1]

Application of this test of bona fides to proffered external assistance and foreign private investment seems to preclude Soviet aid and trade arrangements. Unilateral suspension of Soviet aid to Yugoslavia without warning, and apparently as a reaction to Yugoslavia's insistence on the principle that "the roads and conditions of Socialist development are different in different countries," offers the most dramatic recent example of the strings attached to Soviet aid and trade and the persistent Soviet attempt to manipulate those strings to interfere in the internal politics of another country. And, as the Yugoslav Communist newspaper Borba stated, "they (the Soviet Union) know very well that the acceptance of aid from the United States in no way bound the hands of Socialist Yugoslavia in the determination of her foreign policy."[2] The same may be said generally of the free world assistance.

THE FREE WORLD'S INTEREST

Insistence at the Accra Conference that external assistance should not compromise the independence of its recipients is not only consistent with free world practices; it is also central to free world interest in the emergence of independent African States with the potential for developing their economies in a way and on a scale compatible with democratic values and institutions.

Here, then, is a fundamental, and felt, need for economic development. It is one which the free world is perhaps best equipped to help meet; one which holds the promise of helping to develop viable economies to support independent, peaceful, and democratic states in Africa; one which is likely to ease and facilitate the precarious passage from colonial subsistence societies to independent states with modern economies. In the words of Prime Minister Nkrumah:

"They [the people] expect political equality to bring economic equality. * * * There must be something to show for independence. And if there is nothing to show, popular discontent may split the country apart.

"The leaders of the new Africa have no alternative but to look for outside assistance. * * * We have to modernize. Either we shall do so with the interest and support of the West or we shall be compelled to turn elsewhere. This is not a warning or a threat, but a straight statement of political reality."[3]

The free world should absorb this passage out of Africa and respond to it.[4] Africa needs

[1] Sayed Mohamed Ahmed Mahgoub, Minister of Foreign Affairs of the Sudan, opening session, Accra Conference, Ghana Government press release, Apr. 15, 1958.

[2] Quoted in the New York Times, May 30, 1958.

[3] Kwame Nkrumah, "African Prospect," Foreign Affairs, vol. 37, No. 1 (October 1958), pp. 51 and 53.

[4] "Africa has spoken. It is for the rest of the world to respond" (speech H.I.H. Prince Sahle-Selassie, head of the Ethiopian delegation at the final session of the Conference of Independent African States, Ghana Government press release, Apr. 22, 1958).

both to ready itself for the response and to help generate it.

To be effective, the free world response to independent Africa's declared desire for economic development and its need of external resources to further such development must be timely, adequate to the requirements of the underdeveloped status of the economies of independent African States and remaining dependent territories, and sensitive to the changing political realities of emergent Africa.

In the middle-range future the pace of political change is likely to quicken rather than abate. The problem is to quicken the rate of economic growth to keep it abreast of, or, in any event, to prevent it from falling too far behind, the demands of the rapidly altering political scene.

Orderly, rational, accommodation of the interests and aspirations of African territories and the European metropoles is an increasingly important factor in the emergence not only of *politically* independent African States, but of states economically viable as well. Experience indicates that, even when a peaceful accommodation is achieved, existing institutional channels cannot prevent serious interruption of many of the valuable, and mutually beneficial, Eurafrican economic ties. There is a distinct danger of a drying up of public and private capital, as well as technical aid and personnel, from the metropoles. The Sudan, Morocco, Tunisia, and Guinea, have all experienced a discernible interruption in the flow of metropole capital; and, in varying degrees, along with all newly independent African States, they have all experienced interruptions in the flow of metropole technical assistance and personnel.

Along with curtailment or reduction of capital from the metropoles, territories achieving independence have been deprived of the explicit or implicit guarantees of the metropoles of their public borrowings from the International Bank and other public and private sources. The ability, for example, of a former British territory to borrow from the International Bank and on the London market is likely to be considerably less than that of the former territory with a British Government guarantee. Thus, somewhat ironically, under existing institutional arrangements, at the very time independence is achieved and economic development becomes a primary concern of the indigenous authorities, the important capital, technical assistance, and personnel flows from the metropoles are placed in jeopardy, with no obvious alternative arrangements at hand.

M. Leopold Sedar Senghor, first President of the Mali Assembly, in the course of a recent article on the then evolving situation in French West Africa, put the case for adapting and continuing Franco-African economic ties in the future in these words:

"The need for European-African cooperation derives from the fact that an underdeveloped country which has achieved nominal independence cannot acquire real independence if it remains underdeveloped. It must obtain external aid. The solution can be found in its entry into a large ensemble, in the form of a confederacy.

"It is therefore in the interest of these countries, once their nominal independence is achieved, not to separate them from their former mother countries, but to achieve new ties based on liberty, equality, and cooperation."

I say that this is in their interest. They need technicians and capital. Long continued political and economic relations, a common language of international character, have created links which it would be catastrophic to break. Africa and Europe are genuinely complementary, in terms of politics, economics, and culture.[5]

A NEW ORGANIZATION FOR AFRICAN ECONOMIC DEVELOPMENT

There is clearly a present need for new institutional arrangements which will make it possible (a) to preserve the mutually beneficial elements of existing flows of capital, technical assistance, and personnel, from the metropoles to the territories and other mutually beneficial economic relations between Europe and Africa; and (b) to broaden and expand the free world base upon which the former territories, and still dependent territories, can draw for economic and technical assistance and personnel to reflect the changing political relations between metropoles and territories, and to meet the likely increase in absorptive capacity of the African areas for external assistance as they move forward economically.

A new multilateral approach by the free world is suggested to meet these two major requirements. It is proposed that there be established a flexible multilateral organization for economic and technical assistance to Africa, which would group the independent African countries, Western European countries (members of the Organization for European Economic Cooperation), associate members of the OEEC, the United States and Canada, other free world countries likely to be interested in African economic development—e.g., India, Israel, and Japan—and, in a relationship to be worked out with the metropoles, the dependent African territories.

WHO ARE GUINEA'S FRIENDS?

Assistance would be extended on a bilateral basis or on a special consortium basis within the framework of a suggested multilateral organization. Hence, for example, the United Kingdom or France could extend assistance to a dependent territory or a formerly dependent territory directly or in association with other free world countries. The United States could combine capital assistance, say, with Dutch technicians to provide a complete aid package. West Germany, new to the African aid field, could extend its participation in the European Economic Community Overseas Development Fund, in association with other nations, to African areas outside the scope of operations of the fund. Many other ad hoc groupings for providing capital and technical aid would be possible within this flexible multilateral framework. Since all arrangements would be made on a voluntary basis, and directly between participants, they would not involve any loss of identity or independence of action by any country or multinational institution participating in the operations of the new organization.

The bilateral operating pattern within a flexible multilateral structure should make it easier both for former metropoles to continue assistance to former territories and for the former territories to accept such assistance. It should make it easier for independent African states to accept free world assistance without exposing themselves to the charge, no matter how unfounded, of seeming to exchange one colonial overlord (i.e., the former metropole) for another (e.g., the United States). It should also make it easier for the United States and other non-African powers to extend assistance to dependent territories without being impaled on the horns of the classic dilemma of appearing to have to choose between friends on both sides of the still remaining colonial relationships. These political advantages should in turn make it possible not only to preserve economic assistance flows and ties which now exist to the extent that they are mutually beneficial but also to adapt, broaden, and enlarge these flows by expansion of the base to include additional free world resources.

Guinea, perhaps, all too perfectly, is a case illustrating what the absence of a multilateral organization of the type envisaged may mean in the absence of a fully harmonious accommodation between a former metropole and a territory. French aid has stopped; new free world aid has been slow to fill the void. The balance in Guinea's political posture is most precarious. The Communist bloc is trying to tip the balance in its favor. Tentative free world efforts appear to be in the offing—late in the day—to redress the shifting balance. It is a fair speculation that, if an organizational umbrella of the type proposed were in existence, France and Guinea might have worked out their political problems so that aid flows, in conjunction with those of other free world states, could have been maintained even if French assistance had to be replaced in whole or in part by aid from other free world states.

The organization for aid to African states within a multilateral framework proposed in my previous articles, would, to the extent possible, build on existing institutions and arrangements and dovetail their interests and operations in the overall interest of promoting African economic development. Thus, OEEC, CCTA, CSA, FAMA, the Overseas Development Fund of the European Economic Community, and various bilateral arrangements are all regarded as special arrangements which could be accommodated within the framework of the loose multilateral organization envisaged. The new organization might be set up as a holding company within which existing organizations and individual countries could operate as distinct but related units. Alternatively the organization might be composed exclusively of individual countries, reflecting the membership of the multinational organizations mentioned above but within a new multilateral framework for the purpose of African economic development.

In the case of international organizations—as with individual countries—the proposal would not affect the authority or ability of a participant to act on the basis of its own initiative and judgment. On the contrary, through liaison and exchanges of information, it would enable the international organizations on the one hand, and individual countries on the other, to make development assistance decisions, in the light of all of known development aid needs and resources.

The proposed organization would review development programs, assess capital, technical assistance, and personnel needs, assess available internal and external resources, attempt to raise the required external resources, and provide a multilateral coordinating framework within which bilateral and consortium arrangements could be made for extending development assistance. Thus the new organization would serve both to mobilize and to provide a focus for the correlated allocation of the available resources.

The organization would provide a forum for coordinating the increasingly bewildering array of bilateral and multilateral assistance offers and opportunities becoming available to African states and territories. Most African states are not in a position to sort out, evaluate, and make the most of the multiplicity of assistance arrangements on the horizon. Opportunities may be missed, or, when taken, not related in the most effective manner to others. By providing a central forum the new organization would assist to pull together and maximize the various assistance possibilities.

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[5] "A Community of Free and Equal Peoples with the Mother Country," Western World (Brussels), No. 18, October 1958, pp. 41–42.

As a clearinghouse for assistance offers or resources from international organizations which could have only a cooperating relationship with the new organization, e.g., the U.N. Technical Assistance Board, the U.N. specialized agencies, and the International Bank, the proposed organization would have a valuable role. Further, in the process of assessing and correlating free world resources, it would be in a position to take account on a systematic basis of the complementary resources available from these cooperating international oragnizations. In addition, the proposed organization could draw on the technical, economic, and other surveys and studies that the newly established Economic Commission for Africa has projected, and in return provide ECA with its studies on development planning, resource allocation, and assistance availabilities.

The proposed organization would provide a framework for regional projects. There are many fields in which regional undertakings would be most worthwhile in Africa. The range includes malaria and locust control and eradication, research, migratory labor problems, transportation and communication networks, irrigation, and hydroelectric and regional development schemes.

There would be a Declaration of Principles, within which the organization would work, setting forth its objectives in broad terms: i.e., inter alia, to promote economic development in Africa without recourse to authoritarian means and within the framework of free institutions; to encourage external public assistance on terms which would not compromise the independence, sovereignty, and territorial integrity of the recipients; to encourage external private investment on terms attractive to investors and beneficial to the African country; and, again without compromising the independence and integrity of the African states, to encourage cross flows of assistance and trade among African states and areas; and to encourage mutually beneficial trade between Africa and the free world.

The Accra Conference resolution on economic development may clearly be taken as an invitation to friendly countries to provide external assistance for African economic developments on a no-strings basis. It is also an invitation to private investors to invest on a businesslike and nonpolitical basis. The proposal for an Organization for African Economic Development would not only be an effective response to the invitation of the Accra Conference but would also demonstrate to the independent African states the serious and long-term character of the free world's interest in their development of viable economies to sustain their independence. The proposed organization would contribute to a favorable climate for private investment.[6] Inclusion of the dependent territories within the scope of the new organization would also clearly demonstrate the free world interest in their economic development, now as well as in the future when they achieve a new political status.[7]

[6] Capital for development is in demand all over the world. West Africa needs it as much as anywhere but foreign capital has no particular need to thrust itself upon this area. Other parts of the world offer glittering prospects and West Africa will only get foreign capital if it sets out to create conditions favorable to international investment. Walter Birmingham, "The Economic Basis of Parliamentary Government in British West Africa." What are the Problems of Parliamentary Government in West Africa? The Hansard Society for Parliamentary Government, London, 1958, p. 34.

[7] It is interesting to note in this regard that during his recent visit to the U.S. in a special interview Mr. Tom Mboya is reported to have expressed the view that "The time may be at hand for the establishment of an organization similar to the Colombo Plan to guide the economic development of equatorial Africa." Economic World (Washington, D.C.), vol. 1, No. 5 (June 1959), p. 2.

The free world can now take the initiative and suggest to the Joint Economic Research Commission, established by the Accra Conference and charged with the duty to lay down proposals by which independent African states can receive foreign capital and employ foreign experts, that an organizing conference of African states and the free world nations be convened at an early date to bring into existence a multilateral organization of the type proposed.

Alternatively, and preferably, in view of the approaching second Conference of Independent African States, the independent African states can take the initiative at the Addis Abba Conference and invite the free world nations envisaged as participants in the multilateral scheme to an African Economic Development Conference sponsored by the Joint Economic Research Commission to consider early establishment of a multinational institution along the lines suggested. The very fact of an African initiative would provide a significant momentum to development of such an organization. It would go a long way towards disproving the assumption held in some quarters that the independent African states are not yet prepared to collaborate intimately on concrete steps for economic growth, as distinct from pronouncements on major political events. Finally, an African initiative would signal the free world—We are ready to participate in a regional development institution suited to our needs. We note the recent establishment of such an institution for Latin America, and are aware of an offer of the United States to participate in the founding of an analagous institution in the Middle East.

Either way, therefore—free world initiative or African initiative—the need is for prompt action to prepare the way for constructively mobilizing free world financial and personnel resources which could be made available for allocation to African economic development. The proposed Organization for African Economic Development would appear to be one reasonable way to achieve this goal.

PRIVATE INVESTMENT ABROAD

Mr. PROXMIRE. Mr. President, there has been a great deal of discussion recently of American private investment abroad. Last year I introduced a resolution calling for an investigation of the consequences of such investment particularly to American workers. Extensive hearings were held by the Banking and Currency Committee, on which I serve on this resolution. Currently the Interstate and Foreign Commerce Committee is further investigating this problem.

Unfortunately, Mr. President, too little is now known about the present basic Federal legislation on American private investment abroad. Fortunately, Arnold Rivkin has recently written an excellent analysis of investment guarantees and private investment for the Federal Bar Journal. I ask unanimous consent that this analysis be printed in the RECORD at this point.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

INVESTMENT GUARANTIES AND PRIVATE INVESTMENT

(By Arnold Rivkin)

Some 11 years ago an obscure and little-understood provision was enacted into law as part of the historic Marshall Plan.[1] Now, 11 years later, the provision creating the Investment Guaranty Program, although no longer obscure, can hardly be said to be generally understood. The program has recently been called "the main instrument for encouraging the participation of private enterprise in foreign economic development."[2] However, it has also been said: "But if it is to be a real shield for forward movement [by U.S. business abroad], the program needs a greater awareness of its functions by both U.S. businessmen and the Members of Congress."[3] One might appropriately add "and also by lawyers."[4]

The purpose of this article is to examine the investment guaranty program and to assess its value in facilitating the flow of U.S. private investments abroad.

I. PURPOSE OF THE PROGRAM

The purpose of the Investment Guaranty Program has evolved in the context of the changing objectives of the U.S. foreign aid programs of which it has from its inception been a part.

Originally the limited purpose of the guaranty program was "primarily to encourage a movement of private capital to supplement or replace public funds in the program of European recovery."[5] Now the program is viewed "as an important means to further foreign policy of the United States by encouraging the development of friendly

[1] Economic Cooperation Act of 1948, sec. 111(b)(3), 62 Stat. 144.

[2] U.S. Department of State. [January–June 1958] Report to Congress on the Mutual Security Program 64 (1959).

[3] Time magazine, July 28, 1958, p. 60.

[4] See, e.g., Note, United States Agencies and International Organizations Which Foster Private American Investment Abroad, 71 Harv. L. Rev. 1102 (1958), where the curious assertion is made that "although it is doubtful that the guaranty program has stimulated very much investment which would not have gone abroad without guaranty protection, in some cases ICA may offer the protection necessary to convince an American investor to undertake with his own funds an overseas venture which is too speculative for any of the public financing institutions to handle." Id. at 1121. One can only ask what greater test could be applied than inducing an investor to use his own funds as venture capital where the risk is too much for even the International Finance Corporation, which was created "to provide venture capital to private investors without government guaranties of repayment." If the investment guaranty program may do this, what other rationale does it require? As for the doubts about stimulating "very much investment," the statute quite sensibly requires only that the guaranty "encourage and facilitate participation by private enterprise" in overseas investment. There can be no doubt that the Program is meeting the statutory test, and that in so doing it is encouraging the flow of U.S. investment abroad.

[5] House Foreign Affairs Committee, 84th Cong. 2d sess., Memorandum on Investment and Informational Media Guaranties and the Mutual Security Program 4 (committee print, 1956).

countries through private capital and private institutions." [6]

The expansion in purpose has paralleled the expansion in scope of the U.S. foreign aid program. The 1948 Marshall Plan, officially referred to as the European Recovery Program, included 15 European countries stretching from Iceland to Turkey, the 3 allied zones of occupation in Western Germany, and the joint United States-United Kingdom Zone in Trieste. These also comprised the areas eligible for coverage by the Investment Guaranty Program. In 1951 the Economic Cooperation Act was replaced by the Mutual Security Act of 1951,[7] which provided for U.S. aid to countries in the Near East and Africa, Asia and the Pacific, and Latin America in addition to European countries. Accordingly, the investment guaranties area expanded to permit coverage in "any area in which assistance is authorized by this act."

In 1953 the geographic coverage of the program was further extended to include "any country with which the United States has agreed to institute the guaranty program." [8] There was a twofold motivation for this change. First, the word "area" in the 1951 act was interpreted restrictively to mean country although a reasonable case could be made for a more liberal construction. Second, if "area" was consistently construed to mean country, then Marshall Plan countries which had by this point achieved recovery would no longer be "authorized" to receive assistance and would no longer be eligible to participate in the Investment Guaranty Program although they might still desire and need a flow of U.S. private dollar investment. Thus development of an unrestricted geographic area for the Investment Guaranty Program paralleled the transformation of the foreign aid program from a regional program into a global instrument of U.S. policy available wherever it served U.S. national interests.

II. DOMESTIC ASPECTS OF THE PROGRAM

A. Types of risks

Initially the sole type of guaranty which could be issued was against the risk of inconvertibility into dollars of local currency deriving from an approved investment. This type of guaranty has become known as a convertibility guarantee.

The Economic Cooperation Act of 1950 authorized issuance of guaranties against another risk—of loss, in whole or part, of an approved investment "by reason of expropriation or confiscation by action of the government of a participating country." [9] This provision in turn was amended by the Mutual Security Act of 1954, which substituted "government of a foreign nation" for "government of a participating country." [10] This seemingly minor change considerably broadened the coverage to include protection against expropriation by the government of an invading occupying nation, i.e., protection against one possible source of loss as a result of war. This second type of guaranty has become known as an expropriation guarantee.

A third type of risk was covered by the Mutual Security Act of 1956, which provided for issuance of guaranties against full or partial loss "by reason of war." [11] The House of Representatives made several abortive attempts prior to 1956 to expand the guaranty coverage to include losses "by reason of war, revolution, or insurrection;" and the amendment actually adopted by the House of Representatives in 1956 [12] included this broad coverage. The Senate, however, omitted from its version of the Mutual Security Act for 1956 any amendment with respect to broadening guaranty coverage. In conference the two Houses adjusted their differences, and the compromise amendment agreed upon and subsequently enacted into law confined coverage to losses "by reason of war." [13] In light of this legislative history, it was only natural that the International Cooperation Administration, the agency administering the Investment Guaranty Program, in preparing rules for the implementation of the legislation, exclude from coverage of the new guaranty losses arising from acts of violence of an essentially internal nature, i.e., revolution, insurrection, rebellion, civil war, and civil strife.[14]

At the time this article is being written the executive branch has proposed to Congress that the Mutual Security Act be amended, inter alia, by expanding what has become known as the war risk guaranty to include losses "by reason of revolution, insurrection or civil strife arising in connection with war, revolution or insurrection." [15] The outlook is for favorable action by the Congress.

B. Types of investments eligible for guaranties

The Economic Cooperation Act of 1948 omitted any definition of investment. In 1949 this deficiency was remedied. Investment was defined to include capital goods and related services.[16] The Economic Cooperation Act of 1950 expanded the definition of "investment" to include, in addition to contribution of capital goods, the "participation in royalties, earnings, or profits" resulting from an investment of "patents, processes or techniques." [17] This enlarged definition has remained constant since 1950. It appears in this form in the Mutual Security Act of 1954.[18]

The foregoing types of investment to be eligible must be new investments. Investments or firm commitments to invest made prior to application to ICA for an investment guaranty would fall into the category of preexisting investment and would not be eligible for guaranty coverage. However, an investor contemplating an investment may preserve his "right" to obtain an investment guaranty by requesting a "waiver letter" from ICA.[19] In addition, issuance of guaranties to investors in existing enterprises were authorized in 1949 if the investments would result in "expansion, modernization or development of existing enterprises." [20]

An investment, to be eligible for guaranty coverage, must be of a capital nature and not a current business transaction.[21] The distinction has caused some difficulties of application. In order to provide a working rule, the 1952 Investment Guaranty Manual [22] provided that "Guaranties are designed to encourage medium- or long-term investment in the usual business or financial sense of the word, and are limited to investments made with the expectation that they will have a life of at least 5 years; however, in the case of loans, the MSA will consider guaranty of investments with a duration of 3 years." The time periods set out in the 1952 Manual, slightly modified, were continued in effect by the 1954 Investment Insurance Manual.[23] The current Investment Guaranty Handbook restates essentially the same time rules.[24]

Investment guaranty contracts do not stipulate a minimum time period for the insured investment. Initially withdrawal of investments in less than the minimum time periods was discouraged by limiting the amount of local currency that could be converted annually under a convertibility guaranty contract during the first 5 years of the guaranty.[25] At present the practice is to screen out investments which on their face do not comply with the rule of a minimum 5-year duration for equity investments and royalty agreements and a minimum 3-year duration for loan investments; investors may repatriate capital and dividends or principal and interest up to the face amount of the guaranty without any annual limitations except that during the first 3 years of equity investments convertibility is limited to 100 percent of the net investment.

C. Amounts of coverage available

The maximum coverage available in 1948 was limited to a guaranty of conversion of local currency arising from an approved investment as income or return of capital in an amount not in excess of the actual dollar investment of the investor in the project.[26] This was changed by the Economic Cooperation Act of 1949, which provided that guaranties could be issued in an amount "not [to] exceed the amount of dollars invested in the project * * * plus actual earnings or profits of said project to the extent provided by such guaranty." [27] This revised ceiling continues in effect.

Within this general ceiling the general practice with respect to convertibility gauranties is that for equity investments the maximum amount of protection may not exceed 200 percent of the dollar amount of the investment; for loan investments the maximum amount of protection may not exceed the principal plus the total interest "at a rate considered reasonable in the light of prevailing rates for comparable loans in the foreign country;" [28] and for royalty agreements the maximum amount of protection may not exceed the sum of royalty payments which can reasonably be expected during the period of the guaranty contracts.

The general practice with respect to expropriation guaranty is that for equity investments the maximum amount of protec-

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[6] Ibid. See also hearings on H.R. 10082 before the House Foreign Affairs Committee, 84th Cong. 2d sess. 680 (1956).

[7] Sec. 520, 65 Stat. 384.

[8] Mutual Security Act of 1953, sec. 706(c), amending 65 Stat. 384 (1951).

[9] Economic Cooperation Act of 1948, sec. 111 (b) (3) (v) (2), added by 64 Stat. 199 (1950).

[10] Mutual Security Act of 1954, sec. 413(b) (4) (B) (ii), 68 Stat. 847, as amended, 22 U.S.C. sec. 1933 (b) (4) (B) (ii) (Supp. V. 1958). This statutory change was anticipated in practice in several early contracts which incorporated in the definition of "government of a participating country" the concept of "successor governments."

[11] Add by sec. 8(k) (3), 70 Stat. (1956).

[12] H. Rept. No. 2213, 84th Cong. 2d sess. 67 (1956).

[13] Conference report on H.R. 11356, H. Rept. No. 2643, 84th Cong., 2d sess. 5 (1956).

[14] Add by § 8(k) (3), 70 Stat. 558 (1956).

[15] S. 1451, Mar. 18, 1959, § 204(1) (1). [Ed. Note: This expansion was not enacted into law; in fact, the Aiken Amendment, which was adopted, limits the use of guaranty authority in the future to investment in underdeveloped areas.]

[16] Added by § 6(b) (5), 63 Stat. 51 (1949).

[17] Added by § 103(b), 64 Stat. 198 (1950).

[18] § 413(b) (4) (H) (ii), 22 U.S.C. § 1933 (b) (4) (H) (ii) (Supp. V, 1958).

[19] ICA, Investment Guaranty Handbook 11–12 (1957).

[20] Added by § 6(b) (1), 63 Stat. 51.

[21] ECA, Office of Information, Brochure on Guaranties Covering Investments in Industrial and Commercial Projects Under the Economic Cooperation Act of 1948 as amended 4 (1949).

[22] MSA, Investment Guaranty Manual 5 (1952).

[23] FOA, Investment Insurance Manual 5 (1954).

[24] ICA, Investment Guaranty Handbook 6 (1957).

[25] ECA, note 21 above, at pp. 2–3 (1949).

[26] Economic Cooperation Act of 1948, sec. 111(b) (3) (1), 62 Stat. 145.

[27] 63 Stat. 51 (1949).

[28] ICA, Investment Guaranty Handbook 15 (1957).

tion may not exceed the sum originally invested plus future earnings which the investor expects to retain in the foreign enterprise; [29] for loan investment the maximum coverage available is the amount of the principal plus the total interest; and for royalty agreements the maximum coverage is the amount established in the agreement for fixed or minimum payments irrespective of any scale which may be included in the agreement for establishing additional royalty payments.

War risk guaranty coverage extends only to the investor's ownership in the physical property of the foreign enterprise and not to consequential damages.[30] The maximum coverage obtainable may not exceed 90 percent of the value of the investor's ownership in the physical property. The investor thus becomes a co-insurer to the extent of at least 10 percent.

D. Fees

The Economic Cooperation Act of 1948 authorized a maximum fee of 1 percent of the amount of each convertibility guaranty.[31] The Economic Cooperation Act of 1950, which added expropriation guaranties, also authorized a maximum fee of 4 percent of the amount of each expropriation guaranty.[32] The two ceilings on fees continue in existence, with the 4 percent limit also applicable to war risk guaranties. The fee established for each guaranty, irrespective of type is one-half of 1 percent yer pear of the face amount of the guaranty contract.

III. INTERNATIONAL ASPECTS OF THE PROGRAM

During the first years of the program intergovernmental agreements were confined to Marshall plan countries, and a provision instituting the investment guaranty program was normally part of the overall ECA bilateral aid agreement between the United States and the participating country. These agreements were uniformly confined to the issuance of convertibility guaranties. With the addition of expropriation guaranties in 1950, these agreements were subsequently amended in all cases except the United Kingdom to cover expropriation guaranties as well as convertibility guaranties. In 1952 the first non-Marshall plan countries entered the program—Taiwan, Israel, the Philippines, and Yugoslavia. In 1953 Haiti, the first Latin American country, entered. In 1955, 10 new countries, the largest number in any one year, joined the program. At the present time there are 42 countries participating; of the 11 Latin American countries, Colombia and Peru have confined their participation to convertibility guaranties.

With respect to expropriation guaranties the intergovernmental investment guarantee program agreement provides for compulsory international arbitration in cases where the United States and the government of the participating country are unable to agree on a settlement of a claim to which the Government of the United States has been subrogated. The Calvo Doctrine, which prescribes the supremacy of domestic law over international law, has been cited at various times by Latin American countries as the basis of their objection to the compulsory arbitration provision.

Other countries have at one time or another raised other questions relating to subrogation of the United States to all rights, title, and interest of the expropriated party under an expropriation guaranty contract. One country raised the theoretical possibility of the Government of the United States taking title to real estate, which is apparently, except for grants of embassy property, unconstitutional in that country. Ordinarily, the Government of the United States would be subrogated to the claim or cause of action of the party whose property was expropriated, since title would have already passed to the expropriating government as a result of the act of expropriation. In view of the fact that the expropriating government has it wholly within its own power to prevent title passing to the United States, this objection does not appear to be substantial.

The large majority of oversea territories of the four metropolitan European countries with oversea dependencies, namely, the United Kingdom, France, Belgium, and Holland, have acceded to the ECA bilateral agreements and therefore are also included in the investment guaranty program.

Currently, the typical intergovernmental agreement [33] covering all three guaranties: convertibility, expropriation, and war risk guaranties provides that the Government of the United States will obtain approval of investment projects by the participating country; that recognition shall be accorded by the participating country to the transfer to the Government of the United States "of any right, title or interest" and the subrogation of the United States "to any claim or cause of action" of a guaranty holder receiving payment under a guaranty; that treatment shall be accorded by the participating country to local currency received by the United States as the result of making payments under guaranty contracts "not less favorable than that accorded to private funds arising from transactions covered by such guaranties;" that any claim to which the United States is subrogated shall be the subject of direct negotiation between the two governments and if agreement cannot be reached within a "reasonable period" the claim shall be submitted to arbitration by a sole arbitrator; and that recognition shall be accorded by the participating country to any "right" of indemnification transferred to the Government of the United States by a guaranty holder receiving payments under a war risk guaranty.

IV. SOME AREAS OF CONCERN

A. Convertibility guaranties

A survey of outstanding convertibility guaranties indicates that the provision relating to the eligibility of local currency for convertibility has been one of the more troublesome. The convertibility guaranty contract is in essence insurance that a means, available at the time the investment is made, for converting foreign currency receipts into dollars will remain available.[34] The problem has been one of placing the burden of ascertaining what existing channels are available at the date the contract is executed and the attendant risk of not discovering all exchange regulations and practices that might affect eligibility for conversion. In the beginning, the guaranty contract placed this burden on the Government. The United States had to determine what limitations existed and had to incorporate those limitations in the contract. The pendulum then swung completely to place this burden on the investor. A proviso was included in the eligibility for transfer article [35] which met with resistance on the part of some investors who contended that the Government of the United States through its oversea missions was in a much better position than private investors to search out exchange restrictions. At the present time the pendulum has swung back and the Government assumes the risk of knowing and incorporating into the guaranty contract whatever limitations are current at the time the guaranty is issued.

B. Expropriation guaranties

Definition of what constitutes an expropriatory action has been one of the more difficult problems involved in writing expropriation guaranties. The standard definition which appears in the ICA specimen contract for equity investments provides:

The term "expropriatory action" means any action which is taken, authorized, ratified or condoned by the government of the project country during the guaranty period, with or without compensation therefore, and which for a period of one year prevents:

1. the foreign enterprise from exercising substantial control over the use and disposition of its property; or

2. the Investor from effectively exercising its right of participation in the control of the foreign enterprise acquiring as a result of the investment; or

3. the Investor from disposing of its capital stock in the foreign enterprise or any rights accruing therefrom: *Provided, however,* That if such action is essentially regulatory or revenue producing in nature, it shall not be included within the meaning of this paragraph unless Eximbank determines that it is taken with the primary object of divesting any or all of the then existing owners from their share of ownership or control in the foreign enterprise * * * [36]

From time to time ICA has been willing in the context of the special circumstances of specific investments to consider revision of the quoted proviso above dealing with governmental actions which are "essentially regulatory or revenue producing in nature." In a few special cases ICA has been willing to expand the test in the proviso by adding after the words "primary object," the words "or has the primary effect." Thus expropriation under such an amended provision can occur irrespective of the intent of a governmental revenue or regulatory measure if the primary effect is divestiture.

Definition of expropriatory actions in contracts covering loan investment has proven even more difficult than in contracts covering equity investments. In addition to establishing the elements of the action which constitute expropriation, in the loan investment situation it is necessary to demonstrate the intent of the expropriating government, i.e., that the expropriatory government acted "with the primary purpose of divesting any of the shareholders or creditors of their interest in the foreign enterprise." The additional element in the definition of expropriatory action in loan investments over these included in the definition inequity investments reflects the difference in the type of investment. The loan investment looks primarily toward repayment of principal and payment of interest whereas the equity investment looks toward dividends and appreciation of value

[29] Id. at 20.
[30] Id. at 24.
[31] 62 Stat. 145.
[32] 64 Stat. 198.

[33] See e.g., Agreement With The Republic of Vietnam, Nov. 5, 1957, T.I.A.S. No. 3932.

[34] "The convertibility insurance contract is in essence insurance that a means, available at the time the investment is made, for converting foreign currency receipts into dollars will remain available. As in all insurance, the liability of the insurer is contingent. Thus, the FOA will not insure convertibility in the face of exchange regulations and practices under which it would be clear at the time the insurance was issued that conversion could be effected only through the guaranty." FOA, Investment Insurance Manual II (1954).

[35] ICA Specimen Convertibility (Equity) Contract, 1957.

[36] ICA Specimen Expropriation (Equity) Contract, 1958.

of shares which turn frequently on management and direction of the enterprise.[37]

C. War Risk Guarantees

No war risk guarantees have yet been written. The areas of potential difficulty here, as with the other guarantees, are in definition of the crucial act which triggers the guarantee into operation. The exclusion of revolution and insurrection, a difficulty likely to be removed, as already noted, by amendment to the legislation, now calls for drawing troublesome distinctions. For example, it was thought necessary to exclude "civil war," which technically could have been included within the term "war," as an advanced stage of revolution, i.e., it would be exceedingly difficult to create a scale which would register when a revolution which becomes drawn out is transformed into a civil war.

The exclusion of "consequential damage" [38] is also likely to raise nice questions. Nevertheless the objective sought is reasonably clear—to cover direct damage to physical assets but to exclude from coverage indirect damage or loss which, although it may be within the chain of causation, would be at least once removed from the initial impact of the act of violence. The alternative—including any or all damages or losses which might eventuate—would be no less troublesome in practice and would probably necessitate charging prohibitive fees.

V. ASSESSMENT

It is difficult to assess with precision the achievements of a program which by its very nature is designed to interact with many other factors to help bring about an environment conducive to private U.S. investment in less developed areas of the world. Nevertheless, the record of the program's operations [39] suggests that increasingly, private U.S. investors are finding the program useful and are willing to pay considerable sums to obtain the protection afforded by the guarantee contracts.

It is also noteworthy that an increasing number of countries in many different parts of the world are finding the program of interest and are becoming participants. What was primarily, and in terms of volume and value of contracts still is, a program for advanced economies in Europe is undergoing a transformation. The number of non-European countries participating is greater than the number of European countries. The number of contracts being written for areas of the world other than Europe, although comparatively small, is increasing.

Aside from the number and dollar value of guaranty contracts issued, there are other measures of the program's effectiveness. In a recent study of foreign aid the Chamber of Commerce of the United States observes that:

"Apparently the Investment Guaranty Program has done much to impress participating nations with a sense of responsibility in recognizing the international morality of contracts. At any rate, the presence of agreements has had a healthy effect on the investment climate. Applications for insurance are not only on the rise, but also coming in for underdeveloped countries once considered too unstable and risky." [40]

A staff memorandum of the House Committee on Foreign Affairs [41] attributes several additional accomplishments to the program. First, "the availability of guaranties has encouraged some investors to explore investment opportunities and to make investments without actually obtaining guaranty contracts." Second, "the program furnishes a convenient way for countries to demonstrate their desire to attract U.S. capital, and their willingness to take the steps reasonably open to them for that purpose. In this connection, there should be mentioned the completion with 26 countries of agreements providing for compulsory international arbitration of claims which may arise in event of expropriation." And third, "the program is concrete evidence of the desire of the United States, as an element in its foreign policy, to encourage and assist private capital to go abroad."

The investment guarantee program has also served as a precedent for a number of additional guarantee proposals currently under consideration as a result of a series of separate but not unrelated studies in the executive branch.[42] The experience of the program has provided a wealth of insights into the potential of guarantee programs as instruments to augment the flow of private U.S. capital to the economically backward areas of the world. The shortcomings as well as strengths of guarantee devices have been pointed up by the once active private investment guarantee program in being.

If the investment guarantee program is viewed as a specialized tool for facilitating the flow of U.S. investment to less developed areas of the world, it must be judged a useful device. It is submitted this is the test to apply and that it would be a mistake to view the program from any other vantage point or as a general purpose instrument. It is likely to be effective in particular contexts if used selectively. If it could grow to the proportion of assisting $200 million to $250 million annually to go abroad to the underdeveloped economies of the world, the program would be facilitating a significant contribution of resources to the economic development of underdeveloped areas of the world.

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[37] A recent commentator expressed the belief that this distinction between the definition of expropriatory actions in equity and loan investment situations was not "warranted" and that the rule should be the "material fact" of default at the end of the one year "waiting period" stipulated in the guaranty contracts. See Tidd. The Investment Guaranty Program and the Problem of Expropriation, 26 Geo. Wash. L. Rev. 710, 721 (1958). Traditionally, however, in international law a distinction has been drawn between the rights of shareholders and bondholders.

[38] ICA, Investment Guarantee Handbook 23 (1957).

[39] Investment guarantees issued since the inception of the program in April 1948 through Mar. 31, 1959, have a total face value of $413,505,621, or which $225,272,539 is accounted for by convertibility guarantees and $188,233,082 by expropriation guarantees. The actual face value of guarantees outstanding as of Mar. 31, 1959, is approximately $336 million. ICA, Investment Guarantees Division, Quarterly Report of Investment Guarantees issued since the inception of the program in 1948 through Mar. 31, 1959, p. 6. As of Feb. 28, 1959, the program earned $3,686,804.71 in fees and made no payments under guarantee contracts. Export-Import Bank of Washington, Statement of Loans, Authorized Credits and Guarantees (Feb. 28, 1959), p. 2.

[40] The Chamber of Commerce of the United States, Spotlight on Foreign Aid 21–22.

[41] House Foreign Affairs Committee, 84th Cong. 2d sess., Memorandum on Investment and Information Media Guaranties and the Mutual Security Program (committee print, 1956).

[42] See, e.g., Straus, U.S. Department of State, Expanding Private Investment for Free World Economic Growth (1959), and Rivkin and others, ICA, Loan Repayment Guarantees (1959).

THE CUBAN GOVERNMENT AND COMMUNISM

Mr. BRIDGES. Mr. President, the American people are by nature prone to sympathize with revolutionists who proclaim that they want to free their people either from a colonial power abroad or from a dictator at home.

It is natural for Americans to think there is something similar about such modern revolutionists and the leaders of our own American Revolutionary War.

Castro of Cuba is a case in point. When Castro was struggling for power, many Americans were sympathetic. It seemed to many that Castro and his lieutenants were underdogs fighting to bring more freedom and more democracy to the Cuban people.

But as more and more is learned and published about Castro and his cohorts, the American people are being forced to realize what some of us warned was true, that Castro and his gang, instead of wanting to bring freedom to the Cuban people, want to impose communism upon them.

I am aware of the statements that Castro himself is not a Communist—that the Communists are using him. But Castro is certainly acting like a Communist and is establishing or allowing the establishment of a Communist regime in Cuba.

As a Member of the Senate I have repeatedly tried to warn the American people that Cuba has become a hotbed of communism—only 90 miles away from our mainland.

If there are still those who doubt this statement, I invite them to read an informative article in the February 8 edition of U.S. News & World Report.

Let me just read the headlines from this article, after which I shall ask consent to have the whole article printed in the RECORD.

The main headline reads: "Communist Rule 90 Miles Away—What Castro Is Doing to Cuba."

Then the following appears:

The Red pattern in Castro's Cuba is clearer than ever before. At a time when the U.S. decision is to keep hands off, a Communist state is being shaped at a stepped-up peace. Communists and ardent fellow travelers are in charge of labor, education, secret police, armed forces, practically everything. Tested methods for a takeover are being applied. Reds' aim: Finance the venture by seizing U.S.-owned assets, by selling sugar to United States at premium prices, by deals with Soviet Russia and its satellites, plus Red China. They have a free hand from Castro.

Mr. President, I ask unanimous consent to have all of the above-mentioned article printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Feb. 8, 1960]

COMMUNIST RULE 90 MILES AWAY—WHAT CASTRO IS DOING TO CUBA

The Red pattern in Castro's Cuba is clearer than ever before. At a time when the U.S. decision is to keep hands off, a Communist

state is being shaped at a stepped-up pace. Communists and ardent fellow travelers are in charge of labor, education, secret police, armed forces, practically everything. Tested methods for a takeover are being applied. Reds' aim: Finance the venture by seizing U.S.-owned assets, by selling sugar to U.S. at premium prices, by deals with Soviet Russia and its satellites, plus Red China. They have a free hand from Castro.

Americans in the period ahead will witness the unique spectacle of a miniature Communist dictatorship operating right on the U.S. doorstep.

Here in Cuba will come a full-scale tryout of Communist methods imported from Soviet Russia and Communist China. Trained Communists, many with experience in other revolutionary ventures, will be in charge.

The American people will contribute to this experiment about $150 million a year by assuring a market for 3 million tons of Cuban sugar at approximately double the world price. About $1 billion of American capital, supplied by American investors and by Americans as individuals, will be confiscated by the Communist regime for its initial operations. Property owners will get, at most, token compensation.

Communist leaders in Cuba are expecting Soviet Russia and other Iron Curtain countries to take the place of the United States as a source of supply for future loans.

TRYOUT FOR TECHNIQUES

Propaganda techniques, perfected in Russia, are getting a full-scale tryout on this island 90 miles from Key West, Fla. Those techniques will be applied later in other nations of Latin America. Agriculture and ranching are being turned into state enterprises. Labor unions have just been placed directly under state control. The plan calls for a managed economy under a political dictatorship oriented toward Russia and Red China.

On January 26, President Eisenhower, in Washington, said of this dictatorship: "* * * The United States Government has confidence in the ability of the Cuban people to recognize and defeat the intrigues of international communism, which are aimed at destroying democratic institutions in Cuba and the traditional and mutually beneficial friendship between the Cuban and American peoples."

Mr. Eisenhower spoke of "unwarranted attacks on our Government and on our leading officials." "These attacks," he said, "involve serious charges, none of which, however, has been the subject of formal representations by the Government of Cuba to our Government. We believe these charges to be totally unfounded."

The U.S. President, however, outlined a policy of nonintervention on the part of the United States.

On two other occasions when Moscow-oriented leaders headed governments in Latin America, active steps were taken to bring about their removal. The British Government, in 1953, sent warships and troops to British Guiana to remove from power Dr. Cheddi Jagan, a Communist. In 1954, moves were made in Guatemala to overthrow Jacobo Arbenz, who headed a pro-Communist Government there.

Fidel Castro in Cuba is to escape the fate of these two leaders.

The United States, instead, will extend the law that assures a protected market in the United States for Cuban sugar at a price much higher than Cuba could get elsewhere.

Dollars realized from the sale of sugar to United States assure Castro the means to carry out many projects within his island. Those dollars are used to buy arms. They supply the means to purchase machinery and fuel for the farms now being nationalized and for industries that are being taken over for state operation.

Castro's arms purchases are a matter of concern to the American Government.

President Eisenhower, in his January 26 statement, referred to Cuba "from whose territory a number of invasions directed against other countries have departed during the past year, in several cases attended with serious loss of life and property damage in the territory of those other countries."

Within Cuba itself, the tempo of the revolution is stepping up.

FREE HAND FOR SEIZURE

On January 22, Castro gave his Labor Minister absolute powers to take over any industries or business enterprises where labor disputes suggest the need. This official is given the further power to fix salaries and working conditions for all of labor. The Labor Minister is Maj. Augusto Martínez, who was selected by Raúl Castro, Fidel's brother. Martínez often is referred to as a Communist.

On January 24, the New York Times reported in a dispatch from Havana:

"A purge that observers believe will eliminate anti-Communist labor leaders in Cuba is being conducted by the Confederation of Cuban Workers, the central organization controlling labor on the island. A purge committee has been appointed and is headed by David Salvador, secretary-general of the confederation. Among its members are Jesús Soto, José Aguilera and Odón de la Campa. * * *

"The labor unions, which are grouped into federations in the organization of the confederation, as well as the federations themselves, have been thrown into turmoil by the ruthless tactics reported being used by the confederation purging committee."

Señores Soto, Aguilera and de la Campa all are known as Communists.

THE NEW INFORMERS

A member of the board of editors of U.S. News & World Report in Cuba reports that Castro's hold on that island is being strengthened by the succession of moves already made and those still going on.

This editor, on the spot, finds that Castro is building his dictatorship upon a base of hatred and fear. Hatred is directed at well-to-do Cubans and at the United States. Fear is felt of the rapidly growing secret police and of informers.

Reports say at least 10,000 Cubans are held as political prisoners in Cuba's jails, with the number rising daily.

The island next door to United States has become a place where anonymous denunciations bring the secret police to a door at any hour of the day or night. In his television harangues, Castro keeps urging Cubans, particularly cab drivers, bartenders, retail clerks and others who deal with the public to report any or all "counterrevolutionary talk" to the secret police.

BLEATING GOATS

Reports the staff editor from Cuba:

"The Cuban nickname for an informer is a chivato—literally, a bleating goat. That name was one of the most hated of the former Batista regime. Now, according to Castro, there are no chivatos—only civic citizens. However, a visitor here was warned by one Cuban acquaintance to beware of chivatos. Then, half an hour later, a second Cuban warned him that the first was probably a chivato.

"The secret police are directed by Raul Castro, Fidel's young brother. One group within the police is known as the DIER, or Department of Investigation for the Revolutionary Army. Another is called DIFAR—Department of Investigation for the Revolutionary Armed Forces.

"Often the police agents are in their late teens or early 20's. Many have had little education, and hold their jobs merely because they were in Castro's army. Said one resident: 'We're in the hands of a bunch of dead-end kids.' "

BLOOD-BATH WORRIES

Fear in Cuba is growing, too, from another phase of Castro's revolution—the arming of workers and peasants.

An estimated 35,000 armed militiamen are being trained in Havana. The Sugar Workers Union claims that 55,000 members in the countryside have been armed and are being trained. University students have been organized. Even the bank clerks have a militia.

The staff member of U.S. News & World Report found this:

"Middle-class and upper-class Cubans often are frightened at the prospect that Castro might be assassinated. The fear is that the armed militia, in that event, would treat the island to a blood bath. Castro has stirred class hatred to a high pitch. No one regards the militia now forming as a worthwhile military force. But there is widespread fear of what armed mobs might do in case anything should happen to their hero.

"Said one wealthy Cuban in the country-club district: 'If anything should happen, the mobs would be in here burning, looting, and killing. There is nothing we can do about it. We have no arms. We are absolutely helpless.' "

"Another remarked: 'Class hatred has been stirred to such a depth, and there is so much chaos, that a return to anything like normal seems out of the question.' "

Businessmen in Cuba see little but trouble ahead. The following example, reported by the U.S. News & World Report editor, helps to explain why:

A decree of the Castro government calls for that government to intervene—move in and take over—where there is grave labor trouble. One company in Havana not long ago was intervened at the behest of a Communist union leader and one of the company's salesmen. Bank accounts of 20 individuals connected with the company were frozen. Executives were told to stay away from the premises. These executives never did learn what the grave labor troubles were. Said a man connected with the firm:

"The way things stand, any disgruntled employee can have his employer's business seized by telling the government there are grave labor troubles."

RUSSIAN-TYPE FARMS

As the sugar harvest moves ahead, land is being taken from its private owners as soon as the crops are removed. Most of this land is being turned into cooperative farms, modeled on the state farms of Soviet Russia. Co-op members work for wages reported to be $2.08 a day, or less than the legal minimum of $2.96 a day for those in private employment. In a few cases, individuals are getting plots that they can work, but most land goes into the co-ops.

Commented one man in close touch with the so-called land reform program:

"They are obliged to speed up land reform, even if they ruin Cuba in the process, in order to forestall discontent among the masses of peasants."

Commented another: "I don't know how much welfare Castro has managed to pass out. But, whatever it is, it's making a tremendous impression on the masses of people. They say: 'If this is communism, bring on more of it.' "

The estimate is that between 70 and 80 percent of the population remains loyal to the dictator. It is true, too, that he is building schools and some houses. The schools, however, are found to have a revolutionary purpose.

Armando Hart, Minister of Education and a Communist follower, said on January 14: "The teacher has an unavoidable obligation to transmit revolutionary thinking to students." He plans to introduce revolutionary civics into the schools.

IRON-CURTAIN VISITORS

Castro is counting heavily on ties with Communist countries.

Trade missions are in Havana from Iron Curtain countries. A growing number of Cubans are being sent to Red countries for training as technicians and managers of business. The newsstand in the luxurious Havana Hilton Hotel now has begun to stock Hoy, the Communist newspaper. Asked why, a clerk said: "We've been getting a lot of requests for it from Czechs and other visitors from Communist countries."

That's a quick picture of the Communist dictatorship being built upon the doorstep of the United States.

WATER PROGRAM A NECESSITY OF LIFE—ARTICLE BY SENATOR ELLENDER

Mr. YOUNG of North Dakota. Mr. President, one of the best articles I have ever read on national water resources, water uses, and conservation, is one prepared by our distinguished colleague, the senior Senator from Louisiana [Mr. ELLENDER]. He has devoted much of his time in the Senate to this very important problem, and certainly no one is a better authority on it than he.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks the very fine and informative article prepared by the Senator from Louisiana and published in the Minot Daily News, of Minot, N. Dak., on January 27, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Minot (N. Dak.) Daily News, Jan. 27, 1960]

SENATOR VIEWS WATER PROGRAM AS NECESSITY OF LIFE—ELLENDER OUTLINES DEMANDS OF FUTURE

(By Senator ALLEN J. ELLENDER, chairman, Public Works Subcommittee, U.S. Senate Appropriations Committee)

During the past few years there have been numerous articles written on the exploding population of the world. Some of these articles tend to pinpoint the problem in the United States. No serious attempt, however, has ever been made to prepare the public in general for the changes that will progressively take place during the next 90 years. If, as some reliable forecasters estimate, the population of the United States will reach 1 billion by the year 2050, that means that for every person in the United States today, 90 years from now there will be more than 5 persons.

In effect, by the year 2050 the population density of the United States will approach that of India today.

The year 2050 sounds too far off for any of us to worry about today. Let us consider a period that is so immediate that if we propose to do anything about the problem, we are already late if we get started today. Let us consider the year 1975. In December 1955, a report by the Presidential Advisory Committee on Water Resources Policy estimated that the population of the United States, which increased from 75 million in 1900 to more than 165 million in 1955, will reach at least 200 million by 1975. That projection was for 20 years in advance. From all indications that prediction is conservative.

In June of 1959, some 3½ years later, the Department of Commerce predicted that our population would grow from 174 million in mid-1958 to 216 million by 1975, an increase of 145.5 percent of the population growth estimated by the Presidential Advisory Committee on Water Resources Policy. Furthermore, the report of the Department of Commerce indicates that the estimates are conservative. For the purpose of easy discussion, it would therefore be reasonable to use 150 percent of the Presidential Advisory Committee's estimate of the population growth as a logical and convenient figure.

Expanding populations and increased standards of living will focus attention on the need for accelerating all phases of water resources development.

WATER SUPPLY

How does this population increase affect the problem of water supply? I think this can best be illustrated by a quotation from the report to the President by the Advisory Committee on Water Resources Policy:

"Water is more than a natural resource. It is a necessity of life. Here in the United States, blessed with a continent of virgin soil, we lived more than 200 years before the water problem became generally acute. But the uses we made of water in modern society are so tremendous that they stagger the imagination. The coming of our industrial era, the raising of our living standards, and the increased application of water to land have now highlighted the problem until in much of the Nation there is a grave and increasing concern over water resources."

Few of us realize that 65,000 gallons of water are required for the production of 1 ton of finished steel, 50,000 gallons of water are required to produce 1 ton of paper, and 6 gallons of water are required to produce 1 gallon of gasoline. It is no wonder that, although the average domestic use of water in our cities today runs 145 gallons per person, our per capita share of the total national use including industrial and agricultural uses amounts to approximately 1,200 gallons per day.

The combined increase in water consumption resulting from increased population and increased agricultural and industrial use of water was very clearly set forth by Lt. Gen. S. D. Sturgis, Jr., former Chief of Army Engineers, when he pointed out that in the 55-year period between 1900 and 1955 the daily use of water increased from 40 billion gallons to 262 billion gallons, or an increase of 222 billion gallons in 55 years, and that in the next 20 years the daily water consumption is expected to rise by an additional 191 billion gallons, or from 262 billion gallons to 453 billion gallons. With such staggering increases required in the remaining 15 years prior to 1975, it must be apparent that this Nation will be sorely pressed to meet the water requirements in the 75-year period from 1975 to 2050. It will behoove us to plan for the optimum development of all potential natural resources including water. Increased effort must be directed to the elimination of pollution. Economical means must be found to prevent the contamination of otherwise potable water. For instance, one large reservoir in the Southwest is receiving every year a volume of salt equivalent to the cubic content of the Empire State Building. Studies are under way to determine methods of preventing the contamination of this water, which would then be a tremendous economic asset to a large area in the Southwestern portion of the country.

NAVIGATION

As our population increases, the need increases for transporting the raw materials of industry as well as the finished products to market. In order to support manufacturing processes that can compete in world markets, it is essential that costs be held to a minimum. To achieve this objective, those materials that can most economically move by water must be provided with adequate navigation facilities. The development of waterways has shown that, by and large, raw and bulky materials are moved by water but the finished products are moved to their markets by rail or truck. Disregarding the major increases in the movement of goods resulting from population increases, a breakdown in any one of our major inland waterways today would create a traffic emergency which other means of transportation individually or collectively are incapable of meeting.

FLOOD CONTROL

Practically every large city in the country is expanding at an unprecedented rate, necessitating the utilization of surrounding lands for urban purposes. The increase in areas of rooftops, paved streets, and guttered areas inevitably increase the rate of runoff and produce higher flood peaks for similar rates of precipitation. In other words, while substantial progress is being made in the construction of flood protective works for the protection of previously flooded areas, the building boom is of itself adding to the flood problem faster than protective works can be built. In order to cope with the problem greater attention must be given to flood plain zoning.

The inescapable fact is that the population explosion in this country is accentuating and will continue to accentuate the need for land, soil and water conservation, and development.

Increased population is a major factor in our expanding economy necessitating major capital outlays for industrial expansion and domestic facilities. A recent issue of the U.S. News & World Report contains a very timely article by Sir Charles Darwin on the world's exploding population. I think it very significant that the author cites shortages of fresh water as the major limiting factor to our expanding economy. It might be appropriate, therefore, to review what the Federal Government is doing to meet this shortage. In the fiscal year 1950 the estimated expenditure for public works of the Corps of Engineers and the Bureau of Reclamation was $1.1 billion and the appropriation request in that year amounted to 2.5 percent of the total budget.

In 1960 the estimated expenditure for these purposes was also $1.1 billion but the appropriation request represented only 1.5 percent of the total budget. Such a comparison is misleading due to several changing factors. For instance, during the period 1950–58, the most recent date for which all the comparative information is available, we find that (a) national income has increased 51 percent, (b) population increased 16.6 percent, (c) cost of construction increased 66 percent, and (d) appropriations decreased 9.6 percent.

The increase in construction costs is perhaps most accurately reflected in the Engineering News Record cost of construction index. Disregarding population increase, which is a measure of the need for resource development, an increase of 66 percent in the cost of construction between 1950 and 1958 when applied to the recommended program for fiscal year 1950 would indicate that an appropriation of about $1.8 billion would be required to maintain the same level of construction as that proposed for fiscal year 1950.

Since such a figure may appear high, an independent check for reasonableness may be obtained by referring to a report issued

by the Department of Commerce in June 1959 on water resource development. In that report it was pointed out that, taking the period 1954–75, there was a requirement for a total investment of $214.1 billion, of which $53.4 billion is Federal and $160.7 billion is non-Federal. Of the Federal investment, $28.2 billion is for navigation, flood control, hydroelectric power and irrigation.

That means an average capital investment of $1.34 billion a year, which is about one-third above the alltime high of less than $1 billion for construction recommended for fiscal years 1950 and 1960. It is apparent that the average for the remaining 15 years must be well in excess of the $1.3 billion 21-year average previously referred to, if we are to meet the known water requirements which will be needed by 1975. This would indicate that the $1.8 billion would not be an unreasonable figure.

There has been considerable comment in both national and local publications relative to the action of the Congress in overriding the President's veto of the public works appropriation bill.

I am convinced that this criticism of the action of the Congress was based primarily on lack of understanding of the problem and of the procedures established to insure that projects are fully justified under conservative criteria before construction is initiated, and failure of the administration to recommend works of improvement.

The previous discussion briefly outlines the problem, and provides one simple comparison of the Federal effort today with that of 10 years ago, but it does not touch directly on the reason for the President's veto of the bill.

The bill was vetoed because there were 67 unbudgeted construction items in the bill as it finally passed the Congress. The President raised no question as to the merits of the projects added to the bill. He merely objected to the fact that unbudgeted items were included in the bill.

Let us again go back and see what the picture was 10 years ago. Considering only the Corps of Engineers, for fiscal year 1950 the President recommended funds for 312 projects. For fiscal year 1960 the President recommended funds for 186 projects. Of these 186 projects, 40 would be completed with the funds provided. If no new starts were added by the House or Senate there would be only 146 projects in the program for fiscal year 1961.

If the President were to continue the no-new-starts policy, this program would dwindle to 58 projects in 1963 and 29 projects in 1965. Of the 67 unbudgeted items added, 52 were in the Corps of Engineers program. Of these 52, 43 were new starts which would have a future commitment of $380,030,000. That future commitment represents approximately one-half year's construction at the present rate of appropriations.

Many critics of the public works program have charged the Congress with irresponsibility because of the unbudgeted items added by the Congress. Is this a fair criticism? I think not. As I pointed out earlier, a large number of the projects in the President's program will be completed in each of the next 4 to 5 years. Unless new projects are added each year, the program will tend to wither and die. Some of the projects added last year will be completed with the funds provided. Some can be completed in 2 or 3 years, while others will take many years to build.

Is a future commitment of $380 million excessive in any 1 year? Again the answer is "No." Just so long as the new starts added at one end of the pipeline do not exceed the amount appropriated annually for construction, which is the amount by which the present commitment is reduced each year, there is no danger of that program ever getting out of balance or becoming topheavy. Taking both the corps and Bureau of Reclamation programs, the future new commitment added by the Congress last year was about $600 million or about three-fourths of 1 year's construction at the present rate of construction.

In my judgment, the soundness of the action of the Congress in overriding the President's veto was confirmed in his budget message for fiscal year 1961, wherein he recognizes the urgent necessity of adding new construction starts. The arguments which he used in his veto message could just as well be advanced against his recommendations for fiscal year 1961 as they were against the public works appropriation bill for fiscal year 1960. However, in view of the crying need for new starts, they are just as fallacious now as they were then.

The one important remaining question with respect to this program is: Are the individual projects for which appropriations are made economically sound? I believe that very elaborate procedures and safeguards have been established to insure that the answer to this question is in the affirmative. Briefly, these procedures are as follows:

Authority must be made by the Congress for a survey. The district engineer under strict criteria established by the Bureau of the Budget and implemented by the Corps of Engineers makes a detailed survey to determine whether a project is economically justified. These reports are prepared in close cooperation with city, county, and State authorities and other interested Federal agencies. His report is then reviewed by the division engineer and the Board of Engineers for Rivers and Harbors, an independent body established by Congress for review of reports submitted by district engineers throughout the country.

The Board's report is then reviewed by the Chief of Engineers, who submits his proposed report to the Governors of the affected States and interested Federal agencies for comment. Their comments are made a part of the report, which is then transmitted to the Bureau of the Budget for information as to the relationship of the report to the program of the President.

After receiving the comments of the Bureau of the Budget, which are also made a part of the report, the entire report is submitted to the Congress and extensive public hearings are held prior to authorization of any work recommended therein. Following authorization, each project is reviewed by the Appropriations Committee before any appropriations are made for its construction. Furthermore, the project is subject to annual review by the Appropriations Committees during the construction period.

I have described the procedure used in bringing a Corps of Engineers project to the point of making appropriations and beginning construction. Similar procedures for the development of reclamation projects are followed to insure sound and fully coordinated reclamation projects.

I know of no other Federal program that receives the careful study, review and coordination as that accorded the public works program.

As a result of the procedures established over a period of years for the study, formulation and review of public works projects, the local interests and local press become familiar with the proposed project and its economic benefits to the area and the country. Frequently the local press will support projects in the immediate area but suggest that projects in the rest of the country might well fall under the label of "pork barrel."

It is discouraging that no one seems to be able to get the story across that all projects in all parts of the country are subject to the same stringent criteria and review as are those worthy projects in their own front yard.

I know that your great Garrison diversion unit for the irrigation of 250,000 acres of your fine agricultural lands will go through just as careful and exacting procedures before it reaches the appropriation and construction stage. Your local press will be aware of the economic soundness of that project. It will, however, be subjected to the unwarranted label of "pork barrel" in the press in other sections of the country. I hope the day will come when these resource development projects are recognized for what they are—great national assets.

I have had a very keen interest in water resource development during my entire service in the Congress, and I feel quite certain that anyone who is either a student of history or has traveled extensively must of necessity come to the conclusion that those countries which have conserved and developed their natural resources, including water, have prospered and supported a progressive civilization in their time. Conversely, those areas, such as old Persia, which have neglected their resources can no longer support the populations that once thrived in those areas.

Perhaps the greatest argument I can advance that water projects are investments in the future rather than "pork barrel," would be to encourage the critics and supporters alike of public works improvements to study the vast programs being undertaken by the Soviet Union. Surely the most severe critic of water resource development in this country who has any knowledge of the Russian system would not even suggest that the Russian leaders have any need to advocate "pork barrel" expenditures.

Water resource projects are never presented in their true light. They are capital improvements which pay dividends, in one way or another, to the American people. Navigation projects result in cheap transportation and open up new areas for industrial and agricultural developments. Flood control projects indirectly return benefits to the Federal Treasury, for flood damages are deductible in income tax filing. Costs allocated to irrigation are reimbursable. The water supply features of a project are fully reimbursable with interest. Power revenues are deposited directly into the Federal Treasury. Considering cash returns only, from Corps of Engineers projects $74,983,894 were deposited in the Treasury in fiscal year 1958, of which $72,492,500 were from power revenues. The actual construction expenditures in that year were $529,989,985. In other words, about 13.6 percent of the funds expended in that year for construction were actually returned to the Treasury from projects previously completed.

It is frequently stated that the Federal Government should not continue the construction of public works projects so long as it must borrow money to finance such projects. I am afraid that people who make such statements are not aware of the difference in the bookkkeeping procedures of a large company compared with those of the Federal Government.

A large corporation separates its current operating expenses from capital improvement expenditures. Such a large corporation may systematically every year or two increase its capital stock issue or offer debenture bonds to finance new capital improvements to provide physical facilities for its expanding business. No one would question the financial soundness of such a procedure. In fact, quite the contrary is true. If the board of directors failed to provide the physical plant required for an expanding business they would soon be retired from the board by the stockholders.

In recent years there has been some interest in separating capital improvements from annual operating expenses in the Federal Government. While this has never been accomplished, at least the difference between

the two types of expenditures should be realized and appreciated.

In my humble opinion, just so long as our water resource projects are subject to the detailed study and review now required by law, expenditures for public works will continue to be national investments to insure the future prosperity of our country. Those uninformed critics of the program who persist in referring to public works improvements as "pork barrel" are doing a disservice to our children and our children's children who have a right to expect that we will wisely develop our natural resources.

SECRETARY OF DEFENSE THOMAS S. GATES AND NATIONAL DEFENSE

Mr. SALTONSTALL. Mr. President, I have before me a newspaper article which I desire to call to the attention of Senators as a sort of postscript to a discussion we heard in this body last week on the confirmation of the nomination of Defense Secretary Gates, intelligence estimates, and the national defense in general.

On Saturday, January 30, 1960, in an article entitled "Sober Second Thought on Secretary Gates," and published in the New York Herald Tribune, Maj. George Fielding Eliot—with the usual objectivity and perceptiveness on military and national security matters he demonstrates—has surveyed the recent controversy concerning Mr. Gates and the defense preparedness of the United States.

Major Eliot notes that Mr. Gates has placed emphasis upon the fact that our Nation's great defensive strength is not dependent on any single weapon. Quite correctly the Secretary has perceived and stressed the verastility and depth of our defense arrangements. We are not and should not be restricted to the ICBM, for instance, as the only weapon in our national arsenal which we can depend on to deter Communist attack.

The sum of our several deterrent weapons is far greater than the strength of any single one of them—including the ICBM. This is the central concept which we must keep foremost in our thinking; this is the basis upon which must start any assessment of our defense arrangements. We must not fall prey to considering our national preparedness from only one aspect or from a "numbers"—rather than quality—evaluation exclusively.

The author of the article pays tribute to the fact that the Secretary of Defense, far from endorsing planning based upon hunches or new methods, is in fact simply making shrewd, intelligent use of better, more complete information on Soviet capabilities and possible actions.

He notes with approval that the Secretary has a record of advocating a wide and flexible spectrum of armament for the United States, including sea-based weapons delivery systems immune to surprise destruction.

Mr. President, because I feel that this article provides a needed perspective to our deliberations on this matter, I ask unanimous consent that it be printed in the RECORD, at the close of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Jan. 30, 1960]

SOBER SECOND THOUGHT ON SECRETARY GATES

(By George Fielding Eliot)

On Monday last, Washington was rocked by a sudden decision of the majority leadership in the Senate to postpone to another day consideration of the nomination of Thomas S. Gates, Jr., to be Secretary of Defense. Sensational predictions of a prolonged inquisition centering on Mr. Gates' alleged new methods of interpreting intelligence estimates by hunches about Khrushchev's intentions were a dime a dozen.

On Tuesday, the Gates nomination was swiftly and unanimously confirmed without a single peep of protest.

This is a sufficiently remarkable turnabout to deserve some explanation.

It can be said on the best authority that the original postponement was due to hasty judgment by several Senators that Secretary Gates was gambling with the national security by rejiggering the intelligence estimates to fit administration policy. This has happened so often before that there appeared, at first sight, some justification for anxiety, quite aside from partisan motivations which could not be wholly discounted.

The swift reversal of form came about from several concurrent causes:

The prerelease circulation of a speech delivered on Wednesday by Allen W. Dulles, Director of the Central Intelligence Agency, who—without mentioning Mr. Gates—made it clear that new and more accurate information as to Soviet missile production, and not hunches or new methods was the basis for the Gates estimate of our missile status vis-a-vis the U.S.S.R. Mr. Dulles pointed out that reliable indications as to actual Soviet production of ICBM's provide a basis for estimating the role assigned to this system in Soviet military planning (and) the requirements the Soviet high command may lay down for this weapon over the future: in other words, calculations of how far and how soon, i.e., of enemy intentions regarding any weapon only begin to firm up when the production stage is reached.

Careful reexamination of what Mr. Gates had actually testified showed that the real trend of his thinking was not toward complacency in our own big-missile program, but rather against overemphasis by this country on any one weapons system, and especially on running to catch up with an opponent in producing his own chosen weapon. Here again Dulles tacitly reinforced Gates by saying that it is "wrong to let the Soviets talk the world into believing that the ICBM, powerful as it is, constitutes the only weapon with which a country should equip itself." On the record, Mr. Gates has been a consistent advocate of a wider and more flexible spectrum of armament for the United States, including sea-based delivery systems for nuclear weapons which are not subject to surprise destruction by ballistic missiles and do not draw attack into populated areas.

These considerations, together with evidence of widespread confidence in Mr. Gates among military officers, were presented forcefully to Senator LYNDON JOHNSON, majority leader of the Senate, not only by Senators BRIDGES and DIRKSEN, from the Republican side of that body, but by nonpartisan sources in various parts of the country who deplored the possibility that public confidence in a most promising Secretary of Defense might be impaired by further delay in his nomination. Senator JOHNSON, with his habitual good sense and balanced judgment, realized the validity of these representations and took action accordingly without more ado. Presumably he was the more ready to do so, since it is hardly a secret that Senator JOHNSON has begun to question in his own mind the future value of an inflexible armament of fixed-base missiles as America's sole reliance for nuclear deterrence.

If the net result of these occurrences is a countrywide debate on this latter point, the effect will be a healthy one. Intelligence is, after all, only a tool to be used in making decisions. It is a military axiom that after considering all information available about the enemy's capabilities and any reliable indications as to his intentions, a commander should choose the course of action which is best suited to accomplish his mission whatever the enemy may do—within the limits imposed by the latter's capabilities, and by the time factors involved.

There are accumulating indications that Secretary Gates, himself a former intelligence officer, may be directing his thoughts toward providing us with a "mix" of weaponry which will preserve our freedom of action in the decisions of the future. If so, all Americans, regardless of party, will have reason to be thankful that his nomination has been so promptly confirmed.

"SOFT" LOANS TO UNDERDEVELOPED COUNTRIES

Mr. GORE. Mr. President, it is always gratifying to see credit given where credit is due. Unfortunately, this is not always the case.

The junior Senator from Oklahoma [Mr. MONRONEY] is in the happy position of having performed a useful public service in a field where public recognition is often either not given at all or misplaced.

In 1958 the Senator from Oklahoma put forth a new idea. He recommended that an adjunct to the World Bank be established for making "soft" loans to underdeveloped countries.

This idea was received rather coolly by the Eisenhower Administration but was subsequently embraced and advanced by the administration. For this I commend President Eisenhower and Secretary Anderson.

Under the circumstances, it is indeed gratifying that the original proponent of the idea, the junior Senator from Oklahoma, is now publicly receiving credit for his suggestion, which has now been implemented by the World Bank.

I commend to my colleagues an article written by the distinguished columnist for the New York Times, Mr. Arthur Krock, which appears in the New York Times for Tuesday, February 2, 1960. This article outlines the development of the Monroney plan from the time it was first proposed until it was accepted and implemented. Throughout this article, Mr. Krock gives due and deserved credit to Senator MONRONEY.

Mr. President, I ask unanimous consent that this article by Mr. Krock from the New York Times of February 2 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 2, 1960]

AN OASIS IN A DESERT OF NEW IDEAS

(By Arthur Krock)

WASHINGTON, February 1.—Senator MONRONEY, of Oklahoma, is not among the Democrats who are seeking national office in

1960. But he produced one of those new ideas which some of these candidates accuse the administration of lacking, while not notably producing any of their own.

Moreover, Senator MONRONEY has had the rare and pleasing experience of seeing his idea take form in the articles of incorporation of a global fund to provide additional financing to develop the resources of nations not affluent enough to do this themselves. And the broader purpose is to relieve the international tensions which are created by depressed national economies in the free world, and are exploited by the Soviet Union.

About 3 years ago Senator MONRONEY concluded there was a constructive answer to a question he and many others were asking. The question was: what can the affluent non-Communist nations do further to finance essential development in others which have exhausted their ability to repay development loans in hard currencies, or even to pay the interest, without making outright grants, and these mostly from the U.S. Treasury? The answer, he decided, was this: a second so-called World Bank to make "soft" loans to underdeveloped countries, meaning loans at very low rates of interest, with very long redemption periods, repayable in the local currencies of the borrower.

When this newspaper reported the Monroney plan in a Washington dispatch, February 22, 1958, Eugene R. Black, the President of the World Bank, immediately announced that his institution would give it serious study. The fiscal and foreign policy officials of the administration were also impressed. But as they subjected the plan to the highly critical examination their responsibilities imposed, their first favorable reaction appeared to the Oklahoma Senator to have slackened. And their analyses before congressional committees seemed to him to concentrate on the difficulties inherent in his plan. But the more they weighed the basic concept, the more it appealed to Secretary of the Treasury Anderson and Under Secretary of State Dillon. And this was encouraged by the impression the idea already had made on Black, who has administered the World Bank resources to effect better relations between the have and the have-not nations than certified diplomats had been able to attain. Also, by some personal magic Black has managed to do this without relaxing the sound banking rules and policies of his institution.

By autumn the details of the Monroney idea had been sufficiently recast to be officially adopted by the United States. Secretary Anderson then proposed it to the 1958 meeting of World Bank members at New Delhi; they approved it "in principle" at their 1959 meeting in Washington; and yesterday Black was able to announce that the articles of agreement for an International Development Association are ready for submission to the 68 World Bank members for the ratification which must be given or denied in 1960.

Among the fundamental improvements in the system of development aid to nonaffluent nations that the "Monroney Bank Plan" will provide, in addition to the actual loaning terms cited above, are two of special note. Though the United States, once again, will be the largest contributor to the IDA's billion-dollar capital in gold and hard convertible currencies, 16 other nations will contribute a larger total to mark their first organized acceptance of joint responsibility for raising depressed national economies. And the United States, which has accumulated a vast holding of foreign currencies under the Marshall plan, etc., that is unexpendible except in the country of origin, can supply the IDA with this for development loans anywhere, provided the country of origin agrees.

ALMER STILLWELL M. (he insists the "M" stands for "MIKE") MONRONEY is not, as previously mentioned, an aspirant for the Democratic nomination for President or Vice President, and is not likely to have either urged upon him. He was a political, not a financial, reporter before he got into politics. Nevertheless, he generated a world fiscal plan which could become of vital importance in maintaining the free capitalist system. This is something none of the active candidates or their brain-trusts have thus far produced on a comparable scale.

SENATOR JAVITS IS HONORED BY THE BROOKLYN SOCIETY OF ARTISTS

Mr. KEATING. Mr. President, probably no Member of this body has taken a deeper interest in the arts than my senior colleague from New York [Mr. JAVITS]. His concern about the present progress, and future of the theater, artists, and American culture in general is of long duration. By means of his duties in both bodies of Congress and through his outside activities, he has done much to stimulate and to encourage art and artists in America.

My colleague [Mr. JAVITS] has a particularly close bond with the world of culture because his lovely, gracious, and talented wife, Marion, has made her mark both as an artist and in the theater world. She recently made her debut in the movies.

An appropriate tribute to the senior Senator from New York for his efforts to advance American art and artists was recently tendered by the Brooklyn Society of Artists when he was chosen for the annual award for distinctive merit in public service and the advancement of the cultural arts. I ask unanimous consent to have the text of some of the tributes paid to him on that occasion printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS ON THE OCCASION OF THE ANNUAL AWARD BY THE BROOKLYN SOCIETY OF ARTISTS AT THE RIVERSIDE MUSEUM IN NEW YORK CITY ON NOVEMBER 29, 1959

WELCOME BY MRS. NETTIE S. HORCH, DIRECTOR OF THE RIVERSIDE MUSEUM

Senator JAVITS, Judge Olliffe, Madam Chairman, and guests, in behalf of the Riverside Museum, I should like to extend a cordial welcome to you who have come to view the exhibition of the Brooklyn Society of Artists and to honor our distinguished guest, Senator JACOB K. JAVITS, who has done so much to champion the cause of art and culture.

The Riverside Museum aims to further international understanding through cultural exchange. Since its inception in 1937, it has presented exhibitions of contemporary artists from 13 Latin American countries, Puerto Rico, Canada, many European countries, Israel, Japan, as well as American groups.

When we imported foreign exhibitions, the question of customs always arose. It was only last year that I assembled and brought in a collection of Danish paintings and sculpture. On a few of these pieces, the question, "Is it art or commerce?" arose. A duty was placed on some of the items. Thanks to the splendid efforts of our honored guest, Senator JAVITS' bill was passed, easing our path of cultural exchange.

As director of this museum and arts center, I should like to express my profound gratitude to the Senator for his role in promoting the national arts bill. I am certain that this will be of inestimable value in enriching the cultural life of our country.

As host to the Brooklyn Society of Artists exhibits for several years, I congratulate the prize winners and members upon the progress of their work and achievement. The friendships gained through these exhibits have been a source of gratification to me and I look forward to continued collaboration.

Again my thanks and esteem to Senator JAVITS for his understanding and assistance in furthering the cause of the arts and artists.

INTRODUCTION OF HON. LEWIS W. OLLIFFE

(By Jenny Fohr, president of the Brooklyn Society of Artists)

I take great pleasure now in introducing to you the Honorable Lewis W. Olliffe, a loyal patron member of the Brooklyn Society of Artists and also a good friend of our guest of honor Senator JAVITS.

(Judge Olliffe introduces the guest of honor.)

Madam Chairman, Mrs. Nettie S. Horch, distinguished guests, patrons of the arts, artists, and friends of the Brooklyn Society of Artists, it is my pleasure to welcome you here today and to say a few words concerning the man whom your organization has selected as the recipient of the annual award for distinctive merit in public service and the advancement of the cultural arts.

It is not my intention to speak concerning the particular acts which earned for him the award, but merely to outline for you the record of this man who has devoted his life to public service.

The senior U.S. Senator from the State of New York, the Honorable JACOB K. JAVITS, was born on the lower east side of New York City in 1904. He attended Columbia University and was graduated from New York Law School in 1926. During the war he served as assistant to the Chief of Operations of Chemical Warfare in both the European Theater and in the Pacific. He received the Legion of Merit and Army Commendation Ribbon. He was discharged from the service as a lieutenant colonel and resumed the practice of law.

He rendered distinguished service in the House of Representatives. He was elected attorney general of the State of New York in 1954, and his work in that office for the protection of consumers is known throughout the United States. He was elected to the U.S. Senate in 1956.

It is now my pleasure as a patron member of the Brooklyn Society of Artists to call upon our president, Mrs. Jenny Fohr, to present the award to our guest of honor.

PRESENTATION OF AWARD TO SENATOR JACOB K. JAVITS, BY JENNY FOHR, ON BEHALF OF THE BROOKLYN SOCIETY OF ARTISTS

It is the custom of the Brooklyn Society of Artists from time to time to bestow an award upon one who has made an outstanding contribution in behalf of art and artists. This year the Honorable JACOB K. JAVITS was chosen for this award.

For 2 years he waged a battle in the Senate for legislation to modernize the tariff laws so that modern art could be imported with the same duty-free status as more traditional art works.

His efforts were crowned with success when President Eisenhower signed into law on September 14 the Senate bill 948 which he, Senator JAVITS had introduced. This was indeed a great service to the cause of freedom in the arts.

It gives me great pleasure to present to you, Senator JAVITS, this certificate of award which reads as follows:

"CERTIFICATE OF AWARD

"The Brooklyn Society of Artists presents its award of 1959 to the Honorable JACOB K.

JAVITS, U.S. Senator from New York, in recognition of his outstanding service in behalf of art and artists in America.

"Presented on the occasion of the 42d annual exhibition of work of the members of the society at the Riverside Museum in the city of New York on November 29, 1959.

"JENNY FOHR, *President.*

"Attest:

"CONSTANCE SCHARFF,
"Recording Secretary."

EISENHOWER-BENSON FARM POLICY SEEKS TO PERPETUATE THE TIMEWORN AND FALSE ASSUMPTION THAT PRODUCTION CAN BE RESTRICTED ON AN ACREAGE BASIS INSTEAD OF ON QUANTITY

Mr. RANDOLPH. Mr. President, last year we were given an indication of what to expect from the administration's farm program for 1960 in an article by Felix Belair, Jr., published in the New York Times, issue of November 11. This writer referred to the "brave new" Eisenhower-Benson plan which would offer Congress "proposals for a permanent solution of the farm problems."

The most appropriate comment seems to me to be that once made concerning the Bourbon kings of France—that they never forget and they never learned.

In addition, we now have the President's Economic Report of 1960, to which I shall have occasion to refer in order to indicate more completely the intentions of the Eisenhower regency in its closing year.

The report listed five points which are offered as "essential aspects of a sound program." I would request your indulgence while I examine these points to see if, after 7 years of labor, the Eisenhower-Benson effort has brought forth a mountain or a mouse.

The first of the Eisenhower-Benson stated objectives is "an expanded program for the voluntary retirement of land from crop production for the next 5 to 10 years under the conservation reserve, with particular reference to areas of notable surplus."

This suggestion perpetuates the timeworn and demonstrably false assumption that production can be restricted on an acreage basis instead of a quantity basis. It ignores the fundamental fact of our agricultural surpluses, namely, that increased production stems from an improved technology applied to decreasing acreage. Yet, more recently the President's Economic Report of 1960 acknowledged this fact in the statement that "the growth in United States farm output has been achieved through an extraordinary increase in production per unit of labor and per unit of land"—page 102. The result has been, and will continue to be under the present administration practices, a race to increase production on a diminishing number of acres, and to send the resulting surplus to the already overloaded Government warehouses.

ADMINISTRATION PROGRAM INCONSISTENT

I draw the attention of Senators also to the apparent contradiction and inconsistency of the administration's farm program—if one may use the word so loosely as to call the present farm chaos in the United States a program.

In the Economic Report of the President, I note the following statement concerning one of the positive actions taken by the administration in 1959:

> First, support prices for cotton were adjusted as individual producers were given, for the first time, a choice between (1) continuing compliance with tightly restrictive acreage allotments, with prices supported at 80 percent of parity, and (2) freedom to plant up to 40 percent beyond the allotment, with prices supported at 65 percent of parity. Second, under existing legislation, corn producers abolished their acreage allotments by referendum late in 1958 and thereby put into effect a single schedule for price support at 90 percent of the 3-year average market price with a minimum support level of 65 percent of parity.

Since this action can only result in increased acreage allotments to corn and cotton one is at a loss to reconcile the incongruity of this statement with the implied intention of "the voluntary retirement of land from crop production—with particular reference to areas of notable surplus."

Mr. KUCHEL. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. I am glad to yield to the affable assistant minority leader.

Mr. KUCHEL. I wonder if I correctly understand the Senator. Does the Senator from West Virginia suggest that the action taken by the Department of Agriculture in connection with cotton and corn was not in accordance with the laws relating to agriculture which Congress has passed?

Mr. RANDOLPH. I shall cover that question immediately. My comment was not a reference to law, but, rather, concerned what seem to me to be inconsistencies in published administration statements of policy and intent.

Mr. KUCHEL. I shall simply make this comment, since the Senator has been so kind as to yield to me——

Mr. RANDOLPH. I am delighted to yield to the Senator from California.

Mr. KUCHEL. I make no pretense of being a farmer, although my family has a little orange property. On the other hand, California has a vast agricultural economy. My only thought is this: Either the Department of Agriculture has proceeded in accordance with the law of the land, or it has not. I have never heard anyone suggest that the Department has not proceeded entirely in keeping with the laws which govern it. If that is so, I simply say that the power which the American people have given the Democratic Party in controlling the Senate and House of Representatives also imposes a responsibility upon that party to debate and to pass such legislation as its members think ought to be debated and then enacted. My recollection is that the latest cotton legislation which is now on the books was fashioned by my brothers from the Democratic side of the aisle, rather than by those from the minority side of the aisle.

Mr. RANDOLPH. I shall comment in a moment on what the Senator from California has said, but I assure him that in no sense have I implied, nor do I imply, overt violation of existing law.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am glad to yield to the Senator from South Carolina.

PRESIDENTIAL VETOES NULLIFY GOOD ACTS

Mr. JOHNSTON of South Carolina. I cannot let go unanswered the statement made by the Senator from California. The Democratic Party has been responsible for the passage of bill after bill designed to help the farmers of the Nation, to try to keep parity prices up, and to impose stricter crop controls; yet all these bills have been vetoed by the President of the United States.

Remember, the Republicans held power in the Congress only in the first 2 years of the Eisenhower administration. The Republicans were in full control of the Senate and House in 1953 and 1954. The only crop they did not fool with was tobacco. Tobacco is in the best position of any commodity in the United States at the present time. I defy the Republicans to say it is not. Why is that so? Because they found, when they came into power, that good tobacco legislation was on the statute books, the people having voted for it for a period of 3 years. That law was operating so well that at the end of the 3 years it was reenacted by Congress for another 3 years. So it was in effect for 6 years.

Oh, yes; the President vetoed a tobacco bill last year. We are now trying to get a worthwhile tobacco law back on the books.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. Yes, I yield.

The Senator from California is trying to "lay it on" the Democrats for doing something worthwhile when we regained control. We tried to undo something which was harmful; the President did not do it.

SECRETARY OPPOSES AUTHORITY TO HELP NEEDY

Mr. RANDOLPH. Mr. President, I am grateful for the correct appraisal of the situation made by the Senator from South Carolina [Mr. JOHNSTON]. Now I want to reply to the statement of the Senator from California. Then I shall, of course, be pleased to yield to him again.

I think it is important for us to realize that this is not the first time the intent of Congress has been subverted by the administration. Yet I am of the opinion that the Secretary of Agriculture consistently has opposed legislative authority which would direct him to purchase additional foods to supplement items in surplus.

I say to the Senator from California that the Senators from Kentucky [Mr. COOPER and Mr. MORTON] and the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT], together with my esteemed colleague from West Virginia [Mr. BYRD] and myself, regardless of party, have attempted to persuade the Secretary of Agriculture to be more aware of this problem, so that the needy folk in the distressed and chronic unemployment areas of the United States would be given additional food.

So when it is said, over and over again, that the administration has been carrying out the wishes of the Senate and the House, I reply that we have been faced with a reluctance of officials "downtown" to follow the intent of Congress.

I now yield to the Senator from California.

Mr. KUCHEL. I do not quite understand what the able Senator from West Virginia has in mind when he asseverates that a member of the Presidential Cabinet subverts the law of the land. Anyone who is in a position of responsibility and subverts the law of the land ought to be dealt with by proper authority. Speaking for myself, I deny that the laws of the land have been subverted by a member of the President's Cabinet.

Mr. RANDOLPH. I spoke of the intent of Congress having been subverted.

Mr. KUCHEL. Agricultural legislation is a tragically involved subject. It is important to the American farmer; it is important also to every American.

I have been at a loss to understand some agricultural legislation. I have been at a loss to understand some of the reasons which have prompted the Congress to enact some of it.

For example, we speak about price supports for basic crops. I am at a loss to understand why peanuts have been determined by a past Congress to be a basic crop.

I am not going to be wedded to blindly following any administration during the days I remain here. I want to judge agricultural legislation on the basis of whether I believe it is in the interest of the American people.

In the Senate the members of the majority party now outvote the Republican Members two to one. That is a fact. Certainly there rests on the majority party Members of this body the responsibility of helping fashion in this field legislation which they believe will be in the interest of the American people, and which they believe will, under the exigency of having a Republican President and a Democratic Congress, be able to receive the support of the President of the United States and his Department of Agriculture.

This morning I listened to the broad outlines of a repeated request in the field of agricultural legislation which will be made by this administration of the Congress. I do not know what the Congress will do with it; God alone knows that.

All I say is that I think that we on this side of the aisle may reasonably say to those on the other side of the aisle, in view of the power they have in this Chamber, on the basis of the votes, "Take the responsibility of bringing to the floor of the Senate proper legislation in that field."

That is all I have to say; and I am glad to listen to my learned friend, who very ably represents the fine people of West Virginia.

Mr. RANDOLPH. The Senator from California is very kind.

Mr. President, the incongruity is not lessened when it is noted that the predicted surplus of cotton for 1960 is 6.7 million bales, compared to 3.4 million in 1958; and that corn is one of four grains with a total predicted carryover for 1960 of 80 million tons, compared to 59.1 million tons in 1958.

The second point noted in the New York Times article is that of "an aggressive program of research aimed at developing new markets and new uses for farm products."

DOES ADMINISTRATION AVIDLY SUPPORT RESEARCH?

I say to my very distinguished friend, the senior Senator from California [Mr. KUCHEL] that we cannot be greatly heartened by the research prospects of that statement, in light of the President's veto of the coal research bill, which was designed to aid an industry much more depressed even than agriculture. Nor has the administration shown itself to be particularly avid in its search for new markets, when one considers its coolness to the suggestion for food-stamp programs in our depressed areas.

If there is any genuine interest in the administration for research into new industrial uses of farm products, why did Mr. Eisenhower not throw his support behind 1 of the 21 bills introduced in the 85th Congress or the 16 bills introduced in the last session? Surely, at least 1 of those 37 measures had merit; and it is reasonable to assume that it could have been passed by Congress if the Democratic leaders had received the constructive support of the President and his party.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from West Virginia yield?

The ACTING PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from South Carolina?

Mr. RANDOLPH. I yield.

Mr. JOHNSTON of South Carolina. For the information of the Senator from West Virginia, let me say that my bill has been passed by both the Senate and the House, but the President will not give us any inkling as to whether he intends to veto it.

Mr. RANDOLPH. And certainly we had no information whatsoever that there was a disposition on the part of the White House to pocket veto the coal research and development legislation 5 days after the conclusion of the first session of this Congress. The distinguished minority leader of the Senate, the junior Senator from Illinois [Mr. DIRKSEN], was one of the cosponsors of that legislation; and we had no reason to believe that there was in the mind of the Chief Executive a feeling that that legislation was not necessary.

I say that proposal had the almost unanimous support of both the Senate and the House; the support for it cut across party lines. During the debate there was little opposition to it; and when the votes were taken, there was practically no opposition to it. Yet I have already spoken of the pocket veto by the President of that legislation, which was desperately needed in behalf of the coal industry of the country.

I am one of those, Mr. President, who awaits Mr. Eisenhower's contributions in this field with some eagerness—although not without some skepticism, especially since I find not a shadow of a suggestion for such a research program in the President's economic report. This seems to be another instance of the pattern established by this administration—that of issuing glowing and optimistic press releases at times of public concern, and then, after the attention of the public is diverted to something else, promptly ignoring its promises.

Third—and again I quote from the Times article—"a vigorous feed program. This will utilize even more of our surpluses to supplement the food supplies available to our friends abroad." That is a quotation from the statement which was issued from the White House. In that assertion there is nothing to indicate the nature of the vigorous program, or if whether it will go beyond the expression of right sentiments in happy phrases, nor is one comforted by the fact that the President's economic report includes not a single mention of his vigorous feed program, while it has only one sentence which is even partially devoted to the use of our surplus commodities abroad, as follows:

> More emphasis is being placed on the development of markets for farm products at home and abroad (p. 58).

REAL AREA DEVELOPMENT PROGRAM NEEDED

Fourth of the Eisenhower-Benson program points reported by the Times, "an expanded rural development program to assist farms in the low-income areas—more than half of our total farmers—attain a higher standard of living."

There is an almost cruel irony in this statement in light of the fact that less than 7 years of Eisenhower-Benson dominion have reduced the number of farms in the United States from 5.4 million to 4.6 million.

One is reminded of Dean Swift's suggestion in the 18th century for the relief of the population problem in Ireland—eat the children. Nor is much encouragement to be found in President Eisenhower's veto of the Area Redevelopment Act of the 85th Congress, and his threatened veto of the improved version passed by the Senate in the last session—both of which contained positive authorizations for rural development in the United States.

This administration has employed a typical bit of semantic jujitsu in dealing with the decrease in the number of independent farmers, by attempting to focus attention upon the average net income per farm operator—since the total income is now divided among 800,000 fewer farmers. I quote:

> The realized net income of farm operators in 1959 was not greatly different, however, than that in the years immediately prior to 1958, especially if allowance is made for the reduction in the number of farms (p. 29).

The principle is a simple one: You squeeze the marginal operators off the land and then assure yourself that all is well because those who remain are dividing a smaller pie among fewer numbers, the original income being $2,363 per farm operator, or $404 less than in 1958.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Right along that line, I would like to say that when all these bills were before the Agriculture and Forestry Committee, they were referred to Mr. Benson. When he sent his report back he said they did not need these bills, that the Agriculture Department already had authority to act in this field. But it either did not have the authority or it has not acted in the past. It brings to mind the story of the men who had the talents. One man had 5 talents, one man had 2 talents, and one man had 1 talent. Those who had 5 talents and 2 talents used the money, but the one who had 1 talent, like Mr. Benson, did not use it. He buried it and did not use it. Then he was told: "We will take it away from you, if you have not been using it, and put it in the hands of someone else."

That is the reason why the committee saw fit to enact a law and put the authority in the hands of someone who would act. The Secretary's answer all the way through has been that the Department already had authority to act in this field.

Mr. RANDOLPH. Of course, the administration over and over again has been saying that everything is all right, and has indicated that prosperity is spread uniformly all over this country. I would have to use time on another subject if I were to go into that question; but we know there are many areas of distress and there are millions of people faced with despair. There are overwhelming problems right here in the United States which demand, I say, not part-time attention, but full-time attention.

FAMILY-SIZE FARMS BEING NEGLECTED

The evidence is clear that the Eisenhower-Benson policy has constantly operated in favor of large commercial farm operators—the grain storage operators, and the food processing industry—to the detriment and neglect of the family-size farm. And in all likelihood, the small farmers will continue to be squeezed off the land until a two-price system is recognized as an essential feature of any surplus disposal program.

For example, the Canadian practice, according to one of our leading farm economists, Stephen Raushenbush, of recognizing the same basic wheat sales quota for every farm could be applied with variations to all our farms producing crops in the surplus categories. Every farm would be able to sell the same basic amount of wheat, or cotton, or feed grains at the higher of two prices. Only after the sale of the basic quota at a good price would the farmer be required to market his product at a lower figure. This plan alone would give a new and much needed basic stability to the family-size farm in the United States of America.

Instead, the administration suggests—and this is the fifth and last proposal referred to in the Times story—

Realistic price support programs on storable commodities, related to market prices in recent years, and not to an obsolete parity formula based on conditions a half century ago.

Elsewhere in the Times report it is stated that the support figure is to be based upon the average market prices in the preceding 3 years. Assuming that the administration's action last year on price supports for corn would be a model for future legislation, the figure would be 90 percent of the average market price for the past 3 years.

Thus, if we view the average market price from 1957–1959, inclusive, for feed grains, cotton, meat animals, poultry, and eggs, we discover that the support figure of this administration would be less than the market prices during the last year of President Truman's administration by 32 percent, 24 percent, 22 percent, and 32 percent, respectively.

It is worth noting that net farm income has declined every year but one during the entire Eisenhower administration, and that it has never approached the last 2 years of the Truman administration. What then are the implications of the proposed Eisenhower-Benson price formula, especially since farm income in the United States is again declining? It has fallen from a realized net income of $13.1 billion in 1958 to $11 billion in 1959, and there are no indications that the trend will be reversed this year. Thus, the new parity figures may well be established on the basis of one of the lowest levels in recent farm history.

These are the essential features of the new Eisenhower-Benson revolution in agriculture which is touted as offering a "permanent solution of the farm problem."

But it is not a farm program, Mr. President. It is a patchwork affair and based upon assumptions which bear little relation to the realities of our farm economy. Every year our surplus carryovers grow larger, the farmer's income gets smaller, and the cost of administering the Government's support program mounts—while Secretary Benson and the President's advisers continue in their self-righteous assumptions of infallibility.

CAPTIVE OF OWN USE OF VERBAL MAGIC

This administration is becoming increasingly a captive of its own use of verbal magic. Whether in the field of education, welfare, unemployment, space exploration or agriculture—the President's advisers and speech writers attempt to manipulate the realities of life with mere words. It is unfortunate enough when they fool the American people, but it can be fatal for all of us if they fool themselves.

Though the pressures on the farm problem are not as critical as those in the fields of space exploration and national defense, the pattern of irresponsibility in this administration is the same throughout. I cite one final passage from the President's Economic Report to illustrate this: On page 27, the writer of this section of the report acknowledges that "declines in prices of hogs, poultry and eggs were especially sharp." However, the report continues, "a substantial part of the decrease in livestock prices during 1959 was directly traceable to a cyclical increase in the production of beef cattle and hogs, which had been in short supply in 1958 and for which prices had been unusually high."

The so-called cyclical increase in beef and veal was 100,000 tons, or 1⅓ percent, in poultry 3⅓ percent, in pork, 11 percent, and in eggs 2½ percent. These increases, I say to my colleague, the Senator from Wisconsin [Mr. PROXMIRE], who does me the honor to listen today, hardly seem sufficient to explain a drop in the price index of meat animals from the 1958 average of 334 to the level of 264 last month—December 1959—or of poultry and eggs—during the same period—from 169 to 148.

Now, Mr. President, I lay no unusual claims to the power of prophecy, but during my campaign for Senate in the fall of 1958, I predicted over and over again a decline in the farmer's prices of these very items due to the pressure of the increasing surplus carryover of feed grains. This carryover increased from 59.1 million tons in 1958 to 67.4 million tons last year, and the predicted carryover for this year is a staggering 80.0 million tons. This is the root fact behind the tragic drop in meat and poultry prices, Mr. President. Yet there is no such recognition of this in any of the administration pronouncements because I think this administration is committed to the fictions and fantasies of the Benson policies rather than hard root policies.

PROFITEERING ON GRAIN STORAGE PROGRAM

Finally, Mr. President, in addition to declining prices and increasing surpluses we are now beginning to witness the sordid mess and profiteering in the Government's grain storage program as it is being revealed in hearings by the very able Senator from Missouri [Mr. SYMINGTON] and in the press in articles by Drew Pearson. I refer, of course, to the recent reports of profits of 150 percent by private storage firms and to the "slugging" of oversea shipments of American wheat with chaff and spoiled Canadian wheat.

These conditions have been tolerated for too long, Mr. President, and it is my hope that the Congress, during this session, will bring forth legislation to overhaul the policies, which I think are bankrupt. I believe they are incompatible with a sound farm policy for the United States.

There is widespread discontent among the farmers who have endured the Benson policies and among the taxpayers who have borne their cost, and are beginning to realize this cost.

Though there may be some partisan comfort in the idea that the Republican Party will suffer the political consequences of the Eisenhower-Benson program, I hope and trust that my colleagues will not rest in this belief but will bring forth a sound and ameliorative legislative program in the near future.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my friend from Wisconsin.

Mr. PROXMIRE. I congratulate the Senator from West Virginia for an excellent speech, which is thoughtful, discerning, sound and accurate—a convincing indictment, I should say, of the administration's farm program.

The Senator from West Virginia is very correct when he points out that again and again the Democratic Congress has passed laws and has had them vetoed. The acting minority leader, the distinguished Senator from California [Mr. KUCHEL] has said legislation is the responsibility of the Democratic Party, because we have a substantial majority in both Houses of Congress. It was our responsibility with the wheat bill last year. What happened to it? We passed the bill. It was vetoed.

The 1956 Democratic Congress passed an omnibus farm bill, which we thought would help the farmers and which we thought would help the taxpayers. What happened to that? It was vetoed.

I serve on the Committee on Agriculture and Forestry. I recall how Secretary Benson would come before us. Last year I asked the Secretary to give us a recommendation up and down the line on every bit of our farm program, as to how he would change it not only with regard to dairy products, which interest me particularly, but also with regard to wheat, corn, cotton, rice—all the basic crops and everything else affected in any way by our farm legislation. He failed, after repeated pleas, to bring that forward.

ACTING SECRETARY SUBMITS ANALYSIS

I invite the attention of my good friend from West Virginia to the fact that I also asked the Secretary to spell out for us in dollars and cents what would be the effects on the American farmers if the Eisenhower-Benson program, which had been suggested in the past, were put into effect. I have recently received a letter from True Morse, Acting Secretary of Agriculture, with a 29-page analysis which says what the Eisenhower-Benson program will do to the American farmer. It is this: They expect farm production to increase in the next 4 years by 6 percent. They expect farm prices to go down even further, in fact, by another whopping 10 to 12 percent. They expect cash receipts for farmers to drop by from $400 million to $1.6 billion during the next 4 years.

Mr. President, I am shocked by this kind of prediction by the administration itself. What they are saying to Congress is, "Do it our way; or we will veto it." What is their way? Their way—the depressed farmer—who is now the number one victim of economic injustice in America, is going to be even more depressed than he is now. His income will drop further.

We all know, judging from what has happened in the past 4 years, that not only has farm income gone down, but also the value of the dollar the farmer has received has diminished very, very sharply. So if we follow the Benson-Eisenhower prescription the farmer will have fewer dollars than ever and the dollars he does receive will buy less and less.

I think the Senator from West Virginia has done an excellent job, a very competent and accurate job. I have followed farm legislation closely in the Congress. I have heard many farm speeches; but I have heard very few which matched the very excellent speech of the Senator from West Virginia. It was a real privilege to have the opportunity to hear it. I thank the Senator.

Mr. RANDOLPH. I am grateful to my generous colleague from Wisconsin. I am sure that the comments which the Senator has made concerning farm legislation and the Eisenhower-Benson policies are correct in every detail. They seem to substantiate the statements which I made and they add not only endorsement but also strength to the presentation from the standpoint we have approached it today, namely, the need for a program which will actually aid the farm population of the United States.

Mr. PROXMIRE. If the Senator from West Virginia will yield for one moment more.

Mr. RANDOLPH. Gladly.

Mr. PROXMIRE. The Senator quoted effectively from the President's Economic Report. The President's messages—the budget message, the Economic Report, the state of the Union message—all stressed the fact that ours is an expanding economy, and we can expect in the future to have the income of the American people increase as it has in the past.

THE FARMER IS BEING LEFT OUT

We can expect to have a richer country, but the farmer is left out. According to the Department of Agriculture, the farmer can expect nothing but more of the same depressed income that he suffers now. As the Senator from West Virginia has so well pointed out, his income has dropped from something like $15 billion or $16 billion in 1952 to $11 billion this year.

Now the Secretary of Agriculture says that is not enough. We are going to push it down still further. It would be different if we were looking forward to an economic depression, but we are told that the country is rich, and that it will grow even fatter in the future; except for the farmer.

It seems to me that whether a man comes from Brooklyn, Milwaukee, New Orleans, or from an agricultural community, he should object to this kind of deliberately unjust treatment which can only make an unjust situation even worse.

Mr. RANDOLPH. I thank my colleague.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield with pleasure to the discerning senior Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I wish to commend the Senator from West Virginia for his remarks, and also for bringing out for us how farm net income has decreased year after year all during this administration.

Also we must bear in mind that while farm net income has been decreasing the prices of everything the farmer buys have gone up. When we take that fact into consideration, we have a double decrease. So we should consider that point also. The Senator is to be commended.

Last year we passed Senate bill 690, to provide for the increased use of agricultural products for industrial purposes. I note from the RECORD that there was a yea-and-nay vote in the Senate. I note that only seven Senators voted against the bill. So both Republicans and Democrats voted for that bill by a large majority. But I also note that everyone of the seven Senators who voted against it were from the other side of the aisle. They must have been talking with Mr. Benson. All the other Senators across the aisle voted for the bill. That is a peculiar situation.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield. I notice the Senator from California voted for that bill.

Mr. KUCHEL. I voted for it, and I think it was a good piece of legislation.

It seems to me it was always a little dangerous—of course, the Senator is far more experienced than I am in this kind of work—to indicate what particular Members on either side of the aisle do.

For example, the distinguished junior Senator from New Mexico [Mr. ANDERSON], who was Secretary of Agriculture—and a very able Secretary—in the Cabinet of Harry S. Truman, has been one of those who many times have led the fight for legislation which this administration has recommended in the field of agriculture. I do not know what motivated Members on this side to vote one way or the other an any issue.

Mr. JOHNSTON of South Carolina. Neither do I.

Mr. KUCHEL. The same thing applies with respect to Senators on the other side of the aisle. I do believe that in each instance they were motivated by good faith.

Mr. JOHNSTON of South Carolina. I am not denying that.

Mr. KUCHEL. And each according to his own lights. My able friend has a perfect right to his opinion, as I have to mine. When we disagree, obviously one must be wrong, but I think both of us want to do what is best for the people, including the farmer.

Mr. JOHNSTON of South Carolina. During the past seven years someone has put the farmer in an awful fix; and Benson has been operating the program.

Mr. KUCHEL. Mr. President, inasmuch as I wish to have an opportunity to vote today on the pending business in favor of the poll tax amendment, I shall take my seat.

Mr. RANDOLPH. Mr. President, I am about to yield the floor, but before doing so I wish to say that I appreciate the good humor, and yet the very vigorous manner in which the acting minority leader has spoken on these matters. I have personal affection for him. I know that in all votes he casts he votes in a way which he believes to be in the public interest.

Mr. KUCHEL. I thank my friend.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. JOHNSTON of South Carolina. Mr. President, I rise in opposition to all amendments to Senate Joint Resolution 39.

Particularly I rise in opposition to the amendment presented by the senior Senator from Florida [Mr. HOLLAND] which would set into motion an amendment to the Constitution of the United States which would declare, in essence, that payment of State poll taxes levied by States would become a Federal matter. This amendment to the Constitution would make it unconstitutional for a State to require payment of poll tax as a prerequisite to voting. I have contended all along that matters pertaining to the qualification of voters fall within the jurisdiction of the States, and not the Federal Government.

Particularly, too, do I rise in opposition to the amendment presented by the senior Senator from New York [Mr. JAVITS]. The fundamental basis upon which I build my opposition is that poll tax legislation is a State matter, and a matter in which the Federal Government has no business. By Federal Government I mean the Congress of the United States, the President of the United States and all of his officers. This matter has been settled, once and for all, I hope, by several court rulings, the latest of which was rendered by the United States Supreme Court on May 28, 1951, in *Butler* v. *Thompson* (341 U.S. 937).

Mr. President, before I go further, I wish to point out to the Senate of the United States that South Carolina has no poll tax prerequisite to voting and that we have not had any such requirement for the past 9 years. The people of South Carolina decided that matter by a constitutional amendment which was ratified by the general assembly in 1951.

It might be news to some to know that it was first written into the constitution of South Carolina in 1868, in Reconstruction Days, when the colored people had charge of our State government; and it was reenacted in 1895, and remained in the law until 1951, when repealed by the people of my State.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG of Louisiana. Can the Senator tell me offhand what States still impose a poll tax as a condition for voting?

Mr. JOHNSTON of South Carolina. There are only five such States. I cover that point in my discourse, and will go into it later. Then I shall be glad to answer the question of the Senator.

Prior to 1951 we fought, just as bitterly as we fight today, attempts by the Federal Government to repeal State laws requiring payment of poll taxes as a prerequisite to voting in State elections. South Carolinians removed payment of poll taxes as a voting requirement. It was their State right to make such a decision. Other States may not wish to change their poll tax laws, and we have no right in the Senate to force such a change upon the people of any State. The right to establish certain qualifications for voters has been guaranteed to the individual States by the Constitution even since we became a nation.

I call attention to the fact that poll taxes were in effect even prior to the adoption of the Constitution, in colonial days.

Whether or not any individual Senator believes the payment of a poll tax should or shoud not be a qualification for voting has nothing to do with the underlying principle which is at stake here today.

The principle that is involved is not the poll tax itself, but the principle of the right of States to control their own election machinery and to set forth qualifications which citizens must meet before they are eligible to vote.

Mr. President, it is obvious to me and other Members of the Senate who have studied the Constitution and who know anything about the history behind all of this type legislation, that the amendment proposed by the senior Senator from New York and others is unconstitutional, and would be so declared by the courts, in my opinion.

The reason for this is found in the decision of Butler against Thompson, which I have cited previously. It was on May 28, 1951, in this case on appeal from the U.S. District Court, Eastern District of Virginia, that the Supreme Court granted a motion to affirm the lower court's judgment on a poll tax situation. The lower court had stated that the decisions generally held that a State statute which imposes a reasonable poll tax as a condition of the right of vote does not abridge the privileges or immunities of citizens of the United States protected by the 14th amendment.

I quote in part the exact language of this decision:

> * * * the decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles* (302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252), held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Mr. President, the language is clear and explicit: The privilege of voting is derived from the State and not from the National Government. There is no clearer way to state the matter.

There are legislators in the Senate and in the House who carry around in their hip pocket, as Bibles to follow, so to speak, the decisions of the Supreme Court. Hardly a day goes by in Washington that some legislator does not cry out about Supreme Court rulings being the law of the land. Certainly they have hammered this home sufficiently about the 1954 school integration decision. While I do not agree with these legislators that any Supreme Court ruling is the law of the land, because Supreme Courts are subject to error as is any other human group, I wish that the Senators who feel that Supreme Court rulings in cases of integration are laws of the land would be consistent and, in this instance, agree that the decision in Butler against Thompson equally be considered the law of the land. In light of this, I should hope, too, that the sponsors of this amendment would withdraw it since the Supreme Court has stated it is a State matter and that the Federal Government has no business meddling in such State matters. Of course, I imagine this would be too much to expect at this time.

In the lower court's decision in Butler against Thompson, which was upheld by the Supreme Court of the United States, the following language was used, which is as clear as any language anyone can cite:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. (*Minor* v. *Happersett*, 21 Wall. 162, 170 et seq., 22 L. Ed. 627; *Ex Parte Yarbrough*, 110 U.S. 651, 664–665.)

Surely this language of the highest Court in the land should be clear enough to those who would try to legislate in Congress on a State matter that they are in error in trying to do so.

For the moment, so much for the unconstitutionality of the amendment proposed by the senior Senator from New York and others.

I should like to go into the amendment proposed by the senior Senator from Florida.

At the outset I must admit that anyone can offer any amendment to the Constitution and be within the law, so to speak. However, anyone can certainly question the wisdom of any such amendment proposed.

In the first place, there are only 5 States which still have the payment of the poll tax as a prerequisite to vote. This means 45 other States do not require the payment of poll taxes in order to make one eligible to vote. At this late date, to go through the very expensive and cumbersome procedure to amend the Constitution in order to force the will of 45 State upon 5 remaining States is certainly poor sportsmanship and poor business, to say the least.

The great danger in the amendment proposed by the senior Senator from Florida is not just that it would keep the five remaining States from requiring the payment of a poll tax as a prerequisite to vote. The real danger lies in the grotesque form which this amendment to the Constitution would take.

It would become a wedge in the door for further amendments and even unconstitutional legislation to enable the Federal Government to completely control all elections in the United States. If we have the right to pass judgment on a small matter like poll tax provisions, then what will prevent us next year from coming back and proposing the elimination of other, or even all, State prerequisites for voting?

The great trouble is that the Constitution will become a cold document instead of a living charter to guide us.

I have looked into some State constitutions and have seen how they have been amended and amended and amended. They have almost become codes instead of constitutions. I think constitutions should be brief and should cover all the points which constitutions should cover, and that the legislatures should legislate on all matters which are not contrary to the constitution.

If States are not allowed to maintain this important right of establishing qualifications for their electors within the safeguards now contained in the Constitution, then those who wish to take away this one constitutional right might well try to broaden the amendment proposed by the Senator from Florida in some future amendment to include all qualifications.

I think it would be well at this point that we refresh our minds with the provisions of article 1, section 2, of the Constitution, which provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislation.

The Congress recognized this reservation of power within the several States when the 17th amendment to the Constitution was proposed by the Congress to the States for their ratification. That amendment in its first paragraph provides:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Historically, the voting privilege was extended to make inhabitants of a State in all the Original Thirteen States upon the basis of the State laws of those States. Some of them required a specific poll tax. All of them required the ownership of varying amounts of property—either real estate or personal property. Each State had varying other laws—First, age; second, residence in the State; third, residence in the county, district, or precinct; fourth, innocence of crime or conviction of crime; fifth, and many other provisions—which determined the qualifications for voting.

Various States have various laws on these subjects; but all of them, as will be noted, provide for residence not in the United States, but in the States, and even in the counties, districts, or precincts.

It is my contention that we in the Congress have no right to interfere with the time-honored and respected provision of our Constitution that each State has the right to determine for itself who within its borders is qualified to vote. While each of the original Thirteen States imposed some sort of taxation upon its eligible electors, and while the requirement of a poll tax now exists in only five States; namely, Alabama, Arkansas, Mississippi, Texas, and Virginia—we should not by our act attempt to sit in judgment upon a matter exclusively within the wisdom, discretion, and judgment of the people of the States concerned.

It is not too much to suppose that the remaining five States in due time will dispense with the requirement of a poll tax. But this is a matter solely of their concern, not of Congress. Why, then, should we set the date for them. It is their constitutional prerogative to do with this particular requirement as they see fit. It is neither our function nor our duty to impose our will upon them by even a constitutional provision for the Constitution already provides in this case. Anyone has the right to propose it, but we have the responsibility to look beyond the immediate effects of such proposals and act wisely—in this case to reject it. If we approve this amendment, then what will prevent us from setting the age limits, the residence restrictions, the registration provisions and all the other numberless details which each of the 50 States acting within its reserved powers may establish for the exercise of this privilege of voting. The entire purpose of the two constitutional provisions I have set forth can be whittled away, so that the entire reservation of a State's power may become meaningless and worthless.

We would then be ready to have set up in Washington a bureaucracy clothed with power to establish the eligibility of voters in each State. When a vacuum is created by removing State powers, Federal powers are invited to fill the void. Such action, I contend, would be contrary to the express will of our Founding Fathers. Had such action been taken or proposed in 1787 there would have been no United States of America. The Colonies would have rejected a union. The debates in the Continental Congress, the Federalist Papers, and the minutes taken of the deliberations of the Representatives in that Congress prove this fact beyond a reasonable doubt.

I do not believe in the theory of government that all wisdom is here at the seat of our Government. I believe in States rights. I believe we govern too much from Washington. I believe, as Jefferson believed, that the people governed best are governed least. He also believed that the greatest wisdom for government resided in the people and when removed from the people, bad government usually followed.

The elective process is one of the most vital, sensitive, and important powers remaining with the people of our several States. I would not as a citizen of South Carolina wish to impose one of its laws upon the State of New York, or Tennessee, or Florida, or Utah, or any other State, through a constitutional amendment if such a law violated a power reserved to any one of those States.

The Federal branches of Government have too often raided our States' powers, usurped them, and imposed our will upon them. The time has come to halt this trend. The time has come for us to give back to the States some of the powers the Federal Government ought never to have assumed.

The Federal Government is now top-heavy and is becoming more so. The Federal Government has drained the States of their sources of revenue. We have allowed laws to be construed so generously and oftentimes so unwisely that in many instances only the imaginary line divides our sovereign States. Thus sovereignty is destroyed. The rights of the people are lost. They are in a Federal straitjacket. We lose our greatness as a Nation when the rights of our States are destroyed. These are not mere words. These are eternal truths.

Mr. President, in summary we come back to the original joint resolution which was studied thoroughly by the Committee on the Judiciary and reported without amendment by the senior Senator from Tennessee [Mr. KEFAUVER].

This proposed amendment to the Constitution of the United States gives to the States, through their elected executive authority, the power to make temporary appointments to fill vacancies occurring in the House of Representatives in time of emergency.

This joint resolution, without all these hampering, politically inspired amendments, is sound legislation. It does not take from the States any rights, but it gives to the States a right. This proposed amendment to the Constitution is vital in this day of possible widespread destruction. If an atomic bomb were to be dropped on Congress while in session, the Nation could possibly be without a Congress. It would be tremendously important that the executive authorities of the various States have the power immediately to fill such a vacuum of authority in the Federal legislative branch.

If the sponsors of the various amendments to Senate Joint Resolution 39 are successful, I predict that this legislation will never be passed by the Congress. That being so, the sponsors of these amendments will have rendered their country a terrible disservice; and we will hold them responsible if some catastrophe occurs and if our Congress cannot conduct its business. The sponsors of these amendments should prepare their suggested legislation and should submit it to the proper committees of the Senate for thorough study. Such measures should be acted on separately, and should not be tacked on as piecemeal patches that will destroy the meaning and sense of Senate Joint Resolution 39.

These amendments threaten to destroy the results of the long study and the hard work of the Judiciary Committee which went into Senate Joint Resolution 39.

I should think that by now we would have learned that we cannot legislate on

the floor of the Senate without becoming embroiled and entangled in time-consuming and effort-wasting debate. This is what has happened in this instance. A universally supported important Senate joint resolution has become bogged down because of attempts to legislate on the floor of the Senate.

I hope the Senate will have the good sense to reject all amendments being proposed as attachments to Senate Joint Resolution 39. In doing so, the Senate will be paying respect to the labors of the Judiciary Committee and, simultaneously, will be rendering the Nation a tremendously important service.

Mr. President, in July 1948, the late Senator Burnet R. Maybank spoke at great length in defense of retention by the States of powers controlling the qualifications for voters. In particular, he referred to the requirement of paying poll taxes as a prerequisite to voting. At that time South Carolina still had this requirement. But, as I pointed out earlier, it was subsequently repealed by constitutional amendment that was ratified by the State legislature.

The late Senator Maybank pointed out some very important facts concerning the history of South Carolina's poll tax. I wish to quote from what he said:

> The practice, custom, and tradition of levying a poll tax in the State of South Carolina had its origin prior to the American Revolution. In 1702 the general assembly passed an act for the purpose of raising revenue to be used in the defense of Charles Town. This act provided that 550 British pounds per annum be raised by a poll tax (spelled p-o-l-e). It provided for the payment of 20 shillings per annum by each man within the bounds of the town who was capable of bearing arms. It is interesting to note that this act also provided for the payment of 20 shillings per annum by every single woman or widow who was a housekeeper within the bounds of the town. Thus we find that from the earliest time the poll tax was used as a revenue measure, which, indeed, it is today in South Carolina.

This is proof that the existence of a poll tax came prior to the Constitution, and, for that very reason, was a right retained by the States under our Constitution. It is another reason why we should not tamper with this State right. We would be going behind the Constitution and, in a sense, breaking faith with those who wrote the Constitution if we were to do so.

I wish to quote further from what Senator Maybank said:

> In 1876 Wade Hampton was elected Governor of the State of South Carolina, thus returning the official leadership of the State back to the citizens of South Carolina. Shortly thereafter the legislature passed an act providing for the collection of a poll tax referred to in the constitution of 1868. This act was ratified on March 22, 1878, and reads as follows:
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> "That the several county treasurers shall retain all the poll tax collected in their respective counties; and it is hereby made the duty of the said county treasurer in collecting the poll tax, to keep an account of the exact amount of said tax collected in each school district in his county * * * and the poll tax collected therein shall be expended for school purposes in the school district from which it was collected."

From this we see there was a definite purpose and need for poll tax legislation; and the requirement that people pay this tax before they could vote was a necessary way to enforce payment of the tax. If a citizen desires the right to vote, he should carry with that responsibility the support of his State and its institutions—in this instance, the schools. I do not think it is too much to ask a citizen to pay his fair share of the burden of the cost of government if he is going to have a voice in saying how the government is to function. The late Senator Maybank was discussing the constitutionality of legislation proposed at that time, 1948, which was legislation that would be comparable to what we are considering in the Senate today. Here is what Senator Maybank had to say:

> The proposed legislation is in direct conflict with article I, section 2, of the Constitution of the United States in that it attempts to take from the several States a right guaranteed to the States by the Constitution. This proposed legislation, known and designated as H.R. 29, and entitled "An act making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers," is in effect changing the qualifications for electors for national officers in violation of article I, section 2, of the Constitution of the United States.
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> Article I, section 2, of the Constitution of the United States reads as follows:
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> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."
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> This section of the Constitution is clear and unambiguous. The framers of the Constitution wisely decided that the qualifications requisite for electors of the House of Representatives should be left entirely to the several States. It is true that the qualifications of these electors may not be the same in each of the several States, which itself shows that the framers of the Constitution did not desire uniformity.

Mr. President, ever since this speech was made by Senator Maybank, the Supreme Court has ruled generally, but in most specific terms, that there is no such thing as Federal suffrage. There is only State suffrage and the power to create such suffrage was not one granted to the Federal Government in the Constitution, but, on the contrary, to the several States. This guarantee of State suffrage to the States is the most important single bulwark against a Federal Government controlling the ballot boxes of the Nation. If Federal control of the ballot boxes of the Nation were to ever come about, we would no longer be a United States, but we would be a Federal institution which could be controlled by a handful of directors sitting in Washington. God forbid that this ever happen.

Mr. President, I have heretofore referred to the fact that if the Federal Government is given the power to nullify the poll tax requirements, the power is vested also by the proposed amendment to regulate other matters affecting the eligibility for voting. The age limit is one. In some States the age limit has been reduced to 18. In others it is maintained at the age of 21, when it is generally accepted that one attains his majority. If it is agreeable and suitable to the people of some States to allow their citizens to vote at 18, of what possible concern should that be either to us here in Washington or to the people of any of the other States which maintain the requirement at the age of 21? Certainly, it is no concern to the citizens of my State of South Carolina that our good neighbors in Georgia have set the eligibility age at 18, rather than 21, in accordance with the South Carolina requirements.

Some States require residence for 6 months, others for a year, and others for varying lengths of time. Affidavits as to residence, proof of payment of taxes, and many other detailed requirements are set out in the many laws of our several States on this question alone. Should we tamper with the local problems involved? Some people live part of the year in one State and the rest of the year elsewhere. In which State should such a citizen vote? I contend the length of one's residence within a State which may entitle him to vote is a matter strictly within the State's rights which may be affected by the one applying for a voting privilege. It is none of our concern. What right have we, other than by mere force of numbers, to meddle into the local affairs which have been considered State prerogatives since the founding of our Government? I am old fashioned enough in many things to believe in the doctrine that what was good for our fathers is good for us. Especially do I hold this view in relation to the decentralization of government and in permitting the people of the States affected the greatest latitude of choice in running their local affairs. The rule of the thumb established here, conformity at all times to the prevailing but ever-changing attitude of Washington or a permanent constitutional straitjacket established under Federal authority, are attitudes and judgments which do gross violence to the powers reserved to the people of our States. We should leave this power where it was originally vested.

As was so clearly stated yesterday, the proposed amendment and the statute lead in the direction which eventually would permit idiots, lunatics, criminals, and a horde of others now disqualified to vote. All we might need in the future would be a lot of ballyhoo trumped up by some so-called aggrieved minority group to start the ball rolling in many directions otherwise considered by the States as elements of disqualification. The theory would be that Washington would establish the pattern, cut the cloth, and manufacture the garment. The people in the States would be required to use the garment whether or not it fitted their desires or needs. I have no sympathy for any movement that will rob the people of our sovereign States of powers solely and wholly vested in them.

While I cannot question the right of the Congress to propose a constitutional amendment to do away with the payment of a poll tax as a prerequisite to voting, I do seriously question the wisdom of our invasion into a field heretofore strictly reserved to the States. Let each State continue to be the final arbiter of its

laws pertaining to the eligibility of its electors. That was the rule in the beginning. It has been the rule since 1789. Under it we have prospered and remained strong as a representative democracy longer than any other nation in the history of mankind. Why now meddle, tamper, or tinker with one of the fundamentals? There is no need for it. There is no demand for it except under the color of claim that some are being disfranchised. There is no evidence—worthwhile evidence—to support such a contention.

Mr. President, I share wholeheartedly the views expressed by the distinguished Senators from Georgia, Alabama, and Mississippi on the two questions now before us. The many local problems which we attempt to solve here by Federal legislation can and should be solved at the local level. There the people are in day-by-day contact with their needs, desires, and requirements. We cannot, by necessity, know them as well as they do. We cannot solve these problems as adequately and satisfactorily as they may.

The last resort of the right to vote is fixed by the Constitution to be within the province of the laws of each of the 50 States. Uniformity is neither required nor desired. It is diversity of opinion and action that makes for progress. Uniformity leads to inaction, decrepitude, and finally to decay and ruin. Difference makes for progress. It makes for human betterment and achievement. It is because we, as individuals and as States, have acted individually that we as a people and a Nation have prospered. Shall we by our act here begin a further erosion of these fundamental principles?

The contention is urged that the imposition of a poll tax in some way violates or infringes upon the provisions of the 14th and 15th amendments to the Constitution. This is no new contention. It has been shown again and again that there is no violation of rights guaranteed to our citizens by the amendments because of a State's poll tax requirements.

In the case of *Pirtle* v. *Brown* (118 Federal 2d 221), the Sixth Circuit Court of Appeals of the United States ruled upon the question as to whether the matter was within the jurisdiction of the State, and said:

> To make payment of poll taxes a prerequisite to voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate (citing cases). The privileges and immunities protected are only those that arise under the Constitution and laws of the United States and not those that spring from other sources. *Hamilton* v. *Regents* (293 U.S. 245, 261; 79 L. Ed., 343).

The Supreme Court of the United States has held, in the case of *Breedlove* v. *Settles* (302 U.S. 277, 278), that the power to require a poll tax is a power reserved to the States under the Constitution. Breedlove atempted to vote in Georgia without the payment of a poll tax. His contention was that the Georgia constitution and statute requiring the payment of a poll tax and a registration certificate violated the 14th and 19th amendments to the Constitution. The Court, at pages 283 and 284, said:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State * * * the payment of poll taxes as a prerequisite of voting is a familiar regulation long enforced in many States and for more than a century in Georgia * * * and the exaction of payment before registration, the right to vote is neither denied nor abridged on account of sex. It is fanciful to suggest that the Georgia law is a mere disguise under which to deny or abridge the right of men to vote on account of sex.

My contention is that we should not by a constitutional amendment authorize a further deprivation of rights to even five States which require the payment of a poll tax as a prerequisite of voting. My State has no such requirement, but my State should not attempt in this regard to impose its will upon Mississippi, Texas, Arkansas, or the others. If we can set such a pattern for eligibility, we can raise or lower the age requirements; we can dispense with the residential qualification; we can become the overlord of all the qualifications. We can turn our backs on the superior wisdom, judgment, forbearance, and patience of our Founding Fathers.

Certainly, for the reasons I have given and the constitutional bases for them, we, in the Congress, wholly lack the power to pass an act which would so impinge upon the powers and prerogatives reserved to our States. Because there may be the necessary votes at hand gives us no moral or legal right to impose our will in an unconstitutional manner. It would be an act of unadulterated deceit to curry favor with a minority group by passing a fanciful act to satisfy their morbid desires when we know, or should know, that such an act will not satisfy the elementary constitutional requirements involved. It is sheer hypocrisy on our part to fritter away our time in such an unnecessary endeavor. Let us stand by the Constitution, uphold our Founding Fathers, and get along with worthwhile considerations of the Nation's pressing problems. We have plenty to do in attending to our constitutional duties.

Mr. President, I raise the point of no quorum, without losing my right to the floor.

The PRESIDING OFFICER (Mr. LAUSCHE in the Chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Case, N.J.	Fong
Allott	Case, S. Dak.	Frear
Anderson	Chavez	Fulbright
Bartlett	Church	Goldwater
Beall	Clark	Gore
Bible	Cooper	Green
Bridges	Cotton	Gruening
Brunsdale	Curtis	Hart
Bush	Dirksen	Hartke
Butler	Dodd	Hayden
Byrd, Va.	Douglas	Hennings
Byrd, W. Va.	Dworshak	Hickenlooper
Cannon	Ellender	Hill
Carlson	Engle	Holland
Carroll	Ervin	Hruska
Humphrey	McNamara	Schoeppel
Jackson	Magnuson	Scott
Javits	Martin	Smith
Johnson, Tex.	Monroney	Sparkman
Johnston, S.C.	Morse	Stennis
Jordan	Morton	Symington
Keating	Mundt	Talmadge
Kefauver	Muskie	Thurmond
Kerr	Pastore	Wiley
Kuchel	Prouty	Williams, N.J.
Lausche	Proxmire	Williams, Del.
Long, Hawaii	Randolph	Yarborough
Long, La.	Robertson	Young, N. Dak.
McCarthy	Russell	Young, Ohio
McClellan	Saltonstall	

Mr. JOHNSON of Texas. I announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. Moss], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness and is confined to the hospital.

The Senator from Oregon [Mr. NEUBERGER] and the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin-American Trade Study Mission as chairman of the Latin-American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND].

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Holland amendment.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, this is one of the most important actions we could possibly take.

What we are doing today is to add another bulwark to the most important of all our constitutional rights—the right to vote.

This is a country where we expect people to do things pretty much for themselves. I have always held to the philosophy that if I can protect a man's vote I have given him the most important right that he can possibly have.

When a man has the vote, he has the power to help himself. And he stands on a par—where he should stand—with every other American.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. I understand that it will be in order, after action is taken on the Holland amendment, for me to move as substitute for the entire joint resolution a statutory provision to accomplish the same result. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. I thank the Chair.

Mr. KEATING. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Do I correctly understand that if the Holland amendment is agreed to, and my colleague from New York offers his statutory substitute for both the proposed constitutional amendments, and that fails, then the *original joint* resolution will be open either to amendment of the wording of the original Kefauver resolution, or by way of other amendments in the nature of an original constitutional amendment to the resolution?

The PRESIDING OFFICER. The portions of the original resolution would be subject to amendment. Also, amendments to strike out and insert would be in order, provided that an amendment to strike out and insert should include more than that upon which the Senate is about to act—in other words, making a substantial change in the net result.

Mr. KEATING. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. It is my desire to offer a resolution amending the Constitution, to provide for the right of franchise to the citizens of the District of Columbia. Would that be in order after the Javits amendment had been disposed of?

The PRESIDING OFFICER. The question is whether an amendment to give the citizens of the District of Columbia the right to vote would be in order?

Mr. KEATING. Yes.

The PRESIDING OFFICER. That would be in order.

Mr. KEATING. I thank the Chair.

Mr. HOLLAND subsequently said: Mr. President, my colleague, the distinguished junior Senator from Florida [Mr. SMATHERS], is absent on official business in Latin America. He has asked me to have placed in the RECORD, just prior to the vote on my amendment, a statement of his position on it. I ask unanimous consent that that may be done.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

I am particularly pleased to be a cosponsor with my very able colleague, the distinguished senior Senator from Florida [Mr. HOLLAND], who has introduced the pending resolution, which provides that the right of citizens to vote in any Federal election shall not be denied or abridged by reason of failure to pay any poll tax or other tax, or to meet any property qualification.

I know only too well of the long fight my distinguished colleague has had in bringing this measure to the floor of the Senate where it is today. Its sponsors are wide and varied, and its objective is highly laudable.

I regret that because of my official duties as chairman of the Latin American Subcommittee of the Senate Interstate and Foreign Commerce Committee I am required to be absent at this particular time, because I, too, would like to be personally present here today to give my wholehearted support to its adoption.

Because of my official absence, I have asked my distinguished senior colleague to announce my support of the proposal.

Mr. SALTONSTALL subsequently said: Mr. President, I ask unanimous consent to have printed just before the vote on the Holland amendment a statement on that amendment which I had intended to make, but did not have the opportunity to make at that precise time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR SALTONSTALL

I am opposed to a poll tax as a voting requirement for a U.S. citizen; I am opposed to the use of such a device to deny the right of any American to vote.

I have voted for the Holland amendment because I feel that the poll tax can only be eliminated by an amendment to the Constitution of the United States. Under our Constitution, the right of franchise is a matter of the several States to determine for themselves. This is an area traditionally reserved for the States.

I do not believe, therefore, that prohibition of the poll tax can be brought about simply by passage of a Federal statute. It must be effected by the adoption of an amendment to the Constitution. This, in my opinion, is the only way to solve this problem and to eliminate the poll tax requirement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GOLDWATER (when his name was called). On this vote I have a pair with the junior Senator from Florida [Mr. SMATHERS]. If he were present and voting, he would vote "yea." If I were permitted to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. JOHNSON of Texas. I announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness and is confined to the hospital.

The Senator from Oregon [Mr. NEUBERGER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Montana [Mr. MURRAY], and the Senator from Oregon [Mr. NEUBERGER] would each vote "yea."

The Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Mississippi would vote "nay" and the Senator from Wyoming would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business and, if present and voting, would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The result was announced—yeas 72, nays 16, as follows:

YEAS—72

Aiken	Dworshak	Long, Hawaii
Allott	Engle	Long, La.
Anderson	Fong	McCarthy
Bartlett	Frear	McNamara
Beall	Gore	Magnuson
Bible	Green	Martin
Bridges	Gruening	Monroney
Brunsdale	Hart	Morse
Bush	Hartke	Morton
Butler	Hayden	Mundt
Byrd, W. Va.	Hennings	Muskie
Cannon	Hickenlooper	Pastore
Carlson	Holland	Prouty
Carroll	Hruska	Proxmire
Case, N.J.	Humphrey	Randolph
Case, S. Dak.	Jackson	Saltonstall
Chavez	Javits	Schoeppel
Church	Johnson, Tex.	Scott
Clark	Jordan	Smith
Cooper	Keating	Symington
Curtis	Kefauver	Williams, Del.
Dirksen	Kerr	Williams, N.J.
Dodd	Kuchel	Yarborough
Douglas	Lausche	Young, Ohio

NAYS—16

Byrd, Va.	Johnston, S.C.	Talmadge
Cotton	McClellan	Thurmond
Ellender	Robertson	Wiley
Ervin	Russell	Young, N. Dak.
Fulbright	Sparkman	
Hill	Stennis	

NOT VOTING—12

Bennett	Kennedy	Murray
Capehart	McGee	Neuberger
Eastland	Mansfield	O'Mahoney
Goldwater	Moss	Smathers

So Mr. HOLLAND'S amendment was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I wish to compliment the able Senator from Florida for the very earnest and successful fight he has made in connection with having brought the amendment before the Senate, and upon having received such a wonderful vote in its favor. He has demonstrated his well-known effectiveness and his capacity to approach a problem from the standpoint of the national interest.

Mr. HOLLAND. I thank the distinguished majority leader.

TRIBUTE TO SENATOR MONRONEY, OF OKLAHOMA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to insert in the RECORD a magnificent tribute to Oklahoma's superb Senator, MIKE MONRONEY, by Arthur Krock, of the New York Times. Mr. Krock is one of the truly great writers of America. His tribute to Senator MONRONEY should be read by all Members of Congress.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION—AN OASIS IN A DESERT OF NEW IDEAS

(By Arthur Krock)

WASHINGTON, February 1.—Senator MONRONEY, of Oklahoma, is not among the Democrats who are seeking national office in 1960. But he produced one of those new ideas which some of these candidates accuse the administration of lacking while not notably producing any of their own.

Moreover, Senator MONRONEY has had the rare and pleasing experience of seeing his idea take form in the articles of incorporation of a global fund to provide additional financing to develop the resources of nations not affluent enough to do this themselves. And the broader purpose is to relieve the international tensions which are created by depressed national economies in the free world, and are exploited by the Soviet Union.

About 3 years ago Senator MONRONEY concluded there was a constructive answer to a question he and many others were asking. The question was: What can the affluent non-Communist nations do further to finance essential development in others which have exhausted their ability to repay development loans in hard currencies, or even to pay the interest, without making outright grants, and these mostly from the U.S. Treasury? The answer, he decided, was this: a second so-called World Bank to make soft loans to underdeveloped countries, meaning loans at very low rates of interest, with very long redemption periods, repayable in the local currencies of the borrower.

When this newspaper reported the Monroney plan in a Washington dispatch, February 22, 1958, Eugene R. Black, the President of the World Bank, immediately announced that his institution would give it serious study. The fiscal and foreign policy officials of the administration were also impressed. But as they subjected the plan to the highly critical examination their responsibilities imposed, their first favorable reaction appeared to the Oklahoma Senator to have slackened. And their analyses before congressional committees seemed to him to concentrate on the difficulties inherent in his plan. But the more they weighed the basic concept, the more it appealed to Secretary of the Treasury Anderson and Under Secretary of State Dillon. And this was encouraged by the impression the idea already had made on Black, who has administered the World Bank resources to effect better relations between the have and the have not nations that certified diplomats had been able to attain. Also, by some personal magic Black has managed to do this without relaxing the sound banking rules and policies of his institution.

By autumn the details of the Monroney idea had been sufficiently recast to be officially adopted by the United States. Secretary Anderson then proposed it to the 1958 meeting of World Bank members at New Delhi; they approved it "in principle" at their 1959 meeting in Washington; and yesterday Black was able to announce that the articles of agreement for an International Development Association are ready for submission to the 68 World Bank members for the ratification which must be given or denied in 1960.

Among the fundamental improvements in the system of development aid to nonaffluent nations that the Monroney bank plan will provide, in addition to the actual loaning terms cited above, are two of special note. Though the United States, once again, will be the largest contributor to the IDA's billion-dollar capital in gold and hard convertible currencies, 16 other nations will contribute a larger total to mark their first organized acceptance of joint responsibility for raising depressed national economies. And the United States, which has accumulated a vast holding of foreign currencies under the Marshall plan, etc., that is unexpendable except in the country of origin, can supply the IDA with this for development loans anywhere, provided the country of origin agrees.

ALMER STILLWELL M. (he insists the M stands for Mike) MONRONEY is not, as previously mentioned, an aspirant for the Democratic nomination for President or Vice President, and is not likely to have either urged upon him. He was a political, not a financial, reporter before he got into politics. Nevertheless, he generated a world fiscal plan which could become of vital importance in maintaining the free capitalist system. This is something none of the active candidates or their brain trusts have thus far produced on a comparable scale.

SHOWING OF MOTION PICTURES TAKEN BY SENATOR ELLENDER IN SOUTH AND CENTRAL AMERICA

Mr. ELLENDER. Mr. President, I wish to remind Senators of the showing of moving pictures which I took in South and Central America. These pictures will be shown at 4 o'clock this afternoon in the auditorium of the New Senate Office Building. I assure Senators that the pictures will be very interesting. I hope most Senators will find their way clear to be present.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Mr. JAVITS. Mr. President, on behalf of myself and other Senators, I offer an amendment in the nature of a substitute for Senate Joint Resolution 39. I ask unanimous consent that the reading of the amendment be waived, and that the amendment be printed in the RECORD.

There being no objection, the amendment offered by Mr. JAVITS, for himself and Mr. DOUGLAS, Mr. ALLOTT, Mr. BARTLETT, Mr. BEALL, Mr. CASE of New Jersey, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. HART, Mr. HUMPHREY, Mr. KEATING, Mr. LONG of Hawaii, Mr. MCCARTHY, Mr. MORSE, Mr. MOSS, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. SCOTT, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio, was ordered to be printed in the RECORD, as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the Congress finds that the requirement that a poll tax or other tax be paid, or that any property qualification be met, as a prerequisite for voting or registering to vote at primaries or other elections for President, Vice President, Elector for President or Vice President, or for Senator or Member of the House of Representatives is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, and an obstruction of the operations of the Federal Government.

"SEC. 2. It shall be unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, Elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interfere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification."

Amend the resolving clause so as to read: *"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,".*

Amend the title so as to read: "Joint resolution to protect the right to vote in national elections by making unlawful the requirement that a poll tax be paid as a prerequisite to voting in such elections, and for other purposes."

Mr. JAVITS. Mr. President, as a considerable number of Senators are in the Chamber, I hope I shall be granted the yeas and nays; and then I shall very much curtail my remarks in the debate. Since this matter has already been discussed, I hope to take but a very short time to discuss it now.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. Several regular committees are now meeting, as well as several important joint committees. One of the witnesses testifying is General Power. It will be necessary to resume the sessions at an early time. I shall be glad to ask that the Senator from New York be given the yeas and nays, if we may reach a vote in a short time.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, the amendment I have proposed would do by statute exactly what would be accomplished by a constitutional amendment, if a constitutional amendment were approved. The basis of my argument is the following: First, that a statute would be constitutional and would effect the desired result. I shall discuss that very briefly. I believe it is a conclusive case. But certainly there is argument about it.

Second, we should not take a chance on a constitutional amendment, which requires the approval of three-fourths of the States for such a matter as the prohibition of the poll tax, which is an anachronism and should be excised from our law, certainly as it applies to Federal officials, which is what we are talking about here.

Third, for those of us who are deeply interested in civil rights, we are setting a precedent if we let a constitutional amendment be adopted, by which we say,

"If you are trying to legislate with respect to voting on anything which is not specifically within the words of the Constitution, the time, place, and manner, with relation to which Congress can intervene, or the qualifications of electors, regarding which Congress cannot intervene, then you and the other side, which is opposed to civil rights, sustain the argument that you make a precedent by an anti-poll-tax amendment which is submitted to the States."

I shall take up those points in order. First, on the question of constitutionality, very interestingly, such a statute, thus making a finding for the constitutional course, was passed by the other body in the 77th, 78th, 79th, 80th, 81st Congresses. Indeed, it has been reported by the Senate Committee on the Judiciary on two occasions, but in both cases action by the Senate was frustrated because a cloture rule failed. So the euphemistically called extended debate killed both opportunities for the Senate to vote on this proposed statute.

So not only the other body, on five successive occasions, but also the Senate Committee on the Judiciary, on two occasions by a majority vote—there was a minority dissent—reported this particular measure.

As to constitutionality, the constitutional argument for this proposed legislation is based essentially on the following points: First and foremost, the poll tax is not a qualification for voting. Qualifications are left to the States by the Constitution. The poll tax is not a qualification for voting; it is a condition precedent to voting. The voter first has to satisfy this condition by paying a tax; then he is allowed to vote according to his qualifications. It seems to me that that is proved by the fact that the tax is universally applied. Therefore, when Congress finds that a tax which is universally applied operates to frustrate or burden or obstruct the right to vote for Federal officials, Congress has the right to declare that fact and to declare that such exaction shall be illegal.

That also is the answer to the Breedlove case, which in 1937 held the poll tax constitutional. Some authorities point out that that case had mixed in it the question of voting for State officials with voting for Federal officials, and that the person who sued in that instance—the plaintiff—did not make that clear representation. But the challenge of the constitutionality was on the ground that it was an obstruction of the exercise of a Federal right when voting for Federal officials.

I do not think that is the material point. I believe the material point is that Congress had not at that time made a finding that this tax represented a burden upon the right to vote for Federal officials, that that is a Federal right protected by the Constitution, and that Congress has the right to declare, therefore, under the necessary and proper clause of the Constitution, that it is a burden on voting, thereby can forbid the States from levying it.

On the question of fact as to whether the poll tax is a burden on voting, we have very interesting testimony, the testimony of the proponent of the constitutional amendment himself. When the distinguished senior Senator from Florida [Mr. HOLLAND], who is a very eloquent, gifted, and able man, as we all know, testified before the Committee on the Judiciary on this amendment on August 17, 1959, he spoke as follows:

> May I say, Mr. Chairman, outside of my prepared statement, that in 1937, as a member of the State Senate of Florida, I was one of those who participated in outlawing the poll tax requirement in Florida which was permitted to be levied as a requirement for voting by our constitution. We outlawed it as a requirement for all kinds of voting, that is, going much further than this proposed amendment, which of course confines itself to the Federal field.
>
> We have had nothing but good results from that action. It has freed certain counties from control by political machines, which was exercised through the payment of a poll tax, by the so-called "courthouse ring" in most cases, or others who had some selfish interest. It has resulted in a greater participation in voting by people of both races. It has had salutary effects.
>
> I am strongly sold upon the proposition that to impede the casting of ballots, as is done by the imposition of poll tax requirements or these other requirements which would be outlawed under this proposed amendment, is a hurtful process which prevents full realization of the democratic possibilities which are best realized when a large proportion of the people come to the polls and vote. I strongly believe that it is sound democracy to have as full participation as possible in our elections.

Mr. President, it seems to me that if we needed a factual basis for a finding by the Congress that the poll tax is a burden on a Federal right, is an obstruction to voting, and is conducive to bad practices and to discrimination against the exercise of the ballot, we have it right there in the findings by one who has that experience in his own State. I respect the views of the Senator from Florida [Mr. HOLLAND], as a lawyer, on the constitutional questions involved. I have my own views, and I entertain them very strongly. But I believe there can be no dispute of the view of the Senator from Florida of the facts, as he has stated them, or that the Congress should declare this tax to be a burden on the enjoyment of a Federal right.

The famous authority in this case is, of course, the decision of the Supreme Court in the case of McCullough against Maryland.

There is also the argument that the poll tax works to the particular disadvantage of Negroes, and therefore violates the equal protection clause and the 15th amendment. There is also the argument that the poll tax does not guarantee a republican form of government, within the language of the Constitution. But, as a lawyer, I believe, that one has to take a stand on the basis of the strongest argument, and should not confuse either a court or the Senate by referring to the many aspects of so very complicated a legal question; and I believe the simple issue is as follows:

First, this is a Federal right, as conclusively decided by the Supreme Court in the case of the United States against Classic, to which I shall refer further in a moment.

Second, the poll tax represents a burden upon that right. It may not have been such in the colonial days, but it has worked out in that way; and I have read the statement by a distinguished Senator who has had that experience.

So, Mr. President, when the Congress finds that the poll tax is a burden and an obstruction on a Federal right, the Congress, in order to maintain the right to vote for Federal officials, has a right to excise this particular tax from the body politic, whether it is levied by a State or by any other agency of government, because it affects a fundamental governmental function.

The decision of the Supreme Court in the Classic case is very clear in this connection, Mr. President; and I quote now from the majority opinion in that case, which is reported in 313 U.S. 299:

> While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States * * * this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject, as provided by section 2, article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4, and its more general power under article I, section 8, clause 18 of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

As everyone knows, the Court made Federal statutes applicable to primary elections.

It seems to me that here is probably the latest authoritative discussion of this subject, and that therefore the Congress has the right to eliminate from the law—whether State law or Federal law—a burden or obstruction upon that right.

Mr. President, I believe it very important for us to analyze what will happen to this proposal when it is in the form of a proposed constitutional amendment. It will go to the States, and it will be necessary to have it approved by 38 of the States. Let us remember there are five poll-tax States. In addition, in the so-called Deep South there are at least five other States. Let us also remember that a number of States have some kind of property qualification. They are Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. That makes a total of 15 States which are real possibilities for rejecting this proposed constitutional amendment.

On the time question, inasmuch as it is argued that the constitutional amendment course is the surest one, let us remember that the last constitutional amendment—that relating to two terms for the President—took 4 years to be approved by the States.

When we consider the States of the South alone, we find that their populations total 38 million, as compared to the population of the entire United States of approximately 175 million or 176 million.

The method I propose will require only a majority vote in order to do what I believe the law fully allows us to do. On the other hand, I point out that if this matter is handled by means of a proposed constitutional amendment, a relatively small minority will be able to determine what shall be done.

Furthermore, 30 Members of the Senate, and also Vice President NIXON, formerly were Members of the House of Representatives. So when the anti-poll-tax bill was passed by the House, we had a chance to pass on this matter; and we had that chance time and time again. Let us examine the record in that connection. I shall not mention names, because, as everyone here knows, I have greatest solicitude for my personal relations with all other Members of the Senate. I am discussing only the principle involved. We find that 30 Members of the Senate and the Vice President were Members of the House of Representatives during the period when these bills were voted on there. Three of them always voted against the statutory approach, and two of them are from poll-tax States. Four of them split their votes; but all four voted in favor of constitutionality, when that question was raised on a point of order in the 80th Congress. Twenty-four always voted for the statutory approach.

As a matter of sustaining our own reputations for understanding what we were doing on all those occasions, and in order to do what I believe there is no question that we should do, and to eliminate a real anachronism from our law, and especially in view of the recent decision of the Supreme Court of the United States and the clear evidence that the poll tax is a burden upon voting and is an obstruction to voting for Federal officials, I believe it is high time that we demonstrate the degree of responsibility and decisiveness that is expected of us by the people who sent us here, by voting this as a statute—as should be done—and thus here and now end this anachronism in our law and this impediment to the enjoyment by all Americans of fundamental constitutional rights.

Mr. CARROLL. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CARROLL. Can the Senator from New York tell me whether either a Democratic Attorney General or a Republican Attorney General ever gave an opinion in regard to the statutory phase of this question?

Mr. JAVITS. I should like to be able to provide that information to the Senator from Colorado. However, I cannot do so, because I did not read in meticulous detail, with that point in mind, all the records in regard to the various hearings before the House committee and the Senate committee. I have just now asked my assistant who did the research; and he tells me that he cannot give the answer, either.

However, I have little doubt that the Government departments were asked for opinions on this subject. I have referred to the passage of this measure by the other body on five occasions and the reports on two occasions to the Senate.

Mr. CARROLL. Assuming that the amendments of the distinguished Senator from New York were agreed to, how long would it take to contest it in the courts?

Mr. JAVITS. Our experience with such a process is that the answer can be found by means of this process much more quickly than by means of any other type of statute, because this would require only one decision by the Supreme Court. I have little doubt that the statute would be promptly contested and the case heard. I would say 1 year, at the outside, although that is only an estimate, based on appeals and Supreme Court proceedings in connection with cases of this character.

Mr. CARROLL. If I correctly understand the position of the able Senator from New York, action by the States on a proposed constitutional amendment might take 3 or 4 or 5 years.

Mr. JAVITS. Again, if the Senator will allow me, I can only suggest what experience shows. The last constitutional amendment took 4 years for approval. Other amendments took as little as 11 months. During the Civil War they took a matter of days, but everyone recognizes there were then special circumstances. That is why I had made the analysis of the number of States in the so-called Deep South and the number of other States that could, in the aggregate, as compared with the total number of States which would have to approve the proposed amendment, frustrate a constitutional amendment.

Mr. CARROLL. Does the senior Senator from New York see any inconsistent position on the part of Senators who had previously voted for the constitutional amendment procedure in voting for the amendment of the Senator from New York?

Mr. JAVITS. The Senator from New York would like to point out that, in all honesty, in duty to my conscience and my constituents, I must do what is right as I see it. At the very least, I want to see adopted a constitutional amendment. I believe we should accomplish our purpose by statute. I would prefer it done by statute, but I want it done one way or the other, and want to go on record by my voice or my vote. I made it clear by my vote how I would prefer to proceed.

Mr. CARROLL. I may say to the Senator from New York that the junior Senator from Colorado feels the same way. There is an unconscionable voting burden which can be removed in one of two ways. That is why I voted for the approach of the Senator from Florida, which I think is an intelligent one but one of last resort; however, to expedite action, I intend to vote for the statute approach offered by the Senator from New York, and I see nothing inconsistent in that position.

Mr. JAVITS. I thank my colleague.

Mr. HOLLAND. Mr. President, first I desire to thank my distinguished colleague from New York both for the brevity of his presentation and for having voted for the amendment taking the constitutional amendment approach, which, of course, he could not have felt was completely wrong. I think the Senator from New York is right when he confirms the constitutional approach, because I do not know of any lawyer who questions the propriety or legality of that approach, whereas there are many lawyers who question the propriety or legality of approach by statute, as now offered by the Senator from New York.

Mr. President, I do not propose to argue this question in detail. I intend to move to lay on the table the amendment offered by my distinguished colleague when I have completed my brief remarks. I desire to call his attention and the attention of other Senators to the fact that not only in the Southland have lawyers questioned the wisdom, propriety, and sufficiency of the statutory approach. I have already in this debate referred to the fact that perhaps the ablest lawyer in the Senate, the distinguished Senator from Wyoming [Mr. O'MAHONEY], has repeatedly taken the position that only by constitutional amendment may this question be adequately approached. The distinguished former Senator from Idaho, Mr. Borah, argued at great length to the same effect. I could continue to mention distinguished men who served in this body and in the other body who have taken that position.

I remind my distinguished friend that at the hearings—and we have had four hearings on this matter—there have been only two witnesses who have insisted on the statutory approach, the witnesses representing the NAACP and the Americans for Democratic Action. No other witness appearing throughout the four hearings in four separate years, argued for the statutory approach except these two witnesses.

Mr. President, I think the question has been amply debated. I move now——

Mr. ROBERTSON. Mr. President, before the Senator makes the motion, will he yield for a question?

Mr. HOLLAND. I yield for a question.

Mr. ROBERTSON. The Senator from New York has asserted that poll taxes come under the category of "manner of election." Of course, he has given no support for that assertion by any legal decision or statute or other authority. It is merely a nice contention. In his approach he would repeal the property tests of seven States. Nobody, in the 20 years we have been discussing this question, has ever questioned the property tests of the Original Thirteen States, which provided that a person had to own property before he could vote. By his proposal the Senator from New York would repeal property qualifications, and that would make his proposal unconstitutional from any standpoint one could describe.

Mr. HOLLAND. I appreciate the very helpful remarks of my friend from Virginia. In conclusion, in passing, I may refer to the fact that every Senator who argued extensively against the adoption of my amendment, which was agreed to a few minutes ago, took the position that it was only by constitutional amendment that this matter could be adequately handled.

Mr. President, I move——

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield to the Senator from North Carolina.

Mr. ERVIN. I will ask the Senator from Florida if it is not a fact that during

its last term the Supreme Court in a case which arose in my State of North Carolina, cited the Breedlove case as authority for the proposition that the State had the right to prescribe qualifications for voters, subject to the provisions of the constitutional amendments prohibiting discrimination on account of sex or race.

Mr. HOLLAND. It is my understanding that was the ruling.

Mr. ERVIN. Would the Senator, as a lawyer, not consider that case, which was decided as recently as the last term of the Supreme Court, and in which the Court placed its stamp of approval on the case of Breedlove versus Suttles, which was decided in 1937, as a correct ruling on the constitutionality of poll taxes?

Mr. HOLLAND. The Senator is correct. That is my understanding.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Many years ago, in the House of Representatives, I saw the matter as the Senator from New York did. Upon arguments presented at that time, there seemed to be considerable question as to whether a poll tax could be considered as a qualification. Since I have been chairman of the Constitutional Amendments Subcommittee of the Judiciary Committee of the Senate, I have had occasion to review the cases in more detail, and there have been some later cases. The Classic case has been cited. That case set forth that there was a Federal interest in the matter of election of Federal officials, and other details, and the Senator from New York has referred to them. That case was decided in 1941.

The most direct case on this subject of which I know—there are quite a number of them—was one that came from my own State of Tennessee, which I have reviewed recently. In that case in a special election to fill a vacancy in the House of Representatives, a voter who was otherwise qualified, but who failed to pay the poll tax was refused the right to vote. The Circuit Court of Appeals, by unanimous decision, held that this was a matter of qualification. The same court decided the Classic case. I think, probably after the Classic case was decided—anyway, within the same year—the Supreme Court refused certiorari from the Sixth Circuit Court of Appeals. So I think that case is important.

In any event, if this problem is going to be taken care of, the proper way to do it, in my opinion, is by constitutional amendment.

Mr. JAVITS. Mr. President, will the Senator yield to me before he makes the motion?

Mr. HOLLAND. I will yield to the Senator from New York, but I had promised the Senator from Idaho that I would yield to him, and I now do so.

Mr. CHURCH. I thank the Senator. My question is, If the amendment in the nature of a substitute offered by the Senator from New York were adopted, would the effect be to eliminate the constitutional amendment both as to the form in which it was reported by the committee and as it has now been amended by the Senate?

Mr. HOLLAND. It would. That would mean it would eliminate not only the possibility of correcting for all time the poll tax question, but it would eliminate all possibility, under the resolution of the Senator from Tennessee, of curing the defect in our law because of which the House of Representatives might be or could be left without a quorum in the event of a great disaster which would wipe out more than half of its Members.

I thank the Senator for bringing up that question.

Mr. CHURCH. I thank the Senator also. I should like to say, for the purpose of the RECORD, that, as the Senator knows, in the past I have joined as a cosponsor of the poll tax amendment, and I have joined as a cosponsor of this proposal. My reason for now voting against this proposal is that I think, since the Senate has taken action on the amendment, and since the amendment includes matters other than the poll tax, it would be improper now to substitute in the place of the constitutional amendment a statutory proposal which is not so broad in scope as is the amended proposed constitutional amendment as it stands before the Senate.

Mr. HOLLAND. I think the Senator is entirely correct in his position, and I thank him and congratulate him.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, for the purpose of explaining my vote, I should like to say to my friend from Florida that, while I was not a cosponsor of the Holland amendment, I did vote for it. I am a cosponsor of the Javits amendments in the nature of a substitute. I would be happy to support the Javits proposal were it to be brought to the Senate independently for a vote, but I cannot bring myself to vote for it under the present parliamentary situation, since the result would be to prevent the passage not only of the proposal of the Senator from Tennessee, the original joint resolution, but also of the amendment of the Senator from Florida.

Mr. HOLLAND. I thank my friend from Pennsylvania.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I should like to make one basic point. My argument on constitutionality is based upon the fact that the Congress has not declared these taxes to be a burden upon the Federal right to vote, unless it so declares now. Therefore, all the decisions of the Supreme Court sustaining the constitutionality of the poll taxes are not inconsistent with that point.

Second, Mr. President, this is the first time the United States Senate has voted on a statute to eliminate the poll tax. I hope all Members will remember that. This is the first time the Senate has voted upon this issue.

Upon that ground, Mr. President, since this has had a long and arduous history, and since many efforts have been made to bring this matter to a vote, it is now ready for a vote within the next few minutes, and I hope very much all of those who through the years have contemplated the time when they could vote for an anti-poll-tax bill will vote against the motion to table the amendment.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, when I came to Congress more than 21 years ago the Congress was debating repealing the poll tax by the statutory route, such as is suggested by the Senator from New York [Mr. JAVITS]. That issue has been preserved for discussion throughout all those years.

I have done everything I could in an attempt to have the poll tax repealed in my State.

I supported the Holland amendment today. I think if the Senate will act favorably upon the motion of the Senator from Florida [Mr. HOLLAND] to table the Javits amendments that we can pass the Holland amendment through this body and that very shortly we will see the poll taxes repealed in the five States where such taxes are now levied.

I think this way we will get results instead of an issue. I hope the motion to table will prevail.

Mr. HOLLAND. I thank the Senator from Texas.

Mr. President, I now move to lay on the table the amendments offered by the distinguished Senator from New York [Mr. JAVITS], and on this question I ask for the yeas and nays.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays.

The yeas and nays were ordered.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD OF VIRGINIA

The Javits substitute for Senate Joint Resolution 126 is a double assault on the Constitution of the United States. As a Member of the U.S. Senate, I have taken an oath to uphold the Constitution; not destroy it.

The Constitution specifically vests in the States the power to establish voting qualifications. This proposal would have Congress say what shall not be qualifications for voting.

To give Congress this authority, the proposal in effect amends the Constitution by statute. The Constitution clearly provides procedures for its own amendment. Amendment by statute is not among them.

This proposal is not new. It has been here many times before in similar form. There is neither moral nor fundamental basis for its favorable consideration, and there never will be.

If the proposal were passed Congress would find the requirement that a poll tax or other tax to be paid, or that any property qualification to be met, as a prerequisite for voting or registering at primaries or other elections for Federal office is not and shall not be deemed a qualification of voters or electors * * * within the meaning of the Constitution.

With respect to election of the President and Vice President, the Constitution in article II, section 1, says: "Each State shall appoint in such manner as the legislature thereof may direct, a number of electors," with the further provision that these electors shall elect the President and the Vice President.

With respect to election of Members of the U.S. House of Representatives, the Constitution, in article I, section 2, says: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors in the most numerous branch of the State legislature."

Members of the U.S. Senate originally were elected by the legislatures of their respective States. The 17th amendment to the Constitution provides for their election directly by the people of the States.

And the 17th amendment says qualifications of voters in senatorial elections shall be fixed by the States in precisely the same manner as provided for House elections.

The framers of the Constitution were wise and farsighted men. They provided for its amendment, but they protected it from assault by impatient public officials, temporary majorities, and varying moods of public opinion.

These are not my words. They are the words of historians who have documented the deliberations of the Constitutional Convention. Article 5 of the Constitution provides for its amendment as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

There is no constitutional authority for amendment by statute. The framers considered this procedure. They rejected it deliberately. They foresaw change in the Nation's basic law with the political winds.

Charles Warren, author of "The History of the Supreme Court of the United States," is an eminent authority on both the unconstitutional prongs of this proposal. I quote from him:

"In arriving at this method (art. I, sec. 2–1) of disposing of the question of the right to vote, there was a threefold contest in the Federal Convention of 1787.

"It was between those who wished a uniform qualification for electors prescribed in the Constitution; those who wished the power to prescribe vested in Congress; and those who wished the qualifications to be those prescribed by the States for their own people.

"The last group prevailed, and after 2 days of active debate, they left the Constitution in this respect as it now stands in this much-read section 2–1 of article I."

Voting qualifications in the Constitution are not there by accident. They are there as the product of serious deliberation by wise and patriotic men who were motivated by the best interest of the Nation rather than passing politics.

These provisions have been ratified by every State in the Union, and they have never been successfully attacked either in the courts or in Congress. There is nothing presented here to justify change now.

I quote again from Dr. Warren, who says, "No legislature can define the meaning of a word in the Constitution."

And he says, "There is an absolute absence of any right granted to Congress to decide or define what a State by its constitution or legislature could demand of one of its inhabitants in order to qualify him to vote for a State legislature."

If the Senate wants more of Dr. Warren's documented views, they may be found in the "Library of Congress Memorandum on Poll Tax (H.R. 4920), 1946."

It suffices to say that Congress can no more define the meaning of words in the Constitution than it can insert new words in it. Yet, the pending proposal undertakes to have Congress say what is "within the meaning of the Constitution."

The late Abram P. Staples, an eminent Virginia jurist, is authority for the statement that there is "an unbroken line of decisions of the U.S. Supreme Court which recognize the exclusive power of the States to prescribe suffrage qualifications of their electors."

Justice Staples found also that "there have been numerous State court decisions sustaining the validity of the poll-tax qualification." If there is competent legal authority for this proposal, it is not in evidence.

This is not only bad legislation fundamentally; but it is bad practicably. If enacted, it probably would result in dual election procedures—one for Federal officers and one for local and State officers.

It probably would result in dual registration. This would result in cumbersome poll checking. There would be no end of difficulty and complication.

It is strange, but somehow proponents of so called civil rights legislation seem unable to promote their cause within either the provisions of the Constitution or the accepted and traditional rules of legislative procedure.

Mr. JAVITS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. As I understand the parliamentary situation, a vote in favor of my amendments will be a vote "nay" on the motion to table.

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion of the Senator from Florida [Mr. HOLLAND] to lay on the table the amendments of the Senator from New York [Mr. JAVITS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON (when his name was called). On this vote I have a pair with the senior Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. Moss], and the Senator from Montana [Mr. MURRAY] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness and is confined to the hospital.

The Senator from Oregon [Mr. NEUBERGER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

On the vote the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Florida would vote "yea."

The Senator from Wyoming [Mr. McGEE] is paired with the Senator from Utah [Mr. Moss]. If present and voting the Senator from Wyoming would vote "yea," and the Senator from Utah would vote "nay."

The Senator from Oregon [Mr. NEUBERGER] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Wyoming would vote "yea."

I further announce, if present and voting, the Senator from New Mexico, [Mr. CHAVEZ] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business, and, if present and voting, would vote "nay."

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The result was announced—yeas 50, nays 37, as follows:

YEAS—50

Bible	Fulbright	McClellan
Bridges	Goldwater	Martin
Butler	Gore	Mundt
Byrd, Va.	Green	Prouty
Byrd, W. Va.	Gruening	Robertson
Cannon	Hayden	Russell
Carlson	Hennings	Saltonstall
Case, S. Dak.	Hickenlooper	Schoeppel
Church	Hill	Smith
Clark	Holland	Sparkman
Curtis	Hruska	Stennis
Dirksen	Johnson, Tex.	Talmadge
Dodd	Johnston, S.C.	Thurmond
Dworshak	Jordan	Williams, Del.
Ellender	Kefauver	Yarborough
Ervin	Kerr	Young, N. Dak.
Frear	Long, La.	

NAYS—37

Aiken	Fong	Morse
Allott	Hart	Morton
Anderson	Hartke	Muskie
Bartlett	Humphrey	Pastore
Beall	Jackson	Proxmire
Brunsdale	Javits	Randolph
Bush	Keating	Scott
Carroll	Kuchel	Symington
Case, N.J.	Lausche	Wiley
Cooper	Long, Hawaii	Williams, N.J.
Cotton	McCarthy	Young, Ohio
Douglas	McNamara	
Engle	Monroney	

NOT VOTING—13

Bennett	McGee	Neuberger
Capehart	Magnuson	O'Mahoney
Chavez	Mansfield	Smathers
Eastland	Moss	
Kennedy	Murray	

So Mr. HOLLAND's motion to lay Mr. JAVITS' amendment on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate reconsider the vote by which the motion to lay on the able was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. DOUGLAS subsequently said: Mr. President, I regret that I was not able to

take part in the discussion on the so-called Javits amendment when it was before the Senate. At that time I was presiding at a meeting of the Joint Economic Committee, and the committee had before it Mr. William McChesney Martin, the Chairman of the Federal Reserve Board. That hearing took up virtually all the afternoon.

Mr. President, I was proud to be a cosponsor of the Javits amendment, and of course I voted against the motion to table. I had asked the Law Division of the Library of Congress to go into the question of the constitutionality of the Javits amendment, and I received from them an able opinion, which reviews the history of the law on the subject very thoroughly. It came to the conclusion that the Javits amendment was a perfectly constitutional proposal and could be carried out under the existing Constitution.

I ask unanimous consent that it may be printed in the RECORD following the vote on the motion to table.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMERICAN LAW DIVISION, LIBRARY OF CONGRESS, IN SUPPORT OF THE CONSTITUTIONALITY OF THE JAVITS' AMENDMENTS MAKING IT UNLAWFUL TO REQUIRE PAYMENT OF A POLL TAX AS A PREREQUISITE FOR VOTING FOR NATIONAL OFFICERS

Section 1 of the Javits' amendments declares that the Congress finds that the requirement that a poll tax or other tax be paid, or that any property qualification be met, as a prerequisite for voting or registering to vote at primaries or other elections for President, Vice President, elector for President or Vice President, or for Senator or Member of the House of Representatives is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, and an obstruction of the operations of the Federal Government.

Section 2 of the amendments makes it unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interfere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification.

Bills similar to the Javits proposal have been introduced in the House and Senate during each Congress beginning with the 76th Congress, when the first such bill (H.R. 7534) was introduced on August 5, 1939. The House has passed four such bills, each time by more than a two-thirds majority as follows:

1. Seventy-seventh Congress, H.R. 1024, on October 13, 1942, yeas 254, nays 84.

2. Seventy-eighth Congress, H.R. 7, on May 25, 1943, yeas 265, nays 110.

3. Seventy-ninth Congress, H.R. 7, on June 12, 1945, yeas 251, nays 105.

4. Eightieth Congress, H.R. 29, on July 21, 1947, yeas 290, nays 112.

In each instance the Judiciary Committee of the Senate reported favorably on the constitutionality of the bills in the version that passed the House (S. Rept. 1662, 77th Cong.; S. Rept. 530, 78th Cong.; S. Rept. 625, 79th Cong.; and S. Rept. 1225, 80th Cong.).

On two occasions the House and Senate have passed legislation containing a provision that members of the Armed Forces shall not be required to pay a poll tax in voting for Federal officers, including presidential electors. The first instance was Public Law No. 712, September 16, 1942, the Federal Soldiers Voting Law. The second time was by way of amendment to the Selective Service Act of 1948. The Langer amendment, as it was called, was agreed to in the Senate on June 7, 1948, accepted by the House after conference, and became Public Law 759, June 24, 1948. 62 Stat. 604, 618.

Opponents of legislation by Congress outlawing the poll tax have relied chiefly on two arguments. One argument is that payment of the tax is a qualification for voting properly imposed by the States in the election of Representatives and Senators pursuant to section 2, article I and amendment No. 12 of the Constitution giving the States the right to fix the qualifications for voting for these officers as follows:

VOTING FOR REPRESENTATIVES

Article I, section 2: "The House of Representatives shall be composed of Members chosen every second year by the People of the several States, and the Electors in each State shall have the qualifications requisite for Electors of the most numerous Branch of the State legislature."

VOTING FOR SENATORS

Amendment No. 12, clause 1: "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

In their argument that a State may lawfully require payment of a poll tax as a qualification for voting, opponents of Federal legislation on the subject cite four cases, one decided as recently as 1951. These cases are: *Williams* v. *Mississippi* ((1898) 170 U.S. 213); *Breedlove* v. *Suttles* ((1937) 302 U.S. 277); *Pirtle* v. *Brown* ((1941) 118 Fed. 2d 218); and *Butler* v. *Thompson* ((1951) 97 Fed. Supp. 17, aff'd 341 U.S. 937 (per curiam decision No. 713)).

In none of the cases referred to was it held that the poll tax is a qualification for voting. They upheld the constitutionality of the poll tax on other grounds. In each case the poll tax was treated as a revenue measure, and not as a qualification for voting. The decisions are unanimous in treating payment of the tax as a regulation determining who possesses the qualifiation to vote. In *Breedlove* v. *Suttles*, payment of the tax is declared to be a "regulation" and "is not required for the purpose of denying or abridging the privilege of voting." (At pp. 282, 283.) Similarly in *Pirtle* v. *Brown*, supra, at page 219, the court states:

"The question is, whether the constitution and statutes of Tennessee, which make the payment of a poll tax a condition precedent to the right to vote for Members of the Congress, are repugnant to any provisions of the Constitution of the United States."

The very Tennessee statute under scrutiny by the court in *Pirtle* v. *Brown* made a distinction between payment of the tax and qualifications of the voters.

In other words, the tax records or poll lists are used to determine who is qualified to vote. The prospective voter pays his tax. This payment is made a condition which he has to meet before his qualifications are considered. Registration may or may not be required, but, if so, it likewise is a condition and not a qualification. In this connection it will be noted that in two States requiring the payment of a poll tax, Arkansas and Texas, registration is dispensed with the poll tax lists used to identify voters.

Poll tax lists are similar to registration lists, i.e., they are evidence of qualifications. A registration book is usually by statute declared to be prima facie evidence of a person's right to vote. Suppose a State required a fee of $1 or more to register. Is there any doubt that Congress could pass a law prohibiting such a fee? Congress could, in fact, appoint Federal registrars and conduct the registration of voters. Congress did on February 28, 1871, pass a statute governing registration of voters in the States and the regulations were sustained in *Ex Parte Siebold* ((1879) 100 U.S. 371). In this case the Supreme Court said that in making regulations for the election of Representatives, Congress has supervisory power over the subject, and may either make entirely new regulations governing registration, or add to, alter or modify the regulations made by the State. This significant control over the franchise which may be exercised by Congress appears in article I, section 4 of the Constitution:

"FEDERAL REGULATION OF ELECTIONS

"The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators."

It is significant that the Javits proposal in clear language adopts the proposition that payment of a poll tax is not a qualification of a voter within the meaning of the Constitution. This language makes it clear that the tax requirement is simply a regulation—one of inference—and, of course, Congress may by law alter any such regulations the States might impose.

The second argument advanced by opponents of congressional legislation against the poll tax concerns chiefly the manner of electing our President and Vice President indirectly through the choice of electors by the States. Clause 2 of section 1 of article II of the Constitution provides:

"INDIRECT ELECTION OF THE PRESIDENT AND VICE PRESIDENT

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress."

The electors so chosen are required to meet in their respective States and cast separate ballots for President and Vice President (amendment No. 12). This procedure for electing our President and Vice President, it is contended, gives the States complete control over the presidential election at which electors are chosen and leaves the States free not only to decide whether electors are appointed or elected, but also to fix the qualifications of persons voting at any such election. Cases usually cited to support this contention are *In re Green* ((1890) 134 U.S. 377), *McPherson* v. *Blacker* ((1892) 145 U.S. 1), and *Ray* v. *Blair* ((1951) 343 U.S. 214).

Actually, none of the cases cited as authority for the proposition that Congress may not regulate the election of presidential electors have anything to do with the right of Congress to enact an anti-poll-tax bill. The sole question involved in *In re Green* was whether a State court had jurisdiction in a prosecution for violation of a State law prohibiting fraudulent voting for presidential electors. The question presented in *McPherson* v. *Blacker* was whether the State of Michi-

gan could choose presidential electors by districts rather than from the State at large or on a general ticket. The question involved in *Ray* v. *Blair* was whether a State [Alabama] may permit a political party to require party regularity by exacting a pledge from its primary candidates for presidential electors.

It would seem absurd to say that Congress could not declare that a requirement of payment of a poll tax in order to vote is an interference with the election of our President, Vice President, Senators, and Representatives when Congress itself has the ultimate authority and duty to pass on these elections.

For instance, clause 1, of section 5, of article I, of the Constitution gives the House and Senate the authority to judge all elections held to elect Members to their respective bodies:

"House and Senate final judge of election returns.

"Each House shall be the judge of the elections, returns, and qualifications of its own Members."

Acting pursuant to this provision, the House and Senate have decided hundreds of contests and excluded many Members. In many instances, elections have been declared void because of the type of interferences sought to be correctel by the Javits proposal. During the 59th Congress the House voided the 1904 election in the Second Congressional District of Texas, where a poll tax was levied as a qualification for voting in such a way as to discriminate against residents of cities. Hinds' "Precedents of the House of Representatives," volume 1, page 856.

In the case of the presidential election, the votes cast by the electors for President and Vice President are required by amendment No. 12 to be tranmitted to Washington, where they are opened and counted by the President of the Senate in the presence of the Senate and House. If a contest develops out of this count of the vote for President, precedent imposes on Congress the final right to resolve the issue. In making its decision, Congress could refuse to accept votes where interference or fraud has taken place with respect to payment of poll taxes, as was the case of the 1876 presidential election. So it would be absurd to say that Congress does not possess the power to regulate by statute and attempt to prevent in advance the very interference for which it might later void an election.

The Supreme Court has on numerous occasions sustained the right of Congress to enact legislation to prevent interference with the election of the President.

On January 8, 1934, in upholding the Federal Corrupt Practices Act regulating election of presidential electors, the Supreme Court said in *Burroughs and Cannon* v. *U.S.* ((1934) 290 U.S. 534):

"The President is vested with the executive power of the Nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the Nation in a vital particular the power of self-protection. Congress, undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or by corruption.

"In *Ex parte Yarbrough* (110 U.S. 651), this Court sustained the validity of section 5508 of the Revised Statutes, which denounced as an offense a conspiracy to interfere in certain specified ways with any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States; and of section 5520, which denounced as an offense any conspiracy to prevent by force, etc., any citizen lawfully entitled to vote from giving his support, etc., toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress. The indictments there under consideration charged Yarbrough and others with conspiracies in violation of these sections. The Court held, against the contention of the accused, that both sections were constitutional. It is true that while section 5520 includes interferences with persons in giving their support to the election of presidential and vice presidential electors, the indictments related only to the election of a Member of Congress. The Court in its opinion, however, made no distinction between the two, and the principles announced, as well as the language employed, are broad enough to include the former as well as the latter. The Court said (pp. 657–658):

"'That a government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration.

"'If this Government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the general Government, it must have the power to protect the elections on which its existence depends from violence and corruption.

"'If it has not this power it is left helpless before the two great natural and historical enemies of all republics, open violence and insidious corruption.'

"And, answering the objection that the right to vote for a Member of Congress is not dependent upon the Constitution or laws of the United States but is governed by State law, the Court further said (p. 663):

"'In a republican government, like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptations to control these elections by violence and by corruption is a constant source of danger.

"'If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage, without legal restraint, then indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which enshrines it, are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists on the other.'

"The power of Congress to protect the election of President and Vice President from corruption being clear, the choice of means to that end presents a question primarily addressed to the judgment of Congress. If it can be seen that the means adopted are really calculated to attain the end, the degree of their necessity, the extent to which they conduce to the end, the closeness of the relationship between the means adopted and the end to be attained, are matters for congressional determination alone" *Stephenson* v. *Binford* (287 U.S. 251, 272).

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that excerpts from the very able report on this same subject, made by the great George W. Norris, in 1942, which is Report No. 1662, 77th Congress, 2d session, upholding the desirability of legislative action to outlaw poll taxes be also printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to whom was refered H.R. 1024, an act to prevent pernicious political activities, begs leave to report thereon as follows:

At the same time the committee had under consideration H.R. 1024, the committee also had under consideration S. 1280, a bill concerning the qualification of voters or electors within the meaning of section 2, article I, of the Constitution, making unlawful the requirement of the payment of a poll tax as a prerequisite for voting in a primary or other election for national offices.

These two bills have the same object in view, to wit: Making unlawful the requirement for the payment of a poll tax as a prerequisite to vote in a primary, or other, election, for national offices.

Your committee recommends the passage of H.R. 1024 when amended.

In this form your committee recommends the passage of H.R. 1024.

Practically the only question involved in this legislation is the constitutionality of the proposed legislation. The committee has reached the conclusion that the proposed legislation is constitutional and should therefore be enacted into law. Those who believe the proposed law is unconstitutional rely upon section 2, article I, of the Constitution which reads as follows:

"The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

The qualification of a voter is generally believed to have something to do with the capacity of a voter. We think it will be admitted by all that no State, or State legislature, would have the constitutional authority to disqualify a voter otherwise qualified to vote, by setting up a pretended qualification that in fact has nothing whatever to do with the real qualification of the voter. No one can claim that the provision of the Federal Constitution above quoted would give a legislature the right to say that no one should be entitled to vote unless, for instance, he had red hair, or had attained the age of 100 years, or any other artificial pretended qualification which, in fact had nothing to do with the capacity or real qualification of the voter.

The evil that the legislation seeks to correct is in effect that in taking advantage of the constitutional provision regarding qualifications, the States have no right to set up a perfectly arbitrary and meaningless pretended qualification which, in fact, is no qualification whatever and is only a pretended qualification by which large numbers of citizens are prohibited from voting simply because they are poor. Can it be said, in view of the civilization of the present day that a man's poverty has anything to do with his qualification to vote? Can it be claimed that a man is incapacitated from voting simply because he is not able to pay the fee which is required of him when he goes to vote? In other words, when States have prevented citizens from voting simply because they are not able to pay the amount of money which is stipulated shall be paid, can such a course be said to have anything to do with the real qualifications of the voter? Is it not a plain attempt to take advantage of this provision

of the constitution and prevent citizens from voting by setting up a pretended qualification which, in fact, is no qualification at all?

We believe there is no doubt but that the prerequisite of the payment of a poll tax in order to entitle a citizen to vote has nothing whatever to do with the qualifications of the voter, and that this method of disfranchising citizens is merely an artificial attempt to use the language of the Constitution, giving the State power to set up qualifications, by using other artificial means and methods which in fact have no relation whatever to qualifications.

However, the constitutionality in our opinion does not depend alone upon the language of the Constitution above quoted. There are other provisions in the Constitution and amendments to the Constitution to which we desire to call attention.

Section 4 of article I of the original Constitution reads as follows:

"The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

The subcommittee to which this proposed legislation was referred has held rather extended hearings and has listened to very able and competent constitutional lawyers in the discussion of the constitutionality of the proposed legislation. These two provisions of the Constitution above quoted have been discussed at great length and with great ability by some of the ablest constitutional lawyers in the country.

The pretended poll tax qualification for voting has no place in any modern system of government. We believe it is only a means, illegal and unconstitutional in its nature, that is set up for the purpose of depriving thousands of citizens of the privilege of participating in governmental affairs by denying them a fundamental right—the right to vote.

The requiring of a citizen to pay a poll tax before he can vote is in effect the requiring of the payment of money to exercise the highest qualification of citizenship. It is in effect taxing a Federal function. The most sacred and highest of all Federal functions is the right to vote. It is not within the province of a State, or its legislature, to fix a fee or tax which a voter must pay in order to vote and try, in this way, to come within the Federal Constitution by calling this a qualification.

In the *Yarbrough* case decided in 110 U.S. 651, the Supreme Court of the United States said:

"The right to vote for Members of Congress is fundamentally based upon the Constitution of the United States, and was not intended to be left within the exclusive control of the State."

Supreme Court Justice Miller in that case said:

"But it is not correct to say that the right to vote for a Member of Congress does not depend upon the Constitution of the United States."

In the Classic case, decided in 1941, Justice Stone of the Supreme Court said:

"The right of the people to choose, whatever its appropriate constitutional limitations, where in other respects it is defined, and the mode of its exercise is prescribed by State action in conformity to the Constitution, is a right established and guaranteed by the Constitution."

Justice Stone said further:

"While in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the State * * * this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18, of the Constitution 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.' "

One might add that, since voting is one of the fundamental governmental rights, the right to tax this fundamental privilege by a State would be giving to the State the power to destroy the Federal Government. No State can tax any Federal function. This is a proposition which will have to be admitted by all and, if this Federal function—the right to vote—can be taxed by a State, then the State has a right to destroy this Federal function which is, after all, the foundation of any government. As a matter of self-preservation, the Congress in order to save the Federal Government from possible destruction, must have the right to prevent any State authority from destroying this cornerstone of the Government itself.

The right to vote for Members of Congress is a right, as the Supreme Court has said, granted under the Constitution of the United States and, therefore, any law, constitutional or statutory, of a State which taxes this fundamental privilege is contrary to the provisions of the Federal Constitution. It could be said, of course, if these poll tax laws are unconstitutional, they could be taken to the Supreme Court and there challenged directly and that a law of Congress is therefore unnecessary to protect this constitutional right. This is undoubtedly correct but it does not follow that, when the Congress of the United States has had brought to its attention these poll tax laws by which millions of our citizens are in effect deprived of their right to vote, that it would not be the duty of Congress itself to pass the necessary legislation to nullify such unconstitutional State laws. Most of these people are deprived of their right to vote by these poll tax laws which are a method of taxation. As a rule they are poor people and are unable to vote because they are poor. The very fact that it is this class of people whose rights are being taken away makes it clear that they could not rely upon their constitutional rights of carrying their cases to the Supreme Court of the United States. The expense would be absolutely prohibitive and it is therefore the duty of Congress to protect these millions of citizens in their most sacred right as citizens—the right to vote.

We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became a part of the State laws, will convince any disinterested person that the object of these State constitutional conventions, from which emanated mainly the poll-tax laws, were moved entirely and exclusively by a desire to exclude the Negro from voting. They attempted to do this in a constitutional way but, in order to follow such a course, they deemed it necessary to even prohibit the white voter the same as they did the colored voter and hence they devised the poll-tax method which applied to white and colored alike. In other words, the poll-tax laws were prohibitive to all people, regardless of color, who were poor and unable to pay the poll tax.

We desire to call attention to the Virginia constitutional convention which submitted an amendment which was afterward adopted to the constitution of Virginia by which it was intended to disfranchise a very large number of Virginia citizens. We think this convention can be regarded as a fair sample of other conventions in other poll-tax States. Hon. Carter Glass was a member of that convention. Near the beginning of the convention Senator Glass made a speech in which he outlined in very forceful language what the object was, after all, of the convention. He did this in his usual commendatory method of getting at the real cream in the coconut. Near the beginning of the convention he made a speech in which he said:

"The chief purpose of this convention is to amend the suffrage clause of the existing constitution. It does not require much prescience to foretell that the alterations which we shall make will not apply to 'all persons and classes without distinction.' We were sent here to make distinctions. We expect to make distinctions. We will make distinctions."

Near the conclusion of the convention, Senator Glass delivered another address in which he referred to the work already performed by the convention. He said:

"I declared then (referring to the beginning of the convention and the debate on the oath) that no body of Virginia gentlemen could frame a constitution so obnoxious to my sense of right and morality that I would be willing to submit its fate to 146,000 ignorant Negro voters [great applause] whose capacity for self-government we have been challenging for 30 years past."

There is no doubt but what Senator Glass stated the real object the convention had in view. The fact that his remarks were received with great applause indicates that his fellow members of that convention agreed with him and that the real object they had in view, and which they believed they could accomplish, was disfranchising "146,000 ignorant Negro voters."

Under the circumstances, can there be any doubt when perhaps the greatest leader of all stated what the object was and what was expected to be accomplished by the so-called poll-tax laws? If we concede that this was the object of the law, then we admit it is unconstitutional because, if this was the effect of the law, it in fact made an artificial qualification which, in itself, is illegal and unconstitutional, in order to come in under the qualification clause of section 2, article I, of the Constitution.

It ought to be borne in mind also that many, if not all, of these constitutional amendments in the poll-tax States are in direct conflict with the statutes under which these States were readmitted to the Union under the act of Congress of June 26, 1870 (16 Stat., p. 62). The provision which refers to Virginia reads as follows:

"The constitution of Virginia shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote, who are entitled to vote by the constitution herein recognized, except as punishment for such crimes as are now felonies at common law, whereof they have been duly convicted under laws, equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said constitution, prospective in its effect, may be made in regard to the time and place of residence of voters."

It therefore follows that these State poll tax constitutional amendments were in direct violation of this statute and therefore absolutely unconstitutional.

It seems perfectly plain that the object of this poll-tax provision in the State constitutions was not to prevent discrimination among the citizens but to definitely provide for a discrimination by which hundreds of thousands of citizens were taxed for the privilege of voting and that, therefore, under section 2 of article I of the Constitution, it seems plain that such a provision in the State constitution, or State law, was simply a subterfuge to accomplish other aims by resorting to the so-called "qualification" clause in section 2 of article I of the Constitution. It is likewise equally plain that at the end of the War Between the States, when these States were readmitted to the Union, they were readmitted under a statute of Congress which provided explicitly that the consti-

tutions of the States "shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote."

It is therefore plain, under all the circumstances, that the so-called poll-tax laws of the State bringing about such a disqualification to its citizens in the exercising of suffrage is in clear violation of the laws of Congress in addition to being a violation of the Constitution of the United States. It is a clear violation of the agreement made by the State, when it was readmitted, that it should not provide for such discriminatory amendments to the State constitutions. It follows therefore that the so-called poll-tax laws, bringing about the disfranchising of its citizens in the exercise of suffrage, are a clear violation of the laws of Congress in addition to being a violation of the Constitution of the United States.

Those who believe the proposed legislation is unconstitutional rely on the statement of a historic fact that, when the Constitution was adopted, all of the Original States had property or tax qualifications. This ignores entirely the testimony of scholars which clearly demonstrates why that fact alone does not prove the right of Congress today to forbid such requirements for voting in Federal elections. It seems to us that this regulation is subject to the criticism which Mr. Justice Holmes leveled against the use of history when he said:

"It is revolting to have no better reason for a rule of law than that it is laid down in the time of Henry IV. It is still more revolting if the grounds upon which it was laid down have vanished long since and the rule persists from blind imitation of the past." (Holmes: The Path of the Law, in Collection Papers, p. 187.)

We think also Justice Holmes was right when, in discussing the situation in *Missouri v. Holland* (252 U.S. 416, 433), he said:

"It (the Constitution) must be considered in the light of our whole experience and not merely in that of what was said a hundred years ago."

The constitutional provision relied upon to strike down this legislation as unconstitutional must be considered with other constitutional provisions.

In section 4, article IV, of the Constitution of the United States, it is provided:

"The United States shall guarantee to every State in this Union a republican form of Government."

What does this mean in the light of the present-day civilization? Can we have a republican form of government in any State if, within that State, a large portion and perhaps a majority of the citizens residing therein are denied the right to participate in governmental affairs because they are poor? We submit that this would be the result if under section 2, article I, of the Constitution, the proposed law is held to be unconstitutional. The most sacred right in our republican form of government is the right to vote. It is fundamental that that right should not be denied unless there are valid constitutional reasons therefor. It must be exercised freely by free men. If it is not, then we do not have a republican form of government. If we tax this fundamental right, we are taxing a Federal privilege. We might just as well permit the States to tax Federal post offices throughout the United States.

Under the guise of a pretended qualification this provision of the Constitution, we believe, has been nullified every time a State has denied the right to vote to any of its citizens because they do not have the money to pay the State the fee set up as a pretended "qualification." We think that this fact has been fully demonstrated by requiring the payment of a poll tax for the right to vote.

It is conceded, we think, even by those who believe the proposed law is unconstitutional that, while the poll tax is comparatively small in amount, if any poll tax at all can be enforced so as to prohibit voting by those who do not have the fee, the principle involved would permit the State to fix a fee much higher than is usually fixed now, and it is not at all unlikely that, in carrying out the real provisions of the poll-tax laws, this amount could be increased so that the poll tax might be fixed at $10, $50, $100, or even greater. The constitutional right to fix any poll-tax fee concedes the right to fix that fee at any amount desired.

Section 1 of the 14th amendment to the Constitution of the United States reads as follows:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

It is quite clear that the so-called poll-tax laws do abridge the privileges and immunities of the citizens of the United States. If citizens of the United States are required to pay a poll tax it is clearly an abridgment of their privileges and immunities.

It is said that section 2 provides an exclusive remedy for a violation of section 1 of the 14th amendment to the Constitution. Section 2 refers to the apportionment among the several States of representatives in Congress and provides for the reduction in the number of such representatives whenever the right to vote is denied. We do not think this remedy is an exclusive one. Section 1 of the 14th amendment to the Constitution is positive in its terms and says that no State shall make or enforce any law which is an abridgment of the privileges and immunities of the citizens of the United States.

The sponsors of the poll-tax laws do not admit that they have prevented anyone from voting. In fact these laws do not, on their face, directly prohibit any citizen from voting. The effect is brought about by the levying of a poll tax and providing that the citizens must pay this poll tax in order to vote. While he is not denied the right to vote, he is taxed for this privilege and, in case of poverty, this results in a denial of the privilege of voting and thus directly interferes with the citizen's right to participate in governmental affairs. Section 1 of the 14th amendment to the Constitution says that this shall not be done and these laws therefore come in direct conflict with section 1 of the 14th amendment.

The 14th amendment to the Constitution has other sections referring to the right to hold office by a Senator or Representative in Congress and with reference to electors for President and Vice President. Section 4 of this amendment refers to the public debt of the United States and prohibits the United States or any State from assuming or paying any debt or obligation incurred in aid of insurrection or rebellion against the United States. Section 2, as above stated, refers to the apportionment of Representatives among the several States.

There is no more reason why section 2 should modify section 1 than there is that section 3 or section 4 should be considered in connection with section 1.

It is quite clear that the so-called poll-tax laws do abridge the privileges and immunities of citizens of the United States. If any citizen of the United States is deprived of the privilege of voting by any of these poll-tax laws, it seems a clear abridgment of the privileges of citizens of the United States. One of the greatest privileges, and a fundamental one, of every citizen of the United States is the right to vote. If he is deprived of this right, he is denied the right to participate in governmental affairs. Such a citizen becomes an outcast. He is subject to all the laws of the State. His citizenship is admitted and the burdens which rest upon him are the same as rest upon all other citizens. He can be drafted into the Army and be compelled to face the foe and give up his life to protect the lives of his fellow citizens. Yet he is deprived of the most sacred privilege of all—the right to vote. It is quite evident that all these poll-tax laws are in direct violation of section 1 of the 14th amendment to the Constitution as well as being in violation of other constitutional and Federal laws heretofore referred to.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. I merely wish to take this opportunity of associating myself with the remarks of the Senator from Illinois. As the Senator may recall, ever since he and I have been in the Senate we have been sponsors of similar amendments. I was pleased to have an opportunity to vote for the Javits amendment. I wish to commend the Senator from New York for his efforts in bringing the amendment before the Senate. I, too, have found, from my personal study over the years, that a legislative enactment relating to the repeal of the poll tax has constitutional basis. While I felt that this was a better approach, I also felt that it was important that some action be taken to at least clear away the poll tax limitation on the voting right. Therefore, I also voted for the Holland amendment to utilize the constitutional amendment method.

Finally, I wish to say that this is a forward step in accomplishing a civil rights program. Slowly but surely Congress is tearing down the barriers to the exercise of the franchise.

When Congress shall have finally completed its work in terms of reinforcing the 15th amendment, it will have done something for American democracy which I am sure our forebears thought had been accomplished 75 or 90 years ago.

Mr. KEATING. Mr. President, on behalf of myself, my colleague from South Dakota [Mr. CASE], and the Senator from Maryland [Mr. BEALL], I offer an amendment in the nature of a substitute.

Mr. President, in order to expedite matters, I ask unanimous consent that the reading of the amendments be dispensed with. I shall be happy to explain their purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. KEATING, for himself and other Senators, which were ordered to be printed in the RECORD, are as follows:

Strike out all after the resolving clause and insert the following:

"That the following articles are hereby proposed as amendments to the Constitution of the United States, and any one of which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE—

"'On any date that the total number of vacancies in the House of Representatives

exceeds half of the authorized membership thereof, and for a period of sixty days thereafter, the executive authority of each State shall have power to make temporary appointments to fill any vacancies, including those happening during such period, in the representation from his State in the House of Representatives. Any person temporarily appointed to fill any such vacancy shall serve until the people fill the vacancy by election as provided for by article I, section 2, of the Constitution.

" 'ARTICLE—

" 'SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualifications.

" 'SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

" 'SEC. 3. The Congress shall have power to enforce this article by appropriate legislation.

" 'ARTICLE—

" 'The people of the District constituting the seat of the Government of the United States shall elect, in such manner and under such regulations as the Congress shall provide by law—

" 'a number of Delegates to the House of Representatives equal to the number of Representatives to which they would be entitled if the District were a State with such powers as the Congress, by law, shall determine; and

" 'a number of electors of President and Vice President equal to the whole number of Senators and Representatives in the Congress to which the District would be entitled if it were a State; such electors shall possess the qualifications required by article II of this Constitution; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and cast their ballots as provided by the twelfth article of amendment.'

"Amend the title so as to read: 'Joint resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors in Federal elections, and to enfranchise the people of the District of Columbia.' "

Mr. KEATING. Mr. President, perhaps the Senators who are interested in the amendment might be able to hear what I have to say if the Chair would endeavor to get order in the Chamber.

The ACTING PRESIDENT pro tempore. The Senator from New York will suspend. The Senate will be in order. The Senator from New York may proceed.

Mr. KEATING. Mr. President, the amendment, by its terms, strikes out all after the enacting clause and then reinstates the so-called Kefauver amendment and the so-called Holland amendment. Then it adds a third amendment, which I shall describe in a moment. However, it provides in the first section thereof that these articles are proposed as amendments to the Constitution, and that any one of them shall be valid upon ratification by the legislatures of three-fourths of the States of the Union.

In the first place, dealing briefly with this point, it seems to me that it is much more orderly to provide that each of these proposed constitutional amendments may be submitted separately to the States, instead of putting them all in one package. Frankly, I confess that the more orderly procedure would be to present each amendment separately and have it voted upon by itself, and stop there, rather to embody several of them in one resolution.

However, we have already adopted the so-called Holland amendment, which I supported. Now I propose an additional amendment to the Constitution.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. KEATING. Yes; I yield for a question.

Mr. COTTON. On the point the Senator is now discussing, as I understand, his amendment, if it were adopted, would have the effect not only of separating his proposal from the so-called Kefauver-Holland proposals, but it would also separate the Kefauver from the Holland proposal when they are submitted to the States. Is that correct?

Mr. KEATING. Yes. My reason is that I believe it is better to submit each of them separately to the States than to put them all in one package.

Mr. COTTON. I am gratified to know that the Senator's amendment does contain such a provision. I would have gladly voted for the Holland amendment if it had not been hopelessly yoked to the original amendment which, in my opinion, is like yoking a horse and a steer. I could not possibly vote for that kind of package deal in tampering with the Constitution. I congratulate the Senator from New York that the first thing his amendment does is to separate the proposed constitutional amendments, in order that they may be considered separately by the people of the various States, if they are considered.

Mr. KEATING. I appreciate the remarks of the distinguished Senator from New Hampshire. I must say to him that I thought the hooking or yoking of my amendment to the so-called Holland amendment would be more like yoking a steer and a cow, because they both have to do with the voting franchise, whereas the original Kefauver amendment does not have anything to do with voting. I therefore think that even if we considered only the anti-poll-tax amendment, it might be appropriate to consider my amendment, in connection with it.

Mr. COTTON. But it does not so yoke it. Is that correct?

Mr. KEATING. It does not so yoke it. My proposal does two things. First, it separates all three of the proposed amendments. Secondly, it adds a proposal providing that the citizens of the District of Columbia shall elect, under such regulations as the Congress shall provide by law, first, a number of delegates to the House of Representatives equal to the number of Representatives to which they would be entitled if the District were a State, with such powers as the Congress by law shall determine.

Mr. President, on my amendment I ask for the yeas and nays at this point.

The yeas and nays were not ordered.

Mr. KEATING. I shall have to make the same request later.

The second thing the amendment does is to provide for the election of a number of electors for President and Vice President equal to the whole number of Senators and Representatives in the Congress to which the District would be entitled if it were a State. It also provides that such electors shall possess the qualifications required by article II of the Constitution; that they shall be in addition to those elected by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors selected by a State; and that they shall meet in the District and cast their ballots as provided by the 12th amendment.

In other words, the Senator from South Dakota [Mr. CASE], the Senator from Maryland [Mr. BEALL] and I in the proposed amendment endeavor to give the Senate the opportunity to give to the residents of the District of Columbia the right to vote for President and Vice President and representation in Congress.

As to the latter, I recognize there are differing views. There are those who say the District of Columbia should have a Senator, or two Senators. There are those who think the District should have three Representatives. Our amendment gives representation only in the House, and it does not even give a voting representation, unless Congress later determines to do so. In other words, it provides for the number of Delegates the District would be entitled to have if it were a State, which would be two or three Representatives, and it provides also that Congress shall later give them such powers as Congress shall determine.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. KEATING. I am happy to yield for a question.

Mr. ALLOTT. The Senator has just made a statement which implies that at a subsequent time, under the proposed amendment, the nonvoting Members of the House of Representatives from the District of Columbia could be given the power to vote, by statutory enactment. Do I understand that to be the fact?

Mr. KEATING. It provides for such powers as Congress shall determine.

Mr. ALLOTT. In other words, to make the record perfectly clear, this is not simply an amendment to provide for three delegates or two delegates; it would also provide for voting delegates at any time that Congress should by a simple majority decide to that effect. Is that correct?

Mr. KEATING. That is correct. Congress could later by majority vote give to the delegates power to cast a vote, in my judgment.

Mr. ALLOTT. That is the interpretation which the Senator from New York and his cosponsors put on the language contained on page 2, lines 19 to 23 inclusive. Is that correct?

Mr. KEATING. That is my understanding of what that language means.

Mr. ALLOTT. I thank the Senator.

Mr. KEATING. Mr. President, it is my opinion that this amendment is cer-

tainly equally as important as any other proposal which could come before Congress to enlarge the exercise of the franchise. The continued massive disqualification of all the residents of the District of Columbia from their right to participate in our electoral processes is inexcusable. It is unreasonable. It is undemocratic. We can and must seize this opportunity to remedy this deplorable state of affairs. I would hope that this was one defect in our electoral processes which Members of this body from all sections of our Nation would enthusiastically join in correcting.

There is some difficulty in stirring up widespread concern for the plight of the residents of the Nation's Capital. The area of the District of Columbia is small. Only local inhabitants would be affected by this reform. But the principles at stake are large. Our action would have international impact. We would be demonstrating to the whole world that in America democracy begins at home—that we practice what we preach.

Only in the past few days I had a letter from a housewife in the Bronx, who said to me, "There is a lot of talk about civil rights these days. Do I correctly understand that in the District of Columbia no citizen, white or colored, has the right to vote?"

I had to tell her that that is the fact.

Let me recall a few facts which have an important bearing on this subject. The first one is that the population of the District of Columbia exceeds the population of 12 States which have full representation rights in both the House and Senate. These States are New Hampshire, Vermont, North Dakota, South Dakota, Delaware, Montana, Idaho, Wyoming, Nevada, New Mexico, Alaska, and Hawaii. Indeed, the District of Columbia has more residents than the States of Alaska, Nevada, and Wyoming, combined. These States including their Senators, have nine Representatives in Congress; the District of Columbia has none.

The second fact is that the residents of the District of Columbia pay well over $350 million annually in Federal taxes. This is more tax money than is contributed by the residents of any one of 25 States having a total representation of 148 Members in the Congress. Taxation without representation is still the lot of our local citizens.

Fact No. 3 is that more than 100,000 men and women who lived in the District of Columbia served in our armed forces during World War II. This was a greater contribution in manpower to the defense of our Nation than was made by 14 States. Many of these brave souls made the supreme sacrifice in our country's battles. It is shameful that these courageous men and women who fought and died for freedom could not enjoy its essential quality in their own homeland.

These are shameful facts. Here are several hundred thousand Americans who are called upon to pay taxes, to serve in our armed forces, and to fulfill all the other obligations of citizenship, but who are denied one of its most sacred privileges.

How much longer shall we permit this stain on our democracy to remain uncleansed?

I would seize any opportunity to erase this black mark. But I believe that consideration of this matter, as I pointed out to the Senator from New Hampshire [Mr. COTTON], in connection with the anti-poll-tax amendment is particularly appropriate. Both are of the same nature in that they are attempts to remove unreasonable impediments to voting rights. They are both comparable in their impact and their justification. I do not know how many people in Alabama, Arkansas, Mississippi, Texas, and Virginia will be benefited by the removal of the poll tax. But I am certain that the number is no more than the number of citizens in the District of Columbia who would benefit from removal of the absolute bar against their right to vote.

This is not a mere matter of numbers, however, but basically a matter of principle. We cannot justify the denial of the right of a citizen to vote because of his residence in the District of Columbia any more than we can justify the denial of the right to vote because a citizen has failed to pay a fee. Both conditions are entirely inconsistent with our democratic system. Both deserve prompt extermination.

One other thing should be made clear. This is a right-to-vote amendment, not a self-government amendment. I strongly supported the home rule bill when it was before the Senate last year, and I hope the other body will proceed with dispatch to complete action on that matter. What we are dealing with here today, however, is something quite different. This amendment deals only with national representation. It does not establish any form of territorial government or elected local legislative systems. These are separate matters, and we should not delay action on this proposal because of the pendency of the other. Both are of the utmost importance, but neither need await the other's fruition.

In substance, this amendment provides only two things: First, that the people of the District of Columbia shall elect a number of delegates to the House of Representatives equal to the whole number of representatives to which they would be entitled if the District were a State, with such powers as the Congress, by law, shall determine; and second, that the people of the District of Columbia shall elect "a number of electors of President and Vice President equal to the whole number of Senators and Representatives in the Congress to which the District would be entitled if it were a State." This is the form in which the amendment was approved by a 5–1 vote of the Constitutional Amendments Subcommittee of the Committee on the Judiciary just last September. I would be willing to go beyond these recommendations and provide definite voting rights for the representatives and perhaps even for representatives in the Senate. The provisions of this amendment represent, in other words, a bare minimum of what we must do. But this much must be done, in my judgment, if we are to bestow upon the residents of our Nation's Capital their rights as fellow members of the American community.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. KEATING. I am very happy to yield to the distinguished Senator from South Dakota, who offered substantially this proposal when the District of Columbia home rule bill was before the Senate; who has been a pioneer in this field; and to whom should go the major credit for focusing our attention on this important problem in the District of Columbia.

Mr. CASE of South Dakota. The Senator from New York is generous in his praise of my efforts with regard to the establishment of some right and some opportunity for the people of the District of Columbia to have a voice in their own Government.

I have gone through a considerable educational experience, I may say, in regard to voting rights for the District of Columbia. During the first Congress of which I was a Member of the Senate, when the distinguished former Senator from Arizona [Mr. MCFARLAND] was the majority leader, he asked me to take charge of the presentation of the so-called home rule bill. That was a little unusual, in view of the fact that I was then a member of the minority party of the Senate. It was my privilege to act as the floor manager for that bill. Again, in the succeeding Congress, when I was chairman of the Committee on the District of Columbia, I had the honor of presenting the so-called home rule bill to the Senate. In both instances, the Senate approved the home rule bill. But I have seen that bill go to the House of Representatives and there languish and die of inaction.

I have somewhat reluctantly come to the conclusion that the only practical possibility of affording an opportunity for the residents of the District of Columbia to vote in the reasonably near future is through the procedure here proposed; that is, to give them the right and the opportunity to vote for Delegates or Representatives who would be Members of the House of Representatives and who would have such powers as Congress itself might see fit to give them, and, by the same token, have a right to vote for presidential electors on the same basis as they would if they were represented by Representatives and Senators in the Congress.

But I go somewhat further than perhaps does the Senator from New York in believing that this amendment will mean an effective step toward self-government for the people of the District of Columbia. The Constitution provides that the Congress shall have exclusive legislative jurisdiction over the District of Columbia. No home rule bill ever proposed or devised has been able, in the absence of a constitutional amendment, to get around that existing constitutional provision. Every home rule bill which we examine contains, somewhere within it, a provision which recognizes that Congress could overrule any action which might be taken by a District of Columbia local legislative body, whether a city council or whatnot. In any case,

exclusive legislative authority over the District of Columbia rests with the Congress.

The amendment which the Senator from New York has submitted, on behalf of himself, the Senator from Maryland, and myself, does not change the constitutional provision which leaves within the Congress exclusive legislative authority over the District of Columbia, but it gives the District of Columbia citizens an opportunity to have representation in the Congress, which has this exclusive legislative jurisdiction. That is why to that extent this proposal would give the people of the District of Columbia a voice in their own government.

The Congress would continue to have exclusive legislative jurisdiction over the District of Columbia; and the people of the District of Columbia would then, for the first time, have real representation in the Congress.

When I originally proposed an amendment along this line, and submitted it when a bill in this field was last before the Congress, I proposed that such representatives of the people of the District of Columbia have the powers which traditionally have been had by Territorial Delegates. Territorial Delegates in the House of Representatives traditionally have had the right to speak on the floor of the House, the right to serve on House committees, and the right to submit amendments; but they have not had the right to vote in the House of Representatives or the right to vote in the House committees on which they might serve.

This amendment would give the Congress itself the power to determine what powers such Delegates to the Congress shall have. Presumably the Congress could give them the same powers that Territorial Delegates traditionally have had; or the Congress could go further, and could give them the right to vote.

But the right to speak on the floor of the House of Representatives, the right to submit amendments, and the right to serve on House committees would be great improvements over the situation which now exists.

I think the logic of this proposal is beyond question to anyone who will make a comprehensive study of the situation.

The Senator from New York has ably presented figures in regard to the amount of taxes paid by the residents of the District of Columbia. Nothing is more deeply imbedded in the traditional theory of our Government than the proposition that taxation without representation is tyranny. The people of the District of Columbia pay taxes far in excess of the amount of taxes paid by many States; and, as the Senator from New York has pointed out, the people of the District of Columbia pay taxes which gross more than the total amount of taxes paid by many States. Yet the people of the District of Columbia have no voice in their own government. So certainly in the District of Columbia there is taxation without representation.

Furthermore, as the Senator from New York has well pointed out, the District of Columbia has provided many soldiers to the Armed Forces of the Nation. Certainly to be called upon to fight for one's country and then be denied an opportunity to participate in its government by means of voting is grossly unfair.

In that connection let me point out that a few years ago the Congress passed a law which provided that an alien who had served in the Armed Forces of the Nation would thereby acquire the rights of citizenship. If it be true that Congress once decided that it was just that an alien who served in the Armed Forces should be granted citizenship upon the completion of his service—and that step was taken by means of legislation proposed by former Senator Lodge, of Massachusetts, as I recall—and if it was sound to permit, as a result, 25,000 aliens to obtain citizenship by virtue of having served in the Armed Forces of the Nation, why should not the people of the District of Columbia who served in the Nation's Armed Forces be granted one of the rights of citizenship—to wit, the right to vote?

Mr. KEATING. Mr. President, the figures indicate that the people of the District of Columbia who served in the Armed Forces suffered casualties at a higher rate than did those from any State who served in the Armed Forces. However, I point out that these figures were prepared before the admission of Hawaii and Alaska as States.

I emphatically join the Senator from South Dakota when he says there is no justice in denying the people of the District of Columbia the right to vote.

Mr. CASE of South Dakota. Mr. President, the Senator from New York, with his characteristic sense of justice, has pointed out a possible exception for the State of Hawaii, because, as I recall, Hawaii had a regiment which had higher casualty losses than those suffered by any other regiment which served during World War II.

Mr. KEATING. That is also my recollection. I believe I have heard our colleagues from Hawaii cite, with great and understandable pride, the wonderful record of the Hawaii regiment.

Mr. CASE of South Dakota. It was probably because of the excellent record the Hawaiian soldiers made during the war that many of the Members of Congress felt that Hawaii had earned admission to the Union as a State.

By the same token, we should certainly now similarly recognize the valiant service of the soldiers from the District of Columbia.

One collateral point which might be made in that connection is that the city of Washington becomes the home of a greater number of retired officers of the Army, the Navy, and the Air Force than does any other city in the Nation, by reason of the fact that many of those who have served in the military forces lose their residence in their native States, and also by reason of the fact that many attractions exist for living in the city of Washington.

But when they reside in Washington, they find themselves deprived of the right to vote. I have always felt that those who take the risks involved in the military services certainly are entitled to have a voice in the affairs of the country they have served.

Finally, let me say that it has seemed to me that the other argument the Senator from New York has mentioned—to wit, our position before the world—is, in itself, a compelling reason for the adoption of this amendment. Certainly it is an anomaly that this country, the United States, which today before the world holds itself out as the great devotee of freedom and the great apostle of representative government, should deny voting rights to the residents of the Capital City. I see no justification whatsoever for such a position. It compromises our position in every international gathering and in every international endeavor. To say that representative government is good for the new countries in Africa and in Asia, but that in the Capital City of the United States itself the residents should not have the right to participate in their own government is an inconsistency which weakens the position of the United States in every international conference today.

So I certainly urge the adoption of the amendment.

Mr. FONG. Mr. President, will the Senator from New York yield to me?

Mr. KEATING. First, Mr. President, let me say that I appreciate very much the eloquent appeal the Senator from South Dakota has made for adoption of this amendment. I express to him publicly what I had said to him privately, that I am most grateful indeed for the pioneering work which he did in this field.

I am very happy to yield now to my distinguished colleague from Hawaii.

Mr. FONG. Mr. President, I am in agreement with the remarks of the illustrious Senator from South Dakota. During the adjournment of Congress I had the pleasure of visiting 14 countries in the Far East. Everywhere I went, people in the Far East remarked to me that America heretofore had certainly preached much concerning democracy but many times fell short of what it preached. My election to the Congress of the United States was in a measure an answer to them that we do believe in self-determination, and that we practice democracy as we preached it.

In granting to the people of the District of Columbia the right to vote for President and Vice President and to have a Representative in the House of Representatives, we would, to a great degree, be giving to the people of the District of Columbia the right of self-determination which we have been seeking for all the people of the world. This would again be an answer to the critics who claim that we in America practice a limited type of democracy. This would be applying the principle of self-determination domestically.

The able Senator from South Dakota made reference to the heroism shown by citizens of Hawaii in the last war. I would like to say in connection with the question of statehood for Hawaii, that there was much doubt on the part of many people as to whether the people of Hawaii were loyal and patriotic citizens. In the last war the citizens of Hawaii

demonstrated that they were loyal and patriotic Americans. Throughout the war there was not one single case of sabotage against the American Government, and our men in the service distinguished themselves heroically on the battlefield and everywhere. The 442d Regiment of Hawaii was one of the most highly decorated of all regiments in the history of the United States of America. This demonstration of patriotism I believe contributed much to the Congress granting statehood to Hawaii.

I am profoundly happy to hear from the distinguished Senator from South Dakota that the heroic sons of the District of Columbia in the last war distinguished themselves admirably and I am happy to join my worthy colleagues in his efforts to bring democracy and self-determination to the people of the District of Columbia. I wish to thank the able Senator for yielding.

Mr. KEATING. I am exceedingly grateful for the remarks of my distinguished colleague from Hawaii. I cannot refrain from saying I was in the Far East at or about the time the Senator from Hawaii was. I think his visit to the Far East as a United States Senator was most helpful and fruitful in giving our country a standing in the world. He had what might be called a triumphal tour, despite his extreme modesty.

On all sides I heard the expression, from our own people and from people in the Far East, "Here is a U.S. Senator of Chinese extraction." It has completely erased all of the talk which we often had heard in Asian countries. We have oftentimes somewhat slighted the Asian countries in our dealings with them. We have heard it said that we are interested only in Europe, that we have our allies in Europe, that we have no interest in the Far East; and much of the trouble that we have had in the Far East has stemmed from that feeling.

Here is a man who went to the Far East as a U.S. Senator. He did notable service for his country, and I know I express the attitude of all of us when I say we are proud indeed of the tour which he made.

I am grateful to him for his support of the amendment. His support is in consonance with the principles in which he believes and with his record both in Hawaii and since he has become a Member of the U.S. Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KEATING. I yield to my colleague.

Mr. JAVITS. First, I should like to express support of my colleague in his effort to get this very desirable amendment in the constitutional amendment now before the Senate; but more than that, I should like to express my appreciation for being associated with a Senator who seizes the right opportunity. It is not often that there are proposed in the Senate constitutional amendments where we have a chance to act. This is an opportunity, which I hope the Senate will not forego today, to do elemental justice to the people of the District of Columbia. I am delighted my colleague has taken the initiative to propose it and give us an opportunity to effectuate his proposal.

Also, I should like to join him in contemplating this major point. This is a season when the United States is expanding its horizons. It would have been unthinkable, in another day, to admit into the Union, the Territory of Alaska, 1,700 or 1,800 miles away from the mainland of the United States, or to admit Hawaii, 2,500 miles away, and separated from us by an ocean. Yet our people have had the kind of vision which is truly historic and which marks our capability for being world leaders, for the mark of leadership is the willingness to expand one's views.

My colleague from New York is asking us to take care of the home fires at the same time we expand our vision, and this is an opportunity for us to correct a rankling injustice and give to the people of the District of Columbia a right which is denied to the people of very few Federal districts in other countries of the world. I think the research of the Senator shows that fact.

Mr. KEATING. In general, that is true. There are a few parallels, but very few. In most Federal districts in other countries the people of those districts have the right of national representation.

Mr. JAVITS. I express the hope that the Senate will see that this justice is done, as proposed by my colleague. In a very elemental way, these are the minimal requirements that one could conceive. Why they can be denied or what opposition can be made against them, I cannot imagine. We have a chance to take care of this situation today, and I hope the Senate will do so.

Mr. KEATING. I appreciate very much, indeed, the gracious remarks of my colleague from New York and his support of the amendment, which I am sure will be helpful.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. KEATING. I am happy to yield to my distinguished colleague from Nevada.

Mr. BIBLE. I should like to subscribe to the statements made by the junior Senator from New York [Mr. KEATING].

As the Senator recalls, this subject matter came before this body last July, when we had before us for discussion the District of Columbia home-rule bill. The junior Senator from New York performed a very valuable service at that time. He stated, and I think I quote him correctly, that the home-rule bill was not the vehicle to use to provide for national representation for the District but that the proposal should come through the Judiciary Committee and should be considered on its own merits.

I thoroughly subscribed to that view. I thoroughly subscribe to the statements the Senator from New York is making at the present time. As the Senator well knows, I appeared before the Judiciary Committee on September 9, of last year, in support of the particular amendment which is now before the Senate. I said at that time, and I now repeat, that I gave no priority either to the home-rule bill or to the constitutional amendment which would give national representation to the District of Columbia. I felt very keenly then, and I feel equally keenly now, that the right of suffrage is important in both instances.

I think this is the correct posture, I think this is the correct vehicle, to use to bring the question before the United States; and I certainly hope the amendment will be agreed to.

I likewise hope, and I am sure the Senator from New York will join me in the hope, that there will be nothing in the adoption of this amendment that will in any way prevent us from moving the bill providing full home rule for the District of Columbia a step further in the Congress of the United States.

Mr. KEATING. I entirely agree with that statement. On this subject I think I share completely the views of my distinguished colleague from Nevada. I strongly supported the home rule bill. I hope that bill will be acted on by the other body, but I think it would be a mistake for us to hold up a proposed constitutional amendment at this time while awaiting action in the other body. Let us go down both roads, with the hope that eventually the citizens of the District of Columbia will have the right to vote for President, Vice President, and Representatives in Congress, and will also be given a measure of fuller conduct of their own affairs, which incidentally, will relieve us of many burdens with which, in my judgment, we really should not be concerned.

I cannot leave that subject without saying to my colleague from Nevada how much all of us appreciate and admire the dedicated service which he has given to the District of Columbia and to its problems. He has placed a mark of distinction upon service on the District of Columbia Committee by the way he has handled its affairs. It was my great pleasure to work with the Senator on the home rule bill. I share his views completely. His support of this amendment will do a great deal to insure its passage, because all Members on both sides of the aisle have a great deal of confidence in the judgment and ability of my colleague from Nevada.

Mr. BIBLE. I thank the Senator from New York for those very kind sentiments. I have enjoyed my service on the District of Columbia Committee. I think all of us rather recognize that Senators do not particularly beat a path to the door of the District of Columbia Committee room for service on that committee.

I look at the matter a little differently. This is the Nation's Capital. It is the Capital of our Union, and I think all our citizens should take great pride in the Nation's Capital, as I believe they do.

I am happy to give my services in that direction by serving on the committee, to the best of my capabilities. I am certain that my distinguished friend from Maryland [Mr. BEALL] feels exactly the same. He is the ranking minority member of the committee and has devoted many long hours of service to the District.

I simply wish to associate myself with the remarks of the Senator from New York [Mr. KEATING]. As he knows, in

my statement before the committee I said I could see no reason at all why both national representation and home rule could not go arm and arm down the aisle toward passage.

Mr. KEATING. I hope so, too.

I will say to my colleague from Nevada and my colleague from Maryland, if we can have both measures enacted by the Congress it will be a great monument to the work of both these stalwart Senators who have given such outstanding service to the District of Columbia.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. KEATING. I am happy to yield to my colleague from Maryland.

Mr. BEALL. Mr. President, I wish to congratulate the Senator from New York for bringing up the amendment at this time. I am very happy to be a cosponsor of the amendment.

The Senator from New York and I advocate home rule for the District of Columbia, and the Senator from Nevada [Mr. BIBLE], chairman of the Committee on the District of Columbia, has long advocated it. While the pending proposal does not go as far as the measure the Senator from Nevada and I have been advocating, it is a step in the right direction.

There is an old saying that one must crawl before one walks, and one must walk before one runs. This amendment will accomplish the first objective; namely, to give some 800,000 disenfranchised people the right to be first-class citizens.

It has been my pleasure to work with the chairman of the committee, the Senator from Nevada, who has demonstrated a sincere interest in the District of Columbia matters. In my 17 years of service on the District committees, of the two Houses, I have never known anyone to show greater interest in the welfare of the citizens of the District of Columbia than our present chairman, the Senator from Nevada [Mr. BIBLE].

Certainly the Senator from New York [Mr. KEATING], in sponsoring this proposal and presenting it at this time, is doing something which is praiseworthy. I hope the Senate will agree to the amendment.

I thank the Senator.

Mr. KEATING. I am grateful to my colleague from Maryland, who has been definitely instrumental in trying to give to the people of the District of Columbia a greater measure of control over and conduct of their own affairs.

Of course, we face problems in the other body. However, I hope the problem with reference to the constitutional amendment, which will be considered by a different committee in the other body, will not be so serious as the one with reference to home rule apparently is.

The ACTING PRESIDENT pro tempore. The question is agreeing to the amendment offered by the Senator from New York [Mr. KEATING] for himself and other Senators.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEATING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KEATING. Mr. President, on my amendment I ask for the yeas and nays.

The yeas and nays were ordered.

CONSERVATION AND DEVELOPMENT OF WATER RESOURCES

Mr. ALLOTT. Mr. President, how to conserve and develop most effectively our water resources is a subject of continuing discussion, thought, and work in each of the many great river basins in my State—the Arkansas, the Colorado, the Platte, the San Juan, the Rio Grande, and others—in the farm homes and in those of the city.

In that regard, all Coloradans are greatly pleased that the President's budget message contains recommendations that will give great impetus to our water conservation program in Colorado. I have every reason to hope that Congress will support the President's request to authorize the Fryingpan-Arkansas and initiate construction on the Curecanti and Florida projects which were previously authorized as a part of the upper Colorado River development program.

In my State when we think of water we think of the Bureau of Reclamation and its great work. The new Commissioner of the Bureau, Floyd E. Dominy, is a man of tremendous experience in the field. He shows every sign of becoming one of the most resourceful and effective commissioners in the great history of the Bureau. This analysis of his ability was strongly reinforced when I read recently his remarks made before the Four States Irrigation Council in Denver on January 14. It illustrates once again his deep understanding of the purpose and heritage of the reclamation program, as well as the problems and goals that now confront it. I sincerely commend the reading of these remarks to all my colleagues.

Mr. President, I ask that it be inserted at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS BY FLOYD E. DOMINY, COMMISSIONER OF RECLAMATION, BEFORE THE FOUR-STATES IRRIGATION COUNCIL, DENVER, COLO., JANUARY 14, 1960

When George Anderson homesteaded in the North Platte Valley in 1885, he took a good piece of bottomland. Old George was something of a pioneer irrigator and made a real success of it because there was plenty of direct-flow water for his hay meadows and pastures.

He applied his water the best way he knew how with little knowledge of techniques, but he got crops—enough to keep the family going. When he got around to filing for his water right, he put down on the court papers the amount he thought he was using.

George, Jr., helped his father on the farm and gradually took over. By 1920, young George had the place pretty solidly worked in row crops. The other farmers nearby had gone to corn and sugar beets and potatoes, too, and all of them were finding that in some years water ran pretty short. Measurements at the headgates became more accurate and George learned he could not afford to be profligate with his water the way his father had been. He relocated the laterals and made other improvements so that he could distribute the water more carefully.

Along came the third generation. Grandson George went to an agricultural college and could figure out on paper such things as the losses on the family farm because of ditchbank trees and weeds. To be sure that he would have August water under the old family right, he lined his laterals, putting in the asphalt or cement himself. With the help of the county agent, over a period of years he also reclaimed five seeped acres that had been lost to production in earlier generations.

Now the family farm is in good shape, scientifically managed and operated. Young George found he had to do this if he wanted to stay in farming. He doesn't have to raise feed for horses as his granddad had done but the fuel for the diesels costs money, and so does fertilizer and insecticides.

Thirty-bushel corn was good enough for his father, but to support his own family he has to raise 70-bushel corn. The water that was more than ample for his grandfather's hay meadows, and that was sufficient for his father, is enough for him only by the most careful practices. Young George can look at his season's production with satisfaction, and with knowledge that his own son has something worth inheriting.

I have used the history of three generations of an irrigated farm family to picture the effects of changing times. What was good enough in the past is not good enough today. It is safe to assume that what's good enough now may not be good enough in the immediate future.

Thus, I want to sing an old song once again. I want to emphasize that water has changing values and that agricultural practices must change with them.

The Bureau of Reclamation constructs water storage facilities and the main distribution works. We, of course, have a big interest in successful project operations but it is up to the individual farmer and his irrigation district to make the water do the most efficient work. The services available from the State and the Department of Agriculture are helpful and should be utilized but in the final analysis it is the initiative and ingenuity of the man with the shovel that tells the story of success or failure.

I picked the North Platte Valley and the imaginary Anderson family as an illustration because some of the old irrigation systems in that valley have been rehabilitated and improved during recent years through the enterprise of the districts. They're cutting seepage loss from their canals and laterals by lining programs, and they're eliminating nonbeneficial transpiration losses in many areas by piping their water underground.

The newer irrigated areas don't have as many malpractices of the past to correct, but the George Andersons who live on these lands have identical responsibilities to strive for maximum efficiency and to learn to invoke the best practices. Irrigation farmers everywhere must change and improve with the times, or they will fall by the wayside.

The basic responsibility is vested in the individual. I'm talking about it because it's part of my job to try to forecast trends that will influence the overall effects on the business of reclamation.

There are at least several aspects of today's trends which are thought provoking, if not downright ominous. One is competition among various users for available water supply. Another is the limited ultimate development of surface supplies. Another is the problem created by simultane-

ous population growth and rapidly rising per capita consumption of water. All of these and others are interrelated in the total picture of trends.

Competition among users becomes greater day by day across the country. Throughout the Nation industrial use of water is approximately equal to irrigation use in the West, but industrial use is increasing much more rapidly than is irrigation.

Municipalities everywhere are experiencing the effects of the rising demands for human use. Denver, for example, is investing more than $100 million to augment the supply to take care of the foreseeable demands of the area.

Here, in the Four-States region, surface supplies are speedily being developed to what now appears to be the maximum practical extent. The South Platte, the North Platte, and the Big Horn Rivers are just about fully controlled and utilized. Control of the Green, the lower Platte, the Republican, the Solomon, the Smoky Hill, the Kansas, and the Arkansas are within perhaps 20 years of being complete. Certainly before the year 2000, storage space will be available to capture for use nearly all the runoff that is subject to capture under today's standards. The largest relatively undeveloped potentials in Colorado are in the Colorado River Basin.

The entire Nation has become alerted to the growth of population which has been widely labeled an explosion. I won't dwell upon the statistics tonight, but want to relate this growth and our increased use of water. In the year 1900, when the United States population was 76 million, the per capita daily use of water for all purposes was 530 gallons. Today the population is nearly 180 million, and each one uses not 530 gallons, but 1,600 gallons. By 1980, only 20 years hence, there will be 250 million people in the United States and there have been forecasts that each will be using 2,400 gallons a day.

There is much that is theoretical about such estimates. Theoretical, too, is the estimate that 1,200,000 million gallons of water a day are available for use in the United States. For its effect rather than its accuracy, therefore, I emphasize that the figures indicate that in 1980 the per capita use of water will be about one-half of what is now the total available supply.

But "available supply" also is a dynamic term.

Science today is finding means of increasing the supply that may be utilized by cities, industries, and farms, and certainly the future will see much progress in this general field. Reduction of seepage and other transpiration losses, demineralization of sea water and brackish water, and reduction of evaporation losses from stored water, and from transpiration through nonuseful plants are the most promising of the immediate prospects. The Geological Survey is moving forward in its studies of ground water. Artificially induced precipitation may be increasingly helpful in this arid West.

Notwithstanding such hopes, there are obvious limits on the water supply, and the tampering that science can do with it. Only about 20 percent of all precipitation is considered available for use under today's technology. Science and technology might be able to stretch today's gallon of water into tomorrow's five quarts, but it's hard to imagine—especially in this inland country where we have been stretching water for years—1 gallon being stretched much more than that.

The 20-percent figure is not likely to rise substantially, even when all western rivers have maximum feasible storage. First of all, rivers are and will continue to be the principal channels of disposal of waste and erosion. Secondly, there are economic limitations even when storage sites exist, and the sites themselves are being used up rapidly. Finally, there are foreseeable points of diminishing returns in some locations. The geological survey already has warned that at a certain stage of development, evaporation loss along the river may exceed the conservation benefits of a new storage facility. We are hopeful that research now under way out of our Denver laboratories will find economical means of reducing evaporation loss from exposed storage.

All of the problems about water supply can be analyzed as matters of economics. Municipalities and industries for a long time to come will be able to obtain water for their expansion—if they are willing to pay for it. Irrigation will continue to expand if farmers agree to pay the price. The saying that water is where you find it will be less true in the future than it is today—water will be taken to wherever it's needed by those who are able and willing to pay the cost.

Irrigation takes about 46 percent of the water used in the United States, and at a relatively low cost compared to other uses. Even though water for domestic supply is relatively inexpensive in most places, the price paid for such service is many times the price paid for irrigation. Industry usually will pay whatever it has to for water supplies but its availability and cost are prime factors in determining where new industry will locate.

If we are limited, then, in the amount of water that's available, and if the demands from competing uses that will pay higher prices continue to increase, then irrigation is the use that is most likely to be placed under competitive pressure to yield part of its existing water or its share of the available supply remaining to be developed.

But should there be a reduction in irrigation? Can we afford to rest on our oars in reclamation development in the face of the growing demands of future decades? Irrigation projects of any major dimensions are not built in 1 year or 2 or 3 or even 10.

Are the trends toward increases in a variety of uses irreconcilable to continued expansion of irrigated acreage as well as protecting what is already under ditch? I say most emphatically that they are not. They are not and they will not be if a great big "if" is answered affirmatively. That "if" leads me back to the George Andersons. Irrigation will continue to prosper and expand if all the George Andersons exert maximum efficiency in their use of water for irrigation purposes.

There is a saying that "Dame Nature gives long credit but always sends in her bill." Abuse and misuse of land and water can be tolerated up to a certain point. Thereafter, nature will extract her price.

To me, one of the ugliest sights in the world is a farm field white with alkali. At one time it yielded crops or perhaps was a good pasture. When the offenses against Dame Nature went on too long, the land lost its value for everything—including tax purposes.

We have a technology which warns when too much water is being put on a field for too long a time, or when drainage measures are required if the field is to be preserved as a productive unit. The farmer himself will know, or he can readily find out, what can be done to reduce seepage loss. As the value of water and land continues to rise, it should become increasingly apparent that conservation measures are worth their price—certainly to posterity if not to the present generation. Every modern George Anderson has a moral obligation to leave behind land in a condition as good as he found it, and if possible better.

Irrigation will find it difficult to defend its demand for its share of water supply so long as wastage in that enterprise is as outrageous as it is. Out of every 3 acre-feet diverted for irrigation use, too often only 2 or less reach the farmers' headgates. Such conveyance losses were tolerable to George Anderson the First, and might have been tolerable to George Anderson the Second, but they are completely intolerable today and in the years to come.

Of the 2 acre-feet passing through the farmers' headgates, a large proportion fails to perform its assigned task of helping to raise crops. It's a fair guess that in many places nearly one-half of the water is wasted because of needless consumption by weeds or excessive application to the crops themselves. Water so transpired by weeds is lost to the atmosphere. Ground-water recharge which of course is a major value, is the only benefit of excessive irrigation or faulty drainage.

Operation and maintenance are problems of the irrigation districts. I cannot urge upon you too strongly that known water and land conservation measures must be employed much more widely. I repeat that irrigators must improve with the times or they will fall by the wayside.

Many known measures are good. Many new measures can be developed and improved. The Bureau of Reclamation can and will assist in a number of ways, such as to develop better canal linings and weed-killers in cooperation with irrigation districts.

But there are additional roads to follow. Irrigation districts can do their own independent research and testing, striving to find better ways. And they can cooperate with others, such as the agricultural colleges and the Soil Conservation Service, to gather information or to test methods.

I heartily endorse programs such as that of the University of Nebraska to study cropping patterns so as to diversify away from reliance on one-crop systems. Another program is under way between Colorado State University and the Southeastern Colorado Water Conservancy District to learn more about ground water through test wells. There are many other examples.

Followers are easy to find. Rarer and more valuable are leaders—men to show the way to irrigation progress. The Four-States Irrigation Council deserves highest commendation for establishing its Headgate Award to recognize such leaders. There is too little public attention for leaders for all their hard work and years of persistent service.

I consider it a privilege and an honor, therefore, to present the 1959 Headgate Awards to M. C. Hinderlider, of Colorado; Bob Smrha, of Kansas; Harry Bashore, of Nebraska; and Dr. J. B. Fuller, of Wyoming.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 540. An act for the relief of Maybell King;

S. 981. An act for the relief of T. W. Holt & Co.; and

S. 1862. An act for the relief of Harve M. Duggins.

The message informed the Senate that Mr. SMITH of Mississippi had been appointed as a conferee on the part of the House in the conference on the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes, vice Mr. JONES of Alabama, excused.

FILLING OF TEMPORARY VACANCIES IN THE HOUSE OF REPRESENTATIVES

The Senate resumed the consideration of the joint resolution (S. J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York [Mr. KEATING] for himself and other Senators. On this question the yeas and nays have been ordered.

Mr. ALLOTT. Mr. President, in the temporary absence of the majority leader and the minority leader, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. I will take only a minute. I submit for the RECORD a letter which was written by the Special Counsel to the President with respect to the pending proposal. It was addressed to the Senator from Tennessee [Mr. KEFAUVER], and reads as follows:

THE WHITE HOUSE,
Washington, D.C., September 9, 1959.

Hon. ESTES KEFAUVER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEFAUVER: The President has asked me to write to you on his behalf regarding Senate Joint Resolution 138, introduced by Senator KEATING of New York for himself, Senator BEALL of Maryland, and Senator CASE of South Dakota. The joint resolution proposes an amendment to the Constitution granting representation in the House of Representatives and in the electorial college to the District of Columbia.

The 1956 Republican platform stated for the Republican Party: "We favor self-government, national suffrage, and representation in the Congress of the United States for residents of the District of Columbia."

The 1956 Republican platform has been and continues to be strongly supported by the President.

Sincerely yours,

DAVID W. KENDALL,
Special Counsel to the President.

Mr. President, I thought I ought to make known that the proposal submitted by the distinguished Senator from New York, for himself and other Senators, is in accord with the Republican Party platform and is in accord with the position supported and confirmed by the President of the United States.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York [Mr. KEATING] and other Senators. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah, [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness and is confined to the hospital.

The Senator from Oregon [Mr. NEUBERGER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as Chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

I further announce that if present and voting, the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Oregon [Mr. NEUBERGER] would each vote "yea."

The Senator from Montana [Mr. MANSFIELD] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Montana would vote "yea" and the Senator from Alabama would vote "nay."

The Senator from Wyoming [Mr. O'MAHONEY] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Mississippi would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business, and if present and voting, would vote "yea." The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The result was announced—yeas 63, nays 25, as follows:

YEAS—63

Aiken	Dworshak	McNamara
Allott	Engle	Magnuson
Bartlett	Fong	Martin
Beall	Fulbright	Monroney
Bible	Gore	Morse
Bridges	Green	Morton
Brunsdale	Gruening	Mundt
Bush	Hart	Muskie
Byrd, W. Va.	Hartke	Pastore
Cannon	Hennings	Prouty
Carlson	Humphrey	Proxmire
Carroll	Jackson	Randolph
Case, N.J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Church	Jordan	Scott
Clark	Keating	Smith
Cooper	Kefauver	Symington
Cotton	Kuchel	Wiley
Dirksen	Lausche	Williams, N.J.
Dodd	Long, Hawaii	Yarborough
Douglas	McCarthy	Young, Ohio

NAYS—25

Anderson	Hayden	Robertson
Butler	Hickenlooper	Russell
Byrd, Va.	Hill	Stennis
Chavez	Holland	Talmadge
Curtis	Hruska	Thurmond
Ellender	Johnston, S.C.	Williams, Del.
Ervin	Kerr	Young, N. Dak.
Frear	Long, La.	
Goldwater	McClellan	

NOT VOTING—12

Bennett	McGee	Neuberger
Capehart	Mansfield	O'Mahoney
Eastland	Moss	Smathers
Kennedy	Murray	Sparkman

So Mr. KEATING'S amendment was agreed to.

Mr. CASE of South Dakota. Mr. President, I move that the vote by which the amendment of the Senator from New York was agreed to be reconsidered.

Mr. KEATING. Mr. President, I move to lay on the table the motion to reconsider.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, on the question of final passage, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question now is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The ACTING PRESIDENT pro tempore. The question now is, Shall the joint resolution pass?

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness and is confined to the hospital.

The Senator from Oregon [Mr. NEUBERGER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American trade study mission as chairman of the Latin American Trade Subcommittee of Senate Interstate and Foreign Commerce Committee.

On this vote the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting the Senator from Mississippi would vote "nay," and the Senators from Massachusetts and Wyoming would vote "yea."

The Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Wyoming [Mr. MCGEE] and the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senators from Wyoming and Florida would vote "yea."

I further announce that the Senators from Montana [Mr. MANSFIELD and Mr. MURRAY], the Senator from Utah [Mr. Moss], and the Senator from Oregon [Mr. NEUBERGER] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business. If present and voting, he would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The yeas and nays resulted—yeas 70, nays 18, as follows:

YEAS—70

Aiken	Fong	McNamara
Allott	Frear	Magnuson
Anderson	Gore	Martin
Bartlett	Green	Monroney
Beall	Gruening	Morse
Bible	Hart	Morton
Brunsdale	Hartke	Mundt
Bush	Hayden	Muskie
Byrd, W. Va.	Hennings	Pastore
Cannon	Holland	Prouty
Carlson	Hruska	Proxmire
Carroll	Humphrey	Randolph
Case, N.J.	Jackson	Saltonstall
Case, S. Dak.	Javits	Schoeppel
Chavez	Johnson, Tex.	Scott
Church	Jordan	Smith
Clark	Keating	Symington
Cooper	Kefauver	Wiley
Cotton	Kerr	Williams, N.J.
Dirksen	Kuchel	Williams, Del.
Dodd	Lausche	Yarborough
Douglas	Long, Hawaii	Young, Ohio
Dworshak	Long, La.	
Engle	McCarthy	

NAYS—18

Bridges	Fulbright	Robertson
Butler	Goldwater	Russell
Byrd, Va.	Hickenlooper	Stennis
Curtis	Hill	Talmadge
Ellender	Johnston, S.C.	Thurmond
Ervin	McClellan	Young, N. Dak.

NOT VOTING—12

Bennett	McGee	Neuberger
Capehart	Mansfield	O'Mahoney
Eastland	Moss	Smathers
Kennedy	Murray	Sparkman

The ACTING PRESIDENT pro tempore. Two-thirds of the Senators present and voting have voted in the affirmative, Senate Joint Resolution 38 is passed.

The title was amended so as to read: Joint resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors, and to enfranchise the people of the District of Columbia.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 1049, Senate bill 8.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "School Construction Assistance Act of 1959".

DECLARATION OF PURPOSE

SEC. 2. It is the purpose of this Act to authorize a two-year program of Federal grants to the States to provide assistance in the construction of urgently needed public elementary and secondary school facilities in local communities.

ASSURANCE AGAINST FEDERAL INTERFERENCE IN SCHOOLS

SEC. 3. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

AUTHORIZATION OF APPROPRIATIONS

SEC 4. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and the succeeding fiscal year, such sums, not to exceed $500,000,000 in any fiscal year, as the Congress may determine, for making payments to State education agencies under this Act.

ALLOTMENTS AND PAYMENTS TO STATES

SEC. 5. (a) The sums appropriated pursuant to section 4 shall be allotted among the States on the basis of the income per child of school age, the school-age population, and effort for school purposes of the respective States. Subject to the provisions of section 6, such allotments shall be made as follows: The Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the sums appropriated pursuant to section 4 for such year as the product of—

(1) the school-age population of the State, and

(2) the State's allotment ratio (as determined under subsection (b)).

bears to the sum of the corresponding products for all the States.

(b) For purposes of this Act—

(1) The "allotment ratio" for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for all the States (exclusive of Puerto Rico, Guam, and the Virgin Islands), except that (A) the allotment ratio shall in no case be less than .25 or more than .75, and (B) the allotment ratio for Puerto Rico, Guam, and the Virgin Islands shall be .75.

(2) The allotment ratios shall be promulgated by the Commissioner as soon as possible after the enactment of this Act on the basis of the average of the incomes per child of school age for the States and for all the States (exclusive of Puerto Rico, Guam, and the Virgin Islands) for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for purposes of this Act.

(3) The term "child of school age" means a member of the population between the ages of five and seventeen, both inclusive.

(4) The term "school-age population" means that part of the population which is between the ages of five and seventeen, both inclusive, and such school-age population for the several States shall be determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce.

(5) The term "income per child of school age" for any State or for all the States means the total personal income for the State and for all the States (exclusive of Puerto Rico, Guam, and the Virgin Islands), respectively, divided by the number of children of school age (in the State and in all such States, respectively).

(c) As soon as possible after amounts appropriated under section 4 become available for payment, the Commissioner shall pay to each State, which has complied with the provisions of section 7 for the year with respect to which such payment is to be made, the amount allotted to it pursuant to subsection (a) of this section, as adjusted by the application of the provisions of section 6.

MAINTENANCE OF STATE AND LOCAL SUPPORT FOR SCHOOL FINANCING

SEC. 6. (a) The allotment of any State under section 5 shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year, with the exception that during the first year that allotments are made under this Act this provision shall not be applicable. The total of such reductions shall be reallotted among the remaining States by proportionately increasing their allotments under section 5 for such year.

(b) For purposes of subsection (a)—

(1) The "State school effort index" for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public school child by (B) the income per child of school age for the State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) Puerto Rico, the Virgin Islands, Guam, and the District of Columbia, and (ii) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for all the States;

(2) The "national school effort index" for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for all the States (exclusive of Puerto Rico, Guam, the Virgin Islands, and the District of Columbia) by (B) the income per child of school age for all such States.

(c) (1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from funds derived from State and local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

(2) The school expenditures per public school child for all the States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by all the States (exclusive of Puerto Rico, Guam, the Virgin Islands, and the District of Columbia) and subdivisions thereof for elementary and secondary education made from funds derived from State and local sources, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in all such States, determined as provided in paragraph (1).

(3) The income per child of school age for any State and for all the States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

STATE APPLICATIONS

SEC. 7. The State education agency of each State which desires to receive an allotment and payment under this Act shall submit an application to the Commissioner which—

(a) provides assurance that the State education agency shall be the sole agency for administering the funds received under this Act;

(b) sets forth procedures to insure that funds will be allocated among school facilities construction projects within the State so that priority is given to local education agencies which, in the judgment of the State education agency, have the greatest need for additional school facilities and which are least able to finance the cost of needed school facilities;

(c) provides assurance that every applicant, whose application for funds received under this Act for a construction project is denied, will be given an opportunity for a hearing before the State education agency;

(d) sets forth procedures for such fiscal control as may be necessary to assure proper disbursement of funds paid to the State under this Act;

In the case of any State in which a State agency has exclusive responsibility for the financing of the construction of school facilities, the Commissioner may modify or make inapplicable any of the foregoing provisions of this section to the extent he deems such action appropriate in the light of the special governmental or school organization of such State.

MATCHING BY STATES AND LOCAL COMMUNITIES

SEC. 8. The State education agency may allocate funds received under this Act to a project for the construction of school facilities only if the amount to be allocated plus any other amounts previously allocated under this Act does not exceed the Federal share for such State of the sum of (1) the cost of constructing the project in question and (2) the total cost of constructing the projects for which such other allocations have been made, and if the State education agency determines that the remainder of the cost of constructing the project in question will be paid out of funds other than funds paid by the Commissioner under Public Law 815, Eighty-first Congress, as amended. For the purposes of this Act the "Federal share" for any State is the allotment ratio for such State, except that in no case shall it be less than 0.33⅓ or more than 0.66⅔.

PERIOD FOR USE OF FUNDS AND CERTIFICATION BY STATES

SEC. 9. (a) Upon receipt by the State, funds paid under this Act for any fiscal year shall thereafter be deemed to be State funds to be distributed and expended in accordance with the provisions of this Act not later than the end of the fiscal year following such fiscal year for which such funds were distributed.

(b) The State education agency of each State receiving funds under this Act shall, prior to the termination of such following fiscal year, (1) certify the amount of such funds received by such State which have been so distributed and expended, and (2) pay to the Commissioner any amount of such funds which have not been so expended.

(c) Any funds paid to the Commissioner under the provisions of this section shall be reallotted and paid to the States under the provisions of this Act during the fiscal year following that in which such funds were so paid to the Commissioner.

LABOR STANDARDS

SEC. 10. (a) The State education agency of each State which receives funds under this Act shall give adequate assurance to the Commissioner that all laborers and mechanics employed by contractors or subcontractors in the performance of work on school construction financed in whole or in part under this Act will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5).

(b) With respect to the labor standards specified in subsection (a) of this section the Secretary of Labor shall act in accordance with Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DEFINITIONS

SEC. 11. For purposes of this Act—

(a) The term "Commissioner" means the (United States) Commissioner of Education.

(b) The term "State" includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

(c) The term "State education agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if different, the officer or agency primarily responsible for State construction or supervision of construction of such schools, whichever may be designated by the Governor or by State law.

(d) The term "local education agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township, school district, or political subdivision in a State; except that, in any State in which a State agency has exclusive responsibility for the financing of the construction of school facilities, it means such State agency. If a separate public authority has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

(e) The term "school facilities" means classrooms and related facilities (including furniture, instructional materials other than textbooks, equipment, machinery, and utilities necessary or appropriate for school purposes) for education which is provided by a school district for elementary or secondary education, in the applicable State, at public expense and under public supervision and direction; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadiums, or structures, or facilities intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public.

(f) The terms "construct", "constructing", and "construction" include the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

ORDER FOR ADJOURNMENT TO 10:30 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF EVENING SESSIONS

Mr. JOHNSON of Texas. Mr. President, I should like to give notice of an evening session tomorrow and Thursday, if we are still considering the school bill. I hope we can all be prepared to debate that bill Wednesday and Thursday, and that we may attain a vote on it this week.

As most Senators know, we have set aside a period on Thursday to pay tribute to the late Senator Langer. That will consume a part of the day on Thursday. We also plan to conclude our sessions next Wednesday and to have no roll calls until the following Monday. So it is very important that we get the school bill behind us.

There are a number of investigation resolutions on the calendar which it is desired to take up, but we shall have a brief explanatory statement of the pending bill this evening by the Senator from Michigan [Mr. MCNAMARA].

When the Senate meets tomorrow there will be a morning hour. Then I hope Senators who have amendments to offer will be prepared to discuss them. We will run into the late evening to discuss them, if necessary, both tomorrow and Thursday.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I gather from the statement of the majority leader that there will be no yea and nay votes tonight?

Mr. JOHNSON of Texas. Insofar as I can control them, there will not be.

THE INJUSTICE OF TIGHT MONEY

Mr. HUMPHREY. Mr. President, in the past few days two statements by labor movement officials on the present tight money policy have come to my attention. In view of the tremendous effect this policy is having on jobs, on housing, on small businessmen, and small consumers, I am interested in these two analyses.

The first is an editorial from the January 30 issue of Labor, the Washington newspaper of 18 recognized railroad labor organizations. It is entitled "Tight Money Policy Imperils Many Jobs." The second presentation is a summary of the testimony by James B. Carey, president of the International Union of Electrical Workers of the AFL–CIO, before the housing subcommittee of the House Banking and Currency Committee on January 29. I ask unanimous consent that these two economic statements be printed in the RECORD.

There being no objection, the editorial and summary were ordered to be printed in the RECORD, as follows:

[From Labor, Jan. 30, 1960]

TIGHT MONEY POLICY IMPERILS MANY JOBS

"The tight money policy in 1959 had one of its intended effects—to curb the growth of the money supply." That sentence led off a story in the New York Times the other day. The story went on the report that the Nation's money supply showed "a rise during 1959 as a whole of less than one-half of 1 percent."

This may seem like a dry-as-dust financial fact. But actually it's a fact threatening the future of millions of working people.

How are America's 3.6 million unemployed going to find new jobs? How are the nearly a million Americans who come fresh into the labor force each year going to find work? Obviously, only if the Nation's economy expands.

Many now holding jobs also depend for security on a growing economy, particularly to offset the job-slashing impact of auto-

mation. This is especially true of railroaders. The railroads' real future, and that of their employees, lies in the extra traffic that an expanding economy will bring.

Thus, an expanding economy is a must for America's workers. But the economy can't continue to expand very fast or very far unless the money supply grows with it. This is an economic truism.

As the AFL–CIO puts it: "A more rapid pace of economic growth requires a halt to the Government's policy of tight money and high interest rates. Amendments to the Federal Reserve Act and an end to tight money and high interest rates are necessary to prevent further economic damage from misguided monetary policies."

The AFL–CIO cites other vital steps that need also be taken to spur economic growth in this country, but abolition of the tight money policy is listed as of high importance.

To some degree, more output can be financed with a static money supply if people will spend their money quicker and pay their bills faster. A certain amount of that speed-up occurred last year. But by and large more goods will not be produced (and transported) unless the extra money is available to finance them.

Note here that most of the Nation's money supply actually consists, not of cash, but of bank credit outstanding. Last December 31, for example, the money supply of $140 billion consisted of $28.2 billion in cash and $111.8 billion in bank credit.

It's precisely by tightening up on bank credit that the Nation's money managers—the Federal Reserve Board—have stopped America's money supply from growing. Moreover, they show every intention of continuing the same tight money policy, in cooperation with the Eisenhower administration.

Tight money is highly profitable to the bankers because it brings them higher interest rates. But America needs a different money policy. The money supply should not be increased faster than the needed economic growth. That would promote inflation. But neither should it be increased less than the needed growth. That last is just what the Federal Reserve has been doing—and what it should stop doing.

NEWS RELEASE FROM INDUSTRIAL UNION DEPARTMENT, AFL–CIO

James B. Carey, secretary-treasurer of the industrial union department, and president of the International Union of Electrical Workers (IUE), charged today that present tight money policies have "spawned inflation" and that they "are leading us directly into a 1961 recession."

Carey's charge was contained in testimony presented before the Housing Subcommittee of the House Banking and Currency Committee this morning. The union official urged passage of the Rains Emergency Home Ownership Act of 1960 (H.R. 9371) because the "Nation now faces a housing emergency."

Although the American people need and want decent housing, Carey stressed, it is estimated that 1960 "will witness a decrease of some 200,000 in the 1.3 million housing starts made in 1959."

He declared that houses are not being built today because of high interest rates and lack of mortgage money and that responsibility for lack of adequate funds can be "placed squarely" upon the Government's tight money policies.

"The more we study tight money, the more fantastic it becomes. As put forward by the Federal Reserve Board and the administration, this policy has become the primary means of fighting inflation. If money is difficult to obtain, and if interest rates rise accordingly, the administration asserts, business activity will be discouraged and America's runaway boom will be nipped in the bud. This, I believe, is a fair definition of the position taken by the tight money advocates," Carey said.

He added that experience has shown that the thesis has not worked to the Nation's benefit and that the tight money policy has been applied "with a jerky trigger finger" that turns the pump on and off in sporadic spurts.

"Under no circumstances," he said, "can the Federal Reserve Board be accused of operating with its theoretical delicate touch. While we are told by the administration that violent change will disturb our free enterprise market, this same administration has wholeheartedly supported the abrupt zigs and zags of its tight money policies."

Carey charged that present monetary policy hits hard at the small businessmen and consumers but that it has only minor impact upon big corporations such as American Telephone & Telegraph, General Electric, and Westinghouse, which "have no need of the money markets." The homebuilder is a small businessman, he pointed out, and housing is one of the industries that suffers most.

"The rising rate of interest over the past few years has increased the cost of the home by $20 a month. Is this fighting inflation?" Carey asked.

Noting that the cost of financing the Federal debt has risen by almost 60 percent, or $3 billion a year, the IUD officer said that this alone is equal to $60 annually for each family. He further stated that the total increase in interest costs to the Nation is in the area of $8 to $10 billion.

"I charge that 'tight money' has had an effect directly opposite to curbing inflation. It has spawned inflation. During the last year, the Nation's cost of living increased by 1.5 percent. There is no question in my mind but that much of this increase can be attributed to the very policy adopted by this administration in the misguided belief that inflation can be halted by clamping down on the little man."

A drop of 200,000 housing units this year from the 1959 rate will cost half a million jobs and will represent a reduction of $2.8 billion in economic activity, he stressed.

"With unemployment remaining at 3.5 million, or about 5 percent of the labor force, and expected to increase this winter, it seems evident to me that the policies of this administration and the Federal Reserve Board are leading us directly into a 1961 recession," he said.

Carey urged passage of the emergency housing bill as a first step. He noted that the billion dollars proposed for the purchase of mortgages by the Federal National Mortgage Association will supply funds for only 70,000 to 80,000 of the 200,000 drop in starts that is anticipated.

"This money is not an expenditure of the Government," he pointed out. "Funds are simply being made available, just as the Federal Reserve Board makes money available when it deems necessary. Experience indicates that all but a very small fraction of the money involved in such mortgages is repaid."

Asserting that housing cannot be treated as "a toy to be tossed around in the arena of the so-called competitive system," Carey charged that administration spokesmen have been unable to find anything wrong in the housing situation or a "single thing that the Government can do to assist."

"While the administration admitted that many competent observers feel that the upturn in housing activity in 1954 played a significant role in erasing the general economic decline, it wants to wait until a general economic decline is underway before doing anything," he told the House subcommittee.

He added that increasing the interest rate has not resulted in a greater supply of mortgage money and cited a staff report of the committee as an indication of the vicious impact of present monetary policy upon the home buyer.

"Here," he said, "we find an alarming increase in secondary mortgages, land sales, and other schemes which could deprive the owner of his title and lead to his eviction as he became unemployed. We find discounts on the sale of second mortgages up to 50 percent, especially among groups with little economic power. In the District of Columbia, discounts run 30 and 35 percent."

Noting that a 2 percent increase in interest adds $22.50 a month to the carrying charges of a $13,500 house, Carey asserted that there would be a hue and cry of "gouging" if there were general rent increases in this amount throughout the country.

"It is bad enough that this usury exists," he asserted. "But why should the U.S. Government be a party to it either directly or indirectly. And who benefits from it? I say it is the big corporate investors."

Carey urged inclusion in any final bill of section 203(c) of the Rains bill, which proposes a reduction in the premium charge for mortgage insurance from the present half of 1 percent to a quarter of 1 percent. He stated the present rate is needlessly high and that it represents inflation to the homeowner just as much as if he were "charged this money at the grocery store."

He also urged that the Federal National Mortgage Association be required to purchase mortgages at par, as called for by section 305(b) of the Rains bill. Lashing at administration opposition to this section, Carey said:

"In effect, the administration is saying that the Government will not disturb a situation in which 12 or 15 percent interest is needed to encourage investors. I challenge the administration to predict what would happen if the Government began purchasing at par. It knows, as you and I know, that given such leadership, the public would object to today's usury, stiffen its back, and refuse to pay excessive rates," he said.

Calling attention to his own industry, Carey pointed out that a drop of 200,000 in housing starts would mean a loss of $300 million in business. He stated that despite current economic recovery, production worker employment in his industry is still 61,000 below 1958.

The American people, he concluded, want and are entitled to decent housing. "Failure to pass the Rains bill would be inexcusable. Such congressional inaction will be interpreted by the people as unconditional surrender to the money lenders."

LOYALTY OATH REPEAL

Mr. HUMPHREY. Mr. President, I have declared several times in this Body my support for the repeal of the so-called loyalty oath requirement for students which is included in the National Defense Education Act.

On January 13, the board of control of the Associated Students of the University of Washington in Seattle voted to adopt a resolution opposing the disclaimer affidavit provision. I ask unanimous consent that their letter and the text of the resolution be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

ASSOCIATED STUDENTS
UNIVERSITY OF WASHINGTON,
Seattle, Wash., January 26, 1960.

The Honorable HUBERT HUMPHREY,
U.S. Senate, Senate Office Building,
Washington, D.C.

SIR: Enclosed is a copy of a resolution passed by our board of control on January

13, 1960, concerning the disclaimer affidavit in the National Defense Education Act.

This resolution was passed by a vote of 14 for, 1 against, and no abstentions. As such, this action shows a consensus of student leaders from the University of Washington on this issue; and can be said to be fairly representative of general student attitudes on this subject.

Sincerely yours,

JOHN COLLINS,
ASUW First Vice President.

DISCLAIMER AFFIDAVIT AS AMENDED JANUARY 13, 1960

Fact: The National Defense Education Act of 1958 making loan funds available to college students requires the students participating to sign a disclaimer affidavit and loyalty oath as follows:

Title X, section 1001 (f): "No part of any funds appropriated or otherwise made available for expenditures under authority of this Act shall be used to make payments or loans to any individual unless such individual (1) has executed and filed with the Commissioner an affidavit that he does not believe in, and is not a member of and does not support any organization that believes in or teaches the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods, and (2) has taken and subscribed to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States of America against all its enemies, foreign and domestic."

Principle: The board of control, speaking as the duly elected representative of the students of the University of Washington, states its belief in the following principles:

1. That loyalty is based upon ideas and cannot be legislated, nor can it be coerced or compelled, and the only kind of loyalty in any thinking person is the kind that survives curiosity and withstands criticism and even doubt;

2. That historically, disclaimer affidavits have been a source of much abuse (e.g., 17th century English test oaths); and

3. That the requirement to sign both a loyalty oath and disclaimer affidavit is a contradiction of itself, for after one has signed the loyalty oath, the disclaimer provision then seems to say: "Even though you have just affirmed your allegiance to the Government and the Constitution, you are still not to be trusted." Implicit in signing the loyalty oath is the nonacceptance of any treasonous beliefs or actions.

4. That this indicates a basic distrust in the American academic world, and as such is discriminatory by singling out college students or faculty members, and the participating institutions, to sign such an affidavit to receive Federal aid, whereas other recipients of Federal aid (e.g. farmers, social security participants, railroads, steamship lines, airlines, etc.) are not required to make such a declaration.

Declaration: The board of control, speaking as the duly elected representatives of the students of the University of Washington, expresses its opposition to the principle of a disclaimer affidavit provision as is included in the National Defense Education Act (1958).

NEED FOR A MORE LIBERAL IMMIGRATION POLICY

Mr. HUMPHREY. Mr. President, 42 organizations associated with the American Immigration Conference have drawn up a list of the bills introduced this session that favor a more liberal immigration policy. The esteemed president of the American Immigration Conference is Dr. George Shuster, educator and authority on international programs carried on by private agencies in the field of mutual aid.

I certainly concur with the organizations named who express the hope that congressional action will be taken this year and that a liberalizing bill will be adopted. Mr. President, I ask unanimous consent that this bulletin be printed at this point in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

The undersigned organizations hereby express their appreciation to those Senators and Representatives who evidenced their concern regarding America's basic immigration policy by the introduction of comprehensive bills on this subject during the last session of Congress. These bills are as follows:

S. 952 introduced by Senator HUMPHREY.

S. 1919 introduced by Senator JAVITS, for himself, and Senators CASE, KEATING, and SALTONSTALL.

S. 1996 introduced by Senator KENNEDY.

S. 2178 introduced by Senator DIRKSEN.

S. 2358 introduced by Senator HUMPHREY, for himself, and Senators WILLIAMS, MCCARTHY, MORSE, MCNAMARA, PASTORE, GREEN, HART, MURRAY, NEUBERGER, and GRUENING.

H.R. 16 introduced by Congressman CELLER, and the identical bills introduced by Representatives ADDONIZIO, of New Jersey, H.R. 315; RODINO, of New Jersey, H.R. 419; ZELENKO, of New York, H.R. 1096 and 2379; O'HARA, of Illinois, H.R. 2110; DOLLINGER, of New York, H.R. 3156; SANTANGELO, of New York, H.R. 3159; THOMPSON, of New Jersey, H.R. 3160; FARBSTEIN, of New York, H.R. 3295; TELLER, of New York, H.R. 4467; and BLATNIK, of Minnesota, H.R. 8664.

H.R. 2904 introduced by Representative LIBONATI, of Illinois.

H.R. 4035 introduced by Representative MACHROWICZ, of Michigan.

H.R. 6826 introduced by Representative LINDSAY, of New York, and similar bills introduced by Representatives BARRY, of New York, H.R. 7089; and DERWINSKI, of Illinois, H.R. 7091.

H.R. 7093 introduced by Representative HALPERN, of New York.

H.R. 7784 introduced by Representative MACDONALD, of Massachusetts.

All of these organizations favor a humanitarian nondiscriminatory American immigration policy, believing it to be consistent with the best interests of the United States in both its domestic and foreign policy. They therefore welcome the congressional concern thus demonstrated. At the same time they note that none of these bills reached the floor of either House and express the hope that the Congress will give this important subject a high priority in the present session.

Amalgamated Clothing Workers of America; American Civil Liberties Union; American Council for Emigres in the Professions; American Friends Service Committee; American Fund for Czechoslovak Refugees; American Jewish Committee; American Jewish Congress; Anti-Defamation League of B'nai B'rith; Brethren Service Commission; Catholic Relief Services—NCWC; Commission on World Service, Evangelical and Reformed Church Committee on Immigration and Naturalization of Allegheny County; Community Church, Social Action Committee; Congregational Christian Service Committee; Council for Christian Social Action, United Church of Christ; Governors Commission on Refugees (Massachusetts); Health and Welfare Council of Philadelphia Committee on Foreign Born; International Institute of Milwaukee County; International Institute of Providence; International Rescue Committee; International Social Service, American Branch; International Union of Electrical, Radio and Machine Workers; Italian Welfare League; Iuliu Maniu American Romanian Relief Foundation; Jewish Family Service Association of Essex County; Jewish Labor Committee; Jewish War Veterans of the United States of America; Massachusetts Division of Immigration and Americanization; Methodist Committee for Overseas Relief; Michigan Committee on Immigration; National Community Relations Advisory Council; National Council Episcopal Church, Department Christian Social Relations; National Council of Jewish Women; National Lutheran Council, Service to Immigrants; Polish American Immigration and Relief Committee; Selfhelp of Emigres from Central Europe; Tolstoy Foundation; Union of American Hebrew Congregations; United Automobile Workers of America; United Friends of Needy and Displaced People of Yugoslavia; United Hias Service; United Steelworkers of America.

CHILD WELFARE SERVICES

Mr. HUMPHREY. Mr. President, the Advisory Council on Child Welfare Services, authorized by the 1958 amendments to the Social Security Act, recently submitted its final report and recommendations.

I believe the recommendations of this Advisory Council have tremendous significance for the future welfare of children throughout our country, and I am proud to note that the chairman of the council was John C. Kidneigh, director of the School of Social Work at the University of Minnesota.

The report of the Advisory Council provides so much sound information on the goals and needs of our State and local community programs for child welfare that I hope every Member of Congress—and every welfare official and social worker in the country—will get a copy of this report and study it carefully.

In order to bring the council's 15 recommendations to wider public attention, I ask unanimous consent that a summary I have prepared be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

RECOMMENDATIONS OF THE ADVISORY COUNCIL ON CHILD WELFARE SERVICES

RECOMMENDATION 1

The advisory council calls for a more comprehensive definition of child welfare services in the Social Security Act. The council offers a definition which provides greater latitude for dealing with social problems affecting the well-being of our children. The council believes the following definition will encourage efforts by the States to use all available social service resources for child welfare:

Child welfare services are those social services that supplement, or substitute for, parental care and supervision for the purpose of: protecting and promoting the welfare of children and youth; preventing neglect, abuse, and exploitation; helping overcome problems that result in dependency, neglect, or delinquency; and, when needed, providing adequate care for children and youth away from their own homes, such care to be given in foster family homes, adoptive homes, child-caring institutions or other facilities.

RECOMMENDATION 2

The council recommends greater Federal leadership in expanding child welfare services.

Federal grants for public child welfare services under title V, part 3, of the Social Security Act, have been used to stimulate State action rather than to support child welfare programs. In fiscal 1959, total spending by States and local public welfare agencies for child welfare services was $183.7 million, and 93.5 percent of this amount came from State and local funds.

The Council believes present Federal-State cooperation should be continued to stimulate State and local child welfare programs, but indicates that greater Federal support is needed. The Council recommends that:

The Federal Government pay part of the total cost of public child welfare services of each State and other cooperating jurisdictions through Federal grants-in-aid on a variable matching basis, with provision for an open-end appropriation, and with continuing encouragement to establishing, extending, and strengthening of such services.

The statutory provision for an open-end appropriation should be formulated in such a way as to assure that there would be no decrease of a particular State's expenditure of State or local money for child welfare services as determined by the fiscal year 1960 or some other base year.

The Council recommends early consideration of this proposal because it would:

(a) Enable the States to develop, expand, and improve services to meet social problems of children and families, strengthen family life and work toward the stability of the family and the community.

(b) Recognize child welfare services as essential and basic with the Federal Government and the States carrying joint responsibility for financing.

(c) Give greater encouragement to the States to develop a comprehensive child welfare program involving total community resources, public, and voluntary.

(d) Provide a basis for overall program standards.

(e) Encourage equalization of services to children within and between States and increase in State and local appropriations.

(f) Encourage broad social welfare services for families and children making possible better planning for individual children, according to the needs of each.

(g) Help bear the heavy costs of care of children outside their own homes.

(h) Enable States as rapidly as possible to provide all necessary child welfare services and to expand these services to keep pace with the swelling child population, the complexity and tensions of today's living, the mobility of our population, the rise in juvenile problems.

RECOMMENDATION 3

At present, States receiving Federal funds for child welfare services must submit a plan for the use of such funds. The Council recommends that Federal legislation under recommendation 2 spell out more specific requirements for approval of the State plans to make sure the State plans assure a comprehensive program with statewide coverage.

RECOMMENDATION 4

The Council recommends Federal grants to research organizations, institutions of higher learning, public and voluntary social agencies for demonstration and research projects in child welfare.

RECOMMENDATION 5

To relieve the serious personnel shortage in child welfare programs, the Council recommends Federal training grants for scholarships and public or private welfare training projects. The Council believes expansion of training resources and facilities to make sure we get an adequate supply of trained personnel for public and private child welfare services.

RECOMMENDATION 6

The Council recommends establishment of an Advisory Council on Child Welfare Services to the Children's Bureau.

RECOMMENDATION 7

The Council recommends that Congress provide funds for research into the basic causes of family disruptions—such as alcoholism, desertion, divorce, neglect, unemployment.

RECOMMENDATION 8

The Council supported the 1958 Social Security Act amendment making possible the use of Federal funds for child welfare services in urban areas on the same basis as in rural areas.

RECOMMENDATION 9

The Council supported the apportionment of Federal funds for child welfare services—in addition to a uniform grant—on the basis of a direct ratio to each State's total child population under the age of 21 and an inverse ratio to each State's per capita income. Prior to the 1958 amendments, the apportionment after the uniform grant was based on each State's rural child population under the age of 18.

RECOMMENDATION 10

The Council recommends that Congress authorize and appropriate $25 million for child welfare services, pending Federal participation in the total cost of public child welfare services. Appropriations for this purpose were $12 million in fiscal 1959 and $13 million in fiscal 1960.

RECOMMENDATION 11

The Council urges Congress to reexamine the 1958 amendment providing for variable matching of Federal funds for child welfare services by State and local funds.

RECOMMENDATION 12

The Council recommends that provision be made in the Social Security Act for administrative discretion in reallotments of funds not required for approved State child welfare service plans.

RECOMMENDATION 13

The Council supported the Social Security Act provision for costs of returning runaway children to their home community.

RECOMMENDATION 14

The Council recommends that Guam should receive Federal funds for child welfare services as other States and jurisdictions do.

RECOMMENDATION 15

The Council recommends that Congress provide the Children's Bureau with more funds to carry out its functions and duties. The Council says the Children's Bureau has been seriously handicapped in doing its job because of insufficient staff.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that my article, "A National Program for Children," which appeared in the January issue of Parents' magazine, be printed in the RECORD following my summary of the Advisory Council recommendations.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NATIONAL PROGRAM FOR CHILDREN—MORE VISION AND WIDER HORIZONS ARE NEEDED IN THE FEDERAL GOVERNMENT'S ATTITUDE TOWARD CHILDREN

(By HUBERT H. HUMPHREY, U.S. Senator from Minnesota)

I consider it scandalous and indecent that as a society, we spend more for cosmetics, for liquor, for cigarettes than we do for education or for Government programs in aid of all public services for children and young people. While our population has been almost literally exploding—completely submerging the physical plant for education and the available teaching manpower, creating the most difficult and complex sociological problems in our cities—public investment on behalf of young people has rapidly and continuously shrunk in proportion to their needs.

We have also been investing a steadily smaller proportion of our gross national product in behalf of our children: in the last 14 years, the whole nondefense budget of the Federal Government has amounted to far less than 2 percent of our total of goods and services produced. Federal aid to programs of all kinds for young people has cost a trivial amount compared to our ability to finance such programs.

As a Nation, we are rich and powerful enough to readily afford the needed public investment in the welfare of our children. As a Nation, we also have a rich tradition of such public investment—from the day back in 1785 when the maintenance of public schools was made possible, to the establishment of the land-grant colleges, on to the specific governmental programs involving grants-in-aid for maternal and child health, crippled children's services, child welfare services and so forth, and up through the thirties with their National Youth Administration, Civilian Conservation Corps, programs to expand vocational and agricultural training.

Many of these programs still continue. They have proved their worth, both in terms of the recovery and rehabilitation of human assets which might otherwise have been wasted, and in terms of carrying out the humanitarian ideals of the American people.

Nevertheless, the cry against "Government spending" in recent years, against waste and extravagance in the Federal budget, has made many people feel that rather than expanding public services for children, we should be cutting back. Naturally, there is no excuse for waste and extravagance. But there is far less excuse for the callous indifference of the Federal Government in the past several years to the rapidly deepening crisis among our children.

George J. Hecht, publisher of Parents' magazine, and Mrs. Ada Barnett Stough, executive director of the American Parents Committee, painted last year before a Senate committee hearing a vivid statistical picture of young America: more than 60 million children—over 2½ million of them orphaned by the death of a parent * * * almost 2½ million attending schools in inadequate classrooms * * * 600,000 children of migratory families living a rootless existence * * * about half a million mentally ill children * * * more than 5 million children physically handicapped * * * more than 9 million children living (as of 1955) in families with a total monetary income of less than $40 per week * * * children under six living in about 2 million families where mothers find it necessary to work.

We now have an annual birthrate of more than 4 million babies—twice the rate of the pre-World War II period. Consider our overcrowded schools, our overworked teachers, understaffed clinics and public health centers, our police departments being constantly expanded to deal with the rising tide of juvenile delinquency.

The sheer magnitude of the waste and misery reflected in these figures demands national attention and action at the Federal as well as at the State and local levels of government.

Moreover, planning to meet today's needs is simply not enough. This rapidly changing, fluid society of ours is creating new pressures and tensions within our children which

we can only dimly see. But let's try to see better. We should be putting the best brains of our country to work studying the present and peering into the future in behalf of our children. A new appraisal, a reassessment of what we think we know about child development, of the role of the child in our society, should be undertaken—a very substantial program of basic research into child life and child development. We badly need an appraisal of the impact on children of our changing cities, our shifting transportation, entertainment, recreation and communication facilities.

Concurrently with a broadened research program, we should roll up our sleeves and go to work. There is so much to be done now, without further study and research.

We are simply short-changing our children by crowding them and overburdening their teachers. And we can do something about it. We have before us now in the Senate, legislation that once again proposes Federal assistance to school districts for school construction and teachers' salaries. It specifically provides against Federal control. This is basic, hardheaded legislation but it has repeatedly been thrown back with the cry that the "budget must be balanced." There is no recognition from the White House that there is a moral budget to be balanced. Despite the threat of a Presidential veto, we who have sponsored this legislation intend to press for passage in 1960.

Still another workable idea which I hope to see passed by Congress this year is designed to stimulate scholastic activity throughout the high school, and even late elementary school years. The successful efforts of the "conservatives" in Congress to knock out the scholarship provision from the National Defense Education Act in 1958 was nothing short of a national tragedy. Scholarships based on merit, and increased because of need, are vital to encourage the many tens of thousands of gifted high school graduates who cannot because of their financial condition, go on to college—even with a Government-guaranteed loan. But more than that, a national program of competitive scholarships would be a tremendous stimulus to achieve excellence in studies. I can think of nothing that would encourage better teaching of gifted children in each school district.

If the lack of opportunity for the gifted is lamentable, the prospect for many millions of boys and girls handicapped by their environment is tragic. We have had an increase in juvenile crime for nine consecutive years. When the rate of increase of such crimes is 2½ times as fast as the population growth in the 10- to 17-year-old age bracket, something must be done. We need not only new studies of the problem but some bold experimentation and some programing based on successful experiments of the past. The Senate sent to the House last year my bill to create a Youth Conservation Corps of 150,000 boys aged from 16 to 21 to work in our public forests and parks under trained professional conservationists. Many tens of thousands of youngsters who were headed for police court and the reformatory were diverted into useful, constructive lives by the old Civilian Conservation Corps. One of the first casualties of World War II, the CCC remains a great demonstration project in the prevention of delinquency—not to mention its priceless contributions to the preservation of our outdoor resources. The YCC—updated and improved, smaller in size and younger in boys than the CCC—can make a real contribution to the solution of this problem. Fortunately, the bill has vigorous support from educators, probation and parole officers, and welfare authorities.

Other legislation which I endorse and support would authorize a modest amount ($5 million) yearly for a 5-year program of Federal assistance to States and local communities for demonstration projects in juvenile delinquency control. Unfortunately, the bill now on the Senate Calendar does not contain a critical provision for training personnel to work in this field. We have a present shortage of more than 15,000 trained social workers, and the Department of Health, Education, and Welfare estimates that only one in ten juvenile probation officers has professional training. Only half of our middle-sized communities and only a quarter of the under-10,000 population communities have any specialized units at all, any specially trained police officers for handling children's cases. I have called for a separate $5 million per year to set up training programs and for the establishment of fellowships and traineeships in these fields.

But there is more we can do for underprivileged children from whose ranks so much delinquency comes—not only because of the cost of crime to society but because it is the right thing to do, the thing we ought to do. Our children should have adequate playgrounds in the cities, instead of streets and alleys. We should provide supervised parks and other recreational facilities. It is shocking that we have made so little progress in slum clearance; indeed, the program in the past several years has ground nearly to a standstill. And it is the children who are most savagely hurt by this cold indifference to urban blight and rot. Rotten tenements, filthy disease and crime-ridden neighborhoods are widespread. People who would not let their dogs live under such conditions refuse to face the fact that we are permitting men, women and little children to live in this degradation.

I think that we need, too, to reappraise our separate programs of welfare assistance. A new look at our aid to dependent children program might result in an effort to establish a program of general welfare which would fill some of the gaps now existing between the various and separate programs for the underprivileged.

Certainly we should be giving serious thought to the small children who are increasingly left at home by working mothers—those 2 million or more mothers of children under six. During the war we had a Federal program to coordinate and assist States and localities in providing for suitable day care centers for such children. Since 1946, we have not.

There is surely much more that could be done for the millions of children who suffer simply from want. Our school lunch and school milk programs need constant strengthening and expanding in order to cope with the expanding school populations; yet it is invariably a sharp struggle before we are periodically able to do this. The children of migratory workers, handicapped children from low-income homes, emotionally disturbed children—all these constitute a heavy burden for local communities. They need the interest and assistance of the American people expressed through the Federal Government.

What nobler achievement can you and I expect to accomplish than to send the children of this generation onward into life with perhaps a little better start than we had? What finer objective can a society have than to see that the innocence of its children is not broken on the wheel of poverty, suffering and degradation?

THE INTERNATIONAL COURT OF JUSTICE

Mr. HUMPHREY. Mr. President, the Senate Foreign Relations Committee is now considering Senate Resolution 94, which I introduced on March 24th last. The purpose of this resolution is to delete the self-judging reservation contained in our declaration of acceptance of the jurisdiction of the International Court of Justice.

I am gratified that my resolution has the solid support of the President, the Secretary of State, the Attorney General, important groups like the American Bar Association and influential newspapers like the New York Times and the Washington Post and Times Herald.

Mr. President, I ask unanimous consent that two recent editorials in support of Senate Resolution 94, "Why Not Use the Court?" from the New York Times, January 29, 1960, and "Back to the World Court," from the Washington Post and Times Herald, February 1, 1960, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 29, 1960]

WHY NOT USE THE COURT?

For nearly a decade and a half there has been an International Court of Justice, under United Nations auspices. For many years before World War II began a somewhat similar body, authorized by the League of Nations, and called the Permanent Court of International Justice, also sat in the red brick Peace Palace at The Hague. The trouble with the present Court, as with the former, is that no nation has to take a case before it and that the decisions it does render are not enforceable.

The United States complained to the Court in 1952 about a Russian attack on one of our airplanes off the coast of Japan and Russian treatment of a U.S. aircrew forced down in Hungary in 1954. In each case the Russians contended we were at fault and that no Court inquiry was necessary. The Court then held it had no jurisdiction. A case that kept the Court pleasantly occupied last year had to do with 35 acres of land in dispute between the Netherlands and Belgium under agreements of 1839 and 1843.

This country, in line with action taken by some other countries, ratified the statute of the Court in 1946 with a reservation that we would decide for ourselves whether or not a case was "within the domestic jurisdiction of the United States." Within the last year or two the Eisenhower administration has been concerned with getting this, the so-called Connally amendment, repealed. The President urged repeal a year ago and again this year in his state of the Union message. This week Secretary of State Herter and Attorney General Rogers have appeared before a Senate committee to support Senator HUMPHREY's repeal resolution. Whatever may be the nervous fears of some of our still surviving isolationists, there really is no great danger that we will have to go to The Hague to explain the segregation situation in Little Rock, defend a tariff on wool, or argue the restrictions on immigration.

If we believe in government by law at home, there is no reason why we should not sustain the rule of law throughout the world. We will have plenty of sovereignty left after the 15 elderly gentlemen at The Hague have done all that they possibly could to deal with any complaint that might be brought into court against our country.

[From the Washington Post, Feb. 1, 1960]

BACK TO THE WORLD COURT

The issue laid before the Senate Foreign Relations Committee by Secretary Herter and Attorney General Rogers is whether the United States believes in the International Court of Justice. The Senate pretended to settle this question back in 1946 when it voted adherence to the statute creating the Court. It was only a pretense, however, for at the same time the Senate adopted a res-

ervation which claimed for the United States the right to determine whether any dispute taken to the World Court is within this country's domestic jurisdiction.

The statute creating the World Court provides that "in the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by a decision of the Court." Clearly the Senate rejected the principle which is basic to any system of international justice. It said the United States must be its own judge as to whether cases in which it is involved shall go to the Court. With every country exercising this foolish privilege, the Court is completely hamstrung. Judge Guerrero of the World Court has stated the truth very bluntly in an opinion: "* * * it is not possible to establish a system of law if each state reserves to itself the power to decide itself what the law is."

We are glad that Chairman FULBRIGHT of the Foreign Relations Committee prodded the State Department into sending topflight witnesses to testify for repeal of the reservation. The move is wholly nonpartisan, being sponsored by Democratic Senator HUMPHREY and having full support of the administration. In our opinion, it is one of the most important measures before the present Congress. For if any progress is to be made toward the development of a system of international justice, the leadership must come from the United States. The comment of Wallace McClure on the present situation in his book, "World Legal Order," is pertinent:

"There can be no doubt * * * that attempts of 'great' nations to eat their cake and have it, too, are quite as adolescent as such attempts on the part of small boys: both need to grow up."

NUCLEAR TEST SUSPENSION NEGOTIATIONS

Mr. HUMPHREY. Mr. President, I have one final item. I will take only a few moments of the time of the Senate.

I was very much disturbed today when I read in the Washington Post and Times Herald an article written by Mr. Marquis Childs, noted Washington columnist, entitled "Test Talks Near Brink of Failure."

I ask unanimous consent that the article in its entire text be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEST TALKS NEAR BRINK OF FAILURE

(By Marquis Childs)

Largely as a result of a deep-seated conflict within the Eisenhower administration, the nuclear test ban talks at Geneva have deteriorated to the point at which there may be no alternative but to break them off.

The State Department has been seriously embarrassed by what high officials believe was a calculated leak from within the Government here. As a consequence, the effort to get agreement with the Russians and the British on a compromise proposal for a test ban has probably been blocked.

This comes at the start of the effort to work out a common Western position on disarmament for negotiations with the Communist bloc to begin on March 15. Failure of the Geneva talks, whether acknowledged or merely in the form of a more or less open stalemate, would throw serious doubt on the East–West disarmament talks at the outset. The impasse reached in the test ban talks is part of a general deterioration in Soviet–American relations from the optimism of the Eisenhower–Khrushchev Camp David meeting last September.

The British are indignant at what they interpret as a thinly disguised attempt to force them to go along with the proposal without their prior consent. The Macmillan government is determined to reach an agreement with the Soviets which, while it might not guarantee the detection of small secret atomic blasts, would be a base from which progress could be made toward an all-embracing system of inspection and control. The suspicion has grown in London that powerful forces in Washington, both in the Pentagon and the Atomic Energy Commission, were determined to prevent any agreement from being reached.

The events leading up to the present situation were as follows: The State Department, working with Pentagon and Atomic Energy Commission officials, evolved a compromise proposal to be put before the conference at Geneva.

In essence the United States proposed to ban tests in the upper atmosphere and the larger underground tests. As part of the agreement, scientists of all three powers would work toward a system of detecting the smaller underground blasts with a view eventually to including such blasts within the ban. This is a gross oversimplification of a highly complicated matter involving the opposed findings of Soviet and American scientists on the question of identifying earthquake blasts as against what might be sneak atomic explosions intended to violate an agreement.

It was agreed within the Government here that a compromise excluding the small underground tests was essential if a nuclear test ban treaty were to be approved by the Senate. Otherwise, American scientists—including those who believe a test ban is in this country's best interest—would have to testify that cheating would be possible. That would play directly into the hands of those who want to prevent any ban and the treaty would in all probability be rejected.

With State, Pentagon, and AEC presumably in agreement, State Department officials were considering how the plan could be most effectively put before the conference at Geneva now in its second year. It was decided that rather than give any preliminary preview the plan should be presented in strictest secrecy within the conference chamber.

At this point the proposal in oversimplified form appeared on newspaper front pages. A day later Semyon Tsarapkin, the Soviet delegate, was stopped by reporters as he was about to enter a conference session and asked what he thought of the proposal. As could have been anticipated when it was put up to him in this fashion, he said he would oppose it and stick by the Soviet position for a ban on all atomic explosions.

Embarrassed by all this publicity for what was to have been a private negotiation that might have led to a way out of the long drawn out talks, the State Department has held up the proposal. The American delegate at Geneva, James J. Wadsworth, has not yet put it formally before the other two powers.

While State Department officials have no proof that the leak came from the AEC, they believe this was its source. Nor will they discuss the motives behind what they believe to have been a calculated leak other than to point out what the consequences have been.

If the end result is to kill any chance for success in the talks, then those who have all along resisted a test ban can claim a triumph.

Mr. HUMPHREY. I point out, Mr. President, that this particular article reveals the conflict over policy within the administration on the matter of seeking an agreement for the cessation of further nuclear tests with effective inspection and control, which has seriously jeopardized the position of our Government at Geneva. As we have known for some time, there have been voices in the administration which have opposed the policy of the President and of the State Department; namely, the policy to seek an agreement with the Soviet Union, the United Kingdom, and other countries to prohibit further nuclear tests.

It was reported in the press recently that our Government was about to offer a new proposal. I addressed myself to this proposal at Pontiac, Mich., I believe on the 30th day of October. I invite the attention of the Senate to the fact that a statement on this proposal was placed in the CONGRESSIONAL RECORD last week when I asked unanimous consent to have printed in the RECORD my speech at Pontiac, Mich.

The purpose of my remarks today is simply stated. When our Government is undertaking very serious negotiations in which the reputation and the good faith of our Government are at stake, it appears it would be a great disservice to the Government and to our policy to have leaks within the administration take place, so that a particular proposal appears on the front page of the newspaper before it can be advanced at the conference table in diplomatic negotiations.

Mr. Childs is a man of integrity and veracity. If Mr. Childs' article is correct, then what happened is as follows: It is to be understood that Mr. Wadsworth, our chief delegate and representative at Geneva, assigned to negotiate an agreement for the cessation of nuclear tests, was preparing to present to the Soviets and to the British a compromise plan on the cessation of nuclear tests. That plan apparently was to include a comprehensive inspection system on explosions in outer space, in the atmosphere, and under water. There was also an inspection and control system for certain explosions of a kiloton range of 10 kilotons or over relating to underground tests. The smaller underground tests were not to be subject to inspection, but instead the Government of the United States was to be prepared to enter into an agreement with the Soviet Union to do further research in the field of inspection and detection for underground nuclear testing. We apparently were prepared to engage in a series of experimental explosions underground to perfect our inspection and control system for policing any possible violation of test suspension.

This was all supposed to be a very secret and a confidential proposal, to be presented in a very secret meeting at Geneva. It so happens that the secret became a headline in the United States many hours before the proposal could be advanced at Geneva. The Soviet delegate was therefore confronted with a newspaper headline and was asked by the members of the press at Geneva what he thought about it. His automatic and immediate reaction was negative. Therefore, before a proposal could even be explained, before our Government could even advance a proposal in the normal diplomatic manner, the very proposal which was to be brought to the

attention of the delegates or the ambassadors was printed on the front page of a number of newspapers, and the delegates were confronted with it as a fact, even before it was discussed in any detail in the confines of the negotiating chamber.

Mr. Childs goes on to point out that apparently there was a leak from some department of our Government. He indicates that it could possibly have been from the Atomic Energy Commission or from some other department. All I can say is that I pointed to this possibility last year when I stated in the Senate that there were forces at work within the administration attempting to scuttle these negotiations. Some of my colleagues thought my language was rather abrupt, and possibly too strong.

I stated subsequently that it was my sincere conviction that there were persons in the Atomic Energy Commission, or related agencies, scientists who were working with the Atomic Energy Commission, or persons working with the Department of Defense, who were from time to time sharply criticizing our Government's position, and, indeed, were planting stories in the press to indicate that an agreement was impossible, and that if an agreement were arrived at it might jeopardize our security.

Also stories were being planted to the effect that little or no progress was being made at Geneva. As chairman of the Subcommittee on Disarmament I pointed out on the floor that substantial progress had been made; that we had agreed upon almost all the items in the proposed treaty; that the major stumbling block was on the question of the number of onsite inspections, the number of inspections within the Soviet Union, by an international inspection team; and that the other question was a technical and scientific one, relating to the efficiency and effectiveness of the detection and inspection system as it pertained to underground nuclear tests of the smaller kiloton range, from 1 kiloton up to 5 or possibly 10 kilotons.

It is because of this latter point, because our scientists are presently concerned with the question whether we have an inspection system that can truly police underground tests, that our Government was preparing to offer a compromise proposal which would have excluded from the test ban agreement the smaller underground tests, and would have proposed to the Soviets a joint agreement on the part of our country, the Soviet Union, and the United Kingdom, to experiment in improving the inspection and detection apparatus by holding a series of underground tests under mutual observation and control.

Tomorrow afternoon the Senate Subcommittee on Disarmament will have before it certain Government witnesses to tell us of the progress at Geneva, to tell us the developments relating to the many months of negotiations for the conclusion of a treaty on the prohibition of further nuclear tests. It is my intention at that hearing to inquire where the leak came from. It is one thing for a Government official to disagree before a committee of Congress with respect to a policy. It is another thing for a Government official to state his disagreement openly; but it is a rather sneaky thing to plant stories, to release an actual proposal prior to a secret or very sensitive session where the representatives of our Government are supposed to try to probe the Soviets to see whether there is any possibility of understanding or agreement.

I hope the President of the United States will direct the responsible officers of Government to find out just how this sort of thing happens. This is not the first time. It appears that every time we are about ready to make some advance in the field of disarmament or some advance in the field of the prohibition of further nuclear tests, somewhere from this Government comes a word, a planted story, a rumor, or the revelation of a Government statement of policy, which has the effect of wrecking, or at least impairing, further progress toward any agreement.

I have felt indignation about this situation for some time, and I rise to protest it. There are today persons in the Government of the United States, or closely affiliated with it, who are determined to prevent a nuclear test suspension agreement. If they feel that way about it, let them come out in the open. Let them state their views before the Armed Services Committee, the Joint Committee on Atomic Energy, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House. Let them state their views, as some have, in honor, rather than having a situation develop such as Mr. Childs describes, in which our Ambassador is humiliated and our Government is made to look foolish.

The proposal of the United States is on the front pages of the press before it is even presented officially to the representatives of other powers sitting at the negotiating table.

This is a poor way to conduct diplomatic negotiations. It reveals a kind of immaturity which does not do us credit, in terms of national or international responsibility.

I commend Mr. Childs for his forthrightness and courage in bringing this subject to our attention. I am sorry that the proposal of our Government was not given the attention it should have had in the preliminary sessions at Geneva. I truly believe that Mr. Wadsworth was doing a good job, and is doing a good job. I hope these conferences will not break down. I trust that Secretary Herter will pursue the course he is presently following.

The Secretary of State is attempting to do a creditable job for our country, and the least he is entitled to expect is some cooperation from the officials of Government who, in the privacy of the Cabinet, or the privacy of the National Security Council, may argue their different points of view; but once those points of view are resolved, or the argument has been resolved and the decision has been made, it seems to me that it is the duty of the various branches and agencies of the Government to support the decision made by the President and pursued by the Secretary of State through his representative, the ambassador at Geneva, Mr. Wadsworth.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. COOPER. Is it not expected that these negotiations will continue?

Mr. HUMPHREY. I hope they will.

Mr. COOPER. The Senator finds no fault with the proposal that was made, does he?

Mr. HUMPHREY. No. In fact, let me say most respectfully to the Senator from Kentucky that I am not only not finding fault with it, but I have supported it. I have urged it. I have just complimented both the President and the Secretary of State for having advanced it. With equal candor I chastise those who have tried to scuttle it.

Mr. COOPER. The proposal is still being considered; and it is rather normal procedure for the Russians to reject any proposal when originally made, is it not?

Mr. HUMPHREY. I certainly recognize that it is rather normal procedure for the Russians to do so, but I do not think it is normal procedure for the Government of the United States to have published in the American newspapers on Monday an official document which it expects to reveal on Tuesday.

Mr. COOPER. I make these three points: First, the proposal is still being considered; second, the Senator says it is a good proposal.

Mr. HUMPHREY. It is one which I recommended.

Mr. COOPER. And I think it is a good proposal.

Third, it is the usual procedure of the Russians to object to any proposal when it is first made.

Moreover, I believe the Senator said that Mr. Herter and others in the Government of the United States are zealously pushing this proposal. I do not know all the facts, but I believe that, against those concrete facts, the conclusion which the Senator draws from the fact that an article appeared in the newspapers, namely, that there are those in the Government who are trying to sabotage a proposal which the Senator says the President and the Secretary of State favor, is rather farfetched. I make that statement to my good friend from Minnesota.

Mr. HUMPHREY. Mr. President, I say most respectfully to the Senator from Kentucky, whom I admire very much, that he is defending the administration at a time when it is not even under attack. He seems to me to be a little too sensitive. What I was saying that I support the proposal which was advanced—and I ought to support it, because I was one of its original advocates. I was also saying that Mr. Wadsworth, our ambassador, is doing a creditable job, which is worthy of the attention and support of his Government; and, further, that I support the President's advocacy of the proposal and the pursuit of the proposal by the Secretary of State; and that within the Atomic Energy Commission and the Department of Defense there are persons who are

continuously attempting to scuttle these negotiations.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HUMPHREY. That is not only the view of the Senator from Minnesota, but it is also the view of Mr. Childs. It is a fact that from time to time stories are planted and information given out. Such a practice does not help the Government's position, a position which I support. The Senator from Minnesota is saying that if the ambassador at Geneva, Switzerland, is given a proposal to present to the delegates at the conference, a proposal which is a proposal of the Government of the United States of America, it looks a little peculiar to have the same proposal appear in print 24 or 48 hours before the ambassador even gets an opportunity to reveal it.

That does not help our negotiating position. It prejudices it. It gives the Soviet Union an even greater opportunity out of hand to reject what I consider to be a constructive proposal.

I should like to add, and say to my friend from Kentucky that not only does it give the Soviet delegate a chance to reject the proposal—which I thought should not have happened—but that the United Kingdom delegate was upset over the fact that the proposal, which was supposed to have been discussed with his government, was not discussed with his government before it was published in the newspapers.

I am not criticizing our Government for that. I am not criticizing the Secretary of State. I am merely saying that our Secretary of State and his representative, Mr. Wadsworth, had intended to discuss this proposal with the British and had intended to discuss it with the Russians. I merely state that the proposal was exposed to the whole world before it had ever been discussed informally with the delegates at Geneva.

I hope the Secretary of State or the President will find out who in the administration is responsible for this sort of thing, and not only call it to their attention but, I hope, discipline the person who is responsible for it.

This is not the first time this sort of thing has happened. I came back from a trip to the Soviet Union and reported to the State Department certain confidential information, only to have it appear in the newspapers within 24 hours after I had reported to the State Department.

When I denied the information to a reporter, I was told by him, "Look, Senator, don't deny it. Let me read what you said at the State Department." That was said in a session with the State Department in which I was pledged to secrecy. He read to me what I had said. It was word for word. How did he get it? Somebody had leaked it. Somebody wanted to get the information out to discredit either the person who had given the information or the Government itself.

Mr. President, I do not like that kind of cheap patriotism. All I am saying is that when our Government is negotiating about a very delicate matter, and when the negotiation is very important to world peace, after a decision has been made—and I am not criticizing the decision, but supporting it, and I commend the President and the Secretary of State and Mr. Wadsworth, who is doing a good job, and I should like to have him get some cooperation—I do not like to see a junior grade officer in the Atomic Energy Commission, or whatever else he may be, reveal the material and information to the press before our delegate has had a chance even to take it up informally with the other delegates.

I am here to support the delegate. I am here to support the position of the Government. I am here to condemn and criticize any little person who wants to see his point of view find its way out after a decision has been made. If he has a point of view to express, he should express it to a committee in Congress.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. McNAMARA. Mr. President, action by the Senate on a program of Federal assistance to the States for education has been a goal of mine since I have been a Member of the Senate. We have, in S. 8, an opportunity to make a meaningful start. Speaking for the Committee on Labor and Public Welfare, I shall briefly describe S. 8 and its intent.

Senate bill 8 was reported by the full committee to the Senate with 11 affirmative votes, two negative votes, and one "present" vote.

I do not mean to imply that the overwhelming affirmative vote necessarily indicated complete support of S. 8. The additional views in the report present the other attitudes.

However, I feel that the 11 affirmative votes represent a strong feeling on the part of the majority of members of the committee that the Senate should take action on Federal aid to education.

I am convinced that the majority of the Senate shares this feeling and will demonstrate it by the passage of S. 8.

As the bill was reported, it represents a straight school construction assistance program. It provides for $500 million in Federal funds a year for each of 2 years.

During the first year, the Federal funds would be allocated under an equalization formula, which takes into consideration two factors: the State's school-age population and the relative income per school-age child.

In the second year of the program, another factor would take effect. This is the fiscal effort made by a State compared with a national effort index.

Should a State fall below the national effort index, it could lose a proportional amount of its Federal allocation.

Overall, the State would match the Federal share, thus providing approximately $2 billion for school construction over the 2-year period.

It is estimated that this amount would build between 50,000 and 70,000 classrooms, about half of the recognized need.

It should be noted that in the bill the very first section following the declaration of purpose is an assurance against Federal interference in schools.

Insofar as it was possible, and with only the barest requirements that the funds be spent for educational purposes, the program authorized by the bill would stop at the statehouse.

There is nothing radically different in S. 8 in terms of formula and purpose. The bill is not too different from the administration bill of 1957.

The most amazing fact about the debate which we are about to begin is that it has to take place at all.

It is my personal belief that this Congress and the ones immediately preceding it are far behind the American people in their desire for a national school effort.

Any poll taken of Americans would quickly reveal the high place they accord our schools. In fact, schools and education would always rank as major reasons for our past progress; and we would unquestionably list an improved educational system as an essential ingredient of the Nation's future.

Certainly education commands far greater allegiance than many of the areas in which we have established Federal programs.

Let us list only a few of the many programs in which the Federal Government is now deeply involved and contrast them in importance with the education of our young people.

Would we rate schools below highways? Or below recreation, which we support through our national park and forest programs?

We will spend millions of dollars in the future for the benefit of the relatively few Americans who travel by air. Do they rate above the 45 million youngsters now in school?

We are all aware of the astronomical amount which will be spent this year for the benefit of the Nation's farmers, particularly the stockholders and managers of our corporate farms.

There are countless other programs which are of benefit to relatively small groups of citizens.

I do not intend to disparage any of these programs. Many, if not most, of them are essential to our future welfare and progress.

But I cannot agree that any of them is more important to us than our schools.

Indeed, I am confident that every Member of the Senate would agree that, forced to a choice, we would elect to preserve and improve our schools at the expense of all else.

Why do we not have a program of Federal assistance to education at the most important levels—the elementary and secondary schools? One interesting answer given to this question is that there is no need for such a program.

We are told that our education is in fine shape, that the States and local governments are doing a great job, and that Federal action is not needed.

The only thing wrong with that answer is that it has absolutely no factual foundation; in fact, it was buried long ago in an avalanche of contrary evidence.

There is no better testimony to the fallacy of that argument than the statements of those who are charged with the responsibility of carrying out the State and local school programs.

The American Association of School Administrators, representing thousands of administrators at the local level, has called for the immediate enactment of a Federal assistance program.

Mr. President, I ask unanimous consent that an excerpt from their statement be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Realizing that, under present tax structures, resources for local school purposes are woefully inadequate for quality school programs in many areas, and observing that recent events make it more clearly apparent that public education is essential to national strength, security, and welfare, the American Association of School Administrators reiterates its belief that substantial financial resources available to the Federal Government should be made available for the support of public schools. Unprecedented increased enrollments and the need for additional staffs and new physical plants make it urgent that greatly increased funds be made available for education in the immediate future.

The association therefore urges that State legislatures and the Congress of the United States at once make major appropriations to strengthen the general programs and facilities in the public tax-supported schools and colleges. Until such time as these appropriations are forthcoming, the American Association of School Administrators strongly urges the Congress to provide the necessary appropriations needed for the continuance of existing federally supported programs in education.

Mr. MCNAMARA. Mr. President, the National Education Association, representing not only many of the Nation's teachers, but also thousands of others interested in education at the State and local levels, has been a consistent advocate of such a program.

The American Federation of Teachers and most of the other constituent unions of the AFL–CIO are outspoken in their requests for Federal action.

The list of other major organizations, representing a substantial cross section of the American people who have spoken out for a Federal program in one form or another, is far too long to read here.

These organizations are involved in the problems of education at the grass roots.

They are fully aware of the tremendous effort which the States and local communities have made in recent years to improve their schools.

But they are also deeply aware that this effort has not been great enough to accomplish all that must be done if we are to insure the educational future of the Nation.

One need look no further than this administration's Secretary of Health, Education, and Welfare, Mr. Arthur Flemming, to learn the magnitude of the task still ahead in school construction alone.

Speaking a few days ago, Mr. Flemming said this about the Nation's classroom shortage:

Since the fall of 1957, when the shortage was 143,200 rooms, we have reduced the shortage by only 10,800 rooms.

In short, we have made very little progress over the years in dealing with the huge backlog of need for classrooms which developed during the years—when school construction was virtually at a standstill.

Mr. Flemming's release contained a table which cited the shortages existing in the States. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Region and State	Number of pupils enrolled			Number of pupils in excess of normal capacity of the accessible publicly owned school plants in use			Inventory of instruction rooms				Additional instruction rooms needed (as of fall 1959)			Instruction rooms scheduled for completion during 1959–60 school year
	Total	Elementary	Secondary	Total	Elementary	Secondary	Available, beginning 1958–59 school year	Completed during 1958–59 school year	Abandoned for instructional purposes during the 1958–59 school year	Available, beginning 1959–60 school year	Total	To accommodate excess enrollment reported in col. 13	To replace unsatisfactory facilities (exclusive of those in col. 21)	
Total United States (50 States and District of Columbia)	35,286,177	24,034,381	11,251,796	1,883,000	1,221,000	662,000	1,231,952	70,000	16,400	1,285,552	132,400	66,400	66,000	62,700
North Atlantic	8,263,670	5,246,610	3,017,060	597,162	348,528	248,634	287,765	14,443	3,550	298,658	35,581	20,892	14,689	12,490
Connecticut	460,311	331,015	129,296	19,451	10,894	8,557	15,456	1,070	232	16,294	952	634	318	707
Delaware	77,761	45,399	32,362	1,446	674	772	2,805	378	33	3,150	111	50	61	226
Maine	197,035	150,239	46,796	11,087	7,198	3,889	7,450	97	32	7,515	770	547	223	197
Maryland	583,015	349,121	233,894	73,516	35,732	37,784	18,089	1,129	123	19,095	3,430	2,332	1,098	1,228
Massachusetts	829,327	555,278	274,049	45,960	30,640	15,320	35,500	1,200	220	36,480	3,132	1,532	1,600	1,200
New Hampshire	102,421	71,157	31,264	4,342	2,506	1,836	3,882	202	65	4,019	312	145	167	192
New Jersey	1,012,000	766,000	246,000	78,512	44,230	34,282	33,715	2,075	284	35,506	3,728	2,887	841	1,900
New York	2,735,000	1,616,000	1,119,000	266,000	163,000	103,000	93,000	4,500	600	96,900	13,000	9,000	4,000	4,000
Pennsylvania	1,948,985	1,156,749	792,236	68,900	31,500	37,400	66,565	3,371	1,535	68,401	8,135	2,750	5,385	2,208
Rhode Island	128,406	75,727	52,679	5,387	3,646	1,741	4,466	231	113	4,584	416	181	235	242
Vermont	72,822	52,108	20,714	5,362	3,805	1,557	3,170	51	249	2,972	969	244	725	116
District of Columbia	116,587	77,817	38,770	17,199	14,703	2,496	3,667	139	64	3,742	626	590	36	274
Great Lakes and Plains	9,835,913	6,782,097	3,053,816				369,204							17,279
Illinois	1,663,001	1,258,431	404,570	49,720	45,568	4,152	59,204	3,029	672	61,561	4,590	1,668	2,922	2,170
Indiana	940,000	573,400	366,600	20,000	12,000	8,000	32,042	2,141	253	33,930	1,505	666	839	2,000
Iowa	567,253	376,340	190,913	30,000	20,000	10,000	19,965	600	650	19,915	1,300	1,200	100	600
Kansas	458,000	345,000	113,000				22,898							410
Michigan	1,641,167	1,050,336	590,831	131,075	81,750	49,325	58,978	3,165	200	61,943	8,700	4,698	4,002	4,100
Minnesota	676,800	413,800	263,000	23,680	13,960	9,720	26,222	1,278	284	27,216	3,941	846	3,095	1,200
Missouri	805,000	610,200	194,800	44,800	33,800	11,000	26,196	1,405	304	27,297	4,156	1,496	2,660	1,400
Nebraska	274,262	194,977	79,285	8,151	5,522	2,629	14,728	524	301	14,951	521	300	221	461
North Dakota	130,173	96,954	33,219	2,300	1,500	800	5,970	320	340	5,950	350	100	250	250
Ohio	1,832,479	1,249,673	582,806	39,800	33,108	6,692	64,853	1,310	341	65,822	2,634	1,659	975	2,867
South Dakota	147,778	110,986	36,792	5,683	3,919	1,764	8,407	178	261	8,324	554	283	271	171
Wisconsin	700,000	502,000	198,000	1,800	1,350	450	29,741	1,810	310	31,241	310	60	250	1,650
Southeast	8,635,355	6,011,393	2,623,962	566,436			282,153	16,514	5,354	293,313	46,049	20,148	25,901	13,665
Alabama	775,981	474,777	301,204	90,843	54,565	36,278	22,760	1,273	340	23,693	6,364	3,948	2,416	1,047
Arkansas	422,060	240,146	181,914	26,049	14,238	11,811	13,422	580	135	13,867	2,197	1,001	1,196	602
Florida	919,491	548,155	371,336	71,503	43,726	27,777	28,169	2,482	177	30,474	4,791	2,403	2,388	1,799
Georgia	930,624	655,272	275,352	99,810	64,876	34,934	32,752	1,277	363	33,666	4,526	3,327	1,199	1,100
Kentucky	610,992	441,252	169,740	33,073	23,817	9,256	21,183	979	396	21,766	8,618	1,106	7,512	835
Louisiana	701,000	545,000	156,000	31,950	24,000	7,950	23,652	1,960	550	25,062	2,003	1,278	725	1,540
Mississippi	560,000	447,000	113,000	52,328	43,488	8,840	15,514	2,241	1,221	16,534	3,686	1,344	2,342	1,849
North Carolina	1,089,742	828,006	261,736	38,505			37,636	1,394	431	38,599	3,412	1,412	2,000	1,533
South Carolina	573,084	376,135	196,949	21,710	11,910	9,800	19,532	743	266	20,009	1,801	789	1,012	565
Tennessee	779,928	596,489	183,439	10,422	8,052	2,370	24,048	1,356	491	24,913	2,245	363	1,882	1,047
Virginia	820,578	576,081	244,497	69,128	46,228	22,900	27,291	1,936	726	28,501	4,345	2,439	1,906	1,496
West Virginia	451,875	283,080	168,795	21,115	11,922	9,193	16,194	293	258	16,229	2,061	738	1,323	252

Region and State	Number of pupils enrolled			Number of pupils in excess of normal capacity of the accessible publicly owned school plants in use			Inventory of instruction rooms				Additional instruction rooms needed (as of fall 1959)			Instruction rooms scheduled for completion during 1959–60 school year
	Total	Elementary	Secondary	Total	Elementary	Secondary	Available, beginning 1958–59 school year	Completed during 1958–59 school year	Abandoned for instructional purposes during the 1958–59 school year	Available, beginning 1959–60 school year	Total	To accommodate excess enrollment reported in col. 13	To replace unsatisfactory facilities (exclusive of those in col. 21)	
West and Southwest	8,371,299	5,877,502	2,493,797	335,949	230,210	105,739	286,658	22,284	3,348	305,594	19,640	11,237	8,403	18,776
Arizona	280,369	22,0318	60,051	38,665	26,679	11,986	8,562	472	82	8,952	1,676	1,368	308	751
California	3,230,000	2,200,000	1,030,000	45,000	40,000	5,000	98,000	11,000	1,000	108,000	4,600	1,600	3,000	10,000
Colorado	378,000	238,000	140,000	25,500	15,000	10,500	14,188	1,000	200	14,988	1,125	650	475	800
Idaho	155,890	92,443	63,447	9,927	5,608	4,319	5,872	328	153	6,047	761	330	431	195
Montana	142,850	96,313	46,537	4,540	3,023	1,517	6,620	200	15	6,805	572	225	347	150
Nevada	60,279	40,494	19,785	5,288	4,340	948	2,229	140	42	2,327	269	173	96	225
New Mexico	211,334	127,137	84,197	15,843	9,257	6,586	7,287	584	133	7,738	1,078	502	576	358
Oklahoma	535,000	322,000	213,000	20,154	16,038	4,116	25,512	999	514	25,997	1,009	694	315	1,125
Oregon	379,699	267,078	112,621	8,825	4,600	4,225	14,497	689	199	14,987	694	352	342	583
Texas	2,084,540	1,631,095	453,445	115,694	81,520	34,174	70,876	4,988	613	75,251	4,557	3,731	826	3,098
Utah	228,826	138,332	90,494	14,504	8,707	5,797	7,351	320	52	7,619	925	492	433	565
Washington	609,024	454,989	154,035	30,389	14,423	15,966	22,349	1,456	309	23,496	2,272	1,066	1,206	836
Wyoming	75,488	49,303	26,185	1,620	1,015	605	3,315	108	36	3,387	102	54	48	90
Alaska	39,449	32,465	6,984	4,501	2,758	1,743	1,412	127	19	1,520	293	184	109	166
Hawaii	140,491	84,314	56,177	1,763	786	977	4,760	313	79	4,994	474	61	413	313
Outlying parts of the United States:														
American Samoa	5,720	3,691	2,029	454	----------	454	243	17	9	251	40	18	22	15
Canal Zone	10,893	6,266	4,627	132	132	----------	397	58	49	406	4	4	----------	5
Guam	13,595	10,580	3,015	----------	----------	----------	485	146	70	561	230	----------	230	1
Puerto Rico	567,162	390,330	176,832	207,890	172,781	35,159	11,038	539	----------	11,577	6,025	5,323	702	804
Virgin Islands	6,318	4,298	2,020	1,664	1,153	511	179	12	1	190	100	58	42	----------

Mr. McNAMARA. Mr. President, the reasons for this shortage are obvious. One is the staggering increase in school enrollments in the postwar period. In the 10 years between 1949 and 1959, enrollment increased by 41 percent. In the secondary schools, enrollment increased by 61 percent, while elementary enrollment increased by 34 percent. During the same period the total population has increased by only approximately 20 percent.

Second, as Secretary Flemming has pointed out, we have never overcome the construction stoppages imposed by the Second World War and the Korean conflict.

Third, the mounting costs of State and local governments have virtually frozen the share which education receives of the local tax dollar. During the last 5 years this figure has been stabilized at about 35 percent.

Even this figure does not tell the whole story.

Because expenditures in higher education have advanced at a more rapid rate than in primary and secondary education, the lower grades are actually receiving less of the local tax dollar than they were receiving 5 years ago.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table prepared by the Census Bureau which contains the percentage of expenditure in the several functions of State and local government.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Percent of general expenditures by service function*

Year	Education	Primary and secondary education	Highways	Public welfare	Health and hospitals	Other services
	(1)	(2)	(3)	(4)	(5)	(6)
1902	25.2	23.5	17.3	3.7	5.9	47.9
1913	28.0	25.3	20.3	2.5	5.2	44.0
1922	32.7	29.5	24.8	2.3	4.9	35.3
1927	31.0	28.0	25.1	2.1	4.9	36.9
1932	29.8	26.3	22.4	5.7	5.9	36.2
1934	25.5	22.5	21.0	12.4	5.8	35.3
1936	28.5	24.8	18.6	10.8	6.1	36.0
1938	28.4	24.7	18.8	12.2	6.3	34.3
1940	28.6	24.7	17.0	12.5	6.6	35.3
1942	28.1	24.1	16.2	13.3	6.4	36.0
1944	31.5	26.3	13.5	12.8	7.4	34.8
1946	30.4	26.0	15.2	12.8	7.4	34.2
1948	30.4	24.6	17.2	11.9	6.9	33.6
1950	31.5	25.8	16.7	12.9	7.7	31.2
1952	31.9	26.5	17.8	10.7	8.4	31.2
1953	33.6	28.2	17.9	10.4	8.2	29.9
1954	34.4	29.3	18.0	10.0	7.8	29.8
1955	35.3	30.2	19.1	9.4	7.5	28.7
1956	36.0	30.6	18.9	8.6	7.6	28.9
1957	35.0	29.3	19.3	8.4	7.9	29.4
1958	35.0	[1] 29.3	19.3	8.3	8.0	29.4

[1] Estimate.

Source: U.S. Bureau of the Census.

Mr. McNAMARA. Mr. President, fourth, and closely allied to the third reason, is the relative inactivity of the Federal Government in education, as well as in other nondefense fields.

Last year the United States contributed slightly in excess of 4 percent of the money spent on education by all levels of government.

Yet the Federal Government collected 66 percent of all the tax revenues paid last year.

Mr. President, no one is more aware than I of the tremendous drain on our revenues which is created by our defense needs. But the best-armed nation in the world still requires the best brains to keep it so.

We spend $40 billion a year for defense. I believe education is the first line of defense of this Nation.

Certainly what we propose to spend under S. 8 can be saved from the billion dollars we will appropriate for other defense items.

I cannot accept a situation in which that nation contributes only 4 percent of the cost of education, particularly when a substantial part of that 4 percent consists of obligations imposed by other government activities such as we find in the "impacted areas" program.

Another argument we hear is that Senate bill 8 and like bills would destroy a basic American tradition of "grassroots" education.

We are told that Federal assistance would do violence to a 180-year history of a hands-off policy by the National Government. That is an argument that all of us are used to hearing. We have heard it in regard to highways, social security, conservation, and every other area in which the national interest has eventually demanded Federal action.

I can even remember suggestions, during the draft debate in 1940, that the National Guard alone would be quite capable of defense.

But when it comes to schools, the so-called 180-year tradition of no Federal activity simply does not exist.

It would take a speech of its own to detail the many and varied programs of Federal effort in education.

Our first major legislation as a Nation—the Northwest Ordinance—reserved a lot in every township in the Northwest Territory for the maintenance of public schools.

Since that time, there have been at least 25 major instances of Federal educational effort. A few that are known to all of us include the Morrill Land-Grant College Act of 1862, the Smith-Hughes Act for vocational training, the GI bill, and the National Defense Education Act of 1958.

Testimony of the American Association of School Administrators demonstrates the lack of fear of Federal control present among those who run our local school systems.

The formal hearings on Federal assistance for education—not just the Senate hearings for 1958 which we have on our desks—are packed with requests from many of the Nation's Governors for such a program.

Even this administration, which has prided itself on its adherence to the virtues of local initiative, has been a constant, although hardly consistent, advocate of Federal assistance.

The importance of an improved educational system, with Federal assistance, cannot be overemphasized.

I have never thought that our actions in this field should be motivated solely by the cold war. I would still advocate this bill if Russia were to abolish all of her schools tomorrow. But I do believe that Russian strides in at least technological education should convince us of the necessity to act. Sputnik did spur us to conclusions represented in the National Defense Education Act.

It may be recalled that I urged the inclusion of a school construction program in that act. I did so because I felt then—and do still—that no problems are really solved at the end of the line. Skilled engineers, scientists, and the like are not products of just the universities. The old adage about silk purses and sows ears certainly holds here. We cannot expect our colleges and universities to turn out the people we need if we give them high-school graduates who have been subjected to ill-housed and undertaught school systems.

Even if the actual military security of the future were not of concern to us, we should be alarmed at the inefficiency of our present system.

It costs thousands of tax dollars to graduate a competently trained engineer from a public university or college.

And a substantial part of that cost is tied to the effort which our higher institutions must make to give that student the educational equipment he should have gotten in earlier years.

There are a number of other reasons why this bill deserves the support of all Senators who are interested in the Nation's future.

Our changing technology will require more and more highly educated persons if we are to continue the economic progress of the past.

We have seen many times the far greater earnings enjoyed by those who have gone further in school, as contrasted to those who drop out during the early grades.

But the issue that provides the best evidence for the necessity for the enactment of this bill is the educational dependency of one State on another. We in Michigan know that our future in large measure is related to the sufficiency of schools in the South, the East, and the West. We know that the reverse is also true—namely, that our sister States have a stake in the excellence of Michigan schools.

And the best way in which we can build a strong base upon which the States can construct a sound educational program throughout the country is through the activity of the Federal Government.

Rumors are already floating around about the veto which the President may dispatch to such a bill as S. 8.

All I can say is this: If this administration chooses to forego a sound school program, it would have to live with that decision.

But I am sure that American people will be unconvinced that any such action was in the best interests of the country.

In any event, we in Congress have our own responsibilities. I do not believe we should give the administration the slightest assistance if it wishes to block the passage of this measure.

On the other side of the picture, I am disturbed by report that some dedicated advocates of Federal assistance would not accept Senate bill 8 in its present form.

Most of us who have urged a Federal assistance program over the years are aware that Senate bill 8 does not represent the ultimate in such a program.

I am sure that a stronger bill would be more attractive for many of us.

Efforts will be made to make this a stronger bill. If that is the will of the Senate, I certainly will applaud such a decision.

But in its present form, Senate bill 8 will provide us with a real weapon in our fight for better schools. It will substantially reduce the present classroom shortage. And in the process it will lessen the intolerable pressure that has been placed on the financial resources of most of our school systems. Above all, it will place—for the first time—the prestige, the leadership, and the superior tax base of the Federal Government behind those who seek to solve our school problems.

Mr. COOPER. Mr. President, I send to the desk an amendment which I ask to have printed and to lie on the table.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The amendment will be received and printed and will lie on the table.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. McNAMARA. Mr. President, pursuant to the order previously entered, I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 8 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Wednesday, February 3, 1960, at 10:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 2 (legislative day of February 1), 1960:

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Anderson, David P., O85476.
Bakeman, Charles D., O85719.
Bane, Wista F., Jr., O88001.
Bernsen, Ralph J., O75922.
Bradley, Robert E., O85920.
Breckheimer, Donald G., O85729.
Brockway, Lawrence N., Jr., O87482.
Broome, James R., O87691.
Brown, Leonard T., O85935.
Campbell, John V., O76001.
Carpenter, Rodney K., O75338.
Chenoweth, Robert T., O85500.
Clay, Clifford D., O76013.
Cochran, James O., O80220.
Cole, Jerry N., O77818.
Colket, Charles H., O85309.
Conger, William K., O76024.
Coon, Robert L., O87495.
Covington, George V., O75167.
Currie, Joe L., O77825.
Custer, Phillip E., O86036.
Cyr, Charles W., Jr., O87498.
DeGraw, Allen C., O85411.
Dillon, Gregory P., O87731.
Dorough, Aaron G., O76082.
Dougherty, James E., O76084.
Easton, Donald G., O87506.
Echols, Bill D., O75351.
Eckert, Franklin A., O76098.
Edwards, Emmet D., Jr., O81630.
Forgy, Jack O'D., O75358.
Frattini, Joseph J., O87745.
Freyder, James G., O87518.
Fulton, Lawrence P., Jr., O87748.
George, Edward H., 3d, O75362.
Green, Ralph C., O76172.
Grimes, Dan S., O75365.
Groves, John E., Jr., O87766.
Haldane, Douglas W., O85759.
Halpern, Wayne J., O86216.
Harris, Thomas L., Jr., O75369.
Heidecker, Duane E., O87784.
Henry, Ronald W., O75062.
Hess, Carl E., O87788.
Hoke, Kay H., O76232.
Hood, George E., O87797.
Irwin, Carl H., Jr., O85774.
Isham, James A. O86308.
Jefferies, Ansell, Jr., O77867.
Judson, Alan L., O87539.
Julian, Charles T., O76276.
Kaiser, Philip E., O85584.
Kensler, Jesse W., O77872.
Kester, William R., O87819.
Kilpatrick, William A., O87820.
Koford, Joel L. O85591.
Kurdziolek, Fred W., O75228.
Lawton, Johnnie, O76323.
Lee, Larry E., O77883.
Ligon, Claude M., O77884.
London, William G., O75391.

Love, Harold M., O85790.
Luck, Bennie E., Jr., O85611.
Luke, Dawson B., O87550.
Luna, Raymundo R. O76356.
Manner, Eugene Le R., O76369.
Manning, Norman G., O87844.
Mays, Luama W., O87848.
McConnell, Bruce D., O76404.
Meredith, James M., O87565.
Morrow, Cecil R., Jr., O87571.
Mosco, Richard A., O85628.
Mudd, William C. Jr., O88161.
Nutt, John W., O76474.
Oaks, Clarence B., Jr., O77913.
Oneto, John B., O87576.
Padilla, Ramon, O81819.
Pagel, John A., O85443.
Paulus, Lawrence R., O75409.
Phipps, Donald E., O86631.
Pierce Ellis E., Jr., O85637.
Piner, James, Jr., O85235.
Plummer, Gerrell V., O75414.
Porter, Bobby B., O75417.
Powell, Walter W., 2d., O86661.
Powell, William S., O76523.
Puttkammer, Paul D., O87891.
Rarig, David A., O85795.
Raynes, Troyce L., O87894.
Remington, Allen K., Jr., O85649.
Rich, Arthur L., Jr., O75420.
Robbins, Grant C., O75421.
Robinson, Bobby C., O85797.
Rock, Thomas L., O75422.
Rodgers, Robert J., O78611.
Rubin, David B., O76574.
Russell, Beryl D., O85246.
Ryan, James T., 3d, O85247.
Seiler, Jerry R., O76608.
Sexton, Herman L., O87611.
Sims, John C., Jr., O85665.
Smith, Samuel E., O86786.
Sones, Vernon B., O75430.
Staggs, Leon D., O76663.
Steel, Richard E., O87931.
Stern, Allan R., O85266.
Taylor, Billy H., O86843.
Taylor, Harry S., O85677.
Theroux, Gilbert L., O87638.
Todd, Carman D., O85680.
Townsend, Merton LeR., O74570.
Trdla, Joseph R., O75435.
Tucker, James M., O87646.
Turner, Thomas E., 3d, O85684.
Wadhams, Bruce M., O87652.
Weeks, Richard G., O76735.
Welch, Charles W., O87966.
Whitmire, James D., O87666.
Williams, Edward H., O75441.
Williams, Richard R., Jr., O85463.
Wolfe, William D., O86952.
Wood, Billy B., O76764.
Yeary, Ira W., O85709.
Zimmermann, Robert, O75445.

To be first lieutenants, Medical Service Corps

Clark, Harry H., Jr., O87491.
Hickey, George J., Jr., O85766.
Pitchford, Thomas L., O86647.
Wangemann, Robert T., O86909.

To be first lieutenant, Army Nurse Corps

O'Rourke, Gwendolyn L., N2915.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be lieutenant colonel

Cochran, James Wentworth, Jr., O279852.

To be majors

Bryant, James Wylie, O1178723.
Hughes, David Willis, O1055334.
Jamison, Bruce Waite, O523993.
Mason, Anthony, O1642351.
Watson, Billy Hugo, O85695.

To be captains

Chappell, James Howard, O1924514.
Garrett, Harold Lee, O1933793.
Halley, William Forrest, O2200440.
Jackson, William Billington, O87800.
Johnson, James Allan, O2210263.
Jones, Richard Louis, O978257.
Kelley, Philip Gelles, Jr., O1893735.
Mirochna, Thaddeus Mitchell, O1951662.
Neumann, Harold B., O1923508.
Poole, Charles Morris, Jr., O982161.
Skidmore, Marshall Leon, O1928551.
Torres, Angel Luis, O968116.

To be first lieutenants

Bening, Robert George, O4041464.
Brandenstein, Howard Charles, O4038671.
Jackson, Alan Theobald, O4047560.
Leighton, James Patrick, III, O4030670.
Sloan, Charles Winfield, O4075842.
Steckly, Kenneth Dale, O4006960.
Stumpff, George Frost, O1940157.
Talbot, George Thomas, Jr., O4058220.
Van Winkle, Daniel Garrett, O4065708.
Widick, James Lyle, O5304168.

To be second lieutenants

Agostini, Victor Michael, Jr., O5303399.
Benoit, Peter Bernard, O5307050.
Biller, George John, Jr., O4061601.
Damato, Earl John, O5307554.
Davis, Robert Earl, O5305347.
Girard, Alfred Louis, O5305606.
Green, Marvin Richard, Jr., O5505014.
Harris, Donald Moshier, O4084827.
Hayes, Robert Orin, O5507378.
Haynie, William Scott, O5303586.
Holmes, James Robert, O4047252.
Johnson, John James, O4044876.
Jones, Ronnie Lionel, O5208828.
Joyce, John Patrick, O5405285.
Kuhns, Martin William, O5700975.
Mapp, William Rockett, O5304127.
Marks, Max Gidden, O5402172.
Marti, John Hay, O5405379.
O'Hara, Francis Gerard, Jr., O4064436.
Orr, Gerald William, O5700675.
Phillips, Neil Ramsey, O5302135.
Puccinelli, Roland Shaw, O4077053.
Rehm, Walter Erich, O5503696.
Rice, James Watford, Jr., O5300332.
Sivert, William Delaney, Jr., O5305520.
Smith, Robert Armistead, O5206475.
Smith, Sam Glover, O4058508.
Swanstrom, Frederic Sinclair, O5701697.
Thoma, Charles John, O5507237.
Tweddale, C. Thomas, O5509141.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3291, and 3294:

To be captains, Dental Corps

Mitchell, Jesse Thomas, Jr., O4043752.
Volkmann, James August, O1862051.

To be captains, Medical Corps

Kaku, Michio, O5500036.
Smith, James Bernard, O5701421.

To be captain, Medical Service Corps

Quartin, Alfred, O2096987.

To be first lieutenants, Army Nurse Corps

Johnson, Hazel, Winifred, N902435.
Paulsen, Margaret Joanne, N2297063.

To be first lieutenants, Medical Corps

Finder, Richard Jay, O2297959.
Kerr, Lawrence Melvin, O2295426.
Kisiel, John Robert, Jr.
Lewis, George Needham, III, O4045314.
Osmer, John Carl, O2297970.
Paulsrud, David Gerhardt, O2295531.
Pike, William Broughton, O4076317.
Schamber, Dean Thomas, O2296150.
Shira, James Edward, O2297979.
Walter, Daniel Leo, O5500628.
Welch, Richard Douglas, O2295633.
Withers, John Newton, O2297889.
Yacht, Donn Lewis, O4051745.

To be second lieutenant, Army Nurse Corps

Kohl, Darlene Joan, N2296288.

To be second lieutenants, Medical Service Corps

Black, Baxter Franklin, III, O2298056.
Cascio, Joseph Domnic, Jr., O5403320.
Frate, Joseph Angelo, O2298119.
McCurley, Robert Lee, O2291404.
Morgan, Robert Earl, O2298215.
Ney, Leland Eugene, O4070961.
Plattsman, James Paul O2298245.
Sandleback, Eugene James, O2298294.
Solomon, Richard Crandall, O5703923.

The following-named distinguished military student for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Goldsmith, Walter Benjamin, Jr.

The following-named officer for appointment as professor of mathematics, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Dick, John Somers Buist, O19726.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 2, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Amos 5: 14: *Seek good and so the Lord shall be with you.*

Almighty God, may Thy Holy Spirit now take complete possession of our spirits, giving us insight and inspiration as we seek to be victorious over life's many trials and strive to solve its perplexing problems.

We pray that Thou wilt weave into the texture and fabric of our minds and hearts the virtues of faith and courage, of patience and endurance.

May Thy peace have its habitation in our souls and fill us with that inner strength which can never be defeated by any fears and anxieties.

Wilt Thou bestow Thy benediction upon all who are laboring for the good of mankind, bringing to humanity the blessings of health and happiness, of safety and security.

We thank Thee for the life and character of our colleague whose spirit now dwells with Thee in eternal blessedness. Grant unto the members of his bereaved family the consolations of Thy grace.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed the following resolution:

SENATE RESOLUTION 264

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable DAVID M. HALL, late a Representative from the State of North Carolina.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee on the part of the

House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, take a recess until 10:30 antemeridian tomorrow.

BIRTHDAY ANNIVERSARY OF FRANKLIN DELANO ROOSEVELT

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the Office of the President of the United States is the greatest Office in the world. It is an Office created by the Constitution which, in turn, established a government of laws which we are thankful that we are possessed of today, and which past generations of Americans have not only created but strengthened and preserved and passed on to us. Consequently, we of this generation have the unwritten mandate of the past and the direct obligation of the present to preserve and strengthen our country and to pass it on to future generations of Americans unimpaired: a government of laws and not of men.

Mr. Speaker, across the horizon of American constitutional history and life have come great figures who have occupied the Office of President of the United States. And, it is well that we pause on the occasion of the birthday anniversary of these great figures, as we did a few days ago in the person of the late President, William McKinley, to refresh our memories and to recollect the contributions of great men who have filled the Office of President of the United States and who made outstanding contributions toward the preservation of our country, and the strengthening of our country and the assurance of its continued existence.

On Saturday last was the birthday anniversary of one of the great Chief Executives of our country, a man who served during a most trying period internally when we were threatened by an economic conflagration, and a man who also served during the trying period prior to World War II, which might be called the world danger of Hitlerism and nazism, and who served our country during the greater part of World War II.

The anniversary of that great man, Franklin Delano Roosevelt, took place on Saturday last. Because of the fact that the House was not in session on that day appropriate remarks concerning this great American, this great President, and this great leader could not be made by Members of the House; and because of the death of a sitting Member over the last weekend and our adjournment yesterday out of respect for him and his memory, we had the same situation.

The name of Franklin D. Roosevelt will always occupy prominent pages in the history of mankind. He was not only a great leader in time of war, but he was a great leader in time of peace. He was truly called the great humanitarian. He gave to our country the leadership it needed in one of its most trying crises when, in the depths of the depression, with a despondent people and with a feeling of frustration that existed generally throughout our country, he gave the country leadership and made recommendations that brought back strength and vitality to our people, and that strengthened our economic and governmental institutions.

And so today we honor the memory of this great man. And as I say, it is well that we pause on occasions of this kind, because it is healthy for all of us, not as Democrats or Republicans, but as Americans, to honor these great men who have served our country in the great, the important, and influential Office of President of the United States.

My remarks are addressed in memory of this great man who lived during our time and whom historians of tomorrow, after the emotions of a living generation have gone by, will, in my opinion, record him in history not only as one of the great Americans of all time but as one of the great constructive historic figures of the world.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD; and may have 5 legislative days also in which to extend their remarks in the body of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEOGH. Mr. Speaker, the figure of Franklin Delano Roosevelt looms ever taller in the perspective of history, as his period recedes into the past, in the same way that a mountain, at first hardly distinguishable from its surrounding peaks, may seem to rise higher and higher on the horizon line when we are going away from it, while the other peaks dwindle and disappear. Now that 78 years have passed since the birth of Franklin Delano Roosevelt, and almost 15 since his death, we begin to be able to take the measure of the man's greatness, apart from personal and partisan considerations. Opposition to the man during his lifetime now begins to fade and diminish. Love inspired by his charm and wit, his warm friendliness, his courage and greatness of soul, remains constant, as I am privileged to testify on the basis of years of association.

During his Presidency, Roosevelt's greatness was more universally recognized abroad than in his own country, and I believe distance in time is now giving to his countrymen the same advantage in perspective, the same judgment of proportion, that distance in space gave to allies and enemies abroad during the years of his political ascendancy. That the enemies of America were most vociferously and implacably the enemies of Franklin Delano Roosevelt is certainly a factor to be taken into account in estimating the standing of the man in our history. That the friends and allies of America, during the time of warfare and peril, were most warmly and enthusiastically attached to the person of Franklin Delano Roosevelt, is a similar indication of his greatness and of his importance as a symbol of America's prime virtues.

Those who have attended the play, "Sunrise at Campobello," by Dore Schary, have gained a deep appreciation of the personal problems Roosevelt met and overcame in his life, and of the fortitude and stamina he had to exert in order to come back, after his suffering with polio, and build a triumphant career despite the physical ruin of his body. Before that experience, and that exertion of moral courage, Franklin Delano Roosevelt was a man endowed with many outstanding qualities of mind and character—likable, forceful, a skillful politician, a man of excellent intentions, wide learning, and keen intellect. The experience of pulling himself up out of despondency, out of his physical paralysis, and the self-pity and tendency to coddling that went with it, helped him develop a driving force, a moral energy, that made him a kindler of national and world enthusiasm. He led the Democratic Party to resounding victory after victory at the polls, first in New York State and then in the Nation; but more significant than this political and partisan victory was the victory of liberalism, the victory of Jeffersonian and basic American principles, that his personal victory carried in its train. For he was a fighter, in his Governorship and in the Presidency, for the common man, for the underprivileged, for the man who wanted and needed a job. He was a fighter against the "princes of privilege," the "moneychangers in the temple of democracy." He led the forces of humanity in America against the inhuman, oppressive alliance of big business with government. He led business itself, even against its will, to success and prosperity for the sake of all the people of America. Independent and courageous planning, vigorous action, the willingness to try dangerous and daring expedients, marked the years of the New Deal's attack upon poverty and unemployment, all under his courageous and inspiring leadership.

When the forces of intolerance, racism, and statism in the world ran amok, and the Axis nations made their vicious attack upon one after another of the free and peaceful nations, climaxing their efforts with the outrage of the Pearl Harbor bombing, Franklin Delano Roosevelt was the bold and unafraid voice of America, heartening our own people and rallying the forces of the world to stubborn defense, to sharp and ingenious counterattack, and to final and complete victory. For, though that victory came after Roosevelt's death, it is plain to the world that he stands high among the chief architects of victory.

Even more than in war, however, was Roosevelt's greatness shown in the planning of peace. He was the chief instigator and planner, in the dark days of danger and defeat, of the United Nations, and the designer of many of its most hopeful projects. If, through this and similar efforts at international cooperation, we are able to win through to full peace and world prosperity, a principal share of the credit for this blessing will redound to the credit of that great good man, Franklin Delano Roosevelt.

FEDERAL WATER POLLUTION CONTROL ACT

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. JONES] be excused as a conferee on the bill H.R. 3610, to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes, and that the Speaker be empowered to appoint another Member in his place.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Mississippi [Mr. SMITH] and the Clerk will notify the Senate of this action.

WITHHOLDING, FOR STATE INCOME TAX PURPOSES, ON COMPENSATION OF FEDERAL EMPLOYEES

Mr. THORNBERRY, from the Committee on Rules, reported the following privileged resolution (H. Res. 435, Rept. No. 1235), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3151) relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REVISIONS IN INCOME TAX PROVISIONS

Mr. THORNBERRY, from the Committee on Rules, reported the following privileged resolution (H. Res. 436, Rept. No. 1236), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

PROGRAM FOR THE REMAINDER OF THE WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader if he is in a position to advise us as to the program following the suspensions today?

Mr. McCORMACK. Two rules have been reported by the Rules Committee. One of those bills I am programing for next Thursday, H.R. 9662, to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes. The other bill I will program later on. However, I am announcing that the bill to which I have just referred will come up on Thursday next.

Mr. ARENDS. That is the only one for sure?

Mr. McCORMACK. That is the only one.

THE MAYFLOWER HOTEL

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I discovered with shock last night that one of our popular hotels in the District will not permit Congressmen to walk around in the lobby. I went to the Mayflower Hotel to meet a constituent, a very dear friend of the family. Three or four little chairs in front of the receiving desk were overfilled by several ladies. I went down into another part of the lobby to find my friend and was told by a gentleman I could not go in there. I said, "Sir, I am a Congressman." He said, "I don't care whether you are a justice of the peace, you cannot come here." I said, "What is happening?" As I recall, he said, "General Motors and the automobile industry have reserved the lobby."

I shall protest to the Mayflower Hotel, to General Motors, and to the District Commissioners about being excluded from the lobby of the Mayflower Hotel. I hope all of you will be alert about this problem, because if statesmen are ever prohibited from going into the lobbies of hotels, I predict this Republic is not far from its fall.

NATIONAL POISON PREVENTION WEEK

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, on yesterday I reintroduced House Joint Resolution 57, which I introduced at the opening of the first session of this Congress, and which after being unanimously approved by the subcommittee which heard the testimony favoring its passage, was arbitrarily tabled on August 25, 1959, by action of the full Committee on the Judiciary. This resolution is now identified as House Joint Resolution 592.

Mr. Speaker, I can assure you that I am not alone in my deep feeling concerning the adoption of this resolution which would authorize the President to issue annually a proclamation designating 1 week of each year as "National Poison Prevention Week."

In fact, just 4 days before the action to kill this legislation was taken by the full committee, the American Pharmaceutical Association with a membership of 35,000 pharmacists, at its annual convention held at Cincinnati on August 19, unanimously adopted a resolution urging passage of House Joint Resolution 57. The American College of Apothecaries had also adopted a similar resolution urging passage of House Joint Resolution 57. Many State pharmaceutical associations, as well as other national organizations, realizing the great benefits which would result from the adoption of this resolution, including the saving of lives, particularly babies and young children, have expressed not only their interest in, but their active support for, the adoption of this resolution. Last year, Governor Blair issued a proclamation designating the second week in October as Poison Prevention Week in Missouri.

In closing, Mr. Speaker, may I say this is not just another resolution which would benefit some association or group in the merchandising of a product, but it is a resolution which would call attention, in a most effective way to a situation which can be corrected, to bring about the saving of lives. I appreciate very much the consideration and the courtesy extended by the subcommittee, headed by our colleague the Honorable E. L. (TIC) FORRESTER, which favorably reported this resolution last year, and I earnestly hope that the members of the full committee will give the same careful consideration to the merits of this legislation, at an early date.

REJECT THE PROPOSAL TO SEPARATE AND IMPAIR THE NATION'S SPACE EFFORTS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I am today introducing legislation which would turn down the President's request, submitted to the Congress on January 14, to transfer the Development Operations Division of the Army Ballistic Missile Agency, the so-called Von Braun team, from the Army to the National Aeronautics and Space Agency. The President has made this request because he says he feels it is important to differentiate between the development of missiles and rockets for military purposes and their development for nonmilitary space exploration purposes.

While it is certainly true that the exploration of space involves many nonmilitary aspects, I strenuously disagree with the proposition that this missile development job can ever be meaningfully separated into two halves. Such a disruption is bound to undermine and impair the whole field of missile development precisely at a time when it is essential that we move as quickly as possible to achieve greater progress in comparison with the Soviet Union.

Mr. Speaker, I was tremendously impressed over the weekend to see that my own feelings in this regard were strongly and vigorously supported by the retiring head of the Army Ballistic Missile Agency, Maj. Gen. John B. Medaris. General Medaris has said that it would be utter nonsense to contend that the Armed Forces have no business exploring space and he has suggested that the point of view of the administration with regard to space was "leading the Nation to disaster."

I do not believe that the country or this House can take lightly the comments of this great officer who has performed such useful service to his country and under whose command such brilliant achievements in the missile field have been made. For this reason, I believe that the House should reject the President's request, and should instead insist that all missile and space activities be coordinated into a single command rather than separated as the President has requested. Adoption of my legislation will be the first step in this direction.

REV. BERNARD BRASKAMP

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ULLMAN. Mr. Speaker, yesterday, Rev. Bernard Braskamp completed 10 years' service as Chaplain of the House of Representatives. I wish to congratulate him on behalf of myself and my colleagues not only for his splendid years of service to this body but because of his good health today after a siege of sickness last year.

Dr. Braskamp is respected and loved by the entire membership of the House. His 10 years of devoted service have been in the very highest tradition of spiritual leadership in this Nation. He has been counselor and friend to everyone associated with this body. His prayers before the House contain the essence of greatness. They never fail to bring us close to the Divine, and to inspire in each of us a renewed dedication to the sacredness of public trust.

My congressional district in Oregon is especially proud of Dr. Braskamp because of the summer he spent in the John Day Valley as a young student minister from Princeton Theological Seminary in 1909. Even then, he had the stature of greatness.

We all wish him and his wonderful wife good health and many more years of devoted service as Chaplain to this body.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield.

Mr. BROWN of Ohio. Mr. Speaker, I would like very much to join with the gentleman from Oregon in paying tribute to Dr. Braskamp who has been of such great service not only to the House of Representatives but to each individual Member of the House and their families especially in time of illness.

Mr. ULLMAN. I thank the gentleman.

PROGRESS OF NEGOTIATIONS TO BAN NUCLEAR TESTS

Mr. MEYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. MEYER. Mr. Speaker, judging by what I read in the papers and by what I have heard recently, I fear that the nuclear test ban talks and negotiations at Geneva are in danger of falling through because of a conflict within the administration. I have also heard that the Atomic Energy Commission or someone in the Pentagon or some group are in conflict with the Department of State and do not want to proceed with these vital negotiations which I believe may be the forerunner to any successful negotiations for disarmament and for resolving the problems of war and peace for the future. Therefore, Mr. Speaker, I hope that the House of Representatives will pay attention to this particular matter and to the fact that some of us are introducing a resolution in favor of a nuclear test moratorium so that time will be granted in order for these negotiations to proceed and to be fruitful.

The SPEAKER. The time of the gentleman from Vermont has expired.

UNANIMOUS CONSENT REQUEST

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate in the House this afternoon.

The SPEAKER. The Chair cannot entertain that request because we have seven suspensions and there will be two rollcalls. The Chair has already announced this to the Members.

THE AMERICAN WOOL TEXTILE INDUSTRY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusett?

There was no objection.

Mr. LANE. Mr. Speaker, one of the oldest and most essential industries will celebrate its 200th birthday this year. It is not an industry that can afford big advertising budgets to glamorize its products, even though it ranks after food as a basic necessity of life.

Many industries have come and, after serving a temporary need or fancy, have gone; while this dependable one has been helping to clothe our expanding population ever since 1760.

Some of its weaves were worn by the men who fought at Concord and Lexington. Its traditional home was in New England, where the textile mills formed the economic base for many communities. Even today you will find wool brokers in Boston whose firms have been serving the needs of this industry for generations.

Out of the chemical laboratories have come the manmade fibers to fill a variety of auxiliary needs, but wool is still the standard for quality clothing.

The woolen, worsted, and cotton mills opened the way for the industrial revolution to which every other American industry is indebted.

The textile industry trained the first generation of factory workers. It earned the capital that gave birth to hundreds of other productive enterprises. It was the proving ground that led to progressive legislation, and to greater cooperation between management and labor.

Cotton is king and synthetics are versatile, but there is no substitute for wool. This is the year to honor the 200th anniversary of the American wool textile industry. In response to a request from the Marriner Wool Combing Co., of Lawrence, Mass., I have requested the special assistant to the Postmaster General to have a commemorative stamp issued in recognition of the American wool textile industry, and its contributions to the progress of our Nation.

This old friend who wears so well deserves a stamp of approval on this anniversary of its faithful service.

INTELLIGENCE EVALUATIONS

Mr. KOWALSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOWALSKI. Mr. Speaker, the administration's disclosure that it is now basing its intelligence evaluations on in-

tentions rather than capabilities of a potential enemy represents a complete reversal of the military doctrine which has been taught and accepted.

From my own experience as an Army officer, I know that the new mind reading system contradicts what our intelligence officers have been educated and trained to do. It is a frightening reversal of what civilian and military defense leaders have told the Congress in the past.

Some factual quotations may help place this matter in proper perspective.

First, let me quote from the Combat Intelligence Field Manual of the Department of the Army—FM 30–5. On page 47, under the heading "Determination of Enemy Capabilities," the Intelligence Manual says:

> Commanders base their actions, dispositions, and plans upon estimates of enemy capabilities rather than upon estimates of the enemy's intentions. An estimate of enemy capabilities can be formulated objectively * * * but enemy intentions can seldom be determined.

Next, I quote a statement made by General Twining on October 21, 1958, and reported in House Document 227, "United States Defense Policies in 1958," prepared by the Library of Congress at the request of our distinguished colleague, the Honorable MELVIN PRICE, of Illinois.

On page 9 of this document, General Twining says:

> To predict a possible enemy's intentions is a risky game. I believe we have to build our overall force with the objective of being able to meet any contingency with priorities based on enemy capabilities and not on enemy intentions.

In contrast to these unequivocal statements, we have the testimony of Secretary Gates before the subcommittee of the Committee on Appropriations. The printed report of the hearings held earlier this month, quotes Secretary Gates as follows, on page 23:

> There was a very significant matter brought out by Mr. Dulles and it was brought out by General Twining. Heretofore, we have been giving you intelligence figures that dealt with the theoretical Soviet capability. This is the first time that we have had an intelligence estimate that says, "This is what the Soviet Union probably will do." Therefore the great divergence, based on figures that have been testified to in years past, narrows because we talked about a different set of comparisons—ones that were based on Soviet capabilities. This present one is an intelligence estimate based on what we believe he probably will do, not what he is capable of doing.

Reading these quotations, the conclusion is inescapable that the administration has scrapped our whole intelligence theory in favor of a rosy doctrine of expediency which I believe imperils the safety and the security of the United States.

PROPHECY OF THE PUNXSUTAWNEY GROUNDHOG

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Speaker, today is the traditional Groundhog Day—February 2, and that great prognosticator of the weather has again spoken from his den on Gobbler's Knob in the foothills of the Alleghenies at Punxsutawney, Pa., where, during the last few days, they have been having severe cold winter weather.

I am in receipt of information from Mr. Sam Light, of the Punxsutawney Groundhog Club, stating: "Hear ye. Hear ye. All ye disciples of the sage of sages, the seer of seers, the world's greatest weather prophet, the Punxsutawney groundhog." The time is dawn—7:15 this morning. The place is a windy snow-covered knoll at Gobbler's Knob, nearby Punxsutawney.

For 75 years or more, members of the Groundhog Club, the press, radio, and lately television shiver before the groundhog den awaiting the seer's prediction.

At last the door of the burrow creaks open and a weary prophet blinks his eyes at the unaccustomed sunlight. Will he see his shadow foretelling 6 more weeks of winter, or will there be no shadow—meaning an early spring?

All wait with bated breath.

"Sorry, fellows," speaks our seer as he casts a long, dark unmistakable shadow on the snow. "You might just as well have stayed in bed. It is cold. Brrrrr—and it is going to stay that way. So put another log on the fire or turn up the thermostat. I am going back to bed. See you in the spring."

And with that he backed into his den and slammed the door on the outside world and said:

> Double, double, toil and trouble,
> Six more weeks of snow to shovel,
> Icy winds and zero nights ahead,
> This is one year I should have stayed in bed.

DR. BERNARD BRASKAMP

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I wish to join my colleague, the gentleman from Oregon [Mr. ULLMAN], in endorsing everything he had to say about our beloved Chaplain, Dr. Bernard Braskamp.

Dr. Braskamp was born and raised in my little town of Alton, Iowa, and we are all mighty proud of him. I have never known a more dedicated Christian gentleman.

I would also like to have Members of the House to know that one of our Official Reporters of Debates, Claude S. Scheckel, is a native of my hometown of Alton, Iowa. He was born and raised there.

It is rather unique to have three people from the same town in three different capacities serve in the House together. Dr. Braskamp, Mr. Scheckel, and myself have had the pleasure of serving here together for quite a long while. I am sure Mr. Scheckel joins me and all my colleagues in the House in wishing Dr. Braskamp the best of everything in the days that lie ahead.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I join with my friend from Iowa in congratulating Dr. Braskamp on his 10th anniversary as Chaplain of the House of Representatives. We in the House are very fortunate in having Dr. Braskamp as our Chaplain, and I say this without regard to religion, Catholic, Protestant, or Jewish. He presides with dignity and strength and his prayers appeal to the universally religious mind of all of us.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Mr. Speaker, I, too, join the gentleman in his expression of respect for our great Chaplain. Mr. Braskamp has given us words of encouragement during periods when they were so necessary. We all wish for him many more years of health and happiness.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks at this point in the RECORD on our Chaplain, Dr. Bernard Braskamp.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TOLL. Mr. Speaker, on the occasion of the 10th anniversary of the chaplaincy of Dr. Bernard Braskamp, I want to join those who commended him upon his excellent service in the past decade. He not only renders meaningful messages in prayer for the House but also provides congenial and helpful advice for the Members. His collection of sermons which were bound and sent to the Members were so interesting that copies were sent to a number of congregations in my district.

Mr. THOMPSON of Texas. Mr. Speaker, it is hard for me to realize that we have reached the 10th anniversary of the coming of our beloved Chaplain, Dr. Bernard A. Braskamp, and yet, looking back over the years, it is hard for me to remember when we did not have him here to lead us daily in prayer and to shed on each one of us the light of his spiritual guidance.

As I stand here now, I feel particularly close to Dr. Braskamp, and I am not just exactly sure why. I have a feeling that the 400-odd membership of this body feel just exactly as I do, namely, that in the person of Dr. Braskamp they have a spiritual guide who is theirs individually and it is hard for them, as it is for me, to realize that we share him with others.

We have all known some great men in our service here in the House of Representatives, but as the years go by we shall realize more and more that few

among them have equaled, and even fewer surpassed, the stature of our beloved Chaplain.

We all wish him many, many more years of service to his God, to his country, and to the membership of the House of Representatives.

CAPABILITIES VERSUS INTENTIONS

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, I have read and heard a good deal of discussion recently about Soviet capabilities and Soviet intentions. I gather that some critics of our military posture would measure Soviet intentions by Soviet capabilities.

Mr. Speaker, in our daily life we never measure intention only by capabilities. Every man in the community has or can easily secure the means by which to commit murder in an untold number of ways. Every automobile, every gun, every hammer, every icepick, every rope, every piece of wire and many other common articles are potential instruments of murder. Yet their possession in the hands of a neighbor does not cause us to think that he intends to commit murder upon us. Of course, we measure intention by all the evidence available, and not merely by estimates of capabilities.

Mr. Speaker, our complex civilization demands a high degree of interdependence. We must have faith that our neighbors love life and self-preservation even as we do. Similarly, other people and other nations prize highly their own future security and happiness even as we do.

The Scriptures warn us that we are likely to be judged by the same standards that we use in judgment. Yet, we would not wish other nations to judge our intentions by our capabilities. Our leaders have repeatedly said that we have no intention of committing an act of aggression against any nation, although we have the capability of doing this in most parts of the earth.

This is a time for mature, sober, and thoughtful examination of our own role in history, as well as of the other great powers in the world. We must judge the intentions of peoples on the basis of all the evidence and not simply on the basis of military capabilities.

Most of all, we all need to actively support an affirmative program that will help the world accomplish a reduction in tension, and achieve the realization of our common human hopes for peace and prosperity, for freedom from fear and hunger.

CONSENT CALENDAR

The SPEAKER. This is the day set aside for the call of the Consent Calendar. The Clerk will call the first bill on the calendar.

DISPOSAL OF COCONUT OIL FROM NATIONAL STOCKPILE

The Clerk called the resolution (H.J. Res. 441) relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stockpiling Act.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. VINSON. Mr. Speaker, I ask unanimous consent that this resolution be stricken from the calendar. The purpose of the resolution was to shorten the required 6-month waiting period for the sale of 265 million pounds of coconut oil from the strategic stockpile. The law requires 6 months' advance notice in the Federal Register. The resolution did not pass to shorten the time, but the 6-month waiting period has now expired and the General Services Administration has advertised and sold the coconut oil. So, there is no further need for the resolution.

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to explain that I objected to this bill on two or three occasions last summer for the reason that the bill would have accelerated the disposal of 265 million pounds of Philippine coconut oil without prior warning to the producers of fats and oils in the United States. It was for that reason I objected. I am glad that the gentleman from Georgia, the chairman of the House Committee on Armed Services, in which this bill originated, is now willing to strike it from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

The Clerk called the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ARCTIC WILDLIFE RANGE, ALASKA

The Clerk called the bill (H.R. 7045) to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes.

Mr. ASPINALL. Mr. Speaker, at the request of one of our colleagues, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

GREAT LAKES PILOTAGE

The Clerk called the bill (H.R. 57) to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PENALTIES FOR UNOFFICIAL USE OF GOVERNMENT VEHICLES

The Clerk called the bill (H.R. 766) to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

TO INCLUDE FLOATING DRYDOCKS UNDER TERM "VESSEL"

The Clerk called the bill (S. 107) to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan.

There was no objection.

AGRICULTURAL ATTACHÉ ROTATION

The Clerk called the bill (H.R. 8074) to amend section 602 of the Agricultural Act of 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602 of the Agricultural Act of 1954 (68 Stat. 908) is amended by adding the following:

"(e) Any officer or employee appointed and assigned to a post abroad pursuant to this title may, in the discretion of the Secretary of Agriculture, be assigned for duty in the continental United States, without regard to the civil service laws and without change in grade, for a period of not more than four years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILSON'S CREEK BATTLEFIELD NATIONAL PARK, MO.

The Clerk called the bill (H.R. 725) to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PROMOTING PEACE THROUGH REDUCTION OF ARMAMENTS

The Clerk called the concurrent resolution (H. Con. Res. 393) to promote peace through the reduction of armaments.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PARTICIPATION IN WORLD'S FAIR, NEW YORK, 1964

The Clerk called the joint resolution (H.J. Res. 496) authorizing the President to invite foreign countries to participate in a world's fair, New York, 1964.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas there is to be held at New York City during the year 1964 a world's fair which has for its purpose the commemoration of the three hundredth anniversary of the establishment of the city of New York; and

Whereas through the city of New York, since its establishment in 1664, the peoples, sciences, cultures, and products of all nations have passed into this continent and the United States of America, and said city has served as a beacon for freedom and democracy as exemplified in the Statue of Liberty, donated by the peoples of France to the peoples of the United States and whose torch lights the way into the harbor of this great city; and

Whereas because of its location and purpose, its scope and aims, said world's fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper and appropriate, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein and to take such steps as may be appropriate to secure such participation.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTER-AMERICAN CHILDREN'S INSTITUTE

The Clerk called the joint resolution (H.J. Res. 511) to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution 31, approved May 3, 1928 (45 Stat. 487), as revised by section 1(a) of Public Law 806, approved September 21, 1950 (64 Stat. 902), as amended by Public Law 816, approved July 27, 1956 (70 Stat. 696), is hereby amended to read as follows: "That in order to meet the obligations of the United States as a member of the Inter-American Children's Institute, there is hereby authorized to be appropriated to the Department of State such sums, not to exceed $50,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute.

With the following committee amendments:

On page 3, line 2, after "State" insert "for the fiscal years 1961 and 1962".

On page 2, line 3, delete "annum" and insert in lieu thereof "fiscal year".

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECURITY PROGRAM—DEFENSE CONTRACTORS AND EMPLOYEES

The Clerk called the bill (H.R. 8121) to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Subversive Activities Control Act of 1950 (64 Stat. 987) is amended by inserting immediately after section 5 the following new section:

"INDUSTRIAL PERSONNEL SECURITY REVIEW

"SEC. 5A. The Secretary of Defense is authorized to prescribe uniform standards and criteria for determining the eligibility for access to classified defense information of (1) any person who has a contract with a military department, (2) any person who has a subcontract of such contract, and (3) any employee of any such person. The Secretary shall prescribe the administrative procedures governing the disposition of all cases in which eligibility for access to classified defense information has been denied, suspended, or revoked. Any administrative procedures prescribed by the Secretary under this section shall be designed to protect from disclosure all information which, in the opinion of the Secretary, would affect the national security, safety, or public interest, or would tend to compromise investigative sources or investigative methods."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. WALTER. Mr. Speaker, on June 29, 1959, in the case of William L. Greene against Neil M. McElroy, the Supreme Court held invalid virtually the entire industrial security program of the Defense Department on the ground that it is not clear that the President or the Congress "within their constitutional powers specifically have decided that the imposed procedures are necessary and warranted and have authorized their use."

Let me read excerpts from a vigorous well-reasoned dissenting opinion of Mr. Justice Clark:

Surely one does not have a constitutional right to have access to the Government's military secrets.

* * * * *

What for anyone else would be considered a privilege at best has for Greene been enshrouded in constitutional protection. This sleight of hand is too much for me.

But this is not all. After holding that Greene has constitutional protection for his private job, the Court has ordered the President's Cabinet members to revoke their refusal to give Greene access to military secrets.

* * * * *

In holding that the fifth amendment protects Greene the Court ignores the basic consideration in the case, namely, that no person, save the President, has a constitutional right to access to governmental secrets. Even though such access is necessary for one to keep a job in private industry, he is still not entitled to the secrets. It matters not if as a consequence he is unable to secure a specific job or loses one he presently enjoys. The simple reason for this conclusion is that he has no constitutional right to the secrets. If access to its secrets is granted by the Government it is entirely permissive and may be revoked at any time. That is all that the Cabinet officers did here. It is done every day in governmental operation. The Court seems to hold that the access granted Greene was for his benefit. It was not.

Mr. Justice Clark then in his dissenting opinion tediously refers to repeated Presidential orders and congressional authorization any one of which would have been sufficient foundation on which to base the procedures on which the industrial security program of the Department of Defense were grounded. Justice Clark's concluding statement is most significant:

Let us hope that the winds may change. If they do not the present temporary debacle will turn into a rout of our internal security.

Mr. Speaker, on July 7, 1959, I introduced the instant bill (H.R. 8121) to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees.

I say without equivocation, Mr. Speaker, that the effect of my bill is specifically to overcome the decision of the Supreme Court in the Greene case so that the Department of Defense may have Congressional authority to safeguard our industrial establishments, without disclosing information injurious to our national security.

My bill—H.R. 8121—authorizes the Secretary of Defense to prescribe uniform standards and criteria for determining the eligibility for access to classified defense information of first, any person who has a contract with a military department; second, any person who has a subcontract of such contract; and third, any employee of any such person.

The bill provides that the Secretary of Defense shall prescribe the administrative procedures governing the disposition of all cases in which eligibility

for access to classified defense information has been denied, suspended, or revoked. The bill further provides that any administrative procedures prescribed by the Secretary of Defense under the provisions of the bill shall be designed to protect from disclosure all information which, in the opinion of the Secretary, would affect the national security, safety, or public interest, or would tend to compromise investigative sources or investigative methods.

After careful consideration of my bill, I am happy to report that the Committee on Un-American Activities on September 2, 1959, unanimously voted to report the bill favorably without amendment and recommend that the bill do pass.

CONCERNING CLOSING OF INDIAN HOSPITALS

The Clerk called the concurrent resolution (H. Con. Res. 7) declaring the sense of Congress on the closing of Indian hospitals.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. EDMONDSON. Mr. Speaker, reserving the right to object, will the gentleman withhold that for 1 minute? In the committee we were aware of the Department's objections to this particular resolution and thought we had answered the objections stated in the Department's report by amendments. Does the gentleman have information of any administration objection to the resolution independent of the report which the Department submitted to the committee?

Mr. FORD. As I indicated to the gentleman from Oklahoma a few minutes ago, the Department at least originally was opposed to the proposal in its original form. I have indicated to him that I intended to check with the Department to see if their objection is today the same as it was previously. If they have withdrawn their objection, I shall certainly raise no objection to the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCORPORATING THE AGRICULTURAL HALL OF FAME

The Clerk called the bill (H.R. 5789) to incorporate the Agricultural Hall of Fame.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF LOAN OF A NAVAL VESSEL TO THE GOVERNMENT OF THE REPUBLIC OF CHINA

The Clerk called the bill (H.R. 9465) to authorize the extension of a loan of a naval vessel to the Government of the Republic of China.

Mr. MEYER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

CHIEF AND DEPUTY CHIEF OF THE BUREAU OF SHIPS

The Clerk called the bill (H.R. 9464) to remove the requirement that, of the Chief and Deputy Chief of the Bureau of Ships, one must be specially qualified and experienced in naval engineering and the other must be specially qualified and experienced in naval architecture.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5145(b) of title 10, United States Code, is amended to read as follows:

"(b) The Deputy Chief of the Bureau of Ships shall be detailed from officers on the active list of the Navy who are specially qualified and experienced in naval engineering or naval architecture."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESECRATIONS OF PLACES OF WORSHIP AND OTHER SACRED SITES

The Clerk called the concurrent resolution (H. Con. Res. 465) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites.

There being no objection, the Clerk read the concurrent resolution, as follows:

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this desecration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas, if left unchecked, this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the resolution before us today certainly expresses my deep feeling of concern over the wave of desecration, hatred, and bigotry that has occurred recently in this country and other parts of the world.

I think it certainly fitting that this Nation and the rest of the world realize in clear and certain terms that the Congress of the United States deplores desecration in houses of worship and other sacred sites. It is imperative that people everywhere realize that the United States will never forget the horrendous crimes perpetrated by the butcher Hitler and his Nazi followers. Theirs was a small spark that grew to a roaring, devouring flame. We must take immediate steps to confine these isolated sparks so that irresponsible persons cannot once again fan them into flames of destruction. Rational and clear-thinking persons cannot condone hatred and vandalism in any form.

I am hopeful that this expression of concern on the part of the Congress will have some salutary effect on those who might contemplate any future activities of this nature.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING SECTION 602 OF THE AGRICULTURAL ACT OF 1954

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H.R. 8074) to amend section 602 of the Agricultural Act of 1954, was passed, be vacated, and that the bill be restored to the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DESECRATIONS OF PLACES OF WORSHIP AND OTHER SACRED SITES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the proceedings by which House Concurrent Resolution 465 was agreed to be vacated. This concurrent resolution is on the Calendar of Suspensions for today. The resolution was agreed to by every member of the Committee on Foreign Affairs. However, it is a matter on which there is great interest throughout the country, and on which there should be a rollcall vote.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. O'HARA]?

Mr. GROSS. Mr. Speaker, a parliamentary inquiry? What is the request of the gentleman from Illinois?

The SPEAKER. The gentleman from Illinois [Mr. O'HARA] asks unanimous consent to vacate the proceedings whereby the House passed the concurrent resolution, House Concurrent Resolution 465, and restore the concurrent resolution on the Consent Calendar since the resolution is scheduled to be taken up under suspension of the rules today, as was done a moment ago with reference to another bill, which is a rather unusual procedure.

Is there objection to the request of the gentleman from Illinois?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first individual bill on the Private Calendar.

MAYBELL KING

The Clerk called the bill (S. 540) for the relief of Maybell King.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Maybell King, of Mississippi City, Miss., is hereby relieved of all liability to refund to the United States the sum of $918, representing the amount of payments erroneously made to her as a class F allottee for the period February 1, 1945, to March 31, 1946, incident to the service of her former husband, Clarence Benning Gwynn, United States Army (serial number 14015824).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. W. HOLT & CO.

The Clerk called the bill (S. 981) for the relief of T. W. Holt & Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, to T. W. Holt and Company, of Jacksonville, Florida, the sum of $7,273.66. The payment of such sum shall be in full satisfaction of the claim of the said T. W. Holt and Company against the United States for repayment of excessive customs duties erroneously collected by the Bureau of Customs on canned meat imports from Argentina, which were imported by the said T. W. Holt and Company between January 20, 1949, and December 28, 1950, and on which the customs duties were liquidated between October 11, 1950, and December 16, 1952: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVE M. DUGGINS

The Clerk called the bill (S. 1862) for the relief of Harve M. Duggins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harve M. Duggins, United States commissioner, Knoxville, Tennessee, the sum of $862. The payment of such sum shall be in full satisfaction of all claims of the said Harve M. Duggins for compensation for services rendered by him as United States commissioner and for which he received no pay due to a misunderstanding in entering an order for his reappointment as a United States commissioner: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY E. NELSON

The Clerk called the bill (H.R. 5301) for the relief of Harry E. Nelson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry E. Nelson, Tacoma, Washington, the sum of $251.49. Such sum represents reimbursement to the said Harry E. Nelson for paying out of his own funds a judgment rendered against him and costs in the justice court, Tacoma precinct, Pierce County, Washington, arising out of an accident occurring when said Harry E. Nelson was operating a motor vehicle in the course of his duties as an employee of the Post Office Department: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DON L. HERRING

The Clerk called the bill (H.R. 7079) for the relief of Don L. Herring.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Don L. Herring, Memphis, Tennessee, the sum of $265.55. The payment of such sum shall be in full settlement of all claims of Don L. Herring against the United States on account of the loss of his personal property in an airplane crash at Larsen Air Force Base, Washington, on December 20, 1952. It has been administratively determined by the Department of the Navy that Don L. Herring could not be compensated for such loss under the Military Personnel Claims Act of 1945 because the loss occurred while he was on authorized leave: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$265.55" and insert "$176.85."

Page 2, lines 4 and 5, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIOLA H. ROOKS

The Clerk called the bill (H.R. 7636) for the relief of Mrs. Viola H. Rooks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 through 20, inclusive, of the Federal Employees' Compensation Act are hereby waived with respect to the claim of Mrs. Viola H. Rooks, of College Park, Georgia, against the United States for benefits for herself and her children by reason of the Act of July 15, 1939 (5 U.S.C., secs. 797, 797a), arising out of the death of her husband, First Lieutenant Andrew J. Rooks (serial number AO834296, Veterans' Administration claim numbered XC-6-349-418) while on active duty in the United States Air Force on November 3, 1949. Such claim shall be acted upon under the remaining provisions of the Federal Employees' Compensation Act without regard to section 416(b) of title 38 of the United States Code, if she files claim for such benefits with the Secretary of Labor within the six-month period which begins on the date of enactment of this Act.

With the following committee amendments:

Page 1, line 11, after "XC(-6-349-418)" strike out "while on active duty in the".

Page 2, line 7, after "Act" strike out the period and insert "and makes the election required by section 7(a) of the Federal Employees' Compensation Act. No benefits shall accrue by reason of the enactment of this act for any period prior to the date of its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WARREN S. BOGGESS

The Clerk called the bill (H.R. 8988) for the relief of Warren S. Boggess.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and

directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren S. Boggess, a civilian employee of the Air Research and Development Command of the Department of the Air Force, the sum of $10,740.15. The payment of such sum shall be in full settlement of all claims of the said Warren S. Boggess against the United States for losses incurred by him when his furniture was damaged and destroyed by flood on August 13, 1955, while stored in the Guardian Moving and Storage Warehouse, Baltimore, Maryland, awaiting shipment to Madrid, Spain, pursuant to his transfer by the Government from one official station to another: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike "$10,740.15" and insert "$3,610.21".

Page 2, line 5, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNA D. MYERS

The Clerk called the bill (H.R. 2312) for the relief of Mrs. Anna D. Myers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

JOSEPH J. O'LOUGHLIN

The Clerk called the bill (H.R. 6027) to provide for the payment of a disability retirement annuity to Joseph J. O'Loughlin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of the first day of the first calendar month which begins after the date of enactment of this Act, the Civil Service Commission is authorized and directed to pay, out of the civil service retirement and disability fund, to Joseph J. O'Loughlin, formerly postmaster at Lakeville, Connecticut, an annuity equal to the annuity which would be payable to him if the Civil Service Retirement Act of May 29, 1930, as amended, had applied to him at the time of his resignation as such postmaster and he had been granted an annuity pursuant to the provisions of section 6 of such Act, as amended.

With the following committee amendment:

Strike all after the enacting clause and insert: "That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of Joseph J. O'Loughlin, formerly postmaster at Lakeville, Conn., and his claim for compensation based on a disability alleged to have been sustained in connection with the performance of his postal duties prior to his resignation on April 19, 1941, shall be acted upon under the remaining provisions of such act in the same manner as if such claim had been timely filed, if such claim is filed within 60 days after the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Joseph J. O'Loughlin."

A motion to reconsider was laid on the table.

OSCAR A. LaBRANCHE

The Clerk called the bill (H.R. 2849) for the relief of Oscar A. LaBranche.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Oscar A. LaBranche, of San Diego, California, is hereby relieved of all liability to pay to the United States the sum of $3,503.68. Amounts aggregating such sum were paid as compensation to the said Oscar A. LaBranche during the period from August 12, 1940, to December 19, 1942, as an employee of the Post Office Department in contravention of prohibitions which were included in annual Appropriation Acts for such period against the payment by the United States of compensation to certain persons not citizens of the United States. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for all amounts for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARL H. SPERO

The Clerk called the bill (H.R. 5769) for the relief of Earl H. Spero.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500, to Earl H. Spero, 33 West Forty-second Street, New York, New York, in full settlement of all claims against the United States. Such sum represents the amount of departure bond posted by Earl H. Spero for Mrs. Sima Katz on December 11, 1956: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. HUGHIE D. MARTIN AND IONE MARTIN

The Clerk called the bill (H.R. 7226) for the relief of Mr. Hughie D. Martin and Ione Martin.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MRS. VIRGINIA BOND

The Clerk called the bill (H.R. 7933) for the relief of Mrs. Virginia Bond.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the award of death compensation which the Veterans' Administration has held that Mrs. Virginia Bond, of Willis, Virginia, is entitled to receive as a result of its finding on May 13, 1959, that the death of her late husband, Ralph T. Bond, on June 29, 1957, was proximately caused by his service-connected disabilities, shall be held and considered to be effective as of the date of the said Ralph T. Bond's death on the basis of her original claim for such death compensation which she filed on July 11, 1957; just one month after her husband's death; and the Administrator of Veterans' Affairs is hereby authorized and directed to make retroactive payments in accordance with such entitlement.

With the following committee amendments:

Page 1, line 3, strike "death compensation" and insert "non-service-connected death pension".

Page 1, lines 7 and 8, strike "was proximate caused by his service-connected disabilities".

Page 1, line 9, after the words "effective as of the" insert "day following the".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ETHEL B. MORGAN

The Clerk called the bill (H.R. 9443) for the relief of Mrs. Ethel B. Morgan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 202 of the Social Security Act, Mrs. Ethel B. Morgan of 253 East Market Street, Bethlehem, Pennsylvania, shall be held and considered to be the widow (as defined in section 216(c) of that Act) of Elias Robons Morgan (social security account numbered [redacted]). Social security benefits to commence as of June 1952.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HSIAO-LI LINDSAY (NEE LI-HSIAO-LI)

The Clerk called the bill (H.R. 9444) for the relief of Hsiao-li Lindsay (nee Li-Hsiao-li).

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hsiao-li Lindsay (nee Li-Hsiao-li), shall be deemed to have been born in Great Britain and the provisions of section 201 (a) and (b) of that act shall be inapplicable in her case.

With the following committee amendment:

On page 1, line 5, after "Great Britain" strike out the remainder of the bill and substitute in lieu thereof the following: "Notwithstanding the provisions of sections 202(a) and 202(b) of that Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING CERTAIN MINING CLAIMS IN CALIFORNIA

The Clerk called the bill (H.R. 9201) to validate certain mining claims in California.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the mining claims described in subsection (b) which were located by Willam L. Ross on March 7, 1947, and July 7, 1947, are hereby declared to have been valid as of March 7, 1947, and July 7, 1947, respectively, notwithstanding the first form reclamation withdrawal of October 19, 1920, covering the land embraced in these claims: *Provided,* That, before patent may be issued for the land embraced in these claims, there must be compliance with the United States mining laws and regulations applicable thereto, including payment of the purchase price at the rate of $2.50 per acre.

(b) The mining claims validated by the provisions of subsection (a) of this Act are Gem Canyon Numbered 1, further described as the east half southeast quarter northeast quarter; Gem Canyon Numbered 2, further described as the west half southeast quarter northeast quarter; Gem Canyon Numbered 5, further described as the east half northwest quarter northeast quarter; and Margie, further described as the north half southwest quarter northeast quarter; all of which lie in section 2, township 5 south, range 7 east, San Bernardino meridian, California.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

EXEMPTION OF CERTAIN BICYCLE TIRES AND TUBES FROM MANUFACTURERS EXCISE TAX

Mr. KEOGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8318) to amend the Internal Revenue Code of 1954 to exempt bicycle tires and tubes from the manufacturers excise tax on tires and tubes, with the committee amendments printed in the bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4221(e) of the Internal Revenue Code of 1954 (special rules relating to certain tax-free sales) is amended by adding at the end thereof the following new paragraph:

"(4) BICYCLE TIRES OR TUBES SOLD TO BICYCLE MANUFACTURER.

"(A) IN GENERAL.—Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under section 4071 on the sale of a bicycle tire (or an inner tube for such a tire) by the manufacturer thereof if such tire or tube is sold for use by the purchaser as material in the manufacture or production of, or as a component part of, a bicycle (other than a rebuilt or reconditioned bicycle).

"(B) BICYCLE TIRE DEFINED.—As used in this paragraph the term 'bicycle tire' means a tire, composed of rubber in combination with fabric or other reinforcing element, which is not more than 28 inches in outer diameter and not more than 2¼ inches in cross section and which is primarily designed or adapted for use on bicycles.

"(C) PROOF.—Where a bicycle tire or tube has been sold free of tax under this paragraph, this paragraph shall cease to apply unless, within the 6-month period which begins on the date of the sale by him (or, if earlier, on the date of shipment by him), the manufacturer of such bicycle tire or tube receives proof that the tire or tube has been used in the manner described in subparagraph (A)."

SEC. 2. (a) Section 4218 of the Internal Revenue Code of 1954 (relating to use by manufacturer or importer considered sale) is amended—

(1) by striking out "subsection (b) or (c)" in subsection (a) and inserting in lieu thereof "subsection (b), (c), or (d)";

(2) by striking out "If any" in subsection (b) and inserting in lieu thereof "Except as provided in subsection (d), if any"; and

(3) by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following new subsection:

"(d) BICYCLE TIRES AND TUBES.—If any person manufactures, produces, or imports a bicycle tire (as defined in section 4221(e)(4)(B)) or an inner tube for such a tire, and uses it (otherwise than as material in the manufacture or production of, or as a component part of, a bicycle, other than a rebuilt or reconditioned bicycle, to be manufactured or produced by him), then he shall be liable for tax under this chapter in the same manner as if such article were sold by him."

(b) Section 4223(b)(1) of such Code (relating to computation of tax in the case of further manufacture) is amended by striking out "section 4218(d)" and inserting in lieu thereof "section 4218(e)".

SEC. 3. (a) Paragraph (2)(E) of section 6416(b) of the Internal Revenue Code (relating to special cases in which taxpayments are considered overpayments) is amended by striking out "subparagraph (A) or (B)" and inserting in lieu thereof "subparagraph (A), (B), or (E)".

(b) Paragraph (3) of such section 6416(b) is amended—

(1) by striking out "subparagraph (B), (C), or (D)" in subparagraph (A) and inserting in lieu thereof "subparagraph (B), (C), (D), or (E)"; and

(2) by striking out "or" at the end of subparagraph (C), by striking out the period at the end of subparagraph (D) and inserting in lieu thereof "; or", and by inserting after subparagraph (D) the following new subparagraph:

"(E) in the case of—

"(i) a bicycle tire (as defined in section 4221(e)(4)(B)), or

"(ii) an inner tube for such a tire, such article is used by the second manufacturer or producer as material in the manufacture or production of, or as a component part of, a bicycle (other than a rebuilt or reconditioned bicycle)."

SEC. 4. The amendments made by this Act shall apply only with respect to bicycle tires and tubes sold by the manufacturer, producer, or importer thereof on or after the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

Mr. MASON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. KEOGH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the pending bill—H.R. 8318—which was ordered favorably reported by the Committee on Ways and Means, exempts from the existing excise tax on tires and tubes those tires and tubes sold for or used in the manufacture of new bicycles. The taxes will continue to apply on tires and tubes sold or used as replacements.

Mr. Speaker, the objective of the bill is to equate the position of the domestic bicycle manufacturers with that presently enjoyed by the importers of bicycles. Present law subjects tires and tubes mounted on bicycles made in the United States to the tax, but does not levy it on the tires and tubes mounted or brought in on foreign-made bicycles.

This bill is in line with the long-established policy of the Congress as demonstrated on many occasions in the past, to relieve from excise and other taxes those articles that are primarily used by, or designed for the use of, children. Bicycles belong in the children's category, since surveys show that 90 percent of the bicycles sold in the United States are used by children between the ages of 5 and 12. The Congress has clearly indicated its policy of not wishing to apply excise taxes to such articles. This policy was reflected in the Revenue Act of 1951 which made the manufacturers' tax on sporting goods inapplicable to various equipment of the size or kind predominantly used by children; and in the same act, Congress removed the excise tax on solid rubber tires of small sizes and tires with internal wire fasteners used for such children's items as tricycles, scooters, coaster wagons, and so forth.

It is the position of the committee that the policy to be consistent should apply also to tires and innertubes sold for use, or used, in the manufacture of new bicycles which, as I have indicated, are used predominantly by children.

Another objective of the bill is that it will remove a glaring discrimination now evident in the case of bicycle tires mounted on bicycles manufactured outside the United States and sold here. No excise tax is paid on those tires and tubes; and it is the objective of this bill, therefore, to equate the position with respect to the excise on tires and tubes of both types of manufacture.

The fiscal estimate as to the effects of this bill is that it will probably mean less than $500,000 reduction in the revenue.

But, more important, Mr. Speaker, it will remove the discrimination against the domestic producers. I am not suggesting that there should be any other system invoked in order to put these two competitors on a parity for to go into any other method to obtain the objectives here sought would run counter to the administrative policy of the Treasury Department and I daresay would run counter to the policy of other departments of Government.

I may point out, Mr. Speaker, in addition to the precedents I have already cited, in the Excise Tax Act of 1958 we extended relief in the case of items that were primarily used for children and we removed the excise taxes on deck tennis rings, nets and posts, lacrosse balls and sticks, and sleds measuring more than 60 inches in length. In the same bill we clarified the situation with respect to the so-called bicycle bags that, under previous law, were taxed as luggage, since it was clearly shown that the bulk of such bicycle bags are used by children in carrying their school and other books, and wisdom, justice, and equity dictated that the tax should be removed. That was done.

Mr. Speaker, I urge the House to suspend the rules and pass this bill.

Mr. MASON. Mr. Speaker, I yield myself such time as I consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, the bill before us today pertains to the application of the Federal excise tax on tires and inner tubes as they are applicable to bicycle tires and tubes. The bill would exempt such tires and tubes sold for use, or used, in the manufacture of new bicycles.

Mr. Speaker, this legislation points up the errors of our past ways in trading away the vitality of our domestic industries and domestic markets to foreign manufacturers through tariff reductions. Under existing law bicycle tires are subject to a 5-cent-a-pound manufacturers' excise tax and bicycle tubes are subject to a 9-cent-a-pound manufacturers' excise tax. While this tax is applicable to tires and tubes regardless of their country of manufacture, they are not applicable to tires and tubes mounted on bicycles when the bicycles are imported into the United States.

Mr. Speaker, we are all aware of the tragic plight of our domestic bicycle industry which has been seriously damaged by our unwise trade agreement program. Foreign manufacturers of bicycles have taken an increasing share of our domestic market with the result that our domestic bicycle industry is sorely pressed for its survival.

This legislation would seek to ameliorate that problem by improving in a very minor way the competitive position of our domestic producers, vis-a-vis, their foreign counterpart.

Mr. Speaker, so that there will be no doubt in any one's mind, I would make it very clear that if I were to have my way as to the proper course in dealing with this problem, the House today would be given opportunity to vote in favor of providing this important domestic industry adequate tariff protection against the excessive imports of foreign produced bicycles manufactured by workers paid substantially less than the prevailing wage scale paid to our American workers.

Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, let me say, first, that the enactment of this bill will not be earth-shaking. I rise, however, in opposition to it.

I would not be fair to myself and to those of the House who did not have the advantage of the committee discussion on this bill if I did not outline some of the reasons why this bill takes the wrong approach to solving the problem involved.

Let me make a few facts clear. There is today no excise tax on bicycles as such. This bill does one thing. It relieves the manufacturers of bicycles from the excise tax which they now must pay on the tires they buy and put on the bicycles.

This bill does not repeal the tax on bicycle tires. It simply provides an exemption for one group of users, namely the producers of new bicycles.

This is a tax reduction to the tune of about $500,000 a year for this group of people.

Of course, the attempt is made, and it has been made by the gentleman from New York who just addressed the House, to wrap this up in a package of emotionalism. He suggests that we have to do this for our children. Let me state again to make it perfectly clear that this bill exempts the manufacturers of bicycles and no one else. A child buying a tire to replace a tire on his bicycle is still going to have to pay the tax.

This tax on the manufacturer amounts to about 20 to 25 cents per bicycle. If the manufacturer is exempt from paying this tax, let me ask you this question honestly and fairly: Do you think for a moment that he will pass this saving on to the person that buys a bicycle? Of course not. The industry, I should say, in all fairness, does not suggest that it is going to pass it on. It complains—and I think properly complains—of the profit situation that it finds itself in as the result of foreign competition. But, we do not attack the problem of foreign competition by a 20- to 25-cent-tax exemption on this item that the manufacturer pays.

Now, I will certainly admit that there is an inequity as between domestic manfacturers and the foreign manufacturers exporting to this country. As the law stands today, a tire on an imported bicycle does not have an excise tax. I suggested in committee, and I offered to introduce a bill, in fact, to impose this excise tax on tires on any importer bringing foreign made bicycles into the United States. That would equalize the situation. I am in perfect sympathy with the argument of the domestic producers that they are placed at a disadvantage because of the fact that they have this 20 to 25 cent additional cost that the foreign-made bicycle does not have. But, I say the way to remedy the situation is to impose it on the foreign producers or importers.

Let me suggest, too, that in addition to attacking the problem in the wrong way, this bill produces more inequities because you still have this same problem with respect to motorcycles that are imported. They do not pay the tax on the tires of a motorcycle that is imported, whereas the domestic producer of a motorcycle does have to pay the tax.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from New York.

Mr. KEOGH. I would like to remind the gentleman that on July 27, 1955——

Mr. BYRNES of Wisconsin. We removed the excise tax on motorcycles.

Mr. KEOGH. We unanimously removed the excise tax on domestically produced motorcycles.

Mr. BYRNES of Wisconsin. But not on the tires that are sold for the purpose of going on motorcycles. They are in the same position as the bicycle, exactly. A bicycle has no excise tax today.

Mr. KEOGH. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. Yes.

Mr. KEOGH. Obviously it would be impractical to remove the excise tax on motorcycle tires, for they may be used on other automotive equipment.

Mr. BYRNES of Wisconsin. My point is, that the excise tax should apply to the tire on the imported motorcycle, and that is not the case today. Also, the same situation exists as far as imported motor scooters and farm tractors are concerned, because the tax we are dealing with is the tax on the tires, and it is a manufacturer's tax. It is a tax that the producer or the buyer of a tire has to pay. The man that makes a tractor goes to a manufacturer to buy the tires and he pays the taxes to that manufacturer. It is a manufacturer's excise tax on tires. You are exempting one group of people, the producers of bicycles, and you say to everybody else that buys a bicycle tire, you must pay the tax but not the manufacturer of bicycles. In my judgment it is unfair to select one group of our people, one group of users, as far as that is concerned, and say, "We will give you a tax reduction of $500,000. We will exempt you from the payment of the tax, but everybody else will have to pay it."

What we should do, in all fairness, is to take care of the inequity that exists

today between the domestic producer and the foreign producer, by imposing the tax on the foreign producer.

The gentleman from New York [Mr. KEOGH] has suggested in his remarks that the Treasury favors his approach. I would say that I think the gentleman knows that in the representations made before the committee, the Treasury expressed opposition to this bill; so let us not be under any misapprehension as far as that aspect of the matter is concerned.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. KEOGH. My understanding is that the tire now is the only component of a bicycle subject to an excise.

Mr. BYRNES of Wisconsin. I think that is true as far as the motorcycle is concerned, too.

Mr. KEOGH. I am not sure of that. But I would also like to clarify the gentleman's comment with respect to the Treasury Department. What I meant to imply in my remarks was that the Treasury Department indicated that there were far more serious administrative problems in attempting to achieve the equity in the manner in which the gentleman suggests.

Mr. BYRNES of Wisconsin. I would say to the gentleman that there is nothing to prevent us from imposing an excise tax on tires imported on bicycles. There is nothing to prevent that at all and there is no difficulty in doing it. The gentleman knows better than that and I certainly do not remember the Treasury raising any question about administration problems. As I say, Mr. Speaker, this is not an earth-shaking bill. The world is not going to fall in if we pass it. It seems to me as we consider this bill that at least these facts should be brought to the attention of the House. In my judgment at least, while there is a problem here, this bill attacks the problem in absolutely the wrong way and creates further discrimination and inequity. It should not be passed. Instead of reducing our revenue by $500,000 per year by passing this bill, we should be increasing our revenue by imposing the tax on tires imported on foreign-produced bicycles and other imported vehicles.

Mr. KEOGH. Mr. Speaker, it is my great pleasure to yield such time as he may desire, not to exceed 5 minutes, to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Speaker, I join the gentleman from New York [Mr. KEOGH] and the majority of the Ways and Means Committee in supporting this legislation.

It seems to me that the point that the gentleman from New York made about the policy of exempting from excise tax any articles such as bicycles, which are used by children, is a perfectly legitimate one and this is a policy that should be continued.

Most important of all, Mr. Speaker, I feel that the basic point for consideration is the opportunity to equalize, through this legislation, the competitive situation which presently exists between the domestically produced bicycles and those which are imported.

I might say, too, that I believe it is not customary to have any excise tax upon imports, as has been suggested. I also think it is true that any such impost on imports would be very, very difficult to administer as compared with the legislation that is proposed in the bill and before the House today. It is important to realize that there are difficulties in this industry that exist in the United States, difficulties in competition that have not been experienced before in the history of these industries. New England presently has enough competitive difficulties apart from those such as we are discussing which can be painlessly removed.

The health of these companies is vital to the section of the country from which I come—which, perhaps, is attacked more from this sort of competition than is any other section of the country. I believe I state a fact when I say that the passage of this legislation and the relief which it would afford might very well mean the difference between a profitable operation and one which would represent a loss to the companies involved.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman is proposing to take that revenue out of the Treasury of the United States. Why not put that burden on the foreign importer?

Mr. MONAGAN. I think there is a difficulty, as I said, in administration, to begin with, in that these imports come from many different countries. Also, they would only be a part of the article that is imported.

Mr. BAILEY. The gentleman's explanation there is not a valid one because that is being done on a lot of other articles that are being imported. I can see no justification on that ground. The fact of the matter is that we are raiding the Treasury of the United States in favor of the foreign manufacturers in many instances.

Mr. MONAGAN. I also believe it is not customary to impose an excise tax upon the products of foreign manufacturers.

Mr. BAILEY. The benefit under this bill would go to the American producers. If there were a provision in there that it would be reflected in the sales price, I could go along with this legislation.

Mr. MONAGAN. I believe the reduction would be reflected in the price even though, as has been pointed out, it is a relatively small reduction. Nevertheless, the competition is so keen, with the vast sales to the big department stores and other outlets, that I feel quite confident myself it would be reflected in the price.

Mr. BAILEY. I do not want to inject any further controversy into this matter, which is already controversial, but it is time we looked to the protection of our American producers because of the situation that exists at the present time with an excess of imports of $4 billion over exports.

Mr. MONAGAN. I agree with the gentleman generally but not in the instant case for practical reasons.

Mr. MASON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I want to urge every Member of this Chamber to vote for H.R. 8318 to right a wrong that already has been permitted to continue too long.

I refer, of course, to the excise tax on bicycle tires and tubes. This is rank discrimination against bicycle manufacturers for the tax is directly contrary to the demonstrated policy of Congress not to tax articles primarily designed for use by children. Ninety-six percent of the bicycles sold in the United States are for use by persons under 14 years of age with the 8 to 9 years predominant. Proof, I am told of this figure, is obtained from the returned guarantee tags. Therefore bicycles are predominantly children's goods and should have the same tax as other children's goods.

Children actually buy many of the bicycles themselves with the dimes, quarters, and dollars they save from such childhood enterprises as delivering newspapers, running errands, and so forth. They use the bicycles in their work and pay for them with their earnings. Surely our Government is not so hard-pressed for revenue that it must dip into our children's pockets with this unjust, discriminatory tax which is passed on to the children.

Making the tax on bicycle tires and tubes double discriminatory against American manufacturers is the fact that it applies to tires and tubes mounted on new bicycles made in the United States but not to tires and tubes mounted on bicycles manufactured outside the United States for sale in the United States. This unequal tax adds to the difficulties in which the struggling American bicycle industry now finds itself. Foreign manufacturers already have captured 28 percent of the American bicycle market and the pressure of foreign competition continues relentlessly severe. Now along with Germany, Italy, Holland, and Yugoslavia—Japan has entered the American market, the first 10,000 shipment is due soon.

H.R. 8318 affords Congress one way to aid our home industry—merely by doing what we clearly ought to do to remedy a gross discrimination against our home manufacturers. To bring the effects directly apparent, I cite this example:

In my district is the oldest bicycle firm in the United States, a founder of the industry. They employ approximately 600 people. Their yearly production is 300,000 units which amounts to 1,400 bicycles per day on 1 shift. Yet, more are landed in American ports, on one day, than this firm produces in a week. This labor force, mostly highly skilled, who depend on this work, contribute immeasurably to the economic well-being of the small community in which it works. In fact, it is one of the largest industries in this town, one which has been there since 1877. This discriminatory tax could, therefore, force this reputable firm to reduce its operations or

to close its doors. The economic implications should be apparent on American skilled labor. Even critics of the bill admit that American manufacturers should not have to pay a tax which their foreign-based competitors do not have to pay.

I say this excise tax on bicycle tires and tubes is a wrong that has been permitted to continue too long. We are allowing by a tax of our own imposition the foreign makers to eliminate the bicycle industry in the United States. From only 15,000 foreign imports a few years ago, the figure rose in 1959 to 1,100,000. It can be seen, logically, what effect this increase will have, and the end is not in sight. It is a wrong because it is a tax on children's products and it is a wrong because it gives foreign competitors an unfair price advantage over American manufacturers. I appeal to you to right that wrong by voting to pass H.R. 8318.

In answer to my colleague and good friend from Wisconsin on his proposal to pass a law taxing foreign tires and tubes. He knows that there would be stiff opposition by the State Department, and that such a proposal would meet with stiff opposition.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield.

Mr. BAILEY. Do you not think it is about time the Congress of the United States asserted its own rights and did not let the Department of State give the orders in this case?

Mr. CONTE. I think you are right, but this is an emergency and I do hope the Congress will go along with this proposal.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Speaker, I want to add my wholehearted support to H.R. 8318 and urge all my colleagues to join in voting to relieve American bicycle manufacturers of the unfair burden of a gross tax discrimination which makes more difficult their fight for survival against the pressure of foreign competition.

Simple justice dictates that American manufacturers should not have to pay an excise tax on bicycle tires and tubes that their foreign competitors for the American market do not pay. The American manufacturers are having a hard enough struggle without being subjected to discrimination in excise taxes. American manufacturers have been forced to yield 28 percent of their home market to foreign imports and this already is an extreme hardship. They should not be forced to bear a still heavier burden resulting from this discriminatory tax.

Relieving them of this unjust tax may help them keep their factories operating and to continue the jobs of the thousands of American workers in the bicycle industry. Passage of this bill is important to American consumers, American labor and American bicycle manufacturers.

I ask all of you to vote to pass H.R. 8318.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, it is a privilege to speak out in support of H.R. 8318, introduced by the gentleman from New York, the Honorable EUGENE J. KEOGH. This bill eliminates a tax discrimination against the American bicycle industry that gives foreign manufacturers an unfair price advantage in competition for the American market. Excise taxes on bicycle tires and tubes, under present law, apply to tires and tubes mounted on new bicycles by American manufacturers, but they do not apply to tires and tubes mounted on new bicycles manufactured outside the United States for sale here. American manufacturers are subject to a tax of 5 cents a pound on tires and 9 cents a pound on inner tubes. This amounts to about 25 cents tax per bicycle for two tires and two tubes—a tax that foreign manufacturers do not have to pay.

While this appears to be an incidental amount when looked at in terms of only one bicycle, it represents a large share of the profit on a bicycle. The elimination of this tax could enable the American manufacturer to perhaps reduce his selling price.

Mr. KEOGH's bill, as amended, exempts from the tire and tube taxes, those tires and tubes sold for use, or used, in the manufacture of new bicycles. This is accomplished through a series of amendments to the Internal Revenue Code provisions.

As bicycles in the United States are primarily designed for use by children—figures showing that 90 percent of all bicycles sold in the United States are for use by children 5 to 12—the present excise tax is directly contrary to the demonstrated intent of Congress. In the past, Congress has indicated it did not desire to subject to excise taxes articles designed for children. In the Revenue Act of 1951, Congress removed the tax on solid rubber tires of small sizes and tires with internal wire fasteners which are used for such items as children's tricycles, scooters, coaster wagons, and so forth. In this same act, the manufacturers' tax on sporting goods was made inapplicable to various equipment of the size and kind predominantly used by children.

The estimated loss in revenue will be $500,000 annually. However, it will be offset by the fact the bill will strengthen the now-endangered American bicycle manufacturing companies, helping to keep their factories operating and paying taxes. It will also safeguard the jobs of American workmen employed in this industry.

With an opportunity to assist the workingmen of our country, and a possible price reduction in a manufactured item in these days of spiraling inflation, I believe that this bill should be overwhelmingly passed by this Congress. It would certainly be a step in the right direction to help stabilize American industry.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that my very distinguished friend, the gentleman from Ohio [Mr. VANIK], may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to express my opposition to the enactment of H.R. 8318, which seeks to exempt bicycle manufacturers from the payment of excise taxes on bicycle tires.

It is my judgment that when taxes can be reduced they should be cut for the consumer rather than for special industries. Our legislative experience should be convincing that these tax cuts never reach the ultimate consumer in the form of lower prices. The cut in the excise tax on rail and truck freight and transmissions through pipelines was not reflected in a single freight rate cut. The reduction of the tax on theater admissions was immediately absorbed by theater managements, and no price reductions resulted.

We have every reason to believe that this special concession to one industry will simply add $500,000 or more to its profits at the expense of the Federal Treasury.

The proponents of this legislation argue for the help it will provide for the American domestic bicycle producing industry. What parts of a so-called American bicycle are made here? The average so-called American bicycle has chain drives which are made in Japan, the brake housing and brakes are made in West Germany, the shift mechanism is made either in England or Switzerland, the spokes are made in Sweden or Belgium, while many tires are made in Holland. There are grave doubts that the "Made in America" decals which are used on the bicycle are printed here.

However, tax reductions are long overdue for every taxpayer. Until Federal financial problems are resolved, it is difficult to sanction any loss of vitally needed Federal tax revenues. In the meanwhile, the whittling away of our tax structure to provide relief for the advantage of special groups or industries does not appear to be on the side of fiscal prudence.

Mr. KEOGH. Mr. Speaker, I now yield 2 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Speaker, I desire to join my distinguished friend from New York [Mr. KEOGH] and my friend and neighbor, the gentleman from New York [Mr. PIRNIE] who has just spoken, in urging the adoption of H.R. 8318.

Recently, about a month ago, as I have already mentioned to Members of the House, a session of the Unemployment Problems Committee of the other body was held in my district and home city of Schenectady. The committee explored some of the economic problems being faced by the people of that area. One of the most serious problems, they learned, is the problem of foreign competition that is taking business away

from our industries, not only in my district but in the districts adjoining mine. So I hasten to join with those who have preceded me who likewise are faced with this problem of foreign competition and together with them earnestly request relief to meet our unemployment problem.

I agree with what the gentleman from Illinois [Mr. MASON], said, that it would be better if we could handle this by raising the tariff on bicycles, but I think the gentleman well knows that this kind of legislation has very little opportunity of passage in this body or of signature by the President of the United States. So this bill is directed to the same objective; it gets at that objective by another means, the only really practicable means available to us. Therefore, Mr. Speaker, I urge its adoption as a measure of relief to the unemployment problem that is being faced by the people of upstate New York.

Mr. LANE. Mr. Speaker, I rise to support this bill, which as you have already heard exempts from the tire and inner tube taxes bicycle tires and tubes sold for use, or used, in the manufacture of new bicycles.

This bill is necessary in view of the fact that the present law imposes a manufacturers' excise tax on bicycle tires of 5 cents a pound, and manufacturers' excise tax of 9 cents a pound on inner tubes.

It is my understanding that a situation has come about whereby bicycle tires and tubes are mounted on bicycles outside of the United States where the bicycles are then sold in the United States. In the sale of these tires and tubes there is no U.S. excise tax, which inures no doubt to the benefit of the foreign manufacturer and discriminates against our American producers of bicycles who have had keen competition from outside continental United States by other manufacturers.

At the present time, the bicycle manufacturers in the United States have been hit so hard due to reciprocal trade legislation that for the most part many of them of long standing have gone out of business.

Although this bill will mean a loss of revenue to the United States, I know that it will be an incentive to those domestic manufacturers to remain in business and to continue to manufacture our American bicycles.

I sincerely hope that this bill will be passed by a substantial vote.

Mr. LIBONATI. Mr. Speaker, the distinguished gentleman from New York [Mr. KEOGH] is to be congratulated in presenting before this body, H.R. 8318, which has for its purpose the exemption of the excise tax upon bicycle tires and tubes—a classification now enjoyed by tires and tubes of foreign make.

It is important that the manufacturers of bicycles in America be given an equal opportunity to compete with those of foreign manufacture. The industry here is very sick—fading gradually into bankruptcy because of the lower prices of foreign makes manufactured under low wage scales of employment and free of tariff charges and high corporation taxes.

One of the most important manufacturers of an outstanding product, for many years, is the Schwinn Bicycle Corp. in my district.

By a series of layoffs and retrenching of expenses and costs, they have remained in business. I am happy to vote for H.R. 8318 to, in a small way, relieve their excessive financial burdens in a field of strong competition by foreign manufacturers who, as in other industries, by use of American dollars destroy the American economy of our home industries.

Mr. KEOGH. Mr. Speaker, I understand the gentleman from Wisconsin has no further requests for time; I have no further requests for time. I therefore move the previous question on the bill.

The SPEAKER. The question is on the motion of the gentleman from New York that the rules be suspended and the bill be passed.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title of the bill was amended to read as follows: "A bill to amend the Internal Revenue Code of 1954 to exempt bicycle tires and tubes used in the manufacture or production of new bicycles from the manufacturers excise tax on tires and tubes."

A motion to reconsider was laid on the table.

MARKING OF NEW PACKAGES FOR IMPORTED ARTICLES

Mr. HERLONG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5054) to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of subsection (a) of section 304 of the Tariff Act of 1930, as amended, is amended by striking out "subsection (b)" and inserting in lieu thereof "subsection (b) or (c)."

(b) Section 304 of such Act is further amended by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively, and by inserting after subsection (b) the following new subsection:

"(c) When any imported article the container of which is required to be marked under the provisions of subsection (b) is removed from such container by the importer, or by a jobber, distributor, dealer, retailer, or other person, repackaged, and offered for sale in the new package, such new package shall be marked in such manner as to indicate to the ultimate purchaser in the United States the English name of the country of origin of such article. Any article offered for sale in violation of the provisions of this subsection shall be subject to seizure and forfeiture. When any article passes out of the custody and control of the importer, he shall be absolved from all responsibility with respect to subsequent repackaging unless performed by or for his account."

(c) Subsection (e) (as redesignated by subsection (b) of this section) of such section 304 is amended by striking out "subsection (c)" and inserting in lieu thereof "subsection (d)."

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after the sixtieth day following the date of the enactment of this Act.

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second and ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HERLONG. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Florida is recognized.

Mr. HERLONG. Mr. Speaker, this bill, H.R. 5054, was favorably reported unanimously by the Committee on Ways and Means.

The principal provisions of the bill may be briefly summarized as follows. The bill would amend section 304 of the Tariff Act of 1930. This present law contains provisions requiring that imported articles be marked in such way as to indicate to the ultimate purchaser in the United States the English name of the country of origin of the article.

There are under existing law a number of exceptions to this requirement relating to articles which for one reason or another cannot themselves be marked. Section 304(b) provides that such articles that cannot themselves be marked shall have the container in which they are packaged marked with the name of the country of origin of the articles.

H.R. 5054 would add a new provision to section 304 in effect stating that if an imported article whose container must be marked under provisions of existing law is removed from that container and repackaged then such new container must also be marked with the name of the country of origin.

This requirement for marking on repackaging is made applicable to the importer, jobber, distributor, dealer, retailer, or other person who does the repackaging.

The bill provides that the penalty for failure to mark as required under the bill will make the article subject to seizure and forfeiture under the customs laws. Since existing law is designed to apply to the marking of new containers when articles are repackaged by an importer, the committee has adopted language to limit the importer's liability under H.R. 5054 so as to make the bill applicable to an importer only if subsequent to the article passing out of his custody and control the article is repackaged by or for the importer's account.

This bill would also eliminate the growing practice of commingling imported articles with like domestic articles and marking the new packages "Made in U.S.A." even though some of the articles in the new package were actually made outside of the United States and in some cases, as a matter of fact, these imports originating behind the Iron Curtain.

Before concluding, Mr. Speaker, I should point out that the provisions of H.R. 5054 would not apply to any product whose container is not required to

be marked under the provisions of existing law, that is to say, section 304(b) of the Tariff Act of 1930, as amended. Section 304(b) itself exempts from marking requirements, where the Secretary has by regulations acted, certain types of articles such as articles that are "to be processed in the United States by the importer or for his account otherwise than for the purpose of concealing the origin of such article," and so forth, or articles such that "the ultimate purchaser, by reason of the character of such article or by reason of the circumstances of its importation, must necessarily know the country of origin of such article even though it is not marked to indicate its origin." Thus, these exceptions would apply equally to the provisions of my bill.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from West Virginia.

Mr. BAILEY. Is this legislation so written that it will require the marking to indicate the origin of production of the article?

Mr. HERLONG. Yes, it is.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Iowa.

Mr. GROSS. Does the legislation provide that the imported article must reach the ultimate purchaser under a label denoting the country of origin?

Mr. HERLONG. It does not. It provides that the new package must bear the name of the country of origin, the English name of the country of origin. However, this is a matter of repackaging. The question was brought up and discussed in the committee from an economic standpoint. It would be entirely uneconomical for a company or importer or dealer to continue to repackage these articles. About one repackaging is all they can afford.

Mr. GROSS. Does the gentleman not think that every imported article from a foreign country ought to in some way tell the ultimate consumer in this country where that article originated?

Mr. HERLONG. I certainly think this bill will accomplish that for economic reasons.

Mr. GROSS. I hope the gentleman is right.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the purpose of this legislation is to provide a realistic improvement in the marking provisions affecting customs practices pursuant to section 304 of the Tariff Act of 1930 as amended. The legislation before the House today would provide that an imported article required to be shipped in a container marked with the country of origin, if it is removed from that container, repackaged and offered for sale in a new package, the new package shall be marked in a manner similar to the requirements pertaining to the original package. It tightens up the marking provisions.

The Committee on Ways and Means, Mr. Speaker, was unanimous in favorably reporting this legislation to the House.

Mr. HERLONG. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Speaker, this bill has a great deal of merit but I am opposing several features of this bill because I believe that the committee did not explore the effect upon two or three industries which would be adversely affected economically.

Let us take the olive oil industry, for instance. Importers are buying oil from various countries throughout the world in drums. They package it. They do not know when they are going to get the oil or from where. The drums all come at one time, perhaps in the same ship, in the same cargo. They have orders for 1-gallon or 5-gallon containers and they have to be ready to package this oil.

Under the terms of this bill they do not know what they can do. The exceptions provided in this bill do not exclude them and the authorization given the Treasury Department to exempt does not cover that industry because they cannot comply with the conditions set forth.

This would be a harsh and destructive rule with respect to that particular industry. They cannot, because of the lack of production in any one particular country, determine in advance when they will have a sufficient amount of pure olive oil in order to have the cans prepared for the packaging when they come into the United States. It would create a problem of labor. It would entail increased costs. It would raise the cost to the consumer, and it would also create some economic disadvantages to the importers. Because they sell olive oil under brand names the people in the country recognize that they are foreign products; they do not consider them to be American products. Nobody would be fooled, and this requirement would be a detriment to this particular industry, which has complained to me. The committee did not discuss this subject in their hearings.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from West Virginia.

Mr. BAILEY. It simply means that the purchaser of a quart of lubricating oil used in automobiles and for other purposes would not know, since these big American oil companies that are operating in this country are also operating in Venezuela, Saudi Arabia, Iraq, and Iran, unless some kind of legislation like this proposed by the gentleman from Florida [Mr. HERLONG] is approved. They would immediately bring in those foreign oils, and in the process of getting them ready for market, they would mix the Venezuelan and Saudi Arabian and Iranian oil with our domestic product. Under this bill they would have to be marked if they had any part of their contents coming from a foreign country.

Mr. SANTANGELO. Under the provisions of this bill, each and every can, whether it is a quart or gallon, would have to be marked and the source of the lubricating oil identified. But, I had particular reference to the domestic oil consumption. I was not pleading for the lubricating oil industry. I do not know what the situation is with respect to lubricating oils, but I did receive complaints from importers of various olive oil companies who said that it would create an economic hardship upon them and cause the price of foreign olive oils, to rise. And, I am talking about the oil which they use for cooking or any other domestic consumption.

Mr. BAILEY. I hope the gentleman realizes that the oil imports are taking 27½ million tons of our domestic soft coal market. You cannot expect the gentleman from West Virginia to agree with the oil interests because they do not need any particular protection.

Mr. SANTANGELO. I agree with the gentleman from West Virginia, but I am not pleading for the cause of the lubricating oil people. I am specifically referring to that segment of our industry that has not had an opportunity to discuss this bill before the committee. The committee, I understand, did not discuss during their hearings and they do not know what the effect upon them is. So therefore I say, from what I understand, that the olive oil industry would be placed at a considerable economic disadvantage.

Mr. BAILEY. This is one instance in which I will have to vote with the Committee on Ways and Means, and that is very unusual.

Mr. HERLONG. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Florida.

Mr. HERLONG. I will say to the gentleman that we do know what the effect is. It is my understanding that anyone who resells and repackages oil coming from any other country, where the oil is contained in marked drums, then the new drum in which the oil is repackaged and resold in this country is also required to be marked. This bill simply states that the new package will have to be marked with the country of origin, and that is all it says.

Mr. SANTANGELO. Did your committee explore the effects upon the olive oil industry? I am not talking about lubricating oil.

Mr. HERLONG. The committee discussed it and had representatives of the Tariff Commission, the Customs people there, and discussed generally the effect of the bill. But, we did not go down the list of every article that comes into the United States as to what effect it would have. We would still be there if we did that.

Mr. SANTANGELO. Did the olive oil industry come before your committee and have an opportunity to present its position to your committee?

Mr. HERLONG. No; it did not personally appear since no public hearings were held. However, the committee did receive communications which were considered.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield such time as he may require to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Speaker, I am indeed gratified at the attention which is being paid here this morning to the pro-

tection of our American producer from false labeling. A few years back there was before the Congress a bill which was facetiously referred to in some quarters as the un-American trout bill, and which most Members will recall. I introduced that bill and it passed the Congress. Unfortunately it was vetoed by the President. I still think it was very good legislation for that particular industry. It sought to do just exactly what is sought here at the present time for all types of industry, and I commend the committee and the membership for bringing this bill to the floor of the House of Representatives.

It should be enacted and I hope it becomes law.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I take this time to inquire of the subcommittee chairman with regard to an apparent large number of articles that come in without labeling. It is the principle of the law, as I understand, that all shall be labeled.

Mr. HERLONG. That is the principle of the Tariff Act, with certain exceptions which are listed in the present Tariff Act.

Mr. HIESTAND. With regard to the imports of cast iron pipe which could be labeled but are not, could this be made applicable there?

Mr. HERLONG. I would say to the gentleman, according to the interpretation of the provisions of the law, if it is practicable and must be labeled under existing law it would have to be labeled now. This law does not take care of anything like that? This only calls for the repackaging of articles and does not refer to unpackaged articles which are presently allowed to enter from other countries.

Mr. HIESTAND. Can the chairman of the subcommittee suggest which of these categories listed, cast iron pipe would come in under this provision? I looked them over and it did not seem to me that any would apply.

Mr. HERLONG. I would say to the gentleman that he would have to refer to the existing law for that information.

Mr. HIESTAND. I thank the gentleman.

Mr. HERLONG. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Speaker, I commend the committee for bringing out this legislation. It has considerable merit. I hope that the principle of labeling can be extended to all goods manufactured here and abroad. In addition to labeling the country of origin, I think the manufacturer's name ought to appear on any product that is large enough and suitable to carry the name so that a manufacturer's warranty might have some chance of enforcement in our courts.

Mr. HERLONG. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill, H.R. 5054, with amendments?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON AMORPHOUS GRAPHITE

Mr. FORAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1217) to suspend for 2 years the import duty on certain amorphous graphite, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That amorphous graphite or amorphous plumbago, crude or refined, valued at $50 per ton or less, provided for in paragraph 213 of the Tariff Act of 1930, shall be admitted free of duty if entered, or withdrawn from warehouse, for consumption, during the two-year period beginning on the day after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. ROBERTS. Mr. Speaker, I demand a second.

Mr. FORAND. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FORAND. Mr. Speaker, this bill, H.R. 1217, which was introduced by the Honorable ALVIN M. BENTLEY, was favorably reported by the Committee on Ways and Means with amendments.

The bill provides for a 2-year suspension of the duty on amorphous graphite valued at $50 per ton or less. Amorphous graphite is dutiable under the Tariff Act at a rate of 5 percent ad valorem at present. The United States has been heavily dependent on imports of amorphous graphite for a variety of uses. Natural graphite is among the materials listed as strategic and critical for stockpiling purposes.

In order to minimize any possible adverse effect on domestic production, the Committee on Ways and Means has provided that the suspension of duty shall apply only to imports valued at $50 per ton or less, and it is also provided that the suspension of the duty be made effective for a period of 2 years.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Iowa.

Mr. GROSS. What is amorphous graphite? Will the gentleman state briefly what this product is?

Mr. FORAND. If the gentleman will follow the report closely, he will find there is an explanation of it in there, as follows:

Natural graphite (plumbago) is a soft, black mineral occurring in disseminated flakes or in scaly, granular, compact, or earthy masses. The term "crystalline graphite" or "flake graphite" refers to varieties that occur in crystals large enough to be visible to the unaided eye. The type covered by your committee's bill is a very fine granular variety which is actually cryptocrystalline or featuring particles so fine that they are not recognizable individually except under a high-power microscope.

Mr. GROSS. Now the gentleman can understand why I did not understand what amorphous graphite might be.

Mr. FORAND. I can say to the gentleman, I also have to read this for a full description.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from West Virginia.

Mr. BAILEY. In what way would the imports of amorphous graphite contribute to national defense in the way of being a critical article? If it is, why is there any duty on it at all? In most cases they suspend the duty on such articles, such as bauxite, manganese, and other articles like that.

Mr. FORAND. The information given to the committee is that this type of graphite is a mineral which has a wide variety of uses. For example, it is used for foundry facings and in the manufacture of carbon brushes, dry cell batteries, pencils and paints, lubricants, and brush stock for electric motors. All or most of these items, in one form or another, would have a bearing on defense.

Mr. BAILEY. To what extent is the article produced in this country? What percent of the graphite we use is natural?

Mr. FORAND. My understanding is that 1 percent of the natural amorphous graphite is produced here. There is some artificial amorphous graphite produced here that is used for some of these purposes, but the natural is only about 1 percent. We were advised by the Tariff Commission that the principal domestic manufacturers of the artificial materials themselves consume practically the entire output at present, and very little enters commercial channels in unfabricated form.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MASON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there exception to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MASON. Mr. Speaker, this legislation which is before the House would provide for the suspension for a period of 2 years of the import duty imposed on certain amorphous graphite which is valued at $50 per ton or less.

During the 85th Congress legislation having a somewhat similar purpose was approved in the House of Representatives. The present bill, H.R. 1217, was unanimously approved by the membership of the Committee on Ways and Means.

This mineral commodity has a wide variety of uses, many of them involving defense related endeavors. Examples of such uses include the utilization for foundry facings and in the manufacture of lubricants, brush stock for electric motors, dry cell batteries, paints, and carbon brushes.

Our domestic production is not adequate to fill our domestic consumption needs and the United States has for a considerable period been dependent on

imports for nearly all of its requirements for natural amorphous graphite. The principal supplying countries are Canada, Ceylon, Mexico, and Norway.

During the consideration of this legislation the committee received favorable reports from the executive Departments of Commerce, Treasury, State, Defense, Labor, and Interior, and in addition received an informative report from the U.S. Tariff Commission.

This legislation was sponsored by our distinguished colleague the gentleman from Michigan [Mr. BENTLEY], and he is to be commended for bringing this matter before the House.

Mr. ROBERTS. Mr. Speaker, let me say at the outset that I regret to oppose this bill for no other reason than the fact that it has been introduced by the gentleman from Michigan [Mr. BENTLEY].

We, of course, are very close personal friends. I hold him in the highest regard. I regret very much that I have to take this position, but I think this bill is a very dangerous bill. The committee, apparently, in an effort to protect the domestic amorphous graphite industry, which is largely centered in the State of Texas, in fact, I think the State of Texas is the only State that produces any domestic amorphous graphite at all, as I say, the committee put in a provision that the tax of 2½ cents per pound would not apply to shipments valued at $50 or less a ton. Actually, the Texas-produced amorphous-type graphite is a very inexpensive type of graphite and would be covered by that provision. The difficulty with the thing is that in times of extreme national emergency, the graphite that is produced in my State and in some of the other States of the Union, which is known as flake-type graphite is very important in the manufacture of crucibles and in various types of cores in the foundry industry and would not be protected under this bill. At the present time about 30 percent, or at least the last that graphite was produced in my State, about 30 percent of our production competed with the Mexican or amorphous-type graphite. Certainly, a consumer, or a foundry manufacturer, would not pay more than the cost of Mexican-type graphite. He would not pay the more expensive price for domestic flake graphite and he would not buy the more expensive-type graphite if he could achieve the same purpose with the Mexican graphite. We found out in World War I and also in World War II that this is a strategic defense mineral.

I would like to read to you from a report dated December 1948, by Mr. Krug who was at that time Secretary of the Department of the Interior. This was put out by the Bureau of Mines—James Boyd, Director.

I would like to read very briefly from this report as to the importance of the production of graphite:

During 1917, 1918, and 1919, Alabama was first in production of flake graphite in the United States. Again in 1943, Alabama ranked first in graphite production, 3 mills turning out 8,100,000 pounds of finished graphite, more than was produced by 25 operating plants in the previous banner year of 1918.

Mr. Speaker, I want also to read to you from page 3 of this report:

Flake graphite is the most important ingredient contained in graphite crucibles used in melting crucible steel and special alloys essential for war purposes.

Early in World War II, the Army and Navy placed flake graphite on the list of critical war materials. During World War I when the supply of Ceylon graphite, then in demand was cut off, large quantities of flake graphite were produced in Alabama, and about 40 mills were built. At the beginning of World War II, the Madagascar supply was cut off and consumers were again compelled to look to domestic sources for their supplies.

They found only one small mill in operation, that of the Ceylon Graphite Co., in Coosa County, Ala.

Mr. Speaker, with the tremendous submarine fleet that Russia is supposed to have, I do not think it is at all wise to completely put out of operation what is even under the best of circumstances a marginal industry. I think you have to give these people some protection otherwise your mills are going to be abandoned. If the supply is cut off by submarine activity, then our defense effort is going to fall far short of what we want it to be. How in the world can we ask these people to compete with the Mexican graphite industry which pays for a day's work the small sum of about $2 or $3 when we pay our miners that amount of money and even more for a single hour. So I say, Mr. Speaker, this bill is a very unwise bill and I hope the House will not support this legislation.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to my colleague from Alabama.

Mr. HUDDLESTON. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Alabama in opposing this legislation to remove the tariff duty on amorphous graphite. It seems quite clear to me we would by this one step take action to repeal duties which protect a young growing American industry, an industry vital in time of national emergency; and for what purpose? For the sole purpose of giving a tax benefit to competitors overseas who sell in the American market.

It has been pointed out that the American graphite industry was a vital part of the American productive might during World War I and again in World War II. It has also been pointed out that this is a marginal industry, an industry which requires this protection of the tariff against foreign competition.

I cannot urge too strongly that the Members of this House vote down this bill under a suspension of the rules. It seems to me this matter is far too important to be debated under suspension where debate is limited, when we do not have a complete and ample opportunity to discuss the issues.

I urge that the House vote down the bill to repeal the duty on amorphous graphite.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. I yield to my colleague from Pennsylvania.

Mr. DENT. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Alabama and also to say that the difference between the graphite that is being made duty-free and the graphite that would still have a small import duty on it is in the fineness of the grind. If our Texas graphite deposits could be ground economically down to a micron size it would compete very well with any graphite coming from anywhere except Ceylon.

The only difference between the graphite we make duty free and our own is in ability to grind it down to a micron size, say through a 3200 screen.

If we keep taking off all protection, even this little protection on this admittedly marginal industry, there will be absolutely no graphite mined in this country 5 years from now. Our American graphite industry has grown during the last 10 years, but remove this protection and it will be nonexistent. You cannot remove this tariff at this time without further hurting a marginal industry.

Mr. ROBERTS. I thank the gentleman.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. RAINS. Mr. Speaker, I certainly do not pose as any authority on graphite, but I had a little experience back in war days with the very thing we are about to do which gave us a great deal of trouble in those days. I served on the Joint Committee on Defense Production. At that time we took an awful lot of the money of the taxpayers of this country to build up the American graphite industry in time of war to help take care of defense problems, and now we are talking about tearing that industry down.

It seems to me completely foolish, even though the American graphite industry is a very small one, to hamstring it by removing what little protection it has had. I think my memory is correct when I say this very protection was put on in 1930.

I can see no reason why we should cripple this industry which is now struggling to get along, for should an emergency arise again we would have to go over the same story of redeveloping this industry which we strangle to death if we remove this protection.

I think this bill ought to be defeated.

Mr. ROBERTS. I thank the gentleman for his contribution.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. FORAND. It may be interesting to note that the administration is very much in favor of this bill. I hold here a report from the Department of Defense clearly stating the Department is on record in favor of it. The Bureau of the Budget also favors it. We also have in the committee files favorable reports from the Departments of the Treasury, Defense, Interior, Commerce, Labor, and also an information report from the Tariff Commission.

So it looks like the administration has gone into this pretty deeply and thoroughly. The Defense Department, realizing its responsibility, comes to the committee and favors the bill. I do not think, therefore, that the point relative to defense considerations is borne out by the data we have.

Mr. ROBERTS. I appreciate the gentleman's viewpoint, but I cannot agree with him.

I certainly believe we ought to take a better look at this type of legislation. It is a very small protection that we have and I think the industry is a vital defense-type industry and should be protected.

Mr. FORAND. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BENTLEY].

Mr. BENTLEY. Mr. Speaker, I would like to present a few facts on behalf of my bill, H.R. 1217, which would amend the Tariff Act of 1930 to provide for the free importation of amorphous graphite with a value of $50 per ton or less. This bill is before you under suspension of the rules today.

Amorphous graphite is a mineral which has a wide variety of uses. For example, it is used for foundry facings and in the manufacture of carbon brushes, dry-cell batteries, pencils and paints, lubricants, and brush stock for electric motors.

The United States has long been dependent on imports for nearly all its requirements of natural amorphous graphite. In recent years over 95 percent of the amorphous graphite imported for consumption in the United States originated in Canada, Ceylon, Mexico, and Norway. In fact 80 percent of the imports came from Mexico. I would like to point out that the major part of the Mexican deposits of amorphous graphite is owned and operated by U.S. concerns. Natural graphite is among materials listed as strategic and critical for stockpiling purposes by the Federal Government.

The Ways and Means Committee has received favorable reports on this legislation from the Departments of Commerce, State, Labor, and Defense, as well as informative reports from the Treasury and the U.S. Tariff Commission. I can see no sound reason to continue amorphous graphite on the duty list and urge that this legislation be enacted.

Mr. Speaker, this bill has twice before been considered and reported favorably by the Committee on Ways and Means. This bill has twice before been considered and passed by the House of Representatives.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Alabama.

Mr. HUDDLESTON. Was that bill on the Consent Calendar when it was passed at one time?

Mr. BENTLEY. I believe it was, but does that relieve the responsibility of the gentlemen who are now opposing the bill so far as the Consent Calendar is concerned?

The gentleman from Alabama [Mr. ROBERTS] spoke of his regret at having to oppose this legislation which I have introduced in the House. I share his regret at having to oppose his opposition. After all, the gentleman from Alabama [Mr. ROBERTS] and I are two members of the most exclusive club of the House of Representatives, the so-called Fearless Five. We are good and close personal friends.

On this particular matter, Mr. Speaker, we are not trying to put any domestic industry out of business.

The committee report has said that only 1 percent of all the natural amorphous graphite which is consumed in this country is produced domestically. That is a very small percentage indeed. I submit if we took this duty off, if we permitted graphite to come in with a value of less than $50 a ton from Mexico principally, Mexico and other sources of supply, including Canada, we would not endanger the domestic industry.

People have made the statement that if we take this 2½ percent ad valorem off we are going to throw a lot of graphite miners out of work. I do not know how many graphite miners in the United States would be represented by 1 percent of the total domestic consumption. I submit it would be few. On the other hand, if we do not take steps to assist in the importation of graphite from abroad, we are going to endanger seriously the jobs of a great many industrial workers who are producing the commodities mentioned on page 2 of the committee report of which amorphous graphite is a very important component.

It so happens, Mr. Speaker, that the export duty on this particular commodity from Mexico is extremely high. I might say attempts have been made to negotiate a reduction of the export duty from Mexico. It is at the present time extremely high and has been for some time. It has been high almost to the point where it has been impossible to import this commodity at a reasonable price. The fact that actually the domestic industry in this country feels there exists any degree of protection for them is not because of the 2½ ad valorem duty, but it is because of the prohibitively high export duty from Mexico. The domestic industry, with the possible exception of Texas which produces only the cheaper variety of graphite, has not expanded sufficiently to meet the very real domestic need in this country.

The domestic industry has abrogated 99 percent of all consumption in this country to foreign sources. That is, I think, a rather clear indication that protection is not needed, and even if it were made available it would not result in any further strengthening of the domestic industry here.

As I stated, the House has twice worked its will on the pending bill. I hope that the facts being as they are, with the identical language as the House passed it twice before, the House will again pass the bill under suspension of the rules and remove this duty for a temporary period of 2 years. We are not asking for permanent removal, this is only temporary, so that we can continue to bring in this very important and strategic commodity from a source which is not overseas, which cannot be threatened by submarine warfare, but from our neighboring landlocked neighbors of Canada and Mexico, who are largely responsible for the production of graphite imported into this country and which, we have heard from all Government departments, is so vitally needed as a strategic commodity. Furthermore, the Department of Labor has certified that it has no information that the removal of this commodity would in any respect cause an unfavorable effect on employment in the domestic graphite industry. So, I urge the House to vote favorably on the adoption of this bill.

Mr. FORAND. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, I just want to emphasize the statement the gentleman from Michigan has made and call attention to the committee report which clearly brings out the fact that the arguments used in connection with national defense are not to the point. Eighty percent of the total quantity comes in from Mexico and, of course, Canada is another source. Some of the high grade ore comes in, it is true, from Ceylon, but essentially it is only low grade which is produced in the United States, and this amounts to only 1 percent of the domestic use.

There is another way, also, of looking at these imports of raw materials. One of the difficulties that our own manufacturing concerns have arises from the fact that they have to buy these raw materials, or 99 percent, from abroad at a higher price than countries competing with our electrical equipment concerns have to pay for the same materials. It is a minor item, but it cuts both ways on the protection argument. I think the committee has studied this matter very carefully, and so have the various executive departments who recommends the passage of the bill. I urge its passage.

Mr. FORAND. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that apparently two-thirds had not voted in favor thereof.

Mr. FORAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 278, nays 116, not voting 36, as follows:

[Roll No. 2]

YEAS—278

Adair	Arends	Barrett
Addonizio	Ashley	Barry
Albert	Auchincloss	Bass, N.H.
Alger	Avery	Bass, Tenn.
Allen	Ayres	Bates
Andersen, Minn.	Baker	Baumhart
Anfuso	Baldwin	Becker
	Barr	Beckworth

Belcher	Granahan	Mumma
Bennett, Fla.	Gray	Murphy
Bentley	Green, Pa.	Nelsen
Betts	Griffin	Nix
Blatnik	Griffiths	Norblad
Boland	Hagen	Norrell
Bolling	Halleck	O'Brien, Ill.
Bolton	Halpern	O'Brien, N.Y.
Bosch	Hardy	O'Hara, Ill.
Brademas	Hargis	O'Hara, Mich.
Bray	Harrison	O'Konski
Brewster	Healey	Osmers
Brooks, La.	Henderson	Ostertag
Brooks, Tex.	Herlong	Patman
Broomfield	Hiestand	Pelly
Brown, Mo.	Hoeven	Perkins
Broyhill	Hoffman, Mich.	Philbin
Buckley	Holifield	Pirnie
Burdick	Holt	Poff
Burke, Ky.	Holtzman	Price
Burke, Mass.	Horan	Quie
Burleson	Hosmer	Quigley
Byrne, Pa.	Hull	Rabaut
Byrnes, Wis.	Ikard	Randall
Cahill	Inouye	Ray
Canfield	Irwin	Reece, Tenn.
Cannon	Jackson	Rees, Kans.
Carnahan	Jennings	Reuss
Casey	Johansen	Rhodes, Ariz.
Cederberg	Johnson, Calif.	Rhodes, Pa.
Chamberlain	Jones, Ala.	Riehlman
Chelf	Jones, Mo.	Rivers, Alaska
Chenoweth	Judd	Robison
Chiperfield	Karsten	Rodino
Church	Karth	Rogers, Fla.
Clark	Kastenmeier	Rogers, Mass.
Coad	Kearns	Rooney
Coffin	Keith	Roosevelt
Cohelan	Kelly	Rostenkowski
Collier	Keogh	Roush
Conte	Kilburn	St. George
Corbett	Kilday	Santangelo
Cramer	Kilgore	Saund
Cunningham	King, Calif.	Scherer
Curtin	King, Utah	Schwengel
Curtis, Mass.	Kirwan	Sheppard
Curtis, Mo.	Knox	Shipley
Daddario	Lafore	Short
Dague	Laird	Simpson
Daniels	Lane	Smith, Calif.
Dawson	Lankford	Smith, Iowa
Delaney	Latta	Smith, Miss.
Denton	Lesinski	Smith, Va.
Derounian	Levering	Spence
Derwinski	Lindsay	Springer
Devine	Lipscomb	Sullivan
Diggs	McCormack	Taylor
Dingell	McCulloch	Teague, Calif.
Dixon	McDonough	Teague, Tex.
Donohue	McDowell	Teller
Dooley	McFall	Thompson, N.J.
Dorn, N.Y.	McSween	Thompson, Tex.
Doyle	Machrowicz	Thornberry
Dwyer	Mack, Ill.	Toll
Evins	Mack, Wash.	Udall
Fallon	Magnuson	Utt
Farbstein	Mahon	Vanik
Feighan	Mailliard	Van Pelt
Fenton	Marshall	Vinson
Fino	Martin	Wainwright
Flynn	Mason	Wallhauser
Foley	May	Walter
Forand	Meader	Weaver
Ford	Merrow	Weis
Frazier	Meyer	Westland
Frelinghuysen	Michel	Wharton
Friedel	Miller, Clem	Widnall
Fulton	Miller, George P.	Wilson
Gallagher	Miller, N.Y.	Wolf
Garmatz	Milliken	Wright
Gary	Minshall	Yates
Gathings	Moeller	Younger
Gavin	Monagan	Zablocki
George	Moorhead	Zelenko
Glenn	Moss	
Goodell		

NAYS—116

Abbitt	Colmer	Gross
Abernethy	Davis, Ga.	Haley
Alexander	Davis, Tenn.	Harmon
Andrews	Dent	Harris
Ashmore	Dorn, S.C.	Hays
Aspinall	Dowdy	Hébert
Bailey	Downing	Hechler
Baring	Dulski	Hemphill
Bennett, Mich.	Edmondson	Hess
Berry	Elliott	Hoffman, Ill.
Bonner	Everett	Hogan
Bow	Fisher	Holland
Boykin	Flood	Huddleston
Breeding	Flynt	Jensen
Brock	Fogarty	Johnson, Colo.
Brown, Ga.	Forrester	Johnson, Md.
Brown, Ohio	Fountain	Johnson, Wis.
Budge	Grant	Jonas
Kee	Pilcher	Staggers
Kitchin	Pillion	Stratton
Kowalski	Powell	Stubblefield
Landrum	Preston	Taber
Langen	Prokop	Thomas
Libonati	Pucinski	Thompson, La.
Loser	Rains	Thomson, Wyo.
McGovern	Riley	Tollefson
McIntire	Rivers, S.C.	Trimble
McMillan	Roberts	Tuck
Macdonald	Rogers, Colo.	Ullman
Madden	Rogers, Tex.	Van Zandt
Matthews	Rutherford	Wampler
Mitchell	Saylor	Whitener
Moore	Schenck	Whitten
Morgan	Selden	Wier
Morris, N. Mex.	Shelley	Williams
Morris, Okla.	Sikes	Willis
Natcher	Siler	Winstead
Oliver	Sisk	Young
Pfost	Slack	

NOT VOTING—36

Alford	Green, Oreg.	Multer
Anderson, Mont.	Gubser	Murray
Barden	Jarman	O'Neill
Blitch	Kasem	Passman
Boggs	Kluczynski	Poage
Bowles	Kyl	Porter
Celler	Lennon	Scott
Cook	McGinley	Smith, Kans.
Cooley	Metcalf	Steed
Durham	Mills	Watts
Fascell	Montoya	Withrow
Giaimo	Morrison	
	Moulder	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Celler and Mr. Multer for, with Mr. Alford against.

Mr. Boggs and Mr. O'Neill for, with Mr. Scott against.

Mr. Giaimo and Mr. Kluczynski for, with Mr. McGinley against.

Mrs. Green of Oregon and Mr. Moulder for, with Mr. Morrison against.

Mr. Mills and Mr. Cook for, with Mr. Lennon against.

Until further notice:

Mr. Anderson with Mr. Gubser.
Mr. Cooley with Mr. Smith of Kansas.
Mr. Fascell with Mr. Withrow.
Mr. Lennon with Mr. Kyle.

The result of the vote was announced as above recorded.

The doors were opened.

AUTHORIZING LOAN OF VESSEL TO REPUBLIC OF CHINA

Mr. RIVERS of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9465) to authorize the extension of a loan of a naval vessel to the Government of the Republic of China.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may extend the loan of one destroyer to the Government of the Republic of China on such terms and under such conditions as he deems are appropriate. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 2. The extension of the loan authorized under this Act is an extension of the loan made under the authority granted by the Act of August 5, 1953 (67 Stat. 363).

SEC. 3. Extension shall be for a period of not to exceed five years and shall be made on the condition that it may be terminated at an earlier date if necessitated by the defense requirements of the United States.

SEC. 4. No loan may be extended under this Act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such extension is in the best interest of the United States. The Secretary of Defense shall keep the Congress currently advised of all extensions made under authority of this Act.

The SPEAKER. Is a second demanded?

Mr. VAN ZANDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this Department of Defense bill is to authorize the extension of an existing loan of one destroyer to the Republic of China for a period of 5 years.

EXPLANATION OF THE BILL

Under the authority granted by the act of August 5, 1953, Public Law 83–188, the ex-U.S.S. *Rodman*—DD–456—was loaned to the Government of the Republic of China for a period of 5 years. This loan will expire on July 28, 1960, 5 years from the beginning of the original loan.

NECESSITY FOR THE LEGISLATION

The Chinese Navy presently consists of four destroyers which are loaned from the United States and five destroyer escorts which are all ex-U.S. ships.

The destroyer U.S.S. *Rodman*, the subject of this bill, is one of the four destroyers presently under the jurisdiction of the Chinese Navy. Each of the naval combatant ships presently under the jurisdiction of the Chinese Navy is essential to its continued defense efforts. Therefore, an extension of the existing loan of the ex-U.S.S. *Rodman* to the Chinese Navy is deemed in the best interests of both the Government of the Republic of China and the United States.

Inasmuch as the basic authority under which the original loan of the U.S.S. *Rodman* was effected has expired, new authority will be required to extend the existing loan which necessitates the proposed bill.

At this point I wish to emphasize once again that the bill does not propose the transfer of any additional ships to the Republic of China—it is simply designed to authorize the continued use by the Chinese Navy of the ex-U.S.S. *Rodman*, a vessel presently on loan to the Republic of China.

The Department of Defense and the administration have both strongly recommended enactment of H.R. 9465 since it is without question in the best interests of the U.S. Government.

The Committee on Armed Services is also of the same opinion after reviewing all the circumstances of this existing ship loan and have therefore unanimously recommended enactment of this legislation.

FISCAL DATA

Since this bill will involve only extension of an existing loan, enactment will involve no additional cost to the Government.

RECOMMENDATION

In view of the foregoing, Mr. Speaker, I urge the immediate and unanimous approval of this legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. Under the terms and conditions set forth by the President in the loan of these ships—all of them, not just this one—the Governments, so benefited, cannot dispose of any of them to any other country; is that correct?

Mr. RIVERS of South Carolina. That is absolutely correct, and it has to be always with the approval and under the close scrutiny of our Department of Defense, which, of course, in this case is the Navy. They do not own anything. It is a loan. They take care of maintenance and everything. It is to our interest, because we do not have to have our ships and men over there, which would cost us considerable, to protect the coastline.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. GROSS. Of course, that is not a part of the bill. That must be contained in rules or regulations laid down by the President, and I want the RECORD to show clearly that it would be in violation of the intent of Congress if any warship on loan to any foreign country should be disposed of without the approval of Congress.

Mr. RIVERS of South Carolina. It is an agreement. I have witnessed it. They have agreed on it. There is a document which they have signed.

Mr. VAN ZANDT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I concur in the remarks made by my chairman in respect to H.R. 9465.

As a member of the subcommittee which conducted hearings in respect to this legislative proposal I feel particularly qualified to rise in its support.

I will not attempt to repeat the very thorough and concise explanation provided by my colleague but I would for a moment like to call the attention of this body to the importance of our ship-loan program.

One of the most effective ways to assist our friends and allies is to lend them ships from our Naval Reserve fleet. By lending certain countries our ships, we achieve a preparedness that would be otherwise virtually impossible.

By this I mean that the ships we lend are automatically deployed in vital areas, fully manned by our allies, and organized for immediate action at the outbreak of any hostilities. Also, readiness and maintenance of our reserve fleet is improved. The best way to have a piece of equipment ready for use and in proper condition is to operate it frequently. This is particularly true of ships.

Although the U.S. Naval Reserve fleet comprises a strong potential, that potential would be vastly increased if it could be properly manned, operated, and maintained in an active status. The cost of this, in terms of money and personnel, would be prohibitive in peacetime and is not possible. However, it is entirely feasible for certain allies to man and operate some of our reserve fleet ships with their personnel. The Republic of China has been an outstanding example of the success of our ship-loan program.

The proposal contained in H.R. 9465 to authorize the extension of the loan of a destroyer to the Government of the Republic of China is designed to assist this country to continue to carry out its responsibilities in the security treaties with the United States and implementing recommendations of the Joint Chiefs of Staff concerning support of allied forces under the mutual defense assistance program.

The Republic of China is capable of manning and operating destroyers and they have proven this ability and have demonstrated their proficiency in the operations of destroyers over the past 6 years.

Because of her vital strategic position, it is mandatory that the Republic of China maintain an effective antisubmarine threat in order to defend her position. Her major naval tasks as derived from multilateral agreements are to defend her coastal waters, essential bases and ports, and to protect her sea lines of communications, all requiring that she maintain an active antisubmarine threat. Destroyers are well equipped for this purpose.

The Taiwan Straits incident proved beyond a reasonable doubt the value of lending destroyer-type ships to the Government of the Republic of China.

The proposed legislation will enable the Republic of China to continue to effectively perform its part in our total defense effort. Therefore, I urge the unanimous support of this body of H.R. 9465.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Vermont [Mr. MEYER].

Mr. VAN ZANDT. Mr. Speaker, I, too, yield the gentleman from Vermont [Mr. MEYER] 5 minutes.

Mr. MEYER. Mr. Speaker, a policy that is correct at one time may not necessarily be correct 6 or 7 years later. Therefore, I believe that we should at least examine this proposal before we pass upon it.

In saying this I should like to state quite clearly that we have a moral debt, a moral obligation to protect the people of Taiwan, the people living under the Government of the Republic of China. Not for one moment would I want our country to step aside from this obligation in any way.

However, may I remind the Members of this House that is is quite possible that the leaders of any other government might have ideas that are different from ours. Certainly in this instance I believe they do in certain circumstances. We are always wondering in the case of Quemoy and Matsu what will be done, how far the Republic of China will go. Certainly the more naval power they have the more they might be encouraged to do things of which our State Department or our people might not approve. Certainly we have recently heard statements by our military leaders and by the Secretaries of the Defense Establishment which are sometimes at variance with those of our State Department and even possibly with the thinking of the American people and possibly the interpretation of agreements already existing in that area.

May I also make the point that sometimes it might be better to give ships away than to put them out on loan, because when we are not at war—now is a case of being relatively at peace; I do not mean we are really at peace but we are not in a declared war or anything of that kind—we must realize that every naval vessel of the United States when it is on loan is still partly tied to us and to a certain extent we are responsible for its use and what happens to that ship.

What would happen if by some chance or misadventure the Republic of China should use these ships for offense and not defense, if it should use them for offense in such a manner that it would be very embarrasing to us and also very dangerous to the peace of the entire world?

I also raise the question as to how long our Government, our foreign policy, is going to be partly directed by governments 8,000 miles away from our shores. I think to a certain extent, this has happened, that certainly 2 million mainland Chinese living on Taiwan have through their leaders had quite a bit to say about how we direct our foreign policy. I do not believe (whether rightly or wrongly that) they should have the naval power to further and perhaps indirectly influence that which we do.

It is said in the report on this bill that such a loan must be in keeping with U.S. national policy. I wonder if it really is. I wonder what U.S. national policy is and whether this loan is in keeping with it.

Also the report states it should be in keeping with our military objectives. I raise the question as to just what our military objectives are. Are the national policy and the military objectives of the Republic of China necessarily in full accord with those of our Government and our people?

Furthermore, I notice that at least some of us are beginning to think that the time has come to call a halt to some of our policies and, perhaps, change them—if not to the extent of a complete 180 degree change, at least to change them to some extent and to vary them to some extent as old conditions change and new conditions arise. I believe that within the administration this feeling is quite strong, and, I believe, too, it is quite strong within the Department of State itself.

In conclusion, Mr. Speaker, I would say even in the bill itself there is a delegation of authority to the Secretary of Defense, as I read it. The bill reads:

"In consultation with the Chiefs of Staff."

That would mean that the future determination as to whether the loan of

this ship should be contained even beyond the 5 years is delegated to the Secretary of Defense. Perhaps I am misreading that, but I do ask that question. It does not mention the Secretary of State at all.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to my colleague to answer the question. Under section 4 of this bill, does it or does it not say that the extension of this law even beyond the 5-year period would be more or less up to the Secretary of Defense, in consultation with the Joint Chiefs of Staff?

Mr. RIVERS of South Carolina. Under the policy, none of these loans extend beyond the 5 years. It cannot go beyond the 5 years.

Mr. MEYER. That was one point that I wanted to clear up. I thank my colleague very much.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H.R. 9465?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed, and a motion to reconsider was laid on the table.

PANAMANIAN-UNITED STATES RELATIONS

Mr. SELDEN. Mr. Speaker, I move to suspend the rules and pass the House concurrent resolution—House Concurrent Resolution 459—as amended.

The Clerk read the House concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall only be made pursuant to treaty.

The SPEAKER. Is a second demanded?

Mr. JACKSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the historical bonds of friendship between the United States and the Republic of Panama have deep roots in my own State of Alabama. An Alabamian, Dr. William Crawford Gorgas, was the army medical officer who developed the scientific technique for eradicating yellow fever that made possible the building of the Panama Canal. General Gorgas' mother, Amelia Gayle, was born in my hometown of Greensboro, Ala. His father served as vice-chancellor of the University of the South and later as president of the University of Alabama. I am a graduate of both these great institutions.

The Gorgas home on the campus of the University of Alabama is located in the congressional district I have the privilege to represent. The home is now a State shrine, one of only three such honored places in Alabama. A picture of the Gorgas home hangs on the wall in my office, a constant reminder of what the people of Alabama and the people of Panama owe to the services of an exceptional family.

Last year it was my privilege to handle a bill in the Foreign Affairs Subcommittee on Inter-American Affairs and later on the floor of the House of Representatives which authorized increased funds for the Gorgas Memorial Laboratory in Panama City. My senior Senator, Senator LISTER HILL, introduced and handled the bill in the Senate. Under its provisions, for the first time in 40 years, the Gorgas Memorial Laboratory was authorized U.S. funds for a new building program. The bill also authorized increased operating funds for this famous laboratory which conducts research in the tropical diseases that infest the Isthmus of Panama and Central America. It was gratifying to play a part in the tradition of United States-Panamanian friendship and cooperation which in the past has proved a service to the entire world.

Today we are considering a resolution which undoubtedly will have bearing on a recent request made to the Government of the United States by the Government of Panama.

On December 2, 1959, in his press conference, President Eisenhower was asked:

Is it possible that the United States will let Panama's flag fly beside the United States flag in the Canal Zone?

The President replied:

The one question of the flag has never been specifically placed before me; no decision has ever been made about it, but I do in some form or other believe that we should have visual evidence that Panama does have titular sovereignty over the region.

When Congress reconvened, I learned that the Department of State was giving active consideration to a formal request from Panama that the Panamanian flag be flown in the Canal Zone and that a decision, probably favorable, was imminent. Also, further information I received led me to believe that the Executive had reached the conclusion that no congressional sanction was required or would be sought in the event the decision of the Executive was favorable.

It appeared to me that to fly the Panamanian flag in the zone, after more than half a century in which only the U.S. flag had been raised there, would constitute a major departure from our traditional policy. On January 9, 1960, I wrote Secretary of State Herter requesting that no final decision be made until the Inter-American Affairs Subcommittee had an opportunity to study this situation. The Department replied on January 14:

It is true that the question of permitting the Panamanian flag to be flown in the Canal Zone is under consideration pursuant to a formal request from the Panamanian Government.

The Subcommittee on Inter-American Affairs has now held eight meetings on this subject, during which testimony has been received from Members of Congress, representatives of the executive branch, and private citizens.

The question of Panamanian sovereignty became a popular subject in the Republic of Panama even before the ink had dried on the 1903 treaty which established our rights in the Canal Zone. Article III of that basic agreement provides:

The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said article II which the United States would possess and exercise if it were sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

The expression, "titular sovereignty," was probably first used officially by William Howard Taft. As long ago as 1906 he commented:

The truth is that while we have all the attributes of sovereignty necessary in the construction, maintenance, and protection of the canal, the very form in which these attributes are conferred in the treaty seems to preserve the titular sovereignty over the Canal Zone in the Republic of Panama.

For all practical purposes, "titular sovereignty" is meaningless unless at some time in the future the United States decides to relinquish possession of the Canal Zone. Should that take place, under the provisions of the treaty title and possession would revert to Panama.

Public sentiment in Panama on the matter of sovereignty recently has reached fever pitch. This being an election year in the Republic of Panama, various candidates have seized upon the issue for campaign purposes. You will recall the ugly incident early in November when demonstrators marched into the zone and riots followed.

Some who favor authorizing the Panamanian flag to be flown in the Canal Zone maintain that such a concession would constitute a mere act of courtesy. They argue that it would entail no more reduction in U.S. sovereignty than did the flying of Soviet flags along Mr. Khrushchev's route from the airport.

Those who oppose the Panamanian request contend that permission to fly the Panamanian flag in the Canal Zone will be interpreted, not as a gesture of friendship and good will, but as an erosion of U.S. sovereignty. They point out that the chronology of events preceding President Eisenhower's December 2 statement—the November 3 riots, the November 25 Panamanian note, further demonstrations on November 28—could be interpreted in Panama by extremist elements as the formula for wrenching further concessions from the United States. This view holds the flag matter to be an opening wedge in a long chain of demands leading to the ultimate assumption by Panama of complete sovereignty over the canal.

The Subcommittee on Inter-American Affairs has not completed its hearings

on this subject. Therefore, the subcommittee has not yet reached a decision on whether or not the Panamanian flag should be flown in the Canal Zone, although some of the members who have participated in the hearings undoubtedly have formed personal opinions. However, the subcommittee did conclude unanimously that permission to fly the Panamanian flag should not be granted without prior approval by Congress as provided in the Constitution treaty-amending process.

From the testimony received to date, one fact has emerged clearly. Permission to fly the Panamanian flag within the Canal Zone would indeed constitute a major change in policy. This is not the first time the Panamanian Government has sought such a symbol of sovereignty. As recently as the negotiations for the 1955 treaty, the Government of the Republic of Panama requested that its flag be flown in the Zone. The United States Government rejected the request. Also, reliable sources indicate that on no occasion in the past has the Panamanian flag been flown even ceremonially in the Canal Zone.

The pending resolution, reflecting the view of the Committee on Foreign Affairs, states:

> That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall be made only pursuant to treaty.

Whether or not flying the Panamanian flag would alter the jurisdictional position of the United States is not the question raised today. Nor is speculation as to our possible foreign policy gains or losses from acquiescing to the Panamanian request pertinent to the resolution under consideration. Rather, the resolution is designed to avoid precipitate action by the Executive and to give Congress a voice should the Executive determine that granting permission to fly the Panamanian flag would be in the best interest of the United States.

It is my deep conviction that should the United States determine to alter its policy of 57 years in the Canal Zone with regard to flying the Panamanian flag in that area, we should do so, not as a minor administrative decision, but with full public cognizance of the possible implications. For that reason I urge the adoption of this resolution.

Mr. DORN of New York. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from New York.

Mr. DORN of New York. The concurrent resolution is in general terms. Does the gentleman have anything else specifically in mind other than the request of Panama for its flag raising that is covered in this concurrent resolution?

Mr. SELDEN. The Committee on Foreign Affairs has been dealing only with the question of sovereignty which is implicit in the flag request.

Mr. DORN of New York. The gentleman is answering in different terms. Here is what I am getting at: In voting on this resolution do we have any specific request in mind other than the flag-raising request of Panama?

Mr. SELDEN. That is the only request we have presently in mind in the consideration of this resolution.

Mr. JOHNSON of Maryland. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Maryland.

Mr. JOHNSON of Maryland. Mr. Speaker, I rise to support House Concurrent Resolution 459.

In 1903 the Hay-Bunau-Varilla Treaty was signed which provided that the United States should guarantee the independence of the Republic of Panama, and that our Nation should receive forever the use, occupation, and control of a strip of land 10 miles wide for a canal to link two great oceans.

Dreamers long had talked of a canal, nations had negotiated for one, a group of inspired Frenchmen had planned, excavated, gone bankrupt, and died trying to build a canal across the Isthmus of Panama. Guided by American ingenuity and courage, 400 years after Balboa had first thought of joining the Atlantic and Pacific Oceans at this point, the Panama Canal was opened for commercial traffic in August 1914. The cost of construction was $370 million.

The importance of the Panama Canal as a commercial artery to the entire world can only be matched by its necessity as a defense bastion to our Nation and our Latin and South American neighbors.

Gentlemen, we have just concluded one decade branded as the "fabulous fifties" and have embarked into the new decade of the sixties. Frankly, I am deeply concerned lest an apparent course of concession and appeasement become part of our foreign policy.

The State Department is conducting what I feel to be a disillusioning, incomprehensive course with Panama. When our Nation permits its flag to be trampled in the dust, its President made the subject of the vilest insults, its troops to be injured, its property to be destroyed, then, I say, it is imperative that the Congress of the United States exercise its legislative power.

Has the policy of "turning the other cheek" reached such a point that this Nation must accept gross indignities? Has our foreign policy reached such a point with Panama that we must bargain away our national honor to maintain a facade of friendship? Is it our policy to have peace at any price? If this be true, then I must ask this pertinent question: Can the courageous, inspirational leadership of the past be joined with the appeasing policies of the present and produce a respected nation of tomorrow?

To grant Panama titular sovereignty by permitting her to fly her flag over the Panama Canal now will only lead to demand of greater concessions later. It is interesting to note the failure of the American press to point out vividly the course of events that took place the past November in Panama. Certainly the Panamanian press has declared their nation will not be satisfied until all Americans are driven out of the Canal Zone and the canal nationalized.

This Congress must not permit our State Department to capitulate to political blackmail. Our treaty obligations must be held inviolate. I urge full support of this measure.

Mr. JACKSON. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

BUNGLING OF OUR RELATIONS WITH THE REPUBLIC OF PANAMA

Mrs. SULLIVAN. Mr. Speaker, as chairman of the Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries, I have mixed feelings about this resolution. I think it is a sad commentary on the status of national policy formation in this country that the Congress has to say to the executive department, "Don't be so quick to try to give away fundamental American rights." Yet, in effect, that is what we now find we must say on this matter of our relationships with the Republic of Panama over the status of the Canal Zone.

I said I have mixed feelings about the resolution. One reason for those feelings is that the resolution seems to invite the Republic of Panama to come up with proposals for a new treaty, to augment or supplement or replace existing treaties. I am just wondering how much good it would do under present circumstances to have our State Department and the diplomatic officials of the Republic of Panama sit down to talk about another treaty. The last time that happened we practically gave away the Panama Canal Company—at least $24 million worth of its property, plus heavy costs it will have to sustain for years to come, plus an additional $1,500,000 a year which all of the taxpayers of the United States must pay in perpetuity for what amounts to increased rental on the Canal Zone.

RELATIONS WORSENED AFTER 1955 TREATY

Did we get anything for the United States out of the 1955 treaty with the Republic of Panama which has carried such a high price tag? I think the Eisenhower administration felt and hoped it was buying a cessation or at least a reduction of friction between the United States and the Republic of Panama over the existence of the canal in U.S. ownership and possession. If that was the hope, of course it has not materialized. I would say our relations with the Republic of Panama have steadily worsened since that treaty was negotiated and signed. And now, like the constituent who demanded to know of the politician who had done him so many favors in the past, "What have you done for me lately?" the Republic of Panama is pushing and demanding and insisting on further concessions from our Government on the implied threat of violence and other blackmail.

I am going to vote for this resolution now before us but, as I said, my feelings about it are mixed because of its language stating that nothing should be done to change traditional interpretations of our treaties with the Republic of Panama, especially as regards the issue of sovereignty, unless it be done

pursuant to treaty. The purpose of this resolution as reported from the Committee on Foreign Affairs is, of course, to make clear congressional opposition to any decision President Eisenhower may make to permit the flying of the Panamanian flag in the Canal Zone as a mark of so-called titular sovereignty of the Republic of Panama over the land which the United States holds in perpetuity for the purpose of operating the Panama Canal. But, as I stated, this is almost an open invitation to the Republic of Panama to demand new treaty negotiations.

MERCHANT MARINE SUBCOMMITTEE DEFERS

We on the subcommittee on the Panama Canal of the Committee on Merchant Marine and Fisheries have had before us for some years other resolutions dealing with the general subject of Panamanian claims of "sovereignty"—titular or otherwise—over the Canal Zone, and while we have from time to time conducted executive session discussions on this matter we have held no public hearings or reported any legislation on it. Our reason was this: the issues involved in this matter are primarily those of a foreign affairs nature as between our country and the Republic of Panama; we did not want to muddy the waters and unnecessarily aggravate discords into open hostility. But, of course, as we all know, events in the area around the Panama Canal last November put the issue blazingly on the front page of every newspaper and after that nothing anyone in the United States might have done or said would have made our relations with the Republic of Panama much worse than they already were.

Nevertheless, we have continued to exercise official restraint as a subcommittee vitally interested in this matter, and we deferred to the Foreign Affairs Committee and joined them in hearings on this question. We still have before our subcommittee proposed resolutions which would denounce as violative of law, treaty, international usage, and historic American policy any administrative decision by President Eisenhower to permit the formal display of the flag of the Republic of Panama in the Canal Zone. I would hate to have to support such condemnation of our President as such a resolution would imply. On the other hand, I think it is clear to all of us here that Congress is unitedly opposed to the giveaway of American rights that the flying of the Panamanian flag in the Canal Zone would represent.

APPEASEMENT INVITES BLACKMAIL

We are concerned primarily not over the flying of a pennant, but what that would mean to the people of Panama—and what it would mean in terms of future demands and blackmail upon the United States. Let us make no mistake: the leaders of the Republic of Panama and the people of the Republic of Panama long for the day which would bring them possession and control of the canal. And the less responsible the politician in that country, the more success he can achieve for his cause by flaying Uncle Sam and demanding the seizure of the canal. Those of us who have been there have seen this in operation time and time again. And no matter how responsible the Government of the Republic of Panama is and tries to be, it cannot deny the potency of the groups within the Republic which build political power on the idea of acquiring the canal for the Republic of Panama.

This is what we are up against—and we all know it. But we wonder if our State Department recognizes it. We wonder if the President realizes it. The offhand remark made by the President that the Republic has titular sovereignty, and the announcement that we may very well agree to let the Republic's flag fly in the Canal Zone are part of a pattern of bungling, I feel, of our relations with the Republic of Panama.

Does this mean I am anti-Panama or feel we should do nothing to help Panama? Far from it. I do not believe in waving a big stick at a nation with which we have such long and close ties. Nor on the other hand do I think we should shrink in timid fear from the issues involved in that relationship.

U.S. HAS MISSED OPPORTUNITY FOR MEANINGFUL HELP TO PANAMA

But we have—particularly in recent years, under the present administration—bungled our relationship with Panama by failing utterly to take advantage of a great opportunity available to us there. We have a multi-billion-dollar foreign aid program under way all over the world. We are helping underdeveloped nations—or should be trying to do so—in every part of the world. What have we done for and in the Republic of Panama to help the people of that impoverished nation to build up their resources and raise living standards? Very little.

A year ago, my subcommittee from the 85th Congress filed a report with the Committee on Merchant Marine and Fisheries which was later reported to the House on July 14, 1959—and printed as House Report 656 of the 86th Congress. In it, we discussed all aspects of the operation of the canal by the Panama Canal Company and the problems of expansion of capacity and so on. It was a broad review of canal operations.

We were, however, acutely conscious of the problems arising for the Panama Canal Company—and the Government and people of the United States, too, I might add—growing out of the continued poverty of the people of Panama, the lack of job opportunities and industries, and their need for economic help. For out of the economic deprivation which attacks so many Panamanians is generated the political dream of great riches for all if only Panama owned the canal. In the meantime, every Panamanian seems convinced the canal is a logical source for ever-greater annuities, concessions, and benefits—it always appears as the answer to every Panamanian's unfilled economic wants.

Why is that so? Because so many in Panama have so little, and not too much immediate hope of getting more, except through dreams of the seizure of the canal or the milking of the canal's revenues.

AVERAGE PANAMANIAN SEES CANAL AS ANSWER TO ALL NEEDS

As long as there is so much poverty in the Republic of Panama, and as long as American citizens in the Canal Zone live so close by in comfort, along the lines of American living standards, the people of Panama are going to envy and yearn. Those Panamanians who work on the canal are so much better off than their fellow Panamanians that the magic of the canal's economic power grows and grows in the minds of the Panamanian people.

We will never succeed in having really solid relationships with the people of Panama until they, too, are able generally to live on a decent standard. The canal cannot provide it for them. We know that and the responsible leaders of the Republic of Panama know it. But the people tend to think the canal could answer all of their needs and desires.

In our report last year, we discussed this matter at some length and I will include that part of our report at the end of my remarks today. I hope the Members will read that inserted material—I do not have the time allotted to me here now to read it aloud. But I want to make this point:

WE SHOULD HELP THROUGH REAL POINT 4 PROGRAM

We said in our report that the subcommittee "noted with approval the attempts being made by the United States toward helping to solve the economic problems of the Republic of Panama through various U.S. Government programs for helping underdeveloped areas." The report then proceeded to list some of these activities.

Actually, as I first drafted this part of the report, it would have gone much further to call for a great expansion of point 4 and related activities in the Republic of Panama to help raise living standards so that the canal no longer seemed to stand as the symbol of the only means by which a Panamanian could hope to live decently. In trying to achieve a unanimous report, however, I had to delete this language because some of the minority members of the subcommittee in the 85th Congress felt they did not want to be committed to the principle of broadening foreign aid. So what we did was merely to list the programs already under way in Panama and "note with approval" that they were in operation.

But they do not begin to meet the real needs of that country for help in building up industrial and economic resources. And this represents a failure on the part of our State Department and diplomatic planners and top executive policy.

If Panama were truly prosperous—if it had resources other than this canal—if it had jobs for all of its people and decent housing for them and an expanding economy, we could look for tranquillity in the operation of the canal and in our relationships with Panama. But we are trying to "buy" a proud people with driblets of handouts and are being blackmailed in turn, and we have no policy or plan for dealing with this dilemma except to wait until the pressures build

up and explode around the boundaries of the Canal Zone and then give a little here or there and hope we have bought peace.

This is a ridiculous policy, and a useless one. It has won us nothing but animosities and jealousy and discontent from the Panamanians and the ever-ready weapon of blackmail used whenever it suits the purposes of some of the nationalist leaders in Panama.

THIS RESOLUTION NO SUBSTITUTE FOR EFFECTIVE NATIONAL POLICY

I will support the resolution before us, but with mixed feelings. It is a stopgap emergency measure to try to halt the implementation of a mistaken executive policy. But this resolution is no substitute for an affirmative policy. That is what we need desperately in Panama—a policy to help the Panamanian people in ways that count. If we had that kind of policy, the piecemeal surrenders which we have been making on this important question of American ownership and control of the Panama Canal would no longer be necessary, for the people of Panama could then look objectively at the canal and its problems and help us solve those problems for the mutual benefit of them and us and all maritime nations.

But as long as nearly 1 million Panamanians live on less-than-minimum standards, they can hardly look objectively at the problems connected with the canal—they would rather gobble it up even though it meant eating the goose that lays the golden eggs. When you are hungry, Mr. Speaker, it is hard to put off eating the meal which appears to be so invitingly spread before you, and that is exactly what the Panama Canal looks like to most citizens of Panama.

Mr. Speaker, I include at this point the relevant portions mentioned above of House Report No. 656 on the Panama Canal. First I include our discussion of the impact of the 1955 treaty. This material indicates what happened the last time our Government negotiated a new treaty with the Republic of Panama.

[Excerpts from H. Rept. No. 656, a report on the Panama Canal]

IV. IMPACT OF THE 1955 TREATY WITH REPUBLIC OF PANAMA

The physical limitations of a facility built half a century or so ago are not the only problems facing officials and employees in the operation of the canal. As a matter of fact, the subcommittee was deeply concerned during its extended visit to the Canal Zone over the extent of the problems created for thousands of employees of the canal and for our entire operation in the zone by numerous provisions of the 1955 treaty.

Morale among American citizen employees of the Canal Company and Zone Government was seriously threatened by some adjustments made necessary as a result of the treaty. The Governor of the Canal Zone (and ex officio President of the Panama Canal Company), Maj. Gen. W. E. Potter, is to be congratulated for the tremendous job he has done personally in trying to meet morale problems head on. He has made it possible for employees to bring new problems to official attention immediately—to his personal attention—and to enable employees to receive clear and unequivocal answers to their questions. Undoubtedly, the Governor's warm personality and sincere interest in employee living and working conditions have been largely responsible for preventing a serious breakdown in morale as a result of recent, necessary readjustments.

Since management officials of the Canal Company and the zone government were also having their own share of problems in conforming with treaty requirements, most of the U.S. citizen rank-and-file employees were willing to make the best of a difficult transitional situation, knowing that as Americans they were all involved in varying degrees in the same poblems.

Open hearing scheduled in Canal Zone

The subcommittee performed, we believe, a most valuable function in this connection in conducting an open hearing at which various employee groups were represented by spokesmen and individual witnesses were also heard on a wide variety of phases of Canal Zone living, problems, and concerns.

Testimony ranged over such widely divergent fields as the standards for nurses to the degree of—or lack of—democracy available to the American families living in the Canal Zone. A basic concern, however, was the impact upon living costs and living conditions as a result of the 1955 Treaty of Mutual Understanding and Cooperation agreed to by the United States and the Republic of Panama, and its accompanying memorandum of understandings reached.

Much of the time of the subcommittee—most of the time of the subcommittee—was devoted to study of the impact of this treaty upon canal operations but the morale aspect involving individual employees was certainly important enough to warrant the serious attention the subcommittee gave it.

Provisions of 1955 treaty

The original 1903 treaty between the United States and the Republic of Panama, following the latter nation's achievement of independence from Colombia, provided for a lump-sum payment of $10 million in gold coin, and an annual payment of $250,000 in gold coin, for U.S. rights in perpetuity in the 10-mile-wide strip which then became the Canal Zone. The land was to be turned over for the purpose of construction of a ship canal, with powers within that area which the United States would possess and exercise as if it were the sovereign of the territory—to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

In 1936, following the devaluation of the American dollar in terms of gold content, the 1903 treaty was revised by mutual agreement between the United States and the Republic of Panama to raise the annuity payment to $430,000, retroactive to the 1934 payment reflecting the actual change in gold value. The amount of the annual payment remained unchanged thereafter until the treaty of 1955.

That treaty, and the memorandum of understandings, reached increased the annual payment to the Republic of Panama by $1,500,000 to a total of $1,930,000. It made these further concessions or awards to the Republic of Panama:

It provided for the outright transfer to the Republic of Panama, free of cost, as soon as practical, of all of the properties of the Panama Canal Company or the Canal Zone Government located outside of the Canal Zone itself in the territory of the Republic of Panama. Extensive other properties of the Defense Department and the Department of State of the United States similarly located outside the Canal Zone in Republic of Panama territory were also to be transferred on the same terms.

(The property involved in this mass transfer, schools, hospitals, extensive residential construction, complete terminal facilities at both the Atlantic and Pacific ends of the Panama Railroad, railroad yards, military reservations, etc., was valued at about $24 million. Many of the facilities involved required replacement, within the Canal Zone, in one manner or another.)

The United States, furthermore, has undertaken to construct a high-level, $20 million bridge across the canal at Balboa to speed Panamanian vehicular traffic from one part of the Republic of Panama to another.

(The existing Miraflores Bridge, a drawbridge, has been opened so often in recent years to permit ships to go through, and has been kept open for such long interval due to delays in transiting larger ships, that it has been a serious bottleneck and a source of resentment to citizens of Panama. A ferry service operated as a free convenience by the Panama Canal Company is far from adequate to meet the needs.)

There were many additional concessions included in the 1955 agreements with the Republic of Panama: an agreement to eliminate various Panama Canal Company commercial operations regarded by the Republic of Panama as competing with its enterprises; the denial of commissary privileges in the Canal Zone to Panamanian citizen employees not actually living in the Canal Zone; establishment of a single basic wage and salary scale for both U.S. citizens and Latin Americans performing similar work (although U.S. citizens continue to receive a 25 percent differential); extension of U.S. civil service competitive procedures in the Canal Zone to non-U.S. citizens applying for jobs for which they are qualified (except for designated security positions reserved to U.S. citizens); right to impose income tax on Panamanian citizens living in the Canal Zone; transfer to the Republic of Panama of full responsibility for all sanitation work outside the Canal Zone; extension of U.S. civil service retirement benefits to Latin American employees in the Canal Zone; and numerous other concessions to the Republic of Panama, its treasury, its economy, and its sense of national pride.

Subcommittee, and Congress, carry out treaty obligations

Negotiations for the treaty of 1955 were initiated by the Presidents of the United States and of the Republic of Panama during a state visit by President Remon of Panama to the United States in September–October 1953, and were completed by diplomatic officials of the two countries. The resulting treaty was then ratified by the Senate of the United States. Up to that moment, of course, there was no requirement under the Constitution of the United States for consultation with the House of Representatives or any of its committees as to the terms of the treaty.

Nevertheless, the negotiation and ratification of the treaty of 1955 created substantial obligations for the United States which could be fulfilled only by legislation either originated by or concurred in by the House of Representatives. This subcommittee, and the Committee on Merchant Marine and Fisheries, thus were faced with the responsibility for guiding to enactment some of the necessary legislation to implement the 1955 treaty. It was not a particularly happy assignment.

In addition to the House Committee on Merchant Marine and Fisheries, the House Committee on Post Office and Civil Service and the House Committee on Appropriations also had legislative responsibilities thrust upon them by the 1955 treaty.

Of course, with the good faith of the Government of the United States in the balance, it is incumbent upon the House of Representatives to agree to the enactment of necessary implementing legislation to carry out treaty obligations entered into without any consultation with the House, unless there appear to be compelling, overriding reasons

of the most far-reaching importance to the Nation for the House to feel it should not go along.

Thus, even though the 1955 treaty with the Republic of Panama gave to the United States virtually no concession of any significance (other than the temporary use of some Panamanian land for defense maneuvers), and even though the treaty imposed many financial burdens on the United States, the Canal Company, and the Canal Zone Government, and even though it disrupted the living arrangements of many American families, the various committees of the House required to initiate or approve legislation to implement the treaty all carried out this obligation conscientiously, even if reluctantly.

For instance, on the recommendation of this subcommittee, the Committee on Merchant Marine and Fisheries approved and guided through the House H.R. 6709, by Chairman Bonner, to authorize transfer of the listed treaty property items to the Republic of Panama and to provide for appropriate revisions in the Panama Canal Company's financial structure. This legislation was ultimately approved August 30, 1957, as Public Law 85–223.

Similarly, on the recommendation of the Committee on Post Office and Civil Service, legislation to establish the single wage scale for both U.S. citizen and Latin American employees in the zone and to extend civil service opportunities and retirement benefits to non-U.S. citizens in the Canal Zone was approved July 25, 1958, as Public Law 85–550.

And the Committee on Appropriations provided funds in the appropriate appropriations bill to pay an additional $1,500,000 a year to the Republic of Panama and to build the $20 million high-level bridge across the canal at Balboa Heights.

Allocation of cost of increased annuity

President Eisenhower and the Bureau of the Budget had recommended in connection with committee and subcommittee consideration of H.R. 6709, that the additional $1,500,000 annual money payment to the Republic of Panama be added to the annual obligations of the Panama Canal Company. (The Canal Company, out of its resources as a business-enterprise-type Government corporation, has been responsible since 1951 for providing the $430,000 to pay the Republic of Panama each year as called for under the treaty of 1936.) The Committee on Merchant Marine and Fisheries did not include this administration recommendation in H.R. 6709. As a result, the additional $1,500,000 for Panama each year is appropriated by Congress as part of the funds of the Department of State, while the Panama Canal Company continues to provide annually for this purpose only the $430,000 originally assessed against it.

Canal Company—Zone Government relationship

The subcommittee has noted a great deal of misunderstanding over the different roles played by the Panama Canal Company and the Canal Zone Government and the completely different accounting systems and budget structures they have. Perhaps this is a good place to try to clear up some of the possible confusion. Both agencies exist primarily, of course, for the purpose of assuring the efficient operation of the canal.

Prior to 1951 the Panama Canal was maintained and operated by a governmental agency known as the Panama Canal which was also responsible for governmental activities in the Canal Zone and operated part of the supporting activities essential to the operation of the canal. The Panama Railroad Company, which before 1948 was a New York corporation, had been owned by the United States since the stock was acquired in 1904 with the other assets of the New French Canal Co. The corporation was originally formed as a private company to build and operate the Panama Railroad, but after the U.S. Government acquired the stock the Company was used extensively in support of first the construction and then the operation of the canal. It not only furnished transportation services through the railroad and the steamship line, but it also operated the commissaries, the dairy, the hotels, and other supporting activities of a business type.

Public Law 808 of the 80th Congress, approved June 29, 1948, provided a Federal charter for the Panama Railroad Company and several of the activities of a business type that had been carried on by the Panama Canal were transferred to the corporation.

Public Law 841 of the 81st Congress, approved September 26, 1950, and effective July 1, 1951, provided for the transfer to the corporation of the remaining business-type activities of the Panama Canal, including the waterway. The name of the corporation was changed from Panama Railroad Company to Panama Canal Company, since the operation of the waterway would thereafter be the primary activity of the Company.

Activities of a governmental nature, such as the operation of schools and hospitals and the provision of police and fire protection, which had been carried on by the Panama Canal, were not transferred to the corporation but the name of that agency was changed to Canal Zone Government.

Funds for operation of the Canal Zone Government are appropriated annually by Congress, but the entire appropriation is reimbursed to the Treasury from receipts of the Canal Zone Government or direct reimbursement by the Panama Canal Company. In fiscal year 1958 the net cost of Canal Zone Government reimbursed to the Treasury by the Company was $10.7 million.

The Panama Canal Company is required by law to recover all costs of operation and maintenance of its facilities, including depreciation. The Company is also required to pay interest to the U.S. Treasury on the net direct investment of the U.S. Government in the Company, and to reimburse the Treasury for the annuity payments to the Republic of Panama of $430,000 required under the 1936 treaty. The Panama Canal Company, while not expected to make any significant profits, is expected to pay its own way in every respect. If it does not do so, tolls are to be revised to make the operation self-sustaining. Revising the tolls structure, however, is a very long drawn out and complicated procedure. The tolls structure has remained virtually unchanged since the canal was first opened.

While the Canal Company's operating revenues since 1955 would probably have covered the additional $1,500,000 annuity payment if such charge were assessed against the Company, it is possible that within a few years this added obligation would require a change in toll rates. Unresolved, in the meantime, is the question whether the additional amount of the annuity is properly assignable as an operating expense of the Panama Canal or is more appropriately a charge against the Nation's foreign policy, where it now lies.

Now, Mr. Speaker, I submit for inclusion as part of my remarks on this resolution another segment of our subcommittee report in the last Congress on the Panama Canal, as reprinted in this Congress in House Report No. 656 from the Committee on Merchant Marine and Fisheries. The following material, including a detailed description provided us by the International Cooperation Administration of all point 4 programs operating at that time in the Republic of Panama, attempts to show the basic cause of our difficulties in Panama—the poverty of the people there and the need for improved living standards.

This section of House Report No. 656 is as follows:

VI. RELATIONS WITH REPUBLIC OF PANAMA

In its tours of the many and valuable properties and parcels of land being turned over to the Republic of Panama under terms of the 1955 treaty, the subcommittee was distressed to learn that the Republic of Panama had incomplete or completely vague plans as to the use of much of this property.

For instance, attractive residences in the Colon area which had already been transferred were boarded up and unused, rapidly deteriorating in the tropical humidity. The old Colon Hospital was also unused and seemingly abandoned—marked by vandalism.

At the same time, we were aware that some anti-U.S. elements in the Republic of Panama were actively seeking to stir up discord over the so-called delays of the United States in carrying out the 1955 treaty.

American citizens forced under the treaty transfer to move out of their previous residences were understandably resentful in seeing their old homes boarded up and unused. Such were some of the elements of friction in the relations between national groups.

Resentment over delay on new bridge

On the other hand, the subcommittee was impressed by the sincere desire of Governor Potter and his aids to comply not only with the letter of the 1955 treaty but with the spirit of that treaty, as well. Governor Potter quickly was able to make clear to us the importance to the average citizen of the Republic of Panama of a prompt start on the Balboa Heights Bridge, for instance. After noting the long delays suffered by the motorist in trying to get across the canal, we could understand how the failure of the Congress to appropriate construction funds for the new bridge in 1957 could have led to strong anti-American feeling. A motorist held up interminably long by an open drawbridge or waiting in the tropic sun to find space on the auto ferry can quickly become a most impatient person—and if Uncle Sam seems to be the cause of the discomfort, the motorist can be forgiven, perhaps, for feeling put upon. Now that this Congress has appropriated the necessary funds to construct the new bridge, it should restore to the United States the good will that may have been lost last year.

Governor Potter took additional pains to outline to the subcommittee facts on the needs as well as aspirations of the people of the Republic of Panama in trying to overcome a serious deficit in their balance of trade, in providing better employment opportunities for their people, desperately needed housing, and other improvements in a small country with little or no industry and many serious problems.

These problems, also described to the subcommittee informally by officials of the U.S. Embassy and the Technical Cooperation Administration mission in Panama, were readily apparent to the subcommittee.

Endless arguments over sovereignty

Nevertheless, the subcommittee was frankly disturbed to note efforts of some elements in the Republic of Panama to see an easy solution to every problem affecting the country by the simple device of demanding an ever-higher annuity from the United States, demanding some fixed percentage of tolls collected, or even suggesting the claim of Panamanian sovereignty over the canal.

Arguments among student groups, particularly, over the question of sovereignty in the Canal Zone are seemingly endless. And

agitation for further revisions in the treaty appears to be receiving constant attention in the Panamanian press. The success of the Republic of Panama in negotiating for so many highly desirable concessions from the United States in 1955 has seemingly whetted the appetite of some groups within the country to seek another round.

It is the firm conviction of the subcommittee that the United States should not permit the Panama Canal to be a pawn in our normal diplomatic relations with Panama.

Under the circumstances, the subcommittee was particularly gratified to concur in a request to the Department of State by Chairman Bonner, of the Committee on Merchant Marine and Fisheries, to keep our committee informed of any future negotiations leading to any change in treaty relationships. Chairman Bonner recalled the extremely vague State Department explanation of the background of the negotiations leading to the 1955 treaty and also cited the difficulty encountered by our committee in winning House concurrence on legislation to implement the 1955 treaty.

Despite the tremendous concessions made to the Republic of Panama under that treaty, some ultranationalist elements within that country continue to see in the canal an ever-handy instrument for attacks upon U.S. policies.

Point 4 programs in Panama

In view of our country's traditional friendship for the people of Panama, the subcommittee noted with approval the attempts being made by the United States toward helping to solve the economic problems of the Republic of Panama through various U.S. Government programs for helping underdeveloped areas.

We are currently engaged in a point 4 program in Panama which represents an annual expenditure on our part about equivalent to the annuity we now pay under the treaty of 1955. In addition, we donate surplus foodstuffs to the needy of Panama—through CARE and the U.N. Children's Fund—to a value of $1,378,000, mostly cheese and nonfat dry milk.

A recent compilation of point 4 projects undertaken in the Republic of Panama under the direction of the International Cooperation Administration included the following:

"ICA PROGRAM IN PANAMA

"Food and agriculture

"Crop and livestock development.

"Agricultural economics and planning.

"Research, agricultural education, and extension.

"Land use studies.

"Cooperatives promotion.

"The current program of assistance in agriculture endeavors to support a basic agricultural improvement program through the creation of modern technical service agencies. Experimental and demonstration projects in crop and livestock improvement have contributed to increased local production of corn, milk products, meat, poultry, rice, and coffee. Economic planning activities and a technical information service have been well established. Many young Panamanians have now returned from undergraduate and graduate study in the United States and have assumed professional responsibilities for many phases of the program.

"The poultry project in Panama has been particularly successful. In November 1953, the cooperative agricultural program in Panama initiated a project aimed at creating a national source of baby chicks and fertile eggs, and also demonstrating modern methods of poultry care. After some success with ICA demonstrations, a number of private individuals began to raise poultry on a volume basis. These new projects have increased the number of chickens in Panama by 15 percent since 1953. This represents an increase in value in private industry within the country in birds alone of approximately $250,000. The ICA-sponsored demonstration project was ended in December 1957.

"Industry and mining

"Industrial development center.

"Water resources development.

"Investigation of Panama's water resource potential initiated in 1956 was greatly accelerated last year. The production of basic hydrologic data and aerial mapping were stepped up. Preliminary feasibility studies were undertaken by contract arrangement for the three most probable power damsites in the central provinces and required transmission systems. This contract included a power market survey, preliminary designs, and cost estimates; the contract was recently completed, and will be used as a basis for the preparation of a definite project report during 1959. Meanwhile the collecting of basic hydrologic data will be continued at the present rate.

"The Industrial Development Center, established by joint United States and Panamanian funds late in fiscal year 1956 under the directorship of a Panamanian has expanded to include economic analysis, industrial engineering, and public information. A start has been made in bringing a series of special consultants to advise on the improvement of specific industries. An industrial engineer has been added to the U.S. technical staff. The present organization of the center now provides an effective base which permits a rate of training and technical guidance not considered possible a year ago. Technical assistance is being offered in (1) evaluation and promotion of development possibilities in productive enterprises with emphasis on small-to-medium-sized new industry, (2) improvement of productivity of existing industry including food, clothing, shoes, and essential household items, and (3) evaluation of possible resource development projects. A major project during 1958 was a top management conference.

"Transportation and power

"Civil aviation.

"Public roads.

"Technical assistance in this field during the past year, provided by one consultant who draws upon the regional aviation assistance group as required, has been centered on (1) the preparation of a national airport development plan on which considerable progress has been made, (2) the establishment of sound aviation standards, (3) the development of a modern civil aviation law, and (4) the development of technical skills through training.

"A project in support of Panama's public road program financed by the World Bank, consisting of training only, is under consideration. Training will include maintenance, engineering, and administration.

"Health and sanitation

"General engineering services.

"Health education and nutrition.

"Nursing education.

"Hospital administration.

"In fiscal year 1959, consultation in tuberculosis control will continue, although the Government of Panama is expected to take over the entire mass X-ray program. The nursing program at the school of nursing will phase out in fiscal year 1959, but consultation will continue. Efforts in health education will be primarily toward training to further strengthen the health education service now established in the Ministry. Support to the nutrition service of the Ministry, emphasizing nutrition education will reach full proportions. The hospital administration project, having achieved major reforms will be brought to a close. Major emphasis will be given to the water and sewer system project under the Smathers amendment of the Mutual Security Act of 1957.

"In 1957 an ICA loan was made to Panama for the improvement and extension of the water and sewer system in Panama City. Funds for the loan, $2 million, were made available by the Smathers amendment, which provide development funds specifically for Latin American countries. The loan was received with great appreciation by the Government of Panama. A contribution nearly matching ICA's contribution was made by the Panamanian Government. Construction on the project has progressed rapidly. The first phase of construction has been completed and contracts for the second and third phases have already been let. Approximately one-fourth of the dollar amount of the project has already been let in contracts.

"Education

"Vocational and industrial arts.

"Elementary (rural) education.

"The elementary teacher-training program now includes all three national normal schools with their affiliated primary practice schools. During the past year elementary school supervision was advanced by stateside training for 17 supervisors and by a seminar in supervision for primary school directors. A rural school nuclei comprising 10 schools around the town of Capira was organized for demonstration in grouping schools for improved administration and supervision.

"Assistance in vocational agriculture at David and Divisa was extended to include prevocation agriculture at six junior high schools elsewhere. Further leadership and technical training has been provided to national vocational supervisors in business education, homemaking, school administration, vocational agriculture, vocational arts, and vocational industrial education. In both vocational and rural elementary education, intensive work was carried out during the summer vacation in the form of seminars, workshops, and institutes for inservice training credit, attended by 180 teachers in 5 subject fields. The program for fiscal year 1959 included a continuation of the work in vocational and junior high schools and in the rural elementary and normal schools, elementary school supervision, the development and production of teaching materials, industrial arts, and elementary school agriculture.

"Public administration

"The major project in this field involves a university-to-university contract between the University of Tennessee and the University of Panama. Under the contract, the University of Tennessee is aiding the University of Panama to strengthen its school of public administration.

"Community development

"An interministerial committee was first organized in August 1956 as an instrument to bring all governmental resources into focus on community problems of rural improvement. Under Panamanian leadership, it embraces agricultural extension, education, health, welfare, housing, credit, and university interests. Under the sponsorship of this group, a training course in community development was offered and a new community project was begun in the town of Capira.

"Point 4 Week in Panama

"Panama celebrated Point 4 Week in March 1958. The ICA mission worked closely with the U.S. Information Service in carrying out this project. In his proclamation President de la Guardia said, 'It gives me great pleasure to acknowledge publicly the magnificent assistance extended by the point 4 program in support of the economic and technical development of my country. This program illustrates the spirit of cooperation and mutual understanding between the United

States and Panama, a spirit so necessary to stimulate a prosperous and peaceful way of life among nations.' Throughout the week point 4 was publicized by news articles, newsreels, and publicly displayed models of point 4 projects."

Panama overdependent on canal

It is interesting to note, in this connection, that an official ICA factsheet on Panama, issued as part of the International Cooperation Administration's country series, states that the Republic of Panama is overdependent on the Canal Zone for income.

It is natural, in the absence of industry or other important avenues of earning for the people of Panama, that canal revenues expressed in terms of $50 million of receipts a year might appear to look extremely inviting as a solution for all of Panama's economic ills.

The truth is, of course, that the seemingly high receipts of the Panama Canal Company represent not profits, but the recovery of maintenance costs, interest, amortization, and other costs of an enterprise which by law is supposed to pay its own way. As a matter of fact, the Republic of Panama already collects each year, in the present $1,930,000 annuity, much more than half of the approximately $3 million in so-called profits of the canal's operations. The $3 million estimate of "profits," furthermore, would be cut in half if the full cost of the present annuity to Panama were assessed against the Company.

We repeat for emphasis: the canal should not be permitted to become a pawn in our normal diplomatic relations with the Republic of Panama.

Subcommittee on Panama Canal: Leonor K. Sullivan, Chairman; Edward A. Garmatz; T. A. Thompson; Herbert Zelenko; Vincent J. Dellay; Timothy P. Sheehan; William S. Mailliard; Francis E. Dorn; Robert J. McIntosh.

Mr. SELDEN. Mr. Speaker, I yield such time as he may desire to the distinguished Chairman of the House Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I support the pending resolution and shall vote for its passage. The resolution is designed to insure that the Congress shall not be deprived of the right to pass on proposed changes in arrangements in the Canal Zone which the Congress originally approved through our constitutional treaty processes.

There is currently under consideration in the Department of State a request from the Republic of Panama that the Panamanian flag be flown in the Canal Zone. Several weeks ago, when it appeared likely that permission might be given, the distinguished chairman of the Subcommittee on Inter-American Affairs requested the Secretary of State to delay a decision until after the subcommittee had an opportunity to study the matter.

The subcommittee has held eight meetings on this subject, which I have followed with keen interest. The subcommittee members have demonstrated a praiseworthy concern to enhance our friendly relations with Panama and at the same time safeguard our own vital interests. They have not yet reached a decision on whether or not it would be wise to accede to Panama's request in this instance.

They did agree on the procedure proposed in this resolution and unanimously reported it to the full Foreign Affairs Committee. It constitutes an important interim judgment while their hearings continue. The resolution quite properly makes no direct reference to the Panamanian flag. It does emphasize in clear and unequivocal terms the sense of Congress that the executive branch should not use "an act of grace" technique to deprive the legislative branch of the right to approve variations in traditional interpretation of the treaties with Panama, with special reference to matters involving territorial sovereignty.

I concur fully with this view. The question of flying the Panamanian flag in the Canal Zone is too important for the executive branch to assume the prerogative of granting such a request by mere administrative fiat.

Those in Panama who wish to fly their flag over the Canal Zone do not look upon it as an insignificant goodwill gesture. Nor should we so delude ourselves. The flag is a sovereign symbol and must always be regarded as such. Our friends in Panama are entitled to have their request treated with the respect and thoughtful consideration it deserves. In 1955 a similar request was considered sufficiently important to be included in the negotiations which led to the 1955 treaty with Panama. At that time, for what seemed compelling reasons, the request was denied. It was felt that it could lead to future misunderstandings that could impair friendly relations with Panama and also adversely affect U.S. interests and rights in the Canal Zone.

Perhaps those reasons should no longer prevail. Whether they should or not, it seems clear that this repeated request by the Republic of Panama should be dignified by subjecting it to the careful and deliberate attention and consideration inherent in our constitutional processes.

Mr. Speaker, I commend the chairman of the Subcommittee on Inter-American Affairs, my friend and colleague from Alabama, and the members of his subcommittee, for the statesmanlike approach they have taken to this problem. I urge the immediate adoption of this resolution as an emphatic reminder to the executive branch that the Congress will not lightly regard any bypassing of the legislative branch in changing treaty interpretations which have become basic and traditional.

Mr. JACKSON. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, there is not a great deal that can be added to what has already been said with respect to this resolution by the distinguished chairman of the subcommittee [Mr. SELDEN]. However, the thought that should be borne in mind by all Members of the House, in contemplation of the resolution is its possible effects and implications throughout the world. We operate the Panama Canal not only as a instrument for our own commerce and defense, but as a trust and an obligation toward all the seafaring nations of the world.

During November there were in Panama demonstrations against our policies as they are implemented in the Canal Zone and at present a considerable amount of pressure continues on several points having to do with our relationships with the Republic of Panama. As the chairman of the subcommittee has pointed out all of our discussions in the subcommittee have gone only to the point of sovereignty as it was set forth in the treaty of 1903. The sole purpose and point of the present resolution is to make it clear that the Congress, in one body of which resides the power to negotiate and change treaties, shall be consulted before any determination is made in the executive branch which might conceivably alter the terms of the original treaty as amended on two subsequent occasions. The matter of sovereignty, as defined in the treaty, is one which is in controversy. Sovereignty is what any individual or individual nation may interpret it to be.

For this reason the subcommittee has felt, the full committee concurring, I believe with one exception, that we should permit no changes except changes negotiated through the treaty process in the provisions of the treaty as originally drafted.

May I ask the chairman of the subcommittee at this time whether or not a rollcall is to be asked? I have been on several occasions.

Mr. SELDEN. Yes; a rollcall will be asked.

Mr. JACKSON. A rollcall will be asked on this resolution, and I would certainly hope that the mandate which is contained in this resolution will be carried overwhelmingly in the House today to the end that our determination as representatives of the American people will be made abundantly clear not only to the people of our own country and to the people of Panama but to all the peoples of all the countries of the world who use the facilities of the Panama Canal.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Does the Senate have exclusive power to make treaties?

Mr. JACKSON. The Senate has the treaty-making power. There is a question at the present time whether or not it would be possible to negotiate between governments the matter of flying the flag in the Panama Canal Zone. Many of us believe that such an agreement would alter the sovereign concept.

Mr. HOFFMAN of Michigan. Is there any effective action that can be taken by the House that will effect the making of treaties? Is there any way that we can make our action effective?

Mr. JACKSON. After all, it is effective only insofar as any resolution expressing the sense of the Congress is effective. The House is expressing its opinion, its sense, that no change in the treaty should be effected except through the process of treaty negotiation.

Mr. HOFFMAN of Michigan. There is no obligation on the part of the other body to follow what we say, is there?

Mr. JACKSON. There is no more obligation on the part of the other body in this instance than in any other instance.

Mr. HOFFMAN of Michigan. Is any suggestion we may make not just a gratuitous suggestion to the other body?

Mr. JACKSON. I would hope that an overwhelming mandate from the House today would receive prompt and effective action in the other body.

Mr. DORN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DORN of New York. Mr. Speaker, I am going to vote in support of this resolution. It is the function of the Congress, rather than the Executive to pass upon sovereignty, and my interpretation of the treaties between the Governments of Panama and the United States has always been that sovereignty in the Canal Zone lay in the United States. If this is to be altered, it is up to Congress to do it.

However, I am firmly convinced that our relationship with Panama and our activities in the Canal Zone should be reexamined by our State Department in the light of modern economic conditions.

Mrs. SULLIVAN mentioned that there was much poverty in Panama. I have observed it at firsthand and I have never believed that national subsidies eliminate the poverty of the masses. But I know that poverty can be eliminated if the breadwinner has a job.

If the United States were constructing the canal now, I am sure it would not set up the intricate system of paternalistic commissary stores that it now operates, but would depend on the economy of Panama for the purchase of its necessaries. Our Government is recognizing this and more and more meat, food stuffs, and merchandise are being purchased in the Panamanian economy for resale in the zone.

I believe a more advanced step should be examined and instead of these articles being purchased for resale in the zone, that the Zonites purchase them in Panama. Where Panama merchants are competitive, more and more goods should be purchased from them at retail and not sold in the zone commissaries. Years ago Panama did not have proper stores or proper sanitary conditions. Now its stores rival similar stores in the States and are better than in some localities in the States.

I believe that the friction that some Panamanians have with the United States is based on economics and if our citizens bought more of their merchandise in Panama, not only would the friction be eliminated, but part of the poverty in Panama would disappear. I believe an economic policy not based on the philosophy of the "ditchdigger" days and not bound by tradition should be studied.

Mr. CHIPERFIELD. Mr. Speaker, by the treaty of 1903 the Republic of Panama granted to the United States in perpetuity a strip of land known as the Canal Zone. The terms of this treaty include the use, occupation, and control of the land for the construction, maintenance, and operation of the Panama Canal, as well as all rights, power, and authority within the Canal Zone which the United States would possess and exercise if it were the sovereign of the territory.

New treaties between the United States and the Republic of Panama in 1936 and 1955 reaffirmed the traditional interpretation of the treaty of 1903 with respect to United States sovereignty in the Canal Zone. Article 24 of the Panama Canal Convention of 1903 states:

> No change either in the Government or in the laws and treaties of the Republic of Panama shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or may hereafter exist touching the subject matter of this convention.

In accordance with the Constitution of the United States all three treaties received the advice and consent of the Senate prior to ratification.

This resolution merely expresses the sense of the Congress that any variation in the traditional interpretation of all three treaties that concerns territorial sovereignty may be undertaken only after full consideration by both the Executive and that body of Congress which is charged with the exercise of such responsibility. Therefore, any changes in the interpretation of all treaties with the Republic of Panama become the subject for new negotiations for a later treaty. The flying of the Panama flag in the Canal Zone would be at variance with the previous treaties.

We wish to maintain friendly relations with the Republic of Panama but, at the same time, we must fulfill our responsibilities in the Canal Zone. We must remember that the Panama Canal belongs to the United States; that we dug it and paid for it and, by the terms of the 1903 treaty, we were granted all rights of sovereignty in perpetuity.

I earnestly urge the passage of this resolution.

Mr. COFFIN. Mr. Speaker, the purpose of these remarks is not to persuade this House, but to place on record the thinking that moves some of us to oppose this resolution. The suspension of the rules procedure, with debate limited to 20 minutes on each side of the aisle, precluding amendments, is not calculated to encourage deliberate debate or the thorough consideration of hidden implications.

Nevertheless, there is good reason to look where we are going. As a lawyer, I am seriously concerned with the precedent we are setting by this resolution. It requires that any variation in traditional interpretation of the Panama-U.S. treaties with special reference to matters of territorial sovereignty be made only in the same way that treaties themselves are made, that is, with the advice and consent of the Senate. I would certainly say that "with special reference" does not effectively limit this new procedure to matters of territorial sovereignty. A strong case can be made that any variation in traditional interpretation would include all changes, major and minor, in the habitual ways of living with a particular treaty.

In this day and age, conditions, problems, customs, attitudes, and approaches change so rapidly that a certain amount of flexibility in living with a treaty is demanded of the Executive. And yet we are asked to impose on him a straightjacket that has not been required in the past. I even raise the question whether we are not infringing on the constitutional power and duty of the President to conduct our foreign affairs. If such a restriction is valid for the Panamanian treaties, why is it not a legitimate one for all our other treaties?

How can this resolution be enforced? When can it be said that there is a traditional interpretation? What if a treaty has been, over the years, variously interpreted? What if a provision has been interpreted only once or twice? Are we to inject treaties with pervading uncertainties, whenever anything is done that goes beyond the strict letter of the document?

Moreover, the resolution talks about having special reference to matters involving territorial sovereignty. Does the question before us involve territorial sovereignty on the part of the United States? I am informed that in 1903 the Republic of Panama ceded to us the use, occupation, and control of a zone of land. Substantial opinion exists that this is something less than sovereignty. The beginning law student is taught the difference between possession and title. Even possession in perpetuity is not title, if all the attributes of title are not present. We cannot convey the zone to a third country. We cannot destroy the canal and use the land for military maneuvers. As President Taft said, when he was Secretary of War:

> The truth is that while we have all the attributes of sovereignty necessary in the construction, maintenance, and protection of the canal, the very form in which these attributes are conferred in the treaty seems to preserve the titular sovereignty over the Canal Zone in the Republic of Panama, and as we have conceded to us complete judicial and police power and control over the zone and the two ports at the end of the canal, I can see no reason for creating a resentment on the part of the people of the isthmus by quarreling over that which is dear to them but which to us is of no real moment whatever.

On December 2, 1959, President Eisenhower, in discussing this problem, said:

> I do in some form or other believe we should have visual evidence that Panama does have titular sovereignty of the region.

Does this mean the first step toward losing our control over the canal? Those who make the first step argument necessarily assume that we shall not have the common sense, diplomacy, and skill needed to act wisely in the future. If we applied the first step argument to other fields, we would never do anything. We would not tax since the power to tax is the power to destroy. We would not have joined the United Nations since it might be the first step toward surrendering national sovereignty. We would not be engaging in talks on Berlin since it might be the first step toward abandoning our obligations. No,

Mr. Speaker, this argument claims too much and places too little faith in our Government and our people.

Would we not be better advised to choose for our battleground a field where we shall appear to better advantage in the eyes of the world? I can imagine a healthy respect for our determination to keep the canal open for the traffice of the world, and to insist on every right of occupation, use, and control given us in perpetuity by the treaties. But I do not like to think of the impact of altercations, assaults, and possible bloodshed arising out of some ill-advised attempt by either Panamanians, or agents, provocateur masquerading as Panamanians, to implant a flag in the zone, before such permission has received the seal of Senate approval.

To sum up, this resolution embarks on a dangerous precedent in shackling Executive prerogative; it may very well not even be applicable to the problem with which it attempts to deal; and it may, in the eyes of the world, appear to be an unsuccessful attempt to convert a matter of practice into a matter of principle.

Mr. GROSS. Mr. Speaker, with my colleague from Missouri [Mrs. SULLIVAN] I view the pending resolution with mixed feeling for the reason that I think it could have been made much stronger as a statement of United States policy with respect to the Panama Canal Zone.

Let the record show that there can be no question of the sovereignty of the United States in the Canal Zone. Let the record further and clearly show that it is the intent of the House of Representatives that the flag of the United States, and that flag alone, shall fly in the Panama Canal Zone.

The time has arrived for the United States to take a firm position and yield not one inch to mob demands in Panama or elsewhere.

Let us be just and honest in our dealings with Panama and every other foreign country, but the time has come to stop retreating in the face of unwarranted demands and insults.

I support this resolution because it does serve notice upon the executive branch of Government, including the State Department, that the flag of Panama is not to be raised as a symbol of our abdication of control of the Canal Zone.

Mr. GALLAGHER. Mr. Speaker, I rise in opposition to House Concurrent Resolution 459. I do so reserving the right to criticize the administration's conduct on foreign policy when criticism is called for. However, as a lawyer, I feel that the resolution could impose a rigidity on treaty interpretation that could provide a dangerous precedent.

A treaty must be constantly reviewed in the light of changing conditions. The basic interpreting responsibility rests with the President and the Secretary of State and not with the Congress. To impose a restriction such as this resolution calls for could very well lead to the necessity of congressional reapproval of every treaty situation which presents a novel point.

The question of the Panamanian flag flying at some point in the Canal Zone is presently charged with great emotion. This matter is now being reviewed by the President. He should review the whole matter and not this one item which has been made a heated issue by some demagogic Panamanian politicians. It is of far less importance than the necessity of protecting our treaty rights, not only in the Canal Zone, but existing treaty rights all over the world. The entire matter is one which should rest on firm, legal, and moral grounds rather than on transient, emotional grounds.

For this reason, I feel that the State Department should be left with the flexibility of patient review in the light of the changing conditions of the Panamanian question and in the perspective of our moral and political leadership in the free world. It should be dealt with through the proper constitutional channels.

This resolution, in effect, could very well tie the hands of the Department of State, and prove a burdensome interference.

I am not dealing here with the question of the validity or invalidity of the Panamanian demand to fly their flag in the Canal Zone. The question involved here is not only the present Panamanian matter, it is of rather far greater consequence. It involves the necessity of United States assuming a mature attitude in view of changing conditions, without sacrificing our national dignity while still protecting our international treaty rights. This is a function of the executive branch and not one falling within the province of the legislative branch.

Twenty minutes of debate time for each side of the House is not sufficient time to consider a problem of this magnitude. The implications of this type of legislative approach are staggering.

The responsibility for the conduct of foreign policy is constitutionally vested in the Chief Executive of the United States. I feel that this resolution would impose an unreasonable if not an unconstitutional restriction upon the proper execution of this function.

Mr. JUDD. Mr. Speaker, I fear that the passage of this concurrent resolution may do harm to our relations with Panama and our foreign relations generally. I do not see that its passage would bring gain to the United States on our position in Panama or the world. So I am constrained to vote "No." I dislike having to do so because I recognize that the language of the resolution is so ambiguous or unclear that such a vote could conceivably be portrayed as indicating that I am agreeable to treaties being altered by other than the treaty process, that is, without "the advice and consent of the Senate" prescribed by the Constitution. That is not the case for a minute. Treaties can be changed only by other treaties or by such abrogation of them as the treaties themselves prescribe.

But for the United States to permit the Republic of Panama to fly its flag in the Canal Zone as a visible symbol of its titular sovereignty, does not appear to me to be a change in any treaty we have with Panama. It would not in the least change our complete jurisdiction and control over the Canal Zone, which the 1903 treaty clearly states that we are to possess "as if sovereign." In fact, to authorize Panama to fly its flag would be an exercise, not a denial, of our control.

In short, whether the Panama flag is flown or not flown in no way affects or changes our authority in the zone. It does not touch the substance of existing treaties. Flying their flag has become an important symbol to them of their titular sovereignty. I can understand that. I should like to see our American flag flying over the enclave within our midst occupied by the United Nations Headquarters in New York, as a symbol of American titular sovereignty to that land. If flying their flag in the zone means a lot to Panamanians and is of no real consequence to our position there, why make such an issue of it?

It has been said that to yield on this flag matter will lead to a lot of other demands from various elements in Panama. Mr. Speaker, those demands are coming whatever we do about the flag. Many of the demands are already here. Each should be decided on its own merits, or lack thereof. In my opinion, if we go along with the Panamanians' desire to fly their flag—for which I am inclined to think an impartial court would say they have a just case—it would not weaken our position with respect to other demands which have no justification. Rather it would strengthen our position.

In summary, we should go along wherever we think they are right and firmly refuse to go along wherever we think they are wrong.

But to decide one way or the other on flying their flag would not, in my view, be a change in a treaty. It would be exercising the jurisdiction and control we legally have under existing treaties. The decision ought to be made in accordance with the equities in the case, and without blowing the flag issue up to an importance it would not otherwise have, to the detriment of all concerned.

Mr. NORRELL. Mr. Speaker, this measure expresses the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama shall be made only pursuant to treaty.

In order to clarify my position with reference to this resolution, I want to say that I am in favor of its passage. I was present in the House Chamber during the major portion of the debate, but unfortunately I was called away before the vote was taken. If I had been able to be on the floor at the time the rollcall was taken, I would have voted "yea."

Mr. BURLESON. Mr. Speaker, the Republic of Panama has requested the right to fly the Panamanian flag over the Canal Zone. This request has been under consideration in the executive branch, where it has apparently received mixed reactions. Up to the present time, there has been no formal and final decision. The pending resolution is most timely. The action we take on this reso-

lution today will enable the executive branch to take cognizance of the views of the Congress before acting on the request by Panama. I believe that it would be a serious mistake to permit the Panamanian flag to be flown over the Canal Zone. Since the first U.S. treaty with Panama in 1903, ours is the only flag which has flown over the Canal Zone, where by treaty we exercise in perpetuity all the rights, power, and authority we would possess and exercise if the United States were sovereign.

The treaty language is not ambiguous. It is clear and to the point. It spells out that in the Canal Zone the United States has all the rights, power, and authority that the United States "would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

I am convinced that this resolution is urgently necessary. It is the result of hearings held by the Subcommittee on Inter-American Affairs on the flag question. The subcommittee did not formally pass on the wisdom of granting this request by Panama, although several members, including myself, were ready to vote in the negative. The resolution reflects the unanimous subcommittee view that it would constitute a major deviation from traditional treaty interpretation and that the executive branch should be enjoined from arrogating to itself the authority to bypass the joint approval requirements of our constitutional treatymaking process.

Although the issues seem clear to those of us who have followed and participated in the subcommittee hearings, I know that there are some very able and conscientious men who entertain doubts about the propriety of the Congress adopting a sense resolution on such a matter.

Such misgivings were not overlooked by the subcommittee, nor were they ignored by the full Committee on Foreign Affairs which confirmed the subcommittee's action with but one dissenting vote. This resolution is before the House as the result of the mature judgment of those who carefully weighed the testimony and considered the conflicting views of a number of qualified witnesses, both official and private.

The views of those opposed to the resolution may be summarized as falling broadly within the following seven categories:

First. Changing conditions in Panama require flexibility of action in the Department of State and the resolution would prove a burdensome interference.

Second. The resolution may infringe on the constitutional power and duty of the President to conduct our foreign affairs.

Third. The resolution embarks the United States on a dangerous precedent in shackling Executive prerogative and could lead to the necessity of congressional reapproval of every treaty situation which presents a novel point.

Fourth. The resolution raises, without answering, questions concerning the nature and definition of traditional treaty interpretation.

Fifth. That flying the Panamanian flag would be of no real consequence to our position there and would constitute a harmless and costless gesture of good will.

Sixth. That authorizing Panama to fly its flag would be an exercise, not a denial of our control.

Seventh. The resolution unjustifiably assumes flying the Panamanian flag in the Canal Zone could be a dangerous first step to other and more important rights.

Let us examine these points, one by one.

First, to hold that changing conditions require flexibility of action is plausible, but highly specious. Compromise can be good, but if carried to the extreme of surrender of a right, can be the worst solution for an exigency. Flexibility should always be held within reasonable and authorized limits. The proposal to fly the Panamanian flag in the Canal Zone is very definitely not within the authorized limits of our traditional interpretation of the treaty.

Second, the resolution does not deprive the Executive of any of its constitutional power and duty to conduct our foreign affairs. The resolution simply reminds the Executive that it has a partner in the treaty process who should be consulted before changes are made.

Third, the resolution would not lead to the necessity of congressional reapproval of every treaty situation which presents a novel point. I think the debate today has made abundantly clear that it is aimed at averting actions which would have the effect of improperly bypassing the Congress.

Fourth, the point that the resolution raises unanswered questions concerning the nature and definition of traditional interpretation is not likely to be raised by those who have studied the history of our treaty negotiations with Panama. Records of the 1955 treaty negotiations show that at that time our State Department held a strong negative view on the flag question and was vitally concerned with preserving our sole right to fly the flag over the Canal Zone.

Fifth, the view that flying the Panamanian flag would be of no real consequence is not shared by Panamanians, who are fully aware of its significance as a preeminently important symbol of sovereignty.

Sixth, granting Panama permission to fly the flag would not be an exercise of control. It would be a surrender of a symbol of control that could not easily be revoked.

Seventh, I fear that those who believe the resolution unjustifiably assumes that flying the Panamanian flag in the Canal Zone could be a dangerous first step to other and more important rights are either unaware of the total demands of Panama, or have mistakenly discounted their real significance.

Actually, it is not so much that there would follow additional demands. We have now, and have had for some time, demands for further surrenders. To grant the flag request will unquestionably give encouragement for a renewal of a long chain of demands by Panama of additional rights.

The Republic of Panama has officially already urged a number of concessions, all of which were unequivocally rejected by the United States during the 1955 treaty negotiations. They were denied as being in conflict with the basic rights of the United States under provisions of the 1903 treaty with Panama. They are:

First. That the Panamanian flag be flown as well as the U.S. flag in the Canal Zone, including on vessels.

Second. That Spanish be the official language in the Canal Zone along with the English language.

Third. That foreign consuls in the Canal Zone be accredited by Panama rather than by the United States.

Fourth. That Panamanian citizens before Canal Zone courts be tried by mixed tribunals, American and Panamanian judges.

Fifth. That Panamanian postage be used on all mail matter dispatched from the Canal Zone.

Sixth. That the United States wholly recognize Panamanian sovereignty over the Canal Zone.

Mr. Speaker, I submit that these official demands constitute the best answer to those who feel that granting the flag request would not lead to further demands.

I find it somewhat appalling to realize the extent to which our present foreign policy is tinged here and there with attempts at appeasement when what we should do is stand firm on maintaining our rights.

Some people, disgusted by the unjustified vilifications, criticisms and recent mob violence directed against the United States, are seriously proposing the advisability of placing the Panama Canal under some form of international control. I am opposed to such an abdication of our rights and responsibilities. If in the remote future, however, conditions should become so changed and altered that the logical course would narrow down to a form of international control, I wish to point out that our authority and power of decision would have been impaired, if not completely negated by an earlier surrender on the flag issue.

When the executive branch took a strong stand in 1955 against flying the Panamanian flag in the zone, it inferred that the Congress would be consulted before taking any action which might be regarded as receding from the position of our sovereignty in that area. To yield on this point would be construed by many as a sign of appeasement and weakness and could result in erosion of our control as a matter or right. I cannot believe that in the long run the majority of Panamanians will head the exhortation of those unfriendly to us, whether they come from Castro, from Nasser, or from the Kremlin. We have an abiding friendship for the people of Panama, whose independence we sponsored and guaranteed. We must maintain a firm basis for our mutual friendship, esteem

and trust. We must not embark on any course that would involve a double meaning, and that is just what granting the flag request would do. The proponents in the United States would treat it as a token gesture; the Panamanians would accept it for its true value and be justifiably provoked by our efforts to minimize it.

Mr. Speaker, for the sake of preserving our basic treaty rights, for the sake of avoiding needless future misunderstandings, and for the sake of truly promoting our mutual friendship with Panama, I urge the immediate adoption of this resolution.

Mr. FASCELL. Mr. Speaker, in these critical times, it is imperative that the United States—the acknowledged leader of the free world—stand firm in its agreements and treaties with other nations and insist that other nations have the same respect for us.

We are all very much aware that it is one of the techniques of the principal opponent of our system to use every means at his disposal to test the mettle of the U.S. conviction wherever and whenever he can. It is victory for him to see this great Nation take a step backward from policy when pressure is applied. For such an action can be exploited as at least an implied admission that the policy was wrong in the first place. But, more importantly, it can be exploited as evidence that this country is willing to pursue a course of conciliation and appeasement—a course which history has revealed most dramatically to be sacrificial of national integrity and fatal to prestige.

I like to think of international relations in terms of human relations. Fundamentally, the same things move nations in their relations with each other as move human beings in the conduct of their lives. The basis for effective human relations is respect. If any of us is willing to live without the respect of our contemporaries, his effectiveness is nil. And if any nation, however powerful, makes a habit of retreating from policy under duress, its position in international affairs is precarious, mainly because it cannot maintain the respect of its fellow nations.

Now, this is not to say that I am opposed to change. The United States should continually reevaluate its agreements and treaties in the light of changing times; and, through the Executive and the Congress, agree to change in policy necessary for the continuance of just and honorable international relations and for the best interest of the Nation.

I am saying that there is and should be change; but our treaty policies should not be altered solely as the result of Executive interpretation.

A strong case in point is before us today. Our able and distinguished colleague, the gentleman from Alabama [Mr. SELDEN], has placed before this body a resolution directly concerned with pressures on the United States to adjust its traditional treaty posture with regard to the Republic of Panama and the Panama Canal Zone.

It would be repetitious for me to go into the background of this issue; you have heard it many times. But the hard fact is that the United States is under pressure to abandon previous policy with regard to the treaties with Panama and allow the display of certain symbols of Panamanian sovereignty in the Canal Zone, where the United States is sovereign.

Now, where does this pressure originate?

The United States now has pending before it the formal request of the Panamanian Government that our policy in this regard be changed. This, I call proper; and I do not quarrel with it.

But, we cannot ignore the fact that forces not interested in the nationalistic aims of Panama have seized the issue to exploit it and attempt to publicly place the United States in a position of reacting under duress. This tactic, I do quarrel with.

There have been indications that the President and the Secretary of State are giving serious consideration to yielding to the pressures without regard to the constitutional treaty making and amending process.

Let me make one thing perfectly clear; I am not arguing the merits of the validity of the properly presented demands of the Panamanian Government. I am taking issue with the idea that we should change policy in Panama by interpretation, rather than by the affirmative course of exploring the full implications of the problem and instituting any action needed within the framework of the Constitution.

That is why I support the resolution of the gentleman from Alabama [Mr. SELDEN]—which, I might add, was given thorough and exhaustive study by the Committee on Foreign Affairs and the Subcommittee on Inter-American Affairs, of which Mr. SELDEN and I are members, Mr. SELDEN being chairman of the subcommittee.

All Mr. SELDEN's resolution says is that we, the Members of this Congress, believe that any change in policy regarding Panama should be promulgated affirmatively—by treaty or amendment—and not by interpretation, which would leave some doubt as to whether we are reacting to pressure or to the existence of just reason.

The people of the United States and the people of Panama have been friends for many years, and we all want that friendship to endure. We also appreciate their strong nationalism. But, we cannot allow these considerations to move us to depart from long-established policy without full regard for all the implications of such a departure, and without submitting the issue to constitutional process.

The respect we have earned is too valuable to be jeopardized by doing otherwise. I hope all my colleagues, on both sides of the aisle, will join in support of this resolution, which merely is a way of saying, "Let us do things right."

The SPEAKER. The question is, Will the House suspend the rules and agree to House Concurrent Resolution 459?

Mr. SELDEN. Mr. Speaker, on this I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 382, nays 12, not voting 36, as follows:

[Roll No. 3]

YEAS—382

Abbitt	Dingell	King, Utah
Abernethy	Dixon	Kirwan
Adair	Donohue	Kitchin
Addonizio	Dooley	Knox
Albert	Dorn, N.Y.	Kowalski
Alexander	Dorn, S.C.	Kyl
Alger	Dowdy	Lafore
Allen	Downing	Laird
Andersen, Minn.	Doyle	Landrum
Andrews	Dulski	Lane
Anfuso	Dwyer	Langen
Arends	Edmondson	Lankford
Ashley	Elliott	Latta
Ashmore	Everett	Lennon
Aspinall	Evins	Lesinski
Auchincloss	Fallon	Levering
Avery	Farbstein	Libonati
Ayres	Fascell	Lindsay
Bailey	Feighan	Lipscomb
Baker	Fenton	Loser
Baldwin	Fino	McCormack
Baring	Fisher	McCulloch
Barr	Flood	McDonough
Barrett	Flynn	McDowell
Barry	Flynt	McFall
Bass, N.H.	Fogarty	McGovern
Bass, Tenn.	Foley	McIntire
Bates	Ford	McMillan
Baumhart	Forrester	McSween
Becker	Fountain	Macdonald
Beckworth	Frazier	Machrowicz
Belcher	Frelinghuysen	Mack, Ill.
Bennett, Fla.	Friedel	Mack, Wash.
Bennett, Mich.	Fulton	Madden
Bentley	Garmatz	Magnuson
Berry	Gary	Mahon
Betts	Gathings	Mailliard
Blatnik	Gavin	Marshall
Boland	George	Martin
Bolton	Glenn	Matthews
Bonner	Goodell	May
Bosch	Granahan	Meader
Bow	Grant	Merrow
Boykin	Gray	Michel
Brademas	Green, Pa.	Miller, Clem
Bray	Griffin	Miller, George P.
Breeding	Griffiths	Miller, N.Y.
Brewster	Gross	Milliken
Brock	Hagen	Minshall
Brooks, La.	Haley	Mitchell
Brooks, Tex.	Halleck	Moeller
Broomfield	Halpern	Monagan
Brown, Ga.	Hardy	Moore
Brown, Mo.	Hargis	Moorhead
Brown, Ohio	Harmon	Morgan
Broyhill	Harris	Morris, N. Mex.
Buckley	Harrison	Morris, Okla.
Budge	Hays	Moss
Burdick	Healey	Mumma
Burke, Ky.	Hébert	Murphy
Burke, Mass.	Hechler	Natcher
Burleson	Hemphill	Nelsen
Byrne, Pa.	Henderson	Nix
Byrnes, Wis.	Herlong	Norblad
Cahill	Hess	O'Brien, Ill.
Canfield	Hiestand	O'Brien, N.Y.
Cannon	Hoeven	O'Hara, Ill.
Carnahan	Hoffman, Ill.	O'Hara, Mich.
Casey	Hoffman, Mich.	O'Konski
Cederberg	Hogan	Oliver
Chamberlain	Holland	Osmers
Chelf	Holt	Ostertag
Chenoweth	Holtzman	Patman
Chiperfield	Horan	Pelly
Church	Hosmer	Perkins
Clark	Huddleston	Pfost
Coad	Hull	Philbin
Cohelan	Ikard	Pilcher
Collier	Inouye	Pillion
Colmer	Irwin	Pirnie
Conte	Jackson	Poff
Corbett	Jennings	Preston
Cramer	Jensen	Price
Cunningham	Johansen	Prokop
Curtin	Johnson, Calif.	Pucinski
Curtis, Mo.	Johnson, Md.	Quie
Daddario	Johnson, Wis.	Rabaut
Dague	Jonas	Rains
Daniels	Jones, Mo.	Randall
Davis, Ga.	Karsten	Ray
Davis, Tenn.	Karth	Reece, Tenn.
Dawson	Kearns	Rees, Kans.
Delaney	Kee	Rhodes, Ariz.
Dent	Keith	Rhodes, Pa.
Denton	Kelly	Riehlman
Derounian	Keogh	Riley
Derwinski	Kilburn	Rivers, Alaska
Devine	Kilday	Rivers, S.C.
Diggs	Kilgore	Roberts
	King, Calif.	

Robison	Smith, Calif.	Vanik
Rodino	Smith, Iowa	Van Pelt
Rogers, Colo.	Smith, Kans.	Van Zandt
Rogers, Fla.	Smith, Miss.	Vinson
Rogers, Mass.	Smith, Va.	Wainwright
Rogers, Tex.	Spence	Walhauser
Rooney	Springer	Walter
Roosevelt	Staggers	Wampler
Rostenkowski	Steed	Watts
Roush	Stratton	Weaver
Rutherford	Stubblefield	Weis
St. George	Sullivan	Westland
Santangelo	Taber	Wharton
Saund	Taylor	Whitener
Saylor	Teague, Calif.	Whitten
Schenck	Teague, Tex.	Widnall
Scherer	Teller	Wier
Schwengel	Thomas	Williams
Selden	Thompson, La.	Willis
Shelley	Thompson, Tex.	Wilson
Sheppard	Thomson, Wyo.	Winstead
Shipley	Thornberry	Wolf
Short	Toll	Wright
Sikes	Tollefson	Yates
Siler	Trimble	Young
Simpson	Tuck	Younger
Sisk	Ullman	Zablocki
Slack	Utt	Zelenko

NAYS—12

Bolling	Judd	Quigley
Coffin	Kastenmeier	Reuss
Gallagher	Meyer	Thompson, N.J.
Johnson, Colo.	Powell	Udall

NOT VOTING—36

Alford	Giaimo	Morrison
Anderson, Mont.	Green, Oreg.	Moulder
	Gubser	Multer
Barden	Holifield	Murray
Blitch	Jarman	Norrell
Boggs	Jones, Ala.	O'Neill
Bowles	Kasem	Passman
Celler	Kluczynski	Poage
Cook	McGinley	Porter
Cooley	Mason	Scott
Curtis, Mass.	Metcalf	Withrow
Durham	Mills	
Forand	Montoya	

So (two-thirds having voted in favor thereof), the rules were suspended and the House concurrent resolution was agreed to.

The Clerk announced the following pairs:

Mr. Celler with Mr. Mason.

Mr. Multer with Mr. Gubser.

Mr. Boggs with Mr. Curtis of Massachusetts.

Mr. O'Neil with Mr. Withrow.

Mr. BOLLING and Mr. THOMPSON of New Jersey changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD on the resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDIGNATION AT DESECRATIONS OF HOUSES OF WORSHIP

Mr. O'HARA of Illinois. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 465) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites.

The Clerk read as follows:

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this descration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas, if left unchecked, this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

The SPEAKER. Is a second demanded?

Mrs. CHURCH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this is a House Concurrent Resolution expressing the indignation of Congress at the recent desecration of houses of worship and other sacred sites. It has been reported out unanimously by the Committee on Foreign Affairs and as a further evidence of the interest of that committee, I might point out that an identical companion resolution has been introduced by each and every Member of the Committee on Foreign Affairs.

Mr. Speaker, I shall ask for a record roll call vote at the conclusion of this debate. I am satisfied that no one will vote against the resolution. But I think it will give force to our words and evidence of our deep sense of indignation if our affirmation is shown, individual by individual, by a record roll call. Every Member of this House feels as I do that when there is desecration of a house of worship or any sacred site, that is a matter of deep concern to all, to our constituents and to our country. Unless such activities are halted, as with one voice our people repudiating and denouncing those responsible, we have reached the end of our day of usefulness and I am not sure that the night has not come to our civilization.

This resolution was very carefully drawn by the Committee on Foreign Affairs. There is not one member of that committee who is responsible for all of the language. As the resolution is worded it represents the thinking and the verbal teamwork of our committee. The committee spent a long session carefully weighing every word. The distinguished gentleman from New York [Mr. FARBSTEIN] thought that it should be a stronger resolution in specific reference to West Germany. I agreed with him that while the Government of West Germany had taken prompt and stern means of repressing recent outrages, no question should be left in any mind in West Germany, especially among those who had been parties to past outrages, that that which had been practiced in Hitler's day would never be permitted to recur.

But these outrages had occurred in several countries, including our own. They demanded prompt and universal condemnation. Unless such condemnation were immediately forthcoming the abominable perpetrators of these outrages, however few and insignificant they might be, might feel encouraged to multiply their nefarious activities. Hate cannot live in the sunshine. It thrives and expands its poisonous reach in places of darkness not exposed to the light. In such situations it is the province of the Congress, and our responsibility as representatives of the American people, to let in the light.

House Concurrent Resolution 465 points the accusing finger in no direction or at any individuals except those apostles of hate responsible for these recent outrages. It calls for all peoples and all governments throughout the world to act with energy to prevent their shameful recurrence. The resolution is, in effect, a massing of decent world opinion. I am confident that its adoption, as one of the first legislative accomplishments of the 2d session of the 86th Congress, will have beneficial repercussions of tremendous volume in all parts of the world. It will be interpreted everywhere as the voice of the Congress of the United States proclaiming that the American people will never permit the world of which it is such a powerful part ever again to be inundated by tidal waves of hate.

Mr. Speaker, I am not thinking only of the Jew. The Jew has met his full and bitter share of persecution in the past and in this generation there are many Jewish families in all our States grieving for dear ones who died in torture and as martyrs to their faith in the blood reign of Hitler. But I am thinking as well of the Catholic, the Protestant, the follower of any religion who finds in its teaching and at the houses of its worship an understanding of his relationship with his Maker and his fellowman. He who desecrates the place of worship of any American, or of any person, strikes at the foundation of everything that gives worth and dignity to human life.

Mr. Speaker, I have spoken the sentiment of all the Members of the Committee on Foreign Affairs. House Concurrent Resolution 465, while it bears my name, due to the graciousness of my colleagues on the committee, is in fact the resolution offered for your consideration, and I am sure your adoption, as the joint product in fact of the entire membership of our committee.

I ask unanimous consent to include as part of my remarks that part of Report No. 1223 of the House of Representatives beginning with the third paragraph on page 2 to the end of the report. Included in later remarks by the distinguished gentleman from Pennsylvania [Mr. FULTON] will be the complete listing of all members of the Foreign Affairs Committee and other Members of the House who have introduced resolutions similar to House Concurrent Resolution 465.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter referred to follows:

Resolutions relating to the same subject, introduced by the following Members: Hon. HUGH J. ADDONIZIO, Hon. SAMUEL N. FRIEDEL, Hon. JOHN V. LINDSAY, and Hon. PETER W. RODINO, Jr., were also considered by the committee.

The resolution expresses the indignation and shock of the Congress at the wave of desecration of places of worship and of sacred sites which has manifested itself in nations in many parts of the world, and calls on all persons and governments throughout the world to exert their energies to prevent the recurrence of these shameful events.

The resolution acknowledges that such desecrations have taken place in the United States and points an accusing finger at no one. Its purpose is to encourage and facilitate the mobilization of the efforts of the decent people of all nations to root out whatever organized movements may have contributed to the events which have occurred and to prevent the moral deterioration which a continuation of such desecrations would inevitably reflect.

The State Department has indicated its approval of the resolution in the following letter:

JANUARY 22, 1960.

DEAR MR. CHAIRMAN: We have been asked to comment on House Concurrent Resolution 465 regarding the recent outbreaks of anti-Semitism throughout the world. The Department of State has no objection to the adoption of House Concurrent Resolution 465. To the contrary, we wish to add our wholehearted support to this resolution.

Due to the urgency involved in submitting this report, it has not been cleared through the Bureau of the Budget.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the distinguished chairman of the Committee on Foreign Affairs, and may I say that I do not believe this Congress has ever had a better chairman than the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Speaker, I rise in support of House Concurrent Resolution 465 and urge its immediate adoption.

Everyone here, I am sure, feels indignation at the various desecrations which have occurred in the United States and in other countries in various parts of the world. I am equally confident that everyone here wants to do everything possible to prevent the recurrence of such unfortunate incidents.

The indignation which we feel in the case of many of us, I believe, reflects not only a reaction against the specific events as they have been made known to us but also represents a reaction at having brought to our attention a phase of world history which we would rather not remember.

As most of us think back on the events of the thirties, particularly the emergence of Hitlerism and its reflection in other countries, we cannot escape a feeling that had we been ready and willing to face an unpleasant situation and to take firm action in the early stages of its development, untold misery would have been prevented and millions of lives saved.

I am sure we all agree that we do not want history to repeat itself. I do not know what the underlying causes of the desecrations in the different countries where they have occurred may be. I sincerely believe that the overwhelming majority in all countries deplore these occurrences and desire to prevent them in the future. Many of these incidents, I feel very confident, reflect nothing more than the action of crackpots and juvenile delinquents.

I suspect, however, that some have been caused by Communist agents. Certainly such occurrences are consistent with past behavior of those promoting the cause of world communism, and they undoubtedly have contributed to the advancement of the Communist effort.

I regret to say, however, that each one of us must be aware of the possibility that at least some of the incidents of desecration may represent organized anti-Semitism. I am by no means convinced that this is the case, and I fervently hope that it is not.

The fact remains that we are confronted with a situation, whatever the cause or causes may be, and that the course to follow is prevention and the time to act is now.

This is the reason for the resolution which is before us. The resolution expresses the indignation of Congress at the desecrations which have occurred and calls on people throughout the world to take action. It is important that the Congress establish and make known its official position on these incidents, just as I think individuals throughout the world should make clear their own positions.

The resolution acknowledges that desecrations have occurred in many nations and recognizes that the problem concerns all nations. It points an accusing finger at no one.

I believe that approval of this resolution will remind our own people and the authorities of our States and cities of the need for firm and prompt action in dealing with the events which have already occurred and for maintaining a continuous alert to prevent similar occurrences in the future.

I am confident that approval of this resolution by the Congress by an overwhelming vote will encourage the governments and people of other nations to take affirmative action in dealing with this danger.

I firmly believe that the resolution expresses the sentiment of an overwhelming majority of the House, and I urge its immediate approval.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Speaker, I want to pay tribute to the distinguished chairman of the subcommittee who handled this piece of legislation and join with him in urging the unanimous adoption of this most commendable bipartisan resolution.

Mr. O'HARA of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I would like to review, if only for a moment, the events leading to the appearance here today of House Concurrent Resolution 465.

Following the painting of a swastika upon a Jewish synagogue in Cologne, Germany, during the Christmas season last year, a wave of incidents took place all over the world directed primarily against synagogues, the Jewish people, and in several instances, against Christian churches. These acts of desecration and vandalism aroused the indignation of all decent people everywhere and expressions of horror began to be heard throughout the world.

These expressions of disgust I believe referred not only to the acts of desecration against houses of worship, but to the numerous acts and expressions of anti-Semitism throughout the world and particularly in the Federal Republic of Germany where there seems to be a resurgence of neonaziism and anti-Semitism despite the fact that there are only about 30,000 Jews among a population of about 50 million Germans.

To the credit of the leaders of the government of the Federal Republic of Germany, some prompt and vigorous steps were taken to counteract the vicious upsurge in anti-Semitic and other anti-religious acts. However, it is the root of the problem which must be attacked. I wonder whether the presence of so many former Nazis in places of great influence high in the government of the Federal Republic of Germany, and the evident failure of the government to educate the German youth to make them aware of the excesses of the Hitler regime, has not encouraged the anti-religious and anti-Semitic acts taking place.

I make this statement so the record be not devoid of some recognition that anti-Semitic acts are taking place throughout the world and particularly in Germany; the resolution fails to do so.

So that West Germany might be strengthened as a democratic nation, I believe the Federal Republic of Germany should consider strengthening its program of denazification; intensifying education of German youth to make them aware of the excesses of the Hitler regime; and making evident the disavowal of any governmental policies which appear to give any sanction or stamp of approval, however remote, to Nazi elements or encourage the resurgence of these elements.

As an occupying power our Government may bring this statement to the attention of the West German authorities. This I leave to the discretion of the U.S. Government.

Mrs. CHURCH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I am happy that it has fallen to my lot today, as a member of the Foreign Affairs Committee, to have responsibility for this resolution on the minority side. This is, indeed, a bipartisan resolution.

I would first say, Mr. Speaker, that certainly we who support this resolution, however great our indignation at the desecration that has occurred to places of worship, cemeteries, and other sacred spots, should nevertheless ourselves speak in a spirit of tolerance or else we shall lose the very atmosphere of conciliation that we are trying to preserve. This resolution is aimed at no specific country. It is rather directed at intolerance and hatred, wherever such lift their ugly heads.

Mr. Chairman, the chairman of the subcommittee, the gentleman from Illinois, has rightly spoken in describing the strenuous and dedicated efforts of the Committee on Foreign Affairs to bring out a resolution which would be adequate. Yet, I must confess, although I, on January 21, introduced an identical resolution to his, the present House Concurrent Resolution 465, I do prefer one which I introduced earlier on January 18, and which was a stronger resolution. I refer to House Concurrent Resolution 456 which also decried the shocking wave of desecration of places of worship; and which pointed out that if left unchecked this wave could only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man—a paragraph that was taken over into the present resolution introduced by the gentleman from Illinois [Mr. O'HARA]. Since the conscience of the world should be and has been shocked by these events, I do not think it is enough merely to ask communities and countries to extend their best efforts. My original resolution went further and asked that the Congress of the United States, in the name of the American people, express its own profound concern and called upon all persons, local communities and States—and that was meant to include foreign governments—to institute necessary action, including legal measures bearing penalties, to prevent the recurrence of such atrocities. Despite my preference for this stronger resolution, I am today wholeheartedly supporting House Concurrent Resolution 465, as reported out of committee. I would repeat that the conscience of the world has, indeed, been shocked by recent acts of desecration. I would point out that our own sense of security has been shaken. Unless we can build a world upon the basis of good will and mutual respect, I see little hope for any continued or prolonged safety.

I feel confident that House Concurrent Resolution 465 will pass unanimously.

Mr. Speaker, at this time I yield to the gentleman from Pennsylvania [Mr. FULTON], after first asking, if I may, unanimous consent that all Members may extend their remarks in the RECORD on this debate since I am sure that every Member of the House wishes that within these 40 minutes there was time for him to express his or her approval of this resolution.

The SPEAKER pro tempore (Mr. THOMPSON of Texas). Without objection, it is so ordered.

There was no objection.

Mr. MURPHY. Mr. Speaker, I rise in support of House Concurrent Resolution 465. I am sure that every Member of this House and the overwhelming majority of the American people fully endorse the sentiment which the resolution expresses.

The wave of desecrations which has occurred in so many parts of the world has been a shock to all of us. I think it is important that all people and all governments take these occurrences seriously and initiate immediate action to punish the wrongdoers in the cases which have occurred and to prevent their repetition. I think it likely that many of the desecrations represent acts of juvenile delinquents and crackpots acting individually rather than reflecting any organized movement. Nevertheless, none of us can forget the sordid record of the thirties when decent people failed to take strong affirmative action in the early stages of what was to become a world-menacing movement which caused untold human misery and cost millions of lives.

The House by taking a stand today will call the attention of our own law enforcement officials to the need for continued vigilance with respect to such desecrations and will give encouragement to the governments and people of other nations to mobilize their efforts to prevent the recurrence of such events.

Mr. CURTIS of Massachusetts. Mr. Speaker, I rise in support of this resolution and of the similar resolution which I filed, House Concurrent Resolution 486.

Every right-thinking American will applaud this action of the Congress in expressing its indignation at the recent epidemic of acts of desecration of places of worship and other buildings. The acts referred to are principally the daubing of swastika signs on these buildings.

Due to events in Europe in the late 1930's and years following, the swastika has become the hallmark of discrimination, tyranny and genocide.

The daubing of these signs on buildings may be the work of cranks or persons with infantile minds, who choose this way of expressing their grievances and dissents just as immature boys sometimes commit acts of vandalism in their schoolhouses.

But these acts may have a more serious connotation. They may be the result of calculated plans of enemies of our country to stir up discord and dissention.

Whatever be the hidden motives of the sly perpetrators of these acts, their conduct is shameful and deserves universal disapprobation so forcefully expressed in the resolution before us which I strongly support.

Mr. RODINO. Mr. Speaker, I rise in support of House Concurrent Resolution 465, which expresses Congress' profound sense of indignation and shock at the recent epidemic of desecration of places of worship.

Fortunately, this shameful affair seems to have lost its impetus. I think this is testimony to the greatness of our democracy and to the inherent morality and sense of the American people.

But I do not think the matter should therefore be dropped or forgotten. The fact that anti-Semitism did erupt must serve as a warning and a reminder that there exists, even in this country, the latent seeds of bigotry and hate. Beneath the spirit of mutual tolerance and respect which people of all faiths have for each other, there lurks a certain immoral element waiting for the opportunity to rear its ugly head.

This is a warning, I feel, for every American. He must be ever watchful to see to it that those who would destroy our spirit of brotherhood are never given that opportunity. And he must be constantly alert lest these threats to our way of life be permitted to take root.

I therefore believe it is most fitting, and necessary, that Congress unanimously pass the resolution before us today. People of all faiths have already denounced these virulent activities in no uncertain terms. It is proper that Congress now publish its disapproval so that it is made perfectly clear that America will not, and can not, tolerate these attacks on the very fountainhead of our democracy.

Mr. CHIPERFIELD. Mr. Speaker, the desecration of places of worship and of sacred sites throughout the world is a matter of grave import to all who have a deep-rooted belief in the inviolability and dignity of man. The deplorable events that have occurred in the past few weeks caution us that there is an urgency for men of good will and democratic spirit to stand together more resolutely than ever before in defense of justice, morality, and universal peace.

House Concurrent Resolution 465 acknowledges that such desecrations have taken place in the United States and elsewhere. It proposes to mobilize the efforts of the decent people of all nations in stamping out any organized movement that contributes to acts of desecration and moral deterioration. These acts of uncivilized behavior are to be condemned and relentlessly opposed by all people, and especially by persons in authority and influence.

I earnestly urge the passage of House Concurrent Resolution 465 which is identical to a bill I sponsored.

Mr. DORN of New York. Mr. Speaker, I rise in support of this meritorious resolution. There is hardly any one of us here in the House of Representatives who has not been saddened by an incident of desecration in our own district—in some cases many more than one. I wish I could believe that these events were only the results of pranksters and hoodlums, which could be dealt with by the local law enforcement agencies. But the evidence in too many cases points to the possible resurgence of vicious isms which should certainly feel the weight of congressional indignation. Of course, indigation is not enough. The situation calls for definite and specific action, which I hope this Congress will give.

Mr. ALGER. Mr. Speaker, we all share the indignation and shock as expressed in their resolution over the desecration of places of worship and other sacred sites. But does our indignation extend only this far? Who among us has not read of or observed wanton violence or destruction directed against the rights, the homes, and the persons of human beings caught up in some labor strife of which they wanted no part.

Indeed we should find revolting these acts of desecration on places of divine worship, and it is well that we express our sense of revulsion.

Should we be any less indignant over desecration of human rights or human beings?

In the absence of congressional resolutions expressing our revulsion over

goon-squad activity at Kohler and elsewhere in recent years, one cannot but wonder at the consistency in our sense of values.

Mr. SHELLEY. Mr. Speaker, I am proud to rise in support of this resolution. We in San Francisco have also been shocked at the outbreak of this vandalism. This juvenile idiocy is something that must be stopped by our law-enforcing agencies. Under leave to extend my remarks, I include the following editorial from the San Francisco News Call-Bulletin and a newspaper clipping describing an act of desecration in San Francisco recently:

OUT OF FOCUS

Somehow it seems to us that the current wave of vandalism, smearing the good name of nations with the Nazi swastika, has been attended by loose thinking.

The problem must be separated into two parts to be seen in focus.

On the one hand there is the situation in Germany, where the democratic government of Bonn has to deal with the residue of poison left by Hitler's Third Reich. On the other hand is the imitative desecration of houses of worship in our own and other nations, which does not have the same background.

What Germany really has to worry about is its own fate. It was under the sign of the anti-Semitic swastika that the Nazi gangsters destroyed the infant German democracy between the two world wars and enslaved the German people.

For Bonn it is a serious matter. Among a people fed hate by their government for the dozen Hitler years, enough may be left to be a threat to the new democracy. It is possible that Chancellor Adenauer's government, naturally resentful at so much outside advice, has underestimated the threat to itself in the neo-Nazi flareup.

As for vandalism elsewhere in the world, some of the best comment has come from the psychiatric profession. Daubing synagogues is, they say, a particularly nasty kind of juvenile delinquency and thrives on the attention paid to it. Ages of the young hoodlums arrested so far bear out that analysis.

It seems to us quite evident that no organized or overt anti-Semitism exists in San Francisco, and very little anti-Semitism of any kind. This newspaper cannot ignore, in its news columns, that which is occurring in West Germany; it is far too important. But we can and will play down the juvenile idiocy manifesting itself here. Where possible we will ignore it altogether.

LIBRARY DEFACED—SMEAR SWASTIKAS AT CITY COLLEGE—STUDENTS ANGERED BY HATE SYMBOLS

Swastikas and other crudely painted signs were found this morning smeared across two buildings of City College's inner quadrangle.

Students immediately expressed deep disgust at the Nazi symbols of hate, smeared in black and green paint.

At least four were daubed on the science building. And across the quadrangle, Cloud Hall, housing the school's library, was defaced with a misshapen six-point Star of David and the words "Jesus," "Israel" and "Ner Tamid."

Ner Tamid, meaning eternal light in Yiddish, is the name of a synagogue at 22d Avenue and Quintara Street, object of a similar anti-Semitic outbust during the Jewish high holidays in October.

Dean of Men Ralph Hillsman said students "were very upset."

He doubted college students were to blame, and said the hastily scrawled signs were only a few feet from the ground and may have been painted by youngsters.

Police pointed out the penalty for such vandalism is $500 fine and 6 months in the county jail.

He said there's never been any indication of racial tension at the large 2-year institution, and the painting was obviously the work of "young hoodlums."

A spokesman from Congregation Ner Tamid suggested the name of the synagogue might have been used because it hosted a dance for Hillel, Jewish youth group, on Saturday.

In October, the word "Jew," was painted on the front of the synagogue, but students from Lincoln High School across the street volunteered to scrub it off.

Swastikas were painted on two Mission District apartment houses and on a Third and Market Streets cigar store last week, and on the Oakland Jewish Community Center and Oaklands Allendale Elementary School, 3670 Penniman Avenue, over the weekend.

Mr. BARRETT. Mr. Speaker, in view of the recent un-American acts against our places of religious worship, I am very happy our Democratic leadership here in the House today called for a record vote on House Concurrent Resolution 465, expressing the concern and disapproval of Congress at the recent desecration of places of worship.

It is inconceivable that here in America today we have so-called citizens who take pride in defacing beautiful churches and synagogues. Who flaunt their petty discriminations openly and feebly try to make a mockery of our inherited rights to religious worship.

When our Nation was founded Americans were granted the right to worship as they pleased—whether it be a Jewish synagogue, a Catholic church, or a Protestant church. Religious freedom has always been a keystone to our greatness as a leader among Nations. Are we, who represent all people in the Congress of the United States, going to passively stand by and let hoodlums or religious fanatics commit these vicious acts?

Mr. Speaker, I have received thousands of protests from people in Philadelphia firmly denouncing the desecration of places of worship. I am pleased to say that all our religious orders have united to stamp out these crimes.

Let us then unite in the Congress of the United States and make it a Federal offense to destroy or deface any House of the Lord.

Mr. BOSCH. Mr. Speaker, I rise in support of House Concurrent Resolution 465.

People everywhere are indeed shocked at the many acts of desecration of places of worship which have occurred in various countries, including our own. I cannot but express the feeling that behind all of these irresponsible and reprehensible acts is the subtle pattern of communistic activity seeking to discredit some of our allies just prior to the contemplated summit meeting. In acting on this concurrent resolution, we, the duly elected representatives of the American people, serve notice that we do not and will not condone these acts of intolerance wherever they may occur.

Mr. BOLAND. Mr. Speaker, I rise in support of House Concurrent Resolution 465 expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites which has occurred in many parts of the world.

This resolution also calls on all persons and governments throughout the world to exert their energies to prevent the recurrence of these shameful events. We are here, in effect, expressing the shock and sense of the American people at these deplorable incidents which have been inspired by neo-Nazi demagogs and would-be dictators of the Hitler and Stalin ilk.

Mr. Speaker, I wholeheartedly support the resolution and will vote for it.

Mr. HOLTZMAN. Mr. Speaker, I would like to join with my many colleagues who have raised their voices in opposition to the recent outbreaks of anti-Semitic activity which have occurred in our own country, and in various other parts of the world.

These actions, unfortunately, are grim reminders of the Nazi regime in Germany under Hitler, and have no place in our democracy. While I feel that the majority of these acts of desecration of synagogues and churches here in the United States are the works of cranks and hoodlums, I do believe that we should be more seriously concerned with the outbreaks in Germany. These, I feel, point to a lack of education and knowledge on the part of the German people of the excesses of the Hitler regime, and perpetuate the Nazi ideology. In my opinion, too, the Soviet and the United Arab Republic are contributing to the promotion of bigotry and hatred aimed at certain segments of our society.

I am supporting the resolution pending before us today, and deeply regret that it could not be more far-reaching in that it does not look into the reasons for the retention of so many former high Nazi officials in the present Government of the Federal Republic of West Germany. However, it does express our great indignation at these incidents of desecration in our own backyard, and throughout the world.

Intolerance is a cancer. It spreads insidiously and malignantly, and the only way to combat it is to resort to surgery and cut it completely out of our society. The adoption of this resolution is the only means the Congress has of expressing its opposition to such demonstrations, and I am happy to see so many here in the House of Representatives support this action.

Mrs. KELLY. Mr. Speaker, it is most regrettable that this body must today devote its attentions and express its profound sense of indignation and shock at the desecration of places of religious worship which has spread throughout Europe and the United States.

As one who introduced an identical resolution, I wish to pay tribute to my colleague, BARRATT O'HARA, of Illinois, for his efforts in bringing this resolution to the floor and for his able presentation of the issue.

These outbreaks, which originated in Europe in the closing days of last year, are but a startling reminder that the forces which would destroy the freedoms

so basic to our lives, are still at large. We must take all steps available to stamp them out.

It is my hope, Mr. Speaker, that the passage of this resolution will not only awaken the American people but will serve as a notice to all others that we will not tolerate any further eruptions of hate and bigotry.

While we must forgive, we must not forget the horrors of the past. There is an urgent need for educating those whose memories are short. There is also an urgent need to educate the younger people who did not live through that sorrowful decade during which religious persecution ran rampant. Past experiences must be recalled to emphasize the ruination that tactics such as we are today condemning can rain upon the peoples of the world.

It is my fervent hope and prayer that we have seen an end to these incidents and that we may look forward to greater understanding under the fatherhood of the Almighty God.

Mr. LIBONATI. Mr. Speaker, the passage of House Concurrent Resolution 465 indicates the feelings of every red-blooded American in expressing a high sense of indignation at the recent desecration of houses of worship and other sacred sites, including cemeteries. The attitude of Christians, especially, is vehement in its opposition to these low practices by goons and morons.

By its passage, it will call to the attention of the Nation those dastardly practices which have engendered disgust in the hearts and minds of God-fearing and freedom-loving people of all nations.

In the letters to the editor column of the Chicago Sun-Times of January 31, 1960, Mr. Patrick F. Crowley, president of the Catholic Council on Working Life, certainly epitomized the feelings of all Christian people toward the persons of Jewish faith, all good members of the human family:

THE CROOKED CROSS

The Sun-Times deserves a word of commendation for its reporting and editorial comment on recent anti-Jewish outbursts. We urge you especially to expose that polite anti-Semitism which breeds violence and hatred and to call anti-Semitism what it actually is, a sin against God.

Every Christian recognizes a sad truth in the swastika paintings and tombstone toppings. When Hitler's cross is painted on a synagogue, the Cross of Christ is also bent and broken. Christians recognize that the swastika is a crooked cross, a diabolical symbol of hatred, which, when made straight, stands as a sign of God's love for men and their love for each other in His name.

To the Jewish families we extend our sincerest sympathy and offer our apologies for insults extended and injuries done. We want them to know that the extirpation of anti-Semitism in employment, housing, and elsewhere is not just the concern of Jews but also the deep responsibility of every Christian.

PATRICK F. CROWLEY,
President, Catholic Council on Working Life.

Mr. ZABLOCKI. Mr. Speaker, I wish to commend my colleague, the gentleman from Illinois [Mr. O'HARA], for his efforts in bringing this resolution to the attention of Congress. I hope that it will be approved unanimously by the House.

The recent wave of desecrations of houses of worship, perpetuated here in the United States and in some countries abroad, has shocked the conscience of decent people everywhere. If there is any organized method behind it, it should be exposed and rooted out of our society. Certainly such disrespect for the most fundamental convictions of man should not be condoned in any society which believes in the dignity, and origin at the hands of the divine Creator, of every human being. The attitude exemplified by such abominable acts, if condoned and allowed to spread, can, like some cancerous growth, lead to the moral deterioration of the social fabric of any nation.

The resolution before us brings these facts into the open. It should receive the unanimous approval of this House.

Mr. FULTON. Mr. Speaker, this is certainly a bipartisan resolution to express the strong opposition of Congress and the American people against the wave of acts of desecration of places of worship, and places of reverence throughout the world which have recently given rise to fears of organized violence and oppression of dread memory.

I would like to submit a list of the names of the seriously concerned Congressmen who put in similar resolutions or the same resolution. This is a more recent list than the one in the Committee Report No. 1223:

House Concurrent Resolution 446, by Mr. FLOOD.
House Concurrent Resolution 451, by Mr. O'HARA of Illinois.
House Concurrent Resolution 452, by Mr. FRIEDEL.
House Concurrent Resolution 456, by Mrs. CHURCH.
House Concurrent Resolution 458, by Mr. RODINO.
House Concurrent Resolution 460, by Mr. ADDONIZIO.
House Concurrent Resolution 465, by Mr. O'HARA of Illinois.
House Concurrent Resolution 466, by Mr. MORGAN.
House Concurrent Resolution 467, by Mr. CARNAHAN.
House Concurrent Resolution 468, by Mr. HAYS.
House Concurrent Resolution 470, by Mr. PILCHER.
House Concurrent Resolution 471, by Mr. FOUNTAIN.
House Concurrent Resolution 472, by Mr. FASCELL.
House Concurrent Resolution 473, by Mr. COFFIN.
House Concurrent Resolution 474, by Mr. FARBSTEIN.
House Concurrent Resolution 475, by Mr. SAUND.
House Concurrent Resolution 476, by Mr. BECKWORTH.
House Concurrent Resolution 477, by Mr. MCDOWELL.
House Concurrent Resolution 478, by Mr. MURPHY.
House Concurrent Resolution 479, by Mr. MEYER.
House Concurrent Resolution 480, by Mr. CHIPERFIELD.
House Concurrent Resolution 481, by Mrs. BOLTON.
House Concurrent Resolution 482, by Mr. FULTON.
House Concurrent Resolution 483, by Mrs. CHURCH.
House Concurrent Resolution 484, by Mr. ADAIR.
House Concurrent Resolution 485, by Mr. BENTLEY.
House Concurrent Resolution 486, by Mr. CURTIS of Massachusetts.
House Concurrent Resolution 487, by Mr. WAINWRIGHT.
House Concurrent Resolution 488, by Mr. ROOSEVELT.
House Concurrent Resolution 489, by Mr. DADDARIO.
House Concurrent Resolution 490, by Mr. MADDEN.
House Concurrent Resolution 491, by Mr. JUDD.
House Concurrent Resolution 492, by Mr. FLOOD.
House Concurrent Resolution 493, by Mr. THOMPSON of New Jersey.
House Concurrent Resolution 494, by Mr. LIBONATI.
House Concurrent Resolution 495, by Mr. GALLAGHER.
House Concurrent Resolution 496, by Mr. MACK of Illinois.
House Concurrent Resolution 497, by Mr. MERROW.
House Concurrent Resolution 498, by Mr. LINDSAY.
House Concurrent Resolution 499, by Mr. BOWLES.
House Concurrent Resolution 500, by Mr. BUCKLEY.
House Concurrent Resolution 501, by Mr. HALPERN.
House Concurrent Resolution 504, by Mr. BLATNIK.
House Concurrent Resolution 507, by Mr. FINO.
House Coucurrent Resolution 508, by Mr. GIAIMO.
House Concurrent Resolution 509, by Mrs. KELLY.
House Concurrent Resolution 526, by Mr. FALLON.
House Concurrent Resolution 528, by Mr. POWELL.
House Concurrent Resolution 529, by Mr. TOLL.
House Concurrent Resolution 530, by Mr. ZELENKO.
House Concurrent Resolution 553, by Mr. BRADEMAS.

The resolution strongly expresses the indignation and shock of the U.S. Congress at the wave of desecration of places of worship and of sacred sites which has manifested itself in nations in many parts of the world. The resolution when passed will call on all persons and governments throughout the world to exert their energies to prevent the recurrence of these shameful events.

We should emphasize plainly that the resolution acknowledges that such desecrations have taken place in the United States. I think that provision is a very good thing and exemplary for us to have in this resolution. Likewise the resolution points an accusing finger at

no one, at no particular government or at no people for censure.

The other point that should be made is that the desecration and these acts have taken place not only in this country, not only in Europe, but throughout the world. You will find it in countries where you would least expect it.

It is the purpose of this resolution to encourage and facilitate the mobilization of the efforts of the decent people of all nations to root out whatever organized movements have contributed to the events which have occurred. This will help prevent the moral deterioration and dread fears which a continuation of such desecrations would surely cause.

I feel that this is the firm judgment of Congress that we are rendering today. The resolution says that it is in a sense of moral values that we point out to the people of the world our solemn feelings against such acts of desecration and a strong warning to the organizations or groups who are building up such anti-Semitic and antireligious acts of vandalism and terror. We are in a way giving the sense of the American people by saying that we have a feeling of deep shock over these anti-Semitic and antireligious activities and that we call upon all governments and persons throughout the world to exert their energies to the end that these shameful events shall not recur.

This is a good cause; it is not something that we should lightly overlook. If we are to have a series of events that cause terror in the hearts of one group of people, we cannot sit idly by and see havoc and destruction mount. If we have a group of people, the fine Jewish people, who feel that these anti-Semitic acts are by organized groups and are uncontrolled without firm defense, it makes their lives unsafe, it makes them fearful of the future.

I would say as far as other minority religions are concerned in connection with acts of religious vandalism against them, that they too should have a statement and support of the Congress, likewise that we should give them the protection and the moral support of a resolution such as this.

I strongly urge that House Concurrent Resolution 465 be passed, the resolution introduced by the gentleman from Illinois [Mr. O'HARA], who has worked so hard on this, and supported here by the gentlewoman from Illinois, who has likewise worked hard on this program.

The members of the Foreign Affairs Committee have felt so strongly on this resolution that each of us individually has put in a similar resolution against acts of desecration and of anti-Semitism to give it our moral backing and our firm joint backing when we reported out the pending resolution, House Concurrent Resolution 465, unanimously.

My own resolution on this same subject is House Concurrent Resolution 432, and is identical with that offered by the gentleman from Illinois [Mr. O'HARA].

I hope the resolution will be passed unanimously on a record vote, because we should show to the American people and the peoples and the governments of the world we are willing to stand up and be counted on such a subject as opposition to organized acts of vandalism, terror, and of antireligious and anti-Semitic nature occurring now too often throughout the world.

Mrs. WEIS. Mr. Speaker, there is little that I can add to the remarks of my senior colleagues, but I think it is important that by passage of House Concurrent Resolution 465 the prestige of the Congress of the United States is added to the growing list of those who have expressed shock, outrage, and disgust at the desecrations which have been committed to houses of worship, cemetaries, and other sacred sites.

It is significant, too, that while this resolution condemns, in no uncertain terms, these acts of desecration, it refrains from directing accusations in any particular direction or at any particular group of people. It recognizes that none of us are blameless, and that these shameful acts have occurred in America as they have in other countries. It calls upon all peoples, of all nations, to devote their best energies to stamping out those who harbor and promote the hate which manifests itself in such a cowardly fashion.

Whatever the causes of these recent outbursts of anti-Semitism, and I suspect they are numerous and complex, we who are opposed to them must act vigorously to discourage their recurrence, and to punish those who are found guilty of their perpetration.

This resolution is a good beginning, but it cannot be the end of our efforts to stamp out racial and religious prejudice. Resolutions such as this serve to focus the weight of public opinion on the issue, but resolutions alone will not root out of our society those latent seeds of bigotry and hate from which these outrages spring. It is only through militant devotion to the principle of universal brotherhood and the practice of good will and mutual respect which this feeling of brotherhood engenders that we can hope to weed out the hatemongers among us.

House Concurrent Resolution 465 can be, if we make it so, a vital first step in a new campaign against intolerance and prejudice of all kinds. As such it is eminently worthy of the support of every Member of the House, and I shall certainly give it my full support.

Mr. COLLIER. Mr. Speaker, I would like to commend my colleagues in this House for their firm action in unanimously supporting passage of House Concurrent Resolution 465 condemning the desecration of sacred places and the violent and outrageous attacks upon the religious beliefs of people here in our own country and in several countries abroad.

In many cases I believe these hate bombings and disgusting hate mailings have been the work of cranks, young hoodlums and ignorant pranksters. However, I understand that reliable information indicates that some of these acts of vandalism in Germany are Communist inspired. For that matter, we might assume this is also the case in some instances here in our country.

Nonetheless, it is people like these who knowingly or perhaps unknowingly, undermine and tend to destroy our form of government. We, who boast of religous freedom as one of the cornerstones upon which this great Nation was built, cannot afford to tolerate such attacks on our basic democracy.

People of all faiths have joined in their denunciation of this desecration—Jews, Catholics, and Protestants throughout the Nation have expressed their indignation of these attacks. And I believe that now, after the Members of this House have conveyed the feeling of the American people to the rest of the world through the passage of House Concurrent Resolution 465, some action, in the form of strong, effective legislation should be enacted.

Mr. DERWINSKI. Mr. Speaker, the unanimous concern of the House with the wave of anti-Semitic actions which have erupted in various parts of the world in recent weeks signifies to all nations the determination of Americans to prevent a development of any organized antireligious spirit. It has become evident to all of us that many of these demonstrations have been the result of irresponsible young people and lunatic group followers who have defaced synagogues, churches, institutions, and private homes with symbols of hatred.

We stand together to deplore any further development of these acts; however, we must point out the rather obvious fact that diabolical Communist influence could very well be responsible for these international incidents. Only international communism has the worldwide organization capable of producing these incidents in widely separated corners of the globe.

Mr. Speaker, certainly any revival of nazism that might be traced at this time must be immediately stamped out. As Americans, we want all the world to know that we will not tolerate any revival or resurgence of nazism, and furthermore we are giving demonstration to the world of our solidarity in opposing anti-Semitic feelings and, for that matter, attacking all trace of bigotry and intolerance.

Mrs. CHURCH. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, the action that we will take today in adopting House Concurrent Resolution 465 is truly reflective of the strong feeling of the American people toward the perpetrators of the recent series of desecrations of houses of worship. Protest against these unconscionable acts have been voiced by members of the clergy and laymen of all faiths. An aroused public response, along with prompt preventive measures by local authorities, have done much to check the spread of this contagion.

Fully aware that little would remain unscathed if the virus were allowed to multiply, the American people have given a ringing answer to this totalitarian challenge. Our action today in confir-

mation of that response leaves no doubt about the feelings of America on the subject.

This is a salutary and commendable action. The powerful voice of public opinion can check those acts of desecration arising from a spirit of hooliganism or from ignorance.

However, there is another side to the problem. It has been shown that by far the greater proportion of those who have engaged in these heinous practices have been under 21 years of age. Part of the reason for the participation of these young people in such outrages seems to stem from a lack of basic moral and spiritual guidance, and from parental indifference or inadequacies. Then there are those who, raised in slums and under substandard conditions, react against the bleakness of a future that holds little promise for them. This is the other aspect of the challenge—the need to eradicate the conditions that give rise to these acts of hate and despair.

We will be acting positively in adopting this resolution today. I hope that we shall now proceed further and undertake to root out and correct some of the causes for such conduct such as absence of moral values in our courses of education, indifference to broken homes, and slums and miserable living conditions whose poisons can subvert even the healthiest of minds.

The action we take here today, Mr. Speaker, will reflect with credit throughout the entire world. It tells the world without qualification that America does not condone these hideous practices and wants their indignation expressed as to their existence here or anywhere.

Our action, Mr. Speaker, assures free people everywhere that America deplores such acts which are incompatible with the spirit and practice of freedom of religion and of the brotherhood of man.

Mr. O'HARA of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. TOLL].

Mr. TOLL. Mr. Speaker, I have also introduced House Concurrent Resolution 529 expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites. On the subject of the anti-Semitic occurrences throughout the country, the happenings have an effect not merely on the Jewish people of the country, but all of the people in their efforts to eliminate group hatred.

Concern in this country over the widespread incidents has appeared in many places. From Miami, Fla., in Congressman FASCELL'S district, my father-in-law, Mr. David Orinstein, who is now retired, and was formerly one of the leading merchants of the Kensington, Philadelphia, area, which district is now represented in Congress by my distinguished colleague, the Honorable JAMES A. BYRNE, who also spoke in Congress on January 27, last Wednesday, to stamp out bigotry, forwarded a letter written to the editor of the Miami Herald—January 10, 1960—which I think expresses a view held by many that this problem concerns all Americans.

I have added the letter to my remarks so that all Members of Congress can give it their serious consideration:

SWASTIKA WARNING TO US ALL

EDITOR, THE HERALD: A noted Jewish leader, commenting upon the current anti-Semitic outbreaks, made a profound statement to the effect that anti-Semitism is a problem not for the Jew but for the Christian world.

Since there is nothing a Jew can do to cure this mental aberration any more than he has done in the preceding 2,000 years, the only thing which is open to him is a measure of objective contemplation of the cloud cast by the recent outbreak of bigotry. Without much effort the cloud will reveal an extensive silver lining.

To begin with, there should be no room for shock or alarm in his mind, because after Hitler the Jew has become immune to shock. As for undue alarm, by this date, he has shown conclusively that the Jews will never again be led to slaughter as they were before. Their courage in putting up a fight against brutality and tyranny is one of the bright spots in the history of the human quest for freedom. Now that they have found ground under their feet, and a voice in world affairs, they are no longer orphans.

What astonishes me is this general concentration on anti-Semitism as if the Jew has a monopoly on being hated. This chauvinistic world is rife with intergroup hatreds. Americans hate the Russians, the Chinese hate Americans, South Americans dislike the Yankee, Hungarians abhor the Russians and so do the Poles, the Algerians detest the French, the Pakistanis hate the Hindus, the Greeks can't stand the Turks, and the British, the Irish dislike the British, and most Europeans abhor the Germans.

Another popular fallacy is the assumption that the swastika is a threat to the Jew solely. I believe it is no more a threat to the Jew than the storm is a threat to the barometer. The swastika is a sadistic, immoral suppression of freedom and of the individual, a threat to the Western World and Christianity alike, equal only to communism.

It is always the hate-driven zealot who is his own worst enemy, because it is his excesses that bring on the destruction of his cause. Democratic Germany had tried hard to show a human face, to rate admission to the family of nations. But, the face of Germany today is the face of Adenauer. After him, who will stem the tide of a resurgent, predatory Germany?

As in a flash of lightning the excesses of a few unbalanced but cunning minds have undone the strenuous efforts of the Adenauer regime. The old fears and suspicions had come alive and Germany is the enemy again. For, to the Europeans the swastika means more than it can ever mean to us. It means brutality and degradation in Norway and Denmark, the destruction of Rotterdam, the rubble of Coventry and London, and the fall and humiliation of Paris. It means the specter of another Hitler rising out of Germany and casting a shadow over Europe and the world.

As of now, how many American boys would like to get up and fight for West Berlin, to make it safe for the Nazis?

J. GENESON.

Mr. O'HARA of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, as one who introduced an identical resolution, I simply wish to join and commend the gentleman from Illinois [Mr. O'HARA] and the gentlewoman from Illinois [Mrs. CHURCH], as well as the committee. I cannot help but believe that the unanimous action of this House serves notice throughout the world that what took place under Hitler, if we can possibly help it, is never going to rise again to plague the people of the world.

I am happy to be able to join and to have a part in the passage of this resolution.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, there is no darker shadow on the pages of history than that cast by the malignancy of hatred and bigotry that was inflicted on man by Hitler's Nazi regime. The allied nations raised a mighty army and smashed the evil forces that came to power under Hitler's leadership.

In recent weeks we have seen in the desecration of places of worship throughout Germany, evidence that some of the fearsome and brutal extremist who flourished in that dark period have survived and from time to time their hatred and bigotry flares into flame.

While the most recent acts may have been the work of only a few extremists, it is possible that these extremists were inspired to these deplorable acts of desecration by the Communist International Conspiracy.

I requested Secretary of State Herter some weeks ago to ask the U.N. to investigate the outbreak of anti-Semitism. I am happy to say that the Subcommission on Prevention of Discrimination of the U.N. has made such an investigation and condemned the recent wave of anti-Semitism as a flagrant violation of human and religious rights. Rights which we regard as inherent endowments of all men. There are no rights under Communists or Nazi totalitarians, merely temporary privileges subject to the whim of the imprudent dictator.

I am informed by the Department of State that there is no overwhelming but there is conclusive evidence that some of those guilty of the acts had Communist associations in East Germany.

It is beyond question that the real beneficiary of these acts are the Communists who constantly seek means of driving a wedge between the Western Allies as we approach the summit meetings.

It would be rather easy for them to aline themselves with Nazi malcontents who seek the same purpose for different reasons. They did this once before in 1940 when it served the purpose of both the Communists and the Nazis who regard inhumanity as merely a basic instrumentality in achieving their goals.

Whether these are the acts of an irresponsible few or a deliberate plot inspired by the Communists to embarrass the democratic government and the people of West Germany, we cannot be certain. In the light of recent history, however, to ignore these acts as mere outbreaks of small irresponsible groups could lead to grave dangers.

If left unchecked, such acts could lead to grievous moral deterioration and deny to all men the real spirit of brotherhood.

I urge favorable action on the concurrent resolution as expression of the concern with which the Congress of the United States views this grave matter.

Mr. O'HARA of Illinois. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I rise in support of the pending resolution which I have cosponsored.

It is significant that we, as a leading exponent and positive proof of the efficacy of parliamentary government, can take such a strong moral position in protesting actions which shock the conscience of the world.

But, more affirmatively, Mr. Speaker, we speak here today for the principles which we love, espouse, and fight for. It is for us primarily a rededication to the cause of tolerance, understanding, and humanity.

Mrs. CHURCH. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, it is especially fitting that the House should take up consideration of the pending legislation on the first legislative day of February which, as our colleagues will recall, is widely recognized as Brotherhood Month. Underlying all the manifestations of hate and prejudice and discrimination, which this legislation in effect condemns, is the failure to understand or accept the implications of brotherhood.

Brotherhood, Mr. Speaker, is predicated on the unassailable truth that, under God, all men are brothers. As the great poet, John Donne, once wrote in lines that will live forever, "No man is an island unto himself." We cannot avoid, even if we would, a full measure of responsibility for what happens to others.

The pending legislation accepts this responsibility. It recognizes that hatred and prejudice and the resultant desecration of places of worship have been manifested throughout the world. No people or nation has been immune from this deadly poison. All people and all governments, as the resolution declares, must mobilize the resources of moral indignation and act to prevent the recurrence of these demoralizing and antihuman acts.

The noblest work of man, Mr. Speaker, is the service of his fellow man. This is the true meaning of brotherhood, and by approving the resolution now before this House we can express on behalf of the American people our own devotion to this fundamental idea.

Whenever men suffer from oppression or persecution or discrimination, there is the need for brotherhood. Wherever there is trouble or anguish or want, there is the opportunity for brotherhood.

The happy coincidence of Brotherhood Month and House consideration of the pending legislation offers us a priceless opportunity to reflect on these truths and, what is more important, to consider carefully what they mean in our own personal and private lives. It is one thing to preach brotherhood; it is another to practice it. It is one thing to condemn hatred and discrimination when it is found thousands of miles away. It may be even more important to oppose it in our own locality, in our own neighborhood, in our own family—to oppose it, that is, by seeking to replace it with patience and understanding and respect for our fellow human beings, no matter how much we may disagree with them.

It is well to remind ourselves, Mr. Speaker, that in spite of all the differences of race, nationality, religion, geography, language, income, and ideas which may separate people, we have much more in common. We are united by the most important fact of all: that we are all children of God.

It has been deeply encouraging to me, Mr. Speaker, to have witnessed the resounding chorus of condemnation and shock from all corners of the earth and from people of all faiths and none which followed the perpetration of the desecrations we have seen. The action of the House today can reinforce this spirit of brotherhood, this spirit of respect for the dignity and person of all human beings.

Mrs. CHURCH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, as one who introduced a resolution along the same lines as the resolution on which we take action today I should like to express here my hearty approval of the action the Congress takes this afternoon on this subject.

Acts of desecration of this sort will not disappear by themselves; they will not take care of themselves. The action we take here today is one step in the direction of focusing worldwide attention on this subject.

The resolution before us calls upon all persons, local communities, and States to institute necessary action, including legal measures bearing penalties, to prevent the recurrence of such atrocities. I support this resolution and in the same context I believe that the Federal Government's disapproval should be further manifested by prompt and swift action. I wrote to the chairman of the Commission on Civil Rights on January 11, 1960, urging the Commission to conduct a thorough inquiry into the sources of these acts in our country and their concerted purpose. The compilation of adequate factual material by the Commission will afford Congress an opportunity to consider additional remedies.

I deem these acts to be omens of racial and religious hatred which if unchecked would have horrendous implications both at home and abroad. I support the concurrent resolution and I mark it as a vital step in our vigilance to keep this a Nation of free people.

The SPEAKER. The question is, Will the House suspend the rules and agree to House Concurrent Resolution 465?

Mr. O'HARA of Illinois. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 0, not voting 37, as follows:

[Roll No. 4]

YEAS—393

Abbitt	Davis, Tenn.	Johnson, Md.
Abernethy	Dawson	Johnson, Wis.
Adair	Delaney	Jonas
Addonizio	Dent	Jones, Mo.
Albert	Denton	Judd
Alexander	Derounian	Karsten
Alger	Derwinski	Karth
Allen	Devine	Kastenmeier
Andersen, Minn.	Diggs	Kearns
	Dingell	Kee
Anderson, Mont.	Dixon	Keith
	Donohue	Kelly
Andrews	Dooley	Keogh
Anfuso	Dorn, N.Y.	Kilburn
Arends	Dorn, S.C.	Kilday
Ashley	Dowdy	Kilgore
Ashmore	Downing	King, Calif.
Aspinall	Doyle	King, Utah
Auchincloss	Dulski	Kirwan
Avery	Dwyer	Kitchin
Ayres	Edmondson	Knox
Bailey	Elliott	Kowalski
Baker	Everett	Kyl
Baldwin	Evins	Lafore
Baring	Fallon	Laird
Barr	Farbstein	Landrum
Barrett	Fascell	Lane
Barry	Feighan	Langen
Bass, N.H.	Fenton	Lankford
Bass, Tenn.	Fino	Latta
Bates	Fisher	Lennon
Baumhart	Flood	Lesinski
Becker	Flynn	Levering
Beckworth	Flynt	Libonati
Belcher	Fogarty	Lindsay
Bennett, Fla.	Foley	Lipscomb
Bennett, Mich.	Forand	Loser
Bentley	Ford	McCormack
Berry	Forrester	McCulloch
Betts	Fountain	McDonough
Blatnik	Frazier	McDowell
Boland	Frelinghuysen	McFall
Bolling	Friedel	McGovern
Bolton	Fulton	McIntire
Bonner	Gallagher	McMillan
Bosch	Garmatz	McSween
Bow	Gary	Macdonald
Boykin	Gathings	Machrowicz
Brademas	Gavin	Mack, Ill.
Bray	George	Mack, Wash.
Breeding	Glenn	Madden
Brewster	Goodell	Magnuson
Brock	Granahan	Mahon
Brooks, La.	Grant	Mailliard
Brooks, Tex.	Green, Pa.	Marshall
Broomfield	Griffin	Martin
Brown, Ga.	Griffiths	Mason
Brown, Mo.	Gross	Matthews
Brown, Ohio	Hagen	May
Broyhill	Haley	Meader
Buckley	Halleck	Merrow
Budge	Halpern	Meyer
Burdick	Hardy	Miller, Clem
Burke, Ky.	Hargis	Miller, George P.
Burke, Mass.	Harmon	
Burleson	Harris	Miller, N.Y.
Byrne, Pa.	Harrison	Milliken
Byrnes, Wis.	Hays	Minshall
Cahill	Healey	Moeller
Canfield	Hébert	Monagan
Cannon	Hechler	Moore
Carnahan	Hemphill	Moorhead
Casey	Henderson	Morgan
Cederberg	Herlong	Morris, N. Mex.
Celler	Hess	Morris, Okla.
Chamberlain	Hiestand	Moss
Chelf	Hoeven	Mumma
Chenoweth	Hoffman, Ill.	Murphy
Chiperfield	Hoffman, Mich.	Natcher
Church	Hogan	Nelsen
Clark	Holland	Nix
Coad	Holt	Norblad
Coffin	Holtzman	O'Brien, Ill.
Cohelan	Horan	O'Brien, N.Y.
Collier	Hosmer	O'Hara, Ill.
Colmer	Huddleston	O'Hara, Mich.
Conte	Hull	O'Konski
Corbett	Ikard	Oliver
Cramer	Inouye	Osmers
Cunningham	Irwin	Ostertag
Curtin	Jackson	Patman
Curtis, Mo.	Jennings	Pelly
Daddario	Jensen	Perkins
Dague	Johansen	Pfost
Daniels	Johnson, Calif.	Philbin
Davis, Ga.	Johnson, Colo.	Pilcher

Pillion	Santangelo	Thomson, Wyo.
Pirnie	Saund	Thornberry
Poff	Saylor	Toll
Powell	Schenck	Tollefson
Preston	Scherer	Trimble
Price	Schwengel	Udall
Prokop	Selden	Ullman
Pucinski	Shelley	Utt
Quie	Sheppard	Vanik
Quigley	Shipley	Van Pelt
Rabaut	Short	Van Zandt
Rains	Sikes	Vinson
Randall	Siler	Wainwright
Ray	Simpson, Ill.	Wallhauser
Reece, Tenn.	Sisk	Walter
Rees, Kans.	Slack	Wampler
Reuss	Smith, Calif.	Watts
Rhodes, Ariz.	Smith, Iowa	Weaver
Rhodes, Pa.	Smith, Miss.	Weis
Riehlman	Smith, Va.	Westland
Riley	Spence	Wharton
Rivers, Alaska	Springer	Whitener
Rivers, S.C.	Staggers	Whitten
Roberts	Steed	Widnall
Robison	Stratton	Wier
Rodino	Stubblefield	Williams
Rogers, Colo.	Sullivan	Willis
Rogers, Fla.	Taber	Wilson
Rogers, Mass.	Taylor	Winstead
Rogers, Tex.	Teague, Calif.	Wolf
Rooney	Teague, Tex.	Wright
Roosevelt	Teller	Yates
Rostenkowski	Thomas	Young
Roush	Thompson, La.	Younger
Rutherford	Thompson, N. J.	Zablocki
St. George	Thompson, Tex.	Zelenko

NAYS—0

NOT VOTING—37

Alford	Holifield	Multer
Barden	Jarman	Murray
Blitch	Jones, Ala.	Norrell
Boggs	Kasem	O'Neill
Bowles	Kluczynski	Passman
Cook	McGinley	Poage
Cooley	Metcalf	Porter
Curtis, Mass.	Michel	Scott
Durham	Mills	Smith, Kans.
Giaimo	Mitchell	Tuck
Gray	Montoya	Withrow
Green, Oreg.	Morrison	
Gubser	Moulder	

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The Clerk announced the following pairs:

Mr. Multer with Mr. Gubser.

Mr. Giaimo with Mr. Curtis of Massachusetts.

Mr. Jones of Alabama with Mr. Michel.

Mr. Boggs with Mr. Smith of Kansas.

Mr. O'Neill with Mr. Withrow.

The result of the vote was announced as above recorded.

THE HONORABLE MORGAN M. MOULDER, OF MISSOURI

Mr. BROWN of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BROWN of Missouri. Mr. Speaker, our colleague, the gentleman from Missouri [Mr. MOULDER] has just informed me by long distance telephone that he has been unavoidably detained in Missouri where he has been attending a farm forum

Mr. MOULDER tried to arrange a pair on the two rollcall votes today but it could not be arranged. So for the RECORD, I take this time to inform the House that, had he been present, Mr. MOULDER would have voted "aye" on both resolutions just passed.

TO INCORPORATE THE AGRICULTURAL HALL OF FAME

Mr. FORRESTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5789) to incorporate the Agricultural Hall of Fame, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons: K. S. Adams, Bartlesville, Oklahoma; Evelyn H. Alden, Wellsville, Kansas; Ray N. Ammon, Saint Joseph, Missouri; Clinton P. Anderson, Washington, District of Columbia; Charles Baker, Walla Walla, Washington; L. Y. Ballentine, Raleigh, North Carolina; Harry J. Beernink, Seattle, Washington; Charles Dana Bennett, Washington, District of Columbia; Ezra Taft Benson, Washington, District of Columbia; Charles F. Brannan, Denver, Colorado; D. W. Brooks, Atlanta, Georgia; John T. Brown, Racine, Wisconsin; John M. Budd, Saint Paul, Minnesota; George S. Bulkley, Los Angeles, California; Lee M. Burge, Reno, Nevada; Frank Carlson, Washington, District of Columbia; Edward D. Carpenter, Cassville, Wisconsin; Richard O. Comfort, New York, New York; Harold D. Cooley, Nashville, North Carolina; Howard A. Cowden, Kansas City, Missouri; Lester Cox, Springfield, Missouri;

Harry Darby, Kansas City, Kansas; A. F. Davis, Cleveland, Ohio; Chester Davis, San Marino, California; Clark W. Davis, Wilmington, Delaware; Gladys L. Dawes, Colby, Kansas; D. Howard Doane, McCredie, Missouri; Cyrus Eaton, Cleveland, Ohio; Clyde T. Ellis, Washington, District of Columbia; Victor Emanuel, New York, New York; Sterling Evans, Houston, Texas; E. H. Fallon, Ithaca, New York; James C. Farmer, Keene, New Hampshire; John D. Fehsenfeld, Troy, Missouri; Willard M. Fifield, Gainesville, Florida; Charles Figy, Washington, District of Columbia; Nolen J. Fuqua, Duncan, Oklahoma; Paul Gray, Washington, District of Columbia; F. V. Heinkel, Columbia, Missouri; Roy F. Hendrickson, Washington, District of Columbia; W. L. Henning, Harrisburg, Pennsylvania; Icie D. Hiatt, Bethany, Missouri; Merritt D. Hill, Birmingham, Michigan; William S. Hill, Fort Collins, Colorado; Harold Hogue, Dalhart, Texas; Clifford R. Hope, Garden City, Kansas; Chester C. Housh, Elkton, Virginia; Edgar Hovey, Badger, Iowa; Frank W. Hussey, Presque Isle, Maine; James R. Isleib, Prairie Village, Kansas;

Lyman E. Jackson, University Park, Pennsylvania; Dorsey Kirk, Oblong, Illinois; Alf M. Landon, Topeka, Kansas; J. D. Lawrence, Columbia, South Carolina; L. G. Ligutti, Des Moines, Iowa; J. H. Longwell, Columbia, Missouri; Charles Marshall, Lincoln, Nebraska; James McGuire, Topeka, Kansas; Wheeler McMillen, Philadelphia, Pennsylvania; George S. McIntyre, Lansing, Michigan; Bob Miller, Cincinnati, Ohio; E. W. Mueller, Chicago, Illinois; Carl F. Newman, Chicago, Illinois; Herschel D. Newsom, Washington, District of Columbia; E. M. Norton, Washington, District of Columbia; James G. Patton, Denver, Colorado; J. C. Penney, New York, New York; Clarence Poe, Raleigh, North Carolina; J. Stuart Russell, Des Moines, Iowa; Ruth Buxton Sayre, Ackworth, Iowa; Paul F. Sharp, Berkeley, California; Frank M. Shay, San Jose, California; Charles B. Shuman, Chicago, Illinois; Virginia Smith, Chappell, Nebraska; W. T. Spanton, Washington, District of Columbia; J. K. Stern, Washington, District of Columbia; Paul Swaffar, Kansas City, Missouri; Ben Swigart, Mooreland, Oklahoma;

Jesse W. Tapp, Los Angeles, California; Ray Teagarden La Cygne, Kansas; R. B. Tootell, Washington, District of Columbia; Harry S. Truman, Independence, Missouri; Rod Turnbull, Kansas City, Missouri; Herbert W. Voorhees, Trenton, New Jersey; Jerry Voorhis, Chicago, Illinois; Orville F. Walker, Kalkaska, Michigan; James Wall, Waverly, Nebraska; Claude R. Wickard, Camden, Indiana; Oliver S. Willham, Stillwater, Oklahoma; D. A. Williams, St. Paul, Minnesota; Robert E. Wood, Chicago, Illinois; Obed Wyum, Rutland, North Dakota; O. E. Zacharias, Junior, Richmond, Virginia; and their associates and successors, are hereby created and declared to be a body corporate by the name of the Agricultural Hall of Fame (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be:

(A) To receive and maintain a fund or funds, and to use and apply the whole or any part of the income therefrom, and the principal thereof, exclusively for charitable, scientific, literary, or educational purposes either directly or by contributions to organizations duly authorized to carry on similar activities: *Provided, however,* That no part of such income or principal shall be contributed to any organization whose net earnings or any part thereof inure to the benefit of any private shareholder or individual, or any substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation. The detailed purposes hereinafter set forth shall at all times be subject to and in furtherance of the provisions contained in this paragraph.

(B) To honor farmers, farm women, farm leaders, teachers, scientists, inventors, governmental leaders and other individuals who have helped make this Nation great by their outstanding contributions to the establishment, development, advancement, or improvement of agriculture in the United States of America.

(C) To perpetuate the memory of such persons and record their contributions and achievements by the erection and maintenance of such buildings, monuments, and edifices as may be deemed appropriate as a lasting memorial.

(D) To foster, promote, and encourage a greater sense of appreciation of the dignity and importance of agriculture, historically carried out through owner-operated farms, and the part it has played in developing those social, economic, and spiritual values which are essential in maintaining the free and democratic institutions of our Republic.

(E) To establish and maintain a library and museum for the collection and preservation for posterity of agricultural tools, implements, machines, vehicles, pictures, paintings, books, papers, documents, data, relics, mementos, artifacts, and other items and things relating to agriculture.

(F) To cooperate with other organizations which are interested in similar projects.

(G) To engage in any and all activities incidental thereto or necessary, suitable, or proper for the accomplishment of any of the aforementioned purposes.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Kansas City, Kansas, or in such other place as may be later determined by the board of governors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent shall be deemed notice to or service upon the corporation.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges and designation of classes of members shall, except as provided in this Act, be determined as the bylaws of the corporation may provide.

(b) Each member of the corporation given voting rights by the bylaws shall have the right to one vote on each matter submitted to a vote at all meetings of the voting members of the corporation, which vote may be cast in such manner as the bylaws may prescribe.

BOARD OF GOVERNORS: COMPOSITION, RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this Act the membership of the initial board of governors of the corporation shall consist of the persons named in the first section of this Act, their survivors and such additional persons, if any, as shall be named by them.

(b) Thereafter, the board of governors of the corporation shall consist of such number (not less than fifteen), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be provided in the bylaws of the corporation.

(c) The board of governors shall be the governing body of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of governors may appoint committees which shall have and exercise such powers as may be prescribed in the bylaws or by resolution of the board of governors, and which may be all of the powers of the board of governors.

OFFICERS; ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a president, one or more vice presidents (as may be prescribed in the bylaws of the corporation), a secretary, a treasurer, one or more assistant secretaries and assistant treasurers, and such other officers as may be provided in the bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, GOVERNORS OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, governors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers and employees of the corporation in amounts approved by the board of governors of the corporation.

(b) The corporation shall not make loans to its members, governors, officers, or employees. Any governor who votes for or assents to the making of a loan or advance to a member, officer, governor or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its members, governors, officers, and employees as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of governors, and committees having any of the authority of the board of governors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) Annual audits shall be made by an independent licensed or certified public accountant or a firm of independent licensed or certified public accountants, in accordance with generally accepted auditing standards. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of governors of the corporation and in compliance with the charter and bylaws of the corporation and all Federal and State laws applicable thereto.

DURATION OF CORPORATION

SEC. 16. The duration of the corporation shall be perpetual.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING CORPORATION

SEC. 17. The corporation may acquire the assets of the Agricultural Hall of Fame, a general not-for-profit corporation organized under the laws of the State of Missouri, upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such corporation.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

The SPEAKER. Is a second demanded?

Mr. AVERY. Mr. Speaker, I demand a second.

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FORRESTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill was reported by the Committee on the Judiciary unanimously. All it does is simply to provide a Federal charter for the Agricultural Hall of Fame which is now a Missouri corporation.

The bill makes provision whereby the farmers throughout the world might be honored. When completed, it will be composed of an educational unit designed to familiarize children with agriculture, a museum portraying vividly the history of agriculture, a statutory hall where the immortals of agriculture will be honored, and so forth.

This is a program that involves no expense whatsoever on the part of the Federal Government.

When the bill was before the full committee it appeared that the name of our present Secretary of Agriculture did not appear. A motion was made to include it, and that is covered by one of the amendments in the bill.

There was another amendment offered in the committee which provided that audits would be made by licensed auditors or certified accountants. The GAO at that time thought that the provision was a little restrictive and it was suggested that an amendment be offered in lieu thereof. On the other hand, after some consideration the committee and GAO decided it would be much better to revert to the restrictive language because it

appeared that in certain instances there were accountants who were not licensed and not the type of people who were permitted to make such an audit.

Now, Mr. Speaker, I yield such time as he may desire to the author of the bill, the gentleman from Kansas [Mr. GEORGE.]

Mr. GEORGE. Mr. Speaker, I am indeed grateful to the leadership of this body and to the House for the passage today of H.R. 5789. To the Honorable E. L. [TIC] FORRESTER, chairman of the subcommittee, and the Honorable EMANUEL CELLER, chairman of the Judiciary Committee, I am also very grateful for having expedited the consideration of this bill and for bringing it before the House so early in the 2d session of the 86th Congress.

H.R. 5789, when approved by the other body, will incorporate the Agricultural Hall of Fame which will be a national shrine to set forth the history and tell the story of agriculture and of the men and women who have contributed so much to it.

The Agricultural Hall of Fame, a nonprofit organization, is not Government sponsored, and all development and construction costs will be paid from funds voluntarily contributed by the American people.

More than 50 cities throughout the United States bid for this project. Soon thereafter, the executive committee reduced the number under consideration to 21. These cities were then studied by the research department of Doane Agricultural Service and were evaluated from the standpoint of accessibility, financial resources, and other factors. Before Kansas City, Kans., was finally selected on February 27, 1959, the preceding vote ended in a tie between Springfield, Ill., and Kansas City.

This shrine to agriculture will be located in Wyandotte County, Kans., on approximately 700 acres of land 11 miles south of Kansas City. The Chamber of Commerce of Kansas City, Kans., as part of its bid for the Agricultural Hall of Fame, offered a 409-acre tract valued at $250,000. Three hundred additional acres have since been acquired.

Sponsors of this shrine are farm organizations, land-grant colleges, State departments of agriculture, business and industry, agricultural press, radio and television, churches, schools, farm-youth groups, individual farmers, and others interested in agriculture.

The administrative core of the association is the board of governors with a membership of 92 individuals from 31 States. The breakdown on this board is as follows: Farm organization executives, 18; educators and agricultural extension leaders, 10; business and industry, 16; farmers, 10; farm communications, 5; commissioners of agriculture, 4; Government officials, 5; farm cooperative executives, 9; women, 5; bankers, 3; church, 3; foundations, 1; unclassified, 3.

Members of the executive committee are Howard A. Cowden, president, Consumers Cooperative Association, Kansas City, Mo.; former U.S. Senator Harry Darby, Darby Corp., Kansas City, Kans.; Dr. Oliver S. Willham, president, Oklahoma State University, Stillwater, Okla.; George S. McIntyre, Director of Agriculture for the State of Michigan, Lansing, Mich.; Dr. J. H. Longwell, director, division of agricultural sciences, University of Missouri, Columbia, Mo.; Herschel D. Newsom, master, the National Grange, Washington, D.C.; James G. Patton, president, National Farmers Union, Denver, Colo.; J. Stuart Russell, farm editor, Des Moines Register and Tribune, Des Moines, Iowa; Charles B. Shuman, president, American Farm Bureau Federation, Chicago, Ill.

Dr. A. Webster Tenney, a specialist in agricultural education, formerly with the U.S. Office of Education, and who for the 14-year period prior to 1958 was national executive secretary of the Future Farmers of America, has been awarded a 5-year contract to be the administrator of the Agricultural Hall of Fame.

When this subject is completed it is expected that the final form of the national shrine will be composed of, first, a hall of fame where the immortals of agriculture will be honored; second, a museum where the story of agriculture will be told in a moving, dynamic fashion; third, a historical agricultural library; fourth, an educational unit designed to acquaint children with agriculture; fifth, an early American farm village complete with a sod house, log cabins, school building, church, and other Americana; sixth, an Indian village which will show agricultural practices and crops obtained from the Indians; seventh, an outdoor amphitheater will be built for pageants related to agriculture, field days, and special farm meetings; eighth, a quiet retreat built around columns from the Capitol Building, Washington, D.C., to where special recognition will be given to farmers who distinguished themselves in the U.S. Senate and House of Representatives; ninth, a small auditorium for presentation of movies on agriculture, for having soil and water management demonstrations and featuring forestry and wildlife conservation practices; and, eleventh, an international shrine to honor farmers throughout the world.

Gifts and donations to the Agricultural Hall of Fame are tax deductible under the provisions of section 170 of the Internal Revenue Code. The total cost of the Agricultural Hall of Fame is expected to be approximately $5 million. The architect has estimated that the main building will contain a minimum of 170,000 square feet of floor space and will cost about $3,250,000. It will cost about $1 million to complete the old farm village, the Indian village, the outdoor amphitheater, and to grade and landscape the grounds. The remaining $750,000 will be used to furnish and equip the buildings and as operating capital.

Because the Agricultural Hall of Fame is located in my home county of Wyandotte, the Honorable HAROLD E. COOLEY, chairman of the Committee on Agriculture, who had introduced a measure similar to mine, requested that my bill be considered by the subcommittee of which the distinguished gentleman from Georgia [Mr. FORRESTER] is chairman.

This shrine is within an hour's drive of the Truman Library at Independence, Mo. En route, in the heart of Kansas City, Kans., is the old historic burial ground of the Wyandots, the Huron Indian Cemetery. I hope, Mr. Speaker, that every Member of this body will be able to visit these shrines to outstanding men and women and a great people.

Mr. McCORMACK. Mr. Speaker, I want to congratulate the gentleman from Kansas [Mr. GEORGE] for the very able manner in which he has handled this bill in cooperation with the gentleman from Georgia [Mr. FORRESTER]. I want to express my appreciation to the gentleman from Georgia and the members of his subcommittee for the prompt and quick action they gave on this bill. I know that this bill is a matter of great importance to the agricultural communities of our country, and the very fact that the gentleman from Kansas [Mr. GEORGE] is a new Member and the author of this bill, which is brought up so early after being reported out of committee, evidences not only his ability as a Member but the profound respect with which he is held by his colleagues.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from California.

Mr. TEAGUE of California. I would like to point out, first, that I represent one of the largest agricultural districts in the country, but I would like to ask a question or two about a subject which disturbs me. What precedent do you have for this type of legislation other than veterans' organizations?

Mr. FORRESTER. Well, offhand, we incorporated the Future Farmers of America and probably others.

Mr. TEAGUE of California. I am just wondering where the line should be drawn. Why should we not do this for plumbers, architects, and fishermen?

Mr. FORRESTER. Well, I think we will approach that matter when we come to it. If you want to introduce a bill like that and send it over to our committee, we will be glad to give you a hearing, and a very prompt hearing.

Mr. TEAGUE of California. I thank the gentleman, but I doubt whether you would receive any such request from the gentleman now at the microphone.

Mr. FORRESTER. Yes; we would receive it.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from North Dakota.

Mr. SHORT. I do not rise in opposition to this bill. However, I am curious as to why this step is taken. We have, for instance, the Baseball Hall of Fame. Maybe it has a national charter and maybe it does not; I do not know. We have a National Cowboy Hall of Fame that I know does not have a national charter. I am just wondering—and I assure you that my curiosity is very sincere—what objective is being accomplished by this national charter for this Agricultural Hall of Fame that is now chartered in the State of Missouri, as I understand it. What is being accomplished by this further consideration by the Congress?

Mr. FORRESTER. Well, they seemed to think that probably it might be an

added honor and a little prestige. Maybe the farmers need a little honor right now.

Mr. SHORT. I do not think the farmers need any added honors, sir. I think the gentleman will agree with me that the farmers are very highly honored now, and I do not think any further recognition by the Congress is particularly needed. And, I do not say that facetiously.

Mr. FORRESTER. Let me say this to the gentleman, if the gentleman had served on this subcommittee with me for a while, he would have seen quite a few of these bills come through. I believe we have already passed on 68.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Iowa.

Mr. JENSEN. I fail to find the name of Hugh Bennett in this list of names in this bill which are to be honored. Hugh Bennett was the father of our Soil Conservation Service program. No man in America has done more for the farmers of America and for agriculture than Hugh Bennett in this age. I cannot imagine why the man's name is not on this list. Is it possible to amend this bill under suspension of the rules to include the name of that great American?

Mr. FORRESTER. Well, now, I will say this to my friend, I cannot begin to tell you why the name is not there. I did not get up any of these names. The names were in the bill when it was submitted to me as chairman of the subcommittee. I will say that perhaps the Speaker can answer that question, if it is proper for you to amend. And, certainly, I cannot think that there would be any objection to it.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that the name of Hugh Bennett be included in this list.

The SPEAKER. The Chair would regret very much, even though I am sure Mr. Bennett is a great man, establishing a precedent of amending bills under consideration on the floor of the House under suspension of the rules. It has never been done, so far as I can remember.

Mr. JENSEN. I yield, of course, to the opinion of the Speaker. But I hope that the other body will incorporate the name Hugh Bennett in this bill when it comes to that body.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman.

Mr. BONNER. I am certainly very proud today to be associated with the gentleman from Iowa [Mr. JENSEN] in the suggestion he has made to the House. Mr. Bennett happens to be a North Carolinian and I am very happy to hear the gentleman express recognition of the great part he has played in agriculture, in the soil conservation program. He has been an outstanding leader. He has been everything to the farmer in the field the gentleman mentioned. It is unfortunate that his name is not included in this list. As the gentleman has said, I hope that when this bill goes to the other body they will recognize the great part this really true American has played in the life of the farmer in this country. I congratulate the gentleman on his suggestion.

Mr. JENSEN. I thank the gentleman. I am sure the gentleman will agree that no man in America deserves more having his name in this Agricultural Hall of Fame than that great man, Hugh Bennett.

Mr. BONNER. There is no doubt about it.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. FORRESTER. I yield.

Mr. HOFFMAN of Michigan. Would it be in order to offer an amendment permitting each Member of the House and each Member of the other body to add a name, this being an election year?

The SPEAKER. That is hardly a parliamentary inquiry.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. HOFFMAN of Michigan. In view of the language beginning on page 4, section 3, referring to the funds which the corporation shall receive, and then over on page 5 where it defines the objectives for which the money may be spent, "exclusively for charitable, scientific, literary, or educational purposes," I am referring to that last, "educational." Would the funds of this organization be spent or be permitted to be spent to contribute in elections?

Mr. FORRESTER. No, sir; positively not.

Mr. HOFFMAN of Michigan. That same language is used in another law which prevents labor unions from contributing money for political purposes.

Mr. FORRESTER. I refer the gentleman to section 10, all of section 10.

Mr. HOFFMAN of Michigan. It does not seem quite proper to create a situation where farmers might become involved in the same sort of situation that unions are in at present. It would be too bad if they were to devote their time in the election of candidates for office.

Mr. FORRESTER. If the gentleman would read section 10, I think he would see that that takes care of that situation. That prohibits it.

Mr. HOFFMAN of Michigan. It is a dangerous situation to let the farmers monkey around in politics, as the unions do.

Mr. FORRESTER. Maybe the farmer had better get into politics.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. GROSS. The names listed in this bill are, in fact, the incorporators, are they not?

Mr. FORRESTER. That is correct.

Mr. GROSS. They are not the people who are to be elected to this so-called Hall of Fame; is not that correct?

Mr. FORRESTER. That is correct.

Mr. GROSS. They might or they might not be.

Mr. FORRESTER. The gentleman is right.

Mr. GROSS. They are the names of the incorporators.

Mr. AVERY. Mr. Speaker, may I ask this question of the distinguished gentleman from Georgia:

On page 11, section 10, to which the gentleman has just referred, contains some language that I think ought to be made abundantly clear as to just what the intent of the author was in drafting the bill, when it states:

> The corporation and its members, governors, officers, and employees, as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

This would be to protect the Members on the gentleman's side of the aisle. That is why I want to have it cleared up.

Mr. FORRESTER. That has no application at this time. I will tell the gentleman what that means. It means that none of the members, governors, officers, or employees, as such, shall make any contribution to or otherwise assist any political party or candidate for public office. That does not mean they cannot do so in a personal capacity.

Mr. AVERY. The gentleman agrees that in a personal capacity they might make any contribution to whatever political party they chose?

Mr. FORRESTER. The gentleman is correct.

Mr. AVERY. I thank the gentleman.

I should further like the RECORD to show that although this bill appeared on the Consent Calendar this afternoon and there was objection expressed to this bill by the gentleman from Michigan [Mr. FORD], it did not reflect his opposition to the bill nor any opposition existing on this side of the aisle. The Consent Calendar on the Republican side have a rule whereby if the position of the affected Government agency is not made unmistakably clear in the committee report, they automatically object to the immediate consideration of the bill so that the position of the agency may be made clear for the record.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think in addition to what the gentleman has said he might mention the further ground that a Member might ask unanimous consent that a bill be passed over without prejudice when he knows that it is going to be brought up under suspension.

Mr. AVERY. The gentleman is correct. The bill had been placed on a list of suspensions to be brought up today.

Mr. FORRESTER. I want the gentleman to know I agree with him on that. We have discussed it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Iowa.

Mr. GROSS. For the purpose of the RECORD, do I understand correctly that this bill does not provide for any Federal appropriation now or at any future time?

Mr. FORRESTER. It does not provide that.

Mr. GROSS. Does the gentleman think this is going to cost the Federal Government any money later?

Mr. FORRESTER. No, I do not.

Mr. GROSS. I should like the RECORD to show that this is not to cost the Federal Government any money now or later.

Mr. FORRESTER. The gentleman knows it is impossible to answer that. The only thing I can say is that it is not proposed to.

Mr. AVERY. The gentleman would agree that there is no authorization for any Federal appropriation in the bill nor is any intended, but certainly this session of Congress could not bind any future Congress. Is not that correct?

Mr. FORRESTER. That is absolutely right.

Mr. AVERY. None is anticipated. It is anticipated at this time that the funds to support the museum, the library, and the other buildings that have been planned for the Agricultural Hall of Fame will flow entirely from private and other contributions, all non-Government.

Mr. FORRESTER. So far as I know, only from private sources.

Mr. AVERY. We have that precedent established. The site has been acquired already and the funds for that site were acquired entirely separate from Federal funds.

Mr. FORRESTER. That is my understanding.

Mr. AVERY. I can assure the gentleman that is correct.

Mr. Speaker, I include the article by the Honorable Clifford R. Hope appearing in the High Plains Journal. Mr. Hope was of course a Member of this body and a distinguished chairman of the Agricultural Committee.

(The article is as follows:)

AGRICULTURAL HALL OF FAME

(By Clifford R. Hope)

"History celebrates the battlefields, whereon we die; but scorns to speak of the plowed fields whereby we thrive. It knows the names of the King's bastards, but cannot tell us the origin of wheat. That is the way of human folly." With this quotation from the great French naturalist, J. Henri Fabre, Howard A. Cowden, president of the board of governors of the Agricultural Hall of Fame, opened the meeting of the board at Kansas City on June 23.

This was my first meeting with the board of governors and a very interesting meeting it was. This was the third meeting of those interested in establishing an Agricultural Hall of Fame. Preliminary meetings were held at Kansas City on April 1, 1958, and on May 5. The idea of an Agricultural Hall of Fame is comparatively new, although there have been suggestions from time to time that in some way men and women who have made outstanding contributions to agricultural progress should be given national recognition. The National Grange has considered a proposal of this kind and I am advised that other farm organizations have discussed it without, however, arriving at a definite plan. The present movement is an outgrowth of a resolution which was adopted at the annual meeting of the Consumers Cooperative Association held at Kansas City last December. That resolution authorized the Board of Consumers Cooperative Association to actively encourage such a project. Mr. Cowden, after conferring with a number of agricultural leaders throughout the country, called the April 1 meeting held in Kansas City.

At this preliminary meeting it was decided to call a meeting for May 5 which would include extensive representation of agricultural groups, and at which time consideration would be given to setting up an organization to establish the Hall of Fame, adopt articles of incorporation and bylaws, and organize a board of governors.

This turned out to be a large meeting, with representatives in attendance from 26 States and the District of Columbia. At this meeting Mr. Cowden was elected as president of the board of governors, Dr. Oliver S. Willham, president of the Oklahoma State University, was elected vice president; Mr. Charles Marshall, of Nebraska, was elected as secretary; and Mr. J. R. Islieb was elected treasurer. These elections were all by acclamation. At this meeting 44 persons were nominated and elected to the board of governors. They inducted Charles B. Shuman, president of the American Farm Bureau Federation; James G. Patton, president of the National Farmers Union; Herschel D. Newsom, president of the National Grange; Nolan J. Fuqua, president of the National Association of Soil Conservation Districts; Secretary Benson and three former Secretaries of Agriculture—Claude R. Wickard, Clinton P. Anderson, and Charles Brannan. It included also Monsigneur Ligutti, executive director, National Catholic Rural Life Conference; Dr. E. W. Mueller, a well known Lutheran minister, representing the American Country Life Association; and numerous other men who are or have been active in agricultural matters.

At the May 5 meeting which I attended, the membership of the board of governors was increased from 44 to 125. Among the new members selected were three from Kansas—Senator Frank Carlson, author of a resolution in the Senate in support of the Hall of Fame; former Senator Harry Darby, of Kansas City; and former Gov. Alf M. Landon. The full membership of the board was not completed at this meeting, although many well known names in agriculture were added. Most of the places left unfilled are being held for nominations from national farm organizations of men and women who are actively engaged in agriculture.

A considerable amount of business was transacted at the June 23 meeting, in addition to the election of additional members to the board of governors the executive committee previously appointed and consisting of Howard A. Cowden; Dean Longwell, of Missouri University School of Agriculture; Ed Hoyt, Commissioner of Agriculture of Nebraska; Charles D. Shuman and Dr. Willham, was enlarged by the election of the following additional members: James S. Patton, Herschel D. Newsom, Harry Darby, and J. S. Russell, editor of the Iowa Farm Home Register.

A considerable part of the time was spent in discussing methods of raising funds for the erection of a building and in discussing the factors which should be taken into consideration in selecting a location and site for the same. A representative of a professional fund-raising organization was present and gave a very illuminating discussion of problems which should be considered, and methods which should be used in raising funds for an enterprise of this kind. The question of the site brought out a prolonged and interesting discussion. It was stated that the following cities had already expressed interest in having the Hall of Fame located in their vicinity: Lincoln, Nebr.; Kansas City, Mo.; Kansas City, Kans.; Sabetha, Kans.; Lawrence, Kans.; Topeka, Kans.; Trimble, Mo.; Hannibal, Mo.; Ft. Atkinson, Wis.; Nebraska City, Nebr.; Hancock, Mich.; Des Moines, Iowa; and Muscatine, Iowa. Also the Kelley Farm in Minnesota, home of Oliver H. Kelley, founder of the National Grange, was mentioned. In the course of discussion, suggestions were also made that Mt. Vernon, the farm home of the father of our country, would be an appropriate site, as was also Beltsville, Md., site of the great Agricultural Research Station of the Department of Agriculture. Someone suggested that inasmuch as one of the objects of this memorial would be to bring home to nonfarmers the contributions made by the great agricultural leaders of the past, New York City might be an appropriate place, on the theory that New York citians were perhaps more ignorant of agriculture than residents of any other part of the country. (In my opinion some other cities might furnish stiff competition in such a race.) However the general discussion indicated that a majority of the members felt that the Hall of Fame should be located somewhere in the Middle West near a point accessible to large centers of population, and if possible one which had some agricultural significance.

The general sentiment seemed to be that the memorial should consist of a Hall of Fame proper, as well as a library and an agricultural museum which would illustrate the progress made by agriculture throughout the years. Committees were accordingly appointed on the library, on the museum, and on the Hall of Fame.

The statement of purposes of the organization, while too long to be included here, contains the following paragraphs which give a general idea of what is hoped to be accomplished:

"To honor farmers, farm leaders, teachers, scientists, inventors, governmental leaders and all other individuals who have helped make this Nation great by their outstanding contributions to the establishment, development, advancement or improvement of agriculture in the United States of America.

"To perpetuate the memory of such persons and record their contributions and achievements by the erection and maintenance of such buildings, monuments and edifices as may be deemed appropriate as a lasting memorial.

"To foster, promote and encourage a greater sense of appreciation of the dignity and importance of agriculture.

"To maintain a library and museum for the collection and preservation for posterity of agricultural tools, implements, machines, vehicles, pictures, paintings, books, papers, documents, data, relics, mementos, artifacts and other items and things relating to agriculture.

"To cooperate with other organizations which are interested in similar projects."

The June 23 meeting adjourned to meet again on November 24. Following adjournment President Cowden appointed a committee upon site selection consisting of Dean Jackson, dean of agriculture, Pennsylvania State College; Governor Tootell, of the Farm Credit Administration; Mr. Hoyt, of Nebraska; Mrs. Paul Hiatt, of Missouri, representing the County Women's Council; and Dr. Mueller.

Those who attended the June 23 meeting were highly gratified over the reception given this proposal throughout the country. It was felt that the setting up of an institution of this kind would not only honor the great agricultural leaders of the past and call public attention to the contributions which agriculture has made to our progress as a nation, but would also make for a better understanding of present agricultural problems and build a new spirit of unity among farmers and among the organizations which represent them.

While very little discussion has occurred as to those who might properly be honored in such a Hall of Fame, the names of men

like Washington and Jefferson and Madison, Luther Burbank, Oliver H. Kelley, Cyrus McCormick, Arthur Capper—and even Johnny Appleseed have been mentioned. At one of the previous meetings it was suggested that Squanto, the Indian who taught the Pilgrim fathers to fertilize their corn by dropping a fish in each hill, might well be given consideration. In any event, there will be no problem in finding worthy recipients for this great honor—rather it will be a matter of showing discrimination in selecting the most deserving.

Mr. AVERY. I now yield to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Will the gentleman from Georgia yield for a question?

Mr. FORRESTER. I will be glad to.

Mr. NELSEN. I note that in section 3 it outlines the purposes of this corporation, permitting it to receive and maintain funds. It further specifies how this money may be used, but I am disturbed about the language in line 5 of page 5 describing the limitation of the use of these funds. The language reads as follows:

That no part of such income or principal shall be contributed to any organization whose net earnings of any part thereof inure to the benefit of any private shareholder or individual, or any substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.

I am wondering what "any substantial part" means. It would almost appear by the language that a little propaganda or influence is permitted, but not too much. Just a little. My only fear about organizations of this kind is that they sometimes become propaganda fronts and not organizations performing the functions intended. I would like to have the RECORD be very clear that this language on page 5 does not open the door for a lobbying process of any kind. I am glad that section 10 does point that out, but it seems to me that in section 3 the language opens the door a little bit. I wonder what statement the gentleman would care to make relative to that language.

Mr. FORRESTER. I certainly hope that that would not be the case because, certainly, it was not intended to do that. I think the gentleman has done a good thing in making that suggestion and to have it on record so that it is stated definitely for the record that it certainly was not intended to do any such thing.

Mr. NELSEN. I would be very pleased if the word "substantial" was stricken from the bill.

Mr. FORRESTER. Well, that cannot be done.

Mr. NELSEN. I understand that and I am sorry that that is the situation.

Mr. AVERY. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks and include an article that was written by Honorable Clifford Hope, a former Member of this body, and chairman of the House Committee on Agriculture, describing this Agricultural Hall of Fame that we are discussing here on the floor this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill (H.R. 5789), with amendments.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed, and a motion to reconsider was laid on the table.

APPOINTMENT TO COMMITTEE ON DISPOSITION OF EXECUTIVE PAPERS

The SPEAKER. The Chair lays before the House the following announcement, which the Clerk will read.

The Clerk read as follows:

Pursuant to the provisions of section 5, Public Law 115, 78th Congress, and House Resolution 165, 86th Congress, the Chair appoints as a member of the Committee on the Disposition of Executive Papers the gentleman from Iowa, Mr. KYL, to fill the existing vacancy thereon.

INTER-AMERICAN CHILDREN'S INSTITUTE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2231) to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended, a bill identical to the joint resolution, House Joint Resolution 511, which was passed today.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution 31, approved May 3, 1928 (45 Stat. 487), as revised by section 1 (a) of Public Law 806, approved September 21, 1950 (64 Stat. 902), as amended by Public Law 816, approved July 27, 1956 (70 Stat. 696), is hereby amended to read as follows:

"That in order to meet the obligations of the United States as a member of the Inter-American Children's Institute, there is hereby authorized to be appropriated to the Department of State for the fiscal years 1961 and 1962 such sums not to exceed $50,000 per fiscal year, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that the proceedings whereby the House Joint Resolution (H. J. Res. 511) was passed, be vacated, and the joint resolution be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

THE POINT 4 YOUTH CORPS—A PROPOSAL TO ENABLE YOUNG AMERICANS TO PARTICIPATE IN TECHNICAL ASSISTANCE PROGRAMS ABROAD

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and to include extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REUSS. Mr. Speaker, on January 14, I introduced H.R. 9638, an amendment to the Mutual Security Act, to provide for a study looking toward a Point 4 Youth Corps of young Americans willing to serve their country in public and private technical assistance missions in far-off countries, and at a soldier's pay.

YOUTH CORPS OBJECTIVES

The objectives of the Point 4 Youth Corps are:

First. To make additional technical manpower available to U.S. agencies and to private agencies carrying out economic, medical, educational, and community development programs in underdeveloped friendly foreign countries.

Second. To assist in broadening the understanding by the peoples of other nations of the ideals and aspirations of Americans, through close contact with young Americans participating in the Point 4 Youth Corps.

Third. To offer our young people an opportunity to serve their country in a stimulating way, while broadening their understanding of the problems facing other peoples and nations, and thereby helping them better to understand American policies and purposes abroad.

WHAT THE BILL PROVIDES

In addition to setting forth the above objectives of the Point 4 Youth Corps, the bill provides that:

First. The President shall provide for the conduct by a nongovernmental research group, university, or foundation of a study with a view to ascertaining the advisability and practicability of the establishment by the United States of a program known as the Point 4 Youth Corps, under which young citizens will be trained and serve in programs of technical cooperation.

Second. The President shall endeavor to have such study conducted as a public service without Federal contribution; and any Federal contribution which may be required for such study shall not exceed $10,000.

Third. The group which conducts the study shall report its recommendations to the President and the Congress within 1 year. If the group recommends the establishment of the Point 4 Youth Corps, it shall also submit draft legislation for the implementation of the program.

FACTORS FOR CONSIDERATION

The study group's report is to include consideration of the following factors:

(A) The types of projects in which members of the Point 4 Youth Corps might be used, based upon investigation of existing and proposed private and

governmentally sponsored projects, and how such projects should be carried out.

(B) The manner in which interested private American foundations, and groups such as service clubs, religious groups, farm organizations, labor unions, business groups, youth groups, and similar organizations, might cooperate in the operation of Point 4 Youth Corps projects.

(C) Whether or not it would be desirable to provide that service in the Point 4 Youth Corps shall be considered as satisfying the obligation of individuals to perform training and service in the Armed Forces.

(D) The optimum size of the Point 4 Youth Corps, the period of service which might be required, and the pay scales and conditions of employment which would be most desirable in the public interest.

(E) The pattern and manner of orientation and training in the United States and abroad that would be required to make young American adults effective workers in programs of technical cooperation conducted under this title or otherwise.

(F) Whether it would be practicable and advisable to recruit young American adults who have completed less than 4 years of college.

(G) Whether the Point 4 Youth Corps should be placed under the administration of a Federal agency or a private group on a contract basis, or both.

(H) The manner in which the Point 4 Youth Corps could most usefully supplement current governmental and private programs of technical cooperation.

YOUTH CORPS ENDORSED

Among the comments on H.R. 9638 are the following:

The Christian Science Monitor in its January 20 edition endorsed the Point 4 Youth Corps in the following editorial:

POINT 4 YOUTH CORPS

Representative HENRY REUSS, of Wisconsin, is offering Congress one of the best ideas yet devised for the competitive coexistence era.

He has filed a bill authorizing a study of the feasibility of a Point 4 Youth Corps, a draft-pay, draft-duration, draft-tough alternative to selective service for qualified young Americans who choose to serve their country in foreign rice paddies instead of the drill field.

We urge Congress to unearth and pass this bill speedily.

It will commit no one finally. It will cost little or nothing, since the study would be made by a private university or foundation as a public service. But it concerns a phase of the international struggle, the future gravitation of underdeveloped nations, that never has marked time waiting for Congress.

Although the program cannot be fully spelled out until all possibilities and pitfalls are studied, it would work in roughly this manner:

John Farmer is draft exempt while completing his agricultural course at Texas A. & M. After graduation he applies for a village-level job teaching modern farming methods under the International Cooperation Administration or Ford Foundation.

If he does not meet the qualifications, he reverts to draftable status.

But if he is accepted, John gets perhaps a 3-month stateside training period for his job (as rigorous in its way as Army basic training) and then is sent to a village project in India, where he will be paid the minimal wage and allowances he might have gotten for straight draft service. His hitch, like that of his rifle-toting buddy, is for 2 years.

Let's examine possible objections to the idea:

1. It might provide a haven for draft dodgers.

Since public and private technical assistance agencies would themselves pass on quotas and qualifications, acceptance of goldbrickers seems unlikely.

2. It might siphon off top educated talent from the military draft.

Under current low draft quotas only a small percentage of this talent is being called anyway. Mr. REUSS envisions a Point 4 Youth Corps of not more than 10,000 to start with.

3. Veterans groups might object to youth corps dischargees being eligible for educational, pension, and medical benefits.

To meet this objection, Mr. REUSS and his analysts incline toward dropping veterans' benefits. We would agree, with the exception of the GI bill educational provisions, which would have even greater value for the Nation if extended to youths whose further study might provide a substantial number of first-rate new diplomats, international businessmen, and foreign service officials.

We would urge, as an additional safeguard, that recruiting posters and brochures for any such program emphasize that it is not a glamor world cruise, but one likely to involve more discomfort (and certainly less PX life) than peacetime Army service.

With these precautions taken, the advantages of the proposed youth corps are enormous.

The "have-not" nations are clearly going to be the battle front for the world balance of power and for freedom in the coming generation. Money and military aid alone will not win that battle. Moscow and Peking are carefully training cadres to go out into the villages. The authoritarian control they work under puts them at a disadvantage. But only if there are in sight comparable workers who are both free and technically capable.

Mr. REUSS' plan would help show the emerging peoples in a personal way the American altruism that now is too often lost amidst dollar signs. It would strengthen language training, promote a more professional foreign service, and give enthusiastic young Americans a more mature understanding of the world they will have to face. In short, it merits bipartisan priority treatment.

SENATE BILL INTRODUCED

Senator RICHARD L. NEUBERGER, of Oregon, introduced an identical measure—S. 2908—in the Senate January 26. At that time he said the "idea is a good one, a challenge to youth and a possible aid to more effective foreign policy implementation."

Introduction of the two bills, newspaper accounts of the proposal, and editorial comment prompted a steady flow of mail on the bill. With a single exception, every letter has supported the Point 4 Youth Corps plan. Many letters have offered compelling reasons for adopting the plan, others have offered constructive suggestions for the study group's consideration.

MAIL SUPPORTS BILL

In conclusion, Mr. Speaker, I offer for the RECORD some excerpts from and the full text of some of the hundreds of letters already received which contain a representative sample of the comments and suggestions that have been made about the bill:

BETHESDA, MD., *January 18, 1960.*

Hon. HENRY S. REUSS,
Bethesda, Md.

DEAR CONGRESSMAN REUSS: During the past year I have been associated with a group of physicians who have been trying to effect a program in medicine designed to allow a few properly motivated young physicians to serve their Government draft obligations while working in some of the underdeveloped countries of the world. We have sought advice from various quarters including some officials of W.H.O., and although we always received encouragement, the point was repeatedly made that nothing could be done until interest was generated within the Government. I hope that your study will do just this.

We, like you, have reasoned that a unique and substantial contribution might be made by the young people of this country who have achieved some degree of proficiency in agriculture, engineering, teaching, medicine, etc. However, it is important that they be properly motivated and not participate solely to avoid the draft or at the other extreme with a great deal of missionary zeal. Aside from the necessary qualities of maturity and leadership, these young people should have time to acquire a reasonable knowledge of the language, customs, and problems of the area they are going to serve before embarking.

This type of program need not be considered a one-way or charity affair by this country, for foreign service such as you propose will provide a few of our young people with a unique educational experience, and I feel sure that they would return to this country with many new ideas conceived abroad. If a democratic nation such as ours is to conduct its affairs wisely in this increasingly complex world, it is in that country's own interest to provide a segment of its future responsible citizens with an experience such as this.

Very truly yours,

ROBERT E. CANFIELD, M.D.

INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT, AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA—UAW,
Washington, D.C., January 26, 1960.

Congressman HENRY S. REUSS,
New House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: As you may know, President Walter P. Reuther, myself, and the UAW, have been urging this kind of imaginative reexamination of our problems and this kind of creative, specific approach to the international reality for a long time.

In my view, and I should add in the view of our union, your proposal can become a most important escape route from the rut in which American foreign policy and much of American domestic policy now jog along.

I wish to convey to you immediately the hope of those of us in the UAW that you will call upon us to work with you in every way that we can to help you realize the purposes of the bill.

At the same time it has occurred to me that you might be interested in the way the UAW considered that aspects of our education and our point four programs might be dealt with.

Thus, testifying for the UAW before the Senate Foreign Relations Committee on May 22, 1959, I declared: "As part of a boldly expanded economic aid and technical assistance program, and a rounded program to wipe out our shocking education deficits in terms of classrooms, teachers' salaries, and

high school and college scholarship aid, we could establish a system of scholarships which would give 100,000 of our most promising graduates opportunity, if need be in lieu of military service, of joining an enlistment for peace for a period of 1 year longer than the time required for military services. They would be trained in the fields of their choice and would be given an opportunity to use their abilities and skills taught in our educational institutions in a worldwide effort to raise the standard of living."

"These trained and experienced young men and women would be a rich source of manpower for our State Department and other foreign service agencies."

Earlier, on February 28, 1958, before the Fifth National Conference on International Economic and Social Development, again speaking the conviction of the membership of the UAW, I pointed in the direction of the proposal you have made:

"I should also like to suggest that we direct the current interest in overcoming our education deficits toward the system of education which can meet the challenge in its present dimensions, of conflict between war and peace, freedom and communism. We must make certain that our developing human resources are adequate to the material goods which we propose to make available to a needy world. To reach the dimension of a boldly expanded economic aid and technical assistance, we should set in motion the training of at least 100,000 of our most promising youth to help assure the success of this vital program. We could establish a system of scholarship aid which would provide that 100,000 of our most promising young graduates would have the choice, if need be in lieu of military service, for enlisting for a period of 1 year longer than required for military service in an enlistment for peace. Under this scholarship aid they would train in the fields of their choice and provide an opportunity to use the abilities and skills taught in our educational institutions in a worldwide effort to raise the standards of living.

"These young volunteers for peace, trained in the language, culture and technical skills required would constitute a human reserve from which the underdeveloped areas could draw upon in their efforts to fight poverty, hunger, ignorance and disease, which is the positive aspect of the struggle against tyranny. The more young Americans we could make available throughout the world as technical missionaries with slide rules, with medical kits, with textbooks to fight communism on a positive basis, the fewer young Americans we will need to send with guns and flamethrowers to fight communism on the battlefields of the world. The kind of education program I am thinking about would make it possible to enlist thousands of young Americans in the rewarding struggle to win the peace."

I hope that your measure gets the rapid approval our need for the prescription indicates. Given the tempo at which the world is moving now, and the highly fluid context in which we are contending with the Communist totalitarians, my conviction is that the investigation should not take too long.

Sincerely yours,

VICTOR G. REUTHER,
Administrative Assistant to the President.

LETTER FROM VETERAN

Donald E. Weeden, a New York businessman and veteran, wrote:

At the time of my graduation from Stanford University in 1951 * * * I seriously considered joining such a program. None was available and the call of service prevented looking further. I would think that in a period of peace the interests in such a program by graduating college seniors would be enormous. I also think the multitude of benefits accruing to the individual youth and to both the giving and receiving countries would repay the cost of the program a hundredfold.

First Lt. G. S. L. Crowl said:

As a college graduate and career officer, I do not think such a program would seriously affect the officer procurement programs of the several services. Most of the people taking alternative service would be short timers anyway.

MASSACHUSETTS GENERAL HOSPITAL,
Boston, January 20, 1960.

The Honorable HENRY S. REUSS,
Representative from the State of Wisconsin, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE REUSS: In 1955–56 I spent a year working in Lashkergah, Afghanistan, for the State Department and ICA doing, largely, public health work. It was obvious that one of the major problems with the American program was recruitment of personnel. Many of the technicians served abroad because (1) of some serious complication in their personal or professional life at home, or (2) they hoped to retire on a higher pension by virtue of raising their Government rank simply by service overseas. Many of the technicians were too old and set in their ways to have the resiliency and enthusiasm needed to do a good job working in a foreign country.

A system that would make it attractive for enthusiastic, idealistic young people to serve overseas would be very beneficial. As you have recognized, it is possible to work in many areas without extensive professional training. Certainly if they worked under the direction of someone with professional training, relatively inexperienced people could do fine work. Probably this initial exposure would lead to the recruitment of many individuals for continued overseas work. The development of a cadre of individuals interested in foreign aid work as a career, similar to the present Foreign Service and with equivalent standards is urgently needed.

I believe the institution of your program as an alternative to military service would tremendously strengthen our foreign aid program, and demonstrate to foreign countries our intention of providing them technical assistance on a long-term basis.

Sincerely yours,

LESLIE J. DEGROOT, M.D.

Prof. David G. Scanlon, professor of international education and Coordinator, ICA, projects abroad, Teachers College, Columbia University, wrote:

It certainly sounds like the kind of program we need so badly * * * an imaginative program that could accomplish so much.

Prof. William P. Marquardt, coordinator, programs in teaching English as a second language, New York University School of Education, commented:

The most important step toward international understanding and world peace I have seen taken since the creation of the Fulbright * * * program nearly 15 years ago.

QUINCY HOUSE,
HARVARD UNIVERSITY,
Cambridge, Mass., January 18, 1960.

Representative HENRY S. REUSS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REUSS: I am writing you in support of the proposal for a Point 4 Youth Corps, which I understand you are studying at this point. As a teacher of international relations and someone who spent 4½ years in Asia, Africa, the Middle East, and Europe, I am very much concerned that serious thought be given to a proposal such as that which you are considering.

For all its faults, the recent best-seller, "The Ugly American," did serve to dramatize the great problem which a free society has in attracting and training qualified people for service overseas. A proposal such as yours has the virtue of giving people on-the-job training in foreign areas which may attract them to careers in this field, and, let us hope, of developing linguistic and area specialists in critical countries.

I hope that the work would not be exclusively in village and rural areas, since some of the most significant needs are in cities, and I would suggest that this service be possible not only in government agencies but also with private groups.

Yours truly,

PAUL E. SIGMUND, Jr.,
Alliston Burr Senior Tutor Instructor in Government.

WILMINGTON, DEL., *January 18, 1960.*

Representative HENRY S. REUSS,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: The New York Times of January 17 reports that the Congress is considering a program of work on overseas development projects as a substitute for military service by young Americans. Your bill for a study of such a Point 4 Youth Corps deserves prompt action. This same idea occurred to me during my own military service, and I want to urge that the Congress do everything possible to create such a program.

I served 2 years as a draftee in the U.S. Army, and during that time I spent a year in Italy. I was appalled at the enormous waste of trained talent by the Army. Countless young Americans, some of them with considerable technical training, were performing no really useful function. Many of these young men had been trained by the Army at considerable cost. My own case, while not typical, was not by any means an isolated one. At the time I was inducted into the Army, I had received a doctorate in physical-organic chemistry and had had some industrial research experience. I and many of my scientifically trained military colleagues would have been overjoyed at the possibility of contributing some constructive activity in any overseas area.

My experiences in Italy led me to feel that a joint work-study program might be very fruitful. A single semester of study in a university of the host country would provide an introduction to that country's language, customs, and problems. This could be followed by an 18 month (or longer) period of service in the same nation. Aside from purely technical work, some young people could profitably be used in information agencies. In Italy, I found that USIA maintained no facilities at all at universities. USIA libraries (in Florence and Rome, for example) are situated in luxury, rather than in working-class neighborhoods; they are too formal to attract young people; and they are open at the wrong times of day. Numerous small, informal centers, staffed by young people, would certainly be more effective in conveying the living message of what our country is, and what it seeks.

Very truly yours,

GILBERT J. SLOAN.

RAPPAPORT & LAGAKOS,
Philadelphia, Pa., January 21, 1960.

Hon. HENRY S. REUSS,
New House Office Building,
Washington, D.C.

DEAR SIR: We wish to commend your efforts on the possibility of a Point 4 Youth Corps.

Our son was inducted into military service after graduating from Columbia University law school. He spent almost all of the

time stationed in Germany, marking time with dull minor clerical duties. The waste of young, intelligent manpower in this regard is appalling and detrimental to our best national interests.

Very truly yours,

JOSEPH RAPPAPORT.

Mrs. Harold Lyke, Gibsonia, Pa., parent, wrote:

I have two sons, one doing graduate work in zoology at the University of Wisconsin and the other at Swarthmore College. * * * Both boys could contribute a great deal in a program such as you suggest.

Miss Jennie M. Doidge, Christian education director, Cleveland Area Church Federation, said:

I wish to express my great interest and belief in this type of program, provided * * * we utilize the experiences of other groups that have been at work * * * in this field.

HARVARD UNIVERSITY,
DEPARTMENT OF PHILOSOPHY,
Cambridge, Mass., January 20, 1960.

The Honorable HENRY S. REUSS,
House of Representatives,
Washington, D.C.

DEAR MR. REUSS: I have just finished reading the text of H.R. 9638. It seems to me that such a program would be immensely valuable, both to the nations affected, and to the United States itself. There is no better way to generate interest in the problems of underdeveloped countries than to send large numbers of intelligent and well-educated young people abroad for work and study.

May I make one suggestion which well may have occurred to you, but which was not mentioned in your remarks. It seems likely to me that a program of the sort you outline would be an ideal way to stimulate interest in Foreign Service careers. I should think that many college graduates would become so interested in the countries in which they have worked that on their return to the United States they would apply for admission to area study programs in universities, or to the Foreign Service training program. Perhaps you could interest these programs in giving study credit for the language and other training which the Youth Corps members had obtained during their 2 years. Perhaps also Members of Congress, such as Senator FULBRIGHT, who have shown interest in the development of the Foreign Service, would be prepared to join with you.

I would be grateful to you for information of any further developments in this plan. As one who had the experience of being made chief latrine cleaner in his platoon, I can attest to the current waste of education and ability in the Armed Forces.

Sincerely yours,

ROBERT P. WOLFF,
Instructor in Philosophy.

Harold F. Schiffman, Antioch College student, wrote:

Such a program would do more to further the cause of world peace than any other measure our Government has employed.

Elizabeth Daldy, Radcliffe College junior, said:

I would be greatly interested in such a program.

Carl Wittman, Paramus, N.J., high school senior, volunteered:

I would be more than willing to join such a program. I am planning to enter college this fall, and after 4 years, this would be an excellent chance for me to gain experience in the field (social work and foreign affairs) in which I am interested.

McMEEKIN STEAM ELECTRIC GENERATING STATION—NO. 1 IN AMERICA IN EFFICIENCY

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I take this time to salute an industry in my State of South Carolina which has a steamplant known as the Silas McMeekin Steam Plant of the South Carolina Electric & Gas Co., which the Federal Power Commission has rated the most efficient steamplant in the United States.

Mr. Speaker, while this plant is not located in my district, the plant is named the Silas McMeekin Plant in honor of a man who was born and raised in Fairfield County in South Carolina, now president of South Carolina Electric & Gas Co., and this achievement of being the most efficient steamplant in South Carolina is not only an honor to the man for whom this plant is named, but an honor for the people of South Carolina. I challenge anyone to exceed this plant and the people of South Carolina who operate it in efficiency and loyalty and for giving a dollar's worth of service for a dollar's pay.

Mr. Speaker, the article I refer to is as follows:

BY COMMISSION: MCMEEKIN PLANT RANKED TOPS IN EFFICIENCY IN UNITED STATES

McMeekin Steam Electric Generating Station, newest power facility of the South Carolina Electric & Gas Co., has been ranked by the Federal Power Commission as "No. 1" in America in efficiency among the Nation's electric generating plants.

Electrical World, trade journal of the electric industry, in this week's issue reviewed the Federal Power Commission's "Steam-Electric Plant Construction Cost and Annual Production Expenses (11th Annual Supplement 1958)" released recently, which reported McMeekin the "No. 1" with a heat rate of 9,093 British thermal units per net kilowatt-hour.

"Twenty electric utility steam generating plants make up the industry's 'elite' insofar as heat rates are concerned," the magazine reported. Of the 500 plants listed in the report, 20 had annual heat rates of 9,500 British thermal units per net kilowatt-hour or less than 10,000.

"The leading station is 275-microwatt Silas McMeekin plant of South Carolina Electric & Gas Co. Located 14 miles northwest of Columbia, S.C., the plant has a heat rate of 9,093 British thermal units per net kilowatt-hour," the article said.

George L. Dibble, manager of production and transmission for SCEGCO, and who had much to do with the design of the plant, explained that steam electric generating station efficiency is largely based on a low B.t.u. (British thermal unit) rating obtained from the fuel used in the boilers per net kilowatt-hour of electricity produced.

At McMeekin Station there are several factors contributing to the low heat rating and high efficiency of the operation, Mr. Dibble said. The extremely low temperature of the water taken from the bottom of Lake Murray for steam condensation and the unique design of the boilers, turbines and generators are mostly responsible for the highly efficient operation of the plant, he said.

Although the statistics on which the FPC report is based are for 1958, Mr. Dibble said the station has continued its low heat rate performance and efficient operation throughout 1959.

THE IMPORTANCE OF THE COAL INDUSTRY

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, if only because the coal industry is a vital component of the defense structure, its state of health should be reviewed constantly. The importance of coal to the national economy is another consideration that requires continuing analysis on the part of Congress and the executive department.

In the coming months national defense will dominate the attention of Congress. As has been the case since the duplicity of Communist leaders was belatedly recognized in the immediate postwar era, the annual appropriations for military application will necessarily eclipse every other consideration. There is no choice about it. In the modern world where instantaneous destruction could allegedly occur in the twinkling of an eye from an electronic arm with a radius that is half the circumference of the earth, no nation that values its life can let down its guard. America must continually strive to develop armor that will counter whatever wretched schemes of destruction are hatched in the laboratories of those who wish to enslave all the peoples of the earth.

Our missiles program, and rightly so, will continue to occupy the center of focus in the responsible areas of Government. Our airplanes must continually be made swifter, adaptable to longer range, and more versatile. Our Army and Navy weapons programs must keep apace. Congress is unanimous in support of the theory that only by the ability to lead from strength will the free nations realize their objectives at the conference table. How to attain an increasingly more powerful position militarily may produce as many diverse opinions as there are thinking human beings interested in this program, or so it would seem from the comments that are being expressed each day in Washington. Out of the popular debate and the criticism will come, I am confident, continued scientific and technological progress which will, with God's help, sustain us against whatever diabolical instruments of demolition the enemy may devise.

Meanwhile, there is danger in taking for granted any single unit of the mobilization base. While developing space ships that orbit planets and missiles that can be pinpointed on targets thousands of miles away, it is folly to forget about a vital industry without which wires nor

electronic instruments nor nose cones could be created. Congress and the executive department must come to realize that a vigorous coal industry is as much a part of a sound defense program as the most powerful weapon or the most spectacular scientific apparatus. Without coal there would be no wire, no machines, no tanks, no airplanes, no rockets. Approximately one ton of coal is needed to produce a ton of steel. The aluminum industry is moving into the coal regions because there are ample quantities of this fossil fuel to assume whatever demands are made upon it, whereas there is a definite limit to the availability of the waterpower upon which aluminum makers relied almost exclusively for many years. About two-thirds of all the electricity generated in this country comes from coal. An assortment of other industries from the Rocky Mountains to the Atlantic Ocean are dependent upon coal for heat, power, and steam. Coal is used to heat at least 12 million households in the United States.

Mr. Speaker, in 1955 a task force of the Presidential Committee on Energy Supplies and Resources Policy determined that a minimum of 500 million tons per annum must be produced by the coal industry in order to assure the capacity that would be required in an emergency period. That level has not been respected. Two Government policies difficult of interpretation in particular have placed an insurmountable burden upon the coal industry and are unquestionably responsible for the current situation in which production is almost 20 percent below the rate specified by the Commission appointed by the Government to make this important determination.

Through irresponsible decisions of State Department representatives possessed with the idea that liberal trade policies should be adopted without regard to their impact upon domestic industry, the doors of east coast fuel markets were thrown open to international oil shippers immediately after the conclusion of World War II. As the seepage from foreign refineries swelled into tidal waves that swamped seaboard utilities and manufacturing plants, mine after mine in Pennsylvania, West Virginia, and Virginia was forced out of business, thousands of workers were relegated to relief roles, and railroad cars engaged in transporting coal from mine to market were shunted off onto sidings. The deluge of oil from foreign refineries began to take an enormous toll of domestic business in 1949. Until last spring, when President Eisenhower took action by clamping mandatory controls on residual oil imports, the international petroleum magnates enjoyed an open season on domestic coal and oil producers.

The White House order has been of great help to the coal industry. It prevented further impingment and it provided an important psychological boost to mining men and railroaders alike. Yet, while holding the line, the mandatory controls program does not give the thrust necessary to bring coal production up to the level where it will be ready to answer any emergency call. A sharp cutback in residual oil imports is necessary.

The constant stream of tankers operating between Caribbean refineries and east coast ports would quickly disappear from the water at the very outbreak of hostilities. For that matter, naval experts contend that one of the first acts of the enemy in a conflict would be to send submarines with destructive devices into the area of our principal coastal cities for the purpose of destroying harbor facilities. We would have to be entirely self-sufficient insofar as fuel supply is concerned. An expanded mining force and additional coal producing equipment would have to begin at once to supply those generating stations, mills, and plants that are now foreign oil customers. Railroads would need full strength in personnel and many more freight cars than are now in service or in running condition. The task force of the Presidential Committee on Energy Supplies and Resources Policy took cognizance of this situation. It was for this reason that America was warned against permitting coal production to slip below the danger point.

I recommend that Congress reopen the issue dealing with foreign oil. The defense program requires a revision of our foreign trade policy. The national economy demands it. To permit our coal miners and railroaders to remain idle in order that international oil magnates may satisfy their greed is an affront to the people of our country. When Congress imposes a realistic restrictive quota to prevent excessive volumes of residual oil from entering our fuel markets, one of the existing inequalities in Federal policy affecting fuels will have been corrected.

The other flagrant violation of the laws of fair play in our competitive economy weighing to coal's serious disadvantage may be attributed to the obsolescence of a law enacted almost a quarter of a century ago. When the Natural Gas Act was written, Members of Congress did not foresee any of the threats that legislation favoring the explosive growth of a dynamic young industry might present to a rival fuel in later years. The Natural Gas Act of 1938 empowered the Federal Government to regulate the establishment and expansion of natural gas pipelines with particular reference to the maintenance of just and reasonable rates.

In the intervening years consumption of this specialty fuel has risen steadily until—at this time—the life index of our remaining reserves stands at scarcely more than 20 years. More reserves will be discovered as industrious natural gas producers drill deeper and extend their search, yet each such project involves ever-increasing costs that must ultimately be absorbed by the consuming public. The householder cannot object to legitimate price increases such as these, but what should be generally resented is the practice of unloading vast volumes of natural gas into power stations and industrial plants at rates far below those being charged to the homeowner. What is happening—and here is where the Natural Gas Act should be brought up to date—is that pipeline companies, in order to keep their lines at full capacity the year around, dispose of their product to industries at whatever price is necessary to undersell coal. As a consequence, this source of energy with a limited life expectancy is being used indiscriminately for jobs that coal could handle without imperiling the future fuel supply of the Nation. Such extravagant use of natural gas not only violates laws of conservation, but also is inimical to the welfare of the coal industry and to everyone connected with it.

There is no logic in permitting an industry clothed as a public utility to ignore the general rules of competition which others must respect. Failure to revise the Natural Gas Act to meet the challenge of the changed national fuel picture constitutes, in effect, complete disregard of the long range public interest, places an unjust burden upon domestic consumers, and imposes an unnecessary hardship upon the coal industry at the same time.

Mr. Speaker, I bring these matters to your attention in the interest of the national security as well as in behalf of citizens of mining communities and rail centers. I believe that both the foreign residual oil and the natural gas policies could quickly be resolved through a study for a national fuels policy. I recommend it to your diligent attention. If and unless such a study is authorized in the coming weeks, then it is my observation that Congress should not hesitate to establish a definite quota on residual oil imports and to amend the Natural Gas Act in such a way as to obviate the existing practices detrimental to the national welfare.

ANTI-JEWISH OUTBREAKS IN WEST GERMANY

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, on December 24, 1959, we were shocked by the news of anti-Jewish outbreaks in West Germany. On the heels of this there followed similar vandalism in widespread sections of the world.

Nor were we free of it. The Temple Emanuel in New York City was smeared on January 2, followed by a rash of like incidents in the metropolitan area, and a synagogue in Kansas City was bombed the night of January 28.

We were forcefully reminded of the homes, schools, synagogues, and churches that were defaced, and some destroyed, in these United States little more than a year ago. It is frightening to realize that there have been some 400 reported instances of various forms of such vandalism in our Nation, alone.

I am convinced that these hate bombings, coupled with obnoxious hate mailings, have been the work of stupid, bigoted hoodlums. And it is people like these who can be tools in the hands of

those who would destroy our form of government. It is urgent that they be controlled, that any further activities be stopped, now.

I have pending in the Committee on the Judiciary seven bills which, if enacted, would give our Government some needed tools to round up these enemies of society and put a stop to their outrages.

Whether or not the acts of vandalism in this country and the outbreaks worldwide are connected in any way, I do not know. I understand that the Committee on Un-American Activities has reliable information indicating that those in Germany are Communist inspired.

I am concerned with the need to prevent any repetition and I will wholeheartedly support Concurrent Resolution 465 which expresses so concisely the indignation and horror that we have all felt at the desecration of sacred places and the violent attacks upon the religious beliefs of good people that have been so widespread.

And after we have done this, after the House of Representatives has expressed its indignation, let us take some action, in the form of strong, effective legislation.

AGRICULTURAL CHEMICALS: REALISTIC POLICY NEEDED

Mr. DIXON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, which agricultural chemicals are safe for human consumption, and what tolerances should be permissible? These questions are creating one of the most serious and stormy controversies of recent years in the Nation's Capital.

I would be the last person in the world to advocate any policy which did not rigorously protect the public health. At the same time, I feel a duty to call to the attention of the Congress that there appears to be a risk of serious jeopardy to the Nation's food supply and also, ultimately, to public health by the strict interpretation and enforcement of the Delaney amendment to the food additives law.

Representative DELANEY, of New York, moved on the House floor, during the closing rush of the last Congress, an amendment to the food additive bill to completely prohibit in food any carcinogen residue—a chemical which ingested under any conditions can produce cancer in animals or humans.

The original Delaney amendment was opposed by the Food and Drug Administration and had been rejected in committee as being too sweeping. However, there was little opportunity for debate and on the floor House Members were made to feel they would be voting for cancer if they opposed the Delaney amendment. So it passed in a breeze, as it also did in the Senate.

The Food and Drug Administration takes the position that the Delaney amendment prohibits even the most minute trace of any carcinogen in human food, even though it requires heavy and sustained dosages to produce cancer in an animal. This has aroused the Farm Bureau, Farmers Union, and virtually all other farm organizations to an unprecedented fury.

Farmer groups want to use these needed chemicals and protect public health through designation of safe, low, tolerances of chemicals established by the National Academy of Science, or a commission of scientists. In this effort they have the full cooperation of Secretary Benson. They fear that the present interpretation of the Delaney amendment could virtually wreck U.S. agriculture as well as worsen rather than improve public health. The following are some of their arguments:

First. Numerous common foods have been named as carcinogens, yet people eat them in quantity. For example, the Food and Drug Commissioner, George P. Larrick, made the following statement in 1957:

> Some have suggested that an additive should not be allowed in food if it produces any cancer in any test animal by any route of administration. Before concluding that this would be wise, we should consider its implications. Cancers can be produced in test animals by repeated injections of sugar solutions in the muscle tissue or peanut oil or cotton seed oil or lard or tannic acid. Possibly repeated injections of some other common food chemicals will produce cancer.

Is the Government then straining at the ridiculous to prohibit infinitesimal traces of many additives without any evidence of their danger to humans, when we eat in quantity other items which produce the same results?

Second. Chemical companies are left in a quandary. The most minute measurement of a product may reveal no residue by measuring to 10 parts per billion, for example. Next year, however, new scientific methods may prove that by measuring to one part per billion a chemical trace is proven, thereby prohibiting the chemical.

Third. So much publicity has been given to the cancer scare that even routine Food and Drug actions are now causing financial losses to farmers, merchants, and companies. For example, one carton of Florida celery was found to be contaminated and was properly confiscated. However, although no further contamination was found, the Florida celery price dropped more than 50 percent.

Another example is the new wonder insecticide heptachlor which was tested and approved by USDA and Food and Drug Administration and was put on the markets. Then Food and Drug changed its position and permitted only zero tolerance of heptachlor on any food without any provision for foods already produced or those growing where treatments had already taken place. The result was that millions of dollars worth of the pesticide had been purchased, and suddenly were limited to nonfood items.

Fourth. The publicity about minute traces of these chemicals is being greatly exaggerated abroad which may cut our foreign markets and stimulate a Communist propaganda spree concerning U.S. cancer exports.

Fifth. It is estimated that 40 or 50 percent of the increase in U.S. agricultural production since World War II is due to agricultural chemicals. Without these chemicals our production would fall below normal demands.

Sixth. The unpredictability of Government reaction to new chemicals threatens to shift research from agricultural to other chemicals. This could create a serious health hazard since we use new agricultural chemicals to combat disease because insects build up resistance to existing insecticides. For example, in some areas increasingly heavy doses of DDT are required to kill mosquitoes. We will soon need a new mosquitoe-killing chemical to keep malaria in check.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. WEAVER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlmean from Utah?

There was no objection.

Mr. WEAVER. Mr. Speaker, I was keenly interested in the remarks on agricultural chemicals by the able Congressman from Utah, Dr. HENRY ALDOUS DIXON. For those who do not know Representative DIXON's background, I should like to point out to my colleagues that he is a former college president.

At the time he was drafted to run for the House, Dr. DIXON was president of Utah State Agricultural College and previous to that he had served as president of Weber College in Utah.

Dr. DIXON has closely studied agriculture's needs in relation to the needs of the Nation as a whole during his five year's membership of the House Agriculture Committee, as well as his previous positions of leadership. Dr. DIXON is renowned for his conscientious interest in the public welfare, and his statement concerning agricultural chemicals was motivated by his desire to reconcile the overriding needs of public health with the urgent need to use vital chemicals for our food production. I congratulate him on pointing up the issue as he did in his excellent statement.

LEGISLATION TO INCREASE DOMESTIC BEET SUGAR QUOTAS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SHORT. Mr. Speaker, Congressman ODIN LANGEN, of Minnesota, and myself have today proposed identical bills which will amend the Sugar Act of 1948, as amended. It will amend the act so as to provide American sugar beet farmers with a permanent increase of 150,000 tons in their quotas, increase mainland cane quotas by 50,000 tons, and reserve the annual increases in consumption to domestic areas. It will extend the act for 2 years.

Since everyone in this body is aware of the international considerations of the Sugar Act and its extension, I will not dwell upon these here. I should instead like to call to the attention of the House what the bills which we have today introduced would mean to one agricultural area of our Nation—the Red River Valley of Minnesota and North Dakota. I am sure that what I herein present is equally applicable to other domestic beet-growing areas, including in my State of North Dakota, a small irrigated area in the Yellowstone Valley.

The seriousness of our agricultural problem is apparent to all of us. Operating costs to the farmer and government expense in the farm program are high, farm income is low, and no solution to this dilemma has as yet been forthcoming.

There is no doubt in my mind that increased sugar beet acreage would provide a major breakthrough toward the solution of this problem, in the Red River Valley area, particularly. It would provide a badly needed increase in income to farmers. It would bolster the economy of our agricultural towns—towns which, along with the farmers, have felt the effects of a weakened agricultural economy. It would provide increased job opportunities. It has the potential of reducing the production of other crops which presently are in surplus and are depressing the markets. It would, as a row crop, play a real role in the control of weeds, as well as adding a great deal to the diversity of farming.

The economic effect of increased sugar beet acreage can be dramatized by an example. It has been estimated that, in the Red River Valley, an additional 70,000 acres of beets would mean an addtional gross income to that area of over $10 million annually.

A legitimate question at this point would be whether or not the farmers are ready and capable of growing additional beets. Let me cite some facts pertaining to the Red River Valley to substantiate my contention that they emphatically are. These figures are taken from a statement in the CONGRESSIONAL RECORD of July 27, 1959, by Congressman ODIN LANGEN, in which he put forward substantially the same points as today.

The valley now has three processing plants located at East Grand Forks, Moorhead, and Crookston, which accommodate the production of over 90,000 acres. These 90,000 acres, located in northwestern Minnesota and northeastern North Dakota, mean a gross average annual income of well over $13 million. However, this is only a small part of the potential for expanded production of sugar beets, as is so clearly indicated by the continuous desire on the part of farm people in the area to raise additional beets. During the last year there were 715 actual signed applications requesting beet acreages totaling 44,916 acres. Of these requests, under present limitations, it was only possible to grant an acreage of 460 acres to 18 new growers. This means that 99 out of every 100 applications had to be turned down. There might well have been requests for an additional 30,000 acres but for the fact that so many of the farmers felt that it would be only a futile effort to complete the applications. There is, as well, a great desire on the part of farmers now producing beets that they might be permitted to expand their acres. For, during the past years, they have experienced reductions in their sugar beet acreage allotments. It is somewhat difficult for the farmers to understand this curtailment in the production of a crop in which we, in the continental United States, produce only 30 percent of our need.

Farmers and farming areas are ready for increased sugar acreage in another way. The Red River Valley, for example, has, in abundant quantities, all the necessary ingredients for successful sugar beet production—fertile soil, favorable climatic conditions, and the necessary labor.

I have called the above to the attention of the House in order that the domestic considerations involved in the extension of the Sugar Act may not be forgotten. Taken together with the international situation, they form the basis from which our debate should proceed.

I respectfully request favorable consideration of the legislation which Congressman LANGEN and myself today proposed.

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES IS NONPARTISAN

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, on Monday afternoon, February 1, the day prior to the opening of the current hearings of the House Committee on Un-American Activities on current Communist youth activities, I was called on by two young men, Leonard West and Austin Spencer, who identified themselves as students at Oberlin College, Oberlin, Ohio. They carried with them a letter, which I include, signed by Nelson Burstein, who purported to write for "the executive committee of the Young Republican Club of Oberlin College."

At the opening of today's hearing of the House Committee on Un-American Activities, I asked and received permission as a member of the committee to incorporate this letter in the record of the current hearings.

At the same time, I stated for the committee hearings record that, in addition to discussing various other points made in the letter with the two students, I stated to them during the interview in my office, in most positive terms, that the House Committee on Un-American Activities does not operate on partisan political lines; that, for the purposes of the committee's work, there are neither Republicans nor Democrats on the committee, and that the members of the committee are engaged in carrying out the mandate imposed upon it by the U.S. House of Representatives.

I, of course, do not question the right of Mr. Burstein to address this letter to me or the right of the two students to call on me to discuss the work of the committee or the purposes of the current hearings.

On the other hand, I do, indeed, sharply challenge the position taken in the letter on many points and I would be gravely concerned at the type of sadly confused position reflected in this letter whether it was purportedly offered in behalf of the executive committee of either a young Republican or young Democratic club.

OBERLIN COLLEGE
YOUNG REPUBLICAN CLUB,
Oberlin, Ohio, January 30, 1960.

Congressman AUGUST E. JOHANSEN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN JOHANSEN: On Tuesday, February 2, the House Un-American Activities Committee opens an inquiry into American student participation at the Vienna Youth Festival. The student council of Oberlin College has voted to send a delegation of seven students to Washington to observe the hearings and to collect pertinent information on the issues involved. We will not resist the holding of the hearings since we believe that American college students have nothing to hide from such an inquiry. Our concern is that the inquiry should attempt to discover the facts involved and that it will not develop into a massive investigation into American youth and the academic community with the resultant confusion and loss of perspective.

We understand that the inquiry is being held under the investigation of particular Democratic Congressmen. We feel the Republican Party can earn the admiration and thanks of the academic community if the four Republican members of the House Un-American Activities Committee make a strong public attempt to insure that the hearings should be fair to all those questioned and should be addressed to the point and not become a general indictment of American youth.

We believe here is the opportunity for the Republican Party to correct many of the misunderstandings that exist between itself and the intellectuals. We would appreciate your keeping us informed on the progress of the hearings and also having your comments.

Sincerely yours,

NELSON BURSTEIN,
For the Executive Committee of the Young Republican Club.

INCREASE IN PARCEL POST RATES

Mrs. WEIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. WEIS. Mr. Speaker, on November 17, 1959, the Interstate Commerce Commission approved a parcel post rate increase which had been requested by the Postmaster General. The effective date of this rate increase was announced as February 1, 1960, in the Federal Register, on November 25, 1959.

This increase in parcel post rates, which amounts to nearly 23 percent in the case of mail-order nurserymen, will work a serious hardship on all nurseries in this country using parcel post for the distribution of their commodities. Due to the highly seasonal character of nursery products, they must be mailed to the consumer during February, March, April, and May. The mail-order nursery industry develops its catalogs during the early summer months and mails them to prospective consumers for the most part, early in the fall, preceding the

spring shipping season. Last year, 111 nurseries, which participated in a survey, reported mailing some 56 million catalogs and flyers to prospective consumers. Prices quoted in nearly all of these catalogs are based on a delivered cost to the customer, including the cost of mailing. Because of this custom of doing business, mail-order nursery farmers now find themselves in a position where they cannot pass this increase in parcel post rates on to the consumer, but rather must absorb it themselves out of expected profits on business done through the mails. Due to the very highly competitive nature of this branch of agriculture, they are unable to absorb this increased mailing cost without serious financial loss that, for many small mail-order nurserymen, will mean the difference between a profit and a loss over the year's operation, adding further to the decline in overall agricultural income. Certainly if the Postmaster General could postpone the date of this rate increase to benefit Christmas mail users, he should have no objection to a further postponement which is so important to this relatively small group of parcel post users.

In the State of New York alone, nearly 3 million mailing pieces announcing nursery products were delivered to consumers last year. One large mail-order nursery in the State of New York estimates that the increased cost of mailing will cause a loss to it alone of $65,000. A survey conducted by the Mail Order Nurserymen's Association, representing only a small fraction of the entire mail-order nursery business, indicates an expected average loss to members during the shipping season just beginning of nearly $6,000 because of increased mailing costs.

A year ago, when odd-size third-class mail rates were modified, the effective date for certain users of odd-size catalogs, including mail-order nurserymen, was postponed until May 1, 1959. This was done for much the same reason that a request is now being made to postpone the effective date of the parcel post rate increase. Mail-order nurserymen had already prepared odd-size catalogs for mailing at great expense. The effective date of the rate increase on odd-size catalogs was postponed to allow them to use their already prepared catalogs without suffering the loss they would have incurred from the increase in postal rates.

There is no way that these farmer-businessmen could have anticipated the final decision of the Interstate Commerce Commission, and the decision of the Postmaster General to put the authorized increase in parcel post rates into effect at such an early date. Had they been able to do so, there is no doubt that they would have taken increased mailing rates into consideration in developing their catalog prices. These relatively small businesses do not operate on a very great margin of profit. The cost of nursery products has not risen nearly as rapidly as has the cost of other consumer products over the past years of inflation. All of the nurseries affected by this parcel post rate increase will suffer losses which they should not be subjected to. They are old and regular customers of the parcel post service, and ask nothing more than the opportunity to do business at a profit in a situation over which they have no control.

The bill which I have introduced today will put off the effective date of the parcel post rate increase as it pertains to live plants, trees, shrubs, and other nursery products until July 1, 1960, thereby giving relief to this branch of agriculture which is faced with the unique problem of fulfilling orders based on unadjustable prices published before the parcel post rate increase was announced.

ONE HUNDREDTH ANNIVERSARY OF JEWISH INVOCATION IN THE HOUSE

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, I, too, want to pay my tribute to Rev. Bernard Braskamp upon the 10th anniversary of his becoming Chaplain of the House. He has conducted himself according to the highest traditions of the House and has handled his office with extreme courtesy and friendliness. Yesterday was an example of the manner in which he has given recognition to members of all religions, and he cooperated entirely in making yesterday, which was a day of unique historical significance, one which will be remembered.

Mr. Speaker, yesterday was a day of unique historical significance in this House. Exactly 100 years ago on February 1, 1860, Dr. Morris J. Raphall, then rabbi of Congregation B'nai Jeshurun of New York City, offered the opening prayer for the session for that day in the House of Representatives. It was the first time in the history of the Congress that a member of the Jewish faith had delivered the invocation.

Yesterday, 100 years later, it is most fitting and proper that the event should be noted and celebrated by a repetition of the ceremony by one who bears the same relationship to Congregation B'nai Jeshurun as Rabbi Raphall did a century ago. Accordingly, the invocation was offered by the very distinguished rabbi of Congregation B'nai Jeshurun, Dr. Israel Goldstein, whose message was a most inspiring one.

A century has rolled by since Dr. Raphall spoke in this Chamber. During the years, our country has been torn by wars, by depressions, by other catastrophes, but it has come through them all and has moved to a pinnacle as the greatest and most powerful nation in the world's history. But what is most important is that during the decades, as our Nation surged to its peak of temporal might, the United States has never lost sight of the great fundamental verities of spirit which our Founding Fathers gave to the world as the basis upon which men might govern each other.

Dr. Goldstein's appearance, coming at a time when bigotry and religious intolerance have manifested themselves in many quarters of the world, had additional special significance, in giving dramatic proof to the hatemongers and other human fringe of the eternal nature of the truths we hold to be self-evident that all men are created equal, that they have the right to think freely and to speak their thoughts freely, and to worship God in their own way.

Mr. Speaker, I attach a copy of Dr. Raphall's invocation:

INVOCATION OFFERED BY DR. MORRIS J. RAPHALL OF CONGREGATION B'NAI JESHURUN ON FEBRUARY 1, 1860

Almighty and Merciful God, we approach Thee this day to thank Thee for Thy past mercies, and humbly to beseech Thee to continue and extend the same to Thy servants, the Representatives of the United States in Congress assembled.

Lord! Great and manifold have been Thy bounties to this highly favored land; heartfelt and sincere are our thanks. While the vast despotisms of Asia are crumbling into dust, and the effete monarchies of the Old World can barely sustain themselves by yielding to the pressure of the spirit of the age, it has been Thy gracious will that on this Western Continent a commonwealth should be established after the model which Thou, Thyself, didst bestow upon the tribes of Israel, in their best and purest times. The Constitution and institutions of this Republic prove to the world, that men created in Thine image and obedient to Thy precepts are not only capable—fully capable of self-government, but that they know best how to combine civil liberty with ready obedience to the laws—religious liberty with warm zeal for religion—absolute general equality with sincere respect for individual rights. In the acquiring and carrying out of these most wise institutions, Thy protection was signally manifest. It was Thy right hand that shielded the founders of this Commonwealth during the long and perilous struggle of right against might. It was Thy wisdom that inspired them when they established this Congress to be that which Thy holy Tabernacle with the Urim and Thummin, "Light and equity," had been to the Commonwealth of Israel; the heart of the entire Nation, where the wants, the wishes, the feelings of all should become known to, and respected by, all, so that union should create strength, and concord keep pace with prosperity, Lord! The ordinary lifetime of a man has barely elapsed since this Constitution came into force, and under its auspices our country, from feeble and poor, is become wealthy and powerful. Already it takes rank with the mightiest, and Thou wilt realize unto it Thy gracious promise to Thy chosen people: "The Lord will distinguish thee for that which is good!"

Supreme Ruler of the Universe, many days and many weeks have gone by since Thy servants, our Representatives, first met in this Congress; but not yet have they been able to organize their House. Thou who makest peace in Thy high heavens, direct their minds this day that they may, with one consent, choose the man who, without fear and without favor, is to preside over their assembly. To this intent, endow them, Father most gracious, with Thy Spirit—"the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and of the fear of the Lord." Let Thy grace guide them, so that amidst the din of conflicting interests and opinions, they may each of them and all of them hold the even tenor of their way—the way of moderation and of equity—that they may speak and act and legislate for Thy glory and for the

happiness of our country; so that from North and from South, from East and from West, one feeling of satisfaction may attend their labors, while all the people of the land joyfully repeat the words of Thy psalmist: "Lo, how good and how pleasant it is for brethren to dwell together in unity."

Lord God of Abraham, of Isaac, and of Jacob, I, Thy servant, beseech Thee bless these our Representatives, even as Thou didst direct Thy priests to bless Thy people, saying "May the Lord bless you and preserve you; may the Lord cause his countenance to shine upon you, and be gracious unto you; may the Lord raise his countenance unto you, and grant you peace."

May this blessing of the One who liveth and reigneth forever, rest upon your councils and yourselves this day and evermore. Amen.

SUGAR BEET PRODUCTION

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, the gentleman from North Dakota, Congressman DON SHORT, and myself have today proposed identical bills which will amend the Sugar Act of 1948, as amended. It will amend the act so as to provide American sugar beet farmers with a permanent increase of 150,000 tons in their quota, increase mainland cane quotas by 50,000 tons, and reserve the annual increases in consumption to domestic areas. It will extend the act for 2 years.

Since everyone in this body is aware of the international considerations of the Sugar Act and its extension, I will not dwell upon these here. I should instead like to call to the attention of the House what the bills which we have today introduced would mean to one agricultural area of our Nation—the Red River Valley of Minnesota and North Dakota. I am sure that what I herein present is equally applicable to other domestic beet-growing areas.

The seriousness of our agricultural problem is apparent to all of us. Operating costs to the farmer and Government expense in the farm program are high, farm income is low, and no solution to this dilemma has as yet been forthcoming.

There is no doubt in my mind that increased sugar beet acreage would provide a major breakthrough toward the solution of this problem. It would provide a badly needed increase in income to farmers. It would bolster the economy of our agricultural towns—towns which, along with the farmers, have felt the effects of a weakened agricultural economy. It would provide increased job opportunities. It has the potential of reducing the production of other crops which presently are in surplus and are depressing the markets. It would, as a row crop, play a real role in the control of weeds, as well as adding a great deal to the diversity of farming.

The economic effect of increased sugar beet acreage can be dramatized by an example. It has been estimated that, in the Red River Valley, an additional 70,000 acres of beets would mean an additional gross income to that area of over $10 million annually.

A legitimate question at this point would be whether or not the farmers are ready and capable of growing additional beets. Let me cite some facts pertaining to the Red River Valley to substantiate my contention that they emphatically are. These facts are taken from my statement in the CONGRESSIONAL RECORD of July 27, 1959, in which I put forward substantially the same points as today.

The valley now has three processing plants located at East Grand Forks, Moorhead, and Crookston, which accommodate the production of over 90,000 acres. These 90,000 acres, located in northwestern Minnesota and northeastern North Dakota, mean a gross average annual income of well over $13 million. However, this is only a small part of the potential for expanded production of sugar beets, as is so clearly indicated by the continuous desire on the part of farm people in the area to raise additional beets. During the last year there were 715 actual signed applications requesting beet acreages totaling 44,916 acres. Of these requests, under present limitations, it was only possible to grant an acreage of 460 acres to 18 new growers. This means that 99 out of every 100 applications had to be turned down. There might well have been requests for an additional 30,000 acres but for the fact that so many of the farmers felt that it would be only a futile effort to complete the applications. There is, as well, a great desire on the part of farmers now producing beets that they might be permitted to expand their acres. For, during the past years they have experienced reductions in their sugar beet acreage allotments. It is somewhat difficult for the farmers to understand this curtailment in the production of a crop in which we, in the continental United States, produce only 30 percent of our needs.

Early reports which have reached our office this year indicate much the same response. In Minnesota's Kittson County, 152 new growers have applied for a total of 12,085 acres, and in Wilkin County, also in Minnesota, 126 new growers have applied for 11,084 acres.

These conditions prevail, I am sure, in other domestic beet growing areas.

Farmers and farming areas are ready for increased sugar acreage in another way. The Red River Valley, for example, has, in abundant quantities, all the necesasry ingredients for successful sugar beet production—fertile soil, favorable climatic conditions, and the necessary labor.

I have called the above to the attention of the House in order that the domestic considerations involved in the extension of the Sugar Act may not be forgotten. Taken together with the international situation, they form the basis from which our debate should proceed.

I respectfully request favorable consideration of the legislation which Congressman SHORT and myself today proposed.

TWO HUNDRED YEARS OF THE AMERICAN WOOL TEXTILE INDUSTRY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the requset of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, this year, 1960, we celebrate a landmark in the history of textiles, the 200th anniversary of the American wool textile industry. The story of textiles is the story of mankind. We do not know when wool was first spun and woven into cloth. But long before the time of recorded history, woolen fabrics were made by the Swiss lake dwellers. Garments made of wool fabrics were worn by the Babylonians as early as 4000 B.C. Joseph's "coat of many colors," mentioned in the Bible, was said to be made of wool.

Skipping many, many centuries of world history, we come to more modern times. During the years of lusty growth of the 13 American Colonies, England was the world's leading wool textile manufacturer. And that was the basis for much conflict. The mother country, pursuing a policy of industrialization on the home front, attempted to thwart any development of industry in the Colonies. Strict mercantilism was the rule; the Colonies were looked upon as sources of raw materials for the mother country, markets for goods of English manufacture. This two-way trade served to enrich the coffers of enterprising English industrialists, as well as the entire island economy.

Attempts at colonial manufacture of woolen textiles and other products sowed the seeds of ferment in young America. The manufacture of woolen cloth was literally one of the foundation stones of our American Nation.

As early as 1699, the English Parliament passed an act forbidding exportation of wool and woolen manufactures from any colony in which such goods were produced. Nevertheless, by 1760, the beginnnigs of woolen textile manufacture, centered in New England, were well under way. It was the attempt by England to stifle independent industry and commerce that led in large measure to sounding the tocsin for liberty.

Then, as now, the woolen industry was a right arm of American fighting forces. It was during the American Revolution that woolen manufacture received its first great impetus for expansion. Cut off from imports, the patriots were hard pressed for warm clothing.

A few years after the successful conclusion of the War for Independence, Arthur Scholfield introduced factory manufacture of woolen yard at Byfield, Mass. The year was 1794. These endeavors formed the beginning of the industrial revolution in this country.

In 1801 Merino sheep, producers of some of the finest wool in the world, were imported into the United States from Spain and France. This strain helped to improve domestic sheep. By 1810, around 24 woolen mills were operating in New England and nearby States.

About this time, the manufacture of wool carpets and rugs began. Since then, the fame of these American products has spread throughout the world.

After 1830, improvements in machinery, the development of transportation, and growth of cities stimulated further growth of wool manufacture.

Then came the Civil War. Once again the clash of arms brought in its wake a tremendous impetus for vast expansion of the industrial machine. Demand for uniforms, overcoats, woolen caps, mittens, and blankets stepped up woolen manufacture to previously unheard of heights.

Following the civil strife of the 1860's came the great push westward. The country was fairly dizzy with railroad building, construction of factories, and new cities. Woolen manufacture kept pace with the times, increasing to such an extent that before 1900 the industry was providing more than 90 percent of domestic requirements.

The horizons of history are dotted with wars. The 20th century has proved no exception, and during both world conflagrations which have occurred within the lifetime of many of us, the wool industry was a necessary adjunct to the war efforts. During World War II, the textile industry as a whole furnished 10,000 different items from uniforms to blankets and helmet liners.

We have seen the woolen textile industry grow to a giant among all American fields of enterprise. In recent years, like all branches of textile manufacture, woolens have been challenged by synthetic fibers.

But wool has met the competition from synthetics perhaps more successfully than most other natural fibers. There is an old maxim, "If you can't beat them, join them." Many wool textile manufacturers have done just that. Formerly utilizing natural fibers exclusively, they are now producing fabrics of mixtures of wool and dacron, wool and nylon, and other combinations. Fabrics of pure wool and wool used in combination with synthetics now have many consumer-desired properties, such as nonshrinkability, permanent pleating, crushproofing, mothproofing, and showerproofing. These are truly wonder materials.

Today the manufacture of woolen goods, including fabrics for clothing, blankets, upholstery, industrial materials, and carpets, is a multi-billion-dollar business. In 1957, the latest year for which data are available, the value of shipments of all woolen fabrics and carpeting amounted to nearly 1.2 billion and in 1958 the payroll of the woolen goods industry totaled almost $375 million.

We must not forget that the economic ramifications of woolen textile manufacture extend far beyond the borders of the industry itself. Large expenditures upon machinery are required. Such investments total hundreds of millions of dollars annually. The woolen textile industry has become a huge customer of the chemical industry, source of synthetic fiber materials. Woolen textile manufacture also requires hundreds of millions of dollars worth of fuel, power, transportation, paper products, electrical supplies, hardware, and packing materials.

Even as wool manufacture was a vital part of the economy during the early days of our Republic, so is it today. All industries today are characterized by constant technological changes. Woolen textile production has always kept pace with new developments. Excellence of manufacture, plus ingenious new materials of wool and wool in combination with other fibers, I know, will insure the continued importance of woolen textiles for the unforeseen future.

It is proper that the contributions of those engaged in the American wool textile industry, past and present, be recognized on the occasion of the 200th anniversary of the establishment in America and in our hemisphere of this important business, which has contributed so much to the building and progress of our country.

WORKER PARTICIPATION IN BUSINESS MANAGEMENT

Mr. TELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, the time has come when we ought to take systematic cognizance of a developing worldwide movement in union-management relations which is bound to have ramifications in our country and may take inappropriate forms here unless it is properly understood and its implications analyzed. I refer to the subject of worker participation in management functions. I have preoccupied myself with the many ramifications of this development for many years. My book entitled "Management Functions Under Collective Bargaining" published in 1947 dealt with some of these ramifications.

In recent years additional importance has been given to the subject by the increasingly expressed view that, particularly in large business units, union representatives should participate with management in the actual operation of the business enterprise. Intensified automation and its effects on employment, evidenced in the recently concluded steel strike, will undoubtedly lend additional force to this view.

Billions of dollars of pension and welfare trust funds exist in this country as a result of collective bargaining. Some of these trust funds are administered solely by unions, others established after the passage of the Taft-Hartley Act are jointly administered by employers and unions. The investment of these funds in the common stocks of American corporations may have vast repercussions in the way in which management is exercised, particularly if the investors decide to exercise a participating hand in the operation of the business.

A measure of experience with worker participation in management functions in private industry which may perhaps be helpful to the American people exists in the limited form of codeterminism adopted in France and known as "comites d' enterprise," and in the more-developed recently adopted system of codeterminism in the privately owned iron, coal, and steel industries in Western Germany, whereby unions are given equal representation on company boards of directors. In the nationalized industries of Great Britain and France there also exists a reservoir of actual experience of importance to our country in its evaluation of the efficiency of our free-enterprise system.

I am as passionate a believer in our system of free private enterprise as I am dedicated to the importance of maintaining and strengthening our free private system of collective bargaining. My recent visit in France and Germany, made primarily to study codeterminism and the general problem of worker participation in management functions, has strengthened these beliefs and has given additional vigor to my views regarding our free private collective-bargaining system.

Both in France and Germany I met with union leaders, outstanding businessmen, and officers of employer associations, and I probed into the actual workings of industrial relations in these countries. I have concluded from these investigations that our way of doing things in the field of union-management relations is more conducive to the survival of free institutions and the steady improvement of our living standards. Because European experiences in worker participation in management, particularly codeterminism as it is practiced in Germany, are often adverted to as examples of practices which ought to be followed in this country, I think the Congress will be interested in the reasons which prompt my conclusion.

Worker participation in management functions has a number of facets, ranging from limited cooperative plans to improve production such as we had in this country during World War II, continuing through the European Works Councils, and reaching an apex in the West German system of codetermination. I shall go into these and other types of plans, both here and abroad, but before doing so I think it is important to make the point that no single facet of union-management relations in a given country can be evaluated intelligently unless it is related to the many other facets of the overall industrial relations system of that country. We may take both France and Germany as examples, to show the inapplicability—at least in general—of what is done in those countries to the conditions which prevail here.

American unions owe their strength to a preference for private collective bargaining gains on a plant-by-plant basis over legislation and political action. Free private ownership and management, and free private labor unions, are the cornerstones of our system of enterprise and collective bargaining. These generalizations remain substantially valid despite the Federal and State

statutes which favor the growth of unions, and the recently enacted Federal labor-management reform law which establishes certain standards governing the internal affairs of labor unions. We do not have a national Labor Party.

In my view the Wagner Act's election procedures for designating union representatives, the concept of the exclusive representative in plant bargaining, and the union shop arrangement form the bases for the strength as well as the stability of American union-management relations.

These characteristics are absent from European labor relations, and to their absence we may attribute much of the weakness in the fabric of their collective bargaining, though of course the terrible ravages of World War II and the persistent strength of communism are important contributing factors.

My personal observations and discussions with union leaders and management representatives in France lead me to believe that the labor movement in that country is weak, and that the weaknesses of the French labor movement derive from five main causes: First, the absence of private collective bargaining on a plant basis; bargaining takes place on a multi-employer level; second, the absence of the exclusive bargaining representative concept; unions have a shockingly confusing type of proportional representation in the same bargaining unit; third, the absence of any union shop arrangement and the haphazard enforcement of union dues; fourth, internal conflict, particularly the conflict with Communist-led unions which claim the allegiance of about one-half of the 2.5 million union members in France; fifth, the excessive reliance on legislation for worker gains as to matters which are left to private collective bargaining in this country.

Except for the factor of communism in labor unions which is outlawed, West German labor relations demonstrate substantially the same weaknesses.

Social security legislation exists in France as it does in our country, but privately negotiated pension plans are relatively unknown. And France goes far beyond America in providing by law a system of compulsory health insurance under which the Government pays about 80 percent of the cost of medical services of the employee and his family. Privately negotiated health insurance plans are therefore unnecessary, at all events not generally practiced. The scheme of unemployment insurance is also Government sponsored; payments are based on need rather than as a matter of right. Recently, however, limited supplementary unemployment insurance has been provided by collective bargaining, financed by employers. Three weeks' annual vacation is provided by law. France has a regionally adjusted national minimum wage law of about 31 cents an hour, with overtime of 1¼ after 40 hours, and 1½ after 48 hours. The national minimum wage is the actual wage except for the more highly skilled workers in heavy industry, who receive only slightly more than the minimum wage.

There is, in other words, a substantially greater reliance on social legislation in France than in the United States. France has no equivalent of our Wagner or Taft-Hartley Acts. Paradoxically, then, in our country a greater degree of reliance is placed on legislation to encourage the existence and growth of free private unions and private collective bargaining, where in France the reliance is on social legislation which has the effect of reducing the role of unions in securing worker benefits. The man on the street in France, with whom I spoke—for example, taxi drivers, workers in plants—has little regard for the effectiveness of French labor unions. "They don't amount to anything," one man stated. "They are so busy with politics they have no time for their members." I feel dutybound to report this, yet I believe that such expressions have to be equated with the valiant efforts of the French people to reestablish their greatness. But France will not fully realize its capabilities unless it, first, turns away from nationalization of its industry; second, roots out Communist domination of its labor unions; and, third, establishes vigorous free private collective bargaining, which is the indispensable condition of an effective labor movement.

West Germany's unions have in despair forsaken politics, but the massive traditional reliance on social legislation has left little for private collective bargaining. Social security, health insurance, vacations and holidays are mandated and fixed by law, but Germany unlike France has no national minimum wage law. Wage rates are reserved for private bargaining. In Germany, as in France, there is no plant-by-plant bargaining. Administration of nationally or regionally negotiated agreements are given over to plant works councils, which operate independently of the unions. Union membership is voluntary, and apparently the main motive for joining a union is to secure its help in the event of difficulty with the employer—for example, wrongful discharge—which the employee desires to remedy in the tripartite labor court.

I found in West Germany, particularly among union leaders, an attitude of contrition—a belief among trade unionists that they did not do all they could have done to protect democratic Germany from nazism. The forsaking of politics is perhaps due partly to this belief. Both union spokesmen and management representatives seem doggedly in pursuit of uninterrupted production, partly for fear of communism. The relatively strike-free postwar Germany may be an earnest of new points of view based on flexibility which have at least in part taken the place of arrogance and stiff-necked human attitudes which in the past have been identified with the German people. How pervasively genuine this new human relations concept is, only time can tell. The holocaust of World War II, and the German rapacity which was its core, is still too fresh in our minds and hearts for any completely objective forecast at this time.

Neither in France nor in West Germany is the labor union even remotely the strong private workers' representative which it is in our country. The European experiments with workers' participation in management functions do not, therefore, evidence an advanced stage of private collective bargaining but something else. This something else may be socialism, as in Great Britain. It may be a reaction to World War II. The Renault motor company was nationalized in France—the other motor companies are run by private owners—because of the collaboration by its owners with the Vichy government. Codeterminism in West Germany, on the other hand, was evolved largely to avoid nationalization of the iron, coal, and steel industries whose owners had been in sympathy with the Nazi movement.

This is the background against which I present to the Congress a survey of workers' participation in management functions in North America and Europe. There is much to be gained from increasing our understanding of this emerging participation, if we bear in mind the background against which the particular practice developed and the total scheme of union-management relations in the particular country where the practice is followed. American union leaders, looking upon the problems from the vantage point of our strong labor union movement, may take the view—as I believe most of them do—that collective bargaining between undiluted management and unions is to be preferred to the kind of worker participation in management functions evidenced by codeterminism.

I gratefully acknowledge the assistance of the Legislative Reference Service of the Library of Congress, whose researching pinpointed the areas of inquiry which I pursued in my interviews of union leaders and management representatives in France and Germany. I append, at the conclusion of my remarks, a "Selected Bibliography on Workers' Participation in Management Functions," as of July 1959, prepared by the Legislative Reference Service.

THE EMERGENCE OF WORKERS' PARTICIPATION

Workers' participation in management functions is not a new phenomenon in the development of labor-management relations. In the years following the First World War, programs to encourage greater cooperation between employers and workers in the general operation of economic enterprises were launched in many countries throughout Europe. They were an integral part of a much broader social movement which altered the character of European societies and upset old balances of power.

Workers' demands for a growing voice in industrial policy in Europe were an outgrowth of political and social philosophies which championed the rights of labor to a more influential role in the economy. Fabian socialism in Great Britain, social democracy in Scandinavia, and Marxism on the continent all envisioned full workers' control of the means of production. The increasing strength of trade unionism and of the machinery for collective bargaining enabled the labor movement to achieve at least a part of its goal—the acceptance

of limited workers' participation in management functions. This was envisioned as just the first step toward eventual complete nationalization.

Across the Atlantic in the United States, by contrast, the labor movement was not devoted to a particular political philosophy. The issues in the struggle between management and workers in the twenties and thirties in our country centered around union recognition and the achievement of an equitable living wage and decent working conditions through collective bargaining. The European practice of workers' participation through joint committees had little following and was adopted only briefly in World War II to meet the needs of the emergency. It enjoyed limited success largely because it was contrary to American traditions of labor-management relations. The infringement on management prerogatives on this continent has developed through the evolution and extension of collective bargaining.

OBJECTIVES OF WORKERS' PARTICIPATION

The central objective behind joint cooperation in most countries has been to increase industrial production and labor productivity for the joint benefit of the joint producers. Increased productivity would in turn contribute to a general improvement in the standard of living.

But there have been other incentives behind labor's demand for a greater voice in management functions. The movement has often been a reaction to what was thought to be abuses which accompany large-scale business enterprises and the relatively insignificant role the individual plays. Workers' participation, it was hoped, would give the individual worker a role and an interest in his industrial society and help to restore his self-respect and status.

In other countries, there has been a strong desire on the part of workers who lived under a Fascist dictatorship to prevent the reemergence of a totalitarian regime. They seek a place for the representatives of labor in the councils of industry to watch over the political activities of the management, who they fear might be tempted to support another disastrous Fascist movement. With a system of joint consultation, labor believes that it is in a better position to exercise a moderating influence on the employers' activities and safeguard the interests of the workers.

Some trade union advocates of developing codetermination conceive of workers' council or management committees as steppingstones to eventual full workers' control of a nation's productive capacity. In complete contrast, many employers view their gradual sharing of management functions with their employees as a compromise which will forestall, or even end, labor's strivings for socialism and syndicalism.

THE VARIED IMAGES OF JOINT COOPERATION

Joint cooperation has as many images as there are countries which have adopted it. To date, consultative machinery has been established on permanent basis in more than 30 countries around the world—Austria, Belgium, Bolivia, Bulgaria, Canada, Ceylon, Czechoslovakia, Denmark, Finland, France, the Federal German Republic, Hungary, India, Indochina, Iran, Israel, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Poland, Rumania, Spain, Sweden, the United Kingdom, the Union of Soviet Socialist Republics, and Yugoslavia. It also exists to a lesser degree in Haiti, Ireland, the Philippines, Switzerland, the Union of South Africa, and the United States.

The type and scope of this machinery, however, differ widely from country to country, depending on the political system, the past history of industrial relations, and trade union views of what the workers' role should be. Workers' participation in management functions is known as joint consultation in Great Britain, as "collaboration dans l'industrie" in Belgium and France, in Yugoslavia as workers' management, and in Germany as "mitbestimmung" or codetermination.

Workers' participation may evolve on a voluntary basis or it may be sanctioned by law. Voluntary schemes of joint consultation such as exist in the United States, Canada, and Great Britain, though they are encouraged by the central government and various national organizations, are an outgrowth of local parties adopting the concept and determining the means and the extent of their cooperation. By their voluntary nature, these schemes permit more flexibility and offer greater assurance of success.

Of course, the lines of demarcation between voluntary and statutory participation are not always clearcut. In the case of Great Britain, voluntary and statutory cooperation are practiced side by side in the country's private and nationalized industries. Though their reasons for being may be different, their actual form and activities vary slightly. In the United States the labor laws relating to collective bargaining have been influential on the trend of workers' participation by the very fact that they have failed to define specifically the issues over which participants must bargain. Thus an aggressive labor movement has extended its field of interest into new, unexplored areas in the interests of improving working conditions and employment security.

In Scandinavia, joint cooperation is based on national agreements concluded between the powerful trade unions and a highly centralized employers' association. These agreements, which were reached in an effort to avoid government interference, set the policy for the local organizations and have almost the same binding effect as law.

Most of the countries of continental Western Europe—France, Belgium, the Netherlands, Luxembourg, Germany, and Austria—provide for workers' participation at various levels of the economy by law. In most instances, legislation has been deemed necessary, because of a history of stormy labor-management relations, and to protect the community from outbreaks of serious industrial disputes. Legislation imposes uniform obligations on all undertakings and gives the machinery for cooperation permanent status. But the success of the program still depends largely on the goodwill and unity of purpose of the participants rather than on legal compulsion.

Finally, in countries with state ownership and planned economies, such as the U.S.S.R., Poland, Yugoslavia, the state through the central trade union organizations determines the status and scope of workers' participation. Workers' representatives in management councils in these countries are in reality agents of the central government, not of the local work force.

Another important difference in the forms of workers' participation practiced in the various leading industrial countries lies in the scope and competence of the joint committees. Participation can range from occasional advice to what at least in theory may be called full copartnership. The committees may fulfill a purely advisory function on questions of increasing production and productivity, as was the case during World War II in the United States and Canada. Or they may have developed into an essential link in the collective bargaining process, such as we find in Italy and Germany. Participation may go a step further and include some degree of managerial authority in social and personnel matters, with a right to be informed and consulted in other management areas, which in Europe is the most prevalent form of joint cooperation practiced today. Or participation may mean full codetermination with worker representation on the board of directors equal to that of the owners, like the system now in operation in the iron, steel, and coal industries of West Germany.

I shall now sketch in brief outline the background, structure, and scope of the various major workers' participation movements, concentrating on the leading industrial nations of North America and Europe.

VOLUNTARY SYSTEMS OF WORKERS' PARTICIPATION—THE UNITED STATES—BACKGROUND AND SCOPE

Up until the passage of the National Recovery Act in 1933, collective bargaining in the United States was largely restricted to a few industries—building trades, railroads, coal and clothing—and with the exception of the clothing industry, limited in its scope to matters of wages and hours of work. During the twenties and early thirties the issue of trade union recognition was the primary concern of both labor and management. Management sought to forestall the threat of unionism by adopting their own "employee representation plans"—company unions—which had some of the same features as workers' participation, but which were essentially paternalistic schemes.

After World War I a few scattered enterprises experimented with varying degrees of joint consultation. The first test of genuine participation was undertaken by the Baltimore & Ohio Railway in 1923. Other limited efforts were tried in several hundred firms, usually as the offshoots of collective bargaining. In addition to the Baltimore & Ohio, such firms as the Hormel Packing Co. and the Nunn-Busch Shoe Co. developed workers' participation to some degree.

But these were the exceptions, not the rule. For in the interwar period, relatively few American workers had the opportunity of sharing managerial responsibilities.

The outstanding exception to the traditional American pattern of labor-management relations occurred in the needle trades. There cooperation with employers to help them meet the competition of nonunion plants became a policy of the Amalgamated Clothing Workers as early as 1924. Following the depression of 1921 union shops were hard pressed to hold their own in the market, partly due to higher labor costs. Amalgamated stepped into the situation and adopted a 6-point program to protect its workers from the threat of unemployment:

First. The avoidance of strikes in union plants.

Second. An attempt to organize nonunion plants.

Third. Temporary wage concessions on all rates and permanent concessions on specific rates.

Fourth. Extension and enforcement of wage payment by results.

Fifth. Abandonment of restrictive rules and policies which tended to raise the operating costs of employers and were of benefit to only small parts of the union membership.

Sixth. Suggestions and direct assistance to employers with the aim of improving the design of garments, reducing cost of production, and improving quality.

Over the years Amalgamated has extended the scope of its participation in management functions to a point where it may even entail granting financial assistance to distressed manufacturers. These cooperative activities have been carried on through numerous permanent agencies established, financed, and operated jointly by the employers' associations and the unions, which have served as the backbone of the whole system. By this adoption of joint cooperation, the unions have contributed to the stabilization of conditions within the clothing market and greatly reduced nonunion competition.

Another more recent example of the extent to which labor may take an active role in management functions can be found in the experiences of the United Hatters, Cap & Millinery Workers International Union. This union has spent $6 million in the last 3 years aiding businesses within its industry. In one situation the union went further. In order to prevent the firm's liquidation and to maintain continuous employment for its members, the union purchased the controlling interest in the Merrimac Hat Co., of Amesbury, Mass. The union retained the old management to run the company because it didn't feel equipped or want to take full managerial responsibilities. But six of the nine seats on the board of directors are filled by union executives.

In a majority of American industries, labor-management relations have followed the pattern of negotiation rather than cooperation. The Wagner Act in 1935 gave impetus to union growth and to an expansion of collective bargaining. In 1933 the unions could claim approximately 3 million members, but by the end of World War II their ranks had increased to 15 million members. It was the trade unions' use of the channels of collective bargaining during the period that was largely responsible for their growth and for their increasingly powerful position within the economy. The widespread acceptance of a limited degree of cooperation during World War II was a patriotic gesture, which was never expected to achieve any permanency.

Early in the war under the initiative of the labor division of the War Production Board, a number of American firms engaging in war production were persuaded to set up joint production committees with the objective of meeting and surpassing the President's production goals. Both labor and management organizations endorsed this Government campaign. Out of the more than 20,000 enterprises contacted, 5,000, principally in the metals, mining, and shipbuilding industries, indicated they had adopted some form of joint cooperation. Many of these voluntary schemes of cooperation were nothing more than a formal acquiescence to Government policy. The committees, which did function effectively, were purely advisory, but they varied as to the scope of their activities.

The joint committees were established by agreements between the unions and the companies. Labor delegates might be elected directly by the workers, but more often they were selected by the unions. Many union leaders were skeptical about the merits of the committees. Neither management nor labor, in most cases, were sufficiently enthusiastic about the results of the joint production committees to urge their continuation after the end of the war. They preferred to rely solely on collective bargaining. With this prevalent attitude, it is not surprising that only 5 to 10 percent of the committees continued to function into the postwar era.

It must not be assumed from the generally limited impact and the short duration of the joint production committees that they failed to make a solid contribution to the development of successful workers' participation in management functions. When they were established, they had only certain set objectives. They were not set up to tackle the basic economic issues nor to assist management in its functions of engineering, sales, or finance. In their area of responsibility—production and personnel—many of the joint committees achieved considerable results. Though it is almost impossible to measure these results in terms of man-hours saved, lower per unit costs, production output, or reductions in absenteeism and accidents, many committees were important contributors to our remarkable wartime records. With few exceptions, the committees did not attempt to duplicate bargaining machinery. They agreed that their purpose was to increase war production, not to handle grievances. They must also be given partial credit for the general improvement in labor-management relations, after the violence of the 1930's. A majority of those committees which continued to function in the postwar era were in industries where joint cooperation had been practiced before the war.

AMERICAN LABOR'S AND MANAGEMENT'S ATTITUDE TOWARD WORKERS' PARTICIPATION

The concept of joint consultation has not generally been accepted in the United States. The reason for this and for the inherent weakness of the wartime joint committees lies in the attitudes both management and labor have toward growing worker participation. Most employers view labor's increasing penetration of management functions as a serious threat to their continued success and to the philosophy of free enterprise.

At the post World War II labor-management conference called by the President of the United States in November 1945, with the object of working out a modus vivendi for labor-management harmony, the employers' representatives submitted a list of functions and responsibilities which, in their opinion, should not be invaded by the unions:

1. The determination of products to be manufactured or services to be rendered to customers by the enterprise; and the location of the business, including the establishment of new units and the relocation or closing of old units. When it becomes necessary to relocate a unit, or close an old unit, or transfer major operations between plants, management should give careful consideration to the impact of such moves on the employees involved and discuss with them or their accredited representatives possible solutions for the resulting problems.

2. The determination of the layout and equipment to be used in the business; the processes, techniques, methods, and means of manufacture and distribution; the materials to be used (subject to proper health and safety measures where dangerous materials are utilized) and the size and character of inventories.

3. The determination of financial policies; general accounting procedures—particularly the internal accounting necessary to make reports to the owners of the business and to government bodies requiring financial reports; prices of goods sold or services rendered to customers; and customer relations.

4. The determination of the management organization of each producing or distributing unit; and the selection of employees for promotion to supervisory and other managerial positions.

5. The determination of job content (this refers to establishing the duties required in the performance of any given job and not to wages); the determination of the size of the work force; the allocation and assignment of work to workers; the determination of policies affecting the selection of employees; establishment of quality standards and judgment of workmanship required; and the maintenance of discipline and control and use of the plant property; the scheduling of operations and the number of shifts.

6. The determination of safety, health, and property protection measures, where legal responsibility of the employer is involved.

The labor members of the committee were unwilling to accept this list of exclusive management functions. Though they recognized the fact that "the functions and responsibilities of management must be preserved if business and indus-

try are to be efficient, progressive, and provide more goods," they emphasized that:

> It would be extremely unwise to build a fence around the rights and responsibilities of management on the one hand and the unions on the other. The experience of many years shows that with the growth of mutual understanding the responsibilities of one of the parties today may well become the joint responsibility of both parties tomorrow.
>
> We cannot have one sharply delimited area designated as management prerogatives and another equally sharply defined area of union prerogatives without either side constantly attempting to invade the forbidden territory, thus creating much unnecessary strife.

When labor unions were engaged in fighting for the right to exist, they were content to bargain over basic conditions of employment, such as wages, hours, and related employment benefits. The very securing of a collective bargaining agreement was regarded as a triumph. In recent years, however, collective bargaining has taken on a broader base, has reached out to new areas of interest. Labor unions have sought an expanding voice in the management of industry, particularly related to its efficient operations.

America's trade union leaders have been willing, or even desirous, of achieving the goals of worker participation through an expansion of collective bargaining rather than through joint management, in contrast to their European counterparts. They have been reluctant to associate themselves too closely with the responsibilities of managerial decision making. These leaders have felt that the retention of their independence depended on their remaining outside the managerial structure. Many American unionists have criticized their West German counterparts for taking positions of responsibility in management under codetermination and curtailing their usefulness as labor spokesmen without gaining a commensurate amount of managerial authority.

History provides the answer to the question why joint consultation has had such limited success and evoked so little interest among the ranks of American labor. The United States has been relatively free of the bitter class struggles which have impaired labor-management relations in other parts of the world. American trade unions have therefore traditionally not embraced radical social and economic doctrines, such as syndicalism or socialism. The labor movement has been content to accept and to work within the concept of capitalism and the free-enterprise system. The association of unions in the conduct of undertakings has been developed on a pragmatic basis, not on ideological grounds. A union sometimes seeks access to company financial information not with the intention of ousting the management, but rather with the desire to ascertain whether the company can feasibly grant wage increases. Too, the progressive attitude of many employers has reduced the pressure for labor to gain a position of influence in the councils of management.

Through the channels of private bargaining, American organized labor has achieved many of the same goals that its colleagues abroad have obtained through various forms of joint management or through legislation. Unions have not sought a voice in the raising of capital or in decisions on capital structure, but they have been occasionally interested in an undertaking's ability to pay higher wages from profits and their leaders have engaged in propaganda against unusual expenditures or depreciation charges which might cut into labor's potential share of the profits. Labor has become more influential in production decisions relating to job content and production rates. In distribution, it has been concerned with such things as regulating the flow of the market to eliminate seasonal fluctuations and temporary layoffs.

CANADA

Canada's experiences with voluntary labor-management cooperation were similar to those of the United States until the end of World War II. The principal efforts to foster joint consultation occurred during the wartime emergency. Approximately 631 joint production committees covering some 250,000 workers were established in that period. But unlike their neighbors to the south, the Canadian committees survived after the war. As a matter of fact, their number has actually increased due to the active, enthusiastic promotion by the government, the trade unions, and the employers' associations.

Usually the joint committees have equal representation of management and labor, serve in a purely advisory capacity, and handle such matters as improving production methods, absenteeism, and employee safety and hygiene. The committees have developed into important means of communication between the workers and management, outside the channels of collective bargaining. The success of joint cooperation has varied from place to place, but both sides have generally been satisfied with its results.

GREAT BRITAIN'S PRIVATE INDUSTRY BACKGROUND

In Britain trade unionism and recognized collective bargaining had a much earlier beginning than they did in the New World. By 1906 with the passage of the Trade Disputes Act all legal obstacles hampering the collective bargaining activities of trade unions were swept away. By 1913 total trade union membership had grown to over 4 millions. Britain's union movement and the advancement of its programs had the wholehearted support of the Fabian Socialists, who were becoming an increasingly powerful force on the political scene. The Fabians envisioned eventual full workers' control of the means of British production. Though they have since compromised on a less ambitious objective, before World War I they were in the forefront of the advocates of greater workers' participation.

The shop steward's movement of the pre-World War I era was the precursor of prior consultation in Great Britain. The rapid expansion of this movement and growing demands for full workers' control caused the Government to set up, in 1917, a committee of inquiry on the "relations between employers and employed," chaired by a later Speaker of the House of Commons, Mr. J. H. Whitley. The Whitley committee recommended the establishment in each industry of voluntary joint organizations representative of both employers and workers at the national, district, and enterprise levels, for the purpose of promoting industrial harmony and discussing mutual problems. Each industry or each local group would adopt its own constitution and definite functions. The joint industrial or Whitley councils, as the joint organizations became known, were to be free from government interference. Their scope was not to be restricted to wages and working conditions, but rather it was to include a wide range of matters falling outside the traditional field of collective bargaining, such as improvements in production methods, technical education and training, the organization of work, and legislation affecting the industry.

Both labor and management received the Whitley proposals coolly. Though they did not actually oppose the inauguration of the councils, they were very skeptical of their value in the rough and tumble of industrial relations of the period. However, in the 3 years following the war 73 joint industrial councils and 33 interim industrial reconstruction committees were formed, with about 1,000 local works committees under them. Many of these failed to survive the postwar slump, and of those that did, a majority were later scuttled during the general strike of 1926. The difficulty in distinguishing between the areas of consultation and negotiation created serious jurisdictional rivalries and tended to curtail the effectiveness of the committees.

Despite their initial limited success, the Whitley councils were influential on subsequent developments in the field of workers' participation. They set the pattern for the joint production committees created during World War II.

In 1940 the Minister of Labor, Ernest Bevin, called for the establishment of joint production committees as a part of the wartime industrial mobilization. Though the formation of the committees was on a voluntary basis and the government could only direct state enterprises to comply, the practice soon spread through many of the essential industries. By 1946, 111 industries had joint industrial councils. From the national level down to the enterprise British labor and its trade union leadership played an important role in formulating wartime industrial policy.

Despite the Government's continued advocacy of joint consultation and the election of a Labor government in Britain, many joint production committees were abandoned after the war. However, by 1950, as a result of persistent promotion efforts by various government agencies, over half the workers in 54 main industries were covered by joint consultation and 130 industries had joint industrial councils.

THE STRUCTURE AND SCOPE OF JOINT CONSULTATION

The machinery for joint consultation that has evolved in the postwar era differs from industry to industry. There is no uniformity because of the voluntary character of the program as it applies to private industry. In the nationalized industries the procedures for workers' participation are regulated by specific laws. These I shall speak about shortly. However, in most cases, the areas of negotiation and consultation have been carefully segregated, in contrast to the interwar period. Due to the sprawling, overlapping makeup of the British trade union movement and the multiplicity of representative organizations of labor—over 700 unions—and management, the committees have had to be large to be inclusive. Workers' delegations are normally elected by a secret ballot on a basis of department, job classification, or trade union membership representation. A spokesman for management usually serves as chairman, and the meetings follow formal procedures with agendas and minutes.

There has been a wide latitude in the subject matter brought up for discussion, though the committees generally steer clear of areas in the normal scope of collective bargaining. Health, welfare, safety, education, and other social and personnel problems have been primary concerns, but they are not all-inclusive. Typically, the workers have demonstrated little interest in production problems. The questions which are considered to be within the committee's competence depend largely upon the structure of the system as it has been adopted. Neither side has shown an inclination to jeopardize managerial responsibility or union independence, so they have confined their deliberations to matters where there exists a unity of interest. Consultation has been most successful where management has welcomed and utilized its workers' advice.

THE ATTITUDE OF THE BRITISH TRADE UNIONS

Much like their American counterparts, the dominating right wing of the British trade union leaders has shied away from direct participation in management functions. It wants the company executives to make the decisions and have the final responsibility. The Trade Union Congress—TUC—favors labor's exercising of influence, but not jeopardizing its gains by assuming a full role in managerial functions—that is, codetermination. The inclusion of trade unionists in the ranks of management, it is reasoned would pose a serious threat to the trade union movement, because of the incompatibility of the two roles and the resulting divided loyalties. The TUC supports the practice of modified joint consultation as it exists today. But it has resisted attempts by segments of its membership to alter the voluntary and advisory status of the consultative machinery, and it has sought to keep the committees out of the areas of collective bargaining.

The TUC and its affiliates have made an all-out effort to make joint consultation work. They have set up programs to orient their members to the values and advantages of this new phase of industrial relations. Labor delegates on the committees have had to be prepared to handle new types of responsibilities. But hard as they have tried, the union leaders have failed to kindle any real worker enthusiasm for the consultative process.

JOINT CONSULTATIONS' SUCCESS TO DATE

In Great Britain the success of workers' participation in private industry has been closely tied to two outside factors—the existence either of a national crisis—a war—or of economic prosperity. The joint committees, faced with an unfavorable environment, were unable to survive the depression or the bitter industrial conflicts of 1926. When the basic interests of the two participating groups deviate, voluntary cooperation is no longer feasible. The prospects for joint consultation also depend upon the skills and the persistence of both groups.

ITALY

Italy's labor-management relations have been deeply involved in the country's political struggles since the inception of collective bargaining. The events in the development of worker participation in management functions must be considered as part of the contest between communism, socialism, fascism, and Christian democracy to gain the dominant position in Italy. All too often the machinery for joint cooperation has been utilized as a tool to be manipulated for Communist or political gain, rather than for the economic advancement of the workers.

Following World Wars I and II revolutionary workers' committees, in the form of factory councils—commissioni interne—and management councils—consigli di gestione—sprang up in northern Italy and for a brief period put into practice full workers' control in certain important enterprises. These revolutionary committees were part of a Marxist plan to gain access to and eventually to control the vital links in the Italian economy.

In 1919 and 1920 the drive for factory control by the workers was concentrated in the industrial areas around Turin. The Fiat plant in Turin was the scene, in August 1919, of a struggle between moderates and radicals over the role the factory committees should play, which ultimately led to the metal workers assuming full managerial functions. Seizures of other plants by radical trade unionists occurred in September 1920. These abortive attempts at full workers' control resulted in pandemonium and an almost complete stoppage of production. Business and banking interests quickly moved to cut off raw materials and credit in retaliation, to shut down the seized plants. The Communists hoped to take advantage of the stalemate, confusion, and violence to initiate the beginnings of socialization. The situation was further complicated by the fact that the various elements in the labor movement were working at cross purposes and battling each other more than management.

The nation was deeply shocked by these events in the north and by the threat of a major revolution in the offing. Giovanni Giolitti, the Prime Minister, arranged a meeting between the representatives of management and labor to try to restore peaceful negotiations. Both General Confederation of Industry and of Labor agreed to the establishment of a commission composed of representatives of the two confederations to prepare a draft law concerning the participation of workers in the technical, financial, and administrative control of firms. The two confederations, the Catholic workers' organization and the Government all submitted widely differing proposals for consideration. No agreement was reached in 1920, and in 1921 economic collapse, widespread unemployment, and the growing menace of the Fascist movement indefinitely postponed any further discussions on the matter. With the advent of Mussolini and the Fascist dictatorships, factory and grievance committees were abolished and all non-Fascist unions were rendered impotent.

Evidences of worker participation disappeared until 1943 and 1944. Under the transitional government of Marshal Badoglio, after the liberation of southern Italy, steps were taken to restore collaborative machinery. Wishing to inspire the people to forget the dark days of fascism and to evidence a friendship and concern for labor, the Badoglio regime turned to the recently repatriated Bruno Buozzi, the venerated, old Socialist labor leader, and several of his colleagues who had been influential in rebuilding the labor movement, in an effort to insure industrial peace. Under government auspices, Buozzi and his colleagues met with representatives of management, including Giuseppe Mazzini, to work out an agreement for labor-management collaboration. The Buozzi-Mazzini agreement, signed in September 1943, encouraged the reestablishment of factory or grievance committees and gave them considerably greater powers than they had had in the past. The committees were to negotiate all local agreements and resolve the disputes that arose out of collective bargaining, until the Italian labor movement was fully reorganized, as well as assisting in the administration of factory social institutions expressing workers' view on factory regulations, and suggesting production improvements. This agreement was to be in effect for three years.

In the dying days of his regime in northern Italy, Mussolini tried to gain labor support by authorizing workers' participation in the management of all enterprises. With this, he laid the groundwork in the industrial north for future agitation for a greater degree of participation than the government in Rome was willing to grant. Though Mussolini's plant operation committees continued to operate long after his demise, they were never sanctioned by Rome or by the Allied Military Government. Attempts to reestablish factory committees, similar to those in the south, met with failure because of strong party politics—the center of Communist activities was in the north—and increasing unemployment. However, eventually the growing voice of moderation

won out against radical demands for workers' control, but it was not until 1948 after the industrial conflicts in the north had had a serious impact on the labor movement and on the reconstruction of the economy.

In October 1946 the Constituent Assembly approved article 46 in the new Italian Constitution which stated:

> In order to promote the social and economic improvement of labor, and in accordance with the requirements of production, the Republic recognizes the right of workers to participate, by the methods and within the limits established by laws in the management of enterprises.

Though bills to implement this constitutional provision were introduced in the Assembly in 1946, a bitter controversy over the type of workers' participation that would be most acceptable to all concerned prevented any legal regulations from being enacted. Despite the nation's devastating economic crisis, Prime Minister De Gasperi refused to be intimidated into granting Government sanction to the plant operation councils, for the sake of temporary industrial peace. Notwithstanding Rome's consistent opposition, by March 31, 1947 103 firms with 271 factories had active plant operation councils.

Beginning in 1948, with the Communist Party election defeat, the inauguration of the European recovery program, and the improved prospects for Italy's economic revival, worker interest in plant operation councils began to wane. The factory or grievance councils were becoming the nationally accepted means for workers' participation. But the effective functioning of even the factory councils was curtailed by the three-way split in the Confederation of Labor in 1948. The councils, formerly a united force, now had to represent the sentiments of three widely divergent trade unions: Confederazione Generale Italiana del Lavoro—Communist, Confederazione Italiana Sindacati dei Lavoratori—Christian Democrat, and the Unione Italiana del Lavora—Democratic Socialist.

The organization of the factory or grievance councils was outlined in two agreements, the successors to the wartime Buozzi-Mazzini Agreement which were negotiated in August 1947 and May 1953 by national representatives of industry and labor. The 1953 agreement stipulated that factory councils were to be established in all industrial enterprises employing more than 40 workers. The councils were to have from 3 to 15 delegates, depending upon the size of the work force, elected by both the white-collar and the industrial workers on a proportional basis.

As an important local organ of collective bargaining, the councils' functions were to include dealing with management concerning the exact application of collective agreements; settling collective or individual disputes that arose in the plant; consulting with management about the institution of proposed plant regulations, vacation periods, new salary and wage systems, and changes in working schedules; operating suggestion systems, assisting in formulating rules for the insurance, welfare, cultural, and recreational institutions in the plant; insuring observance of the provisions of social legislation and health and safety rules within the plant. The agreements sought to distinguish between the responsibilities of the councils and the unions to avoid jurisdictional conflicts and to prevent the councils from assuming too much power and encroaching on union prerogatives. In essence, Italy's factory councils fulfill much the same role as the American plant locals.

The management or plant operation committees represented Italy's opportunity to achieve some real measure of workers' participation in management functions. But, unfortunately, these committees became the tools of radical political elements who so distorted their purpose that they no longer were acceptable organs for the majority of Italians. The factory councils, which served as a more moderate approach to workers' participation, too have met growing resistance to their effective operation from both labor and management. Without any legal implementation of the provision in the constitution which would force compliance, management has resisted recognizing the authority of the factory councils. In the early postwar period the unions were obliged to rely on the councils for plant-level execution of their policies. But with the passing years the unions have become increasingly resentful of the councils' emerging prestige and fear their eventual independence from trade union guidance.

The future of the councils is overshadowed by the lack of mutual confidence and cooperation between labor and management. The years of class struggle which have characterized the Italian labor scene have left their mark in a heritage of natural suspicion.

JOINT COOPERATION BASED ON NATIONAL AGREEMENTS—SCANDINAVIA—CHARACTERISTICS OF LABOR-MANAGEMENT RELATIONS

Industrial relations in Scandinavia are traditionally conducted on a highly centralized basis. The employers' associations and the national trade unions represent the largest segment of employers and unions in the economy. These central organizations have a strong hold over their membership and through them are able to influence national economic activity. In Sweden and Norway, for instance, neither employers nor labor representatives can enter into collective agreements without the consent of their central organizations.

Despite areas of disagreement between labor and management, these central organizations have a long tradition of cooperation. Basic agreements laying down the general pattern for future industrial relations were concluded between labor and employer representatives as early as 1899 in Denmark, 1935 in Norway, and 1938 in Sweden. Through these and subsequent agreements, both sides hoped to avoid government interference in their mutual affairs by setting up their own machinery to resolve disputes. These agreements were applicable in each industry only when they were ratified by the particular local organizations. Because of their constant association, the leaders of labor and management in Scandinavia have developed a sound, responsible attitude toward their roles in industrial relations.

The fact too that the Scandinavian countries have for some years been ruled by labor governments has had its impact on the character of labor-management relations. Contrary to what might have been expected, it has not resulted in a one-sided curtailment of managerial prerogatives. Both labor and management have voluntarily compromised certain of their prerogatives in the national interest. Management has made concessions on the scope of worker participation in its functions. Labor has generally set aside the strike weapon in favor of maximum productivity and improved labor welfare. Government-instituted wage freezes have not been opposed by the trade unions. Though the Scandinavian workers have been reared in an atmosphere of traditional European class conflicts, they have learned to accept the concept of peaceful cooperation in pursuit of a mutual goal.

Scandinavian employers and employees simply extended their pattern of cooperation into a new area when they adopted joint production committees. The consultative joint production committees were set up under the terms of national agreements—which in essence have almost the same force as law—reached in the years immediately following World War II. Similar to the British and Canadian committees in many of their functions, the joint production committees, as their name implies, are mainly concerned with increasing production. Their competence excludes areas normally handled through collective bargaining. In the personnel sphere, the committees are to promote the general welfare of the workers, and in economic matters, they are to have access to periodic statements on the financial and technical conditions of the undertakings. Committee members are required to maintain professional secrecy about the competitive financial data which they are given.

DENMARK

Each of the Scandinavian countries has had its own particular experiences in the field of joint cooperation. In Denmark the Federation of Labor—De Samvirkende Fagforbund—has increasingly been drawn into a number of joint ventures with the employers' association and the government. As an outgrowth of the September 1947 national agreement establishing the Labor-Management Production Committees, the Federation and the employers' association have worked together on programs to improve manpower utilization and industrial productivity. Joint cooperation is pursued more vigorously in Denmark than it is in most European countries.

NORWAY

In spite of the fact that Norway's industrial relations have been stormy, it led the other Scandinavian countries in establishing machinery for joint cooperation in December 1945. At the time management and labor prerogatives were strictly limited by widespread postwar economic controls—price controls,

rationing of industrial goods and profit limitations. However, by 1950 it was felt that in terms of numbers of participating undertakings and in the results of the 5-year period, Norway's experiment in workers' participation had not come up to expectations. In order to remedy this, the Norwegian Federation of Labor—Arbeidernes Faglige Landsorganisasjon—and the employers' association revised their original agreement to include the formation of a national advisory committee to iron out problems that arose throughout the system of joint consultation. In achieving greater participation in the conduct of managerial affairs, the Norwegian trade-union leaders, unlike their British and American counterparts, have evidenced a willingness to accept a share in management responsibilities.

SWEDEN

Back in 1920 in the middle of a long-drawn-out battle between labor and management over employment security—that continued until the signing of the basic agreement in 1938—the government appointed a royal commission to study industrial democracy and to report on various types of workers' participation practices in other countries, with a view to their application to Sweden. Three years later the commission submitted its recommendations favoring the establishment of joint production committees, such as had been adopted in Great Britain. The commission also prepared a carefully drafted bill calling for production committees to be set up in all enterprises with more than 150 workers. This bill, though violently attacked by Swedish employers and more moderately criticized by the trade unions, later became the basis for the August 1946 national agreement on joint consultation. In 1925 the Swedish printing industry began an extended experiment in workers' participation, but the results were not very promising. Only 9 out of the 29 shops tried could report the development of satisfactory works councils.

The Saltsjöbaden agreements between the SAF—Swedish Employers' Confederation—the LO—Conference of Swedish Trade Unions—and the TCO—Central Organization of Salaried Employees—which culminated in the 1946 establishment of joint consultation at the level of the undertaking, became the keystones of Sweden's system of industrial democracy. The basic agreement adopted in 1938 provided for a permanent joint arbitration board to settle labor disputes, in an effort to forestall government intervention. Subsequent agreements reached in 1942 and 1944 created joint safety and joint apprenticeship committees. However, Swedish labor continued to demand a greater voice in the operations of industrial enterprises. A compromise was worked out in 1946, essentially because Swedish employers, who were becoming increasingly fearful of far-reaching measures for nationalization, realized that they must accept some form of workers' participation and limited joint consultation was preferable.

The 1946 agreement stated that enterprise councils—as the joint production committees became known—must be established in any undertaking employing more than 25 workers upon the request of either labor or management. Depending on the size of the enterprise, workers and management are each to select from three to seven delegates and salaried employees two or three delegates to serve on the council. Council meetings, held quarterly generally outside working hours, are to be chaired by the director of the enterprise or someone he designates. The company is obliged to provide the meeting place and pay the council's expenses. The agreement is operative only if not less than half of the workers belong to unions which have accepted its principles, and the right to vote is usually confined to members of these participating unions.

Although the enterprise councils are purely advisory and serve as media for information and consultation, their competence includes questions of production, employment security, health and safety, vocational training, evaluation of employee suggestions, and to a limited degree economic and financial matters. Employers must submit to the councils periodic reports on the technical and financial position of their enterprise, on market conditions in their industry, on their continuing production surveys, and on proposed plant changes. The provision for workers who are laid off or dismissed to have recourse to the enterprise councils for review of their cases is an exception to the general rule that the areas of collective bargaining lie outside the scope of joint consultation.

From 1948 on there was a rapid expansion in the number of councils. By 1953 roughly three-quarters of all eligible undertakings had operating councils. All three of the sponsoring national organizations—the SAF, LO, and TCO—have worked diligently to make the practice of joint consultation a success. In no other country has the task of preparing council members for their new responsibilities been pursued so thoroughly with such impressive results as it has in Sweden. Though the Swedish councils have less stipulated authority than similar bodies in France or Germany, their strength and effectiveness is built on the firmer foundations of mutual respect and a long tradition of voluntary joint cooperation.

AN ASSESSMENT OF SCANDINAVIAN WORKER PARTICIPATION

The Scandinavian practices of worker participation have not led to co-management, as many employers feared they would. The bulk of the joint committees' work has been devoted to improving production, to protecting workers from layoffs, evaluating worker suggestions, and to safety measures. The committees have not become deeply involved in economic matters. Worker participation has created valuable channels of communication between managements and their employees and by doing so has increased the bonds of understanding and good will. There has been an absence of the wrangling and disagreements that have been characteristic of works councils in Continental European countries. Because of the general acceptance and the degree of success of the committees, it would appear that the postwar trend toward nationalization has slackened.

WORKERS' PARTICIPATION ESTABLISHED BY LAW

The nationalized industries of Britain

The victory of the Labor Party at the polls in Great Britain at the end of World War II ushered in a development of some significance to workers' participation in management functions—the nationalization of vital sectors of British industry. The Guild Socialists had hoped that nationalization would mean the ownership of the productive facilities by the community but with the recognition of the unions as the "normal controllers of industry." However, the Fabian concept of substituting the community as represented by the state and its agencies for the capitalistic control of industry became the accepted basis of British nationalization. The democratic Parliament through the expert tool of the British Civil Service, rather than the representatives of labor, was charged with the responsibility of administering the nationalized industries. Workers' participation was effected by a system of joint consultation, with no provision for union representation on the board of directors.

Britain's experiences with the evolution of workers' participation in the civil service in the 1920's and 1930's served as a valuable guide for the newly nationalized industries. In the civil service, as has been observed, the so-called Whitley Councils had developed along the lines of "civil service unionism with negotiating functions," rather than "staff participation in the administration of the public services." Extensive machinery for negotiation and consultation, covering more than 300,000 civil servants, was established, through which government employees could have an official voice in the resolution of administrative problems without interfering with ministerial control. The Whitley Councils were considered such a success by both participating groups that the government hoped to inaugurate similar institutions as a part of its nationalization program.

The laws nationalizing the railway, electricity, coal, inland transport, gas, and civil aviation industries called for governing bodies responsible to the will of the people through designated ministries and Parliament. The boards were to be composed of representatives from all sectors of the economy. Though there were to be worker members, they were to sever all union connections before they accepted an appointment to a governing board. The laws also stipulated that these managing boards were to consult with appropriate trade unions about the formation of consultative committees to handle such matters as health, safety, welfare programs, and the efficient operation of the industry. Under nationalization, labor's right to be consulted on matters of mutual interest was thus officially recognized. By the nationalization acts, some 2,600,000 workers in the coal, electricity, gas, and

transport industries were brought under a system of joint consultation, though for many it was not for the first time.

It has been a widely accepted premise in postwar Great Britain that consultative committees should avoid negotiations over wages, hours, and working conditions, but among the nationalized industries there have been exceptions to this rule. Following the traditions of the Whitley Councils in the civil service, the joint production committees in the nationalized railways, civil aviation, and inland transport do handle negotiation as well as joint consultation. In other industries, often the same union officials who sit on the bargaining panel will serve as labor representatives in the consultative committees. It is inevitable that there should be a certain amount of overlapping from consultation into negotiation when the workers' welfare is involved. But in the inclination to blur the distinction between negotiation and consultation there is a potential danger to the effective operation of the consultative committees. Despite the requirement in some of the nationalization acts that the managing boards should consult their workers about the more efficient running of the public corporations, joint committees in the nationalized industries have generally limited their concern to matters directly related to the workers' immediate interests—welfare, education, health, and safety.

Workers' participation has been handicapped by the large number of unions with overlapping jurisdictions represented within the nationalized industries. Frequently, no single union predominates. The union structure which grew up in the days of scattered private industry does not correspond with the new industrial structure—neither in terms of geography or of crafts. As each representative union and each category of employees—manual, clerical, technical, administrative, and managerial—must be granted representation in joint consultation, the consultative committees have by necessity become large and unwieldy and their effective functioning has been impeded.

The workers have been disappointed by the results of nationalization, largely because they were led to believe they could expect too much. Except in the coal mines, workers can see little evidence that nationalization has altered their status or brought a marked improvement in their working conditions. The great division between the level of decision-making carried on by the union leaders and management and the average worker has, if anything, been broadened rather than narrowed by nationalization. For nationalization has resulted in a greater consolidation of economic power and control in the hands of the national trade union leadership and the centralized industry governing boards. The development of the systems of joint consultation has failed to give the workers a feeling of real participation. Often it is because they initially misunderstood the purpose of joint consultation or because they have not been fully informed by their unions about the activities of the consultative committees. In some cases, it has been felt that management has substituted prior notification for proper prior consultation.

Workers' participation in the nationalized industries has not been notably different from that in private industry in Great Britain. The fact that it has been subject to statutory regulation has had little impact on its character or its results. In the coal mines, it has enjoyed the greatest success, partially because labor-management relations in that industry had the most room for improvement.

THE BENELUX NATIONS: LUXEMBOURG

Workers' participation first came to the Grand Duchy in 1920 with a law establishing workers' committees in the railways. This was followed in 1925 with the inclusion of all industrial establishments in the scope of statutory participation.

Luxembourg credits workers' participation with the achievement of its remarkable record of industrial peace and the high rates of workers' pay. For, not only do the elected workers' committees concern themselves with subjects for joint consultation, but they must also negotiate the agreements with management on wages, holidays, housing allowances, bonuses, profit-sharing, and conditions of work. The Grand Ducal order of October 30, 1958, defines in great detail the functions of the committees. Besides their duties in contract negotiation, they are to be consulted on amendments to work regulations, changes in leave periods and on dismissals without proper prior notification; they are to collaborate in framing and operating apprenticeship schemes; play an active part in accident prevention; and help to run the voluntary welfare institutions. These are only the minimum functions the committees must undertake. Through collective bargaining, the scope of a committee's activities may be broadened. In the iron and steel plants, the mainstays of Luxembourg's economy, the workers' committees are kept informed about conditions within the industry and any impending layoffs or reductions in piece rates or bonuses.

At the end of World War II attempts were made in Luxembourg, just as there were in other European countries, to introduce a program to expand the workers' influence in managerial decision-making. Management feared that a move in the direction of codetermination would be a step on the road toward socialism. The Government and the Parliament adopted an attitude of wait and see. In time, labor's demands for a greater voice subsided, as the experiences in neighboring countries forcefully brought home the fact that labor had much to lose and little to gain in continuing to press its case and thus jeopardizing its basically good relationship with management. Luxembourg has evolved through the years one of the most effective, successful schemes of workers' participation in Western Europe. It has not been forged by granting the workers an ever-increasing role in management functions, but rather by developing an atmosphere of cooperation and mutual respect.

THE NETHERLANDS

Labor in the Netherlands achieved statutory recognition of its right to bargain collectively in 1927, much later than in most of its European counterparts. In May 1950 the Dutch Government passed a law establishing joint councils of workers' and employers' representatives at all levels of the economy. The law decreed that by 1953 works councils were to be set up in all enterprises employing 25 or more workers and that the procedures and activities of these councils were to be supervised by joint industrial councils. The works councils consist of the employer or his representative and from 2 to 26 delegates, depending on the size of the firm, elected by the workers from a slate of candidates submitted by the unions. To vote a worker must be 21 years old and have been with the firm more than 1 year. To be a candidate for council delegate, a worker must be 23 and have worked for the enterprise at least 3 years.

The works councils have the power to hear workers' complaints and suggestions; to advise on the scheduling of working hours, shifts, and holidays; to supervise on matters of working conditions, health, hygiene, safety, and on the application of protective legislation; to participate in the management of all social institutions connected with the enterprise; and to advise on measures to improve the technical and economic progress of the firm. The employer is obliged by law to supply the information necessary for the councils to exercise their powers, to periodically inform the council of the economic progress of the enterprise, and to confer with the council before drawing up or changing any labor regulations.

The Netherlands, too, has a remarkably good record in postwar labor-management relations. The small number of strikes compares favorably with such neighboring countries as Belgium, France, and Britain. Workers' participation in less than a decade has become an established element in the Netherlands' national economic development.

BELGIUM

Though a number of works councils—conseils d'entreprise—were set up voluntarily during the period immediately following World War II, it was the 1948 Belgian law, fashioned after a similar 1946 French law, that brought works councils to practically all industrial, commercial, and financial enterprises with more than 50 workers. As distinguished from the situation in many other European countries, the development of the Belgian works councils is closely linked, by the terms of this law, to the trade union movement. All council delegates must be sponsored by one of the three trade union federations; elected delegates must remain union members in good standing during their term of office if they are to retain their jobs; the union may recall any delegate it sponsors; and finally, no nonunion plant can have a work council. By these provisions the Belgian Parliament put the machinery for workers' participation and its effective use largely into the hands of the unions, rather than the workers themselves.

As the law did not outline any careful procedures for the councils, each plant has had to work out its own. It has become a common practice for the workers' delegations to caucus before each council meeting to agree on a program; for, as a general rule, most councils operate on the basis of unanimous decisions. The area of concern of the Belgian councils includes drawing up shop rules, suggesting general procedures for hiring, firing, and layoffs; fixing vacation schedules; setting standards for skilled workers; and managing the social services and the health and safety committees. The councils have determinative authority regarding the shop rules and the social welfare programs. But on all other matters, they are only empowered to advise management. Questions normally handled through collective bargaining are considered to be outside the jurisdiction of the councils.

Both the workers and the trade unions have been very disappointed in the implementation of the concept of workers' participation in the Belgian economy. The unions have long felt that the 1948 law did not go far enough in according the workers a real voice in management decisions. Though the law seemed promising at the time, its vague, loose provisions have led to hotly disputed interpretations of its intent. Both management and labor have in many instances failed to make proper use of the works councils. Most employers resent the considerable influence the unions wield over the council delegates and they have been reluctant to share their business knowledge with the councils for this reason. The unions in turn have sometimes tried to make the councils weapons in the class struggle. They have fallen prey to the tendency of considering joint consultation as another channel through which the workers can claim their rights, rather than as a means of cooperation to attain a common goal. Neither side has been able to shake off a long imbued class outlook.

Many of the worker delegates are not adequately prepared for their new responsibilities and, because they have been led to believe that they can expect more than is actually feasible, they easily become discouraged about the limited progress achieved in the consultative meetings. The success of workers' participation is further threatened by the average worker's lethargy about collaboration and his preoccupation with the matter of wages. In many sectors of the Belgian economy the atmosphere of cooperation and mutual trust so necessary for effective joint consultation is not evident. Unlike their counterparts in the other two Benelux countries, workers and employers in Belgium have seemed unable to find a common ground on which to build a satisfactory workable system of workers' participation.

AUSTRIA

In 1919 workers' councils, unrelated to the trade union movement, were established by law in Austria in enterprises employing more than 20 workers. On most matters, the councils, which were composed solely of representatives of the staff, functioned as consultative bodies; but in the area of hiring and dismissals they assumed broad controls. Two members of the council were appointed to sit on the board of directors of corporate enterprises, but in practice they played a very limited role in the proceedings. The councils were generally more concerned with the interests of the workers than they were with trying to influence the managements of the various enterprises.

After a period of being outlawed under the Nazis, in 1947 the councils were reestablished in much the same form they had had before. One new feature has been the practice of different political factions of presenting a list of candidates for the positions of council delegates. The biennial council elections take on a political character and may serve as an indication of the workers' political sentiments. The Austrian council's competence includes supervising and administering the social institutions of the undertaking, serving as a grievance mediator, creating and administering a provident fund, and the right to be given access to the firm's financial and technical information. The workers' councils represent the organization closest to the daily plant life of the workers, and for this reason the unions have been jealous of their prerogatives. But so far the councils have been able to maintain their independence and still act effectively on behalf of the workers' interests.

FRANCE—THE SPECIALIZED CHARACTERISTICS OF FRENCH LABOR-MANAGEMENT RELATIONS

France's schemes of workers' participation and the extent of their success can only be understood and evaluated in the context of the traditions and specialized characteristics of her labor-management relations. They must be seen in the setting of the incompleted development of France's collective bargaining procedures, the innate weakness of her union organizations, the basic political orientation of French trade unions, the continued fragmentation of the labor movement, her employers' consistent strong opposition to attempts by labor to encroach on management prerogatives, the influence of ideology and class sentiment on industrial relations, the fear by non-Communist labor union leaders that worker participation plans might be used for subversive purposes by the Communist-led unions, and the increasingly important role played by the Government in the direction of the French economy. Management and labor in France inherit hostilities and misunderstandings of generations of political and social conflict.

In the hopes of forestalling the ideology of revolutionary syndicalism, the French Legislature in 1919 laid the legal foundations for collective agreements. Though this was apparently a considerable concession on the part of the conservatively controlled Chamber of Deputies, in reality the law had relatively little immediate impact on industrial relations, because the trade unions were deeply involved in their own internal struggles and they did not have the strength to force French employers to conclude collective agreements. In 1936, at the height of the Popular Front's power, the legislature adjusted the law on collective agreements to the actual conditions in the labor movement where, as Sturmthal has stated, unions were "weak in members, unstable, and divided by philosophical, religious, and other considerations." The 1936 law fostered a tremendous increase in collective agreements and a rapid expansion of the unions. But this was soon brought to a halt by the failure of the 1938 general strike and the subsequent outbreak of war.

In late 1946 the legislature moved to revive the practice of collective bargaining, but, because of France's weakened economic condition and the ever-present threat of inflation, the law required that the Minister of Labor must approve the terms of all collective agreements and that nationalized industries were to be exempted from collective bargaining. In 1950 these restrictions on the freedom of collective bargaining were removed and industrial relations essentially returned to concepts of the 1936 era.

Collective bargaining as it operates in France is a less important factor than Government intervention or unilateral management decisionmaking in regulating French industrial relations. The trade unions have frequently achieved more substantial gains on a more permanent basis through Government administrative decisions than they have from bargaining directly with the French employers. The very weakness of the trade unions on the industrial front has forced their leadership to seek economic benefits through political channels.

Collective agreements are typically negotiated on a multiunion-multiemployer basis and then adapted to the varying local conditions by supplementary local agreements. In these negotiations, the French employers have the distinct advantage of being better organized and of having better facilities at their disposal than the unions have. In France most basic industries have regional and national employers' federations which have control over the wages set in individual establishments. At the top the influential CNPF—National Council of French Employers—coordinates the employers' position both in collective bargaining and in political activities. The CNPF must be consulted before any regional agreement can be negotiated. The employers have generally tried to restrict bargaining to the area of wages and they bitterly resist attempts to broaden the scope. A large number of French businessmen still regard the unions as outside interference, and industrial relations as their exclusive domain.

The workers, on the other hand, are represented at the bargaining table by several unions, who make little effort to present a united front. These unions who are sharply competitive, political adversaries, spend more time embarrassing each other than they do trying to outmaneuver management The fact that the strongest French union, the

CGT, is Communist-dominated complicates the bargaining process by bringing in outside political pressures. The French Communist Party leadership views the CGT as their instrument of revolution. They believe that through the activities of the union they can eventually bring about the downfall of the French capitalist economy. Therefore they consider any compromises negotiated over the bargaining table unnecessary and undesirable appeasement of the employers. Their basic disbelief in the merits of collective bargaining has been a major reason for its limited development. The other unions—the CGT–FO, a non-Communist union split off from the CGT, and the CFTC, the Catholic union—cannot go along with the CGT program. The politics of the situation necessitates the unions working at cross purposes and gives the employers a clear advantage which they willingly exploit.

The unions are also handicapped by their structural weaknesses. The concept of union membership is vague in France and many workers will vote in union elections without in fact being active union members. The dues are kept low and little attempt is made to insist on regular payments. Because of their haphazard approach to dues, the unions seldom have funds to hire an adequate staff of salaried union officials or to subsidize members on strike. When a strike is called, the worker himself must carry the financial burden alone and this tends to make the rank and file less eager to strike. Without sufficient financial backing, the unions cannot put up a solid front against management's policies.

The least satisfactory aspect of labor relations in France is at the plant level. There competing unions active on their own programs and CGT politics make the workshop a place of constant agitation and continuing conflict with management. It is within this environment that France launched her experiment in labor-management cooperation—the plant committee.

BACKGROUND AND SCOPE OF FRENCH JOINT COOPERATION

The precursors of the plant committees were the staff delegates, who have existed for more than 50 years, and the safety delegates, who began to appear in the coal mines before 1890. The safety delegates from the staff on the joint health and safety committees are presently appointed by and serve as agents for the plant committees. The election of staff delegates, or shop stewards, has been compulsory in all plants with more than 10 employees since 1947. These delegates or stewards function as grievance channels for the employees. They are elected by proportional representation for a 1-year term from a slate of candidates sponsored by the unions. Employers may not dismiss staff delegates without the prior consent of their plant committee, but a majority of the electoral group, upon the initiative of the union, may demand a delegate's recall. The delegates may substitute for either the plant or health and safety committees if they do not exist in an enterprise.

The plant committees—les comités d'entreprise—were the progeny of the Second World War. In May 1944 the provisional government of France in Algeria set up joint production committees in all defense industries as they were liberated, in the hope of increasing production for the war effort. As the Allied Forces moved forward through France, works councils sprang up spontaneously in factory after factory on the initiative of leaders in the resistance movement. The staffs of some undertakings whose owners and managers had collaborated with the Nazis during the war formed committees to run the firms and to prevent the needless destruction of the productive facilities.

At the close of the war, hoping to stem the tide of increasing workers' control, General de Gaulle issued a decree on February 22, 1945, making comités d'entreprise obligatory in all enterprises with more than 100 employees. The committees were to have wide powers of administration in the plant's social welfare work but only advisory powers in economic matters. The ordinance of May 16, 1946, extended the committees to enterprises with 50 employees and granted them more authority in the economic area. A subsequent ordinance on July 7, 1947, instituted proportional representation in electing committee members to protect the other unions from the complete dominance of the CGT. The legal provisions of these ordinances set down the rights and duties of each party, stipulating only the legal minimum. The regulations are elastic and can be extended and improved through collective bargaining. The Higher Committee for Works Committees was established in the Ministry of Labor to supervise the application of the regulations and to assist in the formation of the local committees.

The plant committee is a joint institution, made up of the head of the enterprise or his representative and a delegation from the staff which varies in number from two to eight depending on the size of the enterprise. Each recognized trade union is at liberty to send an adviser to attend the committee meetings. Delegates are elected by secret ballot for a 1-year term from lists of candidates submitted by the trade unions. The committee meets at least once a month to discuss an agenda prepared by the head of the undertaking, with resolutions generally passed by a majority vote. Management must report back to the committee on action taken on the committee's proposals.

The committees have the power to run the cafeterias, vacation camps, and day nurseries; to supervise housing projects and mutual aid activities; to exercise surveillance over plant apprenticeships, vocational training, and employee health and safety; to study suggestions for increasing output and productivity; to view all financial documents prepared for the stockholders of a corporation; to offer suggestions on worker incentives and on the disposition of the profits; and to be consulted on group layoffs and dismissals. The plant committees have the right to be represented by two committee members—without a vote—on the board of directors.

The success of the committees has been and will continue to be dependent on the workers' qualifications and abilities in handling their new responsibility, the full cooperation of both the employers and the unions, and a receptive economic and social climate. Unfortunately, these factors have not been generally favorable. Initially, all the trade unions enthusiastically welcomed the formation of the plant committees as a step toward full workers' control. Both the CGT–FO and the CFTC have continued to work constructively in the committees even though they have felt genuine disappointment in the results of joint cooperation and in the fact that the committee's attentions are mainly diverted to social and welfare activities. But the CGT, which controls a majority of the committees, willingly use the committees as tools for their own political purposes and have had little compunction about draining away committee welfare funds into their own party treasury.

In practice management, too, has failed to live up to the spirit of the 1945 and 1946 ordinances. Many French employers have been afraid if they shared their business information with the committees they would jeopardize their prerogatives and powers. They have therefore tried to overload the committees with such extensive responsibilities in the social welfare programs that the delegates would not have time to concern themselves with the more serious economic questions. Many workers see the plant committees as another post liberation reform that failed to jell.

COOPERATION IN THE NATIONALIZED INDUSTRIES

Workers' participation is further developed and has a more precise form in French nationalized industry than in private industry. The nationalization acts more clearly define the functions and duties of the workers and the unions in the control and management of the public corporations. The nationalized industries are divided into two classes—the first are enterprises operating in a competitive branch of industry where not all the industry has been nationalized—that is, banks, insurance, Renault automobile works—and the others are monopolistic industries entirely nationalized—coal, electricity, gas, aviation, the Paris transport, and the railroads. In the latter, wages and working conditions are set by law.

The nationalized industries are run as semiautonomous public corporations by tripartite boards of directors, on which labor has one-third representation. Frequently, the final power of decision rests with a central ministry. But these boards serve as the vehicle for workers' participation. A great diversity exists from industry to industry in the provisions for selecting the members of the board, but the three interest groups—workers, consumers, and the government—are supposed to be equally represented. On the boards of the undertakings seats are generally reserved for members of the staff, rather than representatives of outside groups. In principle, these administrative boards have

the same broad powers as boards of directors in private industry; but in actual fact they must have ministerial approval on decisions concerning the delegation of powers to the government-appointed general manager, equipment, and production programs, the annual budget, profit and loss statements and balance sheets, the issue of long-term bonds, the purchase or sale of financial participations, and general rules on wages and working conditions of the personnel.

These administrative boards have not played the important role in directing the nationalized industries that was originally conceived for them. Their degree of autonomy from Government regulation has been greatly reduced. The boards have found themselves squeezed between the industries' permanent staffs and the Government ministers and civil servants and their powers have gradually eroded away. A great part of the boards' troubles lies in their structural weaknesses and in the political and economic circumstances in which they must operate. The unpaid, part-time board members, who only meet a few hours a month, cannot hope to be suitably familiar with an enterprise's problems to control its policies. As the members are paid by and devote most of their energies to the interest groups, their loyalties are naturally likely to be with the interests rather than the enterprise.

Appointments to the boards frequently have not corresponded with the tripartite principle. A labor union official may serve under the guise of a representative of any of the three interest groups. There have been a preponderance of trade unionists on the boards of the coal, gas, and electricity industries, despite a 1947 decree which attempted to prevent this.

It has been impossible to shield the boards from the political and economic activities taking place in the country. In the period immediately following the war a number of the nationalized industries were Communist-controlled and their administrative boards became merely pawns in the Communist strategy. Because of the danger of allowing the Communists to gain too much economic power and because of the persistent financial crises and the rapidly progressing inflation that threatened to undermine the whole French economy, the Government has felt compelled to intervene more and more and to exert close control over the direction of the nationalized industries. The administrative boards have been left mainly to function as organs of consultation.

Apart from workers' participation in the administration of the nationalized industries, which has been limited by growing Government intervention, the staffs of these industries are guaranteed the same rights and advantages in terms of joint committees as workers in private industry. It is questionable whether nationalization has really brought about any substantial changes in the temper of labor-management relations in France. Though machinery exists whereby the workers could fulfill more functions and have broader powers than workers' participation in most countries allows for, the groups concerned have not demonstrated the will to use this machinery to its fullest capabilities.

DE GAULLE'S SCHEME OF "ASSOCIATION CAPITAL-TRAVAIL"

The advent of the Fifth French Republic was heralded as the beginning of a new era for France. One of the keystones of the new government's social policy was the concept of the association of capital and labor. By an ordinance issued on January 7, 1959, President de Gaulle sought to encourage management to accept the idea of giving workers a motive for taking an interest in the financial welfare of their enterprise. The ordinance authorizes corporate tax advantages for firms that adopt either profit-sharing employee stock participation, or productivity bonus schemes. The ordinance states that this type of financial participation cannot be substituted for any part of existing wages or fringe benefits. The enterprise must continue to pay wages at the rates set for the industry by collective bargaining. The profit-sharing plan is to be negotiated through collective bargaining and ratified by two-thirds of the enterprise employees. The "comité d'entreprise" must have access to all financial data necessary to review the accuracy of the tax exemption application. If the conditions of the ordinance are met, the sum paid out under a profit-sharing or bonus agreement may be deducted from the income base used in calculating corporate, personal, and other taxes.

The initial reaction to this decree both by labor and management has been negative. Management resented this attempt to further encroach on its prerogatives. The unions fear that these schemes would become paternalistic and that their position might be seriously undermined. However, in the long run both sides realize that this legislation will not mean a radical departure from the present labor-management practices. In the first place, the measure itself falls far short of what the concept "association capital-travail" implies. The agreements between the workers and management on the profit-sharing schemes are to be voluntary. A similar ordinance issued in 1955 granting tax benefits for certain types of workers' participation in increased productivity moved only 150 companies with approximately 50,000 workers to take advantage of its terms. There has been a feeling by some close to the situation that this attempt to put into practice the concept of "association capital-travail" may have been a gesture to the French labor movement to sweeten the lean period of financial retrenchment that lies ahead.

It is too soon to judge whether it will have any real impact on French industrial relations. A decree implementing the ordinance as to operative details has only recently been issued, August 29, 1959. But past experiences would lead one to doubt its success. The attitude of the union leaders whom I interviewed in France was negative to it, partly because the payments made under it to the workers, as distinguished from wages, do not result in a credit for the workers' social security and unemployment insurance benefits. Eventually, it was feared the result might be actually to reduce the social security benefits. At all events, "association capital-travail" is not a true example of workers' participation in management functions; it is simply a profit-sharing plan or incentive plan arrangement of the type or types which abound in our country in contexts unrelated to workers' participation in managerial decisions.

CODETERMINATION IN THE FEDERAL GERMAN REPUBLIC

Codetermination, as it has been developed in West Germany, is the most advanced form of workers' participation in practice today. It differs from the various types of joint cooperation, discussed earlier in the powers and rights it extends to the workers. In the other types of cooperation, workers or their representatives may influence company policies, but the ultimate decision making remains a management prerogative. However, in codetermination the workers participate in and share the responsibility for the managerial decisions. While cooperation may entail the right to be informed, the right to suggest, or the right to be consulted, codetermination with its considerably broader scope includes the right to veto and the right of codecision.

Codetermination is a peculiarly West German concept which evolved because of the country's history, its environmental setting, and its unique experiences in labor-management relations. The German labor movements have traditionally resorted to legislation, rather than relying on voluntary agreements, to gain a voice in the nation's industrial policies and to overcome the intransigencies of many German employers. In order to achieve their goals, the trade unions have been willing under codeterminism to shoulder the often conflicting dual responsibilities of being the workers' representatives and, at the same time, partners in company management. Most other national labor movements would have found this an untenable position.

THE CHARACTERISTICS OF POSTWAR LABOR-MANAGEMENT RELATIONS

Labor-management relations in the field of collective bargaining have been exceptionally strife-free in postwar West Germany. Despite the impact of tremendous social changes that have taken place in West Germany since the collapse of nazism, labor and management have united in the common purpose of achieving peace, economic prosperity, and democracy. However, in the political arena, a struggle of major proportions has developed between the spokesmen for the employers and the workers over the concept of codetermination. The choice of the political arena rather than the more normal channels of industrial relations as the scene of their conflict is not a new phenomenon in Germany. Back as early as the days of Bismarck, or more recently during the Weimar Republic, the legislative halls became the battle-

ground for labor's unceasing efforts to attain a more consquential role in economic policymaking.

Four characteristic features of German industrial relations are largely responsible for this selection of a political rather than industrial contest of strength. These are: The highly organized, powerful position of the German employers' associations, the centralized negotiation of collective agreements, the absence of local unions at the plant level, and the attitudes and philosophy of the trade union leadership.

The basic German employers' associations are usually organized on a regional and industry basis. Above these, a number of federations represent every facet of employer interests. In contrast to the union organization, these associations and federations exercise almost semigovernmental control and maintain strict discipline over their membership. An employer does not bargain directly or independently with the unions. He delegates this authority to his association which negotiates a general contract with the representative unions for all its member employers. An unorganized employer is a rarity because the associations have the power to force lone wolves into line by making it competitively disadvantageous not to play ball. As a result of this practice of group bargaining, the associations have gained a powerful position in the economy.

Interestingly enough, it was the unions that brought about a resurgence of the employers' associations at the end of World War II. The occupying powers opposed their revival because of the identification of business groups with the Nazi movement and the fear that such a resurgence would lead once again to cartelization. But the unions, accustomed to industry bargaining and uniformity in contractual terms and lacking an organization at the plant level, needed an opposite number on the area or regional level and sought permission from the three powers for the reestablishment of the employers' associations. By 1951 the associations had regained their prewar place of prominence.

Two significant changes occurred in the structure of the German trade union movement in the postwar period. One was the unification of most of the trade unions into a single federation of labor—the DGB, Deutscher Gewerkschaftsbund—and the other the move toward trade union independence from direct political affiliation. Prior to 1933 there were about 200 national unions in Germany which fell into three groupings—Social Democratic, Catholic, and Democratic; each with their own politically oriented labor federation. The postwar labor movement dropped the distinctions of occupational group, craft, and industry demarcations and realined the workers into 16 "vertical unions." The labor leadership was aware that labor's disunity and political squabbling in the days of the Weimar Republic was one of the factors that contributed to the Nazis' coming to power. They were determined to prevent a recurrence by building a powerful single federation capable of withstanding both the employers' associations' economic pressures and any antidemocratic faction's political pressures.

The DGB, which in 1958 had an aggregate membership of 6.3 million workers, is composed of four powerful unions (metal, public service and transport, mining, and railroad workers) encompassing about three-fifths of the DGB total membership; three moderate-sized unions (construction, chemical, and ceramic, and textile and clothing workers), and nine smaller unions sharing a membership of just over 1 million workers. These 16 unions exert considerable influence over the Federation's policies and jealously guard their authority against encroachment from DGB central controls.

The power of the trade unions is concentrated at the apex of the organizational structure. All basic social, economic, and political policy decisions are made at Düsseldorf, where the national federation has its headquarters. Contracts are negotiated and strikes are run either from the district or the national levels. The allied occupation authorities tried to promote strong local union organizations, but they were unable to overcome the traditions of centralization. A minimum of union activity takes place at the plant level which obviates the presence of any vigorous local union organization. In addition, particularly since the war, the trade union leadership has been more concerned about attaining greater labor representation at high political levels than it has with bargaining for better working conditions for its rank and file. Under these circumstances, it is not surprising that the average worker feels little personal identification with the trade union's programs.

Unaffiliated works councils at the plant level perform the functions normally handled by union locals in the United States. Their activities are concerned with the everyday needs of the workers, regardless of union affiliation. Council members are elected for 2 years by secret ballot, with the wage earners and salaried employees represented according to their numerical strength. The employers are obliged to provide the necessary space and technical facilities for the council meetings and to bear the costs arising from the councils' activities. The works councils, which are purely worker organizations, negotiate the local plant agreements which supplement the industrywide agreements, process grievances, serve as channels of communication between management and the workers, and occasionally run protest meetings or strike demonstrations. But the councils generally try to avoid entering areas of union jurisdiction.

The lack of a strong union organization at the plant level to command union loyalty and the individual workers' desire for economic security in preference to improvements in wages, which makes him very reluctant to go out on strike, have reduced the effectiveness of the unions' economic weapons and encouraged their tendencies to seek a better lot for the workers through political rather than economic channels. The main battle for codetermination has thus been fought on the political front.

THE MOTIVATING FORCES BEHIND CODETERMINATION

Codetermination seems to go against labor's traditionally Marxian Socialist aims. It forces upon the workers a day-to-day collaboration with the capitalists in reviving a capitalist economy. Though some unionists hope that codetermination will eventually lead to socialism, a majority have altered their political goals and now decisively reject the concept of economy-wide socialization, because they have become disenchanted with the increasing evidences of socialism's glaring faults, as seen particularly in Eastern Europe. The trade union movement, as Clark Kerr has stated, has set itself the new task of "socializing power without socializing ownership; of seizing authority from the employers without conferring it on the State."

The DGB's new economy consists of three related elements: Economic planning, the socialization of certain key industries, and codetermination. Under codetermination labor hopes to gain equal control with management over the sources of economic power to insure that economic planning will be administered more in the interests of the workers. It would provide labor with a defense against the intransigence and feudal traditions of management and the resurgence of fascism.

Management's economic and political vulnerability led to the first practices of "mitbestimmung." Management initially conceded to the demands for codetermination because they hoped to gain labor support for their primary objective of preventing large-scale dismantling of German industrial plants; they also believed, by granting labor a voice in the economic reconstruction of industry, they could escape from full accountability if anything went wrong; and finally because powerful church groups in the community, both Protestant and Catholic, had supported the doctrine of codetermination as a Christian concept. It wasn't until after 1948, when they had partially regained their status in the German economy, that the employers began to vigorously resist labor's attempts to broaden the scope of codetermination.

In its 1950 draft bill for a new economic order, the federation of labor set forth its proposals for codetermination, based on 5 years' experience with workers' participation in the Ruhr steel mills. The DGB wanted full codetermination both at the enterprise level and in the regional and national economic policymaking agencies. In large enterprises, half the board of directors would be made up of worker representatives; while in medium-sized firms two works council delegates would represent labor on the supervisory boards. The DGB wished the exclusive right of nominating all delegates. Furthermore, the personnel managers in all undertakings would be subject to the approval of a majority of the worker board members. The draft bill also called for the establishment of

joint labor-management committees with equal representation for both groups, to deal with the full range of economic and social problems, subject only to the wishes of the board of directors. To supplement workers' participation at the plant level, the DGB proposed a series of joint economic councils at the local, State, and national levels to advise the State and National Governments on social legislation.

The employers were ready to accept the degree of codetermination that existed under the Weimar Republic but they strongely opposed giving labor an equal voice in the making of broad business policies, particularly in the economic area. They also wanted to restrict workers' participation to employees of the enterprise in order to reduce the potent influence of the trade unions. The BDA (Bundesvereinigung der Deutschen Arbeitgeberverbaende or Federation of German Employers' Association), speaking for the employers, has argued that full codetermination is the beginning of a socialist state; it will eventually lead to a planned economy; it is a threat to the basic principles of private property, free enterprise, and a free market; and that labor lacks the education or the training to handle this type of leadership.

Out of the political struggles between these two powerful forces have come the provisions for codetermination which are the law of the land in West Germany today. The origins of this contest of strength and of the developing concept of codetermination date back to before the Weimar Republic and the turbulence of post-World War I Germany.

THE ORIGINS OF CODETERMINATION

During the course of World War I, the Kaiser's government, hoping to gain the full cooperation of the unions in its program of war mobilization, included in the Auxiliary Service Act of 1916 a requirement that all undertakings employing 50 or more workers must inaugurate workers committees. Though the powers of these wartime committees were limited, they set a precedent for future worker's committees. During the next 2 years, a number of joint boards made up of representatives of the trade unions and the employers' associations were set up by voluntary agreement in various key industries. This trend was culminated in November 1918 by the establishment of a supreme consultative body for the whole of German industry.

With the defeat of Germany and the fall of the Kaiser's regime, works councils, independent of the trade unions, began to spring up as part of a revolutionary movement. There was a struggle among the various elements in the labor organizations as to what form the works councils should take and eventually the moderates won out. The new Weimar government wrote into its constitution a whole complex of workers' participation committees from the national down to the plant level. However, many of the ideas contained in the Weimar constitution were never implemented and few of the joint committees at the intermediate or national levels became effective instruments of participation. Some were a dead letter from the start and others passed out of existence before they had an adequate opportunity to prove themselves.

The law of February 5, 1920, is considered the legislative beginnings of codetermination. This law called for the compulsory formation of works councils at the factory level in all firms having more than 20 employees. The functions of these councils went far beyond those of the earlier workers' committees. In essence, the councils were to become an important arm of the trade unions at the plant level. Their duties included supervising the observance of collective agreements, negotiating local plant agreements, handling worker grievances, keeping a careful check on dismissals, and advising management on questions of efficiency, productivity, and labor policies. The councils were to be given access to periodic financial reports of their undertaking. But the real innovation was the provision for the councils to be directly represented on the supervisory boards by one or two of their own members.

The terms of the 1920 law remained in force until Hitler came to power in 1933. But the works councils never lived up to expectations. They spent a major part of their time and efforts protecting the workers' interests and had little time left for real participation. The councils had no effective economic controls, and the employers generally succeeded in hindering their proper exercise of their social functions. The council representatives on the supervisory board were seldom taken into management's full confidence and their position as a permanent minority eliminated any possibility of their influencing management decisions. At the time the trade unions were too weak and disunited to obtain the needed revision of the system. So the old authoritarian methods of management persisted. The failure of the councils to achieve effective labor-management cooperation must be attributed to the unwillingness of the German industrialists to accept labor as a partner in economic controls and the trade union's lack of aggressive, well-trained personnel.

When World War II came to a close, the future of Germany's economy was uncertain. Her whole industrial structure had been effectively destroyed under Hitler and most of her production facilities lay in rubble. Some German employers hoped that the industrial system could be resurrected just as it was before. But the trade union leadership was determined that this should not happen. They wanted to institute some fundamental changes in the German economy.

In 1946 the Allied Control Commission issued a law authorizing the reestablishment of the works councils along the lines of the 1920 act. However, it did not make it compulsory for council representatives to sit on the supervisory boards as the 1920 law had, though it did stipulate that through a collective agreement management and labor could agree to have a council member as an observer at board meetings. This law fell far short of what the trade unions wanted. But it was one of the first steps taken by the occupying powers to restore the institutions representing the collective interests of labor.

The allied decartelization law of February 1947 had a tremendous impact on the future of codetermination. The law authorized the dissolution into smaller units of any firm employing over 10,000 workers and the transfer of control from the existing company to a board of trustees. The only industry to which this fully applied was iron and steel, which were put under the trusteeship of the North German Iron and Steel Control—NGISC. The iron and steel cartels were divided up into 25 separate firms. The British occupation authorities granted labor and the owners equal representation on the supervisory boards of these firms—each would name five members to the board and the 11th member would be appointed by the trustees. In each steel company, the unions could nominate a labor director to sit on the three-man management board that directed the firm's day-to-day operations.

W. Harris-Burland, a representative of the British occupation authorities, and Heinrich Dinkelback, a German industrialist, were the guiding spirits behind codetermination in the steel industry. Faced with an industry in physical ruins and financial chaos and with the unions demanding steel nationalization, these men, who were responsible for reorganizing the steel industry and getting production running, tried to gain the wholehearted support of the unions in the reconstruction by offering them codetermination.

Laws granting the works councils a substantial degree of economic codetermination were passed in 1947 in the states of Hesse, Bremen, Württemberg-Baden, South Baden and to a lesser extent in Württemberg-Hohenzollern. But these were subsequently suspended by the occupation authorities on the grounds that the Federal German Republic should agree on a national policy on this issue.

The trade union leadership continued to press for an extension of codetermination to all German industry. In 1950 the issue came to a head, because of the threat that the German steel and iron companies would be returned to their former owners and the British-sponsored program of codetermination would be abandoned. Early in 1950 the representatives of the DGB and the BDA met at Hattenheim to discuss various proposals for workers' participation; but after lengthy negotiations, when no agreement could be reached, the matter was turned over to the Federal Government.

After several more months of bitter, inconclusive discussion in the Bundestag, the DGB decided on taking the offensive to gain its goal of establishing codetermination on a permanent basis and applying the concept throughout German industry. The Federation therefore authorized a coal, iron, and steel industry strike for February 1951 to reinforce its demands. The DGB got the support of 95 percent of the metal workers and 93 percent of the miners on its strike ballot. This vote, which clearly demon-

strated that the rank and file were solidly behind the Federation's program, induced the Chancellor to set up a joint advisory committee to work out the terms of workers' participation legislation. The DGB agreed to postpone the strike during the committee's deliberation. In January 1951 the committee presented its recommendations to the legislature and three months later an amended draft calling for codetermination in the coal, iron, and steel enterprises was passed. The threat of a strike tipped the scales in favor of the legislation, for a strike would have dissolved the Government coalition. In contrast to the Weimar days, the trade unions were able to exhibit both political strength and unity and, by doing so, they attained a large proportion of their demands.

Having won concessions in the coal, iron, and steel industries, the trade unions turned their attention to other sectors of the German economy. They sought to extend codetermination, patterned after the 1951 law, to all major industries, but in this they were less successful. Fourteen months after their political triumph, the unions suffered a serious setback with the passage of the Works Council Law of June 1952. This law did little more than reestablish under the Federal Republic the concepts of the 1920 and 1946 works councils acts. The trade unions were bitterly disappointed at their failure to achieve full parity in the managements of all major German undertakings.

THE STRUCTURE AND SCOPE OF CODETERMINATION

Together, the laws of April 10, 1951, and July 19, 1952, form the basis for codetermination as it exists in Germany today. The German Federal Act of April 1951 covers the participation of employees in the decisions of the supervisory and management boards of the coal, iron, and steel industries. It extended to the mining industries practices that have been followed in the steel enterprises for 5 years and made these practices a permanent, official part of German industrial relations by incorporating them into the laws of the land. The 1952 law applies to all industrial firms with more than five employees and regulates in detail the entire labor-management relationships within an enterprise. It provides for a more limited degree of workers' participation.

The 1951 law stipulates that the supervisory boards of companies with more than 1,000 employees in the coal, iron, and steel industries should consist of 11 members, of whom 5 are to be nominated by the workers and 5 elected by the stockholders. The five members elected by the stockholders should include four representatives—of management presumably—and one other person who must not be either a shareholder or an official of the employers' association. The five worker members are to consist of one manual and one salaried employee from the undertaking nominated by the works council after consultation with the trade unions, two nominated by the representative trade unions after consultation with the works council, and one additional member who must not be a trade union official or an employee of the undertaking. The 11th member is elected by the other 10—he must have the support of at least 3 labor and 3 management board members. He must be an impartial, disinterested party, who has a proven record of competence in economic affairs. The stockholders ratify the selection of the board members, but they are generally obligated to accept the workers' elected representatives. The members of the supervisory boards are not bound by any instructions and they all have the same rights and obligations. Where the capital of a firm exceeds 20 million deutschemarks, the board may be expanded to 15 and 21 members.

The Aufsichtsrat or supervisory board is responsible for the general policy of the firm and usually meets at intervals of 3 months. Individuals may be members of more than one board. They receive no salary, just expenses and a small annual fee for their participation. The most important function of the supervisory board is the selection of the management board, in whom the day-to-day management of the firm is entrusted.

Under the codetermination law, the management board or Vorstand, elected by the majority vote of the supervisory board, shall consist of three members—a technical director, a commercial director, and a personnel director—all with equal status and the joint responsibility for the welfare of the firm. Each director has an executive department under his jurisdiction over which he has exclusive authority. The management board meets once or twice a month to consult on mutual problems and to handle their joint functions of preparing the annual statement, reviewing the bookkeeping, reporting periodically to to the Aufsichtsrat, and drafting the commercial report.

The personnel director (Arbeitsdirektor) is nominated by the trade unions and must be presented to the works council before confirmation of his appointment. He must also have the support of a majority of the labor members of the supervisory board. He is appointed for a 5-year term of office, but he is subject to recall by the labor members of the Aufsichtsrat. After his appointment, he must sever all formal trade union ties. He is to receive no instruction or assume no obligations to the unions. The personnel director's areas of exclusive authority include labor relations, health and safety, personnel administration, the application of the collective agreements, training and promotion, and the social welfare programs.

The 1952 law, though it covers all industries, calls for a much more restricted type of codetermination. Under its terms, the supervisory boards of all joint stock companies shall include at least one-third employee representation. Nominations may be made by the works councils or the employees and the board members, who must be employed within the firm, are elected by secret ballot. The law makes no provision for trade-union representation on the Aufsichtsrat nor does it encourage trade-union participation in the policymaking of the enterprises. It omits any stipulation about the appointment of a personnel director to the management board.

The major part of the law relates to the works councils at the factory level. It requires that works councils be established in all undertakings with more than five employees. The council members, varying in number from 1 to 35 depending on the size of the firm, are elected by secret ballot on the basis of proportional representation for a 2-year term. Wage earners and salaried employees are represented according to their numerical strength. The employer and the council meet once a month for a common discussion, to work out a settlement of differences. Every quarter the council reports its activities to the employees of the concern at a general assembly. At the request of one-fourth of the employees, the employer, or the trade union representing the plant employees, the labor court can recall a council member or dissolve a full council on the grounds of gross neglect of duty.

The works councils have four main functions: First, to propose measures in the interests of the workers; second, to see that the labor laws and the collective agreements are enforced; third, to settle employees' grievances with management; and fourth, to promote the employment of handicapped people. They also have the right to be consulted on such matters as: hours, of work, wages, holidays, technical training, the administration of welfare programs, employee discipline, piece rates, new pay methods, layoffs, mergers, industry relocation plans, and any production changes not caused by technical progress or market conditions. They are charged with assisting management with health and safety and the suggestion system. In personnel matters, the councils have the right to protest and be heard, particularly in cases of hiring or dismissal. Clearly defined and rather extensive powers have been granted to the councils in social and personnel affairs, but they are accorded no influence in the economic sphere.

The 1952 law also calls for the establishment of joint economic committees—Wirtschaftsausschuss—in all firms with more than 100 employees to insure an exchange of information on economic matters between the workers and management. The economic committees are composed of from four to eight members, including at least one member of the works council—one-half the number to be appointed by the works council and the other half by the employer. The committees meet once a month and are kept informed on production methods, economic conditions, the status of production and sales, and the financial position of the enterprise. They have no real powers beyond receiving information about company affairs. These committees were the only real innovation provided for in the 1952 act. The other provisions follow the lines of the 1920 law.

The trade unions have continued their campaign to gain acceptance of the principles of codetermination; but they have

been unable to rally enough support in the Bundestag to enact the sweeping revisions of the 1952 law which they advocate. However, two additional laws in the field of workers' participation, passed in 1955 and 1956, have extended the scope of codetermination to the civil service and to the iron and steel holding companies, which were created to evade the terms of the 1951 codetermination law.

The personnel representation law of September 1955 covers some 900,000 Federal service employees as well as 1,300,000 employees of State and local governments. It sets up personnel councils in each department to implement the labor laws, administrative regulations, and collective agreements; to handle grievances, and to participate in certain social and personnel decisions. The trade unions were disappointed that this law failed to give the Government workers effective control over personnel policies and it made no provision for trade union participation without the consent of a majority of the council membership.

CODETERMINATION IN PRACTICE

Codetermination in the coal, iron, and steel industries has not decisively upset the balance of power in industrial relations, as many of its opponents predicted it would; nor has it fostered workers' control of the productive facilities. It is one of the factors which has helped to create a more favorable atmosphere for peaceful labor-management relations. There has been a marked reduction in industrial strife and worker militancy, but this has been true throughout the West German economy. Unquestionably, through codetermination management has gained a greater awareness and understanding of labor's attitudes and labor, in turn, has revised its thinking about management and developed a greater identification with the welfare of the concern. The trade unions have become more cautious in their policies because the range of accountability now includes them.

Under German corporate law, the supervisory board does not have the same powers as an American board of directors has. It does not direct the company's current operations, nor does it have the authority to determine important managerial policies. It only exercises control functions and ratifies decisions of the management board. The management board, on which labor has only a minority voice, is the important decisionmaking body. The two boards operate separately and have no common personnel. However, the management board must periodically report to the supervisory board on its activities.

The open controversy and split voting that many feared would undermine the practice of codetermination rarely occurs in the course of supervisory board discussions. There has been a remarkable degree of unanimity. The labor and management representatives on the boards have developed useful techniques of accommodation. Because of the limited scope of the boards' functions, subjects or issues that might cause friction and disrupt the generally harmonious atmosphere can be tabled or postponed, rather than risking a split vote. Recommendations that come before the supervisory boards are usually the results of compromises already worked out in the management boards or one of their subcommittees. Each side holds caucuses before the boards' quarterly meetings and there the members of the management boards can try to sell the compromises they have agreed upon. Both sides prefer to divide their power rather than to share it, so they utilize the technique of "horse trading" on various issues to each other's mutual advantage.

If agreement cannot be reached in the full boards, frequently subcommittees are formed with full powers to settle the question in dispute. This is particularly useful in cases where one board member cannot or will not, for political reasons, go on record as supporting a certain compromise. The supervisory boards generally have three or four standing subcommittees—on collective bargaining, investments, employee welfare, and engineering. Labor may be assigned a majority of the seats on the wage and employee welfare subcommittees, while the owners predominate on the other committees. Labor thus relinquishes its equal voice in decisions outside its normal area of concern. The full boards usually accept the recommendations of their subcommittees without too much question.

Labor has been at a disadvantage in its choice of representatives to serve on the supervisory boards. The stockholders may be represented by bank officers or corporation executives from related industries who have a good grounding in business administration. The unions have encountered considerable difficulties in finding qualified men who are competent to cope with complex industry problems. This, indeed, is a grave problem for the West German labor movement, and in my interviews with West German labor leaders I found them unprepared for the problem. There is a modest educational problem in existence sponsored by the unions, but the present attitude seems to be that the problem has large dimensions—too large for immediate solution. Perhaps largely for this reason, most of the union leaders whom I interviewed were vague as to just what areas of management they were ready to engage in.

The key to the success of codetermination lies in the effective functioning of the management board and in the crucial role of the personnel or labor director. In practice, the day to day management decisionmaking is divided among the three directors. Each director is permitted to operate in his area of primary interest without consulting his colleagues. The personnel director does not automatically participate in the formulation of all managerial policies. The number of joint decisions made varies from firm to firm and often depends upon the qualifications of the personnel director. On important joint decisions, the rule of unanimity frequently is invoked. If no agreement is reached, the matter is turned over to the supervisory board. The need to maintain a cooperative working arrangement has necessitated the practice of "horse trading." The personnel directors have been in a position to force concessions on personnel matters, because the other directors wish to preserve their controls in other areas. So, though the personnel directors through codetermination have made important gains on behalf of the workers, management still retains a significant share of its former prerogatives.

The personnel director's position is by far the most important in the whole system of codetermination. He serves as the connecting link between labor and management. The selection of a capable director may be the most crucial factor in the success or failure of workers' participation. Many of the personnel directors have been former members of works councils, trade unionists of long standing and frequently dedicated Socialists. It has been difficult for some of these men to become management oriented. Though they retain their identification with the labor movement, they must overcome the problems of their dual roles of being representatives of labor and members of management at the same time. However, there is little evidence that conflicting loyalties have seriously hampered the work of the personnel directors. Because of their difficulty in finding adequate candidates to fill the posts, the unions have become acutely aware of the importance of training and they have undertaken an extensive program to prepare future personnel directors for their jobs. Several West German labor leaders, indeed, complained—in response to my questions—that personnel directors are often apt to forget their trade union background, and grow into their new job too well, and become excessively management minded.

It is nevertheless in the area of personnel that codetermination has made its greatest contribution. Before 1945 the personnel functions were largely a neglected segment of business administration in Germany. But with the introduction of personnel directors under codetermination, management has been made more conscious of the workers' needs and desires. The personnel director is, in essence, less of a workers' representative than a managerial conscience. For in personnel matters, his is the predominant voice.

Many of the hopes and fears about codetermination have not been realized. The DGB has not become a dominant force in the coal, iron and steel industries as predicted. To the contrary, the interests of the representative unions have shifted away from the national political issues to the more immediate matters of wages, hours, and working conditions. Union demands have become more moderate, rather than excessive; as there has been a greater propensity on the part of the leaders of both labor and management to cooperate and work jointly toward a mutual goal. The incidence of strikes has fallen off significantly, too.

In collective bargaining, the relationships have remained essentially unchanged from pre-codetermination days. The image of labor sitting on both sides of the bargaining table has only partially become a fact. The personnel

director does not play a major role in the negotiations over industry collective agreements. Management's negotiating is handled, as before, by the secretary of the employers' association. However, negotiations over the local agreements are carried on between the personnel director and the works council. Hourly earnings and social benefits in the iron and steel industry have risen, as have direct labor costs and prices; but these increases have largely been the result of "general labor-market pressures" rather than codetermination.

The workers' attitudes toward codetermination depend on the degree of success achieved within individual plants. Where the practice of codetermination has been successful, the workers feel a greater sense of participation and identification with the firm. Where the channels of communication between labor and management have been improved, there has been a gradual relaxation in the old German industrial attitudes of formality and subservience. In other cases, the workers have been disillusioned about codetermination because their expectations have not been fulfilled. However, works council and supervisory board election results would seem to indicate little evidence of serious worker dissatisfaction. There has been some worker resentment over the personnel directors' apparent management orientation and their handsome salaries which are usually quite out of line with their previous incomes. To forestall further criticism, the DGB has established a "Mitbestimmung" scholarship fund for which the personnel directors are assessed from their salaries. The fund serves to reduce the directors' incomes and to pay for preparing and training future personnel directors.

Codeterminism has not fulfilled the expectations of many persons partly because of the variations over just what these expectations are. It was inaugurated largely to frustrate the nationalization of industry but it was accepted and indeed fought for by union leaders to increase the effectiveness of worker participation in management and union participation in industry. A few Socialist-minded West German union leaders stated to me that they hoped codeterminism would eventually lead to nationalization and socialism, while other labor leaders, who seem to represent the view now prevalent in Germany, expressed the contrary view; that is, that it would help to avoid government ownership.

Not a single management representative whom I interviewed in West Germany would come right out and say he opposed codeterminism, but several stated they opposed the view that a company board of directors could function successfully as a parliament.

Union leaders are confused about the extent of their responsibilities under codeterminism. The GBD has assets of about 55 million deutsche marks, equivalent to $14 million, and union leaders freely admitted that this was hardly sufficient if they were to assume or share financial responsibility for bad business decisions.

How far codeterminism exists in fact and how far most of it is still theory I cannot fully say, despite my efforts to probe the problem. I was, however, intrigued by the reaction of some West German leaders to my suggestion that codeterminism could be made the vehicle for developing local unions and plant by plant collective bargaining, something relatively unknown to West German labor-management relations. They thought this was a good idea, and promised to pursue it. They have gone so far in the direction of national bargaining that I doubt their ability to take another direction even if they want to. But having forsaken politics, the West German labor movement faces the problem of recreating a strong labor movement, and the American system of plant by plant free private collective bargaining might well be looked to despite its imperfections as a basis.

WORKERS PARTICIPATION IN COUNTRIES WITH PLANNED ECONOMIES

The systems of workers participation in operation in the various countries of central and eastern Europe such as the U.S.S.R., Czechoslovakia, Hungary, Bulgaria, and Rumania, are all quite similar. Only in Yugoslavia and to a lesser degree in Poland have there been any marked divergencies from the pattern developed in the Soviet Union since the revolution. In these countries with planned economies, it is the workers central trade union organizations—which are in essence organs of the state—rather than legislation or voluntary agreements, which determine the scope and function of the works committees. The works committees, no longer the representatives of the work force within an enterprise, have in fact been transformed into local agencies for the national trade union movement.

THE UNION OF SOVIET SOCIALIST REPUBLICS—THE EVOLUTION OF WORKERS PARTICIPATION IN THE U.S.S.R.

The destruction of the employer class and the substitution of workers control was one of the basic slogans of the Communist revolution. The control of business management by the workers was to be accomplished through works committees. In actual practice, the former factory managers were continued in nominal control, but the works committees were empowered to veto the managers' decisions and to initiate their own decisions. On November 27, 1917, a government decree was issued stating: "The workers' control organs have the right to supervise production, establish the minimum output of the undertaking, and take measures to ascertain the cost of the production of articles." The decisions of the works committees were to be binding upon the factory owners.

Realizing the impracticability of having untrained workers controlling factory managements, Lenin, later in 1917, revised the concept of workers' control and introduced the so-called triangle system of management. Under this system the management controls were allocated among a factory manager, a local representative of the Communist Party, and a representative of the factory trade union. Both the factory manager and the trade-union representative were elected by the workers, so the workers retained an influential voice in management decision making.

The triangle system failed to achieve the results the Soviet Government hoped for. The Ninth Congress of the Communist Party in 1920 adopted a resolution sponsored by Lenin declaring:

> Collectivism must, without question, yield to individual authority in the matter of execution. The principle of election must be replaced by the principle of selection on the basis of practical knowledge, technical competence, firmness, organizing, and business ability.

Following this statement of policy a new era was gradually ushered in which saw the dwindling significance of the trade unions and the workers in plant management.

A third stage—that of the factory manager's single command of the plant—was fully reached in 1929. The two other members of the triangle were reduced to a consultative capacity and a Government decree forbade anyone to interfere with the exercise of the management functions. The appointed factory managers were given powers of promulgating production rules, of distributing the wage funds allocated to the plant, of rating employee efficiency, and of administering discipline. The idea that the continuity of production should not be interfered with by grievances became firmly established in Soviet plant management.

THE SCOPE OF THE WORKS COMMITTEES

The principle of integrating the works committees into the trade union movement as the basic unit of its organization was initially approved by the First Russian Trades Union Congress in January 1918. By the Soviet Labor Code of 1922 the unions were given full freedom to determine the structure and functions of the works committees.

The members of the works committee are elected at a general meeting of all the trade unionists in an enterprise—once a year by statute, but this is rarely observed—but they take their orders from the trade union hierarchy, rather than from their electors. Within the confines of the government's labor policy, the works committees are assigned a number of essential tasks. They negotiate the local collective agreements, but these agreements must strictly follow the model of the central collective agreement concluded between the designated government ministry and the central committee of the industrial union with only minor variations. In the local agreement the specific norms of output, productivity, wages, and piece rates are fixed. The responsibility for the production goals is shared by the committees. Their members are obliged to promote the output and productivity of labor and to undertake Socialist competitions, if necessary, to fulfill the enterprise's production quotas. The committees make periodic checks on management's observance of its obligations under the law and the collective agreement. They are also expected to

assist management in instituting production improvements. In this capacity, they evaluate suggestions submitted by the workers for factory improvements and reward them on the basis of inventiveness.

The works committees play an important role in the fields of industrial safety and welfare activities. They administer the recreational centers maintained by union funds and the enterprise's undistributed profits and decide who shall have access to these facilities. They are also responsible for the social insurance system, employee health and safety, worker orientation and training, absenteeism, and labor discipline.

The Soviet institution of the works committee, which has been adopted in other Central and Eastern European countries, can not rightfully be characterized as a medium for workers' participation. The works committees, in reality, serve the interests of the state controlled trade unions rather than the workers. The workers are deprived of any real voice in the management of their enterprises, and their elected representatives are compelled to subordinate the wishes and the welfare of the workers to the demands of the state economic program.

POLAND

In the period between World War II and the Poznan riots of 1956, the Polish shop committees, patterned after the Soviet work committees, were the agents of the highly centralized, state-controlled trade union movement. There had been much criticism of the economic imbalances and inefficiencies said to be caused by the country's central economic planning. In 1956, faced with riots, increasing discontent, and the worker's growing demands for a greater voice in economic policy-making, the Gomulka regime was forced to make concessions to the popular pressures for workers' self-government. The workers' prime objective was to gain more independence for the shop committees from the authority of the trade unions.

In the workers' council law enacted in November 1956, the Polish Government adopted a new approach to workers' participation. The law provided for two workers' organizations at the enterprise level—the shop committee which would be concerned with employee welfare matters and the newly created workers' council which would deal with the managerial aspects of factory life. By this provision, an important part of the machinery for workers' participation was removed from the firm control of the trade unions; though it still remained subordinate to the economic planning of the central government. The higher central authorities would establish the annual indices of production, wages, profits, and investments and the undertakings were left with the responsibility for the decisions on the size of the work force, the pay rates, and the output quotas, and on the use of the investment funds.

The law gave the workers' councils authority to express their opinions on the indices established under the national economic plan, approve an annual plan for their undertakings, organize, and administer the production setup, review the business activities, decide about the disposal of surplus machinery and plant facilities, set individual output quotas and the rules regarding bonuses, adopt the factory regulations, and decide about profit-sharing and the distribution of the works fund.

The director, appointed by the Government on consultation with the workers' council, was to be in charge of the factory and held legally responsible for its operations. He owed his allegiance both to the Government and the councils. The workers' council could seek his removal on the grounds of incompetency. The director was required to consult and to cooperate with the council; though he was given power to overrule their instructions or decisions if he felt they were contrary to the law or the national economic plan. When the council and the director came to an impasse, they could appeal their cases to a higher authority.

The councils' greatest weakness was their failure to enlist the interest of the whole work force in their activities. In practice, the councils had more representatives from the factory administrative and technical personnel than they had from the rank and file workers. The law calls for two-thirds manual worker representation on the councils. This may have been partially caused by the lack of preparation most workers had for managerial responsibilities.

The Polish law of 1956 was clearly modeled on a Yugoslav law adopted in 1950. However, Poland lacked the two essential factors on which the Yugoslav organization of workers' councils was based—a strongly entrenched, independent Communist Party and a radically decentralized economic system. The introduction of workers' councils in Poland was frankly experimental; a measure of expediency. From the very beginning, the Gomulka regime was fearful of the consequences the growing independence of the workers' councils might produce. The Government was concerned about its impact on the basic principle of central economic planning and on the nation's precarious relations with the Soviet Union.

In May 1957 the central committee, under Gomulka's guidance, passed a resolution rejecting the wider implications of workers' self-government and calling for more integration of the workers' councils with the governmental mechanism of Poland. Gomulka felt that the real purpose of the councils should be to reduce production costs, to fully exploit plant capacity, to make constructive use of surplus manpower within the enterprise, to advise on appointments of supervisory personnel, to combat thefts and bribery, and to handle other matters relating to organization of work, technical progress, labor discipline, and the distribution of the works fund. In essence, this would entail a return to the Soviet system. There was also growing opposition in the higher echelons of Poland's economic administration to the very idea of workers' participation.

Gradually, the government began to encourage the trade unions to regain their dominant voice in the plant management. The trade unions were given an important role in arbitrating disputes involving the workers' councils and the directors or the shop committees. Finally, in the Fourth Congress of Trade Unions held in April 1958, Gomulka announced that the councils were seriously inadequate and advocated the establishment of new self-government conferences made up of the members of the workers' councils, the trade union councils and the party factory committees, with their decisions binding on all three.

With this move, the independent workers' council movement was dealt its death blow. Active factory management returned to the administrative staffs and the party activists working within the framework of a centrally planned economy. This marked a return to the Soviet type of industrial philosophy.

YUGOSLAVIA

As a reflection of his independence from Moscow domination and Soviet economic concepts and in an effort to gain popular support for his regime during the difficult transition period, Marshal Tito in 1950 launched an experiment in full scale workers' control at the factory level for all Yugoslav industry. Two years later, he went a step further to counter the bureaucratic rigidity of a centrally planned economy, by adopting the decentralized social plan which eliminated the centralized price policy and detailed output norms. It accorded to the individual enterprises considerable control over their own prices, wages, output as well as the deposition of their profits—previously divided into three parts—one-third to the state, one-third reinvested in the firm and one-third constituted as a wages fund.

The basic law of July 2, 1950, which outlined the scope and structure of workers' control, provided for the establishment of two new organs of workers' participation within each enterprise—a workers' council and a management board. The fundamental right to manage was vested in the workers' council which consists of from 15 to 120 members, depending on the size of the firm, elected by the entire staff by secret ballot for a 2-year term. The council members are to be predominantly drawn from the manual workers. The slate of nominees is normally prepared by the representative trade unions, but it can be supplemented by candidates chosen by one-tenth of the work force. Council members cannot be dismissed or transferred during their tour of duty.

The annual social plan controls the basic determinants of national economic activity. But within the framework of the plan the workers' councils have the right to approve the enterprise's basic plan and annual report, to issue resolutions concerning the management of the firm and the execution of the plan, to select and remove members of the management board, to supervise the work of the management board, and to make decisions about the distribution of disposable funds.

The management board, composed of from 3 to 11 members chosen by the workers' council from its members, performs such tasks as making up the enterprise's basic plan, issuing monthly operating plans, making final decisions on appointments to senior positions, deciding questions of labor norms, and generally being responsible for the proper operation of the enterprise. The director of the enterprise is an ex officio member of the board. His management policies are governed by the operational decisions of the management board, which are in turn guided by the policy decisions of the workers' council. The workers' council has the power to dissolve the management board before its normal expiration date on cause and elect a new board. The board meets only twice a month and its members serve on a part-time basis with no salary.

The director, who until 1953 was appointed by the government, is now selected by a local people's committee in consultation with the workers' council. The council may request his removal on adequate evidence of incompetence. The director is responsible for the day-to-day operations of the firm; for the hiring, firing, and transferring of the workers; for concluding contracts; and for allocating the firm's working capital. He is empowered to temporarily veto the decisions of the management board until the higher authorities can render a final verdict, if he feels they do not conform with the basic law or government decrees. The director may also issue instructions about the firm's operations, but he must have them cleared by the management board at its next meeting.

The election of the workers' council members does not reflect the democratic will of the workers. Workers apathy is partially the cause of this. But more important, though the law has been broadened to permit several lists of candidates, the selection of the council members is still overwhelmingly in the hands of the trade unions, who function as the watchdog agencies of the State. Communist Party members are represented on the councils far out of proportion to their relative number within the community. However, two factors do tend to reduce trade union and state control over the councils' activities—the significant percentage—15 percent—of the total national work force that are council members and the frequent changes in council membership.

The actual role of the workers' councils in deciding enterprise policies is smaller than one might expect from reviewing the provisions of the 1950 basic law. The councils' effectiveness is curtailed by their unwieldy size—up to 120 members—and by the tendency of the directors and the management board members to dominate council meetings. It is further hampered by the fact that industrial democracy is only tolerated in a planned economy to the extent it does not interfere with the goals laid down for the advance of the Socialist state. The failure of the workers' councils to act as general policy-directing organizations has been freely conceded in the Yugoslav press.

The real center of decisionmaking lies either with the management board or with the director. There is a problem of dominance here, too, because the lines of demarcation between the functions of the two are not clear. As a large proportion of the board members are manual workers unfamiliar with matters of technology and business finance, the director frequently has the advantage. Incidences of real workers' control are rare.

As it became increasingly apparent, after some 4 years of experimentation, that the wishes of the committees and the workers frequently did not coincide with the desires of the political leaders, a greater degree of government regulation over workers' participation was gradually reinstituted. However, the present regulating agency is usually the local people's committee rather than a central government authority.

Yugoslavia has advanced a long way in her practices of workers' participation from the Soviet pattern of industrial relations. Though her scheme of workers' management falls far short of achieving the promised full workers' control, it represents an important step toward industrial democracy within a planned economy. It is indeed questionable whether any real measure of workers' control could be developed in a system where economic decisions must reflect official party policy. For, genuine industrial democracy is contingent on the presence of political democracy.

CONCLUSION

An increasing number of the nations of the world subscribe in varying degree to the principle of cooperation in labor-management relations and to some measure of workers' participation in economic affairs. Each country is gradually developing its own apparatus through which to practice these principles, based on its past industrial relations, its economic system, and its particular national characteristics. The variations, from country to country, in the structure, scope, competence, and legal or voluntary foundation of the machinery that is being established to foster joint cooperation and workers' participation are, however, considerable.

The available data are too fragmentary and inconclusive to evaluate the real progress made by the various organs of cooperation. Most of the experiments in workers' participation are still in their initial phases.

Workers' participation is not in itself a remedy for poor labor-management relations. It must be built upon a foundation of generally good industrial relations achieved through a long tradition of negotiating over areas of divergent interests in good faith and with an attitude of mutual respect.

Both sides must feel that joint consultation fulfills an important need and therefore wholeheartedly support efforts to make it succeed. Without this mutual desire, neither employers nor employees would be fully willing to place their confidence in their new "collaborators."

Once a proper psychological atmosphere for cooperation has been achieved, then the key to effective workers' participation lies in the experience and competence of the participants. The trade unions have become increasingly aware of the importance of training and preparing workers' representatives for an understanding and appreciation of management functions.

It is unwise as it may be palpably unworkable to transplant from one country to another a scheme for workers' participation in management functions without a complete understanding of the whole industrial relations system of which the scheme sought to be translated is a part. Indeed, the social and economic setting of each country must be evaluated and the implications of the transplanting thoroughly understood. The words "participation" and "consultation" are seductive but they may also be misleading. The post World War II works councils movement, for example was a revolutionary movement in which syndicalist philosophy played a part; the works councils were independent of the union movement and they did not by their creation evidence a desire to build an effective system of collective bargaining. Destruction or reorientation of the works councils from a free workers' movement to an adjunct of the state was one of the first orders of business of Communist Russia and later of its satellites. Reestablishment of the free workers' works councils was one of the first acts of the Hungarian freedom fighters whose recent short-lived revolution was brutally crushed by Soviet Russia.

The French and West German tentative experiments—they are as yet no more than this—with codeterminism and joint consultation should be watched for the ways they work out in practice. Whether they have any value for our country will depend at the outset on a measure of success in France and West Germany which does not yet exist. In France, however, the experiment with comites d'enterprise has in large segments been all but sterilized by the fear on the part of anti-Communist union leaders that they might be used, would in fact be used, for promoting communism rather than good labor relations. And the West German experiment is as yet little more than a precarious phase of an undigested reevaluation of national purposes and trade union policies.

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CAPITAL INVESTMENT ABROAD

Mr. MEADER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, one of my principal efforts in my service in Congress has been to stimulate private capital investment in overseas underdeveloped areas as the best means of promoting economic strength and stability to enable free democratic countries to resist Communist military aggression and subversion.

I have sought to achieve this objective by encouraging Government agencies, the State Department, the International Cooperation Administration, and the U.S. Information Agency through diplomatic negotiation to assist in the creation of a climate in free underdeveloped areas attractive to the investment of capital; to minimize or eliminate artificial barriers to the free flow of capital and, in general, to facilitate the solution of problems attendant upon U.S. business concerns operating abroad in foreign trade and investment.

Mr. Speaker, in furtherance of this objective, I offered an amendment to the statement of purposes of the Development Loan Fund on July 19, 1957, unanimously adopted by the Congress, which reads as follows:

The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to strengthen friendly foreign countries by encouraging the development of their economies through a competitive free enterprise system; to minimize or eliminate barriers to the flow of private investment capital and international trade; to facilitate the creation of a climate favorable to the investment of private capital; and to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

Mr. Speaker, because of my belief in the importance of the contribution which private capital can make to economic development and the establishment of free political and economic systems throughout the world, I was gratified when leading members of the business world under the leadership of Dr. N. R. Danielian formed the International Economic Policy Association.

It was my privilege recently to attend a meeting of the directors of that association held here in Washington, D.C., and to listen to addresses by Dr. Danielian, president of the International Economic Policy Association, and Mr. E. V. Huggins, chairman of the executive committee and vice president of the Westinghouse Electric Corp.

Both Dr. Danielian and Mr. Huggins expressed views which should be helpful to Members of Congress in their consideration of foreign economic problems. For that reason, I am including their addresses at this point in my remarks:

A STATEMENT OF POLICY BY N. R. DANIELIAN, PRESIDENT, INTERNATIONAL ECONOMIC POLICY ASSOCIATION, CONGRESSIONAL HOTEL, WASHINGTON, D.C., JANUARY 20, 1960

The International Economic Policy Association was established in 1957 on the premise that due to technological developments there is a stalemate in military power between the Soviet bloc and the Western alliance; that this condition of deterrence of terror imposes the necessity of coexistence; and that in this condition of coexistence the struggle between totalitarian systems and free economies will continue in an intensified form in the area of political and economic institutions.

Are our present policies designed to, and capable of, meeting the challenge of competitive coexistence?

The essence of communism, as practiced by the Soviets, and advocated by all Marxists, is complete government ownership of all the means of production; the control of all savings and their allocation; the elimination, through expropriation, of private ownership of land, and industrial and commercial private property.

If one studies carefully what Mr. Khrushchev proclaims, what Russia does in its own foreign-aid program, the positions taken by Soviet spokesmen in U.N. and other international forums, one must conclude that they are single minded in advocating the substitution of government enterprise for private enterprise to meet the economic needs of the world.

The first 2 years of the Association's activities have been exploratory. We have helped the Administration on the Mutual Security program while studying its shortcomings. We have tried to encourage its channelization through private organizations. We have supported the principle of private investment abroad, instead of government-to-government loans.

But perhaps the greatest service we have rendered is to encourage responsible officials to recognize the fact that we are going through a transitional period, and that, in a world of competitive coexistence, the whole subject of security, and the whole field of international economic policy, needs to be reexamined.

In this reexamination, we have reached some basic conclusions:

1. Adequate deterrent power, including the cooperation of necessary allies, must be secured. The best this can buy, however, is competitive coexistence.

2. The strength and continued growth of our domestic economy must be preserved. Our annual gross national product is the foundation upon which the deterrent power and safety of the Western Alliance, the tax structure, the support of the national debt and the stability of the currency depend. An adequate rate of growth in the gross national product may be defined as that which is consistent with technological advances in productivity, and sufficient to absorb the annual increments to the labor force.

3. We must be equally concerned with the continued viability of the economies of our allies, and assist in the economic development of underdeveloped areas, with particular attention to the development of complementary, rather than competitive, economies.

4. We must try to achieve these ends within the framework of private ownership and private enterprise, for these are the historical foundations of freedom, and these are the institutions which the Communists have sworn to subvert and destroy.

In a world of competitive coexistence, all of these four objectives must be achieved.

If we and our allies are not adequately prepared to resist aggression, we may have to yield ground through appeasement, or engage in a suicidal last-ditch conflict.

If the strength and continued growth of our economy is not assured, we may destroy the foundation of our military and economic power through internal economic and financial crises.

If we do not sustain our allies and friends within the free world economic system, they may fall under the influence of the Soviets, or even become satellites through internal revolutions. And if we do not preserve the institutions of private property and private enterprise, and everyone must work for the state, freedom as we know it will gradually be eroded and Mr. Khrushchev and company will have triumphed without a shot being fired.

The United States is at the crossroads. The policies and programs adopted since 1945 must be reexamined, and new ones fashioned. In military technology and strategy, we have the Joint Chiefs of Staff, the Defense Department, and the National Security Council, plus $40 billion a year, to think through and implement a security policy. Even then, there are many who think the results require reexamination and large foundations have devoted much money and talent to study and give advice.

But in a world of competitive coexistence, the primary field of battle will be in the area of political and economic institutions. In this area we have hardly begun to define the issues, let alone develop sound policies and implement them.

How can we win this struggle, the outcome of which will determine the character of Western civilization, when we do not have the trained civilian soldiers, when we do not have even the schools in which to train them, when the Government itself has not dignified the problem with the appointment of a board of strategy, when private industry has yet ignored the totality of the challenge and still remains unorganized for this contest?

The first step is to recognize the finality of the challenge; the second step must be to acknowledge the necessity of reexamining the premises of our present policies; the

third step is to shed shopworn dogmas and start afresh with a pragmatic approach.

Such cliché ridden theories as free trade, protectionism, economic development as means of strengthening the economy, of our allies and underdeveloped countries, or as a means of fighting communism, must be subjected to the same rigorous examination as a new strategic military weapon. We can no more afford to make a mistake in the choice of these nonmilitary policies than can the Pentagon in the choice of military strategy or weapons.

The International Economic Policy Association is engaged in this reexamination of present policies. From time to time we shall bring to your attention our studies and conclusions. In every case, we shall use the four principles mentioned earlier as our guideposts, namely:

The military security of the United States.

The strength and growth of our economy.

The viability of the economies of the independent nations of the world.

The preservation of the basic economic, political, and judicial institutions of Western civilization.

SPEECH DELIVERED BY MR. E. V. HUGGINS TO THE INTERNATIONAL ECONOMIC POLICY ASSOCIATION MEETING, JANUARY 20, 1960

Dr. Danielian, Members of Congress, and gentlemen, when Dr. Danielian asked me to speak, he didn't leave me enough time to write a speech, which is probably better. To a very major degree, therefore, I'm speaking off the cuff with full knowledge that the press is present. I shall try to give what I hope are very broad views of the current world economic position in which I include the economic position of the United States.

Obviously, I am not crying "Wolf." We are not pessimistic. We in Westinghouse expect to do better in 1960 than we did in 1959, and we did better in 1959 than we did in 1958. We see things primarily in a rosy light, but we also try to foresee what's coming when we can, and we like to foresee our problems. Perhaps the best way to give a title to what I'm going to say, if it needs a title, is "Why Did Westinghouse Decide To Join the International Economic Policy Association?"

I call to your attention that there are probably no companies in the world who are as diverse and varied in their activity as two companies here in the United States. I hesitate to name the other one, but I will—General Electric and ourselves. We deal with everybody. We deal with the housewife. We deal with contractors. We deal with industrialists. We deal with agriculturists. We deal with the governments. We deal with utilities. You name it—one way or another—we deal with it. And we deal with it across the world, in every market where we can sell our products outside the Iron Curtain. It goes all the way from lamp bulbs to the biggest electrical equipment you can imagine. We also deal with the most sophisticated military equipment that is available today, and much that is still on the drawing boards.

In our approach to this problem of international economic policy we include the economic policy of the United States, because it is the foundation, the cornerstone, the keystone, to the free world's economics and the things for which I think we all stand.

Westinghouse, I think, in the public mind has been identified as a protectionist. I would like to try to correct that. As I indicated, we deal in many fields. We have been benefited in some areas by Government policies in the field of foreign trade. We have been badly hurt by these policies in other areas. We have taken exception to Government policy only in the one field which we feel is really basic to the economy and to the security of the United States, namely, heavy electrical equipment, on which the power supplies of the United States depend. We have never taken exception to policies which impinge upon our sales of such items as radios, lamps, and quite a number of others. So, across the board we are not and have not been opposed to the foreign trade policies as applied in the past 10 years. We have our views, and for our views we do not hesitate to take a public position.

Now getting on to the theme, if you will, as to why we decided to support and to join this association. It requires just a bit of a review of the history of the past 15 years. In the late forties the United States adopted and carried out the Marshall plan. The purpose of this was, of course, to rehabilitate the devastated countries of Western Europe, put them back on their feet, and in that way, contain communism in Western Europe. That, I think, was the objective. I might add that from that objective Westinghouse did very well. We supplied a great deal of the electrical power equipment and the industrial electrical equipment that went into Western Europe during the rehabilitation process, all financed by the U.S. Government. The results of the Marshall plan, as we all know, were eminently successful. I imagine that most people here have traveled to Western Europe and have seen the resurgence, the profitability of the whole area, regardless of what country you visited, and the manner in which they have come back from what was a very tragic situation. The United States and everybody who participated in that program deserve great credit. I might add that, in our own way, we in Westinghouse participated very materially in that program because we very substantially increased and augmented our export of U.S. technology. We have licensees, associates if you will, in practically every free country in the world where anybody makes anything electrical. We make money out of it—to be sure. But our associates also compete with us, so in another respect, we suffer from it. We also participated by helping out in the financing with equity capital of many of the companies with whom we deal in foreign countries, and by supplying credit on many of the projects involved.

By 1950, European industry was fairly well rehabilitated. Prior to that there wasn't any competitive problem. They weren't making much. They were buying everything that we could make. But through a lot of hard work on their own part, varying as between countries, plus U.S. support, they came back and came back very strong—frequently stronger than they had been. In the early 1950's, then, foreign exchange became a major problem. The problem of foreign markets assumed great proportions. And that is when the real problem as between U.S. industries and foreign industries began to develop.

Reciprocal trade had been the history of the United States since the early 1930's. It became more and more emphasized. Our foreign trade policy called upon us to supply markets, both in the United States and in undeveloped countries we were aiding, as well as to provide technical information and equipment. Major wage and hour differentials existed—and still exist. There were a variety of things that costwise, depending on the type of product you were talking about, made it very difficult, if not impossible, to compete. This is a selective process, gentlemen, which you can't consider across the board. It varies, product by product.

Further, our initial aid was to the devastated countries of Western Europe and Japan. When they became rehabilitated our aid went to economic and industrial support of the underdeveloped countries, where it is still primarily concentrated. As we aided the underdeveloped countries, they became more self-sufficient in manufactured goods. We thereby shrank the traditional markets for the rehabilitated countries. This process still continues. To give an example, India had been a great textile market for Great Britain. We put a textile industry into India, I believe, and it has become far less of a market for Britain. Britain turned to other markets, and where but to the United States, where our own higher cost textile industry found a lot of troubles as a result.

The Reciprocal Trade Act came up for renewal in 1955. There was a bitter struggle. You were either black or you were white. You couldn't be gray. You could not take a reasoned position. It was almost entirely emotional. That bothered a great many of us. The Recoprical Trade Act was renewed with some minor amendments that haven't proved to be worth much. I am sure the Members of Congress remember the pressure they were under at that time, as well as those they were under when it came up for renewal again in 1958.

During this same period, a number of lending agencies were developed, each with its own purpose, but certainly confusing to industry, and I must confess after listening to representatives of a number of them this morning, still confusing. Primarily their objectives were to aid not only the borrower, but manufacturers any place in the world, with the borrower of the money buying on a competitive price basis. This threw many U.S. manufacturers out of the competition because of costs. Only the Export-Import Bank made loans tied to U.S. industry. To those of us who are in capital goods industry, that was a matter of major significance; had it not been for the Export-Import Bank we would have been in bad shape in the foreign field because pricewise we were out of it. I might add that we also partcipated with the Bank in the financing of foreign sales.

Many of our friends in Government say that U.S. manufacturers should be more efficient or get into other lines where the low-cost foreign manufacturers do not compete. That's very easy to say, but very difficult to do. Particularly is this true when you remember that the U.S. Government had supplied modern equipment and U.S. industry had supplied the most modern technology to the countries of Western Europe and Japan. You don't get into another industry easily, particularly when there are a lot of other people in it. As a matter of fact you don't get into an industry at all, unless you buy in. You've got to get out in front with new products in new industries to shift your course of action. There are a lot of people trying to do that one way or another, which is one of the hallmarks of progress. That's the way the United States grows and it's the only way we're going to keep ahead. But that still does not justify to corporate management the elimination of substantial investments and substantial numbers of jobs due to the influx of lower cost goods.

I think it's a fair statement to make that through the entire period since the Marshall plan was initiated, the point of view of the State Department has prevailed. They are interested in foreign policy and very properly so; and certainly our country should use its resources to further our effort to contain communism and to help create a better world. But the State Department has no responsibility for, and many think it does not understand, the domestic economy and the internal domestic problems the people in this country face—be they industry, agriculture, or otherwise. But the State Department has prevailed. The Commerce Department, under the pressure of foreign policy, long ago abdicated its responsibility for the domestic economy and U.S. industry in the area. The domestic industry simply has not had a spokesman in the Government. I am sure there are those in the Commerce Department who would take exception to this,

but I am even more sure that, when I make that statement, I speak for a very great portion of U.S. industry who is involved in the foreign competitive problem.

In the course of our foreign aid program many new problems have been created. Many were created outside of the foreign aid program which our foreign aid program has been trying to handle, and which it has been trying very properly to handle. Everyone knows that there has been a drive throughout the world for nationalism, self-determination, and greater economic and industrial independence. This is an emotional drive, it is not economic in its nature. If the free nations of the world don't do something the Russians will—on a strategic basis; witness the Aswan Dam and the steel mill in India.

Dr. Danielian believes in regional area economics, and that makes sense. In other words, there ought to be a South American economy for example, instead of separate Brazilian, Argentine, Chile, and other national economies. However, we believe that the nationalistic forces are such that the continued support of the nationalistic drive in the different individual countries of the world by the United States will and should continue. It is necessary to contain the strategic Russian approach to their foreign aid program. To give an example, I cannot imagine Brazil pulling back from its program of nationalization and national development to become an industrial nation as well as an agricultural nation. The internal policies of Brazil and their national pride and drive won't permit it. If the free nations of the world don't do something to help, somebody else will. I think we're in a box in this respect, and by "we" I mean the free nations of the world.

Unfortunately, however, when you develop an industry in Brazil you eliminate a market for companies who are already in existence, who have been living on that market. Brazil cannot for a long time hope to produce as economically and at as low a price as Western Europe, or as Japan which is even well under Europe, or as the United States for that matter. But Brazil will protect its domestic market, and they are protecting it. Anybody who wants to stay in that market and keep his name in that market has to invest in a plant in Brazil, with or without U.S. Government support, with or without Brazilian Government support, with or without partners—be they Brazilian partners or other partners. I use Brazil only as an example. This is typical across the world in the developing countries. As this goes on it pulls markets away from other manufacturers in the world. I don't care whether you are talking electrical equipment or whatever it is—cars, chemicals—it is pulling markets away that used to be export markets for Western Europe, for Japan, for the United States. You are creating additional overcapacity, accentuating an overcapacity which exists today. We know from personal experience that it exists in our area. It also exists in many other product lines. We know it exists in many other fields, and I am sure that representatives from other industries here would confirm me in that stand. We don't see any real answer to that problem except by improving standards of living, expanding markets in the home countries of the manufacturers, and more sales behind the Iron Curtain which many manufacturers in Western Europe are turning to more and more. But that is a long-range answer to an immediate problem to any manufacturer under a democratic, capitalistic system. There is no easy present answer.

An additional problem which has been developing over the past 10 years is the increasing dollar deficiency or dollar drain on the United States. It has only come to real attention within the past year. But it has been going on for many years to reach the point where our dollar deficiency in 1959 is in the neighborhood of $4 billion. And even the U.S. economy cannot stand that. So within the past year, for the first time since the war, we have seen the economics of the United States begin to impinge upon the foreign trade policy of the State Department. This has resulted from the activities of Secretary Anderson of the Treasury Department and his concern about the dollar reserve of the United States, and all that gold that's locked up in Fort Knox with the many legal claims against it which we could not hope to avoid—and would not, if we could. So, from a financial standpoint, for the first time we saw in 1959 a recognition of the problems of the economy of the United States. The first real evidence of that was in the Development Loan Fund which shifted from a worldwide competitive bid system to a Buy-U.S. policy to keep the dollars at home.

But the DLF has done more than that. To a very major degree—due to the economy, the politics, the education, and other factors in the countries involved—our foreign aid program has accentuated and encouraged statism, state socialism if you will, at the cost of private enterprise. That is not a critical statement. It is simply a factual statement. If you ask Westinghouse Electric to put its money in financing a complete project in, say, Iran, we wouldn't do it. We would, however, finance a part of the price of equipment bought from us, with a government loan financing the major portion. We can't afford the full risk, however. We're in business to make a profit for the stockholders' and we are not ashamed to say that we're in business for profit. We're only ashamed that the rate is constantly declining due to a variety of factors, not the least of which is foreign imports.

To get back to the Development Loan Fund, however; it now requires U.S. equity participation—at least it has with us in foreign projects on which it is willing to lend money. We are prepared to and have agreed to accept part of the price for our goods in stock in a project for which we sell equipment. We think this is good. We think it introduces private American interest and management. We think it introduces efficiency.

The New York Times recently stated that the International Cooperation Administration had gone to a Buy-U.S. policy, but I was advised this morning that, at least for once, the New York Times was wrong.

Now if the United States goes to a Buy-U.S. policy, that will have the great advantage of forcing our allies in Western Europe and Japan, which are the major manufacturing countries, to go to foreign aid programs of their own. And that's good. That's real good. They will have to do it because their industries have grown and expanded on U.S. dollars, provided through the various U.S. lending agencies, including the international agencies such as the World Bank. Their exports are going to shrink unless their own governments get into the foreign aid program.

Now we've all read in the newspapers, I am sure, about Secretary Dillon's trip to Europe last week to try to resolve problems between the Common Market and the Outer Seven so that they don't get into a trade war. Newspaper reports indicate that an effort will be made to include the United States and Canada in that group. What will come out of that remains to be seen. I was in Europe 2 weeks ago, and my feeling from talking with our foreign associates who are in all the major countries is that they are quite worried about the Common Market. I am sure they would be even more worried about any free trade group such as that including all the countries of Western Europe, the United States, and Canada. Newspaper accounts indicate there is some political support in the Western European countries. On the other hand, I think this is a completely true statement—that industrialists in Western Europe have a good deal more influence on their governments than we do in this country. As somebody once said, "In England they knight 'em; and in the United States they indict 'em." There will, I believe, be heavy pressures brought to bear.

However, if we go into an organization of the type which is proposed, and the Western Europe governments go into foreign aid loan programs, I note, and I quote the New York Times, the U.S. Government efforts will be made to avoid "wasteful competition" between the countries in the granting of loans. To an industrialist that is quite a thought. We have been taught—we don't always learn as well as we should, but we have been told—that competition is never wasteful. They are talking about competition in the granting of loans. In other words, don't have Germany, England, France, Italy, and the United States all getting into competition in making a loan on a project in another country. The problems that could arise out of that are, I think, quite obvious.

However, let's go a little further. We face a lot of competition around the world and have very considerable knowledge of the way other countries work. When you are competing with a European company, you are frequently competing against a monolithic sales effort. What I mean by monolithic is that the foreign service of the government of that manufacturer's country is behind the manufacturer. They will have decided in advance which company should try to get the job, thereby eliminating internal competition. Then everything that that country has, their foreign service even, if you will, up to the head of the state, may get into the act to sell that company's products. If you get into military products for NATO you may even get the military service of that country selling the product of the chosen company, writing the specifications around its own product. They have government support of a type which we would not ask for, which we do not want, but it makes the competition rough. It is hard to believe that foreign aid programs of other governments will not be tied to purchases of their own nations. If that should prove to be the case—and examples exist—then with the elimination of wasteful competition in loans through international agreement, you are going to have governments deciding who gets what business. If tied loans should prove to be the practice, and competition between loans is eliminated, you're going to have the greatest world cartel that you have ever seen, in which the U.S. Government cannot avoid being a party. Personally, for other reasons, I doubt that it will get to that point.

In any event, we are certainly in a transitional phase. We have a financial problem of what the United States can afford with last year's drain being $4 billion. More and more U.S. manufacturers are being hurt. More and more unions, formerly in favor of liberalized trade, have shifted their position. There is, from what we see, more protectionist sentiment in the United States today than there has been since the war. I am sure you Members of Congress sense it. But there is no plan or program that we know of to consider and handle the problem on a logical basis.

So we get down to why did Westinghouse join this association and why are we willing to support it. It is the second word in the title, "economic," the International Economic Policy Association. So far our policy in this field has been more political than economic, and now we are beginning to have to think about economics. We have to think about what we have to do in this country to maintain our standard of living and to maintain employment. There is nothing that we know

of being done on that subject. Where will we be in 1970? That is of vital importance to everybody, whether they sell overseas with Government support or whether they don't. I don't know what the problems of the oil companies are. I don't know what the problems of the grain shipping companies are. But I am sure that the ultimate objective of all of us is quite similar, as spelled out in the objectives of this association. What it is trying to do here is the best effort we know of which is looking at the economics of our problems from a long-range standpoint. Westinghouse will rise and fall with the economics of the United States, and we'll adjust to them. The United States must remain strong. We must maintain our standard of living. We must maintain our employment. If Dr. Daniellan through this association, can contribute to that, we're with him. We're with him right now in the expectation that he will.

RECOMMENDATIONS FOR AMENDMENT OF CIVIL RIGHTS

Mr. GOODELL. Mr. Speaker, last Thursday I introduced a bill embodying the Attorney General's recommendations for amendment of the Civil Rights Act of 1957.

I believe the concept of this bill represents a dramatic improvement over previously considered proposals for Federal registrars. It offers great advantages for a fair, firm, and effective enforcement of the basic right of a citizen to register and to vote.

At the same time, enactment of this bill would represent a giant stride forward toward removal of the whole question of enforcement of civil rights from the political arena. I believe the power of interpretation and enforcement most appropriately belongs in our courts as provided in this bill.

LIFTING CEILING ON EARNINGS BY SOCIAL SECURITY RETIREES

Mr. ROBISON. Mr. Speaker, it is stimulating, after nearly a month's delay, to finally get down to a little legislative business. Many of us have been experiencing a growing sense of urgency, as this Congress seems more unable than most to come to grips with the unresolved legislative matters that we should dispose of before the end of what is anticipated to be a short session. Each of us has some particular piece of legislation we would like to see enacted. In a few instances, many of us have joined together in seach of a common goal. One of those instances has to do with the lifting or elimination of the present $1,200 ceiling on earnings by social security retirees.

Soon after becoming a member of the 85th Congress, I introduced a measure—H.R. 14360, 85th Congress—to lift that ceiling from $1,200 to $1,800. Failing to obtain consideration of that measure in the 85th Congress, I reintroduced the same proposal in this, the 86th Congress, where it is known as H.R. 2429. Many of my colleagues have introduced similar bills, or bills embodying the same general proposal, and, although differing approaches are thus available for consideration, I would presume to say that what we all seek is prompt action, by whatever route, to end or alleviate what we all feel is an unfair, unrealistic, and discriminatory situation.

It has come to my attention that the gentleman from Arkansas, the Honorable WILBUR D. MILLS, as the distinguished and capable chairman of the House Committee on Ways and Means, has recently asked his committee to consider various suggestions for improving the social security program. He has tentatively indicated, according to my information, certain examples of improvements that the committee may wish to so consider. I am distressed, however, not to find the problem imposed by this earnings limitation on such list. Perhaps it was an unintentional oversight. In any event, I do express the hope, for myself, and my like-minded colleagues, that this issue is one that will have consideration and corrective action before we adjourn.

Almost all that can be said on this subject has already been said, but lest we lose sight of the pressing reasons that have motivated so many of us to sponsor corrective legislation, I am including as a part of my remarks a copy of a speech on this subject recently delivered by Mr. Gerald Burke, a business counselor, and a constituent of mine from Binghamton, N.Y. I would like to call particular attention to two specific suggestions made by Mr. Burke. First, he suggests that the Treasury could be authorized to pay over to the social security trust fund such income taxes as might be collected on the earnings of social security beneficiaries, in order to at least partially offset the additional drain on the fund produced by lifting or eliminating the present ceiling.

Secondly, he suggests that if that ceiling is lifted or eliminated it might encourage some of our present or future retirees, who might be qualified to do so, to offer their talents to our educational institutions. It would seem to me that if there is a need for more teachers, particularly in the fields of science and vocational training, we might find, here, a tailormade answer to such need that would be beneficial not only to our youth but, and equally as important, of considerable psychological and spiritual benefit to some of our senior citizens from whom we have stolen the incentive to lead useful and productive lives. As Mr. Burke so well puts it, one "may feel old if he feels useless, but if he has a purpose in life, he has many fruitful years ahead." In the economic and spiritual struggle that this Nation of ours faces today, we need the services of many of our senior citizens. Should we not work together toward that end?

INEQUALITIES IN SOCIAL SECURITY BENEFITS

(Address by Gerald Burke)

If your insurance company failed to pay you the insurance benefits you were entitled to get on an annuity, you'd raise cain.

Suppose you had a twin brother and you both took out at the same time an annuity payable at age 65. You both paid the same premium, made payments promptly, but at age 65 he got $105 per month, each and every month and you got nothing.

You'd feel the insurance company was robbing you and you'd be justified in your feelings. If you had it to do all over again you certainly wouldn't do business with that insurance company.

All right then, instead of doing business with an insurance company, you're doing it with Uncle Sam. Uncle Sam says to you, "I've taken out of your pay 2½ cents for every dollar you earned in 1959 and now in 1960, I'm taking 3 cents. Maybe when you get to be 65, I'll pay you $127 per month, each and every month or maybe I'll pay you nothing. You may get 1 monthly check or you may get 12. It's entirely up to you whether or not you want to comply with the conditions I spell out."

You think about it and say, "I don't like the deal. I won't buy it."

Uncle Sam smiles and says, "You have no choice; this is the law."

With few exceptions almost everybody is under social security.

The rates are the same for everyone based upon your earnings. In 1959 social security was taken out until a man or woman earned $4,800. An employee earning this amount paid Uncle Sam $120; a self-employed person paid $180, 1½ times as much as an ordinary employee.

Uncle Sam has simplified the rules determining how much the taxpayer must pay the Treasury Department but when the taxpayer wants to know how much he can get in benefits, confusion sets in and inequalities pop up one after the other.

It is hard for many of us to understand why all people should not enjoy the same benefits in proportion to what we pay in when we arrive at age 65. The monthly payment charts based upon average monthly earnings is fairly easy to understand.

But the joker is in order to qualify for the benefits you've paid for you must keep your compensation down to $1,200 or less a year. If you earn more than one hundred dollars a month, you may lose some of your monthly benefit checks. In 1958 for example, if a man earned $2,080 or more from compensation, he got no social security benefits.

Of course this was grossly unfair and the Social Security Administration knew it.

Beginning in 1959 they ruled no matter how much you earn in a year, you can get the monthly benefit payment for any month in which you neither earn wages of more than $100 nor render substantial service in self-employment.

Every man wants every cent he is entitled to and I daresay that goes for every woman, so we have many perfectly honest people sitting down, figuring every angle to earn as much as they can without losing a benefit check.

People resort to every subterfuge they can think of with the encouragement in many cases of the local social security office to arrange their affairs so they can claim every dollar of benefit they can.

The man on salary tries to make a deal with his employer to get him to give him 2, 3, or 4 big checks for work he may do during the year, and they both conspire to make it appear the services are rendered during a short period of time. Morally, they both feel they are doing no wrong. Of course their acts are illegal.

The self-employed man is told he does not lose his benefit checks for the months he does not perform substantial services. So he plans to take himself off on an extended vacation and arrange a work schedule so his earnings are concentrated in the shortest period of time so he can enjoy maximum benefits.

The employees as well as the self-employed man knows his activities are subject to review and he may have to return benefit checks illegally earned. The stakes are high so many are willing to take the chance because the law is not realistic nor democratic.

It is morally wrong to encourage a person to degrade himself and refrain from honest labor in order to collect benefits he has paid for over the years.

Gentlemen, it is extremely difficult to understand.

We spend millions of dollars every year to raise the standard of living in other countries, thereby increasing purchasing power to insure prosperity, and we turn right around and penalize our own people for attempting to make the most of their God-given abilities.

It doesn't seem right, gentlemen, because if these people earned more and had social security too, they could spend more as well. Instead of writing off thousands upon thousands of taxpayers who reach 65 and get substandard incomes from social security plus the little extra they are allowed to earn, we could turn many of these people into taxpayers again with dignity, pride, and independence.

Many of our senior citizens find it difficult to get by on social security alone and even more difficult to work out a plan to supplement their income without endangering the benefits they are entitled to without working.

Perhaps you may argue that Uncle Sam could not pay benefits to everyone entitled to benefits. I really don't know how it would work out. But I believe that if the Treasury Department paid over to the U.S. Department of Health taxes collected from compensation only on people entitled to social security benefits, they could raise sufficient income from extra income taxes collected to more than compensate their needs.

Congress is in session now. I'm sure some of the big brains in the country could outline a plan that would work with just a little effort.

We are shamefully letting some of our best brains go to seed because of our indifference in this matter of social security benefits.

Many brilliant men start deteriorating rapidly at this age because they have lost incentive.

Why not encourage these brilliant people to go into the field of teaching by offering them additional benefits or deductions on earnings from teaching. God knows we could use them.

There are many other creative fields and opportunities for the senior citizen whose experience is priceless. Encourage these people to enter these fields because here is the place in our society where these are needed badly.

We sometimes forget a man of 65 today is not an old man. He may feel old if he feels useless, but if he has a purpose in life, he has many fruitful years ahead.

Gentlemen, doesn't it seem a bit ludicrous to you to hear Uncle Sam say, you'll have to cut down on your compensation at 65 or do some clever conniving; otherwise, you'll lose some of your benefit checks, but don't worry about it; when you get to be 72 you may earn all you can and be perfectly honest about it because you get full benefits regardless of your income.

Does a man of 65 have greater needs or wisdom than a man of 72?

A man at 65 may have some good contacts and may actually be needed on the job. He may give these up to qualify for benefits and find out at 72 he has drifted too far away to be of any real value, and then he really feels lost. How much time can you lose from your job or business without feeling you've lost contact?

Why waste this precious time?

Why mark time and lose 7 productive years?

Remember the laws of this country are made by your Representatives in Congress. They try to carry out the wishes of the people. Every once in a while they make a mistake. Prohibition was an example of this. When the people demanded repeal they got it.

If you feel as I do about the inequalities of the payment of social security benefits, do something about it.

Write to your Congressmen. Encourage your service club to write. Enlist all sincere people to make every effort to give everyone their rightful share of social security benefits and encourage our senior citizens to make their remaining years as productive as the good Lord intended them to be.

PROTECTING OFFICERS OR EMPLOYEES OF DEPARTMENT OF LABOR

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, I have introduced a bill, today, to include officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code, relating to assaults and homicides. An explanation thereof follows:

When the performance of official duties in carrying out the provisions of Federal laws subject an employee of the Government to the dangers of assaults or homicidal acts by others, there is sound reason for extending to these employees the protection of laws punishing such assaults or homicides as Federal offenses. Such protection has been extended to many such Federal employees by section 1114 and, by reference, section 111 of the Criminal Code of the United States. Section 1114 relates to homicides against particular classes of law enforcement and investigative personnel of the United States. Section 111 makes it a Federal crime to assault, resist, impede, oppose, intimidate, or interfere with any person designated in section 1114 while he is engaged in the performance of his duties. Among others to whom these safeguards have been extended are Federal judges; certain personnel of the National Park Service, the Bureau of Land Management, and the Federal Indian field service; and some employees of the Bureau of Animal Industry of the Department of Agriculture.

The purpose of the proposed bill is to provide these same protections for officers or employees of the Department of Labor assigned to perform investigative, inspection, or law enforcement functions. Experience in the past has clearly demonstrated the need for extending these protections to Labor Department personnel such as wage-hour investigators conducting investigations under the Fair Labor Standards Act and the Walsh-Healey Public Contracts Act, and field representatives of the Bureau of Employment Security who conduct investigations as to compliance by employers with the terms of the agreement between this country and Mexico relating to the employment of Mexican farm labor. A recent development, the enactment of the Labor-Management Reporting and Disclosure Act of 1959, has greatly increased the need for this proposed legislation. The broad investigative and law enforcement functions conferred on this Department by the new labor reform law make it imperative that the protections of the Federal Criminal Code be extended to the large group of investigators who in the future will be engaged in the performance of these recently acquired functions.

The bill would amend section 1114 of title 18 of the United States Code so as to include the Department's personnel assigned to perform investigative, inspection, or law enforcement duties. They would thereby receive the protection afforded by section 111 as well.

Assault against the person is a crime in all States. However, this has not proved to be a sufficient deterrent to prevent interference with Federal employees performing investigative and enforcement duties. If those contemplating interference with the official functions of an investigator are aware that a violation of a Federal criminal statute is involved, such interference will undoubtedly be reduced considerably. There have been instances in the past in which this Department's investigative and enforcement personnel were assaulted or threatened with assault while performing their duties. These instances, particularly in the light of the major increase in the Department's investigative and enforcement functions, show the need for providing such personnel with the same protection available to persons engaged in similar activities under other laws of the United States.

TRANSFERRING REVENUE BACK TO THE STATES AND LOCALITIES FROM THE FEDERAL GOVERNMENT

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, I am introducing today a bill which will begin to transfer revenue back to the States and localities from the Federal Government. This represents a small beginning, indeed, but I would hope that enactment of this type of legislation, in the first instance, would start a trend toward our doing something aggressively about helping the States with their financial burdens.

We are in an era when the solution proposed by many people to every problem that comes over the horizon is the simple panacea of more Federal spending. Increasingly we find that problems, inherently belonging on a local level, cannot be solved by local tax revenues, and they cannot be wished away by ignoring them. Rather than have these problems go unsolved, we eventually accept the solution of Federal participation. The Federal participation starts as a small grant or loan and eventually it elaborates into an advanced program of matching funds, with a large Federal bureau to run things from Washington. How much better off we would be if the Federal Government not only refused to usurp local functions but

also took the responsibility of offering a few slices of our Federal tax pie.

I propose that the Federal tax on telephone service be extended for another year. I further propose that any State which wishes to take this tax unto itself can do so. If a State enacts a telephone tax comparable to that imposed by the Federal Government, under my bill the Federal tax would be discontinued on the day the State tax takes effect. If a State does not enact a comparable telephone tax, the tax will continue to go to the Federal Government. By this means we can insure that States will quickly and effectively utilize this source of revenue. I trust that not many States will refuse to enact a telephone tax when all they are doing, in effect, is taking the money into the State coffers rather than letting it go to the Federal Treasury.

I recognize that President Eisenhower has recommended the extension of the present Federal excise tax on telephone service for another year, and I support the President's resolve to protect a surplus, to the extent commensurate with our national needs. Nonetheless, I fear that the explosive problems faced by our local agencies, from States all the way down to local school boards, will not wait for a surplus in Washington. If we do not give them more revenue locally, the solution is going to be more Federal funds spent from Washington. This is true in education, community facilities, welfare, or other worthy purposes.

Last week Governor Rockefeller, of New York, visited President Eisenhower. Prior to his visit, the Governor had characteristically met an acute problem squarely and courageously with an honest answer. The costs of education have far outrun our dilapidated sources of local tax revenue. The Federal Government has long been a minor participant in the field of education but its monstrous bureaucracy is now poised and ready for massive invasion within the next few years, unless the problem is otherwise solved by legitimate means.

If full-scale Federal aid becomes necessary to solve our educational problems, the solution will be an expensive one, indeed—expensive in terms of our tax dollar, in terms of quality, and in terms of freedom. Mr. Rockefeller has dramatized the approach which can do the job. I urge that we start passing Federal revenue sources back to the States this year. After the telephone tax, we can look to release to the States of a whole variety of so-called emergency Federal taxes. The trickle of the telephone tax could become a mighty river of effective local tax revenue, fed by tributaries of other abandoned Federal taxes.

One other point, and this is not presently a part of my bill because it is not clear what would be the best manner of implementing it, but I would favor a provision which would earmark State funds obtained from the telephone tax to education. The adoption of such a provision would almost immediately siphon new funds for education to our local school boards without giving the dollars an erosive round trip to Washington in the process.

Although I introduce this bill without the knowledge of Nelson Rockefeller, and I have never discussed the subject with him personally, I pay tribute to his earnest efforts in this field and I offer my bill as a warm endorsement of the responsible approach he has made to a real solution of a vexing community problem.

DISPLAY OF U.S. FLAG AT EMBASSIES

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. JOHANSEN] is recognized for 15 minutes.

Mr. JOHANSEN. Mr. Speaker, I have today introduced a joint resolution providing for the prominent display of the flag of the United States of America on or near diplomatic establishments of the United States in foreign countries.

My action in offering this resolution is prompted by a discovery which, ironically, I made through an item in the news columns of a newspaper in my own district.

This news item quoting a resident of the Canal Zone, who is a sister of a constituent of mine, discloses that for the past 2 months or longer, by order of the U.S. Ambassador to Panama, the flag of the United States is being displayed on the American Embassy on a sharply curtailed basis.

Inquiry on my part to the State Department confirmed this report. The State Department advised me that prior to November 15, 1959, the American flag had been flown daily over the U.S. Embassy in Panama, but that since that date, and by direction of the Ambassador, it is being flown only on certain specified national holidays and other designated flag days and on certain national holidays observed by Panama.

A further inquiry of the State Department on my part as to a possible connection between this sudden curtailment in the display of our flag and the November 3 hostile demonstration against the American Embassy during which the flag of the United States was desecrated, evoked a reply which, to me, is totally unconvincing.

I was informed that the action was taken by the principal officer in charge of the Embassy pursuant to the following regulation governing use of flags at foreign service posts:

> Posts may refrain from an exterior display of the flag when, in the judgment of the principal officer, local conditions make it inadvisable.

In response to my further inquiry as to the reason for such curtailment at the particular time it was imposed, I received no satisfactory answer whatsoever.

I was told—and in all candor I must say bluntly that I do not believe the statement—that there was no significance in the date on which the order was issued.

In other words, I have had no explanation which remotely satisfies me as to what local conditions made it temporarily inadvisable, in the judgment of our Ambassador to Panama at this time not to fly the flag as heretofore.

Speaking now in more general terms, I will go further. I find it difficult, indeed, to conceive of any local conditions which make it inadvisable, temporarily or otherwise, for the American Embassies to refrain from exterior display of the flag."

Therefore, the purpose of my joint resolution is to deny this type of discretionary power to any officer of any Embassy of the United States anywhere in the world.

The Embassies of the United States represent the national authority and sovereignty of the United States. These Embassies enjoy extraterritorial status.

If and when the relations between the United States and the country in which its Embassy is located have deteriorated to such a degree that it is impossible to display the U.S. flag over our Embassy in that country, then it seems to me that the maintenance of that Embassy, the maintenance of our representatives in that country, and the continuation of normal diplomatic relations ought to be subject to the most careful scrutiny and review.

We are at a point, as the House consideration of House Concurrent Resolution 459 clearly indicates, where very tender concern is being expressed over the alleged right of other countries to display their flags in certain areas, specifically the right of Panama to fly its flag in the Canal Zone, as "visible evidence of sovereignty," to use the words of the President of the United States.

I plead, Mr. Speaker, for some corresponding tender concern for "visible evidence of sovereignty" in behalf of the United States of America.

I cannot conceive how a decent regard for our own sovereignty and for our own self-respect can possibly countenance anything less than is contemplated in my joint resolution.

To anyone who is so brash as to suggest that this is either an idealistic attitude or outmoded chauvinism, I can answer only with the contempt which I believe so pusillanimous an attitude deserves.

If we have degenerated to the point where we have no concern for our own national self-respect, it is folly to presume that we can hope to command the respect of any other nation.

CENTENARY OF THE FIRST JEWISH PRAYER IN CONGRESS, FEBRUARY 1, 1860

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, it was 100 years ago yesterday that the Congress of the United States first gave full and formal recognition to the Jewish religion, and to the position of the rabbi as preacher and religious teacher, by selecting a rabbi, Morris Jacob Raphall, of New York, to open a session of the House of Representatives with prayer.

This 100th anniversary of the occasion was suitably observed by the invocation

offered yesterday in our behalf by Rabbi Goldstein of Congregation B'nai Jeshurun in New York City. It is significant that Rabbi Goldstein is today the spiritual leader of the same congregation which Rabbi Raphall headed 100 years ago. This meaningful anniversary was first called to my attention by Dr. Abraham G. Duker, president of the College of Jewish Studies in Chicago. I am indeed very happy and proud that the gentleman from Illinois [Mr. YATES] and the gentleman from New York [Mr. CELLER] had made arrangements to have Rabbi Goldstein deliver the invocation before this body yesterday. By paying tribute to the 100th anniversary in this Congress, this Congress provided a fitting reply to those who today would attempt again a revival of bigotry by desecrating religious shrines throughout the world. It is indeed, Mr. Speaker, a proud moment that this House of Representatives today, by unanimous vote, approved House Concurrent Resolution 465, offered by the gentleman from Illinois [Mr. O'HARA], which expresses our indignation and shock at the epidemic of desecrations of holy shrines throughout the world.

In order so that the historians looking through the background of history of the actions of this Congress will get the full meaning of the atmosphere that prevails today as against the atmosphere that prevailed 100 years ago when the first rabbi was called to deliver the invocation in this House, I ask unanimous consent that the entire text of House Concurrent Resolution 465 may be inserted at this point in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The concurrent resolution is as follows:

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this desecration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas, if left unchecked, this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

Mr. PUCINSKI. Mr. Speaker, in comparing the atmosphere that prevailed 100 years ago with that of today, I insert at this point in the RECORD the eloquent words of Rabbi Goldstein delivered at a luncheon in the Speaker's dining room, U.S. House of Representatives on February 1, 1960, centenary of the first Jewish prayer in Congress:

Gentlemen, on behalf of my congregation and substantial segments of the Jewish Community in the United States, I wish to express my appreciation of the great privilege to have been invited to deliver the opening prayer before the House of Representatives this morning, as well as the great courtesy of this luncheon, presided over by Representative CELLER, one of the great constructive personalities in Congress.

This has been indeed an historic morning. I am pleased that the Voice of America and Radio Free Europe deemed it worth while to broadcast the prayer and the purport of the occasion. I am glad to acknowledge the presence here of one of the leading scholars in the field of American Jewish history, Dr. Abraham G. Duker, president of the College of Jewish Studies in Chicago, who discovered the anniversary. He brought it to the attention of Representative YATES and Representatives CELLER and PUCINSKI, with the result that the invitation was extended to me to deliver the prayer on the hundredth anniversary of the original prayer.

I wish I had the time to read Dr. Raphall's prayer of a century ago. Fortunately, it will be available in the CONGRESSIONAL RECORD, and you will have an opportunity to examine it at your leisure. Styles in prayers have changed. One of the audience who attended the original prayer was overheard to say that although it was beautiful, it was long enough to be a sermon. Chaplain Braskamp impressed upon me this morning that brevity is the soul of prayer.

Dr. Raphall's prayer reflected the tension of the times. It was the 36th Congress, which opened December 7, 1860. It was the administration of President Buchanan. It was shortly following the Harpers Ferry incident with John Brown. In the Senate there was a Democratic majority; in the House, the Republicans had an uncertain majority. The House was unable to organize itself because it was unable to elect a Speaker. There was turmoil.

In that kind of atmosphere, Dr. Morris J. Raphall came to deliver his invocation. It was his 12th year in the ministry of Congregation B'nai Jeshurun of New York, the second oldest in the city. He had come to it from Birmingham, England. His orthodoxy and scholarship won for him nationwide fame. The Jewish population in the United States at that time numbered 150,000. There were one or two Members of Congress regarding whose Jewishness there was some question.

The invitation to Dr. Raphall made a stir in the Jewish community and also among many non-Jews because it was the first time that a non-Christian was invited to pray for the country. The floor and the galleries were crowded, as it was hoped that at long last a Speaker might be elected. There was audible curiosity as the rabbi rose, wearing his talith and his velvet cap in the orthodox tradition, as I did this morning for historic sentimental reasons. There were some approving comments heard and also a few snide remarks because the occasion was so unusual. When, however, Rabbi Raphall spoke the first words of his prayer in clear, well modulated tones which reached the uttermost ends of the Hall, there was awed silence. Newspaper reporters and their dispatchers commented on the impressiveness of the rabbi's appearance and the beauty of his prayer.

I suppose it may be said that Congress always needs to be prayed for, but it was especially so that day. Mirabile dictu. A Speaker of the House was elected that day on the 24th ballot. Many were heard to remark: "The rabbi's prayer did it." You can see, therefore, that it was one of the most effective prayers ever delivered in Congress.

The effects, however, were not long lived. Little more than a year thereafter, the Civil War broke out. Jews joined the armed forces in the North and in the South, in numbers far beyond their proportion in the population. Rabbi Raphall's son served with the Union forces as a lieutenant and was wounded.

I thought you might be interested in this bit of historical background.

Permit me to conclude by a brief evaluation of these hundred years. It needs hardly be argued that since 1860, civil rights and liberties and intergroup relations in the United States have marched steadily forward. The status of our Negro fellow citizens has advanced fundamentally, although desegregation, now the law of the land, is still not fully implemented. The American people give wide acceptance to the principle that adherence to a minority faith must not be permitted to stand in the way of election to the highest office in the land. There is an abhorrence of anti-Semitism by the vast majority of the American people as has been recently demonstrated by the President's message to the National Conference of Christians and Jews, and the expressions in Congress and in the press in reaction to anti-Semitic incidents. It is a gratifying coincidence that a bill will be voted tomorrow giving expression to the sentiment of Congress in this matter. All these are landmarks of progress.

I am sure you will agree that we must not rest content until the gap between what is and what ought to be is further narrowed. As long as there are areas where Negroes, Jews, Catholics, and Protestants are subject to discrimination in law or in fact; as long as there are American citizens who are disqualified because of race or creed from full equality with other American citizens when serving with American Armed Forces abroad, or in the use of American passports for travel in certain countries abroad, or in biding for business contracts abroad, or carrying cargo to certain ports abroad, or in the use of international waterways; and as long as there are professional hate mongers who ply their nefarious traffic with impunity, there is unfinished business for the people of the United States and for the legislative and executive arms of our Government.

God grant that there may be a 200th anniversary of the occasion whose 100th anniversary we observe today and that it may find the United States and the world as far advanced in human rights beyond the condition of 1960 as 1960 is advanced beyond the condition of 1860.

Thank you.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CELLER. Mr. Speaker, I hereby offer the text of the prayer of Dr. Israel Goldstein before the House on February 1, 1960. This date marks the 100th anniversary of the first time the prayer was delivered before the House by a rabbi on February 1, 1860. The original prayer was delivered by Dr. Morris J. Raphall of Congregation B'nai Jeshurun and it is fitting and proper that Rabbi Goldstein of the same Temple deliver the invocation on this anniversary:

Lord, Creator, Father, "This is the day which the Lord hath made that we should rejoice and be glad thereon."

We pray Thee, make Thy light to shine upon this day which we joyfully mark as the 100th anniversary of a prayer intoned within this Legislative Hall for the first time by a teacher of the Jewish faith, Rabbi Morris

Jacob Raphall. It was a day as meaningful for America as for the household of Jacob, tokening not only religious freedom and equality but interreligious fellowship.

How better can we remember that day than by calling to mind some of the prayerful words then uttered?

"Lord * * * It has been Thy gracious will that on this western continent a commonwealth should be established after the model which Thou, Thyself, didst bestow upon the Tribes of Israel, in their best and purest times. The Constitution and institutions of the Republic prove to the world, that men created in Thine image and obedient to Thy precepts are not only capable—fully capable of self-government, but that they know best how to combine civil liberty with ready obedience to the laws—religious liberty with sincere respect for individual rights."

While those words had and have a timeless ring, other words of that prayer reflected the ominous tensions of the time when our Nation was riven by strife on the threshold of a tragic civil war.

O Lord Whose Name is One, we thank Thee that today our Nation stands before the world one and indivisible. May it stand not only in the panoply of might but in the splendor of spirit, not too proud to acknowledge its own blemishes and seek to correct them, and not too meek to aspire to the role of world leadership by example, in helping to lift burdens of oppression, poverty, ignorance and disease, wherever the uplifting hand is needed and welcomed. May we begin at home by cleansing our own habitations from the germs of hatred and prejudice. And may we join forces with the vigilant safeguarding of good will everywhere, aware that the toleration of evil often paves the way for evil's domination.

We thank Thee that the restoration of Zion, a prayer and a dream a hundred years ago, has come to fulfillment in our time with the noble help of these United States. Grant that out of Zion shall go forth again the law and the word of God out of Jerusalem.

In a hundred years, thanks to the progress of science, the ends of the earth have come together across the barriers of time and space. Grant Thy children the moral wisdom to match proximity with neighborliness.

In a hundred years the inventions of destruction have left us no alternative to peace. Grant us the will to pursue peace relentlessly and the inventiveness to surmount the obstacles in the way.

Sustain with Thy blessings the President of these United States and all who conduct the affairs of Government. May Thy face be turned unto our beautiful America and unto Thy children everywhere.

May it be Thy will that 100 years hence America shall yet stand unsurpassed as a citadel of human fellowship and a fortress of peace and freedom in a free and peaceful world.

"Adonay oz l-amo yitain, Adonay yevaraich et amo vashalom." The Lord endow us all with strength, the Lord bless us all with peace. Amen.

I also give an excerpt from the book, entitled "A Century of Judaism in New York," written by Dr. Israel Goldstein. Pages 123 and 124 of this book make direct reference to the prayer of Dr. Morris J. Raphall. That prayer follows:

Almighty and merciful God, we approach Thee this day to thank Thee for Thy past mercies, and humbly to beseech Thee to continue and extend the same to Thy servants, the Representatives of these United States in Congress assembled.

Lord, great and manifold have been Thy bounties to this highly favored land; heartfelt and sincere are our thanks. While the vast despotisms of Asia are crumbling into dust, and the effete monarchies of the Old World can barely sustain themselves by yielding to the pressure of the spirit of the age, it has been Thy gracious will that on this western continent a commonwealth should be established after the model which Thou, Thyself, didst bestow upon the Tribes of Israel, in their best and purest times. The Constitution and institutions of this Republic prove to the world, that men created in Thine image and obedient to Thy precepts are not only capable—fully capable of self-government, but that they know best how to combine civil liberty with ready obedience to the laws—religious liberty with warm zeal for religion—absolute general equality with sincere respect for individual rights. In the acquiring and carrying out of these most wise institutions, Thy protection was signally manifest. It was Thy right hand that shielded the Founders of this commonwealth during the long and perilous struggle of right against might. It was Thy wisdom that inspired them when they established this Congress to be that which Thy holy Tabernacle with the Urim and Thummin, "Light and Equity," had been to the commonwealth of Israel; the heart of the entire nation, where the wants, the wishes, the feelings of all should become known to, and respected by, all, so that union should create strength, and concord keep pace with prosperity, Lord. The ordinary lifetime of a man has barely elapsed since this Constitution came into force, and under its auspices our country, from feeble and poor, is become wealthy and powerful. Already it takes ranks with the mightiest, and Thou wilt realize unto it Thy gracious promise to Thy chosen people, "Vehositcha Adoray Letovah," "The Lord will distinguish thee for that which is good."

Supreme Ruler of the Universe, many days and many weeks have gone by since Thy servants, our Representatives, first met in this Congress; but not yet have they been able to organize their House. Thou who makest peace in Thy high heavens, direct their minds this day that they may, with one consent, choose the man who, without fear and without favor, is to preside over their assembly. To this intent endow them, Father most gracious, with Thy Spirit—"the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and of the fear of the Lord." Let Thy grace guide them, so that amidst the din of conflicting interests and opinions, they may each of them and all of them hold that even tenor of their way—the way of moderation and of equity—that they may speak and act and legislate for Thy glory and for the happiness of our country; so that from North and from South, from East and from West, one feeling of satisfaction may attend their labors, while all the people of the land joyfully repeat the words of Thy psalmist: "Lo, how good and how pleasant it is for brethren to dwell together in unity."

Lord God of Abraham, of Isaac, and of Jacob, I, Thy servant, beseech Thee bless these our Representatives, even as Thou didst direct Thy priests to bless Thy people, saying:

"Yevarechecha Adonay veyishmerecha.
Ya-ait Adonay parav ailecha vi-chuneka.
Yissa Adonay panav ailecha veyasemlecha shalom."

"May the Lord bless thee and preserve thee.
May the Lord cause His countenance to shine upon thee and be gracious unto thee.
May the Lord raise His countenance unto thee and grant thee peace."

May this blessing of the One who liveth and reigneth forever rest upon your councils and yourselves this day and evermore. Amen.

At the luncheon which followed the invocation and which was attended by Members of the House and Senate in the Speaker's dining room, I introduced Dr. Goldstein in the following manner:

If Jewish life survived the destruction of the Temple, that was because the synagogue had been prepared to take over its burden and carry it onward for generations.

Dispersed among the nations, without a national center, without a synod to formulate its principles, without any secular power to enforce its decrees, yet the synagogue found its home and harmony in the hearts of loyal Jews the world over.

To have created the synagogue is one of Jewry's greatest practical achievements. It was and is the synagogue that kept and keeps the fires of the faith burning.

One of the great exponents of the synagogue is with us. He is rabbi of Temple B'nai Jeshurun, of New York. He invoked the blessing of the Lord for us this day in the House. One of his predecessor rabbis of that temple—Rabbi Morris J. Raphall—100 years ago to the day—February 1, 1860—also gave the House the benefit of his words of benediction. It was during parlous times, when the Nation was rent asunder. Happily we are today a united nation.

I give you Rabbi Israel Goldstein, of Congregation B'nai Jeshurun, honorary chairman, Western Hemisphere, World Jewish Congress, former president of the American Jewish Congress, member of the executive committee, Jewish Agency—a truly dedicated man of the cloth, stanch defender of individual liberty, protagonist of the dignity of man, a true leader of his people and sponsor of many ennobling causes.

Rabbi Goldstein addressed the luncheon guests. Then followed statements by Senator EVERETT DIRKSEN, of Illinois, minority leader in the Senate, and Representative SIDNEY YATES, of Illinois.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. TOLL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TOLL. Mr. Speaker, I would like to join Congressmen YATES and PUCINSKI, my distinguished colleagues from Illinois, in commending Dr. Israel Goldstein the illustrious rabbi of Congregation B'nai Jeshurun of New York in connection with his remarkable prayer opening the House session on Monday commemorating the 100th anniversary of the first prayer offered in the Congress by a rabbi.

The learned rabbi was raised in the city of Philadelphia in his boyhood in Congressman BARRETT'S district and has made a great career in the rabbinate and in Jewish affairs during his entire adult life. In fact he is one of the outstanding Jews of the world. Some of his relatives live in my district and his brother has his offices in Congressman R. N. C. NIX'S district in Philadelphia. It was a pleasure and a privilege to listen to the opening prayer and to lunch with Dr. Goldstein and his wife.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KLUCZYNSKI (at the request of Mr. O'BRIEN of Illinois), on account of illness.

Mr. COOLEY (at the request of Mr. BONNER), on account of death in his immediate family.

Mr. ALFORD (at the request of Mr. GATHINGS), for 1 day, February 2, 1960, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GOODELL (at the request of Mr. ARENDS), for 10 minutes, on today.

Mr. VANIK, for 20 minutes, on Thursday next.

Mr. KASTENMEIER, for 60 minutes, on Thursday next.

Mr. JOHANSEN, for 15 minutes, today.

Mr. PUCINSKI, for 30 minutes, today.

Mr. ZELENKO (at the request of Mr. PUCINSKI), for 30 minutes, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. NATCHER.

Mr. RHODES of Arizona and to include extraneous matter.

Mr. SCHWENGEL.

Mr. BERRY and to include extraneous matter.

Mr. HECHLER (at the request of Mr. MCCORMACK) and to include extraneous matter.

(At the request of Mr. GLENN, and to include extraneous matter, the following:)

Mr. CEDERBERG.

Mr. HOLT.

(At the request of Mr. PUCINSKI, and to include extraneous matter, the following:)

Mr. KEOGH.

Mr. MCDOWELL.

Mr. ASHLEY.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 3, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1763. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the report of the proceedings of the annual meeting of the Judicial Conference of the United States held in Washington, D.C., September 16–17, 1959, pursuant to title 28, United States Code, section 331 (H. Doc. No. 321); to the Committee on the Judiciary, and ordered to be printed.

1764. A letter from the Comptroller General of the United States, transmitting a report on the examination of selected supply management activities of the U.S. Army, Ryukyu Islands (USARYIS), and related activities of the Marine Corps in the Ryukyu Islands; to the Committee on Government Operations.

1765. A letter from the Chairman, Advisory Commission on Intergovernmental Relations, transmitting the first report of the Advisory Commission on Intergovernmental Relations, pursuant to Public Law 86–380; to the Committee on Government Operations.

1766. A letter from the Governor, Canal Zone Government, transmitting a report of disposal of foreign excess property by the Panama Canal Company and Canal Zone Government for the year ended December 31, 1959, pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 398); to the Committee on Government Operations.

1767. A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, transmitting the fourth interim report of the Franklin Delano Roosevelt Memorial Commission, pursuant to Public Law 372, 84th Congress; to the Committee on House Administration.

1768. A letter from the Acting Secretary of the Treasury, transmitting a report on Treasury Department positions in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1769. A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled "A bill to include certain officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THORNBERRY: Committee on Rules. House Resolution 435. Resolution for consideration of H.R. 3151, a bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; without amendment (Rept. No. 1235). Referred to the House Calendar.

Mr. THORNBERRY: Committee on Rules. House Resolution 436. Resolution for consideration of H.R. 9662, a bill to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes; without amendment (Rept. No. 1236). Referred to the House Calendar.

Mr. MCMILLAN: Committee on the District of Columbia. H.R. 9737. A bill to amend the act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by trustees the majority of whom are citizens of the District of Columbia; with amendment (Rept. No. 1237). Referred to the House Calendar.

Mr. MCMILLAN: Committee on the District of Columbia. H.R. 9451. A bill to amend Public Law 86–333 to provide that the tax exemption granted the property of the Veterans of Foreign Wars in the District of Columbia shall be effective with respect to taxable years beginning on and after July 1, 1959; with amendment (Rept. No. 1238). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCMILLAN: Committee on the District of Columbia. H.R. 7124. A bill to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes; with amendment (Rept. No. 1239). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 10082. A bill to amend title II of the Social Security Act to provide that a child entitled to child's insurance benefits shall not lose such entitlement by reason of adoption if the adopting parent is the child's brother or sister; to the Committee on Ways and Means.

By Mr. BARRETT:

H.R. 10083. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BENTLEY (by request):

H.R. 10084. A bill to amend the Mutual Security Act of 1954, as amended; to the Committee on Foreign Affairs.

By Mr. BOGGS:

H.R. 10085. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 10086. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit; to the Committee on Ways and Means.

By Mr. MACHROWICZ:

H.R. 10087. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit; to the Committee on Ways and Means.

By Mr. KNOX:

H.R. 10088. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit; to the Committee on Ways and Means.

By Mr. BUDGE:

H.R. 10089. A bill to permit a civil action to be brought against an officer of the United States in his official capacity, a person acting under him, or an agency of the United States, in any judicial district of the United States where a plaintiff in the action resides; to the Committee on the Judiciary.

By Mr. CARNAHAN:

H.R. 10090. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. COHELAN:

H.R. 10091. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DORN of South Carolina:

H.R. 10092: A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 10093. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. GOODELL:

H.R. 10094. A bill to amend the Internal Revenue Code of 1954 to extend the excise tax on telephone service for an additional year, and to provide that such tax shall not apply with respect to service furnished in any State where an identical tax is imposed by State law, to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 10095. A bill to amend section 601(a) of the Federal Aviation Act of 1958 so as to require air carriers to maintain route maps in conjunction with certain weather information for the benefit of their passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON:

H.R. 10096. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. JENSEN:

H.R. 10097. A bill to provide for a payment-in-kind program for corn, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Colorado:

H.R. 10098. A bill to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10099. A bill to amend section 8 of the Federal Water Pollution Control Act to strengthen the enforcement procedures for that act; to the Committee on Public Works.

By Mr. KARTH:

H.R. 10100. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10101. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. KING of Utah:

H.R. 10102. A bill to clarify the right of States to select certain public lands subject to any outstanding mineral lease or permit; to the Committee on Interior and Insular Affairs.

By Mr. KITCHIN:

H.R. 10103. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 10104. A bill to extend the Sugar Act of 1948, as amended, for 2 years, to increase domestic beet sugar and mainland cane sugar quotas, to authorize the President to reduce quotas of certain foreign nations, and for other purposes; to the Committee on Agriculture.

By Mr. LIPSCOMB:

H.R. 10105. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

H.R. 10106. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McINTIRE:

H.R. 10107. A bill to amend title 10, United States Code, with respect to crediting certain service of female members of telephone operating units, Signal Corps; to the Committee on Armed Services.

By Mr. MACHROWICZ:

H.R. 10108. A bill to authorize reimbursement of certain Veterans' Administration beneficiaries and their attendants for ferry fares, and bridge, road, and tunnel tolls; to the Committee on Veterans' Affairs.

By Mr. MERROW:

H.R. 10109. A bill to provide that Federal employees who are members of the National Guard shall not suffer loss of pay, time, or efficiency rating for periods of service pursuant to call by the Governor of a State; to the Committee on Armed Services.

By Mr. CLEM MILLER:

H.R. 10110. A bill to amend section 8 of the Federal Water Pollution Control Act to strengthen the enforcement procedures for that act; to the Committee on Public Works.

H.R. 10111. A bill to increase from $75 to $85 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service; to eliminate the requirement that certain of such widows must have married the employee before his retirement, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GEORGE P. MILLER:

H.R. 10112. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORRIS of New Mexico:

H.R. 10113. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. MORRISON:

H.R. 10114. A bill to amend the Classification Act of 1949 to authorize the placement in grade 18 of the general schedule of 20 positions of hearing examiner in the Federal Trade Commission; to the Committee on Post Office and Civil Service.

By Mr. MURPHY:

H.R. 10115. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

H.R. 10116. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. OLIVER:

H.R. 10117. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PHILBIN:

H.R. 10118. A bill to amend section 201(b) of the U.S. Information and Educational Exchange Act of 1948 so as to permit any State of the United States to request a waiver of the 2-year period of residence abroad required of certain exchange visitors; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 10119. A bill to establish a national portrait gallery in the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

H.R. 10120. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10121. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS of Massachusetts (by request):

H.R. 10122. A bill to amend the Veterans' Benefits Code with respect to the payment of compensation and pension to widows of veterans; to the Committee on Veterans' Affairs.

H.R. 10123. A bill to amend title 38, United States Code, to permit for 1 year the granting of national service life insurance to veterans with service-connected disabilities; and to permit for 1 year veterans with service-connected disabilities less than total to obtain disability income protection under national service life insurance, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. ST. GEORGE:

H.R. 10124. A bill to suspend certain postal rates; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:

H.R. 10125. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHORT:

H.R. 10126. A bill to extend the Sugar Act of 1948, as amended, for 2 years, to increase domestic beet sugar and mainland cane sugar quotas, to authorize the President to reduce quotas of certain foreign nations, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 10127. A bill to designate the Navarro Mills Reservoir, in the State of Texas, as the Dawson Reservoir; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 10128. A bill to authorize Federal financial assistance to the States to be used for constructing school facilities; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H.R. 10129. A bill to amend title V of the Merchant Marine Act, 1936, in order to remove certain limitations on the construction differential subsidy under such title; to the Committee on Merchant Marine and Fisheries.

By Mr. VAN ZANDT:

H.R. 10130. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 101301. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARMON:

H.R. 10132. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 10133. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 10134. A bill to provide for a payment-in-kind program for corn, and for other purposes; to the Committee on Agriculture.

By Mr. McCULLOCH:

H.R. 10135. A bill to include certain officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 10136. A bill to provide for a payment-in-kind program for corn, and for other purposes; to the Committee on Agriculture.

By Mr. TELLER:

H.R. 10137. A bill to provide Federal assistance for projects which will demonstrate

or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems; to the Committee on Education and Labor.

By Mr. BROYHILL:

H.R. 10138. A bill to incorporate the Warrant Officers Association of the United States of America; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 10139. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 10140. A bill to assure that citizens of the United States will not be denied the right to register and vote in Federal elections because of their race, color, religion, or national origin, and for other purposes; to the Committee on House Administration.

By Mr. CELLER:

H.J. Res. 596. Joint resolution authorizing the establishment in the District of Columbia of a memorial to Albert Einstein; to the Committee on House Administration.

By Mr. RUTHERFORD:

H.J. Res. 597. Joint resolution providing for a comprehensive program of research and experimentation for the purpose of investigating the growth of salt cedar and other phreatophytes, the hydrological and climatological factors influencing the use of water by such plants, and the various techniques for the eradication and control of plants; to the Committee on Agriculture.

By Mr. SILER:

H.J. Res. 598. Joint resolution to extend the time of the final report of the Lincoln Sesquicentennial Commission; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.J. Res. 599. Joint resolution providing for the permanent display of the flag of the United States of America on or near diplomatic establishments of the United States in foreign countries; to the Committee on Foreign Affairs.

By Mr. BETTS:

H. Con. Res. 556. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

By Mr. JUDD:

H. Con. Res. 557. Concurrent resolution requesting the President to proclaim a National Bible Week during October of 1960; to the Committee on the Judiciary.

By Mr. MILLS:

H. Con. Res. 558. Concurrent resolution providing for printing additional copies of the panel discussions entitled "Income Tax Revision"; to the Committee on House Administration.

By Mr. STRATTON:

H. Con. Res. 559. Concurrent resolution stating that the Congress does not favor the proposed transfers from the Department of Defense to the National Aeronautics and Space Administration, contained in a transfer plan transmitted to the Congress on January 14, 1960; to the Committee on Science and Astronautics.

By Mr. TOLLEFSON:

H. Con. Res. 560. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHLEY:

H. Con. Res. 561. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H. Con. Res. 562. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. BURDICK:

H. Con. Res. 563. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. FLYNN:

H. Con. Res. 564. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H. Con. Res. 565. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. GRAY:

H. Con. Res. 566. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 567. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Colorado:

H. Con. Res. 568. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. KARTH:

H. Con. Res. 569. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. KASTENMEIER:

H. Con. Res. 570. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. KOWALSKI:

H. Con. Res. 571. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. MEYER:

H. Con. Res. 572. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. CLEM MILLER:

H. Con. Res. 573. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. RIVERS of Alaska:

H. Con. Res. 574. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

Br. Mr. ROOSEVELT:

H. Con. Res. 575. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

Br. Mr. WIER:

H. Con. Res. 576. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. WOLF:

H. Con. Res. 577. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. ASPINALL:

H. Res. 437. Resolution amending House Resolution 146, 86th Congress; to the Committee on House Administration.

By Mr. SMITH of California:

H. Res. 438. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 10141. A bill for the relief of Mrs. Marie Kareh Douaihy and her two children, Victor Sarkis Douaihy and Theresa Sarkis Douaihy; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 10142. A bill for the relief of Maj. Royal de Rohan Barondes; to the Committee on the Judiciary.

By Mr. DORN of New York:

H.R. 10143. A bill for the relief of Yuen Tim Lai; to the Committee on the Judiciary.

H.R. 10144. A bill for the relief of Goon Ying Lai; to the Committee on the Judiciary.

H.R. 10145. A bill for the relief of Gerard Puillet; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 10146. A bill to provide tax relief to the Local Union No. 377 Pension Fund and the contributors thereto; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 10147. A bill for the relief of Simon Karasick; to the Committee of the Judiciary.

By Mr. HOLT (by request):

H.R. 10148. A bill for the relief of Anton and Rosanda (Rosana) Jugo; to the Committee on the Judiciary.

H.R. 10149. A bill for the relief of Magdolna Rep de Dudas; to the Committee on the Judiciary.

H.R. 10150. A bill for the relief of Salvatore Fiorentino; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 10151. A bill for the relief of Mary R. Monahan; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 10152. A bill for the relief of Miss Marie E. Mark; to the Committee on the Judiciary.

By Mr. MARTIN:

H.R. 10153. A bill for the relief of Mrs. Marjorie Pickering; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 10154. A bill to validate a certain conveyance of land in Riverside County, Calif., made on September 28, 1885, by the Southern Pacific Railroad Co. et al.; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 10155. A bill for the relief of Dr. Luther B. Newman; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 10156. A bill for the relief of Demetrois (James) Dourakos; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 10157. A bill for the relief of Alessandro Gellhorn; to the Committee on the Judiciary.

By Mr. TABER:

H.R. 10158. A bill for the relief of Richard Pang; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 10159. A bill for the relief of Helene Wilson; to the Committee on the Judiciary.

H.R. 10160. A bill for the relief of Laszlo Sandor; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 10161. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

327. By Mr. STRATTON: Petition of a group of workers and citizens, residents of the 32d Congressional District of the State of New York, county of Montgomery, urging Congress to act promptly and favorably on S. 1046 and H.R. 4488 which would increase the minimum wage to $1.25 an hour and extend the law's protection to nearly 8 million additional workers; to the Committee on Education and Labor.

328. By Mr. VANIK: Petition of the clerk of Council of the City of Cleveland, Ohio, requesting the enactment into law the provisions of S. 1046 and H.R. 4488, relating to the minimum wage, and asking that it be increased to $1.25 an hour; to the Committee on Education and Labor.

329. By the SPEAKER: Petition of Thomas Latimer, executive vice president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to requesting that Congress act within the full purview and intent of article I, section 8 of the Constitution of the United States, define and publish piracies and felonies committed on the high seas, and offenses against the law of nations; to the Committee on Foreign Affairs.

330. Also petition of Thomas Latimer, executive vice president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to requesting investigation of Gerhardt Eisler, Communist propaganda minister for the Soviet German Provinces, traitor to the United States of America; to the Committee on Foreign Affairs.

331. Also petition of Thomas Latimer, executive vice president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to requesting investigation of State and Justice Departments to determine why extradition proceedings have not been instituted against the secret police and espionage agents resident in the many Communist embassies and consulates in the United States of America; to the Committee on Foreign Affairs.

332. Also, petition of Thomas Latimer, executive vice president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to requesting that a full report of the House Committee on Un-American Activities dealing with Communist aggression be made freely available to every educational institution in the various States of the United States; to the Committee on Un-American Activities.

EXTENSIONS OF REMARKS

Banish Poverty From America

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 2, 1960

Mr. HUMPHREY. Mr. President, it was my special privilege on January 25 to address the Legislature of the State of West Virginia in their legislative chamber at Charleston, W. Va. I ask unanimous consent that my address be printed in the CONGRESSIONAL RECORD. There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR HUBERT H. HUMPHREY BEFORE THE WEST VIRGINIA STATE LEGISLATURE, CHARLESTON, W. VA., JANUARY 25, 1960

The fact that the West Virginia Legislature is grappling with questions of supplying food for the hungry and other welfare measures points up the bitter fact that the prosperity we hear so much about is certainly not a general prosperity.

There are too many distressed areas in this country—too many pockets of depression and despair—for any American to feel complacent about our national strength.

We have a huge unfinished job in the United States. That is the job of providing economic security for all our people.

I want to talk to you about one aspect of this general problem—the job of eliminating once and for all the disgraceful amount of actual poverty and economic stagnation that still exists in this richest land in the world.

Poverty is always a tragedy, any time and any place. But poverty in a land that is enjoying a national product close to $500 billion is more than a tragedy—it is a national scandal.

According to official government figures, there were in 1957 no less than 11 million families—families, mind you, with total family incomes of less than $3,000 a year—less than $58 a week. Six million of these families had incomes actually less than $2,000 a year—less than $39 a week. In addition, there were about 5 million persons living alone whose income were under $1,500 a year—under $29 a week.

These are the almost 50 million poor people living in America in the middle of the 20th century.

The test of our progress is not whether we provide more for those who have enough; the test of our progress is whether we provide enough for those who have too little. The existence of 50 million poor people in our midst is sad evidence that we have so much more to do.

There is no single, simple solution to the problem of poverty. Just as there is no single, simple cause of poverty. It must be attacked on every front.

What are some of these fronts?

One vital front concerns the aged. Their problems constitute one of the most crucial battlegrounds. For too many years now we have been authorizing one study after another, holding one conference after another, making one speech after another, about the problems of the aged. The time has come to act.

In addition to many other things, Congress must pass a measure which will provide hospitalization and nursing home care and other services for our elderly people as a matter of earned benefits under our social security law. We must forge ahead on medical research. The dread disease of cancer must be conquered.

What about the wage earner? After all most of the low-income families are headed by wage earners. It is clear that the greatest hope for eliminating poverty is regular employment at decent wages for America's wage earners.

That means a number of things.

It means making it easier, not harder, for unions to organize the unorganized and bring them the economic benefits of collective bargaining.

It means raising the Federal minimum wage at once to at least $1.25—and, even more importantly—extending the coverage of the Fair Labor Standards Act to millions not now covered.

It means at long last doing something about the 1 million migrant farm workers, who, on the average, work less than 150 days a year—and these at miserable wages and under disgraceful conditions of housing, transportation, and child labor.

It means restoring the economic health of dozens of chronically depressed areas. I am sure you share the bitter regret that the President vetoed the distressed areas bill, as well as another bill that has so much meaning for your State—the Coal Research bill.

This area redevelopment or distressed areas legislation would provide two badly needed programs—one to retrain unemployed workers to take new kinds of jobs in industry, and the other to encourage new industry to establish itself in the distressed areas through long-term, low-interest Government financing.

There is even more that the Federal and State Governments can do together. Let me outline some of the other basic features of a program to provide for area redevelopment.

I propose that Government undertake broad programs for the restoration of basic health to the distressed areas, such as:

1. The concentration of authorized public works programs designed to lay the base for greatly expanded future productivity of the areas—to provide more efficient transportation facilities, more and cheaper power sources, better school buildings and laboratories, and greatly expanded timber management practices, in appropriate areas.

Such public works projects would also act as immediate stimulants in the area by providing additional jobs for workers and markets for businessmen in the area.

2. Intensified Government-financed research into the ways of making greater use of the raw materials and natural resources of the distressed areas, and to find additional outlets for existing industry and new outlets for the latent wealth of the area.

3. The immediate consideration by the Federal Government of an export subsidy on coal where foreign competition and cutrate prices injure American producers and shippers.

4. A determined effort to find greater uses for our vast coal resources in our foreign aid program, particularly to the underdeveloped countries that are beginning their industrialized programs.

Ending economic distress and expanding our economy also means bringing our unemployment insurance system up to date, so that wage earners do not become paupers when deprived of work through no fault of their own. More than one of every three unemployed in 1958 received no unemployment insurance, and millions exhausted the inadequate benefits to which they were entitled.

Ending economic distress means eliminating discrimination in employment which all too often keeps Negroes and other minority groups from obtaining jobs which their talent and training entitles them to.

It means improving the skills and education of workers unable to meet the needs of a rapidly changing technology.

All of these things, and more, must be done to give Americans a better chance to lead dignified lives of gainful employment.

I have spoken many times—and will again—on the plight of the American farm family. I wish today merely to place this issue in the context of the basic theme of this address. Certainly, the curse of poverty can never be eliminated from America unless we do justice to the family farmers of our Nation who have given us the tremendous abundance of food and fiber.

Through my Family Farm Program Development Act, I have proposed legislation which will provide a measure of security for our farm families and will at the same time better utilize our food and fiber products as a powerful force for peace and world economic development.

Our primary goal must be decent wages or other private income for every American family or individual. But there will always be some families without breadwinners. And there will always be individuals unable to provide for themselves.

It was Isaiah who called upon us "to do well; relieve the oppressed; judge the fatherless; plead for the widow."

It saddens me to find America failing to do all it should, all it could.

Last year over 5 million Americans received some quantities of surplus food from our bulging warehouses. But under this administration, the law has been administered so that only those commodities in super-abundant supply have been made available for these direct distributions of food for the needy.

Cornmeal, dried skim milk, and flour are all wonderful commodities—but should an American child be expected to live on these alone?

As chairman of an agriculture subcommittee, I held hearings last year on measures which would have made grants to localities for distribution of these foods and many others to families and communities in need.

It distressed me, as it should all America, that the White House opposed these improvements. Why? Because it was claimed that it would unbalance the budget. But is the budget purely a matter of dollars? Is there no room on the balance scale for human needs or feelings?

Despite administration opposition, we did get through the Congress a modest food-stamp program. But already Mr. Benson has announced that he does not intend to put that program into effect.

In addition to alleviating those suffering from poverty today, we must seek to eliminate those factors that tend to perpetuate economic distress.

We must provide adequate education for every child. This means new classrooms, more and better trained and paid teachers, scholarships, and improved curriculum.

We must have a housing program big enough for a growing America—housing for all—slum clearance—clean and modern neighborhoods.

We must bring the blessings of medical progress to all our people—more and better hospitals—and adequate supply of doctors, nurses, and technicians.

I have merely touched on some of the obligations of our society in this basic area in the midst of our so-called prosperous society.

We must not be fooled by slogans. We must face up to the facts of life as we find them, and then organize ourselves and all our resources for the job I have outlined today.

For I ask you: How can we bring peace to the world, how can we maintain our moral and spiritual leadership in the world, if we fail to demonstrate a capacity for taking care of our own people—their needs, their hopes, their very lives?

One Step Toward the Elimination of the Hazards of Highway Driving

EXTENSION OF REMARKS
OF
HON. JOHN J. RHODES
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. RHODES of Arizona. Mr. Speaker, in March of last year I introduced a bill, H.R. 5436, to provide for a register in the Department of Commerce in which shall be listed the names of persons refused a motor vehicle operator's license or who have had such licenses revoked. Since that time there have been more than 30,000 people killed on American highways. Property damage in the same period has run well over a billion dollars. Some of those accidents would not have occurred if the drivers involved in them had been refused driver's licenses on the basis of their previous driving records.

In October 1959, an oil truck crashed into the rear of a bus load of college students near North Brunswick, N.J., killing 11 students and a professor and injuring 19 others. The driver of that truck had previously been convicted of eight moving traffic violations in three States.

In December 1959, a cattle truck smashed head on into a Greyhound bus near Tucson, Ariz., killing nine people. I am informed that the driver of that truck had a half dozen or more traffic convictions in another State.

Mr. Speaker, no legislation can eliminate the hazards of highway driving, and my bill provides only one step. It would give us the means through which the States could limit the worst offenders. In cases like those I have cited, the drivers would not have had driver's licenses if refused or revoked by the States in which their previous offenses occurred. A Federal register would enable other States to know of such offenders, and also refuse them licenses.

In another case which happened several years ago a driver would almost certainly have been denied a driver's license if the bill I have introduced had been in effect. A truck collided head on with a car in Washington, N.J., in 1953, killing five adults and five children. The driver of the truck, who was passing another truck on a hill, was driving with a Pennsylvania driver's license after his New Jersey license had been suspended.

I want to commend and thank the gentleman from Alabama [Mr. ROBERTS] and his Subcommittee on Health and Safety for their active interest in this and other safety legislation. No one could be more keenly aware of the situation nor sincerely concerned with doing something about it than the chairman of this subcommittee.

I hope my good colleague from Alabama will be successful in his efforts for constructive legislation on this subject in this session of the Congress.

Mr. Speaker, I urge every Member to study the measure I have proposed, H.R. 5436, and give it his support.

Michigan Is No. 1 Bean Producing State Again

EXTENSION OF REMARKS
OF
HON. ELFORD A. CEDERBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. CEDERBERG. Mr. Speaker, while such records are not at all new to Michigan, I am proud to report that our State has again shown itself to be the Nation's No. 1 bean producing State, based on the latest statistics for the 1959 crop.

Furthermore, these figures show that Michigan produces 97 percent of the Nation's navy beans, 81 percent of the yelloweye beans, and 77 percent of the cranberry beans.

Not only does Michigan produce the greatest volume of beans but our beans are of the highest quality—as my colleagues well know from partaking of the bean soup made of Michigan beans and served daily in the House restaurants.

Referring to Michigan as the top-ranking bean State I would like to quote from the latest issue of Modern Farming. It follows:

Michigan, with a dry bean crop of 5,974,000 bags (100 pounds each), cleaned basis, again ranked first in total dry bean production among the States. California, with 3,720,000 bags, was second, followed by Idaho, 2,590,000 bags; Colorado, 1,600,000 bags; Nebraska, 1,190,000 bags; Wyoming, 1,036,000 bags; Washington, 940,000 bags; and New York, 837,000 bags. About 325,000 bags were produced in other States, making the total U.S. production 18,212,000 bags.

Michigan produced nearly one-third of the Nation's total crop of beans and accounted for 97 percent of the navy (pea) beans, 81 percent of the yelloweye beans, and 77 percent of the cranberry beans.

The final crop report issued by the Michigan Crop Reporting Service, from which this data is taken, reduced the crop estimate from over 6 million bags predicted earlier to just under the 6 million mark. The final estimate, however, still indicates a record crop was harvested—472,000 bags above the previous record crop of 5,502,000 bags in 1949, and 748,000 bags above last year's big crop.

The bean producers of Michigan, many of whom live in the 10th Congressional District which I represent, are rapidly becoming highly specialized producers. Improved bean varieties

have been developed and there have been many advances in controlling bean diseases. Another boon to the farmer-producer is the new techniques developed by the elevator and grain processing industry in handling his crop more expeditiously.

In connection with my reference to Michigan as the No. 1 bean State I would also like to mention tribute recently paid to one of our Michigan citizens who has devoted a half century of his life to the bean industry and 44 years of that time with one company. I refer to Mr. A. L. Riedel, divisional president and general manager of the Michigan Bean Co., division of the Wickes Corp. At appropriate ceremonies Mr. Riedel was recently presented with a gold watch engraved with the Jack Rabbit emblem which he has made famous the world around in the promotion of Michigan beans moving into channels of trade under that name.

Amendment to the Social Security Act

EXTENSION OF REMARKS
OF
HON. THOMAS L. ASHLEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. ASHLEY. Mr. Speaker, I have today introduced a bill which would amend the Social Security Act to provide that a child entitled to child's insurance benefits shall not lose the right to such benefits by reason of adoption should the adoptive parent be the child's brother or sister.

As the law reads now, Mr. Speaker, only in cases where the adoptive parents are stepparents, grandparents, aunt, or uncle can a child continue to be eligible for the benefits due her as the survivor of a deceased insured individual.

Practically speaking, I doubt that this is a situation which would arise very frequently. But during the recent adjournment when I was in my district this exact situation was brought to my attention and to show just how the law presently operates to deprive a child of his or her entitlement to survivor's insurance benefits, I should like to quote from a letter which I received recently from a constituent:

My father died May 18, 1952, and my mother passed away on August 20 of this year (1959) as a result of lung cancer. I have an 11-year-old sister who since my mother's death has been making her home with my husband and me. We have no children of our own and since my sister has requested our last name, we of course immediately started adoption proceedings.

Since I paid my mother's burial expenses, I am, as you know, entitled to the social security death benefit. At the time application was made for this benefit, the claims examiner of the social security district office informed me that my sister would be entitled to monthly benefits as a survivor of my mother. My mother paid into social security from the time of its inception in 1935 to December 1948.

Upon investigation, it was found that if my husband and I adopt my young sister she will not be eligible for monthly benefits because the law as it stands now provides that when the child of a deceased insured person is adopted, his payments end unless the adopting person is the child's stepparent, grandparent, aunt, or uncle. Since I am a sister, she is not entitled to our mother's benefits. Incidentally, her aunts and uncles are in their late fifties, her grandfathers are deceased, her paternal grandmother is 76 and bedridden.

The writer of this letter goes on to point out, Mr. Speaker, that in this particular case circumstances are such that the prospective adoptive parents—sister and brother-in-law—are in a position to go ahead with the adoption of their younger sister despite the automatic cutoff in benefits to which she would otherwise be entitled until she became 18.

However, it is easily conceivable that there might be some cases where, because of sickness, death, or other hardship, money would be an important—or even the determining—factor in caring for a child whose parents are deceased and who wishes to be adopted by her closest living relative.

If this minor revision of the social security laws could serve to enable an orphan the happiness, comfort, and, more importantly, the security which comes with having one's own family, then, this in itself, Mr. Speaker, is sufficient argument to merit favorable consideration of my proposed amendment.

Aberdeen, S. Dak., Indian Health Program

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. BERRY. Mr. Speaker, under leave to extend my remarks, I wish to call the attention of my colleagues to the generous efforts of a group of Federal employees in the Aberdeen, S. Dak., Area Office of the Division of Indian Health in forming the Indian Health Employees Scholarship Fund which has made it possible for qualified students of Indian descent to obtain training in a health field.

The program was begun in September 1958 through the suggestion of Dr. J. H. Gerber, medical officer in charge, when he learned insufficient funds were available for Indian students desirous of continuing their education in health programs beyond the high school level.

Gerber suggested that the employees in the Aberdeen Area Indian health program participate on a voluntary basis. Books containing 50-cent donation coupons were distributed to all employees in the area. At the end of the drive in December 1958 a total of $1,567.85 had been collected. In 1959, the total receipts were almost double that amount as a result of the employees donating their time, money, and energy in sponsoring several dances, bingo parties, and other fund-raising activities throughout the area.

This operation is indeed unique among Federal employees and is indicative of their sincere interest in improving health conditions among the Indian people of South Dakota, as well as providing educational opportunities for them. I feel they should be commended for their efforts.

Policies for the Sixties

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 2, 1960

Mr. HUMPHREY. Mr. President, I ask unanimous consent that excerpts from a spech I made to the National Press Club on January 5, 1960, in Washington, D.C., be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

POLICIES FOR THE SIXTIES

(By Senator HUBERT H. HUMPHREY, Democrat, Minnesota)

Today, I don't want to discuss politics, 1960. I wish to talk about policies for the sixties.

As we enter the 1960's, I see America adrift—with much of her enormous reservoir of energy, power, and good will untapped—unused.

There are powerful currents in the world today, but they are not currents of our making or liking. They are currents that sweep us along. We are the victim, not the shaper of events.

Just four decades ago, at the dawn of the 1920's, America entered upon the "age of normalcy."

Thirty-three years later, in 1953, America entered a new era: The "age of complacency."

A profound change came over the American Government. The decision was made to confine the solutions to the problems of the 1950's within rigid, artificial, budgetary walls.

That change did much to shape the remainder of the 50's.

It set in motion a unilateral cutback of America's defense forces—with the result that we embark on the summit talks of the 1960's not militarily supreme, but second best in a variety of fields.

"A bigger bang for a buck" was the slogan designed to justify the stripping of our conventional military strength. "Massive retaliation" was used to comfort Americans who sensed, but were never told, that the power of the Soviet Union was growing ever more complex and subtle.

1953 marked the beginning of an era in which programs and solutions were not measured against the size of the problems to be solved, but were tailored to fit the economic straitjacket we had designed for ourselves.

The foreign-aid program fell victim to the fixed-budget philosophy as the Secretary of the Treasury became a controlling voice in the fashioning of our foreign policy. We appeared to the world to become a Nation that cared more for dollars than for human welfare.

In the name of "fiscal responsibility," an administration that knew the cost of everything and the value of nothing shattered the great pattern of American world leadership.

Here at home during the fifties, the number of schoolchildren grew faster than the classrooms, but there was no money for schoolrooms or teachers in the budgetary straitjacket.

Streams grew more polluted, cities more crowded, slums more squalid, but America, in her fiscal straitjacket, could at best attack these problems only halfheartedly.

The problems of automation, of urban living, and the technological revolution in agriculture were neglected and shunted aside.

The population grew, the problems multiplied, but the budget remained fixed.

Slogans were substituted for programs.

Public relations replaced public service.

And these policies of slogan and slowdown have cost us dearly. The next President of the United States is going to inherit a series of problems that have been swept under the rug—where they have been festering and intensifying. Some one—the American people ultimately—must pay the price of this ostrich-like attitude. And it will be a price that has been accumulating compound interest.

We will hear much talk about peace and prosperity in the months ahead.

We all want prosperity. But the prosperity we want must not be lopsided. It should be a prosperity that springs from an expanding economy with full shares for all—businessmen, farmers, working people, the young and the elderly. We seek a prosperity for America that insures social justice.

We all want peace; peace is no partisan issue. But the peace we want must be enduring. It must have deep roots.

Peace is not passive; it is active. Nor can peace be won by slogans.

There can be no peace in a world plagued by poverty, hunger, disease, and illiteracy.

There can be no genuine and lasting peace in a world plunged headlong in a reckless and unrestrained arms race.

Aristotle rightly said that poverty is "the parent of revolution and crime." Then why tolerate it—when mankind has at its hand wealth and real power of fantastic dimensions?

In America's so-called surplus food and fiber production, we possess wealth of a uniquely useful character—not a curse, but a blessing.

We can, and we must, use this enormous wealth for the benefit of all men—not only because it is the right and just thing to do, but also because it is fundamentally in our own interest. We can and we must give leadership to a worldwide cooperative attack upon poverty and ignorance—the eternal enemies of peace and freedom.

At the same time, we must explore every opportunity—relentlessly, tenaciously, patiently—to find agreement on a safeguard system of arms control.

The job of the next President of the United States is to take off the wraps—to liberate America's energies and resources—and to tell the American people the plain truth. For the critical dilemma of American leadership will be how to preserve the spirit and the letter of freedom in America, while organizing our society to compete with the monolithic, disciplined, and onrushing Communist system.

There must be democratic planning and purpose. Our national policies cannot be compartmentalized. The great decisions of war and peace are interwoven with a score of other national policy decisions. Agricultural policy and foreign policy cannot be divorced. What we do in this country to enlarge or to abridge the rights of minority groups inevitably has a direct and heavy impact on our position in the world.

No major area of American effort fails to bear directly on our relations with the rest of the world.

But, planning in America cannot be dictated. In a democracy no man can lead by ordering and directing, but only by persuasion. The next President of the United States must be more than an executive. He must in a very real sense be an educator. He will lead successfully only by building a consensus behind a total national effort—embodying the national will and expressing the Nation's priorities.

In his role of educator, he must tell the people that if the age of complacency continues, America will soon become a second-class power.

He must tell them that we have already been surpassed in a number of military and scientific fields, and that a vast effort will be needed to regain the posture of strength necessary to negotiate with the Soviets in any field including disarmament.

He must understand that science has given politics new dimensions in which to work—not just for war, but for peace.

He must tell them that America needs strengthening inside, that she has been starved for the public and social services, the research and discovery, that must undergird a growing nation and an expanding economy.

Yes, he must tell them that these programs will cost money, and will have to be paid for.

I myself am convinced that they can be paid for if we can stimulate our economy to the growth rate America achieved before the 1950's and that it can and must have in the 1960's. They can also be met, in part, by closing tax loopholes.

But if the needs should prove larger, then the American people should be asked to face up to that prospect and pay the bill. They should in any event be disabused of the notion that the Internal Revenue Code of 1954 is as immutable and heaven-sent as the Scriptures.

We can afford to do what needs to be done.

But there are some things America cannot afford, and the next President must make this abundantly clear.

He must tell our people that we cannot afford a second-best defense, or inadequate schools, or underpaid teachers, or second-class citizenship for anyone. We cannot afford cities clogged with traffic, cloaked in smog and riddled with slums. We cannot afford prolonged recessions and unemployment.

Above all, the next President must remind the people of a vital lesson of history: that America can do anything she wills to do.

America did not stop fighting World War II or pull out of Korea just because she couldn't balance the budget.

America has shown that when summoned to the heights, she can rise to the heights.

But she will not be summoned by men who everywhere see obstacles rather than opportunities.

She will not be summoned by men for whom good intentions are a substitute for action.

The world cries out for leaders who seek and enjoy endeavor, who will achievement and point the way to it.

The late Eugene Meyer, one of the most revered men in your profession, once told a Senate committee in a time of crisis:

"All that we value in civilization has come about through the agency of men who refused to allow nature to take its course—men of heroic hope who used the sovereignty of their spirit and the light of their reason to force the proof that the human person can make his own purposes prevail in the face of blind fortune."

Men and nations can forge their own destinies if they but will to exert the "sovereignty of their spirit and the light of their reason." But for men and nations to will this, their leaders must will it for them and with them.

The Late Hon. John J. O'Connor

EXTENSION OF REMARKS

OF

HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 1960

Mr. KEOGH. Mr. Speaker, among his host of friends, many Members of the House were grieved to learn of the death of John J. O'Connor, of New York. John O'Connor, with whom I had the privilege of serving during the 75th Congress, was first elected to the House in November 1923 to fill the vacancy caused by the death of another great statesman, W. Bourke Cochran; and he served continuously and with distinction from November 1923 until January 3, 1939.

As chairman of the House Committee on Rules, he demonstrated to a marked degree his unusual competence as a legislator and parliamentarian. A statesman in the true sense of the word, John O'Connor stood fast to his principles of representative government even though it were to cost him his reelection.

His early training in the law equipped him well for his future career in government and as an active practitioner. He was admitted to the bar of Massachusetts before his graduating from Harvard Law School in 1911 and shortly afterward, moved to New York where he soon commenced the practice of law and entered political life. Before becoming a member of the New York State Assembly in 1920, he served as secretary to the Democratic members of the New York State Constitutional Convention in 1915—a post that undoubtedly whetted his appetite for constitutional and legislative problems.

As a member of the New York Assembly he served as vice chairman of the Legislative Committee on the Exploitation of Immigrants in 1922 and 1923. He was also a member of the Committee on the Revision of the Corporation Laws of New York, and was legislative secretary for the Child Welfare Commission.

An active Democrat for many years, John O'Connor was a delegate to every State and county convention in New York for 20 years, as well as delegate at large to the Democratic National Convention in Philadelphia in 1936.

After leaving Congress in 1939, John O'Connor devoted his talents and energy to the practice of the law and earned an enviable reputation as a trial lawyer, particularly in the important field of maritime law.

John O'Connor survived his wife who passed away in 1952. We extend our

sincere condolences to his four distinguished sons who have followed his footsteps in professional pursuits of law, medicine, and education; also to his two lawyer brothers, Basil and James O'Connor as well as his sister Miss Mary O'Connor.

The legal profession, the science of government, and countless persons in all walks of life have lost a good friend.

Too Much, but Never Enough

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. HOLT. Mr. Speaker, I would like to call to the attention of my colleagues the very interesting article from the January 10, 1960, American Weekly on fundamental honesty and Americanism. This is what made America great. Let us all work to keep America strong morally, spiritually, and economically.

The article is as follows:

TOO MUCH, BUT NEVER ENOUGH

(By Representative STEVEN B. DEROUNIAN, Second Congressional District, New York)

During school vacations I always worked for my father, who was an importer and distributor of food specialties. Once I overweighed a cheese shipment by 10 pounds and the customer naturally sent in a complaint. The vehemence of my father's reproof astonished me.

"But, Pop," I protested, "it was just a mistake. I'm sorry."

"You made a mistake and you're sorry." my father stormed. "That's what every dishonest person says when he's caught. Sure, I know you didn't mean to do the wrong thing, but who else knows it? A reputation for honesty is one thing money can't buy. It can be preserved only by not making mistakes, not by making apologies. You remember that, boy, as long as you live."

I remembered. I guess I was still remembering when I sat with the eight other members of the legislative committee investigating TV quizzes and listened to Charles Van Doren. He had made a mistake. He was sorry. He measured the gravity of his error with such candor and he expressed his contrition in such an agony of self-abasement that some of the committee members were understandably moved. I wasn't.

When it came my turn to express my sentiments, I said: "I am glad to have heard your story today but I disagree with my colleagues because I don't think that an adult of your intelligence should be commended for telling the truth."

This wasn't a courtroom hearing we were conducting. There were no charges against Van Doren, who permitted himself to be seduced by cajolery and greed, nor against the fixers who rigged the quiz shows nor against the television industry which blithely allowed it all to happen. But as the shocking stories poured out day after day and were accepted with such complacency by the public, it seemed to me that a trial actually was being held and in the docket stood the American people.

The judge and jury, in this fantasy of mine, was my father, Boghos Derounian. Although he was the most honest man I ever knew, he might have been a little prejudiced toward the defendant public because he was so completely sold on the mass conscience of Americans. The whole get-rich-quick hoopla of the quiz shows, the payola and the rest of it, the ease with which a man could pick up $129,000 and a $50,000-a-year job would have worried my father. He didn't think it was good for anyone to acquire things too easily.

We lived in Mineola, Long Island, and my father's business was in New York City. For years he brought home almost all our food because he felt he could get better quality at a lower price. But no solicitor for church, charity, or civic improvement ever left our house without a substantial donation.

"I've learned a lot about good and evil. They are not always what they appear to be," was the way Van Doren began his confession. My father never had any difficulty in distinguishing good and evil, and he saw plenty of both. He and mother were Armenians driven from one country to another by the Balkan wars and religious persecution as Christians. Each time they moved they could take only what they could carry with them. Father would convert his holdings into gold, which mother always put into a cloth bag fastened with 10 safety pins inside the bodice of her dress.

By the time I was born in 1918 the family had settled in Sofia, Bulgaria, where father had become a wholesale candy merchant thinking only of one day living in America. Mother's brother was already there. Uncle Antranig found a house for us in Mineola and we came over and moved into it on April 2, 1921, my parents, my oldest brother, Avedis, 9, Hagop (whom we later called John), and I.

Mother could speak a little English but father spoke none, although he was fluent in Armenian, Greek, French, Turkish, and Bulgarian. He had brought along some oriental rugs as currency and he sold them off one by one the first 2 years to pay our expenses. Then, having learned English by reading the newspapers, he founded his food importing business.

It didn't take father long to learn that there were plenty of chiselers around, but most of them, he felt, didn't represent America. He became a citizen as soon as it was legally possible and celebrated the occasion by inviting 50 guests to a dinner that took a week to prepare and 4 hours to eat. Afterward he made a little speech. "I am proud to be an American," he said, "and happy that my sons will be brought up far away from hate and prejudice, in a land where honesty and decency rank over distrust and greed."

He sent us boys through New York University and was delighted when I went on to get a law degree and, after the war, set up a law practice in Mineola. He became a Hoover Republican, followed politics carefully through the papers, was usually the first to vote in his precinct and was certainly one of my stanchest supporters when I was elected to Congress in 1953.

On one occasion he borrowed $10,000 for 60 days. When the period was up he paid the bank half the principal and was given a 60-day renewal on the balance. He paid that off in 30 days and then the bank started to look for his note to cancel it. The officers discovered to their horror that no one had asked him to sign a note. It hadn't made the slightest difference to father.

Father loved to entertain. He was happiest when the house was filled with guests and food was being served. "Ger dzo. Ger" (Eat more—eat) he would insist, helping himself at the same time. He did not, however, enjoy being entertained elsewhere. The Johnsons were close neighbors during the 34 years that father lived in the Mineola house. They were most hospitable and he was on excellent terms with them, but the only time he went to their home was to listen to Herbert Hoover's acceptance speech on the radio in 1928.

Until he was past 83, he continued to commute 2 hours a day, by bus and subway, to and from his business. One spring afternoon in 1955, after a game of solitaire in which he had turned up the ace of spades—the "death card"—he took off his marriage ring, took out his wallet and his gold watch, and placed them on the table. He cautioned mother to pay the tax bill and the telephone bill, which had just arrived, and then lay down for a nap from which he didn't awaken.

Television meant nothing to father but the TV scandals would have shocked him, perhaps as much as some of the rest of us would be shocked if we learned that the Rose Bowl game was fixed—although that is only entertainment, too.

He never saw a quiz show, but if the duplicity of Van Doren and the others could have been explained to him, his unwavering faith in the moral integrity of America would have been rudely shaken when he was told that an amazing number of people refused to condemn them.

He might even have begun to lump a lot of Americans into that group about whom he used to say, when they were willing to go to any lengths for a fast buck: "They have too much, but never enough."

NBC–TV Program "Today" Offers Half-hour Weekly for Science Course Conducted by Dr. Edward Teller

EXTENSION OF REMARKS
OF
HON. HARRIS B. McDOWELL, JR.
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. McDOWELL. Mr. Speaker, enthusiastic congratulations are in order for Dave Garroway, nationally known television star, because of his firm offer to Dr. Edward Teller to conduct a physics-appreciation course on a weekly basis on the NBC–TV program "Today."

I have been deeply concerned with the necessity to better inform the American people through the media of television, and so I found Dave Garroway's offer particularly encouraging.

Such an educational program conducted by Dr. Teller, a recognized authority in the field of nuclear physics, could and would awaken millions of American citizens from the present state of disastrous apathy in this nuclear age.

An awakened populace would, of course, demand an end to the present Pollyannish, soothing-sirup attitude which was greatly encouraged by the 80 simultaneous dinners in 43 States and the District of Columbia which launched the 1960 GOP campaign with a partisan roar. An aroused citizenry, deeply aware of the issues, is a prime requisite if the missile gap is to be closed, and if the United States is to be enabled to overtake the Soviet Union.

I include the text of a telegram I sent to Dave Garroway, and I invite my col-

leagues to join with me in urging Mr. Garroway and the National Broadcasting Co. to arrange this significant program.

JANUARY 28, 1960.

Mr. DAVE GARROWAY,
Today Program,
National Broadcasting Co.,
New York, N.Y.:

My enthusiastic congratulations in support of your firm offer to make available one-half hour of your program "Today" to enable Dr. Edward Teller to conduct a physics-appreciation course. As a Member of Congress who is deeply concerned with the necessity to better inform the American people through the media of television, I find your leadership most heartening. Such an educational program conducted by Dr. Teller, a recognized authority in the field of nuclear physics, could awaken millions of American citizens from the present state of disastrous apathy in this nuclear age. I am suggesting that my colleagues in the Congress join me in expressions of support for this dynamic display of leadership on your part.

HARRIS B. MCDOWELL, Jr.,
Congressman at Large, Delaware.

Scouting's Golden Jubilee Year

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. NATCHER. Mr. Speaker, the Boy Scouts of America will observe the 50th anniversary of their founding during the week of February 7 through 13. The phenomenal growth of the Boy Scout movement in the last 50 years is indeed worthy of our attention, and I would like to take this opportunity to review briefly the many services rendered to the American people by the members of this fine organization.

A résumé of the activities, campaigns, and projects undertaken by the Boy Scouts in the past half century immediately reveals service, unselfish and unstinting, freely given with no thought of personal reward, as the outstanding characteristic possessed by all boys who have taken the Scout oath.

In 1914 Scouts started work with the National Safety Council on safety-first principles. 1915 was a year for special emphasis on the training of volunteers to properly serve American youth through scouting, and the National Education Association endorsed the Boy Scout program. The war years of 1917 and 1918 saw Scouts all over the country cultivating home gardens, cooperating with the Red Cross through its local chapters, working with the Navy Department in organizing an Emergency Coast Patrol along the seacoast towns, and doing nationwide service in the influenza epidemic. The slogan "The War Is Over, but Our Work Is Not" was adopted in 1919 and President Woodrow Wilson proclaimed a special "Boy Scout Week" in recognition of Scouting's warwork.

Boy Scouts assist in sanitary survey of several cities; Scouts utilized as forest guides and fire wardens; a group of Scouts serve in escorting the body of the Unknown Soldier from the ship to the Capitol; War Department commends Scouts for service in connection with Knickerbocker Theater disaster in Washington, D.C.; trees planted by the Boy Scouts reach into the millions; Boy Scouts continue great forest protection work; special emergency service in connection with tornadoes, earthquakes, hurricanes, floods, and fires; Scouts build trails in national parks; Scouts serve as ushers and flagbearers at the national conventions of the leading political parties; Boy Scouts work with relief agencies toward relief of the unemployed; scouting plays an increasing part in the rehabilitation of youth in juvenile institutions; Scouts adopt slogan of "We, Too, Have a Job to Do" during World War II and prove once again their usefulness in time of war as well as peace. And so the long list of achievements is added to year after year as the Boy Scouts of America continue to serve the Nation—always ready, always willing to do a good turn, from the small, individual kindness to the nationwide campaigns. It seems to me that the record speaks for itself and it is impossible to overestimate the impact for good the scouting movement has had at all levels of our national life.

I would like now to mention two aspects of scouting which I believe are of particular significance. One is the high caliber of the men who have dedicated themselves to the Scouting movement for it is through their skills, their deep understanding of a boy's needs and their inspired leadership that boys are attracted to scouting. These volunteer leaders, who now number well over 500,000, are well trained in courses arranged by the National Council. However, it is not simply their technical ability, their patience, and their willingness to give so generously of their time and energy that makes them invaluable leaders in this organization, but also by the example they set in their personal lives which creates enthusiasm for the ideals of Scouting in the young man. We are fortunate in the Second District of Kentucky in having men who recognize the vital importance of instilling in our youngsters the ideals of honesty, patriotism, service, and Godliness. To these leaders of the Boy Scouts of America I offer my gratitude for the wonderful work they are doing with the youth of our Nation.

The other aspect of the Boy Scout program which I feel is especially pertinent at this time is its effectiveness in combating juvenile delinquency. In my section of Kentucky we have Boy Scout troops not juvenile gangs. The boy's natural desire for acceptance, competition, and association with other boys his age is fully satisfied in the Scout troop, and the bid for attention through acts of violence is not necessary. As the number of boys participating in the scouting program increases, the incidence of juvenile delinquency decreases proportionately.

Mr. Speaker, I salute the Boy Scouts of America and their leaders on the celebration of their golden jubilee year and wish them continued success in all their endeavors. The strength of America depends on the strength of the rising generation, and the Boy Scouts of America are doing more than any other organization I know to prepare our youth to meet the challenges of tomorrow with stout hearts and sound principles.

Tribute to John G. Butter, Chief Engineer, Iowa State Highway Commission

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. SCHWENGEL. Mr. Speaker, February 1 marked the retirement of one of Iowa's most devoted public servants, John G. Butter, chief engineer of the Iowa State Highway Commission. His years of service are marked by the attributes which characterize the ideal public servant; honesty, integrity, devotion to duty, and a dedication to the public interest.

This type of record should be recognized and I take this means of placing a brief biography before the Members so that proper tribute is paid to a good man and, at the same time, the seeds of inspiration can be sown for emulation by those who would seek to serve their community, State, and Nation.

Mr. Speaker, John G. Butter, chief engineer of the Iowa State Highway Commission from April 1, 1954, to the present time, was born at Blairstown, in Benton County, Iowa, on January 3, 1895. His father was a Presbyterian minister.

Two years later, the Reverend Mr. Butter received a call to a pastorate in the city of Omaha, Nebr. There young John grew up. He received his preliminary, grade, and high school education in the Omaha public schools. He graduated from high school in the spring of 1913, at the age of 18.

In September 1913, young John G. Butter, the future Iowa highway engineer, enrolled in the College of Engineering of the University of Nebraska, at Lincoln. He enrolled in the civil engineering course. He wanted to be a civil engineer.

There was an Iowa State Highway Commission in 1913, but young John Butter had never heard of it. This lack of acquaintance was mutual. The Iowa State Highway Commission of 1913 had not heard of John Butter. At that time, the Iowa Highway Commission was a small, embryo organization, located at Iowa State College, at Ames. It had no State road funds to spend, under its own control, on the highways, but it did have a large measure of general supervisory control over the county and township road officers in Iowa with respect to their expenditure of the approximately $5 million per year of road and bridge funds available for their use.

In fact, in 1913, the whole highway problem with which the several States

and the Federal Government wrestle today had not yet begun to take shape. In Iowa, as in many other States, there was no State road system—either improved or unimproved. No motor vehicle fuel tax had been levied in any State. No comprehensive Federal Aid Highway Act had yet been passed by the Congress. Each State registered its motor vehicles and collected fees therefor, but, in most States, the rates of motor vehicle registration fees were so low that the funds derived therefrom for highway improvement were grossly inadequate. Worse yet, some of the States diverted a large portion of their motor vehicle registration fee receipts to nonhighway uses.

In 1913, there were 75,000 motor vehicles registered in the State of Iowa. Twenty-five hundred of these vehicles were trucks. The remaining 72,500 registered vehicles were passenger cars. Eighty percent of these passenger cars were model T Fords—"Tin Lizzies." The trucks were small, two-axle, four-wheel vehicles. The multiaxled, dual-tired, semitrailer, cargo vans which swarm over the highways of the present day had not yet been built. Today, there are 1,400,000 motor vehicles registered in Iowa, of which 225,000, or 1 out of 6, are trucks. In 1913, there were 1,258,000 motor vehicles registered in the whole United States. Sixty-eight thousand of these vehicles were trucks. The remaining 1,190,000 registered vehicles were passenger cars. Today there are 72 million motor vehicles registered in the United States, of which 10,800,000 are trucks.

Civil engineering student, John G. Butter, graduated from the University of Nebraska in April 1917, with the degree of bachelor of science in civil engineering. In that month, the United States entered World War I and joined the Allies in fighting the Kaiser's Germany. One month later, in May 1917, graduate engineer John G. Butter joined the U.S. Navy Aviation Corps. He served in that group throughout the war and was honorably discharged in December 1918, after the war was over.

In the spring of 1919, the 38th General Assembly of Iowa passed a comprehensive road bill known as the primary road bill. That act created a State road system known as the primary road system; created a primary road fund for the improvement and maintenance of the primary road system; provided for the voting and issuance of primary road bonds and other means of financing the hard surfacing (paving) of the primary roads; credited all of the net proceeds of the motor vehicle registration fees to the primary road fund and set up the necessary machinery for administering the primary road work. That same 38th General Assembly of Iowa also rewrote the State's motor vehicle registration law and increased the rates of motor vehicle registration fees to just about double their former rates. These two acts became effective in the spring of 1919.

Now, the State of Iowa was ready to really go to work on its road system. These new highway laws, providing for a new and greatly expanded highway program, required immediate and correspondingly great expansion of the State highway commission's staff. Engineers were scarce in 1919, much in demand and hard to come by. Young John G. Butter, 2 years out of the Civil Engineering College of the University of Nebraska and 6 months out of the U.S. Navy, needed work. He applied to the Iowa State Highway Commission for a job and got it. He was hired by the highway commission on October 6, 1919, almost sight unseen, and was sent to Benton County, the county in which he was born.

With the exception of 1 year and 9 months, in the early 1920's, Mr. Butter has been continuously employed by the Iowa State Highway Commission from October 6, 1919, until this time, a total of about 39 years. He started near the bottom of the commission's engineering staff, as instrumentman on a road survey party, and step by step was advanced in rank from one position to the next until he reached the top. He became the commission's chief engineer on April 1, 1954.

A listing of the various positions held by Mr. Butter on the Iowa State Highway Commission's engineering staff sounds like a catalog of all the commission's engineering classifications—instrumentman on road survey party, inspector on construction, resident engineer on construction, division maintenance engineer, assistant district engineer, district engineer, administration engineer—head of the administration department—and, for the past nearly 6 years, chief engineer. Each of these advancements was won by Mr. Butter on his own merits.

Mr. Butter was honest, faithful, dependable, loyal to his job and to his employer. He did not shrink from long hours of hard work. He had the ability to get the job done, and done well.

During his 6 years as chief engineer of the Iowa State Highway Commission, John G. Butter has been the chief administrative officer and engineer in charge of the expenditure of some $430 million for highway construction and of about $75 million for highway maintenance. Not a shade of a shadow of doubt or suspicion as to the honesty and good faith of any of these expenditures has ever been expressed by anyone.

While assigned to highway work in Benton County in the early 1920's, Mr. Butter wooed and won Miss Helen Hayes, employed in the office of the clerk of the district court at Vinton, Iowa, the county seat of Benton County. They were married on November 18, 1921. To that union, two children were born—both girls. One died in infancy. The other, named Joan, is now Mrs. D. F. Pierce, of Cheney, Wash.

Mr. Butter is a member of the American Legion. He served as commander of the American Legion post at Council Bluffs, Iowa, where he was stationed for many years; served as district commander of the Legion district in which Council Bluffs is located, and served as vice commander of the American Legion's Department of Iowa. He is a member of the Iowa Engineering Society, past president of Mississippi Valley Conference of State Highway Departments, and past regional vice president of the American Association of State Highway Officials.

Having reached the age of 65, Mr. Butter was, at his request, relieved of the duties of chief engineer of the Iowa State Highway Commission on February 1, 1960. He is not retiring from the commission's staff. He will continue in the employ of the commission, but with the title and duties of consulting engineer, thus adding yet another to the list of numerous positions he has held on the State highway commission's engineering staff in his long and honorable service to the State of Iowa.

Mr. Butter's retirement as Iowa commission chief engineer marks the end of leadership as chief of one of that small group of highway engineers who saw the commission grow from an organization of about 250 employees to more than 10 times that number. He was the first of Iowa's highway chief engineers who had the advantage in experience of having worked his way all the way up the ladder of service in his particular field. His achievement in the quality of service in the field of highway engineers will stand as a challenge to all highway engineers in Iowa and in the Nation. His was a commendable and very significant contribution to the cause of more adequate and more economic highway facilities for all of our people.

Mr. Speaker, John Butter has built a monument for himself, not one of bronze, marble, or stone, and it will not be found in a city square, near the office of the highway commission, or at the capitol of our State. It is found in the hearts and mind of all the people in Iowa who honor justice, fair play, admire devotion to duty and respectability to build highways. It is found in all thoroughfares of Iowa where roads and highways have been built and maintained in the last 40 years.

I join with his many friends who wish for him continued good health and happiness as he continues to live with the folks he has served so well—the people of Iowa.

The National Imperative Versus Carl Harris, American

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 2, 1960

Mr. HECHLER. Mr. Speaker, the technologically unemployed of this land, who have been callously ignored by the Eisenhower administration, have had no greater champion at this Congress than my able colleague from West Virginia, Mr. JOHN M. SLACK, JR.

In the January 31 edition of the Charleston (W. Va.) Sunday Gazette-Mail, largest newspaper in West Virginia, Mr. SLACK had an article which poig-

nantly summarizes the plight of the unemployed and what could be done to help them. I ask unanimous consent that this outstanding article by Mr. SLACK be printed in the RECORD:

THE NATIONAL IMPERATIVE VERSUS CARL HARRIS, AMERICAN

(By JOHN M. SLACK, JR., Representative, Sixth Congressional District)

WHAT'S HAPPENED TO US?

In early 1959, when the impact of the 1958 recession was being felt most severely, I visited a number of communities in Kanawha and adjoining counties. In one of them I met and talked with an important and significant American. His name is Carl Harris. He is just 40 years old, married, and the father of seven children ranging from 4 to 16 years of age.

For many years he was a machine operator in a coal mine, but there has been no regular work in his trade for more than 2 years. Harris has no income. He owns no automobile, television set or radio, and has no access to a newspaper.

Long ago he exhausted 36 weeks of unemployment compensation benefits. He is months behind in his house rent, but the utilities still function. That's because he gathers scrap copper around abandoned mines and sells it to a junk dealer for 10 cents per pound, averaging about $12 per month, which just pays the utility bills.

The backbone of his family's diet is flour, rice, cornmeal, and other surplus commodities received from the surplus commodities program of the Department of Agriculture.

His wife will tell you that a few beans or potatoes would be a welcome change. The children breakfast regularly on gravy and oats, although sometimes necessity forces a change to cornmeal and water.

Among his neighbors these foods have earned the collective nickname of "molligrub," and they supply about one-third the amount of calories required to sustain normal health in a human being.

The children themselves show remarkably little bitterness over the fact that this skidrow diet has handed them a legacy of rotten, snaggled teeth, abcessed to the point where wholesale extraction is often necessary by the age of 13.

They do not even envy the children of those so amply blessed with good food that they can afford to throw eggs at Anastas Mikoyan and other unpopular visitors.

The Harris family is not alone. They are front rank veterans in a growing army of peons which now totals about 4 million Americans. Their condition is a manifestation of what happens when a socioeconomic sore is left untended. They symbolize the classic tragedy—as did the ragged masses of refugees who flooded the highways of Europe during World War II.

The circumstances of Carl Harris today are the challenge that faces all of us in West Virginia who are attempting to effect a turnabout in prevailing economic conditions. For that reason Carl Harris is important to us.

He is significant also, because he represents the end product of failure to master the several social and economic problems which follow in the wake of technological advance in industry. As of today, the State administration, the legislature, the congressional delegation, many public and private organizations, and hundreds of public-minded citizens have recognized the need of forthright action to reverse the prevailing economic cycle in some sections of the State.

By and large this general recognition has arisen only during the past year. With recognition has come determination, and excellent prospects for unified action at the several levels of our society. But in our planning, we must not underestimate the size of the task, or fall victim to the belief that any one public or private body can handle the job alone.

Make no mistake about it—we have entered the arena of combat with a Colossus whose size and strength is still unknown, even to the most informed economists in the United States.

At any given point in history, in any era or any country, whenever the massive force of cataclysmic change in the economic or political affairs of mankind develops an unrestrained momentum, and bends human quantities to its will, the elements of classic tragedy are present.

Carl Harris and about 1 million other American workmen are involved in such a change, caught and smashed between the hammer of productivity and the anvil of national economic and diplomatic policy.

They are the human beings behind the oft-repeated and little understood phrase "long-term technologically unemployed."

Their number is increasing, and their condition grows steadily worse, while their very existence casts a lengthening shadow that deepens from gray reproach to black omen for all of us.

HOW DID IT HAPPEN?

To ask how our present economic condition can exist in a Nation boasting the world's highest standard of living, with a high level of prosperity for nearly 15 years without major interruption, is to inquire into the fundamentals of our objectives as a people.

The traceable origins of today's technological unemployment can be found before the turn of the century but its more immediate source can be pinned to industry's "great leap forward" which began immediately after the close of World War II and has continued at a scarcely undiminished rate ever since.

The business community originally adapted and exploited the technological breakthroughs of the war production years to meet a huge pent-up demand for capital and consumer goods.

After several rounds of wage increases by major unions, the business leaders pressed further into technological research simply to keep costs down in a time of rising wages.

In the beginning the process was relatively slow and orderly, as it had been for 50 years. Comparatively few workers were displaced, and they were able to adapt themselves to other livelihoods,, even as the wagonmakers and wheelwrights of 1900–1915 were able to transfer their skills to automotive manufacture.

Since 1950, however, the drive for industrial efficiency has slashed its way across the board, striking a dozen major industries and thousands of employers simultaneously.

For the displaced worker there is nowhere to go, and in this circumstance lies the immediate cause for the growth of a backlog of long-term technologically unemployed.

For a few years there was hope that the process would level out on a plateau which would permit new industrial development and population demand to soak up those displaced. That hope is now gone. Finally.

With the launching of the first sputnik, the drive for industrial efficiency got a massive injection of energy, and moved into a new pattern which may well be the pattern for the rest of our children's lives.

When Khrushchev smiled and restated his snarling challenge "We will bury you," into the statement "We will surpass you in a peaceful contest of economic advancement," the situation was confirmed.

Technological advancement under forced draft in industry is now an imperative—a pillar of national military and diplomatic policy. It is an absolute, because at all costs we must retain our topmost ranking as the first producer of goods and services for our people and our friends overseas. To fail in this is to lose the contest to the Soviet economic system before the eyes of the world.

We have accepted the challenge because we must. The Director of the Central Intelligence Agency, Allen W. Dulles, has said that Soviet industrial production is now about 40 percent of U.S. output, and is scheduled to grow by 8 to 9 percent annually, as it has for the past decade.

At this rate it will reach 60 percent of the U.S. level by 1970, unless American industry spurts ahead of its recent average 4½-percent yearly increase. If this is permitted to happen, Dulles says our lead will be "narrowed dangerously" by 1970.

We already have been put on notice that automation is the key to success in the economic contest with the Soviets. And we have been warned by leading experts on automation and computer technology that an inquiry into the economic and social effects of technological progress is a must because not only "individuals but also whole communities may be bypassed and thus create a very dangerous situation for the Nation."

Aside from our ideological convictions and firm belief in the superiority of our way of life, it does not seem likely that we will lose a straight-out productivity contest with the Soviet Union or anybody else.

Our labor force is increasing at the rate of 860,000 persons per year and the Bureau of the Census estimates it will increase by 1,440,000 annually between 1970 and 1975.

Analyses of our productivity since 1900 establish that—with only 6 percent of the world's population and 7 percent of the land area—we produce more than one-third of the world's goods. The average American worker's output today in a 40-hour week is triple that of his grandfather in a 70-hour week.

The output for each man an hour in manufacturing has increased steadily in this country since 1908—an increase of 55 percent during the 20 years between 1909–28.

But in response to the "great leap forward" (catch phrase of Mao's Communist Chinese), output each man-hour after World War II jumped an overwhelming 74 percent in the 10 years between 1947 and 1956—an increase generally credited to technological advance.

One survey of business plans for new plant and equipment says American business expects a productivity increase of 3 percent an employee each year to continue until 1962, at least, and that this will be supported by over $34 billion in capital spending during 1960.

The same survey reports the business community expects, during the period 1959–62, an increase of 18 percent in sales, but only an 8 percent increase in employment.

But, if our economy expands at the rate of 3 percent a year with the average productivity increase per employee, it will mean that our national output will double in about 24 years, as gross national product rises from the present $467 billion rate to $950 billion per year.

All of these calculations are predicated upon the existence of a mass of regularly employed consumers, among other things.

In other words, we are masters of the tools of business economics, but we may fail unless we plan the disposition of our working and consuming forces more intelligently.

Last May, Secretary of Labor Mitchell issued a summary of the unemployed which said that there were 1,400,000 persons unemployed for 15 weeks or longer, and 700,000 who had been unemployed for more than 26 weeks. He acknowledged that this is the most serious aspect of the current problem of unemployment.

In mid-July, just before the steel strike made itself felt, Secretary Mitchell reported that total employment had risen to an all-time high of 67,600,000, but there were still 3,700,000 unemployed.

How is it possible to have more than 5 percent of the labor force unemployed in a time of unparallelled prosperity and record-breaking production totals?

The answer lies, of course, in the use of our new technology to the full range of business enterprise.

From small beginnings during World War II, down through a postwar decade of research and the spending of $5 billion by Government and industry in electronics development, we have now reached a stage where little cells, tubes, and tapes can be combined to perform tasks which rival the magic of Aladdin's Jinn:

Computers design space vehicles, test flight characteristics of aircraft; solve logistics problems, forecast weather, plot the course of hurricanes; compose music, translate languages, predict genetic changes in fruitflies.

A thin magnetic tape gives orders to a $600,000 machine tool which shapes metal for an aircraft wing.

Six automated machines produce tailor-made parts for generators weighing up to 90 tons.

A new pushbutton coal mine digs, cleans, processes and loads 1,200 tons of coal an hour under the watchful eye of closed-circuit television.

A computer designs power transformers in 2 or 3 days which formerly required 3 to 4 months of engineering work. It has been educated to think like a handbook engineer, owners say.

In a Detroit automotive plant a giant machine snaps up 100 engine blocks an hour, flips them into 7 different positions and machines each one with 555 drilling, tapping, countersinking, reaming, boring, and milling operations.

In a Louisiana refinery, a computer the size of an office desk, is in charge of mixing 6 million gallons of gasoline per day.

The list is endless, and it's all part of a production process defined by an industry leader as a series of technicial revolutions, comparable to shipping's change from sail to steam, but with each revolution superimposed on its predecessors.

But there is another side to this picture of streamlined efficiency:

A meatpacker shuts down 7 plants involving 4,500 jobs.

A refrigerator maker installs automation equipment costing $3 million and the work force is reduced by 2,200 persons.

A county coal association reports an increase of 357,000 tons of coal mined in a 4-month period, but notes the use of 1,000 fewer miners.

The length and variety of this list would match the preceding one, point for point, and the displaced workers can take small comfort from current assurances that automation will make more jobs for everybody "in the long run."

The most realistic and ominous statement is contained in a Department of Labor report issued last June in which an official pointed out that production recovery from the recession far outstripped man-hours worked, but admitted that "many jobs that existed before the recession are still unfilled, and perhaps nonexistent as improved technology has made it unnecessary to continue some jobs."

What has now become casually apparent to the Department of Labor has been known to more than a hundred Members of Congress for the past 10 years. They have watched the growing stagnation of communities in their districts and the gradual decline of living standards among their people wherever the power of technological advance has swept a working force into the dustbin of long-term unemployment.

They have also noted the regular appearance of what is probably the most useless publication issued by the Federal Government—a list of "surplus labor areas" on which the names of the same communities appear year in, year out, to the point where the list itself tends to become a catalog of futility rampant.

IS ANYONE DOING ANYTHING?

During recent years, scores of Congressmen, especially those from Pennsylvania, New York, Illinois, Kentucky, and West Virginia, have repeatedly described the need for a forthright program to reverse the economic cycle in areas weakened by this technological revolution.

So far all their efforts have ended in failure, not only in the enactment of legislation, but also even in attempts to obtain general recognition that a problem exists.

Naturally enough, the big unions have not viewed these developments calmly. Five of the largest industrial unions have suffered membership declines ranging from 100,000 to 400,000 members in recent years. They are aware that between 1947 and 1957, when industrial production was rising 40 percent, the number of production workers in industry rose only 1 percent. Meanwhile, nonproduction workers, chiefly white-collar employees, increased by 55 percent.

The record reveals that there has been virtually no increase in the number of jobs in the goods-producting industries during the past 40 years, despite a 66-percent increase in population.

But the next major impact of automation is scheduled for the office, where "computers * * * are going to be like bulldozers in the construction industry."

Nobody is safe, it seems.

The unions' answer to it is to gain protection through the bargaining process—wring the difference out of the employer or consumer. As a result, the recent steel strike, with its $5 billion economic loss in 4 months, was not a clash over wages, but over administration of rules which determine the number and kind of skills in the work force.

A similar nub of controversy resulted in temporary settlements between the Longshoremen and Meatpackers Unions and several employers. In the packers' case, the companies agreed to establish a fund to undertake research and develop programs designed to retrain and relocate displaced workers.

The Teamsters have served notice that they may demand a royalty on every truckload delivered, starting in 1961, to "share the benefits" of increased company profits due to mechanization.

All of the foregoing adds up to the simple fact that we are paying for something we aren't getting.

We are paying out millions in unemployment compensation and agricultural commodity costs and billions in economic losses through strikes and negotiated labor-management agreements, and we will pay more each year in each of these categories.

In return, we gain nothing in knowledge or skill that can be brought to bear on the core of the problem of how best to exploit our technology to the utmost and thereby guarantee victory in the international economic race without creating additional thousands of hopeless drones each year?

As matters stand in Washington, we may anticipate continuation of many uncoordinated activities:

The Labor Department will issue employment statistics by the bale;

The Commerce Department will make small gestures at area redevelopment;

The Agriculture Department will distribute more fodder for consumption by the unemployed;

The Defense Department will dabble at placing military contracts in depressed areas.

And the President's Council of Economic Advisers will continue its weighty studies of long-term economic trends, politely overlooking this problem, as it has to date.

The air on Capitol Hill will be charged with vibrant proposals—for more unemployment compensation, a lower social security age limit, the 30-hour workweek, Federal financing to support area redevelopment, tax exemptions for corporations who locate in depressed areas, and a thousand others. Many of them undoubtedly have merit, but we have no yardstick by which their value can be judged.

We are well into a period which was foretold by a prophet—Prof. Norbert Wiener, the father of cybernetics (comparative study of control systems) whose work represents a major pillar on which the age of automation is being erected. A decade ago he described the shape of things to come and extended a thoughtful warning:

"The man who has nothing but his physical power to sell has nothing to sell which it is worth anyone's money to buy * * * the machine plays no favorites between manual labor and white-collar labor. Thus the possible fields into which the new industrial revolution is likely to penetrate are very extensive, and include labor performing judgments of a low level * * * the intermediate period of the introduction of the new means, especially if it comes in the fulminating manner to be expected from a new war, will lead to an immediate transitional period of disastrous confusion."

We have the new war, a cold, economic war. And the confusion is upon us, although we may yet avoid the disaster. In 1959, the Joint Committee on the Economic Report, 84th Congress, held extensive hearings on the general subject "Automation and Technological Change."

In its report the committee noted that "* * * many individuals will suffer personal, mental, and physical hardships as the adjustments go forward," but concluded that "* * * no specific broad-gage economic legislation appears to be called for * * *" above and beyond already existing areas of Federal interest contained in the Full Employment Act of 1946.

Since that time we have proceeded on a course which has added something new and quaintly American in the history of man's inhumanity to man.

We have mobilized the full power of our national effort in a way which virtually guarantees the creation of new areas of insular poverty, in the penetrating definition of Prof. John Galbraith.

In the past such areas have evolved gradually because they fell out of step with economic progress; during the last 10 years, however, we have inadvertently arranged to create them.

No other democratic nation has ever done this to its own people as an integral part of its national policy.

If we continue to ignore the realities of long-term technological unemployment, we may reasonably expect developments of the next 10 years to parallel those of the past 10, and to have established by 1970 a built-in, hard core of 4 million unemployed, each averaging 3 dependents, or a total of 16 million Americans subsisting on some sort of dole at a cost of about $8 billion per year.

We may also anticipate a long series of tremendous labor-management clashes, causing billions in economic loss, or else the negotiation of collusive agreements which will burden the consumer and minimize the benefits of our technology.

WHAT CAN WE DO?

Before we can improve our position, we will have to admit two things to ourselves:

First, that we are engaged in a life-and-death international contest to maintain our top position in productivity and efficiency, and this effort will unquestionably cause methods and machines to displace workers.

Second, that we have badly misjudged the impact of the new technology on our society and have been caught unprepared to deal with the consequences.

As to the first, the cold war may be a standoff for a century, and the standard bearer for tomorrow's world may well be the nation whose system offers the best hope for a full material life combined with maximum personal freedom from regimentation. A mass of 16 million half-starved American peons will hardly contribute to our stature in 1970, by which time Khrushchev boasts that the U.S.S.R. will match the American standard of living.

It's an endless circle. To hold world leadership we must use every means to spur technical progress in industry. We must even attempt to speed up the cycle of development and application by training more engineers and technicians through the National Defense Education Act.

At the same time, we dare not permit the machine to overwhelm the citizen. The answer appears to be to make a determined investment in what Prof. Theodore Schultz calls "the formation of human capital," a conscious effort to speed up human effectiveness based on capacities that develop from investments in man.

Four immediate undertakings suggest themselves:

1. A surplus agricultural commodities program which meets at least the minimum nutrition requirements for sound health. At least the equivalent, say, of the foods we were so quick to rush to postwar Europe. Considerations of humanity aside, if the long-term unemployed are not fed properly, they will soon be unable to work, and their families will be permanent charges of society.

2. Formal recognition by the President of the scope of the problem, and its relationship to national objectives, such recognition to be made manifest by appointment of a top assistant at near-Cabinet rank. The Secretaries of Labor, Commrece, Agriculture, and above all, Treasury, have an interest in this situation.

All of their activities bearing on the matter should be coordinated at once by a top-flight business economist-administrator, reporting directly to the President. Without the prestige of the White House behind him, no man can hope to untangle the mess that has developed.

In this connection let it be said at once that this is not a partisan issue, and has no proper place in the 1960 campaign unless injected by default. No one has fought harder against political, sectional, and White House indifference to the problem than a handful of Republican Congressmen from Pennsylvania in a Democratic Congress.

3. Institution of an immediate inquiry by a suitable group of experts into the theoretical aspects of the displacement of men by machines in an effort to develop a yardstick whereby counteractive programs may be planned.

Conduct of such an inquiry should be the most important obligation of the President's Council of Economic Advisers.

Somewhere there are signposts by which we may identify technological unemployment in its infancy, and somewhere there is a measuring gage to guide a practical course of action. Perhaps it lies in the application of a reverse of the leadtime principle for tooling and preparation which is fundamental to mass production. At any rate, there is an answer somewhere, and we must find it.

4. Pursuit of both Federal legislation and administrative programs designed to place the financial support of the Government behind short-term betterment undertakings to the extent practicable. Any program which will divert some of the Federal purchasing billions into the weakened areas will more than repay us in the years to come, and any program of physical improvements which will encourage private industrial development can be assured of manifold long-range return.

These are not the only possibilities, by any means, and if they are received only to be rejected in favor of superior suggestions they will have served their purpose. We cannot muddle through in the vague hope that our economy will expand fast enough to soak up all new jobseekers, plus those displaced by the growth of technology. The evidence against the chances of such a hope is not to be denied.

The present status of Carl Harris and his family is just around the corner for almost every one of us who must work to earn his daily bread. It advances, literally, with the speed of light, as the little cells and tubes wink their way forward with inhuman remorselessness.

White collar, blue collar, or no collar, there is no place to hide, so it behooves us to set about learning the dimensions of the problem that faces us and our posterity.

Speech Delivered by Hon. Barry Goldwater, of Arizona, Before the American National Cattlemen's Association

EXTENSION OF REMARKS
OF
HON. BARRY GOLDWATER
OF ARIZONA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 2, 1960

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a speech I made at Dallas, Tex., on January 29 before the American National Cattlemen's Association.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED BY U.S. SENATOR BARRY GOLDWATER BEFORE AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION, DALLAS, TEX., JANUARY 29, 1960

It is a real privilege to appear before a group of Americans who have steadfastly maintained their independence and who have resolutely refused to barter away their economic freedom.

In this age of subsidy and supports and special privilege it is a refreshing and encouraging experience to visit with men and women who have never been taken in by that beguiling promise of something for nothing—which is the universal bait employed to secure citizen consent for Federal intervention.

For 30 years we have experimented with farm programs. Supports and controls and subsidies now extend to 30 percent of our farm product and after 30 years of failure we are still experimenting.

And what have we accomplished by this 30 years of failure.

We have succeeded in making the farmer the whipping boy of our economy.

We have assessed direct and indirect penalties against the people of America—cattlemen who buy grain are forced to pay an artificial price, cotton mills must buy their raw material in an administrated market, and we have deprived the general public from the benefits which should be theirs—of our improving farm technology.

Oh, and one more thing, we have compelled the taxpayer to foot the bill for political folly.

Perhaps more damaging than all of these—we have, in some measure, created a dependent society.

We are maintaining a herd of boarder cows at public expense.

And let me emphasive here and now that the farmers are the victims and not the creators of our disastrous farm policy.

I've got a bale of figures in my briefcase covering the cost of our folly. I guess six CPA's and three Philadelphia lawyers could make real good sense out of these reports. But I can read the total, and the total "realized cost"—that's Washington language—from 1932 to 1959 has been $17,753 million.

Since 1953, the Government has disposed of some $16 billion in surplus commodities overseas, below cost. And we still have $9 million worth left. Farm surpluses today are three and a half times as large as they were at the beginning of 1953. Carrying charges, transportation, interest and the cost of storage amount to more than $1 billion a year—or $2,739,726 per day.

Well, I am sure that you are familiar with all these figures. But please let me point out that, generally speaking, producers of agricultural products—under the price support and acreage limitation program—are finding rough sledding. While producers outside the program—operating on market place values in response to the law of supply and demand—are faring much better than their subsidized brothers.

Even though this program has been a monumental failure, one thing is obvious—we can't end it overnight.

Out in Arizona, my friends in the cattle business tell me that when you suddenly take a calf away from its mother both the cow and the calf do a lot of bawling.

I suspect that if we were to end subsidies, the mother cow—in this case, the big government interventionists who administer the subsidy program—would outbawl the recipients.

You remember back in the days of the depression when Henry Wallace wanted to plow up every fourth row we had planted—creating an artificial scarcity so prices would rise—most Americans were shocked, and a lot of unkind things were said about Henry Wallace. We are more enlightened than he was—we don't plow the crops under—we just put it all in storage and call it surplus and keep on wondering what to do with it.

Democrats say the Republicans are responsible for the farm mess and the Republicans say it's the Democrats who got us into this fix. The truth is, neither one of these statements is correct. We got ourselves into this mess.

Our trouble commenced when we first accepted the notion that governmental intervention—subsidies, controls, concessions, etc.—could be substituted for the creative strength of a free people.

We forgot momentarily that liberty is indivisible.

We cannot have liberty in any realm of our personal activities unless we are willing to accept liberty in all areas. We cannot have economic freedom and political dictation, nor can we have political freedom and economic dictation.

Radical liberals in our century behave as if they believe liberty could be divided.

Economic freedom is rapidly disappearing as the result of a radical liberal attempt to create a society in which one segment of the economy is subsidized while another segment is controlled and a third segment asks to operate on the marketplace values.

The tragic thing about all of these programs of big Government intervention is that they invariably produce waste and create a dependent society. What is more destructive is the creation of a soft and weak people—conditioned to look to big government for the solution of every problem. This was the pattern which preceded the

downfall of Egypt, and Rome, and Greece. Are we to sit idly by and witness the destruction of this Republic?

Sophisticated modern know-it-alls have almost succeeded in selling us the destructive maxims of the welfare state. And I would suggest now is the time to recall the truth of those copybook admonitions we cherished as children.

I would suggest that you and I remember, and probably still respect, that commonsense, colloquial admonition "Waste not, want not."

If we are to be victorious in this cold-war struggle against the alien doctrine of communism, we cannot afford to continue wasting human resources; nor can we continue to proceed on the assumption that man's creative ability can be blueprinted and pigeonholed.

Each year in Washington the statisticians with their slide rules have estimated the total wheat crop. They do this with cotton and the other control commodities. Well, let me tell you what has happened to their estimates of cotton production.

The cotton farmers in Arizona, when they found their planting limited to a certain number of acres, improved their technology. They used more fertilizer, they were more careful in their cultivation, and they succeeded in producing a greater total yield of cotton on a substantially decreased number of acres.

When you tell a free American that he can't do something, or try to fence him in, the chances are his inventive genius and tenacity of purpose will find a way to get around the fences and accomplish the thing he was told he couldn't do.

I am reliably informed, for example, that wheat farmers in the semiarid lands of eastern Washington have developed a strain of wheat which resulted in a doubling of the yield per acre.

Does it make sense that this increase of yield and improved technology should become a storage headache for all the people when it should be a blessing for all people?

We are not going to answer the problems created by our unsuccessful approach to them by imposing more limitations.

No one has yet suggested we should set up a governmental agency and put price supports under automobiles or telephones, televisions, or refrigerators, or any of the products of manufacturing.

I did read once the humorous suggestion of a professional writer who proposed that the Government establish a word bank in Washington—in order that he might have a market for his total output. He suggested the Government buy the words he couldn't sell in the open market and put them in a surplus bank. Or how about the buggy whip manufacturer who had no more markets for his product and suggested that the Government buy them at $1.25 and sell them to Europe at $1.

We accepted governmental intervention in the field of agriculture on the assurance of its sponsors that we would achieve these objectives: (1) Assure the farmer an income commensurate with that enjoyed by men in other occupations; (2) produce better food at lower costs; (3) conserve, rather than waste, our natural resources.

The difficult problem of farm surpluses was created by the radical liberal group who mistakenly believed they could apply controls and central planning to only one segment of the Nation's economic life.

Not long ago, one of the Democrat presidential hopefuls made a speech on the west coast in which he deplored the fact that Americans had gone soft.

I do not think Americans have gone soft, but if we have, I would suggest it is the direct result of the spoon-fed, administered society which the radical liberals have attempted to create here—it is the result of our failure to deal bluntly and openly with unpleasant problems and difficult situations.

You and I, as citizens of this Republic, must accept a portion of the responsibility for the present dilemma in which the farmer finds himself.

Common sense tells us the only way to rescue the farmer and to reestablish his dignity in our economy is to get farm products back on the open market and free the farmer of governmental controls and intervention.

Mr. Henry Hazlitt has suggested the way to do this was to end all farm subsidies and payments on crops not already planted. And then to sell back to the farmers—at prices lower than the cost of production—all the surpluses now being held in Government storage.

Mr. Hazlitt pointed out that no farmer would grow crops when he could buy the crops from the Government for less than the cost of production. He suggested that most farmers would take advantage of the situation to build up the soil and adopt practices which would assure less expensive production when it became necessary to produce crops once more.

Mr. Hazlitt also pointed out the farmers would conform to market demands in the resale of the surplus commodities bought back from the Government.

Since the beginning of the Eisenhower administration, the Republican Secretary Benson has tried desperately to end the present wasteful practices and restore marketplace values in the agricultural industry.

Political pressures and the farming of the farmer for votes, rather than voting for the farmers' good, has prevented this. I would suggest the farm program is only one symptom of the distressing malady of big government intervention which threatens the economy and the future of this Nation.

You and I must decide whether we intend to continue down the road of Federal aid and Federal subsidy. Last year the Federal Congress passed the so-called Defense Education Act. This year they are being urged to pass a Federal subsidy for the constructions of schools. We have Federal aid for airports and Federal aid for highways. These programs always start small, and end big, and the bureaus administrating these programs multiply like rabbits—and just as hard to kill off.

If we continue down this road, we will become a people who will be leaning on Uncle Sam—and the more we lean, the greater the habit becomes. And no people dependent upon the subsidies of central government can claim to be free.

The preservation of the Republic is not a partisan political issue. We are not divided as Republicans or Democrats. Indeed, had it not been for the valiant efforts of many effective and dedicated Democrats, we might be much closer to complete socializing than we now are.

Growing cattle isn't all beer and skittles. Merchants and manufacturers and doctors and dentists have their problems. But 170 years of progress should certainly convince us that free men, free from governmental interference, produce more, distribute more, and contribute more to man's ultimate destiny than a race of dependent, controlled creatures.

I would suggest this Nation still has the strength and courage to face the truth—to reverse the course we have been following the past 30 years—to turn our backs on the errors we have made without indulging in the luxury of name calling and recriminations.

Washington won't do this, and no remote governmental corporation can do this. But you and I can—and must. By apathy and greed we created this situation—with courage and sacrifice we can correct it.

We can reject self-indulgence and demand self-sufficiency.

We can return to those principles of thrift, industry and person-to-person charity which conquered this hostile continent and made America the goal and the beacon light for all men, everywhere.

The Forgotten Man: The American Farmer

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 2, 1960

Mr. HUMPHREY. Mr. President, it was my privilege on the date of December 4 to address the Texas Farmers Union at Fort Worth, Tex. The Farmers Union in Texas has been growing steadily, solidly, and is gaining ever wider and stronger support. This is a splendid organization of dedicated and patriotic Americans who are justly proud of their activity. It was a real privilege to address this splendid gathering.

The distinguished junior Senator from Texas, RALPH YARBOROUGH, introduced me to his fellow Texans. He was received with great enthusiasm and is justly known as the champion of the farmers of Texas.

I ask unanimous consent that my address before the Texas Farmers Union convention be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY U.S. SENATOR HUBERT H. HUMPHREY, DEMOCRAT, OF MINNESOTA, BEFORE TEXAS FARMERS UNION BANQUET, FORT WORTH, TEX., DECEMBER 4, 1959

Some years ago, Franklin D. Roosevelt made famous the phrase, "the forgotten man."

Today, there is definitely a forgotten man in the eyes of the present administration—the American farmer.

I don't need to remind any of you that the American economy has had its ups and downs since this administration took office. But it has always worked out so that the farmer shared in all the downs but was left out in the cold during the ups.

Let me give you some examples of how the farmer has been left out in the cold—down and out.

SLIDING DOWN THE SLIDING SCALE

During the first 5 years of this administration, net farm income declined by about 2 percent a year—while nonfarm net income rose by 2 percent a year.

And in 1958, the income per person on the farm was just about half the income per person off the farm. And I'm not just talking about cash income—I'm talking about total income.

This year, according to the Republican hucksters, we're supposed to be in a boom. If you don't believe me, why just ask the Republican National Committee. They'll tell you how rosy everything is supposed to be.

Well, before these Republican propagandists write up their press releases, they must throw away all the figures they get about the American farmer. Because during this so-called Republican boom things certainly aren't rosy down on the farm.

Sure, during the first 9 months of this year, the income of the American people as a whole went up $9 billion.

But what happened to farm income?

You know—it went down by more than $2 billion.

Net farm income during this so-called boom year has gone down nearly 24 percent.

In terms of dollars with the same buying power, the net income of agriculture this year is the lowest in 19 years.

The parity ratio is lower today than at any time since 1940.

Is it any wonder I say that the American farmer is today's forgotten man?

Now, of course, the Republicans would like to have you forget that you're the forgotten man. And they've adopted a new technique for doing that. They've appointed a special committee of experts to tell you how great things are going to be for you 17 years from now—in 1976.

You know, it's an amazing thing. The Republican Party has been in business for over 100 years now—and it has to organize a committee to tell it what it stands for.

Well, this committee had a lot of high-sounding phrases to solve the farm problem. But when you cut through them and boil them down to simple English, they say simply, "We Republicans like Ezra."

So if you want to know where you'll be in 1976 under the Republicans' long-range program, just try to imagine going through 17 more years just like the past 6—of falling prices, falling parity, falling income—and failing farms.

I know you can't afford many more years like the past six—and I don't think America can either.

THE WRONG ANSWERS TO THE WRONG QUESTION

I've been doing a lot of thinking about the current plight of the American farmer, and also about the great depression of 1929—at the end of another Republican administration. And I've come to the conclusion that there's a frightening similarity between the two.

Thirty years ago, as the businessmen of that other Republican administration surveyed the phony boom of the late 1920's, they concluded that the country was suffering from one thing: overproduction.

Well, the Republican farm program of the 1950's starts from the same basic premise: that the basic farm problem is overproduction.

And having drawn that conclusion, they pick the most inhuman solution to it: lower prices and break the farmer's back—then, according to Republican doctrine there won't be so many farmers—and maybe they won't produce so much.

This is the most inhuman solution, and it is also the most ineffective. We've all learned that over the past 6 years. Any solution to the farm program that flies in the face of human nature—and of humaneness—is bound to fail.

What has been the result of this deliberate Republican policy of farm deflation? Who has benefited?

Not the consumer—for while the prices received by farmers have dropped severely since 1952, the price of food to the consumer has gone up sharply.

Not the worker—for the worker is basically a consumer.

Not the businessman—for if farm income hadn't dropped off by billions and billions of dollars, farmers would have much more money to buy the products of business.

Nor have the surpluses been reduced. Quite the contrary—today, they are several times what they were when this deliberate farm deflation policy was started.

And if the Republicans in Washington knew anything about human nature, they would have known from the beginning that increased production—yes surpluses—would result from deliberately depressing farm prices. As long as the American farmer is a free and independent man, he will try to make up for lower prices by planting more. It's just plain commonsense and economic necessity.

THE TRUE SURPLUS—HUNGER

The result of the current farm policy has been a great deal of suffering. The farmers have suffered, the consumers have suffered, business has suffered—but there's another group of people who have suffered, too.

I'm talking about the millions of people who go to bed hungry every night, simply because they can't get the food to feed themselves or their families.

Many of those people are right here in the United States.

Millions more are abroad.

How shameful that America's granaries should be bulging at their seams while there remains a mouth unfed.

How shameful that the American taxpayer should be paying a million dollars a day to store our mounting surpluses—instead of devoting that money to help feed the hungry and clothe the needy.

I am not talking about dumping our products abroad and destroying world markets.

I am talking about reaching out with a humane, helping hand to nations who cannot buy foodstuffs in the world market, but who need our help desperately.

Why don't the Republicans give their enthusiastic support to a Food for Peace plan such as I have proposed?

I'll tell you why: because the Republican spokesmen are afraid it will cost too much money. But they ignore the cost of doing nothing—or too little.

Let me tell you something about the image of America abroad. I have had the good fortune to travel quite a bit in recent years, and I have seen what the world thinks of America.

Do you remember that Franklin Roosevelt used to talk about the good-neighbor policy? Well, everyone in the world believed he meant just that, because Franklin Roosevelt was a good neighbor right in his own country. Everybody knew that Franklin Roosevelt loved people and believed in "Love Thy Neighbor."

And when President Truman inaugurated the point-4 program to help the down trodden countries of the world, that rang true, too, because the world knew that Harry Truman was the friend of the downtrodden here at home.

But America doesn't enjoy that same image today. And do you know why? Because when the world looks at Uncle GOP today, it sees dollar signs in his eyes. They are the eyes of a moneylender or a rich relative, not the eyes of a humanitarian who believes in people and in sharing good fortune to relieve misfortune.

Besides using food for peace, there are other great things that this country could do. We could put our young men to work in his forests and parks, conserving and building our great national wealth. I have proposed such a program—a Youth Conservation Corps—but Uncle GOP say "No."

We could have a food stamp plan in order to supplement the diets of our needy—but Uncle GOP says "No."

And if Uncle GOP were truly thrifty—and smart—we could have a farm policy that would strengthen the farm economy, the national economy, and the economy of the free world—and it would cost a lot less tax money than the present Republican mess.

A POLICY OF DESPAIR

The Republicans have not offered us a farm program—not last week, nor last year, nor any of the 7 years they have been in power. The farm policies they have followed have weakened the ability of the Government to aid farmers, have driven the young people from the land, have stifled the rural business communities.

And the Republican policies have not resulted in benefit to the cities either. When the young men and women turn from the land, go to the cities to seek their fortunes and new ways of life, they find no opportunities awaiting them. There has been no program to prepare the cities for the people, or the people for the cities. The Republican farm policies are matched by their bankrupt policies in regard to labor, education, health, and urban development.

Present farm policies have brought us to the place where farmers and their children feel there is no hope in the land, they are met with discouragement on every side.

Present farm policies have paved the way for the seizure of America's vast acres of agricultural land by corporate interests, by corporate powers. The people in the cities are being softened up for this seizure by the Madison Avenue boys who control the channels of communication. That is why every other slick magazine you pick up has another article that makes the farmer the whipping boy for the extravagant, wasteful, eroding farm policies. Divide and conquer in the name of the corporate interests.

You know and I know that unrestricted corporate economic power over our land and our people spells exploitation—heartless use of human resources and soil resources and water resources—that does not take into account the present and future needs of the people in our own country or of the people of the world.

A CHARTER OF HOPE FOR FARMERS

What do I think we should do about a farm policy?

I believe that Congress should set forth goals for American agriculture, and then give the President and the Secretary of Agriculture a wide variety of tools for the attainment of those goals, and broad discretion in the choice of those tools. And I believe farmers themselves should have a voice in this matter that concerns them so vitally.

I spelled out these ideas in the Humphrey Family Farm Program Development Act which I introduced last August. This is a charter of hope.

What are the goals?

The first is a determination of a fair price for farm commodities and a fair income standard for farmers. Income per farm person is only about half the income per nonfarm person. This lop-sided situation can't be changed overnight, but it can be gradually changed if pricing policies are geared to the attainment of a fair income for farmers—and this can be accomplished in a way that lessens the tax burden, instead of piling it higher and higher.

The second objective is a production goal. This goal should be determined by what is needed to satisfy the true needs of the American people, the commercial export market, necessary reserves, and foreign policy purposes.

And this goal should not be met by a deliberate policy of farm deflation, of breaking the farmer's back to reduce production. There are more humane and more effective ways of achieving production goals in agriculture, and they should be used.

Third, we need an agricultural resources conservation program. This is an integral part of any comprehensive farm program. Any land adjustment program must take into account our present needs—needs of farmers, needs of consumers, needs of rural communities, and needs of generations to come. Every American has a stake in the present and future productivity of our land. Our growing population makes this so.

The time when a frontier farmer could "mine" his land and move on to another

farm—leaving behind him starved, treeless, eroded land—is far in our past. Soil and water resources are vital to national well-being—and to international well-being.

Therefore, a comprehensive land use program must be based on the facts of both present and potential consumption needs. It must safeguard the well-being of the family farmer. An agricultural resources conservation program is the heart of a sound, forward-looking farm program.

Fourth, we should have employment goals for American agriculture. These goals should envisage a farm population, and especially farm families, which have adequate opportunity to be fully and usefully employed on our farms. They should include proper credit facilities to strengthen the operation of the family type farm. They should also include employment opportunities for those within the farm population who may wish to transfer to other occupations.

Undoubtedly, there would be some mistakes and some difficulties, even under this kind of program. But such a program, being based upon sound and worthy objectives, would be self-repairing instead of self-defeating.

It would bring bring supply and demand into balance at the highest possible levels, instead of trying to bring them into balance at depressed levels.

It would use income progress, rather than income deflation, as a tool for farm production adjustment.

It would, in the long run, reduce public costs by substituting sanity for confusion.

It would unite instead of dividing the worker and the farmer, the producer and the consumer, by using a full prosperity program for agriculture as a reinforcement to a full prosperity program for all, and by promoting the full prosperity of others as a reinforcement to the full prosperity of farmers.

It would help us to advance the American economy as a whole by seeing it as a whole, instead of mistreating the economy by breaking it down into arbitrary bits and pieces.

It would bring our agricultural efforts into the further service of free world humanity and world peace. It would make us look at our so-called wheat surplus in terms of national and worldwide needs. When you do that it becomes a strategic and vital reserve that lends strength and security to the free world. Instead of considering our store of wheat as only a burdensome problem, a weight upon the farmer and a drag on the economy, it should be treated as the source of moral, political, and economic strength.

We should look at the quantities of food held in reserve, and the productive capacity of our land just as we look at money in the bank—this is our capital goods, our capital treasure. Money is worthless piled up in a bank. Only when it is put to use does it have true worth, true value, true meaning to people.

From Biblical times, down through the centuries, wheat has been a symbol of life and hope to all mankind. A kernel of wheat is indeed a spark of life. All over the world people pray: "Give us this day our daily bread."

A CHARTER OF HOPE FOR ALL

I have spoken of the kind of goals which should be part of our farm policy—goals I have incorporated in the Humphrey Family Farm Program Development Act. I see an America in which we can and should attain such goals, not only for agriculture, but also for the Nation at large. We need to set goals for social security expansion, for wage expansion, for business expansion, for education and health improvement—all reinforcing one another, all consistent strains in the symphony of American effort, and all responsive to the new pace of our technology and science and invention.

Then, and then only, will we be able to lead the world to rising standards of living and to peace.

SENATE

WEDNESDAY, FEBRUARY 3, 1960

The Senate met at 10:30 o'clock a.m., and was called to order by the President pro tempore.

The Very Reverend Eugene I. Van-Antwerp, S.S., rector, St. Mary's Seminary, Baltimore, Md., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost, amen.

Lord God of nations, we adore Thee. "For in Thee do we put our trust."

And since "it is the duty of all nations to implore God's protection and favor," we ask Thee to bless this gathering of the Senate. Grant to these "sentinels of our freedom" the knowledge to see and the courage to do what is right and just, so that they may use their talents, intelligence, integrity, and strength for the glory of God and the good of all men, all made in the image of our God.

And, O God of strength and peace, who in times past hast so often favored our undertakings in this land, send forth Thy grace and crown Thy great gifts with peace—peace between nations, between races, between factions, between all elements of division—among all men, all the children of God.

And may these favored men, the Senators of our United States, be Thy instruments for good, forever. Through Jesus Christ Thy Son our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 2, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2231) to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1217. An act to suspend for 2 years the import duty on certain amorphous graphite;

H.R. 2849. An act for the relief of Oscar A. LaBranche;

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers;

H.R. 5301. An act for the relief of Harry E. Nelson;

H.R. 5769. An act for the relief of Earl H. Spero;

H.R. 5789. An act to incorporate the Agricultural Hall of Fame;

H.R. 6027. An act for the relief of Joseph J. O'Loughlin;

H.R. 7079. An act for the relief of Don L. Herring;

H.R. 7636. An act for the relief of Mrs. Viola H. Rooks;

H.R. 7933. An act for the relief of Mrs. Virginia Bond;

H.R. 8121. An act to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees;

H.R. 8318. An act to amend the Internal Revenue Code of 1954 to exempt bicycle tires and tubes used in the manufacture or production of new bicycles from the manufacturers excise tax on tires and tubes;

H.R. 8988. An act for the relief of Warren S. Boggess;

H.R. 9201. An act to validate certain mining claims in California;

H.R. 9443. An act for the relief of Mrs. Ethel B. Morgan;

H.R. 9444. An act for the relief of Hsiao-li Lindsay (nee Li-Hsiao-li);

H.R. 9464. An act to remove the requirement that, of the Chief and Deputy Chief of the Bureau of Ships, one must be specially qualified and experienced in naval engineering and the other must be specially qualified and experienced in naval architecture;

H.R. 9465. An act to authorize the extension of a loan of a naval vessel to the Government of the Republic of China; and

H.J. Res. 496. Joint resolution authorizing the President to invite foreign countries to participate in a world's fair, New York, 1964.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 459. Concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty; and

H. Con. Res. 465. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites.

The message informed the Senate that, pursuant to the provisions of section 5, Public Law 115, 78th Congress, and House Resolution 165, 86th Congress, the Speaker had appointed Mr. KYL, of Iowa, as a member of the Committee on the Disposition of Executive Papers, to fill the existing vacancy thereon.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 1217. An act to suspend for 2 years the import duty on certain amorphous graphite;

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 8318. An act to amend the Internal Revenue Code of 1954 to exempt bicycle tires and tubes used in the manufacture or production of new bicycles from the manufacturers excise tax on tires and tubes; to the Committee on Finance.

H.R. 2849. An act for the relief of Oscar A. LaBranche;

H.R. 5301. An act for the relief of Harry E. Nelson;

H.R. 5769. An act for the relief of Earl H. Spero;

H.R. 5789. An act to incorporate the Agricultural Hall of Fame;

H.R. 6027. An act for the relief of Joseph J. O'Loughlin;

H.R. 7079. An act for the relief of Don L. Herring;

H.R. 7636. An act for the relief of Mrs. Viola H. Rooks;

H.R. 7933. An act for the relief of Mrs. Virginia Bond;

H.R. 8121. An act to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees;

H.R. 8988. An act for the relief of Warren S. Boggess;

H.R. 9443. An act for the relief of Mrs. Ethel B. Morgan; and

H.R. 9444. An act for the relief of Hsiao-li Lindsay (nee Li-Hsiao-li); to the Committe on the Judiciary;

H.R. 9201. An act to validate certain mining claims in California; to the Committee on Interior and Insular Affairs.

H.R. 9464. An act to remove the requirement that, of the Chief and Deputy Chief of the Bureau of Ships, one must be specially qualified and experienced in naval engineering, and the other must be specially qualified and experienced in naval architecture; to the Committee on Armed Services.

H.R. 9465. An act to authorize the extension of a loan of a naval vessel to the Government of the Republic of China; and

H.J. Res. 496. Joint resolution authorizing the President to invite foreign countries to participate in a world's fair, New York, 1964; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The concurrent resolution (H. Con. Res. 459) expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty, was referred to the Committee on Foreign Relations, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall be made only pursuant to treaty.

The concurrent resolution (H. Con. Res. 465) expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites, was referred to the Committee on Foreign Relations, as follows:

Whereas in recent days there has been a wave of desecration of places of worship and other sacred sites; and

Whereas this desecration has been spreading throughout the nations of Europe and other parts of the world; and

Whereas instances of desecration have occurred in this country recently; and

Whereas, if left unchecked, this wave can only result in grievous moral deterioration and denial of the true spirit of the brotherhood of man; and

Whereas the conscience of the world has been shocked by these events: Now therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses its profound sense of indignation and shock at this epidemic of desecration and calls upon all persons and governments throughout the world to exert their energies to the end that these shameful events shall not recur.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Whitney Gillilland, of Iowa, to be a member of the Civil Aeronautics Board.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that nominations in the Public Health Service be considered and confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Public Health Service are confirmed en bloc.

Mr. MANSFIELD. I ask that the President be immediately notified.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RESOLUTION OF MAUI BOARD OF SUPERVISORS, HAWAII

Mr. LONG of Hawaii. Mr. President I ask unanimous consent to have printed in the RECORD a resolution adopted by the Board of Supervisors of Maui County, State of Hawaii, relative to the feasibility of a deepwater harbor off the Kalepolepo area in Kihei, county of Maui, and that it be appropriately referred.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

RESOLUTION 7

Whereas the economic development of the county of Maui is dependent to a large extent on the availability of water transportation facilities, and especially on adequate harbor facilities; and

Whereas, hitherto, the U.S. Board of Engineers for Rivers and Harbors had made studies of the feasibility of a deepwater harbor off the Kalepolepo area, Kihei, county of Maui; and

Whereas the construction of a deepwater harbor in said Kalepolepo area will greatly stimulate the economic development of the county of Maui; and

Whereas, in addition thereto, the construction of such a deepwater harbor will permit the U.S. Navy to adequately disperse its ships and personnel and thus benefit the Nation as a whole: Now, therefore, be it

Resolved by the Board of Supervisors of the County of Maui, That it does hereby respectfully request the Committee on Public Works of the Senate and the Committee on Public Works of the House of Representatives of the United States to review the studies hitherto made by the Board of Engineers for Rivers and Harbors on the feasibility of a deepwater harbor off the Kalepolepo area, in Kihei, county of Maui; and be it further

Resolved, That certified copies of this resolution be forwarded to the Honorable Senator OREN E. LONG, to the Honorable Senator HIRAM L. FONG, to the Honorable Representative DANIEL K. INOUYE, all from the State of Hawaii, to the U.S. Corps of Engineers and to the U.S. Department of the Navy.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. Res. 247. Resolution providing additional funds for the Committee on Public Works and authorizing the employment of additional clerical assistance (Rept. No. 1075). Referred to the Committee on Rules and Administration.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ERVIN:

S. 2970. A bill to require that Federal judgments for the condemnation of land by the United States be registered, recorded, docketed, indexed, and cross-indexed in conformity with the law of the State in which such property is situated, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 2971. A bill to extend the benefits of the Federal Employees' Group Life Insurance Act of 1954, as amended, to employees of the agricultural stabilization and conservation county committees; and

S. 2972. A bill to amend section 505(1) (3) of the Classification Act of 1949 so as to eliminate the exemption of the Office of Defense Mobilization from the requirement that appointments in grades 16, 17, and 18 be approved by the Civil Service Commission; to the Committee on Post Office and Civil Service.

By Mr. SPARKMAN:

S. 2973. A bill to provide increases in compensation for food service workers and laundry workers under the Veterans' Administration; to the Committee on Labor and Public Welfare.

By Mr. HUMPHREY:

S. 2974. A bill for the relief of Michael Nolan (formerly Michael Pasvanis); to the Committee on the Judiciary.

S. 2975. A bill to establish a National Portrait Gallery, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. HUMPHREY when he introduced the last above-mentioned bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

CURTAILMENT OF RESTRAINTS ON WORLD TRADE

Mr. KEFAUVER submitted the following concurrent resolution (S. Con. Res. 85), which was referred to the Committee on Foreign Relations:

Whereas the United States has a continuing concern with the existence in international trade of restrictive business practices which have harmful effects on the attainment of higher standards of living, full employment, and conditions of economic and social progress and development;

Whereas the United States recognizes that national action and international cooperation is necessary in order to deal effectively with business practices affecting international trade;

Whereas the elimination of harmful restraints on international trade such as cartels or other forms of world monopoly and the furthering of competition in international trade continues to be a basic objective of this country's economic policy: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress requests the President of the United States to instruct the United States delegation to the United Nations, and to appropriate agencies of the United Nations, to sponsor and support resolutions that would assist the United Nations in establishing the proper intergovernment machinery, and urging member government participation, to implement a policy of elimination of harmful restraints on international trade resulting from cartels or other forms of world monopoly.

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF CERTAIN HEARINGS AND REPORT

Mr. DOUGLAS. Mr. President, I submit, for appropriate reference, four concurrent resolutions authorizing the printing of additional copies of—

First. Hearings on employment, growth, and price levels.

Second. Staff study on employment, growth, and price levels.

Third. Hearings on energy resources and technology.

Fourth. Studies on comparisons of the United States and Soviet economies.

As the Senate is aware, there is widespread interest in the materials of the Joint Economic Committee among Members of the Congress, business, labor, and the colleges. It is the practice of the committee to have all of their materials placed on sale at the Superintendent of Documents. Committee distribution is limited to single copies on request. The committee supply of all of these publications has been exhausted and we are receiving 30 to 40 requests a day for them. The supply of several publications is also exhausted at the Government Printing Office and they will reorder at the same time the committee copies are printed if these concurrent resolutions are agreed to.

The PRESIDENT pro tempore. The concurrent resolutions will be received and appropriately referred.

The concurrent resolutions were referred to the Committee on Rules and Administration, as follows:

S. Con. Res. 86. Concurrent resolution authorizing the printing of additional copies of the hearings on employment, growth, and price levels.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on employment, growth, and price levels, held by that committee during the first session of the Eighty-sixth Congress.

S. Con. Res. 87. Concurrent resolution authorizing the printing of additional copies of the report on employment, growth, and price levels.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand additional copies of the report on employment, growth, and price levels, prepared by that committee during the first session of the Eighty-sixth Congress.

S. Con. Res. 88. Concurrent resolution authorizing the printing of additional copies of the hearings on energy resources and technology.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on energy resources and technology, held by that committee during the first session of the Eighty-sixth Congress.

S. Con. Res. 89. Concurrent resolution authorizing the printing of additional copies of the studies on comparisons of United States and Soviet economies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand additional copies of the studies on comparisons of the United States and Soviet economies, prepared by that committee during the first session of the Eighty-sixth Congress.

REGISTRATION OF FEDERAL JUDGMENTS FOR CONDEMNATION OF LAND BY THE UNITED STATES

Mr. ERVIN. Mr. President, I introduce a bill to require that Federal judgments for the condemnation of land by the United States be registered, recorded, docketed, indexed, and cross-indexed in conformity with the law of the State in which such property is situated. The enactment of this bill into law is highly desirable, and, indeed, necessary if persons who purchase land or loan money on the security of land are to enjoy the protection which any just system of law is obligated to afford them.

Under the existing Federal statute, Federal judgments for the condemnation of land by the United States are recorded only in the office of the clerk of the division of the Federal court of the district in which judgment of condemnation is rendered. Nevertheless, all persons purchasing or loaning money on the security of real estate are absolutely charged with constructive notice of such Federal judgments, even though they are totally without actual knowledge of them, and even though the only official record of such judgment may be in the office of the clerk of the division of the Federal court 100 miles or more distant from the situs of the land. As a consequence, many persons purchasing land or loaning money on the security of land have sustained substantial losses because it never occurred to them or their attorneys to search all of the records in all of the Federal district courts, or in the old though now abolished circuit courts throughout the vast areas constituting or formerly constituting the district or circuit in which the land lies.

As a practical matter, those who examine titles to land are accustomed to confine their search to the offices in which the laws of the State require legal records relating to the titles to such land to be recorded.

The bill which I am introducing takes notice of this practice and affords protection to those who purchase land and those who loan money upon the security of land, by requiring that Federal judgments for the condemnation of land by the United States be registered, recorded, docketed, indexed, and cross-indexed in conformity with the law of the State in which such property is situated.

I send forward this bill, and ask for its appropriate reference.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2970) to require that Federal judgments for the condemnation of land by the United States be registered, recorded, docketed, indexed, and cross-indexed in conformity with the law of the State in which such property is situated, and for other purposes, introduced by Mr. ERVIN, was received, read twice by its title, and referred to the Committee on the Judiciary.

PASSENGER TRAIN SERVICE ACT OF 1960—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 29, 1960, the names of Senators YOUNG of North Dakota, PROXMIRE, JAVITS, and JACKSON were added as additional cosponsors of the bill (S. 2935) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators) on January 29, 1960.

NOTICE OF PUBLIC HEARING BEFORE SUBCOMMITTEE ON HOUSING OF COMMITTEE ON BANKING AND CURRENCY

Mr. SPARKMAN. Mr. President, as chairman of the Subcommittee on Housing of the Committee on Banking and Currency, I announce that a public hearing will be held at 10 a.m. on Monday, February 15, in room 5302 of the New Senate Office Building. The purpose of this hearing is to obtain current information about the status of the several programs administered by the Housing and Home Finance Agency. Officials of that Agency will appear.

NOTICE OF PUBLIC HEARING BY COMMITTEE ON FOREIGN RELATIONS ON "WORLDWIDE AND DOMESTIC ECONOMIC PROBLEMS AND THEIR IMPACT ON THE FOREIGN POLICY OF THE UNITED STATES"—PRESS RELEASE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD a press release, which I made today, regarding a public hearing to be held by the Committee on Foreign Relations on "Worldwide and Domestic Economic Problems and Their Impact on the Foreign Policy of the United States" on February 11, at 10 a.m., in room 4221 of the New Senate Office Building.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

Senator J. W. FULBRIGHT, chairman of the Senate Committee on Foreign Relations, announced today that on February 11 at 10 a.m. in room 4221, New Senate Office Building, the committee will hold a public hearing on a study entitled "Worldwide and Domestic Economic Problems and Their Impact on the Foreign Policy of the United States." This study is one of a series of 15 studies prepared at the request of the Committee on Foreign Relations in connection with its examination of United States foreign policy, which was authorized by the Senate late in the 2d session of the 85th Congress. The principal witness will be Mr. Edwin M. Martin, Deputy Assistant Secretary of State for Economic Affairs, and Mr. Herbert W. Robinson, president of the Corporation for Economic and Industrial Research, Inc., Arlington, Va.

The study which is the subject of the hearing deals with the extent to which economic relations affect foreign policies, and foreign policies affect economic relations. While the study examines the relationship of such economic questions as trade, fiscal policies, and monetary policy to foreign policy, the major emphasis is on the problems affecting the larger industrial nations.

In announcing this hearing, Senator FULBRIGHT emphasized that the committee is free to accept or to reject the conclusions or recommendations of the organizations and institutions submitting studies to the committee. It is the function of the committee to evaluate the reports which are received.

From time to time the committee will announce additional hearings to be held on studies prepared in connection with its examination of U.S. foreign policy. Senator FULBRIGHT said, "The purpose of holding public hearings on these studies is to receive testimony from all interested parties prior to the preparation of a final report. In that way, it will be possible for the committee to test the soundness of the findings and recommendations in these studies before reaching its own conclusions and submitting its final report to the Senate."

All interested parties wishing to present testimony in connection with the committee's hearings on its studies of U.S. foreign policy should contact the chief clerk of the committee without delay.

NOTICE OF HEARINGS ON PROPOSED LEGISLATION TO AMEND THE EMPLOYMENT ACT OF 1946

Mr. DOUGLAS. Mr. President, as chairman of the Subcommittee on Production and Stabilization of the Committee on Banking and Currency, I wish to announce the beginning of hearings on S. 2382, a bill to amend the Employment Act of 1946 to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability. This bill was introduced by Senator CLARK, for himself and Senators PROXMIRE, BYRD of West Virginia, and RANDOLPH.

Hearings will begin on Wednesday, February 24, 1960, in room 5302, New Senate Office Building.

NOTICE OF HEARINGS ON PROPOSED LEGISLATION TO REQUIRE DISCLOSURE OF FINANCE CHARGES IN CONNECTION WITH EXTENSIONS OF CREDIT

Mr. DOUGLAS. Mr. President, as chairman of the Subcommittee on Production and Stabilization of the Committee on Banking and Currency, I wish to announce the beginning of hearings on S. 2755, a bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit.

This bill was introduced by me on January 7, and is cosponsored by the following Senators: Mr. MONRONEY, Mr. LONG of Louisiana, Mr. PROXMIRE, Mr. ENGLE, Mr. NEUBERGER, Mr. MORSE, Mr. BUSH, Mr. HUMPHREY, Mr. MUSKIE, Mr. YARBOROUGH, Mr. CLARK, Mr. LONG of Hawaii, Mr. GRUENING, Mr. MOSS, Mr. CHURCH, Mr. JACKSON, Mr. KEFAUVER, Mr. DODD, and Mr. CANNON.

The text of the bill appears at page 90 in the RECORD of January 7, 1960.

Hearings will begin on March 15, 1960, in room 5302, New Senate Office Building.

All persons who wish to appear and testify at hearings on this bill are requested to notify Mr. Milton P. Semer, counsel for the Subcommittee on Production and Stabilization, Senate Committee on Banking and Currency, room 5304, Senate Office Building, telephone Capitol 4-3121, extension 3921, as soon as possible, and in any event, before the close of business on March 7, 1960.

EASTER SEAL POSTER BOY

Mr. MANSFIELD. Mr. President, each year we receive appeals from many charitable organizations and I think we all will agree that one of the finest is the work being done by the National Society for Crippled Children and Adults and their annual Easter seal appeal.

This year's Easter seal boy, Johnny Kemp, of Bismarck, N. Dak., is the son of a former student of mine at Montana State University and the grandson of my close personal friends, Mr. and Mrs. John B. Kemp, of Wolf Point, Mont.

Through his own courage and strength, along with the encouragement and guidance of his own family, he has learned the use of artificial limbs and for all practical purposes is no different from any other boy. John is an ardent sports fan, and plays baseball, kicks a football, and his craftwork is superior to that of boys his own age.

John lives with his widowed father, John Bernard Kemp, a civil engineer with the North Dakota Highway Department, and his two sisters, Kathryn Jo Ann and Mary Elizabeth.

John's ambition is to become a doctor. This may seem to be a fantastic goal, but combined with his own spirit and his family's support, I am sure that his dream will come true.

John Kemp's case history is an example of what can be done if an individual's spirit is combined with surgical skill and financial assistance. It is in this latter area that the Easter seal campaign each year is so important. The Easter seal fund provides research and financial assistance to the physically handicapped so that they might live a more normal life with their families and friends.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD an article from the January 28, 1960, issue of the Great Falls Tribune.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Jan. 28, 1960]

MONTANANS' KIN CHOSEN EASTER SEAL POSTER BOY

BISMARCK, N. Dak.—It's a thrill to watch John Kemp play baseball, but don't expect his name ever to appear on a major league roster. John, 10, has artificial arms and legs.

The Little Leaguer has been selected 1960 National Easter Seal boy by the National Society for Crippled Children and Adults.

He will travel around the Nation this spring as an illustration of what can be done for the handicapped if the money and surgical skill as well as the spirit are there.

John lives here with his widowed father, John Bernard Kemp, civil engineer in charge of the Federal road building program in North Dakota, and two sisters, Kathryn Jo Ann, 14, and Mary Elizabeth, 9. His grandparents are Mr. and Mrs. John B. Kemp, Wolf Point, Mont. Two of young John's aunts also live in Montana, Mrs. W. F. Wagner, Missoula, and Mrs. W. A. Moreno, Miles City.

John was born at Waterloo, Iowa, with arms that end above the elbow and with only parts of his legs. One leg ends above the knee, the other just below.

But John not only can do most of the things expected of a 10-year-old, but can do many of them better than the average boy.

"Don't pity John, because he won't have any of it."

"I know there are some things I can't do," John told a reporter. "But I think of all the things I can do and I don't worry so much about the rest of it."

John pitches baseball, kicks a football, twirls a hula hoop, and uses his mechanical "hands" to braid straw, fashion houses from popsickle sticks, and to carve horses from soap. His craftwork is superior to that of many of his friends in the local Cub Scout pack.

He also peddles papers every morning, walks 5 blocks to mass on Sunday, and does chores around the house.

Baseball is his favorite sport and he can tell you all about last year's standings and the latest player trades in the major leagues.

"I have fun playing ball even if I'm not real good at it," John said. "Just because you're not real good at something doesn't mean you can't have fun just the same."

John is not self-conscious about his handicap.

"It's something I can't pretend isn't there," he said. "I just have to show people that it doesn't make as much difference as they think it might."

John's teachers at St. Anne's parochial school say he is a bright boy and a leader. He does not ask for and does not expect favors. If there is something he can't do he is not afraid to say so.

Right now, John's ambition is to become a doctor. His teachers say he appears to have the aptitude for success in one of the sciences.

The boy's father and his two sisters are three big reasons why young John Daniel Kemp may one day get his medical degree.

They have never tried to treat John as anyone different. But at the same time they have tried to make sure that he isn't constantly faced with obstacles so big they might discourage him.

"It used to bother Johnny when other kids stared at him," Kemp said. "But we just told the boy to go over to them and show them how his hand clamps work. Pretty soon he would be the center of the group and none of the kids would think of staring at him."

REPORT ON LATIN AMERICA BY SENATOR AIKEN

Mr. MANSFIELD. Mr. President, I have had the opportunity to read the report on Latin America by the distinguished senior Senator from Vermont [Mr. AIKEN]. This report covers the countries of Venezuela, Brazil, Peru, Bolivia, and Panama. It is hard-hitting but reasonable in its outlook and recommendations. It reflects a sympathetic understanding of the problems which confront the Latin Americans and in turn the problems, which because of our relationship with them, confront us.

The report is bound to have a beneficial effect because of what it says, because of what it recommends and, most important, because of the stature of the man who made it. If there is one man who has done more in his quiet and understanding way to make the United States better understood in Latin America and Canada and vice versa, it is the unassuming but very knowledgeable senior Senator from Vermont. Because of his deep interest, his sense of understanding and tolerance, his strength, forwardness, his honesty and his integrity, Senator GEORGE AIKEN of Vermont is, in my opinion, "Mr. Hemisphere," and I do not mean that in the concept which has come to be associated with the idea of fortress America.

He has laid a solid groundwork in his Latin American report for President Eisenhower's forthcoming trip to that area. I am only sorry that the President is not visiting Venezuela and Peru as well, but I know his time is limited and that if he could, he would visit more countries to the south of us.

While President Eisenhower will not visit all the countries listed in Senator AIKEN's report, I know that he could and will use the report as a primer and that, as a result, his understanding of the difficulties which confront our neighbors to the south would be better understood and his knowledge of them broadened and strengthened to a considerable degree.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I apprehend that there will be other requests of a similar nature. I merely wish to make this comment so that no Senator will be taken by surprise.

The Senate is considering an important bill today, and highly important amendments will be offered. I think it is the hope of the majority leader and the acting majority leader to complete action on the bill by tomorrow night, if possible. In that event, I shall not object to these requests, but I shall feel free to interpose live quorum calls, if necessary, because I believe Members should be in the Chamber when matters of major importance are under consideration. So I have no objection to this request, as of now.

Mr. DIRKSEN subsequently said: Mr. President, I present a request from the Public Works Committee that it be permitted to meet in executive session during the session of the Senate today.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. I present a further request from the Public Works Committee that it be permitted to sit in joint session with the House Public Works Committee during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. I present a further request that the Committee on Interstate and Foreign Commerce be permitted to meet during the session today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. I submit a request from the Internal Security Subcommittee that it be permitted to sit during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. I submit a request from the Committee on Aeronautical and Space Sciences and the Preparedness Investigating Subcommittee that they be permitted to sit in joint session during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I have made requests which will accommodate roughly 60 Members of the Senate; so that there will be 60 out of 100 Senators, if all of them attend the committees, who will be in committee meetings while the Senate is in session. It fortifies the point I made. I shall not object, but if I believe that on this important bill, relating to aid to education, Senators should be on the floor, I shall be constrained to make a live quorum request, knowing full well and being entirely sensitive of the fact that it will discommode and inconvenience a great many Senators and witnesses. It is one of those unavoidable situations, and I wish to note it for the RECORD.

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDENT pro tempore. Is there any further morning business?

TIGHT MONEY FAILS AGAIN—INTEREST SOARS; SAVINGS FALL

Mr. PROXMIRE. Mr. President, the heart of the litany of the devotees of tight money among the Nation's money managers is that high interest rates persuade the consumer to reduce spending and increase saving. These economists theorize that this reduction in spending eases the pressure on prices and restrains inflation.

Mr. President, the lead article on the first page of the Wall Street Journal today provides hard, specific evidence that the tight-money boys are wrong.

We all know interest rates are at a 30-year high, and have been rising very sharply. But how about savings?

The Wall Street Journal this morning says this:

> The best overall gage of savings is the Commerce Department's figure for personal savings. This is the difference between personal after-tax income and personal consumption expenditures. The Department's figures for the full year of 1959 are not complete, but the President's Council of Economic Advisers estimates they will show personal savings last year totaled $23.3 billion, down from $23.5 billion in the previous term. The 1959 figure would amount to 7 percent of after-tax income down from 7.4 percent in 1958 and the lowest percentage for any year since big-spending 1955.

Have there been other forces that have interfered with the role of high interest rates in persuading the consumer to save more? The Wall Street Journal's comprehensive survey of the people who borrow and lend the money—the Nation's savings executives—suggests not. According to the Journal:

Most savings executives doubt that higher interest rates induce consumers as a group to save a larger percentage of their incomes.

The article goes on to point out that what rising interest rates are doing is to shift funds from one savings institution to another.

Mr. President, yesterday I showed that a recent study of more than 200 manufacturers by the National Industrial Conference Board shows that tight money is not easing inflation pressures by discouraging borrowing, and that as a matter of fact business borrowing has been growing at a tremendous rate. Now I point out that high interest rates are not encouraging saving.

What is left of the classical hard money argument that tight interest rates stem inflation?

The one sure and certain consequence of high interest rates is a selective inflation in the cost of everything that is bought with borrowed money. We know high interest rates drive up the price of homes, of schools, of hospitals. We know that interest is such a huge factor in the cost of these things that the administration's hard money policy has saddled school building, for example, a cost so heavy that it cannot be compensated by the most general school aid bill the Congress could conceivably adopt.

Mr. President, I ask unanimous consent that the article to which I have referred from today's Wall Street Journal be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAVINGS SLOWDOWN—BANKS SAY INFLOW LAGS, SEE TREND CONTINUING IN THE MONTHS AHEAD—CONSUMERS CITE HIGH PRICES, SPENDING NEEDS; LURE OF INTEREST RATES QUESTIONED—ECONOMISTS SPLIT ON IMPACT

Americans generally are salting away savings at a slower pace than they were a year ago. And this savings slowdown is likely to continue in the months ahead.

Those are the chief findings of a Wall Street Journal survey of bankers, savings and loan executives, insurance company officials, economists and consumers themselves in a dozen major cities around the United States. Consumers offer varied reasons for the trend away from thrift—all of which add up to higher spending.

"I saved my pennies during the recession," says Gerald Galloway, a Portland, Oreg., electrician. "Now I have to spend to make up for it." He faces major home repair expenses this spring, plus the expected arrival of his third child.

"Prices will be higher this year, so I won't be able to save as much as I did last year," says Richard Cortilesso, an assistant foreman for the Pennsylvania Railroad in Philadelphia.

PAYING FOR A CAR

"I tried to put away about $10 a week last year, and I did until I bought my car," says a young Detroit office worker. "Now any extra money I have goes to meet the payments."

The savings slowdown is of broad significance to the economy. Many economists are worried by the trend, arguing that increased savings are needed to curb inflation and to supply banks and other lenders with funds to finance business expansion. Other economists, however, see less cause for alarm. They contend that any slowdown of the current consumer spending pace could lead to a slowdown in business generally.

The best overall gage of savings is the Commerce Department's figure for "personal saving." This is the difference between personal after-tax income and personal consumption expenditures. The Department's figures for the full year of 1959 are not complete, but the President's Council of Economic Advisers estimates they will show personal saving last year totaled $23.3 billion, down from $23.5 billion in the previous year. The 1959 figure would amount to 7 percent of after-tax income down from 7.4 percent in 1958 and the lowest percentage for any year since big-spending 1955.

Personal saving includes purchases of stocks and bonds and some other items that many Americans wouldn't consider savings. As more money has flowed into the securities markets in the past year or so, banks, savings and loan associations, and other savings institutions have found it increasingly difficult to attract funds. And they don't expect the task to become any easier this year.

SAVINGS AND LOAN DECLINE

An economist for the U.S. Savings & Loan League predicts only $6 billion to $6.5 billion of new savings will be placed in savings and loan institutions during 1960, down from $6.8 billion in 1959. As reasons for his forecast, he cites "the intense competition for the savings dollar, plus an indication that the consumer is in a spending mood and will probably save less of his income dollar."

A spokesman for Philadelphia Savings Fund Society, the Nation's second largest mutual savings bank, looks for consumers to save a smaller share of their incomes this year than in 1959. He expects total income to rise and predicts, "More income will mean more freedom on consumer spending."

Boston Federal Savings & Loan Association gained about $8 million in savings in 1959 and ended the year with its holdings at a record high. "We don't think we will gain that much in 1960," says an official.

SLOWER SAVINGS GAINS

Total savings in all the Nation's savings and loan associations at the end of 1959 stood at $54.6 billion, an increase of 11.9 percent over a year earlier. In the previous year, by contrast, savings in savings and loan associations rose by 14.3 percent.

The picture is much the same for other types of institutional savings. Savings in savings banks last year rose 2.8 percent to a total of $34.9 billion; in the previous year, the increase was 7.4 percent. Assets of life insurance companies in 1959 rose by 5.6 percent to a total of $113.6 billion, compared with a 6.2 percent gain in 1958. Time deposits of commercial banks (chiefly savings accounts) increased by 3.5 percent last year to $65.4 billion, against a 12.6 percent rise in the previous year.

The sorriest performance among major types of institutional savings was turned in by Treasury savings bonds. The amount of such bonds outstanding last year declined by $3 billion to a total of $48.2 billion. The total outstanding had declined in the previous year, too, but only by $1.3 billion.

Although savings bond cash-ins have been running ahead of sales, other Government securities have been drawing more funds from individuals. The Treasury's offering last October of 5 percent notes was a conspicuous success. Many savings institution officials reported savers drew out large sums to purchase the "magic 5s." Many other Government securities now can be purchased in the market at prices that bring investors yields higher than those offered by most banks and savings and loan associations.

SAVERS LIKE MUTUAL FUNDS

Savings institution officials figure that the stock market may become less of a competitor for savers' funds if the price decline that began last month should continue for long. Up to now, however, the decline seems to have done little to dull savers' interest in stocks—especially mutual funds.

"Acting on the belief that the inflationary spiral will continue, I'm going to be investing in mutual funds," says John Walker, a Chicago advertising agency executive. Like most consumers, however, Mr. Walker isn't sure just how successful his savings efforts will be this year. "I will attempt to increase my savings in 1960," he says, "but I tried to do the same thing last year and was unsuccessful."

"I like mutual funds," says a Boston management consultant. "They're a conservative way to save but still give you a hedge against inflation."

"While concern over inflation is leading many people to buy stocks, it's inducing a lot of others to increase their spending," says an economist for a New York City bank. "They figure there's no sense in putting money in savings deposits and watching them decline in value. And they figure they'd better spend now before prices go higher."

"A large percentage of younger people, particularly, have an attitude that they don't have to save," says Charles E. Clippinger, vice president in charge of the savings department of Continental Illinois National Bank & Trust Co. of Chicago. "They count on retirement pensions from employers, social security and old-age benefits to solve the problem of providing for old age. The ease with which consumer loans can be made takes care of most buying problems at this time."

An increase in savings reduces consumption and thus tends to ease inflationary pressures; no economist disputes that. But economists do differ on whether such a savings increase is needed at the present. Many say inflation still is a serious worry and call for a step-up in savings. Others are more concerned that a decline in spending could lead to a business recession.

"I think it would be beneficial to the economy to have a greater amount of savings," says an economist for a Chicago bank. "That way there could be a larger investment in productive resources, increasing the supply of available goods, and inflationary pressures would be held down."

"The need for savings has never been greater," claims Clyde W. Phelps, professor of economics at the University of Southern California at Los Angeles. "If we want to work forward, we have to provide the capital formation in order to provide the base for increasing national income. One million more people are expected to come into the labor force just this year, and we will need $5 billion of savings and capital formation just for them."

"It's vital that people should save more because we have great and growing investment demands," says Alonzo B. May, professor of economics at the University of Denver.

The opposite side of the argument is voiced by John P. Owen, chairman of the department of economics and finance and director of graduate studies in the College of Business at the University of Houston: "If the boom is to be sustained after the stimulating effects of building up steel inventories have passed, it will have to be primarily based on rising consumer expenditures. Any increase in the

rate of savings will tend to decrease total consumer expenditures."

Eva Mueller, assistant program director at the University of Michigan's Survey Research Center, is another economist who sees no need for an increase in the rate of savings now. "The welfare of the economy," she says, "depends on a high level of spending for consumer goods."

Whatever the economists think, savings institutions naturally would like to step up the inflow of savings. But they're at a bit of a loss as to how to go about it. Most savings executives doubt that higher interest rates induce consumers as a group to save a larger percentage of their incomes.

Changes in rates result chiefly in shifting money from low-paying institutions to high-paying ones, argues Frank Malone, president of Pittsburgh Home Savings & Loan Association.

"A small increase in the savings dividend rate just isn't enough to induce people to save a greater share of their income," says Thomas W. Whitesides, treasurer of San Francisco Federal Savings & Loan Association. "While we have experienced a nice increase in savings since the first of the year, most of this is simply new business—savers attracted away from commercial banks by the higher rate." Most San Francisco savings and loan associations boosted dividends on savings to 4½ percent from 4 percent, effective January 1. Commercial banks pay a maximum of 3 percent on savings.

Most savings officials also are dubious about other efforts to boost total savings. "I don't know whether anything works," says an official of a Pittsburgh bank. "I'm very dubious about whether it helps to advertise for savings."

"People need a purpose to save," says a Houston banker. "A lot of people save to buy a new car, and when the new models come out they pull out their savings. If their purpose is strong enough, they'll save. If their purpose is weak, they won't."

To try to strengthen that purpose a number of banks and savings and loan associations offer special accounts. The Philadelphia Savings Fund Society has a number of types of convenience accounts, each of which calls for regular deposits toward a specific goal, such as a new car or a vacation.

A number of savings institutions have begun figuring interest for savers at more frequent intervals, thus tending to increase the total amount paid to savers. Some make it possible for depositors to agree to have certain amounts transferred automatically from the checking accounts to their savings accounts at regular intervals.

Many consumers confirm that they're more likely to save if the money is simply taken away from them automatically.

A Boston officeworker is increasing his savings this year by having his employer deduct $10 each week from his check to buy savings bonds. "I prefer that savings method," he says, "because if the money weren't taken out of my check I wouldn't be able to save a nickel."

"The savings bond deduction is the only way we can save," says the wife of a Pittsburgh truckdriver. "If my husband gets a raise, it seems like we just spend it, or prices go up, so that we don't put away anything more than those bonds."

SENATOR DOUGLAS' FIGHT FOR A DEMOCRATIC ECONOMIC POLICY

Mr. PROXMIRE. Mr. President, last week the distinguished Senator from Illinois [Mr. DOUGLAS], chairman of the Joint Economic Committee, made a brilliant and, I thought, highly significant speech on our economic policy, in which he set forth the policy of his committee, which I construe to be also, in a sense, at least, the policy of the majority party.

This great speech received almost no notice at all in the newspapers. However, Time magazine carries quite an extended discussion of the significance of the DOUGLAS speech and analysis, which I believe is generally fair, although I should like to quote the last two sentences of the article to show in what respect I do not agree in full with the conclusions of Time magazine.

DOUGLAS' crusade against the "plutogogs" shattered any Republican dreams of coasting home in 1960 on the magic carpet of widely shared U.S. well-being. A major debate on the economy was abuilding; before it was ended, the GOP might be hard pressed to prove that prosperity is more satisfying than Democratic promises.

I differ from Time's conclusion in these respects: No. 1, prosperity has not been widely shared throughout the economy, certainly not by farmers, many small businessmen, and more than 3 million unemployed; and No. 2, that what Time calls Democratic promises are not the usual political campaign oratory but solid, specific proposals of the Chairman of the Joint Economic Committee in the interest of improving the economy. Senator DOUGLAS was not simply stating the position of the Democratic Party. He was making proposals which, I am sure, the Senator from Illinois has an earnest hope and in some cases an expectation Congress will adopt.

I ask unanimous consent that the Time magazine article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEMOCRATS—OUT WITH THE PLUTOGOGS

To and fro in the almost empty Senate Chamber shambled hulking, crag-faced PAUL H. (for HOWARD) DOUGLAS, of Illinois, zestfully booming out the long jargon phrases of higher economics. White crew-cut hair bristling, Democrat DOUGLAS last week was declaiming on an emerging issue in 1960 politicking: the state of the U.S. economy after 7 years of Republican stewardship. Prompting his performance was his Joint Economic Committee's report on a year-long study of U.S. employment, growth, and price levels.

Onetime Economics Professor DOUGLAS, University of Chicago, gave his argument a semantic slant, turned his erudition on a recent newspaper charge that he is an economic demagog. "By a process of semantic obfuscation," said he, "demagog had lost its original Greek meaning of one who spoke for the people. Curiously," added DOUGLAS, "while demagogery is denounced as the worst evil, plutogogery is not denounced." DOUGLAS' definition of a plutogog: one using unworthy arguments in support of the wealthy and the powerful. Concluded he: "A lot of arguments which masquerade under the term of fiscal responsibility are plutogogic arguments, which conceal the reality.

SLUGGISH GROWTH

Clearly the Democrats were driving toward a broad attack on the economic issue. In the eyes of the Joint Economic Committee's indignant Democratic majority, the Eisenhower administration's neglect of fiscal policy had seriously hurt the economy. The majority report rapped GOP emphasis on tight money as an economic stabilizer, urged renewal of the Truman administration's easy money policies. Credit restraint by the Republicans, charged the report, had not only failed to halt price upcreep but had also slowed the growth of the economy. Giving themselves the best of the Korean war boom, the Democrats contrasted a 4.6 percent yearly increase in the U.S. gross national product from 1947–53 to a sluggish 2.3 percent annual rate of increase since 1953. Within easy reach by Democratic reckoning: a sustained 4.5 percent annual growth rate.

The economy-stunting recessions of 1953–54 and 1957–58 were laid to clumsy administration handling of defense cuts and refusal to use pump-priming tax reduction. As inflation wary as the administration, the Democrats were equally earnest about piling up big Federal surpluses earmarked for reduction of the massive Federal debt. Rising tax rates in boom time would retire Federal debt, leave more funds for private borrowing, they held. Falling tax rates in time of slump would restore private buying power, bolstered by prompt expansion of Federal spending on economy-reviving programs.

SCATTER-SHOT BLASTS

The Douglas committee's majority report, packed with economist's gobbledygook and lofty theory, was hardly suited for the political stump. But the Democratic Digest gave party spokesmen a free-swinging indictment of the administration for use in handy quotation. Economic growth "under Eisenhower-NIXON has been miserably slow," trumpeted the Digest. What gains the country did achieve "have heavily favored the moneylenders as compared with farmers, small businessmen, and workers." Republican budget-first fiscal policies have callously ignored the aged, the infirm, the unemployed, the farmers, the jammed schools, and the blighted cities. To top it off, said the Democrats' official organ, the United States is second best in U.S.-Soviet missile and space competition.

The Digest's scatter-gun criticism, the weighty economic report, and DOUGLAS' crusade against the plutogogs shattered any Republican dreams of coasting home in 1960 on the magic carpet of widely shared U.S. well-being. A major debate on the economy was abuilding; before it was ended, the GOP might be hard pressed to prove that prosperity is more satisfying than Democratic promises.

WISCONSIN GOVERNOR NELSON FIGHTS FOR PURE FOOD

Mr. PROXMIRE. Mr. President, the Governor of Wisconsin, the Honorable Gaylord Nelson, continues his very fine, positive program in the interest of the people of Wisconsin and, as a matter of fact, in the interest of the entire Nation. He has announced that he has appointed a special committee of distinguished scientists, representatives of the medical profession, and agricultural experts to develop a decisive and consistent public policy in respect to regulating the use of chemicals as feed supplements, food additives, pesticides, weedicides, growth regulators, and for similar purposes.

I ask unanimous consent that the Governor's statement on the appointment of this committee be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

STATEMENT BY GOVERNOR OF WISCONSIN

I am highly pleased that Dr. Conrad A. Elvehjem, president of the University of Wis-

consin, has agreed to serve as chairman of the committee to undertake this urgent and important mission.

Dr. Elvehjem is an internationally renowned scientist in his own right. He has assured me of the fullest cooperation of the University of Wisconsin, which is one of the world's foremost scientific institutions, in seeking responsible answers to the many important questions concerning the health and welfare of the public raised by the swiftly increasing economic importance of chemicals and drugs in agriculture and in the preparation and preservation of foods.

The public alarm generated recently over the danger of contamination of cranberries by the chemical aminotriazole has focused attention upon this problem. It is sure to become increasingly acute.

Public policy in this general area has not been clear and consistent. This exposes the industries concerned to serious economic hazards. The extreme hardship suffered by the cranberry industry demonstrates the potential dangers that exist in this situation, even for firms and individuals who may be completely innocent of any wrongdoing or negligence.

There is an urgent need to formulate a public policy in this respect which is clear, consistent, and decisive. In such a determination, full account must be taken of the effects upon the public health and welfare, soil and water contamination, and wildlife conservation, as well as the economic aspects.

In light of the uncertainty and confusion that now prevails, it is important that we evaluate the tests, conclusions, and procedures that were involved in the cranberry problem. We should identify the scope of the overall problem created by these uses of chemicals. We should carefully analyze and weigh any danger, or potential danger, to human health and wildlife.

The most reliable current information available on this entire problem should be made available to our citizens, to officials of the State government, and to our representatives in the Congress of the United States.

(In addition to Dr. Elvehjem, Governor Nelson announced appointment of the following to the special committee on chemicals and health hazards:)

Vice Chairman, Dr. J. Z. Bowers, dean, Medical School, University of Wisconsin.

Secretary, Dr. Robert Parkin, assistant to the dean, medical school

Dr. James Miller, professor of oncology (study of cancer), McArdle Research Institute, the University Medical School's cancer research laboratory.

Dr. William B. Hildebrand, Neenah, president, Wisconsin State Medical Society.

Dr. Carl N. Neupert, State health officer.

Dr. Henry T. Scott, director of biological laboratories, Wisconsin Alumni Research Foundation, and chairman, State of Wisconsin Food Standards Advisory Committee.

Dr. Aaron Ihde, professor of chemistry, University of Wisconsin, and member, State of Wisconsin Food Standards Advisory Committee.

Prof. H. L. Ahlgren, associate director, agricultural extension division, University of Wisconsin.

Prof. R. J. Muckenhirn, assistant director, agricultural experiment stations, University of Wisconsin.

Mr. Don McDowell, director, Wisconsin State Department of Agriculture.

THE DEFENSE GAP

Mr. CLARK. Mr. President, those who have been critical of the administration's defense policy are becoming more and more concerned that the Soviet Union is several years ahead of us in the production of missiles and in the exploration of outer space. We are also concerned that our antisubmarine policy and posture is inadequate and that the Soviet submarine menace has not been adequately recognized. We are concerned, too, with the slowness in the development of our Polaris program. We are also concerned about our country's failure to provide an adequate airlift and adequate well-trained mobile Army divisions to cope with the menace of brushfire warfare.

In short, Mr. President, we are concerned that the Russians are on the verge of achieving decisive military superiority. In that connection, Mr. Walter Lippmann made a real contribution to this debate in his column published in yesterday's Washington Post. The column is entitled "The Real Gap." He says he is concerned with the disposition of the administration and perhaps of Congress to act as if all will be well by 1962.

He points out:

The peril is that in the race not only in armaments, but in overall national power, the Soviet Union is moving ahead faster than we are. There is a misconception, so it seems to me, even in high and responsible quarters, that the Soviets are ahead only because they started a few years earlier, and that in a few years we shall be even with them again.

Mr. Lippmann says that that is not true. He then points out that—

The gap is not becoming narrower, it is becoming wider. Not only did they have a head start, but they are now running faster. The administration's specific budget for 1961 may conceivably be adequate, but the philosophy behind that budget is deadly and will reduce this country to a second-class power.

He goes on to state:

Great peoples can be put to sleep. This can be done if the peoples' leaders tell them to go to sleep, and not to listen to those disturbers of their tranquillity who tell them to turn away from the little things and to worry about the big ones.

Mr. President, I ask unanimous consent that Mr. Lippmann's article be printed at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. In conclusion, I should like to say that in my judgment if our party does not take up this, the greatest issue confronting the American people today, which is the issue of their safety, and indeed their survival, we will have been faithless to our trust.

EXHIBIT 1

[From the Washington Post, Feb. 2, 1960]

THE REAL GAP

(By Walter Lippmann)

The big controversy about defense arises from the fact, which nobody denies, that the Soviet Union is several years ahead of us in the production of missiles and in the exploration of outer space. The Russians have more missiles. They have bigger missiles capable of carrying bigger loads. And judging by such fabulous exploits as directing a satellite to photograph the other side of the moon, they are far ahead in the whole art of the guidance of missiles.

The controversy in Washington is about the consequences and the remedies, given the fact that we have fallen behind in the race of armaments. In this controversy there are several points. The first, and obviously the most immediately important, is whether the Soviet Union's lead in missiles is such that the Russians are on the verge of achieving decisive military superiority. By decisive military superiority is meant the power to attack without suffering serious retaliation.

In theory, the Soviet Union will have this decisive superiority within the next 2 years—if we do nothing more to offset it than we are now planning to do—if it has 150 long-range missiles, together with another 150 medium-range missiles, in place, aimed and ready to be launched. In theory, with one salvo of such a missile force the Soviet Union could knock out and destroy all of our retaliatory forces. After that we would be helpless and at the mercy of the Soviet Union.

Those who use this theory in their argument for greater armaments are, like General Power, of the Strategic Air Force, quick to add that there are several things that we could do, especially to keep a part of the Strategic Air Force in the air where it cannot be hit by a surprise attack. The existence of such an invulnerable retaliatory force will deter the Soviet Union from using its superior missile force to attempt a nuclear Pearl Harbor.

The administration case, as I understand it, starts from the proposition, which everyone agrees to, that neither side will launch a nuclear offensive if, after the offensive has been struck, the other country still possesses the power to retaliate. The heart of the administration case is that it is not necessary, though it would be desirable, to have an equal number of missiles in order to deter a Pearl Harbor attack. For the aggressor who strikes first cannot afford to attack unless he is able to knock out in one salvo about 100 comparatively small targets. As missiles are not too accurate, this requires a lot of missiles.

But the country which is attacked would not need an equal number of missiles to retaliate because it would not strike against difficult targets like launching pads. It would strike directly at the biggest cities where, given the fearful widespread effect of the modern weapons, no great accuracy is required.

In order to retain this retaliatory capacity, a smaller striking force is required than the aggressor must have. The administration claims that before the Soviet Union can achieve the theoretical striking force which would give it supremacy over us as we are today, we can and we shall have put beyond the reach of the Soviet missiles a sufficient retaliatory force of missiles, bombers, submarines, etc.

Thanks to the agitation which has been stirred up by the critics, there is good reason to think that the precautionary measures will be taken now, and in sufficient time.

What worries me is the disposition in the administration and in Congress to act as if all would be well if by 1962 or thereabouts we began, as Secretary Gates promises, to overtake the Soviet Union in missiles. To rest on this is to misunderstand and greatly to underestimate the real peril into which we have come.

The peril is that in the race, not only in armaments but in overall national power, the Soviet Union is moving ahead faster than we are. There is a misconception, so it seems to me, even in high and responsible quarters, that the Soviets are ahead only because they started a few years earlier, and that in a few years we shall be even with them again. The real situation, which is the source of our perils, is that because in this vast field the Soviet Union has gotten its research and development effectively organized, and because the Soviet Union is

allocating to it all the resources that it requires, the gap is not becoming narrower, it is becoming wider. Not only did they have a head start but they are now running faster. The administration's specific budget for 1961 may conceivably be adequate but the philosophy behind that budget is deadly and will reduce this country to a second-class power.

This does not mean that the Soviet Union will soon or in the foreseeable future achieve decisive military supremacy. I am quite prepared to believe that we shall be able to do what General Power says we must do, that "once we have reached the point where a surprise attack can no longer prevent or even minimize retaliation," we shall have the security of a nuclear stalemate.

But security, though it is crucial, is not sufficient and we cannot be satisfied to accept the position of second best.

Perhaps that is wrong. Perhaps we can be satisfied. Perhaps we can be led to believe, what it is so little trouble to believe, that, provided the Soviet Union does not bomb us, we can go right on thinking about ourselves and our private affairs and not about the Nation and its future. Great peoples can be put to sleep. This can be done if the peoples' leaders tell them to go to sleep, and not to listen to those disturbers of their tranquillity who tell them to turn away from the little things and to worry about the big ones.

TRIBUTE TO JOSEPH R. KNOWLAND

Mr. KUCHEL. Mr. President, in her long history, the State of California has produced outstanding personages in every walk of life, from the very beginning. Surely the State from which I come has produced a number of giants in the profession of journalism. Great California editors abound and abounded there. One of them is a distinguished Californian who in his youth, served with great distinction and credit in the House of Representatives of the Congress of the United States in years gone by. The other day he retired as chairman of the California State Parks Commission, where, during his years of unselfish devotion to the cause of Californiana, he added greatly to the historic lore of my State and of my people.

Joseph R. Knowland at the age of 86 returns to his newspaper, the Oakland Tribune, after having splendidly performed many public tasks in Washington, D.C., as well as in California.

Joseph R. Knowland has another claim to distinction. He is the father of a fine son, William F. Knowland, who graced the Senate as the leader of your party and mine, Mr. President, just a short time ago. I know that all of us on this side of the aisle—and I can speak, I know, for my Democratic brethren as well—join with a proud son in tribute to his father on the occasion of his father's retiring from the chairmanship of the State Park Commission in California. Indeed, the Governor of California, Edmund G. Brown, a Democrat, has joined in a great chorus of praise, and has called Mr. Knowland's labors for adequate parks and beaches in California as monumental.

This all formed the comment of a very interesting column which was published in the Sacramento Bee on January 17, 1960, Mr. President, and I ask unanimous consent that it be set forth in full in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BROWN CALLS J. R. KNOWLAND'S PARK PROGRAMS MONUMENTAL

(By Herbert L. Phillips)

One of the few remaining editor-politicians of California's colorful old days of personal journalism passed out of the State government picture this last week with the retirement of Joseph R. Knowland as chairman of the State park commission.

A member of the park commission for nearly a quarter of a century and chairman for many of those years, the veteran publisher of the Oakland Tribune quietly announced, when his term expired last Friday, that he wanted time to do a little writing. And, since he is 86, he added whimsically that "age, of course, is also a factor."

To a younger generation of Californians, Joe Knowland perhaps is best known as the father of former U.S. Senate Republican Leader William F. Knowland, the defeated GOP nominee for Governor in the last State election.

To some a little older, he will be remembered as one of the last of a hardy breed of politico-journalists who, sometimes in public office, sometimes vociferously expressive on the political sidelines, argued their points of view on public affairs with fierce cogency, frequently met head-on in editorial clashes, and somehow managed to make the California political scene much more lively and scintillating than it often is nowadays.

Most of them are gone. One of Knowland's few remaining fellow veterans of the spirited battles of yesteryear is T. M. Storke, the aging "Mr. Santa Barbara" of the Santa Barbara News-Press.

As for Knowland, Democratic Gov. Edmund G. (Pat) Brown announced only a few days ago he was prepared to consider reappointing him if the octogenarian Republican warhorse of Alameda County cared to continue serving on the park commission. The fact that Bill Knowland fought Brown vigorously in the 1958 campaign, the Governor said, would make no difference.

Brown used the term "monumental" to describe the record of J. R. Knowland's achievements for California's system of parks and recreational beaches in 24 years of service under the Rolph, Merriam, Warren, and Knight Republican administrations and the present Democratic regime.

Born in Alameda, August 5, 1873, Joseph Russell Knowland was elected to the State assembly at the age of 25, setting a lively pace for his son Bill, who, in his turn, likewise managed to reach the legislature in his early twenties.

The senior Knowland served two terms in the legislature's lower house and one in the State senate.

His career in national politics began in 1904, when he was elected to fill an unexpired term in Congress. In all, he had five full terms in the House of Representatives and ran for a U.S. Senate seat in 1914.

That was the year Hiram W. Johnson won gubernatorial reelection. The advent of the Johnson regime and Theodore Roosevelt's Progressive Party had split the California Republican vote and Knowland was defeated.

The next year he became publisher and controlling owner of the Oakland Tribune.

His active participation in GOP political affairs continued, though, and over the last half century he has attended something like a dozen Republican National Conventions either as a delegate or news commentator.

It is in the field of conservation of scenic parkland areas and preservation of historical landmarks, however, that Knowland has left a rich heritage to his native State.

In addition to his long political career and his 27 years as a director of the Associated Press, Knowland has served as president of the California Historical Society, head of the State's historical landmarks committee, chairman of the 1950 California Centennial Commission, and active worker in many other causes having to do with the protection of pioneer day relics from oblivion and the safeguarding of the State's great redwoods and other natural beauties.

Now, at fourscore years and six, Knowland is the dean of the past grand presidents of the Native Sons of the Golden West.

And, back when he was only 83, he was able to point with pardonable pride to the State's acquisition of 600,000 acres of parks, beaches, and historical monument sites over a period of three decades and to say, without much fear of contradiction, that California's park system was "second to none in the Nation."

Small wonder then that liberal Democrat Brown was able and willing to characterize the works of conservative Republican Knowland as monumental.

"The people who will be here 1,000 years hence," said former Gov. Goodwin J. Knight in 1956, "will find his monument in the timeless things of life. They will mark that monument in the priceless necklace of playgrounds strung along California's seacoast where 1,000 beaches will afford happiness, health, and recreation to unnumbered new Californians."

Veteran Knowland has said that, in retirement from active public affairs, he intends to write his autobiography. It is to be hoped he will, for, like Tom Storke's recent book, it should be one of warm reminiscences, intensely interesting not only to the students of California politics but to the lovers of California's picturesque and roaring yesterdays.

MSGR. BELA VARGA

Mr. KEFAUVER. Mr. President, the free world reacted in shocked horror in 1956 when Hungarian patriots were smashed ruthlessly by the Soviet war machine. During that tragic week in history, thousands of Hungarian patriots fought valiantly against overwhelming odds.

In doing so they added a new and inspiring chapter to mankind's eternal struggle to rid the world of oppressive forces.

The spirit of free Hungary still burns in the hearts of millions of its countrymen, whether living here now or beyond its borders in temporary havens.

Such a patriot is Msgr. Bela Varga.

Monsignor Varga in 1946 was elected president of the Hungarian Parliament, a post he has never resigned even though he was forced to leave the country in 1947 because of Soviet threats on his life. As the last freely elected president of the Hungarian Parliament, he now is chairman of the Hungarian Committee, an exile organization. The Hungarian Committee is composed of former leaders who have banded together in exile as a step toward ultimate freedom of their native land.

Monsignor Varga has been a symbol of freedom for more than 20 years. Monsignor Varga helped save the lives of thousands of refugees, Jews, and resistance fighters during the years of Nazi occupation. For that, he was sentenced

to death by Hungarian Fascists. After the war, he became one of the leaders of the Smallholders' Party and was active in fashioning a great democracy when the Communists seized power.

I consider Monsignor Varga one of the great patriots of the 20th century. It is a pleasure to make these brief remarks for the RECORD in the hope that Americans everywhere will join with me in commending him for his untiring zeal in behalf of a just cause.

COMMUNIST ARMS IN THE NEAR EAST

Mr. JAVITS. Mr. President, very unhappily, I have to report to the Senate that the ticker news indicates the resumption of shooting in the Near East. The news from the ticker tape reads:

Syrians resume shooting on border. Ambush five-man Israel patrol. Syria charged with defying United Nations order.

Mr. President, I think it is very important that all of us understand something of the background of what is going on in this perilous part of the world, which is so incendiary, as we all know, for, according to recent reports, Soviet bloc weapons of all types have been flowing into the United Arab Republic in increasing quantities.

The recent fighting on the Syrian-Israeli border may not be directly the outcome of that arms flow, but it certainly seems fair to say it is very unlikely it would have happened except in consequence of intransigency and belligerency in that quarter of the world because of the arms buildup.

The gravity of this danger is recognized in editorials this morning, I am sure, throughout the country, but I have noticed such editorials in both the New York Times and the New York Herald Tribune, and I ask unanimous consent that those editorials be made a part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 3, 1960]

NEW FIGHTING IN PALESTINE

The state of war which President Nasser insists on maintaining between the United Arab Republic and Israel has now erupted in new border clashes that have cost lives on both sides and set Egyptian troops marching across Sinai toward Israel, ready, as the Cairo radio boasts, for the decisive battle for Palestine. The hostilities, which include artillery, tank, and air duels near the Sea of Galilee, have been interrupted by repeated cease-fires arranged by the United Nations Truce Supervision Commission. But fighting has always broken out anew, over the past 7 days, and whether the latest cease-fire will prevail remains to be seen.

In any case, the fact that such hostilities, the most serious since the Suez war of 1956, could break out—and break out over a mere 10-acre tract of land—is warning that a hair-trigger situation continues to exist in Palestine—a situation that could blow up the peace of the Middle East.

As regards the immediate fighting, each side accuses the other of aggression, and pending impartial determination it is difficult to assess responsibility. But quite aside from the right or wrong of the immediate issue, the basic factor in the situation is, of course, Arab refusal to make peace with Israel and President Nasser's own exploitation of this fact for ends of his own.

Yet, despite Nasser's show of strength, it must still be assumed that neither side courts outright war, especially with a screen of the United Nations Emergency Force between them. This makes it incumbent upon both sides not to let the situation get beyond their control. It also makes it incumbent upon all men of good will in both camps, and beyond that on the interested powers and especially the United Nations, to make new efforts to establish a just and lasting peace that will avert the constant friction and permit both sides to develop in freedom and mutual cooperation, without which neither can prosper.

[From the New York Herald Tribune, Feb. 3, 1960]

NEW WARNING IN MIDDLE EAST

Quiet apparently has been restored along the Israeli-Syrian frontier, with a U.N. supervised truce ending another outburst of violence along a border that has seen far too many in recent years.

From all indications, this was merely a local incident: a few lives lost, a few fortifications leveled, a few fighter planes exchanging shots. With the immediate strife over both sides now go back to eyeing each other warily across the disputed frontier.

Yet it would be foolish to dismiss the incident as either trivial or insignificant. For outbreaks of this kind are grim symptoms of an underlying situation that is not improving with neglect, and that continues to threaten the peace of the Middle East and perhaps of the world.

Presumably it would be possible to assess the blame for this latest exchange of fire after sifting through the charges and countercharges from both sides. The circumstances have been repeated countless times in the past: a disputed zone; incursions, whether accidental or deliberate; gunfire.

This time the Israelis accuse the Syrians of having instigated the incident, and there seems no reason to doubt the accuracy of the charge, since the Israeli-Syrian border has been the scene of several clashes in recent weeks in contrast to the quiet of other Arab frontiers.

But to deal with incidents along the border one by one is not enough. It may be impossible to eradicate underlying hostility and resentment. But an effort can be made to assure that these do not take the form of probing attacks in a repeated pattern, of provocative violations of the armistice agreement, of piracy on an international waterway, as exemplified in the repeated seizures by Egypt of Israeli cargoes in defiance of United Nations decrees.

It is difficult, surely, to deal with these matters forthrightly and boldly. But it would be even more difficult to have to deal with the full-scale war that may break out if the U.N. continues its policy of temporizing and hoping for the best.

This latest Syrian-Israeli clash should be taken for what it is—a warning of the widespread and irreparable disaster that could follow.

Mr. JAVITS. Mr. President, there is a serious threat that a new arms race is developing in the Middle East, with increasing tensions which may explode into large-scale hostilities. We have certain obligations in that part of the world under the Eisenhower doctrine.

Indeed, whether juridically correct or not, those were substantially invoked when we sent troops into Lebanon. Certainly, this is not the way we would like to see peace maintained in the world, except under grave necessity.

Therefore, I urge two courses of action. One is a careful examination of what United Nations action can be invoked right now, instead of waiting. There is United Nations machinery available, even to call the General Assembly into emergency session, if our country feels forced to do that, based on events.

Secondly, we have an example of a mutual security treaty with Japan, under which we can give notice in advance that we will not tolerate a breach of the peace in that area of the world. In view of the Eisenhower doctrine, that kind of treaty could be extended to include the Middle East, particularly the Syria-Lebanon area, since we have already consummated such a treaty with Japan.

Mr. President, I think it is very important that time be taken by the forelock, and that is the purpose of my remarks upon the actual outbreak of shooting on the Israel-Syria border, and that the Government may very well consider what steps our country ought to consider taking in order to head off any untoward development in that area.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. I wish to commend the Senator from New York for his fine remarks on the growing difficulty on the Israel-Syrian border. I think his propositions are sound.

RUSSIAN FARM PROBLEMS

Mr. WILEY. Mr. President, the Nazis, during the heydays of Hitler, had a slogan: "Cannons, Instead of Butter." The Russians these days seem to have a similar slogan: "Satellites, Instead of Wheat." Those Americans who get all hot and bothered about the Soviet accomplishments in getting more and bigger sputniks aloft should take a look at the Russians' agricultural figures. The failure of the Russian farm program may be attributed to many factors, including the fact that collectivized farms somehow do not produce as much as free, privately owned American farms. But one additional reason may also be the possibility that much of the technical skill and resources needed for the development of Russian farming goes instead into the Russian space program. Believing in the military conquest of the world, Hitler was willing to sacrifice the daily diet of the German people to the building of cannons and panzer units. The Russians, undertaking the psychological conquest of the minds of the world, likewise sacrifice the daily diet of their people in order to produce sputniks and their impact on world opinion.

Both the Nazi program and the Russian program point out the indifference of these totalitarian systems to humanitarian needs and values.

Two years ago, a virgin land area in Kazakhstan was opened for farming despite dire predictions that the weather

was unfavorable. Last year the Russians were jubilant that one-half of all Soviet grain for market needs was produced in that area. But in 1959 the highly publicized production not only failed to climb to the expected high, it fell below the 1958 level.

The local boss was one Belyaev, a member of the ruling Presidium and a personal friend of Khrushchev. His report this year put all the blame on the weather. But Khrushchev obviously thinks otherwise. He charged that 18,000 tractors and 32,000 combines were on the blink just when they were needed the most. Said Atheist Khrushchev righteously: "Why blame God and the weather in saying that the grain did not ripen? What we need is to work harder, so in time the Lord will say, you did your part and now I will do mine."

Discussing the Russian farm program, the editor of the Green Bay Press-Gazette, in Wisconsin, had this to say, on January 25, 1960:

> Whether or not the men who could fix the farm machinery have been too busy repairing missiles or whether the lessons the Russian visitors learned in Iowa just didn't soak in, has not been revealed. But with grain production down, both beef and hog production will go down. Here, at any rate, is a good source of material for the U.S. Information Agency. The message of the Russian agricultural failure should be broadcast repeatedly to the underdeveloped nations who need increased production to keep their people from starvation. Food is still necessary even for a trip to the moon.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. MANSFIELD. Mr. President, as I understand, an agreement has been reached that the Senator from Virginia [Mr. ROBERTSON] will be recognized.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendments, which is a substitute for the original bill.

In such a case, the committee amendment, for the purpose of amendment is considered as original text, and any amendment, including a substitute, is therefore in the first degree, and subject to amendment in one further degree, either of a perfecting nature or as a substitute. Perfecting amendments have precedence over substitutes.

Mr. ROBERTSON obtained the floor.

Mr. COOPER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. COOPER. Mr. President, I offer an amendment which I ask to have read.

The PRESIDENT pro tempore. Will the Senator from Kentucky agree to have his amendment printed in the RECORD, without reading?

Mr. COOPER. Yes.

Mr. COOPER's amendment, in the nature of a substitute, is as follows:

Strike out all after the enacting clause and insert the following:

"That this Act may be cited as the 'School Construction Assistance Act of 1960.'

"ASSURANCE AGAINST FEDERAL INTERFERENCE IN SCHOOLS

"SEC. 2. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3. For the purpose of making Federal grants to assist school districts in financing the construction of urgently needed school facilities, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1961, such sums as may be necessary to pay, as provided in this Act, the Federal share of the principal and interest annually becoming due on school construction bonds or other obligations in an aggregate principal amount of not to exceed $4,000,000,000.

"ALLOCATIONS

"SEC. 4. (a)(1) For each fiscal year during the four-year period beginning July 1, 1960, and ending June 30, 1964, such amounts, not to exceed $1,000,000,000, as may be specified for such year by appropriation or other law shall be allocated by the Commissioner among the States on the basis of the income per child of school age, the school-age population, and the effort for school purposes of the respective States. Subject to the provisions of section 5, such allocations shall be made as follows: The Commissioner shall allocate to each State for each fiscal year an amount which bears the same ratio to the total to be allocated among all States as the product of—

"(A) the school-age population of the State, and

"(B) the State's allocation ratio (as determined under subsection (b)),

bears to the sum of the corresponding products for all the States.

"(2) A State's allocation pursuant to paragraph (1) shall remain available until the end of the fiscal year following the year for which the allocation is made for Federal grant commitments pursuant to section 8 with respect to obligations, to finance the construction of school facilities projects in such State, totaling the amount of such allocation. Such a commitment with respect to any obligations shall commit the Commissioner to pay the Federal share (as determined under section 6 for each year during which such obligations are outstanding) of the principal and interest annually becoming due on such obligations. Such obligations may be for the purpose of financing all or a portion of the construction of school facilities projects. The latest maturity date of obligations (in any issue) with respect to which a Federal grant commitment is made under this Act may not be less than twenty years and not more than thirty years from the earliest date of any of such obligations and the first payment of principal thereon shall be due not later than the end of the third year following such earliest date.

"(b) For purposes of this Act—

"(1) The 'allocation ratio' for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the several States, except that (A) the allocation ratio shall in no case be less than 0.25 or more than 0.75 and (B) the allocation ratio for Puerto Rico, Guam, and the Virgin Islands shall be 0.75.

"(2) The allocation ratios shall be promulgated by the Commissioner as soon as possible after the enactment of this Act and again between July 1 and September 30 of the year 1962, on the basis of the average of the incomes per child of school age for the States and for the several States, for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for purposes of this Act for each of the fiscal years in the period beginning July 1, 1960, and ending June 30, 1962, and the second for each of the fiscal years in the period beginning July 1, 1962, and ending June 30, 1964.

"(3) The term 'child of school age' means a member of the population between the ages of five and seventeen, both inclusive.

"(4) The term 'school-age population' means that part of the population which is between the ages of five and seventeen, both inclusive, and such school-age population for the several States shall be determined by the Commissioner on the basis of the population between such ages for the most recent years for which satisfactory data are available from the Department of Commerce.

"(5) The term 'income per child of school age' for any State or for the several States means that total personal income for the State and the several States, respectively, divided by the number of children of school age (in the State and the several States, respectively).

"MAINTENANCE OF STATE AND LOCAL SUPPORT FOR SCHOOL FINANCING

"SEC. 5. (a) The allocation of any State under section 4 for any year shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year, except that for the first year that allocations are made under this Act this provision shall not apply. The total of such reductions shall be reallocated among the remaining States by proportionately increasing their allocations under section 4 for such year.

"(b) For purposes of subsection (a)—

"(1) The 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public school child by (B) the income per child of school age for the State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) the District of Columbia, Puerto Rico, Guam, and the Virgin Islands, and (ii) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for the several States.

"(2) The 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for the several States by (B) the income per child of school age for the several States.

"(c) (1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from funds derived from State and local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The school expenditures per public school child for the several States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the several States and subdivisions thereof for elementary and secondary education made from funds derived from State and local sources, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the several States, determined as provided in paragraph (1).

"(3) The income per child of school age for any State and for the several States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

"(4) For purposes of determinations made under this section and section 6, the term 'the several States' shall not include Puerto Rico, Guam, the Virgin Islands, and the District of Columbia; for purposes of determinations made under section 4, the term 'the several States' shall not include Puerto Rico, Guam, and the Virgin Islands.

"FEDERAL SHARE OF COST OF FINANCING SCHOOL CONSTRUCTION

"SEC. 6. (a) Subject to the provisions of subsection (b) the Federal share of the cost of school construction on financing under this Act for any State for any year shall be 50 per centum.

"(b) In order to ease the burden of school construction costs for States which have below average per capita income and which have nevertheless made a better than average effort to support teachers' salaries, and in order to recognize and facilitate the continuation and improvement of support of teachers' salaries by such States, the Federal share for such States of the principal and interest on obligations (other than obligations to which section 9(b) applies) becoming due in a fiscal year shall be increased as follows: the Federal share for any State for any year for which its State teacher salary support index exceeds the national teacher salary support index and for which its per capita income (as determined by the Commissioner at the beginning of such year on the basis of personal incomes and population for the most recent calendar year for which satisfactory data are available from the Department of Commerce) is less than the per capita income for the several States (as so determined) shall be—

"(1) 55 per centum if the State index exceeds the national index by less than 10 per centum;

"(2) 60 per centum if the State index exceeds the national index by at least 10 but less than 20 per centum;

"(3) 65 per centum if the State index exceeds the national index by 20 or more per centum.

"(c) For purposes of subsection (b)—

"(1) The 'State teacher salary support index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's average teacher salary by (B) the per capita income for the State; except that the State teacher salary support index shall be deemed to be equal to the national teacher salary support index in the case of the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

"(2) The 'national teacher salary support index' for any fiscal year is the quotient obtained by dividing (A) the average teacher salary for the several States by (B) the per capita income for the several States.

"(d)(1) The average teacher salary for any State for purposes of determining its State teacher salary support index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for instructional staff in elementary and secondary education, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of instructional staff members in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The average teacher salary for the several States for purposes of determining the national teacher salary support index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the several States and subdivisions thereof for instructional staff in elementary and secondary education, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of instructional staff members for such year in public elementary and secondary schools in the several States, determined as provided in paragraph (1).

"(3) The per capita income for any State and for the several States means the total personal income for the State and the several States, respectively, divided by the population (in the State and the several States, respectively), and shall, for purposes of subsection (c), be determined by the Commissioner on the basis of incomes and population for the calendar year beginning in the same school year as is used under paragraph (1).

"STATE PLANS

"SEC. 7. Federal grant commitments may be made under this Act with respect to obligations to finance the construction of school facilities in any State only if such State has submitted, and has had approved under this section, a State plan. The Commissioner shall approve a State plan for purposes of this Act if such plan—

"(a) provides that the State educational agency shall be the sole agency for administering the plan;

"(b) provides that a local educational agency will be eligible for a Federal grant commitment under this Act with respect to any obligations only if such obligations are for financing, in whole or in part, the construction of school facilities needed to relieve or prevent overcrowding, double shifts, or unhealthful or hazardous conditions;

"(c) sets forth standards and procedures for determining the order of priority for projects under the plan, which standards and procedures shall assure (1) that the highest priority will be given to local educational agencies which, upon making a tax effort reasonably commensurate with their economic resources are unable, solely because of lack of such resources, to finance from the resources available to them the full cost of the school facilities needed to relieve or prevent overcrowding, double shifts, or unhealthful or hazardous conditions, and (2) that in other respects the order of priority will be based on relative need for financial aid in the construction of such school facilities and the relative urgency of the need for such facilities;

"(d) provides for affording to every applicant whose application to be included in a State request under section 8 for a Federal grant commitment is denied, an opportunity for a hearing before the State educational agency;

"(e) provides that the State educational agency will make such reports to the Commissioner, in such form and containing such information, as are reasonably necessary to enable the Commissioner to perform his duties under this Act.

"GRANT COMMITMENTS

"SEC. 8. (a) In the case of each project for the construction of school facilities for a local educational agency to be financed by obligations for which the State educational agency requests a Federal grant commitment under this Act, the State educational agency shall include in its request—

"(1) a description of the school facilities project with respect to which the request is made and its estimate of the cost of construction of such project;

"(2) the amount of the obligations which are to be covered by the commitment;

"(3) a certification—

"(A) that it has determined, in accordance with the State plan approved under section 7, that the local educational agency is eligible for such commitment with respect to such obligations and such project is entitled to priority over other projects within the State;

"(B) that such project is consistent with any applicable State redistricting plans or policies and is in accord with applicable State construction laws and standards;

"(C) if any portion of the cost of construction of such project is not to be met from the proceeds of such obligations, that the financing of such portion has been arranged;

"(4) assurance, satisfactory to the Commissioner that the local educational agency will take appropriate steps, including a public offering of the obligations, to secure the most favorable rate of interest and other terms for such obligations.

"(b) If the Commissioner finds that the request of a State educational agency for a Federal grant commitment with respect to any obligations meets the requirements of subsection (a) and that the amount of such obligations does not exceed the amount remaining in the State's allocation or allocations available for the purpose, the Commissioner shall, subject to the provisions of section 9, make the Federal grant commitment requested with respect to the obligations specified.

"STATE COMMITMENTS

"SEC. 9. (a) Except as provided in subsection (b) or (c), no Federal grant commitment may be made with respect to any obligations for financing, in whole or in part, the construction of a school facilities project filed after June 30, 1960, unless the State makes an equally binding commitment to pay the State share of the principal and interest annually becoming due on such obligations. For the purposes of this Act, the 'State share' for any State shall be 100 per centum less the Federal share.

"(b)(1) A State may, in lieu of the commitment provided in subsection (a), make a capital grant to cover part of the cost of such construction, in which case (A) the Federal grant commitment shall be to pay the entire principal and interest annually becoming due on an amount of obligations which bears the same ratio to the amount of such capital grant as the Federal share of the cost of such construction bears to the State share thereof, and (B) the amount charged against the applicable allocation of the State shall be equal to the sum of the amount of the obligations covered by such commitment and the amount of such capital grant.

"(2) A State may require repayment of all or any portion of the amounts paid by the State pursuant to its commitment, with or without interest, and, in such case, the same requirement shall apply with respect to the amounts paid under the Federal grant commitment.

"(c) In the case of any obligations included in a request of a State filed pursuant to section 8 during the fiscal year ending June 30, 1961, with respect to which the State does not make either a commitment to pay the State share of the principal and

interest annually becoming due, or a capital grant, as provided in subsection (a) or (b)—

"(1) the request shall include assurance of the ability of the local educational agency to secure the funds necessary to meet the portion of the principal and interest annually becoming due on such obligations not covered by the Federal grant commitment;

"(2) the requirement in section 7(c) for standards and procedures assuring highest priority to certain local educational agencies shall be deemed met if such priority is assured subject to the ability of local educational agencies to secure funds to meet the portion of the principal and interest annually becoming due on obligations (to finance school facilities projects) not covered by a Federal grant commitment.

"STATES EXCLUSIVELY RESPONSIBLE FOR SCHOOL CONSTRUCTION FINANCING

"SEC. 10. If exclusive responsibility for the financing of the construction of school facilities in any State, or in any portion of a State, has been assumed by the State, the Commissioner may, to the extent he deems such action necessary to achieve the purposes of this Act, modify or make inapplicable to such State or portion thereof, as the case may be, any of the provisions of this Act which he determines to be inappropriate by reason of the absence of a local educational agency or agencies responsible for such financing.

"PAYMENT OF FEDERAL GRANTS

"SEC. 11. (a) The Commissioner shall from time to time pay to such agency or person or persons as may be designated in the request of a State agency pursuant to section 8 with respect to any obligations, the Federal grants for each year under the Federal grant commitment under this Act with respect to such obligations.

"(b) The faith of the United States is solemnly pledged to the payment of all grants due under Federal grant commitments made under this Act.

"FEDERAL CAPITAL GRANTS FOR LOCAL EDUCATIONAL AGENCIES WHICH HAVE REACHED THEIR DEBT LIMITS

"SEC. 12. (a) During the fiscal years ending June 30, 1960, and June 30, 1961, a State educational agency which has submitted and had approved a State plan under section 7 may, in lieu of requesting a Federal grant commitment with respect to obligations to finance a project of a local educational agency for the construction of school facilities, request a Federal capital grant in an amount not to exceed one-half of the cost of constructing such project. If the Commissioner finds that—

"(1) the local educational agency is unable by reason of State legal restrictions on the incurring of debt by such agency to issue obligations or otherwise borrow the amount covered by the State's request and is unable to obtain such amount by arrangement with State or local school building authorities or other arrangement not involving violation of such restrictions;

"(2) such local educational agency would, if obligations were issued to finance the cost of constructing such project, in all respects meet the requirements under section 8 for a Federal grant commitment with respect to such obligations;

"(3) financing for the portion of the cost of such project not covered by such Federal capital grants has been arranged; and

"(4) the State educational agency (or an appropriate official of the State) has given reasonable assurance to the Commission that it will diligently seek an amendment of State law which will enable such local educational agency to obtain, through borrowing or other financial measures, the amount of any Federal capital grant made under this section and that provision will, assuming such an amendment of State law, be made for the repayment of such amount by or on behalf of the local educational agency to the Federal Government;

the Commissioner shall make a Federal capital grant in the amount requested and shall pay the same in such installments, in advance or otherwise, as he may determine, and shall charge against the applicable allocation of the State an amount equal to twice the amount of the capital grant.

"(b) Any obligations which are issued for the purpose of obtaining the amount of any Federal capital grant made or to be made pursuant to subsection (a) (for repayment to the United States), and which meet the requirements of section 8(a)(4) and of the last sentence of section 4(a)(2), shall be deemed to be obligations meeting the requirements for Federal grant commitments under this Act, except that any such obligations with respect to which a Federal grant commitment is made shall not be charged against any allocation of the State under this Act.

"(c) If a Federal capital grant has been made upon the request of any State pursuant to subsection (a) and any portion of such grant has not been repaid to the Federal Government by July 1, 1962, the allocation for such State for the fiscal year ending June 30, 1963, shall be charged with an amount equal to twice the unpaid portion of such grant, and if such allocation is insufficient for such purpose with respect to all such grants, against the State's allocations for the fiscal year ending June 30, 1964. Upon repayment by the State to the Federal Government of any Federal capital grant or portion thereof for which an allocation of such State has been charged under this subsection, such allocation shall, if still available, be increased by an amount equal to twice the amount so repaid.

"(d) There are hereby authorized to be appropriated for the fiscal years ending June 30, 1961, and June 30, 1962, such sums as may be necessary for payment of Federal capital grants made under this section.

"(e) The provisions of sections 13, 14, and 18, and the first sentence of section 4(a)(2), shall apply to Federal capital grants to the same extent as they are applicable to Federal grant commitments and obligations covered thereby.

"ABANDONMENT OF PROJECTS

"SEC. 13. If any project financed by obligations with respect to which a Federal grant commitment has been made under this Act or any project financed with the aid of a Federal capital grant, is abandoned, or is not completed within a reasonable period (determined under regulations of the Commissioner) after such obligations have been sold or after such grant has been made, the United States shall be entitled to recover from the State in which such project is located or from the local educational agency whose project was involved, or both, the amount of the grants made by the United States as capital grants or with respect to the principal and interest on such obligations or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in a Federal district court).

"LABOR STANDARDS

"SEC. 14. (a) the Commissioner shall not make any commitment under this Act with respect to obligations to finance the construction of any school facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5), and will receive compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be.

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"ADMINISTRATIVE PROVISIONS

"SEC. 15. (a) The Commissioner, in addition to other powers conferred by this Act, shall have power to agree to modifications of Federal grant commitments made under this Act and of obligations with respect to which such commitments have been made and to pay, compromise, waive, or release any right, title, claim, lien, or demand, however arising or acquired under this Act; except that nothing in this subsection shall be construed to affect the power of the Attorney General in the conduct of litigation arising under this Act.

"(b) Financial transactions of the Commissioner in making Federal grant commitments, and payments with respect thereto, pursuant to this Act, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may by regulation prescribe.

"SUITS AGAINST THE UNITED STATES

"SEC. 16. Any holder of obligations with respect to which a Federal grant commitment has been made under this Act may bring suit against the United States to enforce any duty of the Commissioner under this Act relating to the commitment or any undertaking of the Commissioner pursuant to such commitment. In any action arising under this Act to which the United States is a party, the district courts of the United States shall have jurisdiction, without regard to the amounts involved. Such action shall be brought in the district court of the United States for the judicial district in which the plaintiff, or any of the plaintiffs if there are more than one, resides, or has his principal place of business or, if he does not have his principal place of business within any such judicial district, in the District Court of the United States for the District of Columbia.

"DEFINITIONS

"SEC. 17. For purposes of this Act—

"(a) The term 'Commissioner' means the (United States) Commissioner of Education.

"(b) The term 'State' includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

"(c) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or (if different) the officer or agency primarily responsible for State construction or supervision of construction of such schools, whichever may be designated by the Governor or by State law.

"(d) The term 'local educational agency' means a board of education or other legally constituted local school authority, having administrative control and direction of public education in a city, county, township, school district, or political subdivision in a State. If a separate local public authority has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

"(e) The term 'school facilities' includes classrooms and related facilities for public elementary or secondary education; initial equipment, machinery, and utilities necessary or appropriate for school purposes; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadiums, or structures or facilities intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public.

"(f) The terms 'construct', 'constructing', and 'construction' include the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

"(g) The term 'obligations' means any bond, notes, interim certificates, debentures, certificates of indebtedness, or other evidence of indebtedness.

"WITHHOLDING OF FUNDS AND JUDICIAL REVIEW

"SEC. 18. (a) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency, finds that—

"(1) the State plan approved under section 7 has been so changed that it no longer complies with the requirements of such section; or

"(2) in the administration of the plan there is a failure to comply substantially with any such requirement;

the Commissioner shall notify such State agency that no further Federal grant commitments and no further Federal capital grants will be made under this Act with respect to obligations to finance the construction of school facilities projects in the State (or, in his discretion, that further commitments or grants will not be made for projects in the State affected by such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Commissioner shall make no further Federal grant commitments and no further Federal capital grants with respect to projects in such State under this Act (or shall limit commitments or grants to projects with respect to which there is no such failure).

"(b) (1) If any State is dissatisfied with the Commissioner's action under subsection (a) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States.

"(2) The findings of fact by the Commissioner, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"UTILIZATION OF OTHER AGENCIES

"SEC. 19. In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency concerned.

"DELEGATION OF COMMISSIONER'S FUNCTIONS

"SEC. 20. The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

"APPROPRIATION FOR ADMINISTRATION

"SEC. 21. There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary for administration of this Act.

"Amend the title so as to read: 'A bill to authorize Federal grant assistance to school districts in financing a four-year program of construction of urgently needed elementary and secondary public school facilities.'"

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Kentucky will state it.

Mr. COOPER. Is my amendment now the pending question?

The PRESIDENT pro tempore. It is the pending question at this time.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DIRKSEN. Is the amendment to the McNamara bill?

Mr. COOPER. Yes; it is the amendment which the Senator from New York [Mr. JAVITS] and I are offering to Senate bill 8.

Mr. DIRKSEN. It is not a substitute amendment?

Mr. COOPER. It is an amendment in the nature of a substitute.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senator from Illinois will state it.

Mr. DIRKSEN. Under the rule, obviously the Senate would, first, have to perfect the McNamara bill, with whatever amendments are offered to the bill, before a substitute could be considered.

Mr. COOPER. Mr. President, yesterday the Senator from New York [Mr. JAVITS] and I tendered a bill in the nature of a substitute, upon the advice of the Parliamentarian, going to the very point which the Senator from Illinois has raised. We had the bill reprinted as an amendment.

The PRESIDING OFFICER. The Chair rules for the time being that the Cooper amendment is the pending question. The Senator from Illinois is quite correct in his understanding that perfecting amendments to the McNamara bill would take precedence over an amendment in the nature of a substitute; but no such perfecting amendments have yet been offered. Accordingly, the Cooper amendment is the pending question until it is displaced or superseded.

The Senator from Virginia is recognized.

Mr. ROBERTSON. Mr. President, with the understanding that I do not lose the floor, I ask unanimous consent that I may yield to the acting majority leader for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. MANSFIELD. Mr. President, will the Senator from Virginia withhold his request for a moment?

Mr. ROBERTSON. Yes.

Mr. DIRKSEN rose.

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Illinois, with the understanding that the Senator from Virginia will not lose the floor?

Mr. ROBERTSON. I yield.

Mr. DIRKSEN. Mr. President, it was my understanding that a request would be made that the committee bill would be considered as a clean bill for the purpose of amendment, so that any amendment offered would be in the first degree. That is customary procedure in the Senate.

The PRESIDING OFFICER. The Chair understands that that is the present situation; but the Senator from Kentucky has offered his amendment in the nature of a substitute, and that amendment is the pending question, subject to its being superseded by any perfecting amendment which is not yet before the Senate.

Mr. DIRKSEN. Is it not proper first to dispose of a request which may be made to agree upon the committee substitute, so that the vehicle with which we work——

The PRESIDING OFFICER. The Parliamentarian advises the Chair that if a complete committee substitute is agreed to, then no further amendment will be in order. Therefore, the Chair adheres to his ruling that the Cooper amendment is the pending question, that the Senator from Virginia has the floor, and that if any perfecting amendments are offered, they will take precedence over the Cooper amendment.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Will the Chair define what is meant by a perfecting amendment?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that a perfecting amendment as distinguished from a substitute is usually an amendment which amends or changes a part, but not the entire text, of a pending question.

Mr. JAVITS. Are we to understand, therefore, if I may proceed for a moment, that if such an amendment is offered, it will be voted upon before the Cooper substitute, and that when all perfecting amendments, as defined by the Chair, to the pending measure have been voted on, then the Cooper substitute will be voted upon?

The PRESIDING OFFICER. The Senator from New York is correct. The Cooper amendment itself, being in the first degree, while a substitute, is also a perfecting amendment.

Mr. JAVITS. Mr. President, what is the unanimous-consent request made by the distinguished Senator from Virginia?

The PRESIDING OFFICER. The unanimous-consent request is that the Senator from Virginia may yield for this colloquy, as he has already done, without losing his right to the floor.

Mr. JAVITS. I thank the Chair.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Virginia yield for a parliamentary inquiry?

Mr. ROBERTSON. I yield.

The PRESIDING OFFICER. The Senator from Kentucky will state his parliamentary inquiry.

Mr. COOPER. The amendment in the nature of a substitute which the Senator from New York and I have offered—the Cooper-Javits substitute—is in effect a complete change in the bill S. 8. Assume that some other Senator offers an amendment, which is called an amendment but which is in itself a completely new bill. Would that be considered a perfecting amendment which would take precedence?

The PRESIDING OFFICER. The Parliamentarian advises the Chair, and the Chair considers himself bound by the ruling of the Parliamentarian, that if the Senator from Illinois or any other Senator wishes to offer an amendment in the nature of a substitute after the Senator from Kentucky has offered his amendment in the nature of a substitute, then the amendment offered by the Senator from Illinois will, according to the Parliamentarian, take precedence.

Mr. JAVITS. Mr. President, a further parliamentary inquiry: Suppose the amendment of the Senator——

The PRESIDING OFFICER. Will the Senator from New York withhold his inquiry until the Chair makes a suggestion, to help clarify the matter? As the Chair understands the Parliamentarian, the last amendment offered is the first voted on or passed on, so long as that amendment is not beyond the degree which the rules permit.

Mr. JAVITS. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. If an amendment in the nature of a substitute, as the Chair has just defined it, other than the Cooper-Javits amendment, is offered, may the proponents of the Cooper-Javits amendment withdraw their substitute and offer it as an amendment to that amendment?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the Cooper amendment could thus be withdrawn and offered as a substitute to the other substitute if—but only if—the yeas and nays had not been ordered, or the Cooper amendment had not been amended in the meanwhile.

Mr. JAVITS. I thank the Chair.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Virginia further yield?

Mr. ROBERTSON. I do.

Mr. DIRKSEN. I desire to make an inquiry to ascertain the nature of a proposal which might be offered by the distinguished Senator from New Hampshire [Mr. COTTON]. I am not certain whether his proposal is a complete substitute, which would strike out all after the enacting clause and insert new language, or whether it goes only to a part of S. 8.

Mr. COTTON. Mr. President, if the Senator from Virginia will continue to yield.

The PRESIDING OFFICER. The Chair will assume that the Senator from Virginia continues to yield without losing his right to the floor unless he advises the Chair that he does not desire to do so.

Mr. ROBERTSON. That is correct.

Mr. COTTON. Mr. President, I would answer the distinguished minority leader by saying that the amendment which I propose to offer at some time before the parliamentary situation precludes its being offered, is a complete substitute; and I was about to propound a parliamentary inquiry in regard to the point at which those of us who may have substitutes which we wish to have considered and voted upon will be precluded from offering them.

In other words, I understand that once a substitute for the original bill has been adopted, all other substitutes will be precluded from consideration.

The PRESIDING OFFICER. The Parliamentarian advises the Chair that once a complete substitute for the pending bill has been adopted, no further substitute amendment or perfecting amendment will be in order.

Mr. COTTON. The committee has offered a substitute for the pending bill. The Senator from Kentucky [Mr. COOPER] and the Senator from New York [Mr. JAVITS] have offered a substitute, in place of the committee substitute.

The PRESIDING OFFICER. After conferring further with the Parliamentarian, the Chair wishes to advise the Senator from New Hampshire, before he proceeds, that before the present occupant of the chair took the chair, the following statement was made by the President pro tempore of the Senate, who was then in the chair:

> The question is on agreeing to the committee amendment, which is a substitute for the original bill.
>
> In such a case, the committee amendment, for the purpose of amendment, is considered as original text; and any amendment, including a substitute, is therefore in the first degree, and subject to amendment in one further degree, either of a perfecting nature or as a substitute. Perfecting amendments have precedence over substitutes.

Mr. COTTON. My inquiry is as follows: If a vote comes on a substitute or perfecting amendment to the committee clean substitute which is now before the Senate—whether that is the Cooper-Javits substitute or the Dirksen substitute or any other substitute—if the substitute is adopted, will that action preclude the offering of other substitutes; or may they be offered until the clean bill, as substituted, is voted upon?

The PRESIDING OFFICER. The Chair is advised that in such a situation, once a substitute for the entire bill has been adopted, that is the end of the matter, and no further amendment—whether in the nature of a different substitute or an amendment to that substitute—will be in order.

However, the Chair believes he is correct in ruling that while the substitute is before the Senate, and before it is voted upon, it is subject to amendment.

Mr. COTTON. But is it not a fact that the substitute now offered, for instance, by the Senator from Kentucky, while it would ultimately, if adopted, become a substitute to the entire bill, is at the present time a substitute only to the substitute offered by the committee?

The PRESIDING OFFICER. The Parliamentarian points out that the committee substitute strikes out everything after the enacting clause, and is in itself a complete substitute, to which the amendment of the Senator from Kentucky, in the nature of a substitute, is in order, which, in turn, is subject to amendment; and if it is adopted, either with or without amendment, it would preclude further action. However, if it is defeated, then we start all over again.

Mr. COTTON. Then only one vote, not two, will be required in order to adopt the committee substitute in place of the original bill. Is that correct? In other words, there will not be a vote, first, to substitute the Cooper substitute for the pending substitute offered by the committee, and then another vote to substitute it for the original bill?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that it would be necessary to have two votes, but that the second vote would merely be a ratification, for formal parliamentary purposes, of the first vote.

The Senator from New Hampshire could, if he so desired, offer a substitute to the Cooper substitute, and it would be in order, and would then supersede the Cooper amendment; in other words, it would be voted on first.

Mr. COTTON. And that may be done at any time until the time when the Cooper substitute amendment is voted on. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, the Senator from Kentucky [Mr. COOPER] and the Senator from New York [Mr. JAVITS] have offered to Senate bill 8 an amendment identified as "2-2-60—A," and the pending question is on agreeing to that amendment. I may say that I am not familiar with the amendment, although it appears to call for $4 billion over a period of perhaps 20 years.

I understand that, even though we can borrow money for less than it is now costing, the proposal and the amendment would mean that the Government would pay about $500 million in interest for every $1 billion of construction it helps to finance. However, there will be plenty of discussion of that matter later, because the junior Senator from Virginia will point out in his brief remarks that once we get started on this pro-

gram, we cannot expect to hold it to the relatively modest figure of $500 million a year proposed in the bill now before the Senate.

Mr. President, in school commencement speeches and on many other occasions I have stressed the vital importance of education. As a student of political history, I have realized how dependent the success of our experiment in representative democracy has been upon the education of the masses and what a handicap to our recent efforts to sell our democratic principles to some of the backward and so-called underprivileged nations of the world has been the illiteracy of their masses.

I have often referred to the stress which Thomas Jefferson, our greatest political philosopher and the real father of public school education in Virginia, placed upon the need for an educated electorate, saying that no nation can hope to be both ignorant and free. I have also quoted Washington, the benefactor of the great college in my hometown which bears his name, along with that of the immortal Lee, who said in his farewell address:

> Promote then as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

I have commented on the progress made by the Soviet Union in the teaching of science and have expressed the hope that in this technical age more stress would be placed in our public schools, as well as in our colleges, on the training of future scientists.

But, Mr. President, it does not follow that those of us who agree with the objective of the pending school aid bill must likewise agree that the end justifies the means. Our form of representative democracy is unique in the world in that we have 50 sovereign and independent States operating under a written Constitution which reserves to them or the people thereof all powers not delegated to the Central Government. If it be true, and undoubtedly it is, that a system of public education is essential to the preservation of our democratic institutions, I feel I would render the cause of public education a disservice by supporting legislation which, though temporarily improving our school system, would ultimately result in an improper encroachment upon the rights which the Founding Fathers clearly intended to be exercised by the States and their political subdivisions, namely, the operation and control of their public schools. The States and their political subdivisions can do a better job in the operation of public schools than the Federal Government, and all school officials should echo the sentiment of Woodrow Wilson when he said: "I don't want a smug lot of experts to sit down behind closed doors in Washington and play providence to me."

I am opposed to S. 8 because it is a step in the direction of a centralized autocratic control of our public schools. It may be a small step, but there is truth in the old Chinese proverb that a journey of a thousand miles is commenced by one step.

My concern over the step we would take by enacting this bill is based on the record of how far we already have gone in the direction of abandoning the principles of States' rights and ignoring the constitutional provision that "powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States, respectively, or to the people."

It must be conceded, of course, that the pending bill, to aid the States in the construction of school buildings, involves less threat of Federal control of public education than a bill to contribute to teachers' salaries; and I am aware of the fact that to allay the fears of those of us who believe Federal control will follow expenditure of Federal funds, section 3 of the bill specifically prohibits any agency of the Federal Government from exercising any direction, supervision, or control over the policy or operation of any public school or school system. It also is true that the bill as reported contains no provision limiting aid to desegregated schools, but the ultimate inclusion of such a restriction, as frequently urged in the past on the House side, may be reasonably anticipated. Once plans for future school construction are predicated on the continuation of Federal aid, States will be as dependent on that program as they are now dependent on Federal aid for highways.

The nose of the camel of Federal control can be seen under the tent, however, in this bill's provisions that schools built with Federal aid would be subject to provisions of the Davis-Bacon Act, meaning that for construction in rural areas the local wage rate would be advanced to the level of the nearest large city.

Also, our experience with the Federal-aid highway program has demonstrated that when the Central Government puts up the funds, it gradually enlarges its control over construction standards, such as the arbitrary width of 300 feet for rights-of-way of the new interstate road system, without relation to traffic needs.

It seems perfectly obvious that embarking on this new school program will mean, at best, a lessening of local responsibility to meet school needs and an increasing tendency to depend on the Federal Government. And that dependance points in the direction of broad Federal controls.

Ever since the depression days of the early thirties when the relief agency called the Public Works Administration helped to finance the construction or improvement of 15,000 or more public school buildings, the Congress has been considering the question of Federal aid to education. At one time the emphasis was placed on aid to construction; at another, on aid in the payment of teachers' salaries.

The teachers' salary bill most seriously advocated in the Senate was S. 637, which was debated at length in the Senate in October 1943. In a speech against the passage of that bill, that filled 10 printed pages of the CONGRESSIONAL RECORD, the late and very distinguished Senator from Ohio, Mr. Taft, summarized his objections to the proposal.

That distinguished Republican, whose memory is honored by the only massive memorial to an individual ever erected on the Capitol grounds, said:

> The intrusion of the Federal Government into the field of education is one which threatens more than any other intrusion the control of the thoughts of the people in the localities. Education is something the people are interested in having complete control of at home.

Senator Taft went on to compare what would happen to schools with what had happened in highway building and said:

> Every main road today is built on Federal specifications regardless of what the States may say. There is hardly a field in which the gradual extension of Federal aid does not bring Federal control.

At another point in his remarks, our former colleague said the $200 million subsidy then proposed for emergency aid to teachers' salaries "is not defensible on any known ground that I can think of." He continued:

> Of course, education is not a Federal function. There is nothing in the Constitution of the United States which makes it so. On the other hand, all State constitutions contain educational clauses. The practice here for 150 years has established education as a State and local function, and it has been carried out by State and local governments.

Senator Taft admitted that the Federal Government had spending power which had been construed by the Supreme Court to allow it to spend money on anything it chooses, and said that in the light of this he would not contend the bill was technically unconstitutional; but he challenged the proposal then, as I do now, on grounds of policy, pointing out that we had not attempted in the past to subsidize States for activities which are basically State functions.

He challenged the claim that the bill was a temporary defense measure, saying, as I say of the pending proposal, that if this help were started, it would go on forever, with the States becoming increasingly dependent. He pointed out that although the program was to be started with an annual appropriation of only $300 million, including $200 million for teachers' salaries and $100 million for equalization, national education reports had estimated that it would build up to $2 billion a year of Federal aid and the National Resources Planning Board had proposed a program involving expenditure of between $3 billion and $4 billion a year for Federal aid to education.

> Of course—

Senator Taft said—

> if we reach anything like that figure it means complete Federal control of education in every State.

This would result, he concluded, not only in taking control from the States but in a tax burden which the Government could not support without forcing socialization on the country because, as the Ohio Senator put it, "if 50 percent of the people are going to have to support the other 50 percent engaged in Government activity, then that 50 percent will soon stop working, because the situation will be such as to destroy any incentive to work."

The Senate committee report on the pending bill states that in the 15 years between 1942 and 1957 annual State and local expenditures for local schools have risen from $2.2 billion to $12.2 billion, an increase of more than fivefold.

Those facts, to me, do not indicate a greater need today than there was when Senator Taft spoke in 1943 against Federal intervention, but rather that the States and localities are aware of the needs and are meeting them. They should be encouraged to continue those efforts, instead of invited to unload their responsibilities on the Central Government.

While it is true that a rapidly increasing population has created in many States an urgent need for additional classrooms, and inflation has greatly increased the cost of school construction and operation, it does not follow that the Federal Government is in a better position than the States to assume that new burden. On the contrary, the States, as a general rule, are at the moment in better financial condition than the Federal Government, whose indirect as well as direct debt is at an all-time high and whose ability to finance from current revenue existing obligations, including the need for an expanded missile program, remains on a questionable basis.

There are those who feel that the steel strike has been settled on an inflationary basis, that what is called the wage-price spiral will continue to push prices up during the current calendar year, that an increase in the cost of living of as much as 2 percent might occur, that higher prices may substantially reduce the market here and abroad for our industrial products, and that what gives promise of being an unparalleled boom for 1960 may end in a depression sometime the following year.

It certainly would not be prudent, therefore, to plan the expenditure of a surplus which has not materialized, nor to commit the Government for a new type of expenditure not only for fiscal 1961 but likewise for fiscal 1962 when the Government may be faced with the possibility in that year of a serious deficit.

Last, but not least, I am firmly convinced that Senator Taft was absolutely right when he predicted in 1943 that a Federal aid to education program once started would quickly mushroom into a major financial burden upon the Federal Government.

I shall, therefore, vote against the present bill because I think that the financing of public schools in the future, as in the past, should be left to State governments and to their political subdivisions; that they are in a commendable way meeting those obligations; that they are better financially able to do so than the Federal Government; and that Federal control eventually will follow Federal aid.

There is both a sound and practical way by which the Congress can help finance the construction of public schools, namely, to provide a more favorable climate for the sale of tax-exempt county and municipal bonds. That can be done by balancing the budget and providing a surplus for payment on the national debt, even though it be nothing more than a token payment, thus giving assurance to investors in long-term bonds that the Government intends to protect the soundness of its currency.

Mr. President, I yield the floor.

Mr. COTTON. Mr. President, I offer my amendments, 1-29-60—A, as a substitute for the so-called Cooper amendment.

The PRESIDING OFFICER. The amendments in the nature of a substitute will be stated for the information of the Senate.

Does the Senator wish to have the amendments read in their entirety?

Mr. COTTON. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with and that the amendments be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire. The Chair hears none, and it is so ordered.

The amendments of Mr. COTTON are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) there is thereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1960, and for each fiscal year thereafter, to each State, to be used by such State for educational purposes only, an amount equal to 12½ per centum of the Federal tax on cigarettes (computed as provided in this Act) collected on cigarettes sold within such State during the preceding fiscal year.

"(b) The Secretary of the Treasury shall, on or before October 1, 1960, and on or before October 1 of each succeeding year, pay to each State the amount authorized to be appropriated to such State pursuant to subsection (a) of this section. For the purpose of determining the amount of payments under the provisions of this section, the Secretary of the Treasury shall estimate the number of cigarettes sold in each State in each fiscal year on the basis of such statistics as may be available.

"(c) For the purposes of this section the term 'State' includes the District of Columbia."

Amend the title so as to read: "A bill to strengthen State governments, to provide financial assistance to States for educational purposes by returning a portion of the Federal taxes collected therein, and for other purposes."

Mr. JAVITS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. COTTON. I am glad to yield.

The PRESIDING OFFICER. The Senator from New York is recognized for the purpose of propounding a parliamentary inquiry. The Senator will state it.

Mr. JAVITS. The parliamentary situation, as I understand it, is that a substitute has been proposed to the substitute proposed by the Senator from Kentucky and myself, and that the second substitute will be voted on first before our substitute is voted on.

The PRESIDING OFFICER. The Senator is correct.

Mr. COTTON. Mr. President, first I wish to give to the Senate a brief explanation of the proposed substitute.

These amendments would appropriate annually to each State 1 cent of the Federal tax on each package of cigarettes sold within the State. The money would be available to the State for educational purposes only.

This would not increase the present tax on cigarettes, or change it, except to return 1 cent out of the 8 cents back to the State in which the cigarettes were sold to the consumer. The correlation between the receipts and the appropriations for each State would be direct. While Federal cigarette taxes are collected from the manufacturer, each State's share can be readily determined, from State tax receipts—at least 42 States tax cigarettes—from per capita consumption figures, and from other data.

More than $200 million a year would be appropriated to the States under the amendments. I ask unanimous consent to have printed at this point in my remarks an estimate of the amount each State would receive the first year if the amendments were enacted.

There being no objection, the estimate was ordered to be printed in the RECORD, as follows:

Estimate of receipts per State if 1 cent of Federal tax on each package of cigarettes were returned to States as proposed by Senator Cotton's amendments

State:	[In millions]
Alabama	2.00
Alaska	.18
Arizona	1.16
Arkansas	1.38
California	19.80
Colorado	1.90
Connecticut	3.34
Delaware	.60
Florida	5.20
Georgia	3.43
Hawaii	.48
Idaho	.50
Illinois	12.48
Indiana	5.53
Iowa	2.73
Kansas	2.18
Kentucky	3.26
Louisiana	3.25
Maine	1.21
Maryland	3.35
Massachusetts	6.10
Michigan	9.74
Minnesota	3.38
Mississippi	1.68
Missouri	5.20
Montana	.81
Nebraska	1.45
Nevada	4.38
New Hampshire	1.06
New Jersey	7.33
New Mexico	.79
New York	23.20
North Carolina	4.39
North Dakota	.55
Ohio	11.94
Oklahoma	2.30
Oregon	2.09
Pennsylvania	11.65
Rhode Island	1.28
South Carolina	1.84
South Dakota	.64
Tennessee	3.13
Texas	9.89
Utah	.55
Vermont	.51
Virginia	3.66
Washington	2.86
West Virginia	2.09
Wisconsin	4.75
Wyoming	.41
District of Columbia	1.16
Total	204.77

Mr. COTTON. Mr. President, while the funds would have to be earmarked for education purposes only, the restrictions end right there. States could use the money for construction, salaries, equipment, or in any other manner they please, just so long as it was a valid educational purpose under State law.

Mr. President, it is not my purpose to detain the Senate for longer than it takes me briefly to explain the substitute. Perhaps it may be poor salesmanship, but I will say very frankly to the Senate I am under no illusions about the appeal of this proposal or the strength the substitute will command on this 3d day of February 1960.

I hasten to add, Mr. President, that I predict the day will come in the not too far distant future, after the proponents of Federal aid to education have banged their heads against the walls of opposition and of difficulties arising from the many objections and many problems, when this proposal, or at least one similar to it, will begin to receive the very careful attention of the Congress of the United States and of the people of the United States who are interested in public education.

I believe, just as surely as I am standing here today, that for this Congress, and for the immediately succeeding Congresses in the next few years to come, this proposal is the only real chance of getting something tangible and definite for the cause of public education in the United States.

Let me hasten to give to the Senate, in capsule form, the situation and the arguments in favor of this substitute.

I, for one, am not content to sit in the Senate month after month and year after year and see those who are interested in better general educational opportunities in America march up the hill and then retreat without having gained a single cent for the cause of public education. It is my earnest desire to be able to support something definitely, affirmatively, and positively in this cause.

What are the obstacles? The first obstacle which we have to confront is a very commendable fear, which I share, of the federalization of public education, the fear of Federal control. The Supreme Court has well said that what the Federal Government subsidizes it eventually controls. So I say to Members of this body who, like the distinguished junior Senator from Virginia [Mr. ROBERTSON] who just spoke so ably and sincerely to us, are opposed to the various proposals for aid to education advanced today on the ground that they do not want the States deprived of their control of public education, that here is one proposal which does not leave a single loophole for federalization of public education. It cannot be construed as an entering wedge. It cannot be construed as a first step. It cannot be construed as opening the door 1 inch. Why?

I hold in my hand a package of cigarettes. I will conceal the brand name, because this is not a "payola" proposition. On this package of cigarettes I paid a Federal tax of 8 cents. If I had bought those cigarettes in my own State of New Hampshire, I would have paid also a State tax. At the close of the year it will be a matter of record as to just how many packages of cigarettes were retailed in my State and in at least 41 other States of the Union. Statistics are readily available for the others.

Let me say frankly that my proposal, so far as amount is concerned, is only an entering wedge, because I should like to see a larger amount appropriated.

All my proposal does is to provide that 1 cent of the 8 cent Federal tax shall be appropriated and returned to the State in which it is collected, to be earmarked for use by that State for educational purposes. It will have no other strings attached to it. No Federal controls or restrictions would be involved. The State may use it for teachers' salaries, for construction, for equipment, or for whatever purpose the State deems needful, provided it is used for educational purposes.

That would relieve us of many obstacles. Those who represent States interested in civil rights and who are concerned about the matter of integration need not worry themselves unduly over the question of whether or not some of the money would go to certain States in which schools have not been integrated, because not 1 cent would go to one of those States unless it was collected within that State.

There would be an added advantage in my proposal, in that it would not involve or necessitate the creation or further building up of bureaucracy in Washington to administer this money. All that would be involved would be a simple compilation of statistics, which could be performed by those already in the Federal Government, probably without one additional employee. The share of each State would be determined upon the basis of what was collected within that State. So it would not be necessary to add to the Department of Health, Education, and Welfare new bureaus, new employees, new statisticians, and new clerks to administer this provision. Every cent that was derived from collections within a State would go directly into the treasury of the State, without sticking to the hands of administrators in Washington en route.

Furthermore, all difficulty involved in devising a formula for division between the States would be eliminated. We would avoid all difficulty involved in determining the share of a State rich in resources, such as New York, Pennsylvania, California, or Illinois, and there would be no question as to whether any given State was receiving less or more than its share, or whether a small State with limited resources was being taken care of. We would avoid all the difficulty and the clangor of argument about need being the basis, or about per capita school population being the basis.

In the first year we would send back to the States more than $200 million, to be divided among the States on the basis of the amount of Federal tax collected in each State in the first instance. The money returned to the States would be used by the States, and not by the Federal Government, not under supervision by the Federal Government, for public education only.

There would be no difficulty about the religious situation, or the question whether the money might be used for transportation of pupils of parochial, private, or religious schools, because the States in which the money was used could use it in any manner permitted by State policy and State law. We would not interfere in that problem, and it would not rise up as a bar, either in this body or at the other end of the Capitol, in the House of Representatives, to make it difficult to render this aid.

What are the objections? There are two, which, in perfect frankness, I wish to touch upon before I close. One is the objection that many of those who are familiar with the budgetary procedure will make, that it is bad policy to earmark funds collected in taxes in any form. I am willing to concede that there is merit to that argument, but I invite the attention of Senators to the fact that in this particular instance there is involved a different type of earmarking than is involved in any other example of which I am aware. We are already earmarking for highway purposes money which is collected in various highway taxes. Therefore we have established the principle. It is impossible to determine exactly where that money comes from—whether it is collected on gasoline purchased in Pennsylvania and burned in Ohio, or collected from some other source. The apportionment becomes a matter of intricate and difficult formula.

In this instance, in our proposal, while we in a sense are earmarking public funds, we are simply proposing to return to the States in which it was collected a small proportion of a tax for one specific purpose.

So, in the light of the problems we have before us, I feel most strongly that the objection to the policy of earmarking funds is not a very cogent one.

The other objection, of course, which would be advanced, is the impact upon the Treasury and the budget through the diversion, if we wish to call it that, of approximately $200 million of public funds by returning them to the States, technically in the form of a grant.

The impact on the Public Treasury and on the budget is much less in this instance than almost all other proposals advanced, except the proposal which I understand will be made on behalf of the administration. Furthermore, the proposed diversion of funds is in strict conformity with the policy which has been laid down by the Governors of the States, which has been worked out and promoted and fought for by the conference of Governors again and again, and which has received at least partial endorsement by the President of the United States and by all the recent administrations, both Democratic and Republican. This substitute supports and advances the policy of having the Federal Government relinquish at least some fields and sources of taxation to the States and to restore to the States more of their own functions and resources to meet their responsibilities.

Unfortunately, as I said at the outset, it will not please many people, particularly those ardent supporters of aid to education who will not be satisfied with it because they feel it does not go far enough, that it is not enough in the funds it provides, that it is inadequate. Those who are absolutely and implacably opposed to Federal aid to education will undoubtedly recoil from it because they regard it as an entering wedge for more liberal Federal support of education. Consequently, if the extremists on both sides and ardent supporters and advocates on both sides of this controversy, which we will be fighting out in the Senate during the ensuing week, are opposed to it, it will have little chance of enactment at this time.

However, I wish to repeat, before I close my remarks, that it is my honest prediction that when we have charged and countercharged and fought and talked and advanced all the various measures for aiding education, and still find ourselves coming out from exactly the same hole we went into, with nothing tangible accomplished in this field, more and more people will turn to my proposal as a means of surmounting the difficulties and bringing about some real aid to education.

I for one believe that it is more important for us to promote education than it is to give Federal aid to depressed areas; that it is more important to have classrooms and teachers for our children and for our expanding and exploding population than it is to have price supports for peanuts, cotton, wheat, or corn. I for one believe that the pupils in our classrooms are a more precious national resource than are trees. I for one believe that we cannot continue to go on using Federal money for all kinds of Federal programs and continue to refuse to use it in a field which is more essential, in my opinion, next to immediate national defense, than any other single field.

I fully recognize the objections of those who feel the Federal Government's long arm reaching into the classroom. However, here is one proposal which is not unfair as between the States, but is fair, and it does not run up against the racial and religious problems which we encounter in this field. Furthermore, it is not an opening of the door to federalization of education. On the contrary, it strengthens the States and gives them some immediate assistance in this vital field.

Does the Senator from Michigan desire that I yield to him?

Mr. McNAMARA. I should like to have the floor in my own right, if the Senator from New Hampshire has concluded his remarks.

Mr. COTTON. I shall relinquish the floor, but before I do so, I wish to emphasize that the proposal I am making today is a proposal to give to the cause of public education something tangible, some dollars and cents during the coming year, not 5 years or 10 years from now.

Mr. McNAMARA. Mr. President, I am intrigued by the linking of education to cigarette smoking. The Senator from New Hampshire has for all intents and purposes committed the educational future of American children to the smoking habits of their parents and relatives and perhaps the students themselves. They might even develop a thinking boy's filter. The old image of the child trudging miles to school will be replaced by that familiar slogan "Walk a Mile for a Camel."

The Senator has already set forth some of the objections to his amendment. He has raised those objections very well, particularly when he stated that one of the most important functions we have to perform and one of our greatest responsibilities, is to see to it that we have a proper educational system in this country.

The amount which would be available under the Cotton proposal, approximately $200 million, is obviously too low. I have previously said that even the McNamara bill would only do one-half the job required. The Cotton amendment would do only less than a third of the job if devoted entirely to construction.

The past precedence of linking appropriations to ear-marked revenue sources has been demonstrated to be inadequate, inefficient, and totally lacking in both practicality and flexibility. Once such patterns are established they are difficult to revise or eliminate. Furthermore, if American people awake to the dangers inherent in cigarette smoking, as the Republican administration of the Senator from New Hampshire is attempting valiantly to awake them, the source of educational funds could well disappear.

Therefore, Mr. President, I hope the Cotton amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendments in the nature of a substitute offered by the Senator from New Hampshire [Mr. COTTON].

Mr. DIRKSEN. Mr. President, I should say to my distinguished compatriot from Michigan that the distinguished Senator from New Hampshire has promoted this proposal for quite some time.

Mr. McNAMARA. Oh, yes.

Mr. DIRKSEN. It has engaged attention in a great many quarters. He does not tie this amendment particularly to a "thinking man's filter," to a "smoking man's taste," to "menthol magic," or any of the other artful slogans which have perpetuated the cigarette-smoking habit in this country. The distinguished Senator from New Hampshire is a realist. He is more than a realist. The Senator from New Hampshire truly reflects the sturdy character of his State—and it is a sturdy State, with sturdy people, who do not want to see the Federal Government move so deeply into the field of aid to education, notwithstanding the effort which has been made ever since 1871 to place Congress on record in some fashion or other with respect to an aid-to-education bill. He proceeds on the theory, however, that people do smoke, and that the Federal Government is the recipient of very substantial excise taxes as a result of the smoking habit.

I have an idea that if people looked at a pack of cigarettes every time they bought one and said, "Here goes 8 cents to Uncle Sam," that might have some restraining and refining influence. But the distinguished Senator from New Hampshire is a realist and recognizes the fact that people smoke.

The question is, Shall we divert one-eighth of the revenue from tobacco—from cigarette smoking—for educational purposes? This is not a new undertaking at all. In my own State of Illinois, we diverted revenues to pay the soldiers' bonus. Will anyone say that the sacrifice in Korea was wedded to a "thinking man's filter" or "a smoking man's taste"? I hope I am not advertising some cigarette here; I had better be careful. But this is not strange at all.

I recall, while the thought is in my mind, that some years ago Congress passed the Pittman-Robertson Act, bearing the name of the distinguished former Senator from Nevada, Key Pittman, and the name of the very distinguished Senator from Virginia [Mr. ROBERTSON], with whom I served in the House at that time, in which revenues from shotguns, shotgun shells, sporting goods, and ammunition were earmarked and allocated to the States, so that they might have money with which to acquire and expand their recreational preserves.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. I thank the Senator from Illinois for his very generous remarks. I should like to say to him, and to the Senator from Michigan, as well, that the proposal for the selection of the cigarette tax as the source from which to provide these funds or distribute them was based, first, not on any moral question, not on the problem of increasing or decreasing smoking, but on the fact that this is one tax which is easily attributable to the States in which it is collected. As I said before, in almost all the States there is, in addition to the Federal tax on tobacco, a State tax on tobacco. The States already have departments which compile statistics, so that it can be known how many cigarettes are sold at retail in each State. My substitute provides a very ready and inexpensive way whereby to restore certain funds to the States for educational purposes, without making it necessary to create another bureau of statisticians in Washington to try to analyze whence the tax came, or to devise some formula for a fair division of the revenue among the States.

Furthermore, I call the attention of the Senator from Michigan to the fact that in the United States last year, according to statistics I recently read in the Reader's Digest, the people spend more money on cigarettes than was spent on all college and secondary education in the entire country. I cannot think of any more praiseworthy thing to do than to restore an infinitesimal part of this revenue to the States as a practical means for promoting educational opportunities for our young people. It will not do them any harm if they derive some benefit from the money which many of us are spending—unfortunately, perhaps—on cigarettes.

I thank the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I compliment the distinguished Senator from New Hampshire for his diligence, his ingenuity, and his application to this problem which has been before us for some time. While I might disagree with him and might not support his proposal, still I salute him for his contribution in this field.

I have one other comment to make. The Senator from New Hampshire has picked out a line in this field which certainly had the blessing of Cardinal Richelieu, long ago. When Richelieu was responsible for the taxes in France, and a friend said to him, "How do you go about it?" Richelieu replied, "Oh, you pull the feathers out of the goose in a way that causes the least squawking."

Here is a tax on a very pleasurable habit in which the American people indulge. I am confident that as a fiscal approach to the problem, it certainly would induce the least amount of squawking, and in that sense would probably address itself with considerable appeal to the frugality of the American people, and to the fact that of all the debt people shy away from, the biggest one is taxes. I believe it was Ralph Waldo Emerson who made that statement long, long ago. So the distinguished Senator from New Hampshire is, indeed, on very solid ground.

Mr. COTTON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. It should be remembered that this proposal does not increase or add 1 cent or fraction of a cent to the taxes on cigarettes. Money is already being collected which, presumably, is being spent in the cause of education, because this country has put billions of dollars into GI education, for instance, and into the education of Indians and the children of those in our armed services. Cigarette tax money is already being used for those and other causes. The only difference between those activities and the proposal of the Senator from New Hampshire is that the States would receive a small part of the cigarette tax money to spend directly for education, and for carrying out their State programs and responsibilities, instead of having all the money dispensed for various causes by Uncle Sam. So there could not possibly be any moral question or issue raised in connection with this amendment.

Mr. DIRKSEN. Mr. President, I have no further observations on the question except, by way of conclusion, to say that when the Federal Government siphons money out of the States and brings it to Washington, and we here, with high felicity, think of ways and means of sending a portion of it back, we forget there is a very high brokerage on it in the form of bureaucracy before it ever gets back to the place whence it came.

So I salute the distinguished Senator from New Hampshire for the way he has gone into this problem and interested himself in the whole field of education.

Mr. President, I am prepared for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. COTTON] in the nature of a substitute for the Cooper-Javits amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KEATING in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL CODE OF ADMINISTRATIVE PRACTICE

Mr. DIRKSEN. Mr. President, some time ago, after a great deal of staff work, we had prepared a code of administrative practice, for use by the Federal agencies. That code has been circulated among members of the bar and members of the regulatory agencies, and has found very considerable favor.

I thought it might be of interest to have printed in the RECORD a summary analysis, in the interest of easier examination. Therefore, Mr. President, at this time I ask unanimous consent to have printed in the body of the RECORD, in connection with these remarks—inasmuch as I wish to use the RECORD for the purpose of further circularizing the agencies and bringing this matter to their attention—a copy of this analysis of Senate bill 2849, introduced by myself and other Senators.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SUMMARY ANALYSIS OF S. 2849, FEDERAL CODE OF ADMINISTRATIVE PRACTICE

TITLE I. SCOPE OF CODE—ONE FORM OF PROCEEDING

(Comment: In the drafting of this code of practice the desirability of a system of administrative proceedings was recognized. It was felt, however, that there existed a need that the various existing rules for the conduct of such proceedings be made more generally applicable, readily available and easily usable as a single set of rules applicable to all such proceedings.)

Sections 101–102: The bill prescribes a Federal Code of Administrative Practice dealing with the mechanics of administrative proceedings. Section 1101(b) provides that this code of practice supersedes or modifies the Administrative Procedure Act only where that act deals with the mechanics of administrative proceedings, and that the Administrative Procedure Act continues with certain exceptions to govern matters of substance.

The code governs practice in proceedings for relief. These are defined by legislative history as being those administrative proceedings in which either an agency or any other person seeks specific relief. They do not include investigations by agencies, proceedings in the nature of general rulemaking, or administrative decisions with respect to complaints in those matters in which the agency, and not the complainant, has the power to prosecute. The proceedings which are governed by the code include those in which the petitioner seeks specific relief from a particular rule, decision or order of an agency and those in which an agency initiates a proceeding based upon its own investigation, or upon a complaint made to it, and asks for specific relief against the respondent. Thus cease-and-desist orders and other proceedings initiated by the Federal Trade Commission would be covered by the code as well as proceedings initiated by the General Counsel of the National Labor Relations Board. Also covered by the code would be a proceeding by a shipper or carrier who seeks to be exempted from an order prescribing rates, the petition of a person who seeks relief from an order limiting the number or size of radio stations or from an order allocating air routes, an application for permission to construct a specific pipeline or hydroelectric project and the complaints of a farmer who seeks relief from acreage or other crop limitations and of a person seeking relief from orders prohibiting the use of additives in foods and other products.

TITLE II. COMMENCEMENT OF PROCEEDINGS: SERVICE OF PLEADINGS, MOTIONS AND ORDERS

Sections 201–202: A proceeding governed by the code may be commenced only by a person who has a substantial interest in the relief sought and that relief must be of a type which can be granted by the agency under its substantive authority The proceeding is commenced when a petition is filed with the agency.

Section 203: The detailed provisions for the filing and service of the petition and notice contain a requirement that the petitioner furnish to the clerk of the agency the names and addresses of those persons known to the petitioner to have an interest which may be substantially adversely affected if the relief sought by the petitioner is granted. In those proceedings in which this cannot reasonably be done the code provides that the agency may by rule or order designate some other procedure reasonably calculated to give notice of the filing of the petition to all persons whose interests might be so affected.

Service shall be by registered or certified mail although under certain conditions a petitioner can request the U.S. district court to order that service be made by a U.S. marshal or some specially appointed person.

Section 204: Service of papers other than petitions shall be made in a manner similar to that provided by the Federal Rules of Civil procedure. Appropriate orders with respect to service may be entered in proceedings where there are numerous respondents.

Section 205: There is a standard provision for the computation of time which also provides for the extension of the time within which actions may be taken.

TITLE III. PLEADINGS AND MOTIONS

Section 301: Pleadings are limited to petitions, answers (including counterclaims and cross-claims), replies to counterclaims and answers to cross-claims, and third-party petitions and answers.

Sections 302–310: The rules for the stating of claims and responses (including denials), the pleading of special matters, the form and signing of pleadings, the manner in which responses and objections are presented, and the provisions for counterclaims and cross-claims, third-party practice, amended and supplemental pleadings and prehearing procedures are generally similar to the Federal Rules of Civil Procedure.

TITLE IV. PARTIES

Sections 401–405: The provisions as to parties (including real parties in interest, infants, and incompetence) and joinder are substantially similar to those in the Federal Rules of Civil Procedure. The capacity of an individual is determined by the law of his domicile, the capacity of the corporation by the law of the State in which it was organized, and the capacity of a partnership or other unincorporated associations by the

law of the State in which its principal office is located.

Section 406: The provision as to interpleader, which is similar to that in the Federal Rules of Civil Procedure, will be useful in proceedings such as those before the Armed Services Board of Contract Appeals which involve both a contractor and a subcontractor as well as the Federal Government.

Section 407: This section contains provisions with respect to class proceedings including secondary actions by shareholders. It permits class proceedings where the members of the class are so numerous that it is impractical to bring them all before the agency and where the proceedings fairly insure the adequate representation of the interest of all members of the class.

Section 408: This section provides for both intervention of right and permissive intervention and it establishes the specific procedures for intervention.

Section 409: Provision is made for the substitution of parties in the case of death, incompetency, transfer of interest and the death or change of a public officer.

TITLE V. DEPOSITIONS AND DISCOVERY

Sections 501–512: The provisions as to depositions and discovery are similar to those in the Federal Rules of Civil Procedure and make specific an area covered only casually and without detail in the Administrative Procedure Act. They permit depositions in a pending proceeding as well as prior to the initiation of a proceeding and pending appeal. The provision for depositions prior to the initiation of a proceeding may be useful in those cases in which it is likely that an administrative proceeding will later be brought and it is desired to perpetuate testimony which would be of importance in such a proceeding. There are provisions for the protection of the parties and the deponent, including privileged matters, and for subpenas to enforce attendance.

The provision permitting a party to ask the local U.S. district court, as well as the agency, for an order limiting or terminating a deposition being conducted in bad faith or to embarrass or oppress the deponent or a party will permit immediate action to be taken locally without the delay which would be caused if it was necessary to appear before the agency for such an order.

TITLE VI. HEARINGS

Sections 601–603, 605: The provisions as to the assignment of proceedings for hearing, voluntary and involuntary dismissal, consolidation, separate hearings, and proof of official records are substantially similar to those in the Federal Rules of Civil Procedure.

Section 604: The section relating to evidence provides that the testimony of witnesses shall be taken in open session and that the rules of evidence used in nonjury civil actions in Federal courts shall govern the admission of evidence except where the agency determines that extraordinary circumstances justify the use of special rules of evidence published by the agency prior to the hearings. This provision would permit special rules of evidence in alien property matters where it may be difficult to prove contentions under the usual rules of evidence and in veterans cases where the proceedings are often conducted without the parties being represented by counsel.

Section 606: The provisions relating to subpenas are generally similar to those in the Federal Rules of Civil Procedure. The express authorization for each agency to issue subpenas for any of the purposes set forth in the code extends the subpena power for such purposes to agencies not presently having the power. Any party has a right to a subpena and the subpena may be served by any person who is not a party and is over 18 years of age.

If any person, without adequate excuse, fails to obey a subpena served upon him, upon the petition of the party who requested the subpena to the U.S. district court in the district in which the person resides, the court may deem his failure to obey to be a contempt of the agency which issued the subpena and punish him as if he were in contempt of court.

Section 607: Formal exceptions to rulings and orders are made unnecessary.

Section 608: An agency is required in a proceeding to find the facts specially and to state separately its conclusions of law. Findings of fact shall not be set aside on appeal if they are supported by substantial evidence.

Section 609: The hearing commissioners described in this section are intended to be the same as the hearing examiners referred to in section 11 of the Administrative Procedure Act. The terminology was changed to give them a title more consistent with the importance of their work in administrative proceedings. Subsection (a) is not intended to confer additional powers upon agencies with respect to the selection, appointment, tenure and pay of hearing commissioners, but to refer to those examiners appointed under section 11 of the Administrative Procedure Act or other statutes.

This section generally states the existing law with respect to the powers of a hearing examiner and is intended to encourage rather than discourage the practice of an agency granting to a hearing commissioner the power to conduct and decide administrative proceedings on behalf of the agency.

TITLE VII. DECISIONS

Section 701–710: The provisions as to the form of a decision, the various types of decisions including default decisions, summary decisions, declaratory decisions, rehearings, and amendments and corrections of decisions are generally similar to the provisions of the Federal Rules of Civil Procedure with respect to judgments.

TITLE VIII. PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS

Section 801: This section expressly provides for both temporary and permanent cease and desist orders where an agency has authority to issue a cease and desist order. It provides for the giving of security by any applicant for a cease and desist order other than United States or an agency or officer thereof in order to discourage frivolous or spurious applications for such orders.

Section 802: The provision for an offer of settlement places upon a party who unreasonably refuses to settle a matter the penalty of paying the expenses incurred by the other party after the making of the offer of settlement.

TITLE IX. JUDICIAL REVIEW

Section 901: Judicial review may be had of (a) agency actions which are made reviewable by statute and (b) all other agency actions except those of which review is expressly precluded by law. Thus, agency actions which the courts have held are not subject to judicial review are not made subject to review by this code, nor does the code govern the judicial review of any agency action or decision otherwise specifically provided for by statute. Where there is no contrary provision the code provides that the judicial review shall be by a U.S. district court, from whose decision an appeal may be taken.

Sections 902–905: The procedure for judicial review in a district court is stated in some detail and provides for the filing of a petition in the district court and for the filing with the agency of a notice of appeal.

There is a provision for a costs bond of $250 to discourage frivolous or inconsequential appeals. In general, the provisions for judicial review follow the provisions of the Federal Rules of Civil Procedure for review of district court decisions.

TITLE X. AGENCIES AND CLERKS

Section 1001: This section includes provisions as to the days and hours that an agency is open for the purpose of filing papers; requires hearings upon the merits to be open to the public; establishes the manner in which the clerk of an agency shall serve a notice of orders and decisions and permits an agency to prescribe a schedule of fees.

Section 1002: Requires an agency to establish times and places for the hearing of motions.

Section 1003: Provides that a docket of administrative proceedings as well as certain other records shall be kept by the clerk.

TITLE XI. GENERAL PROVISIONS

Section 1101: The following proceedings are excepted from this code:

(1) Courts martial and similar proceedings.

(2) Arbitration and mediation functions.

(3) Proceedings in which only a minor amount is involved and in which the parties stipulate in writing that the proceeding shall be governed by rules previously published by the agency in the Federal Register.

(4) Proceedings in which a right or privilege is sought by an individual for his personal, nonexclusive, not for profit use, such as amateur radio and pilot licenses, and which are governed by rules previously published by the agency in the Federal Register.

It is expressly stated that the Administrative Procedure Act is superseded or modified only with respect to matters referred to in the code and that it shall continue to govern such administrative proceedings in all other respects as well as to govern all other proceedings to which it is applicable. The intent here is to supersede or modify the Administrative Procedure Act only where it deals with the mechanics of practice, rather than with substantive matters, except, of course, that discovery and subpena provisions are made applicable to all agencies.

Section 1102: The agencies are permitted to make their own rules governing their practice so long as they are not inconsistent with this code.

Section 1103: This section defines the following terms: Agency, person, hearing commissioner and presiding officer. A "person" includes an agency.

Section 1104: An agency is encouraged to prepare and publish simple and brief forms for the use of the parties in routine matters.

Section 1105: The code becomes effective 6 months after it is enacted.

NATIONAL MEDIATION BOARD—NOMINATION OF ROBERT O. BOYD

Mr. HILL. Mr. President, yesterday I reported favorably, from the Committee on Labor and Public Welfare, as a result of its unanimous vote, the nomination of Robert O. Boyd, of Oregon, to be a member of the National Mediation Board.

Through some inadvertence, the nomination of Mr. Boyd was not printed on the Executive Calendar for today.

However, there is no opposition to the nomination, Mr. Boyd has been on the board since 1954; in fact, at times he has served as its chairman.

Therefore, I ask unanimous consent that the nomination be now considered and confirmed, as in executive session.

Mr. DIRKSEN. Mr. President, reserving the right to object, I do so only for the purpose of observing that I am sure the omission from the Executive Calendar was a sheer inadvertence.

Mr. HILL. There is no question of that, because the nomination was reported to the Senate yesterday, as the CONGRESSIONAL RECORD for yesterday, on page 1703, clearly shows.

The PRESIDING OFFICER. Is there objection? Without objection, as in executive session, the nomination will be considered; and, without objection, it is confirmed.

Without objection, the President will be immediately notified of the confirmation of the nomination.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

The PRESIDING OFFICER. The question is on agreeing to the so-called Cooper-Javits substitute.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fong	McNamara
Allott	Frear	Magnuson
Anderson	Fulbright	Mansfield
Bartlett	Goldwater	Martin
Beall	Gore	Monroney
Bennett	Green	Morse
Bible	Gruening	Morton
Bridges	Hart	Mundt
Brunsdale	Hartke	Pastore
Bush	Hayden	Prouty
Butler	Hennings	Proxmire
Byrd, Va.	Hickenlooper	Randolph
Byrd, W. Va.	Hill	Robertson
Cannon	Holland	Russell
Carlson	Hruska	Saltonstall
Carroll	Humphrey	Schoeppel
Case, N.J.	Jackson	Scott
Case, S. Dak.	Javits	Smith
Chavez	Johnson, Tex.	Sparkman
Church	Johnston, S.C.	Stennis
Clark	Jordan	Symington
Cooper	Keating	Talmadge
Cotton	Kefauver	Thurmond
Curtis	Kennedy	Wiley
Dirksen	Kerr	Williams, N.J.
Dodd	Kuchel	Williams, Del.
Douglas	Lausche	Yarborough
Dworshak	Long, Hawaii	Young, N. Dak.
Ellender	Long, La.	Young, Ohio
Engle	McCarthy	
Ervin	McClellan	

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. MOSS], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The PRESIDING OFFICER (Mr. KEATING in the chair). A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. COOPER], for himself and the Senator from New York [Mr. JAVITS], in the nature of a substitute for the committee amendment.

Mr. COOPER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

JUVENILE DELINQUENCY AND CERTAIN TELEVISION PROGRAMS

Mr. LAUSCHE. Mr. President, it is indeed a mockery of decency that in the same week that the U.S. Senate passed legislation to provide a sum of $25 million to fight juvenile delinquency, a television station which is under the supervision of a Federal agency, last Saturday night showed a film, "The Devil and the Flesh," which openly portrayed the illicit relations of a young married woman and her teenage lover. Realistic scenes of seduction leading to a meeting in bed were the principal contents of this picture. It was watched by teenagers as the operators of the station knew or should have known.

The travesty of the showing is in the fact that television and radio stations basically are supposed to be operated in the interest of the public. The television stations of the country have had conferred upon them by the Government an extraordinary privilege of using the public airways, and through them, entering the homes of our citizenry.

Undoubtedly, this same station in the past has been telling the public about the rise of juvenile delinquency. It has been placing the blame for the increased moral breakdown of our youth upon various causes.

With respect to the legislation that was passed last week, I felt that it contemplated dealings only with the symptoms and not with the causes.

On this floor, I pointed out that from practically every standpoint, through the examples which we set in public and private life, we have been contributing to the growing number of juvenile delinquents. It is sheer folly and falsehood to pretend that we will adequately fight the growth of juvenile delinquency by spending Federal money, while at the same time, countenancing the presentation on public licensed television stations licentious pictures exciting the passions of not only the adults but of the teenagers. In effect, our actions are akin to the inconsistency of the person building a part of his house when another part is on fire.

Moreover, only recently, another film, "I Am a Camera," shown through television, impliedly gave approval of promiscuous relations between unmarried persons.

The television industry, through its leaders, is stating its ability to control and supervise itself without Federal action.

Barely a few months have passed since revelations of scandalous deception of the general public practiced on television stations took place. A number of unimportant little individuals have paid the price for those wrongs. The stations which really profited have gone unscathed and unpunished.

Daily, I read in the newspaper of the juvenile delinquency that exists in the District of Columbia. Disorderly conduct by teenage boys and girls has caused great alarm. How can you expect any other type of conduct from teenagers and even adults when the Federal airways and publicly licensed television and radio stations are allowed to communicate into the homes pictures of lewdness, indecency and immorality.

The time has come when the Federal Communications Commission should begin exercising the authority which is vested in it to insure that licensed stations are using their extraordinary privileges granted them by the Government, not in the debauching of the youth of America, but in the public interest and for the public welfare of our people.

It will be futile for the Federal Government to begin carrying out the expense of schoolteachers, training social workers, policemen, probation officers, psychoanalysts, psychiatrists and others to fight juvenile delinquency if at the same time, the Federal Communications Commission continues to permit the dissemination of films portraying lewdness and debauchery.

It is essential that the left hand of Government, namely, the Federal Communications Commission, follow the intent and purpose of the right hand of Government—namely, Congress—and exercise its right to withdraw license privileges from television stations which fail to consider the public interest and public morality, and which deliberately show programs which cannot have any other impact than to debauch and contaminate the youth of our country.

EMPLOYMENT, GROWTH, AND PRICE LEVELS

Mr. BUSH. Mr. President, the senior Senator from Illinois [Mr. DOUGLAS], the distinguished chairman of the Joint Economic Committee, recently discussed on the Senate floor the majority report of the committee on its recent study of employment, growth, and price levels.

During the course of his remarks, the Senator was highly critical of the President's Cabinet Committee on Price Stability for Economic Growth, of which Vice President NIXON is chairman and W. Allen Wallis is executive director.

Mr. Wallis, an economist of high standing in his profession, and dean of the Graduate School of Business at the University of Chicago, quite properly has taken exception to the Senator's remarks concerning the work of the Cabinet Committee, which I myself regarded as unfair and misleading. In a statement issued today, Mr. Wallis sets the record straight, and I ask unanimous consent, Mr. President, that his statement may be printed in the RECORD following these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BUSH. Mr. President, the study recently concluded by the Joint Economic Committee produced some valuable results which, unfortunately, have been marred by the highly partisan, political, character of the report issued by the committee's majority.

The weaknesses in the majority report have been widely recognized by independent observers. As the New York Times pointed out in a recent editorial, the most controversial section of the majority report is a story of an attempt to erect a program for increasing the annual rate of economic growth within the general framework of cheap money and without losing face politically by retreating from an untenable position on the interest rate ceiling.

The majority has been guilty of a fraudulent use of statistics in a transparent attempt to exalt the record of the previous administration and blacken that of the Eisenhower administration. This deception was exposed in the unanimous report of the committee's minority, from which I quote a few brief paragraphs:

Throughout the majority report, figures around 4.5 percent for annual growth in total production of the U.S. economy are frequently mentioned. This 4½ percent figure turns out on examination to be as phony as a 4½ dollar bill.

Figures around 4.5 percent are used in two quite different respects, referring to: What the majority allege the U.S. economy could do over a long future period; and to what they claim the U.S. economy did do in the (artificially selected) years 1947–53. The repeated and alternating use of essentially the same figure both for the long-run "goal" and for the experience of 1947–53 hardly gives the impression that the majority want it to be thought of as a mere coincidence. Accordingly, there ought to be some connection between the policy recommendations which are proposed to achieve this goal and the policies which were followed in the 1947–53 period. However, we search in vain for any such connection. On the contrary, on searching carefully, we find a set of explanations which clearly show up the period 1947–53 as totally unrepresentative, and not one we would want to repeat; and we find that there is no basis in fact for the 4.5 percent figure as an appropriate goal in the future.

In the words of the majority report:

"After the inevitable decline of total output at the end of World War II, growth resumed in 1947 was interrupted by the recession of 1949, and then continued at a very high rate during the Korean war."

At other points in the majority report, it is also conceded that the inflationary boom of 1946–51 had something to do with the pent-up demands of consumers because of World War II. To make the rate of increase as large as possible, the majority selected the year of lowest output in the postwar reconversion period as their base, and calculated the growth from this point through 1953, the year of peak Government spending in the Korean war boom. Are we seriously expected to use this period as a guide to the achievement of a high rate of growth—a period of postwar conversion, forced draft production to break the bottlenecks in satisfying pent-up consumer demand, wartime remobilization, and rampant inflation? Surely, adoption of this war-reconversion-war pattern as our ideal would be tantamount to throwing our policy goals to the winds.

We cannot believe that this combination of policies is what the majority has in mind when they repeatedly hold up for favorable comparison the growth achieved in the period 1947–53. Surely the nature of the two booms in that period—the post-World War II boom to satisfy pent-up demands, and the Korean war boom—must have slipped their minds, or has been blotted out by their hypnotic fascination with a 4.5 percent growth rate. Actually, the economy may have done less than it was capable of doing in that period; for the rate of growth of total production from 1945, when World War II production was slowing down and reconversion was just beginning, to the peak of the Korean war boom in 1953, was less than 2 percent per year, which on the majority's reckoning is a low growth rate. We believe that we should look to other periods for our main guidance as to what our economy can and should accomplish both qualitatively and quantitatively.

Mr. President, I think it also should be noted that the majority failed to report that the Nation's economic growth in 1958 and 1959 was at an annual rate of 7 percent, and that the estimated rate of growth for the current year, 1960, is approximately 6 percent.

Mr. President, to complete the record, I ask unanimous consent that the Times editorial to which I have referred may be printed following these remarks, together with the full text of the minority views of the committee report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 and 3.)

EXHIBIT 1

STATEMENT BY W. ALLEN WALLIS, SPECIAL ASSISTANT TO THE PRESIDENT OF THE UNITED STATES, AND EXECUTIVE VICE CHAIRMAN OF THE CABINET COMMITTEE ON PRICE STABILITY FOR ECONOMIC GROWTH

Senator DOUGLAS, I am sorry to say, has made misleading statements about the President's Cabinet Committee on Price Stability for Economic Growth, of which Vice President NIXON is Chairman and I am Executive Vice Chairman.

The Senator made the misleading statements last week during a long speech in the Senate in which he praised his own work. I can sympathize with his being carried away by honest enthusiasm for his own work and its completion, and I guess I can even understand why he would congratulate himself publicly in his own political self-interest this election year, but as a longtime admirer and former student of PAUL H. DOUGLAS the former economist, I am saddened that he should stoop to misrepresenting the work of others to inflate the importance of his own work.

The Cabinet Committee, as its membership and stated purposes clearly show, is a coordinating committee within the administration. One of its main purposes is to see that every executive agency takes into account not only its primary mission but its secondary impact on price stability and on economic growth. The Cabinet Committee is not a research project or an investigatory commission like the Joint Economic Committee's Special Study of Employment Growth and Price Level.

While the Cabinet Committee has direct access to the whole executive branch of the Government—and for that matter to many private economic agencies, too—surely the Senator realizes that direct access is not equivalent to the right to use up several hundred thousand dollars worth of services, even if we should want to.

One of the President's assignments to the Cabinet Committee is to help bring about better public understanding of issues involved in price stability and economic growth. To this end, the Committee has made public three analytical and explanatory statements and two speeches of mine. In addition, the President made public an interim report in which the Committee told, soon after it was organized, what it would do. These are the only things to which the Senator could be referring when he talks about press releases and mimeograph machines. It would be no more accurate to refer to the studies and papers of the joint committee as press releases.

The Senator's incorrect statements about the work of others should not blind us to the fact that Senator DOUGLAS is not entirely inaccurate in his claims, for the joint committee has performed some valuable services in its special study. Many of the Nation's outstanding economists prepared statements on important issues of policy. These statements were on the whole carefully, constructively, and responsibly done. They are a credit to the witnesses and to the profession, and the Cabinet Committee has already found them directly helpful. In my judgment, however, the Joint Economic Committee and its staff did considerably less than justice to the economic profession and to those economists who testified, by choosing to make their reports partisan political documents.

EXHIBIT 2

[From the New York Times, Jan. 28, 1960]

STUDY OR RATIONALIZATION?

The Joint Economic Committee of Congress has released its conclusions on the vaguely comprehensive subject, "Employment, Growth, and Price Levels." To put it more precisely, it has issued two reports, a nine-man majority report and a six-man minority report, and the supplemental views of three of the individual members.

A considerable area of agreement is to be found in all these comments, but when it comes to the subject of economic growth and recommendations for dealing with it through fiscal and monetary policies, all semblance of harmony disappears. The story of the most bitterly controversial section of the majority report is the story of an attempt to erect a program for increasing the annual rate of economic growth within the general framework of cheap money and without losing face politically by retreating from an untenable position on the interest rate ceiling, the most conspicuous symbol of the policy.

The report has elected to build its case to show that economic growth has been neglected under the Eisenhower administration on what purports to be the historical record. It notes that "from 1953 to 1959" growth has been at a rate of only 2.3 percent. This contrasts with an average rate of growth of 4.6 percent between 1947 and 1953 (that is to say, under the Truman administration).

Now, between June 23, 1950, and the end of the Truman administration the Nation was leading the forces of the U.N. in an unofficial war in Korea, a war that touched off an enormous defense effort in this country. In short, the period chosen to emphasize the slowdown of growth in the past 7 years begins with the low point of the postwar conversion period and concluded on the year of peak Government spending on the rearmament program.

The use of such statistics as these is not only, as the minority accurately points out, "as phony as a $4½ bill" but it is dangerous for those employing it. This careful selection of the period covered, calculated to make the best possible showing for the previous administration, is almost certain to raise the question, "How did the country do under its cheap money policy in the 4 years of peace before late June 1950?" And the answer is one that can only be described as embarrasing. In those 4 years we got almost no economic growth (an annual average of about one-third of 1 percent) but we had a glorious inflation—an inflation that

carried the wholesale price index of 69.6 to 103, which is an increase of 33.4 points, or 43.5 percent.

EXHIBIT 3

MINORITY VIEWS

INTRODUCTION

The minority wish they could join in a unanimous report, leaving it to individuals to file such supplemental views as they might feel necessary and proper; but the character of the majority report compels us to make a separate statement to register both dissent and agreement and to make clear where we differ in approach, philosophy, and in interpretation of the evidence.

Because of the exceedingly brief time allowed us to study the majority report and prepare our statement, and because of the shortcomings of the staff report, we are forced to be brief and cannot attempt to develop a report as affirmative and constructive in tone as we had hoped. We can only set forth what we think are some of the chief errors and limitations of the report and what we feel to be more tenable and reasonable policy positions.

Our remarks will be made under three main heads: "I. The General Character and Quality of the Majority Report"; "II. A Brief and Necessarily Selective Evaluation of the Findings and Recommendations of the Main Sections of the Majority Report"; and "III. Some Concluding Comments."

I. GENERAL CHARACTER AND QUALITY OF THE MAJORITY REPORT

In undertaking this study of employment, growth, and price levels, the Joint Economic Committee had a magnificent opportunity—a $200,000 opportunity—to define the issues, to identify gaps in our knowledge, to recommend agreed-on changes in public policy, to focus attention on the sources of disagreement, and to improve congressional and public understanding of the various goals of economic policy.

On the whole, the study itself was conducted in a competent and objective manner. The hearings were well balanced, and at a high level. Many of the top economists of the profession contributed freely of their time, talents, and wisdom. A literature was assembled, both in the hearings and in the special studies, which reflects credit on the committee, on its special staff, and on the economics profession. In it are found a wealth of useful data, as well as a diversity of views and policy suggestions on many points. In these rich contributions the committee may take pride.

These standards were not, unfortunately, maintained in the committee's staff report, published last month ("Staff Report on Employment, Growth, and Price Levels," 86th Cong., 1st sess., Dec. 24, 1959). We regret to say that, in our opinion, this report does not meet high professional standards. While there is much valuable material in it, it is marred by partisanship, by opinions and assertions not supported by the evidence, and by significant inconsistencies and serious omissions. We know from working with the special study staff that the report does not do justice to their individual and collective capacities.

As a basis for sound policy recommendations, the committee needed a good staff report. Such a report would have included an objective, competent, and scholarly summary and analysis of the many magnificent papers prepared conscientiously for the committee by outstanding economists from all over the country, from all branches of economics, from all shades of political opinion, and from all types of employment which economists pursue. By summarizing, comparing, and analyzing this great wealth of material, together with the thoughtful, generally excellent, and some times brilliant testimony of the witnesses, the staff could have discovered areas of agreement, isolated causes of disagreement, and focused attention on major issues. Then the majority and minority reports could have made real and lasting contributions to the great debate on economic policies that should always characterize our democracy.

Now we come to the last stage of the study, the committee report itself. In spite of many sound policy recommendations in which we join, the majority report is distinctly disappointing.

Our differences are not so much differences of objectives, but differences as to means of attaining objectives, differences in analysis, differences in priorities, differences in notions of what the facts are, and differences in interpretation of facts and history. These differences were reflected in the hearings and special studies and should have been honestly and explicitly set forth in the final report. To be of maximum value, the study of employment, growth, and price levels should culminate in a candid expression of what we know, what we do not know, and what, in the light of both our knowledge and our ignorance, we should be doing to improve our knowledge and our performance.

In view of the important responsibilities of the Joint Economic Committee and its past record of economic statesmanship, and in view of the high aims and anticipations of the study on employment, growth, and price levels, we deeply regret that the majority are presenting a report that is partisan, cavalier about simple rules of logic and evidence, and disrespectful of legitimate differences of values, opinions, and judgments.

The main deficiencies of the majority report, as we see them, are as follows:

1. The majority report is needlessly partisan: One of the important functions of a report like this can be to narrow the range of disagreement on such matters as employment, growth, and price levels. But by the unmistakably partisan orientation of the analysis the report instead tends to drive us apart. This was unnecessary.

For example, in the discussion of "performance" with respect to the three majority-stated goals, the partisanship is particularly marked. It is perhaps understandable (though basically erroneous, we believe) that on the first two of these goals, employment and growth, the majority talk about problems since 1953. However, when the majority then talk about inflation as if it has been a worse problem since 1953 than before, the partisanship reaches an extreme.

Why should the time periods and terminal dates used in both staff and committee reports be invariably and obviously juggled to put the worst possible light on the record of the present administration, and exalt the record of previous Democratic administrations? Why, by implication, should the report continuously convey the false impression that we have not recently made any progress in stabilization and other policies and that we were more successful under the previous administration? The facts show the opposite. Why should congressional responsibility be asserted so righteously on policy formulation, and then disclaimed so piously on unfavorable policy results? These are just a few of many similar questions.

2. The majority report is unbalanced and evasive: Any report of this nature, of course, must be somewhat selective; seemingly, however, this selectivity was not designed to provide a balanced picture of the views of the various authorities. Dubious assertions are made on the basis of flimsy or inadequate evidence, while the weight of other evidence is disregarded. Many real problems are pushed under the rug, conveying a misleading impression to the reader that there are no costs or hard choices involved in trying to pursue several policy goals at the same time. It is not enough to be clever; a report of such importance should be truthful. To be truthful, it is not enough to tell nothing but the truth—it is necessary also to tell the whole truth

3. The majority report is internally inconsistent: How can a whole new set of selective controls, a theme which runs through the report, be reconciled with recommendations to make the economy more flexible and responsive to consumer demands? How can the report find market power to be a cause of inflation, requiring more vigorous antitrust enforcement for business, and yet fail to meet squarely the question of market power in the hands of unions? [1] How can the report speak blithely about our "capacity to produce goods and services consumers want and need" and yet call for growth in terms of gross national product with apparent disregard for consumers' preferences as to work or leisure, current or future consumption, services or durables? How can the report find structural shifts in demand and output to be a major cause of inflation, and yet disregard the implications of the fact that shifts of such magnitude would create some serious labor market dislocations and increase structural unemployment? Peaceful coexistence among many of the majority's ideas is not possible within the boundaries of one report.

We regret that we must say these things about a report which nevertheless does contain some commendable and worthwhile policy recommendations. Fortunately, many of the recommendations are unrelated to the shaky analysis and extraneous commentary which accompanies them. But these sound policy observations are placed at a severe disadvantage, for they have to fight hard for a hearing against the contradictory babble that swirls around them.

These general comments are supported in the section-by-section evaluation of the majority report which follows.

II. EVALUATION OF SPECIFIC PARTS OF THE MAJORITY REPORT

In the short space of time available to the minority, and lacking a sound and objective staff report to rely upon, we could not possibly prepare a comprehensive constructive report of our own or a thorough critique of the majority report. By going through their report section by section, however, we can focus attention on what we believe to be some of the main issues and highlight some of the major areas of agreement and disagreement.

1. The Nation's economic objectives

The majority reduces our economic goals to three: economic growth, high and stable employment, and stability in the general level of prices. Certainly, these are important goals which we all seek. But, is this an exhaustive list? Surely it is not. There are other important economic goals, and if these are not also made explicit, we think it is impossible to establish priorities and resolve conflicts.

Virtually all countries and economic systems share these three major goals. The really significant differences among economic systems arise out of the interactions of these goals with other goals. Fundamentally, it is our great regard for and our realization of the goal of economic freedom that distinguishes the structure and performance of the American economy from that of the Soviet Union.

At the minimum a list of major economic goals should include economic freedom, economic efficiency, economic stability (both price level and employment), economic growth and economic security. Some of these additional goals are implicitly adopted by the majority in discussion, but we cannot have "the very clear concept" of objectives which they call for if the list is incomplete

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[1] See Senator JAVITS' note to sec. 6.

and the relationships among the goals—the circumstances under which they conflict with or complement each other—are never carefully explored.

Economic freedom is an end in itself, one which Americans very highly prize.

Economic freedom means economic opportunity for the individual as a seller of his services and output, and also as a buyer in markets responsive to his wants. It allows individuals with initiative, imagination, and faith in their own ideas to break out of the rut of tradition into new and more productive endeavors. Economic freedom, with its challenging opportunities and its built-in disciplines, is a powerful instrument for promoting economic growth, efficiency, and welfare. But, because of risks, frictions, and imperfections in the economic structure, economic freedom may at times conflict temporarily with economic stability and economic security. In view of the majority's forthright and correct condemnation of price control and of their intense interest in economic policy since 1953, it is a striking omission that they say nothing of the successful abolition of price controls in 1953. Economic freedom, and thus the conditions that promote economic efficiency, were thereby increased, while significant progress was made in maintaining price stability.

Economic efficiency means that our productive resources are allocated among competing uses, both private and public, so as to produce the greatest output of the right things at lowest cost. Maintenance of economic efficiency requires that the economy be very flexible, capable of adapting promptly and smoothly to changing consumer, business, and public demands. It means that public and private consumption and investment reflect the true preferences of the people in light of the relative scarcities involved. This important objective is not explicit in any of the three goals which the majority set forth as all embracing.

We want our economy to be efficient, whether we grow at a slow rate or a fast one. Economic efficiency complements growth because as it improves we get more output from a given set of resources and because meaningful, sustainable growth requires the same kind of flexibility and resource mobility that promote efficiency. Efficiency in some ways complements stability; no one would argue that mass unemployment makes for an efficient economy. In some ways, economic efficiency does conflict with stability and with security. The way to reconcile these objectives is to work toward improving the responsiveness of the economic system and the enlargement of economic opportunity for all.

Economic growth, economic freedom, and economic efficiency tend to reinforce each other. But economic growth typically involves changes, with effects unevenly distributed. It rarely is to be had for free—it upsets the status quo, it disrupts and bankrupts, it makes obsolete existing skills and capital assets. Growth may then conflict to some degree with stability and security, though in the long run it enables us to strengthen economic security.

Stability and security go together in many respects. Increased stability of employment provides those willing and able to work with an increased security in steady incomes. Society can attempt to provide security by preventing economic change or adjustment to it, but this can be and often has been a terribly costly and temporary route to security, clearly one which is detrimental to the objectives both of growth and of efficiency. Excessive concern with either stability or security can jeopardize economic freedom, efficiency, and growth. To pretend otherwise is to delude ourselves.

Given our present knowledge about economic processes, and assuming no dramatic improvement in the adequacy and timeliness of the flow of data on which policy must be based, it seems fair to say that the rate at which we can improve the overall performance of our economy will depend heavily upon our ability to increase the competitiveness of our markets, raise the mobility of labor, and reduce price rigidities.

In view of the heavy current concern about growth, we wish that the majority had made one point unmistakably clear: Growth which is promoted by means which erode freedom and efficiency is likely to produce only ersatz growth. Whatever the numbers and rates may seem to show, forced growth will tend to distort the economic structure and lessen its capacity to satisfy our private and public wants and needs. Economic growth is meaningful only as it provides us with more of what we most want, both as individuals and as citizens vitally concerned with the security of our Nation and of the free world. It is interesting to speculate about what the Russian economic growth rate would be if we were able to measure Russian output in terms of the values put on it by the Russian people. Clearly, the figures would fare poorly in a comparison with those derived from official sources, based, of course, on administrative valuations.

Our basic point is that the goals of economic policy are far more complex than the majority report suggests. Our dissatisfaction is not primarily with what the majority says about our national economic objectives—by and large we agree. Our dissatisfaction is with what they do not say. The section might more properly be entitled "All This and Heaven Too," for it leaves the ridiculous impression that perfection is easily and costlessly attainable. This is not a balanced and nourishing diet for anyone to set before the American people—and we regret that it was served by the majority of the Joint Economic Committee.

2. Performance of the U.S. economy in recent years

Throughout the majority report, figures around 4.5 percent for annual growth in total production of the U.S. economy are frequently mentioned. This 4½ percent figure turns out on examination to be as phony as a $4½ bill.[2]

Figures around 4.5 percent are used in two quite different respects, referring to: What the majority allege the U.S. economy could do over a long future period; and to what they claim the U.S. economy did do in the (artificially selected) years 1947–53. The repeated and alternating use of essentially the same figure both for the long-run goal and for the experience of 1947–53 hardly gives the impression that the majority want it to be thought of as a mere coincidence. Accordingly, there ought to be some connection between the policy recommendations which are proposed to achieve this goal and the policies which were followed in the 1947–53 period. However, we search in vain for any such connection. On the contrary, on searching carefully, we find a set of explanations which clearly show up the period 1947–53 as totally unrepresentative, and not one we would want to repeat; and we find that there is no basis in fact for the 4.5 percent figure as an appropriate goal in the future.

In the words of the majority report:

"After the inevitable decline of total output at the end of World War II, growth resumed in 1947 was interrupted by the recession of 1949, and then continued at a very high rate during the Korean war."

At other points in the majority report, it is also conceded that the inflationary boom of 1946–51 had something to do with the pent-up demands of consumers because of World War II. To make the rate of increase as large as possible, the majority selected the year of lowest output in the postwar reconversion period as their base, and calculated the growth from this point through 1953, the year of peak Government spending in the Korean war boom. Are we seriously expected to use this period as a guide to the achievement of a high rate of growth—a period of postwar conversion, forced draft production to break the bottlenecks in satisfying pent-up consumer demand, wartime remobilization, and rampant inflation? Surely, adoption of this war-reconversion-war pattern as our ideal would be tantamount to throwing our policy goals to the winds.

We cannot believe that this combination of policies is what the majority has in mind when they repeatedly hold up for favorable comparison the growth achieved in the period 1947–53. Surely the nature of the two booms in that period—the post-World War II boom to satisfy pent-up demands, and the Korean war boom—must have slipped their minds, or has been blotted out by their hypnotic fascination with a 4.5 percent growth rate. Actually, the economy may have done less than it was capable of doing in that period; for the rate of growth of total production from 1945, when World War II production was slowing down and reconversion was just beginning, to the peak of the Korean war boom in 1953, was less than 2 percent per year, which on the majority's reckoning is a low growth rate. We believe that we should look to other periods for our main guidance as to what our economy can and should accomplish both qualitatively and quantitatively.

The most important point to remember in this connection is that growth is desirable only if it consists of goods and services that the American people want. Artificially stimulated growth producing the wrong things, or in response to previous shortages, is not the kind of growth we want to aim for in the long run. Sound sustainable growth depends mainly on the efficient operation of the forces promoting growth in the private sector of the economy. This is a point which the majority recognize well enough when they think about it; they ought to have kept it in mind when formulating their policy recommendations.

A somewhat misleading use of statistics is also apparent in their discussion of unemployment. They assert that unemployment rates have been rising, and state, "During the recession of 1949 unemployment reached a level of 5.9 percent. In the 1957–58 recession, however, the unemployment rate was 6.8 percent." Taken at face value, this is simply false: in both these recessions, the maximum unemployment rate was over 7 percent. The figures given in the majority report, as just quoted, are the annual averages for 1949 and 1958, respectively; the difference between these 2 years reflects the fact that all the peak unemployment months of the 1957–58 recession occurred in the calendar year 1958, whereas some of the peak months of the 1949 recession occurred in early 1950. In other words, their comparison is based on statistical artifice.[3]

The majority's comparison of 1956–57 unemployment with that in earlier boom periods is also inaccurate. Elsewhere they note correctly that the 1956–57 boom was characterized by major shifts in the composition of demand and output, with some sectors growing much more rapidly than others.

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[2] Senator JAVITS notes his affirmative recommendations on this item as set forth in his additional views.

[3] Actually, the galley proofs of the majority report, the only version we have had in preparing our report, read "1953–54" where our quotation reads "1957–58." The figure 6.8 is correct for 1958. The 1954 figure is 5.6 percent and the highest month is just over 6 percent, both lower than 1949.

Unfortunately, they did not also note that such a period necessarily involves many people changing jobs, as they seek better opportunities in the expanding industries. People seeking work, even though they change employment in response to better opportunities, are counted in the figures in unemployment; and this element in the situation was undoubtedly more important in this period than at most other times. Another factor that is important, as was pointed out in Study Paper No. 6, is the relatively larger number of inexperienced persons looking for work in 1956–57 than in 1948–49. The same study paper shows that in the 1955–57 period, 10 percent of the unemployment was due to voluntary shifting from one job to another; 20 percent was due the entry of new workers, nearly all of whom show up among the unemployed before they show up among the employed; and another 20 percent—bringing the total to 50 percent—was due to seasonal fluctuations. Whatever the unemployment statistics show (and of course it is important to study them to learn what we can from them), they show no distinct trends toward higher rates of unemployment.

The majority turn next to discussion of the recent record of inflation. Here, the preoccupation with the 1953–59 period seems spectacularly inappropriate, since the greatest difficulties with inflation obviously occurred in the years preceding 1953. The Consumer Price Index in the past 20 years has risen at an average rate of 3.8 percent per year, but the rate was 5 percent before 1953 and only 1.3 percent from 1953 on; and 90 percent of the total rise occurred before 1953.

Except for the period from early 1956 to early 1958, the Consumer Price Index has been remarkably stable—since President Eisenhower took office, if one wants to be as political as the majority report; since about a year before that, if one wants to tell the whole truth fairly and without partisanship. Furthermore, as was brought out in the papers and testimony of witnesses, and as the majority acknowledges at one point, the Consumer Price Index certainly overstates, perhaps substantially, the rise in prices.[4] We do not want to minimize the dangers of inflation; indeed it is only as we are alert to these dangers that we can have success in dealing with them. But we also do not want to see exaggeration of the amount of inflation that has actually occurred, or misrepresentation of when it occurred.

Finally, the majority turn to what they estimate our growth potential to be. It is important to bear in mind, despite the impression they give to the contrary, that there is no connection whatever between their discussion of the recent performance of the economy and their estimates of future growth potential. The latter represent a self-contained study almost totally unrelated to anything else in their report, including their policy recommendations. In effect, they attempt to estimate a range of possible growth rates that the economy may be expected to achieve without regard to policy actions at the Federal level.

A key element in the majority's estimates of potential growth is the expected growth in total man-hours worked, which in turn depends on the growth rate of the labor force and on the rate of decline of annual hours of work.[5] Both of these variables are at present a matter for private decisions and will probably remain so. Since they place such emphasis on the achievement of a 4.5 percent rate of growth, some clarification of their attitude on this point would be helpful. We of the minority definitely favor leaving this matter to private decisions.

The other principal element in the majority's calculation of the range of possible future growth rates is the growth and modernization of the capital stock, through investment in plant, equipment, and other productive capital. We recognize the importance of this factor, but their calculations are misguided to the point of foolishness. As the labor force and total hours worked increase, a corresponding increase of plant and equipment is needed merely to keep the new workers as well equipped as the previous members of the labor force. Thus, a certain amount of annual investment goes to widen the capital stock. Any additional investment, beyond that for the necessary widening, is available for deepening of the capital stock; that is, for improving the quantity and quality of the capital which each worker employs. The widening is necessary to maintain the level of output per man-hour; it is the deepening that increases output per man-hour.

A table presented by the majority purports to show that a 4.5 percent rate of growth is quite possible. Perhaps it is; but we fail to see the significance of the calculations. The numbers presented might just as well have been pulled out of the air. There is nothing in either the staff report or the majority report to tell the independent reader how those growth potentials were derived. Reference is made to a forthcoming study paper, but surely conclusions cannot be drawn from evidence not yet presented. The majority appear to be presenting conclusions from which the evidence will be derived later. A close comparison of the majority's alternative computations of growth potentials, however, seems to show that the majority attributes fantastically high rates of return to any extra deepening of our capital stock that we might achieve. If this is really a valid conclusion to be drawn from their undisclosed premises, then the majority should strongly champion public policies that favor investment at the expense of current consumption. We are still in the dark, however, as to what these estimates of growth potentials really mean.

We must regretfully conclude that the 4.5 percent growth figure advanced by the majority is simply slick statistical prestidigitation, with no discernible relation to the real world or to sound economic analysis. Perhaps the achievement of this rate of growth is possible or desirable, or both possible and desirable, but the majority have failed to provide any grounds for establishing whether it is or not.

It is especially regrettable that the majority has indulged in a "numbers racket" with growth rates, for every single witness at our final integrating or capstone sessions at the end of October warned against this (except one who did not mention growth at all). It was indeed remarkable (as the press noted at the time) that with so diverse a group of experts, selected under the direction of the majority, not one gave evidence in support of the majority's position that a target growth rate should be aimed at. On this point as on others, the majority might as well have recorded their prejudices before the $200,000 was spent—indeed, we have no evidence that they did not do so.

All such estimates are necessarily slippery and complex, as one expert witness after another pointed out in the committee's hearings. The fact that the majority's calculations depend heavily on the assumed rate of population growth is just one of several reasons why projections of the rate of growth of total production are not particularly instructive. Many of our witnesses suggested output per capita, or, even better, output per man-hour. In any case, as several of them pointed out, our understanding of the economics of growth is still very primitive. The calculations presented by the majority amply bear out this proposition.

Still more fundamental, however, is the erroneous and unstated assumption of the majority that any increase in growth, no matter what the cost, is desirable. This is an easy error to fall into, particularly in trying to promise all things to all people in the hope that no one will check up on possible inconsistencies. When account is taken of the costs of growth, the right policy for growth at once becomes apparent. The appropriate goal on growth is that we should be able to meet our collective needs and responsibilities and to provide the fullest opportunity for each individual to devote whatever share of his disposable income he wishes to providing for his future well-being, and for that of his children and descendants. The outcome of such choices by individuals will be a certain longrun average rate of change in total production. There is no basis for saying that either a higher or a lower rate of growth than this would be superior or desirable. Our policy toward growth should simply be that these opportunities should be kept open in such a way that the choices made can be based on the real facts of our productivity.

3. Fiscal policy

We join the majority in many recommendations of this section: that Government expenditures programs not be conducted in an unstabilizing manner; that we strengthen our automatic stabilizers, such as the Federal-State system of unemployment compensation; that we overhaul our chaotic Federal tax system to eliminate special dispensations and other features which distort and inhibit growth, create systemic inefficiencies, erode the tax base, and undermine confidence in our self-assessment tax system; that proper accounting procedures be used in the Federal budget.

These recommendations deserve and should receive substantial bipartisan support (though perhaps they will meet bipartisan opposition, too).

Much of the majority's discussion of fiscal policy revolves around the question of the proper mix between monetary policy and fiscal policy. The majority believes that in recent years we have relied insufficiently on

[4] In this connection, it may be noted that the three largest mail-order houses, all carrying comprehensive lines of consumer goods, have recently reported that on the average their current prices are actually a trifle lower than they were a few years ago. Although the coverage of these mail-order houses is not as broad as the index, it is significant that as the index is computed no major component shows such behavior. We recommend that the Bureau of Labor Statistics undertake, or contract with competent outside experts to undertake, special studies to estimate the amount of overstatement of price rises in the total index during the past decade. This should be done in advance of the work already commenced for eventual revision of the index.

[5] The majority mentions also the level of unemployment, apparently without understanding that this affects primarily the level of economic activity rather than its rate of growth. If unemployment averages around, say, 4 percent rather than 5 percent, this will imply about 1 percent higher output on the average, and growth will operate on a higher case. Other things equal, this is, of course, desirable; but it does not affect the rate of growth.

Also, the majority overlooks the fact that a high rate of increase in the labor force necessarily tends to increase the unemployment figures, mainly because each new entrant is counted as unemployed while he locates his first job, but partly also because there are usually fewer employment opportunities for inexperienced than for experienced workers.

fiscal policy and excessively on monetary policy. The majority criticizes this policy mix on grounds that it is detrimental to growth, that monetary policy is discriminatory in impact, and that fiscal policy has "prompter and larger effects," while monetary policy suffers from "inevitable delays before its effects are felt." We question the validity of such sweeping assertions.

Before raising such questions, however, we heartily welcome the majority to the side of fiscal repsonsibility as a powerful anti-inflation and growth-promoting weapon. In plain language, fiscal responsibility means the development of a healthy budget surplus during good years. We applaud the majority's acceptance of the simple truth that stabilizing policy cannot be a one-way street, its recognition that if we are to have budget deficits in recessions (as is sometimes inevitable and desirable, then we must all work to insure substantial budget surpluses during boom periods. The majority report is quite right when it says that we have not taken advantage of the full possibilities of fiscal policy in the postwar period—though it ignores the complexity of reasons which were responsible, as well as the interesting and highly relevant question as to which party has been typically found on the side of fiscal responsibility. At any rate, the majority must be delighted that the administrtaion's budget for 1961 projects a surplus for debt retirement of $4.2 billion, and the administration will certainly be pleased by this new, if not fully expected, source of congressional support.

While we fully agree with the proposition that too much of the stabilization job has been dumped into the lap of monetary policy, we must question some aspects of the majority's criticism of this policy mix.

In the first place, the assertion that monetary policy acts selectively is no criticism at all. Selectivity is rather one of its salutary features, since, when restraint is necessary, the consumers, through the market, decide the priorities. We will take up this question more fully in the next section.

In the second place, inevitable delays will plague fiscal policy at least as much as monetary policy, and probably even more. Once we recognize need for action, decisions on monetary policy can be made a good deal more promptly than decisions to invoke ad hoc fiscal policy. Given our present political institutional arrangements, it is difficult to see how budget and tax policy could be adjusted smoothly and promptly to the new requirements. Once action is taken, fiscal policy might well generate more prompt effects, but this is by no means as certain as the majority's categorical assertion implies, and they offer no evidence to support it.

The majority recommends vigorous use of ad hoc tax policy for stabilization purposes. This may have advantages, but whether tax cuts really work promptly depends on how people react to tax cuts when they expect their tax liabilities to be increased sharply in the near future. When all is said and done—considering the time that would probably be consumed in congressional wrangling over the kind and extent of tax cut and considering the uncertainties of taxpayers' reactions—it is misleading for the majority to make these assertions without pointing out that there is some basis for questioning whether we have yet reached that state of perfection of knowledge and political machinery required to give this recommendation much meaning.

We agree that it would be desirable to improve fiscal flexibility. But until there have been thoroughgoing budgetary reforms, ad hoc fiscal stabilizers will be inevitably subject to a host of practical limitations. Indeed, under present arrangements, adoption of the majority's recommendations to make ad hoc tax policy our primary weapon of stabilization policy might well turn out to be unstabilizing.

We agree that the question of the proper fiscal and monetary policy mix is important if we are to achieve our policy goals to the extent possible. In boom periods it may well be highly desirable to develop substantial budget surpluses, as they would work to ease the burdens on monetary policy and to promote private capital formation. But increased private investment requires an increase in the private savings-consumption ratio. If the majority really wants to use budget surpluses and easier money to promote such growth, it should declare itself in favor of higher taxes on consumption. We hope that the majority will be willing to face up to its own conclusions.

The majority report contains a number of references to needs for more adequate, accurate, and timely statistical knowledge as a basic precondition to sound private and public decisionmaking. Indeed, the committee's study was, itself, seriously handicapped by an insufficient underpinning of solid data. Certainly, the greater reliance on fiscal policy recommended by the majority would require a shortening of information lags and a closure of some information gaps.

Most of the existing deficiencies in our economic intelligence are long standing. There is a clear need for major governmental statistical breakthroughs in such fields as prices, wages, costs, savings, investment (including inventory investment), consumer finances, productivity, and international trade.

The majority could have been most helpful had they set forth in some detail a program for statistical progress. In the long run, the goals of economic policy would thereby have been better served.

We will not comment on the specific reordering of budget priorities recommended by the majority. These priorities are for the people and their elected representatives, the whole Congress, to decide. As everyone has his own catalog of preferences and priorities, the only right schedule is a consensus arrived at through public discussion and democratic debate. We point out, however, that unless budgetary procedures are substantially improved, the budget will necessarily remain an imperfect instrument for ordering national priorities in a rational manner.

4. Monetary policy

To the majority's section on "The Purpose of the Treasury-Federal Reserve Accord of 1951" we give our wholehearted agreement and support. We recognize and commend the role played in 1951 by the distinguished chairman of this committee in helping to bring about the return to responsible monetary policy and thus end the rampant inflation of the years prior to 1951. We are encouraged by the majority's firm rejection of the "needs of trade" doctrine of credit and banking.

There is a basis for the assertion that periods of credit stringency bear more heavily on some sectors, especially that of residential construction, than on others. It should not be forgotten, however, that the experience of the American economy indicates that residential construction has its best years when the economy is pulling out of a recession, such as the years 1950, 1955, and 1959. In the later phases of expansion, when heavy capital goods spending reaches extreme proportions, residential construction tends to be crowded out, even if money is kept artificially cheap (as it was, for example, in early 1951). Cheapening of money, in the absence of an offsetting fiscal policy, leads to inflation under such circumstances. It does not make building materials more plentiful, or increase the other resources for which residential construction competes with industry; it just makes them more expensive.

In view of the extreme positions taken in the staff report on monetary policy, we are somewhat relieved at the moderation, and even diffidence, with which the majority report toys with the idea of cheap money. It asks only a moderate increase in the rate of growth of the money supply, a modest lowering of interest rates, and only occasional Federal Reserve intervention in the long-term Treasury bond market. It probably would be unreasonable for us to be too critical of their position, or to expect too much of them, in this delicate policy area at this time.

In fact, it may turn out that the post-World War II tendency toward greater efficiency and speed in the turnover of cash and demand deposits is about spent, and that the expansion of the money supply in step with the growth of physical output can be resumed without inflationary consequences. We would all welcome this, just as we would welcome any opportunity for a noninflationary lowering of interest rates. It would hardly be wise to take such a development for granted, and it would be the height of folly to change present policies on such a possibility. We believe, therefore, that decisions as to when and by how much the money supply should be increased are best made by the monetary authorities, on whom this administrative responsibility has been placed by the Congress. We would also leave to them the responsibility for making the technical operating decisions—such as whether to emphasize Government bills in open market operations or to modify rediscounting rules or reserve ratios—with which the majority seem so concerned.

The question of selective credit controls is too important and too highly controverted a subject to be embraced without qualification, as the majority does.[6] We seriously question the rationale for the majority's recommendation for "a detailed study * * * to determine what can be done to reduce the instability of plant and equipment investment." We cannot believe that the majority realized the full implications of this proposal. That all sectors of the economy do not expand at the same pace in a boom is hardly surprising. The fact that some sectors are growing rapidly, and sometimes encountering bottlenecks, means that these sectors, in terms of expressed and expected consumer desires, have the most valuable contributions to make to improvements in the standard of living and to basic productive capacity. It is indeed true that artifically choking off expansion in these sectors would have an incisively deadening effect on upward price pressures. It would also have an incisively deadening effect on growth and welfare.

Thus, the majority are in a paradoxical situation. Making a great clamor, they charge that growth has been stifled in the name of fighting inflation. Then they recommend policies which would accomplish precisely that.

The so-called discriminatory effect of general monetary restraint which so exercises the majority, is simply the result of a free expression of the market choices of individuals, who naturally expend their limited resources so as to get the greatest benefit from them. Where they demand more than can be supplied without price increases, the price increases indicate where they most want growth. These increasss point to areas where the contribution of this growth to consumer welfare will be greatest. This is just the kind of discrimination that fosters sound, meaningful growth.

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[6] Senator JAVITS notes his view that credit controls a vital aspect of governmental as well as private economic policy and that standby authority in a situation of the present nature must be given serious consideration.

5. Debt management

The management of the Federal debt presents many complex and continuing problems, some of which could be ameliorated or eliminated. We agree with the majority that some revision of both Treasury and congressional policies is probably in order.

The majority report makes many recommendations on debt management policy that merit careful study and consideration—bond auctions, callable bonds, advance funding, etc. We of the minority simply have not had sufficient time to evaluate these proposals. We must, therefore, reserve judgment on many such specific matters until we can give them the attention they require. But we do urge that Congress and the administration continuously explore new approaches, to debt management. Clearly, we have not yet learned to live as comfortably with our large Federal debt as is possible.

The majority recommendation against removing the 4.25 percent interest rate ceiling is crucial.

At the beginning of this part of the report, the majority promises to discuss "the arguments and policies affecting the interest rate ceiling." There follows approximately 10 pages on a large number of highly technical financial and debt matters which bear on the level of interest rates but not directly on the principles involved in determining whether an interest rate ceiling is a wise economic policy. In the seventh and concluding section, the discussion comes back to the interest rate ceiling but just long enough to conclude—with no discussion or evaluation of the specific issues involved—that the 4.25-percent ceiling should be retained.

Quite apparently the majority position is this: They do not like many present congressional, Federal Reserve, and Treasury policies and certain institutional arrangements; therefore, they will not support removal of the ceiling. This is nothing but political blackmail—with the public the main loser.

The interest-rate ceiling is a current and pressing problem. By contrast, the reforms the majority desire are, in the main, longrun changes which will require both administration and congressional action. Meanwhile, the interest-rate ceiling continues to be an immediate and pressing matter. The issue has been studied exhaustively and, though there is general agreement among economists that its effects are mischievous, the majority refuses to act. The majority's position is all the more difficult to justify, because they know and admit that the ceiling should be removed.[7] They might just as well refuse to vote any defense expenditures because their views on the defense mix do not coincide with those of others. The way for men of good will to resolve differences in opinion as to policy goals and means is by open discussion and debate, not by blackmail.

It is hard to follow the position of the majority members on debt management. At one point they say debt management should interfere as little as possible with monetary policy, yet at another point they want the Federal Reserve System to help neutralize what would be an essentially procyclical funding policy. They recommend that the debt ceiling be removed. Yet they do not recommend the elimination of the 4.25-percent interest-rate ceiling now—even though they admit it will ultimately have to be done. Nor do they mention the 4.25-percent ceiling on savings-bond rates, which also should be removed.

Actually, refusal to abolish the 4.25-percent interest-rate ceiling provides no ceiling on interest at all. It simply places a ceiling on maturities (5 years), thus forcing the Treasury to compete with the multitude of short-term borrowers, sending these rates higher and higher. This very month the Treasury paid over 5 percent for money—at a time when a long-term issue might have sold for less than 5 percent.

We recognize that there are serious limitations in trying to use debt management for economic stabilization. We are not unsympathetic with the majority position that "the primary purpose of the Treasury with respect to debt management should be to get the best possible bargain * * *." However, we could not go along with them without iron-clad assurance that no pegging, long or short run, is ever to be involved. We certainly would like to keep total interest payments as low as is consistent with other policy goals. It would be a costly saving to the taxpayer, however, if attempts to minimize interest charges were to set in motion pressures leading to less effective anti-inflation or anti-recession measures.

6. Policies to improve the structure of the economy

Our future success in improving the performance of the economy depends in large measure upon the degree to which the economic structure is adaptable and competitive. We welcome, therefore, the emphasis placed upon the structure in the majority report. Indeed, the appraisal of structural problems and the numerous policy proposals for improving defects constitute a valuable and constructive contribution. Many of the criticisms and proposals advanced are obviously designed more to stimulate discussion and further ideas than to be taken at face value, and some say little more than that something good but unspecified ought to be done. But a number of the recommendations deserve the serious attention of the American people and their Government.

We cannot, however, accept the statement that "our studies have shown" that "market power" (no matter which of the majority's several arbitrary and inconsistent definitions of market power is used) has significantly contributed to inflation. The staff report states that "There was no generally applicable relationship evident between union strength and wage changes * * *," and Study Paper No. 1 found that "the degree of price increase in various industries (after 1955) was generally associated with the magnitude of the rise in demand." Until an analytically defensible and statistically significant relationship is obtained, we shall keep on open mind on the inflationary implications of business and union market power.

Excessive private market power is incompatible with the goals of political and economic freedom, renders the economic structure less responsive to change, and creates economic waste. The minority endorse, therefore, the majority proposal for expanding and strengthening the business antitrust program. We suggest, however, that there is a solid basis for the caution which led the majority to conclude that "the problems of establishing appropriate criteria in this area [enforcing antitrust legislation against oligopolistic market structures] are difficult. * * *" Market organization and behavior are exceedingly complex in nature and the extent and basis of market power too diverse to allow easy identification. Much harm, therefore, can be done by measures which attempt to improve competition by placing blanket restraints on particular types of business practices or identify market power with size, concentration ratios, or other superficial guides.

We accept the majority's recommendations that the antitrust division be given more power to subpena business records in civil suits and that "Congress review the policies of the regulatory agencies in those industries which are granted exemption from the antitrust laws." The principle of prenotification of proposed mergers is sound, though here we advise caution to prevent needless interference of Government in proper business activities. We also agree that tariff reduction would make American markets more competitive and should be continued, where appropriate, with real attention paid to reciprocity; the goal here should be freer world trade, not unilateral reductions in American tariffs.

The majority assert that "the exercise of market power by strong unions has contributed in some degree to the inflation of recent years." If the majority believe (1) that strong unions contribute substantially to inflation and (2) that inflation is to be resisted, then it is reasonable to expect them to suggest some legal remedies. Instead, we find no strong call for action to counter union market power, in contrast to the specific recommendations for action to counter business market power.[8]

In view of the lack of consistency in the standards and principles with which the majority report approaches the problems of excessive business and union market power, the minority cannot but conclude that this asymmetry in the conclusions of the majority is inspired by partisan politics.

We join with the majority in recommending measures designed to improve labor mobility. We strongly dissent from those proposals designed to reduce the mobility and productive efficiency of labor and other resources. We congratulate the majority upon their conclusion that "uneconomic production activities, which are able to continue only through Federal subsidies, should be gradually curtailed. This would free these resources for more productive uses." We find it difficult, however, to understand how this eminently sound and constructive statement is to be interpreted when accompanied by pleas for increased subsidies to depressed areas and to small business.

7. The farm problem

The farm problem will continue to exist as long as we regard the solution as politically unpalatable. It will end when we develop the courage to face facts and do what is required. This is nowhere made more clear than in the minority report. There is a succinct statement in our staff report:

"Since mobility of people and of resources out of agriculture into other industries is the only ultimate long-term solution to the problem, the Federal Government should take all reasonable measures which facilitate this process."

Since the majority report not only fails to deal with, but even refuses to recognize, the question of transferring resources out of farming, its recommendations begin and end in sterility.

We agree with the majority that average farm income must be raised and that we must find a way to accomplish this at reduced cost to the American taxpayer.

As is stated in the majority report, increased output is likely to produce less revenue. Yet the majority's recommendations would lead to greater production and consequently less dollar volume of sales than would a free market. At the same time, their proposed new support program would keep people in farming who otherwise would accept other employment. Less sales revenue divided among more people can only mean lower average earned incomes.

How much would the program proposed by the majority cost the Government? In neither the staff nor the majority report is there any estimate whatsoever of the expenditures involved. While we agree with the

[7] Senator JAVITS notes his affirmative recommendations on this item as set forth in his additional views.

[8] Senator JAVITS notes the discussion of his views opposing the application of antitrust laws to trade unions and regarding measures to protect the public interest in labor-management relations is set forth in his additional views.

principle of limiting payments per farm, whatever the system of aid to agriculture, neither report seems to recognize that such a limit would stimulate the legal, though not necessarily the operational, division of farms, making the cost of the majority's recommendations far greater than would appear from the present number of farms. In fact, their proposal might prove even more costly than the present program, and it is quite unlikely to produce the objective of higher average farm income at lower cost to the taxpayer.

Nor would the majority's suggestions aid those really in need—the 2.7 million farms which together produce less than 10 percent of salable output. No plan which bases aid on output, as do both the present program and that recommended by the majority, can be of much help to those who have little or nothing to sell. The technical revolution in farming has made it possible to produce adequate quantities of farm products without the employment of so much labor. The farm problem will not be solved until many more rural people have taken the step of seeking their places in other more productive—and more remunerative—occupations.

We are unclear as to the intent of the vague recommendation: "To deal with the low-income problems in agriculture, a rural development program should be stepped up to a size equal to the problem." The rural development program, initiated in 1955 as a cooperative effort of Federal, State, and local governments and of private agencies, has made encouraging progress in improving the conditions of low-income families living in rural areas. The rural development program includes such activities as improving incomes from farming, providing more efficient farm marketing, promoting off-farm work, balancing agriculture with industry, evaluating rural manpower assets, increasing opportunities through vocational training, attaining better health, and improving basic education. We welcome the majority's support for this administration program, and we count on their support for the substantial increase in funds which the President has recommended for this program in his 1961 budget message.

It is unfortunate that the majority was driven to reject the tenor of the staff report and so many of its excellent recommendations—the use of the soil bank to retire whole, rather than sections of, farms; the halting of wasteful and unnecessary reclamation projects; the enforcement of cross-compliance provisions; and the improvement of our oversea disposal programs.

In spite of these criticisms, we find much in this section of the majority report that we can commend; for example, the criticism of present acreage controls and the suggestion that Government purchases of farm commodities be ended.

The farm issue confronts this Nation with one of its most serious economic and social problems. We are distressed that the majority of this committee felt compelled to dodge altogether the central issue involved—the transfer of resources out of agriculture. We can and we must devise a farm program that will bring about these transfers voluntarily, and will bring them about not in desperation but in response to opportunities for self-betterment.

8. America's changing position in the world economy

We congratulate the majority on their statement concerning the U.S. position in the world economy. At a time when the clamor associated with the present outflow of gold has stampeded many observers into careless analysis and hasty suggestions, their sensible review of the issues and sound recommendations deserve praise.

The report points out what is usual and what novel about the present balance of payments deficit; we have had deficits in 9 of the last 10 years, but the loss of gold in 1958 and 1959 was at a rate considerably above the average. This resulted from the improvement in the competitive position of foreign countries, likely to be permanent, and from certain special features, likely to be reversed. We agree that the present situation calls for caution and close attention rather than drastic revisions in policy and we accept the specific recommendations appearing in the majority report.

III. CONCLUSIONS

We regret that these minority views have necessarily been confined to comments, many of a negative nature, on the majority report. We should have preferred to provide some useful guidelines to economic policy; indeed, as we stated earlier, we would have preferred to join in a unanimous report of that character. In the light of the shortcomings of both the staff report and the majority report, as well as the limitations of time, however, our statement had to take the form that it has.

The American economy has served the American people magnificently. That statement can be made for the Eisenhower period if one wants to be as political as the majority report; or it can be made for the whole postwar period if one wants to tell the whole truth fairly and objectively. That statement can be based on purely quantitative considerations if one wants to be as materialistic as the majority report; or it can be based also on the quality of American life; growth of freedom, tolerance, and nondiscrimination; improvements in education and broadening of educational opportunities; elevation in the tastes of enormous numbers of people for good literature, fine art, and great music; increasing participation in travel, at home and abroad; more comfortable and safer working conditions; greater participation in civic affairs, adult education, and religious organizations; remarkable breakthroughs in medical research and such broad application of the results as virtually to eliminate several causes of death that recently were common; astonishing advances in science and widespread public appreciation of them; growing provisions for the needy and unfortunate at home, and generous aid to underdeveloped peoples abroad.

On the material side, recessions have been mild, the price level is now more stable, growth has been satisfactory, and poverty has been diminished. Obviously, Americans have made significant material progress.

Unquestionably we can, we should, and we will do better in the future. We concur with the general sentiment of the majority that wise public policy can improve our performance with respect to all three of the goals they mention: employment, growth, and price levels. We also feel that further progress can be made toward the equally important ideals of freedom, of efficiency, and of security.

The hearings and the special studies laid the basis for a thorough and constructive appraisal of public policies for achieving these goals. We hope and expect that students and research workers will find this literature fruitful for years to come. Nevertheless, despite many sound recommendations which we endorse, the staff and majority reports fail to supply what the early phases of the study had made possible.

The minority feels that this study will not be complete unless a good staff report is first put together. Such a report could form the basis for a more meaningful appraisal of what we know and do not know, and for a more constructive and far-reaching series of recommendations for public policies.

While the special study on employment, growth, and price levels concludes on February 1 of this year, the minority will make every effort to encourage some qualified group to make an independent, thorough, and objective staff study. Only with such a study to work from will we realize the full possibilities which the Congress, the economics profession, and the public have a right to expect. The opportunities and the challenges of the times make this job imperative.

PRESCOTT BUSH.
JOHN MARSHALL BUTLER.
JACOB K. JAVITS.
THOMAS B. CURTIS.
CLARENCE E. KILBURN.
WILLIAM B. WIDNALL.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. COOPER. Mr. President, the senior Senator from New York [Mr. JAVITS], and I have offered an amendment to S. 8, which is in the nature of a substitute. The proposal which we offer is not a new proposal. It has not been hastily devised. The Senator from New York and I last year served on the Committee on Labor and Public Welfare—on which the Senator from New York still serves—and we served also as members of the Subcommittee on Education of that committee.

Last year in the closing days of Congress, when we were considering in our committee a Federal aid bill for school construction, the Senator from New York and I offered the proposal on which the Senate will vote today. In fact, even before the session had closed last year, we introduced our amendment in the form of a bill, and at that time explained its provisions.

The basic difference between S. 3 and our amendment is this: As the Senate knows, S. 8 is a grant bill. It provides that the Federal Government shall for a period of 2 years make annual grants of $500 million to the States—a total of $1 billion—and that the States shall provide an additional $1 billion in a 2-year period.

The amendment which the senior Senator from New York [Mr. JAVITS] and I offer provides that over a period of 4 years the Federal Government shall meet the payments of interest and principal upon one-half of the bonds which a school district may issue—to the extent of $1 billion a year in each of 4 years. As a result, $4 billion of school construction could be started in the 4-year period.

The Federal Government would guarantee to pay one-half of the interest and principal on such local school district bonds, as these payments become due over the life of the bonds, ranging between 20 and 30 years. The States would likewise commit themselves to pay one-half of the principal and interest payments.

I should like to point out some of the advantages which we believe our amendment holds over S. 8.

It is admitted that there is a present classroom shortage of 132,000 classrooms. I do not know exactly upon what basis the Senator from Michigan [Mr. MCNAMARA] has estimated the cost of a classroom. However, from the fact

that he says that 75,000 classrooms would be built under S. 8, I assume that it is about $30,000. Using the same figure, the amendment which the Senator from New York and I offer would permit the construction of more than 130,000 classrooms. So the first advantage our amendment has over S. 8 is that it would more nearly, if not entirely, liquidate the present classroom deficit.

The second advantage which we see in our amendment is this. The debate in committee regarding annual grants of $500 million as provided by S. 8, revolved, as it probably will in this Chamber, around the question whether the Federal Government is able to appropriate such sums in each of the next 2 years.

There has been a tendency to overlook the question of what the States would be able to do. The cost to the States of S. 8 would also be $500 million in each of the next 2 years.

If Senators will glance at the allotment table, which is on page 10 of the Senate report, showing State matching requirements under S. 8 ranging into millions of dollars, which the States would have to raise in each of the next 2 years, it is apparent that it would be quite difficult, if not impossible in some cases, for the States to match the grants offered by the Federal Government. If that should be true—and I think it would be true in the case of some States—then the very purpose of S. 8 would be frustrated. Certainly it is likely that the States which need school construction the most, which are the poorest States, would find much more difficulty in providing the millions of dollars in each of the next 2 years to match Federal grants in S. 8, than to undertake the commitments called for in our proposal.

So my second reason for saying that the Senator from New York [Mr. JAVITS] and I believe our proposal has advantages over S. 8, is that it would make the burden upon the States more bearable while, at the same time, it would provide more classrooms for the States.

The cost of our proposal to the Federal Government is estimated to be $45 million in the first year. In the second year, it would be $74 million. In the third year, it would be $58 million. In the fourth year, it would be $84 million. In the fifth year, it would be $115 million, which we estimate would be the peak cost to the Federal Government, and the $115 million would be required to be made available annually by the Federal Government over the life of the bonds. By the same token, the sums which would be made available by the States would be on the same scale.

I reiterate that the burden upon the States would be more bearable. It is likely that they would be inclined to look upon our proposal more favorably. It is more likely that they would be able to match Federal grants than under S. 8.

The third point which I make is that under the proposal which we offer, in the event a school district has reached the legal limit of its borrowing capacity, or in the event a State has reached the legal limit of its borrowing capacity, either under constitutional or statutory provisions, nevertheless the need for the construction of classrooms in such States is recognized—and provision is made in our amendment to provide needed classroom construction in such cases. I doubt if S. 8 would provide aid in such cases.

Our proposal would provide grants to such States and districts which have reached their borrowing limitation for half the cost of constructing classrooms for the first 2 years, with the hope that by that time the States would have taken measures to remove statutory or constitutional inhibitions against additional borrowing.

We have determined, from questions propounded to the Department of Health, Education, and Welfare, that about one-fourth of the school districts are in States having school districts in some way up against a debt limitation, that there are 396 borrowed-up districts in these 15 States, and that 237 of these borrowed-up districts have a classroom shortage—amounting to about 3,000 classrooms. But calculations by the Department of Health, Education, and Welfare as to the amounts which would have to be provided in our amendment have been included in the figures I have previously given. So the total cost, even with such grants, still would not exceed $115 million a year. The construction grants are not an additional program; they are within the framework of our plan for needy districts having a classroom shortage.

This provision of our proposal assures that every needly school district in the country will have the opportunity to secure funds for classroom construction. I say to those who favor S. 8 that there is no comparable provision in their bill. Suppose some of the needy districts, or even a State, could not match funds under the provisions of S. 8. Then they would be denied the advantages of S. 8. But under the Cooper-Javits amendment needy school districts which have reached their borrowing limits would be given the opportunity during the first 2 years to secure needed classroom construction.

The next point which I make, and which I think represents a decided advantage over S. 8, relates to teachers' salaries. The provision in our amendment relating to teachers' salaries is the idea of my colleague, the senior Senator from New York [Mr. JAVITS], and I know he will address himself to it. I have received many letters urging me to support S. 8—and almost all of those who wrote to me seemed to believe that S. 8 is a teachers' salary bill, as well as a school construction bill.

Many teachers have written to me and said, "Vote to help raise our salaries under S. 8." Let me say to those who are interested in raising teachers' salaries—and I consider that to be much more important than the construction of schools—that there is nothing in S. 8 which would raise teachers' salaries. In contrast, the proposal which the Senator from New York and I have submitted would induce an increase in teachers' salaries, because it would not place such a large annual burden upon the States. State governments would have greater flexibility, in the use of State funds, to increase teachers' salaries.

But we have gone further to induce increases in teachers' salaries. I shall leave the details to be explained by the Senator from New York. It is sufficient for me to say that we have included in our amendment a provision which will give to the States, whose efforts to raise teachers' salaries result in exceeding the national level of teachers' salaries, increased sums for school construction. This is to encourage States to raise teachers' salaries.

In a brief way, I have outlined the reasons which I believe give our proposal advantages over S. 8:

First, it would provide about 130,000 classrooms, as compared with the 75,000 which would be constructed under S. 8.

Second, our proposal would make the burden of payments and matching less onerous upon the States and local school districts, as well as upon the Federal Government.

Third, our amendment in the nature of a substitute contains, as S. 8 does not, an inducement toward the advancement of teachers' salaries.

Fourth, our proposal makes adequate provision for the construction of classrooms in districts and States which have reached the legal limit of their borrowing power. I submit S. 8 contains no method making it possible to help such school districts or States. And, they are the very school districts which most need help. Our amendment will give them help, while it is doubtful that S. 8 can do so.

I come now to my last point. I shall not labor the subject. I think I can say for the Senator from New York, as he could say for himself, that both of us believe strongly that it is necessary that the Federal Government support the efforts of the States toward the improvement of education. In 1947, when I first came to the Senate, I joined with Senator Taft in the introduction of the bill to give help to the States to increase teachers' salaries, which was passed by the Senate.

In 1954, as a member of the Committee on Labor and Public Welfare, at a time when the Republican Party was in the majority, I served as chairman of the Subcommittee on Education. Until the reporting of S. 8, the last bill reported to the Senate on this subject was the bill reported in 1954 to provide aid for school construction—which I had introduced, and which was reported from the Subcommittee on Education of which I was chairman.

But, beyond the facts of my past support, I believe Federal aid to education is today a necessity. Since sputnik ascended the heavens, it seems that the chief emphasis placed upon education is that it is necessary to meet the challenge of the Soviet Union. A few years ago, after sputnik was launched, a great educator, Prof. John R. Dunning, of Columbia University, had this to say:

> While the Soviets have already begun their exploitation of this new and awesome age, we have not—because our people, our Government, and our schools have not yet grasped its full significance.

Education—the provision of scientists, engineers and technicians—is essential to national defense. I add that our educational system is also a necessity for the economic growth of the country.

I have always been rather surprised that the U.S. Chamber of Commerce opposes Federal aid to education. In my life of 58 years, I have studied, read, and been interested in various subjects. I assume that I have had an average education, perhaps fortunately, better than average. But perhaps like others, whatever our education, I doubt whether we have contributed creative ideas upon which progress—even material progress—depends. Geniuses, who have not been educated, men with creative ideas, do appear. But we know that, by and large, the new and creative ideas come from those who are educated.

Our great industrial life and our economy depend upon ideas, and upon men and women who can reason and who are creative. There is a need for the largest and broadest educational base possible in this country, even to promote economic growth, and to maintain our economic and industrial leadership in the world.

Most important, if the fullest capacities of a man's mind and his creative faculties are to be developed, there must be opportunity to grapple with and understand the thought of mankind. Education is most important to provide opportunities for the fullest development of man's mind and spirit.

Finally, Mr. President, because of the very nature of our country's system, we need the broadest possible base of education.

Primary education lies at the basis of all forms of republican government. A government depending on the making of decisions by people, and depending on their intelligence, can exist only if the people have some ability to understand the problems of government which are presented to them. Unless there is a satisfactory educational basis, there cannot possibly be hope for succcess in any democratic form of government where the people are expected to rule and decide the questions which are placed before them.

Mr. President, the Senate may be interested to know that the last statement I have made is a quotation from a statement made by the late Senator Robert A. Taft on March 24, 1947, when he spoke in support of his bill to give Federal aid to the schools, a bill which I cosponsored.

Mr. President, for the reasons I have stated, I support strongly the amendment the Senator from New York and I have offered. But, beyond it, I support the cause of Federal aid to education.

We have offered this measure for another reason: In his State of the Union message, the President of the United States indicated that he would not favor a bill based solely upon grants. I am not in a position to say what he would do if a bill such as S. 8 were passed; but I am anxious to have the Congress pass a bill which will become law and actually give help to the schools and the schoolchildren of our country, and to our country. The Senator from New York and I believe that if our bill is passed, it will have a better chance of becoming law, and of actually giving help, than will Senate bill No. 8.

For the reasons I have set forth, I hope our measure will be passed by the Congress. But if it is not passed, I intend to vote for a bill which will give Federal support to our schools and our teachers.

I must say—although I dislike to say it—that I disagree wholly with the viewpoint which has been expressed by the administration, namely, that our educational situation does not warrant the appropriation of Federal funds to improve our educational system. Today, defense unquestionably is a first necessity of our country; but the first necessity over the long term is the education of the children of the Nation.

Although I believe that the Cooper-Javits amendment has the best chance of becoming law, and therefore the best chance of actually giving help to the schools, nevertheless, because of my deep belief in the necessity of aid for education, whatever the result of the action taken on the pending amendment, I intend to support the bill which finally will come before the Senate for a vote.

Mr. CLARK. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. CLARK. First, let me congratulate the Senator from Kentucky on a very eloquent peroration to what I am sure was a splendid speech. I regret that I did not have an opportunity to hear all of it.

There is some confusion in the minds of a number of Members, including myself, as to the exact purport of the Senator's measure. Therefore, I should like to ask him several questions, if I may.

Mr. COOPER. Certainly.

Mr. CLARK. On page 2 of the Senator's amendment in the nature of a substitute, I find, in line 2, the phrase "for the purpose of making Federal grants"; and on the same page, in line 10, I find the words "not to exceed $4,000,000,000."

Nevertheless, it is true, is it not, that the Senator's proposal does not call for outright grants, but only calls for the underwriting of bond issues; and thus, in effect, it would have no impact on the Federal Treasury, unless and until the school districts were in default. Is that correct?

Mr. COOPER. Section 3 is perfectly clear. It provides, in part, "For the purpose of making Federal grants," and, shortly thereafter, "the Federal share of the principal and interest annually becoming due on school construction bonds," and so forth. So there is to be a Federal grant. It will begin at $29 million the second year, will reach a peak of $115 million a year, and will continue at not more than that figure.

In addition to the grants for payment of principal and interest on the bonds, we provide that in the event the local school districts have reached their borrowing limit, nevertheless, there will be granted to the States the sums needed to construct needed schools in the first 2 years of the 4-year period provided for in this measure. So that, too, is a grant provision.

Mr. CLARK. Does the Senator from Kentucky have any estimate of the total amount of grants from the Federal Treasury which his amendment would call for?

Mr. COOPER. The total amount would reach $2,974 million.

Mr. CLARK. Over a period of how many years?

Mr. COOPER. Over a period of 20 to 30 years.

Mr. CLARK. Over a period of 20 to 30 years?

Mr. COOPER. Yes.

Mr. CLARK. And there is, in addition, a guarantee of the school district bonds, is there not?

Mr. COOPER. It is in the nature of a grant; it is to pay the guarantee of one-half of the interest and principal on $4 billion of school construction bonds.

Mr. CLARK. I still wish to find out what will be the total cost to the Federal Treasury under the provisions of the Senator's amendment in the nature of a substitute, if he has a firm estimate.

Mr. COOPER. I have just stated that it has been estimated that it would be approximately $2,974 million. But it would not all be paid in the 4-year period. It would have to be paid, both as to principal and interest, only as the bonds become due.

Mr. CLARK. I thank the Senator for that clarification.

Is it not true also that the Senator provides for the guarantee of debt charges, which was provided in the administration bill?

Mr. COOPER. Yes, of course, that is the standard way of financing school construction throughout the country.

Mr. CLARK. Let me assure the Senator I am not trying to be critical. I am trying to get the facts.

Mr. COOPER. I am trying to answer the questions in the same good spirit in which the Senator from Pennsylvania is asking them.

Mr. CLARK. As I understand the Senator's proposal, he is calling for grants in excess of $2 billion over a 20-year period, and in the interim would guarantee the debt charges on school district bonds. Is that correct?

Mr. COOPER. That is correct, but the grants flow from the guarantee.

Mr. CLARK. I thank the Senator.

Mr. JAVITS. Mr. President, I wish to speak in support of the views of my colleague from Kentucky [Mr. COOPER], and in sustaining my own cosponsorship of the pending substitute for the committee bill.

Mr. COOPER. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. JAVITS. Mr. President, I yield to the Senator from Kentucky, so that he may suggest the absence of a quorum.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I rise in support of the amendment offered by the Senator from Kentucky [Mr. COOPER] and myself.

First, let me say that today we are engaged in extremely serious business. The serious business is to make up the educational gap at the same time that we are hearing so much about the missile gap. The missile gap is based upon the educational gap. The fact is that the Russians, by massing their educational means upon a narrow target, scored a breakthrough. It is their privilege, because the aggressor always has the initiative. They have put the whole civilization in very grave danger as a result of that breakthrough. Civilization can respond scared and frightened, which will bring us to the Armageddon which all of us have feared for so long, or civilization can be sane and make up the gap.

In our committee hearings presided over by the majority leader the Senator from Texas [Mr. JOHNSON], the short-range basis for trying to make up the gap is being developed. Here on the floor of the Senate we are debating the long-range basis for making up the gap.

It seems to me that both are of equal importance, and that there is no higher priority in our country.

As we all know, an education starts in the primary school, and, as life goes, very quickly reaches the higher realms of education. Ten or 15 years are as but a day; yet what we do about the educational system today will determine what it will be 10 or 15 years hence. If we do not act today, we shall have deferred making up the educational gap, which, I repeat, is the very essence and condition precedent of the missile gap. If we defer today, for a month or a year, or as long as we take to make up the educational gap, we defer making up the missile gap, with all its portents.

Let us not assume for a minute that the missile gap is a matter of weapons on launching pads alone. I think we should be very much indebted to Walter Lippmann for a piece which he wrote yesterday morning. While I am at it, I ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE REAL GAP

(By Walter Lippmann)

The big controversy about defense arises from the fact, which nobody denies, that the Soviet Union is several years ahead of us in the production of missiles and in the exploration of outer space. The Russians have more missiles. They have bigger missiles capable of carrying bigger loads. And judging by such fabulous exploits as directing a satellite to photograph the other side of the moon, they are far ahead in the whole art of the guidance of missiles.

The controversy in Washington is about the consequences and the remedies, given the fact that we have fallen behind in the race of armaments. In this controversy there are several points. The first, and obviously the most immediately important, is whether the Soviet Union's lead in missiles is such that the Russians are on the verge of achieving decisive military superiority. By decisive military superiority is meant the power to attack without suffering serious retaliation.

In theory, the Soviet Union will have this decisive superiority within the next 2 years—if we do nothing more to offset it than we are now planning to do—if it has 150 long range missiles, together with another 150 medium range missiles, in place, aimed and ready to be launched. In theory, with one salvo of such a missile force the Soviet Union could knock out and destroy all of our retaliatory forces. After that we would be helpless and at the mercy of the Soviet Union.

Those who use this theory in their argument for greater armaments are, like General Power of the Strategic Air Force, quick to add that there are several things that we could do, especially to keep a part of the Strategic Air Force in the air where it cannot be hit by a surprise attack. The existence of such an invulnerable retaliatory force will deter the Soviet Union from using its superior missile force to attempt a nuclear Pearl Harbor.

The administration case, as I understand it, starts from the proposition, which everyone agrees to, that neither side will launch a nuclear offensive if, after the offensive has been struck, the other country still possesses the power to retaliate. The heart of the administration case is that it is not necessary, though it would be desirable, to have an equal number of missiles in order to deter a Pearl Harbor attack. For the aggressor who strikes first cannot afford to attack unless he is able to knock out in one salvo about 100 comparatively small targets. As missiles are not too accurate, this requires a lot of missiles.

But the country which is attacked would not need an equal number of missiles to retaliate because it would not strike against difficult targets like launching pads. It would strike directly at the biggest cities where, given the fearful widespread effect of the modern weapons, no great accuracy is required.

In order to retain this retaliatory capacity, a smaller striking force is required than the aggressor must have. The administration claims that before the Soviet Union can achieve the theoretical striking force which would give it supremacy over us as we are today, we can and we shall have put beyond the reach of the Soviet missiles a sufficient retaliatory force of missiles, bombers, submarines, etc.

Thanks to the agitation which has been stirred up by the critics, there is good reason to think that the precautionary measures will be taken now, and in sufficient time.

What worries me is the disposition in the administration and in Congress to act as if all would be well if by 1962 or thereabouts we began, as Secretary Gates promises, to overtake the Soviet Union in missiles. To rest on this is to misunderstand and greatly to underestimate the real peril into which we have come.

The peril is that in the race, not only in armaments but in overall national power, the Soviet Union is moving ahead faster than we are. There is a misconception, so it seems to me, even in high and responsible quarters, that the Soviets are ahead only because they started a few years earlier, and that in a few years we shall be even with them again. The real situation, which is the source of our perils, is that because in this vast field the Soviet Union has gotten its research and development effectively organized, and because the Soviet Union is allocating to it all the resources that it requires, the gap is not becoming narrower, it is becoming wider. Not only did they have a headstart but they are now running faster. The administration's specific budget for 1961 may conceivably be adequate but the philosophy behind that budget is deadly and will reduce this country to a second-class power.

This does not mean that the Soviet Union will soon or in the foreseeable future achieve decisive military supremacy. I am quite prepared to believe that we shall be able to do what General Power says we must do, that "once we have reached the point where a surprise attack can no longer prevent or even minimize retaliation," we shall have the security of a nuclear stalemate.

But security, though it is crucial, is not sufficient and we cannot be satisfied to accept the position of second best.

Perhaps that is wrong. Perhaps we can be satisfied. Perhaps we can be led to believe, what it is so little trouble to believe, that, provided the Soviet Union does not bomb us, we can go right on thinking about ourselves and our private affairs and not about the Nation and its future. Great peoples can be put to sleep. This can be done if the peoples' leaders tell them to go to sleep, and not to listen to those disturbers of their tranquility who tell them to turn away from the little things and to worry about the big ones.

Mr. JAVITS. Mr. Lippmann points out that it is not the missile gap that scares everyone. We have a great strategic bomber force. We have other forces in being. What worries us is the fact that the Russians have moved ahead of us in technology, and that they are continuing to move ahead of us. Right now, while we are talking, they are going faster than we are. This is almost inconceivable for a nation like ours. And, says Mr. Lippmann, we have seemed to adopt an attitude of complacency which says, "As long as we are comfortable and enjoying life, and no bombs are falling, what if we do slip back a little more? We are still alive."

We may slip back more and more until we become a second-rate power. The Russians do not have to lick us by bombing us out of existence. They can lick us by making us a second-rate power, when they win the world for communism. That is their only ambition. They want the world to be big, busy, and prosperous, but they want it to be Communist. We want the world to be big, busy, and prosperous, but we want it to be free.

I do not believe we shall earn the right to freedom at any less cost of brains, sacrifice, and treasure than the Russians are spending to make the world Communist.

Today we are talking about a measure to make up the gap. I began by saying what the Senator from Kentucky [Mr. COOPER] has so well said. I am for Federal aid to education no matter what it costs. But it is my duty as a legislator of the United States to be one of the architects of a bill which costs the least, and which accommodates, so far as it possibly can, the governmental system of which we are a part, as well as the financial system into which we must fit.

Those are the ground rules for a proper bill for Federal aid to education. The Senator from Kentucky and I believe

that we have tailored a provision to meet those ground rules.

Secondly, the fundamental principle of our amendment is that we do not have to pass out dollar bills to build schools if money can be raised in the bond market; but we must make those bonds good, so that they will produce the money represented by their issue price. We make them good by a federally induced Federal-State guarantee of principal and interest, which makes these bonds triple A municipal bonds, no matter how poor the district may be which is issuing the bonds. That is elementary finance. To that extent the administration is absolutely right. There is no reason for making grants for school construction so long as we live in a private enterprise and capitalistic society in which bonds can be issued which will run for 20 or 30 years. Considering the financial condition of the country, there is no reason why we should not take such a step when buyers are incurring about $52 billion in consumer credit, of which approximately $39 billion is in installment credit, and when we are living in a society which is good for the money, and in which jobs are likely to continue for some years to come. We are really living in that kind of United States. Therefore, why should we not apportion the burden over a period of years, instead of assuming it all at one time?

The Senator from Kentucky and I are Republican liberals, but we are not muddleheaded or fuzzy, and therefore we are in favor of adopting a piece of machinery which is available to us as hardheaded people. Hence, we adopt, as a basic step in our proposal, the concept of guaranteeing the principal and interest, and we would guarantee 50 percent of the principal and interest.

Let us remember that the bill before the Senate, and indeed all the bills which have been proposed for Federal aid to education, are also founded upon the matching basis, whether on grants or on a guarantee of principal and interest, or a bonded debt, such as is contemplated by our amendment.

Where do we differ? We differ very markedly in two respects. First, we would accommodate the school district which has no funds and which also cannot issue bonds because it has borrowed up to the hilt, or because State law will not permit the district to issue bonds. The administration bill does not go that far. We provide a formula whereby it would be done. Incidentally, as my colleague has pointed out, the bill which is before us does not give that kind of help, because the district is expected to share in the matching and put up the money.

In districts which can issue school bonds—which is the usual way of financing schools—the money the Federal Government would be providing would be spread over the whole period of the bond issue, instead of concentrating it in a period of a year or two.

One would think that that would make our proposal much more like the committee bill, but it does not do so, again because of hardheaded finance. By investigating which school districts need this kind of help we find it is a minimum number, and that it will not take a great deal of money to do what should be done.

Of the 50 States there are only 15 which have borrowed-up school districts. This situation exists in the aggregate in only 1 percent of the district in the country. So there is a hard core of 1 percent, or roughly 396 districts.

However, the classroom shortage within these very States is only between 3,056 and 3,086 in the 237 borrowed-up school districts on which statistics are available. The total enrollment involved is about 540,000. Therefore we have estimated an expenditure of $43 million during the first year and $43 million in the second year, or a total of $86 million, to meet their needs.

This is a project which has an analogy with what the Russians have done. They initiated the program. They massed their money. We are massing as much money as we need to, to help the States which have borrowed-up school districts that cannot get money anywhere else. That is the target, Mr. President.

We find that these districts exist in only 15 States, and we estimate that the same condition exists in 5 additional States for which data are not available. In 39 States that condition does not prevail. In 15 it does, and in the case of 5 we do not have data, so we put those 5 with the 15. The estimate is $43 million for each of 2 years, or a total of $86 million. That is one of the basic points in our amendment. We are shooting directly at that target.

The second point is with reference to teachers' salaries.

The Senator from Kentucky and I have a deep feeling on that subject. We understand the teachers' position and are extremely sympathetic toward it, and are very desirous of doing something about it.

However, when we come down to the hard rock of providing Federal money for teachers' salaries, we run into a serious problem in doing what ought to be done. It is not like appropriating money to fill up a shortage, like the construction of classrooms, but appropriating money for a problem which will go on forever. Teachers' salaries are a recurring operating expense. As I say, it is not like the classroom shortage, which can be made up within a period of 5 years or so; instead, it is a recurring expense, going on year after year. Then, too, if we introduce the Federal Government into the field of teachers' salaries, we begin to see the danger of the Federal Government moving into the field of education in a way which is incompatible with the traditional separation of powers and the traditional control by the States of their educational systems. Therefore, we have found another way whereby we can meet some of the legitimate demands and desires of teachers for better compensation, and a situation which repels people from entering the teaching profession.

We have done it by giving the Federal Government a greater participation and a higher share in meeting the principal and interest on the school bond issues of the States which do better than the average with respect to teachers' salaries. I should like to stress that point because it is a very important and essential element of the two parts of our amendment.

It is in these two respects that our amendment would meet the real difficulty in this field. The first I have already mentioned. It relates to school districts which have borrowed up to their limit and cannot find the necessary money elsewhere. The second is with respect to teachers' salaries. There we provide for greater Federal participation in the matching formula for States which do better than normal with respect to teachers' salaries.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I do not know whether the Senator means normally better than now, or normally better from now on.

Mr. JAVITS. Those which are paying higher than normal—and I will define the world normal—teachers' salaries at this time, as well as with respect to adjusting them to other salaries until the bond issue is paid. It would help those who now maintain a salary scale which is higher than the average; secondly, we give a continuing incentive to the localities over the life of the bond issue to maintain that situation.

Mr. AIKEN. I can understand the desirability of giving an incentive from now on, but if we give the advantage to States which are now paying the highest teachers' salaries, would we not be giving benefits to the States that need the benefits the least?

Mr. JAVITS. No; I will tell the Senator why.

Mr. AIKEN. That is what I want to find out. If not, why not?

Mr. JAVITS. Because of the definition in the amendment. We give a definition of what we call normal. The definition of "normal" is the salary effort of the State compared with the per capita income of its inhabitants.

Mr. AIKEN. It is the per capita income, then.

Mr. JAVITS. That is correct. If I may refine that specifically, if a State with a per capita income below the national average pays its teachers more than the average in the country, then we give it an advantage in the matching formula. For example, Alabama, which is the first State on the list, and is certainly one of the poorer States, would, under our proposal, receive the maximum permissible Federal matching, because right now Alabama is making an effort for its teachers far above what it might be expected to make, considering its per capita income and what is the national average of salaries paid to teachers. I have no doubt, however, that in actual dollars Alabama is paying below the national average, rather than above it.

Mr. AIKEN. The Senator from New York has been very helpful. I forget whether the teachers of New York or of California are the highest paid teachers.

Mr. JAVITS. I think it is the teachers of California, I regret to say; I wish it were the teachers of New York.

Mr. AIKEN. California would get 50 percent?

Mr. JAVITS. Under the straight matching formula.

Mr. AIKEN. Compared with 65 percent for Alabama. That means that Alabama is devoting a larger percentage of its income and effort to the payment of teachers' salaries than California is.

Mr. JAVITS. Exactly. So we give Alabama the best break in Federal participation. The salaries paid teachers in Alabama are unquestionably far below those paid to teachers in California or New York, or many other States, in actual dollars.

Mr. AIKEN. I wanted to have that situation explained, because it would be difficult to understand why one would vote to encourage, through benefits, a State which was already able to pay the highest salaries of any paid in the 50 States.

Mr. JAVITS. Of course.

Mr. AIKEN. The Senator from New York has explained that, and I think it is very well that he has done so.

Mr. JAVITS. I am grateful to the Senator from Vermont for eliciting that explanation. I may say also that our amendment does its utmost to take nothing away from the large States. At the same time, it endeavors to deal with the situation of the smaller States and the States less able to make the grade.

Mr. AIKEN. Coming as I do from one of the smaller States, I have no desire to have anything taken away from the wealthy States. We from the smaller States want to take some of our money back.

Mr. JAVITS. There are many Senators, including myself, who represent States having large taxpaying responsibilities. The money comes from the taxpayers somehow, and it must be paid in somebody's dollars. I think we have tried in our amendment, as we have drafted it, to balance all those equities in a way which, for example, is very fair to my State, fair to California, and fair to other large States, at the same time does its utmost for the States which really need help.

To continue, Mr. President, we have developed a formula for teachers' salaries. It is confined to States whose average income is below the national average; we do not even apply it to States whose per capita income is at or above the national average. This proposal is for States which are below par in terms of national income. Where a low-income State is making a 10 percent better effort than the national average in its payment to its teachers, based upon the formula which I have described which gives consideration to its per capita income, that State will receive not 50 percent, but 55 percent matching from the Federal Government. Where a State's record exceeds the national average by 10 to 20 percent, the State will receive 60 percent matching. If its salary effort exceeds 20 percent above the national average, then that State will receive 65 percent matching. The formula will be adjusted annually, so the incentive will continue throughout the period of the program.

It will be immediately asked, What does this mean in terms of money? What will it cost in order to provide this teacher salary incentive? The cost is really minimal—certainly really minimal when we consider the alternatives with which we are faced. First, instead of guaranteeing half a billion dollars worth of bond issues a year for the 4-year period for which our program runs, it means, under our amendment, that the Federal Government will guarantee $536 million, or 53.6 percent. So over the whole period, taking into consideration the $4 billion of bond issues, the Federal Government will guarantee 3.6 percent more than 50 percent of the principal and interest of this bond issue.

When that is broken down into dollars, it will be found that the gross aggregate maximum cost under the amendment will be $115 million a year, from the fifth year to the very end of the period, when all the bond issues will have terminated. Whereas under the administration bill the maximum cost will be $87 million, the first year's cost under our amendment will be $45 million. This would cover the grants to districts which cannot issue bonds. The first year's cost under the administration bill would be $17 million.

It seems to me that we have here a fine example of the doctrine which we lawyers call de minimis. Once we get into the range of costs, when we consider the size of the Federal budget, we certainly are not straining the President's recommendations very far. I deeply believe—and this is one of the fundamental points of the Senator from Kentucky [Mr. COOPER] and myself in making this proposal to our colleagues—that this is a proposal which, if passed by Congress, the President will sign. Let me repeat that. I deeply believe that this is a proposal which, if passed by Congress, the President will sign.

I believe the anatomy of approval by the President is based upon one fundamental question: Will he or will he not be presented with a bill, the basic principle of which he can challenge? He will challenge, as we see it, the basic principle of the committee bill and the basic principle of the general approach which that bill represents, which is essentially a lump-sum-grant basis. We do not believe that he will challenge, in the final analysis, a principle which accepts the administration's program and adds to it the special requirements to give an incentive to increasing teachers' salaries, and to give help to districts which simply cannot find money in any other way, because that is within the basic principle which the President has set forth in his budget and the proposal he has made to Congress.

Of all the arguments, probably, upon this subject, once it is granted that our amendment will do the job—and I certainly think we have proved beyond a question of doubt that it will—the important point is, Can our proposal become law? That is the second most telling factor. There, I think, we have far and away the better of the argument over the committee bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I appreciate the Senator's sentiments and his belief that the President will sign the proposal offered by the Senator from New York and the Senator from Kentucky. I am not quite so sanguine as is the Senator from New York over that matter. Nevertheless, if Congress enacts legislation which we know the President will not sign, and which cannot be passed over his veto, then we are not doing any service at all to the schools of the country, the teachers of the country, or the people who send their children to the schools.

Although I do not know what the President's attitude would be on the Cooper-Javits amendment, it has been my hope that Congress would see fit to send to the President proposed legislation which would be helpful and, at the same time, a measure which could become law. Otherwise, we can claim no credit at all for helping the educational system of our country.

Mr. JAVITS. I am very grateful to the Senator from Vermont for his observation.

Mr. LAUSCHE. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. JAVITS. I yield.

Mr. LAUSCHE. It may be that the Senator from New York has already stated the cost of his amendment. Will he repeat it?

Mr. JAVITS. Yes. I should like to state the cost of our amendment, and then compare it with the cost of the other proposals.

The cost of our amendment will be $45 million for the first year and a peak cost of $115 million when all of the $4 billion of bonds have been issued, as authorized under our bill—per year.

The cost of the administration plan is $17 million the first year and $87 million as a peak cost.

Mr. LAUSCHE. For how many years will the program continue under the amendment of the Senator from New York?

Mr. JAVITS. It will continue for from 20 to 30 years, depending on the life of the bonds. The same is true of the administration program.

Mr. LAUSCHE. Will the Senator from New York state whether he can tell how much New York will have to contribute under the original bill and how much New York will get back—in other words, how many dollars the State of New York will pay and how much New York will get back, in return.

I know that Ohio will pay $1.50 and will receive, in return, $1.

Mr. JAVITS. The estimate normally made is that New York pays approximately 19 percent of the Federal tax bill, which means that New York would pay approximately $100 million of the $500 million. Under the committee bill, New

York would receive $24 million. In other words, New York would get back, in round figures, approximately from one-fourth to one-third of what it would pay in Federal taxes.

Mr. LAUSCHE. In other words, for every $3 that New York paid, New York would get back $1?

Mr. JAVITS. That is correct.

Mr. LAUSCHE. In Ohio, for every $1.50 we would pay in, we would get back $1.

That indicates that there are many States which are in a better financial position to take care of their school problems than is the Federal Government. Does the Senator from New York agree to that statement?

Mr. JAVITS. There is no question about it. Let me say that every one of these bills, in order to be worth its salt, has to be planned to meet a condition. That condition is a shortage of classrooms.

There are three gradations: When the shortage is attributable to arbitrary unwillingness of a district to spend money, we have no business in monkeying with that situation, because, as the Senator properly says, that is the business of that district. That is true in most of the country, and I do not see how anyone can deny it.

Second, if there is a district which, if it had a better bond standing, by virtue of backing by the Federal Government and the State government, could conceivably float the needed bond issue, we certainly should give that backing. It will cost us nothing, and it is the very minimal basis on which we should proceed. Our amendment takes account of that, but the committee bill does not.

Finally, when there is a district which cannot float a bond issue and cannot obtain money in any other way, we feel that the committee bill shoots an enormous bullet at a small target; the administration bill does not shoot anything at that target; our amendment shoots a bullet according to the size of the target, which is what that community needs in order to be able to do its particular community job.

Therefore, I think our amendment—no matter what the Senate may do with it—is really apportioned to the problem; and any Senator who votes for our amendment will be able to face any argument in his home community in regard to any other bill. We believe our amendment will do what the people need; and they do not wish us to be either profligate or parsimonious.

Mr. COOPER. Let me say that both our amendment and the committee bill are based on the theory of equalization.

Our amendment calls for $4 billion of local school bonds to be issued. The amount of school construction allocated to each State will be determined by the ratio between the State's income per school-age child and the national income per school-age child. The amount allocated to each State is inversely proportional to that ratio.

So if a poor State has a low income per child, it would receive a larger allocation, or percentage, of the national school construction program. A State such as New York, or one of the other large States, with an income per child above the national average, would receive less.

So our proposal is based on the old equalization principle, as was the Taft bill which the Senate passed in 1948 and also in 1949. The formula we use to allocate construction among the States is identical to the formula contained in the committee bill. Having established the amount of school construction for each State on the same basis as the committee bill, we have added refinements concerning the Federal-State division of responsibility for that construction, in matching based in part on salaries paid to teachers, as the Senator from New York has discussed. The effect of both, the allocation formula and the matching, as well as the other provisions we have included, is to go more directly toward helping the school districts which actually need help.

Mr. LAUSCHE. In other words, the basic philosophy is to give help where it is needed, and to omit giving help where it is not needed. Is that correct?

Mr. JAVITS. That is exactly correct.

Mr. LAUSCHE. I wish to concur in the view expressed by the Senator from New York, namely, that we in the Congress should not arrogate to ourselves infallibility of judgment, by telling the people back home who refuse to vote for the issuance of bonds, when, under the law, they have the capacity to do so, that they do not know what their true responsibilities are.

Moreover, let me say to the Senator from New York and to my other colleagues that I think holding out to the school districts of the country the expectation that they are to receive a great gift from the Federal Government has acted as a deterrent; it has caused the people to hesitate to vote for the issuance of bonds. In effect, we are telling the people, "If you will wait, the Federal Government will give you the money, and you will not have to pay anything in return." It is tragic that that philosophy is quite widespread.

I am in some confusion about the sums involved. The Senator from New York has referred to $4 billion. Will he repeat the figures?

Mr. JAVITS. Yes. The $4 billion is the overall amount of bonds susceptible of guarantee under the Federal-State program provided by our amendment. The actual dollar cost of that guarantee, plus other features of our bill which I have explained, is $45 million for the first year and $115 million at the peak, when all the $4 billion in bonds are issued.

That compares with $17 million for the first year and $87 million at the peak, for the administration bill.

I will not say anything about the cost of the bill of the Senator from Michigan [Mr. McNAMARA], because it has a totally different concept—a grant concept and a 2-year program. It simply is not analagous.

I think the fundamental question we must decide is whether we wish to adopt the principle of underwriting bond issues or the principle of making lump sum grants.

I favor the principle of underwriting bond issues, because I think that is conducive to local initiative. In that event, the Federal Government will take up the slack only when the local community is unable to issue bonds; and even then, our amendment provides for gradations. If the local community does not wish to issue bonds, the Federal Government will do nothing. If the local community does wish to issue bonds, the Federal Government will, under our amendment, give help in accordance with the need.

Therefore, I say our amendment is based on the fundamental principle of being tailored to meet the need. That is what the Senator from Kentucky [Mr. COOPER] and I have tried to do.

Mr. LAUSCHE. Mr. President, will the Senator from New York yield for a brief statement?

Mr. JAVITS. Yes, I yield.

Mr. LAUSCHE. I merely wish to express my understanding of the difference between having the local and State communities do the job and having the Federal Government do the job.

The records clearly show that the State governments and local governments find it much easier to sell their bonds than does the Federal Government. I have particularly in mind these facts: The purchasing power of the dollar in 1959 was 47 cents, compared to 100 cents in 1941. The national debt increased following the war, when, because of prosperity, we should have reduced the debt. Our gold is flowing away. There is $4½ billion less in gold in the reserves than there was half a decade ago. The Government cannot sell its bonds. It is begging the people of the country to buy them. It is selling bonds of 90-day tenure because it cannot sell 20- and 30-year bonds.

I humbly submit to my colleagues that if I were wanting to ruin my country, I would proceed with the philosophy of making grants and more grants, when we have to borrow the money to give it away. We have spent the money that should rightfully belong to our children, and we are now going hellbent for election ahead to spend the money which should belong to our grandchildren and their children.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JAVITS. Let me complete my observation, and then I shall be delighted to yield to my friend from California.

The Senator from Ohio has by implication made a point which I think is very important. If I may rephrase it, when the Federal Government makes a grant, it issues a bond. That bond is, under the problems we have today, for a short term and at a high interest rate. We are paying 5 percent. When a municipality issues bonds, once it gets an issue sold, the bonds are guaranteed by the county and State governments, and they are exempt from Federal income taxes. Triple A municipals are paying 3½ percent.

Mr. President, that is a very important difference, and I think it verifies and seals the approach of guaranteeing the municipalities' and States' output of securities, rather than issue our own.

Now I yield to my colleague from California.

Mr. KUCHEL. Mr. President, my able friend from New York is precisely correct, but I wish to say to the Senator from Ohio with respect to the tragic difficulty in which the Federal Treasury now finds itself, that my able colleague understands why the Government of the United States, acting through the Treasury Department, finds itself incapable of selling on the money market long-term Government obligations; does he not?

Mr. LAUSCHE. It is primarily because we have operated at a deficit for 24 years out of the last 29 years.

Mr. KUCHEL. Would my friend say there is any relevancy in the fact that there is a ceiling on long-term Government obligations?

Mr. LAUSCHE. Yes; I understand the relationship.

Mr. KUCHEL. Will my friend agree with me?

Mr. LAUSCHE. I agree. About 3 weeks ago I received a letter from a citizen who lives in Troy, Ohio. This citizen said to me, "During the war, and after, at the persuasion of public officials, I invested my money in Government bonds. I was told that that money would be repaid to me." He said, "Now I need money, I want to sell my bonds, and all I can get for them is 80 cents on the dollar." He asked me to explain that.

Mr. KUCHEL. For how long a term was the obligation, may I ask the Senator?

Mr. LAUSCHE. It was a long-term obligation, and that is why its value has fallen so low. That is the reason why the Government has to sell 60- and 90-day bonds.

Mr. KUCHEL. I could not agree with my friend more completely.

Is it not true that what my colleague has just so eloquently stated is one compelling reason why the Congress ought to follow the recommendations of the administration with respect to fiscal management, and change the statutory interest rate on our long-term Government obligations?

Mr. LAUSCHE. I was mayor of Cleveland and Governor of Ohio during a part of the war. I made countless speeches asking my fellow citizens to buy Government bonds. I told them that they should invest their money in them, that their money would be repaid, and I assumed it would be repaid with dollars of the same value as those with which the bonds were bought. That assumption has proved untrue.

Mr. KUCHEL. Well, my friend answered my question. I think he is going to agree with what I said.

Does the Senator agree that the Congress ought to heed the warning of Secretary of the Treasury Anderson and approve the legislation so earnestly requested by the President in this fiscal field?

Mr. LAUSCHE. I have no hesitation in answering the question. I have already stated my position. If I wanted to make the appeal, I would say the Government should pay only 1 percent interest on its bonds; but that cannot be done. Nobody would buy the bonds. So there is no question in my mind that if the Government of the United States wants to sell its bonds in competition with the city of Cleveland and the State of Ohio, is must fix the rate of interest in some relationship to the price they are paying.

Mr. KUCHEL. I thank the Senator.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I hope—and I shall certainly yield to my dear friend and colleague from Tennessee—we shall not get into a traditional debate on interest rates and fiscal policy, because really this bill, in and of itself, deserves every bit of our thinking, and the Senator from Kentucky [Mr. COOPER] and I rather hope that we can act on it on the basis of its merits or demerits.

Mr. GORE. Mr. President, I thank the Senator. I agree with the statement he has just made. I did not rise to engage in a discussion of the interest-rate problem, but, rather, to comment on what the senior Senator from Ohio just said, which, if I understood him correctly, was that if he wished to destroy this country he would proceed upon the course outlined in the provisions of the pending bill.

Mr. LAUSCHE. That is not what the Senator from Ohio said. I think if I wanted to destroy this country I would proceed under the philosophy that the Government can continue spending more each year than it takes in, so that it would go to the poorhouse, and that is what has been done for 24 years of the last 29 years.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. Perhaps I misunderstood the Senator from Ohio. I understood him to be discussing the pending bill, and I thought his remarks, which he has now repeated, were addressed to the subject matter before the Senate. If I misunderstood the Senator, then I am sorry and I shall not reply further.

Mr. LAUSCHE. I may state further that the program now projected has a relationship to the general program which has been advocated in the past, and that is, by spending more than the Government takes in, the country will get richer and better economically.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. The Senator's remarks just now indicate that perhaps it would be appropriate to express briefly the view which I had risen to express, which is, that I know of no greater national peril than an inadequate educational system for the youth of our country—truly tomorrow depends upon the education of the youth of today.

The doubts which the senior Senator from Ohio expresses, the apprehension which he entertains, cannot in my view stand against the national peril involved in the inadequate educational system which is in prospect, with the multiplication of our population, the shortage of classrooms and, most of all, the inadequate economic and social status of the teacher. It matters not how adequate the classrooms may be, there will be no good class without a good teacher. In many parts of our country today, young men of bright, inquisitive, imaginative minds, and personalities are not being attracted into the teaching profession. There are exceptions, of course, but all too few.

We must not think this is purely a local problem. It is a national problem. True, the function of administration of our educational system rightly belong to the local officials, but that does not mean the national welfare is not involved, for its welfare and very security are inexorably involved.

I thank the Senator.

Mr. CLARK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from New York.

I should like to congratulate the Senator from Tennessee for what he has stated. I should like, with all the courtesy at my command, to say to the Senator from Ohio, who is my good friend, that I am becoming a little tired of hearing Senators accused on the floor of wanting the Government to spend more than it takes in. I do not know of a Member of the Senate who is in favor of a deficit. I do not know of a Member of the Senate who is not in favor of balancing the budget and of having a surplus.

When we have an overwhelming national need, such as is depicted before the Senate in regard to education, I think it is not a very graceful act to accuse one's colleagues of wanting the Government to spend more than it takes in.

I am prepared to tax as much as is necessary, to insure that this country has a proper educational system. I think the Senator from Ohio is, also. I resent the suggestion that some of us want the Government to spend more than it can take in, to meet the crying and critical national need of the kind just described by my friend from Tennessee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Ohio.

Mr. LAUSCHE. I must take exception to the statement of the Senator from Tennessee, because the substitute offered by the Senator from New York contemplates taking care of those areas which do not have the money to take care of themselves. That is the proposal.

The other bill, in effect, declares, "Ohio, you support this and we will give you more money than you will give to us." That I do not believe in. I cannot subscribe to it.

The Senator from Pennsylvania has made the statement that he is prepared to tax. I commend the Senator for

that, because I know that is his policy. I am willing to spend, but I want to tax to do so. I am not one of those who will tell the people, "I will give you money, but I will not tax you." When that statement is made, it is deception of the worst type.

Mr. JAVITS. Mr. President, to resume the consideration of the matter before the Senate, I deeply appreciate the contributions of my colleagues, because I think all three of them—and I love them all—have highlighted what I believe is very important. There is a deep feeling that we have to do something about the teaching situation and the schools. There is no question about that. I could not agree more than I do with the Senator from Tennessee. Surely, we talk about bricks and mortar, but it is the human heart and the human mind which are going to guide our young people, in the final analysis and determine their education in the frame in which education should operate.

Mr. President, our amendment takes the rifle approach, not the shotgun approach. We try to promote better teachers' salaries. This involves a permanent expense, not a temporary expense.

We all agree that insofar as it is humanly possible education is best served when it is kept within the community, or at least within the State. Therefore, the Senator from Kentucky and I fire a rifle at the particular target and say, "Let us encourage the State by relieving its financial exertions as to the school construction responsibility, so that the State will have an inducement to do better by the teachers in its teacher salary responsibility."

I could not say that those who recommend the other course, of a grant to the States for raising teachers' salaries, are insincere or less patriotic than I. I can only say they are shooting, based upon our present experience, a much larger weapon than is required for the purpose at a time when we in the National Government are, as we all agree, under every exigency to have an economy of means, not economy in the absolute sense.

I am in favor of these measures, as I said when I began. I shall vote for a school aid bill tonight or tomorrow night, and I shall be proud to do so, whatever may be the final form the bill may take.

Mr. President, our duty is to gage the weapon to the target. The Senator from Kentucky [Mr. COOPER] and I have done our utmost to use a weapon which will produce the desired result, the maximum benefit with the most economy.

Mr. President, I should like to conclude my discussion by introducing as a part of my remarks an analysis comparing our proposal with the administration bill and the committee bill, as sponsored by the Senator from Michigan [Mr. MCNAMARA], and a table of the first year allocations by States, together with the Federal share of the principal and interest on bond issues which would be called for under our substitute.

Mr. President, I ask that the analysis and table be printed in the RECORD as a part of my remarks.

There being no objection, the analysis and tables were ordered to be printed in the RECORD, as follows:

PURPOSE: A GOOD AND ADEQUATE SCHOOL-CONSTRUCTION BILL

MAJOR FEATURES ADDED TO ADMINISTRATION BILL BY COOPER-JAVITS

1. Grant provision for borrowed-up needy districts, first 2 years. (No provision in S. 1016 for needy districts at their legal debt limit and unable to issue bonds.) While lump-sum grants are similar to S. 8 method, only $90 million, rather than $1 billion as in S. 8, is required according to new Office of Education Survey. Further, incentives are provided to remove debt limitations (by docking State allocation in third year, and less favorable matching). As debt limits are removed, districts repay grants, join regular bonding program. Direct construction grants do not add to total cost, but advance immediately Federal share otherwise stretched out over 20–30 years.

2. Premium matching for low-income States making above-average teacher salary effort. The only teacher-salary incentive in any construction bill. S. 8 has variable matching, based on per capita income. S. 1016 is straight 50–50 matching. Cooper-Javits is basically 50–50 matching.

Low-income States receive 55 percent matching if their salary effort is up to 10 percent better than the national average; 60 percent matching if their salary effort exceeds national average by 10 to 20 percent; 65 percent if salary effort exceeds 20 percent. Steps provide incentive to maintain and increase relative level of teachers' salaries, operative over life of bonds. Net result of premium matching for salary effort is overall Federal share of 53.6 percent.

3. Term reduced from 5 years to 4 years, to achieve same annual rate of construction as committee bill—25,000 rather than 15,000 classrooms per year.

4. Program increased from $3 billion of assisted construction to $4 billion—an estimated 100,000 classrooms to more nearly meet classroom shortage of 132,000. Actual size of program, of course, would depend on appropriations.

SAFEGUARDS RETAINED BY COOPER-JAVITS

1. Requires State, not State or local, matching (except in first year, required for action by States). The basic premise of administration proposal is the necessity of improving States' performance if any progress is to be made in needy districts. Under committee bill, needy districts without funds could be passed over. By adding construction in districts which can match grants, S. 8 could divert Federal funds to projects which would be built in any event.

2. Other safeguards in carefully constructed administration bill are retained.

ADVANTAGES IN BRIEF

1. Best hope for a bill which could become law.

2. Spreads cost for States, as well as for Federal Government. If S. 8 really goes to needy districts and States, how would they match $1 billion in 2 years?

3. Normal method of financing: Bonds build 85 percent of schools; keeps financing arrangements a local responsibility.

4. More nearly meets the need for 132,000 classrooms.

5. Requires State participation in aid to needy districts.

6. Provides grants where needed, but only one-tenth of the amount in S. 8 is needed to build in borrowed-up needy districts.

7. Encourages removal of debt limitations now preventing normal school financing.

8. Recognizes State efforts to raise teachers' salaries, encourages increased salaries—over 20- to 30-year term.

9. No State gets less than 50 percent matching.

10. Carefully constructed to help needy school districts—not a "stump and run" bill.

Short comparison

	Committee bill (MCNAMARA) (S. 8)	Administration bill (S. 1016)	Cooper-Javits amendment to S. 8
Term	2 years	5 years	4 years.
Construction [1]	$2,000,000,000	$3,000,000,000	$4,000,000,000.
Classrooms	50,000	75,000	100,000.
Rate	25,000 per year	15,000 per year	25,000 per year.
Method [2]	Federal grants	Local bonds	95 percent local bonds.
Federal cost paid out	$1,000,000,000 in 2 years	$2,204,000,000 over 30 years	$2,974,000,000 over 30 years.
1st year cost	$500,000,000	$17,000,000	$45,000,000.
Peak-year cost	$500,000,000	$87,000,000	$115,000,000.

[1] Estimated $40,000 per classroom; committee claims 75,000 for S. 8; classroom shortage, 132,000.
[2] COOPER-JAVITS: $90,000,000 or less in grants, repayable (Jan. 16, 1960 estimate).

Cost schedule—Cooper-Javits school bill

[Millions]

	Fiscal 1961	Fiscal 1962	Fiscal 1963	Fiscal 1964	Fiscal 1965
School construction assisted	$1,000	$1,000.0	$1,000.0	$1,000.0	None
Federal share commitment	536	536.0	536.0	536.0	None
Less: Construction grants advanced [1]	45	45.0	(90.0)		
Local bonds federally guaranteed	491	491.0	446.0	536.0	None
Debt service on these bonds [2]		28.8	57.7	83.9	115.4
Add: Construction grants	45	45			
Federal cost	45	73.8	57.7	83.9	115.4

Total Federal cost over 30 years: $2,974 million.

[1] Estimated maximum direct grants advanced 1st 2 years to borrowed-up districts; unless repaid, States allocations are docked equivalent amount ($90 million) in 3d year.
[2] 1st principal-and-interest payments fall due after 1 year; debt-service commitment of $115 million runs 5th through 26th year, decreasing in final 3 years; computed for 25-year level-payment tax-exempt bonds, 3¼ percent interest (AAA municipals carried 3.20 percent in November).

NOTE.—Assumes construction grants not repaid; repayment would reduce cost in 3d and 4th years by up to $90 million, would permit an equivalent amount of bonds to be issued, and increase final cost by the amount of the interest on these bonds.

Cooper-Javits amendment to S. 8—First year allocation

States	Value of school construction	Federal share	Federal share, percentage
United States	$1,000,000,000	$536,778,120	-------
Alabama	30,535,000	19,848,000	65
Alaska	508,000	254,000	50
Arizona	8,176,000	4,906,000	60
Arkansas	17,232,000	8,616,000	[1] 50
California	49,053,000	24,526,000	50
Colorado	10,059,000	5,533,000	55
Connecticut	5,962,000	2,981,000	50
Delaware	1,185,000	593,000	50
Florida	23,242,000	13,945,000	60
Georgia	33,737,000	18,555,000	55
Hawaii	4,295,000	2,362,000	55
Idaho	5,399,000	2,970,000	55
Illinois	35,675,000	17,837,000	50
Indiana	25,835,000	12,918,000	[1] 50
Iowa	18,006,000	9,003,000	50
Kansas	12,770,000	6,385,000	[1] 50
Kentucky	27,200,000	13,600,000	[1] 50
Louisiana	26,623,000	17,305,000	65
Maine	6,359,000	3,179,000	[1] 50
Maryland	15,386,000	7,693,000	50
Massachusetts	18,383,000	9,192,000	50
Michigan	40,815,000	20,408,000	50
Minnesota	21,748,000	11,961,000	55
Mississippi	22,166,000	13,300,000	[1] 60
Missouri	21,809,000	10,904,000	[1] 50
Montana	4,484,000	2,242,000	[1] 50
Nebraska	9,000,000	4,500,000	[1] 50
Nevada	978,000	489,000	50
New Hampshire	3,313,000	1,657,000	[1] 50
New Jersey	18,375,000	9,187,000	50
New Mexico	7,550,000	4,908,000	65
New York	48,351,000	24,175,000	50
North Carolina	41,075,000	24,645,000	60
North Dakota	5,542,000	2,771,000	[1] 50
Ohio	44,542,000	22,271,000	[1] 50
Oklahoma	16,233,000	8,928,000	55
Oregon	10,147,000	5,581,000	55
Pennsylvania	53,638,000	26,819,000	50
Rhode Island	3,804,000	1,902,000	[1] 50
South Carolina	24,778,000	14,867,000	60
South Dakota	5,567,000	3,062,000	55
Tennessee	29,395,000	17,637,000	60
Texas	66,134,000	36,374,000	55
Utah	7,258,000	4,355,000	60
Vermont	2,622,000	1,311,000	[1] 50
Virginia	27,799,000	13,900,000	[1] 50
Washington	14,744,000	7,372,000	50
West Virginia	17,426,000	9,584,000	55
Wisconsin	23,297,000	12,814,000	55
Wyoming	2,111,000	1,056,000	50
District of Columbia	1,753,000	877,000	50
Guam	653,000	327,000	50
Puerto Rico	26,919,000	13,459,000	50
Virgin Islands	352,000	176,000	50

[1] Eligible for premium matching if teacher salary effort is raised.

Mr. JAVITS. Mr. President, it was my intention at this point to suggest the absence of a quorum, upon the theory that it would be preliminary to a vote, but I notice two of my colleagues are standing. I wonder if they wish me to withhold my request.

Mr. McNAMARA. Mr. President, I have a few remarks to make.

Mr. JAVITS. Mr. President, I yield the floor.

Mr. McNAMARA. Mr. President, I have a few remarks to submit in reply to what has been said by the two distinguished Senators.

The Senator from Kentucky [Mr. COOPER] has labored long in the vineyard for Federal aid to education, and was laboring in that behalf before I came on the scene. The Senator has a fine record in this area.

Certainly the Senator from New York [Mr. JAVITS], who joins the Senator from Kentucky in this drive for Federal aid to education, deserves to be complimented equally, in respect to the sincerity with which he speaks and the objective at which he aims which is one we are all trying to attain. Certainly we are glad to have the Senators with us, and to know we are all on the same team.

Mr. President, I wish to address my brief remarks to the Cooper-Javits amendment. I have only a few things to point out.

State legislative and constitutional barriers exist in the States in varying degrees. Thirty-nine States would require either a referendum or a constitutional amendment before the States could effectively participate in the Cooper-Javits program.

Mr. President, I submit herewith a breakdown of the States to which I refer. The first portion lists the States which would require a referendum; the second table lists the States which would require a constitutional amendment; and the third table lists the 11 States which would have no problem under the proposal. I ask unanimous consent that this information be printed in the RECORD at this point.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

Referendum required: Except for borrowing for limited purposes (not including school construction), the constitutions of the following States require that borrowing by the State, or borrowing above a certain amount, be submitted to the people for their approval: Alaska, Arkansas, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Montana, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, South Carolina, Virginia, Washington, and Wyoming.

Constitutional amendment required: Except for borrowing for very limited purposes (not including school construction) or of amounts so small as to make it almost certain the authority has been exhausted for all practical purposes, the constitutions of the following States prohibit borrowing by the State: Alabama, Arizona, Colorado, Florida, Georgia, Hawaii, Indiana, Louisiana, Minnesota, Missouri, Nebraska, Nevada, North Dakota, Oregon, Pennsylvania, South Dakota, Texas, Utah, West Virginia, and Wisconsin.

The following 11 States have no such problems: California, Connecticut, Delaware, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, Ohio, Tennessee, and Vermont.

Mr. McNAMARA. The Cooper-Javits proposal would commit the Government for 25 to 30 years of Federal assistance.

Instead of a crash program—in which the Federal Government would get in and get out of the construction program as provided in S. 8—future Congresses and future administrations would be tied to what this Congress had done in 1960.

Furthermore, the Cooper-Javits proposition would make absolutely necessary higher interest costs to the National Government. The vast bulk of funds to be spent under it would be provided by bonds, on which the Federal Government would pay approximately 4.3 percent interest. The total interest charge to the Federal Government would be $1.7 billion, which would build no classrooms whatever, nor help in any other manner to solve the problems of our educational system.

S. 8 would be financed from the $4.2 billion surplus which the Eisenhower administration has predicted. Even though this surplus contemplates increased gasoline and postal rates, I am sure Senators COOPER and JAVITS agree that there will be sufficient surplus to finance S. 8 at no interest cost to the Federal Government.

It has been suggested that Federal bonds will be necessary to finance S. 8. I do not agree.

We might just as well say that we will have to float bonds to finance missile research or development of the Polaris submarines.

These would be appropriations that would come from the general fund; and the President's prediction is that that fund will be ample.

Reference has been made to the needy school districts. A State school officer could distribute money in any way he saw fit under the terms of our bill, so long as the total State matching grant is procured statewide. Thus, if a State must put up 50 percent—of $1 million—to match a $1 million contribution of Federal money, it could get 1 percent from needy districts and 99 percent from the so-called wealthy districts. The States would decide such questions under our plan.

Again I wish to compliment the Senators who offered this amendment for their sincerity, their cooperation, and the great job they have done in pointing out the need for Federal aid for education.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. BARTLETT. I should like to ask the distinguished Senator from Michigan a question. He has stated that the pending amendment would require referendums and consideration of constitutional amendments in some of the States.

Mr. McNAMARA. In 39 States.

Mr. BARTLETT. Are similar requirements incorporated in the provisions of S. 8, as reported by the committee?

Mr. McNAMARA. No; they are not similar requirements. There might be some States which would have to take action in one form or another, but, generally speaking, there would be very few such States.

Mr. BARTLETT. How does the total authorization for appropriations provided in S. 8 compare with the authorizations in the amendment proposed by the Senator from Kentucky [Mr. COOPER] and the Senator from New York [Mr. JAVITS]?

Mr. McNAMARA. If the Senator is referring to Federal money, there is a total of $500 million for each of 2 years.

Mr. BARTLETT. In Senate bill 8?

Mr. McNAMARA. In Senate bill 8. It is my understanding that there is considerably more Federal money involved in the Cooper-Javits amendment.

Mr. BARTLETT. I thank the Senator.

Mr. MORTON. Mr. President, as we approach the problem of Federal aid to education it might be well to put a few facts in balance. In the course of the

past 15 years few subjects have been so extensively discussed in the Congress.

Despite—or perhaps because of—the amount of time and effort that Members of the Congress have devoted to the matter of education, confusion beclouds the issues which proposals for additional Federal aid to education place before the Congress for resolution. In recent months confusion has become worse confounded by the professional purveyors of pessimism who are trying to convince us that our great country has suddenly become a second-rate nation. In education, as in many other fields, there is need to set the record straight.

Let us look squarely at the facts—all of them matters of public record—which have become obscured in the smoke and the heat of the propaganda battle that has been waged over proposals for additional Federal aid to education.

By any objective standards ours is a good and expanding system of education. Any comparisons between the educational system of the United States today and that of 10 years ago, or of any other past period demonstrate beyond question that phenomenal progress has been made. A higher percentage of Americans of school age are in school today than ever before. They are receiving a longer period of schooling than ever before. They are in newer buildings, and smaller classes than ever before. They are being taught by teachers who have had more education and are being paid higher salaries than ever before. A higher percentage of the national income is devoted to education than ever before. Today we can look back on a decade of magnificent achievement in the field of education. Problems created by war and depression—problems of drastic changes in the numbers of schoolchildren, problems of shortages of materials, problems of rising costs—have all been met with characteristic American vigor and ingenuity and with characteristic American success. We have done things that the pessimists of a few years ago told us could not be done. And, in view of these achievements, I for one am inclined to discount the prophecies of the pessimists of today about the future.

In May 1955 the secretary of the California Teachers Association testified before the House Committee on Labor and Education:

> From all sources, something over a billion dollars must be spent on school buildings in California by 1960 * * * even the fabulous wealth of California will be unequal to the responsibilities placed upon it.

But the record shows that in the school years from 1955–56 to 1959–60, expenditure on public school construction in California amounts to $2.1 billion. This figure does not take into account expenditure for construction of private and parochial schools, in which 10 percent of California's children attending elementary and high school are educated.

Other gloomy prophecies that have underestimated the ability of Americans to do the job could be cited—among them the prediction of the then chairman of the Senate Committee on Labor and Public Welfare on January 22, 1955, that the classroom shortage would reach 600,000 by 1958–59.

These errors of the past should incline us all to view with extreme caution and healthy skepticism predictions of the same character that we shall hear in this Chamber in the course of the debate over current proposals for additional Federal aid for education.

SOME INDEXES OF PROGRESS

Forty-six million people, one-fourth of the Nation, are now participating in full-time formal education. Ninety-nine percent of the children aged 6 to 15 and 83 percent of those aged 16 and 17 are enrolled in school. One-third of our young people enter college; two-thirds of those who enter, are graduated. One and a half million high school diplomas and half a million college degrees are awarded each year. No other nation comes close to these achievements.

In the past 30 years enrollment in all elementary and secondary schools has increased by approximately 14 million students. Public school enrollment has climbed by approximately 10 million or 40 percent; non-public-school enrollment, by approximately 4 million or 143 percent.

In the 30 years since 1929–30, annual current public school expenditure has increased by 546 percent, capital outlays for public schools by 777 percent. Public school enrollment today, is, however, only 42 percent above that of 1929–30. If we make allowance for the inflation of the last 30 years and express public school expenditure in dollars of constant purchasing power, total school expenditures per pupil in 1959 dollars have risen from $165 in 1929–30 to $421 per pupil at present—an increase of 155 percent.

Some properly point out that the quality of education cannot be measured in dollars and percentage points. I point out that neither can it be measured in brick and mortar or salaries and allowances. Only from a public, vocal because it is local, can we find the springboard for betterment.

CLASSROOM CONSTRUCTION

What of classroom construction? Again looking back over the past 30 years, we see the following pattern for the average annual rate of classroom construction during the last four national administrations.

During the Hoover administration, an average of 29,600 classrooms were built; during the Roosevelt administration, 11,800; during the Truman administration, 23,500; and during the Eisenhower administration, 62,725 classrooms a year—almost three times greater than the annual average under his predecessor.

Between 1954 and 1959, when public school enrollment increased by 20 percent, the number of classrooms in use increased by 30 percent, and the average number of pupils per classroom was reduced by 8 percent.

Fifty percent of the public school pupils today are housed in classrooms built since World War II and almost 40 percent of them are in classrooms built since President Eisenhower assumed office.

The people of the United States have moved mountains in the past few years to attain excellence in the physical environment in which their children are educated.

THE CLASSROOM SHORTAGE

But what about the current classroom shortage, reported by State educational agencies to be 132,000 at the end of the calendar year of 1959?

I do not feel that we have yet achieved a method of determining the shortage of classrooms in the United States which is sufficiently uniform and objective in its standards to demand unquestioning acceptance. This is clear from the striking variations in the estimates of classroom shortages that have been provided by State school authorities from year to year. In 1950, we were told that the shortage was 250,000; in 1953, 312,000; in 1954, 370,000; in 1956, 199,000 by the White House Conference on Education, but in that same year, it was set at 159,000 by State departments of education. In 1957, the figure was set at 142,300; in 1958, 141,900; and in 1959, 132,400.

The State of Alabama in 1954 reported 19,750 classrooms in use. In 1956, it reported only 13,240 classrooms available, and a shortage of 11,354 classrooms. Its 1959 report showed 22,760 classrooms in use and a reduction of the shortage to 6,364.

These examples indicate that the estimates of classroom shortages are not arrived at with scientific precision. The standards used by the educational authorities of our States in making these estimates vary not only from State to State, but change from year to year within States. That is especially true when we have a new Governor in a State with a new State department of education.

Five hundred and one thousand eight hundred classrooms will have been completed during the 8 years of the Eisenhower administration. Three hundred and thirty-six thousand of these will have been constructed in the 5-year period ending with the close of the current school year. During this time 212,000 were needed to provide for increases in enrollment, assuming 1 classroom for each 28 children. One hundred and twenty-five thousand classrooms, then, will have been available to reduce whatever shortages may have existed because of overcrowding, obsolescence, or other factors. In other words, we have been reducing the classroom shortage at a rate of 25,000 classrooms a year for the past 5 years.

If we project the rate of classroom construction of the period 1954–55 to 1959–60, 5 or 6 more years of such effort would eliminate completely the present backlog estimated at 132,000 classrooms, provide the additional classrooms required by enrollment increases, and replace the classrooms likely to become unsatisfactory in this period.

These estimates are derived from an analysis of the need for classrooms in the decade from 1960 to 1970 presented to the convention of the American Statis-

tical Association by Louis H. Conger of the Educational Statistics Branch of the Office of Education on December 30, 1959. Mr. Conger reported that 610,000 additional classrooms will be needed in the next 10 years—or an average of 61,000 a year. For the past 5 years we have been building public school classrooms at an annual rate of 66,700.

No system of massive and indiscriminate additional Federal aid to education is needed to overcome whatever classroom shortage exists at the present time.

I have pointed out that a 5- or 6-year continuation of the rate of classroom construction of the last 5 years would eliminate the backlog completely.

Another fact to be weighed in determining the need for additional Federal aid is the projection of school-age population in the coming decade. The school population of the United States will increase more slowly in the 1960's than it did in the 1950's.

Between 1960 and 1965, the average annual increase in the school-age population will be 23 percent less than that of the last 5 years; between 1965 and 1970, it will be 57 percent less than that of 1955–1960.

Furthermore, almost 60 percent of the growth of school enrollment from 1955 to 1970 will take place in the 12 highest income States, which should be able to get along without additional Federal funds.

Finally, if trends of the past 20 years continue, an increasing percentage of the school population will enroll in private and parochial schools, thereby further lessening the pressures for expansion of the physical plant of public school systems.

THE TEACHER SHORTAGE

These considerations are equally applicable to a consideration of the need for massive and indiscriminate Federal grants to relieve the teacher shortage.

Again, we find substantial progress. In the past 30 years when pupil enrollment in our public schools was increasing by 42 percent, the instructional staff increased by 65 percent. The national ratio of teachers to pupils in public schools was 1 teacher to 35.6 pupils at the beginning of this century; 30 years ago it was 1 to 29.2; today it is 1 to 25.

The story of progress since World War II has been well told in a pamphlet of the National Education Association entitled "Fifty Milestones in the Professional Standards Movement." The pamphlet shows that the percentage of elementary school teachers holding a college degree has risen from 45 percent in 1946 to 71 percent in 1959, that the number of teachers with emergency certificates dropped from 1 in 6 in 1946 to 1 in 14 in 1959.

In 1946 the average annual teacher's salary was $2,080 a year; in the current school year, it is $5,160. Over the last 10 years the average teacher's salary in dollars of constant purchasing power has risen by 45 percent, while average salaries of all other employed persons have risen 29 percent.

We still do not pay capable teachers what they are worth, but State and local governments have moved ahead rapidly toward this objective, and the momentum of the advance is continuing.

Admitting that there is a shortage of qualified teachers, we are handicapped by lack of information based on uniform standards as to the extent of the shortage.

We do know that we now have nationwide one teacher for very 25 students and that the ratio has been reduced at a time when the school population increased at an unprecedented rate. We do know that the problem has eased considerably since President Eisenhower took office when the number of certificated instructional staff members increased by 34 percent and the public school enrollment increased by 26 percent.

Present trends point to more rapid easing of the problem. The percentage of college students who prepare for a teacher's certificate has risen dramatically from 21 percent in 1948 to 32 percent in 1959. If the percentage of students selecting a teaching career remains constant for the next 10 years, we may expect an increase in the number of new teachers of 82 percent. Meanwhile, the school-age population—5 to 17—will grow only 20 percent.

The accomplishments of our educational system in meeting the staggering problems faced since World War II without impairing State, local, and private initiative deserve more attention than they have been given. Problems indeed remain, but they are neither as severe nor as widespread as they were in past years when the Congress consistently rejected plans to provide massive and indiscriminate additional Federal aid to education.

EXISTING FEDERAL AID

These accomplishments have been wrought by State, local, and private agencies, but with important assistance from the Federal Government. We should not lose sight of the tremendous contribution of the National Government without which the record of accomplishment could not have been attained.

The Office of Education last year enumerated 137 separate programs by which the Federal Government was extending aid to education in the fiscal year of 1958. These programs include such objects as aid for school construction and operation in federally affected areas, for land-grant colleges, the grants for vocational education, for the education of military personnel, of veterans, of Indians, educational exchange programs of the State Department, Federal grants for research, education for the rehabilitation of the disabled, and a wide variety of others.

Federal appropriations for these 137 programs in fiscal 1957 came to $2 billion—an increase of 39 percent over the expenditures for these purposes in fiscal 1953.

If we conceive Federal aid for education more narrowly and look only to the programs classified in the budget under the heading "promotion of education," we find expenditures for these programs have risen from $177 million in fiscal 1952 to an estimated $549 million in the current fiscal year. This is an increase of 370 percent.

From the time this administration took office to the end of fiscal 1959, the Federal Government appropriated $1.1 billion for schools in federally affected areas.

In other ways—no less important—the Federal Government has aided education. Policies which permit and induce steady economic growth, which moderate fluctuations in prices, which impose prudent restraint on Federal expenditure for the objects which are the direct responsibility of the National Government—all these have aided education by enabling State, local, and private sources to finance the tremendous expansion of the American educational system in the last 5 years.

One of the best Federal aid to education measures was the reduction of Federal taxes in 1954. Thanks to this reduction, the taxpayers have been saved $40 billion. That is the sum over and above actual Federal tax receipts which the National Government would have taken from our citizens between 1954 and the present, if the tax rates at the end of the Truman administration had remained in effect.

Without this abatement of Federal competition for the tax dollar State and local governments could not have achieved their records of the past 5 years in building schools at an accelerated rate, raising teachers' salaries, and spending more on other aspects of education.

There can be no argument about the necessity or desirability of a policy of Federal aid for education. With 137 programs now in operation, we have been committed too deeply for too long a time to the policy to challenge the principle of Federal aid. The substantial questions are what form Federal aid should take and to whom it should go. A guiding principle in answering these questions was given by the Commission on Intergovernmental Relations in 1955 in a report signed by several Members of this body, the principle of minimal Federal action. In aiding State and local governments to perform their functions, the National Government should do no more than is needed to attain the objective.

Applying this principle, I can see no justification for more grants-in-aid for education to all States in the fact that some States have less capacity to raise funds than others. I can see no justification for permanent Federal grants to eliminate a classroom shortage which the present rate of classroom construction would end in 5 or 6 years. I can see no justification for increasing Federal taxes or the Federal debt to do things which State and local governments could do with the same or more likely less fiscal effort. Although much progress has been made and is being made in school construction, there are districts which have reached their statutory limit of indebtedness, there are other districts which have strained their credit to such an extent that their sale of bonds is restricted. Most of them are found in the poorer States.

There is need for a Federal program to bring assistance in these cases. The administration has submitted such a program. I introduced it last year at the request of the senior Senator from Massachusetts [Mr. SALTONSTALL]. The bill is S. 1016. I think that this measure or a similar measure should be adopted. It might be well to consider incorporating some of the features of the Cooper-Javits bill into the administration measure.

The purpose of these remarks, Mr. President, is not to develop the features of the legislation necessary, but to point out the fact that great progress is being made and to urge Senators to avoid the adoption of some elaborate unnecessary program which will be a terrific burden to the taxpayer for years to come and which will, in the end, cost more by removing responsibility from the local level.

Mr. McNAMARA. Mr. President, I am somewhat surprised that the distinguished Senator from Kentucky seems to express some doubt as to the number of classrooms which are indicated to be "short" in this country. We have been using figures given by Secretary of Health, Education, and Welfare Flemming. In a release dated December 23, 1959, he used the figure 132,400 classrooms. On the same day, a release by Commissioner of Education, Lawrence G. Derthick uses exactly the same figure.

Mr. MORTON. Mr. President, will the Senator from Michigan yield?

Mr. McNAMARA. Of course, I yield.

Mr. MORTON. I used that figure, too.

Mr. McNAMARA. We used those figures. We do not question them.

Mr. MORTON. I used the figure 132,400. I point out that at the present rate, 5 or 6 years will be required to close the gap.

Mr. McNAMARA. Unfortunately, there was a bookkeeping error in the last year, and the new figure issued by Secretary Flemming is not a true reflection of our pickup. He indicates in the release that a disparity occurred between the actual gain and the apparent gain because of a bookkeeping error in compiling the previous figures.

Most of the 9,500 was a fictitious gain because of a bookkeeping error. An incorrect figure was previously used in compiling the total figure of 141,900. So the gain is not at the rate which the Senator from Kentucky indicated in his conclusion, but is at a much lower rate.

Mr. MORTON. Give or take nine thousand as a bookkeeping error, the fact still remains that in 5 years—calculating the number over a 5-year period, when there is not so great a likelihood of error—336,000 classrooms were built; 212,000 were required for the increased school enrollment, which clearly leaves 125,000 classrooms which were built to relieve obsolescence or shortage. So there is a real pickup figure of 125,000 a year.

Mr. McNAMARA. I think we should discount whether there was more obsolescence, because there will continue to be more obsolescence.

Mr. MORTON. The obsolescence factor is a reality. But 50 percent of the classrooms in existence today have been built since World War II. I hardly think there would be much obsolescence in that group.

Mr. McNAMARA. We, however, are basing our statement on the most recent figures published by the Department of Health, Education, and Welfare.

Mr. MORTON. I do not question or challenge in any way the figures stated by the Senator from Michigan. I accept them. Figures which are obtained from 50 States are subject to some variation.

Mr. McNAMARA. I thank the Senator from Kentucky.

Mr. President, I am very much pleased by the support which the educators of Michigan have given to our efforts to adopt a program of Federal assistance to the States for education. This support has come from many quarters, particularly from those who are the closest to the educational affairs in the State, and who best know the problems which must be solved.

Mr. President, I ask unanimous consent that two communications I have received be printed at this point in the RECORD. One is a letter from the Michigan Federation of Teachers, AFL–CIO, and the second is an open letter to me from the Detroit Education Association, which was published in the Detroit Education News.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MICHIGAN FEDERATION OF TEACHERS,
Detroit, Mich., February 1, 1960.

The Honorable PATRICK V. McNAMARA,
Senate Office Building,
Washington, D.C.

DEAR SENATOR McNAMARA: The Michigan Federation of Teachers extends congratulations and thanks for your leadership in getting Senate bill 8 on the floor of the Senate.

To maintain and improve the high standards of the public schools, Federal aid must be forthcoming.

We know of your cooperation in the past and deeply appreciate your efforts in the present.

Very truly yours,

JANE A. REHBERG,
President.

McNAMARA LAUDED FOR EDUCATION STAND

The Honorable PATRICK A. McNAMARA,
Senate Office Building, Washington, D.C.

DEAR SENATOR: Detroit teachers have watched your activities in behalf of education in the Senate throughout the years you have been in Washington. We are very proud that you have stood firm in the struggle to secure Federal support for education.

Your experience on the Detroit Board of Education gave you a very special understanding of the problems of the public schools not only in Detroit, but in Michigan, and in the United States; east, west, north, and south.

We are counting on your leadership to make the breakthrough for Federal funds without Federal restrictions jeopardizing the traditional pattern of State and local control.

We desperately need more classrooms but we also need teachers to staff these classrooms.

The Federal Government has been financing education in one form or another since it was established. A program of grants only fails to provide support for education on an equitable basis. The United States has the economic capacity to provide an adequate education for all of the children of all the people.

World leadership of our democracy requiries that we have national as well as State and local interest in education.

The gross national product has increased from $101 billion in 1940 to approximately $515 billion in 1960 and an estimated $750 billion in 1970.

Expenditures for public elementary and secondary schools, including capital outlay and interest, on debts for 1948–49 was $5 billion; 1958–59 was $14.5 billion; it is estimated by 1968–69 it will be $30 billion.

Legislation to provide education with a reasonable share of the expanding economy is as critical a problem facing Congress as is the problem of national defense.

Interest in the scope of quality of educational services is nationwide. Only the Members of Congress can provide the funds needed to supplement State and local effort. Thank you for your tireless efforts in this direction.

Detroit teachers salute you and wish you well.

Sincerely.

DETROIT EDUCATION ASSOCIATION,
EMILIE STERN, *President.*
VIVIAN POWELL,
Chairman, Legislation Commitee.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Frear	Magnuson
Anderson	Fulbright	Mansfield
Bartlett	Goldwater	Martin
Beall	Gore	Monroney
Bennett	Green	Morse
Bible	Gruening	Morton
Bridges	Hart	Moss
Brunsdale	Hartke	Mundt
Bush	Hayden	Pastore
Butler	Hennings	Prouty
Byrd, Va.	Hickenlooper	Proxmire
Byrd, W. Va.	Hill	Randolph
Cannon	Holland	Robertson
Carlson	Hruska	Russell
Carroll	Humphrey	Saltonstall
Case, N.J.	Jackson	Schoeppel
Case, S. Dak.	Javits	Scott
Chavez	Johnson, Tex.	Smith
Church	Johnston, S.C.	Sparkman
Clark	Jordan	Stennis
Cooper	Keating	Symington
Cotton	Kefauver	Talmadge
Curtis	Kennedy	Thurmond
Dirksen	Kerr	Wiley
Dodd	Kuchel	Williams, N.J.
Douglas	Lausche	Williams, Del.
Dworshak	Long, Hawaii	Yarborough
Ellender	Long, La.	Young, N. Dak.
Engle	McCarthy	Young, Ohio
Ervin	McClellan	
Fong	McNamara	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the Cooper-Javits amendment in the nature of a substitute.

Mr. JAVITS. Mr. President, with more Senators now present in the Chamber, the Senator from Kentucky [Mr. COOPER] and I would like to take about 3 minutes to sum up our position on our amendment. Then we shall be ready to vote. I would appreciate it, if, in view of the fact that we shall be very brief, we may have the attention of Senators.

Our amendment adopts the principle that Federal aid to school construction shall be based on sharing with the States the underwriting of principal and interest on bond issues for the purpose of school construction issued by States or localities. I emphasize locali-

ties because that is the general way in which school bonds are issued.

The cost of our program, naturally, is very much less in its year-by-year cost than the program proposed on the part of the committee of $500 million each year.

Our program, in addition, has two points which I think are of special interest to the Senate, and which point directly at targets which need to be aimed at if we are to accomplish what a Federal aid bill should bring about.

First, we take regard for the problem of school districts which are unable to issue bonds, and yet are needy districts, with a shortage of classrooms, and which generally need to have help. For those districts we anticipate the Federal Government will, on principal and interest, make grant payments for 2 years. We estimate the number of districts which will come into that possibility as only 237 out of the total number of districts in the country, running into the thousands; and that the amount involved, according to every estimate we have been able to obtain, based on the maximum number of States involved, will be $45 million a year for each of the first 2 years. That provision takes care of every district which might be stymied by virtue of the fact that it could not issue bonds.

The second point in our amendment relates to an incentive to the States to deal with teachers' salaries. We do not provide for Federal intervention, or do not substitute Federal intervention, in respect of teachers' salaries. We do not think the case has been made for such action, and we think such an arrangement runs into the jeopardy of bringing the Federal Government too closely into the supervision of every school. But we give an incentive to a State whose per capita income is below the national average to increase the salaries of schoolteachers.

That concession arises by giving to the States, as expressed by percentages, a better Federal share of principal and interest guarantee, going up to as high as 65 percent, and, in the case of States which exceed the national average for teachers' salaries by as much as 20 percent, being scaled down to 55 percent Federal participation for States which exceed the national average by only 10 percent.

Mr. President, this incentive will add to the aggregate guarantees, under our proposal, 3.6 percent, and no more, and yet it will give a tremendous incentive to the States.

We have submitted for the RECORD an analysis which shows that the State of Alabama, which is a very poor State in respect to per capita income, will nevertheless be entitled to 65 percent matching funds from the Federal Government. It will have to put up 35 percent because, based on its per capita income, the salaries are above what they ought to be compared to the national average. We know the teachers will still be sharply underpaid. Nevertheless, the figure indicates that the State is making an unusual effort to do its best for the teachers.

Under our program, that arrangement will continue for the whole period of 20 or 30 years, and hence give an incentive to every State which is below par, with respect to salaries paid to its teachers, to raise its sights and raise its teachers' salaries above par because it will get a greater participation from the Federal Government for such effort.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. Is the national average pay for teachers stationary or movable?

Mr. JAVITS. It is movable in two ways. First, it is movable because it is based on per capita income of a particular State. The basis on which we seek to participate is the relationship of the States' effort with regard to teachers as compared to per capita income, that is, the average per capita income of the State as compared with that of the country as a whole, and the average teachers' salaries. If the State is making a great effort, notwithstanding the fact that in terms of dollars the State is paying its teachers less than the richer States are paying their teachers, it, nevertheless, will be rewarded for that effort by having a greater participation by the Federal Government under the program.

Mr. AIKEN. Then, it would be to the advantage of a poorer State to participate in this program as early as possible, while the national average is at a lower level?

Mr. JAVITS. That is exactly correct.

Secondly, I make this point about our plan as contrasted to the committee plan: Our plan provides for the underwriting of bonds to be issued by local districts, and it makes provision for districts which cannot do so. Therefore, it is an improvement over the committee plan. We believe our plan is superior to the $500 million a year committee plan, notwithstanding the fact that many States—and the distinguished Senator from Michigan has introduced into the RECORD a list to that effect—require either a referendum or a constitutional amendment in order to be able to issue bonds. We wish to call to the attention of our colleagues the fact that the list of 39 States applies to States which themselves have a bonded debt.

Our program does not deal with that. Our program deals with the bonded debt of individual school districts. We have no evidence on that score whatever, except for the survey of the Department of Health, Education, and Welfare. Thirty States reported no classroom shortages in borrowed-up districts; these States enroll 67 percent of the pupils in 50 States. The survey indicates that there are only 237 districts in 15 States which need help because they are in need of classrooms. They cannot take care of themselves and they cannot issue bonds. The States' contribution to the districts could take one of these forms: Capital grants out of current income, loans, or debt service advances.

We respectfully submit, that is the narrow ambit of the problem, based upon a hard-headed survey, and that problem is met in our proposal.

Mr. President, I close by pointing out to my colleagues that this is a proposal which we believe has an excellent chance of being signed by the President because it is based upon the principle which the President has espoused, to wit, the principle of guarantee of bonded debt. It has additional inducements of being able to meet the specific problems of districts which cannot issue bonds at all, and provides some incentive for raising teachers' salaries. It seems to us it has the best chance of becoming law and is the most likely provision to be signed by the President.

Second, and very important, our proposal meets the issues with a remedy which is calculated to the size of those issues, whereas we feel the committee bill endeavors to meet the issues with a remedy which is far greater than the issues require. We believe in a financial situation such as that in which the Government finds itself now that it is our duty to tailor the remedy according to the size of the issue and the best possible means, and not to be profligate in our expenditure of money for grants.

Finally, Mr. President, I wish to affirm my support of Federal aid for education upon the basis which we are considering it today. I think it is absolutely indispensable to make up for the educational gap, which is the essential condition precedent to ending any missile gap. I hope very much we will vote for Federal aid to school construction, at the very least, in the course of this debate.

I respectfully submit that the substitute offered by the Senator from Kentucky and myself is expressly tailored with the greatest economy of means to meet the problems which face the country today.

Mr. COOPER. Mr. President, I spoke earlier on the pending proposal, and I shall take only a few minutes of the time of the Senate.

I speak to emphasize to the Senate the fact that the Senator from New York and I have worked on this substitute for several months, and it is a serious attempt upon our part to produce an answer to the question of how to provide needed funds for classroom construction.

I wish to buttress the remarks of the Senator from New York by saying, first, one argument for our amendment is that we believe it is a more practical and effective method of meeting the classroom deficit than is S. 8. S. 8 calls for appropriations by the Federal Government of $500 million for 2 years, and for matching funds of $500 million to be furnished by the States and local districts for 2 years. We believe it is very doubtful that the States and local districts can produce $1 billion of matching funds in 2 years. If they could not, the purpose of S. 8 would be frustrated.

Our approach would guarantee one-half of the annual principal and interest payments due on local school bonds, and would require a maximum appropriation of $115 million for any one year. The States and the local districts would be able to meet their matching requirements, and therefore to actually build classrooms.

Mr. President, I desire to address myself for one moment to the point made

by the distinguished Senator from Michigan [Mr. McNAMARA]. As the Senator from Michigan said about us, we respect his earnest and sincere work to provide Federal aid for education.

The Senator from Michigan placed in the RECORD a list of States which he said would be denied help by our proposal. I submit, as my colleague the Senator from New York [Mr. JAVITS] said, that the question is not whether the States have borrowing limits, but whether the school districts have reached the borrowing limits.

I hold in my hand a statement provided by the Office of Education, which I desire to put into the RECORD. It sets forth the facts given to us. The number of States with classroom shortages in borrowed-up districts is 15. The number of such districts is 237. The number of classrooms is 3,086.

I ask, if the States cannot provide the total of $115 million a year by annual appropriations, which our proposal would require, how could they provide the $500 million which S. 8 would require?

Mr. President, I ask unanimous consent that the table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Abstract—Survey of public school classroom shortage in the fall of 1959 in borrowed-up districts[1] *(reported January 16, 1960—Department of Health, Education, and Welfare, Office of Education)*

Number of States reporting full data	45
Number of States not reporting full data (Alabama, Illinois, Kansas, Ohio, South Carolina)	5
BORROWED-UP DISTRICTS WITH CLASSROOM SHORTAGES IN 45 STATES REPORTING FULL DATA	
Number of States with classroom shortages in borrowed-up districts	15
Number of such districts	237
Number of classrooms short	3,086
Number of above 237 districts with enrollment less than 600 each	107
Estimated total cost of 3,086 classrooms (at $40,000 each)	$123,000,000

[1] Do not count as a borrowed-up school district any district which can obtain funds for school construction (1) through State or local authority arrangements, or by loans which can be made available by State agencies without further State legislation, (2) through borrowing by municipalities, counties or similar units, or (3) through administrative approval of maximum emergency debt limits by State or local officials. Also exclude districts which could borrow or exceed debt limits by local vote of approval, or which did not choose to borrow.

Mr. COOPER. Mr. President, our amendment makes it certain that districts which have reached their borrowing limitations will be provided funds for classroom construction. If a district cannot provide funds because of debt limitation, we will make construction grants to the district in a single lump sum. I believe our proposal is the wiser one, because it provides for the districts which actually need help. I am not sure that S. 8 will do so.

The Senator from New York [Mr. JAVITS] has spoken of the inducements our amendment provides to raise teachers' salaries. That is an important factor, because there is nothing in S. 8 which gives any inducement toward raising teachers' salaries. Personally, I put the need for increasing teachers' salaries above aid for classroom shortages, but today we are dealing only with classroom shortages.

I join the Senator from New York in saying that I believe our proposal has a chance of being approved, if it is passed, and of becoming law, and thereby giving help to the school districts and schoolchildren. Unfortunately, I have grave doubt that S. 8 will ever become a law.

Nevertheless, I repeat what I said during my first argument. I am for Federal aid for school construction and for teachers' salaries. If the substitute which we have offered, and in which we believe, shall not be enacted, nevertheless, I shall support the measure providing such aid which may ultimately be before the Senate. I believe that education is the basic issue before the country.

Again, I thank my colleague, the distinguished Senator from New York [Mr. JAVITS] for the constructive work he has given to this measure. It is always a pleasure to work with him, for he is a fighter for progressive causes and for his fellow man. And I congratulate my colleague from Michigan [Mr. McNAMARA] for his devotion to the cause of better education.

Mr. McNAMARA. Mr. President, the Senator raises a question about the poorer school districts as compared to the richer or more wealthy school districts. I say that under our proposal the States will determine how much of the burden will be borne at the local level. Under our bill the States can determine that the poor school district shall put up 1 percent and the wealthy school district shall put up 99 percent, or any percentage in between. We stop at the State level. We do not go down into the districts.

A little earlier I gave the reasons why I thought the substitute should be defeated. Stated briefly, there is the difficulty that the majority of the States would have in qualifying under the proposed program, and there are the high interest rates which would be involved. There is involved in the amendment $1.7 billion of Federal funds for interest charges alone. We want to build schools; we do not want to build banks.

Mr. MORSE. Mr. President, I wish to commend the Senator from Kentucky [Mr. COOPER] and the Senator from New York [Mr. JAVITS] for proposing the substitute. I know the Senators very well, and I know this is a good faith, sincere attempt on the part of these two great legislators to try to resolve a very difficult educational crisis which confronts the American people, in accordance with a program which they think would be equitable, workable and acceptable. I regret that I cannot support their substitute, because I think it contains some very serious difficulties from the standpoint of sound public policy, but that only represents an honest difference of opinion.

The Senator from Michigan [Mr. McNAMARA] has just pointed out the major objection which I was seeking to rise to state. My objection goes to the financing plan found in this amendment. I do not believe the financing plan is the one we should adopt. I think it would only add further to the tremendous and inexcusable interest debt burden which the Eisenhower administration has imposed on the American people since it came into power. I do not like the differentiation in connection with bonding, as to those States which will receive grants and those which will not receive grants.

Furthermore, so far as the timing in the course of this debate is concerned, I am sorry that the amendment is under consideration now, because I believe that there are better plans that we should consider and vote upon first. I am a strong supporter of the committee bill as modified in accordance with the proposal of the Clark amendment and certain other amendments, one of which I shall offer later in the debate.

If this were the only choice I had, and if we found ourselves in a position which required, as to the Cooper-Javits proposal or no proposal at all, I would then be more inclined to vote for it. However, I reserve judgment now as to how I would vote under those circumstances.

I think we should pass a better plan than the pending amendment. There is a better plan, in my judgment. Therefore, I shall vote against the Cooper-Javits plan for the present, but I want my two friends the Senator from Kentucky and the Senator from New York to know that I think they have made a great contribution to this debate and to the consideration of this problem. I think they have added much to public knowledge concerning the educational crisis which confronts us. I want the RECORD to show that, for the reasons I have given and many others I might set out in detail if I were to take the time, I shall vote against the pending amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MAGNUSON. Some time ago, the Senator will recall, when we started on the roadbuilding program, there was an emergency, and there was a proposal in connection with the roadbuilding proposal similar to the pending proposal. I am sure it was the Senator from Oregon—because I quoted him on many occasions——

Mr. MORSE. I am honored. I did not know that any colleague in the Senate quoted me on anything.

Mr. MAGNUSON. The Senator from Oregon pointed out the real evil in this type of plan when he made the cryptic statement that he had made some computations, and that the plan involved 35 percent interest and 65 percent concrete.

Mr. MORSE. I remember that debate very well. I think the RECORD will show that the debate was carried on with the

distinguished Senator from Washington [Mr. MAGNUSON] also involved in it.

Mr. MAGNUSON. I agree with the Senator from Oregon as to the conscientious reasons which have prompted the Senator from New York and the Senator from Kentucky in offering this amendment; but if we were to add up the various factors the result might be approximately the same as the Senator indicated in connection with the road-building program. The result might be 35 percent interest and 65 percent bricks and mortar for the schools.

I think the Senator has stated his objection very well.

Mr. MORSE. I thank the Senator for his contribution.

For the reasons stated, I shall vote against the Cooper-Javits amendment.

Mr. DIRKSEN. Mr. President, I join the distinguished Senator from Oregon [Mr. MORSE] in paying a compliment to the distinguished Senator from New York [Mr. JAVITS] and the distinguished Senator from Kentucky [Mr. COOPER]. First of all, they are members of the Subcommittee on Education of the Committee on Labor and Public Welfare.

I know something about how abstruse this problem is when it comes to legislative language and allocations. On one occasion I made the remark that in order to understand the whole subject one would have to have a slide rule and a book of logarithms at his elbow.

The Senator from New York and the Senator from Kentucky have exhibited rare patience, and, in the main, they have tried to follow the general administration pattern. I need only to summarize for the Senate what is in the bill. Before I do so, I must express my own opposition to the substitute. At the appropriate time, after other perfecting amendments are offered to the McNamara bill, I shall propose a substitute on behalf of myself and other Senators, which proposed substitute will reflect the views of the administration.

It is no secret that the two distinguished Senators, the Senator from New York and the Senator from Kentucky, have conferred with the President at length. I am delighted that they have. They have conferred with the White House staff at length, and they have exemplified a rare diligence in pursuing this subject since last fall, in the hope that the objective, aid to education in the form of a bill, might be achieved. I do not share their enthusiasms for their amendment as such, but I will offer an administration proposal.

I believe that the figures which were given by the distinguished Senator from Kentucky bear some emphasis at this point. The most recent survey on classroom shortage was made in the autumn of 1959. The report was filed on the 16th of January, a little more than 2 weeks ago. This survey was made by the Office of Education. These are the results:

First, there were 45 reporting States.

Second, five States did not report in full, including my own State. I do not know the reason why full data were not obtained.

Third, the number of States with classroom shortages in borrowed-up districts, meaning districts which, through the county or municipality, because of a constitutional limitation or because of some inhibition, cannot obtain relief, was 15. The number of States with classroom shortages in borrowed-up districts was 15. The number of such districts was 237.

There are 40,600 school districts in the United States, and there are 347 districts, according to this report, which are borrowed up, and have some difficulty. But I should point out that those districts knew it since 1955. Every legislature in every State in the Union has met once or twice since that time, and there was an opportunity to enact enabling and relief legislation. Why it was not provided, I do not know.

Of the 237 districts, those with enrollments less than 600 each totaled 107. The number of classrooms short in those districts is not 100,000, not 240,000, not 300,000, but 3,086. That is the number of classroom short in 237 school districts out of more than 40,000 which are today borrowed up.

Three thousand and eighty-six classrooms, at an estimated cost of $40,000 for each classroom—and that is the estimate commonly used—means a total cost of $123 million. That is one reason why I do not share what my distinguished friend once referred to—and I was captivated by the term when he used it—as "evisceral enthusiasm." I develop no evisceral enthusiasm for this sort of thing, in the light of a statistic which is as current as January 16, 1960.

The administration opposes this substitute. It calls for $1 billion for 4 years, or a total of $4 billion for construction. That would provide, according to the estimates, 100,000 classrooms, at the rate of 25,000 a year.

There would be grants for annual principal and interest payments for the life of the bonds. Generally speaking, the matching provisions are 50–50, except that where there is a so-called teachers' salary index formula the matching by the Federal Government could be higher.

There is a provision in the substitute, however, for county grants for a period of 2 years in the case of school districts whose bond limits have been reached. I point out that they have had 4 years, and perhaps more, to secure relief from their State legislatures, and they have failed to do so.

The first-year cost is estimated at $130 million, but it is designed to provide $4 billion in construction at the rate of a billion dollars a year. That is the whole story.

It distresses me to have to oppose the amendment, but I must do so. I believe I know what the President of the United States is interested in. I have raised this question with him no later than Tuesday morning of this week, with respect to capital grants. I do not pretend to tell the Senate what the President will do about this or any other measure. I do not know. He will know when the bill is laid on his desk and he takes note of the provisions and takes counsel of his advisers and then determines what to do.

There is a substitute, which for myself and other Senators I shall offer at a later time. However, I am in duty bound to say to the Senate that I am opposed to the Javits-Cooper substitute on which we shall now vote.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Will the Senator's proposal make provision to help school districts which have expended up to their limitations, as imposed by law or otherwise, in the sale of bonds?

Mr. DIRKSEN. It must be left to the States.

Mr. LAUSCHE. What will the proposal of the Senator from Illinois do?

Mr. DIRKSEN. It is the so-called proposal for the Federal Government to pick up half of the debt service on interest and principal for a 5-year period, up to $600 million a year for a period of 5 years. That would provide an estimated 75,000 classrooms ultimately at the rate of 15,000 a year.

The allocation formula would be substantially the same as that provided for in the Javits-Cooper amendment, and substantially the same as that in the so-called McNamara bill. However, it does put stress upon needy districts. Then there is a proposal for 50–50 matching. Where there is difficulty, and a school district might find it cannot procure its allocation in the first year, that can be escrowed for a period of a year until suitable arrangements can be worked out with respect to that district.

Mr. LAUSCHE. Is it the objective of the proposal of the Senator from Illinois that the aid which is contemplated be directed primarily to those districts which are bonded up to their legal possibility?

Mr. DIRKSEN. We throw the responsibility on the State in every case to put the accent upon needy districts.

That leaves it to the counties, municipalities, States, the educational authorities in the State, the State legislature, or to any other properly constituted body, to see what they can first do. I believe that the responsibility is always at the local level rather than with the Federal Government.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Kentucky [Mr. COOPER], and the Senator from New York [Mr. JAVITS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas (when his name was called). On this vote I have a pair with the senior Senator from Colorado [Mr. ALLOTT]. If he were present and voting, he would vote "yea." If I were privileged to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of Senate Interstate and Foreign Commerce Committee.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from Wyoming [Mr. McGEE and Mr. O'MAHONEY], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business and his pair has been previously announced by the Senator from Texas [Mr. JOHNSON].

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The result was announced—yeas 18, nays 71, as follows:

YEAS—18

Aiken	Javits	Prouty
Bush	Keating	Schoeppel
Case, N.J.	Kuchel	Scott
Cooper	Lausche	Smith
Fong	Morton	Wiley
Goldwater	Mundt	Young, N. Dak.

NAYS—71

Anderson	Engle	McCarthy
Bartlett	Ervin	McClellan
Beall	Frear	McNamara
Bennett	Fulbright	Magnuson
Bible	Gore	Mansfield
Bridges	Green	Martin
Brunsdale	Gruening	Monroney
Butler	Hart	Morse
Byrd, Va.	Hartke	Pastore
Byrd, W. Va.	Hayden	Proxmire
Cannon	Hennings	Randolph
Carlson	Hickenlooper	Robertson
Carroll	Hill	Russell
Case, S. Dak.	Holland	Saltonstall
Chavez	Hruska	Sparkman
Church	Humphrey	Stennis
Clark	Jackson	Symington
Cotton	Johnston, S.C.	Talmadge
Curtis	Jordan	Thurmond
Dirksen	Kefauver	Williams, N.J.
Dodd	Kennedy	Williams, Del.
Douglas	Kerr	Yarborough
Dworshak	Long, Hawaii	Young, Ohio
Ellender	Long, La.	

NOT VOTING—11

Allott	McGee	Neuberger
Capehart	Moss	O'Mahoney
Eastland	Murray	Smathers
Johnson, Tex.	Muskie	

So the amendment in the nature of a substitute proposed by Mr. COOPER and Mr. JAVITS for the committee amendment was rejected.

Mr. GOLDWATER obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield to the Senator from Michigan, so that he may move to reconsider the vote by which the amendment was rejected?

Mr. GOLDWATER. I yield for that purpose.

Mr. McNAMARA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. I thank the Senator from Arizona.

Mr. GOLDWATER. I am always happy to yield to my good friend from Texas.

Mr. President, I yield to the Senator from Pennsylvania for the purpose of permitting him to offer an amendment.

Mr. CLARK. Mr. President, I appreciate the kindness of the Senator from Arizona in yielding briefly in order that I may call up my amendment designated "1–25–60—A," offered on behalf of myself and a number of other Senators. I ask that it be identified but not read, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment offered by Mr. CLARK, for himself and other Senators, is as follows:

On page 8, lines 18 and 19, amend the short title to read as follows: "School Assistance Act of 1960".

On page 8, lines 21 and 22, strike the words "a two-year program of".

On page 8, line 24, insert before the period the words "and for teachers' salaries".

On page 9, strike the words on line 10 through line 14 and insert in lieu thereof the following:

"SEC. 4. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1960, and for each succeeding fiscal year, an amount equal to $25 times a number equal to the school-age population of the United States as of such year for the purpose of making payments to State education agencies under this Act."

On page 15, after line 6 insert the following subsections:

"(e) specifies the proportion of its State allotment that will be expended for (1) the construction of school facilities and (2) for teachers' salaries; and

"(f) certifies that funds the State education agency specifies for teachers' salaries will be distributed among the local education agencies of the State to be expended solely for teachers' salaries in accordance with this Act."

On page 15, line 10, insert after the word "section" the following: "with respect to the funds specified for school construction".

On page 15, strike out from line 15 through line 4 on page 16, and insert the following:

"SEC. 8 (a) After the first two years that allotments are made under this Act, a State in order to receive its allotment for any subsequent year must have matched the Federal funds the State received under the Act in the previous year by having increased its expenditures for elementary and secondary education by an amount that is not less than the product of (A) the State's share and (B) the expenditures for elementary and secondary education from State and local sources in the base school year 1959–60: *Provided*, That the State allotment shall be reduced by an amount equal to the sum by which the State falls to match the prescribed amount set forth in this section. The total of such reduction shall be reallotted among the remaining States by proportionately increasing their allotments under section 5.

"(b) The 'State's share' for a State shall be 5 per centum of the remainder of 1.00 less the State's allotment ratio as computed under section 5 except that in no case shall the State's allotment ratio be less than 0.33⅓ or more than 0.66⅔.

"(c) For the purposes of this section expenditures for elementary and secondary education for any year means the total expenditures for public elementary and secondary schools by the State and subdivisions thereof made from funds derived from State and local sources in the State, as determined by the Commissioner on the basis of data supplied to him by the State education agencies.

"(d) A State shall be considered to have matched its Federal funds in any year in which its school-age population is less than its school-age population in the base school year 1959–1960.

"(e) If for any reason a State should fail to receive funds under this Act in any given year, for the purposes of the matching provisions contained in subsection (a), the State will be considered to have received Federal funds under this Act in that year."

On page 19, insert after line 11, the following:

"(g) The term 'teacher' means any member of the instructional staff of a public elementary or secondary school as defined by the State education agency of each State.

"(h) The term 'teachers' salaries' means the monetary compensation paid to teachers for services rendered in connection with their employment."

Amend the title so as to read: "A bill to authorize Federal financial assistance for school construction and teachers' salaries."

Mr. CLARK. Mr. President, this amendment will not be discussed at length by me at this time, because the Senator from Arizona [Mr. GOLDWATER] and several senior Senators have requested recognition. I should think it would be a couple of hours before I will have the opportunity to discuss the amendment. At that point, I would be very grateful if some of my colleagues would return to the floor.

The general purpose of the amendment is to increase the authorization in the bill from $500 million a year, to $25 per child of school age in the United States, which amounts to $1.1 billion during the current fiscal year.

The amendment would authorize the aid for an indefinite period rather than for a 2-year term.

It would authorize the States to use the Federal aid either for school construction or for teachers' salaries, with each State having freedom of choice as to the proportion it would devote to each purpose.

I hope to discuss the amendment in greater detail later, but I am more than grateful to the Senator from Arizona for his courtesy in yielding to me.

Mr. RANDOLPH. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. The Senator from Arizona has the floor.

Mr. RANDOLPH. Mr. President, will the Senator from Arizona yield briefly to me?

Mr. GOLDWATER. I am glad to yield to the Senator from West Virginia.

Mr. RANDOLPH. Is it not a fact that my able colleague has been joined in this amendment by 22 other Senators?

Mr. CLARK. The Senator is correct. I am joined in this amendment by 22 colleagues. Among them is the distinguished senior Senator from West Virginia who has such a keen appreciation

of the needs of the teaching profession. The other sponsors are Senators MURRAY, LONG of Hawaii, NEUBERGER, MANSFIELD, MORSE, CHAVEZ, BYRD of West Virginia, MOSS, MARTIN, KEFAUVER, WILLIAMS of New Jersey, JACKSON, MCGEE, GRUENING, MAGNUSON, KERR, HUMPHREY, HENNINGS, CHURCH, MUSKIE, and MONRONEY.

Mr. MAGNUSON. Mr. President, will the Senator from Arizona yield briefly to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Arizona yield to the Senator from Washington?

Mr. GOLDWATER. I am glad to yield.

Mr. MAGNUSON. Mr. President, I send to the desk an amendment to the Clark amendment, and ask that it be printed and lie on the table.

I also send to the desk a letter which I have sent to every Senator. The letter is in regard to my amendment to the Clark amendment, and I ask that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
January 27, 1960.

DEAR SENATOR: When S. 8, to provide Federal aid to school construction, is called up for consideration on the floor, I plan to offer one of the enclosed amendments. Each amendment has the same basic objective, but they are drawn in the alternative—one on the assumption that the Clark amendment relating to teachers' salaries will carry, the other on the assumption that the Clark amendment will be voted down.

My amendment, an adaptation of a provision in the Educational Finance Act of 1949, authorizes an expenditure if it is (a) for an elementary or a secondary school purpose, (b) a current expenditure for such purpose, (c) an expenditure for which educational revenues derived from State or other public sources may legally and constitutionally be expended in that State, and (d) in furtherance of the purposes and policies of this act.

It is the intent of this amendment to allow each State to determine on an individual basis its own needs for improving the capacity and quality of the State educational system. While I recognize that school construction and teachers' salaries are at a critical point, it is to be remembered that a classroom without proper books and internal facilities is almost as inoperative as one that's not built.

I am not requesting that you join me as a sponsor due to the cumbersome method involved. However, I invite your support for the amendment when I offer it on the floor.

Kind personal regards.

Sincerely,

WARREN G. MAGNUSON,
U.S. Senator.

Mr. MAGNUSON. Mr. President, my amendment is a duplicate of one which was adopted by the Senate in 1948, by an overwhelming vote, in connection with a similar school bill. My amendment is proper for addition to the Clark amendment, because mine does not mention construction or teachers' salaries. It provides that the grants—and in this particular case I do not discuss the amounts—can be used by the States in whatever ways are legal and constitutional within the States. It permits the States to do what they think is in accordance with the greatest needs of their schools.

In many States, school construction is by far the greatest need. In other States, there is great need for increased salaries for teachers or for more teachers. Other States have other educational needs.

We have long heard the argument that Federal aid to education would amount to Federal interference. Under this amendment there will be no Federal interference; the States will do what they can do now. There will be no limitation.

In the second place, this amendment to the Clark amendment will solve the problem in regard to the parochial or private schools, to the extent that the amendment will permit the States to do as they wish. If the States wish to do as some States now do, and if they have sufficient funds, they will be able to proceed in that way.

Third, many Members of the Senate have some question in regard to the segregation and integration problem in connection with the schools. Surely I respect the concern of all other Members in that connection. I know how I feel about that situation, but I also respect their concern.

The Clark amendment calls for a definite amount. Regardless of the amount which is provided, if this amendment is added to the Clark amendment, and if the Clark amendment as thus amended is rejected, I shall then offer this amendment to whatever amendment is finally before the Senate.

My amendment to the Clark amendment will permit the States to do whatever is constitutional and legal.

Some may attempt to split hairs as regards what may be legal or illegal under a State constitution. However, if a certain program were illegal under a State constitution, it could not be used in that State, in any event.

We shall pass this bill in order to meet the educational needs of the various States. This amendment to the Clark amendment will permit the money to be used by the States in accordance with what they believe their educational needs to be, within the restriction of what is legal and constitutional within the various States.

A similar amendment was adopted overwhelmingly by the Senate in the past; and I have before me a list of the names of the Senators who at that time voted for the amendment. In 1948 the Senate adopted a similar amendment; and in 1949 the Senate again approved this principle.

Mr. DIRKSEN. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. DIRKSEN. As I understand, this amendment will leave the provisions of the McNamara bill as they are, and will add the overall, open-end provision that the States will be allowed to use as they see fit, without any limitation whatsoever, the funds they receive from the Federal Government, under the allocation.

Mr. MAGNUSON. Oh, no, not quite that.

Mr. DIRKSEN. What is the limitation?

Mr. MAGNUSON. The States must have State school plans which comply with certain standards; such a provision is contained in the amendment. The Federal Government must first approve the State school plans.

Mr. DIRKSEN. I am anxious to know whether a State will be able to use the money to build a basketball gymnasium or an athletic field on which football games will be played. Suppose a State says that such a gymnasium or such an athletic field is what is needed—for instance, in Seattle or in Spokane.

Mr. MAGNUSON. But there is no such need in Seattle or in Spokane. We already have good schools there.

Mr. DIRKSEN. But such a use would be permissible under the provisions of this amendment, would it not?

Mr. MAGNUSON. No, the State plan must be approved by the Federal Government's agency—the Department of Health, Education, and Welfare, which has certain basic requirements which must be met. If a State wished to build an elaborate athletic plant, even though the drastic educational need of that State was for additional classrooms, a plan to use these funds to build such an athletic plant would not be approved.

Mr. PASTORE. Mr. President, will the Senator from Washington yield for a question?

Mr. MAGNUSON. I yield.

Mr. PASTORE. The amendment of the Senator from Washington means that if a State desired to initiate a program of scholarships for worthy, qualified, needy students, some of this money could be used to help those pupils in that way; is that correct?

Mr. MAGNUSON. That is correct.

Mr. PASTORE. Under the present Clark amendment, the use of the funds is confined to construction and the salaries of teachers, is it not?

Mr. MAGNUSON. That is true.

Mr. PASTORE. I understand that the Magnuson amendment will broaden the Clark amendment, so as to make it possible for the money to be used for a scholarship program which is approved by the Federal Department of Health, Education, and Welfare. Is that correct?

Mr. MAGNUSON. Yes. I am sure the Department of Health, Education, and Welfare would not approve a lopsided plan. In other words, the plan must fit in with what the State says are its primary, urgent educational needs.

Mr. PASTORE. Yes.

Mr. MAGNUSON. That is what would have to be done; and that is what the Senate twice approved more than 10 years ago, after long debate.

Mr. CLARK. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. CLARK. I shall vote for the Magnuson amendment to my amendment. I cannot accept it as a part of my amendment, because many Senators have joined in sponsoring my amendment. But I hope the other sponsors of my

amendment will agree with me when I say I believe we can support the Magnuson amendment to it.

If the Magnuson amendment to my amendment is rejected, I shall press for a vote on my amendment. If the Magnuson amendment to my amendment is approved—and I hope it will be approved—the two amendments can proceed together.

There are many different ways of proceeding to handle the educational problem. My amendment calls for one way; the Magnuson amendment calls for another. Either is acceptable to me.

Mr. GRUENING. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. GRUENING. I am a cosponsor of the Clark amendment; and I shall be glad to support the Magnuson amendment to the Clark amendment, for I think the Magnuson amendment is an improvement. It will give the entire power to the States, and will dispose of the argument that there would be some Federal control over the use of the funds provided. Under the Magnuson amendment to the Clark amendment, there will be no Federal control over the use of the funds, other than to require that the State plan be approved.

Mr. MAGNUSON. That is correct. I suspect that the States would ask the Department of Health, Education, and Welfare to approve plans to use for construction 95 percent of the money they would get. For instance, I understand from the two Senators from West Virginia that in West Virginia, school construction is not the major educational problem; instead, the major problem there relates to teachers.

The Office of Education would not impose any controls. I would say 90 percent or more of the money provided would be used for the two purposes which are the prime need. I have great faith in the educators of this country, the superintendents of public instruction, the superintendents of schools. They are sincerely dedicated people. They would not submit a plan which was very much out of line, such as a request for a gymnasium, or something else which is not needed. It could be that in a particular school district, after the State got its money, a great need would be shown for a small gymnasium in a poor district; but the State would have double control over it.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BARTLETT. Under the Senator's amendment, would the Office of Education have the authority to allocate funds as between teachers' salaries and constructions, or would there be a gross lump sum given to the States to be used as the States determined?

Mr. MAGNUSON. It would be used as the States determined.

Mr. BARTLETT. Without the Office of Education having authority over the breakdown.

Mr. MAGNUSON. A plan must be submitted. The Office of Education must approve the over-all school plans of the States. I suppose some surveys will be made. Section 2 of the amendment provides that the amount allotted to the State educational agencies will be distributed among the local educational agencies of the States, to be expended according to the provisions of the act, which would require plans to be approved.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. What would be the annual cost of the bill, under the Senator's amendment, as compared to the cost under the committee amendment, as amended by the Clark amendment?

Mr. MAGNUSON. My amendment does not affect the cost at all. Whatever the Senate decides to make the amount to be allowed would not be affected by my amendment. The McNamara proposal provides for one-half billion dollars. The amendment of the Senator from Pennsylvania [Mr. Clark] provides for $1.1 billion. My amendment would apply to whatever amount the Senate approves. Whether the Senate provided for $300 million a year or $700 million a year, my amendment would apply only to whatever the Senate agreed upon.

Mr. CASE of South Dakota. I thank the Senator.

Mr. GOLDWATER. Mr. President, when the committee report on the National Defense Education Act was published, it contained my views in three short paragraphs. I should like to read them:

> This bill and the foregoing remarks of the majority remind me of an old Arabian proverb: "If the camel once gets his nose in the tent, his body will soon follow."
>
> If adopted, the legislation will mark the inception of aid, supervision, and ultimately control of education in this country by Federal authorities.

Mr. President, one of the greatest myths current in this country is the supposition that our primary education system is being starved, or at least that the Federal Government or the public has been stingy or neglectful in supporting the education of our children, and that our educational system is badly undernourished.

We who are opposed to the Federal aid method—and I mean any Federal aid method—desire, above all else, to provide the young people of America with a superior educational opportunity. The advocates of Federal aid claim to support this same objective. We respect the sincerity of their motives.

I might suggest that there is no place in this discussion for indulging in personalities. Our disagreement lies in the method by which this objective shall be obtained. And for one side to accuse the other of being opposed to improvement in our educational system, merely because there is a disagreement over the means, is a tactic which adds nothing to our understanding of the problem and which questions the intelligence of the American people.

Federal aid, in any form, acts to transfer responsibility from the individual, where it belongs, to a remote, impersonal government agency.

What the public schools need even more than money is the continued personal concern of parents, patrons, and citizens. Schools cannot function effectively in a vacuum, apart from the community; and the closer the relationship between the school and the community, the better.

Advocates of Federal aid say that schools need more money, the teachers need greater recognition, there must be greater cooperation between parent and teacher, and more emphasis must be placed upon excellence in academic achievement.

The mere addition of Federal funds to make additional moneys available will not produce closer cooperation. In fact, it will lessen cooperation, because the taxpaying citizen, deprived of direct control over public school expenditures, will be inclined to be less interested. Raising teachers' salaries will not automatically raise teachers' status.

The Government, of itself, has no funds beyond those which it extracts from the taxpayers who reside in the various States. If we embrace the idea of Federal aid, all we are doing is substituting the tax collecting power of the Federal Government in place of the tax collecting authority of the local government.

Unfortunately, the idea of free money has been so widely accepted that five out of six high school and junior college students, interviewed recently in Phoenix, stated they were for Federal aid because it would mean more money for the schools and would make it easier on Arizona taxpayers.

Federal aid would increase the burden on the local taxpayer, not decrease it. Of course, those who believe Federal money is free money regard matching funds as a wise expenditure. Their argument goes something like this: By spending $10, we will get back an additional $90 in Federal money. They completely overlook the fact that the $90 coming back is money we have already paid, minus the Washington brokerage fee.

The Federal tax collector can be more ruthless than the local tax collector, but the record shows the Federal tax collector has not been able to collect sufficient funds to finance present governmental operations; and as a consequence of this, we have a $285-plus billion deficit. It is difficult to believe that we would finance all the Federal aid programs now suggested without incurring further deficits.

Stripped of the false idea that Federal money is free money, all that is left in Federal aid is the compulsion of the Federal Government, exercised from Washington, to force the people of the States to spend more money than they are now spending on education.

I wish to make this point abundantly clear. Federal aid to education is being sold to the people of America on the idea that it is going to lessen their burdens. Unfortunately, that is an easy thing to believe, because the taxpayers at home who are paying taxes on real property can see a source of additional money coming from the Federal Govern-

ment, and they look to the day when their own taxes may be reduced. But, Mr. President, we start off with $1 billion, and this program will not end with $1 billion. I do not think there is one Senator in this Chamber who thinks for one moment that $1 billion is going to be the end of this program.

The bill has to be paid by increased taxation. There is no "money tree" in Washington which I have discovered, although many people in Washington think money simply floats to us without any difficulty or without any work.

I wish to make it abundantly clear to the people of this country that Federal aid in any form costs the taxpayers more money. What we are going to find is that the local taxpayer not only will be burdened with the present amount of property taxes, but also he will see his income taxes increased because of the additional load in the form of Federal aid to education.

Unfortunately, many people look upon Federal aid funds as free money—a contribution from rich Uncle Sam.

I remind Senators that a rich uncle who is $285 billion in debt has nothing to give or leave to expectant nephews and nieces.

The idea that Federal aid money is somehow free has been nourished since the days of the depression and encouraged by the fact that in some cases allocations back to the States were not in direct proportion to the contributions made by the States.

Mr. President, I ask the question: If Federal money and State money come from the same source, why do some people still insist on Federal aid?

Those who support Federal aid for education know that all moneys come from the same taxpayers. What they say is this, "Yes, the money does come from the local citizens, and they could raise it, but they will not. Therefore, we must use the power and force of the Federal Government to compel the individual citizen to contribute more money for education. We know this is the right thing and the best thing for him to do." That would be the approach of those who support Federal aid for education. This is the basic faith of all those who want to rebuild our social and political institutions. They know exactly the medicine that will cure the patient. They are going to make the patient take it, even if they have to bind and gag him. They believe the all-powerful superstate should direct and control the lives of all the citizens.

Of course, these people do not mean to use physical force. They do not believe it will be necessary to call out the troops to compel the free citizens of America to fall in line. But they are quite willing to use Federal agencies and the beguiling offer of money from the Federal Treasury to persuade the people of America to surrender to Federal control.

No one denies that Federal aid would make more money available for school support. But this would be supplemental financing and would not take any of the burden off the current local taxpayer. And those who argue for Federal aid attempt to create the belief that local communities have shabbily neglected the support of public education. This is far from the truth.

Yesterday morning at the leadership meeting at the White House, to which I was invited by virtue of the fact that I am the ranking minority member on the Committee on Labor and Public Welfare, a direct question was asked the Secretary of Health, Education, and Welfare, Mr. Flemming, as to how many school districts in this country were actually up against the wall; in other words, how many had reached their bonded limit.

Mr. President, the answer was amazing. I recall the figure as being approximately 230, though it might have been 1 or 2—more or less. The question was then asked how many school districts there were in America. There are about 42,000 school districts. Therefore, what we are talking about is one-half of 1 percent of the school districts. I will admit that there could be some districts which are approaching their bonded limits, but the Government-aid-to-education bills are directed at those districts which have no other recourse, or so it is thought. So one-half of 1 percent is the number with which we are concerned. That is the diabolical monster which is frightening the Senate of the United States into accepting Federal aid for education.

The same figure, one-half of 1 percent, very peculiarly applies to my own State of Arizona, which, I am happy to say, turned down funds from the Federal Government under the National Defense Education Act. I think it was the only State in the Union which did so.

Had we supported the argument that we were in trouble, we would have found our trouble amounted to one-half of 1 percent of the $152 million budget.

Mr. President, I am also happy to relate that the school boards of my State of Arizona turned down Federal aid to education 2 days ago by a vote of 2 to 1.

Let us look a little further, to see what is happening in this country in the field of education.

Since the end of World War II, Americans have built 550,000 school classrooms at a cost of about $19 billion. School enrollment in this period has increased about 10 million. Classroom space available, new construction, would accommodate 15 to 16 million pupils. This is an important point. In this period the classroom population has increased only 10 million.

In the school year 1949–50, there were 25 million students enrolled in the various institutions of the United States.

In 1959–60, there were 34.7 million students—an increase of student enrollment of 38 percent.

In this same period, revenues, largely raised at the local level, and available for educational purposes, increased from $5.4 billion in 1949–59 to $12.1 billion in 1959–60.

Thus there was a student population increase of 38 percent, and a money-for-education-purposes increase of 124 percent—or a ratio increase of 3½ to 1.

As I related earlier, I am proud to say that Arizona, my State, has been a leader and not a laggard in recognizing the necessity for providing more funds for public schools.

In the 1940–41 school year, Arizona contributed an average combined per capita tax support of $122.22 to each grammar and high-school student.

Last year, 1958–59, that per student support had increased 251 percent to $429.24, while the cost of living index increase was 108 percent.

Mr. President, some may think it is only normal pride in my State which causes me constantly to refer to it, and I must say that has much to do with the matter. Arizona ranks 29th among the States in the indexes we use to determine the wealth of the States, such as per capita income, productivity, and so on. Despite this, Arizona, by attacking its school problem in an intelligent, open-minded way, ranks third among the Nation's States in its school system.

Yes, taxes are high in Arizona, but if a State such as Arizona, which is not one of the more wealthy States, can provide the third best school system in the United States, I suggest that other States in this Nation which are clamoring for Federal aid can look to our thinly populated but highly productive State as an example, and can start by themselves to provide better education.

Mr. President, the proponents of Federal aid to education, who first began lobbying for Federal funds in the middle of the last century, seized upon the launching of the first Russian sputnik as a new lever to be used to pry funds out of Congress.

The bill which passed the last Congress is described as the National Defense Education Act. If we listen to the ardent partisans of this type of legislation, we would be convinced that American scientists did not know enough to launch a sputnik; and that the only reason the Russians were first in outer space is that we in America had not been spending sufficient money on education.

Even those detractors of the American public school system will admit that we lead the world in the percentage of pupil enrollment.

Ninety-nine percent of the children age 6 to 15, 80 percent of those 16 to 17, and 34 percent of those 18 to 21, are enrolled in schools and colleges.

About 1½ million high school diplomas, and one-half million college degrees are awarded each year. No country on earth has ever attempted to keep so many young people in school so long.

At this point I allude to the constant reference to Russia. I do not know how big the sputnik was. I do not know where it is today; but it certainly scared the daylights out of many people in Washington. I do not say that we should not be cognizant of it, and should not be concerned about it, but that sputnik did more to upset things in this country than anything that has happened in a long time.

We have heard the American educational system compared with the Russian system. In these days we frequently hear that Russia is doing better by its youth than the United States is by its youth. Figures show that in 1956 the United

States spent $103.94 per capita on education. Russia spent $34.17. I am well aware that there have been some other studies, particularly one by UNESCO, but these studies valued the Russian ruble at the outrageous, fictitious rate of 25 cents. To bring the information up to date, I telephoned the Treasury Department, and learned that the Russians value their rubles at 25 cents; but when one goes to Russia, he gets 10 for each of our dollars.

A NATIONAL PORTRAIT GALLERY IN WASHINGTON

Mr. HUMPHREY. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I am happy to yield.

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to establish in Washington a National Portrait Gallery.

Such a gallery would be a significant contribution to the cultural status of our Nation's Capital.

It is only appropriate that Washington—the political hub of our great country—should also stand out as a center of culture. The Congress should do all it can to promote the arts and the reputation of Washington as a center of culture befitting to the Capital City of the leader of the free world nations.

A National Portrait Gallery will make a major contribution to our national life, will foster patriotism, and educate the coming generation in what our country stands for.

The small portrait gallery located in Philadelphia's Independence National Historical Park shows even in its present stage of development how inspiring such a gallery can be.

The new national cultural institution which I propose would be in the historic Patent Office Building in the heart of downtown Washington, at Seventh and F Streets NW., now occupied by the U.S. Civil Service Commission.

The Patent Office Building was originally designed for museum purposes by Robert Mills, archietect of the Washington Monument and the Treasury Building in Washington.

The administration had urged that this historic building be destroyed, but the Congress in 1958 passed legislation to save it for use as an art museum by the Smithsonian Institution. I was proud to have joined with the junior Senator from New Mexico [Mr. ANDERSON], Representative FRANK THOMPSON, of New Jersey, and others in working for preservation of this historic building.

This bill, which I introduce today, would make the National Portrait Gallery a bureau of the Smithsonian Institution, with status equal to the National Gallery of Art.

The General Services Administration has reported that the Patent Office Building could be converted easily for use as a portrait gallery. The report noted that this is in accord with the view of Dr. David E. Finley, Chairman of the Commission of Fine Arts, and the other members of the Commission of Fine Arts.

Dr. David E. Finley, Chairman of the Commission of Fine Arts, has declared:

> There is a great need for a National Portrait Gallery in Washington. Many portraits of important historical personages are now being held by the trustees of the National Gallery of Art for permanent display in a National Portrait Gallery.
>
> The Smithsonian Institution also has a collection of nationally important portraits which cannot at the present time be adequately displayed. In addition, there are numbers of portraits of persons who should be represented in a National Portrait Gallery, now in the hands of private collectors, which might become available if a suitable building is provided.
>
> The usefulness of a gallery of this kind has long been demonstrated by the National Portrait Gallery in London with its famous collection of portraits of persons who have contributed to the making of British history.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2975) to establish a National Portrait Gallery, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title and referred to the Committee on Rules and Administration.

Mr. GOLDWATER. Mr. President, I wish to compliment the Senator from Minnesota for being present in the Chamber this afternoon. It has been rather difficult to obtain the attendance of many Senators at one time, but it is delightful that so many are now present.

Mr. HUMPHREY. Whenever the Senator from Arizona addresses this body I always like to be present, because I know I am hearing good sound Republican doctrine, sincere, honest, and to the point. It is that kind of doctrine which I respect, even though I may not agree.

Mr. GOLDWATER. I thank the Senator; and I assure him that I will not speak in the Senate on the day of the primary in Wisconsin.

[Laughter.]

Mr. HUMPHREY. I am deeply grateful even for small favors.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of 10 U.S.C. 4355(a), the Speaker had appointed as members of the Board of Visitors to the U.S. Military Academy, on the part of the House, Mr. TEAGUE, of Texas; Mr. RABAUT, of Michigan; Mr. RIEHLMAN, of New York; and Mr. LAIRD, of Wisconsin.

The message also informed the Senate that, pursuant to the provisions of 10 U.S.C. 6968(a), the Speaker had appointed as members of the Board of Visitors to the U.S. Naval Academy, on the part of the House, Mr. RILEY, of South Carolina; Mr. LANKFORD, of Maryland; Mr. BETTS, of Ohio; and Mr. OSTERTAG, of New York.

The message further informed the Senate that, pursuant to the provisions of 14 U.S.C 194(a), the Speaker had appointed as members of the Board of Visitors to the U.S. Coast Guard Academy, on the part of the House, Mr. BOWLES, of Connecticut, and Mr. CHAMBERLAIN, of Michigan.

The message also informed the Senate that, pursuant to the provisions of 10 U.S.C. 9355(a), the Speaker had appointed as members of the Board of Visitors to the U.S. Air Force Academy, on the part of the House, Mr. ROGERS, of Colorado; Mr. MAGNUSON, of Washington; Mr. CHENOWETH, of Colorado; and Mr. FORD, of Michigan.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. GOLDWATER. Mr. President, I am tired of hearing the public school system blamed for our failure to beat the Russians into outer space.

The Russians launched a sputnik first because they concentrated all their efforts in the field of missiles and rocketry; whereas, here in America we did not assign top priority to this project.

As a matter of fact, our missile research was pretty sketchy until after 1952.

In 1947, and again in 1948, on direct orders from President Harry Truman, funds originally intended for missile research were canceled.

We must be interested in a superior educational opportunity for our children—not because we want to launch superior missiles, but because universal education is one of the bulwarks of the Republic, one of the requirements for freedom, necessary if man is to understand man and peace is to become a reality rather than a dream.

We hear a great deal about the ultimate control which results from Federal aid. In fact, that is one of my greatest fears in this whole field. I have scanned the bill S. 8 very quickly. I notice that at the outset of the bill there is an assurance against Federal interference in the schools. Glancing through the bill very rapidly, I come to section 7(a)—

> The State education agency shall be the sole agency for administering the funds received under this Act.

Perhaps not all States operate directly under a State educational agency. Perhaps not all of them have such an agency. So here is a control which must be complied with.

Section 7(b) sets forth procedures to insure that funds will be allocated. Subsection (d) sets forth procedures for such fiscal control as may be necessary to assure proper disbursement of funds paid to the State under this act.

Another control which I find in hurriedly looking through the bill is in section 10(a):

> The State education agency of each State which receives funds under this Act shall give adequate assurance to the commissioner that all laborers and mechanics employed by contractors or subcontractors in the performance of work on school construction financed in whole or in part under this

Act will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Davis-Bacon Act, as amended.

Here is another imposition of control. In other words, if the State does not see fit to do certain things, it cannot receive funds under the act.

I remember when the National Defense Education Act was passed. We were assured that there would be no Federal control. Yet I found 12 direct controls in that act. We cannot enact legislation in Congress which gives money to the States in any form without having control. We must have control. I think the people themselves would rise up if we were, willy nilly, to pay out money to the States so they could use it in any way they saw fit. Those who say that there are no controls in this bill, and that we need not fear controls because they are absent, should read the proposed legislation and other legislation under which Federal aid has been given to the States.

Anyone who has lived in Arizona longer than 12 years will remember that in 1947 and 1948 the Federal Government threatened to withhold its contribution to the State welfare program, because they declared the Arizona State program out of conformity.

Twice in 1948 and 1949, Federal funds were delayed, and the threat was made to withhold them because the State legislature specified a "line item" salary budget in the welfare department.

Every old age beneficiary in the State was threatened with a loss of his welfare checks because a Federal administrator declared that a "line" salary budget placed Arizona out of conformity. This is another example of Federal aid.

I think we can all remember when the sovereign State of Indiana elected to make its relief rolls public, and the Federal Government threatened to withhold funds. And what of Farmer Yankus, who was ordered to pay a fine because he grew wheat on his own ground to feed his own chickens in excess of the wheat control limitations. There is an ancient saying, "Who buys my supper, his song I will sing."

In conclusion of this portion of the discussion, I have been a member of the Committee on Labor and Public Welfare as long as I have been a Member of the Senate, which is upward of 8 years. At one time I served on the Subcommittee on Education. As ranking minority member I make a habit of attending as many subcommittee meetings as I can. I cannot estimate how many hours of testimony on this subject I have sat through. I have yet to hear a conclusive or convincing argument to prove that Federal aid to education is needed. As I stated at the outset, we are talking about one-half of 1 percent of the school districts of this country. That is not an insurmountable problem.

To repeat, Federal aid to education is not needed. It is not desirable; and it would inevitably increase taxes, enlarge Government bureaucracy, and lead to Federal control.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. HRUSKA. First, I should like to compliment the distinguished Senator from Arizona for his very logical and clear summary of the arguments against the rationale of the Federal aid to education legislation which we are now considering, not only in connection with the bill itself, but also in connection with certain amendments.

I was especially interested in the point made by the Senator from Arizona with reference to the idea, widely held in this country, that the local tax picture would be helped a great deal, and relieved, if Federal aid to education were to be provided. I should like to say to the Senator from Arizona that recently, in a discussion of this subject in my State of Nebraska, the suggestion was made that in order to dispel the idea that Federal aid to education would lighten the load, perhaps there could be some amendment to the proposed legislation which would require financing of the outlay necessary for its objectives. That could be readily achieved, for example, by decreasing the personal tax exemption of all Federal income tax payers by $100, making the exemption $500, instead of $600. Roughly that would produce about $2½ billion a year. That is my recollection. For a wage earner who has an income of $5,000 a year, and who has three children and a wife, that would represent an increase in his income tax payments of $100.

Is it not correct to say, I ask the Senator from Arizona, that that would not by any means represent all of the financial burden placed on that taxpayer? Would it not mean that he would be compelled not only to hold the line on the expenditures which he is making for his present school system—and he could not reduce that outlay—but he would also have to increase his local taxes sufficiently to raise the amount for matching by the State, or by his school district, sufficiently to get out of hock, so to speak, the money he had already sent to Washington, and return the tax to his individual school district or State, as the case may be.

Mr. GOLDWATER. The Senator is correct. Let me, for example, refer to the delightful State of Nebraska, which I had the pleasure of visiting last week. In 1958 and 1959 Nebraska spent $88 million on its school system, a very commendable amount. Under the proposed legislation about 8.9 or 9 million dollars would be received by Nebraska from the Federal Government. Of course we do not know yet what the matching formula would be. If it should be 50–50, then Nebraskans would have to pay another $9 million to get the $9 million from the Federal Government; and the $9 million they would pay in order to get the $9 million has already been taken out of their pockets by the Federal Government. The local government would have to raise an additional $9 million to get the $9 million back from the Federal Government. The $9 million the State would get back has a brokerage fee attached to it, and that is a whopper. It is probably in the nature of 50 percent.

Mr. HRUSKA. It is undoubtedly the hope of many States that perhaps they will not be called upon to contribute to Washington quite so much as they will get back, in which event, are they not taking the position that they want an educational system which is better than they have at the expense of another State?

Mr. GOLDWATER. I would not like to think that of any State. However, there have been times in the history of Federal aid to States which force one to come to the conclusion that there are sections which have been so long at the Federal breast that they have grown quite fat and happy at it. I believe that the time for weaning is long past.

I do not see, for instance, why my own State, which provides the third best school system in the land, should pay its tax money to help a State which refuses to help itself. I do not know of a State which could not provide decent education for its children if it brought up to date its antiquated tax laws and faced this problem, instead of being afraid to do anything about it.

Mr. HRUSKA. Yet the people to whom the Senator from Arizona refers as believing that their taxload will be lessened by reason of a Federal-aid-to-education bill do not realize that the only way to get more back from Washington than they in their usual income tax burdens pay to Washington is by paying the difference between what they pay in taxes and what they get as an additional allocation for Federal aid to education.

Mr. GOLDWATER. I should like to point to a situation in which we might find ourselves. We might apply this argument. Let us look forward to the day when the Federal Government provides 100 percent of all the school money spent in this Nation. By that time it could be from $18 billion a year to $50 billion a year, according to how long a period of time it takes to reach that point. Even if this meant the elimination of local property taxes for school purposes, the people who pay income taxes—and those are most of the people in this country—would pay this additional bill. We would have an additional amount to spend each year for interest on deficits. The income tax increase across the United States in a situation like that would be more than could be saved in local taxes.

Mr. HRUSKA. Would that not result in the total elimination, in effect, of our present system of government, inasmuch as with the overwhelming contribution from Washington would go the control of the expenditure of the money, so that for all practical purposes, at least in the field of education, there would be a complete obliteration of State lines, and a complete obliteration of either State or school district control and supervision and management of the educational processes and plants?

Mr. GOLDWATER. The Senator is correct. The Senator has touched on what I earlier said was my major fear in this whole field, the fear of control.

We cannot write legislation like this without ultimately imposing controls. I believe the Senator will agree with me

on that point. If one thing was brought home to me more than any other during the course of the hearings, it was this one simple fact. The one place where our educational system is weak is in the home. We find that our teachers in the first three or four grades spend their time teaching students what their parents should have taught them at home.

Top educator after top educator in this country stated that the trouble was at the home. When we at last do a better job at home with our children, our educational facilities at the high school and college level are of such a stature that we will have nothing to worry about.

The Senator has called attention to that point, and I wanted to show that where we are weak is at home. How do we weaken it a little more? We take the responsibility from the school board, which means that the parent need no longer go to vote for bond issues, or need not go to board meetings to help determine what type of curriculum shall be used, or what the qualifications of teachers shall be, or what pay the teachers shall be given. It means that no longer will the county board of education have any function to perform. Therefore we are removing this control and limitation. That slips out of the State educational group and vests itself finally in Government halls in Washington. I shall list the number of things I can foresee which will happen; not only that I can foresee, but that can be foreseen by persons far more skilled and knowledgeable in the field of education that am I.

Mr. HRUSKA. I wish to thank the Senator for yielding to me and I wish to associate myself with his general line of reasoning and philosophy, as he has expressed himself so well today.

Mr. GOLDWATER. I thank the Senator.

Mr. President, let us look squarely at the tax rate problem for a moment. Eighty-five percent of all the money paid in income taxes comes from the lowest rate, the 20 percent paid by all persons with taxable income; only 15 percent is added by all the higher rates up to 91 percent.

A part of the philosophy which has been expressed all through the New Deal and Fair Deal days is "soak the rich." Well, let us assume that we soak them hard. Suppose we say that everything that a taxpayer makes over $10,000 shall go to the Government. How long would that run the Government? About 10 days, roughly. So the problem is going to rest with the people in the lower income groups and in the middle income groups. They have to pay for Federal aid to education. Certainly the higher income groups will be taxed, but 85 percent of all the money paid in income taxes comes from the lower rates, and that situation will apply when we have Federal aid to education.

We have had constantly increasing Federal budgets and certainly if Federal expenditures were reduced, it would be less difficult to find the money locally to finance education.

Let me illustrate this: The State of Michigan is currently in serious financial difficulty. It is having difficulty paying its bills; and while the State agonizes to find the money to meet its minimum local needs, the Federal Government takes out of Michigan $5,000 million through income tax alone. This is five times the current State budget.

President Woodrow Wilson said:

> The history of liberty is the history of the limitation of governmental power, not the increase of it.

Let me close with a quotation from Dr. Joseph Kapp of the University of California. Speaking in Phoenix on November 18, Dr. Kapp said:

> The U.S.S.R. achieved its highly developed capabilities by the intense concentration of its scientists in a few narrow fields. Some say we should go down the same road. To this I take exception. We need a culture and an intellectual atmosphere that is both broad and deep. To produce it, all the disciplines must play their role. A society which has a limited goal, contrasted with a free and broad society, cannot survive as well as ours. Narrowness of their educational system they will live to regret.

I continue to quote Dr. Kapp:

> The American principle that State and local governments should take care of the needs of their people is part of the traditional American emphasis on the individual and the family.
>
> Local governments are closer to the individual citizen and thus most likely to be answerable to them. Central governments are always farther removed from the individual citizens. They operate by mechanical rules which treat human beings almost like things, whether the problem is education, medical care, health, or anything else that directly concerns people.
>
> No more effective method has ever been invented to destroy the delicate harmony of our Federal-State system than the bribery of the States that goes under the name of Federal aid. If we accept this Federal aid, and continue to acquiesce in the loss of the seeds of life and liberty for our children and our children's children, then we must assume the responsibility for having followed the line of least resistance that brought the death of freedom.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. GORE. The able Senator from Arizona, whose patriotism and dedication to the cause of freedom are, of course, recognized by all who know him, has just quoted a statement by Dr. Kapp to the effect that the Soviets had made their technological achievements because they were able to concentrate their skills and their means upon the instruments and means necessary to do what they were attempting. I should like to agree with that statement.

My observation has been that the Soviet system does, indeed, have a disturbing and threatening capacity to concentrate the skills and resources of the Soviet people upon the means and the symbols of world power. The doctor whom the able Senator quotes says we must not emulate that system. I do not think it necessarily follows that Federal aid to education would be emulation of it.

However, I really rose to ask the distinguished Senator from Arizona, how he proposes that America meet this educational, technological threat, which involves not only the welfare but the very security of the country which I know he loves.

Mr. GOLDWATER. As the Senator from Tennessee listens to my speech I think he will find that I am trying to develop the answers to his question. But I will seek in a short time to answer his query, because I do not like to delay an answer when I know the Senator desires to have one.

I find no direct suggestion in the excerpts from Dr. Kapp's speech other than that we should follow the system we have followed historically in this country in providing for education, namely, to tax at the local level and to spend at the local level, and not allow the Federal Government to come into the picture with controls.

I think Dr. Kapp makes an interesting, pertinent point which many persons overlook when Soviet capability is appraised. Russia is, for all intents and purposes, a dictatorship. I think we should recognize that if all we want are quick decisions and quick results, a dictatorship certainly offers the best way to get them. It is one of the penalties of a republic that the processes are slow; that we are not able to say to the people, "Drop everything you are doing; we will work on nothing but this." In this country it takes time to do what needs to be done. But we can act quickly when it is necessary to do so, as was demonstrated in both World War I and World War II.

I feel certain that what Dr. Kapp is saying, and what others whom I shall mention in my speech are saying, is that our system of education is providing an adequate number of trained persons; that the quality of our education compares favorably with that of any other educational system in the world, although I would be the first to admit that we might find pockets in Japan or Germany, or even Russia itself, where a particular subject was taught better than it is taught in the United States.

Among the fears which many persons express of Russia is the fear of Russia's capability to produce. In that respect, I think we must recognize one thing. Russia has only one place to go, and that is up. Russia has more natural resources than we have. She has more people, although our population is growing at a faster rate than hers. Russia has a strong economic potential. I think she can, if she adopts the capitalistic system, be a threat to our economy and to our position as a world leader in economics. But I do not subscribe to the idea that Russia is outproducing us today; that her rate of productivity increase is greater than ours. I feel that we are still ahead of Russia in this field, and it is to our advantage to stay ahead. What is of concern to me in the whole matter is that if we put Federal aid into education, it will be one more field of States rights which the Federal Government will have invaded. It will be one more instance of a little nibbling away

at one of the cornerstones of our Constitution, the 10th amendment.

If such a practice continues much longer, I am fearful that it might result in a system of economics similar to the one I am convinced Russia is slowly discarding—socialism—and that we could end with a system completely opposite to that under which we are living today.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. GOLDWATER. I yield.

Mr. GORE. If it would be the Senator's preference that he proceed to the completion of his speech, I shall certainly be glad to comply with his desire. If, however, he should wish to engage in a mutual examination of this problem, I would be pleased to ask him to yield further.

Mr. GOLDWATER. The Senator from Arizona always enjoys a colloquy with the Senator from Tennessee.

Mr. GORE. I thank the Senator. The Senator from Arizona and I have served on committees together. The personal equation between us has always been very pleasant. I know I can say that the regard and respect are mutual.

The Senator from Arizona has just said he does not accept the statistics that the Russian rate of economic growth is greater than ours. I am sure he realizes, in making that statement, that he controverts a statement made by Mr. Allen Dulles, Chief of the U.S. Intelligence Service.

Mr. GOLDWATER. I would be controverting several persons who are more or less expert in this field. I think we in the Senate have as much right to express ourselves about what we believe to be more accurate figures, if we disagree with the sources which are quoted. For instance, I have seen quoted a figure for Russian productivity increase as high as 9 percent. I have read some very learned treatises on the subject which put it at 7 percent. For some time I was in sympathy with the disclosures made by a doctor at the University of Virginia—his name slips my memory at the moment—that the rate is approximately 4.7. But from what I can determine, after trying to put together all these pieces of information—and of course I may be wrong, just as others may be—the correct figure for Russia is somewhere around 2.2, whereas the figure for the United States varies around 3 percent. The Russians cannot produce for both war and a proper standard of living with their present type of economy.

Mr. GORE. I find it necessary to rely upon the intelligence reports of our Government. I have heard Mr. Dulles say the correct figure is 6 percent—although perhaps at one time he said either 6 percent or 7 percent—in the case of the economic growth of the Soviet Union, as compared with our own rate of growth of something more than 2 percent per annum since the end of the Korean war.

If the Senator from Arizona does not accept those figures, and if he does not believe the Soviet Union is forging ahead in certain technological fields—a development which Mr. George Allen said, a few days ago, when he appeared before a congressional committee, is seriously damaging the prestige of our country—then I am sure the Senator from Arizona does not recognize the peril to our national welfare and to our security which I believe is involved in the inadequate educational system which certainly looms ahead in greater proportions, in the absence of vigorous improvement, than that which now exists.

Mr. GOLDWATER. I heard the Senator from Tennessee make that statement earlier. At the outset of my presentation I said I disagree only as to the means. I want our country to have the very best educational system that can be provided. I believe it can be provided in our historic way of local taxation and local gifts to colleges. The Senator from Tennessee thinks the answer lies in Federal aid to education. He and I are not arguing about the result, because all of us want our country to improve in all possible ways, and certainly education is one of them.

However, I do not agree with the notion of many persons that our educational system is falling behind. After World War II, we found a surprising and alarming shortage of classrooms. I am sure it was caused by incomplete familiarity with the rapid population growth which we were bound to have. That has been corrected in part since then, and I believe that within 5 or 6 years the historic method of providing for education in our country will make it possible to keep up with the need.

The Senator from Tennessee may not realize that the amount of money spent in our country on education is second in size only to the amount of the national budget. The budget for education is now $18 billion a year—more than any other item in the entire budget, except the expenditures for defense.

Mr. GORE. Mr. President, will the Senator from Arizona yield further?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Arizona yield to the Senator from Tennessee?

Mr. GOLDWATER. I yield.

Mr. GORE. I am aware of the large expenditures for education. But I wish to point out that in literally thousands of communities in our country, truckdrivers earn as much as twice the annual salary of a high school teacher or an elementary school teacher.

I wish to suggest to my colleague, for his consideration, that, in large part, today our young people with the brightest, most inquisitive, imaginative intellects and inspiring personalities simply are not being attracted to the teaching profession. So it does not matter how many classrooms are constructed—although I know many more are needed and I support such programs—there cannot be a good class unless there is a good teacher. Unless sufficient economic awards are available to the teaching profession, how would the able Senator from Arizona think that, under our free system—which does not include the Soviet means of regimentation, and should not include it—we are to attract the capable young people who are needed in the educational profession, in order to give proper instruction to our children?

Mr. GOLDWATER. I could not agree more with the Senator from Tennessee that in many parts of the country the teachers are underpaid.

However, some interesting statistics have been prepared by the National Education Association; and they were issued in a paper entitled "Economic Status of Teachers, 1958–59," and also in a U.S. Department of Commerce survey of current business in July 1959. They show that since 1929 the teachers have had a salary increase of 103 percent, whereas all persons working for wages or salaries had an 83-percent increase, and the civilian employees of the Federal Government had, in the same period of time, an increase of 69 percent.

I can agree in part with the thesis of the Senator from Tennessee that more pay would attract more bright young people to the teaching profession.

On the other hand, I may remind the Senator from Tennessee of something I have found in business throughout my life—namely, that money is not what attracts people, generally speaking, to a profession or a business. For instance, suppose that today's average teaching salary, which is approximately $4,800, were to be doubled; suppose it were increased to $9,600. Even then, some prospective teachers would say, "I can make more money by being a lawyer or a doctor, so I will not teach."

As in the case of most ministers and doctors and most people in politics, I believe most teachers are attracted to their profession or their way of life because it appeals to them and because they will be happy in it and because they feel that by devoting themselves to it they will be able to render their best service. Certainly a minister cannot expect to become rich; on the other hand, a minister does a tremendous amount of good. Certainly teachers cannot expect to become rich; on the other hand, they do tremendous amounts of good.

I think the Senator from Tennessee has a point, but I do not agree that it is the answer to the problem.

I have a chart which shows that, quite to the contrary, our country is now producing more teachers than the number who quit the teaching profession each year.

Mr. GORE. Mr. President, at this point will the Senator from Arizona yield further to me?

Mr. GOLDWATER. I yield.

Mr. GORE. I appreciate the willingness of the Senator from Arizona to explore with me this problem.

I should like to relate an experience I had only last Saturday: I boarded a plane, and had the good fortune to take a seat beside a boyhood classmate who is now a city superintendent of education. In view of the fact that this bill was pending in the Senate, it was perhaps only natural that, after we had exchanged pleasantries and inquiries about each other's family, we began to talk about the problem of education. We recalled the status of a teacher in our respective communities when we were children. We recalled how he and I and many others as youngsters sought

teaching positions, and how proud and honored we were when we received them.

Then he said to me, "You know, 90 percent of the teachers in my school system today are of our age group or older"—in other words, in their fifties or their sixties. He said, "Very few young people have submitted to me applications to teach. As a matter of fact, I have only one young man in my system, and he has just notified me that he could no longer make a living for his family on his teaching salary and he was taking another job at the end of this term." Then he shocked me by saying that now when a young man submitted to him an application for a teaching position, he found himself under the necessity of making a searching inquiry as to the adaptability, personality, and personal attributes possessed or not possessed by the young man quite aside from his professional and educational training. This superintendent said, "I do not know what is going to happen when the teachers now in their fifties and sixties retire."

I asked him, "Why this difficulty?" He said, "Well, it is due to a change of status. It is partly social; it is partly economic. On the economic question," he said, "I have a neighbor who drives a trailer truck to Chicago who earns easily twice as much per year as this young man who is resigning his teaching position at the end of this year."

That is how severe this problem is; and it is in the hands of the teachers that the youth of today are committed.

The able Senator said earlier that teachers are now expected to do many of the things which should be done in the home. Perhaps he is right in both instances, but surely he is right in that the teacher, the school, is now giving training in citizenship as well as in the three R's.

With this problem so acute as it is in the particular community to which I referred—and which, I assure the Senator, can be repeated in thousands of other communities across our land—how, I ask the able Senator, does he propose to attract into the teaching profession the bright and inspiring personalities without whom we cannot have good schools, no matter how many bricks we lay with mortar?

Mr. GOLDWATER. I might answer my friend by stating that I, too, had a roommate in school who is now superintendent of schools in a small community in my State, and he is the most violent, of all my friends, against any Federal aid. So the Senator will find even in the teaching profession a split of opinion on this subject.

I have in my possession certain figures, which I must assume to be correct because they come from the National Education Association. They are "Advanced Estimates of Public Elementary and Secondary Schools, 1952–53, 1956–57." Those figures show, for instance, that in 1956–57 there were 92,000 public school teachers who left the profession during the year. The net increase in certificated staff over the preceding year was 65,851. The certificated staff added during the year was 157,851.

We find for that same year, in another tabulation from the same organization, that the instructural staff was 1,276,154, the number of emergency teachers was 86,616, the certificated staff was 1,189,538, and that there was an annual increase in the certificated staff in that year of 65,851.

So, unless the figures of the National Education Association are wrong, I do not think they indicate that there is a shortage of teachers.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. In a moment. I do not say I dismiss the problem of teachers' salaries. However, I think that problem can best be met at the local level.

Mr. President, at this time I ask unanimous consent to have a table, headed "Certificated Teachers in the Public Schools," inserted in the RECORD at this point in my remarks, together with a table which I have labeled "No. 1," and a table which I have labeled "No. 2."

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Certificated teachers in the public schools, 1949–50 to 1956–57

School year	Instructional staff	Emergency teachers	Certificated staff	Annual increase in certificated staff
1949–50	962,174	95,146	867,028	
1950–51	995,241	75,079	920,162	53,134
1951–52	1,012,384	69,848	942,536	22,374
1952–53	1,050,613	69,626	980,987	38,451
1953–54	1,098,320	78,850	1,019,470	38,483
1954–55	1,150,755	80,674	1,070,081	50,611
1955–56	1,203,690	79,403	1,123,687	53,606
1956–57	1,276,154	86,616	1,189,538	65,851

Source: National Education Association advanced estimates of public elementary and secondary schools, 1957–58.

Teacher supply, 1950–51 to 1956–57

School year	Public school teachers who left profession during the year	Net increase in certificated staff over preceding year	Certificated staff added during the year (accessions)
1950–51	55,000	53,134	108,134
1951–52	55,000	22,374	77,374
1952–53	55,000	38,451	93,451
1953–54	75,000	38,483	113,451
1954–55	75,000	50,611	125,611
1955–56	84,000	53,606	137,606
1956–57	92,000	65,851	157,851

Source: Col. 1: National Education Association advanced estimates of public elementary and secondary schools, 1952–53, 1956–57.

Earnings of teachers and other groups, 1929 and 1958

	Teachers	All persons working for wages or salaries	Civilian employees of the Federal Government
1929 (actual dollars)	1,400	1,405	1,933
1929 (in 1958 dollars)	2,358	2,366	3,255
1958 (actual dollars)	4,792	4,324	5,514
Percent increase (in constant dollars)	+103	+83	+69

Source: National Education Association, "Economic Status of Teachers in 1958–59," and U.S. Department of Commerce, Survey of Current Business, July 1959.

Enrollment and teachers in the public schools, 1900 and 1960

School year	Enrollment	Instructional staff	Number of pupils per teacher
1899–1900	15,503,000	[1] 436,000	35.6
1929–1930	25,678,000	880,000	29.2
1959–1960	35,990,000	1,455,335	24.7
Percent increase, 1900 to 1960	+132	+234	

[1] Adjusted for 13,000 administrators in 1900.

Source: 1900 and 1930: U.S. Office of Education, "Statistical Summary of Education, 1955–56," 1960, enrollment: U.S. Office of Education release Aug. 30, 1959; institutional staff, National Education Association, "Estimates of School Statistics, 1959–60."

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. GORE. The Senator has responded with a quantitative table. I inquired of him how he thought we could find an answer to the national need for better teachers, better qualified teachers, more instructive and inspiring teachers, when as teachers they would have an earning capacity so low, comparatively, as it is.

Before I ask the Senator again to respond, I should like to suggest to him that there is now pending in a Senate committee a bill to increase minimum wages to $1.25 an hour, which, if enacted, would bring the earnings of many of the lowest scale factory workers in all our States to an annual level above that of teachers in hundreds and hundreds of communities.

The Senator said earlier that some persons might be attracted into the legal profession or might wish to become doctors. I say, from an economic standpoint, many of those who have already qualified themselves to be teachers may find it necessary to become carpenters, bricklayers, truckdrivers, and factory workers. Against whom I say naught; they contribute, too, but the long-range challenge to our system of freedom is, surely in large part, an educational one.

With this very long preface, I should like again to inquire of the able Senator how, under the present economics, when thousands of communities have taxed themselves as high as they can in the form of sales taxes, real estate taxes, personalty taxes, and are still able to pay their teachers only about half of what others are earning in other positions, which require much less training, he thinks we can attract the bright, inquiring, inquisitive, top young people into the teaching profession?

Mr. GOLDWATER. I did not understand the Senator was talking about quality, but I shall be very glad to address my answer to that. By increasing a person's salary, we do not automatically increase his ability. We do not increase his intelligence. I think if we need better trained teachers—and I am not aware that we do—then we had better look to the improvement of the curricula in the teachers' colleges and colleges that give teachers degrees.

I have found nothing in this bill which relates to the improvement of teachers' courses or teachers' colleges. I am repeat what I said before, that I am convinced persons are not going to be attracted to the teaching profession not

primarily because of the money involved, although I will admit that that factor has a bearing. Do not misunderstand me; it does. We have the same problem, I may suggest to the Senator from Tennessee, in almost every other field of endeavor in this country. I will give the Senator an example of a very serious one. In the missiles profession, we have had to create nuclear scientists very quickly. We have had to create courses we did not have before. In that field we are finding that outside agencies are reaching into the Government, trying to get well-trained officers to work for them; and the pay they offer is higher, too.

I am happy to say that not too many of these men leave the military service for that reason. I know of many officers in the Air Force who could resign tomorrow and receive better salaries with private companies, but because of patriotism and love of their work they do not do so.

I make that point because this is something which is not confined to teachers. Everyday we lose skilled people to business in every field.

To give an example, perhaps the Senator would be interested to hear—or perhaps not—that over the years I have been in business, occasionally I have given to those who work with me a list of 10 items, to see which is the most important. I forget some of the items, but the list includes things like "security," "health and accident policies," "sick leave," "salary," and so forth.

I have asked employees to place a number by each item, indicating the importance of the item to them. In all my years in business "salary" has never gotten above number 7. I have become convinced, after some years in business and some years in association with people, that salary is not the driving force for people. I will not say that applies 100 percent—and I would not even guess at the percentage—but I think the people of America take up a certain line of work because they think they like the work. Some persons go into business because they feel, "I can make myself rich," and others go into business with a feeling that they can do something for their country.

As I look around the Chamber at my colleagues and note their intelligence, their drive, and their capability, I am convinced that any one of them could get a better salary on the outside. So why do they stay? They stay because of a sincere feeling in their hearts that this is the place they can be of the greatest service to their country.

I think that is the feeling in the minds and hearts of many working people, rather than the idea of getting a higher salary.

I conclude my reply by saying again, I do not think that the total answer lies in better salaries. If it does, it should not come under the Federal Government, for a very good reason. If we ever reach the point where the Federal Government pays the teachers' salaries, the teachers are going to become a political toy, like our postmasters, who are appointed by and approved by a political party. I can think of no worse thing to happen to our country than to bring the teachers ultimately under the control of a political party, whether it be at the local level or the State level.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. GOLDWATER. I am happy to yield.

Mr. GORE. I share with the Senator the view, which I believe he holds, that the administrative functions of local schools belong to local officials. I do not think that Federal aid should or would go contrary to that principle.

As the able Senator knows, I served in the educational field, beginning as a teacher of a one-room school and serving for 4 years as superintendent of education. Therefore, I have some background from which to speak.

I have administered Federal aid to education under the Smith-Hughes Act, where Federal assistance is given to vocational training in agriculture, in trades, and in the development of industrial skills. That has never meant Federal control.

What was I required to do to qualify for the Federal aid? I had to have a classroom to meet minimum requirements. I had to have a workshop and a library sufficient to meet standards provided by the Federal regulation as a prerequisite to the Federal aid. I had to employ a teacher with given minimum qualifications.

Once those standards were met, as superintendent I was free to employ a teacher of my choice, or of the choice of the board of education. Yes, I have administered schools receiving Federal aid. This has been in effect for more than 40 years, and has never meant Federal control.

I should like for a moment to leap over that matter.

Mr. GOLDWATER. Before the Senator takes the leap, will he permit me to answer?

Mr. GORE. Yes.

Mr. GOLDWATER. Actually, under the Smith-Hughes Act, which provided a subsidy by the Federal Government, the standards set up by the Board of Vocational Education specified, among other things, the maximum and minimum of pupils in each class, the number of minutes in each class session, and the content and project of the course. There was also a requirement that the instructor must have been graduated from a designated college. The regulations even specified the size of the door to the shop classroom.

I will agree with the Senator when he says that once a person has complied with these requirements he is perfectly free to do as he wishes. It is that compliance which worries me.

I am not particularly worried about Federal control at the moment under the group who conduct the affairs of the Department of Health, Education, and Welfare. The day could come, if we give broad powers to the Commissioner to write regulations and to write rules, when rules could be written which would deny education to certain groups or which would deny money to certain areas of the country where a contrary political belief might be held. These are fears I do not have alone. These are fears which have been expressed by leading educators who have appeared before our committee, as I will show later.

Now the Senator can take the leap.

Mr. GORE. Before doing so, please permit me to say I found these requirements were very helpful. I found that they provided improvement not only in the school system under my supervision but also throughout the Nation.

It may well be that the Senator would object to the requirements as a condition of Federal aid, but I suggest to him that this same principle is true with regard to highways, to housing, and to all the Federal-State programs.

Mr. GOLDWATER. I will agree with the Senator that one cannot write Federal aid legislation without controls.

Mr. GORE. I did not say "controls."

Mr. GOLDWATER. Without compliance.

Mr. GORE. There must be certain conditions.

Mr. GOLDWATER. Conditions.

Mr. GORE. There are requirements which must be met before the aid is granted. We have found it necessary so to provide, and I believe the Senator voted for that in regard to the highway bill.

Mr. GOLDWATER. Mr. President, when we talk about Federal aid to highways, we are talking about a constitutional duty we have to discharge.

I do not look at all upon Federal aid to highways in the same manner I look upon Federal aid to education. When the Constitution has charged the Congress with a duty of doing something which requires money, not only do we have a right but also we have a command to do it. But never in the Constitution was it intended that this power should be extended to education.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I think the Senator is now getting at the basic division of philosophy which is involved. Federal aid does not mean Federal control, it is contended. I honor the Senator's opinion. I know the Senator's opinion comes honestly and from the heart. I have the same type of feeling in my heart. I feel it is wrong. I feel we would create a system of—if the Senator objects to the use of the word "control"—compliance which will lead immediately or ultimately to further controls.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. GORE. The Senator has supported the program which provides Federal aid for hospital construction. Under the Hill-Burton Act, every community can apply for Federal aid in the construction of a hospital.

But the Federal Government would not provide one-half the cost of constructing a hospital with rotten boards. The hospital must meet certain architectural standards. It must have a room for surgery, with proper lighting, sanitation, and so forth. Such standards have brought about better hospitals. They have not only served the Nation well, but they have served the local communities well. I could cite scores of programs under which there is

cooperation between the Federal Government and States, municipalities, and counties, in connection with which conditions are necessary for the making of a contract for the consummation of satisfactory working relations and compliance with the program.

I am suggesting to the able Senator that the Smith-Hughes Act has operated successfully in similar manner for more than 40 years, without one iota of Federal control of administrative functions.

Mr. GOLDWATER. I cannot agree with the Senator in that statement, because I have just read a portion of a list of compliances which must be met before the money is made available. I know a little about hospitals, just as the distinguished Senator knows something about schools. I serve on the board of a Catholic hospital in my community, and I raised the money to build a hospital sponsored by the Episcopalian Church. The Catholic hospital desired to have a psychiatric ward, because there is none in Arizona. Over my objections, they obtained Hill-Burton money, and that project had to be deleted, because, as the Senator knows, that money cannot be used for that type of hospital construction. That was a definite control.

In the case of the other hospital, which is a tubercular hospital, or one for respiratory diseases, again money could not be provided under the Hill-Burton Act unless we complied by having an operating room, so we had to build an operating room. Frankly, we are having a hard time operating the hospital, because we do not need the operating room.

Those are types of controls. If the local people accept these grants, they must take them fully cognizant of what they must do to comply. It is with respect to the compliance that we find ourselves in a different attitude. The Senator from Tennessee holds that Federal compliance is necessary, and, of course, it is. We could not write such legislation without it. The people would rise up if we suggested handing to the State of Tennessee or the State of Arizona carte blanche, a check for so much money, without having any responsibility or any compliance, regulation, or control over it.

I am trying to point out that in the Federal-aid-to-education field, no matter what bill we enact, there will be areas of control.

Two years ago we enacted the National Defense Education Act. It was said that there was no control involved in it. In fact, there was a disclaimer of control; yet I found 12 areas of control, in which, if there is no compliance, the money is not available. That is what I am driving at.

The time might well come when we might write regulation into the National Defense Education Act providing that no money shall be used for the teaching of mathematics, for example. In that act we limit the areas in which the money can be spent to four distinct fields of education. As I said when the subject was up for debate, What about the poor fellow who wants to participate in liberal arts education? In my opinion no man is educated unless he has studied the liberal arts. But this act, with that compliance or control feature, as I choose to call it, prevents students from participating in such studies.

Mr. GORE. The Senator has made his point well. He and I agree thoroughly that in connection with scores of programs under which the Federal Government and the States and local communities cooperate in public enterprises, conditions must be met, both at the Federal level and at the local level. I agree with the Senator that it is proper that safeguards and standards be established in connection with the expenditure of the people's money.

The point I have tried to make in referring to the Smith-Hughes Act is that we have found certain requirements as to standards good and beneficial, locally and nationally. The point to which I wished to return was the question of salaries.

Last Monday evening it was my pleasure to deliver an address in the State of New Hampshire. This was my first opportunity to visit that beautiful State. After the public occasion was concluded, I was visiting with a very successful businessman in that community. I told him the story which I have related to the able Senator, of a boyhood schoolmate and his difficulties with the educational system. This successful businessman said to me, "The brightest, most aggressive, and most useful young men in my organization today are men who resigned from the teaching profession and came into my business because I could pay them more money than they were earning."

That is the problem, to which I should like to have the Senator's answer. How can we stop the erosion from our teaching profession of the brightest and best, on the one hand, and how shall we bring into the teaching profession, now and tomorrow, the top young people?

The Senator has quoted a very learned man, who made an observation with which he and I have found ourselves in agreement, namely, that the Soviets have been able to make technological breakthroughs because they had a system of regimentation by which they could concentrate their skills and the talents and resources of their people. We have no such system, and we want no such system. How are we to meet the challenge without it? It seems to me that we must do so by the system of reward and incentives. Unless there are incentives, unless there are economic rewards for a young man with a family to go into the teaching profession or remain in the teaching profession, how will we attract into it or keep in it the most desirable people?

Mr. GOLDWATER. I thought I had answered the Senator's question. I will take one more go at it.

In all the discussions before our committee the quality of the teachers, to the best of my recollection, was not discussed. If the Senator wishes to discuss the quality of the teachers in our country, and he doubts that our teachers are of sufficient quality, I suggest that we discuss an amendment to this bill which would provide money for investigation into the efficiency of teachers and the efficiency of the teaching methods used in the schools which produce our teachers.

I have agreed with the Senator that salary has something to do with the question, but it is not the complete answer. We have the same problem in Arizona. Industry and business, if they find a bright teacher, can make an offer. Sometimes it is not accepted. Sometimes it is. If the Senator is interested in that approach to the question of salaries, let me cite a few examples for the record.

In Phoenix—and again I get back to my own State —a bachelor's degree calls for a minimum salary of $4,500 a year, and a maximum salary of $6,750.

With a master's degree the minimum is $4,950, and the maximum is $9,270. In the Senator's State, with a bachelor's degree there is a minimum of $3,535, and a maximum of $5,354. With a master's degree, in the Senator's State, there is a minimum of $3,760, and a maximum of $5,615.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I should like to finish this point in my attempt to answer the question of the Senator. I do not know how else I can do it better than in the way I am trying to do it. I may not do it adequately. I understood the question, and I hope I can answer it.

If money is the problem, then the place to correct the situation is at the local level. I know what the Senator is going to say. He will say, "What about the school districts which cannot tax any more?"

There are many suggestions which I might make in this field. I discussed this matter with the Governor of my own State. For instance, we are spending $152 million on the school system. We raised the sales tax. It provided more money. There was no great outcry against it. It avoided the necessity of increasing the property taxes.

Let me point to an illustration in my own county. In my particular district my taxes per $100 run in excess of $12. Of that $12, if I recall correctly, about $6.75 is devoted to the schools. Yet, appearing before our committee were representatives from State after State who testified that they did not apply as much as $2 per $100 of valuation to their school systems.

I do not agree that there are States in the country so poor that they cannot pay adequate salaries to their teachers. If the problem is one of salary, then my suggestion is that the school district, or the State, or the county, or whoever operates the school system, see to it that the salaries are made such that they will be attractive.

I do not believe the Senator means to suggest that we should place a teacher's salary on the same basis, let us say, as that of a scientist working for a corporation. I wish we could. If we try to consider the movement of people from one industry to another or from one profession to another as being a problem of money only, then we will wind up on a flat plane on which there will be no in-

centive. There is incentive in the teachers' salary system in my own State, and I am sure there is in the Senator's State also. There is a difference in the total amount.

According to the salary list I shall put in the RECORD, there is a great variance among the States. Let us take States of comparable size, as an example. In Arizona we have an average pupil membership of 18,114—that is in the high school area—and we can compare that with a State like New Jersey, with 17,711 pupils in that area, where teachers with a bachelor's degree are paid $500 less than Arizona teachers as a minimum and $250 more as a maximum, and where teachers with a master's degree are paid $750 less than Arizona teachers as a minimum and roughly $1,800 less as a maximum.

I know of no other way in which I can answer the Senator's question. I recognize that the salary is a portion of the problem. It is not the whole answer, however. If it is the whole answer, then it must be solved at the local level. That is my whole thesis.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. GORE. The distinguished Senator has quoted a number of salary scales. I wonder if he would look directly in front of him at our handsome pages who serve the U.S. Senate. If he will do so, I should like to call to his attention the fact that their salary is at a rate greater than some of the teacher salary scales he has quoted for college graduates. I agree with the Senator that the salary is not the total problem, but it is a very important factor in attracting to the teaching profession the quality people we need. The Senator has stated that he does not agree that there are States which cannot afford to pay an adequate salary for teachers. I am sorry. I assure him that by any measure of equity or economic ability it is true, as I see it.

Mr. GOLDWATER. If the Senator will permit me to interrupt him at that point, I do not have available at this time statistics which show the relationship of States with respect to the average income per capita, and so forth. However, my State, I know, ranks 29th economically, but we rank third educationally. I am not using my State in order to brag. I am using it because I am more acquainted with it. There are many States which pay to teachers lower salaries than my State pays, but which are far richer than my State. There is not the great variance in average income among the people in the different States for one to be able to say that one State can do it and the other State cannot do it.

I refer to my constantly repeated thesis, that if this is the problem, the problem should be solved at the local level, not at the Federal level.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I shall yield, but before doing so, I ask unanimous consent to have printed in the RECORD a table showing the minimum and maximum salaries currently in effect in areas across the Nation comparable to Phoenix.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Minimum and maximum salaries currently in effect in areas comparable to Phoenix across the Nation (NEA research report)

District	Pupils (average membership)	Bachelor's degree		Master's degree		District	Pupils (average membership)	Bachelor's degree		Master's degree	
		Minimum	Maximum	Minimum	Maximum			Minimum	Maximum	Minimum	Maximum
Mobile, Ala	61,683	$3,100	$4,200	$3,400	$4,500	Lansing, Mich	23,478	$4,120	$6,386	$4,223	$7,604
Phoenix Elementary, Phoenix, Ariz		4,200	6,100	4,400	6,600	Duluth, Minn	19,849	4,144	6,344	4,474	6,674
PUHS, Phoenix, Ariz (1959)		4,000	5,800	4,400	7,400	Jackson, Miss	25,236	3,100	4,900	3,350	5,200
PUHS, Phoenix, Ariz (1960)	18,114	4,500	6,750	4,950	9,270	Springfield, Mo	16,619	3,600	5,050	3,900	5,350
Little Rock, Ark	16,540	3,281	4,253	3,465	4,687	Lincoln, Nebr	22,143	3,900	6,000	4,200	6,500
Glendale, Calif	20,277	4,700	6,668	4,905	7,293	Las Vegas, Nev	24,000	4,300	5,800	4,600	6,700
Long Beach, Calif	65,311	4,700	7,450	5,200	8,450	Camden, N.J	17,711	4,000	7,000	4,200	7,400
Hartford, Conn	22,499	4,100	7,300	4,300	7,800	Albuquerque, N. Mex	49,098	4,200	6,700	4,500	7,000
Wilmington, Del	14,065	4,100	6,400	4,500	7,000	Albany, N.Y	12,940	4,000	6,200	4,300	6,500
Orange County, Fla	45,045	3,600	5,600	3,950	5,950	Syracuse, N.Y	29,776	4,200	6,500	4,500	6,900
Volusia County, Fla	21,523	3,825	5,425	4,225	5,825	Greensboro, N.C	19,689	3,318	4,727	3,757	5,250
Fulton County, Ga. (excluding Atlanta)	23,950	3,516	5,100	3,816	5,400	Canton, Ohio	21,946	3,700	5,800	4,000	6,100
Peoria, Ill	16,980	4,080	6,320	4,280	6,630	Tulsa, Okla	61,388	3,720	5,880	3,900	6,180
Evansville, Ind	24,549	4,300	6,275	4,400	7,400	Portland, Oreg	68,030	4,300	6,600	4,500	7,000
Fort Wayne, Ind	26,392	4,200	7,350	4,500	7,800	Allentown, Pa	15,768	4,000	7,300	4,200	7,700
Des Moines, Iowa	40,422	4,500	6,730	4,750	7,300	Providence, R.I	27,185	3,800	6,075	3,800	6,075
Kansas City, Kans	23,231	4,200	6,000	4,400	6,500	Columbia, S.C	28,011	2,856	4,152	3,048	4,380
Topeka, Kans	13,587	4,000	5,425	4,250	6,200	Nashville, Tenn	26,620	−3,535	−5,354	−3,760	−5,615
Louisville, Ky	45,175	3,360	5,184	3,552	5,472	Amarillo, Tex	23,309	3,800	5,300	4,000	5,800
Shreveport, La	45,960	3,650	5,600	3,825	6,400	Corpus Christi, Tex	35,349	3,900	4,710	4,125	5,900
Prince Georges County, Md	60,754	4,200	6,800	4,400	7,000	Salt Lake City, Utah	41,429	3,870	6,060	4,092	6,282
Cambridge, Mass	10,852	4,300	6,500	4,400	6,600	Roanoke, Va	18,092	3,500	4,900	3,700	5,100
Flint, Mich	36,425	4,400	6,530	4,645	7,255	Tacoma, Wash	30,454	4,200	6,200	4,800	7,200
						Huntington, W. Va		3,278	4,228	3,667	4,845
						Madison, Wis	16,038	4,260	7,839	4,520	8,213

NOTE.—These figures were taken from Research Report 1959-R21 of the National Education Association. While it is true that some areas do pay higher salaries than the Phoenix area, the fact remains that even before this fabulous schedule was approved only 6 of the above school districts paid more than Phoenix, and 2 were tied with Phoenix's maximum.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. GORE. It is not only true that there are a number of States and counties which find themselves unable to raise sufficient revenue to provide an adequate salary for teachers and an adequate school plant, but the tragedy of it is that the States with the severest economic problems are the very States with the largest percentage of their population of school age.

It is not sufficient for a citizen of the city of Chicago to say, "Why should we help educate the children of the people of Mississippi? That is not any problem of ours." I wish to call the Senator's attention to the fact that there is a great migration of people from the States of Mississippi, Tennessee, and other Southern States to the city of Chicago.

This is a problem of national concern. If it cannot be met adequately at the local level—and the long-term challenge from the Iron Curtain world to the free enterprise system is in large part, educational and technological—and if we do not want to accept, as I do not want to accept and as I know the Senator does not want to accept, the regimentation necessary to tell people where they shall work and what they shall do, then how, I ask the able Senator, are we going to meet it, unless we consider education a matter of national concern which, I humbly submit, it is?

Mr. GOLDWATER. Therein lies the great broad area of difference between a liberal and a conservative. If we attempt tonight to bridge that gap, we will be at it for many hours. A conservative is one who constantly wants to go forward on the proven values of the past. We know that our educational system has worked and is working by being financed and controlled at the local level. A liberal, on the other hand, has historically been seeking for more and more freedom for the people. However, of late I have begun to wonder a little, because the liberals' recommendations ultimately wind up in centralized control in Washington.

I shall cite some figures which might help to answer one of the questions the Senator from Tennessee has raised.

It is true that some States, notably in the South, spend less than others, Mississippi being the lowest with $151.84 per capita. Illinois and Ohio, regarded as prosperous States, spend between $220 and $230 per capita.

But this theory of equalizing is demonstrably false. Dr. Yale Brozen, of the University of Chicago, made a careful study of this problem. Essentially, the equalizers propose to collect Federal taxes in the wealthiest States and then to spend a substantial portion of this money in the least wealthy States.

Between 1940 and 1958 the school population in the 12 wealthiest States increased by 46 percent; while the school population in those same years in the 12 least wealthy States increased only 9 percent.

It is obvious that school needs in the 12 wealthiest States are five times as great as they are in the 12 least wealthy States. Taking money in the form of Federal aid from the areas where the need is greater, and spending it in the areas where the need is least, would only compound our present difficulties.

STATEMENT OF U.S. COMMISSIONER OF EDUCATION

Mr. Lawrence G. Derthick, U.S. Commissioner of Education, said on November 24, 1958:

This act is one of the most comprehensive pieces of legislation concerning education ever passed by Congress. Its scope is sweeping and its provisions touch at some of the most critical points in our educational system.

The National Defense Education Act represents a major breakthrough in the area of Federal concern for education. Its impact will be felt for many years to come. This act is distinguished by the fact that the intimate relation of the national security to education is clearly expressed * * *. Congress has taken a significant step toward developing Federal responsibility in the field of education.

The Federal Government, through the Department of Defense and the National Science Foundation, is sponsoring many inquiries of a scientific nature. On December 10, 1959, the National Science Foundation, through its Director, Allan T. Waterman, announced that it was spending $21 million to finance 379 summer institutes for high school and college teachers of science, mathematics, and engineering. Most universities are engaged in some phase of scientific research in an effort to solve a specific problem for the Federal Government.

The scientists themselves do not believe that a program for an inquiry into the unknown can profitably be made. For this reason, they are opposed to a Federal science czar or to a Federal science agency. We should remember that the original research in the smashing of the atom was done at the University of California at Berkeley and financed by private money, not by the Government.

Here is a quotation from the Committee on Federal Responsibility in the Field of Education of the Commission on Intergovernmental Relations:

We have not been able to find a State which cannot afford to make more money available to its schools or which is economically unable to support an adequate school system.

The American people have built up over the last century and a half, the greatest school system in the world—under State and local responsibility. The public educational system has shown tremendous and consistent progress and proven flexible enough to meet new and greater challenges. We believe that it will continue to do so.

Schools have been a State and local responsibility by a longstanding and firmly embedded tradition. They should so remain. The general conclusion is that Federal aid is not necessary, either for current operating expenses for public schools, or for capital expenditures for new school facilities. Local communities and States are able to supply both in accordance with the will of their citizens.

Mr. President, I shall place in the RECORD some tables—I shall not burden the Senate by reading them now—the first being "Expenditures for Public Education and Gross National Product: 1902 to 1959."

This table shows that in the fiscal year 1901–02, $257 million was spent for public education. That was 1.2 percent of the gross national product.

In fiscal 1958–59, $17,900 million was spent for public education. That was 3.9 percent of the gross national product.

Mr. President, I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Expenditures for public education and gross national product: 1902 to 1959

Fiscal year	Expenditures for public education (higher and lower)	
	In millions of dollars	In percent of GNP
1901–2	257	1.2
1926–27	2,239	2.3
1956–57	15,465	3.6
1958–59	17,900	3.9

Sources: U.S. Bureau of the Census, "Historical Statistics of State and Local Government Finances," 1902–53; U.S. Bureau of the Census, "Summary of Governmental Finances in 1957"; 1959 figures estimated.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table entitled "What the States Spend Per Capita for Selected Functions"; and a similar table showing the State rank according to per capita of expenditures for selected functions.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

What the States spend per capita—Expenditure for selected functions

PER CAPITA AMOUNTS[1]

State	All general expenditure (1)	Education, total[2] (2)	State institutions of higher education (3)	Local schools (4)	Highways (5)	Public welfare (6)	Health and hospitals (7)
Continental United States	$237.35	$83.00	$11.50	$69.60	$45.79	$19.94	$18.80
Median State	236.81	80.87	12.08	66.12	50.00	17.71	16.03
Arizona	272.98	114.39	22.27	88.42	50.33	17.81	12.00
California	321.20	119.39	19.16	98.22	46.48	29.19	24.02
Pennsylvania	196.48	70.74	4.62	62.79	32.55	14.22	14.89
New York	296.05	88.85	3.51	83.90	38.97	22.04	32.30
Texas	203.81	80.51	10.53	69.11	43.86	17.05	11.36
STATE RANK ACCORDING TO PER CAPITA OF—							
Continental United States	[3]	[3]	[3]	[3]	[3]	[3]	[3]
Median State	[3]	[3]	[3]	[3]	[3]	[3]	[3]
Arizona	$12	$3	$7	$3	$24	$23	$41
California	4	2	12	1	29	7	7
Pennsylvania	39	34	46	31	45	40	29
New York	5	18	47	5	35	10	2
Texas	36	26	28	20	32	30	43

[1] Computation based on estimated population as of July 1, 1957.
[2] Including amounts for "Other education," not shown separately.
[3] Not applicable.

CAN OUR UNIVERSITIES DO THEIR JOB WITHOUT GOVERNMENT HELP?

Mr. GOLDWATER. Mr. President, the Nation's colleges and universities (a) are using their own earning power more than they have used it at any other time in the recent past, (b) are getting from voluntary sources of support a large percentage of their income for educational and general purposes, and (c) are receiving from public sources a gradually declining percentage of their total income for educational and general purposes, although the dollar volume coming from the Federal, State, and local governments is still larger than the dollar total coming from either of the other two groups of sources.

Although tax support of the educational and general programs of the Nation's colleges and universities is still the largest source of income, the percentage of total income from this source has dropped to 48.9 percent in 1957–58 from 59 percent in 1943–44 as is shown in the following table:

[In millions]

	1943–44	1957–58
Public sources	$510	$1,752
Internal and philanthropic sources	354	1,828
Total	864	3,580

The supporting constituencies of colleges and universities are recognizing more and more the need for private financing. When the institutions even more forcefully tell the public the cost

of the higher educational job it wants done, the Council for Financial Aid to Education is convinced that the colleges' yearly income for all purposes can be raised to the level of $9 billion which, it is estimated, will be needed by 1970.

HOW MUCH MORE MONEY IS REQUIRED?

There is great controversy and a wide difference of opinion among educators and students of the educational problem as to just how much money will be needed in the next few years.

We do know that in this century, from 1901 to 1958, expenditures for public education have increased from $257 million in 1902 to $17,900 million in 1958–59.

Surely the present system of local responsibility, which has accomplished these gains, can be trusted to evaluate the needs and wisely provide the necessary money.

LACK OF FINANCIAL SUPPORT IS NOT TOTALLY RESPONSIBLE FOR EDUCATIONAL DEFICIENCY

Dr. Arthur Bester, professor of history at the University of Illinois, and former president of the Council for Basic Education, a nationwide organization of scholars and educators, was asked whether the educational deficiency in America resulted from lack of money. Dr. Bester said:

Primarily, it's a lack of clear purpose in education.

It does not make sense to write a blank check, payable to the order of the very educationists who have brought us to our present pass. If there is simply a free-handed pumping of Federal funds into local school systems, much of it will be siphoned off into the trivialities that educationists have been promoting in the past.

What I fear is that the control over the new emergency program will be seized by the very same educationists who have produced our present difficulties. Then we will really be in trouble.

EXAMPLES OF CONTROLS WHERE FEDERAL AID IS ACCEPTED

Under the old Smith-Hughes Act, which was subsidized by the Federal Government, standards set up by Board of Vocational Educations specified:

The maximum and minimum of pupils in each class.

The number of minutes in each class session.

The content and project of the course.

Required that the instructor must be graduated from a designated college.

The size of the door to the shop classroom.

CLASSROOM SHORTAGE AND WHAT HAS BEEN DONE ABOUT IT

Since 1940, the Office of Education has been estimating a nationwide shortage of school classrooms. These estimates are based principally on polls in which State departments of education are asked to estimate their classroom needs. No scientific study has been made—in some cases post cards have been sent to teachers and school administrators.

The 1940 shortage was estimated at 250,000 classrooms.

The 1954 shortage estimate, 340,000.

The 1958 shortage estimated 128,000 classrooms.

Since the end of World War II, Americans have spent about $19 billion for public school buildings, elementary and secondary.

Only Federal aid involved $300 million.

School enrollment has increased from 24 million to over 34 million.

Five hundred and fifty thousand classrooms have been built since 1946, with a capacity of 15 or 16 million pupils. This is against an enrollment increase of about 10 million.

Classroom capacity of 5 or 6 million pupils has been built to replace old plant.

In 1948, 70 percent of all public school students were attending schools that were more than 20 years old.

In 1958, only 50 percent of a much larger student body is in schools over 20 years old.

In 1948, about 25 percent of all public school students were in schools over 50 years old.

In 1958, only 10 to 12 percent of students are in buildings over 50 years old.

Mr. President, there has been much discussion about the shortage of engineers in our country. I shall quote now from a statement by Dr. Clark A. Dunn, vice president, National Society of Professional Engineers, and director of the Engineering Experiment Station, Oklahoma State University, Stillwater, Okla.:

There are more students in engineering colleges today than have been enrolled in any other time in the history of the Nation. Present enrollments justify the prediction that there will be 150,000 graduated during the period 1956–60, as compared to 95,000 engineers graduated in the 4-year period ending in 1956.

Mr. President, on this floor we have heard much said about scholarships and the need for the Federal Government to provide them. According to a bulletin printed by the U.S. Department of Education, there were in 1955–56 available to applying college students 237,370 individual scholarships with a money value of $65,736,950.

In addition, there were 77,107 loans available for a total amount of $12,463,182. And, in addition to this, there were 288,479 job opportunities, with an available payroll of $65,931.915. And this does not include any information about graduate student aid or scholarships. It does not report State scholarship programs, nor does it attempt to include scholarships, loans, and employment opportunities offered directly to students by agencies other than the institutions.

We recall that Admiral Rickover testified that about one-half a million students graduate from colleges and universities annually. This partial list of scholarships, loan opportunities, and employment opportunities offers direct help, in one form or another, to 602,956 students. Thus, it appears that currently, without Federal aid to education, at least 25 percent of the college students last year might have found assistance in programs already available.

Some of these scholarships may not be sufficient to finance a student through a full 4-year course of study, but certainly an able youngster who is determined to secure an education can find a way between available scholarships, available loans, available jobs, provided he has the determination.

Mr. President, earlier in my colloquy with my good friend, the Senator from Tennessee [Mr. GORE], I said I would relate the fears of one of the eminent educators of the country, Frank H. Sparks, president of Wabash College.

After visiting 17 foreign countries where education is financed by the central government, Mr. Sparks gave, as his opinion, that Federal financing of education would lead to:

First. Standardized training of teachers, with every teacher an employee of the Government, and depending on it for assignments, salaries, and promotion.

Second. A standardized curriculum, generally out of date because there is no incentive for improvement.

Third. An impersonal attitude toward the student, who is fitted into the educational system, rather than having the system adapted to the student's needs.

Fourth. Elimination of experimentation to produce better techniques of education.

Fifth. Politics enters the educational system which can be used for propaganda, as in Germany, Japan, Italy, Russia, and Argentina.

Mr. President, at this time I shall read from comments by only one of many distinguished educators who have discussed the Federal aid-to-education problem. Then I shall ask unanimous consent that, in the interest of brevity, the remarks of others be printed at this point in the RECORD.

I read now from a statement by Dr. James B. Conant, certainly one of the top educators in this country, if not in the world. He said:

Yet I am not one who believes that large-scale Federal funds for public schools can be made available without some Federal influence; nor do I believe such appropriations are right around the corner.

Time and again Dr. Conant pleaded for continued organized citizen effort—particularly on a statewide basis.

"By such effort," he concluded, "I believe we can, without any radical reorganization, make our public schools adequate for the tasks we have placed upon them."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, the opinions or statements of a number of other noted educators across the country.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Allen P. Burkhardt, superintendent of schools and president of the junior college, Norfolk, Nebr. (article on "the Growing Intrusion of the National Government in the Field of Education," reprinted in the CONGRESSIONAL RECORD, Mar. 9, 1959):

"The best argument against such permanent Federal assumption of responsibility for education is the faith in and success of local-State government in this field. And local control of education has succeeded. In fact, we Americans have evolved the best system of education ever developed through the diverse approaches of the 48 States.

"I have nothing against change, if change will actually mean progress. But there is no evidence that a change to Federal responsibility in education would represent anything but deterioration—deterioration in local effort and determination to have good schools.

"The American people can take pride in the accomplishments of State and local governments in the continued extension of educational opportunities. Financial support has, on the whole, been generously provided and standards have steadily risen, even in the less wealthy States. There is ample reason to regard State and local control of education as one of our most prized traditions.

"The States do have the capacity to meet their educational requirements. This is a proven fact. Every State in the Union, and probably every school district in the United States is in better financial condition than is our Federal Government. Federal aid to the schools of America would either increase deficit spending or Federal taxation and speed the inflationary trend. With financial aid would eventually come Federal control. Any degree of Federal control over education would be disastrous to our tradition of local authority and State responsibility."

Study Committee Report on Federal Responsibility in the Field of Education, U.S. Commission on Intergovernmental Relations, 1955:

"Every American child has the right to an adequate educational opportunity. That opportunity can be provided by local communities and States more satisfactorily than by the Federal Government.

"The Federal Government could not achieve universal educational opportunity by appropriating money to the States to be distributed at their discretion.

"Federal action could bring about universal educational opportunity only if grants-in-aid were conditioned upon control of distribution of both State and Federal funds. Such control is contrary to the established principle of State and local school control and probably unacceptable to the States.

"The costs of the expansion in enrollment in the next 10 years can be taken care of by State and local governments if they continue to increase their school contributions at the rate at which they have been boosting them in recent years. To improve standards at the rate at which they have been advancing in the last few decades will require greater efforts.

"Research does not sustain the contention that Federal funds are essential to support the elementary and secondary school system. If citizens of the 48 States decide to do so, they can raise the necessary funds in States and local communities. The American people have built up over the last century and a half the greatest school system in the world under State and local responsibility. The public educational system has shown tremendous and consistent progress and proven flexible enough to meet new and greater challenges. We believe that it will continue to do so.

"State and local government can be more effectively strengthened by taking less money from the States than by taking out more and returning part of it as a Federal subsidy even with minimum controls attached.

"Schools have been a State and local responsibility by longstanding and firmly embedded tradition. They should so remain. We have not been able to find a State which cannot afford to make more money available to its schools or which is economically unable to support an adequate school system.

"The general conclusion is that Federal aid is not necessary either for current operating expenses for public schools or for capital expenditures for new school facilities. Local communities and States are able to supply both in accordance with the will of their citizens."

Carter Davidson, president of Union College, Schenectady, and a member of the Commission on the Financing of Higher Education described the Commission's findings as follows ("Blind Alleys in College Finance," The Educational Record, April 1953):

"One broad highway to financial security the members of the commission viewed unanimously as the 'primrose path that leads to the everlasting bonfire.' This road was named Federal Government support. Some of us at first felt that we should even advocate that the Federal Government should withdraw its support from those areas which it is now already subsidizing, but we finally agreed that this step was impracticable and that we would be satisfied if the Federal Government would stop where it now is and give to private initiative the chance to show that it really believes sufficiently in higher education to give it ample support. There was a feeling that increased Government support from Federal sources was not only a blind alley, but also blinded those who traveled down it."

In a later speech, Dr. Davidson said (at the workshop of the Commission on Colleges and Industry of the Association of American Colleges, at Indianapolis, on March 11, 1957):

"I am opposed to Federal aid because I feel, from my own experience * * * and the experience which I am sure many of you have shared * * * that bureaucracy is, by its very nature, wasteful; that the same dollar which can perform a dollar's worth of good through private enterprise, will require an additional dollar to get to its final place of service if handled through a bureaucratic Federal Government setup.

"Another reason that I am opposed to Federal aid is that it seems to me this is another step in the direction of a totalitarianism which insidiously creeps in upon us while we do not realize what is happening.

"Federal aid could shift the whole emphasis from a quality program into a quantity program.

"My chief reason is that I believe sincerely we can meet the needs of higher education from other sources, that we don't need to turn to the Federal Government. I feel that the States of the Union can give financial support to their State colleges by tax-support, and through other devices, to the private institutions, if they are willing and eager to do so."

William O'Brien, assistant professor of government, Georgetown University ("Alms and the Man," Georgetown University Alumni magazine, November 1959):

"Federal handouts will not produce the educated man.

"There is another dimension to the current problem of education needs and the solvent proposed by many to dissipate them. First, on the general question of Federal aid, people should realize that financial assistance from the Central Government is always supplied with their money and not given by some magnanimous donor from outer space with his own cornucopia of independent wealth. Moreover, dollars invariably lose weight on their round-trip to Washington where the political brokerage of the bureaucrats is deducted. Many Congressmen forget these basic facts of life when following their generous impulse to give you the shirt off your own back."

Lloyd J. Andrews, superintendent of public instruction, State of Washington ("Meeting the Financial Challenge in Education," speech delivered before the 1959 National Freedom Forum, Harding College, Searcy, Ark., April 22, 1959):

"It is my opinion that the Federal Government has absolutely no business offering Federal aid to the States for education. It is impossible for the Federal Government to aid a State. The best it can do is to collect taxes from the individuals comprising the State and then redistribute, through various formulas, their money back to them * * * a process that sooner or later will bring control and domination of the educational program by the distributing agency."

Ward G. Reeder, professor of education at Ohio State University (book on "The Fundamentals of School Administration"):

"For anyone to advocate Federal aid without Federal control is to advocate nonsense; a certain amount of Federal control has always followed Federal aid and, as the present writer believes, a certain amount of it should."

Luther A. Weigle, dean emeritus, Yale University Divinity School (in foreword to "Federal Aid to Education—Boon or Bane?" by Roger A. Freeman):

"Since the war a new danger to American freedom has emerged within our own life—a danger which up until now had not appeared to be possible. I refer to the beginning among us of a movement toward the Federal control of education. It does not bear that name, and many—perhaps most—of its advocates would repudiate the thought. It wears the fair guise of Federal aid to education in the interest of the equalization of educational opportunity. But in the end it can mean nothing less than the Federal control of education; and this, in my judgment, would gravely imperil the freedom of education, the freedom of religion, and the basic freedom of the American people."

Frank H. Sparks, president of Wabash College (after visiting 17 foreign countries where education is financed by the central government gave as his opinion that Federal financing of education would lead to):

"1. Standardized training of teachers with every teacher an employee of the Government and depending on it for assignments, salaries and promotions.

"2. A standardized curriculum, generally out of date because there is no incentive for improvement.

"3. An impersonal attitude toward the student who is fitted into the educational system rather than the system being adapted to the student's needs.

"4. Elimination of experimentation to produce better techniques of education.

"5. Politics enters the educational system which can be used for propaganda as in Germany, Japan, Italy, Russia, and Argentina."

Robert Murray Haig, Columbia University ("Elementary School Journal," May 1939):

"The demand for increased Federal participation in the support of education is accompanied by the specification that there shall be no Federal control of educational policy. At once the interesting question arises: Can any jurisdiction take responsibility for levying the taxes for any particular purpose without sooner or later being forced to take the responsibility for defending that expenditure and without being asked to answer taxpayers that the money is being spent in a proper manner? * * * No mere audit will satisfy the demand. Sooner or later the jurisdiction which imposes the taxes will exercise real control."

J. Hugo Aronson, Governor of Montana (vetoing a resolution for Federal aid to education):

"Federal aid to education will only result in taking more and more control away from the State and local levels. There are those who will say that certain pieces legislation guarantee that control remains at home. This is a fallacy, since the Federal Government always sets up certain standards for States to meet. This is the right of the Federal Government if we allow our tax dollars to be taken to that level and then returned, minus a substantial tithe. Each standard, no matter how innocent it sounds, is another delegation of power to the Federal Government, at the expense of the State and local governments.

"Federal aid may sound like a get-rich-quick panacea for all educational problems. However, one must remember that Federal aid dollars still come from the same taxpayers as other tax dollars. There is no hidden mother lode. In the long run, it is far cheaper for all concerned to pay taxes at home to operate a sound educational system than it is to send them elsewhere, only to find out later that you have lost control of your educational system and your tax dollars have had a tariff extracted from them.

"There is an added objection to the endorsement of this specific Federal aid to education measure, which is now before Congress. At a time when a balanced budget is certainly needed, this particular piece of legislation endorsed by this resolution is one of the most costly before Congress. If approved, it could easily prove to be a champion budget-buster. The estimated cost is $11.4 billion over 4 years.

"If the money is available for Federal aid, then it is available at the local and/or State levels for education. Let us take care of this major function ourselves. The only Federal aid needed is for its proponents to support a return of some tax sources to the State and/or local levels."

George S. Benson, president of Harding College (in a broadcast on "Federal Aid to Education" over the ABC network, December 26, 1948):

"The real issue before us today is not merely $300 million in aid to our public schools. The real issue is whether or not we shall take this most crucial step toward the socialization of America."

Nicholas Murray Butler, president of Columbia University (report to the board of trustees of Columbia University, 1921):

"There is not enough money in the United States, even if every dollar of it were expended on education, to produce through Federal authority, or through what is naively called cooperation between the Federal Government and the several States, educational results that would be at all comparable with those that have been already reached under the free and natural system that has grown up among us.

"Unless the school is both the work and pride of the community it serves, it is nothing. A school system that grows naturally in response to the needs and ambitions of a hundred thousand different communities will be a better school system than any which can be imposed upon those localities by the aid of grants of public money from the Federal Treasury, accompanied by Federal regulations, Federal inspections, Federal reports and Federal uniformities."

Dwight D. Eisenhower, president of Columbia University (CONGRESSIONAL RECORD, June 14, 1949):

"I would flatly oppose any grant by the Federal Government to all States in the Union for educational purposes. Such a policy would create an ambition—almost a requirement—to spend money freely under the impulse of competition with other localities in the country. It would completely decry and defeat the watchful economy that comes about through local supervision over local expenditures of local revenues."

John J. Tigert, U.S. Commissioner of Education ("The Real Peril of Federal Subsidies," the Nation's Schools, July 1934):

"My experience in handling Federal subsidies for education under the limited acts which are now in existence has taught me that you must either have Federal control and interference or you must have misappropriation of funds and waste. * * * Reason and experience both indicate that Federal money cannot be expended wisely and efficiently except by exercising Federal control and supervision, even then there is considerable waste. * * * If we embark upon a program of turning over Federal money to schools without any strings attached, it is only a question of time until the waste, extravagance, and misuse of these funds will result in a reaction or a change. The alternative is Federal control."

Samuel M. Brownell, U.S. Commissioner of Education (School and Society, May 27, 1939):

"On the one hand, we have presented to us arguments that there will be no Federal control accompanying Federal aid. Alongside, we find evidence showing the inadequacy and inequality of education in States able to support a good educational program, and evidence of inefficient or inadequate efforts by these States to eradicate inequality and inefficiency within their borders. If there is to be little or no Federal control accompanying Federal aid, what right have we to expect a major improvement of the education within States under the same leadership that they now have? Thus, if Federal aid is to bring about better schools, it seems apparent that there must be some Federal control."

Ernest L. Wilkinson, president of Brigham Young University (from an address to the convention of delegates from the Mountain States Chambers of Commerce, at Salt Lake City, on May 18, 1959):

"The cry for Federal aid to education is premised on the theory that many States are so much wealthier than others, that by national taxation these richer States can be forced to pay for the education of the poorer States. This theory is an old one that hardly fits the situation of today. For while there was once a time when some States were relatively very wealthy and some very poor, the advent of the automobile, modern means of communication and transportation, and the development of industry, have leveled out the great inequalities of this country. If there are no economic opportunities in one locality, people move to another where there are such opportunities. We no longer live all our lives in the same block. The result is that the regular economic law of supply and demand and the God-given right to use our individual brains and brawn are already solving the problem—this is much better than trying to solve our social problems by the exercise of the taxing power, for as Chief Justice Marshall said, 'The power to tax is the power to destroy.'

"A further and fundamental reason for my being opposed to general Federal aid to education is that easy money destroys local self-incentive and the need for an aroused citizenry to know what is going on in its school system.

"In short, I submit that as a nation we will be more creative and strong if we continue with our local responsibility for providing for our educational needs, for we will then know what these needs are and devise methods of taking care of them."

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, a statement by John Stuart Mill, who defined himself as a "philosophical radical," and who is opposed to Government control of education.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

John Stuart Mill, a self-defined "philosophical radical," who in England instigated many reforms, including women suffrage, said in his essay On Liberty that: "The objections which are urged with reason against State education do not apply to the enforcement of education but to the State's taking upon itself to direct that education, which is a totally different thing. That the whole or any large part of the education of the people should be in State hands, I go as far as anyone in deprecating. All that has been said of the importance of individuality or character, and diversity in opinions and modes of conduct, involves diversity of education. A general State education is a mere contrivance for molding people to be exactly like one another: and as the mold in which it casts them is that which pleases the predominant power in the government, whether this be a monarch, a priesthood, an aristocracy, or the majority of the existing generation; in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body. An education established and controlled by the State should only exist, if it exist at all, as one among many competing experiments, carried on for the purpose of example and stimulus, to keep the others up to a certain standard of excellence."

Mr. President, on May 13, 1957, the following appeared in Time magazine, under the heading "Federal School Aid—Do the States Want It?"

Of all the items in President Eisenhower's domestic program, few seem less likely to succeed than Federal aid for school construction. But would the defeat of this proposal be as great a calamity as its backers insist? Last week Time surveyed the 48 States to find out. The answer: No.

Though the Nation as a whole must keep building classrooms faster than ever before, a surprisingly big proportion of the States do not need—or do not want—any help from the Government.

Mr. President, I do not see in the Chamber at this time my distinguished friend, the Senator from Tennessee [Mr. GORE]. I wish to point out to him that the Memphis School Board has withdrawn from the National Defense Education Act, which action shows that Memphis, at least, feels that it can take care of its own needs.

Mr. President, I apologize for the length of the remarks I have made at this time. Usually I try to be very brief. However, this subject is close to my heart, as I realize it is likewise close to the hearts of all the people of the States.

In the past 12 months I have spoken in 44 States. Without exception, I have found the people opposed to Federal aid to education.

Those who favor Federal aid to education are a small group of professionals who want to have control. But no justification has been made for it, and no showing of a need for money has been made.

Therefore, we must assume that the only desire is to get the camel into the tent. I believe the camel's nose went into the tent with the passage of the National Defense Education Act; and I believe the camel's hump will go into the tent if a bill similar to the one now urged is enacted. In fact, if such a bill is enacted, then, Mr. President, as surely as you are sitting in the chair, the camel's hump and all the rest of the camel will be in the tent, unless we are careful.

STATEMENT BY SENATOR HENNINGS ON SCHEDULED APPEARANCE OF ATTORNEY GENERAL ROGERS BEFORE SENATE RULES COMMITTEE ON FEBRUARY 5

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by

me regarding the scheduled appearance of Attorney General Rogers before the Senate Committee on Rules and Administration on February 5, prior to holding the first public hearing on legislative proposals to authorize the presidential appointment of temporary Federal officials to register qualified U.S. citizens to vote in Federal elections.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENNINGS

Attorney General Rogers will appear before the Senate Rules Committee on Friday, February 5, 1960.

Prior to holding the first public hearing on legislative proposals to authorize the presidential appointment of temporary Federal officials to register qualified U.S. citizens to vote in Federal elections, the Rules Committee invited the Attorney General of the United States to appear. Mr. Rogers has now accepted our invitation and is scheduled to testify at 10:30 a.m. on Friday, February 5, 1960, in the caucus room.

Before accepting our invitation, the Attorney General announced the administration's proposal for dealing with problems of persons denied opportunities to register and vote because of race or color.

I have studied the several proposals pending before the Rules Committee since last September when the congressionally established Civil Rights Commission recommended creation of temporary Federal registrars under certain circumstances. I have also read the Attorney General's proposal. I have a number of questions to ask.

I intend to ask why the Attorney General does not consider appointment of special masters in chancery or referees by Federal district courts to assist in drawing up public school desegration plans.

The Eisenhower administration backed away from a position held in late 1956 and early 1957 in support of statutory authorization for the Attorney General to seek civil court remedies in support of individuals' constitutional rights. Since then, no administration spokesman has advanced any substantial alternate proposal. This might be a good time, when the Attorney General is discussing powers of Federal courts, for him to comment on the possibility of similar functions in cases of constitutional rights other than voting.

Of course, the Attorney General will also be asked to justify his request for a new statute and explain why he wants a provision for voting referees spelled out by a new law in addition to the broad power courts now possess for the employment of referees. I feel it is premature—before the Attorney General testifies—to speculate about combining temporary Federal registrars and voting referees proposals.

Everyone who understands the legislative process knows that it is the duty of a congressional committee to develop the best legislation for the Senate to consider after examining several drafts and alternate proposals. This is what I expect us to do. Consequently, I am committed to no particular proposal, and I shall attempt to produce the best bill.

On January 27, 1960, Senator OLIN D. JOHNSTON of South Carolina notified Senators that he intended to ask that the Committee on Rules and Administration be discharged from further consideration of S. 2535, S. 2684, S. 2719, S. 2722, S. 2783, and S. 2814, all bills providing for (in general) the appointment of Federal election registrars and means of strengthening and protecting the right to vote in Federal elections against denial because of race or color. He said he would ask that these bills be referred to the Senate Judiciary Committee so that the Subcommittee on Constitutional Rights may give this proposed legislation further consideration.

Senator JOHNSTON further notified the Senate that when the bill entitled "An act to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes," is presented to the Senate, he would move that it be referred to the Senate Judiciary Committee for the purpose of having it considered by the Subcommittee on Constitutional Rights.

In his remarks, Senator JOHNSTON indicated that his intended action was based on the fact that the legislative proposals concerning Federal election registrars now before the Senate Rules Committee involved constitutional questions—that, in his opinion, the proposed legislation pending before the Senate Rules Committee and that suggested by the Attorney General in his press conference last week are both clearly unconstitutional.

While not agreeing with Senator JOHNSTON, I do concede that these proposals may involve some questions of constitutional law. I suggest that a large part of the important new legislation enacted by the Congress raises constitutional questions. This fact has never inhibited the Congress in its work nor has that insofar as I know been a special basis for referring bills to the Committee on the Judiciary. As a member of that committee and as chairman of three of its subcommittees, I am zealous in protecting its prerogatives. However, as a member and chairman of the Senate Rules Committee, I am equally diligent in protecting the legislative jurisdiction of that committee and under section (o)(1)(D) of rule XXV of the Standing Rules of the Senate it is, in my opinion, very clear that the bills presently before the Rules Committee have been properly referred to it.

Section (o)(1)(D) of rule XXV provides as follows: "Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession" are to be referred to the Rules Committee.

As for the Attorney General's proposal, I would suggest that we wait and see what is actually introduced.

The Rules Committee began hearings on the bills presently under consideration on January 18, 1960; has held 2 weeks of hearings and will continue hearings through Friday of this week on which date the committee agreed to terminate the hearings so that we could report on these bills by February 15, the date the majority leader has set to begin consideration of civil rights legislation. These bills while properly before the Rules Committee because they relate directly to the election of Federal officials are nonetheless a part of the civil rights picture.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. HENNINGS. Mr. President, as we enter upon this new decade, it is time that the Congress comes to grips with the problem of Federal aid to education. The issue has been debated and delayed for nearly a school generation; the bumper crop of war babies who were born in the early 1940's is just about finishing high school, and some have started college. And all this time, we debate while they graduate. Talk may be educational, but it does not provide an education for them.

The States, counties, and local governments have extended themselves commendably in meeting the educational problem. Some have overextended themselves and have reached the limit of their borrowing capacity in trying to provide classrooms and to recruit and retain teachers. Meanwhile, the Federal Government has merely talked and planned, without making a substantial contribution toward meeting the school need. The plain fact is that the Congress has defaulted in meeting what I believe to be its inescapable responsibility.

It cannot be said, by way of excuse, that we did not have advance warning of the current needs and deficiencies in the field of education. For more than a decade, the census figures and the Census Bureau's estimates have given us ample notice of what to expect in our classrooms. We are inclined to talk in vague and distant terms about the population explosion abroad in some faraway place like India. We seem to ignore the fact that we are having a population explosion—to use what is becoming a rather threadbare cliche—of our own right here in the United States.

Missouri, for example, now has more than 44,000 pupils in excess of normal classroom capacity. It will need 4,156 additional classrooms to take care of this excess enrollment and to replace old classrooms. During the current school year of 1959–60, only 1,400 classrooms are scheduled for construction, leaving a shortage of 2,756 rooms. In light of such a growing classroom shortage, the Missouri State Teachers Association has long been committed to Federal participation in support of education. Because of the increased urgency of the school problem today, the association has resolved that education is truly a function of survival.

I think some of us concur most emphatically in the estimate of those who have been associated in supporting education. We believe that the Senate should and must approve a broad and effective school aid program.

For many years, I have urged the Congress to take a more active part in the field of education. I have introduced two bills looking toward that end; S. 929, to provide tax deductions for higher education expenses, and S. 930, to extend the education and training benefits of the GI bill.

The tax bill would amend the Internal Revenue Code to allow income tax deductions for amounts paid for student tuition and fees, for books and for room and board. The bill also would permit deductions for money donated for scholarships. This measure is pending before the Senate Finance Committee.

On February 4, 1959, I introduced, as I have in past Congresses, my bill to extend the education and training benefits of the GI bill for as long as the draft exists. The young men and women who have entered the armed services since January 1955, have been denied these

benefits. Recognizing the value of GI bill training not only for the young veterans, but also for the entire Nation, the Senate passed a comprehensive bill—which I had joined in sponsoring—to renew the education and training benefits and certain other provisions of the GI bill. This bill, S. 1138, passed the Senate on July 21, 1959, and is now pending in the House Committee on Veterans' Affairs.

Last year, I cosponsored the Murray-Metcalf Federal aid to education bill, which would provide $4.4 billion a year for an indefinite period of time and would cover both school construction and teacher's salary. When the committee reported the pending bill—S. 8—costing only $500 million a year and making no provision for teachers' salaries, I felt it was almost as inadequate as the administration's tepid loan-servicing construction program. Neither S. 8 nor the administration bill provides for teachers; only for construction. Neither of them provides more than a cautious down payment on the overall cost. Therefore, Mr. President, I have joined my distinguished colleague, the senior Senator from Pennsylvania [Mr. CLARK], in sponsoring this amendment. The Clark amendment calls for $1.1 billion a year for an indefinite period, and provides for both construction and teachers' salaries, leaving to the States the right to determine how to distribute this money as between the two.

Mr. President, I shall not add at this time more grains of facts to the mountain of information that has been accumulated already about the need for a Federal aid educational program. Even those who oppose any kind of an aid program concede the extent of the need. I would like to confine my remarks particularly to those who concede the need, but then proceed to frustrate all efforts to meet the need by using what President Franklin D. Roosevelt once called the "Yes, but" technique. They say: "Yes, there is a need for more classrooms and higher teachers' salaries, but," and then they proceed with the key words of their assorted objections, "the budget," "Federal control," "integration," "parochial and private schools," "teachers' pay" and, looking ahead, through the rocks and shoals of the legislative process, to a possible Presidential veto.

I think we all have a deep respect for and an interest in economy and in a balanced budget. Some of us differ as to the manner and means in which the budget should be balanced, and to what extent we can afford to balance the budget at a given time and for certain purposes. That is where the issue seems to be joined in much of the legislation that comes before this body. If some of us support the administration's foreign aid program or if we support the military aid program, we lay ourselves open to the charge that we are voting for reckless spending. Here we are doing something to try to bring some measure of education to the children of the people of this country. In my judgment, our people cannot have too much education.

Education really begins, I believe, after graduation from school or college. Most certainly the taste that is acquired there for reading, learning, studying, acquiring information and knowledge, and accommodation to scholarship itself, is of vast importance to a nation which aspires to primacy and power and leadership. If we are to maintain anything like our right to claim leadership of the free world, we must continue to strive for the fullest education—in school, in college and long afterward.

I do not care to engage in a lengthy discussion of the budget, but I believe we must think of the national debt in its relation to our assets. While the national debt is at a record high, it has actually decreased sharply in relation to our national assets. In 1949, the national debt was 93 percent of our gross national product, but in 1959, it was only 62 percent. To put it another way, in 1949 the national debt was equal to 115 percent of our national income; in 1959, only 71 percent. A still more striking figure is this: In 1948, the Federal debt was seven times the revenue of the Federal Government; in 1958, it was only four times the revenue.

I mention these relative figures, not merely to cite them as statistics, but in order to dispose of the prevalent and almost overweening concern about the size of our budget.

Mr. President, I should like to pursue the subject of the Nation's ability to pay for the educational aid program from a broader point of view. It seems to me that when we lay aside our pencils and sliderules and take a thoughtful look at this matter, we are confronted with a pathetic paradox. The paradox is that the world's richest Nation is told it cannot afford to meet its school needs in a time of unprecedented opulence and prosperity. When we consider this situation further, the more preposterous it becomes. It would be a sad footnote to history if it were said that 20th century America produced the world's best automobiles, TV sets, kitchen cleansers, cigarettes, lipsticks, and deodorants but produced only semiliterate students because it could not afford the luxury of trying to educate them.

Because of its fixation about the budget, the administration proposes a construction program which would stretch out financing of construction over 20 or 30 years of debt servicing on State or local loans. It is merely an hors d'oeuvre when a full-course meal is needed to sustain the body and the mind. Of course, the intent of this weekly program is to minimize the impact on the budget. The result would be to dump some of the cost of construction upon the backs of future generations. Yet the President, in his state of the Union message, suggested that the $3 or $4.5 billion surplus expected the next fiscal year be applied to the national debt in order to lighten the burden on future generations. The two propositions are patently incompatible and contradictory. Why the grave concern for future generations with reference to the national debt, and the cavalier unconcern about future generations with reference to the cost of school construction? I do not think it will make much difference to future generations whether the burden they carry is the national debt or the school debt. The burden will be just as heavy in either case. But if we pay now for school construction and for teachers' pay increases, as proposed in the Clark amendment, at least educated future generations will be carrying the burden. If they cannot be called "educated," at least they will have a semblance of education. We all understand that education is not an absolute term. We are never really educated, no matter how long we live.

I think there is much to be said about methods of education: About criteria; about what education owes to the country as it attempts to bring the love of learning to our people. Certainly, from the more material aspect, we are interested in progress in the sciences and in technical training and in other branches of learning which we need for our national defense and security.

Federal control is another shibboleth that has been raised against aid to education. The Clark amendment and the committee bill—S. 8—now before us carry the identical wording in the form of assurance against Federal interference. Section 3 provides assurance that in the administration of the act no agency or employee of the United States shall exercise any direction over any aspect of the school program or the administration of any school system. I heartily concur in the wisdom of spelling out this specific assurance.

The professed fear of Federal control becomes a little shrill and hysterical at times. Let me point out in the first place that the absence of Federal control over curriculum and administration has not necessarily led to utopian conditions. Thanks to the eternal vigilance of the parents, however, such abuses as patronage appointment of teachers and favoritism in purchase of books, supplies, and so forth, have been held to a minimum. Secondly, may I point out that Federal aid has not led to Federal control in many areas of Federal-State cooperation. I refer to the land-grant colleges, agriculture experiment stations, aid to education in Federal impact areas, Federal aid programs for hospitals, airports, and so forth. The school aid program will have the advantage of all the long experience we have accumulated in operating many other successful and mutually satisfactory Federal-State programs. And finally, this additional thought about Federal control: The U.S. Military Academy, the U.S. Naval Academy, the U.S. Air Force Academy, the U.S Coast Guard Academy all have been federally controlled since their founding. I do not believe that Federal control has been suggested as a reason some graduates may not have been sufficiently stimulated, or may have been poorly educated, or may lack some degree of enlightenment.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to my able friend, the junior Senator from Tennessee.

Mr. GORE. As the able and distinguished senior Senator from Missouri knows, for several years we have had a

Federal program of aid to federally impacted areas. The able Senator represents a State with several such areas. Almost all States, if indeed not all States, have such areas. The Federal aid has been given.

I wonder if the Senator is aware of any Federal control over the schools in the State of Missouri which has resulted from this experience.

Mr. HENNINGS. After nearly 10 years in this body, I will say to my learned colleague, if such is the case it has never been called to my attention. The Senator may not readily believe this, but a very high percentage of the people of my State seem to be able to write, and certainly the newspapers are able to editorialize, and I have never yet had one instance called to my attention of such Federal control over any of these projects.

Mr. GORE. That has been my experience in the State of Tennessee. This is a program of Federal aid to education which is channeled to the States and through the States to the local communities, and it has operated beneficially to the local communities, to the children, to the schools involved, and to the National Government, without the Federal control which both the Senator from Missouri and I would resist.

Mr. HENNINGS. I think the able Senator has selected and exemplified an excellent analogy with reference to some of the points we have all been trying to make. When one is against something it is easy to set up all sorts of strawmen, but when we come down to the hard cases and look into the facts we do not seem to hear much about them. We do not hear much about them when we are on the ground talking to the people who are experiencing and living with the problems, who daily have to try to surmount them, under almost incalculable or insurmountable odds and handicaps.

Mr. GORE. I trust the able Senator will pardon me for this intrusion into his excellent address, upon which I wish to congratulate him.

Mr. HENNINGS. I thank my friend very much for his very substantial contribution to what I have been trying to point out very briefly. I shall be brief, because many Senators have spoken on this subject and there are many others who yet desire to speak on it.

The New York Herald Tribune in a thoughtful editorial titled "The Schools We Are Not Building," and published on January 9, 1960, had this to say on the matter of feared Federal control:

> There is something else to the fate of school aid in Congress besides disagreement over financing. This is the profound, although usually hidden, conviction among a number of Representatives and Senators that the Federal Government must never be allowed any control over, or voice in, public education.
>
> Even in the acceptance of funds from Washington for the erection of buildings, these people see a dangerous first step toward Federal dictation of educational policy. Socialism, they tell each other. Bureaucratic intervention. It has even been suggested by some of the supporters of this view that the Federal Government is so burdened by debt that it is better to let the States find the extra money for themselves.
>
> Certainly, local control of education has been a jealously guarded tradition in the United States. Would help in building schools threaten it? Hardly. Experience has shown that when the Federal Government has had responsibility for education, as in defense projects or military bases, there has been no shade or pressure whatsoever.
>
> But even more important, there is no possibility that the money for the vast effort in education which is required can come from anywhere else. The States cannot find it. The municipalities even less.

I should like to bring out one point which might occasion some reluctance on the part of some with respect to the integration matter in such a program.

Naturally we want to see all our children receiving the schooling that is their right and their heritage, but I do not believe that this can be achieved by attaching an integration rider to this bill. There are other and more effective ways of guaranteeing all children their fair share of education. I fear that if we clutter up this legislation by such an amendment—and I am not suggesting that I know anything about the purpose of any Senator in offering such an amendment—I do not believe it will achieve its purpose. We hope that such an amendment will not be offered, because integration and religion really have nothing to do with the bill, except, perhaps, as they may be collateral considerations. The primary and principal considerations which should occupy our minds and our consciences is that the young people of this country should not be denied the right to education because of racial, religious, or class obstructionism. These are fallacious objections to a Federal aid to education program, and I think they have just about run their course.

The prime target of those opposing S. 2 and the Clark amendment is the authorization of money for teachers' salaries. In opposing this, they strike at the very heart of the Federal aid program.

Mr. President, a Federal aid to education bill without salary assistance would be like a church without an altar; a fancy automobile body without an engine; an elaborate TV cabinet housing an inferior and faulty set. In the matter of teachers' pay increases, we must rise above selfish considerations to promote the greatest good for the greatest number.

The U.S. Office of Education has just made a report which indicates the difficulty in keeping public school teachers in the classroom. The report on teacher turnover for the 1957–58 school year showed that 137,000 teachers, or more than 10 percent of the Nation's total teaching staff, left the profession.

Teaching is an honorable profession. Many of those teachers left reluctantly because of economic pressures and other responsibilities. I think the fault lies with us for allowing meager salaries to be the condition which caused able and competent persons to retire from teaching.

It is almost axiomatic: If we cannot pay adequate salaries to attract young people to the teaching profession and if we cannot pay them enough to remain in the profession, we shall surely have inferior instruction and substandard education. Teachers' salaries are on the bottom rung of the pay ladder of virtually all professions, with possible exception of the clergy. It is an indictment of our society when we oblige the teachers of our children to go around in shiny clothes, their minds preoccupied with bills rather than ideas and ideals. Let me point out that the teacher along with the pensioner and those living on fixed incomes have been hardest hit by inflation. The increase in salary that would be possible under the Clark amendment would give them relief that is long overdue.

I am boundless in my admiration for the able and diligent Senator from Pennsylvania [Mr. CLARK] for his tireless work in behalf of all of us—in behalf of this country and the free world—in offering this amendment.

Mr. CLARK. I thank my friend for his kind words and for his offer of support.

Mr. HENNINGS. Mr. President, we have been talking about school buildings and teachers' salaries. We have not touched upon another and perhaps greater ingredient in the education of our American youth. I refer to quality. I would like to quote two paragraphs from an editorial, titled "Deficiency in Education," published in the New York Times of January 29, 1960.

> But the problem of American education goes deeper than lack of buildings or lack of equipment of lack of scholarships or lack of pay, or even lack of personnel. It involves quality: quality of teachers, quality of instruction, quality of curricula, quality of students, quality of output, quality of standards. Here is the area of greatest deficiency that cannot be curred merely by plant or money.
>
> Nevertheless, new plants and more money are primary essentials if America's educational deficiencies are to be remedied. A satisfactory aid to education bill would help meet this urgent need; and it is difficult to see how either party can face the people with a clear conscience next November if no action is taken in this direction.

Mr. President, it is said, "The President will surely veto this bill if it goes beyond the administration bill." This is brandished about with all the swagger of a 7-year-old playing cowboy with a loaded gun instead of a toy pistol. However, this threat should not deter us from performing our duty and fulfilling our obligations. The President has his responsibility and we have our own responsibility toward the children of our Nation. Let us, at least, say that we shall meet our responsibility in this matter.

The President has asserted that he knows more about defense than anybody else, and he could be right, although I have heard it disputed by competent and informed persons. But it does not necessarily follow that he knows more about education than anybody else. As for me, I would prefer to listen to the counsel of those who speak with unquestioned competency on the subject.

Being a lawyer, perhaps I am rather prejudiced in favor of experts, people who have had experience in the field.

It seems to me that the Parent-Teacher Association, the National Education Association, scholars, professors, and like groups are better qualified than most to speak from Sinai on this question. They are supporting this Federal aid bill with teachers' salaries included. Furthermore, I suspect that the best qualified of all to speak on the subject are the parents of school-age children. They are deeply concerned about the quality and the quantity of education that their children are receiving. They are also supporting this Federal aid bill with teachers' salaries included. And so do I.

Mr. President, Good Housekeeping magazine ran an institutional advertisement in the New York Times the other day. This phrase caught my eye:

> One thing known both to men and women is this: A lady must say "No" many times to give full meaning to her "Yes."

Congress has said "No" to Federal aid for education so many times over the years that our "Yes" on this amendment certainly should be meaningful.

In concluding we hear it said quite frequently that America lacks a sense of direction, that it lacks goals, that it lacks dedicated purposes.

Mr. President, in passing the bill with the Clark amendments which provide expanded educational opportunities, I believe that we will be moving in the direction of a better civilization, and toward a greater enlightenment of all people everywhere.

Mr. President, I yield the floor.

PAYMENT OF EQUALIZATION GRANTS TO THE STATE OF ALASKA

Mr. GRUENING. Mr. President, on behalf of myself and the distinguished Senator from Hawaii [Mr. LONG] I introduce, for appropriate reference, a bill authorizing the appropriation of funds for the payment of equalization grants to the State of Alaska over a 15-year period—beginning July 1, 1961—to assist the 49th State in catching up in its road program with its sister States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2976) to amend section 44 of Public Law 86–70, approved June 25, 1959, introduced by Mr. GRUENING (for himself and Mr. LONG of Hawaii) was received, read twice by its title, and referred to the Committee on Public Works.

Mr. GRUENING. The proposal contained in this bill represents a matter of simple equity and justice for one of the Nation's newest States.

While at first blush this might appear to be an attempt by the State of Alaska to secure special and more favored treatment for itself, a closer scrutiny will reveal that it is nothing of the kind.

The bill gives to the State of Alaska nothing the other States have not already received—and which the then Territory of Alaska itself would have received if it had been treated on the basis of equality with the other States and the Territory of Hawaii.

Alaska is not asking for special treatment—it is asking for equal treatment—it is asking for funds which should rightfully have been paid to the territory over the years. As a matter of fact, Mr. President, the figures will show that through this bill the State of Alaska is asking for many millions less than it could rightfully claim. In addition, it is making no claim for the untold and unmeasurable millions lost to Alaska because its economic growth through the years has been held back because of the inequality of treatment it received with respect to the allotment of Federal aid highway funds.

It is not my purpose, Mr. President, to indulge in recriminations about the past or to repeat the reasons for the discriminations against the Territory of Alaska with respect to Federal aid highway grants.

The facts are matters of public record.

That there has been discrimination in this matter against the State of Alaska was recognized last year by the Senate Committee on Interior and Insular Affairs when it said, in reporting out the Alaska omnibus bill:

> The committee has included provisions in this bill placing the State of Alaska under the Federal-aid highway program on the same basis as all other States. It has done so with the full realization, however, that with respect to highways Alaska has been inequitably treated in the past and would have entered upon statehood with a highway system much more advanced if it had been treated with respect to Federal-aid highway aid on the same basis as the other States and territories. As has been pointed out, Alaska did not participate at all in the Federal-aid highway program until 1956 and from then on only on a limited basis.
>
> The committee, therefore, feels that the Congress still has a responsibility and a duty to examine this situation in the near future more closely in order to provide for equitable and equal treatment for the new State.
>
> It is hoped that the appropriate committees of the Congress will, therefore, study fully this problem and recommend at the earliest possible moment the steps needed to assure Alaska's participation in the highway program on the basis of full equality, taking into consideration its limited past participation.

Had it not been for the activities of my distinguished colleague from Alaska, who I am glad to see is occupying the chair, and who was then a voteless Delegate in the House, we would not have been included even on that limited basis. I am happy to pay this tribute to my colleague from Alaska. Much that Alaska received before it became a State was due to his indefatigable efforts and devotion to the cause of Alaska. It was a great achievement, considering particularly the fact that he had no vote in the House.

As I say, therefore, Mr. President, the fact that there has been discrimination in the past against the Territory of Alaska has been recognized.

The extent of that discrimination has been computed.

I ask unanimous consent, Mr. President, that there be printed at this point in my remarks a table prepared by the Bureau of Public Roads of the Department of Commerce showing the actual apportionments and allocations to Alaska, and estimated amounts Alaska would have received had the Territory participated in all apportionments on the same basis as other States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IX.—*Actual apportionments and allocations to Alaska, and estimated amounts Alaska would have received had the Territory participated in all apportionments on the same basis as other States*

[In millions of dollars]

Fund	Estimate	Actual
1917–33:		
Federal aid	$67.3	
Emergency funds [1]	36.8	
1936–43:		
Prewar primary	48.1	
Prewar secondary	6.1	
1946–48 and 1950–60, inclusive:		
Primary	204.8	[2] $25.2
Secondary	136.8	[3] 17.0
Urban	.6	2.2
1959: D-funds	16.1	6.2
Subtotal	516.6	48.6
Forest highways	40.8	32.5
Public lands	14.6	
Access road fund:		
Sec. 6	2.5	2.5
Sec. 12	1.1	[3] 1.1
Subtotal	59.0	36.1
Total	575.6	84.7

[1] 1934–35 public works and works program highway.
[2] Alaska received their 1st Federal-aid highway funds under the Federal-Aid Highway Act of 1956.
[3] Total approved as of Dec. 31, 1958.

Source: Bureau of Public Roads, Department of Commerce, Washington, D.C., February 1959.

Mr. GRUENING. Mr. President, this table shows that during the years since 1917 through 1959 there should have been allotted to the Territory of Alaska the sum of $575,600,000. Actually the Territory of Alaska received the sum of $84,700,000. Thus the Territory was not given, during those years, $490 million—funds which should rightfully have been allotted to the Territory for its road program.

This during a period from 1917 to 1959. We are not talking, then, of almost $491 million in 1960 depreciated dollars. Some of those millions of dollars to build roads would have been paid to the Territory of Alaska during a time when their value would have purchased much more than they will in 1960.

Mr. President, I ask my colleagues to think of the great economic growth that could have been Alaska's had these funds been paid to the Territory of Alaska when they should have been paid to the Territory if it had been treated in full equality.

My proposal, therefore, over the 15 years starting July 1, 1961, would amount to some $191 million less than the Federal Government would have paid to the Territory of Alaska had if been treated on the same basis as the other States and territories.

My concern about the lack of roads in Alaska has been long and deep, as it has been also the concern of my colleague. I have spoken and written about the need for roads for many years before I came to the Senate of the United States.

Over a year ago—on February 19, 1959—I called the attention of the Senate to Alaska's great needs in this respect. I ask unanimous consent that a

portion of my remarks at that time be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. GRUENING. * * * I am happy the Senator brought up the fact that Alaska enters the Union in a unique situation, in which not only a few but the majority of its communities are unconnected to each other by highway. If we have a comparable situation in the United States with respect to land transportation—and I say that because Alaskans are very airminded and our air services are good—we would have one railway system extending from New York to Chicago, perhaps going by way of Cleveland and Detroit or Indianapolis. There would be a highway roughly paralleling that highway but taking a slightly different route, going perhaps through Philadelphia, Pittsburgh, and Cincinnati. There might be a branch or two extending from that highway. The Capital of the Nation would be unconnected with any other city by highway. There would be a few short stubs of roads going out from it and from a few of the cities. The rest of the country would have to depend on air transportation. That contrast illustrates the situation in Alaska today. Obviously a great area such as Alaska cannot be developed without highways. Our 48 States would never have developed without them. I am hopeful this Congress will see fit to initiate a measure or measures which will enable us to compensate for the many years of exclusion from Federal highway legislation—which will enable us to catch up, and to secure a highway system that is proper, just, and necessary for the development of Alaska. (CONGRESSIONAL RECORD, vol. 105, pt. 2, p. 2659.)

Mr. GRUENING. Mr. President, I expressed at that time the hope that this Congress would enact a measure which would enable Alaska to compensate for the many years of exclusion from Federal highway legislation.

Since that time I have consulted with many persons—with the distinguished chairman of the Senate Committee on Public Works and with the able members of its staff—with officials in the Bureau of Public Roads, who have been most helpful—and with many, many able men and women in my own State who know its needs intimately.

Out of these consultations and from the advice received, there has evolved a road plan for the State of Alaska to assist it in catching up with its sister States. On December 4, 1959, there was printed by the Committee on Public Works a report prepared by me entitled "Highways in Alaska." I ask unanimous consent that pertinent excerpts from this report be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Alaska enters the Union under conditions which are unique in many fields. This is a result, in the main, of the fact that the 49th State lags 47 years after the last of her predecessors in being admitted; and these were years in which the relationship between the States and the Federal Government changed as never before in our history. Alaska has a lot of "catching up" to do to be on a basis of real, in addition to merely technical, equality with her sister States.

In no respect is the contrast between Alaska and all the other States more marked than in surface transportation. Alaska enters the Union unique in that not merely a few but a majority of her communities are unconnected with any others by highway or railroad. By the same token, these isolated Alaska communities are unconnected with the continental highway system.

Perhaps nowhere in the other 49 States does there exist a community, no matter how small, to which it is not possible to drive in an automobile or ride in a train. The whole economy and civilization of 20th century America is based on this free and ready access for goods and people. The very character of the American citizen is undoubtedly conditioned in an important way by the circumstance that, no matter where he lives, he can get in the family automobile and drive somewhere—to the nearest large city, to the capital of his State or Nation.

In Alaska, five of the seven largest cities, including Juneau, the capital, have no road system which leads to any other place. A dozen cities with population of 1,000 or more have neither road nor rail connection with any other city. In terms of surface transportation, Alaska in 1959 is in about the same situation as other States found themselves in 1850 before the construction of transcontinental railroads or a nationwide road network.

The reason for this state of affairs in the 49th State is not far to seek. It is owing to longstanding and almost totally unrelieved discrimination in the manner in which Federal highway programs have been enacted. Until 1956, Alaska was totally excluded from Federal-aid highway legislation. Since 1956, Alaska has been included, but on a sharply reduced basis. The State is still totally excluded from the interstate or throughway part of Federal programs—except that Alaska is included in the collection of the excise taxes which support the interstate program.

According to figures provided by the Bureau of Public Roads, there are today 5,356 miles of roads in Alaska. Of this total, 1,249 miles are classified as unconstructed. In other words, these roads exist only on paper. Of the remainder, only 2,515 miles are of such quality and in such locations that travel over them is possible throughout the year.

As far as surface is concerned, 1,113 miles are surfaced or paved, 38 miles surface treated, 2,720 miles gravel, and 246 miles unimproved. The total of existing and unconstructed rural roads is 5,320 miles, of such urban roads 23 miles.

This is a meager network indeed for an area one-fifth the size of the other 49 States combined. It seems obvious that the first thing which must be done to enable Alaska to progress is to provide a means to construct roads in the new State.

The BPR statistics show that 1,653 miles comprise a connecting primary system that serves the cities of Anchorage, Palmer, Fairbanks, Valdez, Seward, and Homer. Some 2,454 miles in a secondary system connect with the primary system. Much of Alaska's road mileage consists of isolated stubs of road that lead a short distance from population centers and then end abruptly.

"Why roads?" is a question which hardly needs asking in modern-day America. Roads are the arteries of transportation, commerce, and industry. "Why roads in Alaska?" can be answered in exactly the same terms as if the question related to Michigan, New Mexico, California, or New York.

Providing roads will enhance the economy not only of the 49th State but also of the Nation. There is, for residents and visitors alike, the obvious pleasure of travel in the largest and most beautiful of the States, on adequately constructed and maintained routes which will allow the Nation's citizens to observe the majestic scenic wonders of Alaska. From the grandeur of her sweeping mountainous panorama that includes the continent's highest peak (20,300-foot-high Mount McKinley) to her many mirror lakes and colorful streams, Alaska provides for tourists—and Alaskans, too—scenery that has no equal elsewhere in the world. Too, the avid sportsman will find Alaska a fisherman's glory, a hunter's paradise, for big game and fish abound. Alaska is the only State where every species of North American bear is found, for example. Tourism is already a major industry and growing rapidly. It may well be Alaska's greatest single economic potential.

Then the natural resources waiting to be developed include practically all the known minerals in the world today. These range from gold and silver, lead, zinc, and copper to mercury and antimony, platinum, chromium, nickel, iron, molybdenum, and tungsten. Deposits are known to exist of fluorspar, petroleum, and natural gas, to say nothing of vast storehouses of coal. In timber, approximately 350 billion board feet—including spruce, hemlock, cedar, cottonwood, and birch—grow in Alaska forests which are of vital importance to a lumber-hungry Nation. The State's hydroelectric power potential should be mentioned in passing, for Alaska's many rivers and hanging lakes contain millions of potential kilowatts for industrial and domestic use.

All this wealth that is Alaska cries out to be developed, and a major program of Alaska throughways is urgently needed to serve as taplines to the vast resources that have been out of reach of potential capital investors throughout Alaska's history.

In the matter of roadbuilding all the other States have been assisted to a large extent by aid from the U.S. Government programs. The Federal Aid Road Act of 1916 provided the country's first major, national highway program. Alaska was totally excluded. In 1921 the Federal Highway Act substantially amended the previous law, but again Alaska was left out. When Alaska finally was included in 1956, the ingredient of total land area in the formula for computing the amount of funds due the State was cut down, in Alaska's case, by two-thirds, leaving only one-third of Alaska's area counted. The cut was made over strenuous protests of Delegate—now Senator—E. L. (BOB) BARTLETT.

Statistics prove that if Alaska had shared on an equal basis with the other States in roadbuilding programs, her share by now would have reached the $575 million figure. Instead, Alaska has received only $84.7 million since 1916. Alaska is still totally eliminated from the interstate throughway trust fund program (as distinguished from the 1956 act's ABC funds for primary, secondary, and urban roads, in which Alaska does participate, although on a one-third basis).

Alaska has been subject to all the Federal taxes over the years that all the other States have paid. As a matter of fact, through taxation, Alaska has helped support the Federal aid highway program since 1916, even though not receiving 1 penny in return. (The funds Alaska did receive in the form of appropriations to the Alaska Road Commission and the Bureau of Public Roads were drastically reduced, as compared with other States' participation, or, during some years, curtailed—eliminated—altogether).

In addition, Alaskans were and are now paying, since 1956, the special tax on tires, tubes, gasoline, oil, new automobiles, trucks, buses, and trailers through which the interstate throughway system is supported. Yet Alaskans are deprived of all the benefits from this fund.

In recent years the U.S. Government has given outright grants to many foreign countries for various road programs. In the past decade, for example, $127 million has been granted to five Central American countries for use in completion of the Inter-American Highway. Surely no area is more vitally in

need of roads to connect with an inter-American roadway system than is this country's largest State, with its strategic military importance as a defense outpost and outer perimeter in the defense warning system.

Even if Alaska should be included on a basis of equality in all the now-existing Federal aid to roadbuilding programs, it would be impossible ever to catch up with the rest of the States and put Alaska's road network on a par with that of the other 49 States. This situation poses the problem of how to achieve for Alaska a just parity or equality with the other States. What is the best method of obtaining the end result of equality? Alaska, in its pioneer stage of development, does not need superhighways of four- or six-lane construction at this time. It does need many miles of less elaborate highways, to put the 49th State on a basis of parity with the others, at least to end the isolation of communities one from another.

Mr. GRUENING. Mr. President, the program I propose has the approval and support of the Governor of the State of Alaska. I ask unanimous consent to have inserted at the conclusion of my remarks a letter received from the able Governor of Alaska, the Honorable William A. Egan, giving his comments on my proposed road program for the State of Alaska.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I am pleased to be joined in the sponsorship of this bill by the able and distinguished Senator from Hawaii [Mr. LONG]. His action in doing so is evidence of his innate fairness. For, after the then Territory of Hawaii was admitted to full participation in the Federal-aid highway program, and well before the date when it would be admitted as a State into the Union, a special act of Congress—Public Law 722, 71st Congress, approved February 23, 1931—was passed authorizing the payment of not to exceed $880,000 to the then Territory. In the words of the distinguished senior Senator from Arizona [Mr. HAYDEN] who reported the bill from the Senate Committee on Territories and Insular Affairs, the purpose of the bill was "to amend the act by which the Federal Highway Act of July 11, 1916, was made to apply to the Territory of Hawaii, and to equalize the problem of road construction in Hawaii through payment to the Territory of certain sums that are representative in part of the aid that would have been given the Territory had the Federal Highway Act when passed been held to have extended these benefits to Hawaii equally with the States."

The bill we present today is modeled after that precedent.

It proposes a reasonable, modest, constructive program.

It is a program designed to strengthen not only Alaska but the United States as well.

Under the ICA program we have done much more in a shorter period of time for foreign nations. Can we afford to do less for our own Nation, for our own economy, for our own defense?

During the 4 fiscal years 1955 through 1959, inclusive, ICA has spent $217,542,773 aiding the highway systems of foreign nations. During this period American dollars have been spent abroad for highways at the average rate of $43,508,554. The funds have been spent for a variety of projects from $2,537,250 for roads in Jordan to $6,514,000 for highway improvements in Egypt to $12,349,000 for the Pacific Slope Highway in Guatemala, to $3,000 for seminars for Mexican highway officials, to $7,400,000 for a port highway in Cambodia, to $5,440,000 for highways and bridges in Vietnam, and so on and on and on to the tune of over $217 million in 5 years.

How do these projects measure up—in terms of making the United States strong and secure—with some of the proposed roads under the program I have set forth for the State of Alaska?

One part of this proposal would be for a road from Fairbanks to Nome. Of this project, General Twining's reply to my inquiry stated:

> This route would provide logistical support for Galena Airport and certain DEW-line and White Alice sites in the Nome-Unalakleet area by a landline of communication. These installations are now supplied by air and sea.

General Twining in addition to being the Chairman of the Joint Chiefs of Staff, served in Alaska for a number of years as the commanding general of the Alaska Command. No one in our Military Establishment is better qualified to speak with authority on Alaska's needs in a field so wholly connected with defense; namely, highways.

The construction cost of the road is estimated by the Bureau of Public Roads at $26,400,000.

Would the investment of this sum in a road from Fairbanks to Nome be a better investment—economically and militarily—for the United States than the $42,496,100 American dollars poured into Guatemala in the fiscal years 1955 through 1959?

Would this $26 million investment in the road from Fairbanks to Nome be a better investment of American dollars than the $28,139,000 American dollars spent on highways in Thailand?

Would this $26,400,000 investment in the road from Fairbanks to Nome be a better investment of American dollars than the $127 million granted to five Central American countries for use in completion of the inter-American highway? That highway incidentally, has not yet been completed.

Mr. President, I could continue at great length comparing projects we have spent American dollars on abroad with the economic and military values which would accrue from investing some of that money in the development of our own country. One such development program is the one set forth in the bill I have introduced today.

I hope it will be speedily enacted.

EXHIBIT 1

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, January 12, 1960.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR ERNEST: In your letter of January 9, 1960, you request information regarding my position as to the best type of program for future highway construction in Alaska.

It is my belief that Alaska needs, as you have so ably presented, a Federal grant in an amount not less than $300 million, which would bolster our all-out efforts to somewhat catch up with our lack of appropriations in this field during the time we were in territorial status. This amount of money would not nearly cover that to which we would have been entitled had we been participants under the provisions of the Federal Aid Highway Act over past years.

The best way to accomplish this, in a manner which would allow an orderly and efficient administration of construction of our badly needed highways, would be in the enactment of authorization legislation providing for an appropriation of $300 million, $20 million of which would be appropriated annually over the next 15-year period of time. It is my recommendation that the bill contain provisions that over the first 5 years of the period, commencing on July 1, 1962, the State of Alaska be authorized to use not more than $5 million annually for maintenance purposes. In addition, an authorization should be made that over that first 5-year period, not more than $3 million annually could be used from these funds for access, farm, etc., roads. This would mean that, over the first 5 years of the program, we would be receiving a grant of $12 million annually to bolster our Federal-aid highway routes. During the remaining 10 years of the program, the entire appropriation of $20 million would be used solely on the Federal-aid network.

If we can obtain Federal assistance in this fashion to offset a major portion of the maintenance burden over the first 5 years, together with Federal agreement to use $3 million annually over that 5-year period for farm and access roads and in addition to what the State of Alaska can appropriate for all purposes related to highway construction, then the State of Alaska will, beyond any question, be in a position on July 1, 1967, to easily assume the full maintenance and access roads responsibility.

I cannot, at this time, give you definite information as to our road program plans beyond July 1, 1962. I will, however, transmit to you just as quickly as possible the information as to what our plans will be for the fiscal year July 1, 1962, through June 30, 1963, and July 1, 1963, through June 30, 1964. The program for these last 2 years of the projected 5-year period will, in any event, have to be quite drastically curtailed right at the time we will need a continually expanding highway network more than ever before. This will occur unless legislation such as you have in mind, and as I have outlined above, is enacted by the Congress of the United States.

If it comes to pass that on July 1, 1962 the State of Alaska is forced to take over the entire maintenance burden plus the access roads and Federal-aid systems, then even with an increase in gasoline tax and drawing as much as possible from our general fund our road program will have to be cut back a minimum of $18 million under what we have projected for the 1960 and 1961 fiscal years.

I am well aware that in the legislative process there is a long, hard road between introduction of legislation and its eventual enactment. However, in this proposed legislation we Alaskans are not requesting special treatment. We are merely, as has been pointed out time and again, attempting to rectify in reasonable degree that which was denied us unjustly prior to the time we achieved statehood. This consideration by our Congress of the United States would be deeply appreciated by all Alaskans and, I am certain, applauded by our fellow citizens of the 48 States that existed before our entry into the Union. It would be a partial recognition by the House of Representatives and the Senate of the United States that,

in our former status, our development was impeded through the fact that we were not granted an equal participation in available Federal-aid highway funds with those who were then sovereignties of our American Union.

My kindest regards.

Sincerely,

WILLIAM A. EGAN,
Governor.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. CLARK. Mr. President, I ask unanimous consent that a statement prepared for delivery by the distinguished junior Senator from Wyoming [Mr. MCGEE] on the bill may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MCGEE

The fact that an Appropriations Committee assignment prevents me from being present for this floor discussion is to me a matter of deep personal regret.

For 22 years prior to my election to the Senate I taught in American schools. Education was my first choice as a profession, and because I believe that it is the quality of our educational system which will define our future as a nation, it is still the subject in which I am most acutely interested.

The firing of the first sputnik served to arouse a more intense attention to the problem of maintaining and improving the excellence of our educational system; but it was not sputnik or any other single event which made education the principal business of the Senate today. The most obvious challenge to our educational system is the development of the Soviet system to a point where the scientists, technicians, mathematicians, educators, and other professionals trained in the Soviet Union rival in competence those we train. But if this is our most obvious challenge, it is certainly not the only, and perhaps not even the most important, one we face today. The task of supplying a rounded education to the youth of a democratic society is immensely more complex than the task of setting out to create specialized competence in selected fields. Thus, the tasks which face us include those which face Soviet educators but also include the much more difficult job of demonstrating the worth of individual freedom and inculcating those ideals which are necessary for its responsible use.

The vast reservoir of knowledge, the active and for the most part unrestrained, intellectual competition and the diversity and depth of emotional experience which are necessary adjuncts of the educational process in a democratic society are difficult and costly to furnish. Naturally, I am in favor of making increased funds available for the construction of school buildings and in order to supply better school facilities. But if this is all we propose to do, we must not consider that by doing so, we have met either the Russian challenge or the infinitely more important additional goals which I have already mentioned.

The score in our contest with Russia will not be kept by toting up the numbers of classrooms which the respective nations provide. Similarly, we cannot judge or measure the adequacy of the preparation of our children for the unnamable conflicts and opportunities of the coming decades simply by looking at the physical equipment which is used to teach them. Having spent over two decades teaching and learning from thousands of young American men and women at the college and university level, I can testify that it is only the people involved who are really necessary to the educational experience. It is precisely, in my opinion, in the preparation, motivation, and remuneration of our teachers and professors that our educational system is most dangerously threatened. If there is one area of expenditure in which economies cannot safely be made, it is in the size of the investment in the future which we make by paying our teachers.

The fact that income in the teaching profession has not kept pace with the increases in the income of the young people who go into other professions such as law or medicine has meant that we do not motivate enough of our most intelligent and devoted young people to become educators.

Another dangerous tendency in our public attitude toward education is the tendency to devote most of the public funds which are made available to education at the primary and secondary levels. It is certainly true that the tremendous increases in our birth rate since 1940 have made us conscious first of the fact that we had not been spending enough for educational facilities or to train teachers at these levels. We who have been teaching on the college level are aware, however, that in many senses it is in the American college, with its capacity to nurture the broad and perceptive intellect which can result from liberal education, that the real competition with Russian research, specialization, and ideas will be carried on.

It deserves to be emphasized again that we cannot "take care" of the problems which arise from the inadequate quality of American education by furnishing additional funds for classrooms and physical facilities. I am certainly in favor of supplying these funds, but it is my earnest hope that Congress will also address itself to the task of supplying funds to improve the quality of American education and thus the quality of our response to tests which are bound to come and whose nature we cannot now foresee.

Mr. DIRKSEN. Mr. President, will the Senator from Pennsylvania yield, so that I may clarify the parliamentary situation?

Mr. CLARK. I am happy to yield.

Mr. DIRKSEN. Has the amendment of the distinguished Senator from Washington [Mr. MAGNUSON] been offered as an amendment to the Clark amendment?

Mr. CLARK. No; it has not.

Mr. DIRKSEN. Will it be offered as an amendment at the appropriate time?

Mr. MAGNUSON. Yes.

Mr. DIRKSEN. I gather that the first vote will occur on the amendment to be offered by the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Illinois is correct.

Mr. DIRKSEN. And that thereafter there will be a vote on the amendment offered by the distinguished Senator from Pennsylvania?

Mr. CLARK. Let us hope so.

Mr. DIRKSEN. I should like to make one other inquiry, if I may, for the convenience of Senators. How long does the Senator from Pennsylvania expect to discuss his amendment?

Mr. CLARK. I hope I will take no longer than 20 or 25 minutes.

Mr. DIRKSEN. May I address a similar inquiry to the Senator from Washington?

Mr. MAGNUSON. About 20 minutes.

Mr. DIRKSEN. I gather, then, that by 8 o'clock we may have a vote on both amendments.

Mr. CLARK. It might be that a number of other Senators will wish to be heard.

Mr. DIRKSEN. That, of course, is an eventuality with which we may be confronted.

Is it the purpose of the distinguished Senator from Washington to ask for a yea and nay vote on his amendment?

Mr. MAGNUSON. It is.

Mr. DIRKSEN. And the same is true, I take it, of the amendment of the Senator from Pennsylvania?

Mr. CLARK. It is.

Mr. DIRKSEN. Very well.

Mr. CLARK. Mr. President, the pending amendment makes the following changes in S. 8: First, it increases the authorization from $500 million a year to $25 per child of school age, which amounts to $1.1 billion during the current fiscal year.

Second, it authorizes the aid for an indefinite period, rather than for a 2-year term.

Third, it authorizes the States to use the Federal aid either for school construction or for teachers' salaries, with each State having freedom of choice as to the proportion it would devote to each purpose.

Other provisions of S. 8, including the prohibition against Federal control, the maintenance-of-effort provisions, and the equalization formula, would be applied to the grants authorized by the amendment, just as they would to those authorized by the bill. The requirement in S. 8 that Federal funds be matched is adapted to conform to the broader purposes of the amendment, but the amendment calls for a less rigorous matching formula than does the bill itself.

Let me address myself to the bill itself: Commissioner of Education Lawrence G. Derthick estimated at the beginning of this school year that the teacher shortage is 195,000. This represents a greater shortage than a year earlier, when the figure was 182,000. These are qualified teachers whom we do not now have, and whom the elementary and secondary schools desperately need now. In other words, we are losing ground, not gaining it, in providing teachers for our increasing school population.

Commissioner Derthick said that:

The deficit of teachers will mean, in many communities, over-large classes or the employment of teachers without adequate training, or both. In many instances, it will mean curtailing the number of subjects offered.

Moreover, this is just the beginning. Over the next 10 years, because of the explosion in our population and the increasing percentage of high school graduates who are going to college, about 1,500,000 teachers must be recruited. This assumes no improvement in the

present ratio of pupils and teachers. Yet that ratio should be substantially improved if we are to have a really first-class educational system.

This number exceeds the total number of teachers now in service. It is equivalent to about one-third of the number of college graduates expected in the same 10-year period.

Mr. President, how are we going to get qualified teachers for the future, teachers who are not available now? We will not get them unless teaching salaries are competitive with salaries paid in other comparable occupations.

A Census Bureau survey of income in 18 professions, taken in 1958, shows that the average earnings of public school instructional personnel was $4,827, while the average earnings of the other 17 recognized professions were $9,439, or almost double the amount earned by teachers.

The other 17 professions are physicians and surgeons, dentists. lawyers and judges, osteopaths, architects, engineers, veterinarians, natural scientists, editors and reporters, pharmacists, chemists, social scientists, foresters, social welfare workers, librarians, clergymen, and dieticians and nutritionists.

Is it not absurd that men and women charged with the vital duty of instructing the youth of America in a free society should be so underpaid? Is it any wonder that in view of this fact there is a shortage of almost 200,000 qualified teachers today?

While teachers do receive summer vacations, the figures I have just given include earnings from all sources, including summer jobs. Even with summer earnings included, only 15 percent of the men teachers reported earnings as high as $7,000. In the other 17 professions, 57 percent earned more than $7,000.

Mr. President, how can we expect to have a person with a first-class mind, a normal individual who wants to get married and raise a family, go into a profession in which he knows that his chances of ever earning more than $7,000 a year are only 1 to 7?

In general, the other 17 professions did not require any more educational preparation than did teaching. But if the comparison is limited to individuals having more than 4 years of college, the figures are: Average salary for the 17 other professions, $10,697; average salary for teachers, $5,059, or less than half.

In Philadelphia, 1960 college graduates are now being recruited for teaching at a beginning salary of $4,200. Recruiters from business and industry will be offering men graduates of the 1960 class about $5,500 on the average.

The disadvantage gets worse as the years go by. After 10 years of work experience, men in other occupations will about double their beginning salary. In teaching, the increase will be less than 50 percent.

What about those who spend a lifetime in the Philadelphia schools? They can never get more than $7,000, not even if they have a master's degree. The Philadelphia Inquirer only this morning published an article entitled "Schools Losing More Teachers Over Low Pay."

Mr. President, I ask unanimous consent that the article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SCHOOLS LOSING MORE TEACHERS OVER LOW PAY

Some school districts "lose outstanding teachers to business, industry and to other schools" every year because of low salaries, an educational survey by the University of Pennsylvania's School of Education disclosed Tuesday.

The report on school salaries, expenditures and staff adequacy for the 1959–60 academic year was based on a study of 64 school districts in Delaware, Montgomery, Chester, Bucks, Cumberland, Dauphin, and York counties.

It was released by the university's Educational Service Bureau, and was prepared under the direction of Dr. William B. Castetter, associate professor of education. Dr. Lee O. Garber is director of the service bureau.

NOT COMPETITIVE

"Salary schedules which do not attract and hold competent teachers still exist in some districts," the report stated. "Teachers are lost because the salary schedules are not competitive."

The survey pointed out "the median salary for kindergarten teachers is $4,930, for elementary teachers, $5,108, and for secondary schoolteachers $5,461."

"While teachers' salaries in the surveyed area are continuing to rise," the report stated, "the increase of 1959–60 over the previous school year is only 2.3 percent. Comparisons of the 6 previous years show that increases exceeded 4 percent in each of these years."

INCREASE OF $122

The report also disclosed that more than half of the 8,593 classroom teachers included in the study earned annual salaries of more than $5,250, "an increase of $122 over the median salary of 1958–59."

It also pointed out that elementary teachers' salaries in the studied districts were "approximately $350 less than those of teachers in secondary schools."

Other points in the survey showed the "median lifetime income of a beginning teacher under existing salary schedules is $237,500 over a 40-year period, the median annual expenditure is $340 per pupil in average daily attendance, and the median proportion of teachers to pupils is 47 professional teachers per 1,000 pupils."

TREND IS SLOWING

While median salaries in all administrative categories increased, "and were continuing upward," the trend showed signs of increasing more slowly than in previous years.

Expenditures per pupil in the surveyed school districts for the completed 1958–59 year showed half of them spent more than the median figure of $340 while the remainder spent less than that figure. The high was $476 per pupil, the low, $225.

SECONDARY SCHOOLS

"For each school system, each secondary school pupil costs approximately 30 percent more than his counterpart in the elementary school because of differences in the educational program," the report said.

The survey said the staffing of schools, because of loss of teachers, "constitutes a continuing problem at the local, State and National levels of Government. Sharp differences exist in the extent to which individual school systems have been able to solve this problem."

Mr. President, the article quotes from a report on school salaries, expenditures, and staff adequacy for the 1959–60 academic year, which was based on a study of 64 school districts in Delaware, Montgomery, Chester, Bucks, Cumberland, Dauphin, and York Counties. The report, according to the newspaper article, states:

Salary schedules which do not attract and hold competent teachers still exist in some districts. Teachers are lost because the salary schedules are not competitive.

The survey pointed out "the median salary for kindergarten teachers is $4,930, for elementary teachers, $5,108, and for secondary school teachers, $5,461."

Mr. President, in 11 of the 50 States, the average salary for teachers is less than $4,000 a year. How can a man and his wife raise a family on $4,000 a year, and still live in decency and comfort?

To raise the average salary of the teachers in the 29 States which now are paying less than the national average salary of $5,025 to that figure would cost $492 million.

To raise the average teacher salary in the United States to $6,500 would cost $1,900 million.

To raise the average teacher salary in the United States to $8,500—and that would still leave the average less than the salaries earned in the other 17 recognized professions—would cost $4,800 million.

And, Mr. President, these sums would not cover the amounts needed to pay for the salaries of the new teachers needed to end the teacher shortage.

Mr. President, it must be clear indeed that in the education profession we are facing a crisis which the States and the localities are utterly unable to solve; and it calls for a national solution on a national basis by the National Government, the Government of the richest country the world has ever seen. Can we possibly take the position that we cannot afford to have a teaching profession that is qualified to give our young people the training they need today? They go out into a world in which our country is fighting for survival against the hordes of Communists in Russia and China. Those countries appear to have a greater interest in the education of their children than our country has in the education of its children, according to a recent report by the Department of Health, Education, and Welfare. That report indicates the Soviet Union is channeling between 10 and 15 percent of its national income into education, as compared to about 5 percent in the United States.

The average salary of a teacher in the U.S.S.R. is 670 rubles per month, compared to 600 rubles for a doctor and 800 rubles for an engineer.

The Russians consider teaching an honorable profession, and they pay it well. The average class size in the Soviet Union is 17 pupils per teacher; in the United States, it is 27 pupils per teacher.

Writing in Look magazine for October 14, 1958, following his tour of the Soviet Union as head of an educational mission, Commissioner of Education Derthick wrote:

The pay of beginning Soviet teachers is equivalent to that of beginning engineers and doctors. Through outstanding service, teachers may earn awards and titles—which carry special salary increases. * * * Everywhere, teachers have a favorable status.

He continued:

What we have to learn from Soviet education is certainly not a philosophy or a system. * * * The lesson we must learn from the Communists stems from their attitude toward education. They have decided that nothing is more important. And they are only just getting started.

The challenge is quite clear. If we are to meet our international obligations, we must place schools at the top of our national value scale. We must respect learning, and honor those who teach. We must put more time and effort into education—and make all of our schools as good as the best.

But we seem to think the other 17 professions and many a business and even the honorable job of driving a truck are more important than teaching, in terms of compensation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the entire article by Mr. Derthick from which I have quoted. The article is entitled "The Frightening Challenge of Russia's Schools."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FRIGHTENING CHALLENGE OF RUSSIA'S SCHOOLS

(By Lawrence G. Derthick, U.S. Commissioner of Education, with George B. Leonard, Jr., Look Staff Writer)

The Russians have decided that education is the best means of winning their place in the sun—and on the moon. Schools are a passion with them. Hundreds of thousands of workers are going to night school. Housewives are taking correspondence courses. Cabdrivers are studying while waiting for a fare.

The Soviet Government has decided what is most important for the people. Fashionable clothes are not. Beautiful homes are not. But schools and universities are.

The Soviet Union is like one vast, sprawling college campus on the eve of a football game with its great rival. That rival is the United States. The game is economic and cultural conquest of the world. The slogans are emblazoned on posters and billboards from the wheatfields of the Ukraine to the Siberian tundra: "Reach and overreach America." "Reach and overreach Iowa in corn and milk production." The Soviet plan: Reach and overreach the United States of America—through education.

In spite of their scientific feats, the Russians know they still are the underdogs. But they are moving fast, much faster than their rival. They like to talk about what has happened since the revolution. In those 40 years, they point out, their production has increased 22 times, while that of the United States has only doubled. Before the revolution, Russia was 70 percent illiterate and secondary education was inaccessible to the masses. Today, illiteracy has been practically wiped out. The Russians, in fact, probably feel they will not need a war in order to conquer us. They believe they will win supremacy over America with knowledge.

On our recent month-long trip to the U.S.S.R., my nine colleagues—all distinguished educators—and I covered 7,000 miles and visited some 100 schools. We had our eyes opened. We came back sobered.

True, we already had statistics showing that Russia has no teacher shortage (five apply for teacher training for each one chosen); that classes are of reasonable size (17 pupils per teacher in Russia, against 26 pupils per teacher in America); that there is plenty of money on hand to do the job.

But we just didn't have any idea of how fast the Communists had moved. We were astonished—and I choose the word carefully—at Russia's total commitment to education. This astonishment sprang from observation more than statistics:

We are in a chemistry class at the Alma-Ata Pedagogical Institute. The young teacher trainees in this class have just learned that their course is being extended from 4 to 5 years. They face an unexpected delay in graduating and starting their well-paid jobs. Some of them will have to put off marrying. Through my interpreter, I ask them if they resent the change. Their faces light up. You would think some Russian Santa Claus had just presented them with a wonderful surprise. To them, as to most Soviet youth, an extra year's education is a rare privilege.

We are in a School for Working Youth in Sverdlovsk, the Pittsburgh of the Urals. Here, we see young men and women who did not have a chance to finish high school. They are spending 5 hours a day, 6 days a week, in school; this, in addition to a regular workday. We are struck by the intensity in their eyes. We learn that in this city of 700,000, over 20,000 young adults are willing to work and study 13 or 14 hours a day.

We are in the office of I. E. Afanasenko. The genial young Minister of Education of the Russian Republic has asked for our impressions of Soviet education. I decide to start out with what I think to be the highest possible compliment:

"We were tremendously impressed with your overwhelming zeal and enthusiasm for education."

The Minister merely looks at me blankly. As I go on talking, I realize that, of all I might tell him about his schools, this would impress him least—because he cannot conceive of a situation where there would not be an "overwhelming zeal and enthusiasm for education." By Soviet standards, I had made a silly statement. In the U.S.S.R., enthusiasm for education is taken for granted.

Feeding on this enthusiasm, Communist leaders have speedily created a school system that attempts to push and pass practically every normal child through a highly academic course.

Ten-year schooling (roughly equivalent to high-school graduation in the United States) already is compulsory in city districts. In some rural areas, the Soviet Union still provides only 7 years. But by 1960, the Russians hope to make 10 years the rule everywhere. Even today, the 10-year-school—combining elementary grades (1 through 4) and secondary grades (5 through 10) under one roof—is the heart of Soviet education. In it, each child completes an academic course which includes, among other subjects, history, geography, physics, biology, chemistry, astronomy, a foreign language, mathematics, Russian language and literature.

And, theoretically, every normal child is a success in school. Soviet educators say they recognize individual differences. But human beings, they add, have a way of compensating for intellectual lacks. "If a child has a poor memory," we were told, "he will buy a notebook." No I.Q. tests are given. "Except for the feebleminded, all youth are capable of completing the standard curriculum through the 10th grade."

Exploring the mystery of how this is done was one of the most fascinating phases of our tour. The answers reveal both the major strengths of Soviet education—and its greatest weakness.

Here, in brief, is how the Soviet Union seeks to educate its masses:

PUPILS ARE RIGIDLY DISCIPLINED AND INDOCTRINATED

From the beginning—in nursery school and kindergarten—the young Soviet citizen learns the collectivist way, the group way. He learns there is no greater good than that of the state.

By the time a child is 7, he is ready to enter the 10-year-school and start to work "for the good of the state" in earnest. At the beginning, he must memorize 20 "Rules for Pupils," starting: "It is the duty of every school child to acquire knowledge persistently in order to become an educated and cultured citizen and to be of the greatest possible service to his country."

We were struck by the disciplined behavior of Russian children. They come to school immaculately scrubbed. Their school uniforms (gray for boys, brown and black for girls) are neat and clean. They greet adults with a polite bow; boys tip their caps. All children rise whenever any adult enters a classroom; pupils stand at attention when answering a teacher. We saw no harshness in this discipline. Children in the U.S.S.R., like children everywhere, are lovable—and they are loved. "They are our future," Soviet educators told us again and again.

Corporal punishment is forbidden in the schools. Obedience is enforced mostly by group approval or disapproval. In Uzbekistan, I asked a big, smiling principal what she would do if a child were disobedient.

"He would be denied the privilege of performing duties for the group, such as sweeping the floor," she said. "When he's taken off his job, he's scorned by the other children."

On the other hand, the Soviet child is highly rewarded for good behavior and good academic work. In every school are posted pictures of those with top grades or top marks for neatness and behavior. (Pictures of top teachers are posted, too.) Medals or badges are frequently presented, and proudly worn by their young recipients. Make no mistake about it, this aspect of socialism is highly competitive. The "goofoff" is given a hard time by his comrades.

PARENTS ARE REQUESTED TO COOPERATE FULLY

One parent of each child must come to a meeting at school once a month. Individual conferences between parent and teacher are scheduled more often if needed. Each class has a parents' committee. I saw parents in every single school I visited.

Actually, parents need no urging to stay interested in school affairs. Education is high on their value scale. They know that their child's entire future—after finishing 10-year school—hangs on his ability to pass a tough entrance examination and go on into higher education.

SCHOOLS ARE WELL EQUIPPED AND EXTRAVAGANTLY STAFFED

Though the somber, three- to five-story Russian school buildings are notable for their sloppy construction, good equipment is available, when it is essential for education.

By any standard, the Soviet urban school is extravagantly staffed. For example,

school No. 151 of Moscow's Lenin Hills district has a principal, an assistant principal, two curriculum experts, a business manager, and secretary-bookkeeper, a full-time nurse, and a half-time doctor, a librarian, 45 teachers, and a technical staff of 19, including 2 coatroom attendants, a full-time carpenter, locksmith, electrician, and night watchman, plus cleaners and dusters. All of these serve a total of 923 pupils, and serve them well.

WELL-PAID, HIGHLY RESPECTED TEACHERS USE STANDARDIZED TEACHING METHODS

The pay of beginning Soviet teachers is equivalent to that of beginning engineers and doctors. Through outstanding service, teachers may earn awards and titles, which carry special salary increases. Working hours are remarkably short; the normal load is 18 hours a week for secondary teachers; for elementary teachers, 24 hours a week.

Everywhere teachers have a favorable status.

Teaching in the Soviet Union is a precision operation. Teachers must plan each day's lesson in great detail, accounting for each minute of the period. The plan must be approved by the school principal at least 3 days in advance.

Soviet educators emphasize details in methods of teaching. They concentrate on the mechanics of teaching a specific lesson and each part of it. Once a given technique is accepted by the authorities, it is adopted throughout the nation.

Research on effective teaching methods is unceasing, and improved techniques come up from the grass roots as well as down from the institutes of pedagogical science. Every year, there is a nationwide competition in the field of teaching methods. Teachers are encouraged to present their new ways of getting across a point—no matter how small. Judges pick the best papers from each of the Soviet republics. The winners get a free trip to Moscow and other honors.

The winning methods are tried out; and, if they work, they are recommended for use throughout all the vast lands of the Soviet Union.

The Russians school curriculum is standard. There are practically no elective subjects. Courses are coordinated and teaching is synchronized. For all practical purposes, the schools are controlled by a central administration. For these reasons, the system can be changed, figuratively speaking, at the push of a button.

Teachers must keep abreast of all changes. This is done through in-service training and professional clubs. Teachers spend much time (for which they get extra pay) tutoring slow learners. They know that the failure of any pupil to learn will be blamed on his teacher.

EXAMINATIONS ARE CUT TO A MINIMUM

Here is the real key to how the Russians manage to get almost all pupils—including those of lower intelligence—through school. Final exams, written and oral, are given only at the end of the 7th and 10th grades. They are strenuous. But, in a sense, the deck is stacked so that almost everyone can get through.

For example, on the seventh-grade algebra final, 30 topics are announced a month in advance. From these topics will come the exam. Thus, the teacher can make sure that all students are drilled thoroughly on every possible question. Only those pupils deemed capable of passing are allowed to take the exam. The others—a tiny minority—are held back for a year.

On the exam day, each student draws three questions, prepared by the Ministry of Education, on one of the announced topics. Two of the questions are problems of a formal nature, which have been done previously in class. The third is called an original problem. Actually, it is of a standard type with some very minor variations.

It seemed to us, from the type of examination given, as well as from our other observations, that Soviet pupils can get through secondary school without doing original, abstract thinking. A tremendous amount of time and effort is expended on slow learners. We are inclined to think that this is done at the expense of the fast learner, for whom no special provision is made in terms of electives or accelerated courses.

There are, in the U.S.S.R., special schools for artistically talented children, especially in the fields of ballet and music. In addition, many students, after the seventh grade, go to technicums, where they are trained as technicians.

Soviet education, in general, is showing a slight tendency to modify the heavy academic load by including more polytechnical training. But for now, it is mostly academic; and by American standards, basically a lockstep affair, with great emphasis on rote learning as opposed to original thinking. I say this not to minimize the Soviet accomplishment in mass education, but to lead up to a most important point:

I could never recommend the Soviet educational system for our youth. It is based on a philosophy that is abhorrent to us: a belief that the individual exists, primarily, for the good of the state. Furthermore, the Soviet system does not have the potential for real education that ours does.

We all came back to the United States from the Soviet Union with renewed faith in the American system, as reflected in our better schools. These schools have adequate housing, small classes, excellent equipment, effective methods, sound programs of study and well-trained, well-paid staffs. These are the fundamental elements—but there is much more.

Our better schools have inspired teachers who search for the creative spark in every child and teach individuals how to think independently and how to develop their own best talents for useful, happy living in a free society. Our better schools have parents and other citizens who care enough to participate vigorously and voluntarily because the schools belong to them. Our better schools are superior to the best the Soviet Union has.

But we had to balance this up with renewed distress about our weaker and neglected schools—which, unhappily, are far too numerous.

What we have to learn from Soviet education is certainly not a philosophy or a system. Our children are much more than cogs in a collective machine. And we have the educational know-how to make them excel in all fields of endeavor—as individuals.

The lesson we must learn from the Communists stems from their attitude toward education. They have decided that nothing is more important. And they are only just getting started.

The challenge is quite clear. If we are to meet our international obligations, we must place schools at the top of our national value scale. We must respect learning, and honor those who teach. We must put more time and effort into education—and make all of our schools as good as the best.

Mr. CLARK. Mr. President, let us see what some of our country's leaders have had to say on the subject of teachers' salaries.

I shall begin by quoting the President of the United States; and I shall read what he said in commenting on a statement made by his own Science Advisory Committee on May 24 of last year. The President said:

This report makes clear that the strengthening of science and engineering education requires the strengthening of all education. * * *

One subject discussed in the report warrants special emphasis—the importance of raising the standing of our teachers in their communities. Higher salaries are a first requirement. * * *

Only last week, Vice President NIXON deplored the underpayment of teachers. In his "dinner with Ike" speech in Chicago, he said:

We believe that overall the American educational system is the best in the world. But inadequate classrooms, underpaid teachers and flabby standards are weaknesses we must constantly strive to eliminate, always recognizing in the remedies we recommend that any Federal education program must not infringe upon State and local responsibility for and control of our school system.

Weasel words, Mr. President; but the heart of the problem is set forth there—namely, underpaid teachers. The Vice President of the United States recognizes this problem, too.

Secretary of Health, Education, and Welfare Flemming has repeatedly put teachers' salaries first. In a press conference in November 1958, he said:

I think the most serious weakness in our total educational system today is our salary structure. I don't care whether you are talking about elementary or secondary education, or whether you are talking about higher education. I think that as a nation we should be ashamed of the compensation that we pay those who are willing to serve us in what is certainly one of the most important areas in which people can serve the society of today.

There are those who say that we won't correct this situation unless we are willing to double the salaries that are now being paid. I appreciate the fact that that is a generalization that possibly is subject to, or should be subjected to, fairly close scrutiny, but personally I am willing to subscribe to it.

Secretary Flemming subscribes to doubling teachers' salaries as a critical need today in American education.

In April of 1956 the Committee for the White House Conference on Education, which was appointed by President Eisenhower, and whose chairman was Neil H. McElroy, who later became Secretary of Defense, reported to the President on the needs of education, and had this to say about teachers' salaries:

We recommend that greater inducements of all kinds be offered to attract and retain enough good teachers. * * * Practical steps must be taken to change the concept of teaching as an impoverished occupation. Teaching must be made a financially comfortable profession. Every effort must be made to devise ways to reward teachers according to their ability without opening the school door to unfair personnel practices. Present salary schedules have the effect of discouraging many able people from entering the profession. * * * Salary schedules and preparation courses should be reexamined and changed where necessary to make the teaching profession more attractive to the most able young men and women.

In 1958, the Rockefeller Bros. Fund published a report by a distinguished

panel, headed by Nelson A. Rockefeller, now the Governor of New York, on "Education and the Future of America." On teachers' salaries, the report said this:

The root problem of the teaching profession remains financial. More perhaps than any other profession, teaching needs dedicated men and women to whom pay is not an overriding consideration; but until we pay teachers at least as well as the middle echelon of executives we cannot expect the profession to attract its full share of the available range of talents. Salaries must be raised immediately and substantially * * * and the top salary is not sufficiently far above the bottom salary to constitute a meaningful incentive. Those with more than modest financial needs and responsibilities can only solve their problems by becoming administrators or by leaving education altogether.

The Educational Policies Commission, which is headed by Herman B. Wells, president of the University of Indiana, wrote as follows:

Every major study of the status of American education tells the same story of neglect. It is a story of crises in education, of teachers poorly paid and in inadequate numbers, of poor communities struggling to pay mounting school bills, of classroom shortages. * * * These problems are not entirely monetary, but lack of money is the major element. * * *

The conclusion is inescapable that hundreds of thousands of American children at every level of education are denied competent teaching.

The highest single priority, therefore, in responding to the contemporary challenge to American education is the recruitment, education, and retention in the profession of qualified teachers. * * *

At the minimum, expenditures on education should be doubled within a decade, as proposed by the White House Conference on Education. Realistic programs which will bring about such levels of spending should be developed without further delay.

Called for are important increases in teachers' salaries, in school construction and equipment, in financial assistance to students and prospective teachers.

President James A. Garfield said, in an address to the alumni of Williams College, in 1871:

I am not willing that this discussion should close without mention of the value of a true teacher. Give me a log hut, with only a simple bench, Mark Hopkins—

Then the president of Williams College—

on one end and I on the other, and you may have all the buildings, apparatus, and libraries without him.

Times have changed drastically since the days of James A. Garfield; but the need for inspiring teachers persists through the ages, and will continue to persist so long as we have an educational system.

Mr. President, let us consider now whether the States and the localities can afford to make adequate expenditures for education, in order to bring their standards up to the needs and keep them there. I ask unanimous consent that a table entitled, "Increase in State and Local Indebtedness Since World War II"—which table I have caused to be prepared—be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the table was ordered to be printed in the RECORD as follows:

Increase in State and local indebtedness since World War II

June 30): Year (as of	(Billions)
1946	$13.6
1948	16.2
1950	20.7
1952	25.8
1953	28.6
1954	33.4
1955	38.4
1956	42.7
1957	46.7
1958	50.9
1959	55.6

Source: Economic Report of the President, January, 1960.

Mr. CLARK. The table shows that State and local indebtedness, which stood at $13,600,000,000 in 1946, had risen to $55,600,000,000 in 1959. In other words, since 1946, State and local debt has more than quadrupled, while the Federal debt has remained virtually stable—rising barely 4 percent in 14 years.

Mr. MONRONEY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield to the distinguished Senator from Oklahoma.

Mr. MONRONEY. I am impressed by what the Senator from Pennsylvania, the sponsor of this amendment to broaden the educational act, would provide by way of assistance for teachers' salaries; and I am particularly impressed by the statistics he has read into the RECORD, which show the huge increase in the State and local debt of public bodies.

Let me ask the distinguished Senator from Pennsylvania if it is not a fact that perhaps the No. 1 victim of the inflation which has occurred has been the school districts and the municipal and State and county organizations.

Mr. CLARK. I think that is quite correct, due in part, if not in whole, to the tight-money, high-interest-rate policy of the Eisenhower administration.

Mr. MONRONEY. Is it not also true that the cost of maintaining the services for an ever-exploding population has added to the impact of inflation, which has steadily and consistently increased the cost of the necessary public services of municipalities?

Mr. CLARK. The Senator is quite correct.

Mr. MONRONEY. I should like to ask the Senator now if it is not a fact that inflation has increased the cost of operating the municipal plants, the school plants, the State governments, and also has made it impossible for the general tax base upon which the municipalities must depend, and which involves an ad valorem tax to yield a 100-percent dollar.

Mr. CLARK. Of course, the Senator is correct. I have often said that Federal aid to education legislation would help to prevent real-estate taxes of the Senator, and mine, from increasing. To the extent that we bring the Federal income taxes to bear the cost of our educational system, to that extent do we prevent our real-estate taxes from going higher—real-estate taxes which are at the highest point in the history of our country, taxes which so many of us who own real estate believe are about as high as they can equitably go.

Mr. MONRONEY. But the Senator also knows the great bulk of ad valorem taxes had valuations placed upon them, in many cases, prior to 1918.

Mr. CLARK. The Senator is correct.

Mr. MONRONEY. Therefore, a dollar yield on a 1918 valuation today will produce a buying power of perhaps 25 cents.

Mr. CLARK. The Senator is quite correct.

Mr. MONRONEY. Because inflation has cut down the yield of the tax. If the base on which the taxes on properties are based were raised to bring them up to the point where they would have a dollar-for-dollar yield, it would result in an increase of four times present taxes.

Mr. CLARK. The Senator is correct. It is true in my State and it may be in the State of the Senator from Oklahoma, that there have been pressures on State and local governments to increase their taxes, not only for education, but for other purposes, and not only have real estate valuations been going up, but the real estate tax rate has been going up, until we have such a situation that the owner of real property is in desperate straits.

Mr. MONRONEY. That is correct. The only system of taxation which is capable of standing such increases is the income tax, which is based on income. That tax not only keeps up with purchasing power because it rides on income, but it remains more or less constant in purchasing power as the income from salaries, wages, investments, and other income tends to keep up with inflationary trends.

Mr. CLARK. The Senator is entirely correct.

Mr. MONRONEY. For many years I had hoped it would never be necessary to come to a Federal aid to education program, but each year I have watched the situation become worse instead of better. There has been a complete inability by certain local school districts to cope with ever-increasing costs and demands of their educational systems, to the point that I feel the amount of Federal aid as proposed by the distinguished Senator from Pennsylvania not only is equitable, in this day and age, but is also of vital necessity if we as a nation are to keep faith with the national demands on us and our educational system for world leadership.

Mr. CLARK. I think the Senator is quite correct. I thank him for his intervention. I point out that the same story applies in only a slightly less degree to State taxation, where the sales tax is the principal method of raising money. We have a problem with respect to the sales tax which has been imposed in my State, and perhaps has been in the State of the Senator from Oklahoma, in that there is a limit to which we can go. States are trying to help impoverished school districts, but are not able to squeeze another drop of money in State revenue.

Mr. MONRONEY. We have had to raise our State taxes very high in an effort to raise sufficient funds for educa-

tion. As a matter of fact, Oklahoma contributes a great deal of aid to education in the State. But, as we raise the taxes, we lose industry to other States whose taxes are lower. Thus we are penalized for trying to improve our educational system.

Mr. CLARK. I thank the Senator for his intervention.

I turn now, Mr. President, to a comparison of the trend in Federal and State-local tax revenues from 1946 to 1958. I ask unanimous consent that a table showing this comparison may appear in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of Federal and State-local tax revenues, 1946–59

[In billions]

Fiscal year	Federal net budget receipts	State and local government revenues
1946	$39.8	$12.4
1948	41.5	17.3
1950	36.5	20.9
1952	61.4	25.2
1953	64.9	27.3
1954	64.7	29.0
1955	60.4	31.1
1956	68.2	34.7
1957	71.0	38.2
1958	69.1	41.2
Percent increase, 1946–58	74	232

Source: Economic Report of the President, January 1960.

Mr. CLARK. Let me point out that in 1946 Federal net budget receipts amounted to $39.8 billion, while State and local government revenues amounted to $12.4 billion. Federal budget receipts were more than three times the total of the State and local revenues.

By 1958 Federal net budget receipts had risen to $69.1 billion, while State and local revenues were at $41.2 billion.

Thus, the percentage of increase in Federal net budget receipts during the 12-year period was 74 percent, compared to an increase in State and local government revenues of 232 percent.

I also call the attention of my colleagues to the trend in Federal revenues in relation to gross national product. I ask unanimous consent that a table showing these figures may appear in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Trend in Federal revenues in relation to gross national product

Calendar year	Gross national product	Federal budget receipts	Percentage of gross national product
	Billions	*Billions*	
1946	$210.7	$38.6	18
1948	259.4	40.9	16
1950	284.6	37.3	16
1952	347.0	64.8	19
1953	365.4	63.8	17
1954	363.1	61.2	17
1955	397.5	63.4	16
1956	419.2	71.0	17
1957	442.5	72.3	16
1958	441.7	68.9	16
1959	478.8	73.3	15

Source: Economic Report of the President, January 1960.

Mr. CLARK. Mr. President, this table is based on the Economic Report of the President for 1960. It shows that in 1946 we had a gross national product of $210.7 billion, and Federal budget receipts of $38.6 billion, which was 18 percent of the gross national product.

In 1959 our gross national product was $478.8 billion, while the Federal budget receipts were $73.3 billion, and the percentage of Federal budget receipts to gross national product had declined to 15 percent.

I ask, in the light of these figures, who can possibly contend we cannot afford Federal aid to education? We are taking less money out of our gross national product for Federal expenditures than we were back in 1946; and there are those who are saying, "Yes, education is fine, but we cannot afford it. We cannot raise Federal revenues to insure a first-class educational system." That contention falls on its face because it has no merit.

Finally, in terms of the amount of money required, the 1954 report of the Committee for the White House Conference on Education stated:

> We recommend that a new look be taken at the entire question of how much money this society should spend on education. In view of the recommendations of this committee concerning the objectives of education, teachers, and buildings, it seems obvious that within the next decade the dollars spent on education in this Nation should be approximately doubled.

The chairman of that conference was none other than Neil H. McElroy, only recently Secretary of Defense.

Mr. President, I ask unanimous consent to have appear in the RECORD at this point in my remarks a statement from the Rockefeller report of 1958.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Even allowing for considerably greater efficiency in the use of educational funds, it is likely that 10 years hence our schools and colleges will require at least double their present level of financial support to handle our growing student population In other words, by 1967 the entire educational effort is likely to call for expenditures on the order of $30 billion, measured in today's prices.

Mr. CLARK. Mr. President, if we were to double the amount of money spent on education, it would amount to an increase of about $1.5 or $2 billion every year for the next 10 years or so. From nowhere else can this badly needed money come without some help from the Federal Government.

Mr. President, the pending amendment is a modest one. The original Murray-Metcalf bill called for a 4-year crash program of $25 per school child for education for the first year, $50 for the second year, $75 for the third year, and $100 for the fourth year, a total bill, for 4 years, of more than $10 billion.

The pending amendment calls for $1.1 billion on the basis of $25 per school-age child for the indefinite future. Let us not kid ourselves, let us be candid, let us face the facts, this educational crisis is not going to be with us merely for next year or for only 5 years from now. It is going to be with us for the rest of the lives of those of us in the Senate.

Let us be fair and honorable with the American people. Let us not tell the American people there is a national defense education crisis. Let us not tell the American people that if we build a few schools the crisis will disappear. Let us not tell the American people that if we put a little money into teachers' salaries everything will be all right by 1962, that the educational gap will be closed. Mr. President, the educational gap will not be closed until we undertake a massive Federal aid to education program, exactly as the missile gap in relation to Russia and the other deficiencies in defense will not be closed until and unless the American people are prepared to pay the price of freedom.

Mr. President, I close with the final if somewhat cynical figure that since 1948 the American people, through their State, local, and Federal tax system, have spent $78 billion for public elementary and secondary schools, while during the same period of time they have spent $151 billion for tobacco, alcoholic beverages, and cosmetics. Mr. President, I ask what kind of a country do we want to live in? Is it not about time we put our shoulders to the wheel and got America back on the spiritual and educational base it must be on if it is going to deserve the future which it has within its grasp?

Mr. President, I ask unanimous consent that an article entitled "Needed Soon: Six Billions More a Year for Schools," which was published in the February 8, 1960, issue of U.S. News & World Report, which is certainly no radical journal, may be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEEDED SOON: $6 BILLION MORE A YEAR FOR SCHOOLS

A new study of America's public schools reaches these conclusions:

School costs 10 years from now will be $21 billion a year—or $6 billion more than now.

New ways to finance this burden must be found. Local property taxes cannot provide all the money needed.

Selective Federal aid of up to $600 million a year to poorer States seems necessary and likely.

The school study, conducted by the Committee for Economic Development, an organization of some of the Nation's most prominent businessmen and educators, was made public on February 1. The committee's major recommendations are these:

MORE FROM STATES

States must take over from local school districts a bigger share of school spending as the population boom sends the number of school-age children up to an estimated 55 million—an increase of 29 percent—by 1970.

Local property taxes, which now provide the major part of school funds, have been raised to the limit. Additional revenue must come from other sources, including State sales taxes.

State funds should be distributed to local school districts through a new kind of foundation plan. Under this, a State would assure each school district of the money needed to support its schools. Property taxes within each district would be levied at a moderately low, uniform rate based on a realistic valuation of property.

A FEDERAL-AID PLAN

Financial grants to the poorer States—those where income per schoolchild is substantially below the national average—will be necessary. There are 11 such States now. The formula suggested for distributing this aid would cost about $600 million a year at present.

MORE EFFICIENT SYSTEMS

The Nation's 45,000 school districts should be consolidated into about 10,000 systems. In most States, counties provide the most convenient and suitable geographic areas for administrative purposes.

Much already has been done to improve the school situation, the committee finds. The classroom shortage is being reduced. Teachers' salaries are up.

But, in the years just ahead, the big problem for school officials across the country will be: how to find new billions to meet rising school costs.

Mr. CLARK. Mr. President, I close with the final if somewhat cynical figure that since 1948 the American people, through their State, local and Federal tax system, have spent $78 billion for public elementary and secondary schools, while during the same period of time they have spent $151 billion for tobacco, alcoholic beverages and cosmetics. Mr. President, I ask what kind of a country do we want to live in? Is it not about time we put our shoulders to the wheel and got America back on the spiritual and educational base it must be on if it is going to deserve the future which it has within its grasp?

Mr. President, I hope the pending amendment will be agreed to.

Mr. KEFAUVER. Mr. President, this amendment brings the pending bill back into line with the original aims of the Murray-Metcalf bill, of which I was also a cosponsor. This aim was to permit the various States to decide for themselves how much should be spent for school construction and how much for teachers' salaries, with no Federal strings attached. I believe that it is most important that this choice be allowed to the States in their administration and allocation of the Federal funds proposed here. Its adoption would be the most important step taken during our consideration of the 1960 Federal Aid to Education Act.

We have been threatened with a veto of the bill if this amendment is put into the bill. This should not deter us from adoption of the amendment, as it is our job as legislators to present to the President a bill designed to meet the needs of the country, rather than designed to please the President.

The amendment would increase the annual authorization to the relatively modest sum of $1.1 billion. Further, it provides for a continuing authorization, which would not require reenactment every year or two. There is nothing in it, however, which would prohibit reevaluation of the program at any time.

The amendment in no way weakens the assurance in the act against Federal interference in schools, which is contained in section 3 of the act and which is left untouched by the Clark amendment. Section 3 reads as follows:

SEC. 3. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

On the other hand, the amendment strengthens local control over school administration by giving States a much greater degree of flexibility in the use of the funds than is provided in the bill as reported by the committee. If the amendment is adopted, States will be authorized to use the Federal aid either for school construction or for teachers' salaries, with each State having a freedom of choice as to the portion which it would devote to each purpose. This is of particular importance to Tennessee, where one of our most pressing problems is the low level of teachers' salaries.

Recently I received an extremely helpful and informative letter from our State commissioner of education, the Honorable Joe Morgan. I shall take the liberty of quoting two paragraphs from this letter:

A comprehensive study of Tennessee's public schools was made during 1955 and 1956 by survey teams working with a subcommittee of the legislative council. Among the recommendations in the two-volume report on that survey was the recommendation that the starting salary within the minimum program for teachers with bachelor's degrees be raised to $3,600 and that the maximum be raised to $5,400.

Despite relatively low salaries, about 80 percent of our teachers hold bachelor's degrees or higher, and the number of permit teachers—those without 4 years of college and/or lacking in the required subject matter—make up a fraction less than 2 percent of our approximately 28,500 teachers.

As recently as 3 weeks ago, there was a meeting of the Tennessee Education Association in Nashville. The association decided to make every effort to have the 1961 State legislature raise the minimum salary of a beginning teacher to $3,600 and the minimum salary of a degree teacher with 12 years' experience to $5,400. The salary increases would give teachers much needed pay raises ranging from $950 to $2,000 a year.

If the State legislature takes the advice of the State commissioner and the Tennessee Education Association by giving these essential pay raises, the State of Tennessee could count as matching funds the additional sums spent on teachers' salaries and other items of school expense, as well as school construction.

Mr. President, I am certain that a number of Senators have forcefully pointed out the importance of this whole program of Federal aid to education to the problem of national defense. Although it may be necessary to economize on a number of programs, this should be the last to be cut. No matter how many billions of dollars we may spend on military hardware this year, we will have no military security in the future if our educational system is not geared to keep up with the tremendous technical advances which are being made. Unless we train a sufficient number of scientists of all sorts, we will have no security in the future, no matter how many billions of dollars we spend annually for defense. I can think of a number of other reasons for supporting Federal aid to education, but its necessity for national defense should be sufficient reason alone for its passage.

National defense aside, I see no reason why this country should have an educational system second to any in the world. At the moment, we are the richest nation in the world. What is the real value of our wealth, if we cannot afford to give a first-rate education to our children? If all of our national defense problems miraculously evaporated tomorrow, I would still advocate sweeping improvements in our educational system. Two of these would be raising of teacher salaries and the building of sufficient classrooms. The Clark amendment will be a very substantial help. I am happy to join in its sponsorship.

Mr. MAGNUSON. Mr. President, I call up my amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The CHIEF CLERK. In Mr. CLARK'S amendment it is proposed to strike out the words on line 2, page 2, and insert in lieu thereof "and for any current expenditure."

On page 2, strike out lines 12 through 18, and insert the following:

(e) Certifies that funds allotted to the State education agency will be distributed among the local education agencies of the State to be expended solely in accordance with this Act, and in furtherance of the purposes and policy of this Act.

On page 4, strike out lines 11 through 16, and insert the following:

(g) The term "current expenditure" means any expenditure for elementary or secondary school purposes for which educational revenues derived from State or other public sources may legally and constitutionally be expended in such State.

On page 4, amend the title to read: "A bill to authorize Federal financial assistance for school construction and other purposes."

Mr. MAGNUSON. Mr. President, earlier in the day when I offered the amendment and asked that it lie on the desk, I did not realize that we would be voting on the amendment tonight. I thought probably the vote would come tomorrow, after a much more lengthy discussion of the Clark amendment and this amendment to the Clark amendment. I think these are very important matters, not only to this body, but also to the country.

As I stated this afternoon, this amendment is exactly the same as the amendment which was presented to S. 246, the Federal aid to education bill, in May 1949. Of course, there are other portions of the amendment which are relatively unimportant, because some technical changes have been required, but the section (g) which we would insert is exact-

ly the same wording as the Senate passed upon in 1949; namely:

> The term "current expenditure" means any expenditure for elementary or secondary school purposes for which educational revenues derived from State or other public sources may legally and constitutionally be expended in such State.

The purpose of the amendment at that time was very basic, exactly as it is basic now.

We have heard a lot of statistics. We have read many editorials. We have heard much discussion about the school needs of the country. The Senator from Pennsylvania pointed out those needs very vividly, and related their importance in connection with the way other countries, such as Russia, operate their school systems.

If the need in 1949 was such that the U.S. Senate felt we should do something about this matter, I think the need is much greater now. The problem has intensified. The future is much more foreseeable, with our exploding population.

I do not think there is a person on the floor of the Senate, or in the Congress, or anyone who is at all informed, who would not say that there is a need for a Federal aid to education bill. We are embarked, therefore, upon a program to help supply and fill in some of the needs which cannot be met by some of the communities in the United States, or by the entire school system, which is primarily local in its jurisdiction and authority.

The amendment provides in effect that when the funds are made available the State may use the funds wherever the need exists. The amendment does not specify what the need should be. I suppose in any examination throughout the country we would probably end up with 99 percent of the educators and those interested in education and familiar with the needs saying that the needs were for construction and for better teachers, which of course indirectly means better salaries for teachers.

There might be some auxiliary needs of a minor nature, so far as dollars and cents are concerned, but all the amendment provides is that the State itself should use the grant in the same way as it now uses its own funds, which the legislature raises by taxation. It uses the funds for what it considers primary needs. It is left to the States to determine such needs.

I know that we shall hear some criticism of this amendment, as we did in 1949, 11 years ago, to the effect that it might be used for this, that, or the other purpose. That is, in effect, saying that the State superintendents of public instruction and educators throughout the country do not justify our faith, that they do not know what their school needs are, and therefore they might do something with the Federal funds available, or might use the funds available for some purpose not justified by the need. All the amendment provides is with respect to expenditure for elementary and secondary school purposes of such funds, and other revenues which may legally and constitutionally be expended in the States.

I believe that the situation calls for even more than was the case 11 years ago, from the standpoint of the necessity of the Federal Government making funds available for these needs.

Although there is quite a turnover in the membership of the Senate, there are still many Members of the Senate who were here 11 years ago, who voted for this proposal at that time. They include the Senator from Vermont [Mr. AIKEN], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Iowa [Mr. HICKLENLOOPER], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oregon [Mr. MORSE], the Senator from South Dakota [Mr. MUNDT], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator From Georgia [Mr. RUSSELL], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Maine [Mrs. SMITH], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], and the Senator from Wisconsin [Mr. WILEY]. There are left only three Members of the Senate who voted against the proposal, namely, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Virginia [Mr. BYRD], and the Senator from Kansas [Mr. SCHOEPPEL].

Certain Members of the Senate were paired in favor of the proposal, including the Senators from New Mexico [Mr. CHAVEZ and Mr. ANDERSON], and the Senator from Rhode Island [Mr. GREEN]. The Senator from North Dakota [Mr. YOUNG] was paired also, I believe.

I do no mention this to embarrass any Senator, because in 11 years changing situations may have changed the minds of Senators. In all fairness, it must be said that probably certain conditions in the South have changed the situation somewhat. But surely the need is greater now than it has ever been.

Mr. MCNAMARA. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MCNAMARA. Certainly the Senator realizes that there has been a change in the White House.

Mr. MAGNUSON. I realize that.

Mr. MCNAMARA. At that time the President had requested money in the budget for the purpose. The President had approved this item in his annual message.

Mr. MAGNUSON. Yes.

Mr. MCNAMARA. Now there is a different situation in the White House.

Mr. MAGNUSON. Entirely different.

Mr. MCNAMARA. Certainly this fact should make a difference in the position of Senators.

Mr. MAGNUSON. Yes; and that is what I am coming to.

The need exists. The need is great. Members of the Senate were sent here to express their honest opinions upon a need—not on the basis of what the President will sign or will not sign. We are here as legislators. If the President of the United States wishes to veto the bill, in all good conscience, that is his responsibility. But I think the American people are about ready to make an issue of the school problem. If we do not make an issue of it, we are going down the drain so far as our educational facilities are concerned, in comparison with other countries.

I realize that there are some practical situations. I have heard it said many times, "Let us get some result, even if it is only half our objective." That is what we probably should do. I voted for that principle.

Certainly there is a different President. There is a President who says that we ought to take care of school needs, but in the state of the Union message he says that where there is a federally impacted area involving the schools, we ought to cut down a little.

Mr. MCNAMARA. Or eliminate such aid.

Mr. MAGNUSON. Yes.

The Vice President of the United States was quoted by the Senator from Pennsylvania. He said that among other things that would be done "under my administration" would be to get at the problem of underpaid teachers, and the problem of a sagging national school system. I believe he used that term.

I believe that this amendment would allow the States to do what they think will fit their primary needs. I appreciate the devotion to the cause of education of the distinguished Senator from Alabama [Mr. HILL] and the distinguished Senator from Michigan [Mr. MCNAMARA]. No Member of this body can deny their devotion to that cause. I have served for a long time with the Senator from Alabama, and I know the devotion of the Senator from Michigan to the cause of education. I know that even though only the construction feature of the bill should pass, that would be a step forward. There is no argument about that. But if we believe in this cause, as we did in 1949, the need being greater at this time, we ought to make the issue. On the House side there will be some question, but the House passed a bill providing for both construction and salaries, did it not?

Mr. MCNAMARA. No.

Mr. MAGNUSON. Is the bill in the Rules Committee?

Mr. HILL. It is dead in the Rules Committee.

Mr. MAGNUSON. But it includes construction and salaries.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. GORE. Another thing the President of the United States said in his state of the Union message was this:

> We cannot afford to be complacent about the education of our youth.

I really rose, however, to ask the distinguished senior Senator from Washington if, in recognizing the changed situation as between now and 11 years ago, he does not recognize the existence of a threat to the freedom and security of this country which has arisen, the nature of which is in the long run in large part educational?

Mr. MAGNUSON. Of course it is. I believe that the issue means a great deal more to us in many other aspects than it did in the climate in which we considered the subject in 1949.

I may not be helpful by offering this amendment. I was hoping that I would be. I was hoping that we might get back to a principle under which the States could not criticize the conditions under which funds from the Federal Government would be available, by saying that they know their own local school needs. Of course the States would have to pass upon the local districts. That was the condition in 1949. The proposal I am offering was considered the best way to handle the situation if we were to make funds available at all. That is the reason for the amendment. Aside from the question of technically fitting it into the bill, the language is exactly the same as what was passed in 1949.

In the final passage of the bill votes were exactly the same as upon the amendment. As I said earlier this afternoon, I thought it was better legislative procedure to make this amendment a part of the Clark amendment, which I favor; and if it failed of adoption in that connection, I would make a later attempt to have it made a part of the bill on final passage. No matter what amount may be agreed upon, this should be the formula under which it should be distributed.

There are some Members of the Senate who advocated this principle then, who would like to vote for it as a separate proposal. They may not agree with some portions of the Clark amendment. I know that legislatively, if I were to present it as a substitute, I could not offer it to any other portion of the bill.

Therefore, I offered it as an amendment to the Clark amendment in the hope that it would become a part of the Clark amendment. I wrote a letter to every Member of the Senate 4 or 5 days ago, explaining what the amendment would do and what its implications were. Because there is a lack of attendance here this evening, I hope that most of the Senators have read the letter. I believe my amendment represents a better solution to the problem for three reasons, which I shall repeat.

All of the arguments against Federal aid to education begin with what some persons like to call Federal interference. This objection is made by persons who honestly believe there may be Federal interference, but it is also sometimes made by those who are against all Federal aid to education as a reason why they will vote against it.

Secondly, there are some States which have the problem of private schools. It seems to me that the Senate cannot decide that question. That is a decision for the States themselves to make. Some States have made that decision. Some States have decided to furnish free textbooks to private schools. Some have decided—there are not many, but there are one or two—to furnish free transportation for pupils in private schools. As I say, some States have made the decision to use public funds for these purposes.

In other States the constitution denies the use of funds to private schools; whereas the constitutions of other States say nothing about it.

Therefore, if a State passes a law, within the purview of its constitution, to give such aid to private schools, it can do so. Many States have not done so. I appreciate that the amendment may bring up that problem. However, as I say, I do not think that the problem should be settled in the Senate.

In 1949 we did not think so, when we adopted the amendment. We left it up to each State to do what it wishes to do legally under its constitution. The States can do what they please under their own constitutions.

I have explained the purpose of my amendment. I do not have anything else to say about it. A great deal has been said on the subject of the need for an amendment or a bill of this type to be enacted, whether it be only for construction, or for construction and for salaries; whether it be for $5 million, or as the Clark amendment suggests, for $1,100 million. There is obviously a basic need for an aid to education bill.

I believe the amendment will allow the administration of the act in a much more orderly manner, and will leave the matter up to each State. The States have the problem and they know the needs. I am sure they will use the funds to take care of their needs in this great field, which has been neglected too long by Congress and by many of us in high office.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HART in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON] to the amendment of the Senator from Pennsylvania [Mr. CLARK]. (Putting the question.)

The "ayes" appear to have it. The "ayes" have it, and the amendment to the amendment is agreed to.

Mr. HILL. Mr. President, I ask for a division.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the Chair having announced the result——

Mr. MANSFIELD. Mr. President, the Senator from Alabama was on his feet before the Chair made the announcement. I ask for a standing vote on the Magnuson amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Those in favor of the amendment will stand.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The division is in process, but the Senator is entitled to request a quorum before the vote is announced. Those opposed will stand. The nays appear to have it.

The amendment to the amendment is rejected.

Mr. CLARK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, the pending amendment, which I hope will be adopted shortly, does three things: First, it provides that States may have the privilege of spending some of the money provided for Federal aid to education for the salaries of teachers. It increases the amount called for by the McNamara bill from $500 million a year for 2 years to $25 per child of school age for each year the Committee on Appropriations sees fit to appropriate the money. In the first year, that would be $1.1 billion. So, in effect, the amendment doubles the authorization and would make it available for the salaries of teachers as well as for school construction. There are no other significant changes called for by the amendment.

I think the amendment poses very clearly to the Senate the issue as to whether we want to pass an adequate bill for the highest priority in education and get competent, able people into the teaching profession, or whether we want to pass a bill which will provide only for school construction.

I hope the Senate will agree that the amendment is a sound, equitable, and decent approach to a critical problem which our country can very well afford to solve.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I support the amendment offered by the distinguished Senator from Pennsylvania [Mr. CLARK]. I ask unanimous consent to have printed at this point in the RECORD a table showing the income earned by college graduates in 1958 in industry and in teaching.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Beginning salaries of college graduates in 1958, in industry and in teaching

Men graduates in industry:	
Engineering	$5,616
Accounting	4,992
Sales	4,944
General business	4,896
Other fields	5,148
Average—all fields	5,160
Women graduates in industry:	
Engineering	5,412
Chemistry	5,052
Scientific research	5,040
Accounting	4,332
Mathematics—statistics	4,308
Home economics	4,260
Business trainees	3,924
Secretarial	3,744
Other fields	3,900
Average—all fields	4,356
Men and women in classroom teaching	3,650

Mr. MONRONEY. Mr. President, the table shows that in industry, men graduates, in 1958, received from $5,616 in engineering to $4,896 in general business. The average amount earned by such men in other fields, in 1958, was $5,160. The figures relate to beginning salaries.

Women graduates, in industry, earned from $5,412 in engineering to $3,744 in secretarial work. The average amount earned by women in all fields in industry was $4,356.

But the average earnings for men and women in classroom teaching, in 1958, was $3,650. That puts the earnings for men and women in the teaching profession far below the average earnings for men or women graduates who are engaged in industry.

Mr. President, the immutable laws of economics will not allow the attraction to the classrooms of persons having teaching ability, when such persons will be subjecting themselves to substandard living, and will be receiving, in some instances, a reduction of some 20 or 25 percent from the average earnings of college graduates in all other fields. We will attract only those who are so dedicated that they are willing to teach at inadequate salaries or those who are passed over by industry and have no recourse but to teach.

I wish to call attention to the fact that the $3,650 is the average starting salary for teachers with college degrees. Yet the average girl who has a high school education can enter the U.S. Government in a GS–3 position at $3,175 a year, plus retirement and other advantages, which will combine to put her income and additional benefits far above the average starting salary of teachers with college degrees, namely, $3,650. The take-home pay of a high school graduate who begins in the Government service in a GS–4 position will be higher than that of a teacher.

If two sisters graduate from high school, one can immediately enter the Government service, and will be able to take home more pay and fringe benefits than will her sister who begins to teach after she goes to college and studies for 4 years and obtains a degree. Furthermore, as the high school graduate sister continues in the Government service, her salary advantages will continue to be greater.

Mr. President, it is impossible to avoid the effects of the inevitable laws of economics. If there is not a sufficient reward to a submerged group who are dedicated to teaching because they love it and because they think it is a duty, it will not be possible to obtain the number of teachers who are so badly needed. The figures show that each year 223,700—or 8.5 percent—of the instructional staff will leave the teaching profession and will go into some other form or type of employment.

Mr. CLARK. I thank my friend for his helpful comments. I am in complete accord with his remarks.

Mr. WILLIAMS of New Jersey. Mr. President——

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Pennsylvania yield to the Senator from New Jersey?

Mr. CLARK. I yield.

Mr. WILLIAMS of New Jersey. Mr. President, I thank the Senator from Pennsylvania for yielding to me.

First, I wish to say that I am honored to be a cosponsor of the amendment which has been offered by the Senator from Pennsylvania.

I know today's debate has brought out two alarming shortages, among many others. The first is the shortage of 130,000 classrooms. The other alarming and frightening shortage is in the supply of teachers. The number of teachers leaving the teaching profession annually is greater than the number entering it.

In line with what the Senator from Oklahoma has said, let me emphasize that the President's Science Advisory Committee has found that 14,000 teachers are annually leaving the teaching of science and mathematics—and, as we have just now been informed, this is certainly in accordance with the laws of economics—and are taking up forms of employment in which they can earn more money. We are also informed that 21,000 new teachers will be needed annually by 1969 for the teaching of science and mathematics. But, as a matter of fact, new teachers are entering those branches of the profession at the rate of only approximately 9,000 a year.

Finally, I wish to say that although New Jersey spends more than the national average on education per pupil—namely, $444 a year, whereas the national average is approximately $340 a year—nevertheless, New Jersey is faced with a deficit or shortage of almost 4,000 classrooms.

Furthermore, it is estimated that 38,000 children in elementary schools and secondary schools are housed in substandard classrooms; another 55,000 children are attending school only half day; and 79,000 children over and above the normal classroom capacity are being squeezed into our schools.

Mr. President, I believe the time has come when this country must stop frittering away so much of its tremendous wealth on nonessentials. The plain frightening fact is that we are rapidly becoming a nation of private affluence and public poverty. We must start establishing priorities of national need, and provide for them accordingly.

There can be no doubt that the education of our children is the most important long-range priority of any nation, and can there be any doubt of the truth of Walter Lippmann's statement that education is the life-giving principle of our national power?

It is self-evident, I think, that all the ballistic missiles, industrial might, nationwide highway networks and disarmament blueprints will be of little value if we do not provide this Nation with enough capable men and women who can come to grips with the massive complexity of this age and put all our assets—material and spiritual—to their proper use.

This amendment would give us a reasonable and realistic bill to cope with the seriousness of the problem in all its aspects.

Indeed, if anything, it falls considerably short of meeting our annual educational deficit which has been calculated by such respected authorities as Dr. James B. Conant to be as much as $7 or $8 billion a year.

These deficits can be measured by determining the difference between total educational expenditures—about $10.7 billion—and the cost of providing our 35 million public school pupils with a good education, which would run about $500 per pupil per year, for a total of $17.5 billion.

Mr. President, our New Jersey teachers are fortunate in earning an average of $240 more than the rest of the public school teachers across the country, but one can hardly call a salary of $5,740 a luxurious sum. The starting salary in New Jersey for a teacher with a college degree is only $3,800.

These facts alone would justify a strong interest in the passage of a good education bill, but there is another reason perhaps even more pressing.

It is an unfortunate fact that New Jersey homeowners now pay almost 75 percent of all the school bills in the State and, as a result, the voters are now turning down about one-third of all the school bond proposals.

This is a very heavy and inequitable burden for homeowners to bear, and the prospects are for an even greater burden in the future, unless the Federal Government picks up its share of the load.

I am sure these problems exist in other States and, while all of us would, no doubt, prefer the solution to come at the local and State level, I believe we cannot escape the conclusion that the local communities can no longer cope with the situation by themselves.

The time has come for joint effort at all levels for we are now faced with the prospect of very much more acute school population pressures than we have had in the past and at the same time we are faced with a fervent competitiveness on the part of the second largest and fastest growing power in the world.

When the danger is clear and present, as it is in the field of military defense, we certainly would not be standing here debating whether time will solve our

problem. Is a strong educational system any less important?

I think the answer of any person thoughtfully concerned with the future welfare of his family, his community and his country must be a resounding "No." And I earnestly hope that the majority decision of this body will reflect that sentiment and reaffirm this country's commitment to greatness.

Mr. LONG of Hawaii. Mr. President——

Mr. CLARK. I yield now to the Senator from Hawaii.

Mr. LONG of Hawaii. Mr. President, as one who has spent more than 34 years of his life in educational work, I cannot remain silent while this very vital topic is under discussion.

Hawaii, the new State, the Aloha State, shares with the other 49 States the sense of urgency about the shortage of classrooms, the need to increase the supply of teachers at this time, and particularly the need for enactment of legislation which will stimulate more of the very choice young people of the Nation to look more to teaching careers in the future than they have in the past decade or two.

During the past three decades, I served as teacher, principal, and superintendent of public instruction. In my very sinews I feel the promise of American education and the responsibility of the school system to the Nation.

Equal educational opportunity is the very foundation of our American republic. This was pointed out by James Russell Lowell when he wrote:

> It was in making education not only common to all, but in some sense compulsory on all, that the destiny of the free republics of America was practically settled.

National responsibility for assuring educational opportunities was recognized even before the Constitution was framed. The Northwest Ordinance of 1787 granted lands to each new township to be used as a source of income for the support of schools.

In the mid-19th century, the Congress enacted the Morrill Act to grant lands to State institutions of higher education as a source of income for agricultural and technical courses. This was, in part, a recognition that higher education no longer could be considered an opportunity restricted to the elite primarily interested in a study of the classics.

In the 1920's, the Federal Government again accepted its responsibility for assuring educational opportunities. Congress enacted a Federal aid program for vocational education.

The school-lunch program may well be considered an aid to education.

Under the provisions of Public Law 815 and 874, 81st Congress, the aid to federally impacted area program, more than $1 billion of Federal funds have been spent since 1951. This money has gone into construction, teachers' salaries, and even to purchases of textbooks—all this without Federal control.

In 1958, Congress enacted the National Defense Education Act to promote a more uniform excellence in our schools, particularly in the fields of science, mathematics, and languages.

During all this time the States and local communities have carried the biggest load in providing education for our youth. Local funds come primarily from bond issues and property taxes.

State funds come primarily from income and sales taxes. A large percentage of local areas have reached the limit of bonded indebtedness, and they have pushed the property tax as high as they dare without making it confiscatory.

Dr. Clayton D. Hutchins, Chief of the Division of School Finance of the Office of Education, has explained the situation as follows:

> Some districts that have faced critical situations in past years have exhausted their bonded capacity. The heavy payments they must make to service their debts in the years ahead may take abnormally large proportions of their current tax revenues.
>
> Debt service requirements have a prior claim on current revenues. Consequently the burden of debt liquidation in the future may threaten the diversion of funds from the program of financing current school operation.

As a result of increased efforts on the State and local levels, 1957–58 was a record year for school construction, with 72,070 new classrooms.

But let us take a look at the problem which now faces us—a national problem requiring a national solution. School needs were neglected during the emergency of World War II and the Korean war. At the same time, demands increased enormously both because of the burst in population since 1940 and because of the new challenges thrust upon us by the age of space and atomic energy.

At the beginning of this school year, there was a shortage of 132,400 classrooms. There were 1,880,000 students in excess of normal classroom occupancy. When the school year started last September, enrollment had increased by 1,200,000 students over the previous school year.

Furthermore, the Office of Education estimates that the number of classrooms each year which become obsolete is somewhere between 17,000 and 22,000. Thus the new classrooms needed for this year alone amount to between 60,000 and 65,000. These must be built before we can start on the enormous backlog we had at the end of last year.

Cold statistics, however, cannot convey the real picture. We are talking about human beings—young people seeking to prepare themselves for carrying on our democratic principles in a world of fantastic new problems. And yet, in this richest Nation in the world, in what is predicted as the most prosperous year of all times, we find in Los Angeles that 2,700 high school students are attending classes in tents. New York is using 371 schools that are obsolescent or otherwise inadequate.

And what do the figures about overcrowding really mean? The figure of 1,880,000 excess pupils fails to tell the whole story. If there are 45 pupils in a classroom intended for 30, only 15 are counted in the excess figure, but in fact all 45 are penalized. It has been estimated that when a child is attending school in a double-shift session, he loses about 180 hours of instruction a year, or 2 full months. At the beginning of this school year, 30,000 of the more than 1 million public school pupils in Los Angeles County were attending school on a double-shift system. Double shifts are also being used in many other States, including Hawaii.

Despite recent yeoman efforts by States and local communities, it is doubtful whether they can keep up with mushrooming current needs, to say nothing of catching up on the backlog. In 1958–59 the number of new classrooms completed dropped to 70,000. And Secretary Flemming stated recently that State educational agencies estimate that classroom construction this year will lag behind last year by 10.4 percent.

It is therefore abundantly clear that if current classroom needs are to be met and headway is to be made on the backlog of needs, the Federal Government must provide substantial funds.

S. 8, the bill sponsored by the distinguished senior Senator from Michigan [Mr. McNAMARA], and approved by a majority of the Senate Committee on Labor and Public Welfare, is urgently needed to meet the emergency in the building program. But more is necessary.

As a former school superintendent, I am acutely aware of the shortcomings of educational opportunity which now exist throughout our Nation. At a time in history when excellence of education is critical not only because of our obvious competition with the Soviet Union, but also because of the increasing complexity of our jobs and our way of life, we have permitted a situation to develop where opportunity for quality of education is, at best, hit or miss. Certainly, quality education cannot be produced without the proper facilities. And to this extent, S. 8 is the very least we can do.

But the very best classrooms do not guarantee quality of education. That lies in the hands of our teachers—individuals who must be able to devote their hearts and their lives to one of the most important jobs in the world. Adequate salaries for the support of these dedicated people are far more important than the bricks and mortar in the walls of classrooms. Furthermore, more adequate salaries will be a determining factor in attracting young people of the highest culture and intellectual attainments into the teaching profession.

The Office of Education has estimated a national shortage of 182,000 qualified teachers in both public and private schools. The National Education Association estimates a shortage of 135,000 in qualified public school personnel alone.

Every study, governmental or nongovernmental, has stressed the need for improving the quality of teaching in the Nation's schools. President Eisenhower himself has said that "higher salaries are a first requirement."

Any study of the salaries paid to elementary and high school teachers in various parts of the country would clearly indicate that the quality of teaching is spotty and that equal educational opportunity is therefore lacking. At this

point, I ask unanimous consent to include in the RECORD a State-by-State list, compiled by the National Education Association, of the average salaries paid to elementary and secondary public school teachers.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Estimated average annual salaries of total instructional staff and of classroom teachers, 1959–60

State	Average salary of instructional staff			Average salary of classroom teachers			Percent of all classroom teachers whose salaries fall in each of the following salary groups				
	Current dollars	Percent of increase over 1958–59	Purchasing power in 1947–49 dollars [1]	Elementary school	Secondary school	All teachers	Below $3,500	$3,500–$4,499	$4,500–$5,499	$5,500–$6,499	$6,500 and above
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
50 States and the District of Columbia	$5,160	4.5	$4,121	$4,835	$5,334	$5,025	12.9	29.9	28.8	17.6	10.8
Alabama	3,795	1.0	3,031	3,575	3,960	3,745	10.0	72.0	17.5	.5	
Alaska	6,600	1.5	5,272	6,450	6,700	6,500			30.0	39.0	31.0
Arizona	5,600	5.3	4,473	5,335	5,900	5,485		17.0	40.0	30.0	13.0
Arkansas	3,400	1.5	2,716	3,175	3,525	3,325	67.0	29.0	4.0		
California	6,450	6.6	5,152	6,175	6,950	6,525		2.0	30.0	33.0	35.0
Colorado	5,100	5.3	4,073	4,800	5,100	4,875	5.0	33.0	41.0	15.0	6.0
Connecticut	5,900	5.4	4,712	5,600	5,900	5,700		25.0	26.0	32.0	17.0
Delaware	5,675	1.8	4,533	5,360	5,830	5,575	1.0	18.0	36.0	30.0	15.0
Florida	5,060	.6	4,042	[2] 4,925	5,050	4,980	2.0	43.0	46.0	7.0	2.0
Georgia	3,800	1.3	3,035	3,568	3,868	3,668	50.0	43.0	6.0	1.0	
Hawaii	5,500	9.7	4,393	5,365	5,365	5,365		[3] 10.0	[3] 45.0	[3] 35.0	[3] 10.0
Idaho	[2] 4,370	4.0	3,490	4,033	4,565	4,273	17.0	50.5	26.0	6.0	.5
Illinois	5,500	4.8	4,393	5,250	5,550	5,340	5.0	33.0	31.0	23.0	8.0
Indiana	5,550	7.9	4,433	5,150	5,660	5,350	3.0	21.0	37.0	23.0	16.0
Iowa	4,596	5.2	3,671	4,181	5,151	4,554	27.0	40.0	29.0	3.5	.5
Kansas	4,510	5.7	3,602	4,004	4,750	4,355	17.0	58.0	20.0	4.0	1.0
Kentucky	3,475	4.0	2,776	3,300	3,500	3,375	80.0	17.0	3.0		
Louisiana [4]	5,000	5.8	3,994	4,700	5,150	4,860	8.0	20.0	51.0	16.5	4.5
Maine	[2] 4,265	8.0	3,407	3,980	4,706	4,175	[2] 45.0	[2] 44.0	[2] 10.0	[2] 1.0	
Maryland	5,845	.8	4,669	[2] 5,500	[2] 5,825	5,655	1.3	24.4	26.4	25.7	22.2
Massachusetts	5,200	3.5	4,153	4,950	5,300	5,100		43.0	35.0	18.0	4.0
Michigan	5,900	3.5	4,712	5,600	5,850	5,700	2.0	25.0	30.0	28.0	15.0
Minnesota	5,390	4.9	4,305	4,900	5,375	5,100	1.0	30.0	31.0	23.0	15.0
Mississippi	3,350	5.1	2,676	2,967	3,525	3,175	73.0	22.0	5.0		
Missouri	4,558	4.3	3,641	4,319	4,774	4,454	24.0	35.0	28.0	10.0	3.0
Montana	4,575	2.8	3,654	4,225	5,150	4,500	18.0	33.0	31.0	14.0	4.0
Nebraska	3,750	3.4	2,995	3,275	4,400	3,650	49.0	32.0	12.0	5.5	1.5
Nevada	5,500	3.5	4,393	5,294	5,600	5,400		12.0	50.0	31.0	7.0
New Hampshire	4,431	5.0	3,539	4,192	4,585	4,347	3.9	57.6	32.1	5.9	.5
New Jersey	5,870	3.9	4,688	5,625	5,950	5,740		16.0	30.0	25.0	29.0
New Mexico	5,325	1.4	4,253	[2] 5,125	[2] 5,500	5,290	.4	27.5	50.1	19.5	2.5
New York	6,400	1.6	5,112	6,050	6,550	6,300		16.0	26.0	28.0	30.0
North Carolina	4,100	5.1	3,275	3,936	3,971	3,946	29.0	65.0	4.5	1.5	
North Dakota	3,800	5.6	3,035	3,260	4,450	3,600	55.0	26.0	16.0	3.0	
Ohio	[2] 5,175	4.0	4,133	4,861	5,383	5,062	3.0	35.0	40.0	17.0	5.0
Oklahoma	4,775	2.8	3,814	4,600	4,650	4,625	13.0	39.0	45.0	3.0	
Oregon	5,450	4.8	4,353	5,180	5,583	5,303		24.0	41.0	28.0	7.0
Pennsylvania	5,409	4.4	4,320	5,120	5,372	5,221		28.0	44.0	22.0	6.0
Rhode Island	5,200	4.0	4,153	5,050	5,225	5,125	4.0	27.0	47.0	20.0	2.0
South Carolina	3,365	.7	2,688	3,210	3,460	3,315	69.0	27.0	4.0		
South Dakota	[2] 3,675	5.8	2,935	3,400	4,150	3,600	53.0	25.0	18.0	4.0	
Tennessee	3,850	8.8	3,075	3,650	4,100	3,775	50.0	32.0	15.0	3.0	
Texas	4,654	1.1	3,717	4,373	4,598	4,440	1.0	42.0	34.5	21.0	1.5
Utah	5,100	6.1	4,073	4,950	5,000	4,975	3.0	29.0	44.0	23.0	1.0
Vermont	4,315	4.4	3,446	4,015	4,675	4,255	20.0	53.0	25.0	2.0	
Virginia	4,250	4.7	3,395	4,050	4,300	4,150	[2] 38.0	[2] 43.0	[2] 13.0	[2] 5.0	[2] 1.0
Washington	5,485	3.1	4,381	5,225	5,525	5,340		30.0	35.0	25.0	10.0
West Virginia	3,950	5.9	3,155	3,564	4,188	3,825	42.0	48.0	9.2	.8	
Wisconsin	5,075	3.7	4,054	4,680	5,525	4,975	15.0	31.0	31.0	15.0	8.0
Wyoming	4,900	7.7	3,914	4,551	5,140	[2] 4,800	8.0	35.0	38.0	16.0	3.0

[1] Based on Consumer Price Index of 125.2, U.S. Bureau of Labor Statistics, September 1959.
[2] Estimated by NEA Research Division.
[3] Includes all instructional staff.
[4] Salaries shown are exclusive of increases contingent upon sufficient funds from State mineral leases.

Mr. LONG of Hawaii. Mr. President, this amendment which I have cosponsored with the Senator from Pennsylvania [Mr. CLARK] includes teachers' salaries in the proposed Federal aid. I believe that to be an essential part of the effective school program which this Nation needs and demands.

I should like to emphasize that section 3 of S. 8, which would remain unchanged by the Clark amendment, provides:

> In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

Although I believe this section is self-explanatory, I wish to state for the RECORD that in supporting this program of Federal aid, I do so only with the understanding that it is the congressional intent that the Federal Government will maintain a hands-off policy so far as local school matters are concerned.

Some objections have been raised as to the costs of the Federal aid program, particularly under the Clark amendment. I should like to point out that the money spent for bridging our educational gap and for improving the quality of instruction in our schools is undoubtedly the wisest investment which the people of America can make. It is, of course, impossible to place an exact price tag on the dividends which will be realized from this investment; but I do not think anyone will deny that the dividends will be truly incalculable, compounding down through future generations of freedom-loving young Americans.

I therefore strongly urge passage of S. 8 as amended by the Clark amendment.

Mr. CLARK. I thank my friend for his support.

Mr. RANDOLPH. Mr. President——

Mr. CLARK. I yield now to the Senator from West Virginia, who, I believe, was a teacher in his State for several years.

Mr. RANDOLPH. Mr. President, the Senator from Pennsylvania has stressed most accurately the need for increasing the salaries of teachers, and also the need, which has been expressed by others, as well, for additional classroom construction.

In West Virginia, in many sections of our beautiful State, there is even a greater need for increasing the salaries of teachers than there is for the construction of new classrooms—at least in some parts of the depressed areas.

On April 13, 1959, during the hearings on Federal school grants to States, I made the following statement, in part:

> The quality of education in the United States is therefore a national issue rather than a merely local one. And yet it is the only national problem that we have not attempted to solve on a national basis.
>
> Let us turn now to a consideration of the shortage and recruitment of teachers. It is

authoritatively estimated that in order to maintain the present student-teacher ratio between one-third and one-half of all 4-year college graduates would have to enter schoolteaching in the next decade. Since only one out of five college graduates customarily enters schoolteaching, one can appreciate the magnitude of the problem involved.

Not only is the number of teachers inadequate but the preparation of many of the present teachers is in need of improvement. According to the National Education Association, 33 percent of our elementary schoolteachers do not hold A.B. degrees, and more than 21 percent of all public schoolteachers have less than 4 years of college.

A similar condition prevails, according to the NEA, at the college and university level, with the holders of doctor's degrees among full-time teachers having decreased by 25 percent since 1953–54.

The reasons are apparent. Business, industry, and government are outbidding the teaching profession for the talents of many of its best qualified and most able men and women. Nor is it small wonder when one observes that the average State salary of classroom teachers ranges from a high of $6,400 to a low of $3,070 per year, while in my own State of West Virginia the beginning salary for a teacher with a master's degree is $3,060.

I stop for just a moment. This is not a comparison for the purpose of disparagement of work well done by men and women regardless of their profession or business. But we have today in this room members of a union within the framework of the AFL–CIO.

If I were to ask a raising of the hands, Mr. Chairman, of the people in this room this morning who are in industry as employees, as to how many of them receive $3,060 or less a year, no hands would be raised. If I were to ask how many receive less than $3,070 per year, no hands would be raised.

I bring this point out this morning with vigor only to indicate that I have, during the past few months, found in schools of West Virginia teachers leaving their posts of duty, frankly, to drive the school buses, to carry the children to the very schools where the teachers cannot teach but leave the profession for which they have been trained and move into other areas of activity.

This is a serious matter. I remember in one school last fall I found the typewriters were dusty and those which were covered standing idle. There was no instructor of business in that high school because that teacher, believe it or not, had gone from teaching into a position in business itself.

I found in the same school the home economics department empty. The teacher of home economics, skilled and trained for this work, had gone into private industry.

Admittedly, we cannot reward, and I do not believe the American teacher expects to be rewarded with the chauffeur and summer homes that we are told some of his and her Russian counterparts have at present. But we can and we must reward our teachers with salaries more consistent with their professional status and their dedication of purpose.

Mr. CLARK. Will the Senator from West Virginia tell me how a married man with a family can make a living on the amount of money paid in his State?

Mr. RANDOLPH. Of course not. Even the schoolbus drivers are paid more than that amount in many instances.

Mr. CLARK. Does the Senator from West Virginia think that his State and school districts are making as adequate an effort as they can to provide adequate salaries for the teachers?

Mr. RANDOLPH. Of course, West Virginia has a problem. West Virginia has a far better than average effort in support of its schools than a number of other States. For example, we rank 18th among the 48 States in our relative effort to support the education of our boys and girls.

West Virginia's property tax potential is limited. In other words, from a property tax base, we are a low State. For example, better than 60 percent of our land is in forest, and, as to the rest of it, some is reasonable good farmland but much of it is not tillable.

In spite of the degree of poorness of the property tax base, during the past 10 years we have increased local school effort or school support more than 107 percent, and we have increased State support better than 57 percent.

West Virginia can provide only $214 per child as compared with $340 provided by the average State of this Nation.

Of this $214, West Virginia uses a high ratio for teachers and for the salaries of teachers. We pay a beginning salary to a 4-year-college-trained teacher of $2,790. Even though we spend this high ratio of our property tax on general school aid, we provide an average salary of only $3,610 to our classroom teachers.

I believe it particularly important to point out that West Virginia annually trains more than 1,200 new teachers, but less than 50 percent of them take jobs in the West Virginia schools. In other words, West Virginia is a training ground for many who teach in other States. In the past 5 years we have had a teacher turnover of 7,500 men and women.

I know persons who live in Preston County, W. Va., who go across the State line into Garrett County, Md., and there receive $1,000 more a year for teaching than they would receive if they were to instruct children in West Virginia.

West Virginia, bordered by Pennsylvania, by Ohio, and by Maryland, shows an exodus of our teachers to those States, particularly, as well as to Florida. Of this 7,500 teacher turnover I mentioned a moment ago, more than 2,000 of them have gone to other States to teach.

I approve what the Senator from Hawaii [Mr. LONG] has said—namely, that even the best classroom in all the world is just another four walls unless it has a quality teacher—an inspiring teacher.

Mr. CLARK. I thank my friend, the Senator from West Virginia. I yield now to the Senator from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. President, when the Senator from Pennsylvania was good enough, some time ago, to ask me to become a cosponsor of his amendment, I did not respond. That was because, from the start, I was very strongly in favor of Federal aid for school construction, but I had serious and deep doubts about the advisability of Federal appropriations to be used for payment of teachers' salaries. Since then I have given every minute I could spare to reading on this subject. I have read the hearings on S. 8, on the National Defense Education Act, and have spent as much time in the Chamber as possible listening to the debate. I have talked with representatives of the National Educational Association. I have had many letters from home favoring the Clark amendment, and I have talked with those absolutely opposed to that amendment. Now I have become absolutely convinced that it is of paramount importance, of high necessity, for the sake of education in this country, and indeed for the sake of the Nation, that the Clark amendment be adopted. I intend to speak on this subject at greater length later on, but now I want to record the fact that my viewpoint has not only altered, but is firmly established.

Mr. CLARK. I thank my friend for his eloquent statement and for his support.

I am happy to yield now to the distinguished Senator from New Mexico.

Mr. ANDERSON. Mr. President, I am very happy that the able Senator from Pennsylvania has sponsored this amendment, along with a great many other Members of this body. Without taking the time of the Senate to introduce a lot of figures at this late hour, I merely say that every statement from my State education association and from teachers who have come here indicate that the adoption of this amendment is essential. The school problem is going to continue to grow more and more serious, and we had better start meeting it as early as we can.

I am happy to support the amendment. I intend to vote for it. I hope the judgment of the Senate will be in favor of it. I know to a degree the welfare of my State is dependent upon its adoption.

Mr. CLARK. I thank the Senator. There is no other Member of the Senate I would rather have on my team.

I yield now to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I have heard expressed in the Senate Chamber the contention that Federal aid means Federal control. I do not think that contention is based on reason.

I should like to ask my colleague from Pennsylvania who has sponsored this amendment if it is not a fact that under the Federal Land Grant Act, under which many of our institutions of learning in the West were financed, and which was enacted 100 years ago, never in those 100 years of land grant assistance has the Federal hand of control ever influenced one single aspect of teaching in those colleges.

Mr. CLARK. The Senator is correct. There is an even more ancient precedent than the Senator has referred to, and that is the aid granted in the Northwest Territory, in the days before our Government had been in existence very long, when lands were set aside for educational purposes. That was a form of Federal aid to education, and there was not the slightest suggestion of any Federal control.

Let me read to my colleagues from a television program on which the Senator from Pennsylvania [Mr. SCOTT] and myself appeared only 2 weeks ago. Mr. Derthick was asked whether Federal aid meant Federal control, and Mr. Derthick said:

I am delighted to respond to that question, Senator CLARK. I sometimes put it that for 32 years I was on the receiving end of

Federal aid to education and not one time was I ever aware of Federal Government interference or intrusion.

Mr. MONRONEY. I think that is a very important statement, because it brings up the question of our extension service and our vocational education service, which was written into the act by the great former Senator from Georgia, Mr. George. That act provided Federal aid for vocational education. The same is true of the extension service. It has been in existence for nearly 50 years. Yet no one has ever been able to charge that there has been Federal intervention in any form as the Federal Government matches, on a 50–50 basis, the expenditures of the States. That program has led to fine results.

Mr. CLARK. The Senator is correct.

Mr. MONRONEY. Then we come to defense housing, which was the result of the efforts of the great Senator from Alabama [Mr. HILL], chairman of the Committee on Labor and Public Welfare. From 1946 until the year 1960 the question of Federal control has not come up, either on integration or any other subject. There has been no Federal meddling with local control. Is that not a fact?

Mr. CLARK. That is correct.

Mr. MONRONEY. Then, with respect to the view that Federal control goes with Federal assistance, on the basis of the history both of a law enacted 100 years ago and the National Defense Education Act, under which we appropriate tens of millions of dollars for defense area schooling, no proof exists that Federal control goes with these very fine programs which have helped America.

Mr. CLARK. I thank my friend very much.

I yield now to the Senator from Alaska.

Mr. GRUENING. Mr. President, I intend to support the Clark amendment. I do not intend to take up much time to state my views. I think it is axiomatic that aid for school construction and for teachers are inseparable. If there is one element in our society which should be honored and dignified more than any other, it is the schools and the teachers to whom we entrust the care and training of the future citizens of our Republic.

There is only one way whereby we can show the importance of the role of the schoolteacher. It is not by words but by making it possible for him or for her to earn a respectable livelihood, which, unfortunately, is not the case in many places in many parts of the Union.

We need both schoolteachers and schoolrooms. I do not know of any measure I consider more important than the one before the Senate or any amendment which is more vital than the Clark amendment.

Mr. CLARK. I thank the Senator from Alaska for his support.

I now yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished Senator from Pennsylvania for his leadership in offering this amendment. At this late hour, I shall state only one fact. As a member of the Subcommittee on Education, I spent more hours and listened to more testimony than, I believe, any other member of the Senate did, during the 12 days in which this 528-page record was made. I came to the conclusion that the country needs the Clark amendment. I shall vote for it and support it, and I hope it will be adopted.

Mr. CLARK. I thank the Senator.

I now yield to the Senator from New York.

Mr. JAVITS. I have several questions I wish to ask the Senator from Pennsylvania. If the Clark amendment is adopted can the Senator tell us what happens to the column of allotments which is set forth on page 10 of the committee report? Does that double or is there involved some different scheme of results to individual States?

Mr. CLARK. The scheme is somewhat different, but not drastically so. The matter is complicated because of the legalistic language involved. Is my friend talking now about the State effort problem?

Mr. JAVITS. No. I am talking about the allotment each State receives from the Federal Government as set forth on page 10 of the committee report.

Mr. CLARK. If the Senator will indulge me a moment, I have a large chart which will show exactly, in dollars and cents, what will happen in that regard.

Mr. JAVITS. In other words, my own State of New York under the McNamara bill is scheduled to receive $24 million, in round figures.

Mr. CLARK. I will answer my friend in this way: If my friend will tell me what State he wants to know about, I shall be happy to tell him.

Mr. JAVITS. Let us take my own State of New York, which will receive $24 million under the McNamara proposal. What would New York receive under the Clark amendment, and how would that figure be arrived at?

Mr. CLARK. New York under this proposal would receive $55,879,000. The Senator will recall that the amount of the grant is $1.1 billion, instead of $500 million.

Mr. JAVITS. In other words, the $25 figure set forth in the Senator's amendment is not simply a distribution per capita, but it is screened down in much the same manner as the McNamara proposal.

Mr. CLARK. The Senator is correct.

Mr. JAVITS. So that in practical effect we would double the figures of the McNamara proposal, because the appropriation would be doubled, although there might be some legal "rinkydinks"—and I do not use that word adversely—or some provisions which equate out in a slightly different manner.

Mr. CLARK. The Senator is substantially correct. There are certain minor variations.

Mr. JAVITS. I thank the Senator.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend from Tennessee.

Mr. GORE. Mr. President, I congratulate the Senator upon his presentation of the amendment. I cannot approach this vote without expressing briefly the deep feeling I have. Having served as a teacher and for 4 years as a superintendent of education I know how dire is the need for Federal aid for teachers' salaries.

The junior Senator from Oklahoma referred to the question of Federal control accompanying Federal aid. I should like to cite two instances as to which I have had personal experience.

I administered a school system which received Federal aid under the Smith-Hughes Act. I dare say that high schools in every State represented in this body have Smith-Hughes agricultural classes, where young men are taught vocational agriculture, trades, and the mechanical arts. This Federal aid has been in effect for some 40 years. No Federal control has accompanied it.

It is true that there are standards for classrooms, for workshops, for libraries, and there are qualifications for teachers which the local communities have to meet, but those standards have served the local communities well. They have served the Nation well.

I should like to cite one other illustration; that is, the Federal aid to federally impacted areas, which has been in effect now for about 10 years. Where is there a Senator whose State does not have a federally impacted area? I doubt if there is one in the Chamber. Where is there a Senator who will say that such Federal aid has resulted in Federal control of any school in his State?

I repeat what the able junior Senator from Oklahoma said: The suggestion is an excuse rather than a reason.

I should like to echo what my fellow former teacher from Hawaii said, that no matter how adequate is the classroom, there is no good school without a good teacher.

We need this badly. The Nation needs it. I repeat, the long-run challenge to our system of freedom is in very important part educational. Unless there is a greater reward, better remuneration and more recognition for those who enter the teaching profession, then the bright and talented young minds which we need to inspire and to train the children of today for citizenship of tomorrow simply will not be attracted to the teaching profession.

I congratulate the Senator. I urge the Senate to agree to the amendment.

Mr. CLARK. I thank my friend for his interest.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend from Minnesota.

Mr. HUMPHREY. Mr. President, I merely want to state that the amendment which the Senator from Pennsylvania has sponsored is an amendment of which I am very proud to be a cosponsor. It applies the principles which are involved in the so-called Murray-Metcalf bill to this proposed legislation. Such action is long overdue.

The Senator's amendment is a modest one. It gets at the root of the problem, namely, the inadequacy of teachers' salaries in many of our States.

While it is perfectly true that educational facilities are in a deficit position

or are short, and while it is equally true that States and localities in many instances have not been able to keep up with the school needs, the heart of an educational system is the teacher. In many areas of our country the revenues are simply inadequate to provide properly for teachers' salaries. In many parts of America teachers are diminishing in supply rather than becoming more adequate in supply. There is a tendency, as we know, for teachers to gravitate to communities where the salary structure is superior or better. Unless we can bring some semblance of equality to the teachers' salaries, we will find our educational system more distorted and out of balance in the future than it is now.

It was my privilege to hold hearings on Federal aid to school construction in the 81st Congress. As a result of those hearings the Committee on Labor and Public Welfare processed the so-called Federal aid to areas where there is a Federal impact. We had both a construction bill and a maintenance and operation bill.

I think the point was well made a moment ago by the Senator from Tennessee that from those two pieces of legislation which followed the old Lanham Act of the World War II period, both of which have now been with us for a number of years, we have not had one instance of complaint of any Federal interference. However, in certain areas where there may have been industrial plants engaged in defense work, or military reservations, the standard of education has been better. In fact, some of the better schools are to be found in the areas where the educational structure has been given an extra lift by the Federal aid which came under the terms of the Federal impact legislation.

Mr. President, I have a statement which I wish to have incorporated in the RECORD, outlining in some detail what this particular proposal would mean to the State of Minnesota and what it would mean to some of the areas which presently find themselves in an impossible situation when it comes to meeting educational needs. Those situations have been explained on the floor. There are limitations on bond indebtedness, limitations in State constitutions, tremendous growth of population in some areas, suburban development, and so on. There is only one answer to the problem, and the time is at hand to make that answer a reality. That answer is Federal aid across the board.

I wish to compliment the Senator from Pennsylvania, who has taken the lead in this matter and who has again demonstrated his keen interest in what are the really basic needs of the Nation—human resources. I am proud to join with the Senator.

Mr. President, I ask unanimous consent to have my statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY ON SENATOR CLARK'S "TEACHERS SALARIES" AMENDMENT TO S. 8

I support the amendment proposed by the senior Senator from Pennsylvania. The American school system is in the midst of a too-long-continued crisis of overcrowded classrooms and underpaid teachers—and the tragic result is that our children are being deprived of the education which they deserve.

This situation we cannot tolerate—not just because the United States is engaged in an unprecedented struggle with the Soviet Union for world leadership, but, even more importantly, because the very essence of progress in our democratic society is the intelligent, informed citizen. With new science and new technology generating explosive new social problems, at home and abroad, we must give our children the very best possible education to meet all the unforeseeable challenges of the space age.

The Clark amendment is a realistic effort to raise the level of America's public elementary and secondary school education, and I am proud to join in sponsoring this proposal.

This amendment follows the intent of the Murray-Metcalf legislation which I joined in sponsoring last year to provide Federal grants to the States to help local school systems build classrooms and raise teachers' salaries. It gives the States free choice in determining which needs have top priority and what proportion of available funds should go to each purpose.

Crowded classrooms and low teacher salaries will not be ended by halfhearted, halfway measures. We can pursue excellence and we can achieve excellence in American education—but we must match our good intentions with money.

Our children will not have the kind of education they need for the space age unless they have excellent, well-paid teachers, well-equipped classrooms, libraries, laboratories, and proper health facilities in every school community throughout the Nation.

Our States and local school districts have made valiant efforts to improve our educational plant and to pay teachers a salary commensurate with their efforts and their responsibilities. But the taxing power of the States and local communities is limited. Many school districts already have reached their bonded debt limit. Federal aid is needed—and it is needed now.

In his State of the Union message this year, President Eisenhower deplored a realistic Federal aid to education program as "a Federal hypodermic."

I wonder if the President has been in touch recently with his Commissioner of Education or his Secretary of Health, Education, and Welfare.

On December 23, 1959, Secretary Flemming told a news conference that the number of classrooms needed to accommodate pupils enrolled in excess of normal clasroom capacity rose from 65,800 to 66,400 and the number of pupils enrolled in excess of normal classroom capacity rose from 1,850,000 to 1,883,00 from the fall of 1958 to the fall of 1959.

Secretary Flemming said 1959 would be the second year in a row in which classroom construction has declined—and this after an uninterrupted succession of annual increases since 1946. He said estimates indicate that classroom construction in 1959 will lag 10.4 percent behind 1958. His comment, and I quote, was this: "I can come to only one conclusion in the light of the above facts—and this is that the Nation is not moving fast enough to reduce the classroom shortage."

He goes on to say, "I arrive at this conclusion in the light of the following factors:

"1. For every pupil counted as enrolled in excess of normal classroom capacity, there are many others whose education is handicapped by overcrowding, split sessions, or the use of makeshift facilities. When the number of such children is actually increasing it can only mean that we are losing ground in our efforts to overcome the classroom shortage.

"2. Even if local bond sales continue at the high national rate of recent years, we will still be confronted with an indefensible shortage of classrooms in many parts of the country.

"In the first place, bond sales tend to be concentrated in only a few States. Between October of 1953 and June of 1959, 55.9 percent of all bond issues approved by the voters were concentrated in only seven States—California, New York, Illinois, Michigan, Ohio, Texas, and Pennsylvania. In fact, two States—California and New York—accounted for 27.6 percent of all school bond sales in this period. During this time 21 States accounted for only 8.4 percent of school bond sales, and 20 States accounted for the remaining 35.7 percent.

"In the second place, although bond sales have been averaging approximately $2 billion a year for several years—a total of $10,991,484,000 in less than 6 years—we have barely been building enough schools each year to take care of the annual enrollment increases and to replace classrooms that have been abandoned. Since the fall of 1957, when the shortage was 143,200 rooms, we have reduced the shortage by only 10,800 rooms."

Now, mark this conclusion, at which Secretary Flemming arrives after a careful study of our school construction efforts. He says:

"In short, we have made very little progress over the years in dealing with the huge backlog of need for classrooms which developed during the war years, when school construction was virtually at a standstill."

This is an alarming conclusion and it comes from one of the President's top ranking advisers. Secretary Flemming's conservative estimate indicates a shortage of 132,400 classrooms, and he points out that three-quarters of the apparent improvement in the classroom shortage since 1957 can be attributed to a bookkeeping change in the estimate of a single State.

I wonder if the President is aware of the recent survey by the Office of Education which shows that we still have almost 100,000 full-time teachers with substandard teaching credentials.

According to this survey, 98,800 full-time teachers have not met full certification standards. This is an increase of 5,900 or 6.3 percent more than last year, and it represents 7.2 percent of the Nation's total teaching staff. Experts estimate that the total number of teachers—1,367,000—is still short of what we need by 10 percent. Clearly we need more teachers as well as better trained teachers.

To attract competent, qualified people into teaching we must offer them decent salaries. In many of the school districts in this country, the most urgent problem is to raise teachers' salaries into a competitive position with other professions. These school districts need help. I believe that our States and local communities should have freedom to decide where they have top priority; and, if they need to raise teacher salaries, they should be free to do so.

Higher salaries would bring many trained teachers back into the teaching profession. With business and industry taking an increasing share of the college graduates in the 1960's, there is going to be tremendous difficulty in recruiting new teachers, to say nothing of retaining existing qualified teachers in the teaching profession. This problem is particularly acute in rural school districts where salaries are lower and where demands on teachers are greater.

I should like to point out that Secretary Flemming has called for a 100-percent increase in teachers' salaries over the next 5 or 10 years. Our school districts won't be able to do this without substantial help. Therefore, we must make sure that this help is available under the legislation we enact here in Congress.

As the Rockefeller report on education states: "The root problem of the teaching profession remains financial. More perhaps than any other profession, teaching needs dedicated men and women to whom pay is not an overriding consideration; but, until we pay teachers at least as well as the middle echelon of executives, we cannot expect the profession to attract its full share of the available range of talents. Salaries must be raised immediately and substantially."

The Clark amendment to S. 8 will provide a sound, realistic approach to the urgent problems of classroom construction and teachers' salaries. It applies the equalization formula, the maintenance-of-effort requirement, and the prohibition against Federal control to grants for teachers' salaries as well as for classroom construction. It requires variable matching of Federal funds by State or local funds, thus giving relatively greater assistance to the less wealthy States.

I believe this amendment will give us legislation which is fair and workable in providing aid for schools throughout our country to insure quantity and quality in American education. I urge its adoption.

Mr. CLARK. I thank my friend from Minnesota for his support.

I yield the floor.

Mr. CASE of South Dakota. Mr. President, I offer the amendment to the Clark amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7 of the Clark amendment, it is proposed to strike out "$25" and insert in lieu thereof "$10."

Mr. CASE of South Dakota. Mr. President, it will not take long to explain my amendment. It would make the cost of the bill 40 percent of what it would be if the Clark amendment were adopted.

I wish to go on record as saying that I agree with those who contend that the point which needs the greatest emphasis in education today is that of teachers' salaries. I remember that the classic definition of a university was Mark Hopkins on one end of a log and a student on the other. We can have good classrooms, but if we do not have good teachers, we cannot have a good school. If we have good teachers, we do not need much in the way of classrooms, and we can still have a good school. The teacher is the most important thing.

I personally favor provisions in legislation of this type which make it possible for the State to apply the aid it may receive to teachers' salaries, if it wishes, rather than using it for classroom construction. Or if the principal need be classroom construction, the State should be able to use the funds for that purpose.

My amendment merely proposes that the amount of the authorized appropriation be $10 times a number equal to the school-age population of the United States, rather than $25.

The cost of the Clark amendment has been estimated at $1.1 billion. Obviously, $10 is 40 percent of $25, so the cost, as a start, would be 40 percent of what the cost would be under the Clark amendment—in other words, a little more than $400 million instead of $1.1 billion.

Mr. President, I ask for a vote on the amendment to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I hope the amendment of my good friend on the other side of the aisle will be defeated. If it is adopted, the amount available for all kinds of Federal aid to education, including construction and salaries, will be cut below the amount of the McNamara bill for construction alone. This amendment would so cripple the bill that I hope it will be overwhelmingly defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Pennsylvania [Mr. CLARK].

The amendment to the amendment was rejected.

Mr. CASE of South Dakota. Mr. President, I offer the amendment again, but in the sum of $15 instead of $10.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7, of the Clark amendment it is proposed to strike out "$25" and insert in lieu thereof "$15."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Pennsylvania [Mr. CLARK].

Mr. CASE of South Dakota. Mr. President, with an average class of 30 pupils, there would be authorized an appropriation equivalent to $450 per class, or per classroom, whichever way it might be expressed; $15 is three-fifths of $25. Three-fifths of $1.1 billion is $660 million. I believe that would be a good start, and would be a reasonable compromise. I offer the amendment in that form, with the amount of $15 instead of $25, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I hope that this amendment, too, will be defeated. While the amount involved would be slightly more, it would still be completely inadequate to meet the overwhelming need for both classrooms and teachers' salaries. It would be far less than the amount necessary to make an impact in the areas of need. The amount needed is the amount in the Clark amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Pennsylvania [Mr. CLARK].

Mr. MORSE. Mr. President, I rise to speak briefly on the Clark amendment. In view of the fact that the amendment of the Senator from South Dakota [Mr. CASE] is now about to be voted upon, the views which I was planning to state in support of the Clark amendment should be stated in the RECORD at this point, because I shall oppose the Case amendment for the reasons just set forth by the Senator from Pennsylvania. I prefer to have my reasons for supporting the Clark amendment made a matter of record before the vote on the Case amendment.

I am a member of the Senate committee which has brought forth the McNamara bill. I joined the Senator from Pennsylvania in the committee in support of the McNamara bill, but with clear notice served in the committee report that I would also seek to expand the McNamara bill by way of amendment on the floor of the Senate, to include funds for teachers' salaries. Therefore I was pleased to join as a cosponsor, under the authorship of the Senator from Pennsylvania in the so-called Clark teachers' salary amendment.

This is my 16th year in the Senate in which I have sponsored or supported various legislation seeking to aid the schools of the country and provide funds not only for school construction, but also for teachers' salaries, and for such other educational purposes as the State educational authorities might decide to use funds for in connection with their educational programs.

We have had some great advocates of Federal aid to education in the Senate during those 16 years. I shall refer to one of them shortly—probably the peer of them all, the great Senator from Ohio, the late Senator Robert Taft.

What I wish to say about the Senator from Pennsylvania is that no one has been more dedicated or, in my judgment, more effective, more insistent, or more persevering with regard to seeking to obtain a Federal aid-to-education program which faced up to the teacher problem than has the Senator from Pennsylvania. The schoolchildren of America and the teaching profession and our citizenry as a whole are all greatly indebted to the Senator from Pennsylvania [Mr. CLARK] for the leadership which he has given to this very vital issue.

GENERAL AID PRINCIPLE PREFERABLE

Although I am a supporter and cosponsor of the Clark amendment, I would have preferred, and still do prefer, so far as its framework is concerned, the Magnuson amendment, which was defeated by a non-roll-call vote a few minutes ago. It is my understanding that the Senator from Washington will offer it again, as he has the parliamentary right to do, as an amendment to what will be almost the final action taken by the Senate later in this debate. For the RECORD I wish to comment very briefly on the Magnuson amendment. It provides:

In order more nearly to equalize educational opportunities, the funds paid to a State from the funds appropriated under section 4 of this act shall be available for disbursement by the State educational authority, either directly or through payments to local public school jurisdictions or other State public-education agencies, for any current expenditure for elementary or secondary school purposes for which educational revenues derived from State or other public sources may legally and constitutionally be expended in such State.

That amendment is the vital statement of what I think should be the philosophy of our Federal Government in relation to any program of aid to education. It is in keeping with a very important tenet contained in the first Taft bill in 1947, which was debated at great length in the Senate. It aroused a great deal of public concern throughout the Nation. In those days the argument about the alleged danger of Federal interference with local school policies had more of an emotional appeal, I am glad to say, than it has today.

One of the reasons the emotionalism of that argument was cleared up considerably in American public opinion was due to the knife-edge logic of the distinguished Senator from Ohio, Mr. Taft. The CONGRESSIONAL RECORD will show that time and time again in debate in the Senate, when he was confronted with the charge that he was advocating a proposal which would result in some form of Federal interference with local education, and when he was even charged with advocating statism, although he was a leading opponent of anything that even had a tinge of stateism to it, the Senator from Ohio used to answer it—and I paraphrase his words, but accurately what he said—with the comment: "If anyone has any language that he thinks will be more effective in protecting the jurisdiction and rights of the local school authorities than the language of my bill, let him come forward and offer the amendment, and I will add it to my bill."

"But," he said, "no such language can be offered, because I have in my bill language which gives complete guarantee to the local school authorities and State school authorities that the Federal Government cannot possibly interfere with or dominate the local educational policy."

What was the principle of that language? It was the principle which is incorporated in the Magnuson amendment. It is the principle that has been incorporated in every Federal aid-to-education bill which has come before the Senate since 1947 and which the group of us who have been so strongly in favor of Federal aid to education have supported. It is language which provides that any Federal money which is made available to the States for Federal aid purposes shall be commingled with State educational funds and spent by the State educational authority in accordance with State educational policy.

Robert Taft, in my judgment, had the complete answer to that scarecrow argument, and he presented it here in the Senate over the years in a most effective and devastating rebuttal manner whenever there was reared in debate in the Senate the argument that Federal aid to education would somehow or in some way interfere with State jurisdiction over schools.

CLARK AMENDMENT VITAL

Mr. President, we are confronted here tonight with another test, because before the evening is over I believe we will probably have a yea-and-nay vote on the Clark amendment. The Clark amendment goes to the very heart of the need for Federal aid to education, because, important and fine as school buildings are, however adequate they may be physically, they are completely inadequate unless properly staffed with capable teachers.

Therefore, if we really wish to equal the efforts which our competitors in the world are making in the educational field, particularly Soviet Russia, we cannot ignore the plight of American school teachers and the plight of the American schools as a result of the great exodus of teachers from the teaching profession. The teachers, the school administrators, the population experts, the economists, and even the defense experts, who have come before the Committee on Labor and Public Welfare to discuss our education system, have stressed the concern with which the Federal Government must view that system.

A decline in the education standard of the Nation threatens the national welfare; it threatens it directly as we face the Communist world in the struggle for survival in a world of missiles and nuclear weapons, and it threatens it in terms of what we want for ourselves and our children.

In today's world, an education through the high school level is almost a necessity for young people. For the professional man or woman, a college diploma is a must, plus one or more graduate degrees beyond an academic diploma.

Our cities, States, and local districts are making a magnificent effort to provide the classrooms and teachers needed. But they are still not keeping pace with the demands for schools for our rising population. The tax sources available to local communities and even to States are not in proportion to the schools they must provide.

If each school district had taxable wealth within it in proportion to its school-age children, we would not have much of a problem. If the States all had wealth in proportion to their school-age population, we would not have an educational problem either. If the same tax systems were in effect in all States, so there would be no competing with each other in trying to keep taxes down, we would not have a problem.

However, none of these things is true. On the contrary, the facts show that while the local communities are making a greater effort than ever to provide for education, we are still falling behind our own desirable education standards, not to mention the standards which are producing more engineers, for instance, for the Soviet Union than we are educating in America. I shall refer to the Rockefeller Fund report. In doing so I wish to emphasize this vital statistic in my comments tonight, because this vital statistic is a frightening one. It is a vital statistic, in my judgment, which cannot be ignored by legislators in Congress, who have a solemn responsibility to the educational needs of future generations of American boys and girls.

This vital statistic, if true—and I have every reason to believe it is true, because of the reliability of the research work done by the Rockefeller Fund—dictates to us tonight that we support the Clark amendment. Incredible as it may seem, according to this statistic, in only 8 short years this Nation will have to spend double the amount presently being spent on education in order to handle our growing student population. To the extent that we fail to meet that doubled outlay, our education standards will fall from what they are today.

I believe we can take judicial notice of the fact that there are many local school districts and many States which cannot meet that need by way of State and local taxes in 8 years. They simply do not have the additional economic resources which make possible the raising of the taxes to double the expenditure for the educational needs of America in 8 years.

Let us take a look at a population statistics. Enrollments in grade and high schools this year are already about 1,800,000 pupils in excess of capacity.

For these reasons, I believe a Federal program of grants to the States for education is urgent. The measure approved last year by the Committee on Labor and Public Welfare calls for a 2-year program of half a billion dollars of grants each year for classroom construction. I favor that bill as far as it goes. But I believe that funds should also be available to the States to use to raise the pay of teachers, or for whatever other expenses in addition to construction that are more pressing in a State or school district.

That is why I prefer the Magnuson amendment. However, the Clark amendment focuses attention on the need of financial aid for teachers' salaries, and should recommend itself to the Senate. Therefore, Mr. President, for many years I have pledged myself to do what I could to obtain Federal funds not only for school construction but also to help out with teacher salaries.

NO FEDERAL CONTROL HAS RESULTED FROM FEDERAL AID

But whatever amendments are finally adopted by Congress, the basic legislation faces up to the Federal responsibility in the field of education, and it must do so. The traditional claim that Federal aid means Federal control of education is not borne out by the facts, as the Senator from Pennsylvania [Mr. CLARK] presented so ably in his colloquy with the Senator from Oklahoma [Mr. MONRONEY] a few minutes ago.

We have had much experience with Federal aid to education programs, much more than most people realize. For instance, a few weeks ago, I asked the Library of Congress to furnish me with a list of all Oregon communities or school districts which received Federal grants for school construction under the PWA and WPA programs of the New Deal. I think it is interesting to remember how widespread those Federal programs were, and the fact that they reached down into the very roots of our communities with their funds for needed construction and needed jobs in those dark days of depression.

The Library of Congress advised me that under the Public Works Administration—taking my State of Oregon, for example—there were 103 communities in Oregon which received Federal grants

for schools. Many of those towns had two or three or four PWA projects in their school systems. The city of Corvallis, Oreg., had five such projects from PWA grants, the most of any Oregon community.

Under the WPA, the 174 Oregon communities received Federal grants for their schools. To list only the Oregon cities and towns beginning with the letter M which received WPA school grants, they include: McCoy, McMinnville, Manning, Maple Lane, Maplewood, Marshfield, Mayger, Medford, Mill City, Milwaukie, Mohawa, Molalla, Monroe, Mount Angel, Mulino, Multnomah County, and Myrtle Creek.

Has any question ever been raised in my State, in the almost 20 years since the last of these schools was built, of Federal interference with education, resulting from the Federal grant of money to construct schools?

The answer is "No."

I never heard of any such complaint. I am satisfied there would have been no basis for any such complaint. Those WPA and PWA Federal aid to education grants—because that is what they were, in reality—ran into the millions of dollars throughout the United States.

The projects I have listed were in the State of Oregon, but they were duplicated in every State. Huge sums of money were spent on them. I do not know of even a whisper of a complaint that such grants resulted in any interference in the local school administrations.

Mr. President, I ask unanimous consent that there be printed at this point in my remarks a report from the Library of Congress, dated January 22, 1960, on the subject "The Cities and Towns in Oregon Which Received School-Construction Assistance Under the PWA and the WPA."

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., January 22, 1960.

To: Hon. WAYNE MORSE.

From: Education and Public Welfare Division.

Subject: Cities and towns in Oregon which received school-construction assistance under the PWA and the WPA.

This is in response to your request of January 18, 1960, for this information.

I. Public Works Administration (PWA): Derived from a list of non-Federal projects[1] pertaining to education. These projects include some facilities built for colleges and universities, such as dormitories or cafeterias, but for the most part are public school facilities. All are major projects. Each community had one such project unless otherwise listed: Adrian, Albany—2, Amity, Ashland, Astoria, Baker, Bandon—2, Barrett, Beaverton, Bend, Blachly, Brookings, Canyonville, Carver, Clackamas County, Condon, Coquille, Cornucopia, Corvallis—5, Cottage Grove, Cove, Dallas, Dayton, Drain, Dundee, Elkton, Estacada, Eugene, Falls City, Forest Grove—2, Gervais, Gilbert Station, Gold Beach—2, Grants Pass—3, Halsey, Harper, Harrisburg—2, Hermiston, Huntington, Jacksonville, Jefferson, John Day—2, Junction City—2, Kerby, Klamath County—2, Klamath Falls, La Grande—4, Lake Grove, Lakeview, Langlois, Lebanon, Linn County, Madras, Malheur County—3, Mapleton, Marion County, Marshfield, McMinnville, Milwaukie—4, Molalla—2, Monmouth—2, Monument, Newberg—2, North Bend, Nyssa—3, Oakland, Odell, Ontario—2, Oregon City—4, Paisley, Pendleton—2, Portland—2, Prineville—2, Reedsport, Reedville, Riddle, Rieth, Rogue River, Roseburg—3, Salem—3, Sandy, Scio, Sheridan, Sherwood, Silverton, Sisters, Sumpter, Sunnyside, Sweet Home, Toledo, Trail, Tualatin, Union, Unity, Vale—2, Vida, Waldport, Wasco, West Linn, Willamette, Willamina, Woodburn, and Yamhill.

Total number of communities—103.

II. Work Projects Administration (WPA): Towns and cities in Oregon receiving projects pertaining to education, 1935–42. These projects include not only the construction of new facilities, but also the remodeling of old ones. It was not possible to list the number of projects in each town or city: Adrian, Albany, Alsea, Arlington, Ashland, Athena, Aumsville, Aurora, Baker County, Bandon, Banks, Bay City, Bend, Bonny Slope, Brogan, Brookings, Brooks, Brownsville, Bullards, Burlington, Buttville, Buxton, Canby, Canyonville, Chapman, Charleston, Chemawa, Clackamas County, Clarkes, Clatskanie, Cloverdale, Coaledo, Columbia City, Columbia County, Condon, Corbett, Cornelius, Corvallis, Cove, Curry County, Dallas, Deer Island, Dover, Dundee, Durham, Eastside, Elgarose, Eugene, Fairview, Falls City, Fox, Garden Home, Garibaldi, Gervais, Glenwood, Gold Beach, Grants Pass, Gresham, Gulp Creek, Halsey, Harrisburg, Hebo, Heppner, Hermiston, Hillsboro, Hillsdale, Hines, Hiteon, Hood River, Houlton, Ione, Jacksonville, Jefferson, Jennings Lodge, John Day, Joseph, Kinton, Knappa, La Grande, Ladd Hill, Lake Grove, Laurel, Lebanon, Logsden, Looking Glass, Lorane, McCoy, McMinnville, Makinnville, Manning, Maple Lane, Maplewood, Marshfield, Mayger, Medford, Mill City, Milwaukie, Mohawa, Molalla, Monroe, Mount Angel, Mulino, Multnomah, Myrtle Creek, Nehalem, Neskowin, Newberg, Newport, North Highland, North Logan, North Powder, Oak Lawn, Oakdale, Oakridge, Olalla, Ontario, Oregon City, Oretown, Oswego, Panther Creek, Park Place, Parkersville, Parkrose, Pendleton, Pete's Mountain, Phoenix, Pleasant Hill, Polk County, Portland, Prairie City, Pratum, Prineville, Pringle, Provolt, Rainier, Redmond, Reedville, Riddle, Roberts, Rockaway, Roseburg, Rosedale, St. Helens, Salem, Sand Lake, Scappoose, Scio, Sheridan, Sherwood, Sidney, Siletz, Silver Falls, Springfield, Stayton, Talbot, Thurston, Tillamook, Toledo, Turner, Tygh, Valley, Union, Vale, Waldport, Warren, Welches, West Linn, Weston, Willagillespie, Willamina, and Woodburn.

Total number of communities—174.

Source: Taken by phone from Interior Section, National Archives, and Records Service.

MARY ANN DWAN.

Mr. MORSE. Mr. President, I offer this list because I think when we get into the argument as to whether or not we are now running a great danger of Federal interference with local education authorities, we ought to see what the record shows. The record simply does not bear out the allegation, even though a great many millions of dollars of Federal money have been channeled into local school districts.

The Senator from Oklahoma [Mr. MONRONEY] and the Senator from Pennsylvania [Mr. CLARK] in their colloquy a short time ago on the floor of the Senate talked about the land grant college program and the Smith-Hughes high school program.

The Senator from Tennessee [Mr. GORE] pointed out that, as superintendent of schools, he was the administrator of the Smith-Hughes high school program. That program has involved millions of dollars of Federal aid money over the years. I have heard no evidence and I have seen no documentation that those Federal aid to education grants by the Federal Government over the years have resulted in any Federal aid to education causing interference in the administration of local schools. That is a bugaboo argument. In my judgment, there is no basis in fact which supports the argument.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. Does not the State of Oregon have a large number of high schools which receive vocational agriculture aid for their agriculture classes?

Mr. MORSE. Yes; they have received a great deal of Smith-Hughes Act money. A good deal of land-grant college money, too, has been received under the Morrill Act over the decades.

Mr. GORE. Has the able Senator from Oregon received one solitary complaint that those programs were forcing Federal control upon the people of Oregon?

Mr. MORSE. I have not; and this has always been an issue in my political campaigns in Oregon, because when I first ran for the Senate I supported the principle of Federal aid to education. In all my three campaigns it was an issue. It was very interesting to note that it was an issue of decreasing proportion with each campaign, because the people of my State have come to understand the importance of the Federal aid program to the welfare of the educational system, not only of my State, but of the country as a whole.

Mr. GORE. Does not the Senator know of a number of communities in the State of Oregon which have received Federal aid for the construction of hospitals?

Mr. MORSE. Yes.

Mr. GORE. Is the Senator aware of any instance in which Federal control over the administration and operation of those hospitals has followed the Federal contribution to the cost of their construction?

Mr. MORSE. I have had no complaint made to me on that score.

Mr. GORE. Does not the Senator know that the Federal Government has, since 1916, provided Federal aid for highway construction, without Federal control of the contracts, of the policing of the highways, and of the maintenance of the highways?

Mr. MORSE. Yes; I know about that program. I am in complete agreement with the conclusion of the Senator from Tennessee in respect to it, so far as any threat of Federal interference is concerned.

There is one other Federal aid program in connection with education which has been mentioned in the debate. I

[1] PWA projects were of two types: Federal projects—projects which were sponsored by a Government department or agency, such as Navy, Commerce, Agriculture, etc.; and non-Federal projects—projects for which Federal grants or loans were made to local governments or to private corporations for the construction or repair of public works projects.

shall simply mention it in passing in my argument tonight. It is the aid program in connection with the so-called federally impacted areas.

Under this program, Congress has appropriated great sums of money to various areas of the country, including some in my State—several in my State, for that matter—where the school population has been greatly increased as the result of people coming into a community in order to work in Federal installations, such as shipyards, during the war, atomic energy installations, and the like.

In fact, I was confronted with a rather humorous situation at the very beginning of my campaign in 1950. I opened that campaign with a speech before the Portland Chamber of Commerce. That morning, the leading Oregon newspaper, the Oregonian, published an uncomplimentary editorial dealing with the subject matter of my alleged spendthrift votes. It was suggested that at the chamber of commerce meeting that noon, which was to be an open forum meeting, certain questions should be asked me in respect to my alleged spendthrift votes.

Believe it or not, my vote in the Senate for a Federal aid to education program was one of them. I did not wait for the question; I simply used the Oregonian's editorial as the framework of my speech before those businessmen.

I pointed out to the chamber of commerce, whose education committee, believe it or not, had come out against Federal aid to education, that they ought to be the last body of men in the whole State of Oregon to be opposed to Federal aid to education. Then I set forth the thousands upon thousands upon thousands of dollars which the Federal Government had poured into the Portland school system during the war, as an aid to the school system of the city of Portland, Oreg., because Portland was one of the federally impacted areas where the great wartime shipyards were functioning.

When I asked, "Does anybody know of any interference which Federal money has caused in the operation of the Portland school system?" there was no answer.

What a hue and cry would come up from the chamber of commerce to my office if the proposal were made that we ought to stop those Federal funds.

I said I could well imagine the kind of resolution which would be passed forthwith by the Portland Chamber of Commerce.

Of course we must keep a sense of humor in connection with these attacks; but the interesting thing is that after that speech before the Portland Chamber of Commerce, in which I spent so much time on the problem of Federal aid to education, and explained in great detail to the members the great Federal aid to education bill of Senator Bob Taft, in 1947—and I was one of the cosponsors of that bill—and after I asked them to tell me what was wrong with it, I heard very little from the business communities of Oregon about my position on Federal aid to education.

Mr. President, the claims and charges about Federal control are a scarecrow argument. Right now, the Federal Government has a program of aid for schools in so-called federally impacted areas. A few weeks ago, the town of Burns, Oreg., received a Federal grant for the cost of educating children of Federal employees; Corvallis has received such a grant for the current school year, as have Hermiston, Albany, Seneca, and McKenzie River School District, in Lane County.

No charges are being made against these Federal grants, because there are none to make. There has been no interference from Washington with the teaching, the curricula, or the scholastic standards of any of these schools, nor was there under the PWA and the WPA.

Much is being heard and being said these days about the faults and deficiencies of American education. I do not contend that money alone will cure all its ills; nor would I have the Federal Government, through its Office of Education, try to administer and enforce a stronger scholastic program in our grade and high schools. As an ex-president of a parent-teachers' association. I believe the people at the district school level have the primary responsibility, when working in cooperation with the teachers and the State authorities, for developing a program which will provide the children with educational training which will guarantee the maximum development of their mental abilities. Whether our young people receive an education in school or are simply entertained there for several hours at public expense, can be settled only by parents, educators, and local school boards.

But a great deal of the trouble is due to the financial squeeze upon existing sources of support for the schools. As a result, classrooms are overcrowded, teachers have more students in class at one time than they can properly teach, and high-caliber teachers are leaving the profession in large numbers because in many places the teachers are so badly underpaid. To the extent that adequate financing can improve our education system and the opportunities for our boys and girls to train their minds and talents to the greatest possible degree, the Federal Government should help.

Mr. President, the Clark amendment is, in my judgment, a measure of educational statesmanship. It comes to grips with one of the great problems in the entire field of our educational need.

There is a need for more classrooms, but there is also a great need for more teachers; and in my judgment we have a moral and an ethical obligation to the teachers to see to it that they receive decent pay. The Clark amendment will help them attain that goal.

I shall vote against the Case amendment because the funds it provides are inadequate. The funds authorized in the Clark amendment are the minimum we should vote this year.

It is my hope that tonight the Senate will defeat the amendment of the Senator from South Dakota [Mr. CASE], and will adopt the amendment of the Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the amendment submitted by the Senator from South Dakota [Mr. CASE] to the Clark amendment to the committee substitute.

Mr. JAVITS. Mr. President, I should like to ask several questions of the Senator from South Dakota.

First of all, am I correct in understanding that his amendment would cost $672 million a year, based upon in excess of 44 million schoolchildren who would be covered by this legislation?

Mr. CASE of South Dakota. In response, let me say that I understood the Clark amendment has been estimated to cost approximately $1,100 million. Inasmuch as $15 is three-fifths of $25, the basis of the appropriation, I assume that the cost of my amendment would be $670 million. I understand that the difference between $660 million and $670 million is due to the odd amounts.

Mr. JAVITS. Exactly.

Under the amendment of the Senator from South Dakota, the formulas used in the Clark amendment, which would provide flexibility for the utilization of this money, would be carried out, would they? The amendment of the Senator from South Dakota will change only the amount?

Mr. CASE of South Dakota. My amendment will do only one thing: It will change the figure $25, as the authorized basis of the appropriation, to $15. My amendment will make no other change.

Mr. JAVITS. I believe it would be a great mistake to pass by this amendment without carefully discussing it.

First, I think it has considerable merit to the representatives of large States such as New York. The taxpayers of the large States such as New York and the school teachers in large States such as New York in this particular case—and of course the school teachers are also taxpayers—need to find some rational ground between their two positions or interests.

It is a fact, and has been stated many times, that the large States, which pay the most taxes, will pay the largest part of the cost of this bill. New York pays close to 20 percent of the tax and other income of the Nation. Of course, under this measure New York will not receive back, and should not, anywhere nearly as much as New York will pay. But I believe there must be a certain relationship or ratio between what New York pays and what New York will receive, in order to help deal with the problems of the other States. Not all the States are poor or underprivileged; yet, no matter what plan is employed, every one of the States will receive large allotments under the provisions of this bill.

Once the concept which the Senator from Kentucky [Mr. COOPER] and I endeavored to have included, by means of our amendment—which, unhappily, was defeated—is left, it is necessary to rely on large numbers of citizens to contribute to meeting the bills of the States, many of which are able to pay their own bills. If they are unable to pay them, then I believe they should be helped in

the national interest. But I do not believe that the speeches about the importance of improving the educational system of the Nation are particularly germane in that respect. All of us can entirely agree that the educational system of the Nation is most important and must be improved; but there still remains the question of whether the States and the counties can pay their own bills or whether they cannot. However, that is a consideration with which many who have discussed the Clark amendment have yet to deal.

I believe that more consideration needs to be given to the understandable tug which occurs between the taxpayer and those who will benefit from the teacher-salary provisions.

In addition, let us remember that this is a new program, and also that the McNamara bill calls for only a 2-year program, whereas now the measure, whether by means of the Case amendment or by means of the Clark amendment, will be permanent legislation.

So I do not think any Senator, and especially those from States such as mine, who votes in support of the Case amendment will be trying to shortchange education. Instead, he will be trying to be realistic about the proposition that the second question is entitled to as much weight as is the first. The second question is whether the States which have the primary responsibility can carry the burden themselves or whether it is necessary to provide Federal aid to education to States which are among the largest in the Nation. That question is almost self-answering.

Hence, as between those two points of view—and of course Senators who favor Federal aid in this field will vote "no" in any case, on the question of agreeing to this amendment—I believe this amendment is a fair compromise.

The amount this amendment calls for is close to the $500 million proposed by the committee bill. It does give a choice to the individual State as to whether the money is to be used for construction or for teachers' salaries or both.

I beg my colleagues to consider this alternative very seriously. I intend to support it for the reasons just stated.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague.

Mr. KEATING. I share, of course, the views of my colleague with reference to the large amount of taxes paid by New York State taxpayers. From the purely selfish point of view, New York taxpayers would be very much better off, I am sure, not to have any Federal aid to education, but to send their money to the State Capitol and have it distributed from there. That, of course, is not the entire answer to the grave problem of education in this country. But I am somewhat startled by the figures on the sheet which have been given to us showing the allotments under the program contained in S. 8 and under the so-called Clark amendment.

I wonder whether my colleague from New York or the author of the amendment, or someone else, can point out to me why the result which is shown on this paper is as it appears or whether the figures are inaccurate.

The sheet which we have been handed shows that, under the so-called Clark amendment, New York State would receive back $55 million, in round numbers. Pennsylvania and California would get back slightly more than that. But the State of Texas would get back $78,321,000, vastly more than any other State under this program.

I wonder on what basis the formula was reached which would give to the State of Texas this vastly disproportionate amount in return, or whether the figures are inaccurate.

Mr. JAVITS. I should like to address that question, if I may, to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. I understand that my friends from New York do not like the State of Texas or California, or other States. This allocation formula is exactly the same for the State of New York as for other States. There is no difference at all——

Mr. KEATING. Mr. President, I demand the regular order.

Mr. CLARK. My friend asked me a question.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. CLARK. I understood I was asked a question by the Senator from New York. Is that correct?

Mr. JAVITS. I did.

Mr. CLARK. Does the other Senator from New York take me off the floor? If so I will be glad to sit down.

Mr. KEATING. I am not asking that the Senator be taken off the floor. I am resentful of the remarks of my hasty friend from Pennsylvania that I have any particular feeling about any other State in the Union. I am asking a perfectly legitimate question. It involves a State with a much smaller population but which receives a very large amount. I simply cannot understand the reason for the large figure. I think it is a perfectly proper question, and one which deserves a reasonable answer, and not one given in an impetuous manner.

Mr. CLARK. I thank my friend for his remarks. I will say to him the formula under which the allocation to the State of Texas is made is exactly the same as that under which the allocation to the State of New York is made. It is based in part on income per school age child, dividing the total income by the number of children of school age.

The Senator will note that the New York allocation is slightly more than twice as much as it would be under the McNamara bill. The Texas allocation is about 2½ times as much. The difference is due to the fact that the per capita income in Texas is less than it is in New York.

Mr. KEATING. The difficulty is that it does not seem to me quite right. At least not to my mind it does not seem equitable, and the Senator from Pennsylvania has not as yet addressed himself to my question.

I recognize the fact that the return to the State is greater under the Clark amendment than it is under S. 8. That is obvious. My trouble is in understanding why it is that the Senator's own State of Pennsylvania gets a return of $59 million, while New York gets a return of $55 million, California gets a return of $62 million, and Texas gets a return of $78 million. Certainly there must be a larger school population in the States of New York, Pennsylvania, and California than there is in the State of Texas I am asking my friend from Pennsylvania to tell me what the other elements are which enter into that figure, I thought that perhaps the figures were inaccurate.

Mr. CLARK. I shall be very happy to answer. The formula is the same as in the bill proposed by the Senator from Michigan. It takes into account per capita income for each school child in each State. The basic answer to the Senator's question is that the per capita income per school child in Texas is less than the per capita income per school child in New York. For that reason, the State of Texas gets slightly more than New York. It is a complicated formula. I could stay here all night trying to simplify it, but it cannot be simplified. The result is that there is no substantial difference between the formula under the Clark amendment and the formula under the McNamara bill.

Mr. JAVITS. Mr. President, if the Senator from Pennsylvania will give me his attention, I think there is a question which can help us. I hope the Senator from Pennsylvania will not think we are trying to be antagonistic. I think we are trying to get the same answer in terms of results. I do not feel antagonistic, and I am sure my colleague does not, as our votes will show.

I should like to address myself to the key point. Perhaps it would help us understand the proposal better. Under the McNamara bill, New York, my own State, would receive an amount that is not too disproportionate, as appears in the column of the amounts to be received under the Clark amendment. In round figures, New York would receive $24 million under the McNamara bill. Texas would receive $33 million.

Under the Clark amendment, according to the green sheet which has been passed to us, New York would receive $55 million, and Texas would receive $78 million. There is a much larger difference at that point between the two figures. I believe it would help us to have an explanation as to why the formula under the Clark amendment seems to make such a radical difference.

Mr. CLARK. I am happy again to try to make it clear to my friend. As he will see by looking at the figures for New York and Texas, where there is provided more than twice as much for Texas under the Clark amendment, one would naturally expect to get more than twice as much as under the McNamara bill. As my friend has said, the formula does work slightly in favor of Texas as opposed to New York. The reason for it is that in determining how the money is allocated under the Clark amendment, it is by a complicated formula, set forth in section 5 of the bill. We have a situation in which the amount allocated is slightly more heavily weighted, but not very much, in favor of States with lower per capita income.

Mr. JAVITS. I thank my colleague. I think that is the explanation we have all been looking for. There is, in short, not simply a mathematical addition, but there is a somewhat greater weighting for the flat capitation figure. I think my colleague answered that.

Mr. President, I wish to conclude my own views on this matter. As I say, there is a real struggle between the large taxpaying States in regard to the payment of taxes and the need for helping our brethren in other States, who have deep educational problems, with their other problems. From my point of view, and I think from the point of view of my State, the guarantee of bond interest and principal was much the preferable course. It was a rifle shot at a clear target. We are now getting into the shotgun approach.

Nonetheless, I am committed to Federal aid to education upon some reasonable basis. I think the Senator from South Dakota has given us in the large taxpaying States a more reasonable way in which to deal with this problem, with full flexibility and amplitude to our brother States who need it the most, than is provided by the Clark amendment, and I shall therefore support the amendment of the Senator from South Dakota [Mr. CASE].

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague from Pennsylvania.

Mr. SCOTT. I should like to be sure we clarify a little more what the distinguished Senator from New York has said, by comparing the amounts to be provided. The Senator has used the State of Texas as an example. I think we should compare Texas with Pennsylvania.

Under S. 8 Texas, as the Senator has said, would receive $33 million, and Pennsylvania would receive $26,819,000. Under the Clark amendment Texas would receive $78 million, and Pennsylvania, which pays substantially more Federal taxes than Texas, would receive only $59,657,000. There is a much greater disparity under the Clark amendment operating against Pennsylvania and against New York than there is under S. 8.

While this has been referred to as a complex formula, nevertheless does not the Senator agree with me that the operation of the formula tends to penalize heavy taxpaying States such as Pennsylvania and New York in favor of States which pay far less taxes, such as Texas and Alabama? Will not the Senator agree that will be the operation?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I should like to answer the question, and then I will yield.

I do not like to use the word "penalty," because, as I say, I think we have to help our brother States.

Mr. DOUGLAS. Mr. President, may we have order in the Chamber, please?

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. I do not think I would like to use the word "penalty," because we have to help our brother States in this very critical field. As I say, I think we have missed the chance to help them in the optimum way, but that is now water over the dam. I think it is fair to point out that by adopting the Clark amendment we would go further in this disparity as between the large States, like Pennsylvania, New York, and similar States, and the States which need this help than would be true under the original McNamara proposal. Therefore, on the basis of endeavoring to arrive at some reasonable compromise, to give flexibility in helping to provide an increase in teachers' salaries, which in turn leads to this disparity and to help minimize the problem as much as we can, I said I would vote for the amendment of the Senator from South Dakota [Mr. CASE].

Mr. President, I now yield to my colleague from Pennsylvania.

Mr. CLARK. Mr. President, I thank my friend from New York for his calm and dispassionate explanation.

I say to my good friend and colleague from Pennsylvania, I think no doubt inadvertently he has given an effect to the figures which simple mathematics would not justify. If my friend would multiply by 2⅓ the amount given under the McNamara proposal, he would find it would be within a relatively small amount—not exactly, but a relatively small amount—of what would be received under the Clark amendment by Pennsylvania, New York, and Texas. There is a difference, but it is quite a minimum difference.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield again.

Mr. SCOTT. I should like to proceed a little further. I am using the tables which are made available to all of us tonight. Does my friend the senior Senator from Pennsylvania disagree with the tables, or merely with the operation of the formula? Are these tables substantially correct?

Mr. CLARK. They are.

Mr. President, I ask unanimous consent that the table may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Allotments to States under S. 8 as reported by committee and as allotted under the Clark amendment to S. 8 using same formula

State	Annual allotments under S. 8 authorizing an appropriation of $500,000,000 [1]	Annual allotments under Clark amendment to S. 8 authorizing $25 per child in total United States [2]
1	2	3
Aggregate United States	$500,000,000	$1,146,100,000
50 States and the District of Columbia	486,038,082	1,116,653,000
Alabama	15,267,667	32,290,000
Alaska	253,952	802,000
Arizona	4,088,168	9,962,000
Arkansas	8,616,229	17,176,000
California	24,526,442	62,978,000
Colorado	5,029,701	12,138,000
Connecticut	2,980,913	6,985,000
Delaware	592,555	1,603,000
District of Columbia	876,739	2,061,000

See footnotes at end of table.

Allotments to States under S. 8 as reported by a committee and as allotted under the Clark amendment to S. 8 using same formula—Continued

State	Annual allotments under S. 8 authorizing an appropriation of $500,000,000 [1]	Annual allotments under Clark amendment to S. 8 authorizing $25 per child in total United States [2]
1	2	3
Florida	$11,621,206	$29,542,000
Georgia	16,868,483	37,787,000
Hawaii	2,147,370	5,038,000
Idaho	2,699,631	5,840,000
Illinois	17,837,346	42,023,000
Indiana	12,917,692	30,916,000
Iowa	9,002,889	19,695,000
Kansas	6,384,958	14,771,000
Kentucky	13,599,783	28,970,000
Louisiana	13,311,535	30,000,000
Maine	3,179,455	6,985,000
Maryland	7,693,077	18,664,000
Massachusetts	9,191,732	19,924,000
Michigan	20,407,510	51,527,000
Minnesota	10,873,910	24,848,000
Mississippi	11,083,191	23,588,000
Missouri	10,904,385	24,619,000
Montana	2,242,082	5,267,000
Nebraska	4,499,909	10,076,000
Nevada	489,160	1,374,000
New Hampshire	1,656,662	3,664,000
New Jersey	9,187,451	22,100,000
New Mexico	3,775,105	8,588,000
New York	24,175,287	55,879,000
North Carolina	20,537,267	45,344,000
North Dakota	2,770,858	5,954,000
Ohio	22,271,010	53,703,000
Oklahoma	8,116,427	16,718,000
Oregon	5,073,308	11,794,000
Pennsylvania	26,819,024	59,657,000
Rhode Island	1,902,100	4,466,000
South Carolina	12,389,230	27,481,000
South Dakota	2,783,725	6,183,000
Tennessee	14,697,315	31,603,000
Texas	33,066,824	78,321,000
Utah	3,629,143	8,588,000
Vermont	1,310,828	2,748,000
Virginia	13,899,519	31,947,000
Washington	7,371,985	17,519,000
West Virginia	8,713,069	17,519,000
Wisconsin	11,648,730	27,023,000
Wyoming	1,055,545	2,405,000
Outlying areas	13,961,918	29,447,000
Guam	326,510	675,000
Puerto Rico	13,459,456	28,397,000
Virgin Islands	175,952	375,000

[1] Figures from 86th Cong., 1st sess., report of Committee on Labor and Public Welfare, pp. 10–11.

[2] The Clark amendment to S. 8 authorizes an appropriation of $25 per child of school age in the total United States. This amount ($1,100,000,000 annually) is distributed according to the same equalization formula as contained in sec. 5 of S. 8. The amendment would give the States the freedom to use the Federal funds for either or both school construction and teachers' salaries. The figures shown in col. 3 are calculated on the basis of school-age population as of July 1, 1960.

Mr. SCOTT. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. I think this discussion serves a good purpose, by pointing out that there is a formula which is intended to consider educational opportunity and the ability of the States. I did not seek to go into that matter at all, but I think the disparity has been overemphasized. I have been using my pencil, trying to figure out the proportions. If one works out a proportion of the first to the second figure in each case, the disparity is not very great. The difference in regard to New York approaches $2 million, if the figures go up in the same proportion. The difference in regard to Pennsylvania is about $1½ million, if my quick computation is correct. In both instances I think it would be recognized that the State of Pennsylvania and the State of New York profit a great deal by the de-

velopment of the other States. They are not martyrs.

Mr. JAVITS. Mr. President, in fairness to this discussion I could not close without making it clear that of course the people of New York live in a nation. They pay the most taxes. They do the most business. They receive the most income. New York has the most people—at least until California catches up with us, and I hope we will keep ahead of them. New York has the leading port in the United States. For many other reasons our position is one which we properly occupy and we have a proper responsibility.

I simply point out in all fairness, Mr. President, that in the tug which goes on between these conflicting schools of thought—on the one hand the taxpaying States, and on the other hand the need for some Federal aid to the educational system—there has to be some rough compromise, some give and take. I submit only that the Case of South Dakota amendment seems to me to be a fair compromise, considering the position in which we now find ourselves in this Chamber.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague from Kentucky.

Mr. COOPER. Mr. President, I think it might be fair to say that the formula in S. 8, in the amendment which we offered this morning, and also in the Clark amendment are the same. The formula is based up the equalization theory. It provides that an allocation shall be made to the State based upon the income per school child of a particular State compared to the income per child throughout the country. Those States which have smaller personal incomes will receive more money than the States with larger personal incomes.

I said this morning that I would prefer to vote for a bill which would increase teachers' salaries, rather than to vote for a school construction bill. I hold to that position.

In 1948 the Taft bill was passed. There was a rational formula upon which that bill was based. Considering the contributions which were made by the States and by local school districts at that time, it was found that about $300 million a year would provide at least a minimum sum per school child in all the States. I have looked up the figures. The need today is about double. It seems to me perfectly rational that twice such an amount would be a reasonable allowance, and that is about the level offered by the amendment of the Senator from South Dakota.

Mr. AIKEN. Mr. President, does the Senator from Kentucky have the floor?

Mr. JAVITS. I have the floor. Mr. President, the Senator from Arkansas [Mr. FULBRIGHT] has been trying to get the floor, and I will yield the floor so that he may proceed.

Mr. FULBRIGHT. Mr. President, I have heard debate on this question for many years. I do not know that I can add anything new, but I should like to say a few words about the situation in my State.

I am aware of the responsibility which States and local communities have in providing financial support for public education, and I am committed to the proposition that they should discharge that responsibility to the limit of their ability. It is not in order to relieve States and local communities of their obligation to support education that I have during my service in the Congress been a strong advocate of an adequate program of Federal support.

I have advocated Federal support because I believe that quality education for all of the Nation's children should be a priority concern of the Nation and of the Congress and because I am painfully aware that there are sections of our country where State and local support alone cannot provide that kind of education.

I am thinking of my own State, where during the last decade really remarkable gains have been made in State and local support to education, and where in spite of those gains the per pupil expenditure for education is still $203 under the average for the Nation and where the average salary for a teacher is $3,325 as compared with the national average of $5,025.

I want to say something about the effective, informed citizens group through whose activities the phenomenal increase in State and local support to education was brought about in Arkansas. I bring the matter up at this point not simply as something to be read into the record but because I think it has bearing on how we interpret the will of the people in this matter of Federal support for education.

To understand the present status of education in Arkansas one needs to go back a few years. If we were to go back 7 years to 1953 we would find a climate of education in my State which differed in degree only from that in other States.

We were offering cutrate education. We were wasting future manpower. We were neglecting our teachers. We were condoning poor schools. We were refusing to pay the cost. As a consequence, there was a steady deterioration in teacher morale and the quality of the educational program.

By 1953 much had been said, mostly by school people, about the crisis in education. Many laymen—particularly members of the legislature—began to infer from its continued existence that the crisis was not real—that it was only the product of the imagination of the alarmists. Only stopgap proposals for meeting it were made or even considered.

All efforts to enlist effective citizen interest and support had failed. It was becoming increasingly evident that too few people understood the magnitude of the educational problems confronting the State and their relationship to the future of the State and the Nation.

This was the situation in Arkansas as in 1953, when a deliberately planned campaign of action in behalf of better schools was launched. It began with a small group of concerned laymen who worked with members of the organized teaching profession under the leadership of Forrest Rozzell, executive secretary of the Arkansas Education Association. The group had as its purpose the development and dissemination of information which would help the public understand the status and needs of their schools.

The group worked through every channel available to it to accomplish this purpose. Its members involved themselves in the State studies for the 1955 White House Conference on Education. They formed teams and visited schools throughout the State, measuring those they visited by guide lines of what a good school ought to be. They studied problems of curriculum, district organization, teacher competencies, school financing, and the special problems of higher education in the State. In 1955 they published a report. They planned, conducted, and followed through on a State conference called by the Governor to make the public aware of their findings.

The critical nature of the school situation, as outlined in the report led to the appointment of the Governor's Advisory Committee on Education. The GACE immediately proceeded during the years of 1955 and 1956 to recommend some of the most urgently needed steps to relieve the pressure of public education problems, and by the time the General Assembly met in January of 1957, the GACE had developed throughout the State a climate of understanding favorable to the specific legislative relief which the Committee was proposing for the schools. Measures enacted into law by the General Assembly that year provided a 49 percent increase in State support for schools out of a 33 percent increase in State taxes. Of equal importance to the shoring up of the State school revenue picture were the measures taken by the State legislature to strengthen the program of reassessment of local property.

Following its legislative success, members of this statewide movement for better schools, still availing themselves of Forrest Rozzell's leadership, vision, and devotion to education, have continued to study school needs and to propose goals for an improved educational program.

I take the time here to refer thus at length to the citizen movement in my own State in behalf of better schools, because it is a situation which is to be found in most of the States. Because this is the case, people are now better informed than ever before about educational needs and the possibilities on local, State, and national level of meeting those needs. Being thus informed, people who are concerned about schools realize more fully than ever before that Federal support to education is imperative. They know that action by the Federal Government to meet the needs of education is inevitable, and they are sufficiently well informed on educational matters to be insistent that the action taken by us be in conformity to sound educational policies and procedures.

SOME FACTS ABOUT THE NEEDS FOR FEDERAL SUPPORT FOR ARKANSAS

During the past 10 years tax support for public elementary and secondary

schools in Arkansas has been increased from $32,935,000 annually to an estimated $81,500,000 this school year. This is an increase of about 148 percent. This $48,565,000 annual increase in the tax burden borne by the people of Arkansas came from increases in the local property tax, an increase in the sales tax from 2 percent to 3 percent, approximately a 50-percent increase in personal income tax, and approximately 25-percent increase in severance taxes. The increase in the sales tax was ratified by the people of Arkansas voting in the 1958 general election by a majority of almost 3 to 1.

In Arkansas during the school year 1957–58 the people spent 4.28 percent of their total personal income for all public elementary and secondary school expenses, including maintenance and operation, capital outlay and interest payments; the national average was 3.80 percent. Yet the average expenditure per child in Arkansas was only $252, while the national average was $455. The people of Arkansas with an effort that was 12.6 percent greater than the national average could provide only 55.4 percent of the average amount of money per child.

In Arkansas we have further to go than almost every other State in elevating teaching to the preeminence to which it is entitled. Even though teachers' salaries in Arkansas during the past 10 years have been increased percentagewise to a greater extent than the national average—84.4 percent versus 71.4 percent—the dollar gap has increased by approximately $800.

As a result of the tax measures enacted by the general assembly in 1957 and retained in 1959, teachers' salaries in Arkansas have been increased approximately $850 annually, about 35 percent in the past 3 years; however, the average salary of the Arkansas teacher this year is only 66 percent of the national average: $3,325 versus $5,025.

While the average salary in Arkansas 10 years ago amounted to only 60 percent of the national average, the average salary in Arkansas was only $1,091 less than the national average. Even though the average salary of the teachers in Arkansas during the past 10 years has been increased as a percentage of the national average from 60 percent to 66 percent, the dollar differential has increased to $1,700.

It is generally conceded that the amount of education that a child gets will be an important factor in his economic future as well as in his all-around development. The Bureau of the Census estimates lifetime earnings by amount of education as follows: No schooling, $58,000; 8 years—elementary, $116,000; 4 years—high school, $165,000; 4 years—college, $268,000. In contrast to these figures the average teacher in Arkansas who has taught the past 40 years—a lifetime—has earned a total of $41,613. This is over $16,000 less than the estimated lifetime earnings of persons with no schooling.

In Arkansas, as elsewhere, the teacher makes the school. It is not possible to attract and keep in the teaching profession the kind of teachers that our children must have with salaries as low as they are. The greatest need in Arkansas today for the improvement of the elementary and secondary education program is more funds for teachers' salaries.

To increase teachers' salaries in Arkansas this year just to the national average would require an additional expenditure of $24.6 million. To raise them to a level which is commensurate with their responsibilities would require a total additional expenditure of $97.1 million. This is the basic problem with which the Federal Government should be concerned. Arkansas does not have the taxable wealth with which an adequate system of public education can be financed. The only hope for either immediate or long-term relief lies with the Congress of the United States—with the adoption of a sane and sensible policy of financial assistance to public education.

The Clark amendment would provide $16 more per child in Arkansas than the average for the Nation—$41 versus $25. Since most of the Federal funds allocated to Arkansas would be used for teachers' salaries, significant progress would be made in raising teachers' salaries in Arkansas toward the national average.

In conclusion I have a few words to say with respect to the argument regarding Federal interference. It is true that we have had Federal interference in education, but it did not come as the result of any Federal aid to education bill.

We have had the land-grant college acts for nearly 100 years. I am very familiar with the way in which this law operates in connection with the land-grant college of my State. Everyone should know that throughout that period there has been no interference in the substantive curricula of that institution. The only thing the Federal Government does is to audit the accounts to assure that the money is applied for the purpose for which it was appropriated.

I need not recite the events. We have gone over the subject year after year. We all know that there is no substance to the argument that we would be supporting Federal interference because of this bill. It is true that we have had Federal interference, but this bill did not contribute to it, nor did any other bill contribute to it. That interference was a matter of political influence, which derived from another source. Do not think there is anything to that argument.

As between the two proposals, the Clark and Case amendments, there is no difference except for the amount—$15 per child as against $25. I do not believe that under the present conditions which face this country, any man can reasonably say that there is not a need for everything carried in the Clark amendment. In fact, there is need for much more than that.

I hope the amendment of the Senator from South Dakota will not be adopted. If we are to have a bill at all, it must be a bill which can provide a reasonable program to meet the needs of the present situation.

More than 10 years ago the Senate passed a bill sponsored at that time by the then senior Senator from Ohio, the late Senator Taft, and cosponsored by a number of other Senators, including myself. That bill provided an initial appropriation of $300 million, but actually the Clark amendment provides no more, considering the relative cost and the needs. In fact, it would not provide as much as the bill of 10 years ago provided. I have thought, ever since that bill failed in the House, what a different Nation this Nation would be if that bill had passed. I dare say that much of the trouble which has arisen from other sources, such as the Supreme Court's meddling in education, would never have happened. Had there been this kind of money appropriated to the States, we would have had adequate educational institutions, and we would have had equal (and adequate) facilities. I certainly think that would have been so in my State, as well as throughout the Nation. We should have had equal facilities, and there would have been no genuine basis for complaint about the system of education which is maintained in the poorer and less developed areas of this Nation.

I would end by saying that I do not know of anything in any field—missiles or airplanes or anything else—that is as important to the future of this country as education.

As a matter of fact, I believe that much of the failure in the missile program is attributable to the failures and deficiencies in our educational system, going back 50 years. We all know that the Russians—and I do not want to put this on the basis of competing with the Russians, because we ought to be doing it even if Russia did not exist—have been educating three times as many engineers as we have. On that point I had a letter from the professor of engineering in the University of Illinois a few days ago, in which he said, "I see that you have stated that Russia has graduated three times as many engineering students as the United States." He said, "I want to tell you that I have paid a good deal of attention to this matter, and I can say they are as good as or better in quality than ours, in addition to being as many." He said, "This is the most disgraceful area of public activity of any in this country."

For 50 years we have permitted our educational system to gradually run down to where it is distinctly inferior in quality, beginning in the elementary schools and going to the secondary schools. The place where the need is the greatest is in the elementary and the secondary schools. Higher education has received relatively better treatment not only in the States, but certainly in the private school field, because rich men like to endow universities; they do not care about elementary schools or high schools.

So, Mr. President, if we are going to do anything at all in this field, it ought to be done in a reasonably adequate amount, as provided in the Clark amendment. I shall vote against the Case amendment, and I shall vote for the Clark amendment.

The PRESIDING OFFICER. The question is on agreeing to the amend-

ment offered by the Senator from South Dakota [Mr. CASE]. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. AIKEN. Mr. President, I shall vote for the Case amendment. If that is defeated I presume I will vote for the Clark amendment, but only as an expression of opinion that there should be some aid given to our States for educational purposes.

However, frankly I do not think it makes any difference whether the amount is a billion dollars or $600 million or 50 cents. It is the effort in this amendment on the part of Congress or the sponsors to tell the States how they shall spend Federal aid school money that is objectionable.

As has been said here by several speakers the bill which was passed in the Senate 12 years ago by a vote of 58 to 13 safeguarded the States against Federal control over education. I had hoped that the Magnuson amendment would be approved by the Senate tonight, because then I could have voted for the Clark amendment with a clear conscience, for the reason that the States would then have been safeguarded. Now, however, I vote for it simply as an expression of opinion, and with the hope that the other House or the conference committee, or whoever makes the final decision on it, will make it a bill good enough so that it may be signed into law. If it is not improved so as to safeguard the rights of the States then I would hope and expect that regardless of whether it is passed by both Houses, it would not become law.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. CASE of South Dakota. Mr. President, may we have the amendment to the amendment stated?

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7 of the Clark amendment it is proposed to strike out "$25" and insert in lieu thereof "$15."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Pennsylvania [Mr. CLARK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished Senator from Colorado [Mr. ALLOTT]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I further announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business and his pair has been previously announced by the Senator from Illinois [Mr. DIRKSEN].

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is detained on official business.

The result was announced—yeas 33, nays 54, as follows:

YEAS—33

Aiken	Dworshak	McClellan
Beall	Fong	Morton
Bennett	Goldwater	Mundt
Brunsdale	Hickenlooper	Prouty
Bush	Hruska	Schoeppel
Carlson	Javits	Scott
Case, N.J.	Johnston, S.C.	Talmadge
Case, S. Dak.	Keating	Thurmond
Cooper	Kuchel	Wiley
Cotton	Lausche	Williams, Del.
Curtis	Long, La.	Young, N. Dak.

NAYS—54

Anderson	Gore	Magnuson
Bartlett	Green	Mansfield
Bible	Gruening	Martin
Butler	Hart	Monroney
Byrd, Va.	Hartke	Morse
Byrd, W. Va.	Hayden	Pastore
Cannon	Hennings	Proxmire
Carroll	Hill	Randolph
Chavez	Humphrey	Robertson
Church	Jackson	Russell
Clark	Johnson, Tex.	Saltonstall
Dodd	Jordan	Smith
Douglas	Kefauver	Sparkman
Ellender	Kennedy	Stennis
Engle	Kerr	Symington
Ervin	Long, Hawaii	Williams, N.J.
Frear	McCarthy	Yarborough
Fulbright	McNamara	Young, Ohio

NOT VOTING—13

Allott	Holland	Neuberger
Bridges	McGee	O'Mahoney
Capehart	Moss	Smathers
Dirksen	Murray	
Eastland	Muskie	

So the amendment of Mr. CASE of South Dakota to Mr. CLARK's amendment was rejected.

Mr. CLARK. Mr. President, I move that the Senate reconsider the vote by which the amendment to the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK].

Mr. DIRKSEN. Mr. President, I am always distressed when I have to oppose an amendment from my own side which in comparison with what has been offered has merit. But I would not want my vote, by implication or otherwise, to indicate in the slightest degree that I favor the inclusion of any earmarking for teachers' salaries in an education bill.

I have listened rather intently and attentatively to the whole discussion. I do not know that I am an amateur in the field, because of three brothers in the family I am the only one who did not marry an elementary school teacher. So if there is anything to the suggestion that propinquity has an effect, I think something about teachers' salaries should have rubbed off on me over the years from my sisters-in-law who are school teachers. That has simply added to my edification as I have listened to the debate.

What disturbs me about the teachers' salary question is that no matter what has been said on the floor, it will be an inevitable political issue in this country from now on. I remember the jingle I once heard:

Whose meat I eat, whose song I sing.

If Senators think for one moment that under an emergency 2-year bill they will shut off the issue of teachers' salaries at the end of 2 years, I believe they are badly mistaken. At the end of 2 years, what will it be with 1,500,000 school teachers in the United States? Do Senators think they are going to be a quiescent and dormant political organization? They will be demanding that this treatment continue after the 2-year period; in fact, that it continue to increase. That will make it a political issue.

The Senator from Oregon [Mr. MORSE] confessed the whole case tonight on the floor of the Senate, when he said, "In my 1950 campaign, I made an issue of Federal aid."

If we need any other disclosure on this floor than that, to make clear that it is going to be an issue, I do not know what it would be. He said, "In my 1950 campaign I appeared before the Chamber of Commerce in Portland, Oreg., and told them how wrong they were on Federal aid, and it became a political issue."

Do we think for a moment that teachers will not be a political issue from now on? The issue will involve the qualifications of teachers and the performance of teachers and the money which will be allocated to the various States.

What was the discussion here tonight? We heard references to the unhappy fact that one State will receive more than another State will receive.

I must say to my good friend, the Senator from Texas [Mr. JOHNSON], that I am a little unhappy about the Clark amendment, because under it Illinois will receive only $42 million, whereas Texas will receive $78 million. What do Senators think the Illinois delegation will do when its Members return home? With 25 Members in the House of Representatives and 2 Senators, their constituents will say to them, "We have a larger population than Texas. Why didn't you get more money out of the Federal till?"

That has been the discussion here tonight, and we have listened to it. Do Senators think this is not going to be a political issue?

The question of how many college degrees a teacher has will finally come into play, and also the question of how much postgraduate work has been done, as a part of a teacher's qualifications, and whether the teacher has gone to summer school.

We can go a little further, in fact. Once I was the mayor of this city, as chairman of the House Committee on the District of Columbia; and I remember when we investigated the school books used in the District of Columbia. That investigation went on for a long time. After a while a teacher may be told that he or she will not be paid any money from the Treasury unless he or she passes a written examination on Muzzey's "History of the United States." [Laughter.]

O Mr. President, this will have many sweet possibilities before we get through with it.

So I am not going to invite a political issue of this kind.

When it comes to the question of salaries, has it occurred to Senators that the aggregate of teachers' salaries in the United States last year was a little more than $5,100 million? That is a choice fund for politics, is it not? We know very well that in my State and in other States, 1,500,000 teachers are going to say, "It ought to be more." Then, when we go out on the hustings, let us be sure that we promise more, or else we may not come back. It is really a wonderful situation.

Mr. President, the salaries are half of the whole cost of elementary education in the United States. Does any Member wish to rise here and state this is not going to be political, and that Federal control of the schools can be avoided? That will sneak up on our oblique side; and, whether we like it or not, it will become a great organized political force, and we will be up to our ears in education and Federal aid to education, and we will be wondering how to get out.

Mr. President, that is not my dish, and I am not going down that road.

That is why the President said on Tuesday morning that he did not want to have any part of teachers' salaries in an aid-to-education bill. I do not pretend to say what the President will do with the bill when it lands on his desk. But I know he speaks clearly; and when he says "No teachers' salaries in the bill," I do not need a hearing aid in order to interpret what he means.

I do not know; perhaps Senators want an issue, instead of some kind of a bill. If that be the case, OK. But I am stating what is down the road, as regards what will be the political implications of teachers' salaries in a Federal bill; and I speak with at least a little authority, having had three brothers, all of whom married elementary school teachers, and I used to hear the story from them.

Now I am going to lay one ghost, and then I will quit: On this floor I have heard for a long time that we are behind the Soviet Union in the educational field, and that something ought to be done about it. That ghost was raised here again tonight. It is about time that, instead of dealing with this matter by the use of unfounded generalities, we find out what the story is.

The last UNESCO report says that the U.S. allocation for education was larger than that in the Soviet Union. In 1957, the Soviets spent 78,900 million rubles. When converted into solid money, that amounts to $7,800 million. We are ahead of them in expenditures in the educational field.

What has happened, however, is that too often the figure with respect to the Soviet gross national product and the figure with respect to the Soviet budget are confused. But on any score, we are ahead of the Soviets.

I do not want to go down the road of teachers' salaries, only to discover at the end of the road—notwithstanding the weeping and the wailing—that we shall have created the greatest political issue that has been established in a long period of time.

Mr. President, I wish I could have voted for the amendment of the Senator from South Dakota [Mr. CASE]; but, in the nature of things, I could not do so, because by implication such a vote by me might have been misunderstood as meaning that I am willing to take half a loaf in that field. I am not willing to take anything in that field.

Mr. President, the Clark amendment should be rejected tonight by the Senate by one of the most resounding votes ever cast in this body.

I yield the floor.

Mr. HUMPHREY. Mr. President, I shall speak very briefly.

I do not believe an argument such as the one which has been made by the distinguished minority leader should go unchallenged. It is perfectly obvious that the distinguished minority leader feels that the item of education should be excluded from public legislation. He says it will be a political issue. Of course a matter as important to the welfare of the Nation as education should be discussed from the public platforms, in the legislative bodies, in the school boards, in the PTA's, and in the Congress. To brand something a political issue is not to make it evil or undesirable. Indeed, every matter we discuss has some political significance.

The real problem as regards the school teachers has been that they have not been mobilized, and many times they have permitted themselves to be exploited, simply because other areas of the economy were given higher priority.

Tonight, I have heard the minority leader refer to the amount spent on teachers' salaries. I remind him that it is a great deal less than the amount spent on cigarettes, commercial forms of recreation, on cosmetics, whether with or without cancerous properties; and on spirits or alcohol or automobiles and automobile facilities.

To argue, in condemnation, that several billion dollars is spent on education, seems to me to argue for education. Certainly the amount spent on it is inadequate. To compare what we spend on education with what the Soviets spend on education is, in view of the standard of living in the United States, indeed an inadequate comparison.

Furthermore, as the Senator from Arkansas [Mr. FULBRIGHT] said some time ago, we do not need to have what we do in regard to education governed by the Soviet standards. Although indeed it is important that we have the finest educational standards in the world, I certainly hope we do not need to obtain our motivation from a fear of the Soviet Union.

Rather, we ought to get our motivation out of love and enlightenment, out of dedication to the enrichment of the human mind.

The next generation will witness a struggle in the field of brainpower. It will be a struggle of intellectual development. That is what the Soviet Union is concentrating on. It seems to me a democracy such as ours ought to place the highest priority on the development of the personality and the intellect of its citizens.

The minority leader says the school teachers will mobilize for more money if this amendment is passed. All I can say is they should have done it years ago. They have been willing to sing in the choir. They have been willing to attend PTA meetings. They have been participating in community functions. They have done everything, including taking care of families, education, social development. They have to be purer, nobler, more self-sacrificing than any other group in America. They have been kindly, considerate, and self-sacrificing. Finally some of them are saying they are tired of working for less than substandard wages. They are under constant pressures. They have to please mamma, papa, daughter, and son. They have to please the school board. They have to please the city fathers, and all of us. Then we pay them an average salary of less than $5,000 a year.

The Senate of the United States is in no position to say teachers' salaries are adequate. We do not pay anybody around here too much, but I can tell Senators that——

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HUMPHREY. Not at this moment. I shall yield the floor in a moment.

Mr. BUTLER. I would like to ask the Senator a question.

Mr. HUMPHREY. We pay our employees as a group much more than the average teacher's salary in this country.

While there is a shortage in the way of school facilities, that problem is secondary to the real problem of education. The real problem is in teaching. I want to see teachers paid well enough so we can encourage the finest minds, souls, and spirits in America to enter the teaching profession. I want to be sure that when my children go to school, they will have teachers who will inspire them to reach the highest achievement of which they are capable.

We have allowed schools to be operated on emergency teaching certificates. We

would not allow a taxicab to be operated that way. We insist that people who drive our cabs, trucks, and automobiles have certain standards they must comply with. Indeed, they should, but we have in the United States thousands of teachers who are teaching because of a teacher shortage, on what we call emergency certificates.

Mr. President, this country has been mighty good to me. I have been able to have a son and daughter attend both private and public schools. I happen to believe strongly in public education. It is the backbone of the entire American system, but I want to say that private schools fulfill an important function, that parochial schools fulfill an important function. We need all kinds of schools.

Were it not for the private and parochial schools and the burden they have taken off the American taxpayer, the American public education system would be literally overwhelmed today. There are some 5 million boys and girls in parochial and private schools. The parents of those children pay taxes for public schools as well. Imagine what would happen in America if those 5 million children were placed in public schools.

I have been reading in the press about the missile gap, the Strategic Air Command, how far behind Russia we are in rockets, how far we are behind them in the deterrent factor. I do not know what the facts are of my own knowledge. I rely upon the testimony of those who come before our committees and the advice of my colleagues who are expert by background, experience, and intellect, to give me the answer.

I say to my distinguished friend from Illinois that his argument against this proposal is one of fear. He says teachers will be a pressure group. Why not? We should have in the teaching profession the very finest people we can get.

I am not influenced by the argument of the Senator from Illinois. It is an argument of fear, it is one of doubt, it is one that lacks faith. Let us not be fearful in our approach. It is time for the Congress to stop dilly-dallying, and that means to vote on this question of whether we want to provide better incentives for teaching to help education in America.

Mr. DIRKSEN. Mr. President, I am always enraptured whenever I hear my colleague from Minnesota. No one is more skilled in arguing a question. Neither Aristotle nor Rufus Choate nor the keenest mind in Harvard Law School could do better.

I am for increased salaries for teachers. The only point I make is that we should provide the increase in our States. Then we shall have no difficulty.

That is the best reason I know of for voting down the Clark amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILEY (when his name was called). Mr. President, on this vote I have a pair with the Senator from Colorado [Mr. ALLOTT]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Florida [Mr. HOLLAND] is paired with the Senator from Oregon [Mr. NEUBERGER]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Oregon would vote "yea."

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business and his pair has been previously announced by the Senator from Wisconsin [Mr. WILEY].

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The result was announced—yeas 44, nays 44, as follows:

YEAS—44

Aiken	Fulbright	McNamara
Anderson	Gore	Magnuson
Bartlett	Green	Mansfield
Bible	Gruening	Martin
Byrd, W. Va.	Hart	Monroney
Cannon	Hartke	Morse
Carroll	Hennings	Pastore
Chavez	Humphrey	Proxmire
Church	Jackson	Randolph
Clark	Johnson, Tex.	Smith
Cooper	Kefauver	Symington
Dodd	Kennedy	Williams, N.J.
Douglas	Kerr	Yarborough
Engle	Long, Hawaii	Young, Ohio
Fong	McCarthy	

NAYS—44

Beall	Cotton	Hill
Bennett	Curtis	Hruska
Bridges	Dirksen	Javits
Brunsdale	Dworshak	Johnston, S.C.
Bush	Ellender	Jordan
Butler	Ervin	Keating
Byrd, Va.	Frear	Kuchel
Carlson	Goldwater	Lausche
Case, N.J.	Hayden	Long, La.
Case, S. Dak.	Hickenlooper	McClellan
Morton	Saltonstall	Talmadge
Mundt	Schoeppel	Thurmond
Prouty	Scott	Williams, Del.
Robertson	Sparkman	Young, N. Dak.
Russell	Stennis	

NOT VOTING—12

Allott	McGee	Neuberger
Capehart	Moss	O'Mahoney
Eastland	Murray	Smathers
Holland	Muskie	Wiley

So Mr. CLARK's amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the Clark amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. ANDERSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ANDERSON. Is this a vote on the motion to lay on the table or a vote on the motion to reconsider?

The PRESIDING OFFICER. The vote will be on the motion to lay on the table the motion to reconsider.

Mr. CURTIS. The vote is "yea."

Mr. CLARK. Mr. President, a parliamentary inquiry.

Mr. BUSH. The regular order.

Mr. DWORSHAK. The regular order.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. If the desire is to reconsider, the vote should be "nay."

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

Mr. BENNETT. Which is not debatable.

The PRESIDING OFFICER. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILEY (when his name was called). On this vote I have a pair with the senior Senator from Colorado [Mr. ALLOTT]. If present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. McGEE], the Senator from Utah [Mr. Moss], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Florida [Mr. HOLLAND] is paired with the Senator from OREGON [Mr. NEUBERGER]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Oregon would vote "nay."

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Montana [Mr. MURRAY], and the Senator from Maine [Mr. MUSKIE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business and his pair has been previously announced by the Senator from Wisconsin [Mr. WILEY].

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The yeas and nays resulted—yeas 44, nays 44, as follows:

YEAS—44

Beall	Ervin	Morton
Bennett	Fong	Mundt
Bridges	Goldwater	Prouty
Brunsdale	Hayden	Robertson
Bush	Hickenlooper	Russell
Butler	Hill	Saltonstall
Byrd, Va.	Hruska	Schoeppel
Carlson	Javits	Scott
Case, N.J.	Johnston, S.C.	Sparkman
Case, S. Dak.	Jordan	Stennis
Cotton	Keating	Talmadge
Curtis	Kuchel	Thurmond
Dirksen	Lausche	Williams, Del.
Dworshak	Long, La.	Young, N. Dak.
Ellender	McClellan	

NAYS—44

Aiken	Fulbright	McNamara
Anderson	Gore	Magnuson
Bartlett	Green	Mansfield
Bible	Gruening	Martin
Byrd, W. Va.	Hart	Monroney
Cannon	Hartke	Morse
Carroll	Hennings	Pastore
Chavez	Humphrey	Proxmire
Church	Jackson	Randolph
Clark	Johnson, Tex.	Smith
Cooper	Kefauver	Symington
Dodd	Kennedy	Williams, N.J.
Douglas	Kerr	Yarborough
Engle	Long, Hawaii	Young, Ohio
Frear	McCarthy	

NOT VOTING—12

Allott	McGee	Neuberger
Capehart	Moss	O'Mahoney
Eastland	Murray	Smathers
Holland	Muskie	Wiley

The VICE PRESIDENT. On this vote the yeas are 44 and the nays are 44. The Vice President votes "yea."

So the motion to reconsider was laid on the table.

Mr. MONRONEY. Mr. President, on behalf of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. SYMINGTON], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Texas [Mr. YARBOROUGH], the Senator from Connecticut [Mr. DODD], the Senator from West Virginia [Mr. BYRD], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. LONG], the Senator from Oklahoma [Mr. KERR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Illinois [Mr. DOUGLAS], the Senators from Alaska [Mr. GRUENING and Mr. BARTLETT], the Senator from Oregon [Mr. MORSE], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Ohio [Mr. YOUNG], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Washington [Mr. JACKSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Colorado [Mr. CARROLL], the Senator from Washington [Mr. MAGNUSON], the Senators from Michigan [Mr. MCNAMARA and Mr. HART], and myself I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. On page 9, it is proposed to strike the words on line 10 through line 14, and insert in lieu thereof the following:

SEC. 4. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1960, and for the next three succeeding years, an amount equal to $20 times a number equal to the school-age population of the United States as of such year for the purpose of making payments to State educational agencies under this Act.

Mr. MONRONEY. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. MONRONEY. Mr. President, this is a very simple amendment. Inasmuch as we had a tie vote on the last amendment, we are offering this amendment, which seeks to find a reasonable compromise in a situation which shows that we are evenly divided on the matter of aid with respect to teachers' salaries in the education bill. Our amendment reduces the $25 amount per pupil in the Clark amendment to $20. Therefore it will save the Government about 20 percent or so in the form of Federal aid.

The second very important change in the amendment is that it provides that the aid shall not be in perpetuity, as the Clark amendment provided. Our amendment provides for a 4-year term of aid, including teachers' salaries.

I note with considerable pleasure that most of the Republican Senators voting on the Case amendment—and there were quite a number of them—voted for the $15 figure in the Case amendment. Approximately 14 of them voted for the Case amendment who voted against the Clark amendment. Thus the very eloquent argument of the distinguished minority leader that a vote for Federal aid to education would be living in sin does not apply to the 14 Republican Members who voted for the Case amendment providing for $15.

So the degree of sin is measured by $15 or $20, not by the principle. If one of those 14 Senators who voted for the Case amendment, providing for $15, will vote for the Monroney amendment, providing $20, we will succeed in giving us this badly needed Federal aid to education.

I am for a school construction bill. I want the finest schools we can construct. I want them built on good foundations. I want them to be fireproof. I want them to be brilliantly lighted by sunshine. I want free, clean air circulating through them, and, if necessary, I would like to have air conditioning installed. I want them to be first class in every way.

However, I also want the teaching to be first class. I do not believe it will do us any good to polish up the floors in the school buildings and then realize that we cannot attract the type of young people we want to have in the teaching profession which will make a school a school.

We can have the finest chromium plated cafeteria, the finest gymnasiums, and the finest ballet and band rooms in the world, but we are not going to have a school unless we correct the disparity between what a janitor is paid and what a teacher with a college degree in the same school is paid.

That is the issue. The Senate understands it. Fourteen Members of the Republican Party voted for the Case amendment, and they voted against the $25 aid in perpetuity. If one of those Members who voted for the $15 amendment—and that involved the same principle which is involved in the $25 or $20 provision, after all it is merely a question of degree—will join the Democrats and their fellow Republicans who supported the $25 provision, and vote for a compromise—and it is a 50–50 proposition, half way between the $15 Republican amendment and the $25 Democratic amendment, and it also cuts out the perpetuity provision and substitutes a period of 4 years only—we will succeed in adopting the pending amendment. I believe this is the kind of action the Senate should take, and we should take it tonight. We should vote in favor of public education; not only for monumental buildings but also for the quality of teaching which will make the school system work.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CARROLL. Do I understand correctly that what the amendment of the junior Senator from Oklahoma does is to place a 4-year limitation in the bill?

Mr. MONRONEY. Yes.

Mr. CARROLL. That was not true of the Case amendment.

Mr. MONRONEY. That is correct. That provided $15 in perpetuity. Our amendment provides a period of 4 years.

Mr. CARROLL. So what the Senator has done is to narrow the amount of money to be spent, and he has put a time limitation on it.

Mr. MONRONEY. Yes.

Mr. CARROLL. I believe that is a reasonable compromise. I intend to support the amendment of the junior Senator from Oklahoma.

Mr. MONRONEY. There are 27 cosponsors of the amendment. This is not a hurriedly arrived at compromise. It is one which has had considerable thought. We decided that if the Clark amendment lost we would offer a compromise which

we believed to be reasonable and which would meet the urgent need for some relief in this field.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. LAUSCHE. Does the Senator from Oklahoma deeply feel and does he have faith in the claim that 4 years from now this law, if the bill becomes a law, will be allowed to die?

Mr. MONRONEY. I will say that then there probably will be another Senate. We will have had two elections. Two-thirds of the Senators will either have been elected or reelected. I trust that those who vote tonight will be here. At any rate, this matter will be discussed in full, and every Senator will then have the opportunity affirmatively to continue it.

Mr. LAUSCHE. Does the Senator know of any instance, after Congress has entered the field of giving grants, when it has ever stepped out of that field?

Mr. MONRONEY. I believe there are several cases, but I do not recall of any grants ever having been made to education which were found to be unworthy, or to require the sacrifice that some Members seem to feel will be the case.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the Senator from Missouri, one of the cosponsors of the amendment.

Mr. SYMINGTON. I wish that all Members of the Senate had been able to listen to Admiral Rickover this afternoon. One of the things he said was that the United States was ahead of Russia in education. Another thing he said, after an extensive trip to Russia—and we all know that he is one of the foremost authorities in this country in this field—was that the Russians are rapidly closing the gap.

I should like to ask the Senator from Oklahoma if it is true that our income now is $475 billion a year, plus. Is it not true, therefore, that by simple mathematics each day we take in over $1,300 million?

Mr. MONRONEY. The Senator is correct.

Mr. SYMINGTON. If that be true, despite the figures of the minority leader, the American people are now paying approximately the salaries received for 4 or 5 days to educate their children. I am a cosponsor of the amendment, and I am proud to be a cosponsor. I believe it is in the interest of the security and the welfare of the children of the United States.

Mr. MONRONEY. I thank my colleague.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the Senator, who is a cosponsor of the amendment.

Mr. YARBOROUGH. The distinguished Senator from Ohio [Mr. LAUSCHE] asked the distinguished Senator from Oklahoma whether he knew of ceased to exist. I ask the distinguished Senator from Oklahoma if it is not a fact any Federal aid program which had ever that under Morrill Land Grant College Act many land grant colleges which were founded in the United States by the Federal Government with grants from the Federal Government are no longer supported by the Federal Government but by the respective States?

Mr. MONRONEY. That is correct. They were the foundation for our great mechanical and agricultural colleges, which later became State universities.

Mr. YARBOROUGH. Is it not true that the PWA aid stopped?

Mr. MONRONEY. Yes. We built hundreds of millions of dollars worth of schools during the PWA and WPA days.

Mr. YARBOROUGH. That type of aid was stopped.

Mr. MONRONEY. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. I might say to the Senator from Texas that there is a new philosophy taking hold in Congress since the middle fifties which differs from the philosophy of the men who fought vigorously to work and to help themselves, and who expected that children would study and prepare themselves for life. The philosophy of today is that one need not work, but that he will be taken care of by the Government.

Mr. MONRONEY. I am glad to have the Senator's comment. I only wish that some of the Senators who express such fears would be a little more concerned with the subsidies paid to our great financial interests, to the tune of about $4 billion in excess interest cost. I believe we can be a little concerned about where the subsidies go. That is a gigantic subsidy.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. The Senator from Oklahoma used the phrase or the expression "dividing the difference" or something like that, or splitting the difference between $15 and $25.

The Senator from Oklahoma recalls, I am sure, that my original amendment provided for $10. I did not ask for the yeas and nays on that amendment, but I did propose $10. If the Senator were splitting the difference between $10 and $25, the two basic proposals, the amount would be $17.50. Did the Senator from Oklahoma give any consideration to that?

Mr. MONRONEY. I took into consideration only the yea and nay vote, because I felt that the amount in that amendment was the Senator's proposal. He did not think enough of the $10 proposal to ask for a yea and nay vote on it.

The Senator from South Dakota can go back and say that we should compromise between the minority leader's position of nothing and $25, and we might arrive at a figure of $12.50. But I took the $15 and the $25, and reached a figure of $20.

I go beyond the Senator. He provided in his amendment for payment in perpetuity; we provide for 4 fiscal years only. I think we certainly have reached a reasonable compromise in this degree.

Mr. CASE of South Dakota. I shall not discuss the question of Federal aid to education. I think the situation requires that something be done to aid education. As to whether the period shall be for 4 years or in perpetuity, I am inclined to think that once such a program is begun, it will continue, at least so far as teachers' salaries are concerned.

But I think there are other things to consider in relation to the total dollar position of the Federal Treasury at this time. When we deal with such an amount as this, it makes some difference. There are many demands for money at this time. If the Senator from Oklahoma really wanted to offer a compromise on the amount, I think he should have offered it as the difference between $10 and the $25.

Mr. MONRONEY. The Senator from South Dakota did not ask for a yea and nay vote on his $10 proposal, so I merely took him at his word and made the figure $20.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays on the Monroney amendment?

The yeas and nays were ordered.

Mr. GRUENING. Mr. President, will the Senator from Oklahoma yield.

Mr. MONRONEY. I yield.

Mr. GRUENING. The Senator from Illinois has said he is opposed to aid to American schoolteachers. Will he be opposed to aid to foreign schoolteachers in the foreign-aid program, which the President will send to us?

Mr. DIRKSEN. Mr. President, am I being addressed? I heard myself spoken of as the "majority" leader a few moments ago. I cannot tell what this is all about. I am afraid that we will get around to 16⅔ before long.

I would rather hear an announcement from the majority leader about adjourning the Senate.

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. Mr. President, I should like to remind Senators that, by previous agreement, the Senate will convene early tomorrow in order to pay tribute to the late Senator Langer. We do not expect any more yea-and-nay votes this evening. The yeas and nays have been ordered on the Monroney amendment.

After the morning hour tomorrow, there will be tributes to the late Senator Langer. Then we will proceed to the consideration of the Monroney amendment.

It is hoped that we can conclude action on the bill tomorrow. If that is possible, we will not expect any more yea-and-nay votes on Friday or Saturday, if we are in session on either of those days.

Mr. President, if there are no other Senators who desire to address the Senate——

Mr. GOLDWATER. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I seek the floor in my own right.

Mr. JOHNSON of Texas. I was about to move that the Senate adjourn.

Mr. GOLDWATER. I will not detain the Senate long. I wish to address a question to the Senator from Oklahoma.

ORDER FOR ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it adjourn until 9:30 o'clock a.m. tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit briefly tomorrow in order to complete action on four nominations, the terms of which will expire if action is not completed on the nominations this week.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. GOLDWATER. Mr. President, the question of teachers' salaries was discussed at some length earlier. I brought out what I thought were sufficient figures to show that there is no inadequacy in our teacher supply.

I am looking at the research report for 1959, R–23, of the National Education Association. It shows that in 1959–60 there was in this country an instructional staff of 1,455,335, which was a percentage gain from 1949–50 of 51.3 percent, and was a gain from the previous year of 4.3 percent.

The point was made earlier, during the colloquy I had with the distinguished junior Senator from Tennessee [Mr. GORE], that the country was losing teachers. Again citing the National Education Association's advance estimate of elementary and secondary schools, 1952–53 and 1956–57, in 1956–57 92,000 public school teachers left the profession during the year. The report also showed that 157,851 teachers were added to the certificated staff during the year. That was a net increase of 65,851.

In the years from 1951 through 1957, which are the latest dates I have, the smallest net increase in certificated staff over a preceding year was 22,374 in the year 1951–52.

Mr. President, I stated a moment ago that there had been a percentage gain in the instructional staff in 1959–60 over 1949–50 of 51.3 percent. I might say that at the same time the student load has increased only 44.9 percent.

I agreed earlier with the distinguished junior Senator from Tennessee that salaries certainly have a part to play in the retention of teachers. I have tried to argue to the best of my ability that it is not a major part. I argued, further, that at no place in the bill before us is there any provision relating to the qualifications of teachers, nor is there any provision concerning the technical perfection of teachers.

It has been a long time since I attended any school. But the teachers with whom I had experience were wonderfully well qualified to teach. It is my impression, as the father of four children, that the teachers of today are equally well qualified.

Here is an interesting figure to which I wish Senators would listen and pay attention. Since 1929, and through 1959, in real dollars, wages have increased 83 percent. The salaries of Federal employees have increased 69 percent. The salaries of teachers have increased 103 percent.

I cannot bring myself to agree with the distinguished Senator from Oklahoma [Mr. MONRONEY] or the distinguished Senator from Tennessee [Mr. GORE], as we discussed the matter earlier, that salary is the total problem confronting us. At no time during the hearings on this bill was this subject discussed. At no time did I hear any top educator who appeared before our committee say that if higher salaries were paid, better qualified people would be attracted.

I suggest, as I did earlier, that certainly salaries play a part in this matter; I cannot deny that. But if we are to go into the qualifications of the teachers, then I believe there should be included somewhere in the bill a mandate that the schools which train our teachers be investigated, to the point that we understand what they are teaching; and that our teachers themselves be investigated, to the point that we understand what they are teaching.

Personally, I have great confidence in the American schoolteachers. As I have said, I have had little personal contact with them since I left school, except as my four children have gone through the various grades of school.

I merely wish to conclude by saying that in the nearly 8 years of my service on the Committee on Labor and Public Welfare—during a part of which I served as chairman of the Educational Subcommittee, and during most of which I have served as ranking minority member, in which capacity I attend as many subcommittee meetings as I can—I have never heard discussed the problem of teachers' salaries in relation to teacher quality. If Senators wish to criticize the teachers of America, let them criticize them, although I, myself, think rather highly of the teachers of the country. I believe they have sought to enter their profession because they see in it a means of serving their country, just as we who serve in this body have sought to serve here in order to do good for our country.

As I have said before, I do not think any Member of this body would be unable to make more money in a position outside of this body than he makes as a Member of the Senate. Similarly, there is no question that ministers could make more money by working in other fields. There is no question that many teachers leave the teaching profession because they find more lucrative positions in private industry. There is no question that some—although, thank the Lord, not many—of our military people leave the military service, to accept more lucrative positions in private industry.

Mr. President, people in this country do not go to work with the idea of becoming millionaires. Our people are not trained that way. People in this country go to work because they feel that in a particular field or in a particular profession they can do the most for more people.

I suggest that any attempt to bring the teaching profession of the country under the Federal Government and under Federal control will result in anarchy in our school system that no American would ever condone. I believe we are treading on extremely dangerous ground when we even suggest Federal aid to education. But when we go so far as to suggest that we support the teachers' salaries and ultimately bring them under Federal control, then we are asking for the worst.

In closing, I suggest that Japan, Italy, Russia, and many other countries pay the teachers who teach the children of those countries; and it is through them that propaganda is promulgated, and the propaganda is not to our advantage.

I hope that when the vote comes tomorrow, it will be decisively "nay."

Mr. HART. Mr. President, one of my first actions when I came to the U.S. Senate last January was to join my senior Senator from Michigan in sponsoring Senate bill 8, providing emergency Federal assistance for school construction. I did this for three basic reasons: First, I believe that the need for improved education for our children, in every State of the Union, is perhaps the single greatest imperative that the United States faces today; second, I acknowledge the Federal responsibility in helping the States to finance this improved education, although I insist, as do we all, that there must be no Federal interference in policy, administration, or operation of any school or school system; and third, it seemed to me that the aid provided in Senate bill 8 met the most universal need and represented the widest area of agreement. It appeared to have the best chance to become law.

Mr. President, there is something drastically wrong with our sense of values in this country if we continue to provide Federal aid to highways, Federal aid to airports, Federal aid for sewage treatment plants, Federal aid for hospital construction, Federal aid to railroads, and Federal aid to any number of other programs, but still refuse to furnish Federal aid for the education of our children.

Can there be any question as to the need? The Secretary of Health, Education, and Welfare is quoted on page 9 of the committee report to the effect that the education of almost 10 million of our young people is impaired by the classroom shortage. In Michigan we are

short at this very moment 8,700 classrooms. It is estimated that by June 30, 1964, we will have to build a total of 28,000 classrooms to handle increased enrollment and replacement of obsolete facilities. This will involve an expenditure of $1,200 million or $240 million annually which is an increase of 40 percent over the 1957–58 expenditure level.

Is there any question as to our ability to provide the aid? No one can tell me that there is any greater obligation upon us than to turn out the best educated children we are capable of producing. Without that education, our defense effort—no matter how many billions we pour into it—will avail us nothing. Without education, it will not matter whether or not we remain the leader of the free world, because our leadership would not amount to anything. So, if we would but put first things first, there is no expenditure which we should be so ready to make as this one: Funds to equip our children to realize their maximum potential for themselves and for the Nation. Figures supplied by the American Association of School Administrators show that since 1948 we have spent: $151 billion for tobacco, alcoholic beverages, cosmetics; $127 billion for recreation; and $78 billion for public elementary and secondary schools. How can we say we can afford no more for education?

It will not do for us to lull ourselves with the notion that the present neglected state of education is a temporary one which can be readily overcome if State and local governments will just put their burdened shoulders to the famous wheel. State and local debt increased by 211 percent from 1948, while Federal debt went up 10 percent. Local communities in Michigan have been making a steadily increasing effort to handle this problem, spending $141 million in 1955–56, $168 million in 1956–57, $175 million in 1957–58 and $179 million in 1958–59. Even so they are not making progress sufficient in the judgment of most to fill the needs. Our less wealthy States, and our less wealthy communities in our more prosperous States, are not going to be able to meet the expenditures for public elementary and secondary schools which face us. It has been estimated that $15.5 billion will be required, nationwide, to care for the educational needs of the children who will be crowding into the schools in the next 10 years.

Fortunately, the predictions for our gross national product in the years ahead make it eminently clear that we can afford to meet these demands. It is a matter of making up our minds, of deciding the time to act is now.

Mr. President, I am a co-sponsor of Senate bill 8, and I think it is a good bill. It does not represent everything that I believe should be done in the area of educational assistance. Clearly it is imperative that teachers' salaries be raised to the point where they are more nearly in accord with the contributions these men and women are making to our society. For this reason I supported the Clark amendment. I was shocked, on a recent visit to Michigan, to hear of a case where a retired policeman hired to guard a school parking lot was being paid $200 a year more than a high school teacher who is responsible for the intellectual growth of our young people. If we are going to attract into the teaching profession the hundreds of thousands of teachers who are going to be needed in the years ahead, we are going to have to offer them a decent wage. In Michigan we will need between 9,000 and 10,000 new teachers a year for each of the next 5 years. We do not see that many in prospect; and of our present teaching force, over 10 percent are teaching full time on special certificates.

Therefore, Mr. President, in supporting S. 8, as reported by the Committee, I want to make it clear that I see it, not as a complete solution to the Federal obligation in the field of education, but as a worthy first step. I believe in it, and I will support any other constructive effort that will, in my opinion, help us meet the educational needs of our children.

Mr. BYRD of West Virginia. Mr. President, 4 years ago I was in Africa and Asia; and each time I recall my visit to the Asian-African world, where America's vital interests are increasingly concerned, I am appalled once again by the fact that only a handful of Americans can talk the language of the peoples of those two great continents, to say nothing of European languages. It is important to be able to converse in other languages if we are to hope to transmit and exchange the ideas of free men with the peoples of captive countries. Yet, too few American students today are preparing, through language studies and scientific studies, to meet the challenges that will confront America in the immediate years ahead.

It is no longer mere idle speculation that man may some day reach the moon. We have now crossed another threshold into the age of space flight. Russia has provided warning after warning, and we should now be convinced that if liberty and freedom are worth any price at all, they are worth the price of providing enough scientists and technicians of sufficient quality to enable us to regain and hold world leadership in the technological race. Otherwise we may lose our liberties and freedoms forever.

The backward peasant nation that was the Soviet Union 30 years ago has raised itself to a high level of technological accomplishment—even though it may have been at great cost in human suffering. Today, Soviet missiles and rockets face us, to say nothing of a vast fleet of submarines and huge standing armies. America is confronted with a shrewd and ruthless mortal enemy—Soviet Russia, a country under the leadership of atheistic men whose announced objective is the complete mastery of the world, men who are merciless, men who are ambitious, men who will stop at nothing to achieve their goal.

Nikita Khrushchev has boasted that the Soviets will be supreme in nuclear power, in consumer-goods production, in cultural activities, in agricultural production, in education. "We will bury you," he has boldly and arrogantly stated to us.

It is time we realized that the Communists are waging all-out war upon us and that we are locked in a gigantic and momentous struggle which will demand every resource of our intelligence and our spirit if we are to survive. We are in a one-game world series, and we cannot afford to lose any more innings. The Russian sputniks and our own satellites are signs in the sky that the race between the Communist world and the free world has entered a new, a deeper, a more profound dimension. And this race is to the swift; this battle is to the strong. To effectively compete in this contest, there must be a fundamental change in American attitude toward education, toward the provision of adequate buildings and facilities and teachers' salaries.

The public schools of this Nation suffer from lack of adequate facilities.

The teachers of this Nation suffer from lack of financial rewards commensurate with the responsibilities of their profession.

The Nation suffers from the highly publicized advances of the Soviet Union in the field of education.

Educators, statesmen, laymen, even the children themselves are aware of the lack of adequate facilities and the lack of adequate salary rewards with which to provide the incentive to graduating students to enter the teaching profession.

Most of us have heard of the college professor who can comb his hair by looking at the seat of his pants. That shine that comes with wear is nothing to laugh about really. It, in actuality, is pathetic; yet, it is real.

In comparison with our own professionals in the teaching field, professors and instructors in the Soviet Union enjoy a much greater reward financially and otherwise. The value of a good teacher is recognized in Russia and it should be recognized here in America.

I thank and salute the teachers of America for the dedication which they have consistently shown to their important work. Perhaps devotion and dedication to their work have served to keep most of them in the profession.

Theirs is the most important job in the world—the building of our Nation's youth. As Daniel Webster once said:

> If we work upon marble, it will perish. If we work upon brass, time will efface it. If we rear temples, they will crumble into dust.
>
> But if we work upon immortal souls, if we imbue them with principles, with the just fear of the Creator and love of fellow men, we engrave on those tablets something which will brighten all eternity.

The teacher, more than any other person, molds the immortal souls of boys and girls during the most impressionable stage of life.

"In the morning sow thy seed." Youth—the morning of life—is the season in which the most important work is to be done.

EDUCATION NEEDS A HYPODERMIC

Arthur S. Flemming, Secretary of Health, Education, and Welfare, has said:

> We have made little progress over the years in dealing with the huge backlog of

need for classrooms which developed during the war years, when school construction was virtually at a standstill.

There have been only mocking gestures in the school crisis. This is not criticism just for the sake of criticism—the proof is as bold as the lone mountain on a rambling plain.

I think my distinguished colleague, the Senator from Minnesota [Mr. HUMPHREY], expressed the situation well at one time. He said, "The administration has been up and down the hill on this issue; but never in the schoolhouse." Now is the time to enter the schoolhouse, take a look around, and clean some blackboards.

Senate bill 8 and the Monroney amendment will eradicate the blight of crowded classrooms, underpaid teachers, poorly qualified teachers, and half-day sessions for thousands of schoolchildren.

There is nothing more vital to this country than the education of its youth. Our national security, our national welfare, and our Nation's future are vitally dependent upon this necessary element—education.

For those who doubt this interpretation, may I point out that on October 4, 1957, the Soviets gave notice to the United States and the rest of the world that they were unquestionably becoming a great power. Even though evidences were apparent before, it was a rude awakening when the American public awoke to the news that our No. 1 threat had sent Sputnik I into orbit.

Despite the administration's talk of action, it has refused to support school construction bills, and the President has vetoed housing bills which contained provisions for college classroom loans. The administration has given lip service to palliative measures wholly inadequate to meet the problem.

Time is running out. Today, several sputniks, a lunik, and a 7,800-mile missile shot later, we still lack 132,400 classrooms. This is on record at the Office of Education. We still have some 10 million students who are receiving a substandard education because of crowded facilities. We, the richest Nation in the world, are still willing to devote only approximately 5 percent of our national income to education, whereas the Soviet Union is spending between 10 and 15 percent.

We have reached a point where we must act. While the Russians have been moving forward with dedication and resoluteness, we have drifted with aimless complacency.

We have shrugged off the idea of competition, in the vain and forlorn hope that the Russians will rest on their laurels, or with the pathetic cry that our societies are different and that our educational societies, therefore, must also be different. The first of these ideas is absurd; the second is impertinent.

In the last year, instead of resting on their laurels, the Russians undertook a revamping of their education system. Each student will be provided more work experience. Many persons felt that this would bring about a lowering of academic standards and training; but education experts, including the U.S. Commissioner of Education, Lawrence Derthick, have stated emphatically that this is not so—that there has definitely been no watering down.

The different societies argument is even weaker. It is true that we will provide different courses in the social sciences—that our children may know the democratic way of life; but no difference in our societies can explain away the discrepancies in mathematics, science, chemistry, physics, and language teaching that exist between the two systems. Some figures that I shall quote later on this point will present the shocking comparison.

I want to give my urgent support to the Monroney amendment to Senate bill 8. I feel that we have already ignored this problem more than we can afford to. A look at the substandard qualifications of many of our teachers should make my reasons painfully clear.

As I stated earlier, the Office of Education reported in December 1959, that we lacked 132,400 classrooms. This tremendous backlog was caused by two factors. One of those, I have mentioned—World War II. In addition, however, our own population explosion has caused enrollment to climb sharply each year. These two factors comprise the overall lack as reported by the States to the U.S. Office of Education.

In terms of children, this classroom lack means that this fall we had 1.88 million students in excess of normal classroom capacity. It is further estimated that some 10 million students are being penalized because of this excess. Normal classroom capacity is 30. If there are 40 children in a classroom, only 10 are listed as in excess of normal classroom capacity, but all 40 are actually penalized. If a school is forced to conduct split sessions, which many are doing across the country these days, the entire student body suffers.

The implications for these individual 10 million students are devastating. It has been estimated that the student who attends school on half-day sessions loses 180 school hours—or almost 2 months—over the school year. The student in an overcrowded classroom gets far less individual assistance and is apt to get a lower level of instruction because of the heavy load placed upon the instructor. In addition, there is a tremendous shortage of adequate laboratories, libraries, and other facilities so necessary to the proper instruction of youth in the fields of chemistry, physics, and foreign languages.

I think few people could deny that this shortage is critical. But the debate centers around how the shortage can be met. Opponents of Federal assistance claim that the State and local areas can handle this problem on their own. I am convinced that they cannot. During the school year 1958–59, 70,000 classrooms were completed in our 50 States. This sounds like excellent progress. However, it is estimated that each year 22,000 classrooms become obsolete and must be replaced. In addition, in the fall of 1958 the enrollment had increased by 1.1 million over the 1957 fall enrollment. If one divides this figure by 27½, which is the recommended national average of pupils per classroom, one will find that 40,000 new classrooms had to be built to meet the enrollment. Therefore, 62,000 classrooms had to be built to meet the year's needs before the slightest dent could be made on the backlog. This meant that only 8,000 classrooms were applicable to the backlog. At this rate, it would take us 17 years to eliminate the present classroom shortage. And all indications point to the fact that this rate will not be maintained.

This fall, enrollment increased 1.2 million over last year. This means that 65,000 classrooms are needed to meet this year's needs before we can start on the backlog.

Local efforts toward school construction are on the decline rather than on the increase. In 1957–58, 72,100 classrooms were completed. In 1958–59 the figure dropped to 70,000. And estimates for this year are 62,700—a decline of 10.4 percent from last year. The reasons for this lie in the nature of local and State fund collections. Dr. Walter W. Heller, professor of economics at the University of Minnesota, explains the limits as follows:

> We must remember that State and local governments operate under severe fiscal handicaps, such as limited tax jurisdiction, threats of interstate migration of industry and wealth, inadequate tax-enforcement staff, and marked disparities in taxable capacity from one State to another.

The local communities have an additional handicap. Most of their revenue for schools must be obtained by floating bond issues which must then be paid off primarily through property taxes. Increasing numbers of communities each year are unable to allow their property taxes to be raised any further, and, for the last few years, the number of new bond issues has been on the decline.

It now seems likely that, if the problem is left wholly up to the States and local areas, our classroom shortage will increase rather than decrease. In an age when a quality education has become increasingly essential for the individual and for the Nation as a whole, we cannot allow this classroom shortage to continue. Whereas it is not necessarily true that enough classrooms will insure excellence of education, it is certainly true that lack of classrooms contribute to loss of opportunity to secure anything other than an inferior education.

Senate bill 8 would provide for additional classrooms, and the Monroney amendment would make possible higher teachers' salaries through Federal assistance.

I am convinced that the legislation offered is necessary to alleviate the crisis in American education.

The comparison of advancement in education by the Soviets has, I am afraid, become such a common one that the

comparison has lost its impact. Yet, the basic import of this question must be realized. I must thank the Soviets for the awakening. Complacency has no place in a growing, progressive country such as ours.

The size of the educational construction job in the United States is not slight. It staggers the imagination. The National Defense Education Act has made inroads. We are getting more scientists and linguists, and we shall get more from this program; but, we need even more. The requisite element is Federal support of education as provided by Senate bill 8 and the proposed amendment.

Statistics have been quoted before; however, they are as staggering on this date as they have been in the past.

As far back as June of 1957, I am told by the U.S. Office of Education, that each of the more than 1 million students graduating from Soviet schools had taken 5 years of chemistry, 5 of biology, 10 of mathematics—including algebra, geometry, and trigonometry—while less than one-third of a total of approximately the same number of our American high school graduates had taken as much as a single year in chemistry.

That is only a fraction of the story. In the Soviet Union the school week is 6 days—not 5. The school hours are longer. Study at home is more exacting. Examinations are more severe. A Russian child learns biology in grade 4, foreign languages in grade 5, physics and algebra and geometry in grade 6. Grade 7 teaches chemistry. Astronomy and calculus are taught in grade 10. This Russian data surely demonstrates that many American high school students could take a considerably richer diet of education, with a strong seasoning of the physical sciences.

In 40-odd years, since the Russian Revolution, Russia has been able to almost eliminate her staggering level of illiteracy. She has developed her system so well that she turns out many more engineers and technicians and scientists each year than does the United States.

I feel that we must show the world that America, too, is concerned with providing the best possible education for her children, that our Federal Government ought to, and does, feel a responsibility in this field, and that the Federal Government can aid its educational system without usurping control of the system which rightly must remain at the local level.

Let us not this year just say, "There is a need." Education needs Federal assistance, and now is the time for action—not ineffectual words. Senate bill 8, with the proposed amendment, is a giant step in the right direction, and I urge approval of this legislation.

The very destiny of this Nation hinges upon a solution to this vital problem. It is a problem which continues to grow, and will not go away, no matter how much we wish. We must come to grips with it. The boys and girls of our country deserve the best in education, and our country deserves the best from them. "Cast thy bread upon the waters, for thou shalt find it after many days."

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. GRUENING (for himself and Mr. LONG of Hawaii), introduced a bill (S. 2976) to amend section 44 of Public Law 86–70, approved June 25, 1959, which was read twice by its title, and referred to the Committee on Public Works.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear earlier in today's RECORD under a separate heading.)

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION—AMENDMENTS

Mr. HUMPHREY submitted amendments, intended to be proposed by him, to the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, which were ordered to lie on the table and be printed.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, in accordance with the order previously entered, I move that the Senate now adjourn until tomorrow morning, at 9:30.

The motion was agreed to; and (at 11 o'clock and 6 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, February 4, 1960, at 9:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 3, 1960:

WORLD SCIENCE-PAN PACIFIC EXPOSITION

Philip M. Evans, of Washington, to be U.S. Commissioner for the World Science-Pan Pacific Exposition to be held in Seattle in 1961 and 1962.

The following-named persons to the positions indicated:

U.S. ATTORNEYS

William L. Longshore, of Alabama, to be U.S. attorney for the northern district of Alabama for a term of 4 years. (Reappointment.)

Ralph Kennamer, of Alabama, to be U.S. attorney for the southern district of Alabama for a term of 4 years. (Reappointment.)

Oliver Gasch, of the District of Columbia, to be U.S. attorney for the District of Columbia for a term of 4 years. (Reappointment.)

Jean L. Auxier, of Kentucky, to be U.S. attorney for the eastern district of Kentucky for a term of 4 years, vice Henry J. Cook, resigned.

U.S. MARSHALS

Gerald F. Bracken, of Maryland, to be U.S. marshal for the district of Maryland for a term of 4 years. (Reappointment.)

Albert A. DiMeole, of Pennsylvania, to be U.S. marshal for the western district of Pennsylvania for a term of 4 years. (Reappointment.)

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeons

Dale C. Cameron
John R. McGibony
Douglas H. K. Lee

POSTMASTERS

ARIZONA

Billie Jean Irwin, Superior, Ariz., in place of R. S. Collins, removed.

ARKANSAS

James W. Lipscomb, Jr., England, Ark., in place of J. T. Ross, resigned.

Ralph W. Bolain, Pea Ridge, Ark., in place of F. F. Wood, retired.

Joe L. Mills, Sulphur Springs, Ark., in place of M. E. Whaley, retired.

CALIFORNIA

Ava V. Page, Atwood, Calif., in place of A. J. Meyer, retired.

Joe L. Miller, Bishop, Calif., in place of C. E. Harris, retired.

Merle G. Andrew, Calimesa, Calif., in place of Pansy Lockett, resigned.

Robert J. Hazard, Edwards, Calif., in place of J. A. Gregory, resigned.

Ariel H. Oberg, Encinitas, Calif., in place of J. L. Hewes, retired.

Nina E. Slade, Tahoma, Calif., in place of S. D. Sartor, resigned.

DELAWARE

John W. Shellenbarger, Clayton, Del., in place of J. B. Thompson, Jr., retired.

FLORIDA

Charles W. Hamm, Gotha, Fla., in place of L. M. Boston, retired.

ILLINOIS

Raymond H. Burklund, Paxton, Ill., in place of Clement Jordan, retired.

INDIANA

Ralph P. Melton, Greenwood, Ind., in place of Raymond McClain, retired.

Flossie I. Wolfe, Leo, Ind. Office established April 6, 1957.

George M. Weaver, Morgantown, Ind., in place of Dewayne Hamilton, transferred.

IOWA

Eugene L. Skow, Clinton, Iowa, in place of K. C. Anderson, retired.

Joseph F. Whelan, Elberon, Iowa, in place of G. B. Dolezal, retired.

KANSAS

P. Ferne Simmons, Elwood, Kans., in place of M. M. Beach, resigned.

Earl F. Giesick, Leoti, Kans., in place of G. N. Carlisle, transferred.

Elden A. Lyon, Richmond, Kans., in place of C. A. Mardick, deceased.

Charles W. Baxter, Wamego, Kans., in place of J. T. Hill, deceased.

KENTUCKY

Harold R. Stone, Berry, Ky., in place of C. F. West, retired.

Alice A. Bonar, Crittenden, Ky., in place of W. H. Lillard, resigned.

Donald W. Orme, Germantown, Ky., in place of F. E. Jordan, deceased.

LOUISIANA

Myron J. Parr, Plaucheville, La., in place of L. V. Mayeux, deceased.

Beverly H. Fabacher, Port Barre, La., in place of E. S. Burleigh, retired.

MAINE

Douglas G. Jenney, Belgrade, Maine, in place of L. F. Kelley, retired.

Merle M. Dow, Hancock, Maine, in place of A. E. Crabtree, retired.

Gordon L. Stitham, Mars Hill, Maine, in place of L. V. Keenan, retired.

MINNESOTA

Raymond E. Staffanson, Farwell, Minn., in place of J. O. Opheim, retired.

Signe L. Sletta, La Salle, Minn., in place of Alfred Sletta, retired.

H. Orville Berg, Solway, Minn., in place of M. S. Dalby, transferred.

MISSOURI

Fred H. Tanner, Jefferson City, Mo., in place of C. A. Platt, deceased.

Robert B. Crain, Madison, Mo., in place of W. W. Eubank, retired.

Elwood C. Thompson, Oran, Mo., in place of E. O. Bryeans, retired.

Leo R. Martin, Revere, Mo., in place of E. A. Blakely, retired.

NEBRASKA

Richard A. Smith, Jr., Grafton, Nebr., in place of Faye Morrissey, retired.

James L. Pool, Madison, Nebr., in place of F. D. Conley, deceased.

Stanley D. Montgomery, Royal, Nebr., in place of H. C. Hagedorn, retired.

Alfred L. Madsen, Winnebago, Nebr., in place of R. N. Linkswiler, retired.

NEVADA

Melva W. Pearson, Montello, Nev., in place of D. V. L. Warburton, resigned.

NEW JERSEY

Kenneth G. Wright, Pine Beach, N.J., in place of C. J. Gray, deceased.

James L. Elberson, Wenonah, N.J., in place of G. R. Baldwin, resigned.

NEW YORK

Robert H. Britt, Barneveld, N.Y., in place of W. C. Wells, retired.

Albert E. Johnson, Cementon, N.Y., in place of H. W. Johnson, retired.

John J. Frazer, Earlton, N.Y., in place of H. G. Haines, retired.

Roscoe E. Conklin, Hartwick, N.Y., in place of J. A. Bush, retired.

Rachel B. Hoose, Mount Vision, N.Y., in place of J. P. Hetzler, deceased.

Albert B. Hibbert, Winthrop, N.Y., in place of Lawrence Mahoney, retired.

NORTH CAROLINA

Ruley G. Wallace, Carthage, N.C., in place of C. B. Shaw, retired.

Hugh D. Morrison, Hendersonville, N.C., in place of Columbus Few, retired.

Eugene P. Satterthwaite, Tarboro, N.C., in place of T. T. Thomas, retired.

NORTH DAKOTA

Oswald L. Westgard, Plaza, N. Dak., in place of G. O. Perry, retired.

OHIO

Roger A. Barker, Lynchburg, Ohio, in place of E. S. Reames, retired.

Donald E. Hurless, Ohio City, Ohio, in place of V. D. Spahr, Jr., resigned.

Harry H. Hockersmith, Oxford, Ohio, in place of R. M. Beal, retired.

George J. Johnson, Painesville, Ohio, in place of J. J. Cawley, retired.

OKLAHOMA

Billy D. Hafner, Orlando, Okla., in place of C. C. Nida, transferred.

OREGON

Arthur J. Hansen, Hood River, Oreg., in place of W. B. Small, retired.

SOUTH CAROLINA

Monroe H. Hutto, Montmorenci, S.C., in place of J. L. Berrie, deceased.

TEXAS

Norman A. Webster, Charlotte, Tex., in place of Edna Martin, retired.

Maynard D. Fowler, Malakoff, Tex., in place of O. A. Truelove, retired.

UTAH

Maurine R. Edwards, Stockton, Utah, in place of M. E. Alverson, retired.

WASHINGTON

Richard H. Usher, Sumner, Wash., in place of W. L. Barnard, retired.

WEST VIRGINIA

Ivan H. Scarbro, Ansted, W. Va., in place of M. L. Taylor, retired.

Glen McKeever, Ronceverte, W. Va., in place of C. P. Ott, retired.

WISCONSIN

Donald O. Miller, Thiensville, Wis., in place of Reuben Hein, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 3, 1960:

NATIONAL MEDIATION BOARD

Robert O. Boyd, of Oregon, to be a member of the National Mediation Board.

PUBLIC HEALTH

The following-named persons to the position indicated:

Member of the Board of Regents of the National Library of Medicine, Public Health Service, for term expiring August 3, 1963

Dr. Theodore Robert Van Dellen, of Illinois.

Dr. Warner Lee Wells, of North Carolina.

Dr. Maynard Kiplinger Hine, of Indiana.

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by laws and regulations:

FOR APPOINTMENT

To be senior surgeons

Harry F. Colfer
Ralph W. McComas
Donald B. Tower

To be surgeons

David R. Kominz
Edward L. Kuff
Edward J. O'Rourke
Erwin S. Rabeau
Joseph F. Wilson

To be nurse officer

Margaret E. Benson

To be senior assistant surgeons

Thomas A. Waldmann
Stanford B. Friedman
Julian A. Koplen
John E. Venable, Jr.
Paul H. Black
Bertram S. Brown
Robert D. Bahr
William P. Reagan
John V. Petrucci
Robert C. Hoye
James I. Carr, Jr.

To be assistant surgeons

George W. Douglas, Jr.
Gerald R. Bassett
Jack D. Poland

To be senior assistant sanitary engineer

John D. Weeks

To be assistant sanitary engineers

Donald P. Dubois
James K. Channell
Richard I. Dick
George R. Elmore
Charles F. Walters
John A. Eure

To be junior assistant sanitary engineers

Harold C. Ervine
Robert P. Hangebrauck
Harvey J. Hansen
Clayton L. Sullivan
Howard P. Zweig

To be senior assistant scientist

William H. Lyle, Jr.

To be assistant scientist

John R. Newbrough

To be senior assistant therapist

Martha M. Lasche

To be junior assistant therapist

James D. Ebner

To be senior assistant surgeons

J. Richard Crout
Hilde S. Schlezinger

FOR CONFIRMATION OF RECESS APPOINTMENT

Michael Ogden
Richard L. Brent
Richard A. Cain
David J. Bender
Julian A. Waller
Jacob R. Fishman
John S. Fletcher
Isao Hoshiwara
Charles R. Cain
George N. Cavros
Harry H. Marsh III
Milton B. Moore, Jr.
Winsor V. Morrison

To be assistant surgeon

Arthur Maron

To be senior assistant dental surgeon

Robert G. Hansen

To be senior assistant nurse officer

Alice E. Duncan

To be assistant pharmacist

Hyam N. Eglash

To be senior assistant health services officers

John F. Roatch
Robert J. Mahon
Paul E. Jones
Robert M. Beauregard
Karst J. Besteman

FOR CONFIRMATION OF RECESS PERMANENT PROMOTION

To be senior assistant sanitary engineer

George L. Harlow

To be senior assistant pharmacists

George R. Hall
John H. Herath

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 3, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 4: 8: *Lead me, O Lord, in Thy righteousness, and make Thy way straight before my face.*

Eternal God, who art always seeking to reveal Thyself and come near unto us to transform and transfigure our lives, may we now open widely the door of our hearts to Thy presence and Thy peace.

We acknowledge gratefully that there are times when Thou art very real unto us and we are confident of Thy companionship and have strong assurance of Thy gracious and beneficent purposes.

Grant that these occasional and intermittent experiences may become the constant and abiding experiences in our lives.

Give us wisdom and understanding that we may see and comprehend more clearly the magnitude of our tasks and face them more courageously.

Fill us with a great longing to strengthen the spiritual foundations of our Republic and to kindle within the souls of men and nations the spirit of good will and brotherhood.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced

that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 39. Joint resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors in Federal elections, and to enfranchise the people of the District of Columbia.

BOARD OF VISITORS TO THE U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 4355(a), the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following members on the part of the House: Mr. TEAGUE, of Texas; Mr. RABAUT, of Michigan; Mr. RIEHLMAN, of New York; and Mr. LAIRD, of Wisconsin.

BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 6968(a), the Chair appoints as members of the Board of Visitors to the U.S. Naval Academy the following members on the part of the House: Mr. RILEY, of South Carolina; Mr. LANKFORD, of Maryland; Mr. BETTS, of Ohio; and Mr. OSTERTAG, of New York.

BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 9355(a), the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following members on the part of the House: Mr. ROGERS of Colorado; Mr. MAGNUSON, of Washington; Mr. CHENOWETH, of Colorado; and Mr. FORD, of Michigan.

BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of 14 U.S.C. 194(a), the Chair appoints as members of the Board of Visitors to the U.S. Coast Guard Academy the following members on the part of the House: Mr. BOWLES, of Connecticut, and Mr. CHAMBERLAIN, of Michigan.

BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY

The SPEAKER laid before the House the following communication:

JANUARY 30, 1960.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, U.S. Capitol Building, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to section 194, title 14, of the United States Code, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Coast Guard Academy for the year 1960: Hon. GEORGE P. MILLER, California; Hon. ALTON LENNON, North Carolina; and Hon. WILLIAM S. MAILLIARD, California.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

HERBERT C. BONNER,
Chairman.

BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY

The SPEAKER laid before the House the following communication:

JANUARY 30, 1960.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, U.S. Capitol Building, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Public Law 301 of the 78th Congress, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy in 1960: Hon. HERBERT ZELENKO, New York; Hon. THOMAS N. DOWNING, Virginia; and Hon. JOHN H. RAY, New York.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

HERBERT C. BONNER,
Chairman.

ENCROACHMENT ON LEGISLATIVE PREROGATIVES BY THE EXECUTIVE BRANCH

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, the ticker tape here just now indicates in a press conference, the President indicated he had not made up his mind as to whether or not he was going to permit Panama to fly its flag over the Canal Zone. He indicated, as a matter of fact, he did not think it was too important, and to have Panama fly the flag there would in no way affect our right of control. The point is, Mr. Speaker, this is a question of sovereignty. This House overwhelmingly, under Democratic and Republican leadership, yesterday voted that any such matters of sovereignty or even titular sovereignty, whatever that is, is a matter to be disposed of by the Congress of the United States and more specifically, the Senate. This is a basic attempt to encroach upon the jurisdiction of the legislative. This is not a question for the President to make up his mind about at all. I submit, Mr. Speaker, that any attempts by any Executive, this or any other, to encroach upon the constitutional processes of his Government certainly calls for whatever censorship my voice gives to it today.

FIELD OF FEDERAL HOUSING

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, I am today introducing legislation which is aimed at preventing, in the field of Federal housing, any discrimination on account of race, color, or creed. I feel that it is essential that the Housing and Home Finance Agency, the Veterans' Administration, and any other Federal agency in this field be given authority to withhold Federal benefits from those who appear guilty of violating local and State laws against racial bias. Where there exist no local or State laws, the Federal agencies cannot act even after the fact has been committed.

My legislation is intended to implement the recommendations contained in the first report of the U.S. Commission on Civil Rights. Even though the Commission did not specifically recommend legislative action in this field, it did call attention to the present question of racial discrimination in public housing in such positive terms that I felt this subject deserves immediate study and consideration by the Congress. That is the reason behind my introduction of this legislation.

I am not attempting here to impose any residential pattern of racial integration but, like the Commission, I am championing the right of every American to equal opportunity for decent housing. As all of us must be, I am concerned about the present housing shortage for most lower income Americans and the lack of opportunity to good housing for many of our minority groups, especially our colored citizens. I hope that the Congress will take action in this field during the current session.

DEVELOPMENT OF FEDERAL LAW IN THE FIELD OF UNFAIR COMPETITION

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, in the 1st half of the 86th Congress, I introduced H.R. 7833, "To provide civil remedies to persons damaged by unfair commercial activites in or affecting commerce."

This bill has been referred to the Committee on Interstate and Foreign Commerce. Presently additional reports are awaited from the Executive. The Department of Justice is currently drafting its comments and I am advised that the committee will receive them shortly.

This bill is the work product of a distinguished group of lawyer members of the committee on trade regulation of the Association of the Bar of the City of New York. This committee has drafted an explanatory statement which I include in the RECORD at this point:

H.R. 7833 is the Lindsay bill "to provide civil remedies to persons damaged by unfair commercial activities in or affecting commerce." If enacted, it would create a new Federal statute dealing with unfair competition. The text of the bill itself is relatively

simple, but the need for such a statute and the reasons for some of its provisions may require explanation.

The fundamental purpose of the bill is to provide a basis for the development of a uniform body of Federal law in the field of unfair competition. In the years prior to 1938, great progress had been made in this direction by the decisions of the Federal courts. Then the U.S. Supreme Court's decision in *Erie* v. *Tompkins* (304 U.S. 64 (1938)) denied the existence of a Federal common law and required instead that the Federal judiciary apply State law. There is obvious logical justification for this rule, because it prevents the accidental availability of Federal jurisdiction from affecting the law applicable to a given controversy. It is generally agreed, however, that this checkerboard approach is inappropriate for dealing with unfair competition. Modern business activities so frequently are national in scope that there is no serious dissent from the view that uniformity throughout the country in the law of unfair competition would be desirable.

Some commentators believed the problem had been solved by the passage of the Lanham Act in 1946. In particular, section 44 provides protection for foreign nationals against unfair competition, and also provides that citizens of the United States shall have all the benefits conferred by the act upon foreign citizens. It was thought that this would be the basis for Federal jurisdiction over unfair competition causes. The statute has been so construed only in the ninth circuit, however, so it is fairly clear that section 44 will not serve as the route to nationwide uniformity.

There is less doubt about the availability of Federal jurisdiction under section 43(a) of the Lanham Act. But that section has proved to have little practical significance. It is invoked only rarely; and, in any event it is limited by its terms to false descriptions and false representations of origin.

H.R. 7833 attacks the problem directly by creating a new cause of action and giving exclusive jurisdiction over it to the Federal district courts, without regard to the amount in controversy or the diversity or lack of diversity of citizenship of the parties (sec. 8). The availability of this new cause of action does not diminish existing rights to proceed under State or other Federal law; it is specifically provided that relief pursuant to the proposed new statute shall be in addition to those rights and remedies otherwise available (sec. 4).

The heart of H.R. 7833 is section 2, which lists the unfair commercial activities that are made actionable. The expression, "unfair commercial activities" was selected deliberately because it was felt that unfair competition might be construed as a limitation. As additional assurance of a broad construction, section 3 provides that absence of competition between the parties shall not be a defense to an action brought under the statute.

The list of unfair commercial activities in section 2 represents a carefully chosen compromise between the futility of attempting to define every type of conduct intended to be prohibited, and the equal futility of simply stating that unfair acts shall be deemed unlawful. The former alternative, apart from its practical impossibility, would have created an environment in which defendants constantly could have sought justification for their acts under the expressio unius rule; while the latter would not have been sufficiently precise to serve as a basis for the desired uniformity of decisions throughout the Federal judicial system.

There are just four subparagraphs in section 3. Although most of these are self-explanatory, a few comments may be helpful. Section 2(a)(3), in effect, is a Federal antidilution statute. Section 2(b) covers false or misleading statements "of fact" in order to avoid prohibiting anyone from stating his opinion. Since section 2(b) applies to statements about the goods or services of "either party," it includes trade libel as well as false advertising and thus removes any doubt about the availability of injunctive relief for this type of defamation. Section 2(c) is a deliberate catchall; in particular, the use of the expression "reasonable standards of commercial ethics" is intended to provide Federal judges with the opportunity to apply the liberal standards of such New York State decisions as *Dior* v. *Milton* (9. Misc. 2d 425, aff'd, 2 App. Div. 2d 878 (1st Dep't 1956)) and *Miller* v. *Universal Pictures Company* (188 N.Y.S. 2d 386, 121 U.S.P.Q. 475 (Sup. Ct. 1959)), free from the hampering effect of any archaic rulings in the States where they sit, or in their Federal circuits. The purpose of section 2 is to establish guideposts for the Federal courts that are definite enough to identify the principal types of unlawful activity and yet allow the flexibility that is essential in a field where rapid technological advances in business and communications constantly create new opportunities for exploitation by the unscrupulous few.

Patent and copyright infringement are excluded from the scope of "unfair commercial activities" by section 7. This was done to meet possible criticism that the new statute might otherwise be used to extend the scope or duration of a patent or copyright monopoly. It was not considered feasible or proper to exclude trademark infringement, because many forms of unfair commercial activities affect trademark rights, and also because the objection about extending duration does not apply to trademarks since they may continue in perpetuity.

The right of action against unlawful commercial activities is created by section 1 of the bill. The action is for an injunction: no damages may be recovered. There are several reasons for this. Plaintiffs in most cases of this nature are interested primarily in bringing about the cessation of the unlawful acts rather than collecting damages, which may be difficult to prove even in the best of circumstances. The elimination of any provision for damages should prevent the use of the new cause of action as the basis for strike suits. At the same time, it was felt that a party with a genuine claim should not be deterred from bringing an action because of its expense; accordingly, the bill provides that a judgment for costs, reasonable attorneys' fees and disbursements may be granted to a successful plaintiff in addition to injunctive relief.

Any person "damaged or likely to be damaged" by unfair commercial activities is entitled to sue under section 1. The phrase "likely to be damaged" is borrowed from section 43(a) of the Lanham Act (similar language will be found in sections 13 and 14, dealing with opposition and cancellation) while the troublesome concept "believes that he is" has not been carried over from the Lanham Act. The words "damaged or" were inserted to avoid any possible argument that the statute applied only where no damage had yet occurred. On the other hand, section 3 makes it clear that actual damage is not required as a prerequisite to suit.

The right of action under section 1 is available against unfair commercial activities "in or affecting commerce" and the term "commerce" is defined in section 9 as "all commerce which may lawfully be regulated by Congress." This makes it clear that the broadest possible scope is intended; specifically, intrastate acts that affect interstate commerce are covered. In addition, section 9 contains a statement of the intent of the statute, which includes the protection of "any person engaged in interstate commerce" against unfair commercial activities "whether used or committed locally or in interstate commerce."

Innocent publishers and broadcasters are protected by section 5, which not only makes the absence of knowledge or intent a defense in an action against a publisher or broadcaster, but provides specifically that the burden of proving knowledge or intent is on the plaintiff. Furthermore, in order to avoid unnecessarily severe economic consequences to media of communication, section 6 provides that relief under the statute shall not be available when the injunction would delay the dissemination of a particular issue of a periodical, broadcast of a radio or television program, or showing of a motion picture after the scheduled time, when the delay would be due to the method by which dissemination is customarily conducted in accordance with sound business practice, as distinguished from a device to evade the statute. A single false advertisement in a magazine, for example, would not hold up distribution of the entire issue even if the publisher did have knowledge; but the use of the same or similar advertisements in future issues could be enjoined.

H.R. 7833 has been referred to the Committee on Interstate and Foreign Commerce. The active support of all interested parties is urgently required.

RICHARD M. SIMPSON

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, many expressions of the appreciation we had of our colleague, Richard M. Simpson, are carried in the RECORD of January 7, 1960.

One of the most accurate, understanding daily papers is the Chicago Tribune, and the following is an editorial printed in the Tribune on January 12, last. It reads as follows, and I ask that it be printed in the permanent CONGRESSIONAL RECORD as a part of my remarks on January 7:

A RARE REPUBLICAN

In the death of Representative Richard M. Simpson, the Republican Party is deprived of a man it can ill afford to lose. Mr. Simpson represented the 18th Pennsylvania District for 23 years. He served his party as chairman of the Republican congressional campaign committee, which supported the candidacies of Republicans for seats in the House. He was ranking Republican member of the Ways and Means Committee, which originates tax legislation.

Representative Simpson was a stanch conservative whose party doctrine was unambiguous. He was an unmodern Republican and an opponent of wasteful spending. He was outspoken. In the 1958 congressional election, he counseled Republicans to forget the Eisenhower coattails. When the President called for "unremitting" Republican activity for the 1960 election, Mr. Simpson challenged him to live up to his own advice.

At a seminar of the Republican National Committee in Des Moines a year ago, Representative Simpson expressed himself as "sick and tired" of going around the country and being unable to answer when asked, "For what does the Republican Party stand?" He saw success for the party if it would be the party of Lincoln and Taft. It can still benefit from his guidance if it will revert to that character.

RAILROAD PASSENGER OPERATIONS RELATED TO MILITARY AND CIVIL DEFENSE NEEDS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, in order to protect the military and civil defense needs of the Nation, as well as the rights of the railroad traveling public, legislation should be enacted which would require the railroads to exercise every reasonable effort to serve the public in their passenger operations, and would prevent discontinuance of services which the railroads have deliberately deteriorated in order to secure their discontinuance. Therefore, I am today introducing legislation to accomplish this.

The Transportation Act of 1958 contains a provision which was the subject of proposed amendatory legislation in the last session of the Congress. The provision sought to be amended is section 5 of the 1958 act which became section 13a of the Interstate Commerce Act. The legislative history of this law clearly indicates its purpose, namely to provide a means by which the railroads could circumvent State agencies which allegedly had treated them unfairly by denying or refusing to act on passenger train discontinuances which the railroad believed justified.

In attempting to accomplish this purpose, however, the authors of the law went beyond its stated object. The law has been construed so as to permit the discontinuance of any interstate train—justified or not. The only Federal court which has had an opportunity to consider this legislation found that it is a direct delegation of authority to the railroad industry to discontinue interstate passenger service. The Federal Court of Appeals judge who dissented from the result reached by the majority in the case, characterized this provision as "this strange, dismaying law concerning which one thing is certain; namely, that the public was ignored in its formulation."

This law so ignores the rights of the public and so exceeds its original purpose that it is susceptible for use as a weapon to secure fare increases as is clear from the article appearing on page 1 of the New York Times of October 1, 1959, entitled "New Haven To Ask Commuter Fares Be Raised 40–50 Percent." The Times reported that the president of the New Haven warned that he would abandon all passenger service into New York by invoking section 13a if he did not get his fare increase.

These almost unprecedented comments by a Federal court and the threat posed by a major railroad are not surprising when considered against the background of a statute which:

First. Deprives the public of the right of appeal to the courts while preserving such right to the railroads.

Second. Permits such unappealable discontinuances to take place without public hearing.

Third. Permits railroads to discontinue interstate passenger train operations without necessity or justifying such action.

Fourth. Requires the public to prove that the continuation of a particular interstate passenger train will not be an undue financial burden on the railroad—such proof must be secured from material which can be supplied only by the railroads.

Fifth. Permits the railroads to withhold from interested parties all material needed to prove "undue financial burden" until the day of the hearing, if one is held, thereby preventing effective opposition—the ICC requests that some of this material be submitted to it in Washington, D.C., when the railroad files its notice of discontinuance but compliance with such a request does not make the material available to parties situated miles away.

Sixth. Places a further restriction on the public and the ICC by authorizing automatic discontinuance of interstate trains unless the ICC renders a final order within 4 months of the original discontinuance date. This severe, arbitrary, and clearly unreasonable time limitation finds no support for existence in the legislative history of the law, deprives the public of adequate time to prepare its opposition in every case and deprives the ICC of adequate opportunity to consider major cases. It is not surprising, therefore, that the railroads have filed notices and petitions under this law for the discontinuance of over 196 trains.

It was thought that S. 1331, which was introduced in the last session of the Congress, would correct the obvious abuses of section 13a. It is now apparent, however, that 13a effectively removed all State control over passenger train service but did not transfer that control to the ICC. The result is to leave passenger train service completely unregulated. Such a situation must have results disastrous to the military and defense needs of the Nation as well as to the traveling public. Merely to correct the procedural and substantive abuses manifest in section 13a will do nothing to prevent the ultimate elimination of passenger train service presently needed by the traveling public and essential to the military and defense needs of this country.

At the hearings held on S. 1331 before the Senate Subcommittee on Surface Transportation of the Senate Committee on Interstate and Foreign Commerce, there was testimony from railroad witnesses which supported the conclusion that many railroads were following a deliberate plan to remove themselves entirely from the field of passenger train service. The unchallenged testimony offered in many train discontinuance proceedings held by the Interstate Commerce Commission under section 13a supports this conclusion. Under present law, the Commission is powerless to protect the public in the continuation of passenger train service even in those cases in which it finds that the continuation of such service is required by the public convenience and necessity and is not an undue burden on the interstate operations of a carrier.

In a recent case the Commission made such a finding—16 days later all mail revenue was removed from the trains and the consists of the trains were reduced from one express car, three or more baggage and mail cars, two or more sleeper cars, two or more coaches and one diner-lounge car to one express car, one sleeper and two coaches. The obvious purpose of such a course of action being to reduce the revenues of the trains to a point where the railroad can return again and again to the Commission until it achieves its desired result. It is not surprising that the railroads would attempt to remove profitable passenger services in favor of increasing their freight operations, since freight operations return a greater profit per dollar of investment.

This attitude on the part of many railroads, however, is not only deterimental to the public but has a particularly deleterious effect upon the military and civil defense needs of this country by shrinking the railroad plant and eliminating skilled personnel.

The House Subcommittee of the Committee on Armed Services in its report of October 10, 1959, on the "adequacy of transportation systems in support of the national defense effort in event of mobilization" stated that "the ability of railroads to handle a substantial number of additional passengers is highly questionable." This conclusion was based on testimony to the effect that railroad ownership of passenger cars has declined from 30,000 in 1939 to 18,000 in 1958; that the average age of passenger cars as of January 1958 was 28½ years; that many railroads are not now able to handle occasional peak movements of passenger traffic; and that passenger car manufacturers are now almost completely nonexistent. When this conclusion is viewed against a background of the tremendous dependence which the military places upon the railroads in times of national emergency—97 percent of all military passenger movements during World War II and an increase of 303 percent in passengers carried during World War II over previous years—it is obvious that further unnecessary diminution of the railroad industry's passenger plant cannot be permitted.

The bill I am introducing is, in part, very similar to S. 1331 in that paragraph 23 which would be added to section 1 of the Interstate Commerce Act by section 4 of the bill would give the railroads the option of going before a State agency of the Interstate Commerce Commission in interstate train discontinuance of a particular train before such discontinuance could take place and to prove its case before securing that order. The bill would also require the Commission to notify the military and civil defense agencies of the Nation and the State or States involved, of the existence of the proceeding and also to notify them of the hearing to be held in the proceeding at least 30 days in advance of the time set for the hearing. In addition, the bill would give the Commission specific authority to impose conditions which it believed the public convenience and

necessity might require in any discontinuance which it might approve, including conditions for the protection of employees affected thereby. Intrastate train discontinuance procedures would be left virtually unchanged from those provided by the present law or those which would be provided by enactment of S. 1331.

In addition to the foregoing, this bill, by the addition of a new paragraph 24 to the act, would place upon every railroad the duty to exert every reasonable effort to maintain its passenger service by observing minimum standards of sanitation and comfort in all passenger facilities, the maintenance of convenient schedules of operation, and the maintenance and use of safe and adequate passenger train equipment.

New paragraph 24 which would be added to the act by the bill also would empower the Commisison to hold hearings and investigations upon a complaint received from the public or upon its own motion to determine whether a carrier has discharged its duty to exert every reasonable effort to maintain safe and adequate passenger service to the public and to meet the military and civil defense needs of the Nation. If the Commission should find that a railroad has not discharged its duty under the bill, it would then be empowered to require the railroad to take such steps as the Commisison believed necessary to meet the requirements of the bill.

An obligation would be placed upon the Commission by new paragraph 24 to see that the requirements of the bill are met. To carry out this obligation the Commission would be authorized to inspect the manner in which the carriers conduct their passenger train service operations and, to enable the Commission to do this it could employ inspectors who would have to file monthly inspection reports with the Commission.

Section 4 of the proposed legislation would authorize the Commission to call upon the military and civil defense agencies of the Nation, as well as other Federal agencies, for advice regarding any matters arising under provisions of the bill and every such agency would be given the right to intervene as a party in any proceeding arising under the bill.

Section 5 of the bill specifically provides that it would have no effect on anything which exists as a result of or comes within the purview of the Railway Labor Act.

Section 6 makes the penalty provisions of section 16(8) of the Interstate Commerce Act applicable to train discontinuances.

Section 4 of the bill also contains definitions of the terms "passenger train service," "passenger train," and "passenger traffic." The definitions are intended to cover passenger train service as that term is normally understood.

If the serious problem which has been created by the threatened extinction of railroad passenger train service is to be solved, at least partially, the immediate enactment of legislation such as that described above is imperative. At the present time no regulatory agency has authority to protect the military and defense needs of this Nation and the public from the total elimination of all railroad passenger service.

PERSONAL ANNOUNCEMENT

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, on rollcall No. 3 on Tuesday, February 2, on the adoption of the resolution House Concurrent Resolution 459, expressing the sense of Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama shall be made only pursuant to treaty, amended, I was unavoidably absent. Had I been present and voting I would have voted "yea."

On rollcall No. 4 on Tuesday, February 2, on the adoption of the resolution, House Concurrent Resolution 465, expressing the indignation of Congress at the recent desecrations of house of worship and other sacred sites, I was unavoidably absent. Had I been present and voting I would have voted "yea."

GAMBLING IN THE CITY OF NEW YORK

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 30 minutes.

Mr. POWELL. Mr. Speaker, I rise today as I have for the past three Wednesdays to bring before this body and the Nation the continued massive indifference of the authorities of my town toward the numbers racket plus the information that comes to me each week concerning various places that are operating in my area of New York, together with the names of the men who are operating some of them, with the exact addresses.

New information has reached me within the past few minutes. I now have the name and the address of a former member of the Bureau of Internal Revenue who was the deputy collector of Manhattan and who resigned in 1952 to become the numbers boss of lower Harlem.

His name is Harry Feit, former address was 207 East 202d Street, Bronx, N.Y., and he operates from 116th Street down in the Harlem area. His headquarters are various houses on 115th Street between Lenox and St. Nicholas Avenues. He uses two places for his telephone communications. One is a restaurant called the Asia Curry place at 100 West 115th Street. The other is the drugstore on the corner of 115th Street and Lenox Avenue, on the West Side.

Mr. Speaker, it is absolutely shocking that a former official of the Bureau of Internal Revenue who was in charge of this area as a member of the Internal Revenue staff resigned in order to become the numbers boss of this same area.

I would like also to read a copy of a letter which went to the Police Commissioner of New York on January 23. Nothing has been done concerning this letter. A copy was forwarded to me.

This letter points out that the writer is a former teacher in the public schools of New York and had been for many years a patron of the Bickford Restaurants throughout the city, presently taking his or her meals at the Bickford Restaurant on the corner of Broadway and 145th Street.

This letter reads as follows:

NEW YORK, N.Y., *January 23, 1960.*

Mr. STEPHEN P. KENNEDY,
Police Commissioner,
New York, N.Y.

DEAR MR. KENNEDY: I am a former teacher in the public schools of New York City. For many years, I have been a patron of the Bickford Restaurants throughout the city. Presently I am taking my meals in the Bickford Restaurant at the corner of Broadway and 145th Street. I have discovered that gambling has invaded this restaurant in the form of numbers, and its presence is much to the annoyance of the decent clientele.

The men who have invaded my favorite eating place with their gambling business are white Americans. I have heard them addressed as Lynch, George, and Mr. Jenkins. They have a booming business in numbers among the colored and white patrons. The manager of the restaurant has knowledge of the existence of gambling here, as I have seen him making wagers on the numbers with Mr. Jenkins. He is en rapport with all the gamblers, and he is an avid devotee of that phase of the numbers known as "single action."

I was not aware of the serious nature of my surroundings, until the recent attack on the numbers by Congressman ADAM CLAYTON POWELL. If the activity here may be used as a basis for judgment, there is much truth to what the Congressman is saying. Three white men are collecting numbers in a public restaurant, every day, without interference from the police.

Despite what I have seen, it is difficult for me to believe that the apparent immunity of these men is due to any deal with the police. I should prefer to believe that is mere coincidence that they have not been arrested. Is it coincidence?

I would like a definitive answer.

Respectfully yours,

_____,
Retired.

(Copy to Representative ADAM CLAYTON POWELL.)

I therefore sent the commissioner a telegram today asking him for the good of our town to transfer from Upper Manhattan the three police inspectors who now are in charge, Inspector Burns, Inspector Nidos, and Inspector Whalen; and I said in this telegram, "I am not bringing any charges against these three men," but I state that in view of the massive indifference and continued flagrant disregard of law that for the good of our town this action is long overdue. Harlem needs new police chiefs.

I finally would like to put into the RECORD another list; and may I say so far I have put into the RECORD about 50 places with the names of gamblers in charge, and not a single one of these

stores that are being used as fronts have written to me saying that I was wrong.

Now I would like to put some more in. These are places being operated by bankers, mainly, Vincent Curbello and Philly Black. These are known hoods. These are the places they are operating: 29 East 104th Street, El Flaco; 860 Lexington Avenue, a bakery; in a bar and grill at 115–116 Lexington Avenue, the Friendly Bar; and another bar and grill called the Flat Tone at Third Avenue and 106th Street; and a store called the Fast Harry Store, a good name for it, 216 East 112th Street; and then three bankers operating on 111th Street, at 14, 18, and 26 East 111th Street.

I trust that I will have more information next week. I again say that I hope the police department of our town will see that this corruption if not wiped out is at least subdued.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WOLF, for 90 minutes on Thursday of next week, to discuss a people-to-people program.

Mr. POWELL (at the request of Mr. MCCORMACK), for 30 minutes each, on Tuesday, February 9, and Wednesday, February 10.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DAGUE.

Mr. PUCINSKI.

(At the request of Mr. MCCORMACK, and to include extraneous matter, the following:)

Mr. RODINO.

Mr. BROCK.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 39. Joint resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors in Federal elections, and to enfranchise the people of the District of Columbia; to the Committee on the Judiciary.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 19 minutes p.m.) the House adjourned until tomorrow, Thursday, February 4, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1770. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "a bill to provide revenue for the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

1771. A letter from the Assistant Secretary of Defense, relative to requesting approval for the construction of a one-unit National Guard armory with motor vehicle storage building at Welch, W. Va., to replace an existing armory which recently was destroyed by fire, pursuant to sections 2233 and 2233a of title 10, United States Code, as amended; to the Committee on Armed Services.

1772. A letter from the vice president and comptroller, D.C. Transit System, Inc., relative to the filing of a report which should be filed by January 31 of each year, and requesting an extension of 2 weeks to file this report due to certain accounting problems delaying the rendition of this report, pursuant to an act of Congress approved March 4, 1913 (Public 435); to the Committee on the District of Columbia.

1773. A letter from the Comptroller General of the United States, transmitting a report on examination of the negotiation of prices for missile components under purchase orders issued to various suppliers by Douglas Aircraft Co., Inc., Santa Monica, Calif., a subcontractor under Department of the Army prime contracts for Nike missiles; to the Committee on Government Operations.

1774. A letter from the Administrator, General Services Administration, transmitting a report relative to the General Services Administration entering into certain contracts during calendar year 1959, pursuant to Public Law 85–804; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BASS of Tennessee:

H.R. 10162. A bill to amend title II of the Social Security Act to permit the payment of disability insurance benefits, to an individual otherwise qualified therefor, from the beginning of such individual's disability; to the Committee on Ways and Means.

By Mr. BENTLEY:

H.R. 10163. A bill to provide that the Federal Government shall not extend any financial or other assistance for housing with respect to which there is or may be discrimination on account of race, creed, or color, and for other purposes; to the Committee on Banking and Currency.

By Mr. BURKE of Kentucky:

H.R. 10164. A bill to change the name of the locks and dam No. 41 on the Ohio River at Louisville, Ky.; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 10165. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 10166. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 10167. A bill to extend the veterans' home loan program to February 1, 1965; to provide for direct loans to veterans in areas where housing credit is otherwise not generally available, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INOUYE:

H.R. 10168. A bill to authorize the use of air carriers to facilitate the expeditious transportation of mail to and from Hawaii, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10169. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10170. A bill to provide that the people of Guam shall be represented by a Resident Commissioner in the House of Representatives of the United States; to the Committee on Interior and Insular Affairs.

H.R. 10171. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 10172. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 10173. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Louisiana:

H.R. 10174. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARMON:

H. Con. Res. 578. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. Con. Res. 579. Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to appropriate funds to conduct basic and applied research at a research center to be established in the Pee Dee area of South Carolina on problems involved in the usage of soil and water resources in the Middle Atlantic coastal plains area, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 10175. A bill for the relief of Peggy Lorne Morrison; to the Committee on the Judiciary.

By Mr. BURKE of Kentucky:

H.R. 10176. A bill for the relief of Dr. Mehmet Arik and Sevin Arik; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 10177. A bill for the relief of Costas Forakis; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 10178. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

By Mr. KILDAY:

H.R. 10179. A bill for the relief of Wong Sill Lim (also known as Tsang Sill Lim); to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 10180. A bill for the relief of Mr. and Mrs. Hubert Kroeger; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

333. The SPEAKER presented a petition of William M. Cavaney, Los Angeles, Calif., relative to the space program, and requesting a contract for research and development of the Aerofoil Mark I, AMI, and other models and types, air and space crafts, which was referred to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

In Defense of a Loyalty Oath

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 3, 1960

Mr. DAGUE. Mr. Speaker, next to the high honor I enjoy as a Member of Congress there is that which accrues to me by reason of some 17 years as a member of the American Legion's National Publications Commission. This group is charged with the responsibility of managing the American Legion magazine, the organization's nationwide publication, and it is because of that association that I have particular pride in an article appearing in our current issue entitled, "Why Can't Some of Our Universities Be Fair to the U.S. Congress?"

This splendid article rather effectively answers the criticism leveled at the loyalty oath required under the provisions of the National Defense Education Act and is from the pen of Managing Editor Robert B. Pitkin, a distinguished journalist and a personal friend of mine. Incidentally, in addition to his personal qualifications for the task of answering Congress' collegiate critics, it would seem pertinent to point out that Mr. Pitkin is the son of Dr. Walter B. Pitkin, a former distinguished professor of journalism at Columbia University and one of America's best known authors.

In answering criticism by the president of Yale of the action of Congress in this instance Mr. Pitkin identifies the charges as "complaints" Nos. 1, 2, and 3 and replies to them in order.

Complaint No. 1 that Congress has singled out college students for "distrust" above all other Federal beneficiaries is answered by pointing out that this is a defense program and that on the assumption that the student may someday be handling defense secrets we have a right to be sure of his loyalty.

Complaint No. 2 that loyalty oaths will not make a person loyal is answered by reminding the complainants that first it will prevent subsidizing someone who is unable or unwilling to pledge loyalty to the United States; and second it will provide the Government with an instrument for proceeding against perjurers.

Complaint No. 3 that loyalty oaths lead to political and religious oaths Mr. Pitkin dismisses as completely irrelevent and unsupported by any previous action taken by the Congress in this field. And then Mr. Pitkin suggests to the president of Yale that he might look into some of the secret oaths exacted on his own campus by college-sanctioned fraternities.

To sum up, Bob Pitkin has done an admirable job in pinpointing the inaccuracies and fallacies in the charges leveled at the so-called loyalty oath and in addition he has supported Congress in the discharge of its sworn duty as has no other writer in my recollection. The American Legion magazine article in full was made a part of the extension of remarks of the Honorable A. S. HERLONG, JR., on February 1 and is recommended to the careful perusal of every citizen who believes that the protection of our Government from enemies both foreign and domestic is a paramount responsibility of every American.

A Bill To Strengthen Penalties for Sending Obscene Literature Through the Mails

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 3, 1960

Mr. RODINO. Mr. Speaker, I am introducing today a bill already introduced by Mrs. GRANAHAN, which strengthens the penalties for sending obscene literature through the mails.

It has been estimated that these smut salesmen, as they have been called, do a $500 million business a year. This can only mean that our present laws are not strong enough to deter them from these immoral activities.

I feel that we must make the penalties so severe that this business will simply not be worthwhile.

No one knows how much juvenile delinquency might be prevented if this literature were not readily available to every youngster. We do know that there is a definite link between obscenity and sex crimes, and that obscene matter contributes to the general corruption of youthful morals.

Congress has a responsibility to see to it that this source of corruption is discouraged. I think that one way in which this can be accomplished is to raise the maximum and minimum penalties, as this bill does, and to make prison terms mandatory even for first offenders.

The Economic Plight of the American Family Farmer

EXTENSION OF REMARKS
OF
HON. LAWRENCE BROCK
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 3, 1960

Mr. BROCK. Mr. Speaker, on January 18 this year my insertion in the Appendix of the RECORD was entitled, "How Many Farmers?" and dwelled on the economic factors that are fast reducing the population of our family farms. With little, if any, firm assistance from the present Secretary of Agriculture and the national administration, the family farmer in America is slowly but surely being forced into bankruptcy. The period for him to emerge, in the face of expenditures exceeding income, is long overdue and fading fast, particularly so when no administrative efforts are being made to give him a fair and just share of the increasing wealth of our national economy.

The economic plight of the American family farmer is profoundly expressed in the attached editorial published in the January 28 issue of the Burt County (Nebr.) Plaindealer, an enterprising weekly newspaper that is close to the agricultural situation. The editorial goes further than the problem of the family farmer, and emphasizes the root of the evil will eventually reach the small businessman in the rural communities and destroy him along with the farmer.

This editorial, and more like it that have been published throughout the land are reminders of the voice of St. John, crying in the wilderness, hoping that the message will be heeded before it is too late. The national administration agricultural policies of the past 7 years have brought nothing more than economic stagnation to the agricultural areas of the country, and I will endeavor to emphasize seven primary reasons in a further paragraph following the editorial.

Therefore, Mr. Speaker, with the permission of my colleagues to extend my remarks, may I commend your attention to the timely and warning editorial of the Burt County Plaindealer:

FARM PROGRAM PLEASES NEARLY EVERYONE, EXCEPT THE FARMER

Secretary Benson's farm program, under which thousands of farmers are leaving the land to seek more lucrative employment in

other fields, seems to satisfy about everyone—everyone, that is, except the farmer who must still make his living farming the soil and raising livestock.

We get lots of mail and publicity releases from industrial organizations, financial groups, Republican politicians, educators and farm advisers with cozy, secure jobs, who plead the cause of "freedom for the farmer" and the Benson program.

Cheap food is fine for the fellow who doesn't have to produce it at a loss and "we must keep eatin' costs down" even though everything else, including taxes continues to climb in these days of prosperity created by continuously growing Government bureaus, a record national debt and more and more taxes.

The day when a hard-working farmer could support his family on a moderately sized farm will soon be a time of the past and the little business in rural communities will fall victim to the same conditions which are selling the farmer down the road. Will that be good for America? We don't think so.

FARM INCOME STATUS—PAST, PRESENT, AND FUTURE

First. Farm prices at 77 percent of parity, the lowest in 19 years.

Second. Farmer's share of consumer's food dollar at 37 cents, lowest in 20 years.

Third. Net farm income, $10.3 billion (1959), lowest in 17 years.

Fourth. Farmers' out-of-pocket net income losses since 1952, almost $20 billion.

Fifth. Farm production expenses at new peak of $26 billion in 1959, using up 68 cents out of each gross farm dollar. That's almost as bad as 1932.

Sixth. Forecast of even lower farm prices and net income for 1960.

Seventh. Five Presidential vetoes of major farm bills in 7 years.

Prosperity for our farmers can be brought about only by passage of good, workable farm legislation that will boost the net income of farm families, and by revamping our lopsided national economy into some semblance of equal balance between the annual incomes of the urban industrial workers and other high-paying occupations, and the farmer who toils in our agricultural areas. Lack of equal prosperity for the farmer will not only destroy small business in the rural communities but will be reflected in considerable measure throughout the industrial and manufacturing areas of the rest of the Nation.

Auto Dealers—Modern "Minutemen" of America's Economy

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1960

Mr. PUCINSKI. Mr. Speaker, may I call the attention of the House of Representatives to the fact that the National Automobile Dealers Association is currently holding its annual convention here in the Nation's Capital.

I should like to express my own personal wishes for a very successful convention to these auto dealers, who I consider the modern minutemen of our national economy. I am delighted that many of the automobile dealers from my own congressional district are participating in this convention.

We all know that the automobile industry constitutes one of the most important aspects of American economy. These men, who have undertaken the difficult task of promoting the sale of automobiles, are performing a great service not only to the economic survival of the United States, but indeed the entire world. Few people stop to realize that every time an automobile is sold in this country, it touches off an economic chain reaction which assures employment for millions of Americans.

The automobile industry is undoubtedly one of the most competitive fields of free enterprise in this country. These men, who are participating in this competition as auto dealers, deserve the highest respect of all of us. Within the framework of free enterprise day in and day out, these are the men who manage to keep the wheels of American industry rolling.

I congratulate them for their great contribution and wish them profound success in their deliberations here in Washington.

SENATE

THURSDAY, FEBRUARY 4, 1960

The Senate met at 9:30 o'clock a.m., and was called to order by the President pro tempore.

Rabbi Tzvi H. Porath, Montgomery County Jewish Community, Chevy Chase, Md., offered the following prayer:

We invoke Thy blessing, O Lord, upon this session of the U.S. Senate. Be Thou with its Members. Watch over them and guard them. May they ever be sensitive to the needs of our country so as to translate them into creative, forceful, and intelligent channels. May their moral and spiritual leadership be a beacon of light to the people of these United States and a ray of hope to humanity everywhere.

We pray, too, that every citizen assume his responsibility to be ever alert and vigilant in the support and defense of the sacred ideals and principles which have molded this country.

May this land, under the providence of God, be a stronghold of peace and an influence for good for all humanity. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 3, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 194, title 14, of the United States Code, Mr. BONNER, chairman of the Committee on Merchant Marine and Fisheries, had appointed as members of the Board of Visitors to the Coast Guard Academy, on the part of the House, Mr. GEORGE P. MILLER, of California; Mr. LENNON, of North Carolina; and Mr. MAILLIARD, of California.

The message also informed the Senate that, pursuant to the provisions of Public Law 301, 78th Congress, Mr. BONNER, chairman of the Committee on Merchant Marine and Fisheries, had appointed as members of the Board of Visitors to the U.S. Merchant Marine Academy in 1960, on the part of the House, Mr. ZELENKO, of New York; Mr. DOWNING, of Virginia; and Mr. RAY, of New York.

ENROLLED BILLS SIGNED

The message announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 540. An act for the relief of Maybell King;

S. 981. An act for the relief of T. W. Holt & Co.;

S. 1862. An act for the relief of Marve M. Duggins; and

S. 2231. An act to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therwith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Rear Adm. H. Arnold Karo to be Director of the Coast and Geodetic Survey.

By Mr. ROBERTSON:

George Harold King, Jr., of Mississippi, to be a member of the Board of Governors of the Federal Reserve System.

By Mr. CHAVEZ, from the Committee on Public Works:

Brooks Hays, of Arkansas, to be a member of the Board of Directors of the Tennessee Valley Authority.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

CIVIL AERONAUTICS BOARD

The Chief Clerk read the nomination of Whitney Gillilland, to be a member of the Civil Aeronautics Board.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TRIBUTES TO THE LATE SENATOR WILLIAM LANGER

Mr. JOHNSON of Texas. Mr. President, I ask the attachés of the Senate on the majority and minority sides to remind Senators that at the conclusion of the morning business there will be a quorum call, and Senators will be asked to be prepared to deliver their speeches in connection with the tributes to be paid to the late Senator LANGER.

SENATOR AIKEN'S REPORT ON LATIN AMERICA

Mr. MANSFIELD. Mr. President, on Tuesday of this week the distinguished senior Senator from Vermont [Mr. AIKEN] released a report on certain countries in Latin America—to be specific, Venezuela, Brazil, Peru, Bolivia, and Panama.

The reaction to this report—and it is an outstanding report—has been excellent, but I note that the emphasis has been mostly on what the Senator from Vermont had to say regarding our relationship with the Republic of Panama, and his recommendations specifically covering the future use of the Panama Canal.

I hope that in addition to the material dealing with the Republic of Panama we shall give equal consideration to the penetrating statements and the objective analysis made by the distinguished Senator from Vermont relative to Brazil, Peru, Bolivia, and Venezuela.

I was happy to note in this morning's Washington Post an excellent editorial entitled "Neighborly Advice," commending the senior Senator from Vermont for the good sense he has displayed in the 16-page report which he has issued, which is supported by proof and is characterized by good advice.

Also, on the same page, there is an excerpt from the report entitled "New Policy Urged for Panama Canal." I express the hope that the Washington Post and other newspapers will, through their columns, give as much publicity to our relations with the other countries, because what the Senator from Vermont had to say is well worth the attention of all Americans. It is well worth the attention of the Secretary of State and the Department of State, and well worth the attention of the President of the United States before he departs on his Latin American tour.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks editorials and news stories relative to the Aiken report.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 4, 1960]

NEIGHBORLY ADVICE

In the best traditions of New England frugality, Vermont's Senator AIKEN has packed more sense about Latin America into a 16-page report than can be found in reams of official prose. This holds especially true of his remarks on Panama, one of five countries the Senator visited last fall. Mr. AIKEN contends that it is time for the United States to explore "dispassionately and objectively" the idea of internationalizing the Panama Canal. The difficulties are candidly noted; these include Panamanian hostility to the proposal and the sad fact that many Americans regard any suggestion of change as "heresy or worse."

Now is assuredly the time to begin the reconsideration that Mr. AIKEN recommends, since policy concerning the Canal is in state of flux. Witness Mr. Eisenhower's ambiguous words on the question of admitting the Panamanian flag into the Canal Zone, and the overwhelming House vote for a resolution recommending a treaty revision before such a step is permitted.

All in all, Mr. AIKEN is urging the United States to reexamine some tired dogmas of inter-American relations. Among them is the notion that free enterprise is the only method that other hemisphere nations ought to employ for economic development. Quite properly, Latin Americans chide this country for reading universal laws out of the unique experience of American history. For example, Mr. AIKEN comments that "The refusal of the United States to deal with Petrobras because it is a [Brazilian] Government monopoly, seems altogether too doctrinaire. It further seems inconsistent in the light of substantial Export-Import Bank loans to develop Brazilian Government steel production."

For too long, a vapor of comforting clichés has surrounded discussions of Latin America. By letting in a little New England air, Mr. AIKEN may be clearing the way for some needed action.

[From the Washington Post, Feb. 4, 1960]

NEW POLICY URGED FOR PANAMA CANAL

(By Senator GEORGE D. AIKEN)

Panama has about 1 million people who are very poor and about 50 families who are very rich. It has the Canal Zone with about 3,500 Americans, all of whom are rich, relative to most Panamanians, and many of whom obviously feel themselves the social superiors of all Panamanians.

Given the economic and social conditions which exist in Panama, it is not surprising that there should be widespread unrest. Indeed, the surprising thing is that there has not been more.

Panama has historically lived off its geography. * * * Aside from some banama plantations and shrimp fisheries, the country has few other resources that are developed, though it has considerable agricultural land that could be developed. In its history, Panama has had only the most fleeting periods of social reform, and it has only recently begun to be touched by the wave of reform movements which are agitating much of the rest of Latin America.

In this situation, the United States offers a natural and inviting target. It would be attractive to demagogs in any event. It becomes irresistible in view of the need for an outlet for popular unrest which might otherwise be directed against the Panamanian oligarchy.

This, I think, is the real explanation for the demonstrations of November 3 and 28, 1959. It is an explanation which goes far deeper than Panamanian desires to fly the Panamanian flag in the Canal Zone or dissatisfaction over such issues as Canal Zone employment or third-country purchases. It indicates, also, that given a continuation of the present framework of United States-Panamanian relations, there is no end to our troubles in that country.

And as long as the U.S. presence in Panama remains so overwhelming, there will continue to be Panamanian agitation over something relating to the canal, regardless of whatever concessions the United States might make. The end result would be either holding the Canal Zone by force or withdrawing completely.

The first alternative is perhaps militarily feasible, but it is wholly impractical politically in the 20th century. It would do untold permanent damage to our political position throughout Latin America—and Asia and Africa, too, for that matter. The second alternative is also distasteful and would, indeed, not solve any of Panama's problems, all of which are basically unrelated to the canal.

Should the situation continue to deteriorate as now seems likely, we would do better to contemplate and explore fundamental changes which would reduce the American presence in Panama and enable us to share with others the political liabilities inherent in maintaining and operating the canal. One means of doing this would be through internationalizing the canal and thereby multilateralizing the problems attendant upon it.

Both the Organization of American States and the United Nations offer possible mechanisms. Of the two, the U.N. seems preferable, because the canal's importance is worldwide rather than hemispheric and because most of the principal shipping nations are not in the OAS. Perhaps the best arrangement would be a new agency composed of the leading shipping nations of the world.

The details of what is ultimately worked out are not now so important as willingness in the United States to explore the idea of internationalization dispassionately and objectively. The idea will no doubt strike many Americans as heresy, or worse. A calm appraisal of the problem, however, will reveal this proposal as more meritorious than it may at first seem. Adequate, foolproof safeguards to protect our own basic interests, as well as those of other maritime nations, would of course have to be written into any international agreement.

Finally, it should be noted that this proposal will undoubtedly be strongly opposed by Panama, because, among other reasons, it would remove—or at least reduce—a convenient outlet for Panamanian social and economic frustrations. Panamanians will, however, be hard pressed to find persuasive arguments against it, if it is put forward in good faith and in good time by the United States and if it finds general support among other nations.

It is important that the initiative in the matter come from the United States and that it come gracefully and opportunely. We ought not to wait so long that it appears we are being pushed into a solution, perhaps a less desirable one, grudgingly and against our will.

[From the Christian Science Monitor, Feb. 2, 1960]

AIKEN BIDS UNITED STATES EASE CANAL GRIP

(By Neal Stanford)

WASHINGTON.—A proposal that the United States internationalize the Panama Canal has come up again.

Latest proponent is the mild-mannered, hard-working Vermont Republican Senator, GEORGE D. AIKEN.

His suggestion stems from a study he has just completed after a trip as a member of the Senate Foreign Relations Committee to several Latin American countries, including Panama.

But this is not the first, and surely not the last, proposal for so handling the canal problem.

There was considerable excitement over the issue when former President Truman raised the question at Potsdam of internationalizing various waterways.

RAISED LAST YEAR

Only last December a Northwestern University study, made for the Senate Foreign Relations Committee, proposed internationalizing the Panama Canal.

But the chances of such action in the immediate, or even near future, are nil. President Eisenhower, when asked at a recent press conference whether he favored such action, answered: "I would not even think of it."

The Defense Department, which runs the canal, also has no such interest in any proposal, though it is pretty well agreed that as a military asset it has lost much of its usefulness. Many naval vessels are too large to go through the canal. Also missiles, rockets, jets, etc., have considerably reduced the canal's importance to national defense.

What Senator AIKEN and others argue is that world conditions and relations are changing so markedly and so fast that the United States cannot afford to sit tight and not change its policies with the times.

There is no present thought of the Panamanians trying to throw Uncle Sam out of the canal; in fact that is about the last thing the Panamanians would really want, for the canal is their big source of income, and it is doubtful if anyone could run it more profitably than the Panama Canal Company and the Defense Department.

GREATER VOICE ASKED

But Panama wants more of the profits, and it wants some sign of residual sovereignty such as flying its flag along with the Stars and Stripes in the Canal Zone.

Senator AIKEN makes three suggestions as to how the canal should be run—personally favoring the third:

First, that the Organization of American States be the mechanism for its control and operation, as it is a Western Hemisphere waterway.

Second, that the United Nations be used, since shipping interests from all over the world use the canal.

Third, that a new agency be set up, composed of the leading shipping nations of the world.

What Senator AIKEN wants is not an immediate U.S. decision on the canal's future, but a willingness on the part of the United States "to explore the idea of internationalization dispassionately and objectively." His concern is that the United States may get around to it too late, much as the British did in the case of the Suez Canal.

Also he is convinced that the sooner the canal ceases to be an object and target of anti-Americanism not only in Panama but all over Latin America the better.

He agrees that a proposal to internationalize the canal would be "strongly opposed" by Panama and denounced in the United States "as heresy or worse."

But he is convinced that the U.S. position in Central America will continue to deteriorate and that sitting tight is about the worst thing it can do, as the time may well come when "we will be pushed into a solution, possibly a less desirable one, grudgingly and against our will."

ADMINISTRATION SCORED

Senator AIKEN has some sharp things to say about Washington's administration of the Canal Zone and operations. Both the Defense Department and the Panama Canal Company, as he sees it, "are doing precious little to encourage better relations between Panamanians and Americans living in the Canal Zone. The number of Americans resident in the Canal Zone should be reduced.

"The matter of who has PX privileges and what the PX's may or may not sell, needs to be settled fairly and energetically."

As he puts it: "Americans have made the Canal Zone a little island of luxury in a sea of poverty"; also "most Americans living in the zone are culturally isolated from Panama."

Then there is confusion and redtape in United States-Panamanian relations over Canal Zone matters.

[From the Washington Daily News, Feb. 2, 1960]

MORE AID URGED FOR SOUTH AMERICA

(By Henry Raymont)

Senator GEORGE D. AIKEN, Republican, of Vermont, yesterday appealed to the Eisenhower administration for a more flexible and sympathetic policy toward a Latin America which he said is plunged "in a race between evolution and revolution."

The crucial question, he said, is whether Latin America's political institutions are strong enough to meet the pressing economic and social problems they face. He urged the United States to help the Latin American nations through any appropriate means available.

Senator AIKEN made these observations in a report to the Senate Foreign Relations Committee on his recent visit to Venezuela, Brazil, Peru, Bolivia, and Panama.

He sounded one particularly optimistic note. He said top government officials in Latin America are "generally first rate and * * * thoroughly aware of the nature of the problems" they face.

In a report hailed as one of the most thoughtful and analytical studies on Latin America's aspirations, Senator AIKEN recommended substantial changes in U.S. economic policy in the area. These included:

Avoid protective trade measures that may harm the neighbor economies. Quotas on Venezuelan oil were cited as an example of a harmful policy.

Extend public funds to Brazil's Government oil corporation, Petrobras. He called the State Department's policy of refusing all aid to Petrobras because it is Government-owned "too doctrinaire."

Grant loans for projects of high social priority, such as the public housing program launched by Peruvian Prime Minister Pedro Beltran.

Encourage a trend in Latin America to reduce military expenditures in favor of badly needed economic projects. He also said the United States at the same time should adopt a "tougher attitude" toward requests for military assistance.

Senator AIKEN warned about misinterpreting friendly criticism of U.S. policies in Latin America for anti-U.S. sentiment.

Mr. CLARK. Mr. President, I should like to join my colleague from Montana in the kind words he has just uttered about the Senator from Vermont. I agree that the Senator from Vermont has made a very real contribution to our foreign policy. I say this without any partisan overtones of any sort.

I hope the insertions in the RECORD which the Senator from Montana has made will be widely read. We should all commend our friend from Vermont for having performed a helpful public service.

Mr. MANSFIELD. I thank the Senator.

Mr. KUCHEL. Mr. President, the distinguished senior Senator from Vermont [Mr. AIKEN] has performed a superb service to the people of our country in his report on Latin America. I am glad to join the able majority whip, Senator AIKEN'S colleague on the Committee on Foreign Relations, in congratulating the senior Senator from Vermont, and, in doing so, in placing in the RECORD editoral and other comment from the Nation's press concerning Senator AIKEN'S report.

Mr. President, there can be no question that as the months and years go by, the ties of friendship and amity with our neighbors to the north and to the south of us in this hemisphere grow stronger as, indeed, they must. The people of the United States look on Canada, on Mexico, and on the countries of Central and South America, as members of the same great, western fraternity of nations here in this part of the globe, all of whom are united in seeking freedom and peace with honor.

The Senator from Vermont has suggested that no one—individuals or governments—can "sit tight" any more. How important, and how true. Here we are in a position of leadership with respect to the cause of peace with justice on this globe, required to peer over the horizon and to extend our hand of help and assistance to those in the Western Hemisphere who wish to travel forward on the same high road with us, seeking honorable ways for peace and for prosperity.

The recent actions of the Government, in which the Senate has participated, including the establishment of the Inter-American Bank and the Development

Loan Fund, recommended and participated in by both the executive and legislative branches of the Government, demonstrate our recognition of our responsibility and our own desire to lead and to lead honorably, and, arm in arm, with our free friends, to bring assurance for better tomorrows. More than that, I think, bit by bit, there is coming home to the heart of America the urgent need to strengthen constantly our ties of brotherhood with our neighbors in the two Americas, and to strengthen them in every way.

I simply wish to congratulate one of the truly great Americans, one of the great Senators of our country, the senior Senator from Vermont, who once again has performed a signal and superb service to his people and to his Government, in his frank, constructive report on Latin America.

Mr. JAVITS. Mr. President, I wish to join the Senator from California in commending the distinguished senior Senator from Vermont. It is often said that a Senator may be the conscience of the Senate, or the conscience of his party, or the conscience of the country. I believe in this respect that Senator AIKEN will qualify for yet another title. I think he often gives the spirit to the Senate, and very often to his party and to the country.

No man who fails to have the dispassionate point of view and objectivity and calmness of spirit possessed by Senator AIKEN would have made the suggestions and recommendations he has submitted.

One does not have to agree with friends in every detail to appreciate the tremendous leavening value of their contributions. I am sure Senator AIKEN disagrees with many of my ideas, but accepts them, and often does because of the frame of reference in which they are helpful.

In this respect I believe our whole horizon has been lifted. I agree with the Senator from California that all of us are indebted, as legislators, and the people of the country are indebted, to our friend and dear colleague, Senator AIKEN, of Vermont, for his historic contribution to our thought and to our understanding of our destiny.

Mr. DOUGLAS. Mr. President, I wish to join my colleagues in expressing our indebtedness to our very able and public-spirited senior Senator from Vermont for the forward looking and humanitarian program which he has recommended for Latin America. Senator AIKEN is beloved and respected by all of us. Over the years he has shown himself to be one of the finest public servants this Nation has ever had.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to continue my "eulogy" of Senator AIKEN, but I am glad to yield to the majority leader.

Mr. JOHNSON of Texas. The Senator from Illinois has so eloquently stated his view, and I share it so completely, that I wish to associate myself with everything the Senator from Illinois has said about the Senator from Vermont.

Mr. DOUGLAS. I will continue, and I suppose the Senator from Texas will underwrite my additional statement as well.

Mr. JOHNSON of Texas. I can certainly underwrite what the Senator has said about Senator AIKEN.

Mr. DOUGLAS. Senator AIKEN is a man of independent judgment, a man of great intellect, and a man of warm heart. At the same time, he has a very keen and critical mind.

When he went on the Foreign Relations Committee, he did not address himself to faraway problems, but to issues near at hand in Canada, Latin America, and in the Caribbean. These are areas of the world which are too frequently neglected and overlooked. He has drawn our attention to matters close to home and has expressed the good neighbor policy which more and more Americans have come to feel and which should characterize our attitude toward the nations of this hemisphere. I feel that his report will have a great effect on public opinion, and I hope it may have an effect upon the decisions of Congress and of the Executive.

Mr. WILEY. Mr. President, I could not let this opportunity pass without joining in the deserved compliments which are being paid to a great Senator and a great human being, one who has the kind heart and keen mind which make a good balance in a man. Throughout the years, I have learned really to love GEORGE AIKEN, because he has the kind of character which makes a man stand up for his convictions.

In the work he has done with respect to South America, I feel certain that the light he has shed will permeate the minds of the people who need it, both in North America and South America. Our problem in South America really is one of trying to reach an understanding with our neighbors to the south. Our problem in Panama is to bring about understanding among Panamanians, so that they can realize that, in a larger sense, we are all one family. If we do not do that, the Communists will continue to penetrate with their doctrines, and when the time is ripe, they will let the balloon go up.

I am very happy to join with all my associates in paying these high compliments to a great American, GEORGE AIKEN.

Mr. CARLSON. Mr. President, I wish to join with all my colleagues who have participated in paying tribute to our colleague, the distinguished senior Senator from Vermont [Mr. AIKEN]. I did not want this opportunity to pass without expressing my sincere appreciation for the splendid services which our colleague has rendered in his report, which I have read, on the situation as it exists in Latin America.

We have some problems in South America, and we are fortunate to have men of the vision and the understanding of Senator AIKEN to help us interpret and solve them. It has been a privilege for me to serve with him as a member of the Committee on Foreign Relations.

I think he will agree with me that we have had many discussions of our problems in Latin America and South America, including the West Indies countries. It has certainly been encouraging and helpful to me to have had the benefit of his great knowledge of that area. His last visit was not his first to South America. He knows those people well from personal experience. He knows their problems. Therefore, he has been helpful not only to the Committee on Foreign Relations and to Congress, but also to the Nation as a whole.

I trust and hope that we may follow the suggestions he has made in his excellent report to the Nation concerning our problems in Latin America. I assure him that he has my fullest cooperation in trying to solve some of those problems, problems which urgently need our consideration so that we may continue our friendly relationship with our closest neighbors.

Mr. YOUNG of North Dakota. Mr. President, I wish to join in paying tribute to the distinguished senior Senator from Vermont [Mr. AIKEN] in connection with his recent trip to South America. GEORGE AIKEN has done a better job in getting to the heart of the problem confronting us with respect to the people of South America than has any other person I have known. He is the type of man who goes immediately to the heart of a problem, and can understand the average person. He has made a tremendous contribution to the betterment of future relations between the United States and Latin American countries. More trips like his should be taken by more persons like GEORGE AIKEN.

Mr. AIKEN. Mr. President, when I came to the floor a few minutes ago, I was completely unaware of the discussion which was taking place. Needless to say, I appreciate more than I can express what my colleagues have said.

I hope that we will pay more attention to Western Hemispheric affairs from now on. I believe we are already doing so.

The expressions of confidence by my colleagues on both sides of the aisle have made me feel—well, Mr. President, I cannot say just how they make me feel, because I do not believe such a thing has ever happened to me before in just this manner.

I wish to express my appreciation particularly for the remarks which the distinguished junior Senator from Montana [Mr. MANSFIELD] made on the floor yesterday.

I do not expect that the report which I made on Latin America will be found to be correct in every particular. Some of the recommendations probably are not the wisest ones which could be made. However, if they excite discussion on this subject, I shall feel that the effort has been well made.

Again, I appreciate more than I can say the remarks of my colleagues.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CERTAIN APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space

Administration for salaries and expenses, research and development, construction and equipment, and for other purposes (with an accompanying paper); to the Committee on Aeronautical and Space Sciences.

CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

NATIONAL GUARD ARMORY WITH MOTOR VEHICLE STORAGE BUILDING, WELCH, W. VA.

A letter from the Assistant Secretary of Defense, requesting approval for the construction of a one-unit National Guard armory with motor vehicle storage building at Welch, W. Va.; to the Committee on Armed Services.

EXTENSION OF TIME FOR DISTRICT OF COLUMBIA TRANSIT SYSTEM TO FILE REPORT

A letter from the vice president and comptroller of the District of Columbia Transit System, Inc., Washington, D.C., requesting an extension of time for filing its report; to the Committee on the District of Columbia.

EXTENSION OF EXISTING CORPORATE NORMAL-TAX RATE AND CERTAIN EXCISE-TAX RATES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates (with an accompanying paper); to the Committee on Finance.

REPORT ON FOREIGN EXCESS PROPERTY DISPOSAL, DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, reporting, pursuant to law, on foreign excess property disposed of during the calendar year 1959 by the Department of Commerce; to the Committee on Government Operations.

AUDIT REPORTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal National Mortgage Association, Housing and Home Finance Agency, fiscal year 1959 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the abaca fiber program, administered by General Services Administration, for the fiscal year 1959 (with accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF SURPLUS PROPERTY PROGRAM FOR EDUCATIONAL AND PUBLIC HEALTH PURPOSES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the surplus property program for educational and public health purposes, Division of Surplus Property Utilization, Department of Health, Education, and Welfare, dated August 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF PROCUREMENT OF AIRFRAME SPARE PARTS AND AMMUNITION, AT OGDEN AIR MATERIEL AREA

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the procurement of airframe spare parts and ammunition at Ogden Air Materiel Area, Department of the Air Force (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF PRICING OF J-69 TURBOJET ENGINES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of the pricing of J-69 turbojet engines under Department of the Air Force contracts with Continental Aviation & Enginering Corp., Toledo, Ohio, dated January 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF SELECTED SUPPLY MANAGEMENT ACTIVITIES, U.S. ARMY, RYUKYU ISLANDS, AND RELATED MARINE CORPS ACTIVITIES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of selected supply management activities of the U.S. Army, Ryukyu Islands, and related activities of the Marine Corps in the Ryukyu Islands, dated January 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF CERTAIN PURCHASE ORDERS ISSUED BY DOUGLAS AIRCRAFT CO., INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of purchase orders issued by Douglas Aircraft Co., Inc., Santa Monica, Calif., under Department of the Army Subcontracts, dated January 1960 (with an accompanying report); to the Committee on Government Operations.

CLARIFICATION OF CERTAIN PROVISIONS OF CRIMINAL CODE RELATING TO IMPORTATION OF INJURIOUS MAMMALS, ETC.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C., secs. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, national, or foreign laws (18 U.S.C., sec. 43), and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON CERTAIN CONTRACTS ENTERED INTO BY GENERAL SERVICES ADMINISTRATION

A letter from the Administrator, General Services Administration, reporting, pursuant to law, that that Administration had not during the calendar year 1959, entered into any contracts under Public Law 85-804; to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Four letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter in the nature of a petition from the Oliver American Trading Co., Inc., of New York, N.Y., praying for an investigation of a certain treaty entered into with the Government of Mexico, relating to the settlement of claims; to the Committee on Foreign Relations.

A letter in the nature of a petition from the Builders of American Civics' Club, Bristol, R.I., signed by Margaret Machado, corresponding secretary, relating to Senate action on juvenile delinquency; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, with an amendment:

H.R. 6785. An act to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound of certain laminated tires produced from used tires (Rept. No. 1076).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 529. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes (Rept. No. 1077).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the bay of San Francisco (Rept. No. 1078).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 1511. A bill to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes (Rept. No. 1080).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment.

S.J. Res. 97. Joint resolution to authorize preliminary study and review in connection with proposed additional building for the Library of Congress (Rept. No. 1079).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 2977. A bill to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives; to the Committee on Agriculture and Forestry.

By Mr. WILEY:

S. 2978. A bill to amend section 709 of title 38, United States Code, with respect to the effective date of National Service Life Insurance applied for by members of the Armed Forces on active duty; to the Committee on Finance.

By Mr. BEALL:

S. 2979. A bill to authorize the Administrator of General Services to make grants in cash and land to the Convalescent Hospital of Washington, District of Columbia, Incorporated, for the purpose of enabling the Corporation to establish a convalescent and chronic disease hospital in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGNUSON:

S. 2980. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the Central and North Cascades region of the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New Jersey:

S. 2981. A bill for the relief of Miss Hanako Konishi; to the Committee on the Judiciary.

By Mr. O'MAHONEY:

S. 2982. A bill for the relief of Eduardo Giron Rodriguez; to the Committee on the Judiciary.

S. 2983. A bill to amend the Mineral Leasing Act of February 25, 1920; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. O'MAHONEY when he introduced the last above-mentioned bill, which appears under a separate heading.)

By Mr. JOHNSTON of South Carolina (by request):

S. 2984. A bill authorizing the Interstate Commerce Commission to place certain positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, as amended; to the Committee on Post Office and Civil Service.

By Mr. MORTON:

S. 2985. A bill to change the name of the locks and dam No. 41 on the Ohio River at Louisville, Ky.; to the Committee on Public Works.

(See the remarks of Mr. MORTON when he introduced the above bill, which appear under a separate heading.)

By Mr. O'MAHONEY:

S. 2986. A bill to clarify the authority of the Commissioner of Patents to compile, publish, and disseminate certain information relating to patents; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 2987. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; and

S. 2988. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; to the Committee on the District of Columbia.

RESOLUTIONS

MEMORIAL SERVICES FOR THE LATE SENATOR WILLIAM LANGER

Mr. MANSFIELD submitted a resolution (S. Res. 268) relating to memorial services for the late Senator WILLIAM LANGER, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

AUTHORIZATION TO PRINT CERTAIN REPORTS AS SENATE DOCUMENTS

Mr. KERR. Mr. President, I submit for appropriate reference, two resolutions. These resolutions authorize the printing as Senate documents two reports of advisory councils which were authorized by the Senate in the Social Security Amendments of 1958. One was for the purpose of reviewing the status of the public assistance program in relation to the old-age, survivors, and disability insurance program, the fiscal capacities of the States and the Federal Government, and other factors bearing on the amount and proportion of the Federal and State shares in the public assistance program. The other was for the purpose of making recommendations and advising the Secretary of Health, Education, and Welfare in connection with the effectuation of the child welfare provisions of the Social Security Act.

These reports are comprehensive, thorough, and authoritative; and while I do not fully agree with their conclusions, I feel they are of such value as to completely justify their being printed as Senate documents.

The PRESIDENT pro tempore. The resolutions will be received and appropriately referred.

The resolutions were referred to the Committee on Rules and Administration, as follows:

S. Res. 269. Resolution to print as a Senate document, with an illustration, the report of the Advisory Council on Public Assistance.

"*Resolved*, That the report of the Advisory Council on Public Assistance be printed as a Senate document, with an illustration."

S. Res. 270. Resolution to print as a Senate document, with an illustration, the report of the Advisory Council on Child Welfare Services:

"*Resolved*, That the report of the Advisory Council on Child Welfare Services be printed as a Senate document, with an illustration."

AMENDMENT OF MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. O'MAHONEY. Mr. President, on June 15, 1959, I introduced Senate bill 2181 to amend the Mineral Leasing Act of 1920. The bill contemplated a major revision of the Mineral Leasing Act to meet new conditions which have arisen on the public lands. S. 2181 dealt with both the emergency which arose because of the filing of contests by the Department of the Interior against some 450 owners of oil and gas leases and general revisions of the law which looked toward amending the law in order to assure the continued exploration for oil and gas under orderly conditions. Extensive hearings were held on S. 2181 and its companion bill in the House of Representatives. As the session was drawing to an end, the wisest course appeared to be the enactment of the emergency feature of S. 2181. The law, known as the Bona Fide Purchaser Act, was signed by the President on September 21 and is now Public Law 86–294. Today I introduce for appropriate reference, a bill dealing with the general revisions of the Mineral Leasing Act which are desirable at this time if we are to promote the continued development of oil and gas reserves on the public lands. The bill I introduce today, while containing provisions similar to S. 2181, is the product of the hearings held on S. 2181 and numerous consultations which I have had with officials of the Department of the Interior and representatives of the oil industry on the public land States.

This bill will promote the orderly development by amending sections 17 and 27 of the Mineral Leasing Act. These sections have been rewritten to preserve as much as possible of the present language while making changes to produce the desired results. The main proposals are as follows:

First. To make the primary term of all oil and gas leases 10 years and so long thereafter as oil or gas is produced in paying quantities.

Second. To provide that no person, association or corporation shall hold more than 246,080 acres in any one State by option or lease. The present law provides for the holding of 46,080 acres by lease and the holding of 200,000 acres under option. This provision permits individuals to consolidate their holdings by either method so that their total holdings may not be greater than they are under existing law.

Third. To provide that no option for an oil or gas lease shall extend for more than 3 years without the prior approval of the Secretary and that no person, association or corporation shall hold any such option at any one time on more than 200,000 acres of land in any one State.

Fourth. To require the filing in the local land offices of notice showing the number of acres under option, the names of all parties and their interests and obligations.

Fifth. To provide that violators may be proceeded against by the Secretary in administrative proceedings but that in the event the Secretary has reason to believe that fraud has been committed, he may request the Attorney General to institute proceedings in the U.S. district court.

Sixth. To authorize the court, if fraud is found, to declare the violator ineligible thereafter, either permanently or for a lesser period, to hold any lease or other interest in land under the provisions of this act.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2983) to amend the Mineral Leasing Act of February 25, 1920, introduced by Mr. O'MAHONEY, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CHANGE OF NAME OF LOCKS AND DAM 41, ON THE OHIO RIVER, LOUISVILLE, KY.

Mr. MORTON. Mr. President, I introduce, for appropriate reference, a bill to change the name of locks and dam No. 41 on the Ohio River at Louisville, Ky., to the McAlpine locks and dam.

Locks and dam No. 41 is located astride the falls of the Ohio, a traditional and historical bottleneck to river navigation. This vital facility now is being reconstructed by the Army Corps of Engineers as part of the Ohio River modernization program. A companion bill, House bill 10164, was introduced in the House of Representatives on Wednesday by the Honorable FRANK BURKE, of Kentucky's Third Congressional District, which encompasses Louisville and Jefferson County.

The Corps of Engineers customarily uses a geographical identification to designate various projects. However, it has also been customary to rename many of these projects as a memorial to individuals whose accomplishments are closely associated with the development of their communities or specific regions.

Mr. William H. McAlpine was one of the foremost civil engineers in the Corps of Engineers. His contribution to development of flood control, power, and navigation projects constitutes an amaz-

ing chapter in the history of our inland waterways system. The Ohio Valley is indebted to Mr. McAlpine for his work in planning and constructing the navigational system of locks and dams along one of the world's major commercial waterways. The tremendous industrial growth in the Ohio Valley stems largely from the availability of a dependable river transportation system.

I believe it is highly appropriate that locks and dam No. 41 be rechristened in Mr. McAlpine's honor. It will perpetuate the region's memory of a very distinguished and dedicated gentleman whose contribution to its economic vigor and prosperity is tremendous and should be suitably memorialized.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief summary of the life and professional history of Mr. McAlpine.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD.

The bill (S. 2985) to change the name of the locks and dam No. 41 on the Ohio River at Louisville, Ky., introduced by Mr. MORTON, was received, read twice by its title, and referred to the Committee on Public Works.

The summary presented by Mr. MORTON is as follows:

MR. WILLIAM H. MCALPINE

Mr. McAlpine was born in Lawrence, Mass., on August 22, 1874. Following graduation from the Massachusetts Institute of Technology in 1896, he worked on engineering projects from Massachusetts to California for about 6 years. In 1902, he became a junior engineer in the Corps of Engineers' Cincinnati district office to design and be in charge of construction of lock No. 10 on the Kentucky River. Four years later he was named assistant engineer, and in this capacity was in local charge of the operation and maintenance of all locks and dams on the Kentucky River. In November 1912, he became principal assistant to the district engineer in Louisville, and was appointed district engineer in June 1919, a position he held until December 1930.

During this period, he directed the construction of dams 43, 44, 45, 46, 49, 50, 51, 52, and 53. This system of nine navigational locks and dams below Louisville was developed under his guidance and made the stream into a water highway which fostered the Ohio Valley's great industrial expansion. He left the Louisville district in December 1930, for a 4-year assignment that put him in charge of design and construction of upper Mississippi River locks and dams. In 1934, he came to Washington as Chief of the Engineering Division of the Office, Chief of Engineers, U.S. Army. He remained with the Chief Engineer's Office in various important capacities until his death on November 1, 1956. As Special Assistant to the Chief of Engineers he was a member of consulting boards for a very large number of dams for flood control, hydroelectric power, and navigation. He also was a member of the consulting board for the Tennessee Valley Authority and the consulting board named to consider changes in the existing Panama Canal. At his death, he was a consultant to the Chief of Engineers.

Mr. McAlpine held membership in several professional engineering societies and organizations, and in 1946 received the War Department Exceptional Civilian Service Medal in recognition of his outstanding devotion and accomplishments. His friends have long believed that his modesty has prevented full recognition of his outstanding work, and several organizations have endorsed changing the name of locks and dam No. 41 to McAlpine Dam as a permanent tribute to his memory.

COMMISSION ON EQUAL JOB OPPORTUNITY UNDER GOVERNMENT CONTRACTS—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him to the bill (S. 942) to establish a Commission on Equal Job Opportunity Under Government Contracts, which was referred to the Committee on Labor and Public Welfare, and ordered to be printed.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—AMENDMENTS

Mr. MAGNUSON submitted amendments, intended to be proposed by him, to the bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes; which were ordered to lie on the table and be printed.

DISCLOSURE OF FINANCE CHARGES IN CONNECTION WITH EXTENSIONS OF CREDIT—ADDITIONAL COSPONSOR OF BILL

Mr. DOUGLAS. Mr. President, at the next printing of the bill—S. 2755—to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit, I ask unanimous consent that the name of the Senator from Nevada [Mr. CANNON] may be added as an additional cosponsor. The bill was introduced by me on January 7, 1960.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXPRESSION OF INDIGNATION OF CONGRESS AT DESECRATIONS OF HOUSES OF WORSHIP AND OTHER SACRED SITES—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the senior Senator from California [Mr. KUCHEL] be added to the list of names of cosponsors of Senate Concurrent Resolution 84, expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites. The concurrent resolution was submitted by me, on behalf of myself and the Senator from Illinois [Mr. DOUGLAS], the Senator from Connecticut [Mr. BUSH], and the Senator from Pennsylvania [Mr. CLARK], on January 29, 1960.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I also take this opportunity to urge the taking of action on the concurrent resolution. This subject has already received favorable action, without a dissenting voice, in the other body. In a matter of this character, I think the urgency arises from the fact that if we are to strike a blow for decency, freedom, and free institutions, it must be done in a timely way; and this is the right time.

NOTICE OF PUBLIC HEARING BEFORE SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. SPARKMAN. Mr. President, yesterday I announced that the Subcommittee on Housing of the Committee on Banking and Currency would hold a public hearing at 10 a.m. on Monday, February 15. The date for this hearing has been changed to Wednesday, February 17, at which time officials of the Housing and Home Finance Agency will report upon the current status of the several programs administered by that Agency.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Address on the subject "Advertising Builds the Economy," delivered by Senator MAGNUSON at Television Bureau of Advertising meeting in Washington, D.C., on February 4, 1960.

MINE SAFETY

Mr. CLARK. Mr. President, there will shortly come before the Senate a mine safety bill, which I shall have the honor of presenting. The purpose of the bill is to decrease mine casualties in the smaller mines of our country, and to do so by providing for Federal inspection.

In order that my colleagues may have before them some important pertinent material when the bill is called up, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Two Hundred and Ninety Mine Deaths in 1959," written by Charles Ferguson, director of the United Mine Workers of America, Safety Division, and Jeanne Dubendorf, Journal staff writer, and published in the United Mine Workers Journal of February 1, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO HUNDRED AND NINETY MINE DEATHS IN 1959—MANY PRODUCERS EVADE RESPONSIBILITY

(By Charles Ferguson)

Preliminary figures released by the U.S. Bureau of Mines indicate that 290 coal miners died while producing coal during 1959. Between 55 and 60 percent of these fatalities were caused by falls of roof, face or rib, which continue to be the No. 1 killer in the coal-mining industry.

While it is true that 1959 was the best year the industry has enjoyed in that numerically the toll of fatal accidents set a record low, it is my considered opinion that we cannot be boastful in only killing 290 men. Statistics show that 85 to 90 percent of these fatalities were preventable, had management assumed its responsibility.

There were two major disasters during 1959—one of which was an inundation in the anthracite region that claimed 12 lives, and the other an explosion which occurred in a nonunion mine in Tennessee, claiming 9 lives. Both of these disasters were entirely preventable; and, had management assumed its responsibility, 21 men who are now dead would probably be alive.

Doubtless, there will be many who will say that 1959 was a good year. I say that no year is a good one in which men are killed or injured unnecessarily.

A comparison of the number of coal miners killed underground in small mines and so-called large mines reveals some startling facts. The statistics are a gruesome reminder—we hope—to the 86th Congress, now in session, of the absolute necessity of amending the Federal Coal Mine Safety Act to protect the lives of men working underground in mines employing 14 or less men.

Our figures show that nearly one-third—31 percent—of all underground coal mine deaths in the United States in 1959 occurred in so-called title I (14 or less men) mines. At the same time these small, unsafe (little death traps), underground mines produces only about 12 percent of the total underground production of coal in the country.

The American coal industry produced a little more than 295 million tons of coal underground last year. About 260 million tons of this came from title II (15 or more men) mines. The remainder—only about 36 million tons—was dug in title I (the so-called small) mines.

The Congress decided, following the terrible West Frankfort, Ill., mine disaster which killed 119 men in 1951, that coal miners must be protected by Federal law. Since that time no disasters of the West Frankfort type have occurred.

But the slaughter in the small mines is increasing year by year because they were exempted from that law.

There is simply no reason—morally or legally—why these small mine companies should be permitted to kill coal miners with impunity while the companies employing 15 or more men are required to keep their mines in relatively safe condition by law.

Our organization has continued and will continue our cooperative safety efforts to the fullest extent of our ability, but we call upon management to assume its responsibility in these vital safety endeavors. Lip service will never reduce the accident rate to the desired minimum. It is true that a large portion of the industry made progress during 1959 in reducing deaths and injuries in their particular operations. They are to be commended for their efforts in this respect. However, there is still that segment of the industry which continues to evade its responsibility and did nothing, cooperatively or otherwise, to reduce the terrible toll of deaths in the coal-mining industry. I call upon those persons to assume their responsibilities and to join with the progressive, thinking part of management, the Federal Bureau of Mines, the various State departments of mines and the union in order that 1960 will see fatalities reduced to an absolute minimum.

Safety committeemen at each mine have the primary responsibility to see that dangerous conditions, either reported to them or found by them, are corrected. Failure or refusal of coal companies to correct known dangerous conditions should be reported to the district or international union without delay.

Since safety begins at the mine, our membership must at all times work safely and have regard for the safety of their fellow workers. After all, the statement: "The life you save may be your own" is certainly a true one.

(By Jeanne Dubendorf)

Two hundred and ninety American coal miners died as a result of on-the-job accidents and approximately 13,090 others were temporarily or permanently disabled last year, the U.S. Bureau of Mines reported January 22.

For every 1 million man-hours worked in the industry in 1959 a miner, somewhere in the country, was killed on the job. The toll was distributed over 16 States as the Nation's bituminous and anthracite mines produced 429,537,000 tons of coal during the year.

One hundred and forty-three men were crushed to death under roof falls—as always the No. 1 killer of coal miners—43 lost their lives in underground haulage accidents, 21 died in two major disasters. Those categories alone made up almost three-quarters of the toll.

The 290 mine workers who died in these and other accidents represented the industry's smallest loss of life in any year since complete statistics have been kept by the U.S. Bureau of Mines (established in 1910) and its forerunners.

This fact, whatever its historical interest, holds no consolation for the families who experienced tragic personal losses and economic hardship because of the deaths. It is largely meaningless anyway for the reason that the industry's work force underwent further contraction and dropped to a record low also. According to the latest available count by the Bureau, an average of 194,100 bituminous and anthracite mine workers, supervisors included, were working during the first 9 months of 1959, or about 22,700 less than in 1958.

In 1958 the death toll was 356, the injured numbered about 14,354, there were 3 major disasters, and the frequency rate of fatal accidents was a real shocker. The rate for all coal was 1.14 fatalities per million man-hours of exposure, 1.16 for bituminous mines. The bituminous rate reflected stepped-up mechanization without adequate safety planning in the larger mines; it also reflected a growing proportion of fatalities in "dog-hole" and similar small operations.

Fatality frequency for all coal was 0.99 per million man-hours last year, a reduction of 13 percent compared to the 1958 frequency, according to preliminary Bureau figures.

Commenting on the 1959 record, Charles Ferguson, UMWA safety director, said analysis of the Federal investigation reports on all fatal accidents showed that 85 to 90 percent of the year's fatalities "were preventable, had management assumed its responsibility." Many producers deserve to be commended, he stated, for the progress made in 1959 in reducing deaths and injuries in their mines. But, he added, there is still "that segment of the industry which continues to evade its responsibility and did nothing, cooperatively or otherwise, to reduce the terrible toll of deaths." He called upon the latter to "join with the progressive, thinking part of management, the Federal Bureau of Mines, the various State departments of mines, and the union" to reduce fatal accidents to an absolute minimum in 1960.

1959 production and fatalities by months [1]

	Bituminous		Pennsylvania anthracite		Total	
	Production (short tons)	Killed	Production (short tons)	Killed	Production (short tons)	Killed
January	35,730,000	24	2,194,000	15	37,924,000	39
February	33,760,000	19	1,557,000	2	35,317,000	21
March	34,820,000	35	1,508,000	1	36,328,000	36
April	34,460,000	19	1,503,000	2	35,963,000	21
May	34,860,000	15	1,388,000	2	36,248,000	17
June	36,010,000	15	1,683,000	3	37,693,000	18
July	24,260,000	21	1,142,000	2	25,402,000	23
August	29,940,000	19	1,515,000	1	31,455,000	20
September	32,400,000	24	1,726,000	8	34,126,000	32
October	34,770,000	15	1,709,000	3	36,479,000	18
November	35,330,000	22	1,763,000	2	37,093,000	24
December	39,940,000	16	1,849,000	5	41,789,000	21
Total	[2] 410,000,000	244	19,537,000	46	[2] 429,537,000	290
January–December 1958	410,446,000	324	21,171,000	32	431,617,000	356

[1] All figures are subject to revising. Basic tonnage figures were compiled from reports of the Division of Bituminous Coal and Division of Anthracite, Bureau of Mines.

[2] Estimate for the year is not the total of monthly figures; it represents overall, year-end adjustments which are not distributed by months.

Ferguson also called for early passage by Congress of pending legislation that would bring mines employing 14 or less men under mandatory Federal safety provisions.

Bureau of Mines Director Marling J. Ankeny observed that "it is evident * * * that much more must be done" to curb the old problem of roof, face and rib falls which still dogs the industry. He said the 1960 campaign, under National Safety Council auspices, to reduce roof falls by 50 percent offers an opportunity for the industry as a whole to demonstrate it is "seriously interested in coping with the roof-fall menace." The Bureau director asserted that safety is not a special activity but an "integral part of every minute of the working cycle."

An industry spokesman, James B. Benson, safety director for the Southern Coal Producers Association, said the lower toll of fatal accidents in 1959 is certainly welcome, but it was not encouraging that "at least 275 of these fatalities could have been prevented." He noted some mines and individual companies achieved their best safety records ever and told of one company with a 7-million-ton output in 1959 whose mines, probably for the first time, operated fatality-free for the entire year. He said accident prevention takes hard work and the determination of every single individual involved in mine operation. The necessary safety climate, he added, has been developed at all too few mines. He warned that continuation of the 1959 roof fatality rate "means that approximately 150 men will lose their lives needlessly under falls of roof during 1960."

The 2 major mine disasters in 1959

Date	Mine	Company	Nearest town	State	Number killed	Cause
Jan. 22	River Slope	Knox Coal Co.	Port Griffith	Pennsylvania.	12	Inundation.
Mar. 23	No. 1	Phillips & West Coal Co.	Robbins	Tennessee	[1] 9	Explosion.

[1] The entire underground working force.

The cold statistics extracted from the human story of sudden death and agony in 1959 point up two particularly significant facts:

The old pattern of roof falls claiming half or more of the lives snuffed out annually was still much in evidence last year. This pattern held even though virtually the entire reduction in fatal accidents as between 1959 and 1958 was accounted for by underground mines. Its perennial recurrence serves to emphasize the importance of the 1960 national campaign to reduce roof-fall injuries and fatalities.

Fact No. 2, which has a direct bearing on fact No. 1, is that in 1959 nearly one-third of all fatal accidents in underground mines occurred in small mines or the so-called title I miles that presently are exempted from mandatory safety regulations enforced by the Federal Bureau of Mines. Thousands of pits that employ 14 or fewer men underground come under the exemption. Seventy-seven fatalities were charged to these mines in 1959. Most of these accidents were roof, rib, pillar or face falls—54 of them to be exact. The year's one major bituminous mine disaster—a gas and dust explosion—wiped out the entire underground crew of nine men in a family-operated, title I pit near Robbins, Tenn. Title I mines accounted for 31 percent of the underground fatality toll of 250 lives last year but represented only about 12 percent of the coal produced in underground mines.

10-year trend of fatal, nonfatal rates (per million man-hours of exposure)

Year	Bituminous		Pennsylvania anthracite		All coal	
	Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Nonfatal
1950	0.93	47.83	0.75	71.72	0.90	52.38
1951	1.16	47.56	.95	69.94	1.13	50.99
1952	.90	47.64	1.03	66.35	.92	50.66
1953	.89	45.26	.92	59.85	.90	47.23
1954	.99	43.66	1.23	59.18	1.02	45.67
1955	.96	42.76	1.30	63.46	1.00	45.03
1956	1.02	42.99	1.12	66.31	1.03	45.69
1957	1.17	43.74	1.15	64.93	1.17	46.04
1958 [1]	1.16	43.87	.90	59.88	1.14	45.68
1959 [2]	.92	43.31	1.64	65.50	.99	45.44

[1] Bituminous figures for 1958 are still subject to revision; anthracite figures are in final form.

[2] All figures for 1959 are preliminary; nonfatal frequency rates are based on data for the first 10 months of the year.

Source of all figures: U.S. Bureau of Mines.

Fatality causes: 1959 and 1958 compared [1]

	Bituminous fatalities		Pennsylvania anthracite fatalities		Total fatalities	
	1959	1958	1959	1958	1959	1958
Underground:						
Falls of roof	128	153	13	18	141	171
Falls of roof from equipment knocking out support	2	3		1	2	4
Falls of face, rib, or pillar	6	3	5	1	11	4
Falls of roof or face, etc., from bumps, bursts	1	4			1	4
Inrush of water or material			12		12	
Haulage	35	43	8		43	43
Gas or dust explosions:						
Minor	1	5		1	1	6
Major	9	36			9	36
Explosives	4	7	2	1	6	8
Electricity	7	14			7	14
Machinery	13	11			13	11
Mine fires		3				3
All other	3	5	1	4	4	9
Total underground	209	287	41	26	250	313
Surface:						
Haulage	7	9	1	2	8	11
Electricity	3				3	
Machinery	3	2	2	1	5	3
Surface—Continued						
All other [2]	4	7	1		5	7
Total surface	17	18	4	3	21	21
Strip mines:						
Haulage	4	5		2	4	7
Electricity	3	1			3	1
Machinery	6	4			6	4
All other	5	6	1	1	6	7
Total strip	18	16	1	3	19	19
Auger mines:						
Falls of roof or face						
Haulage						
Gas or dust explosions:						
Minor						
Major						
Machinery		2				2
Suffocation						
All other		1				1
Total auger		3				3
Grand total	244	324	46	32	290	356

[1] All figures are subject to revision.

[2] Includes 1 surface fatality resulting from fall of roof underground in Kentucky, 1958.

Fatality frequency of 0.99 per million man-hours for all coal in 1959 was not a record low. Considerably lower frequency rates were recorded in 1950, 1952, and 1953, although the death toll in each of those years was much greater than last year's. The lowest fatality frequency ever recorded for U.S. coal mines—0.99 per million man-hours—was first recorded in 1950 and again in 1953.

Forty-six anthracite miners were killed in 1959. The frequency of fatal accidents in anthracite mines, rising far above that for any other year in the last decade, was 1.64 per million man-hours and reflected the impact of a major disaster in which 12 men died in January 1959. Getting off to a poor start, the region's bad accident record was compounded in bloody September when eight men were killed and by the heavy December toll of five lives. (In contrast to what happened in the State's anthracite mines in December, Pennsylvania bituminous mines were reported fatality-free, their first month without a fatal accident since 1952.)

Bituminous mines claimed 244 lives in 1959. Much of the all-too-familiar bituminous story is symbolized by the bare facts of the year's first and last fatal accidents. The first to be fatally injured in the Nation's coal mines in 1959 was a 39-year-old veteran eastern Kentucky miner, married and the father of eight dependent children. He was run over by a trip of cars on January 5. He was dead on being removed to the surface. Underground haulage was the second leading cause of fatal injury in 1959.

Perennially the No. 1 killer, roof falls were responsible for two of the year's last fatal accidents. A roof fall on December 30 on the haulage road of a small title I mine in Virginia claimed a 24-year-old victim who died the next day. He left a widow and a child. The cause as determined by a Federal mine inspector had a familiar sound: "Failure to take down or support the roof adequately along the haulageway was the cause of the accident."

The year's last fatal accident was a roof fall in a large, mechanized mine in Boone County, W. Va. The victim was a 34-year-old machine operator who left his widow and four children. Federal inspectors reported the cause was: "Failure to provide adequate and suitable roof supports at a room entrance where men were required to work and operate equipment * * *."

The bituminous frequency of fatal accidents was 0.92 per million man-hours last year, compared to the disaster-swollen frequency of 1.16 per million man-hours for 1958. Possibly the one really encouraging statistic in the Bureau's year-end report, it may indicate that in 1959 the trend of recent years to higher and higher bituminous fatality rates was finally reversed.

From an all-time low frequency of 0.89 per million man-hours in 1953, bituminous fatality frequency began mounting sharply in 1954 at the same time that a massive dose of modernization was bringing about an incredibly rapid rise in per-man productivity. In 1957 and 1958 fatal accidents were more frequent in bituminous mines than in any of the years since World War II with the single exception of 1947.

Three States—West Virginia, Pennsylvania, and Kentucky—accounted for nearly three-quarters of the 1959 mining toll. There were 86 deaths in West Virginia, 82 in Pennsylvania (46 anthracite, 36 bituminous), and

44 in Kentucky. Fatalities in other States: Virginia, 22; Tennessee, 18 (including 9 killed by an explosion in a title I mine); Alabama, 9; Illinois, 9; Indiana, 4; Utah, 4; Ohio, 3; Colorado, 2; Iowa, 2; Oklahoma, 2; Maryland, 1; Missouri, 1; and Alaska, 1.

Out of a total of 250 underground fatalities, roof falls caused 143, as noted previously. Only two of these deaths were caused by mobile equipment knocking out roof supports. The remainder were roof falls in the usual sense, attributed in the main to inadequate roof support or failure to take down loose roof. Rib, pillar, and face falls claimed 11 lives and a coal outburst claimed 1 victim, making a total of 155 fatalities caused by roof and other rock and coal falls. The comparable toll for 1958 was 183 deaths.

Underground haulage accidents, second most frequent cause of fatalities, claimed 43 lives last year, the same number as in 1958.

Underground machinery mishaps, the third leading cause, took 13 lives, compared to 11 in 1958.

TWENTY-ONE KILLED IN MAJOR DISASTERS

The two major mine disasters of 1959 claimed the fourth and fifth largest number of victims. Twelve men lost their lives on January 22 when icy waters of the Susquehanna River broke through thin rock cover and flooded the River Slope anthracite mine of the Knox Coal Co., Port Griffith, Pa. Adjacent mines were also inundated but, fortunately, without serious casualties. The bodies of the 12 dead have never been recovered. A State commission of mine inspectors who probed the tragedy charged that the disaster was caused by willful and deliberate violations of State anthracite mining law and by the negligence of seven supervisory employees of the Knox firm and the Pennsylvania Coal Co.

The second disaster came on March 23 when a gas and dust explosion wiped out the entire crew of a small, nonunion mine near Robbins, Tenn. Nine men, all related by blood or marriage were killed. The mine was exempt from mandatory Federal safety regulations because it employed fewer than 15 men underground. Compliance with these regulations would have prevented the explosion, the Federal investigation showed. The toll of two major explosions in 1958 was 36 lives; both occurred in mechanized mines.

Other underground fatality causes in 1959 were: electricity 7 fatilities, compared to 14 in 1958; explosives 6 deaths, compared to 8 in 1958; minor explosions 1 death, compared to 6 in 1958; miscellaneous accidents 4 deaths, compared to 9 in 1958.

Underground mining accounted for virtually the entire reduction in fatal accidents as between 1959 and 1958. As against the 250 underground fatalities in 1959, there were 313 deep-mine fatalities in 1958.

Surface operations at deep mines claimed 21 lives, the same number as in 1958. Strip mines with 19 fatalities also had identical tolls in 1958 and 1959. Auger mines, which had three fatalities in 1958, were free of fatal accidents last year.

Surface fatalities were from these causes: haulage 8, compared to 11 in 1958; electricity 3, compared to none the year before; machinery 5, compared to 3; all other accidents 5, compared to 7 in 1958.

Strip-mine fatality causes were: haulage 4, compared to 7 in 1958; electricity 3, compared to 1; machinery 6, compared to 4; all other accidents 6, compared to 7 in 1958.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CLARK. I am very happy to yield to my distinguished colleague from West Virginia, whose interest in this subject is well known to all his colleagues.

Mr. RANDOLPH. Mr. President, I am grateful to my friend from Pennsylvania for yielding to me during his discussion of this pertinent and accurate article on mine safety from the United Mine Workers Journal.

As the Senator has so well said, there is need for a further safety program for the mines of this country. We know that safety legislation enacted many years ago by the Congress brought about a lessening of the work hazards in the important bituminous coal industry. The efforts, therefore, of the Senator from Pennsylvania looking to the further protection of the mineworkers through the pending bill to be presented to the Senate by my colleague from Pennsylvania deserve not only sympathetic consideration, but also positive action by the Members of this body. I have joined in cosponsorship of the measure which will be brought to this Chamber.

Mr. CLARK. I thank the Senator.

Mr. President——

The PRESIDENT pro tempore. The Senator from Pennsylvania.

U.S. LEADERSHIP IN WORLD AFFAIRS

Mr. CLARK. Mr. President, at this time we are engaged in a great national debate to determine whether our country is taking the part of leadership in the free world which it should take, or whether we are merely creating a friendly atmosphere—as we know we are—and not measuring up to our leadership potential.

A helpful editorial from the Harrisburg (Pa.) Patriot in this connection, published on February 1, is entitled "The 'Reluctant Debutante.'" I ask unanimous consent that this editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE "RELUCTANT DEBUTANTE"

"The United States is a reluctant debutante in world affairs."

This appraisal was made by Prime Minister Macmillan in South Africa last week.

In a sense, this is a compliment. It is testimony that the United States, which, in the words of its President, still is the strongest nation on earth, hasn't become the international village bully. Unlike the Soviet Union, which, in the words of its chief, also is the strongest nation on earth, the United States hasn't thrown its weight around.

But there is a warning in the Prime Minister's bon mot, too. For there seems to be a measure of truth in the picture of the United States it conjures up.

For better or worse, whether it likes it or not, America irrevocably has been cast in the role of the free world's leader. Germany may have made a spectacular recovery. France, despite her current agony, may be recapturing some of her past grandeur. The British may occasionally talk as though Britannia still ruled the waves, and the sun never set on the Empire.

But it is the United States whose existence guarantees the free existence of all of them. It is the United States which alone holds the power to halt or at least slow down the march of world communism. Without America, who can doubt that the rest of the democratic world would have undergone a sea change long ago?

Yet, has American really been leading? Or has it been content to act as an indulgent chairman presiding over a vociferous, disunited club?

In May, in Paris, the first of a series of summit meetings will take place. The Soviet Union, its strength buttressed by a half-dozen satellites, will act and speak as a single monolithic force.

But the United States so far has failed to weld the Western alliance into a semblance of unified entity. The British want one thing. The French want another. And the West Germans, who won't sit around the table but will be very much in attendance nonetheless, want still another.

Instead of leading, the United States has given the impression of bending with the wind, from whatever direction it happens to blow. The round of Western summit conferences was climaxed by soothing communiques but no firm policy.

What of disarmament—the issue which both East and West agree is among the most vital facing the world today?

Next month, in Geneva, 10 countries will attempt to thrash out a plan to stop or control the suicidal arms race. The Russians have trumpeted their own spurious total disarmament program from the rooftops. The British, in a softer key, have announced theirs. But the Americans have maintained a shattering silence on exactly what they feel should be done. All that has happened is that a committee has been "studying the problem" and is expected to come up with some recommendations.

What of America's Far East policy?

The United States and Japan have signed a positive treaty of alliance against communism. But this success only partially overcomes the lack of initiative in other Far Eastern regions.

Nearly 2 weeks ago, Secretary Herter conceded Red China's contention that Peiping can't feel bound by any treaty of which it isn't a part.

But has there been any forthright American effort to budge United States-Chinese relations off dead center? Has there been any attempt yet to lay down the conditions under which we're prepared to talk business with Peiping—not from weakness, but from strength?

In the Middle East, too, America has stepped less like a world leader than Mr. Macmillan's reluctant debutante. We've saved Mr. Nasser from destruction. We've yet to exact from him the slightest hint that he won't attack Israel at the first opportunity.

Certainly, we have given the world an unmistakable impression of our sincerity and of our aspirations. President Eisenhower has achieved that, in a few magnificent weeks of personal diplomacy.

The world, that part of it willing to be convinced, now knows that the United States is friendly. It has yet to be convinced that the United States can lead.

Mr. CLARK. The concluding paragraphs are worth restating. Says the Harrisburg Patriot, a good Republican journal:

Certainly, we have given the world an unmistakable impression of our sincerity and of our aspirations. President Eisenhower has achieved that, in a few magnificent weeks of personal diplomacy.

The world, that part of it willing to be convinced, now knows that the United States is friendly. It has yet to be convinced that the United States can lead.

Turning now to another but allied subject, Mr. President, many of us in Washington value the friendship of the very

able columnists who write in our local newspapers and in other great newspapers across the country. We have an opportunity to meet socially with such diverse but charming personalities as Drew Pearson, Arthur Krock, Marquis Childs, Joe Alsop, Walter Lippmann, and others. We get their views both in their newspapers and informally.

However, I wonder whether any of these columnists ever reads what the others write. My wonder is occasioned by the column published in this morning's New York Times and written by that outstanding columnist—and, I am happy to say, my good friend—Arthur Krock. It is entitled "Analysis of a Phrase by Eisenhower."

I ask unanimous consent that the column may appear at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANALYSIS OF A PHRASE BY EISENHOWER

(By Arthur Krock)

WASHINGTON, February 3.—The critics of the administration's budget for fiscal 1960–61 do not all attack it for the same reason. But they are united in the use of the same phrase in expressing their criticism: "second-rate power." The budget, they say, reflects the President's acceptance of this status for the United States in the categories of their divergent special interests, missile production, space exploration, Army equipment, and the scope and size of Federal appropriations for the general welfare.

The phrase has thus become a cliche which, because so many who have means of communicating with the people employ it, has stimulated wide popular apprehension that the Nation is moving toward this dark prospect in an era of aggressive world communism. And since generals of dedicated patriotism and expert knowledge are disputing the military budget as stabilizing such a prospect, and civilians equally dedicated and expert envisage the same consequence of the civil budget, disturbance and confusion prevail among the American people.

The numerous congressional hearings on the issue may provide a basis for informed and unbiased judgment on which Congress can act. But these hearings, though they are a valuable part of our political system, and are required by the gravity of the issues, have not supplied this basis thus far. And the congressional committee protocol which requires overworked administrators to give the same testimony day after day is physically exhausting men who constantly must make momentous decisions.

EXECUTIVE RESPONSIBILITY

But in differences over problems of national security the people must chiefly rely on the President to make the best solutions under his constitutional responsibility. And this lends even more importance to his analysis at his news conference today of the contentions of his military and civilian critics. On the dispute whether the United States has, and if so can maintain, a military posture sufficient to deter armed attack from Soviet Russia, he said this:

"I am always a little bit amazed about this business of catching up. What you want is enough, a thing that is adequate. A deterrent has no added power, once it has become completely adequate, for compelling the respect of any potential opponent for your deterrent, and therefore to make him act prudently. * * * I have got the Secretary of Defense [Gates], whom I trust and who I know is honest in his study, analysis and conclusion. And beneath him * * * is the Chairman of the Chiefs of Staff [Twining] * * * whom I similarly trust, and the Joint Chiefs of Staff. * * * [These] are my military advisers. [So,] I cannot be particularly disturbed because everybody with a parochial viewpoint [other generals] * * * comes along and says that bosses know nothing about it [the adequacy of the deterrent]."

THE DOMESTIC PHASE

All but one of these Presidential advisers have testified they believe in the adequacy. Hence the question before the people, as they note the chant of "second-rate power," is on which authority they feel it is safest to rely.

A little later in the news conference the other aspect of the second-rate power criticism was developed by inquiries. This point is that, because of concentration of a balance, the budget fails to provide for Federal expenditures in education, health, housing, space exploration and other programs that are required to enable us to compete with Soviet Russia for primacy, in the development of essential resources and for world confidence in our strength.

"We have," replied the President, "free enterprise; we place above all other values our own individual freedoms and rights. * * * If you make [your country] an armed camp and regiment it * * * for a while you might do it with great morale, too. * * * But we are talking of a democracy we hope is an enduring form of government [and] * * * we are trying to keep these [democratic] values."

His implied judgment was that under his fiscal philosophy and policy the United States can keep them, while maintaining adequate military defense and steady social-economic progress without either federalizing the Government system or becoming a second-rate power to any other. This states the issue between him and his critics.

Mr. CLARK. Mr. Krock says that the issue which is now being debated before the country is whether under the fiscal philosophy and policy of President Eisenhower the United States can keep our democratic liberties while maintaining an adequate military defense and steady social economic progress.

Mr. President, I do not believe that is the issue at all. Neither does Joseph Alsop. Neither does Marquis Childs. Neither does Drew Pearson. Neither does Walter Lippmann. I wish my good friend Arthur Krock would read the columns written by some of his fellow columnists. If he did, he would come to the conclusion that not only is there a gap between us and the Russians, in that they are ahead of us in outer space activities, are ahead of us in missiles, are ahead of us in the capacity to wage brush fire warfare, and are ahead of us in submarine warfare, but that we are not only not catching up, but that the gap is getting larger. It is most unfortunate that this administration does not see the danger into which we are falling, and appears unwilling to make the national effort to bring us back to that position of leadership which is so important if freedom is to survive.

UKRAINIAN INDEPENDENCE DAY

Mr. DOUGLAS. Mr. President, I should like to join those who have drawn attention to the fact that January 22d marked the 42d anniversary of the independence of the Ukrainian nation.

This nation, comprising some 40 million people, had been submerged for several centuries by the old imperialism of the Russian tsars. During this period of political servitude, a long list of Ukrainian patriots won their place in the history of this liberty-loving people. These were men and women who opposed the despotism of the tsars; but more than that, they were leaders who gave powerful voice to the yearnings of their people for life, liberty, and the pursuit of happiness. Among these we find the great Taras Shevchenko, poet, writer, painter, and patriot.

Shevchenko was born in 1814. For the first 24 years of his life he was a serf. For the next 10 years he was a soldier in the imperial Russian Army. During the following 9 years he was a relatively free man because the empire of the Russians was enjoying one of those periods of relative freedom. During this period Shevchenko wrote and spoke profusely about the coming emancipation of his people, the rebirth of the Ukrainian nation and the return of self-government, which his countrymen had enjoyed before the coming of the Russians. In his classic poems and odes, he expressed the free spirit of his people, the meaning of individual liberty and the revolutionary currents which ran so deep under the surface of Ukrainian life. The last 4 years of his life were spent as a political prisoner of the Russians who, knowing the truth of his writings and the power of his words, sought in vain to imprison a spirit which is as much a part of the Ukrainian people as the rich soil they cultivate, the golden wheat they harvest and the stirring songs they sing. Shevchenko died a political prisoner of the Russians in 1861, but the inspiration of his great ideals earned the acclaim among his countrymen of "George Washington of the Ukraine."

It is little wonder, then, that we find the Ukrainian people in the vanguard of the national independence movements which shattered the European empires at the close of the First World War. Nor should we find it strange that the Ukrainian Declaration of Independence of 1918 was much like our own in many important respects. Tyranny and despotism have never been able to contain the aspirations of the common people for freedom and liberty. Russian tsarist imperialism could not stamp out the aspirations of the Ukrainian people for self-government because the seeds of liberty and freedom were too deeply planted in their hearts and minds. There can be no doubt that the American Revolutionary War which gave birth to the political concept of national independence had a profound effect upon the thinking of the Ukrainian people. When the opportunity presented itself in 1918 to throw off the chains of Russian imperialism, they promptly declared their national independence. So powerful and genuine was this movement that Leon Trotsky, then acting for the Russian Bolsheviks, was forced by treaty to recognize the de jure status of a free and independent Ukraine.

The independence of Ukraine was short lived. The Russian Communists were soon engaged in an all-out effort to reestablish the old order of things, to rebuild the Russian Empire. After more

than 2 years of fighting the independent Republic of Ukraine fell victim to the new imperialism, the new colonialism. The same tactics which were used to destroy the independent governments in the Baltic States, in Poland, in Czechoslovakia, in Hungary, and elsewhere in Europe and Asia were employed against the newly independent Ukrainian nation. The only difference was in time. For this reason I have always considered all the non-Russian nations of the present-day Russian Empire to be the common victims of the new Communist imperialism.

There are those who, liking the old order of things and being unmoved by the aspirations of the common man in all these lands, seek to make distinctions among these captive nations. Some are called satellites, meaning those captive nations who lost their national independence following World War Two. In past years some were called the Baltic States, to distinguish them from the so-called satellites. But more recently we unfortunately seem to have been hearing less and less about these Baltic nations of Lithuania, Latvia, and Estonia, and their right to be free and independent. Then there are those captive nations who lost their national independence during the period 1918 through 1921, such as Ukraine, Byelorussia, Georgia, Armenia, and Turkestan. We heard little about them, and we would have heard nothing were it not for a small group of American scholars who knew the facts concerning these submerged nations and were determined to force their case out into the open in the court of world opinion.

The day is long past when we can afford to make any such distinctions between the status of each of the different groups of captive nations. Captive nations are captive nations and as such are worthy of the support of the American people. The new imperialism which holds all these nations in a common captivity is the self-declared enemy of the United States and all other free countries. The leaders of this new imperialism threaten—now bluntly, then softly—to throw the world into another war unless we, the defenders of human freedom, concede more territory and people to their insatiable appetite for conquest and dominion.

But our experiences of the past 40 years have taught us that the certain path to war is showing weakness in the face of tyranny on the march. We know that the people the world over want peace, but the peace they want is not the imposed peace of human slavery. The common man demands peace which honors the dignity of man, which gives to long-submerged nations the right of self-government and to all men the guarantee of freedom and justice. This is the kind of peace we Americans seek. This is the kind of world we Americans foresee as the reward for standing by our moral and political principles.

The Captive Nations Week resolution which was enacted during the last session of Congress stands as a clear statement of our national resolve to stand firmly by our moral and political principles. This resolution also underscores the importance of all the captive countries to the cause of peace, a just peace with charity toward all nations and people. So long as the people of these captive nations continue to strive for self-government and the return of their liberties and freedoms, the tyrants who preside over the empire of captive nations will never be able to consolidate their conquests. This in turn deters massive aggressions. The men in the Kremlin know that until they consolidate their conquests, they cannot launch a third world war, because to do so would be an act of suicide on their part.

As the sponsor of the Captive Nations Week resolution, I shall interest myself again this year in the steps being taken by our Government to carry out the intent of Congress. Full and suitable arrangements should be made for the third week of July. I believe the Government should take the initiative to see that a maximum impact is made on both sides of the Iron Curtain during that week, with programs which show our support for the right of all nations to national self-determination. I am confident that we can count upon a wide range of national organizations to play a strong part in such an undertaking if the Government will take the lead to plan it and coordinate its program with all the interested organizations.

This 42d anniversary of Ukrainian independence also affords a unique opportunity for the Voice of America to act in the spirit of the Captive Nations Week resolution. Many Members of Congress have memorialized this historic occasion in speeches from the floor. A goodly number of Governors have issued proclamations honoring the cause of the Ukrainian people. All this activity should provide an abundance of material for the VOA for its broadcasts to Ukraine and the other captive nations behind the Iron Curtain.

The extent to which the VOA capitalizes upon this opportunity will be another good test of the policy of our Government with respect to the future of all the captive nations. If the VOA should fail to give full coverage to this occasion and the manner in which it has won recognition in the United States, we shall have good reason to feel that the intent of Congress, as expressed by Public Law 86-90, is being ignored by those with the duty to carry out policy in the executive branch of the Government. I hope we may soon have from the VOA a report, in detail, of the manner in which the Ukrainian language program gave coverage to the American commemoration of this 42d anniversary of Ukrainian independence.

The news that leaks out from behind the Iron Curtain as to the trials and deportations of Ukrainian freedom fighters attests to the continuing resistance there.

I take pleasure, therefore, in paying a well-deserved tribute to the spirit of the Ukrainian people and their tireless devotion to the cause of human liberty.

VISIT TO THE SENATE BY THE HONORABLE JOSÉ GONZALEZ NAVARRO

Mr. AIKEN. Mr. President, recently we have been favored with visits by several of our friends who are members of the Congress of Venezuela.

This morning we are again favored by a visit by one of our friends, a member of the Venezuelan Chamber of Deputies, Mr. José Gonzalez Navarro.

Mr. José Gonzalez Navarro is visiting the United States as a participant in the foreign leaders program of the International Educational Exchange Service of the Department of State. The Bureau of International Labor Affairs of the Department of Labor has been assigned responsibility for his program.

Mr. Gonzalez is president of the Venezuelan Confederation of Labor; president of the Venezuelan Shoes, Hides & Leather Workers Union; Deputy representing the Federal District in the Venezuelan National Congress; and a member of the Trade Union Committee of the Acción Democratica Party.

I know that all of us are very glad to extend a warm welcome to Senor Gonzalez this morning, and I am honored to introduce him to this body.

[Applause, Senators rising.]

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Is there further morning business? If not, morning business is closed.

TRIBUTES TO THE LATE SENATOR WILLIAM LANGER

Mr. MANSFIELD. Mr. President, I submit a resolution for which I request immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 268) was read, as follows:

Resolved, That the legislative business of the Senate be now suspended in order that memorial addresses may be delivered on the life, character, and public service of Hon. WILLIAM LANGER, late a Senator from the State of North Dakota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

Mr. YOUNG of North Dakota. Mr. President, I wish to add my tribute to that of innumerable friends of my late colleague and very close personal friend, Senator WILLIAM LANGER. Since his death on November 8 of last year, tributes to BILL LANGER have come from near and far. They have come from rich and poor alike and from persons in every walk of life.

He was honored by all who knew him or knew of him, and by both those who agreed with him and those who disagreed with him.

Senator LANGER was a liberal of the old school. Much of his thinking was influ-

enced by three former great liberals of the U.S. Senate—the late Robert M. La Follette, George M. Norris, and Hiram Johnson, all of whom he greatly admired. His liberal thinking and his natural desire to help the poor and the underprivileged had a great influence on all of his long career as a public servant, which extended over nearly half a century.

BILL LANGER loved people, and they loved him. No one in the history of North Dakota had a more devoted, loyal, and dedicated following. This was due not only to the principles and ideals for which he stood, but also to his warm, captivating personality.

Mr. President, of all the tributes paid to Senator LANGER, one of the nicest and most appropriate came to me in a letter I received recently. One interesting thing about the letter is that it comes, not from North Dakota, as we might expect, but from the State of California.

I wish to read the letter because I think it expresses what the average person really thought of BILL LANGER.

The letter reads as follows:

This is an appreciation of your former colleague, the late Senator LANGER, made by people far from his native State.

Few of us ever voted for Senator LANGER, fewer still ever met him face to face. But we felt that we knew him, knew him well. Our name is legion, sir. More specifically, it is Anderson, O'Brien, Resnicoff; it is MacGregor, Krausmeyer and Malshuski; just plain Smith, exotic Bellefontaine, Gonzales, Bernstein, Lezinsky—all typical American names, as you can see.

We are the people who carried the mail, patrolled the forests, guarded the frontiers; clerks and lawyers and engineers. Laborers, accountants, mechanics, technicians. We are the men and women of yesterday who trod the uneven roads of the civil service. Roads paved more often than not with promises alone—until WILLIAM LANGER and his kind granted us status and recognition and the dignity of decent annuities.

This man LANGER. He was rugged and stubborn and solid, sound as the teeming acres of his prairie State. He was a plumed knight in homespun, riding high in the saddle, tilting at windmills of chicanery, duplicity and double dealing. He was the gadfly of the pompous, the charlatan and the sycophant. In Halls of Congress, where oratory is a manner of speaking and a way of life, he used words like "fake" and "fraud" and "hypocrite."

LANGER. We honor his memory for his plainness of speech, his disdain of persiflage, his unmasking of shams, his scorn of pretense. And for his rare ability to call a spade by its given name.

We honor him for the things he did, perhaps most of all for the things he undid, or left undone. And we of the civil service remember him best because he was the first in Congress to place a ceiling over promises and a floor under their fulfillment.

We know little of his faith, its nature or extent, but we believe it was the strong faith of a strong man. May he dwell forever in the Valhalla of the mighty. And in the minds of the people whom he served.

Thus we honor the memory of Senator LANGER this day, we who are far away, who never knew him, never voted for him. But this thought can we carry in our hearts. Many, many times he voted for us.

By order of Chapter 82, National Association of Retired Civil Employees.

The letter was signed by the Chapter President Owen Rhodes.

Mr. President, I thank these good people of California for their letter. I thank them for expressing my feelings and the feelings of countless other Americans about our departed friend, BILL LANGER.

Mr. President, during his 19 years in the Senate, BILL LANGER was always the champion of the underdog. No one was too poor or too lowly to receive his sympathetic assistance.

He was a particular friend of Federal employees, and was the author and sponsor of many bills to improve their wages, hours, and working conditions.

Above all, he had the courage to stand alone, if need be, to vote his convictions. I believe that it was this quality of courage that endeared him above all else to those who knew him.

He was a man of truly independent spirit. He was proud of being known as "Wild BILL."

BILL LANGER was born and reared on an average North Dakota farm. He learned early in life of the hardships and trials and tribulations experienced by the early settlers of North Dakota.

At the age of 15 he went to work for a farmer neighbor as a hired hand; and because of his ability to lead other men, he was appointed foreman.

He attended district school 102, and later grade school at Casselton, N. Dak., where his first teacher was Alice Rutledge, a cousin of the sweetheart of Abraham Lincoln, Ann Rutledge.

Upon graduating from Casselton High School, he attended the University of North Dakota, where he graduated from the law school, and went on to Columbia University, in New York, where he graduated with honors in 1910.

Once again, Senator LANGER showed his ability beyond his years, for he passed the bar examination at the early age of 18, and was admitted to practice law on his 21st birthday.

Returning to North Dakota and Morton County, he began his many years of public service by being elected State's attorney. His next public office was as attorney general of North Dakota, in which capacity he served for 4 years.

After serving two terms as Governor of North Dakota, he was elected to the U.S. Senate, where he was serving his fourth consecutive term at the time of his death.

His achievements in the U.S. Senate were outstanding in many fields of endeavor. It was here that he championed the cause of the people he was closest to—farmers, laborers, Government employees, and all others whom he thought were in need of help. There is hardly a facet of American life that has not been touched by the legislative hand of BILL LANGER.

Senator LANGER was the first to admit that he was a controversial figure, but even those who disagreed with him in his views knew him as a warmhearted, courageous man who would go to almost any length to aid a friend in trouble.

Senator LANGER's final years were not easy. His beloved wife, Lydia, fought a long but losing battle against cancer. During this illness he refused to leave her side, even to engage in a campaign for his election to a fourth term in the U.S. Senate.

Senator LANGER, his wife, Lydia, and their four daughters were a truly devoted and lovable family. We in North Dakota, as well as people throughout the Nation, share the great loss suffered by his family, but take comfort in the knowledge that his dauntless courage and record of accomplishments will be remembered always.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a powerful and thought-provoking sermon by the Most Reverend Leo F. Dworschak at the funeral of the late Senator LANGER.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON AT THE FUNERAL OF THE HONORABLE WILLIAM LANGER, ST. LEO'S CHURCH, CASSELTON, N. DAK., NOVEMBER 14, 1959, BY THE MOST REVEREND LEO F. DWORSCHAK, AUXILIARY BISHOP OF FARGO

Bereaved mourners and kind friends, in this solemn hour we have offered the holy sacrifice of the mass for a Christian soul. It is here that the democracy of the church is made manifest. She performs this same rite for all her children as they pass from time to eternity, from this world to the unending hereafter. For poor and rich alike, for the famous and the obscure, her prayer is the same, her essential offering is the same. For in death, which has been described as the great leveler, we are all one in our need.

We have offered the holy sacrifice for WILLIAM LANGER. Beyond that it actually is of little moment now to his soul that we should speak at any length in praise or blame of his character and his life's achievement. In the end death came to him quite suddenly. But it did not find him unprepared. After the passing of his beloved wife he seemed to have a premonition that his own step into eternity would also have to be made soon. He strengthened himself spiritually by receiving the sacraments of the church, and in correspondence with the pastor of this parish as recently as October 30 made it plain that the consolations of his religion gave him the strength to face the prospect of meeting his Creator soon without hesitation and without fear. Hence he now stands in no need of the praise of men. If he has gained for himself God's praise, he needs no other.

And yet, before the last blessing of the church is performed over his mortal remains, we will do well to pause a moment and dwell on just one thought suggested by his career. In my opinion, the most striking facet of his character as a public servant was his unshakable adherence to his convictions. There were times when he stood almost alone on an issue and no consideration of practical politics nor pressure from others could induce him to recede from the stand he had taken or to compromise what he considered just and right. I did not always share his convictions; but he did have positive convictions and steadfastly refused to compromise them for reasons of political expediency or personal gain. In an age when expediency rather than principle is so often made the supreme law of statesmanship, business practice, and personal conduct, it is a refreshing experience to see an example of unshakable

faithfulness to conviction and loyalty to the truth as he saw it.

We are reminded of the scene described in the 18th chapter of St. John's Gospel. Jesus stands before Pilate to be judged by him. The Roman governor seeks desperately to extricate himself from an awkward position by questioning the accused in an effort to wring from Him some admission that would justify either a sentence of death or an acquittal—anything to get off a bad spot.

The subject of kingship is mentioned, and Pilate eagerly follows it up with the question, "Then You are a King after all?" Jesus replies, "You are right. I am a King. For this purpose I was born, and for this purpose I came into the world—to give testimony to the truth. Only he who is open to the truth gives ear to My voice." With a sneer, Pilate says to Him, "What is truth?" and returns to the balcony to face the multitude.

There is an undertone of tragedy in Pilate's question. Here he was in the presence of Him who had said: "I am the way, the truth, and the life." (John 14: 6.) For a brief moment he had a brush with immortality. But he turned away; he was not open to the truth. He was not at fault for having asked the question. He was at fault because he refused to wait for an answer. In our generation a growing number of people go a step farther. They say there is no answer.

That viewpoint was spelled out quite clearly and concisely in June of 1951 by the late Chief Justice Vinson. "Nothing," he wrote, "is more certain in modern society than the principle that there are no absolutes, that a name, a phrase, a standard has meaning only when associated with the circumstances which gave birth to the nomenclature. To those who would paralyze our Government in the face of impending danger by encasing it in a semantic straitjacket we must reply that all concepts are relative."

These words were a part of the decision in which the Supreme Court upheld the conviction of 11 topflight Communists. If the principle enunciated by Mr. Vinson in those two sentences were universally adopted and carried to its logical conclusion by the people and the Government of the United States, it would, in my opinion, do more harm to this Nation than all the activities of all the Communists on either side of the iron curtain. Deny the possibility of absolute truth and absolute values and you destroy the basis, not only of our Government but of our very nature as free beings.

Our Founding Fathers established this Nation upon the principle that certain absolute and self-evident truths are the foundation upon which our right to life, liberty, and the pursuit of happiness rests. If human language can have any meaning at all, the Declaration of Independence means just that. If there are no absolute truths or values, there can be no justice and we can have no inalienable rights. A nation is powerful and its citizens are truly free in the degree in which they possess and are loyal to the truth. That is what our Lord meant when He said: "If you make my teaching your rule of life, you are truly my disciples; then you will know the truth and the truth will make you free." (John 4: 31–32.)

Denial of the truth or the possibility of discovering it goes contrary to every instinct of our nature. In the last analysis truth is reality. It simply is fact. And facts are absolute. When a fine china teacup falls off the table and is shattered, that is a fact. You could conceivably mend it; but you could not change the fact that it had been broken. No process of reasoning or sophistry can change or nullify objective truth or fact. It makes no difference whether the truth pertains to the physical, intellectual, or spiritual realm. In every case truth is reality. Truth is divine because truth is the essence of God's nature.

There is something rigidly inflexible about truth. Let us say that a hostess sets the table for dinner. She arranges two places on each side. No matter how loudly she may protest that there are no absolutes, she will not be able to seat five guests so long as she has only two places on each side of the table. If she wants to seat the fifth guest she must bring up another chair. That is the force of logic and the tyranny of truth. It is basically as simple as that. Such an objective and immutable quality is found in every truth, be it scientific, ethical, or thelogical.

There are timid souls—and in this respect our generation is becoming more timid by the hour—there are timid souls who fear the truth precisely because objective truth is rigid, unchangeable, eternal. They fear that adherence to truth implies a degrading slavery or subjection which destroys our dignity as free, intelligent beings. To them subjection of any kind is an insult to our hope of being our own masters. Nothing could be further from the truth.

It is true, of course, that many men are slaves. Probably many more today than in ages past. Some are slaves because they are victims of brute force; but more are slaves because they are victims of their own cowardice or selfish desire for security. A slave in Aristotle's definition, is a man whose choices are made for him by others. He may even enjoy comfort and security beyond a free man's wildest dreams, like the slave of a wealthy merchant in ancient Athens. But he is a slave nonetheless because his choices are forced upon him by a cruel master or by the tyranny of circumstances.

But there are forms of subjection which are not degrading, a subjection which is the fulfillment of our dignity as man. There is the subjection of a creature to his God, of citizen to valid authority in the state, of child to parent. Those are forms of subjection which nature itself demands in the hierarchy of values for the perfection of the human individual. The most perfect, the noblest of all human beings in the end will be he who was most completely subject to God, he whose life was most nearly in conformity with the divine will of the Creator.

In matters of truth, the mind which is more subject to reality is the more perfect mind, the more accurate interpreter of objective reality. Surely we are not degrading the dignity of the child when we teach him the inflexible logic of the multiplication tables. We are not degraded by the law of gravity, even though he suffers injury who tries to ignore it.

Neither do we do violence to the hopes and aspirations of a free man if we insist that he conduct himself according to the moral law implanted in him by the Creator. The laws of physics, of logic, of ethics—each is an element which the Creator used in weaving the fabric of what we call human dignity. The pattern of conduct proposed to man in the divine plan may be likened to a road map. When we are on a journey the map guides us to our destination. It does not shackle our freedom.

In one sense truth may be tyranny. It is eternal and immutable, and as such places some limits on our freedom of action. But these are rational limits which spring from our nature as intelligent beings. To defy those limits is to invite disaster. Dostoyevsky summed it up perfectly when he said: "To begin with, unlimited freedom is to end with unlimited despotism."

One of the most tragic episodes in the Korean war was the treasonable conduct of some of our men who had been taken captive by the Red army. These men were spoken of with derision by a large sector of the American people. But such condemnation was unfair to them. Their conduct was not so much a crime on their part as an indictment of the society which failed to impart to them an understanding of objective truth and laws of morality, and instill in them unshakable convictions regarding the foundations upon which our democratic society rests. If there is no such thing as objective truth, if there are no absolute moral values why should a man refuse to compromise the principles of justice and decency in face of death by torture or starvation. In such circumstances no man can remain strong without the support of firm convictions. In fact, such support is necessary for every man whether soldier or statesman, politician or captain of industry, farmer or day laborer.

Hence if there is any thought that the life and career of WILLIAM LANGER would inspire in us, it is the importance of loyalty to our convictions. There may be other roads to wealth or fame or pleasure. There is no other road to happiness and freedom. With that thought we sum up our tribute to the memory of WILLIAM LANGER.

To you, members of his family and his official household, who knew him best and therefore loved him best, we extend our sympathy in this hour of bitter pain. May yours be the comfort of all good Christians who trust in the everlasting mercy, and through your tears look meekly up to Christ, the God of all consolation.

WILLIAM LANGER will long be remembered by us, and never forgotten by Holy Mother Church. Until time shall be no more she will number him among those countless souls for whom she prays unceasingly: "Eternal rest grant unto them, O Lord, and let perpetual light shine upon them. May his soul and the souls of all the faithful departed through the mercy of God rest in peace. Amen."

Mr. JOHNSON of Texas. Mr. President, there are some men who have the rare capacity of shaking the earth. Such a man was my close friend, the late WILLIAM LANGER.

BILL LANGER was a rugged man. He was a product of the Great Plains area where sodbusters of strength and of force wrested a living from the hard and unyielding soil.

He was a man of strong convictions. He had clear-cut ideas of what he thought was right and what he thought was wrong and he lived by these convictions to the very end. BILL LANGER had a stormy career. He lived in turbulent times, and he was one of the most controversial figures of those times.

But he was also a man of great warmth and of strong friendships. All of us will miss him very much and our hearts and our prayers are with his loved ones on this day.

And always he will remain a symbol of what can be accomplished by a man of unconquerable spirit battling against great odds.

Mr. BRUNSDALE. Mr. President, a newsman in North Dakota commenting on the death of WILLIAM LANGER stated that the Senator's name will be a legend in our State. So much has been said and printed about him personally, and about his political career already that stories of a legendary nature can and will result, I am sure. However, I am going to dwell on aspects of his life and career as I have known them.

His was a most active life. Many have wondered at his physical stamina, which seemed unimpaired even after days of exacting toil. With him an 8-hour day was unheard of. To those of us who knew him when he first was elected at-

torney general of North Dakota in 1916, he put his life into high gear and there it remained for over 40 years. Entering upon the duties of attorney general of North Dakota in 1917, he attracted attention by attempting to enforce a number of so-called blue laws, for the most part related to the observance of the Sabbath. He was successful to the point the legislature repealed most of them. Enforcing State prohibition, antigambling laws, and the like afforded much publicity and experience—all to his liking. He was already a dynamic, and to some extent a controversial, public official. He was a candidate for public office many times thereafter—always on the Republican ticket.

Already he had also demonstrated some of those traits by which his friends, supporters, colleagues here in the U.S. Senate, yes, and even his political enemies, learned to know him.

He was the champion of the underdog. His advice and offer of help to anyone who came to him for personal or other assistance, regardless of residence, or even of merit at times, was always available.

His only enemies were political. And, for these in dealing with departments of government on their behalf, it often seemed he would do more than they had a right to expect. Many of them became his stanch supporters as a result.

In the 1930's he experienced some trying years. Elected Governor in 1932; he was removed in 1934; tried in the Federal courts and after 2 years was acquitted. These events were beyond the lot and endurance of most people. However, when his future looked the darkest he said he would return to public office again, and he did. In 1936 he was reelected Governor.

To this greatest of deliberative bodies, the U.S. Senate, he was elected in 1940; and his admission here was not without a struggle, an experience that he philosophically referred to in subsequent campaigns as follows:

I have been tried in the courts of the land and even by the U.S. Senate and have not been found wanting. I ought to be the most eligible candidate of all.

His sense of subtle humor mingled with a bit of seriousness often characterized his speeches; and the audiences enjoyed and applauded them in his numerous campaigns.

He was reelected the fourth time in 1958 with the largest margin of all, winning in every county of the State. But the victory was saddened by the death of his wife, Lydia Cady Langer, in 1959. With her passing he lost the support he so often had leaned on in many years of toil and tribulation. She and a family of four fine daughters had given him the greatest happiness. The daughters married, with families of their own, although one remained to help and comfort her parents to the end, he felt lonely and troubled, I am sure. The desire and determination to carry on seemed gradually to fade from him.

The bishop of his faith who spoke words of comfort at his funeral dwelt on his daily visits with his priest and comforter the last weeks of his life. He had given up life's struggle, it seemed, and was preparing to meet his Maker. He passed away in his sleep on November 8, 1959. At this memorial program in his honor we offer our condolences to his daughters, their husbands, and children.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a eulogy to the departed Senator by the Honorable John E. Davis, Governor of the State of North Dakota.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

EULOGY TO THE HONORABLE WILLIAM LANGER BY JOHN E. DAVIS, GOVERNOR OF NORTH DAKOTA, FEBRUARY 4, 1960

North Dakota and the entire Nation sustained a grievous loss in the death of Senator WILLIAM LANGER.

His presence in the Senate Chamber provided the people of our State and Nation for 18 years with a champion whose fundamental belief was that the basic purpose of government is to serve the people who created it.

As Senator he devoted much of his talent, energy and experience to putting that primary philosophy into practice.

Through those efforts to harness the machinery of government to the service of its people, he earned the unswerving devotion of his supporters. They expressed their agreement with that philosophy by time after time returning him to office in the face of critics who disagreed with Senator LANGER'S concern for the individual.

The individual who needed his aid invariably found it quickly forthcoming, and to provide that service, Senator LANGER did not hesitate to use all of the facilities of his staff and position; and often that service was extended as graciously to his political opponents as to his followers.

At times his efforts to aid the individual were resented, and used as a basis of criticism. This load he cheerfully shouldered and never allowed it to deter him from his concern for the problems of one individual nor lessen his search for their solution. Seldom in our history has the Senate included a man equally devoted to the importance and dignity of the individual citizen.

Loyalty is the one word that describes not only Senator LANGER personally but his career in public office as well.

Senator LANGER was loyal to those he represented and equally so to those principles in which he believed, maintaining loyalty at times to positions which he defended almost alone against overwhelming opposition and public opinion.

Loyalty he gave, and in the giving he earned a loyalty which never faltered among his supporters throughout his lengthy career.

North Dakota endorsed BILL LANGER'S presence in the Senate for 18 years; its people will mourn his absence far longer.

Mr. MANSFIELD. Mr. President, BILL LANGER was a unique Senator. I do not believe he could be described as a Republican or a Democrat, but I do know that at all times he acted as he thought an American should act.

BILL LANGER has left his imprint on the State of North Dakota. I think a part of it has touched my own State of Montana. And certainly he has left his imprint on the Senate of the United States.

BILL LANGER was an independent in the true meaning of that word. He was not bound by party regularity, he was not bound by party platforms, but he was bound by what he thought in his own conscience was right.

We shall miss BILL LANGER because of the many contributions he made, some of them alone, others with a few for company, but always with reason and with understanding as to why he acted and why he voted as he did.

I know that BILL LANGER had more than his share of troubles in life, but he was able to surmount them and to benefit as a result of them. The loss of his wife Lydia was a blow from which he did not recover, but we know BILL tried to carry on as best he could. During sessions of the Senate he was always in his seat in the front row. He was always looking after the interests of his constituents in North Dakota. With his passing his State has lost a great Senator.

I extend to his daughters and family my deepest condolences, and I pray that his soul may rest in peace.

Mr. JACKSON. Mr. President, few men who have served in this body have had such a tempestuous career in public service as our late colleague, WILLIAM LANGER. Throughout his years in public office and in the private practice of law, one word has dominated all of those actions: courage. As a practitioner of the law, he never hesitated to represent people with unpopular causes.

Much has been said of the importance of our Bill of Rights—rights set up to safeguard the freedom and security of the individual. Mr. President, these rights are not self-executing. It is only when a country has courageous members of the bar—men who are willing to uphold the Bill of Rights—that there can be any assurance of freedom. Many countries possessed of strong constitutional guarantees of freedom have lost that freedom because they failed to possess lawyers who were willing to defend people whose liberties were at stake. Senator LANGER was aman and a lawyer who never hesitated to defend and to represent people no matter how unpopular the cause, where he felt it was his duty to see to it that they had their day in court. Our colleague carried this principle into his long years of dedicated public service. He never hesitated to espouse a cause in which he believed, no matter what the odds might be against him. He made it possible for a lot of people to be heard in this great legislative body because he believed they should have that right. To achieve that purpose he often dissented, not for the sake of dissenting, but to make certain that all views were properly represented.

Mr. President, here was a man who came from a prosperous business and farm family in North Dakota, who could have settled down to a rather easy and comfortable life. As many Members may not know, he graduated No. 1 in his class in high school, University of North Dakota Law School, and Columbia University. After graduation, he received several flattering offers, including that from one of the oldest and finest law firms in the city of New York, but he was determined from the outset to engage in a career of public service. So he returned

to North Dakota to start a career that made him one of his State's most beloved—and most controversial—figures.

He was not afraid to take on formidable opponents to protect the public interest. His courage was rewarded with increased public confidence and successively higher public offices. It was this same quality—courage—which carried him through some of the most difficult attacks ever made on a public official. Despite these unrelenting attacks over the years, he more often than not forgave those who attempted to defeat him in his many elections.

He had a deep sense of humility; he was kind, gentle, and thoughtful. He was fortunate in having during his long career the continuous and unfailing support of his wife and family. The unfortunate passing of his wife, Lydia, hastened his own death.

He has left an indelible mark of courageous public service in his great State of North Dakota and the Nation, which will not soon be forgotten.

Mr. President, in his passing I have lost a tried and true friend. To his wonderful family, who stood loyally by his side in good times and in bad, I extend my deepest sympathy.

Mr. MAGNUSON. Mr. President, I wish to associate myself with the remarks of my colleague from the State of Washington. I probably knew BILL LANGER longer than any other Member of the U.S. Senate. As the senior Senator from North Dakota knows, I was born in Fargo. I grew up in Fargo and Moorhead. The name "LANGER" was almost a household word in that area.

I am sure the Senator from North Dakota recalls the days of the fight of the old Nonpartisan League. BILL LANGER, Bill Lemke, and I believe a man called Townley were the three leaders of the movement, which was probably long overdue in North Dakota in those days. That probably typified BILL LANGER'S thinking in his life. It was a movement which its sponsors conscientiously believed was for the benefit of the oppressed. It was a movement which they hoped would dissolve some of the great inequities, economic and otherwise, which lay pretty heavily in those days upon the people of North Dakota and that area.

Later we became colleagues in the U.S. Senate. BILL LANGER was my neighbor in the U.S. Senate for most of the years I have been here, so I knew him well as a neighbor. Many times I would stop in his office and talk with him. Many a time I got much good, sound advice from his long experience.

I do not want to burden the Senate with a number of personal references. I, too, have lost a good friend. If I were to write his epitaph, Mr. President, I would say, "Here lies a man whose great concern was for the oppressed."

Mr. SALTONSTALL. Mr. President, our late colleague BILL LANGER had some of the very best qualities we think a good American citizen should have. He was a loving husband. He was a father who was close to his fine daughters. He was a good friend to many citizens in North Dakota and to his colleague in the Senate.

I came to know BILL LANGER when I became a Member of the Senate. While we often voted diversely, our pleasant association was never disturbed. BILL LANGER had many qualities which I admired. He led a fine family life. That is an attribute of which we are very proud in the United States. He always spoke, as a public official, as one loyal to the citizen who could not speak for himself, and did not know how to speak for himself. In other words, the average man of this country who wanted something from his Government, who wanted a better life, could know that BILL LANGER would help him get it.

As a public official, he always kept his eye on other public officials and on the many citizens who worked for the U.S. Government, and he endeavored to see that they had a fair break. He was conscientious in his duties. He always called a spade a spade, no matter whether he was in the minority or the majority. We shall miss him here in the Senate because of his friendly relations with each one of us, and his great ability to maintain a point of view which some of us at times failed to see.

Personally, I shall miss him as a friend.

Mr. CARLSON. Mr. President, Senator LANGER was truly western in every way. His life and career were marked with ruggedness typical of his section of the country and the era in which he grew up.

Coming as I do from the plains of Kansas, I am familiar with the trials and tribulations of those who pioneered in that area. It has been stated on many occasions that in Kansas our pioneers really proved the adage that our citizens who remained through those trying years were really a remnant of a "survival of the fittest."

Senator LANGER was one of the kindliest of men, and had a most warm and sympathetic feeling toward his fellowman. This was evidenced many times during his life of public service when he championed the cause of those who were underprivileged. He was truly a farmer's friend.

I well remember my first contact with Senator LANGER was in the twenties when we were going through a period of unrest in the farming sections of the Midwest. At that time a farm movement known as the Non-Partisan League was in its heyday. Senator LANGER traveled over all of the Midwest farming States and debated this issue with Mr. A. C. Townley, who was the president and organizer of the movement.

I can well remember a meeting at Salina, Kans., at which time over 1,500 farmers met in the Memorial Building and listened to this debate. I can assure you it was a spirited one and I can well remember as the Senator and Mr. Townley left the meeting, they both left in the same automobile to attend the next meeting. You can imagine this caused considerable discussion among the farmers who had been so carried away by the heated debate that had taken place just previous to their leaving.

It was my privilege to serve with Senator LANGER on the Senate Post Office and Civil Service Committee. The Senate Post Office and Civil Service Committee was of great interest to Senator LANGER because it gave him an opportunity to be of real assistance to the Federal employees.

In the death of Senator LANGER, the Federal employees of this Nation lost one of their greatest friends. He was ever a supporter of theirs. Senator LANGER never failed to give his personal attention to the problems of the Federal employee, regardless of how minor or trivial the complaint might have been. These individual problems became a personal problem with him.

His passing leaves a real void, not only among his colleagues, but among the millions of people in whom he had taken a very personal interest.

Personally, I enjoyed my association with him very much. We had many heart to heart talks regarding the problems of the Federal employee. I am going to miss his council, his sympathetic understanding and interest in matters that came before our committee.

It was a privilege and a great satisfaction to have known Senator and Mrs. LANGER.

Mr. HRUSKA. Mr. President, it is with a feeling of sadness that I rise to pay tribute this morning to our departed colleague and friend, Senator WILLIAM LANGER.

During the first 2 or 3 months of my service in this Chamber, Senator LANGER and I were seatmates as I briefly occupied the chair which had belonged to my predecessor, Senator Hugh Butler. In the course of that early and fortunate association I discovered that Senator LANGER had a special affinity for Nebraska stemming from his close personal friendship with Senator George Norris, of Nebraska. I have no doubt that this fact partially accounted for the friendship he bore me during my years spent with Senator LANGER in the Senate.

Later, with my assignment to the Judiciary Committee on which Senator LANGER served for many years, my contact with him became more frequent. throughout this pleasant association I watched him remain steadfast to the views which he deemed were in the best interests of the Nation. While in fairness to his memory and complete candor to this body I must say that on certain legislative matters we had fundamental differences of opinion, we nevertheless maintained a mutual understanding and respect for each other's views.

Senator LANGER'S background and experience through decades of tumultuous activity led him to develop a certain philosophy about political life and behavior which gave him inner strength to face the difficult and sometime unpopular issues of the day. He never ducked them. Nor did he ever swerve from the convictions he cherished so greatly. Indeed, he may best be remembered for his willingness to support his convictions despite bitter opposition and under trying conditions. Throughout his long and distinguished political career there never was a day when he did not desire to serve his fellow men and

to represent the people of his State and his country as best he could.

Senator LANGER will surely be remembered for his championship of many great social causes. He will long be remembered by the underprivileged, the workingman, the farmer, and the small businessman as their spokesman and devoted friend.

It is difficult, Mr. President, to record the colorful and courageous life of Senator LANGER in these brief words—or even in these eulogies in which the entire Senate participates. Nor is it possible to do justice to the essential purpose and magnitude of his activity in this legislative body. In truth, he was a remarkable and memorable Senator who leaves us poorer by his passing.

Mr. President, at this time I ask unanimous consent to have printed in the body of the RECORD, following my remarks, an editorial entitled "Farewell to Wild Bill," from the Omaha World Herald, dated November 10, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FAREWELL TO WILD BILL

Death has taken BILL LANGER from the U.S. Senate, which is something North Dakota voters probably would not have done if he had lived to be 100. As he proudly noted in the current Congressional Directory, he carried "every county in the State" in the 1958 primary "despite being repudiated by the Republican Convention and running as an independent Republican."

Fierce independence can be a virtue, but in Mr. LANGER's case his contradictory voting record must have confused even his fondest admirers. His nickname of "Wild BILL" was no exaggeration. He was a Republican who usually voted against the Republicans but the thread of principle running through his decisions was discernible to few except Mr. LANGER himself.

Senator LANGER was colorful. The unlighted, cellophane-covered cigar he chewed on the Senate floor was pointed out to countless gallery visitors. In debate he could be almost as cantankerous as that other Senate maverick, WAYNE MORSE, of Oregon.

Mr. LANGER was for North Dakota first, last and always, which helps explain why he stayed in the Senate for almost 19 years. He several times made headlines with his complaint that North Dakota had never been represented in the Cabinet or on the U.S. Supreme Court and that it was the only State so doubly underprivileged.

His career in North Dakota was phenomenally hectic, even for a State that gets quite emotional about its politics. In 1934 he was removed as Governor by the State supreme court whereupon he issued his pronouncement, which he insisted be listed in Who's Who and the Congressional Directory, that he was "the only person ever to be arrested in an English-speaking country for filing an affidavit of prejudice against a judge."

Follower of Bob La Follette 40 years ago, "agrarian liberal," "last of the Populists" are some of the kinder things said about Senator WILLIAM F. LANGER. Unquestionably he will be missed.

Mr. WILEY. Mr. President, with the passing of WILLIAM LANGER, the Senate of the United States lost one of its unique Senators. As someone said: "We will not see his like again."

With his background as farmer and lawyer and his many years of political experience, and through the years his contact with the liberal thinking in the Republican Party, WILLIAM LANGER brought a wealth of knowledge to the Senate. As it appears from his biography, he was a graduate of the Casselton High School in Casselton, N. Dak., the law department of the University of North Dakota, and of Columbia University. He married Lydia Cady of New York, who predeceased him some months before his passing. He left a family of lovely children.

Before he came to the Senate he was twice elected Governor of North Dakota. He was elected to the Senate in November of 1940, a year after I was elected to the Senate. He was reelected in 1946, in 1952, and again in 1958.

I served with him in the Judiciary Committee when he was chairman, and also when I was chairman. He was also a member of the Foreign Relations Committee of the Senate. When WILLIAM LANGER got an idea about something, that idea stuck.

Mr. PROUTY. Mr. President, the late Senator WILLIAM LANGER will not soon be forgotten. Those who knew him well personally and those who had knowledge of his works as a public servant for almost half a century can attest to the uniqueness of his character and personality.

In my opinion, the most striking facet of Senator LANGER's public life was best described in the funeral oration by the Most Reverend Leo F. Dworschak of Fargo, N. Dak., when he referred to the Senator's unshakeable adherence to his convictions.

As in the case of others, it was not always possible for me to agree with those convictions. But it was never impossible for me to admire the courage and integrity and freedom from the pressures of political expediency which motivated WILLIAM LANGER. The record of his service in the Senate and the example of his sterling qualities of character will serve as beacon and guide to men in public life for many years to come.

Mr. KEFAUVER. Mr. President, I became a Member of the Senate in 1949, but several years before that, while a Member of the House of Representatives, I came to know Senator LANGER. I knew of his colorful life, his independence, and his great courage, as well as his willingness and determination at all times to fight for the basic rights, particularly those of small people, the poor and destitute. He did this regardless of how it would affect him and entirely regardless of the opposition. These attributes of Senator LANGER's character had become a legend and throughout his long political life he never changed. In the truest sense of the word he was a champion of the underprivileged.

In the early and middle 1940's, I saw Senator LANGER often and I came to know him quite well. In my own case, as in the case of any new Member of the House or Senate, or in the case of any private citizen, whether or not he came from North Dakota, Senator LANGER was always willing to talk with the person, give him advice and share with him his wonderful and workable philosophy. He was never too busy or too tired to see anyone who sought his aid.

After I became a Member of the Senate, there was no Member of this body with whom I had a closer association or stronger personal ties than with Senator LANGER. I met with him frequently. I looked to him for advice and guidance and I am today, as I was then, one of his greatest admirers. When one needed to build up his courage to face a crisis or a particularly difficult situation, it was always well to have a little visit with Senator LANGER.

No man was ever more steadfast in expressing and voting his convictions as to what he believed to be in the best interests of his State and his country. He was ever zealous in fighting to protect the individual liberty and the economic welfare of average people—the people of low income—or no income. He always tried to make it possible for the "little" people to get along financially. This was his philosophy to the end of his life and he had the undaunted courage to carry it out.

When Senator LANGER died, it was said that he was one of the geratest "mavericks" who ever lived. By "maverick," I suppose is meant a person who is a nonconformist, a person who, at times, may walk alone in defense of principles which he holds to be true. If Senator LANGER may be correctly described as a "maverick," than I consider to be described as a "maverick" the highest compliment which can be paid any man.

BILL LANGER had friends in all walks of life. No person was too far down the social scale for him to reach and extend a helping hand. He recognized no social barriers. He was the personal friend of many of us here today and he was the man to have in your corner when the going was rough. I well remember how he was criticized by some for riding in the train through North Dakota with former President Harry Truman when Mr. Truman was campaigning for reelection. That criticism bothered Senator LANGER not at all. He admired Mr. Truman and this feeling was evidentially mutual. When Mr. Truman came to Washington to attend the funeral of Gen. George Marshall who died here October 16, 1959, he, having heard of the Senator's illness, telephoned him to inquire as to his health.

Senator LANGER will always be remembered by me as a man of great ability, a man of indomitable courage, a true liberal, of the kind we think of when we recall Bob LaFollette and George Norris. Whether it was in North Dakota or in the Senate, BILL LANGER exemplified the kind of sturdy liberalism we associate with these two great men. They never fought harder for their ideals than did their disciple, Senator LANGER. He believed in the people—not just a privileged few—but all the people, regardless of where they lived, what they did or how they voted. Many times I have visited his office and have seen the people waiting there to see him. These were not influential people, wealthy people, but little people from all over the country—not only North Dakota. Often they were discouraged, had failed to get

consideration of their problems anywhere else, could not even get a hearing. These are the ones who most of all, as the years pass, will miss BILL LANGER. He sat down with them and listened to their problems and tried to help them work something out. If he thought their cases had merit, that they were being wronged, he took up their cause and fought tooth and nail for them, no matter how unpopular this cause might be. The story is told by a woman who lives here in Washington that one day in desperation she came down to the Senate Office Building to see a Senator to get some help. Being from Washington, she did not have any particular Senator in mind to go to. She told the guard at the door of the Senate Office Building that she wanted to see some Senator. He said, "Lady, if you are in trouble, you better see Senator LANGER."

Mr. President, among the many causes Senator LANGER championed was that of the American Indians. All of his life he fought for them to receive greater Federal aid and to improve their living conditions. In 1933, he was adopted into the Sioux Tribe and given the Indian name of Mahto which means "white bear." As an example of how the Indians felt about Senator LANGER, I should like to cite one little incident. In early 1956, Senator LANGER was stricken with pleurisy and pneumonia and was admitted to Bethesda Naval Hospital. The press, of course, carried daily reports of his condition which was most critical. One day it was reported that he was very low and needed blood transfusions. When the newspapers in California carried this distressing news, the Paiute Indian Tribe assembled and their chief sent a telegram to the Bethesda Naval Hospital stating that the members of the Paiute Tribe stood ready and willing and would consider it a privilege to give their blood for Senator LANGER. Mr. President, such an example of devotion does not happen to many people.

BILL LANGER got angry at times, in a most distinct and individual manner. For that, and for resisting criticism, depending on the political philosophy of others, he was known as "Wild BILL." I know that when he was elected to the Senate—and this explains why he might have earned the nickname of "Wild BILL"—an attempt was made to prevent his being seated in the Senate. One of the charges was that he had disrespect for law and that, unlike other people who had broken out of jail, he had broken into jail, at Fort Yates, N. Dak.

About 5 or 6 years ago, when I was chairman of the Juvenile Delinquency Subcommittee and he was the ranking minority member, and when we worked very closely in trying to investigate problems of young people—and his interest was particularly in better education and economic social opportunity for young Indians—we had hearings on the plight of the Indian children at Fort Yates, N. Dak.

Out of those hearings came a very fine report, which he wrote, and as a result a great many improvements were made in the economic opportunities of Indians, particularly of Indian children, in educational as well as along other lines. On that occasion, during the luncheon recess, he said to me, "ESTES, I want to take you down and let you see something." So we went down to the jail at Fort Yates. He said, "I want you to see the only jail in the world that somebody broke into." That was the breaking-into-the-jail incident that was recounted here on the floor of the Senate.

What had happened was this. He was always willing to protect the rights of people, whether he received any compensation for it or not. Five Indians were to be tried for murder, and he had been appointed by the court to defend them. He started down from Bismarck to try to see his clients before the trial. The rivers were up, transportation was difficult, and roads were hard to pass over. As a result, he did not get to Fort Yates until almost midnight. He asked where the sheriff was. The deputy sheriff said the sheriff was out of town. So BILL LANGER said to the deputy sheriff, "I want to go in to see my clients to talk with them before they go on trial tomorrow."

The deputy sheriff said, "You can't get in. I am not going to let you in, and I am not going to let them out."

BILL LANGER said, "Where is the sheriff?"

The deputy sheriff said, "He is out of town. He will be back in the morning."

BILL LANGER said, "Where is the sheriff's office?"

The deputy sheriff said, "It is right down there to the left."

BILL LANGER said, "Where is the key to the jail?"

The deputy sheriff said, "It is on the sheriff's desk."

BILL LANGER asked the deputy sheriff to let him into the sheriff's office. The deputy sheriff would not do that.

So with his great strength, BILL LANGER just pushed the door down and got the key off the sheriff's desk. Then there was another little door between that door and where he could actually unlock the jail door. He tried to get the deputy sheriff to open that door, but he would not do it. So BILL LANGER threw his weight against that door also, and it fell apart. When he got inside the jail he locked it up again and spent the night with his Indian clients. They went on trial the next morning. As I remember, they were found not guilty of the murder charge.

That exemplifies the kind of man he was, and his determination to see that right was done.

I think that was a heroic deed. One could recount a great many stories of that kind about Senator LANGER. I hope that I expressed to his wonderful and beloved daughters, and to Mrs. Langer before she died, that I hoped these incidents in his life could be recounted. They are a part of the great folklore of the United States, and I hope that they may be collected some time.

I remember, for example, on that same trip to which I have referred, we heard some testimony in committee about the unsanitary conditions in the Federal penitentiary on the Indian reservation. So Senator LANGER took some members of the staff and me to see the place where the Indians were incarcerated. We found there a horribly unsanitary condition—the prison not clean, smelly, and with no ventilation. Fourteen or fifteen Indian children had been thrown into prison with older, hardened criminals. Men and women were all together in the same prison, with little separation. He really raised a storm about it. He got the assistant U.S. district attorney to come down there, and he said he had to have a report on it to the Attorney General immediately. He never let up on it. Six or eight months after that the conditions in the Federal prison at Fort Yates were remedied.

Senator LANGER was a most insistent supporter of the right of free, competitive enterprise. I particularly emphasize the word "competitive." Wherever there was a cartel or monopoly or undue concentration of power that hurt the chances of an individual to get along in business in the United States, Senator LANGER, regardless of whether it was in North Dakota, and regardless of the pressure or the politics in the situation, was always ready to fight the monopoly.

It was in either the 79th or 80th Congress that Senator LANGER submitted a resolution which created the Subcommittee on Antitrust and Monopoly and became its first chairman. He asked for a modest appropriation to perform the important work of a study of economic concentration and the improvement of the antitrust laws, to determine what could be done to promote really competitive enterprise in the United States. But somewhere along the line in the Senate he was unable to get any appropriation whatsoever.

Nevertheless, he decided he was going to do this work. So he secured an administrative assistant by the name of Sidney Davis, a very able lawyer, one who was devoted to his work and who had a tremendous capacity for getting things done. Other members of the staff in Senator LANGER's office also pitched in, as did some members of my own staff in their spare time.

During this time, Senator LANGER investigated assaults upon the Rural Electrification Administration. He investigated with great success the Dixon-Yates activities in my section of the country. He investigated the tie-in between certain insurance companies and loan organizations, which was causing people to pay exorbitant rates of interest for small sums of money which they might wish to borrow. He investigated many other activities, too. He continued to be chairman of that subcommittee, as he was also chairman of the Committee on the Judiciary, until the change in administration. Then he became the ranking minority member.

I shall always remember that both in the subcommittee and in the full committee, as also on the floor of the Senate, every year when the request for appropriations came up, Senator LANGER would move to require a rollcall vote in the committee on the question of giving the committee $1 million for its investigative work, saying that any com-

pany under investigation would spend much more than that for attorney fees in order to try to protect itself from the antitrust laws or to make a presentation to his subcommittee. He maintained that the subcommittee ought to have sufficient personnel and means with which to operate in order to do a better job. When his request was refused, he would file minority views.

He always encouraged those around him to work harder and to fight with greater determination on vital matters affecting the basic principles of our economy and our Government.

Yes, BILL LANGER was an individualist of the kind America must have in order to further the interests of the people. Some persons who did not know Senator LANGER might have received the impression that he had never had a formal education; that he was a rough backwoodsman; that he was not soundly and firmly grounded in the principles of constitutional and antitrust laws. Actually, he was one of the most brilliant men who ever served in the U.S. Senate.

Mr. President, I ask unanimous consent that an editorial published in the Chattanooga Times, setting forth some facts about BILL LANGER, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LANGER OF NORTH DAKOTA

WILLIAM LANGER, of North Dakota, a political nonconformist who rarely lost in a race or won on an issue, is dead at 73 after 19 years in the U.S. Senate. His place in history will be determined more by what he refused to do than by what he was able to get accomplished.

He thumbed his nose at the innately conservative Republican Party organization, ran without its support more often than not and got himself elected by recordbreaking majorities. He voted with the Democrats more frequently than with his own party, but consistently refused to change his formal affiliation or to follow the Democratic lead in foreign policy.

Senator LANGER was an uncompromising isolationist who voted against lend lease and extension of the draft law on the eve of World War II. Paradoxically, he was one of the earliest supporters of statehood for Alaska, and usually was to be found on the liberal side of domestic issues.

A brilliant student, he finished a law course and passed the State bar examination at 18, 3 years before he could practice and 4 years before he finally received a bachelor's degree.

His political career followed a familiar pattern—county attorney, State attorney general, and Governor of his State—but encompassed more than the usual number of rough-and-tumble conflicts. While Governor he was arrested and removed from office by the State supreme court on charges involving solicitation of campaign funds, but he fought his battle so skillfully that he was exonerated by the courts and reelected in the next balloting.

He was elected to the Senate in 1940, but that body refused to seat him for weeks while Members debated his fitness to serve, based upon his record in North Dakota.

His unpredictable orneriness won him the title "Wild BILL," but his warmth in the Senate's clublike atmosphere retained for him the friendship of most of his fellow Members.

From any angle, Senator LANGER was right many times and wrong many times, since his own convictions cut across the lines of conventional politics. His generally vehement protests against what he didn't like, as well as his usually overbearing support of what he did like, tended to make him a figure the Nation at large disliked to trust.

He was a colorful character, a hair shirt instead of a stuffed one, who will be long remembered.

Mr. KEFAUVER. Mr. President, as I recall, Senator LANGER was graduated at the head of his law class at Columbia University and at the age of 18. He took his bar examination in North Dakota and passed it at that age several years before he could become a member of the bar. He was a brilliant student. He had a great ability to grasp facts. Even in later years, when his eyesight failed, he had Miss Eleanor Guthridge, Mr. Peter Chumbris, or Mrs. Irene Edwards read to him all the hearings of the committees of which he was a member. He kept abreast of everything which was taking place and his memory was remarkable.

During his service in the Senate, I had the opportunity to be in his office frequently, and thus got to know him better. One of the marks of a man is how the members of his staff feel about him, and how they work for him. Senator LANGER had one of the finest, most efficient, most loyal staffs which any Senator ever had. He selected the members of his staff with care. They worked overtime. No assignment was too difficult to have it done effectively. Mrs. Irene Edwards was Senator LANGER's administrative assistant. She is a very capable woman and I wish I had the time to mention more of the members of his very able staff.

During the time Senator LANGER was the ranking minority member of the Subcommittee on Antitrust and Monopoly, Peter Chumbris, who is still counsel for the minority, told me that he worked long hours at night; that he would read the hearings to Senator Langer. The devotion of all the members of the Subcommittee on Antitrust and Monopoly to Senator LANGER was close and intense.

Mr. President, it is wonderful to reflect on the love, deep devotion, and close relationship in the Langer family. Mrs. Langer, a truly great and noble woman in her own right—a gracious lady—stood side by side with her husband whether the going was easy or tough. The close companionship between Senator and Mrs. Langer was inspiring. It was difficult to see how after her untimely passing he could carry on. But he tried and did his best nobly.

Senator LANGER'S daughters, Emmy, Lydia, Mimi, and Cornelia, and the members of their families, were all devoted to their father and were close to him. Such a relationship was undoubtedly an inspiring and wonderful thing to Senator LANGER, as it was inspiring to all of us.

Senator LANGER was an individual of the kind America must have in order to further the interests of the people of this great country. He fought valiantly, and I know he has inspired many persons to fight with greater determination to protect our country's system of democracy and opportunity.

I feel a sense of great personal loss at his passing, as I am sure all of my colleagues do. I again extend to his daughters and to other members of his family my heartfelt sympathy and my gratitude that the United States should have had a citizen, a Senator, a husband, and a father like BILL LANGER, of North Dakota.

Mr. LONG of Louisiana. Mr. President, the real greatness of some men is never fully appreciated until some years after their passing. That will be true of BILL LANGER.

By his service in this body, Senator LANGER demonstrated that he was a man of deep convictions. He was convinced that the little person was usually overlooked and neglected by the Government, and would continue to be unless someone fought vigorously and in forthright fashion for him.

BILL LANGER had great courage. Often he was the only one to vote against measures which at the time were very popular. Many of us have lived to see that his judgment on some of those occasions was much more correct than the public was willing to admit at that time.

BILL LANGER never was afraid to fight for an unpopular cause, if he thought it to be right. Many of us have seen him time and again make such fights.

From time to time some would say that BILL LANGER was unpredictable or perhaps inconsistent. Yet in a great many ways he was one of the most consistent of all Senators to serve in this body during the 11 years I have been here. He was certainly consistent, in that he was always on the side of the poor man, the little man, the under privileged, or those who had been neglected by society as a whole.

I know from personal experience that BILL LANGER was a true friend. He was the kind of friend who would stay by those who believed in him and whom he loved, even though it might cost him much politically. I could tell a number of stories, some of deep meaning to me, which demonstrate that fact.

BILL LANGER was one of those who made it possible for his party during his time to have in it elements of both liberalism and conservatism. Some have said that the greatest strength of both parties lies in the fact that they contain within themselves both those elements. He gave his party great strength because he added the breath of liberalism from the Midwest, to strengthen his party and make it more vibrant and varied.

During his last election, BILL LANGER was unable physically to make a campaign. He was opposed by a majority of the Republican Party leaders. Even so, he placed his name on the ballot and left his political fate in the hands of the people of North Dakota. He was elected overwhelmingly. This was one of the most ringing tributes to the strength of our democracy that I have ever seen. It proved that those who know and believe in a man will not quit him easily.

The passing of BILL LANGER is a real loss to the Senate, not only to Senators on the other side of the aisle, but also to Senators on this side of the aisle. All of us are the poorer because his true

voice of liberalism from the great West has been lost to this Chamber.

I treasure the memory of BILL LANGER. His friendship was one of the great and highly privileged experiences I have had in this body.

Mr. HILL. Mr. President, I was a Member of the Senate when Senator LANGER came here, and I was privileged to serve with him here during his entire tenure. He and I did not always agree; but he was always my friend, and he was always the good, the faithful, the generous, and the helpful friend, as the distinguished Senator from Louisiana has so well stated.

In my long service in the Congress, I have never known a more courageous or a more independent representative of the people or one who was more indefatigable in his work for the people or was more devoted and dedicated to the interests and the welfare of all the people, and particularly—as the Senator from Louisiana has said—the little people, whose voices so often are not heard as they should be. BILL LANGER was always fighting for them. He was a valiant fighter, a mighty warrior.

I shall greatly miss him. I am sure that when he left us, the hearts of the people of North Dakota were saddened, and in their hearts was the accolade, "Well done, thou good and faithful servant."

Mr. CASE of South Dakota. Mr. President, it was my privilege to meet Senator and Mrs. LANGER in 1934, a quarter of a century ago. At that time he came to Rapid City, S. Dak., with Mrs. Langer, in response to an invitation which had been extended by some of the people of that community, to make a speech there. His speech was rather impressive. He told the story of his life; he told of the vicissitudes, the hard times, the political misfortunes, and the political fortunes he had had.

But the thing which remained in my memory was the story of how he had put an embargo upon the sale of wheat when he was Governor of North Dakota. When he felt that the farmers of North Dakota were not getting a fair price for their wheat at Minneapolis, after it was shipped from North Dakota, he declared an embargo. I never was sure of the legal background for it. But, at any rate, it worked for several weeks; and, as a result, some measure of improvement in the price was effected. As a result of that story which he told at that time, I have always remembered him as a man who believed in taking whatever action he felt necessary in order to accomplish what he believed to be a good end.

I may say that at that time Senator LANGER came to South Dakota at the invitation of Chester Leedom, whom we knew as "Chet" Leedom, the father of the Honorable Boyd Leedom.

Senator LANGER's interest in the Leedom family followed down through the years; and I remember that when Mr. Leedom's nomination came before the Senate for confirmation, no Member of the Senate took a greater interest in its confirmation than did Senator LANGER.

All during his life—as has been said so many times on the floor this morning—Senator LANGER had a great interest in the common people, and he had a great hold upon them. I do not know that any other Member of the Senate could point to a greater demonstration of the affection of the people than that given by the people of North Dakota when Senator LANGER ran the last time for reelection, and was reelected, even though he did not go back to North Dakota during the main part of the campaign. He remained in Washington because of his devotion to his wife, who then was very, very ill. The people understood that, and they rewarded him with their confidence at the polls.

Senator LANGER was something of a political maverick, so far as normal political ties are concerned. But he took great pride in the fact that he was what he called an Abraham Lincoln-Theodore Roosevelt Republican, and also in the fact that Theodore Roosevelt had spent a number of his early years near Medora, N. Dak., and there acquired some of the characteristics of Western self-reliance and independence which later were evidenced in his public career.

Despite Senator LANGER's great ability to speak the language of the common man, he was a man of great legal learning. I think others have already stated that he was first in his law class at one of the great law colleges in the eastern part of the United States.

Senator LANGER will be remembered by the people of North Dakota and by the people throughout the area of the Dakotas because of his friendship for the common man. He truly believed, with Lincoln, that God must have loved the common man, because he made so many of them. The life of Senator LANGER was a living expression of that faith.

Mr. GRUENING. Mr. President, I rise to join with my colleagues in paying a well deserved tribute to the memory of the late senior Senator from North Dakota, Mr. WILLIAM LANGER.

It is not my intention, Mr. President, in offering these few brief words in praise of the life, the works, and the deeds of BILL LANGER, to imply that they need any encomium from me here on the Senate floor. For they live long in the memory of man. They are embodied in the many tangible, beneficial accomplishments of his years in this body.

For me—and for us here in the Senate—BILL LANGER's actions may well serve as ideals for a standard of life. He was, in the first instance, a fierce and valiant fighter for the equality of the State he represented among the other States of the Union. In that sense—in the best sense of the words—he was one of the foremost champions of States rights.

But with all such championship, BILL LANGER guided his every action by his fundamental belief that it was his duty to act in these halls as one of the spokesmen for the needy, the downtrodden, and the oppressed. We all know and can recount innumerable instances in which BILL LANGER "took the floor" to denounce—in words and tones that left no room for doubt as to his position—some injustice being wreaked upon an individual or group of individuals. He was undaunted by the high station of those he opposed. He was equally fearless in the face of great odds.

For him it was enough to know in his own mind that he was on the side of right and truth and justice for the little man. In his every action and in his every deed, BILL LANGER showed that he was truly the representative of the people—not alone the people of North Dakota, but also the people of all the United States.

Alaskans should and will always gratefully remember BILL LANGER'S all-out advocacy of statehood for Alaska. This advocacy did not come in the latter stages of our battle, but was manifested way back in the very beginning, when the cause was beset with any obstacles and much opposition. But BILL LANGER, with his deeply ingrained faith in basic American principles, felt deeply that government by consent of the governed was perhaps the most basic of all of them. And so feeling, and so believing, he naturally became a vigorous and outspoken protagonist of Alaskan statehood. He made this clear when he visited Alaska in 1945 as a member of a Senate committee, and when as Governor of Alaska I had the opportunity to get to know him better.

The people of the great State of North Dakota are highly to be commended for having sent to the Senate of the United States a man of the great stature of BILL LANGER, and of keeping him there.

His voice or the Senate floor and in the committee rooms has now been stilled. But the memory of what he stood for, the memory of the man who dared to speak out forthrightly when, as was often the case, his was the voice of righteousness crying in the wilderness, these memories will live on for many, many years. Those of us who worked with BILL LANGER and who came to know and admire him will long remember him as a great Senator of the United States.

Mr. President, I ask unanimous consent that there be printed at the conclusion of my remarks two articles in tribute to the late senior Senator from North Dakota. The first article is from the Rural Electric Minuteman for November 20, 1959, and is entitled "Epitaph for a Maverick." The second article is from the Postal Record, issued by the National Association of Letter Carriers for December 1959, and is entitled "BILL LANGER Is Gone."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Rural Electric Minuteman, Nov. 20, 1959]

EPITAPH FOR A MAVERICK

The greatest maverick of them all died quietly in his sleep last week: BILL LANGER, 73, Republican, U.S. Senator from North Dakota.

They said he died of a heart attack, weakened by a 3-week siege of pneumonia. He also died with a broken heart, lonely and almost lost after the death in August of the gentle Miss Lydia—the lady who stood quietly beside him throughout his noisy and troubled political career.

BILL LANGER was never the same after that. He went through the motions, but

the fire and brimstone were gone. The maverick did not come back to the herd, but his wanderings were quieter. It was strange. It was like the wind dying on the plains of the Dakotas.

No man ever had a more controversial political career. His 2 years as Governor of North Dakota were crammed with charges of wrongdoing. Soon after taking office in 1932 he was faced with a lawsuit which charged him with conspiracy to force campaign contributions from Federal employees. The suit went on for years, and ended with an acquittal.

When he came to the Senate in 1940, he faced formal allegations designed to keep him from being seated on grounds of "moral turpitude." A Senate committee voted months later to oust him, but the full Senate decided it was a North Dakota political affair and kept him in his seat by a vote of 52 to 30.

He was always in political trouble of some kind, but trouble seemed to make him stronger. The people of his State elected him, in order, county attorney, attorney general, Governor (twice), and U.S. Senator (four times). The political battle cry of the Plains was, "They're after LANGER again."

He was perhaps the greatest champion of rural electrification in the Congress. His name was on almost every important piece of legislation the rural electric systems favored. He left a sick bed against his doctor's orders to vote for the Hells Canyon Dam; he used his own office staff to launch and carry out the early stages of the Dixon-Yates deal investigation; he introduced numerous bills to curb propaganda advertising by the power companies; he was an implacable foe of high-interest rates and private financing for rural electric systems. The list goes on and on.

It was BILL LANGER who broke the bottlenecks and got rural electrification going in North Dakota. He pushed and prodded and needled until generating stations and Federal dams were built to bring down the prohibitive cost of wholesale power. At one stage LANGER persuaded REA Administrator Claude Wickard to send his applications and loans chief with him on a swing of meetings throughout the State. The Senator and Dick Dell, now NRECA's legislative director, held 23 public meetings. It was the beginning of a lasting friendship, but Dell shudders even today at the memory of the maverick in action.

The Senator's thoughts were always of his people, and this was the source of his strength. It was said of him:

"If a farmer complained he had no washer for his wringer, he could depend on his old friend BILL to get one for him."

Or to get him a powerline to run the washer.

[From the Postal Record, December 1959]

BILL LANGER IS GONE

(By Jerome J. Keating)

Thousands of letter carriers in every corner of the United States shed many a tear when the news was flashed that the Great Liberal Senator from the State of North Dakota had passed away in his sleep on the morning of November 8. It was not unexpected. Senator WILLIAM LANGER had been in failing health for the past 2 years, and survived two severe pneumonia attacks that would have carried away a man of lesser courage. Nursed back to health by his loving wife, Lydia, to whom he was married for the better part of half a century, he lived to see her suffer and slowly die, a victim of cancer. The impact of her death on Senator LANGER was terrific, but buoyed up by the excitement of the last days of Congress he kept going until adjournment. Showing characteristic courage and love of the men who labor, he was one of the two Senators who voted against the restrictive labor law. With the adjournment of Congress the enormity of the loss he had suffered with the death of his wife struck him with full force and he started to fail. In the morning of November 8 the great heart of Senator WILLIAM LANGER ceased to beat, and the great champion of the little men was gone.

Perhaps too much addicted to cliches and shibboleths, newsmen were prone to characterize the Senator from North Dakota as "unpredictable" and "a maverick." Having followed his career intimately and closely since his early days in North Dakota, to me he was the most predictable man in the Congress. He was always with the underdog. Whether it was the struggling farmer, fighting debt, drought, or low farm prices; or the workingman looking for a little better break for his family; or the friendless foreigner facing deportation; or the Indian suffering from malnutrition on some bleak reservation; or the man discriminated against because of the pigmentation in his skin—all these and many more had a champion and friend who never faltered in Senator LANGER. His decisions were not based on the expediency or the danger that might be involved—his decisions sprung from a heart full of love. Was he a "maverick"? Certainly he was not one to follow "the bell cow." He did not bear a brand on his forehead, but be bore the brand of love, sympathy, and understanding in his heart.

He loved North Dakota. No Senator ever fought harder or more consistently for his State or the people in it. In his 19 years in the Capitol he never succumbed to "Potomac Fever." "He walked with kings, but never lost the common touch." He was as loyal to the common man and the State of North Dakota the day he died as he was the day he was elected State's attorney of Morton County.

Senator LANGER was loved and known by every letter carrier in America. He was personally known to thousands, he attended many National conventions, State conventions, and meetings of all sorts. He was in the middle of every fight for improvement of the lot of letter carriers that ever came up on the floor of the Senate. He fought the letter carrier fight in committees. He sponsored hundreds of bills designed to make life just a little bit better for the people who work for the Government. Many of his bills are still before Senate committees. He is a cosponsor of the Johnston-Neuberger bill to provide health benefits for those on the annuity rolls.

Some years ago when the Senate Chamber was being redecorated and the Senate was holding its sessions in the Old Supreme Court Room, a bill was before the Senate providing a pay increase for Federal employees. Senator LANGER offered several amendments to provide a little more for the little fellows, they were voted down one by one; finally he moved that $100 be added to the increase for those in the first grade. The vote was called for; the Senator from North Dakota alone voted yea. He later remarked, "I thought I was licked again." The nay vote was called for—no one voted. The Senator's amendment passed—one to nothing.

When Public Law 204 was passed by the Senate on September 14, 1951, the bill up for consideration provided for a $400 increase effective the first of the month following the passage of the bill. Senator LANGER moved to make the amount $600, there were two "aye votes." He then moved to increase the amount to $500. This was voted down, but the Senator gained additional support on every vote. The resourceful Senator from North Dakota then moved that the bill be made effective on July 1, thereby providing an additional $100 for every postal worker in America. The amendment carried and Vice President Alben Barkley who was presiding rapidly rapped his gavel signaling success.

There are hundreds of other stories that we could relate where the Senator from North Dakota successfully championed the cause of the postal and government employees. His greatest triumph and the one in which he took the greatest pride was the Langer-Chavez-Stevenson bill passed in the 80th Congress when Senator LANGER was chairman of the Senate Post Office and Civil Service Committee. In technical parlance it is known as Public Law 426, but to me and to thousands of others it will always be the Langer-Chavez-Stevenson bill. This bill when first introduced did not stand a chance. We were told that the bill went too far—that it attempted to do too many things. The able Senator from North Dakota fought the good fight. Like every other bill that ever has been passed, it lost some of its provisions. The major provisions, however, became law. For the first time annuities were provided for widows and children; for the first time those on the retirement rolls received an increase in their annuities; the formula for computing annuities was changed completely to the advantage of the employee. The new formula produced larger annuities. The Langer-Chavez-Stevenson retirement bill will forever stand as a perpetual memorial to the courageous Senator from North Dakota.

In the Senator's office in the Senate Office Building there were four large portraits presented to the Senator by his loyal and able staff. The four men who looked down from the wall in front of the Senator's desk were four outstanding Americans: Abraham Lincoln, Theodore Roosevelt, Robert M. La Follette, Sr., and George Norris. Senator LANGER had much in common with his four heroes. Ibsen once wrote, "The strongest man on earth is he who stands most alone."

These five men knew what it was to stand alone, they knew the loneliness, heartache, and desolate feeling that comes when one stands by himself. They also knew the feeling of strength that comes from absolute conviction based upon basic fundamental principles. Senator LANGER, like his four heroes, passionately believed in the fundamental rights of freedom found in the Constitution of the United States. The rights of individuals, the rights of every man to a fair trial, the dignity and power of the U.S. Congress, and the dignity and freedom of human beings.

Senator LANGER was laid out in the Senate Chamber on November 10. As he lay in state his senatorial colleagues, friends, and people who had benefited from his many acts passed by the casket. The entire board of officers of the national association together with special committee members paid their respects to their great friend. The officers and delegates of the Government Employees Council, AFL–CIO, paid their respects to their champion. On November 12 the body of Senator LANGER lay in state at the North Dakota State Capitol in Bismarck and on Saturday, November 14, the North Dakota Senator was laid to rest in his hometown, Casselton. Casselton is a small city having a population of approximately 1,400 people, no city letter carriers. Yet it was from this town that the great champion of city letter carriers came. It was a bitterly cold day when Senator LANGER was brought home, the temperature ranged from a few degrees below to a few degrees above zero.

Casselton was a big town the day Senator LANGER was born, and it was a big town the day he was brought home. Governor Davis was there representing the State. Representing the Senate of the United States were Senators MORSE, of Oregon; KEFAUVER, of Tennessee; YOUNG of North Dakota; CASE of South Dakota; HRUSKA, of Nebraska; JACKSON,

of Washington; and HUMPHREY, of Minnesota. From the House of Representatives Representatives BURDICK and SHORT, of North Dakota, were present. The Church of St. Leo's was crowded to the doors, the overflow packed the basement where they listened to the services over a loud speaker. Among the hundreds that thronged to the church were many farmers who remembered the bleak days in the thirties when the specter of foreclosure loomed over their farms. These men undoubtedly recalled that they were rescued from their despair when the courageous Governor LANGER of North Dakota stepped forward and issued the first moratorium on foreclosures. The State police and the militiamen were there in uniform to honor their friend.

Serving as an honorary guard to the man who has stood by them so often and so faithfully were 21 uniformed letter carriers. North Dakota is not a large State in population, there are less than 200 letter carriers in the entire State. The funeral was held in the morning when carriers were delivering the mail. I am certain that every letter carrier in North Dakota that could make it was present, there were 21 of them. The carriers in sparkling uniforms came from Fargo, Grand Forks, Valley City, Bismarck, Mandan, from Moorhead and Minneapolis, Minn.

At St. Leo's Catholic Church the Most Reverend Leo F. Dworschak, auxiliary bishop of Fargo preached the sermon. Declared the bishop.

"In an age when expediency rather than principle is so often made a supreme law of statesmanship, business practice and personal conduct, it is indeed a refreshing experience to see an example of unshakable faithfulness to conviction, and loyalty to the truth as he saw it.

"If there is any thought that the life and career of WILLIAM LANGER would inspire in us, it is the importance of loyalty to his convictions."

After the solemn requiem high mass, the body of the distinguished Senator was borne along Langer Avenue, named after him when he was Governor, and Senator WILLIAM LANGER was laid to rest beside his beloved Lydia, who had preceded him in death by 3 months.

Mr. KEATING. Mr. President, in concert with his friends on both sides of the aisle, I join in paying tribute to the late Senator LANGER. It was my pleasure to know BILL LANGER particularly well because of our association on the Senate Judiciary Committee.

He was a man of forthright convictions and independence who never hesitated to speak his mind. Other than a speaking acquaintance or meeting him at a social function, or otherwise, I did not know BILL LANGER well until 3 or 4 years ago when I did something in the House of Representatives—I have forgotten what it was now—which did not meet with his favor. He wrote me a very sharp letter expressing his conviction on the subject, to which I replied in kind. In that way—and those who knew BILL LANGER here will understand it—what I consider, and what I am sure he considered, a firm and fast friendship was formed.

He was a fighter for the principles in which he believed. He was, in every sense, a happy warrior, and he was most considerate of those who from time to time might differ with him on an issue.

He had, certainly, a political toughness second to none, and his political acumen, as reflected in the repeated endorsements by the people of North Dakota, speaks for itself.

No finer tribute could be paid to BILL LANGER than to say that in election after election the people of the State where he lived and which he served expressed their confidence in him as a person and as a public official. Those who knew him best loved him most.

His passing is a loss not only to his family and to his friends, but to the State of North Dakota and the Nation which he served. I join my colleagues in expressing deep sympathy to his loved ones who remain.

Mr. YARBOROUGH. Mr. President, from the time I entered the Senate in April of 1957 until his death, I served on the Post Office and Civil Service Committee with Senator LANGER.

In my service in the Senate I have known no other Senator more devoted than Senator LANGER to the welfare of his country and that of the person with small economic resources.

Senator LANGER did not measure individual worth, the human spirit, intellectual achievement, or a person's value to humanity by the amount of wealth he had amassed.

He crossed party lines constantly, all party lines, to vote his convictions. He would vote against all political parties combined, if he thought they were not advancing the welfare of the average American family.

On the committee on which I served with him, I found him deeply devoted to the welfare of the workers of America, all workers, organized and unorganized, to the civil servants of this Government, to the postal employees, and to the farmers of America.

As a representative of a High Plains agricultural State, he had the fierce independence so characteristic of the High Plains area of the great central basin of the United States. In keeping with the spirit of the Great Plains, he was a progressive—a true progressive for reform, economic, political, and governmental.

As I served with him on the committee, I was the beneficiary of his kindly advice, always given for the benefit of the people, never to advance himself.

Senator LANGER'S spirit, intelligence, and humanitarianism left an imprint and influence on this body and on the laws of this country which will be felt for generations.

One of the high privileges that came to me from working in the Senate of the United States was knowing BILL LANGER and serving on the committee with him.

It was a great thing for the United States that he came to Washington.

Mr. YOUNG of Ohio. Mr. President, while the Senate was in adjournment, death came to one of our most beloved and respected colleagues, a man whose memory will shine brightly and enduringly in the minds of Americans everywhere.

Indeed, Mr. President, I am sure that as we sit here today, each of us feels keenly and in a deeply personal sense the absence of our late colleague, Senator WILLIAM LANGER, of North Dakota. Over the years, while serving in the other body, I came to know of the activities and achievements of Senator WILLIAM LANGER, and I have held him in the highest admiration.

It can truly be said of our beloved colleague that he lived with an abiding faith in the democratic process which he zealously guarded, and, by doing so, provided a ringing affirmation of our way of life in these times of trial and torment.

A sense of dedication to his office and the people he represented illuminated his nearly 20 years of fruitful service in the U.S. Senate.

Senator WILLIAM LANGER—BILL LANGER to us who knew him well—was a generous, warm, and understanding human being. But, above all, he was a fighter for the causes in which he believed.

He exemplified a spirit which is more and more absent in American life in an age when much of the country jumps to the erratic and seductive tune of Madison Avenue, a spirit of individual courage and conviction which brooked no compromise with conscience.

As he took his position in the front line of combat for his cause, he never looked behind him to count the supporting troops. He cared not if there were many or there were none, but, like the "skirmishers who drove their pickets in," moved forward in just belief of the rightness of his cause.

Therefore, Mr. President, I should like to share a poem with my colleagues in the belief that it pays proper tribute to a man who often fought alone, and always valiantly and with conviction.

The battle thunders all along the line;
The mustered myriads drink its draught like wine!
We charge in lusty squadrons unafraid,
Cheered by the bellow of our cannonade.
Still stands the embattled host of vested wrong,
Unshaken, unabashed, unconquered, strong;
But right now has her fields of clustered spears,
And shakes the air with trampling and with cheers!
The fight seems dubious; yet one thing we know,
The fight shall not be lost without a blow!
The soldier dies; but as his senses swim
He sees the line sweep on, with eyes grown dim.
The wounded lie and bleed—their faces shine
As billowing cheers come sweeping down the line!
All now is glory, conquest, conflict, thrill;
The great war dims the sky and shakes the hill;
The very mass of battle bears us high
In generous resolve to do or die—
And we forget, in the tense urge to win,
The skirmishers that drove their pickets in!
They fought in the gray dawn, cold and alone,
A hardy few, darting from tree to stone.
No fife and drum, no touch of elbow cheered—
They saw no following host with flags upreared;
And that which wrung their valiant spirits most
Was the dread doubt, "There is no following host!"
Yet through the fearsome jungle forth they went,
Felt for the foe, and drove him to his tent;
And in the splendid faith that one good blow
Is each man's legal debt to every foe,
They struck. The sparse fire crackled through the dawn,
Grew, greatened, roared—and the great war was on!
So let us honor, 'Mid the battle's din,
The skirmishers that drove their pickets in!

Mr. President, Senator WILLIAM LANGER—BILL LANGER to all of us—was indeed a brave skirmisher who drove his pickets in. He was a great and good man—an intellectual man of force and integrity—and he will be remembered reverently by all who served with, or knew, him.

Mr. DOUGLAS. Mr. President, it has not been my practice to take part in tributes paid to deceased Members of the Senate for a variety of reasons, one of which has been that I have often felt many of these tributes, while doubtlessly sincere, did not give a full picture of the men in whose memory they were delivered. They have often seemed excessively fulsome. I cannot, however, remain silent when these tributes are being paid to Senator LANGER, because of all the Members of the Senate in our generation I think Senator LANGER was the most misunderstood, the most improperly attacked, and the one who perhaps suffered more from the hands of his opponents than any other Member of this body.

Senator LANGER was an extremely misunderstood man. It was sometimes charged against him that he was not intellectually well trained. The truth of the matter is that he was not only a graduate of Columbia Law School, but one of the graduates with the highest academic record in the entire history of that law school, standing No. 1 or No. 2 in the entire list of graduates. I went to Columbia in 1913, and his reputation as an able student and a scholar had spread through the entire university.

This quality Senator LANGER retained all through his life. So as we pay tribute to him, we should realize that death sometimes sweeps away misunderstandings and enables the true character of a man to be revealed. Sometimes it is covered up with false praise, but frequently erroneous misapprehensions are swept away and the man can stand revealed in his own real character.

There was another misapprehension about Senator LANGER, and that was the statement frequently made that his actions were unpredictable. I had been here only about 3 months when I decided I could predict his actions on every issue. I think there were two factors which were keys to his voting record and to his speeches in the Senate.

In the first place, if anyone was in trouble, if anyone was being persecuted or prosecuted unjustly, Senator LANGER would be not only on his feet talking, but also voting, acting, and working.

Very frequently we say we love the "common man," but sometimes this is not borne out by our actions. Of all the men I have ever known in public life, Senator LANGER more than any other could be depended upon to defend the friendless, to help the man who was down and out, to argue for the weak against the strong, to urge claims of justice against the arguments of sophistry.

This was a completely predictable factor about him which won my affection and respect, and won the respect of a great many others. I think in the long run it is going to win the respect of the people of the United States and of the great Northwest.

There was another characteristic about Senator LANGER which was always predictable. He was an opponent of American participation in international affairs. On this point I differed with him, but I knew the sincerity of his actions and I knew his belief sprang in part from the abuse which he took during the First World War and the period subsequent to that time. During those years he went through a Calvary, following the course he believed to be correct, and pursuing it with courage. I believe this explanation should be borne in mind by those who have criticized the actions of the La Follettes, of Colonel Lindbergh, of Burton K. Wheeler, and others who went through similar difficult experiences.

As I have indicated, much of the time I did not agree with Senator LANGER'S foreign policy, but I knew its roots. I knew that there was a great deal to be said for his position, and I knew that it was in conformity with the deepest promptings of his conscience.

Senator LANGER was also a man of great courage. He was willing to take on the entire Senate. He was willing to take on the press and the politicians of North Dakota and of the country. He was not afraid of anyone or anything. He had the courage of a lion. Moreover, he had the most winning trait of a puckish sense of humor which at times was embarrassing to his friends. He loved nothing better than to sit in front of a Senator who was making a speech and then ask questions which showed weak points in his argument or which might expose some insincerity or contradictions in his position. He did it with a smile, which made us really laugh at ourselves.

We shall miss him. To my mind he was a great American. I believe that he will prove to be one of the figures in American history who, attacked, reviled, and misunderstood during his lifetime, with the passage of time come to be recognized as brave, noble, warmhearted, sincere, a fighter for the weak, the poor, and the friendless.

Mr. COOPER. Mr. President, when Senator WILLIAM LANGER, of North Dakota, died the Senate lost an able, resourceful, and colorful Member. These qualities were recognized by all who served with him and knew him.

Today I desire to speak about another side of his character, which became manifest to me when I first came to the Senate in 1947. I learned of his kindness, his regard and affection for others, and his deep sympathy toward their problems. His love for his wife and family was known to all of us.

I shall never forget the opening day of the Senate in 1947, when Senator LANGER, having just completed a successful campaign for reelection, rose in the Senate to pay tribute to his wife for her helpfulness and her constant support during the stirring days of his political career and life. He spoke of his affection and love for her. His association with his noble wife and their children was a model and inspiration to everyone.

I also noted the regard of members of the staff of Senator LANGER for him and their constant helpfulness to him when he was ill, and particularly when he was shocked by the tragedy of Mrs. Langer's death. I feel certain that their regard and affection for him was but a reciprocation of his affection for them and his interest in their problems.

Senator LANGER'S political philosophy embraced a sympathy toward the strivings of the people of the United States for better opportunities in life. As has been said here today, his voting record was independent, and, many thought, unpredictable. Yet I believe he had a standard to which he adhered. I do not wish to oversimplify his political philosophy, but I shall always remember that day in 1947 when I asked Senator LANGER to tell me about his political beliefs. He responded simply by saying that during his political career he had always wanted to work and vote for the interests of the great body of the people of our country who had not enjoyed the opportunities enjoyed by the more fortunate.

He said to me—and I remember his exact words—"They need help. The others can take care of themselves."

I am glad that I knew him. I enjoyed his friendship. We have missed him in the Senate, and will continue to miss him. I am sure the people of his State and many others throughout the country will miss him. They will miss his sympathy and striving for those who, he said, "need help most."

Today we extend our sympathy to his daughters and his friends on his staff who worked with him so faithfully.

Mr. MUNDT. Mr. President, the late Senator LANGER has been identified with the history of the Dakotas for considerably more than three decades. While, of course, he was a North Dakotan, and served officially the people of North Dakota, he represented many of the same occupational and vocational pursuits and geographic interests as do the people for the sister State of South Dakota.

Throughout his long career, as has been said by other speakers today, certain characteristics stood out positively and clearly in the activities of Senator LANGER. Certainly he was a fighter, a fighter who devoted himself most enthusiastically and energetically to the point of view he espoused, sometimes in conformity with the minority point of view and sometimes with the majority point of view, but once having determined his position, he fought for it valiantly and vigorously.

A second characteristic about BILL LANGER was that he was loyal to his friends. As is usually the case with that type of man, in turn his friends were loyal to BILL LANGER.

Something has been said about his being concerned with the little people. I happen to be one who believes that there are no "little people" in America, that Americans are all "big people" in their exercise of freedom and the power of self-government. Americans are all big and they are all important by virtue of the fact that this great opportunity system of ours was made to serve them all. I do not know what is implied sometimes by the smug statement of someone who obviously thinks he is a big fellow, when he says, "I am for the little fellow."

I believe that BILL LANGER had friends among all types of Americans. I do not believe he ever talked about little fellows, because I do not believe he tried to separate himself from average, typical Americans. I believe that to call a man an American is to deny completely at once that he is a little fellow.

I know a North Dakota banker who knew BILL LANGER well, and admired him greatly. He was loyal to him in all his campaigns, and BILL LANGER was certainly loyal to his friend. He is one of the biggest and most successful bankers in North Dakota. Bill Stern is known to many Members of this body. He is certainly in the upper averages financially. He is a most succesful banker, and a highly respected financial man in North Dakota. He was a close, warm friend of WILLIAM LANGER. He differed with him on certain issues; but in politics if those who differ with us never supported us, not many of us would be here very long, because we cannot possibly vote always with the point of view held by all of our constituents.

BILL LANGER was loyal to his friends. He had friends in the banks. He had friends in the legal profession. He had friends on the farms, and among industrial workers. He had friends among all his fellow Americans. I am sure he never tried to drive a wedge between himself and what might be smugly talked about as a "little American."

BILL LANGER was a hard worker. I doubt if I ever saw a man devote himself more vigorously to the functions of the Senate in time of health or in time of illness, during the day or during the night, than did BILL LANGER.

He worked at the job of being a Senator. With the help of a most loyal and efficient staff, he rendered good service to all the people of North Dakota, regardless of their economic status and quite regardless of their party affiliation. He worked at the job in committee and worked at the job on the floor of the Senate. He was energetic. He thought the place for a Senator was in the Senate. He worked at the chores attendant upon the position of being a Member of the Senate.

I remember well, as he sat only a few seats removed from my desk, during the days of what became his terminal illness—obviously ill at ease and not well—that he would stay until the final rollcall of the night and would be here until the Senate recessed for the day. He would be here to vote, even when it was clear from the beginning what the result of the vote would be, whether it would be to sustain a point of view in which he believed or to defeat it, and where the result obviously was forecast by the committee report and the discussion and debate on the floor. He felt a Senator should be voting on the floor. He never believed in walking out on a rollcall, and he would never duck an issue. He wanted his position printed in the permanent RECORD.

I recall a personal experience which brought home to me the vigor and the fighting determination of Senator LANGER. We were meeting in the Old Supreme Court Chamber during the 2d session of the 81st Congress, while our present Chamber was being refurbished and refurnished and changed. We were debating the Mundt-Nixon bill. He was against it. Obviously, I was in favor of it. It had been passed in the 1st session of that Congress by the House, and it had come over to the Senate. It was when we were about to have the final vote on the Mundt-Nixon bill, which had become the first 17 sections of the Internal Security Act.

For reasons which were understood by Senator LANGER, he was clearly very much opposed to it. He tried to defeat it in committee. He tried to dissuade me from offering the proposal. He had sworn war to the death against it. He became the leader of an embattled group of 7 or 8 Senators who were determined to filibuster the Mundt-Nixon security provisions to death. His did not represent a very great large body of opinion in the Senate, because even though the President had vetoed the bill, only 10 or 11 votes on the side espoused by Senator LANGER were finally recorded against it. That did not dampen his enthusiasm or dim his vigor. He came to me—and we were always good personal friends—about 1 o'clock in the morning on which I believe was the second day of the day and night filibuster that went on around the clock, and went on and on, to become, I think the Senate's longest filibuster in many generations. He said to me, "Now KARL, I want you to tell me when your side relinquishes the floor, because I want to talk and hold the floor all night."

I did not want him to hold the floor all night, but that did not deter me from saying, "I will alert you at the time when the last speaker who has the floor sits down." I did so. I said to him, "BILL, you are not in the best of health. Why don't you take a morning shift? You have enough fellows on your side who can hold the floor through the night, who will help you run this around the clock until morning."

He said, "I would not think of it. I am ready to go on."

At about 1:30 in the morning he began a talk which I suspect led to one of the most sensational and memorable scenes which any Senator now serving in the Senate has ever witnessed, because at 4:30 or 5 o'clock in the morning, after he had talked for several hours, BILL LANGER began to suffer from what we later learned was diabetic shock. He began to sway a little and to weave. However that did not indicate that anything was wrong to the doctor who was sitting in the Chamber, because BILL LANGER was an animated speaker. He moved around and weaved and swayed and walked around for many other reasons than that he might be suffering from an imminent attack. He went into shock and, to the distress of all who were there, BILL LANGER collapsed flat on the floor of the Senate.

Of course the leader in charge of the Senate at that time, confronted with that type of situation, did the convenient thing which the Senate has created for situations of all types of unusual occurrences. He made the point of order that a quorum was not present. The doctor rushed over, attachés surrounded him, and from all appearances BILL LANGER lay there inanimate, in death. The doctor sensed the difficulty and did what a doctor does in such a situation. He ministered to him promptly and called an ambulance, and BILL LANGER, still unconscious, was carried out of the old Supreme Court Chamber and was placed in an ambulance and taken away. Twenty-four or 36 hours later the filibuster was broken and a yea and nay vote was had. BILL LANGER was absent from the Senate.

I mention that occurrence to point out the devotion to a point of view, a point of view which obviously I thought was wrong but which he thought was right. BILL LANGER believing in his side, fought on even when he realized, as he must have, that something was wrong with him at 4:30 or 5 o'clock in the morning. He did not throw in the towel. He did not make the point of order that a quorum was not present. He did not ask for a substitute. He kept on talking until be blacked out in the presence of his colleagues.

I knew Senator LANGER best, of course, because of our association in problems involving the great agricultural industry, because North Dakota and South Dakota are probably the two most agricultural States in the Union, depending to a greater degree on the income from the farmlands of our great States than any other State. BILL LANGER was a great friend of agriculture, an earnest and sincere friend of the farmer. We participated jointly in many debates on the subject of agriculture, although we participated in many debates on opposing sides when it came to matters involving so-called security legislation in Congress, and on other items.

BILL LANGER, with his great driving energy and capacity and his loyalty to friends, supported in every Congress legislation helpful to the solution of the farm problem. He was always on the side that he conceived to be the farmer's side in economic issues, the farmer's side in proposals involving changes in agriculture. I know that the leadership he gave and the support he provided for agricultural causes helped for many a dark year to keep alive the hope and the belief and the conviction that finally and ultimately Congress will come up with a program which has permanent validity and survival value from the standpoint of helping farmers receive their fair share of the national income, which they do not now receive, and which Senator LANGER was among the foremost in proclaiming as being one of the weaknesses in our economic structure—the fact that those who labor on the farm are not paid or compensated proportionately with those who labor in the businesses, the professions, or the ranks of organized labor in the industrial East.

We shall all miss BILL LANGER deeply. The sympathy of Mrs. Mundt and myself goes out to the members of his family and his relatives. The people of North Dakota, who knew BILL LANGER best, rewarded him most frequently and supported him consistently because they felt, correctly, that he was a great friend of the people of North Dakota whom he represented.

Mr. RANDOLPH. Mr. President, Senator LANGER worked as if he were to live forever, and lived as if he were to die tomorrow. This would be my appraisal of the service of the late senior Senator from North Dakota, whom I came to know first 20 years ago, when I was a Member of the House of Representatives, in the year he came to this body.

We served together on conference committees. I came to understand him and to appreciate him.

My tribute today, in less than a hundred words, is a most sincere one.

Mr. FONG. Mr. President, I rise to join with my colleagues in paying tribute to the memory of Senator BILL LANGER. I knew Senator LANGER personally for only 3 weeks. But long before I knew him, I have heard of the great Senator from the great State of North Dakota, of his indomitable spirit and of his political courage, acumen, and independence.

We in Hawaii knew him as one of the foremost fighters for statehood for Hawaii.

Although my friendship with him was for a very limited period, I consider myself fortunate to have known him as a colleague and as a friend. In the 3 weeks I served with him in this Chamber, I learned to admire and respect him as a man of great courage, as a distinguished and able Senator, and as an outstanding American. I shall always cherish the memory of the brief association I had with him. I know the State of Hawaii will always remember him as a great champion of statehood for Hawaii.

Mr. DIRKSEN. Mr. President, I suppose that one can truly say that in every life there is some transcendent passion. With different people it takes different forms. But there is always that impelling force, whether people are of high or low degree, or to whatever estate they may have been born. It might be a search for fame. That impelling force might carry them on to seek riches or to seek high reputation and esteem in the eyes of their fellow men. It might be something which goes into the sentimental or the affectionate feeling. But I believe one can analyze every human being and find that there is one of those transcendent impulses. Not only is that true of those in public life, but I presume it is true of all persons in private life.

I think in this month particularly of Abraham Lincoln. He was probably about 45 or 47 when the great moral resurgency in him took place, and he found precisely the course which he must pursue. I think that was true in the life of Thomas A. Edison and the life of Luther Burbank. When I think of those who live in the political atmosphere, I think of men like Robert Marion La Follette, George W. Norris, William Edgar Borah, and a great many others. While we may disagree as individuals, yet there is that impelling influence.

So I learned through close association with Senator LANGER that there was just such a transcendent passion in his life. I came very close to him, because I think I was probably the only Member on my side of the aisle who undertook, at his request, to participate in a television program which could be sent out to North Dakota, even after his own party convention had repudiated him. I will never forget his saying to me, as we were walking to the Senate Office Building, "You are my friend, and I am your friend. You are going to do this for me."

What could one say under those circumstances? I knew I was going to be chastised; I knew I was going to be reproached and scolded; and I was, because men high in our party in his State called the leader of the Senate on our side, called others in Washington, and remonstrated that the assistant minority leader, a Republican, had undertaken, in the face of the verities in the State of North Dakota, to participate in a television film, have it reproduced, and have numbers of the reproductions sent there to help in Senator LANGER'S campaign. I am glad that I did it, because it was in that small way that I could express my esteem for a man in whom there was a great passion and a great enthusiasm for humanity.

Such a passion can take many forms. Sometimes it can be noble; sometimes it can be ignoble. It can manifest itself in the slightest ways. I remember well all the letters Senator LANGER used to put in the CONGRESSIONAL RECORD, letters from humble, obscure people in the State of North Dakota. But he did it as if they were sizzling messages from on high or from one of the greatest statesmen of profound juridical mind in the whole wide world. He did it because his heart was in it. He did it when the remonstrances came, perhaps from only 8 or 10 Senators, over some question relating to agriculture. He did it in espousing lost causes and espousing the causes of people who had no other advocate—no one else to speak for them.

As we sat together in the Committee on the Judiciary year after year, at times I found it necessary to oppose him. I found it necessary to contest with him, and to do it with some vigor, because he would ask for the consideration of a bill when, ofttimes, the department or agency involved had sent an objection to the committee, and one was reasonably certain that the bill might be vetoed, and one was reasonably sure in his own mind as a personal matter that it should not be enacted. But with BILL LANGER, it might represent a cause, a cause for a group of people or for single individuals. He would pursue such a cause relentlessly and with the utmost vigor.

Sometimes I used to remonstrate, and sometimes I assumed the prerogative of age to scold a little, but it made no difference. He would say, "These people are entitled to be heard. It does not make any difference what the armed services say. It does not make any difference what the Department of the Interior wrote to the committee. It does not make any difference what some Cabinet member said. These people are entitled to be heard, and I want this bill reported by the committee and placed on the calendar, so that the Senate can work its will on it."

Up to the last hour of his life, he never relented from that deep and charitable instinct, that charitable interest in the affairs of people. It was thorough, it was voluntary, it was complete, and it was a dedication to a cause.

I think the great essayist Seeley once described loyalty as a thoroughgoing, voluntary enthusiasm for humanity. I believe that typifies the great ruling passion and force in the life of WILLIAM LANGER as nothing else could do.

I sat with him in his home, to counsel and to console, when his beloved and gracious wife was smitten with a very serious illness. I recall that a month before his death he called me, and said, "I wish you would recommend a physician. I have just come back after the last attack of pneumonia, and I am quite dissatisfied; and maybe someone can do something for me."

He did follow my advice; he did go to the clinic. But already the shadows were getting longer, and he was thinking about his eternal reward.

Unknown to me at that time, which probably was 3 weeks before his passing, he was already preparing his soul and getting ready for the surrender of the spirit and for the long journey.

So, Mr. President, as I thought of him in retrospect, and as I thought of him again during the memorial service we had in the Senate reception room, I thought of what a true blue character his really was. Like an actor who not only knows his lines, but also knows what to do when there is curtain call after curtain call and he steps out before an admiring public, the real actor on life's stage never gets out of character. He preserves his dialect and the costume that he wears, and before the people he utters what he has to say in the spirit of the lines which have brought him high estate upon the stage.

WILLIAM LANGER was like that to his last day. He never got out of character. He was really a great enthusiast for humanity.

Mr. MORSE. Mr. President, BILL LANGER was one of my precious, true friends. I suspect that each one of us, when he is really honest with himself, will admit that during a lifetime one garners unto himself very few true friends. One has many friends of various descriptions, and some are fair-weather friends. But I think at least most of us have a relatively small number of true friends, although we may have many friends and many associates.

But a true friend is one who stands with you when you are down, and offers a helping hand. When you make a mistake, he seeks to give advice to you, in correcting the mistake. He stands with you when you ride the crest, and shares your happiness; and he is at your side when sadness overcomes you, when some great loss within your family or some great loss in political fortune or business or some other loss makes the day a dark one for you.

BILL LANGER was the type of true friend who was always at your side in all the fortunes and misfortunes of life that came your way.

He was a great teacher, one of my greatest in political philosophy and science.

I think it very difficult to put into capsule form the epitome of BILL LANGER's political philosophy. But if I were asked to do so, I would do it in this way: At the time of his death, I said he was the last of the Populists in American political life. When one analyzes the great current of the political philosophy of the Populists, I think it is fair to say it will be found that they believed it was the responsibility of an elected official of a free people to protect the economically weak from the exploitation of the economically strong. And so much of the political record of BILL LANGER was written in keeping with that mandate.

The Populists, of whom I have always considered BILL LANGER a great one, led the fight in our country in the days of the exploitation of the railroad barons when they were guilty of such scandalous thievery across the West, the Northwest, and on the Pacific coast.

BILL LANGER was in the fight against the banking barons when they were seeking to exploit the economically weak, and became involved in some of the great banking controversies in the political history of the State of North Dakota.

BILL LANGER was in the fight against the lumber barons in the heyday of their great power, when they wreaked such devastation upon the heritage of generations of Americans.

BILL LANGER was a Populist who was in the forefront of the fight to protect the economic interests of the family farmers of America. And up to his dying day, BILL LANGER was battling, as he had battled for years and years, to protect the economic interests of the American farmer.

Mr. President, North Dakota has never been a great industrial State. North Dakota has never been a State in which organized labor has been a particularly dominant factor in State politics. But when there were only a relatively few union members in North Dakota, BILL LANGER was one of the great battlers for the rights of free labor in the United States, and could always be counted upon to be in the forefront of any movement that sought to protect the economic rights of labor from the exploitation of antilabor forces.

Mr. President, BILL LANGER, I am sure, would not want to be described this morning in these beautiful eulogies as anything but what he was. I knew him as a rough, tough political fighter. He asked for no quarter and he gave no quarter when the fight was on. He believed it was the duty of a liberal in American politics to carry the fight to the enemy, and he did it time and time again. And in a political fight BILL LANGER played for keeps, because he believed that the public stakes were high, and that he had the duty to be willing always to sacrifice himself, if necessary, in support of the human welfare issue to which he could always be counted upon to be dedicated.

BILL LANGER, in other words, Mr. President, could dish it out as well as take it.

Party lines meant little to him. He believed in following where he thought the facts led, not where the politicians led. He was not one who ever worshiped at the altar of political regularity. He felt that when his party was wrong he should leave his party; and those of us who have served in the Senate for years with him, as I did for almost 16 years, always took an inner satisfaction from the great lesson he used to teach us time and time again as he sat in the second seat from the middle aisle. Sometimes, as one would walk over to him and chat with him and he would cast a vote against his party, he would turn to the majority leader and say, "Well, I had to cancel my friend's vote here, because I thought he was wrong."

He was a great battler, but a man with a keen sense of humor, a practical joker in the affairs of the Senate. I am sure my colleagues have enjoyed such an experience as I now relate, when I was involved a couple of years ago in a rather bitter controversy in the Senate on an issue which I thought was very close to the philosophy of BILL LANGER, calling for a defense of the economic weak against the encroachments of the economic strong.

BILL came over and sat in front of my desk as I delivered one of my not shorter speeches, but he sat through it. When I had finished, he got up and shook his head, and with a poker face he said, "I am sorry WAYNE, but I will have to vote against you on this one." I said, "Have you lost your judgment? I made your speech for you." He went back to his seat, and very shortly the roll was called. When his name was called he voted in support of the position I had argued at some length, and as he voted he waved his hand. I went over to his desk and said, "What are you trying to do, give me a hard time?" He said, "I am just having a little fun with you. You knew I could not leave you on that issue."

Mr. President, I think in the last session I received the most undeserved compliment I have ever received in my 16 years in the Senate, but flattering as it was, I think I cherish it more than any other. BILL LANGER and I found ourselves together on a great many issues, and in the closing days of the last session of Congress we found ourselves in opposition to the conference report on the labor bill. My colleagues will recall that BILL LANGER was not very strong physically in the closing days of the last session of Congress. I spoke for 4 hours and 35 minutes against that conference report. BILL LANGER sat every minute of it in the seat just in front of the desk from which I now speak. I was deeply moved by that act of courtesy, because most of the seats in the Senate were empty. I recall after the rollcall the two of us were called out to the press room just off the cloakroom of the Senate Chamber. As the press was taking pictures, BILL was asked the question, "Why did you vote with the Senator from Oregon?"

He then proceeded to pay me an undeserved, but I would be less than human if I did not say greatly cherished, compliment. He said to the press, "I was the only man who listened to the entire argument of the Senator from Oregon, and in my judgment one could not listen to it and disagree with it."

Mr. President, the friendship of BILL LANGER is one of the richest treasures I have ever accumulated in my life. In 1956, even though he was a Republican Senator, he endorsed me and supported my reelection to the Senate as a Democrat.

Mr. President, much has been said today, and I should like to associate myself with it, about the tenderness of this man—that great human quality of tenderness, the understanding of human frailty in others, which was one of the characteristics which made us love BILL LANGER, as the majority leader mentioned. He was a man with unlimited courage, as has been pointed out, and one of the few politicians who never was afraid of the press. He would just as soon tangle with the press and take on the great powers of the press in America as he would tangle with any of the other reactionary barons in our American life.

I am sure many in the Senate will remember his good humor and the fun he had when some years ago he brought suit against an American newspaper and there was a settlement of the suit. He received a substantial check. He had the check in his possession, and he walked around on the floor of the Senate one day showing us the settlement he had made with a newspaper which had slandered him inexcusably and had carried on an unconscionable program of vilification against him.

Mr. President, I close by saying I think the highest compliment which can be paid to a human being when it can be said truthfully—and it can be said truthfully of BILL LANGER—is to say, "He was a good man."

BILL LANGER was a good man. America is richer because of his life, and because of this man's great dedication to the political tenet that it is the responsibility of an elected official of a free people in a parliamentary body in America to recognize always that the only wealth we have is human wealth, and that this Republic was designed to promote the general welfare of human beings.

Mr. THURMOND. Mr. President, shortly after coming to the U.S. Senate in January 1955 I had the pleasure of meeting and knowing the then distinguished senior Senator from North Dakota, Mr. LANGER. I always cherished his friendship. I felt the warmth and understanding within him, which is not characteristic of all men. He was a diligent Senator. He was industrious. He worked hard. He performed his duties in a manner which was admirable.

Frequently we were in disagreement on matters of philosophy and on questions before the Senate, but I always knew he was voting his convictions as he saw them. He was regular in attendance and for that he deserved to be highly commended. I think it is very important that a Senator not be running all over the country while the Senate is in session, but instead remain here to look after his duties.

He was a man of ability. He would not have remained in the Senate so long as he did if he had not been a man

of great capacity, because he was a controversial figure. Any man who stands for anything is a controversial figure. He was a man of courage. He never ran out on an issue. He never refused to face a situation. Courage is one of the greatest qualities any man can possess.

He was a friend of the "underdog." We did not find Senator LANGER catering to "bigwigs," to big corporations, to big anything or anybody. He was a friend of the average man, of the ordinary man, of the common man, as he is frequently called. He was a rugged individualist. He stood for what he believed in and he believed in what he stood for.

I feel a personal loss in the death of my friend, the late distinguished Senator from North Dakota, Mr. LANGER.

Mr. GORE. Mr. President, one of the dedicated servants which this country has known passed away with the death of the late Senator LANGER. The public interest with him was always paramount. He was a man of deep devotion, of warm personality, of high idealism. He walked proudly among his colleagues and before his constituency. In the eyes of both he was an object of affection and honor.

Mr. KUCHEL. Mr. President, these moments are set aside to salute and honor the memory of a great American and a great U.S. Senator, the late WILLIAM LANGER of North Dakota. A humble product of our country's common soil, he journeyed through a turbulent life meeting, fighting, and overwhelming in his political career opposition which again and again confronted him. He finally became the chief executive of his beloved State; then a Member of the Senate, and finally the senior Senator from his State. Throughout all his days he was sustained and strengthened by a dear wife who was the friend of our wives, and by lovely children, who comforted him in his remaining days after she had left him.

BILL LANGER was a progressive Republican. He traveled with those great men in my political party who wrote history in days gone by—Hiram Johnson, of California; Robert La Follette, of Wisconsin; William E. Borah, of Idaho; and George Norris, of Nebraska, men whose devotion to the public was never excelled and seldom equaled in this Chamber or elsewhere.

Among the bequests left to their beloved America by BILL LANGER and others whom I have mentioned, who were like him, was a torch of inspiration which always burns, and which beckons any of us to come near it and be invigorated and strengthened by the sort of devotion for which each of them was known.

I had the pleasure of knowing BILL LANGER as a friend. I knew of his courage, of his independence, and of his humor, which was referred to so graciously and movingly in the comments of the distinguished Senator from Oregon [Mr. MORSE], who now presides over the Senate.

I say to the members of the family of BILL LANGER who remain, "You may take great pride in what the late Senator LANGER did in American Government and in the government of his State. You may take great pride in the high esteem in which he was held in the hearts of those who served with him."

Mr. AIKEN. Mr. President, from the time he was Governor of North Dakota until he died, BILL LANGER was one of my closest personal and political friends.

My first acquaintance with him was in the middle thirties when, as Governor, he was fighting tooth and nail to keep the farmers of North Dakota from losing their lifetime savings in land and other assets.

Fortunately for these people of North Dakota, BILL LANGER was a fighter and he had sympathy for people.

He never lost these attributes. In the years during which he was Governor of North Dakota, he never hesitated to challenge the most powerful interests or combination of interests when the welfare of his people was threatened.

He brought those attributes with him to the Senate and the Senate was finer because of it.

At the very start, he had to fight to hold his seat in the Senate because powerful interests which he had opposed as Governor were determined to unseat him.

They failed to do this but not until they had put him through many harrowing weeks of uncertainty.

The only thing they ever proved about him was that he was a stanch friend of the people.

He would stand up alone against the crowd when his conscience told him to do it.

He was my senior in the Senate by 8 days and for 19 years we worked together.

Not only were BILL and I close friends during all these years, but I watched his family of four young girls grow up to womanhood.

There never was a more devoted family man than BILL LANGER.

He was fortunate in that his wife, Lydia, whom he lost last year, was a most understanding and devoted partner.

This Senate will never have another Member quite like BILL LANGER—honest, courageous, colorful, human.

The vacancy he left cannot be completely filled because there are few, if any, people quite like him.

He is one of few men who have been privileged to see a living memorial erected to himself while he was still alive.

This memorial to which I refer was built in the election of 1958 when, as a candidate for reelection to the Senate and harassed by the last illness of his beloved wife so that he could not return to the State to campaign, he, nevertheless, in spite of vigorous opposition, carried every single county in the State of North Dakota, an honor which few men are privileged to receive.

He and Lydia Langer have still another living memorial in the form of four wonderful girls—attractive—smart—respected by everyone.

Bill and Lydia Langer will never be forgotten. They have left behind them tender memories.

Mr. BRIDGES. Mr. President, I would like to add just a few words to the excellent tribute to the late Senator LANGER presented to the Senate by the now senior Senator from North Dakota [Mr. YOUNG].

As senior Senator on this side of the aisle, I knew BILL LANGER since he first came to this body in 1941. I learned to know him as a warmhearted friend.

I also learned to know him as a courageous legislator—a man who would stand up against any odds when he felt he was right.

I learned, too, that BILL LANGER was a doer—a man of seemingly tireless energy who applied himself to the task at hand without stint.

I learned that "Wild BILL" was a colorful personality—the kind of man who was often in the news.

I have heard it said by some that BILL LANGER was a lover of publicity for its own sake.

Knowing BILL LANGER well, I never believed this. He was colorful, all right, but there was no fakery about him. He did what he did because his sense of justice and his great energy compelled him to do so. That the voters of North Dakota liked what he did and loved him for his courage to stand alone, if need be, was a fortunate but incidental occurrence.

I have said many times, and I was glad to hear the senior Senator from North Dakota say today, that the most important characteristic a Senator or a Member of the House of Representatives should have is courage.

Public servants need intelligence. They need to be well informed. But above all else, they need to be courageous. And, as my colleague from North Dakota [Mr. YOUNG] has said, BILL LANGER had courage.

I congratulate my friend on his fine tribute to the late Senator LANGER.

The Senate lost one of its most colorful Members, one of its hardest working Members, and one of its most courageous Members, when BILL LANGER passed away.

Mr. BIBLE. Mr. President, this great deliberative body lost one of its outstanding personalities in the passing of BILL LANGER. He was a maverick in the richest sense of the word, because he wore no man's brand.

Senator LANGER's colorful career of public service, which spanned half a century, always found him championing the rights of the underdog. His deep feeling for people was manifested in many ways. The plight of the American Indian, for example, was always a matter of concern to BILL LANGER, and he consistently fought for equal rights for America's first inhabitants.

A good fight was always relished by Senator LANGER, and history will record that he never backed away from one. At the same time, he was a man of great charm and understanding, loyal in his friendships, kind and considerate.

BILL LANGER left his mark on the American scene. He will be missed.

Mr. JAVITS. Mr. President, I, too, would like to join in the many memorials

to our dear friend and departed colleague, Senator BILL LANGER.

In a way, he was an illustration of one of the finest qualities of Members of the U.S. Senate, because he demonstrated that the qualities which men respect here are sincerity, integrity, hard work, fine character, and a humorous quality, which really is the quality of humility, as our colleague from Oregon [Mr. MORSE], who, is presiding, so tastefully and graciously explained.

In the Senate it is possible to disagree very often, as BILL LANGER did, and still to occupy a beloved place among one's colleagues because of his qualities as a man. He provided a remarkable demonstration.

Men of such experience as only we have, in very active lives, have almost literally seen and understood everything. So we see and understand a colleague who is a sort of freewheeling nonconformist, in the rather interesting and colorful tradition of others from his area of the country, including Borah and other Senators who have been mentioned.

Yet he endeared himself to his colleagues. He was also, in an interesting sense, a stimulus to action. He made others consider very seriously whether they were right or wrong, because of the mettle by which he tested himself and what he presented in his own arguments.

All of us must go. The question is what will we leave? This is the solace to our families and to our friends, and this is the very tiny additional drop in the mighty river of time.

BILL LANGER left a sweet, pure drop—a little aggravated at times, but useful and stirring. He established a dear relationship in the hearts of those who knew him and served with him. He made a real contribution to the political activity of his time. I believe that this may be our common promise, which beams down kindly upon our families, who take great pride in the heritage which a man leaves behind for our Nation and for other Senators who come after him.

Mr. TALMADGE. Mr. President, I desire to associate myself with my colleagues on both sides of the aisle in the tributes they have paid to the life and character of our late friend and colleague, BILL LANGER.

BILL LANGER was always courteous and helpful to new Members of the Senate. My own relationship with him was particularly pleasant and I always shall treasure the memory of my association with him.

BILL LANGER was truly one of the most remarkable men in the political history of our country. His life was extremely colorful—almost as colorful as those of Andrew Jackson and Sam Houston.

If one might cite one outstanding characteristic of BILL LANGER, it would be courage. He had strong convictions and the courage to support them unflaggingly. In this day of conformity, it is both refreshing and unusual to find a man in political life who has the courage of his convictions.

Time and again I saw him vote contrary to the overwhelming majority of his party. On several occasions I saw him cast a lone dissenting vote in the Senate.

A man who has courage of that type is a man we all admire. I am sure his example in this regard will long be admired and, I hope, emulated.

Mr. JOHNSTON of South Carolina. Mr. President, early after I had become a Senator from South Carolina, I was attracted to my late friend, the senior Senator from North Dakota, Hon. WILLIAM LANGER. He was known and loved by all of us as "BILL."

My friend preceded me to the Senate by 3 years. During most of our service in this body we held membership together on both the Senate Judiciary Committee and the Senate Committee on Post Office and Civil Service. This dual service afforded me a better opportunity than the average Member in the Senate to reach judgments about the man, his ideals, his personal worth, and his service to his State and Nation.

BILL LANGER classified himself as a farmer and a lawyer. We know little of his accomplishments as a farmer, yet it is known that he worked on a farm as a hired hand at the early age of 15. He then showed marked ability as a leader for he was made a foreman of a large crew of farmworkers. He attended grade school, later graduating in 1906 from the law department of the University of North Dakota. In 1910 he graduated from Columbia University Law School in New York City. His fitness for and adaptability to the legal profession are attested by the fact that he passed the State bar examination when he was 18 years old but was only admitted to practice when he became 21.

Senator LANGER'S first official office was that of county attorney for Morton County, N. Dak.; from 1916 to 1920 he was the attorney general for the State; for 8 years he served as a member of the State parole board; for 8 years he was a member on the State board of equalization, and for 4 years he was president of the State board of health. The Senator was twice elected Governor of his State. Notwithstanding many internal political differences within his party, he was elected to the U.S. Senate in November of 1940, and was successfully reelected in 1946, 1952, and 1958. These successive offices and repeated elections are evidence of the great esteem in which he was held by his fellow citizens and the value they placed upon his ability and services to their county, State, and Nation. No finer tribute is needed than the confidence of those who knew him so well and loved him so much.

I loved the Senator, not only because of the friends he had made, but also because of the enemies he made. He was an independent soul—independent in mind, body, and action. He came from the common people. He was one of them. He never forsook them. He always had at heart the interest and welfare of the little man, of the unorganized man, and of the fellow who had no paid emissary to speak for him. No opportunity escaped BILL LANGER to speak out and vote for the welfare of those who he felt needed a voice in the Nation's councils.

He always placed the interests of the worker, the underdog, and the downtrodden uppermost in his official actions. His votes in the Senate Judiciary Committee were unfailingly on the side of legislation for the benefit of the ordinary man. As one of the senior members of the Senate Civil Service Committee, his votes on behalf of the ordinary Government clerk or worker were always prominent among his activities. Whether his actions might please his political superiors or be strictly in accordance with his party dictates was of little consequence to him if he felt those influences were detrimental to a better regard for, or the higher interests of, the unsung average man. He was truly a man of, and for the rights of, the people as a whole. He lived and died a friend of the poor man. Certainly, Walter Toss had such a man in mind when he wrote:

Let me live in my house by the side of the road,
Where the race of men go by;
They are good, they are bad, they are weak, they are strong,
Wise, foolish, so am I.
Then why should I sit in the scorner's seat,
Or hurl the cynic's ban?
Let me live in my house by the side of the road,
And be a friend of man.

Thus BILL LANGER lived. Thus he served. Thus he died. His like will be hard to find. His passing we mourn. His services to his fellow man will forever be a monument to his greatness, reflecting honor and credit on the people who gave him to the Nation.

I salute the people of North Dakota for having given us the fine association and comradeship of so noble character as our departed friend, WILLIAM LANGER.

Mr. CURTIS. Mr. President, today we pay tribute to a man who served with us for 20 years. He was a dedicated Senator, a man devoted to the interests of North Dakota. In public life, the names Senator WILLIAM LANGER and North Dakota were synonymous. If the attribute of success in the Senate is keeping faith with one's constituency, Senator LANGER achieved his full measure of success.

Senator LANGER was a man of conviction. If his position on any matter before the Senate was unique, he never shied away from standing alone. We are edified by a long and luminous career of service which abated only when he departed this life.

To his lovely family, so endeared by him, and to his host of friends, I offer my sincere sympathy.

Mr. HUMPHREY. Mr. President, I rise today to pay tribute to the late Senator WILLIAM LANGER. BILL LANGER was a man of the people in the great tradition of the Middle West. He fought tenaciously for the rights of the farmer, the laborer; for increased pay for postal workers and servicemen. His compassion for the people made him a great champion of civil liberties and social security. He fought the good fight for the rights of the American people and, as stated by Newsweek, "He weathered every storm with gleeful ease and went looking for more squalls to ride out."

We all know how valiantly he carried on his senatorial duties although plagued with serious illnesses. And we all know his sorrow with the passing of his beloved and faithful wife, Lydia Cady Langer. Also, we all know how sorely he will be missed in this Chamber and on the national scene.

Although not a founder of the Non-Partisan League, BILL LANGER was the man who mustered the strength needed to make what was once a farmers' political action movement into a purposeful and powerful organization. This he did in the thirties when certainly the people of the Middle West, which was beset not only by the great depression but by drought and duststorms, needed a strong and forceful united front to bring much needed help into the area. He will always be remembered for his dedication and determined efforts in behalf of the league and its purposes.

But, above all else, BILL LANGER was my friend. His sense of humor, his love of people, his keen mind, and strong spirit are characteristics that endeared him to the people of North Dakota and his colleagues in the Senate. America is the better because of BILL LANGER. Liberalism has lost a champion.

At Columbia University he was president of his class, valedictorian, and voted the biggest politician, noisiest student, most popular man, and the one most likely to succeed. And succeed he did.

The memory of this grand man, this magnificent maverick, will live with us for a long time. It was a privilege to have known BILL LANGER and to have had the honor to serve with him in the Senate.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that all Senators may have 15 days in which to insert memorial addresses pertaining to the late Senator LANGER in the RECORD.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). Without objection, it is so ordered.

THE TIGHT MONEY POLICY

Mr. GORE. Mr. President, I desire to read a paragraph from a letter I have received from a prosperous banker in the State of Tennessee. He writes:

> We have seen what is happening in all Government financing. Where we, a few years ago, made money, declared dividends, and paid taxes on Treasury bonds of seven-eighths of 1 percent and 1 percent, we are now getting 3 percent, 3½ percent, and 4 percent or better. It seems to have become a rat race for money by all governments, banks, associations, and other financial businesses. I fully realize that tight money has been created and that this is affecting business and industry, and, of course, all the larger banks. But as our cashier told me in December, when we were going over our earnings reports for the year, "This tight money sure is a fine thing, isn't it?" He meant we are making more than ever before for no apparent or justifiable reason, other than that we are simply charging more because of tight money.
>
> With kind regards and best wishes I am,
>
> Yours truly,
>
> ——— ———.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The PRESIDING OFFICER (Mr. MORSE in the chair). Is there further morning business? If not, morning business is closed. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT REAFFIRMS HIS BELIEF IN THE ITEM VETO

Mr. KEATING. Mr. President, I am delighted that the President at his news conference yesterday again endorsed the idea of giving the Chief Executive the power of the item veto. This is a proposal I have long espoused, and I am hopeful this latest expression of support from the President will help spur action.

It is to be hoped that the present national concern about our fiscal stability, combined with the successful experience of our States in utilizing the item veto, will lead to affirmative action by Congress on this idea. In my opinion, no step is longer overdue, no reform could reap greater benefits for individual taxpayers, and no single change in our governmental processes could save more money more wisely.

Under the present provision of the Constitution, as it has been interpreted, the President is faced with an all-or-nothing decision when an appropriation measure reaches his desk. He must approve the whole bill or veto the whole bill. He is allowed no leeway for independent judgment and pruning. Rather than the scalpel he must either employ the meat ax or do nothing.

The answer is to give the Chief Executive the power to veto individual items in appropriation bills. This method has been employed with great success in many States. With the admission of our newest States, Alaska and Hawaii, both of which provide for the item veto, the number of States granting this power to their Governors today totals 42.

It is significant to note that no State which has granted its chief executive this power has ever subsequently withdrawn it. Where it has been vigorously put to use, it has reaped great benefits for taxpayers by means of the elimination of wasteful items in money measures. These are impressive tributes to the practical value of the item veto and striking refutations to the arguments of those who fear its abuse.

Because it is such a realistic and useful tool, this power has drawn the enthusiastic support of numerous Governors, political scientists, and groups interested in improving governmental processes at all levels. In addition, for decades Presidents have endorsed this idea repeatedly and have asked Congress to act upon it.

It has long been my conviction that the item veto should be granted the President by means of a constitutional amendment. I sponsored measures to achieve this objective for a number of years as a Member of the House of Representatives. About a year ago I introduced Senate Joint Resolution 44, which would give the President the power "to disapprove any item or items of any general appropriation bill" presented to him for approval. His veto would be in the same manner and under the same limitations as now apply to the disapproval of the whole of any bill presented to him.

In other words, if Congress disagreed with him and saw fit to override his veto as to a specific proposal, they would be able to do so by the required two-thirds vote.

It has been cogently argued that the item veto could be granted the President by means of a statute. There is merit in this contention. It can well and forcefully be argued that this could be done by statute, but it is my feeling that the most clean-cut and authoritative way to do it is by means of a constitutional amendment. This would remove any doubt as to the legality of the power.

In addition, Mr. President, I have joined with the senior Senator from Nebraska [Mr. CURTIS] as a sponsor of S. 2373, which seeks to give the Chief Executive a form of item veto prerogative by utilizing the Executive order method. Under the terms of this proposal, the President would be authorized to eliminate or reduce, by Executive order, any appropriation or appropriations which come before him.

If given no other choice, I would certainly support this approach to the problem. My preference, however, is for the avenue offered by Senate Joint Resolution 44—the item veto by the constitutional amendment approach.

Mr. President, I am inclined to go slow in amending the basic law of our land. I approach this situation in the same philosophy. However, I believe the need for the item veto is so great that we would be justified in placing authority for it in the Constitution by means of an amendment.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. KEATING. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. I associate myself with the Senator from New York in support of the item veto. About 20 years ago Senator Vandenberg and I introduced a proposed constitutional amendment to provide for the item veto. I have done so repeatedly since that time. I hope the Senator from New York will be successful in his efforts. I think it is very essential for the country that the President have the same right of item veto as have the Governors of practically all of the States of the Union.

Mr. KEATING. I appreciate deeply those remarks coming from one of the most distinguished Members of the Senate, one who is universally respected, not only in this body, but throughout the country, for his great efforts to achieve economy in government and fiscal responsibility in the processes of government.

Mr. BYRD of Virginia. I thank the Senator from New York.

Mr. KEATING. The Senator from Virginia has labored long in this field, even before I got into it, in an effort to bring about this much needed reform. I have already cited statistics showing that, with the admission of Alaska and Hawaii to statehood, 42 of the 50 States have now granted their Governors this power.

I realize that to achieve our objective we face a task of real difficulty, but it is a task which should command the attention and energies of all thoughtful citizens who are concerned about the efficient and equitable operation of our Government. It is a cause which, I feel, should gain wide support in Congress. If it is presented to us as a legislative proposal, I feel quite confident that it will command the votes necessary for it to pass.

I hope the President's reaffirmation yesterday of belief in this idea, combined with the great preponderance of evidence in its favor, will result in placing the item veto in our arsenal of constitutional powers. Vigorously and wisely applied by our Chief Executives, it can result in saving literally millions of dollars, in a more sagacious use of taxpayers' funds, and in a more perfect functioning of the greatest system of government the mind of man has ever devised.

Mr. President, I ask unanimous consent to have the texts of the two proposals mentioned in my remarks printed at this point in the RECORD.

There being no objection, the texts were ordered to be printed in the RECORD, as follows:

S.J. Res. 44

Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The President shall have the power to disapprove any item or items of any general appropriation bill which shall have passed the House of Representatives and the Senate and have been presented to him for his approval, in the same manner and subject to the same limitations as he may, under section 7 of article I of this Constitution, disapprove as a whole any bill which shall have been presented to him.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

S. 2373

A bill to authorize the President to reduce or eliminate by Executive order any appropriation or appropriations made by any Act or joint resolution of the Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to eliminate or reduce by Executive order, in whole or in part, any appropriation or appropriations made by any Act or joint resolution, whenever, after investigation, he shall find and declare that such action will aid in balancing the budget or in reducing the public debt, and that the public interest will be served thereby: *Provided*, That whenever the President issues an Executive order under the provisions of this Act, such Executive order shall be submitted to the Congress while in session and shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such order is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period, there has not been passed by either of the two Houses a resolution stating in substance that that House does not favor such order: *Provided further*, That the continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but, in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain. As used in this section, the term "appropriation" includes an authorization to create obligations by contract in advance of an appropriation.

SEC. 2. Any appropriations or parts thereof eliminated under the authority of this Act shall be impounded and returned to the Treasury, and the same action shall be taken with respect to any amounts by which any appropriations or parts thereof may be reduced under the authority of this Act.

JUVENILE DELINQUENCY COMMITTEE ASSISTS LOCAL EFFORTS

Mr. HENNINGS. Mr. President, I have always felt that the work of the Senate Subcommittee To Investigate Juvenile Delinquency can be of substantial aid to local and State efforts to devise ways and means of coping with juvenile delinquency and crime.

In the many cities where our committee has held public hearings, we have been able to offer a forum through which State and community leaders in delinquency prevention and control could present to us—and to the community as a whole—their programs, their needs, and their thoughts in this vital field.

Examples of this Federal assist to local communities through the work of our committee can be seen in a letter I received the other day from E. Preston Sharp, executive director of the Youth Study Center, in Philadelphia, Pa., referring to our hearings there last summer, and from a resolution adopted by the Past Grand Jurors' Association of Los Angeles County, following our investigation of the narcotics menace in California last fall.

Mr. President, I ask unanimous consent that the letter from Mr. Sharp and the grand jurors' resolution be printed at this point in my remarks.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

CITY OF PHILADELPHIA,
YOUTH STUDY CENTER,
Philadelphia, Pa., January 28, 1960.

Senator THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HENNINGS: The purpose of this letter is to express my appreciation to you and the members of the Senate subcommittee investigating juvenile delinquency for the contribution you made to the problems we face in Pennsylvania. You remember that the hearings held in Philadelphia occurred last summer at the same time the State legislature was in session. Among the bills that had been introduced was House bill 1614 which involved a crash program to provide additional training school facilities for the State. Undoubtedly, the constructive publicity resulting from these hearings assisted greatly in the final passage of the act. This represents the first time in more than 12 years that legislation has been passed providing additional institutional space to retrain delinquent children.

On behalf of the children who need this service, as well as those in Philadelphia who are charged with handling this problem, I wish to express to you and your committee again my sincere thanks.

Sincerely,

E. PRESTON SHARP,
Executive Director.

RESOLUTION BY PAST GRAND JURORS' ASSOCIATION OF LOS ANGELES COUNTY, DECEMBER 10, 1959

Whereas the members of the successive grand juries of Los Angeles County for the past several years have been intensely concerned with the ever-growing illicit traffic in narcotics in the State of California and especially in the county of Los Angeles; and

Whereas this diabolic traffic in narcotics constitutes a major factor in California's crime problem, especially in reference to the juvenile problems of crime and violence; and

Whereas the attention of the Past Grand Jurors' Association of Los Angeles County has been focused upon this problem through constant investigation and study of all its facets; and

Whereas the Past Grand Jurors' Association of Los Angeles County believes as a result of its investigation that solution of this problem does not rest solely in the State or in the local communities, but is of an international nature since the narcotics used in this illicit traffic are produced in foreign countries, the major portion of that coming into California over the Mexican border, being produced in Mexico; and

Whereas the Past Grand Jurors' Association of Los Angeles County wishes to commend the committee of the U.S. Senate in its recent investigation conducted here in relation to this problem and, in so doing, thus recognizing the international aspect of the illicit narcotics traffic: Now, therefore, be it

Resolved, That this association urges said U.S. Senate Subcommittee on Juvenile Delinquency to continue its said activities, seeking the cooperation of such branches of the Federal Government as may be appropriate to engage in a joint effort with the Government of Mexico to study the general problem involved, the source of supply of narcotics and effective means for apprehending illicit dealers in the narcotics traffic and means of terminating their activities with the ultimate view of completely destroying all production, distribution, and use of harmful, poisonous drugs except as may be per-

mitted under the existing international laws governing the production, distribution, and use of narcotics for medical and scientific uses; and be it further

Resolved, That a copy of this resolution be sent to each of the members of the U.S. Subcommittee on Juvenile Delinquency so as to apprise them of the fact that this association not only heartily supports their endeavors, but stands willing, if requested, to aid them in the accomplishments of their objectives.

FRANK G. HATHAWAY,
President.

ALGERIA

Mr. GRUENING. Mr. President, a week ago last Friday, January 29, when the revolt in Algeria of some diehard European settlers and a group of dissident military was at its height, and its outcome was in grave doubt, I felt impelled to address myself to the situation. At that time it seemed clear to me that if the revolt were successful it would carry with it such tragic consequences for the Western World, that I headed my remarks: "The United States Should Come Out Squarely in Support of De Gaulle in the Algerian Crisis." And I gave in full the reasons why I believed this course was essential from the standpoint of every consideration for which our Nation presumably stood. I pointed out how unfortunate it was that the United States had remained neutral on this issue in the United Nations and had abstained when De Gaulle's Algerian policy came before that body.

It is interesting to me to note, now that De Gaulle has won a smashing victory, the universality of editorial plaudits and approval. As has often been said, nothing succeeds like success; and I might add that a bandwagon is one of the most popular of vehicles. Not much was heard in his support when De Gaulle was apparently in desperate straits, fighting for the life of his government and for the life of France. Now that he has won, France has won, and the free world has won.

Mr. President, I was delighted to see, this morning, an article, by one of the wisest of commentators, Walter Lippmann, that completely supports my view—expressed 6 days ago—that the United States made a mistake is not giving De Gaulle its positive support.

Mr. President, I believe I have had as much experience with colonialism as has any other Member of this body. I was the adviser to the U.S. delegation to the Seventh Inter-American Conference at Montevideo in November of 1933, the first venture in Latin American relations of the Franklin Delano Roosevelt administration when he launched and implemented the good-neighbor policy for this hemisphere and completely reversed the imperialistic policies and gunboat diplomacy which regrettably had characterized U.S. performance under both Republican and Democratic administrations since the war with Spain.

Mr. President, from 1934 to 1939, as the first Director of the Division of Territories and Island Possessions of the Department of the Interior, a new agency which was created by President Roosevelt, and might perhaps have been considered the equivalent of the colonial office of an Old World power—although with a different orientation—we were able to prepare the way for statehood for Alaska and Hawaii and to give Puerto Rico the kind of political status its people wanted, and to work to give our remaining possessions the maximum of self-government. All Americans must be sympathetic with the idea of independence, and must be opposed to colonialism. But the issue is far, far from simple. The colonialism which the Western World is now abandoning at a great rate—and I fear at so rapid rate that the future of the newly liberated nations is full of peril—is being practiced by only one nation, Soviet Russia, and with unprecedented ruthlessness and cynicism. Every one of Russia's satellites is a helpless colony held in brutal bondage. But Algeria, as Walter Lippmann points out—and this has long been obvious to those familiar with colonial matters—is not an example of colonialism. Algeria presents a highly complicated situation and problem to resolve; and General de Gaulle has taken the most enlightened and advanced stand that it is possible to take—namely, to offer the people of Algeria, after peace has been established, a choice as to whether they wish to be independent, or associated with France, or integrated with France. If he succeeds, it is going to be a great triumph for the West and for peace in the world. And, I suggest, as does Walter Lippmann, and, indeed, strongly urge, that the United States henceforth reverse its timid, vacillating policy toward France, and support the wise policies of its great leader who heads that civilized nation, which has been our friend since the days of our Nation's birth.

I ask unanimous consent that the excellent article by Mr. Lippmann be printed at this point in the RECORD.

There being no objection, the article was order to be printed in the RECORD, as follows:

ON ALGERIA

(By Walter Lippmann)

The surrender of the rebels who had barricaded themselves in Algiers is only a magnificent beginning. General de Gaulle has crushed the rebellion by exerting his authority and by imposing his discipline upon the army. Thus he has proved to the French nation, to the Moslem nationalists, and to all the world that he meant what he said last September when he promised self-determination in Algeria. But in asking the French National Assembly for special powers, he has made it clear that the resistance to his Algerian policy is wider and greater than the rebellion behind the barricades in Algiers.

The surrender on Monday morning did not mean that this resistance has been liquidated. It meant rather that General de Gaulle has committed himself and the overwhelmingly majority of the French nation to the hard and painful task of overcoming this resistance. For behind the young zealots who manned the barricades there are very powerful economic, political, and military interests which are determined to nullify General de Gaulle's promise of self-determination. They intend to nullify this promise because they believe that genuine self-determination in Algeria must mean that Algeria will become an independent Moslem state in which the European settlers will be a weak and harassed minority.

The situation is one in which this country has a part to play. Before General de Gaulle defined his policy last September we were in a quandary. For when we undertook to form a policy in the United Nations and among the Arab and African Governments with whom we are in communication, what we got from Paris was only a demand that we give them unconditional support in a war which we believed could not be won. But after the general spoke in September, there existed a real alternative to the cruel and inconclusive war. We had then every reason to support his offer of self-determination, and last November in the United Nations we made a mistake, it seems to me, in not giving France our positive support.

Now, the case for positive support is even clearer. Until the uprising in Algiers, it could be said with some reason that the general's policy was verbal, and that it had not yet been tested against the French opposition. It has now had its first test and, though this test is far from conclusive, the moment has come when we may be able to exert a positive influence toward making it conclusive.

We might begin by making it known that we do not regard the problem of Algeria as primarily that of liquidating colonialism and ending imperialism. Algeria differs decisively from India and Pakistan, from Burma and Ceylon, from Egypt and Syria and Iraq, from Tunisia and Morocco, from Ghana and Guinea. The difference is that the European population is a settled community, and although it is in a minority of one to eight, this is a very large minority.

If there were as large a proportion of British in India as there are Europeans in Algeria, there would be some 50 million of them. And if there were 50 million British settlers in India, the independence of India could not have been carried out as it was.

The problem of Algeria is not a simple colonial problem which can be solved, as respects the demand for political independence, by withdrawing the troops and repatriating the colonial administrators. The problem of Algeria is the problem of a society in which two communities, with very different ways of life, have to live separately but intermingled.

The problem of France in Algeria is essentially and in principle the same problem that the British face in all the African territories where the white settlers are a strongly established community. It is the problem of constructing and governing a plural society. When the different communities are sharply different owing to religion, race, or the level of their development—as in Ireland, Palestine, and the old British India—the problem of the plural society has rarely been solved.

Having made it known that the problem does not fit into the traditional pattern of colonialism and imperialism, we should recognize that General de Gaulle is committed to an experiment which must be given every chance to succeed. It is in the general interest not only of France and of Algeria but also of the rest of Africa and of the peace of the world that this experiment in creating a plural society should succeed.

For if it fails, the outcome will at the best be a partition of Algeria with the French Army occupying the coast and the immediate hinterland. At the worst the outcome will be chaos in which tyranny will flourish. We should use our good offices in Tunisia and Morocco, and in other countries which have befriended the Algerian nationalists, to persuade them that this is the time, which, if missed, may never return, to collaborate with General de Gaulle in order to end the war and to prepare for the process of self-determination. After the events of the past 10 days, General de Gaulle has

proved his good faith, and he has earned the right to be supported.

All this does not mean that we should show our support in any ostentatious and embarrassing way. There should be no thought of any kind of intervention. Nor should we have any illusions of grandeur about the weight of our influence in this part of the world. We should be quiet. But we should be clear. We should be clear about making it known to those who are really concerned that our hesitations and abstentions during the autumn have been replaced by a policy of positive support.

OUR TERRITORIAL DILEMMA

Mr. JACKSON. Mr. President, one of the important problems facing the Congress is the development of measures which will meet the legitimate desires of our territories and dependencies for greater home rule without impairing the Federal Government's authority to fulfill its constitutional responsibilities. Mr. Harold Seidman, Assistant Chief of the Office of Management and Organization, U.S. Bureau of the Budget, has written a paper titled "Our Territorial Dilemma" which proposes a novel and extremely interesting approach to this problem. I believe that Mr. Seidman's proposal merits study and serious consideration by the Congress. Mr. Seidman is a longtime student of territorial government and has worked closely with committees of the Congress on various matters related to the Government and administration of our territories. Mr. Seidman has a Ph. D. in government from Yale University. He is the Federal coordinator for planning the Alaska and Hawaii transition to statehood and has served as a member of the Commission on the Application of Federal Laws to Guam and the Ryukyu Islands Financial Management Mission. He has also been a consultant to the United Nations and the Governments of Colombia and Guatemala and has contributed to the Encyclopaedia Britannica and many professional publications. I ask unanimous consent to have Mr. Seidman's paper printed in the RECORD at this point.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

OUR TERRITORIAL DILEMMA

(By Harold Seidman,[1] Assistant Chief, Office of Management and Organization, U.S. Bureau of the Budget)

Admission of Alaska and Hawaii into the Union as the 49th and 50th States marks the end of a historic period which commenced over 170 years ago when the Northwest Ordinance first established conditions for the admission of new States. Alaska and Hawaii were the last of the big "T" incorporated territories which were always considered to be embryo States. These were the territories declared by the Congress to be incorporated into the United States and entitled thereby to the full protection of the Constitution.

The little "t" unincorporated territories and possessions of the United States are not regarded as embryo States. The unincorporated territories and other areas administered by the United States pursuant to treaty or United Nations trusteeship—American Samoa, Guam, the Virgin Islands, Trust Territory of the Pacific Islands, and the Ryukyu Islands—are included by article IV of the Constitution among "Territory and other property" for which the Congress shall make "all needful rules and regulations." Since these territories cannot aspire to statehood, some other means must be devised to meet their legitimate desires for an increasing measure of home rule.

Until 1898 territorial status was construed to be a temporary condition precedent to statehood. Chief Justice Taney in the Dred Scott case declared that territory "is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority."[2] This opinion was seriously shaken when, as a result of the war with Spain, the United States in 1898 acquired Puerto Rico, the Philippine Islands, and Guam, and a protectorate over Cuba, none of which was contiguous to the continental area or shared a common language and culture. A year later the United States acquired a portion of the Samoan Islands, including Tutuila, under the terms of the Anglo-German-American partition treaty, and in 1904 came into possession of the Panama Canal Zone. The Supreme Court held that these distant ocean communities of a different origin and language from those of our continental people were not, as the incorporated territories, part of the United States, but merely property that belonged to the United States.[3] Consequently, Congress had the right to provide for the government of the newly acquired island possessions, without being subject to all the constitutional restrictions which are imposed upon it when enacting laws for the States or incorporated territories.

With its deep rooted heritage of antipathy toward colonialism in all its forms, the United States has never succumbed to dreams of empire. Our dominion over a complex of islands from the Caribbean to the South Pacific has been viewed by Americans with mingled emotions ranging from mild embarrassment to acute indifference.

The United States has given at least the outward appearance of having acquired its territories and possessions in a fit of absentmindedness, and for many years provided for their Government in much the same way. Congress utilized its authority to legislate for territories sparingly, or not at all. Makeshift arrangements, intended merely to provide for a minimum of governmental authority during a transitional period, were allowed in some instances to endure for almost 50 years.

The new State of Alaska suffered severely during its formative years from the Federal Government's indifference. For 17 years, from 1867 to 1884, Congress failed to provide any government for the territory. Exactly two laws for Alaska were enacted by the Congress in all of these years, one creating Alaska a customs district, and the other establishing a Pribilof Islands reservation. De facto governmental authority was exercised successively by the Army commander at Sitka, the Collector of Customs, and the commanders of naval vessels stationed at Sitka.

In 1884 Alaska was constituted a civil and judicial district and provision made for a Governor to be appointed by the President, a district judge, a district attorney, and a few lesser officials. Congress, however, did not enact a comprehensive body of laws for Alaska but instead adopted the curious expedient of extending to Alaska the general laws of the State of Oregon. Not until 1912 was Alaska to be accorded a semblance of self-government and authorized to elect a territorial legislature with even limited jurisdiction.

Congress moved more promptly in organizing governments for Hawaii, Puerto Rico, and the Philippine Islands, but many of the insular possessions received even less attention from the Federal Government than Alaska. A two-sentence Executive order of President McKinley in 1898 placed Guam under the control of the Navy and vested complete executive, legislative and judicial authority in a Naval Governor. Fifty-two years later Congress enacted organic legislation for Guam establishing a civil territorial government in the traditional American pattern. The Virgin Islands were also administered by the U.S. Navy from 1916 to 1931, and American Samoa from 1900 to 1951, when in each case administrative responsibility was transferred to the Department of the Interior and the islands placed under a civilian governor.

Organic legislation for American Samoa was introduced in the Congress in 1949, but no action was taken. The island government remains unorganized, and the total of Federal legislation for Samoa is represented by a few brief sections of the United States Code. For the first few years after the changeover from naval administration, Samoans were bewildered by a succession of civilian governors. No less than four governors held office during a 2-year period. Legend has it that traditional farewell ceremonies were held every time a governor departed for the annual budget sessions in Washington, since he seldom returned.

Federal legislation for the Trust Territory of the Pacific Islands and the Ryukyu Islands, which include the major U.S. military base of Okinawa, is also extremely limited. These islands are not insular possessions of the United States in the usual sense, although the United States has accepted complete responsibility for their government and administration. The United States exercises authority over the Marshall, Caroline, and Marianas Islands formerly mandated to Japan by virtue of a strategic trusteeship approved by the United Nations. Under provisions of the 1952 Treaty of Peace with Japan the United States was given complete administrative authority over the Ryukyu Islands, but the United States has acknowledged that Japan retains residual sovereignty in the islands.

A few years ago the Congress rejected proposed organic legislation for the trust territory because it was overly elaborate, and merely confirmed existing arrangements whereby all executive, legislative, and judicial authority is exercised by a High Commissioner and other officials designated by the President. At their present stage of political and cultural development, self-government obviously must remain a goal rather than an immediate possibility for the Micronesians. President Eisenhower has granted the Ryukyuans a considerable measure of self-government by an Executive order promulgated in June 1957.[4] The order delegates to the Secretary of Defense the powers vested in the United States by treaty, but provides for an elected Ryukyuan legislature, a system of local courts, and establishes a bill of rights.

The United States until recently has displayed little ingenuity, and less imagination, in developing political institutions adapted to the peculiar needs of its territories and dependencies. For well over 150 years the Northwest Ordinance of 1787, which was reenacted by the Federal Congress to assure its validity, constituted the alpha and omega of American thinking about territorial government. The Northwest Ordinance established the basic pattern of a Governor appointed by the President and an elected territorial leg-

[1] The views expressed in this article are solely those of its author and do not necessarily reflect the views of the U.S. Bureau of the Budget.

[2] *Dred Scott* v. *Sandford*, 19 How. 393 (1857).

[3] *Downes* v. *Bidwell*, 182 U.S. 244 (1901).

[4] Executive Order No. 10713, June 5, 1957.

islature which has been applied indiscriminately to incorporated territories, as embryo States, and to insular possessions which will remain, unless granted independence, permanent Federal responsibilities.

The Northwest Ordinance was regarded as something less than a perfect instrument by even the incorporated territories. The prime targets of resentment were the Governors and other officials appointed from Washington. Nehemiah G. Ordway, Governor of Dakota Territory in 1880, complained of the "systematic effort for several years past to thwart U.S. officials in the discharge of their duties."[5] Nonetheless, the provisions of the Northwest Ordinance were workable and, while preserving the requisite degree of Federal authority, encouraged the development of local political institutions based on the constitutional principle of separation of executive, legislative, and judicial powers which could be readily transformed into State governments.

Separation of powers, however, raises many problems when applied to unincorporated territories and possessions. The essential elements have made separation of powers work under our constitutional system—direct election of the chief executive and the extraconstitutional growth of political parties. It is as party leader, rather than as President or Governor, that a chief executive can influence legislative actions or, in turn, be swayed by the desires of the legislature. The elected chief executive provides the unifying force which makes for responsibility in government, since the electorate may hold the party, as well as individual officeholders, accountable for its conduct of both the executive and legislative branches.

Separation of powers is unworkable when the chief executive is not a party leader and there is no party responsibility. We have failed completely to recognize this fact in imposing the traditional pattern of territorial government upon unincorporated territories. The Governors of such territories are Federal officers appointed by the President and responsible solely to him. Election of such officers would be incompatible with the Federal interest and the performance of continuing responsibilities assumed by the Federal Government under the Constitution. Yet this has created a situation in which the territorial chief executive is deprived of political support in the legislature and the legislature assumes no responsibility for the actions of the executive. Splinter parties have been common since the principal incentive to compromise views, creation of a political party which can elect a chief executive, is wholly lacking. It is small wonder that territorial legislatures have been at times mainly preoccupied with harassing the appointed Governor and developing ingenious devices for curtailing his powers.

This then is the basic dilemma: How, under our constitutional system, can the Federal responsibility for territories be reconciled with legitimate aspirations for greater local self-government by means short of statehood or independence? In attempting to solve the dilemma, Congress for the first time in 1947 departed from the traditional pattern and provided for popular election of the Governor of Puerto Rico and substituted an appointed coordinator of Federal agencies for the Governor as the Federal representative in the territory. The position of coordinator, however, was never filled because it was feared that his duties inevitably would conflict with those of the elected Governor. The elected Governor approach did not represent a fundamental reevaluation of the principles of territorial government, but merely gave Puerto Rico one of the attributes of a State, without in any way altering its legal status or dependency on the Federal Government.

[5] Earl S. Pomeroy, "The Territories and the United States," Philadelphia, 1947, p. 101.

A bold new commonwealth plan, however, was developed by the Puerto Ricans themselves, and in 1950 Congress passed Public Law 600 which authorized the people of the island to formulate their own constitution. The Commonwealth of Puerto Rico was proclaimed on July 25, 1952, and a new concept added to our governmental system. The precise meaning of Commonwealth status is not entirely clear, but it is claimed by some to represent a compromise between territorial status and full statehood.

While the Commonwealth experiment has been a success, in part because the return of Federal customs and internal revenue taxes, amounting to approximately $27 million annually, has relieved the Commonwealth of direct dependence on Congress for financial support, it is clearly subject to certain inherent limitations. Puerto Rico has neither the votes in the Congress nor the voice in the election of the President which it would have as a State, and it is deprived of the continuing support which territories receive from the executive agency principally responsible for territorial affairs, the Department of the Interior. Puerto Rico's Resident Commissioner can speak but not vote in the Congress. The Commonwealth is currently seeking certain clarifications in existing arrangements and has proposed legislation which would constitute a binding and irrevocable compact between Puerto Rico and the United States and provide that Federal laws shall have force and effect in Puerto Rico only if they are consistent with the compact and could be applied to a State. The very special circumstances and conditions, including a high degree of political maturity and responsible political leadership, which made the Commonwealth approach feasible in Puerto Rico, are not likely to be duplicated in other areas under U.S. jurisdiction.

A sound long-range solution to the dilemma will not be obtained either by mere tinkering with the present system, or by adopting the Commonwealth plan as a new stereotype. The answer is certainly not to be found in elected governors which some territories have been demanding because they see no other way under the present system to ease their frustrations. The established pattern of territorial government, with its rigid separation of powers, provides no middle ground between appointment of the chief executive, which is inconsistent with the principle of local self-government, and complete abdication of essential Federal authority.

Perhaps the key to the dilemma is to be found in the extralegal devices employed by Governor-General Francis B. Harrison in the Philippines. Harrison was in no sense a constitutional theorist, but a practical New York politician appointed by Woodrow Wilson. While he may well have been unaware of the true significance of his actions, Harrison established what amounted to quasi-parliamentary government. From the day of his inauguration in 1913 Harrison acted upon the advice of Speaker Osmena, and the executive branch and the legislature were thus informally but effectively brought under the control of the majority party.[6] This relationship was later regularized through the creation of a Council of State to provide a bridge between the executive and legislative branches. Governor-General Leonard Wood terminated quasi-parliamentary government in 1921 by appointing a cabinet which would be responsible to him rather than the legislature. President Eisenhower's Executive order providing for the administration of the Ryukyu Islands plants the first seed of a parliamentary system by requiring the High Commissioner to appoint the Ryukyuan chief executive after consultation with representatives of the local legislature. The High Commissioner has announced that, if feasible, he will appoint the chief executive from the responsible majority political party in the legislature after the 1960 elections.

A modified parliamentary system would have the flexibility to permit the evolutionary growth of responsible local self-government without breaking essential Federal ties. Under such a system governmental powers could be assigned as follows:

(1) Plenary power to a High Commissioner appointed by the President to act as Federal representative and coordinator of Federal programs in the territory. The High Commissioner would exercise his powers with respect to all matters not directly affecting Federal interests "upon advice" of the responsible territorial executive. In less developed territories, the High Commissioner would be expected gradually to increase the number of subjects on which he would obtain advice rather than act on his own authority.

(2) Executive power to a Governor or First Secretary designated by the High Commissioner after receiving the recommendation of the majority party or parties. The territorial executive would be responsible to the legislature in respect to all matters other than those affecting direct Federal interests.

(3) Legislative power to a popularly elected legislature which could compel the territorial executive by a no confidence vote to submit his resignation to the High Commissioner. The High Commissioner would have discretion either to accept the resignation, or, upon advice, to dissolve the legislature and order new elections.

The parliamentary approach would make it possible to end the present anomaly which requires a territorial governor to perform the dual functions of Federal representatives and a politically impotent chief executive of a local government. It would be calculated to encourage the development of responsible political parties and effective democratic institutions in a manner consistent with the provisions of the U.S. Constitution. Conceivably this plan also could be applied to the District of Columbia where home rule has been too long postponed because of the inability to satisfy both Federal and local interests.

The United States is sincerely dedicated to promoting the economic, social, and political development of its dependent peoples. We recognize that the desire of these peoples for an increased measure of control over their own affairs is completely in accord with the American tradition. It would be a sad reflection on our innate political genius, if we could not devise a way to solve the constitutional problems which now prevent the territories from realizing more fully their aspirations for democratic self-government.

[6] Joseph R. Hayden, "The Philippines, a Study in National Development," New York, 1942, pp. 324-329.

REBUILDING OUR CITIES

Mr. HUMPHREY. Mr. President, one of the most promising and exciting developments in our country today is the renovation which is taking place in many of our major cities. This past November the Chicago Sun-Times ran a series of articles by Ruth Moore entitled "Downtown U.S.A.: City of Future" which reports on the large-scale urban renewal taking place in cities such as New York, Chicago, Philadelphia, Washington, Baltimore, and Detroit. It is an inspiring story and it shows what can be done if we but put our minds to it.

I would like to read from the lead paragraph of this fine series:

A new and different kind of city is emerging.

It can be seen now, taking form and growing, in the midst of the crowded, massive,

often ugly, often chaotic cities of the present.

If the multibillion-dollar effort that is behind this new growth is sustained, the city of the future will be more concentrated and yet more enjoyable than ever before.

It will be more livable, more beautiful, more accessible, and often more distinctive. It will certainly be greener and it will be as closely tied to water as the villages from which Chicago and most of the great cities of today developed.

As the author points out, unless we rebuild our large American cities there will be no end to their present deterioration. The central city could sink into permanent decay. This should not happen and it need not happen. America has the resources, the skill and the imagination to rebuild our cities and to make them more beautiful and more livable.

I ask unanimous consent that this series of 11 articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Nov. 15, 1959]

DOWNTOWN U.S.A.: CITY OF FUTURE

(By Ruth Moore)

A new and different kind of city is emerging.

It can be seen now, taking form and growing, in the midst of the crowded, massive, often ugly, often chaotic cities of the present.

If the multibillion-dollar effort that is behind this new growth is sustained, the city of the future will be more concentrated and yet more enjoyable than ever before.

It will be more livable, more beautiful, more accessible, and often more distinctive. It will certainly be greener, and it will be as closely tied to water as the villages from which Chicago and most of the great cities of today developed.

A tour by a Sun-Times reporter of the six large cities leading in urban renewal leaves little doubt that this is the pattern and the goal of U.S. urban planners. The alternative is frightening. Unless the American city is improved and made over, there will be no end to the present deterioration. The central city could sink into permanent decay.

In a series of 10 articles following this one, the Sun-Times will report on the huge, exciting, and often unprecedented projects of 6 cities which are attempting to turn the course of urban history.

There will be stories about New York, its fantastic building boom, its Lincoln Center, where all the performing arts are to be brought together and its blocks of cooperative middle-income housing.

Philadelphia and its Society Hill, where history and the 20th century will blend; Baltimore's heart-of-the-city Charles Center; Washington's monumental and livable Southwest also will be described.

PANORAMA OF FUTURE

Other articles will report on the new Pittsburgh rising above and beyond the famed Gateway Center, and on Detroit where a central city is being made over, and a new kind of urban university developed.

A final article will compare what is being done elsewhere with what is under way in Chicago, and it will ask, "Where does Chicago stand?"

Today, this first report, will deal with all these new kinds of cities; it is the city of the future in panorama.

It is necessary to repeat, the city of the future will be more concentrated than the city of the present. But where presently concentration threatens to strangle the city, the greater concentration of the future may save it.

New York is the outstanding example of why this is true.

When New York became too congested for the use of private automobiles, the city began a tremendous rebuilding program that has unified many of its biggest office buildings and hundreds of new apartments in one area ringing the major suburban transportation terminal.

Thousands upon thousands of New Yorkers and suburbanites now can walk to work from their home or from Grand Central Station. By concentration within the city, with rapid movement in and out of it by highway or train, New York is conquering congestion.

In varying degrees, other cities are moving in the same direction. Pittsburgh, Philadelphia, Washington, and Detroit are bringing in some of their best housing close to the center of the city. Again it means concentration, and a new freedom of movement within and to and from the city.

Everywhere recreation and entertainment are being drawn in closer; and the result promises to be an offering of riches of pleasure and entertainment unequaled in the past.

NEW LINCOLN CENTER

Again, New York is pointing the way. In the middle of the city, only a short distance from the new cluster of apartments, offices and hotels, New York is building its Lincoln Center. It will be a superlative grouping of all the arts: opera, music, the dance, theater, and the schools that offer training in them—all in a setting of handsome plazas and gardens.

Other centers of the arts, of the theater, of music are being built in Pittsburgh, Baltimore, and Detroit. Again they are an integral part of a new central city.

Recreation, too, will be close at hand in these new cities. To provide outdoor pleasure space in the heart of a city, many are doing what Chicago did many years ago, they are developing their waterfronts.

Pittsburgh has ripped out its hideous river docks and lined its waterfront, Chicago style, with great stone steps. Excursion boats are docked there and the rivers are being cleaned, to make them fit for boating and swimming.

REMAKING RIVERFRONTS

The Philadelphia waterfront, now lined with piers, is to become a park with restaurants and mooring places for several historic ships.

Washington is remaking its riverfront into a place of recreation, and so is Detroit.

The new Philadelphia also will have green walkways, wandering through the city and planted with trees and flowers. At the end of these vistas, points of historic interest will beckon the walker.

In its most intensely built sections, the new American city will achieve a beauty, a handsomeness, an urbanity that in the past was generally reserved for parks or public places. No part of the new city is to be wholly surrendered to masonry and asphalt.

This does not mean there will be wide open spaces. There will not be, except where a waterway presents them free. But small areas will be used to give a sense of spaciousness and tranquility; in a liberal way these areas will become "outdoor living rooms."

THE GATEWAY CENTER

There will be plazas at lower levels, courts and malls at street level, and arcades above. Throughout there will be planters filled with flowers and often trees. Fountains and shallow pools will mirror the building and street scene.

This is the setting of Pittsburgh's Gateway Center. Its tall metal buildings are surrounded by gardens and trees, and look down upon a fountain in a wide pool. The entrance to Detroit's new Consolidated Gas Co. building will be over a wide span across a reflecting pool.

The plazas frequently will be decoratively paved. Pittsburgh's beautifully planted Mellon Park is paved in patterned black and white. A Persian carpet design filled with glowing color and ornaments will set off Washington's new Southwest Mall.

There also will be places to sit, a simple amenity that most U.S. cities now lack. Plans for the new city also call for sidewalks and plaza cafes where people may linger and enjoy the life around them.

WALKS UNDERGROUND

Arcades will not only provide shelter against sun and rain but will frame views that the designers want to emphasize.

Frequently there will be underground walkways and concourses providing sheltered access to subways and transit stations. New York has already applied this principle and Philadelphia has such a new concourse in use.

Parking in the central city will quite generally be underground, as in Chicago's Grant Park garage.

Almost all large U.S. cities are planning similar renewal projects, but the result will not be uniformity.

The new use of waterfronts varies, with distinctive results. Ocean fronts, river fronts, lake fronts naturally differ and when they become an integral part of the city instead of a neglected edge, they immediately give each city its own form and profile.

A CITY OF METAL

Technology, contrary to all predictions, also is contributing to variety. Nowhere is this seen more strikingly than in Pittsburgh. Nearly all of the major new buildings there have curtain walls of either steel or aluminum. In using metals on which its major industries are founded Pittsburgh is becoming outstandingly a city of metal.

New York is continuing its development as a city of towers, some of them magnificent; but the run of them, if anyone picks them out from the mass, are as awkward, angular, and graceless as any large buildings ever contrived for a city.

Philadelphia's union of the simple dignity of its colonial past with the steel and glass of this era promises a unique result. Washington also is maintaining its own combination of monumentality with quiet, small houses on tree shaded streets.

Detroit in its rebuilding is becoming the motor capital in appearance as well as in economics. Its highways curve visibly and boldly; the parking areas are so extensive the buildings seem like islands in their midst, and a hole poked through almost any new area would reveal an underground garage.

The great American tour should be much more interesting in the future than in the past. And so should life in a city. If the new, emerging cities realize their potentials, U.S. suburbs may lose some of their attraction.

[From the Chicago Sun-Times, Nov. 16, 1959]

DOWNTOWN U.S.A.: NEW YORK'S CHANGING FACE

(By Ruth Moore)

New York, like Rome, was not built in a day. It took more than 300 years to transform the little village of New Amsterdam into a modern metropolis.

And yet that city with its population of 8 million and its masses of steel and masonry that can be compared only to a range of mountains, is being rebuilt in a day, relatively speaking.

The pace is dizzying and the extent nearly inconceivable to both resident and visitor. Only the statistics can make it comprehensible.

Since the end of World War II, New York has built or is building 133 office buildings. They thrust their towers into the sky at a rate that changes the famed skyline like the shifting of a mirage, and they have provided 44,500,000 square feet of new office space.

To realize what this means, compare it to Chicago. In the same period Chicago has added or is adding 12 new office buildings with about 2,500,000 square feet of floor space—2,500,000 to New York's 44,500,000.

The myriad office buildings, though, are only a part of New York's rebuilding. Grouped around them are 300 new privately built apartment houses. Another 139 are under construction. Private developers, using land cleared under the national urban renewal program, and the public housing authority have constructed a total of 245 more.

One more set of figures is necessary to convey the fantastic scope of this building boom. The 97 office buildings and the 300 completed apartment structures will have an assessed valuation of $1,285,000,000, and pay the city $51,600,000 in taxes in 1959–60. Another $1 billion in Federal, State and local funds is going into the urban renewal projects. Wealth—and debt—are being piled up almost as rapidly as the buildings.

No figures, however, can convey the picture, the reality, the surprise, the noise, the hubbub, and the change of this remaking of a giant city.

Along Park Avenue from 60th to 46th—where Grand Central Terminal spans the boulevard—stand 12 major new buildings. The steel for the Union Carbide Building, occupying a complete block on the west side of the avenue from 47th to 48th, already has stretched up to its full 52 stories.

Only a block away a fence encloses the excavation for another big office building and in the next block, between 51st and 52d, the foundation is going in for the multimillion-dollar Hanover Bank Building.

Across the street, between 52d and 53d, is the recently completed surpassingly beautiful Seagram Building, designed by Chicago architect Ludwig Mies van der Rohe. Adjoining it between 53d and 54th workmen are clambering high over the huge steel frame of the new First National City Bank.

The wreckers' chutes are up and the debris is tumbling down as several more apartment buildings that made Park Avenue a symbol and synonym of luxury in living are being demolished for still more new office buildings.

The famed Marguery, a four-square palace hotel apartment enclosing an elegant green courtyard, was torn down to make way for the Union Carbide Building, and the days of No. 277, a similar luxury structure on the other side of the avenue, are numbered.

Of all the buildings that once solidly lined these 14 blocks of the famed street only the Waldorf Astoria, four other hotels, the Racquet Club and St. Bartholomew's Church will remain after next year.

"New York is not sentimental about its buildings," said Gerald Sklan, vice president of Webb & Knapp, Inc., the gigantic firm which, with its $700 million in contracts, is the biggest developer in the rebuilding of New York.

In New York this remaking of the city has uprooted the rich—the occupants of the 10-, 12-, and 20-room apartments on Park, as well as the slum dwellers.

"One wealthy old lady had a 54-room apartment," recalled Gordon MacDonald, research director of the New York Real Estate Board.

The relentless clatter of the pneumatic drills fills the day—and sometimes the night—with din.

Up and down every cross street new apartment and office buildings are going up, or shine with the newness of the last few years. New windows marked with the builder's big white X are everywhere. So are rental signs.

"We are renting," proclaims the signs. "New air-conditioned, luxurious, 15-story corner building, 3 rooms from $188." Another says, "Unsurpassed by any standard of comparison, cooperative, three spacious rooms, high ceilings, wood-burning fireplaces, price, $20,880, annual maintenance, $2,320." A third says: "Walk to your office. Price $6,900, maintenance, $206 a month."

Walk to your office—that is the clue. About 70 percent of the new office and apartment construction is within a five- or six-block radius of Grand Central Terminal.

The suburbanites who work for the big corporations occupying the new office buildings come in to Grand Central and can walk to their offices in a few minutes. The new apartments enable the in-towners to walk to work, too.

But the growing building boom is far from confined to the Grand Central circle. Fifth Avenue is lined with new buildings, ranging from the 38-story Tishman Building at 666 to the blue-green glass-sheathed and jewel-like Corning Glass Co. Building.

Sixth, too—the Avenue of the Americas—is undergoing a metamorphosis. Once the dim back street center of delicatessens, pet shops, and laundries, it is being transformed. Across from Rockefeller Center at 51st, the 48-story Time-Life Building is nearing completion.

TOOTS SHOR'S IS GONE, TOO

Adjoining it in the 51st to 52d block about half the steel is in place for the 42-story Equitable Life Assurance Society Building. On the opposite side of the street, paralleling Rockefeller Center, workmen are wrecking the Toots Shor Restaurant, the last building on the site that will be occupied by the enormous new Zeckendorf Hotel (William Zeckendorf is the president of Webb & Knapp).

Downtown in the financial district, the new 60-story Chase Manhattan Bank Building, has already altered the serrated skyline so familiar to all those arriving in New York by ship.

The city is building and building—East Side, West Side, all around the town. Around the United Nations on the busy East River one luxurious apartment structure after another is going up.

Under title I of the National Housing Act, 9½ acres of the slums that occupied part of this now choice area have been torn out, and 1,140 new apartment units overlooking the East River, New York University and Bellevue Hospital are being built after many delays.

Farther downtown, toward the tip of the island, great new clusters of cooperative apartments, which genuinely are achieving middle-income rentals, have completely changed the character and appearance of another large section of the East Side. (This story will be told in another article.)

West Side, along the Hudson River, a new city is obliterating much of the dingy past. From 60th to 70th, blocks have been cleared for the city's unprecedented cultural development, Lincoln Center. (This story, too, will be reported in another article in this series.) At the other end of Central Park, public housing and the new Park West Village on title I land are remaking about a dozen blocks.

Altogether New York City has 13 active slum clearance project under title I with a Federal grant of $156 million.

Chicago in contrast has a commitment of $92 million for clearance and conservation. With this money, and local and State funds, 200 acres of slums out of the city's 7,000 that are substandard are being cleared. Private developers are scheduled to spend $423 million rebuilding much of this land with new housing for 21,913 families, and with some new industry.

TINGED WITH SCANDAL, CRITICISM

The title I program has not been without scandal, or at least serious criticism. Unlike Chicago and all the other large cities, New York's slum clearance committee—headed by the famed bulldozer of public servants, Robert Moses—has not itself handled relocation and demolition. Areas were turned over to developers on the day the committee finally took title to them.

One developer turned out to be an associate of mobster Frank Costello. Three other sponsors sold out after several years of collecting rents on the slum properties and doing nothing about moving people or tearing out the condemned buildings. The newspapers also have charged that certain architects and contractors are favored.

Moses has answered that he does not like sponsors with dubious antecedents, but that few top investors are willing to go into a field so filled with mud and pitfalls. Moses also emphasizes that things are getting done in New York and that the attack on the policies producing the action will make title I a "dead duck."

Scandals or not, the slum clearance program and private building together are changing the face of New York to an incredible degree. Large sections, though certainly not all of New York, literally are a new city.

This new city is not the city of which planners dream except in spots. The beautiful Seagram building stands back on a spacious plaza, with its bronze and glass majesty and its accenting willow trees mirrored in two shallow reflecting pools.

The nearby Lever House with its fine masses and reflecting faces of blue-green glass, its green planted courtyards and vine-draped terraces is also like the fruition of some vision of what the city should be.

But most of the new competitive office buildings and apartments not only cover every possible inch of their sites; they fill every permissible inch of the air. Their upper stories are set back only the amount required by the New York zoning ordinance. As a result they resemble a crazy, ugly pile of glossy boxes, with the smaller ones stacked like steps on top of the larger.

AT THE STREET LEVEL, ALL ARE SLEEK

Chicago, with a different kind of zoning ordinance, has escaped this kind of architectural monstrosity.

Nevertheless, even the most hideous of the new buildings are sleek and luxurious at the street level and they mercifully merge into the mountain base that is New York. Sheer mass tends to obscure their deficiencies, if you don't look up, and attains its own impressiveness.

The new New York that is emerging is even more intensively built than in the past. It is unique in the degree to which it brings together in one concentrated, accessible, walkable area all the essentials and desirables that have drawn people together in clusters since the first villages were formed some 7,000 years ago. Specifically, the city provides a living, good shelter, human company and a prodigious array of shops and things to do for edification or fun.

In Manhattan it is all rolled into one. While Chicago and most other cities are talking about providing enrichment and the best in living quarters for their central areas, New York has achieved this exciting amalgam.

How is it being done? How can it be done?

The answer to the first question probably is "by the auto, through inverse effect." The fantastic New York traffic jams made it necessary to bring everything close together. The gathering-in was not planned, it was required. Just as the auto created the postwar suburbs, so its congestion is prompting

the building of a new kind of city, a city where you walk or take only a short cab ride to places.

The greatest concentration thus is making a more accessible city, instead of the hopelessly choked and dying one that many prophets predicted.

The new building, say the experts, has been made possible by a new drawing in of people from the rest of the city, from the suburbs, from the whole country, and from the world.

A New Yorker living on 83d, not far from Fifth Avenue, said: "I've had enough of living up here. This fall we're moving into a new apartment at 55th, only three blocks from the office."

MacDonald and Sklan report a strong move in from the suburbs. It is bringing back, they say, not only the older couples whose children have grown, but many of the young branches of the families that led the trek to the suburbs 50 years ago. With the suburbs overflowing the countryside, many of the well-to-do families are returning to the city.

"We are going to build a lot of new apartments with 10 and 12 rooms," said Sklan. "They will be co-ops costing about $10,000 a room and selling for around $100,000. Unlike the old Park Avenue apartments they will have downstairs dining rooms and the buildings will furnish maid service."

The Nation's biggest corporations, and many of its smaller and middle-size ones, are now centralizing their offices in New York—in the new prestige buildings.

"During the war," said MacDonald, "there was a lot of decentralization. Now with Chicago or any other big plant center reachable in a few hours by plane, the corporations are keeping their executives here and sending them out for a day or a few days at a time to take care of branch business."

FIRMS COMING BACK ALSO

One not untypical New York executive regularly spends Tuesday in Chicago. He lives in New York.

Some of the big companies which moved to the suburbs also are finding it necessary to reopen New York offices. MacDonald also explains that with the new electronic computing machinery, firms which formerly kept their accounting departments in side street buildings renting for $2 or $3 a square foot now need less room and are bringing them into the new functionally arranged offices in the new buildings.

The United Nations has increased the demand for New York office and apartment space.

With it all, the new buildings are rented on long-term leases long before the first power shovel scoops out the first bite of ground.

"No money is made available for a new building unless leases have been signed," explained MacDonald.

Despite the 133 new office buildings and the 684 new public and private apartment buildings built and a-building, the vacancy rate is less than 2 percent, real estate board figures show.

With such a demand for the new central space and city, builders can easily afford to tear down even the substantial office building or the fashionable Italian renaissance style apartment house built only 18 or 20 years ago. The continuance of rent control, holding down rents on the older apartments, makes this all the easier.

The new buildings, with rentals running upward from $8 a square foot, produce financial returns four and five times that of the former apartments and office buildings, MacDonald says.

Thus the old New York vanishes in what seems like the blinking of an eye, and the biggest metropolis is being remade into a new, phenomenally vital and attractive city.

[From the Chicago Sun-Times, Nov. 17, 1959]

DOWNTOWN U.S.A.: NEW YORK ART HUB TO SURPASS ALL CIVIC DREAMS

(By Ruth Moore)

New York Patrolman William Delaney looked at the devastation before him. The rubble spread over several blocks.

Flames feeding on a waste pile of dry old wood leaped two stories high. An 8-foot plywood fence enclosed an excavation in which the power shovels huffed and puffed. Crews of yellow-helmeted wreckers were working their way through the remaining rows of dreary old brownstone houses, toward the already closed Green Gables Bar and the factory with the sign "Sportswear, Corsets, and Gloves."

"Opera over there," said the officer on the beat.

"Over there" was where New York was beginning the construction of a center for the performing arts unlike any other the world has ever seen and surpassing almost anything of which men of the arts and cities have dreamed.

NEW OPERA BUILDING

Where the rubble spread, a colonnaded plaza will lead into the new building of the Metropolitan Opera.

To the right of the entrance plaza, in the block being excavated, will rise a great concert hall, a new home for the Philharmonic Orchestra. To its left will stand a companion edifice, a theater for the dance.

To the left of the opera house, its 250-foot height regally exceeding that of all the other buildings, the city of New York will place a new park and bandshell for outdoor concerts. At the right and fore of the opera there will be another plaza. The opera will be framed in greenery.

THREE MORE ADJUNCTS

Adjoining the opera and fronting on the second, interior plaza will be a repertory theater, and a library and museum of the arts.

A little farther to the right, over a wide bridge spanning and concealing 65th Street, will stand the Juilliard School of Music, and beside it a new public high school of music.

Farther on, blocks of new apartments are already under construction, and to the left Fordham University will build its new campus.

This is to be Lincoln Center—officially Lincoln Center for the Performing Arts.

COST $75 MILLION

Unique, costly—$75 million—and superlative, the center for the first time will bring together the greatest performing organization in the arts, the greatest institutions for the teaching of the arts, and the records and evidences of these arts.

The unprecedented combination will be housed in the finest buildings and the most beautiful setting that can be devised by the country's renowned architects.

A CENTER FOR THE GREATS

It will offer New York, the country and the world not only the full seasons of the famed organizations that will make the center their home, but when they are on tour, the greatest orchestras, opera companies, dance and theater groups from all parts of the world. All of them are to be invited to Lincoln Center.

Year around, the center will be alive, presenting all the artistic riches of the world in new depth and scope.

Otto L. Nelson, executive director of construction (he is known to Chicago as the New York Life Insurance vice president who was in charge of building Lake Meadows), echoed a conviction that comes to almost everyone contemplating the cross stimulation that will certainly develop from the center's combination of the arts and the artistic resources of the world: "The whole, we believe, will be even greater than the sum of its parts."

BEYOND ALL OTHERS

New York's existing primacy in music, the dance, and the theater bids likely to be built into a supremacy that no other city can approach. Chicago, second to New York in population and resources, has not advanced beyond the merest suggestion that an arts center could be built between the proposed City Hall civic center and the Chicago River.

New York's about-to-be-born arts center represents the combined efforts of the member institutions, government, civic leaders and the people generally.

It had its beginning in 1955 when the Philharmonic was informed that its rented home, famed Carnegie Hall, would be torn down in a few years to make way for an office building. The symphony had to find a new home.

At the same time the Metropolitan wanted a new building. The old opera house had a long tradition and a nostalgic charm, but only 2,600 of its 3,600 seats offered a full view of the stage. It could not be air-conditioned and had to stand idle in the summer. Furthermore its backstage facilities were archaic; it had no space for the storage of scenery. For 20 years the Met had talked of a new building.

Robert Moses, chairman of the Mayor's slum clearance committee, stepped in at this juncture, offering land to the opera and orchestra in the Lincoln Center urban renewal project. They could have it at vacant land prices. The two quite promptly decided to make the bold move.

No major cultural or artistic organizations had ever occupied the deteriorated 14-acre triangle stretching from 62d to 66th, about a block west of the southwest corner of Central Park.

TRANSPORTATION CONVENIENT

The city had built its new coliseum—convention hall—only two blocks away, and the area was served by subway and every other form of transportation.

As planning discussions began, the Met and Philharmonic leaders could not escape the conviction that a more inclusive arts center would be highly effective. An exploratory committee was set up under the chairmanship of John D. Rockefeller III, chairman of the Rockefeller Foundation. This was in October 1955.

Thorough studies were made. It was soon decided that the center should include all the major arts of live performance, educational institutions for training in the arts, and a museum and library.

CENTER BUYS THE LAND

A nonprofit corporation was formed in 1956, a campaign for $75 million was launched, and a Federal-city grant of $6,675,000 was obtained for street widening, construction of the public plazas and underground parking.

In 1958 Lincoln Center paid $4,484,677 for its site and took title to its real estate.

In the old brownstones that occupied most of the site lived 1,647 tenants, most of them Puerto Rican families. The commercial buildings held 383 tenants.

Under New York policy—a much criticized one—the developer handles relocation. The center's real estate agents set out to find standard new homes for the displaced families, but they also offered them bonuses of $275 to $600, plus moving expenses if they would relocate themselves in demonstrably standard homes. By June 15, 1959, 87 percent had moved.

On May 14, 1959, President Eisenhower turned the first spade of earth. From the beginning of discussions to ground breaking had taken only 3½ years.

FACED COURT CHALLENGES

Although the speed seems dazzling to Chicago and would imply smooth sailing, for-

midable obstacles had to be overcome. Three court challenges were filed.

Raising $75 million, an amount far exceeding anything ever before asked for the performing arts, was far from easy. So far $47 million has been pledged. Sixteen foundations, most of them "going outside their programs" have made grants of $27,792,300. Of this amount $22,500,000 came from the Rockefeller and Ford Foundations.

Sixty-nine corporations have given $4,510,000 and 23 patrons, $13,625,000. As one of the patrons, the chairman, John Rockefeller, contributed $5 million personally. Mrs. V. Beaumont Allen made a gift of $3 million toward the Repertory Theater.

Bringing together the constituent institutions also took rare tact and problem-solving. The Met, the Philharmonic, and Juilliard had deep-rooted traditions and cherished their independence. They were capable of as much temperament as any of their prima donnas.

Each constituent institution will remain an independent entity. It will have full artistic autonomy and raise all its own operating funds. It will rent its new building from the center and share in the center management.

The center thus has taken over full responsibility for raising all money for the new buildings and building them. Beyond this it has accepted it as its obligation to bring about the creative advancement of the performing arts. It is far more than a landlord.

JUILLIARD CHANGES POLICY

In furtherance of this end, the center felt that Juilliard should change its historic policy and confine itself to graduate education. Juilliard agreed. The noted school also agreed, because the center believed that training in drama should be a part of the arts complex, to set up a new drama division.

Councils were organized for the dance and repertory, and the center is nursing them along until they develop into full-fledged institutions.

Each institution, as an essential part of obtaining the finest building in the world, the only building it needs and wants, selected its own architect.

The initial studies by the chosen architects—Harrison & Abramovitz, chief architects of the United Nations, Philip Johnson, Pietro Belluschi, Eero Saarinen, and Skidmore, Owings & Merrill—differed widely. Each of the seven building designs had its own style, with one study showing the stage section of the opera rising into a giant tail fin. Order and coordination obviously were needed.

ARCHITECTS' PLANS UNIFIED

They were obtained. The architects now have unified their plans by squaring all the buildings and facing them with 60-foot-high colonnaded porticos. The great rows of columns, the models indicate, will give the entire center a Greek symmetry and order, a beauty so clear and present that it promises to stir the least impressionable beholder.

The 20-foot-wide porticos also will provide sheltered walkways from building to building and almost ideal gathering places for entering or leaving audiences or for between-acts promenading.

There also will be restaurants, underground parking and shops to contribute to the usability of this remarkable center.

All about the center a new kind of city is being built, a city in which homes and offices and shops mingle in a new amalgam that is overcoming congestion by shortening distance. Lincoln Center will add to it the enrichment of the performing arts, the apogee of the best the city can offer, and that only the city can offer.

[From the Chicago Sun-Times, Nov. 18, 1959]

DOWNTOWN U.S.A.: HOW NEW YORK HELPS MIDDLE CLASS ON HOUSING

(By Ruth Moore)

New York is a city of the rich. It's also a city of the poor. Now, by building middle-income housing on a new scale, it is trying to make certain that it does not become a city of the rich and the poor alone.

New York has recognized that it cannot thrive with only the upper and lower economic crusts. A city must have white collar workers, little business men, and skilled workers to man business and industry, to pay taxes, and to buy in its stores.

As in all other large cities, hundreds of thousands of such middle-income families, and particularly the younger ones, have deserted New York for the suburbs. Many did not want to become commuters. They left—and are continuing to leave—primarily because attractive housing was available at a manageable cost with FHA-insured loans, low downpayments, big mortgages and moderate monthly payments.

NOT ENOUGH IN CITY

Similar housing was not easily to be had in the city. Although the national urban renewal program has built some moderate rental housing in New York—comparable to Lake Meadows and Prairie Shores in Chicago—New York now sees that it is not enough. The city and State are going to step in and go much further.

Two huge programs, unmatched anywhere else in the country, have been set up to build unprecedented numbers of pleasant, livable city apartments that will rent for $75 to $150 a month.

So far 12,500 units have been built and 40,000 more are planned.

One of these programs is based on the old liberal-rooted, labor-oriented cooperative movement. The other will be primarily the work of private enterprise, an outgrowth of Gov. Nelson A. Rockefeller's task force on middle income housing. Both are based on Government assistance.

SECTION TRANSFORMED

The tall, well-built co-op apartments already stretch for blocks along New York's lower East Side. With their gardens and curving walks, playgrounds, and parking areas they have completely transformed this section of the city.

Along the East River, with its busy parade of ships from all parts of the world, stand the 1,672 units of Cooperative Village, sponsored by the United Housing Foundation, a federation of housing organizations, and the International Ladies Garment Workers Union.

Just beyond are the 1,000 units of Amalgamated Dwellings and Hillman Homes, and the partly completed 1,728 units of Seward Park Homes.

A SUPERB VIEW

A Village apartment has a superb view of the river, exactly the view shared a little farther uptown by the United Nations and some of the city's superluxury apartments. It also has an outlook, often from a balcony (two-thirds of the apartments have balconies) over the whole dazzling city, famed skyline and all.

Rooms are spacious, as apartment rooms go. In a typical one-bedroom apartment a foyer leads into the living room, a hall into the bedroom, bath, and kitchen. A dining area adjoins the kitchen.

THE RENTAL RANGE

For what is offered, rentals might reach into the stratosphere and do so in the upriver competitive buildings.

Actually the rental is $73 a month, with a downpayment of $2,200. Other rentals range from $51 to $150 a month, with downpayments from $975 to about $4,000 for three bedrooms and terraces. The downpayments supply 20 percent of the cost of the buildings.

Comparisons are risky, but a comparable one-bedroom apartment at Lake Meadows or Prairie Shores would cost about $110 a month.

Chicago, however, requires no down payments. Assuming that a New York co-op tenant-owner could earn about $10 a month if he invested his $2,200 downpayment at 5½ percent, his monthly cost is therefore brought to about $83. An $83 out-of-pocket expense for housing as compared to $110. The difference is significant.

MAGIC DIDN'T DO IT

New York's impressive achievement is not the result of legerdemain. It is made possible in large part by adding a measure of tax abatement to the writedown in land costs and the limited profits used to hold down costs at Lake Meadows and Prairie Shores.

Most of the co-ops pay the city of New York only the same amount of taxes formerly collected from the slums they replaced. Chicago has no such tax concession; in fact such an arrangement is barred by the State constitution.

New York's cooperative housing had its beginnings back in the 1920's when Sidney Hillman, president of the Amalgamated Clothing Workers, called upon his union to get into housing to dispel once and for all the fiction that decent living is only for the privileged.

He put a young labor leader, Abraham E. Kazan, in charge of the construction. In 1927, Amalgamated Homes were built on a beautiful site in the Bronx looking out over the Hudson River and a park.

The original 350 units were expanded in 1931 and again in 1941, 1947, and 1950. Today 1,450 families live in the apartments, which are just as handsome as when the first units were built 32 years ago.

In 1927 the rents for the first apartments averaged $11 a room with a $500-a-room downpayment and today they average $12, with downpayments still at $500. Rentals for the newer buildings run about $15 a room and require a $625-a-room downpayment.

In 1928 Hillman thought that the time had come for the union to take on a new housing job.

"There is enough power in the labor movement to abolish slums," he insisted.

Again Kazan was put in charge, and the Amalgamated Dwellings were built on the lower East Side. The rent was $12.25 a room; downpayment $500 a room.

The depression and the war halted building, but in 1949 Kazan saw a new opportunity in the National Housing Act of that year.

Under title I, the city, with the Federal Government paying two-thirds of the cost, was permitted to clear slums and resell the land to developers at the equivalent of vacant land prices. Hillman Homes were built under title I.

The lines of people applying for apartments, with the required $500 in hand, stretched for blocks. Unquestionably, more housing of the kind was needed. Better organization also was necessary.

All of the organizations interested in housing were then brought together in the United Housing Foundation, with Kazan as its executive vice president.

The United Housing Foundation is primarily an educational organization to encourage the development of cooperatives. At the same time it has a strong subsidiary, Community Services, Inc., which offers executive direction on a contract basis to any union or group wanting to build a co-op.

United Housing Foundation also may start projects of its own. It supplies invaluable initiative and know-how, and holds costs

down by acting as its own general contractor.

Under its leadership the Village was built. Seward Homes were started, and a huge 5,000 unit project, Warbasse Homes, started in Brooklyn. A contract has been signed for another title I project, 2,817 units near the New York Pennsylvania Station.

But construction costs are rising, and New York's Board of Estimate is beginning to fight tax abatement for the co-ops. The city controller, Lawrence E. Gerosa, maintains that the city cannot recover its contribution to the land write-down costs until the buildings pay more taxes. For Seward Park Homes, taxes equal 55 percent of the full tax.

The Penn Station rents will average $24 a room, with downpayments of $650 a room.

WON'T GO HIGHER

"We won't go any higher," said Kazan.

The housing leader's hair is now white, though his voice is still soft and his blue eyes gentle.

"If we could continue to pay the taxes of the old slum areas and could get money at 3 percent, we could rebuild New York," said Kazan. "You would think that everything would be done to encourage us. Instead we meet obstacles."

Obstacles or not, the United Housing Foundation hopes to build another 20,000 units in the next 5 years. It concedes that this will be a goal difficult of achievement. But it knows the apartments are needed.

TEN THOUSAND APPLICATIONS ON HAND

United Housing Foundation now has 10,000 applications on hand. Each is accompanied by the $500 deposit and is made with the knowledge that the wait for an apartment may be 4 to 5 years.

The people on the waiting list come from a broad cross section of the city. Only a small part are union members. About the only restriction is that their income cannot exceed $15,000.

On a typical floor in the Village live a woman secretary to a union officer, a lawyer and his wife, a reporter for the New York Times, a taxi driver and his wife, a Government worker and his wife, both Negroes, and a naturalized German scientist married to an American.

Once in, the tenant-owners tend to stay. Seventy percent of the occupants of the first Amalgamated apartments or their descendants still live there. But if they move, the apartment may—in fact, must be—sold back to the co-op for the exact price paid. No speculative profits are permitted on sales.

So successful have the co-ops been that two men who learned the unique formula under Kazan have begun building on their own. They have several projects under way. They have found, as has Kazan, that sponsorship by a union is not essential.

SEEK PRIVATE INVESTMENT

New York is convinced, despite this record, that still more middle-income housing is essential. In 1958 the State voted $100 million for the purpose. The task force committee appointed by Governor Rockefeller to plan its spending—the committee is headed by Otto L. Nelson, Jr., the New York Life Insurance Co. vice president who built Lake Meadows—reported that if the money were spent directly it would "not go very far."

The committee recommended employing the money in such a way as to induce private investment to add another $250 million. With $350 million New York hopes that between 20,000 and 25,000 middle income units can be built.

Three major steps were proposed:

1. A New York State guarantee of mortgage loans on multiple dwellings, in effect a New York FHA, by which $20 million of the State's funds would be expected to guarantee $2 billion in mortgages.

"The outward trek of the middle-income family has been greatly accelerated by the Federal home mortgage program greatly favoring the suburban single-family house and stimulating the construction of single-family housing at record levels," said the committee. "The imbalance between suburban homes and urban apartments can only be corrected by the initiation of governmental policies as favorable to the provision of middle-income or cooperative housing centrally located in cities."

2. Establishment of a New York State Housing Finance Agency to make mortgage loans for middle-income housing.

Against the loans, guaranteed either by the State or FHA, the State would issue debentures which it would sell to financial institutions and the public. As State financial instruments, they would be exempt from both Federal and State taxes.

3. Initiate a program under which about one-third of public housing funds would be used to rehabilitate existing housing.

"This," said the committee, "would provide a direct means of restoring housing beginning to evidence blight * * * It would provide homes for families displaced by urban renewal * * * homes that the families could be encouraged to buy."

The forcing of middle-income families into the suburbs to find housing has been injurious to the city and overwhelming to the suburbs, the committee emphasized. It warned, however, that the FHA-stimulated exodus will continue unless it is checked by the building of good middle-income housing in the city. This, the committee concluded, can be done practically only by encouraging private investment and equity capital "to fill the vast need in this field."

In somewhat different ways cooperatives and private capital thus are moving to save the city as a place in which to live for a lot of New Yorkers and to save New York as a city.

[From the Chicago Sun-Times, Nov. 19, 1959]

DOWNTOWN U.S.A.: PHILADELPHIA BLENDS PAST, PRESENT

(By Ruth Moore)

The old Philadelphia area that gave birth to the Nation is now creating a new kind of city—a downtown residential area that will uniquely blend the past with the present.

It is Society Hill.

In 1776 the mansions on the hill and the small houses that ranged all the way down to sickle-curved Dock Creek and the Delaware River were within sound of the Liberty Bell ringing out the news of independence, for the area adjoins Independence Hall. Today some of them still remain.

They still are within sight and sound of Independence Hall and other colonial buildings of the Statehouse block, but all around them are the crumbling buildings of a later period and the old fish market that grew up along Dock Creek.

As part of the rebuilding of Philadelphia, 108 of the old colonial buildings are to be restored. The area around them is to be torn out, and the cleared sections rebuilt with tower apartments, townhouses, and the necessary shopping and parking facilities.

Towers and townhouses, with their glass and clean-cut lines will be as characteristically modern as the colonial houses are typical of the 18th century. By granting to each its own distinction, and fitting the two together with a fine regard for mass and line, and with parks and greenways, the towns of two centuries will be combined not with clash, but with gain.

Philadelphia, under its urban renewal program, will thus convert a section that denied its proud historical heritage into a fine residential area an easy walk or a few minutes' drive from the business center of the city.

It is expected not only to draw people back to the center of the city to live but to attract even more visitors from all parts of the world.

For elan and accomplishing something new and handsome, Philadelphia's Society Hill project is matched only by New York's Lincoln Center.

ONLY A PART OF PROJECT

Society Hill is only a coordinated part, however, of the extensive and impressive rebuilding of Philadelphia.

Philadelphia's geographic and organic center—the area around the towered, ornamented, sculptured city hall—has already been substantially transformed.

The "Chinese Wall," the elevated railroad tracks which divided part of the city center and matched the Chicago downtown tracks as an unsightly barrier, have been torn down. This was done by the owner, the Pennsylvania Railroad.

The recaptured area—about 12 blocks long and 1 block wide—has already been rebuilt with two office towers, a large transportation center, a new Sheraton Hotel, and a big underground concourse of shops, transportation stations of all kinds, and an ice-skating rink. Excavations are under way for one large apartment house and another has been announced.

CITY BUILDING PLANS

The city will build a new office building and garage as part of Penn Center, as the area is called, and has just won a battle to preserve the block directly across from city hall as an open, green plaza.

The city also is in the process of renovating and beautifying the city hall and the nearby gardens which founder William Penn so foresightedly provided. The total cost for this part of the center will be about $32 million.

Other huge areas of the city are under redevelopment or are marked for conservation. Fourteen federally authorized projects will cover 11 square miles out of the city's 130 square miles. Some of this is open wasteland that needs no clearance, but it is far more territory than either New York or Chicago is attempting to deal with (though both cities have larger allocations of Federal slum clearance and conservation funds).

SYSTEM OF PRIORITIES

But in all of these sections, Philadelphia is moving: Under William L. Rafsky, development coordinator, a system of priorities has been set up. In the budget each year the city sets aside $32 million to $35 million for renewal, conservation, and related public works.

Half of the money is allocated for conservation—23 percent for the center city, 18 percent for industrial renewal, and 9 percent for institutions. The city funds are available regardless of grants received from the Federal Government.

Philadelphia knows where it is going, although with William Penn's broad park-centered boulevards and park circles in each compass section, it does not have as far to go as many less fortunate and less beautiful cities.

Society Hill—it was named for the Free Society of Traders who did business there in colonial days—is a case in point.

QUAKERS ON OTHER SIDE

The fashionable old Episcopal side of the colonial capital—the Quakers lived on the other side—was doomed as a fine residential section early in its history. Huge sheds, piers, and tracks spread dark fingers out into the Delaware River and encroached on Society Hill.

Dock Creek in time was buried and its sweeping curve cobblestoned and lined with the produce and fish markets. The elite of

Philadelphia in their old houses a little farther up the hill retreated "out the main line" to the suburbs.

Decay set in. The graceful colonial houses, many of them with fanlighted doors and solid shutters protecting their small-paned windows, were knocked about and overcrowded. Only a few, like the great Powel House, the residence of the city's last colonial mayor, Samuel Powel, were preserved as historical monuments.

But time brought its own cure, or opportunity for cure. Use of the old docks and piers declined; the world shipping went to newer terminals. The rat-infested, jammed old market became wholly inadequate.

MERCHANTS MOVE

Philadelphia built a $100 million food-distribution center on another suitable site. This year the Dock Street merchants moved to their new quarters, and Dock Street, picturesque in its ghostly emptiness, now awaits the wreckers.

The piers are soon to go. In their place the city will build parks, marinas, restaurants, and mooring places for historic ships.

And thus Society Hill is at last ready for remaking.

The Philadelphia Redevelopment Authority recognized that it was an area with few parallels. It required a new approach to redevelopment, for there was no question but that most of the remaining colonial houses must be saved and restored.

With special architectural advice, the authority specified what was to be cleared and what preserved; it marked out the areas for apartments and townhouses. It wanted to make certain that the new buildings would complement and not engulf the old and that there would be a suitable mixture of high and low buildings.

DISTINCTIVE WALKWAYS

It also provided that greenways must run through the area. The greenway has a special Philadelphia meaning. It is a particular kind of walkway. Using some of the narrow, cobbled old streets—alleys in some cases—the walkways will be beautifully planted. They always lead, through a long, alluring vista, to some point of historic interest or beauty. For example, the about-to-be-restored dome of the old colonial "headhouse," the head of a colonial marketplace, will beckon at the end of one.

With these standards set, the authority did not invite developers to bid in the usual way for the 56 acres of land. A land price was set. The tendency might have been to cheapen what was to be built in order to win the contract.

The authority instead announced a national contract to the developer who submitted the best plan for the new Society Hill.

Webb & Knapp, the giant New York developers who are rebuilding Hyde Park-Kenwood here, won. Their plan was prepared by Architect I. M. Pei, who also designed the new Hyde Park-Kenwood buildings. He achieved, said a leading architectural magazine, "a great serenity and harmony, and a remarkable pulling together of the complicated and often discordant elements of the city picture * * * to produce lovely spaces and a restful coherent skyline."

GARDEN SQUARES

The apartments in the Dock Street area and in another section will look over the new waterfront, over the garden squares into which the old houses and the new will be fitted, over Independence Mall and Independence National Historical Park—both now being built around Independence Hall.

The historical park forms one boundary of Society Hill. Here the old custom house, the old merchants exchange and the first Bank of the United States have just been cleared of all their surrounding clutter and linked by a park-mall leading up to Independence Hall. Residents of the future hill might well take this route to their offices.

Plans for Society Hill had scarcely been announced when a rush began to buy the old colonial houses. Shells of old houses that might have been purchased for $3,000 a few years ago now are going for $8,000 to $12,000.

RESTORATION STANDARDS

A private citizen who wants to buy one of the old houses and restore it to standards set by the authority may do so. Historical societies also will be offered an opportunity to restore any houses in which they are particularly interested. Webb & Knapp, with careful attention to old fireplaces, the carving, the old windows, and all the rest, will restore the others.

New kitchens, new baths, new wiring, and new heating systems will be unobtrusively installed and the houses brought back to the graciousness they had in their prime.

One of the showplaces of the Nation evidently is in the making in Philadelphia and particularly on Society Hill. Historic buildings, churches, streets—areas of deep significance to all Americans—will at last be given a proper setting, and at the same time the country may see the city of the future at its best, a beautiful, livable blend of the best of new and old.

[From the Chicago Sun-Times, Nov. 20, 1959]

DOWNTOWN U.S.A.: THE PITTSBURGH RENAISSANCE

(By Ruth Moore)

Looking upriver toward the triangle of land created by the confluence of the Allegheny and Monongahela you see great towers standing handsomely in green parks.

Beyond, other new office towers and sweeping highways rise above the dark mass of the city.

This is Pittsburgh, 1959. At the Point, the apex, and in a number of other sections of the Golden Triangle—the 330-acre central business district—Pittsburgh is a realized vision of what the city can be.

The grime, the ugly clutter, the property-destroying decay of the past have in these sections, been wiped away. At the same time, floods have been brought under control, smoke has been banished and a new $100 million treatment plant will end stream pollution.

Urban renewal, phase 1, is so far along—one-fourth of the Golden Triangle has been or is being rebuilt in the tower-garden pattern—that there can be no doubt of the city that is emerging.

And phase 2 is well under way before phase 1 is finished.

Phase 2 will be centered on making Pittsburgh a good place to live.

With the same kind of energy and the same combination of government and top business that has transformed such an impressive section of the central city, Pittsburgh is now setting out to accomplish two objectives: (1) To bring upper and middle income families back into the Golden Triangle to live, and (2) to rehabilitate huge, drab, slipping residential sections that spread behind the triangle, onto the other sides of the rivers and up into the foothills of the Alleghenies.

During the years when a black pall of smoke often turned noon into night, and the rivers seemed always threatening to flood, Pittsburghers who could afford to do so fled the Triangle.

With the exception of the residents of one new apartment house, and slum dwellers who have had no choice, the Golden Triangle now is almost solidly business and industry.

Pittsburgh's "renaissance"—the city's own word for its partial transformation—was in its first phase almost entirely a rebuilding to fortify business, industrial, and educational functions.

Approximately six and one-half of the first seven urban renewal projects fell in these categories. They included the Gateway center, the point project where three office towers have been completed, and three others (plus a new Hilton hotel with gold anodized frame) nearing completion; three projects for industrial expansion; and two for the University of Pittsburgh.

Mellon Park, a block-square garden of great beauty atop a six-level underground parking garage, was largely a private, mid-Triangle undertaking. The park with its fountains and flowers is a general civic joy, but the square became a choice office center. The 31-story aluminum Alcoa building and the 41-story United States Steel building were constructed around it.

A MATTER OF SURVIVAL

Robert B. Pease, executive director of the Urban Redevelopment Authority, points out that the rebuilding of the economic heart of the city and the general cleaning up were a matter of survival.

Some of Pittsburgh's leading industries were threatening to leave. If they had gone, there would have been little possibility of any remaking of the old and grimy city.

With industry now expanding and providing more jobs in the general area and in the Triangle; with the new accessibility that comes from modern highways and parking facilities; with clean air and a magnificent river and city view, downtown Pittsburgh has become not only livable, but a prime place to live.

Just beyond Mellon Square, on the side of a big, rounding hill—called Lower Hill—Pittsburgh is now building a $100 million combined apartment, convention and cultural center.

It will be one of the outstanding centers of the kind, the heady champagne of the new city. It leads off phase 2 in the Steel City.

FOURTEEN-THOUSAND-SEAT ARENA

Midway up the hill and partly sunk into it is a huge, 14,000-seat arena. A curved pointed section of roof projects over it like an anchored quarter moon. It is an astonishing sight.

The convention hall will be finished in 1961 and when the weather turns cold or rainy, the sectional roof, at the press of a button, will slide around and cover the entire arena. In good weather, the arena can be opened to the skies.

The city and county government, foundations, corporations, and the public contributed to build this $14 million pleasure dome.

Contracts have just been let to Webb & Knapp, the big New York development firm which is rebuilding city after city, to construct 1,000 apartment units around the auditorium and the cultural buildings which will later form part of the project.

PARKING RUINS EFFECT

In a fit of shortsighted economy, Pittsburgh decided to use about half of the 17-acre park that will surround the dome for surface parking. The Webb & Knapp plan which was accepted by the city pointed out that this would partly ruin the effect.

The plan had proposed running handsome terraces of two 30-story luxury apartments out over part of the site and putting the cars beneath them. Apartments and cultural center would then look down upon a dome surrounded by gardens, and not on a noisy, bleak parking lot.

Other apartments, also with hillside terraces, will be built to the side of the center. They, too, will have a garden setting and views of city and river. A refurbished shopping street which ultimately may become a mall will connect Lower Hill with a new riverside campus and housing for Duquesne University.

SLUMS CLEARED

The housing site is now largely cleared of the slums that clustered there and the new apartments are expected to be ready for occupancy in 1962.

Lower Hill is a scant 10-minute walk from Mellon Square and midtriangle offices and hotels and about a mile's walk from the point and Gateway Center.

Pittsburgh, like New York and unlike Chicago, is building a central convention hall-cultural center, and using it not only to clear slums but to spur redevelopment of that area. The millions spent are working doubly and triply. Their effect is compounded.

PUBLIC HOUSING WITH A VIEW

It is as though Chicago had built its convention hall just south or north of the Loop and its construction had brought about the redevelopment of the near south or near north area with some of the city's finest housing.

Public housing, frequently occupying striking hilltop sites (sites neglected by private builders) provides the low-income group in Pittsburgh.

Up to the present though, little has been planned for middle-income families or for detoriorating older middle-income neighborhoods.

The urban redevelopment authority has Federal grants for planning two major renewal-conservation projects, one of 258 acres in the East Liberty area and one of 164 acres in the Chateau district. They might be compared to the kind of program Chicago is proposing in Englewood and the Near West Side and they're in about the same stage of progress—formal planning.

But Pittsburgh has a staggering problem. Approximately 150,000 of the 500,000 dwelling units in the metropolitan area—Allegheny County—were listed as substandard in the 1950 census. In the same census only 18 percent of Chicago's 1 million units were placed in that category. Since then, Chicago has reduced this by one-third.

STILL MUCH TO DO

Pittsburgh was not included in the Census Bureau's 1956 housing inventory that showed Chicago's progress, but it is doubtful that it made much of a dent.

"We have to go much beyond the urban renewal projects," said Bernard F. Loshbough, executive director of Action-Housing, Inc.

Richard K. Mellon, who is to Pittsburgh what the Rockefellers are to New York, and who initiated or helped to initiate every major part of the Pittsburgh renaissance, convinced the city's leadership that Pittsburgh must eliminate all slum and blighted areas in the next 20 years.

The Allegheny Conference on Community Development, the group organized by Mellon to bring about the rebuilding of the city, set up a special new organization to see that the housing job is done.

PLANNING MAIN PURPOSE

Its function is not to build houses and develop urban renewal projects, but "to cause housing and good urban planning to be developed." This is a powerful assignment, as it is interpreted in Pittsburgh.

Action-Housing was incorporated in August, 1957. In its first 2 years it worked to mobilize all Government and private resources for the construction and rehabilitation of middle-income housing on a scale that will make over aging, deteriorating neighborhoods. What is sought is no less than the breakthrough housing needed in every large city.

To this end, it has:

1. Sponsored an experimental rental housing development, the first built in Pennsylvania under section 221 of the National Housing Act—90 percent, long-term, Government-guaranteed loans. Spring Hill Gardens, on a Pittsburgh hill overlooking the city, cost $1,776,500. The 209 one-, two- and three-bedroom units rent for $77.50 to $97.50.

Although the setting is fine, and the buildings equal but do not improve upon the average commercial garden-type apartments, they are renting slowly. Loshbough thinks such housing in the future will have to be better designed.

2. On a pilot basis Action-Housing rehabilitated a single old house, again using section 221, as homeowners in conservation areas are eligible to do. The boxy, two-story frame with its comfortable front porch was purchased for $6,000. About $3,000 was spent for a new kitchen and bath, painting and correcting other faults. The house will be sold for $10,000. A family displaced by urban renewal will be able to buy it, with no downpayment, for $70 a month.

On the basis of this experience and by assisting in getting essential financing, Action-Housing hopes to spur scores of builders to rehabilitate such old houses in blocks of 25 to 30.

3. Raising $2 million from private industry for establishment of the Pittsburgh Development Fund. The money will be used to break the bottleneck—a lack of intermediate equity capital—which Action believes has always stopped private builders from rebuilding old houses and old city neighborhoods.

The money will be used to buy land for sale to redevelopers and to loan builders intermediate equity capital for new housing or for restoring rundown housing.

Loshbough explained: Suppose it should cost $375,000 to restore 50 old houses. FHA would make a 90 percent loan. The fund would lend the builder 70 percent of the remainder, and the builder would put up the other 30 percent.

A similar $2,200,000 fund in Cleveland in 4 years stimulated $133 million in private and public investment and resulted in 5,542 new dwelling units.

4. Stimulating the community organization that it believes is essential to conservation. James V. Cunningham, who was executive director of the Hyde Park-Kenwood Community Conference during the stormy period in which the $39 million conservation plan was adopted, was brought to Pittsburgh to direct community organization there.

The housing program is large, but Pittsburgh is confident that it will be accomplished.

Pittsburgh is an old city. In 1758 the British defeated the French in a battle on the point. The old blockhouse built in 1764 to hold British control still stands in the new 36-acre Point Park, the gateway to the new city as well as the old.

Pittsburgh also is a tight city, confined as it is between the two rivers. Some of the downtown streets are scarcely more than alley width. Through years of neglect, smoke, and floods Pittsburgh became one of the most unprepossessing of American cities, and in large parts it still is.

The city has far to go, but the distance it has come is phenomenal, and the confidence that grows out of having thus beaten the devil promises that the rest of the city will be brought up to the standards of the new city now abuilding.

[From the Chicago Sun-Times, Nov. 21, 1959]

DOWNTOWN U.S.A.: BALTIMORE SHAKES URBAN "SLEEP"

(By Ruth Moore)

Back in 1904 a fire leveled the downtown heart of Baltimore.

The old city on Chesapeake Bay set up a commission to rebuild the ruins in a more orderly way. But the high hopes collapsed. Most of the new structures were erected on the old foundations. The result was a jumble.

By the late 1950's there were a frightening number of "For Rent" signs downtown on closed stores and lofts. The financial center was on one side of the district and the major shopping area on the other side.

Baltimore did not forget the old lesson. The city is about to rebuild its downtown heart into one of the best ordered and unified of central areas. Since Baltimore is a city which traditionally prizes grace in city living the plans call for a center of exceptional urbanity and economic solidity. It will be called Charles Center.

The plans have been made. A $35 million urban renewal bond issue to buy and clear the land has been overwhelmingly approved by the voters, and appraisals are under way.

A 4,000-CAR GARAGE

In the 22-acre, roughly wedge-shaped, center, Baltimore expects to have a new Federal office building, a new 800-room hotel, a TV-theater center, a transportation terminal, eight office and retail buildings, three public parks of a new kind, an integrated pedestrian mall, and a 4,000-car underground garage.

Adjoining will be a new $12 million civic auditorium and convention center. Funds have been voted for this too.

After sleeping since the Civil War, Baltimore is carrying these plans even further. The whole downtown, with Charles Center as the hub, is to be rebuilt and forested with trees under a 20-year $470 million program. The rehabilitation of the residential areas that surround the core is covered by another 20-year plan, a $900 million proposal for the elimination of slums and blight.

The plans are immensely ambitious for a city with a population of about 1 million situated in an area embracing 1,600,000 people. So far only a small beginning has been made. What is unique about Baltimore is the speed and unanimity with which the plans were adopted.

NO FIGHT TO DELAY

The Charles Center plan was presented to Mayor Thomas D'Alesandro, Jr., on March 27, 1958. By this fall, only a year and a half later, it has been officially adopted by the city and the money—all local—has been voted.

All of this was achieved without a single major fight of the kind that has delayed Chicago urban-renewal proposals and sometimes resulted in damaging compromises.

Isaac Hamburger is a symbol of the Baltimore spirit. For 109 years Hamburger's, a fine men's store, has stood on Baltimore Street, which runs through the Charles Center site. Although its building is old and rickety, the store has spent $500,000 to remodel its three floors. Hamburger is the only property owner who has made major improvements. His store will be torn down.

Hamburger is deeply unhappy about this project, but as a member of the Greater Baltimore Committee he favors the Charles Center plan. He thinks it is essential for Baltimore.

EXPRESSWAYS HELPED

Several steps helped open the way for Charles Center. The completion of major new expressways took through traffic out of the downtown area and made reclamation possible.

Baltimore also brought all its urban-renewal and housing agencies together into the Baltimore Urban Renewal and Housing Agency, and thus eliminated bottlenecks. Richard L. Steiner, former Commissioner of Urban Renewal in the Federal Housing and Home Finance Agency, was persuaded to leave his Washington post to head it.

The agency reorganization was accomplished in a few months. Mayor D'Alesandro, in commenting on the unusual speed, explained, "I believe the mayor should lead, and not wait to be pushed."

Baltimore therefore has decided what it must do and has set out to do it. Whether the plans will be carried out with equal dispatch and unanimity remains to be seen.

Some are skeptical. "I'll never live to see the day," said a taxi driver.

LONG HISTORY OF LETHARGY

There is also a long history of lethargy. The quoted words "After sleeping since the Civil War," were those of J. Jefferson Miller, $1-a-year general manager of the Charles Center project.

The figures and even a brief look at Baltimore confirm them. From 1949 through 1958 only three large buildings were constructed downtown, though the region is growing in population and industry. Retail sales in the downtown stores have fallen 19 percent in the last 7 years. One of the empty buildings in Charles Center was occupied by a department store which went out of business in 1955.

All the while, 35 shopping centers with 2,500,000 square feet of space and parking for 25,000 cars were built in the suburbs.

The city was beginning to feel the effects of dry rot. The taxable base in the central business district dwindled from $156 million to $140 million, a decline of 10 percent from 1952 to 1958.

Action was becoming a matter of survival. The giant could no longer afford to sleep. A merchants' committee recognized that the problem was more than theirs, and took the lead in forming the Committee for Downtown. At about the same time (in 1956) the Greater Baltimore Committee was organized to plan for the development of the metropolitan area.

The downtown committee then employed the planning council of the Greater Baltimore Committee to develop a program for downtown. Under the direction of David A. Wallace, who had planned Philadelphia's renewal, the Charles Center plan was drafted. It was done in close collaboration with the city planning agencies.

No Federal subsidy will be used, largely for the reason that the type of project is not eligible for Federal aid. The city of Baltimore, using its power of eminent domain and the bond issue funds, expects to buy the land for about $24 million.

After subtracting the land to be used for public purposes, it hopes to sell the plots for the other buildings for about $17 million. Even though no write-down will be offered, the city thinks buyers will be able to afford the price for the big office and commercial structures they will erect.

The purchasers of the land are expected to spend about $100 million for their structures, and the city about $17 million, for streets, parks, utilities, and a new $4,700,000 transportation terminal.

City officials think the increase in property values will be so great that Baltimore will recover its entire $17 million in 9 years through increased taxes.

Miller has been negotiating with the General Services Administration to place the proposed Baltimore Federal building on the site allotted to it in the plan.

LOOKS ALMOST TOO GOOD

"At least five large developers have expressed their interest in bidding on the land, for from one to three buildings each," said Miller, displaying several letters. "It looks almost too good to be true."

The Charles Center plan was originally set up on a 10-year schedule. Miller now says this is too slow. He wants to see it completed in 6 years at the outside.

Charles Center is situated on a slope that rises from the bay to a ridge crowned by the stately old red brick parsonage of St. Paul's Church, one of the few colonial buildings that survived the fire of 1904.

The plans for Charles Center make use of this variation in level. The huge parking garage—larger than Chicago's Grant Park garage—will be at the lowest level, as will bus and transit terminals. The upper levels will be kept free for pedestrian use.

Here, too, there will be variety—terraces, sunken gardens, elevated arcades, a flight of stairs leading to a new vista, courts of different size revealed through razed buildings. Open space will be used, not for emptiness but to frame and set off the buildings.

Like Chicago's plans for its proposed city-county plaza block, Charles Center will include shops and restaurants to keep it alive in the evening as well as during the day.

As Baltimore grew, its better specialty shops and its big department stores were not snugly spaced. The Baltimore shopping area does not have the unity of Chicago's State Street. It is also too far from the major office section to draw noon-hour shoppers.

To tie the stores together and to tie them to Charles Center, several second-level, covered, air-conditioned malls are proposed. Walking free of the traffic below, shoppers will be able to circulate in a new sheltered and attractive environment.

LANDSCAPING PLANNED

Several other large conservation projects are in the early execution or planning stages. In one of them, as a demonstration of how an old neighborhood may be improved, all of the old shed and alley structures in the center of a square block are being torn out.

Such projects in a sense continue the refurbishing of old neighborhoods that Baltimore began under the widely heralded Baltimore plan a few years ago. It attempted to check decay by strict code enforcement and by persuading homeowners to repair their property.

It produced some striking improvements, but not enough. Baltimore learned that the neighborhood as well as the homes would have to be improved, and that this would take more than individual initiative. Nevertheless, in a few spots Baltimore caught a glimpse of what rehabilitation could accomplish.

The city also has a number of beautiful squares and small gardens to illustrate the kind of remaking it is planning. The hope is to make large parts of the city as gracious and handsome as some small parts now are. But the real test in Baltimore still lies ahead.

[From the Chicago Sun-Times, Nov. 22, 1959]

DOWNTOWN U.S.A.: WASHINGTON TO REPLACE SLUM WITH MAGNIFICENT MALL

(By Ruth Moore)

Almost in the shadows of the Capitol's dome lies a rundown, little backwater of a town within a city.

It slumbered and fell into deep decay as Washington's officialdom, most of its workers, and virtually all of its tourists unheedingly rode by.

This slum-ridden part of the Nation's Capital—southwest Washington—is now, under the urban renewal program, to be rebuilt into one of the most distinguished and distinctive of urban areas.

For handsomeness it will be rivaled only by New York's Lincoln Center and Philadelphia's Society Hill. Chicago has nothing comparable.

Southwest's 10th Street, which formerly was lined with two-story red brick houses dating back to the Reconstruction Era, will become one of the most magnificent of all city malls and plazas.

A "CARPET" PATTERN

Ten major new buildings will be grouped around the mall and adjoining plaza—both wide courts paved in the pattern of a Persian carpet and planted with banks of trees and flowers.

Beyond, and tying into this monumental and future ceremonial entry into Washington will be town houses and apartments for about 4,500 families.

This area, only a short distance from the Capitol on one side and from downtown Washington on the other, comprises about 1 square mile. The plan, now in reasonably final form, will cost at least $400 million.

At times this vast project for making over a city in the grand manner has seemed like an ambitious dream to most of Washington. Planning began in 1951. After delay and dissension, it is only now beginning to materialize.

CONSTRUCTION TO START

In some sections all of the land has been acquired and cleared. In most of the other parts, acquisition and clearance are from one-half to two-thirds completed. The first new apartment in the area has been finished, and construction will begin this fall on the town center, the shopping area, and on a nearby group of apartments.

The plans for the mall have been prepared by the New York development firm of Webb & Knapp, Inc., and are now under study by a special board of review.

In addition, money has been appropriated for three of the Government buildings. One is under construction and two are in design.

Southwest Washington at last is moving from the limbo of uncertainty into accomplishment.

AN EIGHT-BLOCK MALL

The Great Mall—now only designated as the 10th Street Mall—will extend from the Smithsonian Institution to a dramatic terminal court on the completely redesigned riverfront. The distance is about eight blocks.

At present the red brick towers of the Smithsonian are shut in on the river side by two World War II "tempos"—buildings slapped together to last only through the emergency but still shabbily surviving. They will be torn out and the stately old museum given a broad setting of terraces and gardens at the head of the wide avenue.

On the two sides of this upper end of the Mall will stand four of seven new Government office buildings that will be built in the southwest area.

Farther down the Mall, at the point where it will widen into one of the world's most striking plazas, Webb & Knapp will construct an office building, now planned as a world communications center. A letter of agreement has been signed, under which the Women's National Press Club will occupy the top floor, commanding a sweeping view of the Capitol, the Potomac, and downtown Washington.

TWO BUILDINGS, ONE HOTEL

At the opposite end of the plaza court, the developer will build a 1,000-room hotel. Beyond the hotel and in line with it will be another large private office building—constructed around a green-planted court—and a smaller office building.

Every device will be used to make the Mall, the plazas, and their buildings one of the finest groupings in the world. Through traffic will be channeled underneath and all parking will be in underground garages. Some of the buildings will be raised above the plaza to provide through vistas; some gardens and courts will be sunken to afford the pleasure and surprise of varied levels.

The plaza, as well as the Mall, are to be paved in the rich, highly ornamental Persian pattern. I. M. Pei, the architect, has asked why streets should be only uninteresting stretches of black asphalt. Planting, sometimes with thick banks of trees, will be used to enhance every aspect.

In some of the earlier planning, Washington's proposed cultural center was to form part of the Southwest Mall. Largely through the efforts of Mrs. Eugene Meyer, wife of the late publisher of the Washington Post and Times Herald, and chairman

of a local planning advisory group, the cultural center was shifted to the section of Washington known as Foggy Bottom. This is the section in which the State Department is situated.

REPLAN SOUTHWEST MALL

After this decision was taken the Southwest Mall area was replanned. The cost of the privately built plaza buildings and underground garages will be about $60 million.

Plans for the Southwest riverfront are still in the formative stage. John R. Searles, Jr., Executive Director of the District of Columbia Redevelopment Land Agency, said that there will be an esplanade, marinas, restaurants, and other features for the recreation and entertainment of Washingtonians and visitors. A planetarium also has been proposed. These costs come to about $30 million.

By moving a market now in the area and relocating the present river drive, Washington already has picked up more than 1 million square feet for its future riverfront.

Between the Mall and the river and extending toward the Capitol will be the new Southwest residential sections. In section B townhouses, with a suggestion of the Federal period in their second story living rooms and railed entries and balconies will be grouped around garden courts.

ALTERNATED DWELLINGS

Most of them will sell for between $25,000 to $30,000. This section, too, is assigned to Webb & Knapp, and the townhouses are similar to those being built by the same developers in Hyde Park-Kenwood.

Apartments will be interspersed among them in such a way as not to overshadow the lower houses. About 400 townhouses and 1,000 apartments units are planned for this area.

Another large section of Southwest is being rebuilt by Royer L. Stevens and James H. Scheuer. The first 400-unit apartment is now being occupied. The fine old elms along the street were carefully preserved and with the glass-walled lobby opening up a view of the spacious rear garden, lilly pool and arched pavilion, an effect of serenity and quiet is achieved. From the apartment balconies the Capitol dome seems almost within reaching distance.

Rents range from $98 for efficiencies to $134 for one-bedroom unit, to $187 for two-bedroom units. Rentals are thus somewhat higher for the one- and two-bedroom units than at Lake Meadows and Prairie Shores in Chicago.

However, in Washington, with its large concentration of professional workers, middle income is considered $7,000 to $9,000. The Capital Park rents and $25,000 houses are believed to be about what Washington needs to keep middle income people in the city.

CAPITAL'S BRIGHT STAR

A third Southwest residential section is not yet committed to any developer. Preliminary plans call for somewhat more luxurious houses and apartments here. Another section along the railroad tracks and a new highway that runs through the area will accommodate the market and some light industry.

The Southwest will be the bright star in the remaking of Washington, but it will not stand alone. The Capital for all of its great avenues, malls, and beautiful riverfront, has other large areas that are slipping rapidly. Like other cities its population has been spilling out into the suburbs.

A huge conservation proposal is under development for the Northwest part of the city. In this 830-acre section the Development Land Agency has proposed 12 projects, which over a 10-year period will cost $117,500,000.

DOWNTOWN IN TROUBLE

Washington's downtown also is in trouble. Department store sales have not increased with the population—now about 1 million—and one end of the shopping area is showing serious obsolescence. As in many other cities the downtown share of the shopping dollar has fallen as suburban shopping centers have mushroomed. In Washington it dropped from 58 percent in 1954 to 47 percent in 1958.

A National Capital Downtown Committee has been formed by businessmen. Plans for improving the downtown area are under discussion, but so far there are no visible results.

Washington, caught in its eternal conflict between two governments, Federal and district, has not moved as rapidly as Pittsburgh, Philadelphia, New York, and Detroit. But in contrast to some of the other cities, Washington's problem is one of forgotten and slipping areas rather than of prevailing dilapidation. And Washington is actively seeking solutions.

[From the Chicago Sun-Times, Nov. 23, 1959]

DOWNTOWN U.S.A.: DETROIT IS MIRROR OF FUTURE

(By Ruth Moore)

The city of the future—more concentrated and yet more spacious and handsome than cities have been in the past—is even now plainly visible in Detroit.

Along the broad Detroit River, which separates the United States from Canada, stands the seven-block-long and four-block-deep civic center. With its large, white government and private buildings and its dual $54 million convention hall, it is well on the way to completion.

Only an easy stroll away from the center and the central business district which adjoins it, new apartments and town houses are being built in a long green park.

In addition, Detroit is well advanced in the planning that soon will rebuild a riverfront railroad terminal area and all the other deteriorated sections of downtown. The modernization of the entire central area is within sight.

HIGHWAYS NEARLY FINISHED

The great highways that outline the central area rectangle are nearly finished and in use. So, too, are many of the underground parking garages into which they empty.

Perhaps no other city has gone so far in freeing itself of the restrictions, the inaccessibility and the ugliness of the often chaotic city building of the past. It is also likely that no other city knows so well how it is going to complete the truly colossal work of turning an old city into a new.

New York, it is true, is undergoing a startling metamorphosis, but the greater part of this rebuilding is occurring out of the same economic momentum that built cities in the past and with little more planning than in the past. Neither Philadelphia, Pittsburgh nor Chicago seems to be moving on so wide a front.

Unlike other large cities, Detroit has known from the beginning where it was going. In 1947 it adopted a citywide redevelopment plan as an element of its master plan.

PRIORITIES SET UP

What the city wanted to accomplish in its central area was clearly laid out. Some 7 years later, Detroit surveyed its entire 13,000 residential blocks and decided what would have to be rebuilt and what could be saved. It then set up an order of priorities and a schedule for doing it.

Even more remarkably Detroit has adhered to this orderly approach and has built in accordance with its plans. In this it stands in sharp contrast to the Chicago of recent years. After making a brilliant start with the Burnham plan—while most other cities were building themselves into a jumble—Chicago has gone about redevelopment on a partly hit-and-miss basis. It has permitted even bold and excellent plans to be discarded when pressures were great enough.

Until Detroit started to rebuild, its riverfront was a tangle of railroad tracks, warehouses, and small commercial buildings.

It is this rundown area (76 acres) that has been turned into the civic center, a center that is spacious but not empty, big and yet contained. Its boundaries are so well marked that it is recognizable entity. You know you are in a place of importance.

BIG UTILITY BUILDING

A new city-county building faces the river toward the east end of the center. Across Woodward Avenue, and in line with it, the Michigan Consolidated Gas Co. is breaking ground for a $20 million, 32-story building, every line of which will emphasize its tallness and its light grace. It is designed by the architect Minoru Yamasaki.

Another office building and a Federal building have been proposed to fill the remainder of the space stretching to the convention hall at the other end of the center.

The big, low rectangular convention building spans the end of the civic center from its inner boundary to the river. The riverfront highway sweeps under it. Adjoining it, along the river, a round, 10,000-seat arena is under construction. The rectangular exposition building will be completed in 1960, the round building in 1961.

ADJACENT AREA STIMULATED

Separated only by a garden is the Veterans' Memorial Building which provides meeting rooms for veterans' organizations. It also has a comfortably furnished lounge and a fine penthouse terrace overlooking the river.

Another wide garden running all the way down to the river and a marina will occupy the center of the area. On the other side of the garden is the Henry and Edsel Ford Auditorium. It houses the Detroit Symphony and is available for all manner of civic gatherings.

Although the center still is filled with the debris and noise of construction, it is already stimulating the rebuilding of the adjacent area.

The National Bank of Detroit has just occupied a new building on Woodward, flanking the civic center, and the six-block-long and two-block-wide corridor stretching from the convention hall to the major hotels is scheduled for rebuilding as a big apartment and office section.

The auto, the ever-present determinant of Detroit, has already cleared a substantial portion of this section. So many of the old buildings have been torn out for parking lots that the remaining structures resemble islands in a lake of cars.

FEDERAL GRANT MADE

A Federal grant of $6,594,000 has already been made for clearing the next section west, and a grant of $2 million for clearing the other part of the west downtown area lying within the curve of the John C. Lodge Expressway, one of the new roads that bound the central area.

On the other, the west side of the Lodge Expressway is another section of the riverfront long locked in a maze of railroad tracks and terminals. The area resembles the South Side terminal area Chicago has been trying for 50 years to clear.

In 18 months time, a time that sounds miraculous to a Chicagoan's ears, a Detroit realtor, Karl Smith, has concluded preliminary negotiations with the railroads to purchase their 28-acre site.

They have initialed agreements to sell it to him for $7,800,000, or about $7 a square foot. This is almost exactly the price set by appraisers for the Chicago terminal area. But in Detroit, the railroads (the Pennsylvania, the New York Central, and several

others) will move themselves and make whatever adjustments are required in the terminal to which they will go.

A GREEN-PLANTED CONCOURSE

On the cleared site, Smith plans a $150 million development, three luxury apartments, and a restaurant on the river, five auto mart buildings, four industrial mart buildings, a hotel and office building. All of the buildings will stand in a green-planted concourse, atop an underground garage.

Applications for space have been so heavy, Smith says, that twice he has had to enlarge his plans. He also says that he is assured of the financing he needs from Detroit and New York interests. He expects to begin construction of the Penn-Chessi Center in the spring.

To the east of the civic center and extending inward from the river is a narrow strip of old commercial buildings and new and old institutions. Plans now on the drafting boards call for making it into a new institutional area.

Just beyond, and across the bridges that span the sunken east border, the Walter P. Chrysler Expressway, is the new 184-acre park of housing (Chicago's Lake Meadows is about 100 acres). It is only a short four- or five-block walk from the civic center or the big department stores and offices.

DESIGNED BY CHICAGOAN

In the first section of Lafayette Park as it is now named will be built five 22-story glass-tower apartments—1,620 units—and 338 townhouses, all designed by Chicago architect Ludwig Mies van der Rohe.

The glass towers, closely resembling the architect's glass houses on Chicago's lakefront, will stand on either side of Lafayette Park, a 350-foot-wide park running the length of the development.

The apartments and townhouses also stand in their own wide lawns and gardens. One of the apartments, with a fine view of the river and downtown Detroit, has been completed and is occupied.

At present, 186 of the town houses are either completed or started. Designed with the characteristic Miesian walls of glass and purity of line, most of the houses are being sold as cooperatives.

Three- and four-bedroom houses, with a bath and a half and a full basement, are selling for $21,000 to $24,000. With the minimum down payment of $1,065, the monthly assessment for a $21,000 house is $205. With the maximum down payment, $3,500, it is $179.

MAINTENANCE COVERED

However, 60 percent of the monthly assessment is deductible from personal income tax. Part of the assessment also goes to build up the tenant-owner's equity in the house. The payment further covers heat and complete maintenance of the grounds. The tenant-owners will not have to do their own grass cutting or snow shoveling.

A $10 million Federal allocation has been made for the second section, called Lafayette extension, and clearance for it is beginning.

Detroit also has underway two industrial clearance projects and is creating a comprehensive medical center.

In addition, all agencies are cooperating in the construction of a new kind of urban campus for Wayne University and the nearby public library and art museum. The story of this development will be told in another article.

Detroit's central area with its flanking Penn-Chessi Center and Lafayette Park is larger than Chicago's Loop. At the rate at which Detroit is going, it does not seem impossible that a substantial part of it will be completely transformed in the next 5 years and that most of the job will be done in 10 years.

EACH CONTRIBUTES TO WHOLE

Each step taken has stimulated others. Each has contributed to the whole. Construction of the civic center made the privately owned land across the street a prime site and it was quickly snatched up by the National Bank and the gas company for their new buildings.

The convention hall is opening the way for both the proposed apartment-office center and the Penn-Chessi Center.

The new city is spreading up Woodward. Private business interests have employed Yamasaki to make proposals for the next section above the center.

Detroit was a relatively spacious city to begin with. Its diagonal streets coming to a focus in the center of the city were laid out by an early city father who was an admirer of Washington, D.C., and its L'Enfant plan.

Where the diagonals converge little circles and squares were left. All of them have been turned into very beautiful downtown gardens. The flowers and grass are tended with a care that no other large city matches.

AUTO SHAPES CITY'S CHARACTER

Contributing to the open, clean look of Detroit is the absence of streetcars, subways and elevateds. Even the buses seem to be few. Detroit moves by private automobile, and the presence of the automobile is overwhelming. In addition to filling the huge underground garages, cars on parking lots sometimes make the visitor feel that they must occupy more space than buildings.

Without much question, the automobile not only supports Detroit, it shapes its whole appearance and character.

The city is building itself anew almost as efficiently and skillfully as it builds a new car. It is a dazzling model of a city that is being created, although it must be noted it lacks the excitement of New York, the historic richness of Philadelphia, and the beauty and serenity of Washington.

[From the Chicago Sun-Times, Nov. 24, 1959]

DOWNTOWN U.S.A.: MID-DETROIT UNIVERSITY TO BE GARDEN SPOT

(By Ruth Moore)

In ancient times places of learning were built in the hearts of cities, around sheltered courts and gardens.

This was the serene and never wholly forgotten pattern long before the university retreated to the openness of the country. It is the pattern which one urban university is about to re-create.

The university is Wayne State in Detroit.

On a campus of 63 acres in midtown Detroit, only a little more than half the 120 acres proposed for a new downtown Chicago branch of the University of Illinois, Wayne is building a superlatively handsome campus for the 20,000 students it has now and for the 38,000 it expects by 1970.

The University of Illinois is planning for 6,000 students in Chicago by 1963 and 20,000 by 1970.

BUILDINGS WON'T BE TOWERS

Despite the small size of its site, Wayne's garden-court buildings will not be towers. The tall, elevator buildings that are anathema to the faculty and trustees of the University of Illinois were equally unacceptable to the Detroit university. Like the University of Illinois (whose president, Dr. David Dodds Henry, is a former president of Wayne), Wayne feared the problems that would be created by stacking one university floor on top of another.

It sought another solution for a university which must be in the center of a city to serve its students and therefore cannot have unlimited space.

Minoru Yamasaki, one of America's most gifted architects, proposed to Wayne to return to the ancient plan of low buildings grouped around courts and along arcades and loggias.

Although few, if any, of the buildings will be more than four stories, Wayne will have all the classrooms, laboratories, and other space it requires on its 63 acres. It also will have one of the most beautiful and usable of universities.

All of these seeming irreconcilables are to be overcome by enclosing and using space, instead of leaving a large part of it empty and boundless—and exposed to the city's noise and confusion.

TRANQUIL, MOVING BEAUTY

The 40 Wayne buildings will cover 60 percent of the site. Under conventional plans, not much more than 25 percent of the land would have been used for buildings, and with towers, perhaps not more than 10 percent. (The Lake Meadows apartments in Chicago, for example, achieve the spaciousness of their setting by holding land coverage to about 10 percent.)

Far from regarding this intensity of building as a disadvantage, Wayne and Yamasaki consider it a rare asset.

The first court grouping completed at Wayne demonstrates why. It is a place of tranquil, moving beauty.

The McGregor Memorial Conference Center and an arcade form one side of the water court. The center, designed by Yamasaki, is unique. Its triangular arches, framing the glass walls of the meeting rooms, suggest a venetian palazzo. The light falling through the elevated triangles of the glass skylight is like light filtering through a jewel. But all of it blends into a building that efficiently serves the university.

WITH THREE ISLANDS

At one end of the court is the glass-fronted alumni building and on the third side a classroom building.

On the court side of the conference center is a broad terrace decoratively paved in a diamond pattern. Steps lead over an edge of the pool to one of three broad, flat islands. The islands are sculpture courts and gardens, where flowers and green things grow in planters. A flat slab bridge invites students to visit the islands and cross the water court as easily, but much more interestingly, than if it were paved with brick.

In time, other courts will link up with the new water court.

"Each will be different," said Yamasaki, "in another we will use fountains; in another flowers; in still another, trees. It will be a delight to walk from one to the other.

"In every case we still treat space as an outdoor living room, with the sky for a ceiling with an exciting floor, and as a place for beautiful objects.

"We now decorate our indoor space but we do little about the outdoor. The automobile, however, is forcing us to rethink our cities and our universities, to provide places of quiet and beauty away from the chaos and unpleasantness of our environment.

"WE NEED SHELTERED COURTS

"How shall we do it? I believe that we should consider what was done so successfully in the squares of Venice. In the city I think we will find that we like such a use of space better than having buildings spread out. Where do you walk in a blizzard?

"In a climate such as this we need arcades and sheltered courts and gardens. And I like buildings close together.

"For this kind of a university the lack of a large site is no disadvantage."

Yamasaki has laid out the plan for the entire university. A number of architects, however, will design the buildings. Yamasaki maintains that a university with its immense range over the field of knowledge should not represent a single architectural point of view in design.

For Wayne, the new campus with its striking buildings and quiet courts is a complete

departure from the past. Until 1946 the university was housed in an old high school, built in high school Gothic, and whatever old residences, stores and churches could be pressed into use.

A TRULY URBAN UNIVERSITY

At the time, the college was operated by the Detroit Board of Education. On July 1 of 1959 it became a full State institution, and the future building program was outlined. Ultimately it calls for the 40 buildings.

When the new buildings were being planned the university considered the possibility of moving to a suburban site where plenty of space would be available. The idea was soon abandoned. The university decided that it could best serve its students at the midcity site.

Wayne decided then that it would become a truly urban university in an urban setting.

The university campus adjoins a block occupied by the Detroit Public Library. In the next block beyond is the Detroit Museum of Art, and around it other public buildings.

In cooperation with the city plan and the urban renewal authorities, university, library, and museum will be tied in a great cultural center. As part of this unified development, a new library building is under construction and a new wing also designed by Yamasaki is being planned for the art museum.

The cultural center is an important part of the phenomenal rebuilding of Detroit. Every new building for all three of the major components of the new center—university, library, and museum—will contribute to the overall goal—the development of a fine new city.

[From the Chicago Sun-Times, Nov. 25, 1959]

DOWNTOWN U.S.A.: WHERE CHICAGO LAGS, LEADS

(By Ruth Moore)

Nearly every large American city, including Chicago, is attempting to rebuild.

These cities are spending billions of dollars to eliminate the congestion, the strangulation, the dilapidation and the ugliness that have driven millions of persons and most of the new home and store building to the suburbs.

At base, the rebuilding is an effort to survive. If it succeeds in creating a new kind of city, it will be one of the great determinative movements of American history.

How does Chicago's progress compare to that of other large cities?

The answer has to be divided into two parts.

In the remaking of its downtown area, Chicago is far behind most others.

In wiping out the kind of slums in which no human beings should live, Chicago compares favorably to, or is ahead of, the pack. Few other cities can show, as Chicago can, that they have eliminated one-third of their substandard dwellings.

CHICAGO COMPARED WITH OTHERS

The Sun-Times today completed a series of stories on what is being done in urban renewal in New York, Philadelphia, Pittsburgh, Baltimore, Washington, and Detroit. And Chicago's progress is being weighed against that of these cities, all of them leaders in urban renewal or in some phase of it.

The contrast in downtowns is sharp and striking. Chicago, with its $1½-billion development plan for the Loop and the generally depressed areas immediately around it, has only proposed the new kind of city that Pittsburgh, Philadelphia, Detroit, and New York already are building.

Central New York, as the Sun-Times has pointed out, is being rebuilt at a phenomenal rate—133 new office buildings and 684 new apartments buildings completed or under construction. Three large sections of downtown Pittsburgh have been completely ripped out and are being rebuilt with new garden-surrounded buildings.

REASONS BEHIND ACTIVITY

Philadelphia has eliminated the elevated railroad tracks that once divided downtown and it rebuilt the track area as a whole. Detroit, proceeding with blueprint precision, has cleared and largely rebuilt its riverfront. The motor capital is within reach of completely making over its downtown.

Baltimore is making a start.

What has enabled these cities to move while Chicago's downtown plans mostly remain on paper? In New York it is largely economic momentum and the effects of congestion. A movement into the city of corporations and upper-income people created an enormous demand for office and living space. Traffic congestion made it necessary to build offices and apartments close together. The result is a newly accessible and excitingly livable city.

In Pittsburgh the leadership of one man, Richard K. Mellon, has been a major factor, although the new Pittsburgh bursting through the squalid old city has been accomplished by the close cooperation of government and private interests.

In Detroit and Philadelphia, good planning and collaboration between government and private groups seem to figure largely in remarkable results.

Chicago is being outstripped in the creation of new downtowns. It lags in making the center of the city a place of rich and exciting things to do and in making it a choice place to live.

ARENA INTEGRAL PART OF CITY

While Chicago's classical auditorium falls into deeper decay, New York is building Lincoln Center. Here in one splendid center will be heard and seen the world's finest opera, music, dance and theater; here, too, will be the greatest schools of the performing arts.

Pittsburgh's new arena, with a revolving top that swings open to the sky, is under construction as an integral part of the new city. Detroit's dual exposition hall and arena also are in the heart of things and with the Ford Auditorium, the new home of the symphony, will create a cultural center.

Baltimore will build a theater-television center as part of the Charles Center that is proposed to make over the core of the city. The Civic Auditorium will adjoin.

All these cities are revitalizing their downtowns with all the riches of the arts and of assembly that each city can offer.

Many of the cities also are providing some of the finest of all places to live within easy walking distance of their central areas.

While Chicago's first downtown-border apartment is only now being planned (by a labor union), New York is building hundreds of walk-to-work apartments; Philadelphia is building Society Hill, a unique downtown blend of the finest of new housing and historic buildings; Washington is starting its Southwest section, with great buildings, town houses, and apartments all within sight and walking distance of the Capitol and downtown.

PITTSBURGH, DETROIT ACTING, TOO

There will be luxury and middle-income apartments on Round Hill, which overlooks Pittsburgh and is only a few blocks from downtown offices. Detroit's Lafayette Park, where towering apartments of glass and town houses stand in a spacious green park, is almost in the shadow of downtown.

Chicago's central area plan calls for thousands of new apartments in exactly such a relation to Chicago's Loop, but they have not yet materialized.

Only when it comes to the clearance of slums in the areas farther removed from the center of the city, does Chicago begin to shine. Few other cities have cleared so much rockbottom housing and probably none can match the extent of Chicago's rebuilt South Side.

On the South Side, Chicago has brought all its efforts together. Lake Meadows, the new housing around Michael Reese Hospital and the Illinois Institute of Technology, the huge South Side public housing projects and new schools, all have been planned together to rebuild a large part of the city, and it is being done with impressive effect.

MORE SLUMS BEING RIPPED OUT

The patches of slums that still intervene are being ripped out, and a whole new middle South Side that is an incomparable improvement on the horrors of the old, soon will be realized.

A little farther out, the Hyde Park-Kenwood urban renewal and conservation area will be one of the finest in the Nation.

Chicago has achieved this clearing of the worst of conditions that a modern city can produce, and a strong argument can be made that this should come first, with humane relocation policies and without scandal. This city's goldfish bowl policy of handling redevelopment and selling cleared land to the highest bidder among developers stands in bright contrast to the charges of callousness and favoritism that swirl around New York's title 1 slum clearance program.

However, most cities that first concentrated their greatest efforts on their downtowns, now are moving against slums and to save slipping neighborhoods.

Pittsburgh argued that it had to save its downtown to save the city, but it has huge and vigorous neighborhood conservation plans. The same united drive that rolled back the night in that city is now behind these plans.

NOT AS ADVANCED AS CHICAGO

Philadelphia, Baltimore, Washington, and Detroit also have marked out old neighborhoods for conservation. None of them is as advanced as Chicago in Hyde Park-Kenwood.

No large rehabilitated neighborhoods, neighborhoods where homes and the area have been modernized and improved, rather than cleared, are yet to be seen. However, Pittsburgh and Philadelphia have officially painted, repaired, and refurbished their first test houses.

New York, Philadelphia, and Pittsburgh also may outstrip Chicago in providing homes for middle-income families, families in the $5,000–$9,000 income range.

New York, by granting tax abatements on top of all the other Federal and State aids for housing, has encouraged the building of 12,500 cooperative units with genuinely middle-income downpayments and rentals.

A $100 million State bond issue will be used to stimulate the spending of $250 million by private industry in building more middle-income housing.

Philadelphia and Pittsburgh hope to go into the large-scale rehabilitation of old houses. Ingenious new financing plans are being developed to stimulate this work and also to obtain new middle-income housing.

BOLD BEGINNING MADE HERE

The cities believe that middle-income families must be kept in the city.

Chicago made a bold beginning with middle-income housing. Lake Meadows and Prairie Shores have provided highly attractive homes in beautiful settings at rentals ranging from $81 a month for efficiency units to $153 for three-bedroom units. Midway Gardens, with rents in the same general range, has been constantly filled and is about 8 years ahead in paying off its indebtedness.

But rents in Chicago's newer Land Clearance Commission Title I projects, Hyde Park-Kenwood and North Clark-La Salle, will be higher, and the Chicago Development

Authority has built only one small group of for-sale houses since Midway Gardens was finished in 1953.

CHICAGO ONCE A LEADER

Chicago has nothing to match the big New York $350 million middle-income housing proposal or the New York co-ops or the Cleveland or Pittsburgh plans. No new public-private plans, going beyond title I and the CDA, so far have been developed here to produce large additional amounts of middle-income housing.

Chicago once led the way in the building of the kind of city of which city residents and city planners dream. More than 50 years ago, this city carved out one of the world's most beautiful waterfronts, an achievement that most of the other cities are now spending many millions to equal.

Chicago also showed the way in providing the legal tools for building a new city, and other communities have copied Lake Meadows, Chicago's industrial rebuilding projects, and the new kind of neighborhood this city is building in Hyde Park-Kenwood.

Chicago lags in the renewal of its downtown area, though the city's plans match those of any others. But Chicago's central area plans largely remain on paper, while in other cities the new buildings are rising; the new city is becoming visible.

So where does Chicago stand?

The answer can be summarized: ahead on slum clearance; well behind on middle-income housing and the remaking of the central area.

RUSSIA AS WE SAW IT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a fine statement delivered at the University of Arkansas by Mr. Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association, of Washington, D.C.

Mr. Ellis, formerly a Representative from the Third District of Arkansas, is one of the outstanding leaders in this country in the field of rural electrification.

The account of his recent trip to Russia, along with three Members of the Senate, is one of the most interesting I have seen. I commend it to my colleagues.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RUSSIA AS WE SAW IT

(By Clyde T. Ellis, general manager, National Rural Electric Cooperative Association, Washington, D.C.)

It was my good fortune last fall to be part of a congressional delegation whose assignment it was to go and see what the Soviet Union is doing in the field of electric power development.

What we saw was truly amazing—and possibly frightening. It is something that should concern every American because it could ultimately become another sputnik—not a sputnik of the skies this time, but a sputnik of the kilowatt.

In how many fields of endeavor can we afford to lose our leadership before we do something about it?

There is a close correlation between the amount of electric power a country uses, the efficiency of its industrial complex, and the standard of living of its people.

An abundance of electric power at low cost is indispensable to any nation which seeks to maintain an influence over international matters.

This immediately brings us face to face with what the lawyers call the ultimate issue. How do the Russians and Americans stack up against each other in the field of electric power?

After three extensive tours of the Soviet Union, Senator ALLEN ELLENDER, of Louisiana conveyed to committees of the U.S. Senate reports of hearing about, and seeing in progress, what some regarded as a fantastic hydroelectric power development program. The Senator's reports were supplemented and corroborated by the U.S. Army Corps of Engineers and by other intelligence. There were also stories of equally fantastic development in China.

A year and a half ago, the Senate authorized a study of the facts in both countries. Two Senate committees joined in the study, the Interior and Insular Affairs Committee and the Public Works Committee.

As a result, last fall three Senators and eight Senate committee staff members and consultants went to Russia. The Senators were FRANK MOSS, of Utah; ERNEST GRUENING, of Alaska; and ED MUSKIE, of Maine. Four were staff members. Three others and I were nonpaid consultants.

The National Rural Electric Cooperative Association, the service organization of the nearly 1,000 rural electric cooperatives and rural power districts of the United States, of which I am general manager, is one of the strongest advocates in the United States of comprehensive multiple purpose river basin development. Half of the rural electric cooperatives now purchase wholesale power from such developments built by the Federal Government—projects like Bull Shoals, Table Rock, Norfork and, ultimately, Beaver.

In addition to sharing responsibility for the overall objective on the Russian trip, each of us was assigned an area of special study. My assignment was to observe the use and the potential use and effect of electricity in Russian agriculture.

Our itinerary had to be negotiated with the Soviets, project by project. This, without much help from our State Department, required more than a year. We were determined to see, among other things, some of the little-known hinterland areas, including Eastern Siberia.

Negotiations setting up the trip collapsed twice, and threatened to do so again just before we embarked. Even after we arrived in Moscow, it looked as if the project might blow up. Only the effective intervention of Senate Foreign Relations Committee chairman, Senator BILL FULBRIGHT, and his able administrative assistant, John Erickson, saved it. Our trip became the only one of its kind to date. The final itinerary included all but two of the many stops we requested and extended over 31 days.

We found the Russian people everywhere extremely friendly. They have a burning curiosity about America, how we live, what we eat, what worldly goods we possess and what we do for entertainment. They want to talk, and they tell us they want to be our friends—and that they want peace.

Except in Georgia and the Republics lying along the Asiatic border, the people are mostly very fair and blue-eyed, maybe a little shorter and stockier than Americans. They have plenty to eat, but the diet is heavy with starches—enough calories, but bland and monotonous.

They live hard. All are poor by our standards. All live in limited housing. They are allocated 54 square feet of space per person.

They also work hard. They told us that, every day, life is better with them than it ever was before, and they like it. They are enthusiastic, and show it.

They remind me of the time when I was a high-school senior, and later a freshman here on the campus. It was depression time. I came from a poor family. I had to work 8 to 10 hours a day while going to school. My diet was mostly beans or potatoes. I studied very late and slept little. But I liked it. I was making progress. The Russians are working with apparent similar zeal. (Incidentally, our new university president, David Mullins, and I sometimes studied together—in his basement room.)

Even the Soviet citizens' freedom, extremely limited by our standards, exceeds anything they and their ancestors ever knew before. This is understandable, I think, only in the light of their 2,000 years of slavery.

We traveled more than 12,500 miles inside Russia, 10,800 miles by air—mostly jet; 340 miles by train; 1,000 miles by automobile; and 360 miles by boat.

HYDRO PROJECTS ARE FANTASTIC

We are not seeking to visit the better-known hydro projects, but the new and different and little-known ones—particularly those under construction. We visited 10 projects on 8 rivers—a variety of types.

We saw an underground hydro project on the Khrami River in the Caucasus Mountains in the Republic of Georgia. There they are constructing a project entirely within a mountain. Water from a glacial lake is dropped nearly 1,000 feet through a tunnel into turbines, all safely underground.

We visited the world's largest dam, in terms of generating capacity, Kuibyshev on the Volga River. Its capacity is 2,300,000 kilowatts. Our own Grand Coulee develops 1,970,000 kilowatts.

But they have even bigger projects under construction. We visited Stalingrad Dam under construction on the Volga, to be completed next year. Some units are already producing. When finished, it will be larger than Kuibyshev, with 2,530,000 kilowatt capacity.

But that was still not the largest. We visited Bratsk Dam under construction on the Angara River in eastern Siberia. It is perhaps less than half completed. The capacity there will be 4,500,000 kilowatts; remember, our Grand Coulee has less than 2 million.

One of the two dams we were not permitted to see is the Krasnoyarsk project, on the Yenisey River in eastern Siberia. It is in the initial stage of construction and will be still larger, with between 5 million and 6 million kw. We saw a large, operating scale model of it. The capacity of this one dam will be almost twice that of all 31 dams in the Tennessee Valley.

That is what we found—tremendous projects. The generating units of Stalingrad and Kuibyshev are larger than any hydro units we have; the Bratsk units are to be about twice the size of ours, and the Krasnoyarsk units about three times the size of our largest. Given the usual conditions, the larger units are more efficient and produce power at less unit cost.

TRANSMISSION TOO

In the field of power transmission, the Soviets have achieved successes no less spectacular. For instance, we visited both ends of a 400,000 volt (400 kv.) line, delivering power nearly 600 miles from Kuibyshev to Moscow. By comparison, our largest line in the United States is 345 kv. and we have very little of that. And our longest transmission is only about half the Russian distance.

In December just passed, the Russians were scheduled to step this line up to 500 kv., and to complete a second line of about the same distance—from Stalingrad to Moscow.

They have still larger lines under test of 800 to 1,000 kv., some to use direct current. The line-loss on their 400 kv. line is low, about 7½ percent. On the 500 kv. line, they expect even less loss. On the 800 to 1,000 kv. d.c. line, they expect to reduce the loss to 3 or 4 percent.

Within a few years, they expect to be transporting power 1,500 miles from eastern Siberia to the industrially rich Ural Mountains over a trans-Siberian transmission grid now under construction.

They are building five of these huge area grids. The next step is to tie them all together so that power will flow freely between all parts of Russia, in what they claim will be by far the biggest and best electric power system anywhere. Compare this with our hodgepodge of relatively small electric systems poorly interconnected over inadequate transmission lines. Indeed, some of our companies refuse to participate in any sort of power pooling across State lines in order to avoid the accounting required by the Federal Power Commission and its regulatory jurisdiction.

Just one more point on their electric power achievements. They have developed a technique of construction using preformed concrete blocks which they claim cuts both the construction time and the cost about one-third. We examined this as closely as possible and were impressed.

Contrary to much propaganda spread in our country disparaging the Russian's power program, their goal in the 7-year period 1958–65 is a 113-percent increase. And their percentage of hydro and power produced from fuels (coal, oil, gas, peat, and atomic) is to remain about the same. Their ratio of hydro to all other is about the same as ours—about 20 percent. But whereas theirs is to continue at 20 percent, ours—as the result of the administration's 7 years of no new-start policy—is destined to go down.

Actually, the Russians have only about one-third as much installed capacity as does the United States. But their rate of construction is such that, as our report to Congress states, they will overtake us in a few years unless we speed up or they slow down.

But the Russians devote a far higher percentage of their power to industrial production than do we.

Hydropower in Russia, as in the United States, is substantially cheaper than fuel-produced power.

And even though the Russians have extensive supplies of the fossil fuels, they are apparently more anxious than we are to conserve these exhaustible fuels and develop more of their renewable water resources.

Because our Government does not recognize Communist China, we were not able to visit the hydroelectric developments of that country, but we did learn a great deal about their progress. One of the two top Ministry of Power officials assigned to accompany us throughout Russia was a Mr. Talalov, who had just returned from a 2-year assignment to help China launch an even more fantastic river development program than that of the Soviets. He told us the Chinese have 255 dams under construction, many of them large ones, and that, while China's foremost problem in river development is flood control, she is developing tremendous electric power, too. We were able to announce for the first time, after talks with Talalov, that the Chinese have at last launched the Ichang Gorge project on the Yangtse River. In addition to its flood-control benefits, it will contain about 13 times as much power-generating capacity as our Grand Coulee Dam on the Columbia.

AGRICULTURE IS WEAKEST LINK

Without question, the weakest link in the Soviet economy is its agriculture. John Gunther, in his book "Inside Russia Today," says, "Agriculture is by far the sorest spot in Russia."

Nearly half of Russia's 210 million people are engaged in agriculture. This is in contrast with about 10 percent in the United States. If the efficiency of Soviet agriculture could be brought up to that of the United States, 67 million people could be released from the farms to the factories and other segments of the economy.

We visited and saw many agricultural establishments, including collective farms, state farms, free farm markets and research laboratories. By Western standards, Soviet agriculture is still primitive. It has a long way to go. Production is still inefficient and relatively low. It is wasteful of manpower. Rural living conditions are not good, and the diet of both farm and city people still consists of about 70 percent cereals, potatoes, and other starchy foods.

Yet, Russia has broad expanses of agricultural land—the country is nearly three times the size of the United States—much of it good, little eroded, flat, and therefore easy to work with machinery. Climatic conditions are generally favorable in several regions.

What, then, does Soviet agriculture lack? The answer is that it lacks principally four major things: incentives, know-how, machinery and electricity.

Our group estimated that the mechanization of Russian agriculture is 10 to 20 years behind that of the United States. But we agreed that, if their mechanization of agriculture should go forward as planned, the gap would be narrowed rapidly.

And the drive is on. A crash program is in the making to produce and allocate the necessary machinery and electricity. Khrushchev said in his recent speech to Russia's All-Union Power Conference:

"Allow me to dwell upon some problems of electrification of the countryside. In this we are lagging considerably. It is necessary, comrades, to solve the task."

The aim is not to create better living conditions for the relatively backward farmers, but to press them into more mechanization, electrical and otherwise, as a means for more and better food for the nation and to release more manpower to industry. Their current 7-year goal is a 70-percent increase in agricultural production.

EFFICIENT SCHOOLS

We talked with many Russians about their educational system. We visited a few classrooms. Many children are placed in day nurseries at 2 months of age until 4 years old. (All people are supposed to work out, mothers included.) From 4 to 7 years of age, the children attend kindergarten. At 7, they start in the first grade, and under the new orders of 1958–59, they go through the approximate equivalent of our grade schools, and may go on to high school only as a privilege—only if they show certain aptitudes.

Their high school ends at the end of the 10th grade. However, the Russians claim this is equivalent to our 12th grade or more. Students attend school from 8 to 5, 5 days a week, 10 months a year. They begin specializing early. They must take one language beginning in the early grades, and continue it through high school. We saw and heard third grade students reciting in English, and reciting well, and even translating to others our conversations with them.

Mathematics and the sciences are stressed; and once a student begins a particular science, he is expected to follow it through all the years of the high school. Once a student is in college, he is paid to go, and paid better if he does well. And if he does well enough, he is encouraged to go on with graduate studies at even higher pay. Ph. D. candidates, we were told, draw almost as much as beginning instructors.

The Russians said they encourage people of all ages to attend school. Many of those attending classes in Moscow University appeared to be above middle age. The Russians claim 50 millions, or almost one-fourth of their population, are in school.

We were much impressed.

CHALLENGE OF THE ATHEISTS

We visited some churches. There are about 40 in Moscow, I believe. Their services are crowded. But considering that Moscow is a city of 5 millions, 40 churches are not many by Amerian standards.

The principal church in Russia is Orthodox. The next most common is Baptist. The Baptists claim 400,000 members in the Soviet Union. We talked quite freely with Russian officials and Intourist guides and others we met about churches and whether or not they believed in God. Everywhere, the answer was the same:

"Lenin said, 'Religion is the opiate of the masses.' Churches are wasteful. Our government does not encourage them. Anyone known to believe in God cannot hold any but a menial job in the government."

Considering that nearly all jobs are government jobs, it takes courage to be an open believer.

LITTLE FREE COMPETITIVE ENTERPRISE

Free competitive enterprise is almost nonexistent. We noticed three small segments of it, the most important being the farmers' free markets. The government encourages these and devotes considerable space for both outdoor and indoor displays of farmers' fruits and vegetables.

Each farmer in the collective is allotted 1 to 2 acres of land, depending on its productivity. After the farmer has worked his 8 hours in the collective's great fields, he then may work his own small tract. These plots are obviously farmed intensively. Production from them is high. Farmers then take their produce to the free markets in the town or city, where it is sold competitively. Russians depend upon these free markets for their fruits and vegetables. They depend upon the state-operated stores, however, for their milk, bread, flour, canned goods and processed meats.

Doctors do some free enterprising. Outside their regular hours, they may treat patients who have the money and are willing to pay them.

Lawyers, too, engage in some free enterprise, particularly representing divorce applicants.

Then there are the "money hounds" who several times offered us 30 to 40 rubles per dollar. These may have actually been Government agents seeking either to test us or to collect more dollars, or both.

THE ADMINISTERED PRICE SYSTEM

The Russians themselves contend they do not have communism. That is an ideal yet to be achieved, they say. What they really have is state capitalism with a completely administered price system. Taxes don't amount to much and are really not needed at all, for the Government everywhere is in the profit business. In the dam operations and everywhere else, they talk about the profits they make.

The same Government that fixes salaries can also see to it that the people do not have enough left to purchase private automobiles, for instance, by also fixing the prices of the things people purchase. About the only ones who can accumulate enough to own a private car are top Government officials, scientists, and professional people: doctors, lawyers, and professors. A private automobile sells for the equivalent of approximately $6,000, but a truck that obviously costs as much to make as an automobile sells for less than half as much. The equivalent of an American 10-cent bar of chocolate sells for 50 cents or 60 cents.

After observing this administered price system in operation for a few weeks, one of our party remarked:

"If America's 12 largest corporations continue to grow disproportionately as in the past, and if in another 10 years or so the Government should take over these giant monopolies and oligopolies, with their ad-

ministered price systems, then we would have in the United States by an entirely different route something approaching the state capitalism of Russia."

Certainly there is a difference in the objectives of those who effectively administer prices in our economy as compared to administered pricing practices in the Soviet Union.

Prices in the Soviet economy are administered in an overt and premeditated effort to allocate resources into the production of those goods and services which the powers-that-be believe are best for the Soviet objectives. And this runs the entire gamut from the production of goods and services to sell on the world market at below costs to administering prices in the consumer goods field to preclude the necessity of diverting any substantial amount of capital equipment and other resources into this area.

PROPAGANDA CONTROL ESSENTIAL

A necessary part of the Russian system is, of course, its complete propaganda control. There is no such thing in Russia as a newspaper, no TV or radio news as such. There is no advertising. Just propaganda and music. Propaganda consists of speeches, technical, and other discussions, always including some of the Communist philosophy. Khrushchev's son-in-law Alexsie Adzubei, editor of the government paper, Isvestia, is quoted as saying:

"We don't attempt to give the people news, but encourage them to work, work, work."

While Khrushchev was in the United States, the Soviets ceased their jamming of Voice of America broadcasts beamed to the U.S.S.R., but as soon as Khrushchev's plane landed back in Moscow, it started again.

The Russian Government, as we all know, is controlled absolutely by the Communist Party, containing less than 4 percent of the total population. The Communists are afraid to let the people know how the rest of the world lives, for they would then not be able to so effectively divert their country's production into ICBM's, outer space, electric-power development, and other massive efforts, while the people go ill-housed, ill-clothed, and ill-fed.

KHRUSHCHEV'S COMMENT

Mr. K. recently commented on our delegation's visit to his country. In a long address to the All-Union Conference of Power Industry Construction on November 28, Khrushchev said, among other things:

"Americans who recently visited our country—who were not merely tourists but Senators and major experts who were well versed in questions connected with the construction of power stations—have a high opinion of our successes in the country's electrification."

He quoted the American press as saying:

"A delegation representing two committees of the U.S. Senate recently returned from a month-long trip to the U.S.S.R. and has convincing proof that the U.S.S.R. has overtaken the United States in the field of construction of hydroelectric stations."

Then he quoted the delegation itself as saying:

"We cannot afford to adopt a careless attitude toward the Russian program for the production of hydroelectric power and toward this program's possible influence on international affairs. * * * Indeed, the power program—though it is less striking—might in the end be of even greater significance than the rockets or space research programs, because electric power is at the root of the industrial might of a modern state."

Then he noted that the Russians had learned their early hydroelectric techniques from Americans who came over and helped them build the first power dam on the Dnieper River and other projects, and concluded:

"Now they are not ashamed of their pupils. * * * They have taken their hats off to the worthy pupils of good teachers."

CONCLUSION

I am convinced that the Communist-controlled Soviet economy has the capability now of equaling or surpassing the efforts of any other country in material achievement, as long as it does not attempt too many bootstrap operations simultaneously. It has, or soon will have, the electrical capability to do this. Its improving agricultural efficiency is hastening the day when more and more Russian moon miracles are possible—if even at the expense of Russian consumers, satellite citizens, and free-world enterpreneurs.

SEVENTY-FIFTH BIRTHDAY OF LEWIS M. HERRMANN

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a brief statement on the occasion of the 75th birthday of one of New Jersey's outstanding labor leaders. I refer to Mr. Lewis M. Herrmann, editor of the New Jersey Labor Herald in Newark, N.J. It is remarkable that at an age when most men are content to enjoy a well-earned rest he is still devoting his energies to the many projects and activities with which his name has been connected for so long.

There being no objection the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF NEW JERSEY

New Jerseyites are indeed proud of Lew Herrmann's record of service in the labor and journalistic fields. Starting with his yeoman service in the AFL and International Typographical Union almost 50 years ago, he has steadily broadened his sphere of interests to include such varied activities as three terms in the New Jersey Legislature from Essex County, membership on the board of governors, Northern New Jersey Multiple Sclerosis Society, a special War Department mission to the South Pacific combat area in World War II, participation in the American Legion as publicity director, post commander and officer of the "40 and 8," the founding and editing of a newspaper in Atlantic City, and many others.

More recently, Mr. Herrmann's successful efforts in establishing an Institute of Management and Labor Relations at Rutgers University and his current drive for funds to erect a Labor Management Center there have been appropriately recognized by the special award presented to him by Rutgers University. This was only one of many distinguished awards which have been made to him in past years.

Mr. Herrmann has had an exceptionally full life and I know that the years ahead will continue to be successfully productive. I am glad to have this occasion to express my congratulations and best wishes for the future to Mr. Lewis M. Herrmann.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

Mr. BYRD of Virginia. Mr. President, under the pending aid-to-education bill the Federal Government in 2 years would take another $1 billion from the pockets of taxpayers in every State, clip up to 20 percent from it for Federal administration, and return what was left as so-called Federal "grants" to States and localities with Washington strings attached.

This bill would open a Pandora's box. There is no scarcity of effort to exploit public education for Federal control and expenditure, with maximum extravagance and minimum efficiency. Current efforts represented by amendments offered to this bill would run Federal education expenditures into a multibillion-dollar program.

The States, the localities, and the public generally should beware. Money spent for Federal overhead will not buy classrooms. This bill would fix grants on a basis of how much a State spends for schools; not on what it receives for the expenditure. Federal bureaus will never subsidize major education programs without exercising control.

It is true that the pious words in the first two paragraphs of the pending bill say the money is only for construction, and that no Federal control will be exercised. But 20 lines later there begins a 4-page formula to be met by States and localities when they come begging for Federal handouts.

This is routine in Federal grant and loan programs. Almost without exception, they establish Federal control. If control is not established otherwise, it is achieved through standards which must be met by applicants before the money is made available and while it is being used.

The Treasury Department lists 60 programs through which Federal funds are paid to State and local units, under so-called cooperative arrangements. These programs are generally referred to as "Federal grants-in-aid," and Federal expenditures through them in fiscal year 1959 totaled $6.4 billion.

If this proposed legislation is enacted, it will establish another Federal grant-in-aid program; and, like too many others, it will tempt States and localities to abandon or erode fundamental responsibilities, and yield to centralized control under the cloak of so-called grants of Federal funds.

When I came to the Senate in 1933 the Federal grants-in-aid-to-States programs of any consequence could be counted on the fingers of one hand, including the highway and land grant college programs; and Federal expenditures through them totaled only about $100 million.

By 1936 there were 17 programs for grants to States and local units, and the expenditures totaled $304 million. Ten years later—in 1946—there were 30 programs, and the expenditures totaled $845 million. In 1956 there were 54 programs, and the expenditures totaled $3.5 billion.

In 1959, there were 60 listed programs for grants to States and local units, and expenditures totaled $6.4 billion. I ask unanimous consent to have printed in the RECORD an itemized statement in this connection.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Federal grants-in-aid to States and local units, fiscal year 1959

Department of Agriculture:	
Agricultural experiment stations	$30,571,087
Cooperative agricultural extension work	59,351,213
School lunch program	142,301,255
National forests fund [1]	22,370,187
Submarginal land program [1]	460,109
Cooperative projects in marketing	2,933,239
State and private forestry cooperation	12,424,566
Watershed protection and flood prevention	22,912,146
Value of commodities (perishable food) donated through CCC	80,169,875
Special milk program	74,027,394
Removal of surplus agricultural commodities	126,533,000
Department of Commerce:	
Federal-aid highways (trust fund)	2,584,011,526
Other highways (forest and public lands highways, etc.)	29,885,618
State marine schools	332,489
Department of the Army: Lease of flood control lands [1]	1,471,951
Office of Civil and Defense Mobilization:	
Federal contributions	8,954,731
Research and development	2,482,883
Disaster relief	4,139,182
Department of Health, Education, and Welfare:	
American Printing House for the Blind	400,000
Office of Education:	
Colleges for agriculture and mechanic arts	5,051,506
Cooperative vocational education	38,353,195
School construction and survey	66,096,594
Maintenance and operation of schools	132,073,364
Library services	5,362,445
Defense educational activities, grants	43,958,119
Public Health Service:	
Venereal disease control	2,389,665
Tuberculosis control	3,994,970
General health assistance	16,608,581
Mental health activities	4,986,362
Cancer control	2,171,242
Heart disease control	2,075,219
Sanitary engineering activities	2,590,991
Construction, hospital and medical facilities	135,158,830
Construction, waste treatment works	36,429,071
Construction, health research facilities	8,037,907
Polio vaccination assistance program (net after refunds)	−474,081
Public assistance and welfare grants:	
Maternal and child health services	16,494,125
Services for crippled children	14,901,023
Child welfare services	11,833,298
Children with congenital heart disease	269,570
Grants for old-age assistance	1,135,174,372
Aid to dependent children	630,459,273
Aid to permanently and totally disabled	152,779,840
Aid to the blind	47,980,663
Office of Vocational Rehabilitation	45,372,699
Department of Interior:	
Federal aid in wildlife restoration, etc	19,846,074
Migratory bird and Alaska game laws [1]	601,742
Payments under Mineral Leasing Act [1]	32,984,963
Payments under certain special funds [1]	12,449,858
Bureau of Indian Affairs (education, welfare, etc.)	5,965,769
Department of Labor: Unemployment compensation and employment service administration	297,260,888
Federal Power Commission: Payments under Federal Power Act [1]	49,495
Housing and Home Finance Agency:	
Defense community facilities and services	157,429
Urban renewal program	75,536,633
Urban planning assistance	1,833,979
Annual contributions, public housing	110,848,837
Federal Aviation Agency: Federal airport program	56,577,625
Tennessee Valley Authority: Payments [1]	5,900,391
Veterans' Administration:	
State and territorial homes for disabled soldiers and sailors	6,244,063
State supervision of schools and training establishments	2,071,828
Miscellaneous grants [2]	62,380,666
Total, grants-in-aid to States	6,456,571,523

[1] Shared revenue program: State or locality received a portion of revenues derived from Federal activities within the State or locality, usually involving management and use of public lands.

[2] Includes such programs as refunds of internal revenue collections for Puerto Rico and Virgin Islands, Federal payment to District of Columbia, payments to certain territories, etc.

NOTE.—Expenditure figures from official sources, still subject to minor revision.

Mr. BYRD of Virginia. In addition to the 60 grants-in-aid programs for States and local units, the Treasury Department lists 30 programs through which direct Federal payments are made to individuals within States, and in fiscal year 1959 payments through these programs totaled $3.1 billion.

These direct Federal payment programs for individuals do not include most of the larger subsidy programs, such as Commodity Credit payments to farmers; and they exclude all of the contributory programs, such as the social security and other retirement systems.

In total, the Treasury Department lists 90 programs for payments to States, local units, and individuals through which Federal expenditures of more than $9.5 billion were made in the fiscal year 1959. Federal payments through all of these programs over the past 25 years have totaled nearly $105 billion.

I ask unanimous consent to have printed in the RECORD at this point a statement of annual expenditures through these programs for the years 1934 to 1959, inclusive.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Summary: Federal grants to States and local units, and payments to individuals, etc., within States, fiscal years 1934–59

Fiscal year	Federal grants to States and local units	Payments to individuals, etc., within States [1]	Total
1934	$126,141,214	$1,699,871,720	$1,826,012,928
1935	47,157,412	2,174,155,805	2,221,313,215
1936	303,737,278	1,868,123,811	2,171,861,091
1937	290,983,160	3,455,192,525	3,746,175,683
1938	472,318,450	2,479,750,173	2,952,068,623
1939	521,220,468	3,899,343,700	4,420,564,168
1940	644,773,229	3,277,517,183	3,922,290,412
1941	664,467,356	2,811,929,397	3,476,396,753
1942	704,707,207	2,520,929,180	3,225,636,388
1943	726,205,113	2,003,445,966	2,729,651,079
1944	736,852,326	1,025,258,607	1,762,110,933
1945	867,245,417	486,182,317	1,353,427,736
1946	845,183,487	444,923,698	1,290,107,183
1947	1,199,880,381	494,189,695	1,694,070,076
1948	1,594,670,003	3,956,384,043	5,551,054,046
1949	1,857,150,420	3,636,560,343	5,493,710,763
1950	2,234,699,542	3,287,321,201	5,522,020,743
1951	2,280,959,373	2,569,138,249	4,850,097,620
1952	2,364,527,544	1,876,630,658	4,241,158,202
1953	2,802,365,266	1,251,576,528	4,053,941,794
1954	3,004,989,428	1,279,391,094	4,284,380,522
1955	3,148,627,944	1,446,041,265	4,594,669,209
1956	3,462,980,727	1,689,154,920	5,152,135,647
1957	4,064,190,041	2,404,259,738	6,468,449,760
1958	4,932,371,579	2,488,398,320	7,420,769,899
1959 [2]	6,456,571,523	3,133,798,321	9,590,369,844
Total	46,354,975,888	57,659,468,457	104,014,444,320

[1] Exclusive of most of the larger subsidy programs, such as Commodity Credit payments to farmers; and all of the contributory programs, such as social security and other retirement systems.

[2] Preliminary, subject to minor revision.

NOTE.—Figures rounded; will not add precisely to totals.

Mr. MONRONEY. Mr. President, last night the Senate, by a tie vote of 44 to 44, rejected the Clark amendment providing for Federal aid to schools on the basis of $25 per child, in accordance with the formula provided for in the bill as reported from the committee.

I then attempted to find a middle ground, in view of the support which had been shown for the amendment of the Senator from South Dakota [Mr. CASE], which had proposed aid to teachers as well as to school construction, in the amount of $15 per child, which was defeated prior to the rejection of the Clark amendment.

Since many Republicans had supported the amendment proposing aid in the amount of $15 per child, and since the Senate divided equally on the Clark amendment, I offered a compromise amendment which would provide for Federal assistance to education figured on the basis of $20 per child.

Under the parliamentary situation then existing, I felt it would be better to first offer an amendment to provide the money and then to offer a second amendment to permit its use for teachers' salaries. The first amendment proposed a 4-year program of Federal assistance.

As a result of further discussion today, I found this proposal might be misunderstood, since we would not definitely specify in the same amendment, although it was intended to be done in a later amendment, that the money was to be for aid to teachers' salaries as well as for aid in school construction.

It is my pleasure now to yield to the distinguished Senator from Pennsylvania [Mr. CLARK], who will offer a substitute for my amendment, which I shall support as carrying out the purpose I had proposed to achieve in two separate amendments.

I am happy to yield to my colleague from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I thank the Senator for yielding.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

Mr. CLARK. Does the Senator from Illinois desire to have me yield?

Mr. DIRKSEN. For a parliamentary inquiry.

The PRESIDING OFFICER (Mr. JAVITS in the chair). Does the Senator from Pennsylvania yield to the Senator from Illinois so that he may propound a parliamentary inquiry?

Mr. CLARK. I do.

Mr. DIRKSEN. Mr. President, as I understand the parliamentary situation, when we adjourned last night the yeas and nays had been ordered on the Monroney amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. Is a substitute in order, in view of the order for the yeas and nays?

The PRESIDING OFFICER. An amendment in the nature of a substitute can be offered notwithstanding the order for the yeas and nays.

Mr. CLARK. Mr. President, I send to the desk, on behalf of myself and Senators MONRONEY, KENNEDY, SYMINGTON, HUMPHREY, CHURCH, YARBOROUGH, DODD, BYRD of West Virginia, HARTKE, LONG of Hawaii, KERR, FULBRIGHT, GORE, DOUGLAS, GRUENING, BARTLETT, MORSE, HENNINGS, MANSFIELD, RANDOLPH, YOUNG of Ohio, WILLIAMS of New Jersey, JACKSON, KEFAUVER, MCCARTHY, CARROLL, MCNAMARA, MAGNUSON, HART, MUSKIE, Moss, and MCGEE, an amendment in the nature of a substitute for the Monroney amendment, and ask that the clerk may read it.

The PRESIDING OFFICER. The amendment will be stated by the clerk.

The LEGISLATIVE CLERK. It is proposed, on page 9, to strike out lines 10 to 14, and insert in lieu thereof the following:

SEC. 4. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1960, and for the next fiscal year, an amount equal to $20 times a number equal to the school-age population of the United States, as defined in section 5(b)(4), for the purpose of making payments to State educational agencies to provide assistance in the construction of urgently needed public elementary and secondary school facilities in local communities and for teachers' salaries under this Act.

Mr. CLARK. Mr. President, it is only because of the parliamentary situation that I am the principal sponsor of the amendment. Had it been possible, under the rules, I would have been only too happy to support the amendment of my good friend from Oklahoma. It is only because of technical reasons that I offer the substitute amendment. I hope that when it is agreed to, as I think it will be, it will be known as the Monroney amendment.

If and when it shall be agreed to, I say, for the benefit of my colleagues, it will be necessary to propose a second amendment so as to incorporate certain technical language which was in the original Clark amendment, but which has now been changed to adopt it to the Monroney amendment.

We believe that the question whether teachers' salaries should be included in the pending bill, as I think they should be, can best be debated and determined on the basis of the substitute amendment.

I thank the Senator from Oklahoma for his courtesy.

Mr. MONRONEY. Mr. President, I wish to thank my distinguished colleague from Pennsylvania for his excellent work and fine draftsmanship in preparing this substitute amendment.

I feel certain that by getting a vote on this substitute we shall be able to get a clear-cut decision of the Senate on this issue. I think the amendment has been improved over the amendment which I offered last night, and meets some objection of Senators who questioned even the 4-year period.

As Senators know, the proposal of the Senator from Pennsylvania for $25 a child provided for Federal grants in perpetuity. Many Members of the Senate raised a question about that provision. In my amendment I reduced the term to 4 years. I am glad the Senator has provided for a 2-year commitment and authorization in the substitute amendment, which will give Congress control over the situation at the end of 2 years, when we can review the operations under it and can, if necessary, enact additional legislation to continue the program.

I thank my distinguished colleague from Pennsylvania for his efforts in this regard. I am happy that 33 cosponsors are supporting the substitute, which is on all fours with the proposal which we advocated in the amendment last night.

Mr. MUSKIE. Mr. President, I want to speak out to endorse the principle of Federal aid to education and specifically to endorse the amendment now before us which, in my judgment, is a practical step in the right direction.

In evaluating the problems faced by Americans in the field of education, there are three fundamental points to bear in mind. First, we are 1 country and not 50; second, it is true that our resources, our customs, our practices, and our economies vary—by States and by regions—and they should be reflected in our local and State affairs; third, however, as the economic and military power of our potential adversaries grows—as the world shrinks—as the time interval between peace and potential total destruction is reduced to minutes, it is clear that national objectives increase in importance, that national responsibilities grow and expand, that our national resources must be geared to an effective national effort because they are no longer so plentiful as to be excess to our national needs.

After all, we long ago accepted the principle that, in the interests of the community, a child's education should not depend upon the varying resources of each child's family. Long ago we accepted the principle that, in the interests of the State, a child's education should not depend upon the varying resources of the communities of the State.

Today we must recognize that, in the national interest, a child's education should not depend upon the varying resources of the 50 States. There are substantial resources for supporting Federal aid to education. Surely all of us are aware of the growing shortages all across the board—in many fields of special training—doctors, nurses, psychiatrists, teachers, scientists, and engineers. We need to develop to the maximum every young talent available anywhere in the land. The simple fact is that we are not, that there is a shameful waste and that this weakness will make us increasingly vulnerable in the face of the Soviet threat. Personally, I believe that our education gap is, in the long run, more serious than the so-called missile gap. It is brainpower which is the single, most important key to the long-range victory of freedom, democracy, and peace.

The question is, can the States do the job alone, and here the answer most surely must be no. In the period 1953 to 1958, all State and local governments increased expenditures for education from $9.4 billion to $15.9 billion—an increase of almost 60 percent. In my own State of Maine percentage increase is even greater. In the last 2 years, Maine ranked second among 48 States in increased effort, yet in per capita income Maine ranks in the lower three of the States.

This is not simply a Maine problem. It is not simply the problem of many States in a position comparable to Maine. It is a national problem and it begs for a national solution.

In closing, Mr. President, I have only one further thought to add and that is to remind my colleagues that there is one resource which has a greater potential in a free society than in a police state and that resource is the human mind.

Mr. MOSS. Mr. President, it is my earnest conviction that every American boy and girl, regardless of family economics, race, color, creed, or place of residence, should have an equal opportunity for an education. Only full equalization of the opportunity for a quality education can assure us that all our children will be groomed, during their formative years, for competent citizenship.

The quality of the education of our children is of concern to each and every adult in this country. Intelligence is a valuable national resource. Ignorance, no matter where it is found, is a national liability. It cannot be quarantined behind State boundaries. And even if it could—State boundaries are dissolving more each day as our population shifts and moves.

Education is too important—and the lack of it too manifestly affects our national way of life—to allow its standards to be set by the chance location of a mine, or an industry, or by the height that grain grows in a field.

But this is what is happening.

Former Senator Josh Lee, of Oklahoma, once summed up the Nation's educational dilemma when he said: "The money is where the kids ain't."

In other words, there is a vastly unequal distribution of children and of per capita income and other wealth among the States, and between areas within the States. A program of Federal grants-in-aid is the only method by which we can equalize this disparity.

When we add to this uneven distribution the fact that throughout the country most school districts where the most children are have bonded themselves to the statutory limit to build schools, we have in essence the case for Federal aid to education.

In my opinion, the bill S. 8 as reported by the Senate Labor and Public Welfare Committee, does not face up realistically to the challenge. I know that long hours of hearings and study went into the version which is before us, and it represents the best compromise which could be effected. I appreciate the position in which members of the committee found themselves, and I am grateful to them for bringing a bill to the floor for debate and consideration.

But, as I have said, I do not feel that the bill does the job which must be done. It gives school districts which have money—and in most cases districts where most of the children are not—an opportunity to split their school construction bills with the Federal Government. It does not give enough help to districts which are already bonded to the hilt, but still have children going to school in basements and barracks and 1880 school buildings. We need a Federal aid to education bill which fills in the gaps in State and local funds—not one which merely replaces them.

In this connection, it should be said that the most prominent opponent of educational equalization, the President

of the United States, does not answer these arguments. He simply ignores them.

In his state of the Union message to the Congress, he talks glibly of "Federal hypodermics," "crash programs," and the like.

His statement that he wants to aid education by other than "substitution of Federal dollars for State and local funds," indicates that he does not recognize the question of equalization at all.

We have never advocated the mere substitution of the Federal tax collector for the local one. Federal grants-in-aid are not designed to so substitute, but to equalize—to equalize two things—educational opportunity for the children and financial burden between the States.

Also, the measure before us is based on the fallacy that if the Federal Government helps build some new classrooms, the crisis in education will be met. It ignores the fact that there is an even greater need for money to help the schools recruit and hold competently trained teachers to instruct the Nation's children.

For this reason, I was a cosponsor of the teachers' salary amendment offered by the senior Senator from Pennsylvania [Mr. CLARK] which would allow each State to choose how it will divide its Federal allotment—what proportion is to go into gravely needed classrooms and what proportion is to go into what may be even more gravely needed—salaries for teachers. The amendment, in short, would have removed Federal strings on the money which will go to the States—placed more control in local hands.

Situations vary in States, and each State should be allowed to choose the type of assistance it needs most. My own State of Utah, for example, has made a greater effort than some other States to build enough classrooms for what we have always called our best crop, our children. Utah stood at the top of the list of States in the total of personal income payments devoted to capital outlay and interest payments for schools in 1957–58, the last year for which such information is available. We put 1.75 percent of our income into school construction, as compared to a national average of 0.97 percent.

On the other hand, we are having a difficult time in Utah to recruit new teachers. The average minimum teacher's salary in the State is $3,900. The average maximum is $5,513. It takes about 15 years to reach this maximum. The lowest beginning salary is $3,586 and the highest maximum is $6,564.

Because of our salary levels, we have a unique situation. Every year we graduate some 1,400 college students who are trained to teach. Only 40 percent of them ever go into Utah classrooms. The remainder leave Utah to teach in other States where starting salaries and possibilities of future advancement are greater. Every year, therefore, we are losing a large proportion of our young teachers who should be filling in at the bottom of the ladder and providing a firm foundation for our teaching force in future years.

I noticed a story in the Ogden Standard Examiner of December 7, 1959, which illustrates my point. It was announced that the keeper of the city dog pound would be paid an annual salary of $5,580. The average schoolteacher in Ogden receives $5,173. Now, no one loves dogs more than I, or wants stray pets which are picked up to be given better care, but it is an unfortunate commentary on the level of teachers' salaries when we pay those who care for our dogs $400 a year more than we pay those who care for our children.

I think there are few people who would quarrel with the idea that if the choice has to be made between a good teacher and a new classroom, the teacher would come first.

Mr. Allen M. West, executive secretary of the Utah Education Association, says:

> If I were given the unwilling choice of having an excellent, professional teacher, and a substandard classroom, or a shining, new classroom and a poor teacher, I would take the former combination without a second's hesitation.

I feel, therefore, that without the teachers' salary amendment, the bill fell far short of its objectives. This prohibition against Federal control, plus the increase of the authorization from $500 million a year to $25 per year per child, or $1.1 billion annually, made passage of the amendment most desirable. It is the only way we can be sure that Federal aid will go where it is most seriously wanted, and will be used for the most pressing and urgent need in the State or district.

Mr. President, since the Clark amendment was not agreed to, and its doom was sealed by the Vice President, I now support the perfected Monroney amendment. This is more modest in amount—$20 per school child per annum—and it is limited to a 2-year period. Otherwise it equalizes educational opportunity in the same manner as the Clark amendment.

I shall also support the Senator from Pennsylvania [Mr. CLARK] on his amendment to S. 8 to provide Federal loans for college and university classroom construction. The formula is the same as the one used for the highly successful college housing program. The money will be repaid with interest.

Our colleges and universities are already overcrowded. They are ill-prepared to withstand the even greater influx of students who will beat at their gates in the next few years. Statistics indicate colleges must be prepared to double their enrollments if talented young people are to be given an opportunity to develop their skills and brains. Surely this Nation has realized by now that we are in a race for intellectual leadership with the Soviet Union, and this calls for the education of many minds in many different fields. It seems self-evident that if we are to train the scientists and engineers we need, and also provide a vast reservoir of educated men and women who will be capable of leadership in the complex and formidable world of the future, we must not only provide college dormitories where they can sleep but also college classrooms where they can work and study.

Let me repeat—the amendment provides money for loans only, which will be repaid with interest. Surely an advance of Federal funds is not too much to do for hard-pressed colleges and universities faced with the challenging assignment of training tomorrow's intellectual and scientific leaders.

I hope this amendment will be agreed to, also.

Mr. President, if we are to have high quality education in the United States, if we are to compete with other nations of the world in our laboratories and classrooms, the Nation can no longer postpone the acceptance of a more active role by the Federal Government. It is unrealistic to believe that our school problems can be left entirely to the States and local communities for solution.

Some of the problems which are apparent in Utah are unique, and others are typical of those in other States. Utah has a high educational responsibility because we have a proportionately large number of children to be educated. Utah's birth rate is exceeded by that of only one State, New Mexico. Utah children have a higher than average record of daily attendance in school. They stay in school an average of 2.7 years longer than the children of the average State, and they attend public schools almost exclusively. We have 25.1 percent of our total population enrolled in public schools. Only two States, Georgia and Mississippi, exceed Utah in this respect.

The 1950 Census figures show that the median number of school years completed by Utahans 25 years of age and over is 12 years, as compared to a national average of 9.3 years. Also, Utah ranks first in the Nation with almost 50 percent of its population 25 years of age or older having completed 4 years of high school. The national average is 33.3 percent.

Only 2.06 percent of Utah students are enrolled in private or parochial schools, a percentage which is lower than that of all other States but Georgia, North Carolina, and South Carolina.

What all of this adds up to is that Utah has a very high educational responsibility which is assumed almost entirely by tax-supported schools.

At the same time, this responsibility must be met on a lower-than-average per capita income. In 1957 Utah personal income payments per capita were $1,694 as compared with a national average of $2,027. As I indicated earlier, Utah put 1.75 percent of its income into school construction in 1957–58, as compared to a national average of 0.97 percent. In addition, Utah devoted 5.51 percent of the total personal income all Utah citizens received in that year to the support of all programs of its public schools, in comparison to a national percentage of 3.8.

Despite the fact that Utah has made a great effort to support its schools, it is estimated that this year my State will spend $60 less for education for each boy and girl than will be spent for the average boy and girl in America. If there could be a better argument for equalization of educational opportunity through Federal grants-in-aid, I do not know what it could be.

The fact that 74 percent of our land in Utah belongs to the Federal Government, and is therefore not taxable for State and local purposes, provides another hurdle in raising enough money for our public schools. During the war and postwar years several Federal installations were located in Utah and took over privately owned farmland, which removed it from the tax rolls.

Much of the wealth produced in Utah is not taxable by the State, but the profits of corporations like the Kennecott Copper Corp. are distributed to stockholders in other States. Only the Federal Government is in a position to tax such wealth which is produced by interstate organizations.

The lone source of revenue available to local boards of education is from taxes on real estate. When ours was an agricultural society the assessed valuation of real estate was a fairly accurate measure of ability to pay. Since that time our society has become more complex. The assessed valuation no longer reflects an accurate measure of taxpaying ability.

As a former county official, I am only too well aware of the burden placed on real property, not only by education, but also by the inexorable demands of the other units of local government in an increasing population. The limit has about been reached.

In Utah the average property tax levy for all school purposes in 1946 was 19.42 mills in a typical Utah district. In November 1958, the typical levy for all school purposes in Utah was 34.32 mills—an increase of 77 percent. Utah's bonded indebtedness for schools has risen 386.1 percent since 1948, while the nationwide bonded indebtedness for schools has risen 334.5 percent since that time. By comparison our Federal Government debt rose only 11.9 percent during these same years.

In an effort to make the best possible use of every available State and local tax dollar, Utah has pioneered in setting up an efficient school organization. Since 1915, we have had only 40 school districts in a State with an area of 84,000 square miles. This high degree of consolidation has given the State one of the most efficient school district organizations in the country. Nevertheless, it is not realistic to believe that our boys and girls are receiving higher quality education than are the children in States which have $60 more per pupil to spend.

Moreover, in my opinion, no State is operating schools at the quality level our times demand. The time has come for the Federal Government to accept a larger share of the responsibility for financing our public schools. The times demand it and so do our citizens.

A public opinion poll made by a private research agency in Utah in 1956 revealed that the most important problem facing the people today is that of education. Nearly four times as many Utahans mentioned schools as mentioned any other area of concern. Sixty-eight percent of the people favored Federal support for education while only 24 percent opposed it.

We want and need Federal support for education without Federal control. We will get less Federal control if we adopt the amendment offered by the Senator from Oklahoma [Mr. MONRONEY], and we will provide more substantial support.

It is time that the academic debate over Federal aid to education ceased, and we got on with the job of providing the quality education for all our children which the defense of this country and the achievement of our national ideals demand.

Mr. MORTON. Mr. President, yesterday I addressed myself to the subject now before the Senate. I should like today merely to ask leave to have printed in the RECORD a brief article from the Washington Post of January 24 on this subject, and certain tables in which I have condensed the figures given in my remarks of yesterday.

There being no objection, the article and tables were ordered to be printed in the RECORD, as follows:

FABULOUS ACHIEVEMENTS RECORDED IN PAST DECADE

(By Louis Cassels)

The shortages and shortcomings of America's public school system have been getting a lot of attention lately.

Let's look, for a change, at some of the achievements of the past 10 years.

They are pretty fabulous.

No nation in the history of the world has expanded its public educational facilities as much and as fast.

During the 1949–50 school year, the public schools enrolled 25,185,436 students. Since then, they have absorbed an additional 11,214,266 students.

To house them, more than 600,000 new classrooms have been built.

To teach them, nearly 500,000 employees have been added to the instructional staff.

Although overlarge classes are still a serious problem, it is significant that the increase in instructional staff—51.3 percent—has been greater during the past decade than the increase in enrollment—44.5 percent.

It is also noteworthy that the huge expansion of teaching staff has not been accomplished at the sacrifice of quality. At the start of the decade, 1 teacher out of every 10 lacked full certification. Today only 1 out of 14 is working with temporary or substandard credentials.

One of the most dramatic gains has been in teachers' salaries. The average annual salary for the instructional staff in 1949–50 was $3,010. Today it is $5,160—an increase of 71 percent.

Part of this salary increase has been offset by inflation, of course. But even when salaries are adjusted to reflect changes in the living cost index, teachers have achieved a real gain in purchasing power of 39 percent during the past decade.

America's investment in public schools—while still far short of what most educational authorities consider necessary—increased enormously during the decade.

In the 1949–50 school year, the average current expenditure per student was $210.34 a year. During the current academic year, it is $369. That is an increase of 75 percent.

The total national outlay on public schools—counting capital expenditures for buildings—has nearly tripled. A decade ago, it was $5,802 billion a year. Now it is estimated at more than $15 billion a year.

TABLES

I. Public school expenditures, in billions of dollars and as a percentage of the Nation's gross national product, in selected years

School year	Billions of dollars	Percent of gross national product
1929–30	2.3	2.37
1939–40	2.3	2.45
1943–44	2.5	1.21
1945–46	2.9	1.44
1947–48	4.3	1.75
1949–50	5.8	2.21
1951–52	7.3	2.17
1953–54	9.1	2.51
1955–56	11.2	2.73
1957–58	13.1	2.99
1958–59	14.4	3.10

Source: "Paying for Better Schools," a statement on national policy by the Research and Policy Committee of the Committee for Economic Development.

II. Enrollment and teachers in the public schools, 1929–60

[In thousands]

School year	Enrollment	Instructional staff	Pupil-teacher ratio
1929–30	25,678	880	1:29.2
1949–50	25,111	962	1:26.1
1959–60	36,400	1,455	1:25.0
Increase, 1930–60	Percent +42	Percent +65	

Source: To 1950: U.S. Office of Education, "Statistics of State School Systems, 1955-56." 1959: National Education Association, "Estimates of School Statistics 1959-60."

III. Enrollment and certificated teachers in the public schools, 1953–54 and 1959–60

	School year		Increase (percent)
	1953–54	1959–60	
Instructional staff	1,098,320.0	1,455,335.0	+33
Less: teachers without full certificates	78,850.0	94,016.0	+19
Certificated staff	1,019,450.0	1,361,319.0	+34
Pupil enrollment	28,916,703.0	36,399,802.0	+26
Number of pupils per certificated teacher	28.4	26.7	

Source: Instructional staff; National Education Association, "Estimates of School Statistics, 1959–60."

IV. Classrooms and pupil enrollment in public schools, 1954 and 1959

	1954	1959	Increase (+) or decrease (−)
			Percent
Classrooms in use	983,000.0	1,279,000.0	+30
Pupil enrollment	30,045,000.0	35,990,000.0	+20
Pupils per classroom	30.6	28.1	−8

Source: U.S. Office of Education, "Long-Range Phase of the School Facilities Survey" (1954); "Survey" (1959).

V. Annual classroom construction, 1921–22 through 1959–60

School year	Classrooms constructed	School year	Classrooms constructed
1929–30	33,000	1947–48	16,000
1931–32	24,000	1948–49	25,000
1933–34	5,000	1949–50	36,000
1935–36	15,000	1950–51	44,000
1937–38	18,000	1951–52	48,000
1939–40	19,000	1952–53	50,000
1940–41	10,000	1953–54	55,000
1941–42	9,000	1954–55	60,000
1942–43	4,000	1955–56	63,300
1943–44	3,000	1956–57	68,700
1944–45	4,000	1957–58	72,100
1945–46	6,000	1958–59	70,000
1946–47	9,000	1959–60	62,700

Source: U.S. Office of Education.

Average annual classroom construction during Presidential terms, 1929–60

Hoover administration (1929–32)	29,600
Roosevelt administration (1933–44)	11,800
Truman administration (1945–52)	23,500
Eisenhower administration (1953–60)	62,725

VI. College degrees and college graduates prepared to teach, 1957–58 and 1968–69

	1957–58	1968–69 (projection)	Increase in percent
Bachelors' degrees	362,554	703,000	+94
Percent prepared to teach	31.6	31.6	
Number prepared to teach	114,411	222,000	+94

Source: Bachelors' degrees: U.S. Office of Education, "Projection of Earned Degrees to 1969–70," 1959.
Number of teachers prepared in 1957–58: National Education Association, "Teacher Supply and Demand in Public Schools, 1959," p. 12.

Increase in public-school enrollment from preceding year and graduation of new teachers, 1958–59 and 1969–70

	1958–59	1969–70	Index
Increase in school enrollment from preceding school year	1,220,000	657,000	53
Number of teachers graduated in year preceding the opening of the school year shown	114,411	222,000	194

Source: Increase in school enrollment from preceding year: Projections of the Office of Education as published in NEA, "Status and Trends" op. cit., p. 9.
Number of teachers graduated: See preceding table.

VII. Average annual increase in school-age population and public school enrollment, in 5-year periods, 1950–70

	Increase in—	
	School-age population (5–17 years)	Public-school enrollment
1950–55	1,322,000	987,000
1955–60	1,494,000	1,188,000
1960–65	Average of series I and series II projections	
	1,145,000	1,100,000
1965–70	645,000	603,000

Sources: U.S. Bureau of Census, "Current Population Reports," series P–25, No. 187.
National Education Association: "Status and Trends: Vital Statistics, Education, and Public Finance" (1959).
U.S. Office of Education release Aug. 30, 1959.

Mr. GORE. Mr. President, I wish to congratulate the able and distinguished junior Senator from Oklahoma [Mr. MONRONEY] upon his quick presentation of the pending amendment, after the unfortunate rejection by the Senate of the amendment offered yesterday by the senior Senator from Pennsylvania [Mr. CLARK].

An educated citizenry is one of the hallmarks of a democracy. Without an educated and informed citizenry the democratic form of government cannot and will not endure the stress and strain of a modern world. If the individual citizen is to continue to make meaningful choices between men and issues he must be well informed and well educated, more so day by day.

Indeed, if we are to survive the long-range struggle with world communism and its aggressive proponents, we must have more and better technicians, scientists, engineers, and citizens.

With the Soviet Union now rapidly industrializing and growing, and with Red China undertaking ambitious industrial and educational strides, we can no longer afford, as President Eisenhower said in his recent state of the Union message, to be complacent about the education of our youth.

Education has been recognized as a responsibility of government in this country since the very early days of English colonial development. As early as 1647, with the enactment of the so-called old deluder law in Massachusetts, we can see the beginnings of a public school system. During the colonial period some sort of school system grew up in every colony.

Our Federal Government has likewise always taken a hand and shown an interest in education. Even before the adoption of the Constitution, under the Articles of Confederation, the National Government—to the extent that it could be called a national government at that time—displayed a zeal in this field. The Land Ordinance Act of 1785, which established a system for serving the territory north of the Ohio River, provided that the 16th lot of each township should be reserved for the maintenance of public schools within the said territory.

In other words, the Federal Government proposed, even then, to donate the proceeds from the sale or use of 640 acres of land in each township to the local authorities for the promotion of local schools. This principle was carried over into subsequent ordinances and land laws as new territories were opened up.

The Federal Government expressed its interest in higher education in 1862, with the enactment of the Morrill act. This legislation has resulted in the donation of some 13 million acres of the public domain to the States for the establishment of mechanical and agricultural colleges. I am sure many of my colleagues received a part of their education, as I did, at one of these colleges, which include among their members some of our leading State universities.

The Federal Government has actually given direct aid to the public schools since 1917, as I pointed out yesterday, when the Smith-Hughes Vocational Education Act was enacted.

It appears to me that in this age of advanced technology and advanced requirements for citizenship it is imperative that the Federal Government assist the States in providing better educational opportunities for the country's children.

Some have objected to Federal aid to education on the ground of economic equity. It is said that tax revenues should not be taken from one State to assist another State in educating its children. This is not in accordance with the Thomas Jefferson theory. It does not comport with the democratic principle of taxation according to ability to pay. It does not comport with what I regard as a sound principle of democratic society, that is, to tax income where it is, to assist in providing educational opportunities to the children where they are.

The pending bill provides aid for the construction of classrooms. As has been pointed out, the tremendous expansion of our school age population requires additional classrooms. I concur in this view. I will not take the time of my colleagues to dwell on this point, important as it is. I am equally, and even more concerned with the plight of our teachers and the necessity for doing something to see to it that the quality of our teachers is maintained in the future and that our teachers shall once more enjoy the high status which they once enjoyed economically and otherwise in our American communities. Although there are many capable and dedicated teachers, as a rule the teaching profession is no longer attractive to the brightest, boldest, the most inquisitive, and the most imaginative youth of today. As I said, fortunately there are exceptions, but the exceptions are all too few.

Mr. President, the sentiments which I have expressed are entertained by others. I hold in my hand a study conducted by the Research and Policy Committee of the Committee for Economic Development. I have not heard this very learned study referred to in the course of the debate. It is indeed worthy of consideration. As my colleagues know, the Committee for Economic Development is composed of some of the outstanding men in the industrial, commercial, and professional life of America. I ask unanimous consent that the membership of the Research and Policy Committee be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

RESEARCH AND POLICY COMMITTEE

T. V. Houser, chairman, director, Sears, Roebuck & Co.

J. Cameron Thomson, vice chairman; retired chairman of the board, Northwest Bancorporation.

Frank Altschul, New York, N.Y.

Jervis J. Baab, New York, N.Y.

Elliott V. Bell, chairman of executive committee, McGraw-Hill Publishing Co., Inc.

William Benton, chairman of board, Encyclopaedia Britannica, Inc.

Joseph L. Block, chairman of board, Inland Steel Co.

Marvin Bower, managing director, McKinsey & Co., Inc.

W. Harold Brenton, president, Brenton Bros., Inc.

James F. Brownlee, chairman of board, Minute Maid Corp.

Thomas D. Cabot, president, Godfrey L. Cabot, Inc.

Walker L. Cisler, president, The Detroit Edison Co.

Paul F. Clark, chairman of board, John Hancock Mutual Life Insurance Co.

S. Bayard Colgate, New York, N.Y.

Emilio G. Collado, treasurer, Standard Oil Co. of New Jersey.

S. Sloan Colt, Bankers Trust Co.

Gardner Cowles, president, Des Moines Register & Tribune, and Cowles Magazines, Inc.

Donald K. David, vice chairman, the Ford Foundation.

Nathanael V. Davis, president, Aluminium, Ltd.

Edmund Fitzgerald, chairman of board, the Northwestern Mutual Life Insurance Co.

Marion B. Folsom, Eastman Kodak Co.

William C. Foster, vice president, Olin Mathieson Chemical Corp.

Fred C. Foy, chairman and president, Koppers Co., Inc.

H. J. Heinz II, chairman of board, H. J. Heinz Co.

Robert Heller, chairman, Robert Heller & Associates, Inc.

Frederick R. Kappel, president, American Telephone & Telegraph Co.

Meyer Kestnbaum, president, Hart, Schaffner & Marx.

Edwin H. Land, chairman and president, Polaroid Corp.

Ralph Lazarus, president, Federated Department Stores, Inc.

Thomas B. McCabe, president, Scott Paper Co.

George C. McGhee, McGhee Production Co.

Don G. Mitchell, president, General Telephone & Electronics Corp.

Alfred C. Neal, president, Committee for Economic Development.

Howard C. Petersen, president, Fidelity-Philadelphia Trust Co.

Philip D. Reed, chairman, Finance Committee, General Electric Co.

Beardsley Ruml, New York, N.Y.

George Russell, executive vice president, General Motors Corp.

Harry Scherman, chairman of board, Book-of-the-Month Club, Inc.

George F. Smith, president, Johnson & Johnson.

S. Abbott Smith, president, Thomas Strahan Co.

Kenneth A. Spencer, president, Spencer Chemical Co.

Allan Sproul, Kentfield, Calif.

William C. Stolk, president, American Can Co.

Frank L. Sulzberger, chairman of board, Enterprise Paint Manufacturing Co.

Wayne C. Taylor, Heathsville, Va.

Alan H. Temple, vice chairman, The First National City Bank of New York.

H. C. Turner, Jr., president, Turner Construction Co.

James E. Webb, president, Educational Services, Inc., Massachusetts Institute of Technology.

Frazar B. Wilde, president, Connecticut General Life Insurance Co.

Theodore O. Yntema, vice president, finance, Ford Motor Co.

Mr. GORE. Mr. President, I have asked that the names of the persons who serve on the research and policy committee be printed in the RECORD in order to identify the outstanding citizens who have submitted the report to the country. The title of the study is "Paying for Better Schools."

There is also a pamphlet containing a four-point recommendation. I ask unanimous consent that the four points be reproduced at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1. Mandatory action by the State governments is needed in most States, including almost all of the most populous States, to bring about immediate reorganization of small school districts into effective units of local government.

2. The State governments should assume a larger share of the financial burden of schools now borne by the local districts, and State funds should be distributed through foundation programs.

3. Financial grants of about $600 million annually should be made by the Federal Government to support public schools in those States where income per public-school child is substantially below the national average.

4. Better local, State, and Federal organization of citizens who appreciate the need for improved education is necessary for improvement of the schools in order to generate the energy necessary for results. Participation by businessmen, the report says, often can be especially helpful.

Mr. GORE. Mr. President, this report, which comprises approximately 100 pages, points to the national interest in an improved educational system. It graphically illustrates the needs of many States, particularly States which have the largest percentage of their population of school age. The report unhesitatingly recommends Federal aid to education. Let me read one quotation:

> The national interest in good schools everywhere and the national interest in a decentralized school system are not irreconcilable. The combination of these two interests calls for the assumption of an important but limited responsibility by the Federal Government. This is a residual responsibility. It is to provide support to the extent necessary in situations where the decentralized system cannot provide good schools, and this support should be reserved for cases where the deficiency is clear. The clear and present need is for Federal financial assistance to the States which have extremely low personal incomes relative to the number of schoolchildren.

This report, by leading industrialists and businessmen, should attract the attention of substantial citizens who, for reasons which I hope are misguided, are inclined to consider not too seriously the expressions of anguished concern by members of the teaching profession. It is my view that teachers have every reason to express anguished concern. Their concern is not entirely personal. Their concern is for the children of the country and for the future of their country. They have every right to be concerned personally, too, because the necessity of earning a living for themselves and their families is a pressing one for an overwhelming proportion of our teachers.

I respectfully and earnestly recommend to the Senate that it adopt the amendment offered by the junior Senator from Oklahoma [Mr. MONRONEY], with respect to which I have made an exception of my personal rule against cosponsorship by being a cosponsor of the amendment because of my deep feelings in the matter.

Mr. JACKSON. Mr. President, I rise to speak on behalf of the Monroney-Clark amendment to S. 8, of which I am a cosponsor. This is, frankly, the Clark amendment with an adjustment in terms of dollars and duration. It is not a compromise of principle. And if we do nothing else here today, we should establish the principle that teachers are at least as important as the classrooms in which our Nation's children are taught.

Simply building new classrooms is not enough. I have long held the view that a school, basically, is a teacher surrounded by pupils. A good physical environment for learning is important. But it is not nearly as important as having good teachers. I would rather have a well-paid, highly competent teacher at work in a quonset-hut school than a poor teacher in the best schoolhouse in America.

This is not to criticize the present level of teaching in America. It is to say, however, that we cannot depend on good teachers staying with the profession, indefinitely, simply out of dedication. More and more teachers will continue to drop out of teaching for better paying jobs, and fewer and fewer first-rate young people will enter the profession if we, as a Nation, do not face up to the economic facts of the schoolteacher's life.

Nor is this to say that we must sacrifice more and better classrooms for adequate teacher salaries, or vice versa. The Monroney-Clark amendment points the way, enabling each State to employ the resultant Federal funds where needed most, either for classrooms or teacher salaries. Local control is guaranteed.

Mr. President, the future of the world is being shaped in the classrooms of America and in the classrooms of the Soviet Union. Even if this were not so, there would be every argument for stepping up our educational effort. Because it is so, there is no time to lose in assuring our children the best education within the power of our Nation to give them.

This is a national problem, demanding a national solution. I have no sympathy for those who say, "Leave it to the States." The simple fact is that the States are not doing the full job, for a variety of reasons. Many school districts already are at the practical and/or legal limits of their ability to finance education. At the national level, however, we have the tax tools necessary to do the job, and to do it without impairing local control over education.

As the richest nation on earth, it is ludicrous to say that we cannot carry the financial burden of the Monroney-Clark amendment. Impressive statistics have been cited in earlier debate to show that we can carry the load. All that remains is for us to demonstrate the will to carry it.

We have a grand opportunity to pass today the kind of bill that will make all America proud of us, and that will make all America more proud of its schools. By passing the Monroney-Clark amendment we further will be keeping faith with the literally hundreds of thousands of schoolteachers whose devotion to the cause of better education entitles them to a greater share of the fruits of this, the world's most prosperous, economy.

It was unfortunate that the Clark amendment was defeated yesterday by one vote. We now have an opportunity to do the next best thing, and that is the adoption of the Monroney-Clark amendment.

Mr. GRUENING. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am glad to yield.

Mr. GRUENING. By whose one vote was the amendment to provide aid to schoolteachers defeated?

Mr. JACKSON. On the motion to reconsider the vote by which the Clark amendment was defeated, the Vice President cast the vote to break the tie of 44 to 44, and thus defeated the amendment.

Mr. GRUENING. I thank the Senator from Washington.

Mr. DIRKSEN. Mr. President, I ask the distinguished Senator from Oklahoma whether he knows of any other speakers on his amendment.

Mr. MONRONEY. No Senator has advised me that he wished to speak on these two amendments—my amendment and the amendment in the nature of a substitute. Perhaps some Senators would like to speak on the bill, and some Senators might come in after a short time and wish to speak on the amendments.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum. I should like it understood by the attendants of the Senate that this will be a live quorum. Following the quorum call, if there are no other Senators who wish to speak on this amendment, I expect to discuss the amendment briefly. Other things being equal, we should then be able to proceed to a vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Mansfield
Bartlett	Goldwater	Martin
Beall	Gore	Monroney
Bennett	Green	Morse
Bible	Gruening	Morton
Bridges	Hart	Moss
Brunsdale	Hartke	Mundt
Bush	Hayden	Muskie
Butler	Hennings	O'Mahoney
Byrd, Va.	Hickenlooper	Pastore
Byrd, W. Va.	Hill	Prouty
Cannon	Holland	Proxmire
Carlson	Hruska	Randolph
Carroll	Humphrey	Robertson
Case, N.J.	Jackson	Russell
Case, S. Dak.	Javits	Saltonstall
Chavez	Johnson, Tex.	Schoeppel
Church	Johnston, S.C.	Scott
Clark	Jordan	Smith
Cooper	Keating	Sparkman
Cotton	Kefauver	Stennis
Curtis	Kennedy	Talmadge
Dirksen	Kerr	Thurmond
Dodd	Kuchel	Wiley
Douglas	Lausche	Williams, N.J.
Dworshak	Long, Hawaii	Williams, Del.
Ellender	Long, La.	Yarborough
Engle	McCarthy	Young, N. Dak.
Ervin	McClellan	Young, Ohio
Fong	McNamara	
Frear	Magnuson	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of Senate Interstate and Foreign Commerce Committee.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). A quorum is present.

The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK] to the amendment of the Senator from Oklahoma [Mr. MONRONEY].

Mr. MANSFIELD. Mr. President, on this question I ask for the yeas and nays.

Mr. JAVITS. Mr. President, the request is for the ordering of the yeas and nays on the question of agreeing to the Clark amendment, is it not?

The PRESIDING OFFICER. Yes; the Clark amendment to the Monroney amendment.

Is there a sufficient second to the request for the yeas and nays?

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, last night, when the Senate adjourned, the pending question was on agreeing to the Monroney amendment. It proposed a change in the committee amendment or committee bill, to which we refer as the McNamara bill, by providing for the authorization of an amount equivalent to $20 per capita of the youngsters of school age, for a period of 4 years.

The committee amendment provides for a $500 million grant for 2 years. On the basis of the present school population of 36 million, which will increase perhaps 1 million each year, the authorization by means of the Monroney amendment probably would total approximately $3 billion for a period of 4 years.

When the Monroney amendment was discussed last night by the distinguished Senator from Oklahoma, he addressed his remarks almost entirely to teachers and the inclusion of teachers in the bill. He stated that the amendment had been very carefully drawn, and that some time had been devoted to it.

He said:

> I am for a school construction bill.

He also said:

> However, I also want the teaching to be first class. I do not believe it will do us any good to polish up the floors in the school buildings and then realize that we cannot attract the type of young people we want to have in the teaching profession—

And so forth. Then he said:

> This is the issue.

I think it was discovered this morning that, notwithstanding all the care and skill that had been devoted to the Monroney amendment last night, it did not include teachers at all. Yet they had the yeas and nays ordered. And had the effort been made to withdraw order for the yeas and nays, I would have objected, because I was referred to rather generously in a speech which was made and I was ready to draw the issue on that score. The amendment, of course, could have been withdrawn, but it would have required unanimous consent, and I would have objected. Moreover, I would have objected to a modification of the amendment, because if that was the issue, if the amendment had been carefully drawn, then I think the Senate was entitled to work its will on a very carefully drawn amendment.

However, a substitute was offered this morning by the senior Senator from Pennsylvania [Mr. CLARK] for the Monroney amendment, and that is the question on which Senators are going to vote. The substitute limits this program to 2 years, and the authorization is for $20 per child for a 2-year period. That will add up, in round figures, to about $1,500 million.

The last words in the Clark amendment are these: For the construction of elementary school facilities "and for teachers' salaries."

So it will be noted, Mr. President, that the issue now before the Senate is teachers' salaries. No teachers' salaries were mentioned in the bill as reported from the committee. If anybody has any doubt on that score, he need only to see the report which was submitted by the distinguished chairman of the Committee on Labor and Public Welfare [Mr. HILL], where there is defined, on page 17 of the report, the term "school facility" to include classrooms, related facilities, furniture, equipment, machinery, utilities, instructional material, audiovisual equipment, film, film strips, and reference works for school libraries. It also includes interest in land, including site, grading, and improvement. But the bill as reported by the committee says nothing about teachers.

If that is the issue, let us understand it squarely, and say that the Clark-Monroney substitute presently pending on the desk is for "construction and teachers' salaries."

So it can be seen that the amendment on which the vote was lost last night did not include teachers' salaries, even though the remarks were pointed to the question of salaries of teachers. The amendment did not touch that, because it was an amendment of Senate bill 8, and not of the Clark amendment that was previously on the desk.

Mr. President, I have no intention of laboring the matter. I only want the Senate to know on what it is voting. This amendment proposes to change the McNamara bill, which provides $1 billion for 2 years, and makes the authorization for $20 a head for 2 years, or, roughly, $1,500 million, including teachers' salaries.

That is as clearly as I can define the issue. The yeas and nays I think have been ordered on the substitute, and, Mr. President, in the absence of any Senator who wants to labor this matter, I am prepared to vote on the issue.

Mr. DODD. Mr. President, I do not wish to delay the Senate. I merely want to state my own views on the record.

I rise to speak in support of the pending amendment, the Monroney-Clark substitute, which would double the authorizations contained in the committee bill and which would permit these funds

to be used for teachers' salaries as well as school construction. The national need both for school construction and for more and better paid teachers makes the passage of the pending amendment imperative in the national interest.

In the past 60 years the number of American children in schools, from kindergarten to college, has increased from 17 million to 47 million. Meeting the needs in teachers, buildings, and equipment to make possible this increase has been a monumental achievement which stands to the credit of our local and State governments and of America's zeal in fostering education.

Yet, impressive as this performance has been, it has not been adequate to meet the needs of our increasing school-age population. The number of American children in overcrowded classrooms, the number going to school on half-day shifts, the prevalence of "soft" courses, the large number of teachers with substandard qualifications—all are visible proof of this.

Last year the Secretary of Health, Education, and Welfare estimated that the education of 10 million American children is today being impaired by classroom shortages alone.

Even considering these present inadequacies, there would be hope that local and State governments could adequately finance our national educational needs were it not for a new factor which has completely altered the dimensions of this problem.

Our birth rate has doubled since the 1930's and the percentage of American children going on to college has dramatically skyrocketed from 12 percent to 38 percent.

The results are simple to assess.

In the next 10 years, high school enrollments will increase more than 50 percent and the number of college applicants will almost double.

If our system of higher education is to accommodate all of the high school graduates who will seek admittance in the next 10 years, we will have to construct buildings equal to all of the college structures built in the past 200 years.

The bill for classroom construction for elementary, secondary, and higher education for the next 10 years will be at a minimum of $40 billion if we are to merely maintain present standards of education.

The coming shortage of teachers confronts us with a grim prospect indeed. One million five hundred thousand new teachers, more than the total number now in service, must be recruited in the next 10 years if the present inadequate ratio of teachers to pupils is to be maintained. This means that one-third of all the college graduates that America will produce in the next 10 years must go into teaching if we are to avoid serious collapse of our educational system.

Yet, present trends hold out little hope that this number of new teachers will be recruited. It is also a fact that the salary discrepancy between teachers and members of other professions is so great that not only are inadequate numbers attracted to teaching, but a large proportion of new teachers will be drawn, not from the ablest category of college students, but from the bottom half of the "ability spectrum."

Our needs in new teachers, therefore, are not only quantitative but qualitative.

If, for instance, the bulk of our able, young science students continue to go into commercial industry, if they continue to ignore the field of education, who will train our future scientists and what will be the future of a nation which depends upon scientific supremacy for its survival?

This year the American people spent $20 billion to maintain their system of schools, colleges, and universities. By 1970, merely to preserve present standards, we will have to spend $40 billion. Where will the money come from?

Our spending on education amounts to less than 5 percent of our gross national product. We are spending the same amount for liquor, tobacco, and cosmetics.

I do not believe that this ratio represents a true American estimate of values. I believe, rather, it gives indication of a serious defect in our system of raising revenue for education.

Forty percent of all State and local tax revenue goes into education. In the poorer States, this percentage is even higher. This means that a very high proportion of school costs is financed by real estate taxes and other types of taxation which are comparatively unresponsive to inflation or to increases in the national income.

Whereas the yield from Federal income taxes and corporation taxes climbs steadily as our economy grows, the yield from property taxes is more stable. While in the past decade we have been cutting Federal income tax rates and holding the line on corporate tax rates, local and State property tax rates have been climbing and climbing until they have reached the point where they ought not to and cannot go much higher.

Much is said of the importance of protecting the fiscal position of the Federal Government. But what of the fiscal condition of State and local governments?

Since 1946 the Federal debt has increased by 10 percent. But the indebtedness of the States has increased 500 percent and that of local governments by 200 percent.

I think it is fair to say that new revenue sources for local and State governments are relatively exhausted, as is the capacity of these governments to go further into debt to finance education.

Local and State governments can do more and will do more. But they cannot do enough.

If local government cannot meet the need and if the Federal Government will not meet it, what will happen to our educational system? And what will happen to our hopes for national leadership and for survival in the space age?

Is there a national stake in education sufficient to justify aid by the Federal Government? I do not think anyone doubts that there is.

There is a national interest in seeing that every American boy and girl has a fair chance for a decent education.

There is a national interest in seeing to it that our soldiers, sailors, marines, and airmen have the educational background and technical competence necessary to man the complex weapons of modern warfare.

There is a national interest in seeing to it that our enormously mobile population enjoys fairly uniform standards of education everywhere.

There is a national interest in American scientific and technological supremacy, which is dependent upon the education given to the 47 million students in our Nation's schools.

There is a national interest in protecting the solvency of our local and State governments, which are, in many cases, making heroic but unsuccessful efforts to meet the needs of education.

And where there is a national interest, there is also a Federal duty.

There are two methods by which the Federal Government can do its duty.

It can solve the financial crisis afflicting our educational system by direct programs of Federal grants and loans, or it can accomplish the same end through individual tax deductions for educational purposes and through remittance to the States of revenue derived from Federal taxes.

In some ways I find the second approach very attractive. I think we could work out a system under which the Federal Government could remit to the States some of the taxes which the people of those States pay in the form of telephone taxes, gasoline taxes, cigarette taxes, and others.

This manner of Federal assistance would avoid the establishment of any bureaucracy. It would give the States the resources to meet the problems which are their first responsibility. It would give life to the forgotten goals of decentralization and greater State responsibility. It would avoid any question of Federal control in the expenditure of these funds. It would prevent extraneous issues, such as segregation, from torpedoing Federal aid.

And a program of personal income tax deductions for the parents of college students, such as I introduced last year, or aid in the form of a tax credit for all teachers, would provide a way of assisting all education, public and private, without raising constitutional questions.

This approach suffers from a crippling defect, however. It could not be enacted at this time.

Any program based on tax revision would be subject to all the traditional procedures of the Congress. It must run the gantlet of the House Ways and Means Committee and the House Rules Committee before it can be taken up by the Senate with hope of success.

Tax revision is a long-range problem, and it therefore does not provide a means of facing up to the education problem this week and this year.

If this Federal aid program fails to pass Congress or to meet Presidential approval, we will have to start all over again. It might then be feasible to try the tax relief approach.

But the only hope for Federal aid to education this year lies through the program of direct Federal grants and loans, which we are now debating.

I was one of the cosponsors of the original Murray-Metcalf bill and I intend to vote for the pending committee bill, along with those amendments that will expand the bill to the dimensions of the original Murray-Metcalf bill.

I supported the original Clark amendment, and since it unfortunately was defeated last night, I will support the pending substitute, which would double the authorization and authorize States to use Federal aid either for school construction or for teachers' salaries, with each State retaining full freedom of choice as to the proportion it will devote to each purpose.

The Monroney-Clark substitute would provide $20 per pupil a year for 2 years. This amendment represents the last chance this year to get a real aid-to-education bill. Its defeat, in my judgment, would be a national disaster.

This legislation contains a strict prohibition against Federal control of education.

There are some who earnestly maintain that once a Federal program of aid to education is enacted, Federal control will inevitably follow.

This need not happen. It does not happen in the present bill. We cannot neglect the clear and concrete demands of the present because of our imagined fears of what might possibly happen in the future.

The time to make the fight against Federal control of education is when the issue presents itself. And that issue does not present itself today.

Neither the committee bill nor the teachers' salary amendment would provide any assistance for the Nation's system of private, nonprofit schools which are educating 15 percent of all American children. The national stake in the private schools of America is just as great as in the Nation's tax-supported schools.

These private schools are supported solely through the heavy sacrifices of the parents of the children who attend them, parents who are also paying their full share for the support of our public school system. Because of these private schools, the tax burden for public education is substantially reduced.

The private, nonprofit schools of America do not seek Federal grants. They do seek Federal assistance in the form of a federally sponsored program of long-term, low-interest loans for school construction.

I was pleased to join the Senator from Oregon [Mr. MORSE] and other Senators in cosponsoring an amendment which would provide such a loan program and which would provide a total authorization of not to exceed $75 million. This is a modest program. It is a worthy program. It is a just program. It is an essential program.

The needs of our colleges and universities are not dealt with in the pending legislation.

I hope we will have an opportunity this year to attack the critical problems faced by our colleges and universities.

We can do so through enlarging the present fellowship and loan program under the National Defense Education Act of 1958; through expanding the college housing loan program and enacting a college classroom loan program; and through a new plan of Federal scholarships for needy students.

This is the minimum Federal response that offers hope of an educational system worthy of our traditions, of our resources, and of our national mission.

The question before the Senate today poses a critical test of our sense of national purpose and of our dedication to the Jeffersonian ideal of a great and free society founded upon an enlightened and educated people.

My voice and my vote are on the side of those who seek, through Federal action, the goal of an adequate education for every American boy and girl.

Mr. KEATING. Mr. President, I cannot support the amendment which has been offered by my distinguished colleagues from Pennsylvania and Oklahoma, although I regard it as a sincere attempt to reach a compromise on the problem before us. It is a reasoned effort to solve the challenges which now confront American education. I shall vote against the amendment, however, for the reason that in my judgment it is drafted in such a way as not to be equitable to all the States of the Union.

I am naturally, and very properly, I believe, concerned regarding the State of New York. Under the proposal and the formula which have been advanced, certainly New York State will get very much the short end of the stick.

I am mindful of the fact that the problem of education is nationwide and in some respects, in my judgment, it must be met with a national response. I am very concerned about the shortage of classrooms, although some progress has been made in that field. I am also alarmed about the low salaries now paid to teachers all across the country. I recognize that to an extent national answers are needed for the challenges which confront our educational system. This is in keeping with our Federal system of government.

I supported the amendment offered by my distinguished colleague from Kentucky [Mr. COOPER] and my distinguished colleague from New York [Mr. JAVITS]. I felt that was a constructive approach to the problem before us. I am not opposed to all forms of Federal aid to education. I shall support the administration's proposal. I would probably be willing to go even somewhat beyond that, because I believe very deeply that steps must be taken to strengthen many phases of our educational system.

Much has been said about the attitude of one of the most constructive statesmen who ever served in this body, the late Senator Taft, and about his position on Federal aid to education. At the time when the late Senator Taft said what he did and was in the forefront of the fight, I agreed substantially with the position which he took. He was pointing out the need for Federal aid to education in certain parts of the country where the school districts themselves were not able to do their jobs despite the fact that they were contributing to education a fair share in comparison with what other States and other districts were doing. That situation, not entirely but to a very large extent, has been remedied, except in certain areas.

I pick out two States as an illustration, not for any purpose other than to compliment them. The States of Texas and Georgia, for instance, have made great economic progress since the days when the late Senator Taft advanced his arguments. The arguments which he advanced at that time are today not applicable in the same way they were applicable when they were advanced by our distinguished former colleague. It is my judgment that if this great statesman were sitting in the Senate Chamber today, he would, as he always did, face the situation presented at the time, and he would modify the views which he previously expressed.

Therefore, Mr. President, great as our respect must be and should be for the late Senator Taft, we certainly cannot be guided today by what he may have advanced in regard to this field over 10 years ago.

Now, Mr. President, the Federal system never contemplated, in my judgment, such a disproportionate weighting of the burdens of programs as is envisaged in the so-called Monroney-Clark amendment. I simply wish to give a few figures, Mr. President, to illustrate what I am talking about.

The Monroney-Clark amendment, as it has been explained to us, proposes to substitute $20 for the $25 per pupil figure of the original Clark amendment, which we voted on yesterday. Thus the total cost would be some 20 percent less per annum than that envisioned by the first Clark amendment. In addition, of course, the pending amendment is limited to 2 years instead of having the open-end approach of the original Clark amendment, and includes teachers' salaries.

According to my figures, which have been derived from the green sheets which have been distributed to us, the total amount which would have been authorized by the original Clark amendment would have been approximately $1.1 billion the first year, with a gradually increasing amount each succeeding year.

Transcribing these statistics in terms of the amendment we have before us, we must reduce the figures, as suggested by the Senator from Oklahoma, by 20 percent. This would give us a reduction in the total cost, under the Monroney-Clark proposal, of approximately $230 million. According to my mathematics, we would reduce the total cost of $1.1 billion by $230 million, which would leave approximately $870 million as the cost of the proposal of the distinguished Senator from Oklahoma.

I understand the figures from the original Clark amendment may not be exactly the same with regard to the allocation to States under the amendment before us, but the comparisons I am

about to make are nevertheless roughly analogous.

Transcribing these figures in terms of individual States, we would therefore reduce the amount which each State would receive under the program by approximately 20 percent. Under the amendment New York State would receive four-fifths of $55,879,000, or $44,703,000. Texas would receive four-fifths of $78,321,000, or $62,657,000. Oklahoma would receive four-fifths of $16,718,000 or approximately $13,374,000. Tennessee, to use another example, would receive four-fifths of $31,603,000, or $25,282,000.

Mr. President, in my view the significant aspect of these figures is their relationship to the total contribution which each State would make to the cost of operating this program of Federal aid to education. A comparison of the amount which many States would put into the program with relation to what the States would get from the program will show why I, in my feelings as a Senator from New York, cannot support the proposal.

I reiterate my recognition that there must be a balancing of interests in this matter. I reiterate that I am not opposed to Federal aid to education, because I understand the gravity of the school problem. But the figures which I now point out, Mr. President, are, in my opinion, startling, and they show a disproportionate and unfair burden on some States according to the formula prescribed by the proposal before us.

I do not understand the formula in the respect that it gives some weight to the wealth or per capita income in the States. I do not know exactly how that is arrived at, but the result certainly seems to me to be unfair and distorted.

My statistics are based on the percentages which the States pay of the total Federal Internal Revenue collections, and they come from data supplied by the Department of the Treasury for the fiscal year ending June 30, 1958.

New York State would pay 19.2 percent of the total amount to be appropriated under the Monroney-Clark amendment, or $167,040,000, and would receive only $44,703,000.

In other words, New York State would put up $4 for every dollar it would get out of the program.

Let us take a comparative State, the State of Texas. Again I do not wish to be charged with picking out any particular State. I select Texas because this happens to be a program in which that great State would share to a far greater extent than any other State of the Union. I do not know how it is done, but that is a fact.

Under this program, as reduced, Texas would pay 3.4 percent of the total, or $29,580,000, and would receive $62,657,000. So Texas would take out, roughly, $2 for every dollar it put in.

I repeat New York State would pay in $4 to get $1. The State of Texas would pay in 50 cents to get $1.

Oklahoma would pay 1.02 percent of the total, or $8,874,000 and would receive $13,374,000, roughly.

Tennessee would pay 0.78 percent of the total, or $6,786,000, and receive $25,282,000. That is roughly the reverse of the situation with respect to the State of New York. Tennessee would take out $4 for every $1 it put in.

The State of Pennsylvania would not suffer so badly as would New York, but it would pay 7.3 percent of the total, or $63,162,000, and receive $47,725,000.

The little State of Delaware is the only one that is in a worse condition, under these figures, than the State of New York. It would pay 0.98 of the total, or $8,526,000 and receive only $1,282,000. In other words, the State of Delaware would put in roughly $6 for every dollar it took out. It is the champion short-end-of-the-stick-er.

Because of the presence in the chair of our distinguished colleague from Ohio [Mr. LAUSCHE], I point out the figures in the case of Ohio. I think this should be done, in all fairness, for all States. Ohio would receive, roughly, $42,960,000 and would pay in Federal taxes 6.7 percent of the total, or $58,290,000.

Mr. President, I can understand perfectly well why a Senator from Texas, or why our distinguished colleague from Oklahoma [Mr. MONRONEY], or the Senator from Tennessee [Mr. GORE], might figure that this is a pretty good deal. I do not enjoy being charged with parochialism. I know that will be the answer made—that we are a great nation and we must stand together; that we give aid abroad, and we therefore should give aid to American school districts which need it.

There is some merit in that argument. I have supported, and will support, sound and constructive programs for Federal participation in and assistance to the education of our youth, than which there is nothing more important. This particular proposal, however, goes too far in the other direction, and I shall have to oppose it.

Mr. CASE of South Dakota. Mr. President, South Dakota stands 45th among the States in teacher pay. I am not proud of that. Yet when I look at my tax receipts I find that the taxes on a house of less cash value in South Dakota are higher than on a house of similar size in the District of Columbia. I find, on looking at my tax receipts on personal and real property, that more than 50 percent of the revenue on property in every school district in my home county goes for school purposes. We are not stingy on a proportionate basis.

Moreover, the State of South Dakota collects sales taxes on all groceries, all clothing, all gasoline, all cigarettes, all hardware, all lumber, all repair services, all drugs, and all medicines sold in the State. From these tax receipts the State of South Dakota returns to the school districts more than $2½ million a year, plus a division of the income from lands endowed for the common schools and State schools when the State was formed. Yet our teachers apparently do not receive salaries competitive with those received for work in other fields, or with the salaries received by teachers in most of the other States. Why?

The time was when business in South Dakota was largely home owned. Most of the grocery stores, hardware stores, service stations, elevators, and banks were family owned, and subject to the taxes which follow complete local ownership. Today that is no longer true. Red Owl, Safeway, and other stores of corporate ownership sell most of the groceries. The local butcher shops are gone.

A few home-owned neighborhood stores remain, but not many. Only last month a landmark passed in my home town when a combination hardware and furniture store that had been in one family for 90 years closed its doors, bowing out before the competition of chain-stores. Corporate ownership of telephones has largely replaced independents. I could go on.

Where are ownership profits taxed today? Largely not in South Dakota. Oh, yes, these corporate-owned enterprises pay personal property taxes on their stocks of goods and real estate taxes if they own the buildings they occupy, but the taxes on corporate incomes earned in South Dakota are not paid in South Dakota. We have no State income tax. We tried that. We also tried the gross income tax, but neither produced enough revenue, or they worked unfairly, and we went to the sales tax, a user tax, on everything, paid by everybody, paid by rich and poor alike. Paid by whites; paid by Indians.

The incomes earned by Red Owl and Safeway, Chrysler and General Motors, Standard Oil and Texaco, International Harvester and John Deere, Northwestern Bell Telephone and Western Union are taxed where? Where are the taxes on their ownership income paid? At the home office of the corporations. They are credited to the State in which their home offices are located.

My colleague from New York [Mr. KEATING] has just described Delaware as the champion short-stick holder on the ground that it would pay the highest percentage of tax in relation to what it would get under the pending proposal. If so, Mr. President, that is because Delaware is the champion home State of corporations organized in this country. It is not the people of Delaware who would pay the proportionate cost with which Delaware would be charged or credited under the amendment now pending. It would be paid principally by the people in the several other 49 States of the Union who provide the business for the corporations chartered in Delaware.

The citizens of New York are not going to pay all the money my friend from New York worries about. The people of the other 49 States of the Union, who provide the business for the corporations having their home offices in the State of New York, will be putting up a great part of the money which will be credited to that State. The same is true for corporations organized in the District of Columbia and Michigan and Pennsylvania and Illinois.

Certainly, people may declaim against Federal aid to education; but I ask this question: Unless the Federal Government returns some of the taxes it collects on the incomes of corporations operating in South Dakota and similarly situated States, how will the profits of ownership make a fair contribution to the schooling of the children whose

families provide their business in South Dakota and in other States?

I repeat that question:

Unless the Federal Government returns some of the taxes it collects on the income of corporations operating in South Dakota, how will the profits of ownership make a fair contribution to the schooling of the children whose families provide the business for the corporations in South Dakota and make possible their corporate profit?

Does the Federal Government really want to drive the States into enacting tax laws that will force out-of-State corporations to divide up their income and subject their earnings to the 50 diverse rates which the States could employ?

Last summer we had under debate on the floor of the Senate legislation proposed to deal with the situation created by a Supreme Court decision, which said that a State could levy an income tax on corporations doing business within its borders.

I was not enthusiastic about the inviting door which that proposal offered. I talked to the Citizens Tax Committee of my State named by the Governor last year. They asked me about it when I went home last fall. Some of them said that perhaps a State corporation tax was the answer. But, Mr. President, is it really for the good of the United States that the several States should start to levy corporate income taxes with the diverse rates which would apply if one State applied one rate and another State applied another rate on the proportion of the business the corporations did in the respective States?

What kind of burden would we put on corporations if they had to classify the business they did in North Dakota, in South Dakota, in West Virginia, and in Kansas, and were subjected to the varying rates levied and records required in a variety of State corporate taxes?

Legislatures may be forced to do that in the several States unless the Federal Government finds some way to return to the States a fair share of the tax on the corporate income earned in the States.

In my State, even in the processing of our major production—agriculture and livestock—out-of-State corporate ownership has largely taken over. It is true that Morrel and Armour and Swift have packing plants in South Dakota and have payrolls which we appreciate. However, their corporate income tax is not paid in or credited to South Dakota.

Mr. President, I am reluctant to add anything to the burden on the Federal Treasury. Last year I was one of four Senators who voted against the bill to establish a health insurance program for Federal employees. A bulletin recently issued by the Federation of Federal Employees reminded its members that the junior Senator from South Dakota was one of four Senators who voted against it. It was not that I could see no merit in health insurance. But I did not think we should put the additional burden on the Federal Government of starting such a program for the benefit of one select group of workers.

A year or two earlier I cast the only recorded vote, as I believe the RECORD will show, against a Federal housing bill. I thought it was too big. I study requests for defense funds to try to eliminate any fat in them. Time after time I have cast votes unpopular with this group or that.

A vote for the pending amendment may not be pleasing to some of my personal friends; but in a government which rests upon the quality of its participating citizens, I feel compelled to vote to provide some support for the schools on which we rely to give our children the educational opportunity they need to meet the challenge of the world in which they will carry on for us. That means adequately paid teachers perhaps even more than classrooms.

So I shall vote for the pending amendment, which is, in effect, a modified form of the Clark amendment, and modified, I think, in part by the effort which I made last evening in offering my amendment to reduce the $25 per student figure to $15. In the pending amendment the authorizing figure is put at $20.

WEST VIRGINIA IS WEALTH PRODUCING STATE

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. RANDOLPH. The Senator from South Dakota brings to the attention of his colleagues a compelling argument in favor of the pending amendment.

I shall not delay the vote except to say that when the Senator spoke of out-of-State corporations which reap their profits in States in which they are not incorporated, that West Virginia serves as a classic example. Over the years we have had the wealth from our hills and valleys literally pulled out by corporations incorporated in other States.

These job creating and revenue producing plants and mines have contributed to the economy of our area, and I am appreciative of this fact. I note, however, that West Virginia's payments of taxes to the Federal Government have not been credited to the State in which vital income is produced for these organizations. I believe the validity with which the Senator from South Dakota has argued will be a determining factor in bringing about at least a more favorable climate for our approval of the pending amendment, which I am advocating and cosponsoring.

Mr. CASE of South Dakota. I thank the Senator from West Virginia but I never flatter myself that any speech I may make has any influence on the votes to be cast. However, trying to be fair to the children of my State and other States, I wanted to say that I believe they are entitled to have a part of their education provided for by the corporations which operate there.

Mr. GOLDWATER. Mr. President, I shall not take long. I wish to point out, however, that what started out to be a Federal aid to education bill for the purpose of constructing, as the proponents claim, much needed classrooms, is now assuming the role of being a salary for teachers bill.

There was nothing in the original bill which was reported by the committee that called for Federal aid to teachers. In fact, if I recall correctly, that was one of the reasons why the McNamara bill was substituted for the Metcalf bill which came to the Senate from the House.

Absolutely no need has been shown for doing what we are being asked to do. I placed in the RECORD yesterday, as a part of my remarks, a table which shows that in the period from 1929 through 1958 teachers had an increase in pay in actual dollars of 103 percent, while during the same period all persons working for wages and salaries had an increase of 83 percent. For the same period the civilian employees of the Federal Government had an increase of 69 percent.

A person who argues that teachers have been on the short end of increases in this country has no ground on which to stand.

I agreed last night that salaries certainly have some relationship to teacher's leaving their jobs and taking employment somewhere else. We might assume, if we listened only to the proponents of the pay-for-teachers proposal that teachers are leaving the profession in such profuse numbers that it is becoming a national problem.

I put other tables in the RECORD last night, a review of which I believe will show that we have gained in the instructional staff every year from 1949–50 up through 1956–57. Figures are not available for 1958, but I am certain they would bear out my statement. From 1949–50 to 1956–57 the instructional staff increased from 963,174 in 1949–50, to 1,276,154 in 1956–57.

The number of emergency teachers has decreased from 95,146 in 1949–50 to 86,616 in 1956–57.

The certificated staff has increased from 867,028 in 1949–50 to 1,189,538 in 1956–57. The source of these figures is the National Education Association, the organization which has been most active in urging that the Federal Government should pay our teachers.

If that does not convince my colleagues, let me refer to another table which I inserted in the RECORD last night. It is found at page 1926 of the RECORD. The table is entitled "Enrollment and Teachers in the Public Schools, 1900 to 1960." From 1900, when we had an enrollment of children of 15,503,000, to 1960, when we have enrollment of 35,990,000 students, there is shown an increase of 132 percent. We have matching figures for the instructional staff. In 1930, the figure was 436,000. In 1960 it is 1,455,335, or an increase of 234 percent. In other words, from 1900 to 1960, we had an increase in enrollments in our schools of 132 percent, and at the same time we had an increase in the instructional staff of 234 percent.

How does that reflect itself in the classroom population? Back in 1900 the average number of pupils per teacher was 35.6. In 1960, that figure had dropped to 24.7. The other morning, at the leadership meeting at the White House, when Dr. Flemming was asked what was the ideal population of a classroom, he said, if my memory serves

me correctly, "I believe it to be around 30." His figures show that the population of the classroom today averages about 28. But the figure I have here, which came from the Office of Education statistical summary of education, is 24.7.

No demonstrable need has been shown for Federal aid in connection with the pay of teachers. I make the same argument I made last night, namely, that this is something which must be taken care of at the local level.

A few months ago I heard the distinguished Senator from South Dakota [Mr. CASE] explain the troubles which his State has. I say to Senators that we will not meet this problem at the local level by displaying fear. If the State of South Dakota is not willing to enact income taxes on individuals and corporations, either because experience has shown that they will not work, or through fear that the State may lose some of the corporations which the Senator now so roundly condemns, I can only refer to the experience of my State. I do not like to keep harking back to my State. We tax everyone. Arizona imposes a sales tax, an income tax, and a corporate tax. Sears, Roebuck, General Motors, Ford—all the big corporations pay their share of the taxes in Arizona. I think that is one of the reasons why we have been able to develop the third best school system in the country. Yet Arizona is a State which stands 29th in the ranking of wealth in America.

So I say to Senators that if they want to solve this problem, it must be done at the local level. Do not let the Federal Government get its finger into the pay of teachers, because then it will not be long before the Federal Government will have complete control of them. If that happens, then why not have the Federal Government contribute to the pay of policemen, firemen, the county board of supervisors, and the city council? It could follow just as logically.

Mr. President, I shall have to vote against this amendment, not because I am basically opposed to Federal aid to education; but the adoption of this amendment would be, in my opinion, a very, very dangerous step, a step which could lead to the destruction of our entire educational system.

Mr. JAVITS. Mr. President, because I intend to support the amendment, I feel I should state my reasons for so doing.

It is trite to say that I come from the largest State in the United States, the State which pays the most taxes, as my colleague from New York [Mr. KEATING] has so eloquently explained, and there naturally is a basic tug in that respect which is not at all parochial. I do not think either he or I have to be self-conscious about that. It is a question of judgment as to where the line breaks.

We are not here discussing a theory, but an actuality. A school construction bill providing half a billion dollars is before us. The question is whether it shall go just a little way further in order to meet the additional need, without too materially increasing the amounts which are involved.

Also, let it be noted that many of us on this side of the aisle voted for the Case of South Dakota amendment, which fixed a figure of $15. We are now asked to fix a figure of $20, which is a compromise figure as between that which was rejected last night—and which I joined in rejecting, and quite rightly, in my opinion—and that which I think the Senate was unwise to reject in the amendment of the Senator from South Dakota [Mr. CASE].

The question of big States paying large taxes which are utilized in States which do not have that kind of per capita tax-paying capability is a very old question, one which has been discussed many times, and which we all understand. The Army, Navy, and Air Force, upon which we spend some $40 billion a year, protect the 17 million people of the State of New York more than they do the 1 or 2 million people who live in many other States; and so on, ad infinitum, including the general educational and cultural level of the United States.

I should like to base my position on what is, in my view, a far more important ground than that. I do not believe any education bill which is passed now, and which is worthy of its salt, is anything less than or more than a national defense education bill. Whether we seek to exorcise matching from our minds or not, the fact is that we stand in the shadow of the greatest and grimmest struggle ever known to man, the struggle between free institutions and enslavement. Education is a critical element in that struggle. There is no question whatever about that in my mind. In this struggle, as I am convinced it will last not 5, 10, or 15 years, but perhaps 50 years, elementary and secondary school education will be just as critical as will be higher education. Therefore, because the educational system of the country manifestly needs buttressing, and because we simply have not the time to stand around and wait until local initiative or local sacrifice may or may not bring about the desired result, we have to give some incentive to see it brought about in time, at some point where such action becomes reasonable, and I believe it becomes reasonable at this point in our progress to join in that effort.

It has been properly said that the assistance to schools is composed both of school construction and of teachers' salaries. We all know, also, that if we passed solely a school construction bill, we could expect one of its peripheral effects to be in many different States and communities, the paying of some of the salaries of teachers.

In the pending proposal we face the issue directly. We provide a little incentive, in that we give certain consideration to the States and say, "We want you to raise the salaries of teachers, because this is a matching bill." Let us not forget that. No matter how low the matching goes—even down to one-third—it is still a matching bill. So nothing can be done, whether it be for school construction or for teachers' salaries, until there is matching.

On the overall financial requirement which is here involved, I am not unmindful of the fact that we will be asked to vote some money for higher education, which is also a very critical element in this situation. I am not unmindful of the fact that we may conceivably have to vote more money for this purpose than is scheduled in the budget. However, I hope and pray we will not have to. We may have to do it, and if so, none of us will shrink from his obligation. All the obligations have to be evaluated.

For that reason, because I think my State should hold to some kind of reasonable level, the extent to which it benefits other States, and because I believe we are going to have many other expenses in addition to the one arising under the bill, I voted last night against the amendment of the distinguished Senator from Pennsylvania. But I feel that we are now getting down to a question of principle. In the final analysis, do we or do we not want an education bill which will fill these two crying needs? I think all of us can agree that it has been demonstrated that there are crying needs. Second, do we believe the expense, by now, is within some reasonable compass, and that considering the financial condition and the taxing power of the United States, we can absorb it? I think we are not exactly at that point. I preferred the amendment of the Senator from South Dakota [Mr. CASE], and I think we are so near that point that, for my part, I intend to vote in favor of the amendment of the Senator from Pennsylvania [Mr. CLARK].

This is a very narrow question, when we come to consider a State like mine. It is completely understandable, and I could justify completely to my constituents, including the schoolteachers of my State, a vote the other way. I respect completely the evaluation which might induce one to take either position. For myself, I have concluded that I must take the affirmative position. But I emphasize what I think is important, that all of us from the large States must reserve the right to compare what our States give with what they receive overall in all kinds of benefits. My State will be giving up tangible benefits in terms of the educational system of the country. But I emphasize again that this is no augury of what I may do in the case of some other measure on another day with respect to this or any other subject. Each of these matters must stand on its own base as a question of judgment. In this case I believe the preponderance of judgment is in favor of voting for the amendment.

Mr. MONRONEY. Mr. President, I know of no further request for time for debate on the pending amendment to my amendment. Therefore, I suggest that the vote now be taken on the Clark amendment to my amendment.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK] to the amendment of the Senator from Oklahoma [Mr. MONRONEY]. On this question, the yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, I ask that the pending amendment to the

Monroney amendment be read at this time.

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be read.

The LEGISLATIVE CLERK. On page 9, it is proposed to strike out lines 10 to 14, and to insert the following:

SEC. 4. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1960, and for the next fiscal year, an amount equal to $20 times a number equal to the school-age population of the United States, as defined in section 5(b)(4), for the purpose of making payments to State educational agencies to provide assistance in the construction of urgently needed public elementary and secondary school facilities in local communities and for teachers' salaries under this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK] to the amendment of the Senator from Oklahoma [Mr. MONRONEY]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina (when his name was called). On this vote, I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If the junior Senator from Missouri [Mr. SYMINGTON] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Montana would vote "yea."

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is detained at a meeting of the Committee on Aeronautical and Space Sciences, and on this vote is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Colorado would vote "nay."

The result was announced—yeas 54, nays 35, as follows:

YEAS—54

Aiken	Gore	McNamara
Bartlett	Green	Magnuson
Bible	Gruening	Mansfield
Byrd, W. Va.	Hart	Martin
Cannon	Hartke	Monroney
Carroll	Hayden	Morse
Case, S. Dak.	Hennings	Moss
Chavez	Hill	Mundt
Church	Humphrey	Muskie
Clark	Jackson	O'Mahoney
Cooper	Javits	Pastore
Dodd	Johnson, Tex.	Proxmire
Douglas	Jordan	Randolph
Engle	Kefauver	Smith
Ervin	Kennedy	Sparkman
Fong	Kerr	Williams, N.J.
Frear	Long, Hawaii	Yarborough
Fulbright	McCarthy	Young, Ohio

NAYS—35

Beall	Dworshak	Prouty
Bennett	Ellender	Robertson
Bridges	Goldwater	Russell
Brunsdale	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Hruska	Scott
Byrd, Va.	Keating	Stennis
Carlson	Kuchel	Talmadge
Case, N.J.	Lausche	Thurmond
Cotton	Long, La.	Williams, Del.
Curtis	McClellan	Young, N. Dak.
Dirksen	Morton	

NOT VOTING—11

Allott	Johnston, S.C.	Smathers
Anderson	McGee	Symington
Capehart	Murray	Wiley
Eastland	Neuberger	

So the amendment offered by Mr. CLARK, for himself and other Senators, as a substitute for the Monroney amendment, was agreed to.

Mr. CLARK. Mr. President, I move that the vote by which the Senate just adopted the amendment to the amendment be reconsidered.

Mr. MONRONEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Monroney amendment, as amended. On this question the yeas and nays have been ordered——

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. It was my understanding that the amendment just adopted was a substitute for the Monroney amendment. Is it necessary to vote on the Monroney amendment?

The PRESIDING OFFICER. The Monroney amendment will be the same as the amendment just adopted by the Senate. However, the yeas and nays having been ordered on the Monroney amendment, it will be necessary for the Senate to vote on it.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the yeas and nays on the Monroney amendment, for which the amendment just adopted was a substitute, and therefore the yea-and-nay vote would be on an identical amendment, be rescinded.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

The Monroney amendment, as amended, was agreed to.

Mr. GRUENING. Mr. President, last night near the close of the debate on aid to education, I addressed an inquiry to the distinguished minority leader, the junior Senator from Illinois [Mr. DIRKSEN]. I had listened with amazement to his vigorous attack——

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRUENING. Mr. President, I would like to have the attention of the minority leader.

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRUENING. May I have the attention of the minority leader?

Mr. President, last night, near the close of the debate on aid to education, I addressed an inquiry to the distinguished minority leader, the junior Senator from Illinois. I had listened with amazement to his vigorous attack on the inclusion of teachers' salaries in the aid-to-education bill. I heard him say, not once, but several times, that he was unalterably opposed to "the inclusion of any earmarking for teacher's salaries in an education bill. "Mr. President," he said further, "that is not my dish and I am not going down that road." And he then alluded to a conference with the President of the United States, which he said had taken place not later than last Tuesday morning, and said that the President had said to him that "he did not want to have any part of teachers' salaries in an aid-to-education bill." Needless to say, we all know that the distinguished minority leader, who represents the policies of this administration in the Senate, was giving us a first-hand and accurate picture of the President's attitude, and, indeed, of his own.

The question which I asked the minority leader, which will be found on page 1967 of the RECORD of February 3, was—and I quote what I asked him:

The Senator from Illinois has said he is opposed to aid to American school teachers. Will he be opposed to aid to foreign school-teachers in the foreign aid program, which the President will send to us?

In the confusion and noise which prevailed after the Vice President had broken the tie and by his vote had defeated the Clark amendment, which would have provided aid to school-teachers to the extent of $25 for every school child, apparently the distinguished minority leader did not hear or comprehend my question. He, in turn, said "Mr. President, am I being addressed?" Adding, "I cannot tell what this is all about." And then he said: "I would rather hear an announcement from the majority leader about adjourning the Senate."

I can well understand why the distinguished minority leader preferred to hear an announcement about adjournment rather than answer my question. So, I am putting the question to him again.

In the programs which the President has sent down to the Congress in re-

cent years, and which will be with us again, we find there are hundreds of items for education in foreign countries, which include payments to teachers. If I were to read these I would have to detain the Senate for several hours. I shall mention only a few, by way of illustration, but I ask unanimous consent, Mr. President, to include the entire list in the RECORD at this point in my remarks.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

(61) Technical education, fiscal year 1955

FAR EAST	
China:	
Improvement of vocational industrial school system	$401,000
Automotive training center	30,000
Establishment of industrial-vocational teacher department (Taiwan Teachers College)	90,500
Indonesia:	
Vocational education teacher training	202,500
Gadjah Mada University—UCLA contract	42,000
University of Indonesia technical and science faculties at Bandung	400,000
Laos: Technical education	83,000
Philippines: Vocational industrial training	432,000
Thailand: Technical education	238,500
Vietnam: Training and equipment for technical and fine arts schools	39,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Egypt: Vocational training program of the Women's Health Improvement Association	52,089
Ethiopia:	
Vocational trade school, Addis Ababa	8,000
Rural arts and crafts	5,000
Iran: Extended special aid	660,000
Iraq:	
Baghdad Technical School (Bradley University contract)	350,000
Advisers in vocational and technical education	23,450
Israel:	
Vocational training of adults	18,750
ORT immigrant vocational training	50,000
Community center	12,000
Jordan: Industrial education	55,602
Lebanon:	
Technical education	155,000
Teacher education	65,120
Rehabilitation training agreement (YWCA)	13,000
Rehabilitation training agreement (YW Moslem Association)	10,000
Technical and vocational education	365,000
Libya: Technical education	83,000
OVERSEA TERRITORIES	
United Kingdom:	
Technical education, technical school training	152,000
Technical education, training handicraft teachers for intermediate schools	24,000
Technical education at Fourah Bay College	33,500
Technical and vocational training in Sierra Leone	68,600
Trade training center	20,500
Visit, Uganda deputy director of education to United States	1,400
Manual training program	51,000
Royal Technical College	19,180

CVI——129

(61) Technical education, fiscal year 1955—Continued

EUROPE	
Italy:	
Italian vocational training study group	$10,648
Vocational training survey	4,500
LATIN AMERICA	
Bolivia:	
Geodesy coast and geodetic survey	10,506
Geodetic astronomy	185
Industrial schools project, education service	11,957
Brazil:	
Industrial apprenticeship training program, Senai	16,363
Administrative services, project A, industrial cooperative industrial education program	74,674
Improvement of administrative and supervisory practices, CBAI, project B	10,481
Improvement of instructional material, CBAI, project C	7,841
Improvement of teaching methods, CBAI, project D	82,703
Improvement of student personnel through selection and guidance, CBAI, project E	10,563
Costa Rica: Vocational education project	13,500
Cuba: Aircraft technical school	100,000
Dominican Republic:	
Vocational education (SCIE)	32,143
Industrial arts (SCIE)	14,843
The development of community school concept in rural education (SCIE)	9,940
LATIN AMERICA	
Mexico:	
Operators and Mechanics School, University of Michigan, contract	50,000
Personnel administration, education	1,310
Nicaragua: Vocational education	242,400
Panama: Vocational and industrial arts	74,400
Paraguay: Vocational education	93,585
FAR EAST	
China: Improvement of vocational-agriculture school	79,000
Philippines: Vocational agricultural training	492,000
Thailand: Vocational agriculture	42,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Iraq: Vocational agricultural education	17,087
Israel: Study methods of agricultural education participant	5,000
Jordan: Kadoori Agricultural School	505,465
Libya: Vocational agricultural education	97,000
LATIN AMERICA	
Bolivia:	
Vocational agricultural education	5,828
Vocational agricultural school in Montero	41,532
Honduras:	
Vocational agriculture education	12,030
Education in crafts and trades	44,246
Nicaragua: Rural and elementary education	67,200
OVERSEAS TERRITORIES	
British Honduras: Vocational agriculture education	4,000
Jamaica: Vocational agriculture education	3,000
FAR EAST	
Philippines: Home economics training	83,000

(61) Technical education, fiscal year 1955—Continued

NEAR EAST, AFRICA, AND SOUTH ASIA	
India: Home science education and research	$703,000
FAR EAST	
Cambodia: Rural education demonstration and training program	179,800
Philippines: Elementary curriculum development	161,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Egypt: Training of teachers for rural elementary schools of Egypt	91,300
Ethiopia: Teacher education	20,000
Iraq: Education, elementary teachers institute	2,710
Israel: For teacher training workshops	5,000
Libya: Elementary education	174,000
LATIN AMERICA	
Bolivia:	
Indian school nucleos	50
Rural normal schools for project, education, servicio	96,118
Teachers workshops	500
Ecuador:	
Rural education teacher training	71,685
Urban education teacher training	33,703
Education division administration	37,085
Honduras:	
Rural elementary teacher training	20,741
Rural normal school development	57,000
Panama: Elementary (rural) education	109,400
Paraguay: Elementary teacher education	132,088

(65) Secondary education

NEAR EAST, AFRICA, AND SOUTH ASIA	
Iran:	
Training Iranian nationals	$810,974
Secondary education support	160,000
Iraq:	
Commercial and scientific education	110,000
Education, secondary teachers institute	2,384
FAR EAST	
China:	
Improvement of Taiwan College of Engineering	278,000
Improvement of NTU College of Engineering	2,000
Expansion of educational facilities for oversea Chinese	22,000
Indonesian Republic:	
Development of university-level instructional staffs	128,400
Advanced scientific and engineering training	170,000
Philippines:	
University of the Philippines	41,500
Philippines Military Academy	200,000
Electronics training	125,000
Thailand: Teacher training	724,000
Vietnam: National normal schools and university	35,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Afghanistan: Institute of education	350,000
India: Technical education	892,000
Liberia: Community education and teacher training, rural education	76,812
Pakistan: Intercollege exchange project	686,920
Turkey: University contract, agriculture	100,000

(65) *Secondary education*—Continued

EUROPE

France:	
Liaison between universities and business	$6,400
Applied industrial research institutes: university-industry liaison	12,455
Italy: Business administration courses	93,000

LATIN AMERICA

Bolivia: Normal school professors' seminar	9,140
Costa Rica: University of Costa Rica reorganization project	100,000
Guatemala: Advanced training for dental professor	2,000
Mexico: Professional and higher education	4,750
Peru: Chemistry and instrumentation program	115,800

FAR EAST

China: Community school demonstration	47,000
Thailand:	
Community schools, supervisory and inservice education project	148,500
Popular education (literacy campaigns) ministry of education	35,000
Popular education and community pilot schools	9,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt:	
Rural school development	15,800
Fundamental education	18,500
Ethiopia:	
Women's social and education center	62,000
Cooperative education	98,750
Lebanon: Adult education, English teaching	30,000

OVERSEAS TERRITORIES

United Kingdom: Expansion of adult literacy in Kenya	20,000

LATIN AMERICA

Guatemala: Urban youth activities project (contract with association of scouts of Guatemala)	15,000

FAR EAST

Indonesian Republic: Survey of technical education	15,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt:	
Educational research	23,260
Administration of projects of Egyptian-American joint committee for education	25,150
Education administration training	1,500
India: Educational adviser, Ministry of Education, GOI	57,747
Liberia:	
Improved administrative, supervisory and instructional services	23,735
Scholarships, vocational preparation and on-the-job training	47,603
Libya: Educational administration	48,000

LATIN AMERICA

Bolivia:	
Education administration	600
Education administration	3,063
Panama: Training in administration of vocational schools	4,000

FAR EAST

China:	
National Taiwan University, business administration	6,000
Education adviser	15,000
Indonesian Republic: Education, technical support	46,133
Philippines: Overall TA education	27,000

(65) *Secondary education*—Continued

Thailand:	
Curriculum development, Chacoengsao	$51,000
Education, administration	60,000
Reactor training	6,000
Vietnam: English language laboratory	40,500

NEAR EAST, AFRICA, AND SOUTH ASIA

Afghanistan: Education	459,000
Egypt:	
Educational materials service	43,700
Vocational education	96,800
Iran:	
Educational activities (technical support)	77,766
Providing building and facilities	169,009
Iraq:	
Education technical support	41,331
Education program direction and consultative services to ministry	11,250
Jordan:	
Field project assistance	56,131
Training of Jordanian nationals	188,198
Audiovisual center	27,996
Lebanon:	
Technical support	52,800
School health	26,533
Educational statistics and research	31,250
Library administration	500
Libya:	
Education technical support	31,100
Education, survey for basis establish junior type college in Libya	5,000
Education, participants	21,300
Nepal: Teacher training and university development	49,000
Pakistan: General education, advisory services	119,335

EUROPE

Austria: Commercial training of young businessmen	11,500
France: Foreman training	12,350
Yugoslavia: Georgetown University contract	1,000

LATIN AMERICA

Bolivia:	
Participants, education servicio	68,816
Administration project, education servicio	39,696
Constructions project, education servicio	200
Transportation and customs project, education servicio	200
Brazil: Education, cooperative industrial education program	33,100
El Salvador: Education	107,782
Haiti: Technical aid in rural education	96,400
Honduras: Administration	45,565
Nicaragua: Administration, public education cooperative service	16,900
Panama: Servicio administration	36,200
Paraguay: Administration (education division)	36,322
Peru:	
General administrative services	45,709
Normal school education	116,779
Rural elementary education	29,644

INTERREGIONAL

Columbia University Teachers College citizenship education project	25,000

(61) *Technical education, fiscal year 1956 projects*

FAR EAST

China (Taiwan):	
Improvement of vocational industrial school system	$418,800
Automotive training center	6,100
Establishment of V–I Teacher training Department (TPNU)	50,000
Improvement of Fishery Biology Department (NTU)	3,000

(61) *Technical education, fiscal year 1956 projects*—Continued

Indonesian Republic:	
Vocational education teacher training	$562,060
Gadjah Mada—UCLA contract	293,600
Commercial education teacher training	39,954
Korea:	
Vocational education	700,000
Technical assistance: R.O.K. Merchant Marine Academy	37,000
Laos: Technical education	73,950
Philippines: Vocational industrial education	246,700
Thailand: Improvement technical education facilities	880,000
Vietnam:	
Equipment for technical schools in southern and central Vietnam	156,000
Construction and equipment for technical school buildings	13,600
Equipment for technical courses in the secondary school, lycees, and ateliers-ecoles in southern and central Vietnam and the P.M.S.	10,000
The development, construction, and equipment for agriculture, homecrafts, and teacher training for community schools	13,100

NEAR EAST AND SOUTH ASIA

Afghanistan: Afghan Institute of Technology	138,000
Egypt:	
Education vocational education	95,944
Education vocational training program of women's health	1,600
India: Foundry training	175,730
Iraq: Advisers in vocational and technical education	48,643
Israel: Vocational training for adults and school-age students	15,000
Jordan: Industrial education	119,432
Lebanon:	
Technical education	237,400
Teacher education urban	100,850
Turkey: Automotive maintenance training	328,000

AFRICA

Ethiopia:	
Arts and crafts cooperative service	40,000
Her imperial majesty's handicraft school	8,000
Vocational trade school, Addis Ababa	15,000
Rural arts and handicrafts	18,200
Liberia: Vocational and agricultural education	400,000
Libya:	
Technical education, Cyrenaica	163,500
Technical education, Tripolitania	7,500

OVERSEA TERRITORIES

United Kingdom:	
Technical education at Kampola Institute	205,000
Technical and vocational training in Sierra Leone	68,600
Manual training program	9,240

EUROPE

Spain:	
Industrial training for middle-management and foremen	12,500
Vocational education study	19,200

LATIN AMERICA

Bolivia: Industrial education project	39,661
Brazil:	
Apprentice training (SENAI)	6,100
Improvement of textile education (SENAI project)	26,100

(61) *Technical education, fiscal year 1956 projects*—Continued

Brazil—Continued	
Improvement of administrative and supervisory practices in industrial and technical schools (CBAI project B)	$18,800
Improvement of instructional materials (CBAI project C)	31,200
Improvement of teaching methods	96,300
Improvement and student personnel through selection and guidance (CBAI project E)	17,600
Improvement of industrial foremanship and training practices within industry (CBAI project F)	13,856
Costa Rica: Vocational education project	45,500
Cuba: Aircraft technical school	102,000
Dominican Republic:	
Vocational education (SCIDE)	21,685
Industrial arts (SCIE)	21,300
El Salvador: Vocational industrial education—industrial arts education	35,900
Mexico:	
Training center for operations and mechanics (University of Michigan)	4,000
Technical education, Monterrey Institute of Technology	6,000
Nicaragua: Education—Vocational	26,806
Panama: Vocational and Industrial Arts	124,500
Paraguay: Vocational education	127,075

(62) *Vocational agriculture education*

FAR EAST	
Cambodia: Food and nutrition training course	$18,900
China:	
Improvement of vocational agricultural schools	72,000
Establishment of vocational agricultural teacher training department, TCA	19,000
Philippines: Vocational agricultural training	657,498
Thailand: Improvement vocational agriculture schools	68,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Vocational agriculture education	107,000
Jordan: Agricultural education	92,000
AFRICA	
Libya:	
Vocational agricultural education, Cyrenaica	180,500
Vocational agricultural education, Tripolitania	183,600
EUROPE	
None.	
LATIN AMERICA	
Bolivia: Practical Vocational Agriculture School at Montero	55,456
El Salvador: Agricultural education	26,800
Honduras:	
Vocational agricultural education (Education Cooperative Service)	31,000
Education in crafts and trades (Education Cooperative Service)	66,540

(63) *Home economics education*

FAR EAST	
China (Taiwan): Improvement of Home Economics Teacher Training Department (TPNU)	$10,000
NEAR EAST AND SOUTH ASIA	
India: Home science education and research	13,740

(63) *Home economics education*—Con.

AFRICA	
None.	
EUROPE	
None.	
LATIN AMERICA	
El Salvador: Education home economics	$22,700
Guatemala: Homelife education (SCIDE)	17,260

(64) *Elementary education*

FAR EAST	
Cambodia:	
Preparation of textbooks and teaching aids	$30,000
Rural demonstration and training	153,000
Laos: Elementary education	65,000
Philippines: Elementary curriculum development	74,000
Thailand: Curriculum development—Chachoengsao	50,000
NEAR EAST AND SOUTH ASIA	
Egypt:	
Education teacher education (grades 1–6)	115,746
Education post primary schools	15,655
Jordan: Bedouin education	75,000
Lebanon: Rural teacher college	53,050
AFRICA	
Ethiopia: Teacher education	47,888
Libya:	
Elementary education, Cyrenaica	11,000
Elementary education, Tripolitania	7,400
EUROPE	
None.	
LATIN AMERICA	
Bolivia:	
Construction of Mineros Rural School Education Servicio	100
Rural normal school project	141,978
Teachers workshops and all other in-service training—education servicio	500
Brazil: Elementary education	95,000
Dominican Republic: The development of community school concept in rural education (SCIDE)	51,474
Ecuador:	
USOM Cooperative Education Service	106,000
Rural education teacher training	96,800
Urban education teacher training	71,600
Education Division Administration	43,700
Guatemala:	
Rural elementary teacher training (SCIDE)	35,500
Rural socio-education development (SCIDE)	31,000
Honduras:	
Rural elementary teacher training (Education Cooperative Service)	39,090
Rural normal school development (Education Cooperative Service)	71,200
Nicaragua: Education, rural and elementary	115,040
Panama: Elementary (rural) education	206,400
Paraguay: Elementary teacher education	103,418

(65) *Secondary education*

FAR EAST	
China (Taiwan): Educational materials center	$25,000
Philippines: Secondary education improvement	45,000
Thailand: Improvement of secondary education	38,000

(65) *Secondary education*—Continued

NEAR EAST AND SOUTH ASIA	
India: Secondary schoolteacher extension project	$1,206,900
Iran: Training Iranian nationals (this project considers expanded subproject for Tehran Institute of Technology)	1,064,745
AFRICA	
None.	
EUROPE	
None.	
LATIN AMERICA	
Brazil: Improvement of secondary education curriculum	25,400
Costa Rica: School of education team visit project	5,000
El Salvador: Education English language program	18,850
Guatemala: Urban Education, Reorganization and Development (SCIDE)	29,700

(66) *Professional and higher education*

FAR EAST	
Cambodia: Teacher training	$10,000
China (Taiwan):	
Improvement of Taiwan College of Engineering	391,700
Expansion of educational facilities for oversea Chinese	153,000
Indonesian Republic:	
Development of university level staff	72,000
Advances, scientific and engineering training	21,000
Library operation and teacher training	49,000
Korea:	
Seoul National University—technical assistance	627,055
Seoul National University—operation facilities	1,450,000
Teacher training	345,000
Technical assistance in business administration	125,000
Assistance to Seoul National University—Public Administration Department	125,000
Technical assistance to Foreign Language Institute	15,000
Philippines: University of the Philippines	137,000
Thailand:	
Improvement of teacher training	854,400
Engineering education study	1,500
Improvement Chulalongkorn University Engineering Department	30,000
Vietnam:	
Seoul school equipment for higher education	10,000
Equipment for Lycee Tran-Hung-Dao (ex Bao Long)	3,000
The National Normal School	27,905
NEAR EAST AND SOUTH ASIA	
Afghanistan:	
Institute of education	666,000
Faculty of agriculture and engineering	88,000
Ceylon: University of Ceylon	600,000
India: Assistance to technical education institutions	443,381
Iran: Improving teacher education through the National Teachers College of the University of Teheran	108,500
Iraq: General education and edutional administration	8,840
Turkey: University contract—Agriculture	275,000
AFRICA	
Liberia: ED–2, community education, teacher training and rural education	78,904

(66) *Professional and higher education*—Continued

EUROPE

Germany: Developing advanced management education at university level with assistance of American guest professors	$20,000
Italy: Business administration courses	5,000

LATIN AMERICA

Cuba: University Central (Santa Clara)	48,075

(67) *Fundamental adult and community education*

FAR EAST

Cambodia: Fundamental education	$20,000
China (Taiwan): Community school demonstration	89,000
Thailand: Improvement of supervisory and in-service education activities	137,000
Vietnam: Popular education and community pilot schools	34,180

NEAR EAST AND SOUTH ASIA

Egypt: Education fundamental education	11,753
Lebanon: Adult education—English teaching	39,630
Nepal: Project for educational activities	13,990

AFRICA

Ethiopia: Cooperative education	330,842

EUROPE

None.

LATIN AMERICA

None.

(68) *Educational administration*

FAR EAST

Cambodia: Improvement of Cambodian school supervising system	$52,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	18,000
Egypt:	
Education educational research	35,960
Administration of projects of Egyptian-American Joint Committee for Education	53,485
Education educational administration training	1,000
India: Educational administration	57,875

AFRICA

Liberia:	
Ed. 1. Improved administrative, supervisory instructional services	27,787
Ed. 4. Scholarships, vocational preparation and on-the-job training	56,012
Libya: Educational administration	41,300

EUROPE

None.

LATIN AMERICA

Paraguay: Educational administration	5,300

(69) *All other education*

FAR EAST

China (Taiwan):	
Improvement of Business Administration Department, NTU	$15,000
Education adviser	26,000
Productivity training in post-primary schools	5,000
Korea:	
Classroom construction	1,135,182
Education participants	4,000
Philippines: Overall technical assistance—education	37,000

(69) *All other education*—Continued

Thailand: Education program administration	$27,000
Vietnam:	
Construction and reconstruction of elementary and secondary schools	20,000
English language laboratory and language classes	35,000
Youth activities, youth group work, physical and character education	66,600

NEAR EAST AND SOUTH ASIA

Afghanistan: Helmand Training Center	173,000
Egypt: Education—educational materials service	93,210
India:	
Education program direction and development	167,030
School building improvement	4,975
Indian Ministry of Education officials' visit to U.S. educational institutions	10,000
Iraq: Education-program direction and consultative services	34,400
Israel:	
Education supervision	32,550
Education—participants	9,761
Jordan:	
Field project assistance—education	53,000
Training of Jordanian nationals	182,268
Lebanon:	
Education statistics and research, vocational survey	74,100
Library administration	1,800
Education training—AUB	13,000
Nepal:	
Nepal American Education Cooperative Service	29,000
Overhead project for cooperative service in education	146,500
Pakistan: General Education Advisory Services	122,680
Turkey: Georgetown English language program	101,500

AFRICA

Ethiopia:	
Ethiopian-American joint fund for education	50,000
Vocational trade school, Addis Ababa	
Libya:	
Libyan-American education joint service	425,600
Education joint service support	28,500

EUROPE

Yugoslavia: English language training program	21,428

LATIN AMERICA

Bolivia:	
Administration project education servicio	32,509
Transportation and customs project—education servicio	200
Special technical training program	201,800
Brazil:	
General education	10,200
Comissao Brazileiro-Americana de Educaquo Industrial (CBAI)	60,000
Administrative Services Brazilian-American Commission on Industrial Education (CBAI Project A)	94,023
Colombia:	
Reorganization of the curriculum of the chemistry department of the national university	35,000
Primary, secondary and vocational education in the departments of Valle de Cauca, Cauca, and Caldas (rural and urban)	45,000

(63) *Home economics education*—Continued

Dominican Republic: Administration and auxiliary expenses	$37,528
El Salvador: Education—Administration	30,800
Guatemala:	
Cooperative education service (Servicio Cooperativo Interamericano de Educacion)	41,095
Teachers workshop and training	36,500
Haiti:	
Cooperative service in rural education	100,000
Technical aid in rural education	125,845
Honduras: Administration, Education Cooperative Service	40,375
Mexico: Education training grants (Ministry of Education)	20,000
Nicaragua: Administration, Public Education Cooperative Service	19,940
Panama: Servicio Administration (education)	34,600
Paraguay: Administration (education division)	57,203
Peru:	
General administrative services, Education Cooperative Service	43,898
Normal school education (SECPANE) (teacher training)	144,404
Rural elementary education (SECPANE)	40,088

OVERSEAS TERRITORIES

Jamaica: Vocational education	26,700

(61) *Technical education, fiscal year 1957*

FAR EAST

Cambodia: Vocational industrial education for economic development (specialized education)	$60,000
China:	
Improvement of vocational-industrial schools system	143,000
Establishment of vocational-industrial teacher training department	180,000
Indonesia:	
Vocational education teacher training	195,000
Gadjah Mada-UCLA contract	200,000
Development of University of Indonesia technical and science faculties	315,000
Commercial teacher training	11,000
Korea: Vocational education	957,000
Laos: Technical education	40,000
Philippines: Vocational industrial training	296,000
Thailand: Vocational education	162,000
Vietnam: Vocational education	571,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Afghan Institute of Technology	185,000
Iraq: Advisers in vocational and technical education	75,000
Israel: Vocational training for adults and school age students	3,000
Jordan: Industrial education	9,000
Lebanon:	
Technical education	16,000
Teach education urban	10,000
Turkey: Establishment of model vocation and trade schools	210,000

AFRICA

Ethiopia:	
Vocational trade school, Addis	70,000
Vocational trade school, Asmara	94,000
Vocational and industrial craft centers	23,000
Liberia: Vocational and agricultural education	252,000

EUROPE

Iceland: Technical educational standards study	1,000
Spain: Technical education study	19,000

(61) *Technical education, fiscal year 1957*—Continued

LATIN AMERICA

Bolivia: Industrial education project	$45,000
Brazil:	
Brazilian-American Commission on Industrial Education	152,000
Industrial education	103,000
Improvement of textile education	84,000
Costa Rica: Vocational education project	89,000
Cuba:	
Aircraft technical school	100,000
Vocational education survey	24,000
Dominican Republic:	
Vocational education	14,000
Industrial arts	13,000
Haiti: Arts and crafts school	14,000
Nicaragua: Educational-vocational and industrial arts	39,000
Panama: Vocational and industrial arts	150,000
Paraguay: Vocational education	85,000
Uruguay: Technical education	5,000

OVERSEAS TERRITORIES

British Honduras: Vocational education	15,000

(62) *Vocational agriculture education, fiscal year 1957*

FAR EAST

China (Taiwan):	
Improvement of vocational agricultural schools	$79,000
Establishment of vocational agricultural teacher training dept., Taiwan Provincial College of Agriculture	26,000
Philippines: Vocational agricultural training	219,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Vocational agriculture education	121,000
Jordan: Agricultural education	26,000

LATIN AMERICA

Bolivia: Vocational agriculture education project	49,000
Honduras:	
Vocational agricultural education	19,000
Education in crafts and trades (education cooperative service)	90,000

(63) *Home economics education, fiscal year 1957*

NEAR EAST AND SOUTH ASIA

India: Assistance to home science education and research	$11,000

(64) *Elementary education, fiscal year 1957*

FAR EAST

Laos: Elementary education	$145,000
Philippines: Elementary curriculum development	66,000
Thailand: Elementary education	404,000
Vietnam: Elementary education	351,000

NEAR EAST AND SOUTH ASIA

Egypt: Training of teachers for rural elementary schools	33,000
India: Assistance to the national institute of basic education	23,000
Lebanon: Rural teacher college	1,000

AFRICA

Ethiopia: Ethiopian teacher education	50,000
Libya:	
Rural education	15,000
Teacher education	435,000
Teacher education	700,000

LATIN AMERICA

Bolivia: Rural education project	124,000
Brazil:	
Brazilian-American assistance to elementary education	132,000
Elementary education	135,000

(64) *Elementary education, fiscal year 1957*—Continued

Costa Rica: School of education development project	$20,000
Dominican Republic: Development of community school concept in rural education	40,000
Ecuador:	
USOM-cooperative education service	72,000
Rural education teacher training	92,000
Urban education teacher training	44,000
Honduras:	
Rural elementary teacher training	19,000
Rural normal school development	49,000
Nicaragua: Education-rural	105,000
Panama: Elementary (rural) edution	99,000
Paraguay: Elementary teacher education	123,000

(65) *Secondary education, fiscal year 1957*

FAR EAST

China: Educational materials center	$27,000
Philippines: Secondary education improvement	93,000
Thailand: Improvement of secondary education	122,000
Vietnam: Secondary education	132,000

NEAR EAST AND SOUTH ASIA

India: Assistance to the extension training program for secondary schoolteachers	323,000
Iran: Training for educational development	414,000

LATIN AMERICA

Brazil: Secondary education	66,000

(66) *Professional and higher education, fiscal year 1957*

FAR EAST

China (Taiwan):	
Improvement of engineering education at Cheng Kung University (formerly Taiwan College of Engineering)	$275,000
Expansion of educational facilities for oversea Chinese	227,000
Indonesia: Development university-level staff	766,000
Korea:	
Seoul National University technical assistance	423,000
Seoul National University operating facilities	1,800,000
Teacher training	1,166,000
Technical assistance in business administration	200,000
Technical assistance in public administration	200,000
Philippines: University of the Philippines	201,000
Thailand: Improvement Chykalongkorn University engineering	458,000
Vietnam: Teacher training and higher education	710,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Institute of education (teacher education)	240,000
Faculty of agriculture and engineering	162,000
Ceylon: Assistance to the University of Ceylon	435,000
India: Assistance to the central institute of education	10,000
Iran: Improving teacher education through the National Teachers College of the University of Tehran	135,000

(66) *Professional and higher education, fiscal year 1957*—Continued

Iraq:	
General education and educational administration	$32,000
Teacher education	11,000
Turkey: Nebraska University, professional and higher education	294,000
Liberia: Community education and teacher training, rural education	111,000

AFRICA

Oversea territories, United Kingdom: Vanderbilt University, graduate training in economic development	5,000

LATIN AMERICA

Brazil: Naval architecture	80,000
Cuba: University Central (Santa Clara)	56,000

(67) *Fundamental adult and community education, fiscal year 1957*

FAR EAST

China (Taiwan): Community school demonstration	$81,000
Vietnam: Adult literacy training	119,000

NEAR EAST AND SOUTH ASIA

India: Assistance to training in adult education	25,000
Lebanon: Adult education, English teaching	70,000
Nepal: Project for educational activities	77,000

AFRICA

Ethiopia:	
Ethiopia teacher education	62,000
Cooperative advisory services	350,000

(68) *Educational administration, fiscal year 1957*

FAR EAST

Vietnam: Textbook development and special services	$80,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	106,000
Egypt: Educational research	5,000
India: Educational administration	10,000
Liberia: Education administration, supervision, and instructional service	23,000

(69) *All other education, fiscal year 1957*

FAR EAST

Cambodia:	
Rural development through general education	$597,000
English language laboratory	43,000
China (Taiwan): Education adviser	27,000
Korea: Classroom construction	1,000,000
Philippines: Overall technical assistance, education	28,000
Thailand:	
Education program administration	38,000
Education, general training	2,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Educational facilities	1,600,000
Egypt:	
Educational materials service	36,000
Vocational education	30,000
India:	
Education program direction and development	58,000
School building improvement	28,000
Assistance to rural institutes	25,000
Assistance to teacher training in audiovisual education	190,000
Assistance to ministry of education	50,000
Iran: Demonstration vocational education facilities	1,550,000
Iraq: Education consultative services to the ministry	22,000

(69) All other education, fiscal year 1957— Continued

Israel:	
Education (supervisory)	$34,000
Education (participants)	1,000
Jordan: Training for Jordanian nationals	80,000
Pakistan: General education advisory services	4,000
Turkey:	
Georgetown English language program	67,000
General education services	100,000
AFRICA	
Ethiopia: Cooperative education and teacher training program and the Imperial Ethiopian Mapping and Geography Institute	579,000
Libya:	
Education joint service support and advisory service to GOL	85,000
Instructional materials development	27,000
Technical and vocational education	95,000
Technical and vocational education	189,000
Rehabilitation, remodeling and construction of schoolbuildings	470,000
Instructional materials development	256,000
Assistance in oversea study for Libyan students	600,000
LATIN AMERICA	
Bolivia: Administration	42,000
Brazil: Administration services: Brazilian-American Commission on Industrial Education	58,000
Colombia:	
Reorganization of the curriculum, department of chemistry, National University	13,000
Primary, secondary, and vocational education, Valle del Cauca, Cauca, Caldas	46,000
Dominican Republic: Administrative and auxiliary expenses	63,000
El Salvador: Education advisory and training services	164,000
Guatemala:	
Administrative service	42,000
Rural education	72,000
Urban education	38,000
Haiti:	
Cooperative service in rural education	100,000
Technical aid in rural education	132,000
Honduras: Administration of education cooperative service	41,000
Mexico: Education training support	23,000
Nicaragua: Administration, public education cooperative service	24,000
Panama: Servicio administration (education)	36,000
Paraguay: Servicio administration (education division)	49,000
Peru:	
General administrative services	57,000
Teacher (normal) education	136,000
Rural elementary and normal school education	32,000
Atomic sciences training	12,000
Jamaica:	
Vocational education	29,000
Regional: technical training office of technical services in Puerto Rico (appendix II of contract between ICA and Commonwealth of Puerto Rico)	550,000
Interregional: Citizenship education (contract with Teachers College, Columbia University)	2,000

(69) All other education, fiscal year 1958

FAR EAST	
Cambodia:	
Rural development through education	$306,000
English language laboratory	5,000
China (Taiwan): Educational advisory services	84,000
Korea: Classroom construction	500,000
Philippines: Overall TA to education	31,000
NEAR EAST AND SOUTH ASIA	
India: School building improvement	17,000
Iraq: Youth activities	3,000
Israel: Teacher training and vocational education	18,000
Jordan:	
Training Jordan nationals	68,000
Expanding educational facilities	140,000
Turkey:	
Georgetown English language program	130,000
General education services	355,000
United Arab Republic: Vocational education	1,000
AFRICA	
Ethiopia:	
Education cooperative service	145,000
Education general support	46,000
Teacher education	57,000
Libya:	
Education joint service support	330,000
Education joint service support and advisory service to GOL	118,000
Instructional materials development	73,000
Technical and vocational education including agriculture	189,000
English language program	95,000
Assistance in oversea study for Libyan students	250,000
Provision of teachers for Libyan schools	1,116,000
School construction	1,520,000
EUROPE	
Yugoslavia: English language training program	25,000
LATIN AMERICA	
Bolivia: Administrative support education servicio	44,000
Brazil: Administrative services education division	87,000
Colombia:	
Education servicio, administration	9,000
Reorganization of the curriculum, department of chemistry, National University	16,000
Primary, secondary, and vocational education, Valle del Gauca	47,000
Dominican Republic: Technical support for administration of servicio program and all other projects	76,000
El Salvador: Education, advisory and training services	101,000
Guatemala:	
Administration	43,000
Rural education	133,000
Urban education	112,000
Vocational education	133,000
Haiti:	
Cooperative service in rural education	120,000
Technical service in rural education	168,000
Honduras: Administration of education cooperative service	52,000
Mexico: Education training support	10,000
Nicaragua: Administration, public education cooperative service	38,000

(69) All other education, fiscal year 1958— Continued

Panama: Servicio administration (education)	$50,000
Paraguay:	
Administration (education division)	50,000
Training of personnel in education	47,000
Peru:	
North American Peruvian cooperative service in education	115,000
General administrative services	49,000
Teacher (normal) education	106,000
Rural elementary and normal school education	57,000
Jamaica, oversea territories: Education, vocational agriculture program	26,000
Regional total: Technical training in Puerto Rico	300,000
ASIAN ECONOMIC DEVELOPMENT FUND	
Establishment of regional facilities for improvement of English language training	1,500,000

(61) Technical education, fiscal year 1958

FAR EAST	
Cambodia: Vocational industrial education	$168,000
China (Taiwan): Trade and industrial education	549,000
Indonesian Republic: Vocational education teachers training (Tuskegee contract)	735,000
Korea:	
Vocational education	1,091,000
Technical assistance to ROK Merchant Marine Academy	123,000
Laos: Technical education	12,000
Philippines: Vocational industrial training	334,000
Thailand: Improvement of vocational education (agriculture)	261,000
Vietnam: Technical vocational education	422,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Afghanistan Institute of Technology	259,000
Greece: Postgraduate training of vocational school graduates	35,000
NEAR EAST AND SOUTH ASIA	
Iraq: Advisers in technical education	119,000
Jordan: Industrial education	17,000
Turkey: Establishment of model vocational and trade schools	210,000
AFRICA	
Ethiopia: Vocational and trades education	148,000
Liberia: Vocational and agricultural education	477,000
OVERSEA TERRITORIES	
United Kingdom:	
Technical school training	120,000
Manual training program, Southern Cameroons	5,000
EUROPE	
Yugoslavia: Vocational education	77,000
LATIN AMERICA	
Bolivia: Industrial education project	47,000
Brazil:	
Brazilian-American Commission on Industrial Education	100,000
Industrial Education, CBAI project A	155,000
Improvement of textile education (Servicio Nacional de Aprendizagem Industrial)	42,000
Costa Rica: Vocational education	92,000
Cuba:	
Vocational education survey	1,000
Vocational education project	15,000

(61) *Technical education, fiscal year 1958*—Continued

Dominican Republic:	
Vocational education	$15,000
Industrial arts	18,000
Nicaragua: Education, vocational and industrial arts	74,000
Panama: Vocational and industrial arts	114,000
Paraguay: Vocational education	86,000
OVERSEA TERRITORIES	
British Honduras: Teacher training	16,000
ASIAN ECONOMIC DEVELOPMENT FUND	
SEATO skilled labor	1,000,000

(62) *Vocational agriculture education, fiscal year 1958*

FAR EAST	
China (Taiwan): Vocational agricultural education	$101,000
Philippines: Vocational agricultural training	143,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Vocational agriculture education	96,000
Iraq: Advisers in agricultural education	25,000
Jordan:	
Agricultural education	103,000
Khadouri Agricultural School	235,000
AFRICA	
Tunisia: U.S. rural teacher training program (French language)	18,000
LATIN AMERICA	
Bolivia: Vocational agriculture education project	55,000
Honduras:	
Vocational agricultural education (education cooperative service)	19,000
Education in crafts and trades (education cooperative service)	121,000

(63) *Home economics division, fiscal year 1958*

FAR EAST	
China (Taiwan): Home economics education	$18,000
NEAR EAST AND SOUTH ASIA	
India: Assistance to home science education and research	319,000
LATIN AMERICA	
Overseas Territories, British Guiana: Training in developing leadership for home economics programs	2,000

(64) *Elementary education, fiscal year 1958*

FAR EAST	
Cambodia: Preparation of textbooks and teaching aids	$1,000
Laos: Elementary education	365,000
Thailand: General education development	497,000
Vietnam: Elementary education	125,000
NEAR EAST AND SOUTH ASIA	
India: Assistance to the National Institute of Basic Education	2,000
AFRICA	
Libya: Teacher education	52,000
Morocco: Rural teacher training	21,000
LATIN AMERICA	
Bolivia: Rural education project	115,000
Brazil:	
Brazilian-American assistance to elementary education	75,000
Brazilian-American assistance to elementary education	180,000
Costa Rica: University of Costa Rica assistance (school of education development project)	24,000

(44) *Elementary education, fiscal year 1958*—Continued

Dominican Republic: Rural education	$53,000
Ecuador:	
Rural education teacher training	109,000
Urban education teacher training	39,000
Education division administration, SCIE	47,000
Guatemala: Teacher training program	300,000
Honduras:	
Rural elementary teacher training (education cooperative service	16,000
Rural normal school development (education cooperative service)	38,000
Nicaragua: Rural and elementary education	93,000
Panama: Elementary (rural) education	117,000
Paraguay: Elementary teacher education	73,000

(65) *Secondary education, fiscal year 1958*

FAR EAST	
China (Taiwan): Educational materials center	$32,000
Vietnam: Secondary education	393,000
NEAR EAST AND SOUTH ASIA	
Ceylon: Science education	199,000
Iran: Educational development	353,000
LATIN AMERICA	
Brazil: Brazilian-American assistance to secondary education	61,000

(66) *Professional and higher education, fiscal year 1958*

FAR EAST	
China (Taiwan):	
Improvement of engineering education at Cheng Kung University	$135,000
Expansion of educational facilities for the overseas Chinese	430,000
Indonesian Republic: Development of university level staff	1,296,000
Korea:	
Seoul National University operating facilities	500,000
Improvement teacher training	1,272,000
Improvement business administrative teaching	200,000
Teaching assistance in public administration	200,000
Philippines: University of the Philippines	164,000
Thailand: Teacher training	771,000
Vietnam: Teacher training and higher education	120,000
NEAR EAST AND SOUTH ASIA	
Afghanistan:	
Institute of education	597,000
Faculty of agriculture and engineering	390,000
India:	
Assistance to the central institute of education	5,000
Assistance to the national professional education center	300,000
Teacher training in engineering education	409,000
Iran: Improvement teacher education through the National Teachers College of the University of Tehran	1,000
Iraq: Teacher education	54,000
Nepal: Teacher training and related activities	196,000
Pakistan: Intercollege exchange, Texas A. & M. College, State College of Washington, Colorado State University	1,179,000
Turkey: Professional higher education, Nebraska University contract	210,000

(66) *Professional and higher education, fiscal year 1958*—Continued

AFRICA	
Liberia:	
Elementary school teacher training	$124,000
Rural teacher training institution	100,000
Libya: Assistance to Libyan University	814,000
Tunisia: Tunisian University study team	6,000
LATIN AMERICA	
Brazil:	
Aeronautical engineering	213,000
Naval engineering and architecture	20,000
Survey of needs and resources of the Technological Institute of Aeronautics at Sao Jose dos Campos	3,000
Cuba: University Central (Santa Clara)	48,000
Peru: Chemistry and instrumentation program	82,000
ASIAN ECONOMIC DEVELOPMENT FUND	
SEATO Graduate School of Engineering	423,000

(67) *Fundamental adult and community education, fiscal year 1958*

FAR EAST	
Philippines: Community education	$168,000
Vietnam: Scholarships for leadership training	100,000
NEAR EAST AND SOUTH ASIA	
Lebanon: Adult education, English teaching	77,000
Nepal: Project for educational activities	104,000
AFRICA	
Ethiopia: Community education	27,000
OVERSEA TERRITORIES	
United Kingdom: Visual aids to adult literacy	30,000
LATIN AMERICA	
Guatemala: Adult education program in the Guatemalan Army	43,000

(68) *Educational administration, fiscal year 1958*

FAR EAST	
Vietnam: Textbook development and special services	$114,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Kabul University administration	55,000
Iran: Technical assistance to Teheran University	30,000
AFRICA	
Ethiopia: Cooperative education advisory services	83,000
Liberia: Improved administration and supervision of education	14,000

(61) *Technical education, fiscal year 1959 projects*

FAR EAST	
Cambodia: Vocational industrial training	$45,000
China (Taiwan): Trade and industrial education	129,000
Indonesia: Vocational education teachers training	296,000
Korea: Vocational education	339,000
Philippines: Vocational education	511,000
Thailand:	
Improvement technical institute	150,000
Improvement vocational education (agriculture)	95,000
SEATO skilled labor	120,000

(61) Technical education, fiscal year 1959 projects—Continued

Vietnam: Expansion and improvement of technical vocational education	$419,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Afghan Institute of Technology	107,000
Greece: Vocational training	59,000
Iraq: Advisers in technical education	81,000
Jordan: Vocational industrial educational	38,000
Sudan: Technical education	1,063,000
Turkey: Establishment of model vocational and trade school	373,000
AFRICA	
Ethiopia:	
Vocational and trades education	205,000
Vocational and industrial crafts pottery	5,000
Technical high school—Debre Zeit	60,000
Liberia: Vocational education	585,000
Morocco: Vocational Industrial Education Center	847,000
OVERSEA TERRITORIES	
United Kingdom:	
Southern Cameroons—Trade industrial educator adviser	14,000
Technical education	35,000
Vocational education advisers	75,000
EUROPE	
Spain: Technical education study	18,000
Yugoslavia: Vocational education	60,000
LATIN AMERICA	
Bolivia: Industrial education project	79,000
Brazil:	
Brazilian-American assistance to industrial education	70,000
Industrial education project	120,000
Improvements of textile education	27,000
Colombia: Trade and industrial education	48,000
Costa Rica: Vocational education	98,000
Dominican Republic:	
Vocational education	5,000
Industrial arts	15,000
Nicaragua: Education—Vocational and industrial arts	84,000
Panama: Vocational and industrial arts	107,000
Paraguay: Vocational education	80,000
Interregional total: Vocational education instructional materials	44,000

(62) Vocational agriculture education

FAR EAST	
China (Taiwan): Vocational agricultural education	$462,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Vocational—agricultural education	64,000
Iraq: Advisers in agricultural education	38,000
Jordan: Agricultural education	54,000
AFRICA	
Tunisia: U.S. rural teacher training program (French)	2,000
LATIN AMERICA	
Bolivia: Vocational agriculture education project	52,000
Colombia: Vocational agriculture education	24,000
Honduras: Vocational agricultural education (education cooperative service)	24,000
Education in crafts and trades (education co-op. service)	95,000

(63) Home economics education

FAR EAST	
China (Taiwan): Home economics education	$31,000
NEAR EAST AND SOUTH ASIA	
India: Assistance to home science and research	2,000
OVERSEAS TERRITORIES	
United Kingdom: Women's occupational training center	15,000
FAR EAST	
China (Taiwan): Home economics education	31,000
NEAR EAST AND SOUTH ASIA	
India: Assistance to home science and research	2,000
OVERSEAS TERRITORIES	
United Kingdom: Women's occupational training center	15,000

(64) Elementary education

FAR EAST	
Laos: Teacher training	$384,000
Thailand: General education development	410,000
Vietnam: Expansion and improvement of elementary education	197,000
NEAR EAST AND SOUTH ASIA	
India: Assistance to national institute for basic education	15,000
AFRICA	
Liberia:	
Teacher training	508,000
Rural school development	79,000
Libya: Teacher education	179,000
Morocco: Rural teacher training	34,000
Tunisia:	
Assisting Tunisian textbook preparation	11,000
Bilingual normal school teacher training	50,000
Elementary school assistance	6,000
LATIN AMERICA	
Bolivia:	
Rural education project	106,000
Brazilian-American assistance to elementary education program	75,000
Elementary education program	160,000
Colombia: Primary education	35,000
Costa Rica:	
University of Costa Rica, assistance (school of education development project)	20,000
Ministry of Education assistance normal education (elementary)	46,000
Dominican Republic: Rural education	84,000
Ecuador:	
Rural education teacher training	47,000
Urban education training	34,000
Education division administration	111,000
Honduras:	
Rural elementary teacher training	40,000
Rural normal school development	34,000
Nicaragua: Rural and elementary education	128,000
Panama: Elementary (rural) education	102,000
Paraguay: Elementary teacher education	80,000

(65) Secondary education

FAR EAST	
Korea: Secondary education	91,000
Vietnam: Expansion and improvement of secondary education	204,000

(65) Secondary education—Continued

NEAR EAST AND SOUTH ASIA	
Ceylon: Science education	$81,000
India: Assistance to the extension training program for secondary school teachers	35,000
Iran: Educational development	445,000
AFRICA	
Tunisia: Strengthening secondary science instruction	6,000
OVERSEA TERRITORIES	
United Kingdom: North Nyanza education development	234,000
LATIN AMERICA	
Brazil: secondary education	27,000

(66) Professional and higher education

FAR EAST	
Burma: Intermediate college at Rangoon University	$250,000
China (Taiwan): Expansion of educational facilities for oversea Chinese	297,000
Indonesia: Development of university level staff	1,213,000
Korea:	
Improvement teacher training	675,000
Technical assistance—public administration	100,000
Higher education	911,000
Philippines: University of the Philippines	288,000
Thailand:	
Teacher training	276,000
Improvement Chulalongkorn University engineering	130,000
Vietnam: Expansion and improvement of teacher training and higher education	607,000
NEAR EAST AND SOUTH ASIA	
Afghanistan:	
Institute of education	776,000
Faculty of agriculture and engineering	465,000
India:	
Assistance to national professional education center	92,000
Teacher training in engineering education	872,000
Iran: Improving teacher education through the National Teachers' College of the University of Tehran	352,000
Iraq: Teacher education	100,000
Pakistan:	
Intercollege exchange	183,000
Teacher training institutions	60,000
Turkey: Professional higher education—Nebraska University contract	567,000
AFRICA	
Ethiopia: Higher education survey	150,000
Tunisia: Tunisia University study team	7,000
OVERSEA TERRITORIES	
Somalia: Assistance to higher institute of law and economics	10,000
United Kingdom: Western region—Teacher training	125,000
LATIN AMERICA	
Argentina: Planning of basic science facilities at University of Cuyo	1,000
Brazil: Aeronautical engineering	17,000
Survey of Brazilian higher education	46,000
Chile:	
University of Concepcion Development of Science Institutes	15,000
Catholic University, School of Sociology	10,000
Cuba: University Central (Santa Clara)	50,000

(66) *Professional and higher education*—Continued

ASIAN ECONOMIC DEVELOPMENT FUND TOTAL

SEATO Graducate School of Engineering	$400,000

(67) *Fundamental adult and community education*

FAR EAST

Laos: General education for rural development	$50,000
Philippines: General education	297,000
Vietnam: Scholarships for leadership training	250,000

NEAR EAST AND SOUTH ASIA

India: Assistance to training in adult education	29,000
Lebanon: Adult education—English language	113,000
Nepal: Education development	396,000

AFRICA

Ethiopia: Women's education	55,000

OVERSEAS TERRITORIES

United Kingdom:	
Education and community development	49,000
Adult literacy, training in the United States	4,000
Training in audiovisual aids	8,000

(86) *Educational administration*

FAR EAST

Vietnam: Instructional materials development	$130,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	82,000
Pakistan: Senior educational leaders training	9,000

AFRICA

Ethiopia: Provincial education	63,000
Ghana: Training in organization and administration of education institutions	3,000
Liberia: Education administration, supervision, and instructional services	6,000

(69) *All other education*

FAR EAST

Cambodia:	
Rural development through education	$472,000
English language laboratory	24,000
China (Taiwan):	
Education administration and development	94,000
Science education	391,000
Indonesia: Public education development	49,000
Philippines: Overall TA—education	23,000

NEAR EAST AND SOUTH ASIA

India:	
School building improvement	18,000
Rural institute	231,000
Assistance to teacher training in audiovisual education	11,000
Iraq:	
Education consultative services to ministry	33,000
Youth activities	1,000
Israel: Teacher training and vocational education	13,000
Jordan:	
Teacher education	61,000
Arab development society	75,000
Expansion of training facilities of the Arab Development Society	75,000
Turkey:	
Georgetown English language program	193,000
General education services	567,000
Literacy training in the Armed Forces	715,000

(69) *All other education*—Continued

AFRICA

Ethiopia:	
Education general support	$44,000
Curriculum development	59,000
Teacher education	68,000
Libya:	
Education joint services support	46,000
Technical and vocational education	278,000
English language program	4,000
Provision of teachers	800,000
School construction	1,216,000
Instructional materials	43,000
Total	2,387,000

OVERSEA TERRITORIES

Somali: Educational activities	17,000

EUROPE

Yugoslavia: English language training	52,000

LATIN AMERICA

Bolivia: Administrative support education servicio	43,000
Brazil: Administration services—Education division	58,000
Colombia:	
Administration—Education servicio	33,000
Training—Eucation servicio	110,000
National university—Reorganization of chemistry curriculum	2,000
Dominican Republic: Technical support of administration of education servicio programs	32,000
El Salvador: Education advisory and training services	93,000
Guatemala:	
Administration	59,000
Rural education	119,000

(69) *All other education*—Continued

Guatemala—Continued	
Urban education	$123,000
Technical cooperation in vocational education	73,000
Haiti:	
Cooperative service in rural education	120,000
Technical service in rural education	194,000
Honduras: Administration of education cooperative service	54,000
Mexico: Education training support	26,000
Nicaragua: Administration—public education—cooperative service	37,000
Panama: Servicio administration (education)	49,000
Paraguay:	
Administration (education division)	45,000
Training	43,000
Peru:	
Peruvian North American Cooperative Education Service	115,000
General Administrative Service	52,000
Normal school education	160,000
Rural elementary and normal education	32,000

OVERSEA TERRITORIES

Jamaica: Vocational education	5,000
The West Indies and East Caribbean: Education—Teacher training	3,000
Regional Total:	
Technical Training in Puerto Rico	446,000
Bilingual rural school supervisory program (Penn State University)	131,000
Contract between ICA and research foundation of State University of New York	80,000

Recapitulation—Mutual security grants for education by continent and fiscal years 1955–59, inclusive

Continent	Fiscal year 1955	Fiscal year 1956	Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Cumulative through fiscal year 1959
Far East	$5,159,800	$10,979,784	$13,037,000	$11,682,000	$9,981,000	$50,839,584
Near East and Asia	7,693,162	8,341,523	7,081,000	6,311,000	8,532,000	37,958,685
Africa	1,191,480	2,304,433	4,357,000	5,905,000	6,005,000	19,762,913
Europe	151,853	78,128	20,000	102,000	130,000	481,981
Latin America	2,546,266	3,575,072	4,146,000	4,540,000	4,574,000	19,381,338
Total	16,742,561	25,278,940	28,641,000	28,540,000	29,222,000	128,334,501
Asian economic development fund				2,923,000	400,000	3,323,000

Source: Prepared by the office of Senator Ernest Gruening (Democrat, Alaska) from information furnished by ICA.

Mr. GRUENING. Mr. President, I read from the first list:

FAR EAST

China:	
Improvement of vocational in-trial school system	$401,000
Establishment of industrial-vocational teachers department (Taiwan Teachers College)	90,500
Indonesia:	
Vocational education teacher training	202,500
Gadjah Mada University—UCLA contract	42,000
University of Indonesia, technical and science faculties at Bandung	400,000
Laos: Technical education	83,000
Philippines: Vocational industrial training	432,000
Thailand: Technical education	238,500
Vietnam: Training and equipment for technical and fine art schools	39,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt: Vocational training program of the Women's Health Improvement Association	$52,089
Ethiopia:	
Vocational trade school, Addis Ababa	8,000
Rural arts and crafts	5,000
Iran: Extended special aid	660,000
Iraq:	
Baghdad technical school (Bradley University contract)	350,000
Advisors in vocational and technical education	23,450
Jordan: Industrial education	55,602
Lebanon:	
Technical education	155,000
Teacher education	65,120
Rehabilitation training agreement (YMCA)	13,000
Rehabilitation training agreement (YW Moslem Association)	10,000
Technical and vocational education	365,000
Libya: Technical education	83,000

OVERSEAS TERRITORIES

United Kingdom:	
Technical education—Technical school training	$152,000
Technical and vocational training in Sierra Leone	68,600

We even are going into the British colonies and giving them aid to help pay for teachers' salaries:

Visit Uganda Deputy Director of Education to United States	1,400
Manual training program	51,000
Royal technical college	19,180

EUROPE

Italy: Italian vocational training study group	10,648

LATIN AMERICA

Bolivia: Industrial schools project—Education service	11,957

Mr. President, I do not care to detain the Senate to read this list in its entirety. Senators will find it in the RECORD.

Mr. President, there is a strange paradox in the attitude of the administration, which has been made crystal clear both by the words of the minority leader and by the action of the Vice President of the United States. There is a strange contrast between what we do for foreign countries and what we deny our own people. There are $128 million in the educational programs of the ICA alone in the foreign countries, much of which goes to pay teachers' salaries. This is only one of the many agencies through which we are giving away funds overseas. That is the item for education alone, $128 million.

Mr. President, a most effective answer to the minority leader's fear that this question would be in politics, was made by the distinguished senior Senator from Minnesota [Mr. HUMPHREY], whose eloquent response deserves the widest reading. He said:

> The minority leader says the schoolteachers will mobilize for more money if this amendment is passed.

What about the foreign teachers abroad? They will not have to mobilize. The administration will mobilize for them.

I continue the quotation:

> All I can say is they should have done it years ago. They have been willing to sing in the choir. They have been willing to attend PTA meetings. They have been participating in community functions. They have done everything, including taking care of families, education, social development. They have to be purer, nobler, more self-sacrificing than any other group in America. They have been kindly, considerate, and self-sacrificing. Finally some of them are saying they are tired of working for less than substandard wages. They are under constant pressures. They have to please mamma, papa, daughter, and son. They have to please the school board. They have to please the city fathers, and all of us.

Mr. President, I emphatically share the views of the distinguished senior Senator from Minnesota, and likewise the admirable views expressed earlier in the debate by the distinguished junior Senator from Arkansas [Mr. FULBRIGHT], who joined in supporting the Clark amendment for aid to teachers, saying:

> I have advocated Federal support because I believe that equality of education for all of the Nation's children should be a priority concern of the Nation and of the Congress, and because I am painfully aware that there are sections of our country where State and local support alone cannot provide that kind of education.

Mr. President, we have long ago established a policy of Federal aid to States for highways, so that the highways throughout the Nation shall be of a uniform high standard. How fantastic that there are those, such as the minority leader, as well as the Vice President, who shudder at and shy away from the idea of erecting a similar high standard by a similar procedure in the field of education, in the essential field of teachers' salaries for our Nation.

Mr. President, I think it pertinent to recall a historic episode, and I wish particularly to call it to the attention of our distinguished Vice President, whom I saw on the floor a few minutes ago, who is admittedly the only candidate of the Republican Party for President. Yesterday's debate showed clearly, by his tie-breaking vote, that he, like the minority leader [Mr. DIRKSEN] and, as reported by the minority leader [Mr. DIRKSEN], the President, is opposed to Federal aid for teachers' salaries. Some 12 years ago, likewise in a presidential year, there was a Governors' conference at Newcastle, N.H., in June, just a few weeks before the Republican convention. At that conference, Gov. Thomas E. Dewey, of New York, startled the assembled Governors by a violent attack on teachers' salaries and on the amount which the teachers were receiving. It is an interesting fact that the first Governor to take immediate and emphatic issue with him was none other than the man who, a few weeks later, was selected to act as his running mate, that great Californian, the Honorable Earl Warren. He, at that time, expressed great surprise at Governor Dewey's attitude, saying—and I remember his words well:

> I don't know how it is in your State, Tom, but out in California many of our teachers are being paid less than school janitors, and that is all wrong.

In any event, Governor Dewey, shortly to become the Grand Old Party's nominee for the Presidency, was defeated in the fall election. My recollection is that he lost the State of Ohio by some 7,000 votes and the distinguished minority leader's State of Illinois by only 33,000 votes, and I have no doubt that the teachers and their families, and the parent-teachers associations, rose up in their wrath at the idea that a man who had so little understanding of the importance of the teacher in our society should be made President of the United States.

I can well understand the distinguished minority leader's alarm that this issue will be political. If we do include aid to teachers in the school-aid bill, Mr. President, it is just as certain to be in politics if we do not include it, and if we defeat the worthy attempts to bring up our teaching standards at home, as we are doing on the most lavish scale abroad.

I know of no issue that is more important than the one we are now discussing. I am highly gratified that, even in its reduced form, the Clark amendment has been adopted. I sincerely hope it will remain in the bill, that it will be passed by the House, and that the President will have an opportunity to show how he feels on this subject.

Mr. DIRKSEN. Mr. President, I often think of a story told me years ago by the venerable J. Hamilton Lewis, a distinguished former Senator from Illinois, when he went to Richmond, Va., to make a speech. The place was filled with people. Someone had gotten there early and listened to him for a while, then had come out and encountered a latecomer who was coming to the meeting. There was a little conversation, and one chap said to the other, "What is going on in there?"

The other replied, "J. Ham Lewis is making a speech."

The first one asked, "How long has he been talking?"

The other said, "About an hour and thirty minutes."

The first one asked, "What is he talking about?"

The other replied, "He ain't said yet." [Laughter.]

I have been waiting for 15 minutes to hear the question, and I have not heard it yet.

Mr. MONRONEY. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is a perfecting amendment defining further the provisions of the substitute amendment which has just been adopted.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. On page 8, lines 18 and 19, it is proposed to amend the short title to read as follows: "School Assistance Act of 1960."

On page 8, line 24, it is proposed to insert before the period the words "and for teachers' salaries".

On page 15, after line 6, it is proposed to insert the following subsections:

> (e) specifies the proportion of its State allotment that will be expended for (1) the construction of school facilities and (2) for teachers' salaries; and
>
> (f) certifies that funds the State education agency specifies for teachers' salaries will be distributed among the local education agencies of the State to be expended solely for teachers' salaries in accordance with this Act.

On page 15, line 10, insert after the word "section" the following: "with respect to the funds specified for school construction".

On page 15, strike out from line 15 through line 4 on page 16, and insert the following:

> SEC. 8. (a) After the first years that allotments are made under this Act, a State in order to receive its allotment for the following year must have matched the Federal funds the State received under the Act in the previous year by having increased its expenditures for elementary and secondary education by an amount that is not less than the product of (A) the State's share and (B) the expenditures for elementary and secondary education from State and local sources in the base school year 1959–60: *Provided*, That the State allotment shall be reduced by an amount equal to the sum

by which the State fails to match the prescribed amount set forth in this section. The total of such reduction shall be reallotted among the remaining States by proportionately increasing their allotments under section 5.

(b) The "State's share" for a State shall be 5 per centum of the remainder of 1.00 less the State's allotment ratio as computed under section 5 except that in no case shall the State's allotment ratio be less than 0.33⅓ or more than 0.66⅔.

(c) For the purposes of this section expenditures for elementary and secondary education for any year means the total expenditures for public elementary and secondary schools by the State and subdivisions thereof made from funds derived from State and local sources in the State, as determined by the Commissioner on the basis of data supplied to him by the State education agencies.

(d) A State shall be considered to have matched its Federal funds in any year in which its school-age population is less than its school-age population in the base school year 1959–1960.

(e) If for any reason a State should fail to receive funds under this Act in any given year, for the purposes of the matching provisions contained in subsection (a), the State will be considered to have received Federal funds under this Act in that year.

On page 19, insert after line 11, the following:

(g) The term "teacher" means any member of the instructional staff of a public elementary or secondary school as defined by the State education agency of each State.

(h) The term "teachers' salaries" means the monetary compensation paid to teachers for services rendered in connection with their employment.

Mr. MONRONEY. Mr. President, this is a technical amendment, making changes in the original bill as reported by the committee required by the teachers' salary addition. Its provisions have been endorsed by 74 Senators, either by voting for the Case amendment last night or for the Clark amendment last night. It will make technical additions in the bill to include the establishment of teachers' salary aid. It will correct related provisions of the bill to correspond to the 2-year duration to which the program has been reduced. It provides a well-established formula which has been in most of the educational bills, I believe even including the administration bill, requiring maximum State effort. It also contains a definition of teachers.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield.

Mr. GOLDWATER. Is the definition of "teacher" broad enough to include school administrators?

Mr. MONRONEY. This is the language:

The term "teacher" means any member of the instructional staff of a public elementary or secondary school as defined by the State education agency of each State.

The term "teachers' salaries" means the monetary compensation paid to teachers for services rendered in connection with their employment.

The definition as to the instructional staff would be established by the State itself.

Mr. GOLDWATER. So it would be possible, then, for a State to include, under the definition of "teachers," administrators, janitors, and others who are not actually engaged in the profession of teaching.

Mr. MONRONEY. I doubt if it would be possible to include them as members of the instructional staff. I am sure supervisors would be included, and those who add to the instruction. I doubt whether service personnel and janitors or yardmen would be included.

Mr. GOLDWATER. Under the Senator's language, if the decision were left to the State, the State could include them. Is that not so?

Mr. MONRONEY. I do not believe that any State would try to evade the clear intent of the law, which requires that a teacher be a member of the instructional staff of a public elementary or secondary school. I think the language is about as clear as we could make it. We could write a definition perhaps many times longer. I believe this is the language for which the distinguished Senator voted last night in the Case amendment. A rollcall check shows that 74 Senators voted for these provisions in connection with two other amendments.

Mr. GOLDWATER. I merely wished to be clear in my own mind. I think I have it clear now, that a State can define what an instructional staff is, and therefore a State could, if it wished, regardless of what the Senator's intention is, include everyone in the school system, from the superintendent and administrative staff on down to the janitor.

Mr. MONRONEY. I do not see how that would be possible without violating the law defining "teacher" to mean a member of the instructional staff.

Mr. GOLDWATER. It leaves the definition of "instructional staff" up to the State agency.

Mr. MONRONEY. I do not believe it would be possible to stretch the definition to include anyone not on the instructional staff without violating the law.

Mr. GOLDWATER. But if the State body were to define "instructional staff" to include everyone working in the school, I think it would be in keeping with the Senator's intent to have the State define the term.

Mr. MONRONEY. I would be very doubtful that that would be the case, because the State, I believe, would be bound to follow the language of the bill. It refers to the instructional staff. That could not possibly include the janitor or yardman or fireman or any employee of that kind. I do not see how that would be possible. I believe there are other jobs, somewhat related to administration, which have to do with the prescription of the curriculum or the prescription of the school hours, or with respect to supervision within the school, which might perhaps be in a twilight zone. However, we would not wish to proscribe the States to a degree which would force them to put these men under an X-ray in order to find out whether 51 percent of their time was spent in classroom teaching. There are undoubtedly many duties which aid the instructional staff and which perhaps make possible the schooling, but I certainly would not go to the extreme suggested by the distinguished Senator from Arizona.

We must bear in mind that in these areas there are going to be great demands among the teachers. My experience with teachers in my State—and I am sure other Senators have had the same experience—is that they have an interest in bettering education. They will be policing this matter to eliminate any fears the distinguished Senator from Arizona has—which I do not share—that we will misclassify as teachers certain janitors, yardmen, firemen, or other persons in that category.

Mr. GOLDWATER. I should like to make clear to the Senator that my feeling is not exactly one of fear. The Senator made the situation perfectly clear when he said what the effect of his amendment would be. However, the junior Senator from Arizona is still convinced that under the language of the amendment the State can, if it wishes—I do not assume that all States would—include rubbers on the athletic staff, doctors who attend the athletic staff, janitors, firemen, administrators, and others, because they all contribute to education, whether they are actually in the classrooms or not.

Mr. MONRONEY. The amendment does not say so. It does not say "contribute to education." It says "instructional staff."

Mr. GOLDWATER. The Senator's language leaves that up to the State. I will not labor this point. It is clear in my mind that if the State of Oklahoma wished to include those people under "teachers," it could do so, under the Senator's language. I have no further comment.

Mr. MONRONEY. I disagree, but I appreciate the Senator's comment. I understand there is no request for a yea-and-nay vote. I suggest that we have a voice vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY].

The amendment was agreed to.

Mr. GRUENING. Mr. President, I do not wish to prolong the anguish of my friend, the distinguished minority leader.

Mr. DIRKSEN. I am not anguished at all.

Mr. GRUENING. I know how difficult it must be for him to have to admit that he supports a policy by which American teachers are denied what foreign teachers get so liberally. I asked him a simple question before. I will ask it for the third time, in the hope that I will get an answer. Will he support the present program which will give lavish aid to pay teachers' salaries in foreign countries?

Mr. DIRKSEN. I wish I had the leisure time to spend half the night and most of the day running down the CONGRESSIONAL RECORD and picking out the little divergences and variations the Senator has brought up, including NIXON and Tom Dewey and the minority leader and everyone else, and stir them all up in a bowl and then see him bring up a political question. Let me say to my friend that last night in the CONGRESSIONAL RECORD the Senator said: "The

Senator from Illinois has said he is opposed to aid to American schoolteachers." The minority leader has never said anything of the kind. He said he was opposed to Federal aid for the payment of salaries of schoolteachers. Of course the distinguished Senator from Alaska would like to have it appear, I suppose, that the minority leader is opposed to aid to education even at the State level.

I will make a deal with my friend. He must have done a little research, because here is a long list. But let us take a look at it:

Vocational industrial training in Cambodia. Is that elementary schooling or not?

Trade and industrial education in Taiwan. Is that what we are talking about in the pending bill? Not at all.

Vocational education in Indonesia, in Korea, and in the Philippines.

Afghan Institute of Technology. Vocational training in Greece. All that is a part of our technical program.

If my friend from Alaska will offer an amendment to the bill to limit it to vocational and technical training, he is likely to get a vote from the minority leader. I will leave the case right there.

Mr. GRUENING. Mr. President, the distinguished minority leader has not even begun to read the entire program. He has only read a few items. As I pointed out, it would take several hours to list the various efforts in aid to education in foreign countries, which includes payments to teachers. I find it difficult to understand this strange inconsistency by which the administration, which the minority leader so ably represents, blankets out aid for American teachers and gives some Federal aid to foreign teachers under the foreign aid program

He was quite right in pointing out that in my question to him I used the words "aid to teachers." I should have referred to Federal aid. However, we were discussing the Federal aid program. Obviously that is what we were referring to. I repeat my question: Since he is opposed to Federal aid for American teachers, is he going to support the Federal aid program for foreign teachers?

Mr. DIRKSEN. If the Senator will offer an amendment limiting it to vocational and technical education.

Mr. GRUENING. Will the minority leader be so kind as to answer my question "Yes" or "No"?

Mr. DIRKSEN. That was a sufficient answer, Mr. President.

Mr. GRUENING. I think that was no answer at all.

Mr. DIRKSEN. With respect to foreign aid, we will deal with it when we get to it in the Senate. If the Senator wishes to offer an amendment to strike out "teachers" wherever that word appears in the foreign aid bill and include therein "vocational and technical training," and thereby completely destroy the so-called technical assistance program, it will be all right with me. Of course he will not get a vote from the minority leader.

Mr. GRUENING. I am still waiting patiently for an answer. Apparently I will not get an answer. So I thank the Senator for his attention and courtesy.

Mr. MORSE obtained the floor.

Mr. COOPER and Mr. DIRKSEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yield? If so, to whom does he yield?

Mr. MORSE. I should first like to call up my amendment, identified as "2–1–60—A."

The PRESIDING OFFICER. The amendment will be stated.

The Chief Clerk proceeded to state the amendment.

Mr. MORSE. Mr. President, I ask unanimous consent that the amendment be not read, but printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE's amendment was ordered to be printed in the RECORD, as follows:

On page 8, line 24, strike the period and insert in lieu thereof a comma and the following: "and to authorize a two-year program of loans for the construction of private nonprofit elementary and secondary school facilities.".

On page 17, line 3, after "Act" insert a comma and "or a private school which receives a loan under the provisions of section 11.".

On page 17, between lines 15 and 16, insert the following:

"LOANS TO PRIVATE NONPROFIT ELEMENTARY AND SECONDARY SCHOOLS

"SEC. 11. There is authorized to be appropriated for the fiscal year beginning July 1, 1959, and the succeeding fiscal year, such sum, not to exceed $75,000,000 in any fiscal year, as is equal to 15 per centum of such sums as may be appropriated in such year pursuant to the authorization in section 4, for making loans to private nonprofit elementary and secondary schools in the States for constructing school facilities. Such loans are hereby authorized to be made by the Commissioner, and the total amount of such loans which shall be allocated to qualifying schools in each State for each such year shall be in an amount which bears the same ratio to the total amount appropriated in such year pursuant to the authorization in this section as the private nonprofit elementary and secondary school population in such State bears to the total such population for all the States. Any such loan—

"(1) shall be made upon application containing such information as may be deemed necessary by the Commissioner;

"(2) shall be subject to such conditions as may be necessary to protect the financial interest of the United States;

"(3) may be in an amount not exceeding the total construction cost of the facilities for which made, as determined by the Commissioner, and shall bear interest at a rate determined by the Commissioner, which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum per annum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the contract for the loan is made and adjusted to the nearest one-eighth of 1 per centum; and

"(4) shall mature and be repayable on such date as may be agreed to by the Commissioner and the borrower, but such date shall not be more than forty years after the date on which such loan was made.

If any part of the total funds allocated to schools within a State under the provisions of this section remain unused at the end of the first fiscal year in which funds are made available under this section, it shall be reallocated at the discretion of the Commissioner for loans under the provisions of this section to schools in other States. Such reallocated sums shall be over and above the sum authorized to be appropriated in the succeeding fiscal year under the provisions of this section."

On page 17, line 17, strike out "SEC. 11." and insert in lieu thereof "SEC. 12."

On page 18, line 24, before the semicolon insert a comma and "or for the purposes of section 11 which is provided by a private nonprofit elementary or secondary school".

On page 19, after line 11, insert the following:

"(g) The term 'nonprofit' as applied to a school means a school owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual."

Strike out the amendment to the title and insert in lieu thereof the following: "A bill to authorize a two-year program of Federal assistance for elementary and secondary school construction."

Mr. DIRKSEN. Mr. President, will the Senator yield to the Senator from Kentucky?

Mr. MORSE. I yield.

Mr. COOPER. I have listened with interest to the colloquy between the Senator from Alaska and the Senator from Illinois. I might say that I voted for the aid to teachers' salaries amendment and also for the foreign aid program. Therefore I hope my answer will not be a prejudiced one. I have also seen the teacher training program work in other countries. I do not know of any instance under the foreign aid program of aid being given for teachers' salaries. The programs which my distinguished friend has placed in the RECORD are under the point 4 program—and, by the way, that was a program initiated by President Truman—and there was no aid of which I ever heard for teachers' salaries in the foreign aid program or in any other program.

Mr. DIRKSEN. I think that completes the colloquy. We shall resume it at another date after we have disposed of the business at hand.

Mr. MAGNUSON. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Mr. President, before I proceed to explain and discuss my amendment, I ask unanimous consent that I may yield to the Senator from Washington without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I may say to the Senator from Oregon that I shall support his amendment.

Yesterday I presented an amendment to the bill. I honestly believe it was a good amendment. I think it is necessary that we meet the issue involved in the amendment. I believed that 11 years ago, when I cosponsored it and voted for it, not once, but twice. I have been surprised to learn that so many Senators, including the minority leader, who believed in it then, do not believe in it now, or at least feel that it should not be placed in this bill now.

I do not know whether I could offer my amendment again, after it has been

voted upon and defeated. But I waited until I saw the results of the vote on the so-called Clark amendment, modified or otherwise. Now that it has been adopted, it has obviated much of the necessity for the amendment which I offered yesterday, and which the Senate has in the past adopted, not once, but twice.

I have been a legislator a long time, both at home and here. Someone once said—I do not know who it was—as a sort of prayer: "O Lord, give me the patience to endure that which cannot be changed now, but the courage to change what I believe can be changed; and, above all, give me the wit to discern between the two."

Mr. President, I have been doing some discerning. I strongly suspect, notwithstanding the change of attitude about this problem, which is still with us, and I believe is even more pressing now than ever, that my amendment would probably be defeated.

I believe the Senator from Michigan [Mr. McNAMARA] and the Senator from Alabama [Mr. HILL] feel as I do about this matter. But we are all desirous of obtaining some kind of aid to education, so I will not present my amendment again. I still think the question should be considered. So far as I have been able to ascertain, no Senator who will vote against the amendment has given a good reason why. If there is a need in the State for education, and the Federal Government will make available funds, the State should use those funds for the needs as it sees fit, because the State knows its own problems.

Some emotional things are involved in this matter. I understand that. But there can be no valid argument against it, and no one has given any argument. But I know the great bulk of the Senate will vote against it now. I have discerned a little bit.

I should like to see the bill pass. I should like to see a strong fight made for it. I know the Senator from Alabama and the Senator from Michigan would fight for this proposal to the best of their ability in conference, because they believe in the principle. But I know also that they are desirous of getting something done this year, and some practical legislative situations must be considered.

There have been some changes in attitude. I do not know whether they are political or not, but there have been some changes.

A youngster is a youngster. I do not care where he comes from, or what religion he professes. A problem confronts us. We will have to face up to it some day, as the Senate did in 1949. I do not recall any great repercussions after the bill was passed then. But there were some legislative repercussions in the House. A Member of the House participated in what is now known as a fight named after him. I think we are going to have to meet the opposition. Simply because there may be a fight in the House over something in which we believe does not mean we should not act.

But we are running against time, and there is an urgent need. I still think my amendment is a good one. I still think we should allow the people of the States to do what they wish to do under their own State laws and constitutions. I hope that some day it will be possible for Congress to take the action which my amendment proposes.

I hope the bill will pass. I do not know whether it will be vetoed. There seems to be some indication, from what was said last night, that it will be vetoed. Then this matter will become an issue. Someone has said that the Democrats are trying to make issues. Certainly we are trying to make issues. There is a great difference between Republican philosophy and Democratic philosophy.

Mr. DIRKSEN. Oh, definitely.

Mr. MAGNUSON. One of them is found in the attitudes of Senators on the pending measure. It cannot be glossed over. It will be an issue. I am going to make it an issue if I can. If we can have a Federal aid-to-education bill, I shall next year again attempt to do what I tried to do yesterday. But obviously the Senate was against me then. I have discerned enough not to offer the amendment again. I hope that we can get started the movement which I know is in the minds of those of us supporting the bill.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DIRKSEN. I recognize that the distinguished Senator from Washington is a man of rare and penetrating discernment. He really is.

Mr. MAGNUSON. Not at all times.

Mr. DIRKSEN. I took no position, particularly with respect to the earlier bill. When the question arose yesterday, I simply asked whether or not, within the language of the bill, using some felicitous phrase, the Federal Government would find itself in a position of matching funds to build high school stadia, football fields, gymnasiums, and other appurtenances to schools, when the whole discussion this year, last year, and before clustered around the one saving, gracious word "emergency." This is regarded as an emergency, 2-year, urgent program.

Mr. MAGNUSON. The Senator from Illinois did not want to answer my question. Now that I have yielded for a question, he does not want to answer the question.

Mr. DIRKSEN. The Senator asked a question; I restated the question.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. DIRKSEN. My question was whether the phrase in the Senator's amendment included Federal funds for football stadia, baseball fields, gymnasiums, and that sort of thing.

Mr. MAGNUSON. The Senator certainly has no faith in the local school officials.

Mr. DIRKSEN. I have faith in the word of my distinguished friend from Washington.

Mr. MAGNUSON. The amendment said nothing about those things. The amendment provided that the States could use the money for whatever it may be legally used to promote.

Mr. DIRKSEN. So there would be no limitation on how they might use it.

Mr. MAGNUSON. The Senator from Illinois knows that no one will use it where there is no urgent need for its use.

Mr. DIRKSEN. The Senator from Illinois does not know anything of the kind.

Mr. MAGNUSON. The States are so desperate for classrooms and good teachers that they will take almost all the money and use it for the construction of classrooms, including gymnasiums. Is the Senator from Illinois against gymnasiums? Now we are beginning to make a record.

Mr. MORSE. Mr. President, I do not yield any further. This is a very wonderful debate on the part of the Senator from Washington, about which I want to say something; and the Senator from Illinois has provided me with such a large attendance in the Senate that I wish to make a parliamentary request before I lose so fine an attendance.

Mr. President, on my amendment I ask for the yeas and nays.

Mr. DIRKSEN. Mr. President, may I ask the Senator from Oregon how long he proposes to discuss his amendment?

Mr. MORSE. That will all depend on future events.

The PRESIDING OFFICER. The Senator from Oregon has asked for the yeas and nays. Is there a sufficient second?

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Oregon yield to the Senator from Washington?

Mr. MORSE. I yield.

Mr. MAGNUSON. The Senator from West Virginia has pointed out that inadvertently I said "the whole Senate." I meant the great majority of the Senate. There were a great number of Senators who wanted to support the amendment. I want the RECORD to be correct on that point.

Mr. MORSE. Mr. President, I am very proud and honored to have as cosponsors of the amendment the Senator from Alaska [Mr. BARTLETT], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senators from Connecticut [Mr. BUSH and Mr. DODD], the Senators from Montana [Mr. MANSFIELD and Mr. MURRAY], the Senator from Iowa [Mr. MARTIN], and the Senator from Illinois [Mr. DOUGLAS].

This amendment seeks to provide loans, with interest, to private schools.

I want my colleagues to know that in view of the adoption of the Clark-Monroney amendment, it was necessary, before I offered this amendment this afternoon, to modify its language on page 2, beginning in line 6, by changing the date "1959" to "1960"; and, in line 8, striking out "as is equal to 15 per centum of such sums as may be appropriated in such year pursuant to the authorization in section 4."

And by adding, in lieu of that language, "as is necessary."

As thus modified, section 11 will read as follows:

There is authorized to be appropriated for the fiscal year beginning July 1, 1960, and the succeeding fiscal year, such sum, not to exceed $75,000,000 in any fiscal year, as is necessary for making loans to private nonprofit elementary and secondary schools in the States for constructing school facilities.

I perfected the amendment with that language before I called it up, as is my parliamentary right, so that after the yeas and nays had been ordered, I would not find myself in a parliamentary position of being unable to perfect the amendment in the absence of unanimous consent.

I should like to have the attention of the cosponsors of the amendment for a moment: Later this afternoon, I shall offer an amendment to this amendment. I shall discuss it later; but I thought the cosponsors of this amendment should have notice that in my own capacity I shall offer an amendment which will read as follows:

On page 4, in line 4, after the period, insert a new sentence, as follows:

In making loans within any State under the provisions of this section, the Commissioner shall give priority to applicants proposing to construct school facilities in areas where the public schools are in operation.

Later, I shall set forth my reasons for that amendment. I shall submit it only for myself because it raises a point separate from the basic purpose of our amendment.

Since other Senators have joined in sponsoring it, I did not feel that it would be at all fair, according to my code of operation with my colleagues in the Senate, after they had joined in sponsoring my amendment, to ask them to join in a change which brings in a somewhat new phase of the problem.

Mr. BUSH. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. BUSH. I did not quite understand the import of the modification the Senator from Oregon mentioned on page 2. Will he clarify it?

Mr. MORSE. Yes.

The Senate has now adopted the Clark-Monroney amendment. Thereafter, counsel discussed with me the necessity of modifying our amendment in line with what the Senate did in regard to the Clark-Monroney amendment, because my amendment seeks only money for construction, and for construction only. We are seeking a maximum of not more than $75 million, and because now, under the Clark-Monroney amendment much more is provided for public schools, there will be some changes in the formula involved.

I want to make perfectly clear that we stand by our original proposal for a maximum of $75 million, if the officials who administer the law believe they have meritorious applications amounting to as much as $75 million.

So the language of my amendment now reads as follows, on page 2, beginning in line 5:

SEC. 11. There is authorized to be appropriated for the fiscal year beginning July 1, 1960—

Instead of 1959—

and the succeeding fiscal year, such sum, not to exceed $75 million in any fiscal year, as is necessary for making loans to private nonprofit elementary and secondary schools in the States for constructing school facilities.

Mr. BUSH. I thank the Senator from Oregon.

Mr. MORSE. I wish to say that the $75 million specified in our amendment is still about 15 percent of what the public schools will get for construction if they divide their money equally between construction and salaries; but I took out the "15 percent," so no one would have any doubt about what we are asking for, in total amount. The total amount is "not to exceed $75 million" each fiscal year.

Mr. MORSE subsequently said: Mr. President, if I may have the attention of the Senator from Connecticut for a moment, I have just been advised by my administrative assistant that the other cosponsors of the bill have been consulted in regard to the question which the Senator from Connecticut and I discussed a few moments ago, as to whether the $75 million was to be in addition to or a part of the money covered by the Clark amendment.

I have been advised that they all share my point of view, that it was to be in addition, and that they would not be in favor of modifying the amendment. I feel that now is the time to report that fact to the Senator from Connecticut, so that he may proceed in private conversation with any of the cosponsors, or anyone else, to discuss the question and decide whether or not he would like to offer an amendment to the amendment as it was originally drafted.

I feel very bad about this. I did not have the pleasure of sitting down and talking directly with the Senator from Connecticut. The only reason I did not do so was that I simply did not find the time. I had no intention of not doing it.

Had I done so, he and I would not be in what is now a very embarrassing position. I would feel very bad if the Senator from Connecticut felt that he went along as the cosponsor of an amendment, because I did not make the amendment clear to him. As he knows, the matter was handled by members of our staffs, and not directly between the two Senators.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUSH. I thought I made it quite clear earlier that I completely absolved the Senator from any fault in this matter. The fault is my own. I misunderstood the situation. I thought that the 15 percent meant 15 percent of the amount involved, but the Senator assured me, quite to my satisfaction, that he never intended it that way, and that the amendment was never written in that way. So the Senator has nothing to feel bad about.

I thank the Senator for considering the possibility of a modification and for his suggestion that I might offer such an amendment if I cared to do so. I shall consider that possibility.

I thank the Senator very much for his courtesy in the whole matter.

Mr. MORSE. Mr. President, at the beginning of this debate, let me stress that just because we include the words "not to exceed $75,000,000," the amendment does not mean that $75 million will be loaned. As I shall point out later, we have included in the amendment ample safeguards to make certain that the administrators in charge of the loan program will be required to approve only meritorious loans. We provide a ceiling on the amount they may lend; and the ceiling is $75 million.

Mr. PROUTY. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PROUTY. If a State were to abolish its public-school system, in favor of a so-called private-school system, would it be entitled to receive funds under the Senator's proposal; or will his second amendment take care of that situation?

Mr. MORSE. When I discuss the second amendment—which I shall offer on my own—it will be clear that its purpose is to assure that a State may not abolish public schools and set up private schools and expect to obtain loans from the Federal Government for those private schools, with the public schools standing vacant.

Mr. PROUTY. I thank the Senator from Oregon.

Mr. MORSE. Later, I shall submit an argument on that point; but I prefer to withhold it now.

At the outset of my remarks on this amendment, I am perfectly willing to state my legislative intent. In my judgment this amendment, even as drafted, would not encourage that at all.

However, in order to avoid any doubt, I shall offer the second amendment, on my own, in order to make perfectly clear that the loans cannot be used to encourage the closing of the public schools, and evasion of the decisions of the United States Supreme Court in regard to nonsegregation in the public schools of the Nation.

I am sure that no Member of this body is at all surprised that I am taking that position. However, I always like to have my position understood with absolute certainty, so no one will have any doubt about it. That is why I shall offer the second amendment.

Mr. KEATING. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. KEATING. Let me ask the Senator from Oregon—although I do not wish it to be understood that this problem is bothering me in the way it is the Senator from Vermont—whether it is his intention to offer, on his own, an amendment to the pending amendment, which has a number of cosponsors; and will his second amendment meet the situation to which he has just now referred?

Mr. MORSE. Yes; and I shall offer that amendment to this amendment.

Mr. KEATING. Is the $75 million limitation, as set forth in the Senator's amendment, in addition to the provisions of the so-called Monroney-Clark amendment; or is it a part of that amendment?

Mr. MORSE. It is in addition to that.

Mr. KEATING. I thank the Senator from Oregon.

Mr. MORSE. There has been distributed to the desks of Senators a mimeographed sheet which shows the distribution of the $75 million, insofar as availability is concerned, provided the respective States make meritorious requests. I show the distribution State by State; and I think that will be of particular interest to the Senators who represent some of the larger States where, interestingly enough, most of the private schools are located.

But in the interest of saving time, and in order to make the most logical presentation of my case in chief in support of this amendment, I shall now proceed to make my argument in regard to it.

TAFT APPROACH PREFERRED

By way of introduction, let me say that no one is more aware than I of what the Senator from Washington [Mr. MAGNUSON] referred to a few minutes ago—namely, the high degree of emotionalism which exists in some quarters in regard to the entire field of Federal aid to education, and particularly when one even so much as whispers about some loan assistance to private schools.

But I want the RECORD to show that the Senator from Washington [Mr. MAGNUSON] was not alone yesterday afternoon, although he stated in his remarks here that he was alone on the amendment.

There were those of us who supported the Magnuson amendment. The CONGRESSIONAL RECORD will show that I made a statement in support of the Magnuson amendment and said that I hoped it would be brought up, which is parliamentarily possible, later on in this debate, after all the amendments had been passed upon. However, I quite agree with the Senator from Washington, and I want to associate myself with his remarks made this afternoon, that in view of the adoption of the Clark-Monroney amendment, it would seem to be the better part of wisdom to forego any action on the Magnuson amendment at this time. But eventually it ought to be made crystal clear that we do stand behind—and I am proud to quote him, as I did yesterday afternoon—the guiding principle which the late Senator from Ohio, Robert Taft, always followed here in the Senate in regard to Federal aid to education, namely, that the money should go to the States, and then the States should decide, in accordance with State policy, how the money should be spent after it was commingled with State money.

I have never varied from that principle, and that is the essence of the Magnuson amendment. All the Senator from Washington is really saying in his amendment is, that what we are providing for in an education bill is that the Federal Government should recognize it has the responsibility to come to the aid of the States, for reasons I shall set forth formally in a moment. Once the Federal Government comes forward with that assistance and makes the money available and it is set aside for the States, the Federal Government stops, other than for the making of reports which give an accounting, which the Federal Government owes to all the taxpayers of the country. But the judgment as to what the money should be spent for, whether it should go for teachers' salaries, schoolbooks, janitorial services, sanitary facilities, or what not, should be a matter for the States to decide. That was Bob Taft's belief, I respectfully submit, and I always backed him here in the Senate in the Federal aid to education debates. That was Bob Taft's principle and philosophy in respect to aid to education.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUSH. I was interested in the question the Senator from New York asked the Senator from Oregon about whether the money would come out of the funds provided in the bill or whether it would be in addition to those provided in the bill.

Mr. MORSE. It would be in addition.

Mr. BUSH. I was surprised to hear the Senator say it would be in addition to funds provided in the bill. It was my understanding—and I am not seeking to fasten blame on anybody but myself; I possibly misunderstood—that, because of the 15 percent language, the amount was to be reserved out of the amount provided in the bill, whatever it turned out to be, for this particular purpose. Will the Senator tell me whether he has changed it, or whether that was what was provided by the original amendment?

Mr. MORSE. I give the Senator my assurance it was my original intention.

Mr. BUSH. Then I misunderstood.

Mr. MORSE. I will tell the Senator why. The Senator is entitled to a frank statement as to why that is true.

Mr. BUSH. I am not questioning what the Senator has stated.

Mr. MORSE. I think we ought to make the explanation a matter of legislative history.

Mr. BUSH. Would the Senator from Oregon care to modify his amendment to provide that the 15 percent would be a part of the money provided in the bill?

Mr. MORSE. I think this explanation should be made a part of the legislative history. The Senator from Connecticut is aware of the fact that there is quite a conflict even among school officials, public and private, with regard to an amendment such as this. There are public school officials who think that even bringing up such a proposal jeopardizes the chances of getting the maximum amount for public schools. I did not want to be a party to that. I did not feel that would be the desire of anybody interested in the amendment.

On the other hand, it is my position that public school officials are wrong to take a selfish point of view that they should not encourage some assistance to the private schools, in view of what the private schools are doing for public education in this country.

To avoid that kind of jurisdictional conflict, I thought we ought to make clear that we are not seeking to take money away from public school officials, but we are seeking additional money for the private schools.

Mr. BUSH. We could not take money away, because they have not got any yet.

Mr. MORSE. Well, they would feel, if we did not say this money was provided in addition, that this sum was taken from their allotment.

Mr. BUSH. Would the Senator care to modify his amendment so as to provide that the 15 percent of the funds would come out of the amount provided in the bill?

Mr. MORSE. I will give it serious consideration before the debate is over. I have told the distinguished Senator what my intention was. If my cosponsors think that the 15 percent ought to come out of the total amount provided, I am frank to say I will join my cosponsors. I want to cooperate with the cosponsors. The Senator from Connecticut asked me what my original intention was. I have told him.

Mr. BUSH. I thank the Senator. I would be much more comfortable, in my position as a cosponsor, if my original understanding, even though it was wrong, were adopted as a modification. I thank the Senator for saying he will give consideration to my suggestion.

Mr. MORSE. To show the Senator how quickly I am working, I have already whispered instructions to my administrative assistant and legal counsel to get busy among my cosponsors and notify me what they say.

Mr. BUSH. I thank the Senator very much. I venture the thought it would help the amendment to modify it in the way I suggested.

Mr. MORSE. That may be, but, at the same time, I find myself in the position of having discussed this matter with some of our public and private school officials, and I did not want to seem to have walked on the floor of the Senate and taken a position contrary to what had been indicated.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Michigan.

Mr. McNAMARA. Did I correctly understand the distinguished Senator from Connecticut to say that if the Senator from Oregon went along with the suggestion of the Senator from Connecticut, the Senator from Connecticut would vote for the passage of the bill?

Mr. MORSE. The Senator from Connecticut is one of the cosponsors of my amendment.

Mr. MAGNUSON. Did I understand correctly that the Senator from Connecticut would vote for the bill if his suggestion were adopted?

Mr. MORSE. I do not know what the Senator from Connecticut will do as to the bill.

Mr. McNAMARA. Very well.

Mr. MORSE. Mr. President, I will now proceed to a discussion of the amendment.

PRIVATE SCHOOLS ARE PART OF EDUCATION SYSTEM

The Federal aid to education bill, S. 8, is one that I believe to be most important for our country. There can be no doubt that education in America stands in need

of financial assistance from the Federal Government. There can be no doubt that the Federal Government stands in need of a sound education system in America. The measure proposed by the Senator from Michigan [Mr. McNAMARA] would give such aid to the public schools.

However, I feel that I must express a very deep concern over the failure of the bill to consider the needs of all of American education. As presently constituted, S. 8 neglects the 15 percent of our Nation's youth who are receiving their education in nonpublic schools. That is where this 15 percent figure originated, Mr. President. We took the 15 percent figure in the first place because 15 percent of our boys and girls in the United States are going to private schools.

May I emphasize that they are receiving their education in nonpublic schools because they and their parents are exercising their rights within our democracy in choosing the kind of education they desire. This right is one that has been determined by decision of the Supreme Court.

I should like to recall to the Senate this decision, the so-called Oregon case decided in 1925, *Pierce* v. *Society of Sisters*. In it, the U.S. Supreme Court found an Oregon State law requiring compulsory public school education of children between the ages of 8 and 16 to be an invasion of the liberty guaranteed by the 14th amendment. This great decision is the charter of education freedom in America. Since that time, traditionally and juridically, every private school, attendance at which satisfies compulsory education laws of the States, is an integral part of the American educational endeavor.

Let me read a short excerpt from this great decision of the Supreme Court of the United States, which was a unanimous decision. The Justice writing for the majority was Justice McReynolds.

A 1922 Oregon statute required attendance at public schools of children between the ages of 8 and 16. The Society of Sisters, one of the groups which brought the action, was a Roman Catholic institution. The name "Pierce" in the decision is the name of a great Governor of our State at the time, later a Representative in Congress, the Honorable Walter Pierce.

The Supreme Court said:

> Under the doctrine of *Meyer* v. *Nebraska* (262 U.S. 390), we think it entirely plain that the act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control.
>
> As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only.
>
> The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.

Mr. President, it was that language and the other part of the decision in the famous Pierce case of 1925 which established the principle that when a State seeks to compel children to go to a public school it acts unconstitutionally, and that legislation which would so provide is in violation of the 14th amendment.

So, Mr. President, we have no single track system of education in this country; the States, fortunately, have not preempted the field of education. The right of parents to send their children to schools of their choice has consistently been protected. The development of the American system of education has been in the direction of diversity, and it has been good for our Nation, exactly as diversity in our political and social life has been good for us. In 1930, the Court upheld the right of Louisiana to spend public funds for textbooks for private school children (*Cochran* v. *Louisiana State Board of Education*, 281 U.S. 370).

This tradition is one which should be preserved. We know that the public schools have serious problems, and because I recognize that fact I am a supporter of S. 8 and of the Clark amendment to expand the public school grants to include aid for teachers' salaries.

But the private schools are in serious financial straits, too, and we must not forget that fact when we deal with proposed legislation to raise and improve education standards in America.

The problems of the private schools affect the democratic rights of our citizens. For example, as the burden of taxation is increased, the ability of parents to finance the kind of education they wish for their children could be destroyed. In fact, the very existence of nonpublic schools could be destroyed.

The legislation we enact to aid education, then, should not be punitive nor should it place an intolerable burden upon any group. The legislation we enact should be designed with the needs of all of the schools in mind, public and nonpublic, if we are really to improve our education system.

The fact is that the nonpublic schools perform a remarkable service to the Nation in the share of the cost of education they bear. Today, 15 percent of all the children enrolled in elementary and secondary schools are in private schools.

I have been heard many times to draw the illustration of what we could expect if by some wave of the hand all the private elementary and secondary schools now in operation could be caused to disappear, so that all the youngsters attending them today were compelled to show up tomorrow morning at the public schools to continue their education.

More than 5 million children would appear. The figures being discussed in connection with the need of help for the public schools show that there are some 1,800,000 children enrolled in excess of the capacity of the schools to handle them. To add 5 million more would put an additional burden upon the States, school districts, and the Federal Government that is staggering to the imagination.

These private schools provide more than 170,000 classrooms. Using the average expenditure per child of $237 in the public schools and applying it to these 5 million children, the private schools and those who support them are saving the taxpayers some $1,185 million a year because that is how much more would have to come out of public funds if these children suddenly sought a public school education.

I pause a minute on that figure, Mr. President. That is a lot of money; $1,185 million is being contributed, in my judgment, to the public by the private schools today, and we are asking under this proposal for authority to lend with interest a mere $75 million, to be of assistance to these private schools in constructing the schoolrooms they need to meet their registration demands.

Is there a public interest involved? Mr. President, the whole burden of my argument in support of the amendment—and I rest my argument on this major premise—is that the taxpayers of the country will be greatly benefited by approval of my amendment. It is an economy amendment. It is an amendment which will save the taxpayers of America great sums of money. It is an amendment which will cost the taxpayers of the country not one red cent. It is an amendment which will return to the Treasury of the United States interest on the money loaned.

It provides for no grant to any private school in America. I want to get that fact firmly established in the debate, Mr. President. The Senator from Oregon, as I shall show later in the argument, does not favor grants, but he does take the position that these private schools ought to be helped because of the public service they render to the American people in the field of education, with interest-bearing loans for school construction, and school construction only, in the amendment.

TIGHT MONEY HURTING CONSTRUCTION OF BOTH PUBLIC AND PRIVATE SCHOOLS

The fact is that the rising interest rates upon funds the private schools have been borrowing to finance their construction is making borrowing more difficult all the time. It is just as difficult for the private schools to borrow in this high interest rate market as it is for the public schools. Construction is not keeping pace with enrollments.

Is it any solution to allow private school construction to be curtailed when the children who would expect to attend them are simply going to have to attend public schools and thereby increase the pressure upon the public schools?

I call attention to that point because it bears again upon my point that this amendment is an economy amendment, for the benefit of all the taxpayers of the country. If the private schools are not able to borrow money to build the classrooms to meet their enrollment demands, those youngsters will have to appear at the doors of the public schools, although their parents may desire to have them go to a private school, which the U.S. Supreme Court in the famous Pierce case of 1925, made perfectly clear was the very definite right of parents in our country.

We cannot abridge it by passing compulsory legislation requiring children to

go to public schools; that would be unconstitutional, for it would be in violation of the 14th amendment. We should not try to accomplish the same end by indirection in the case of a single child or a group of children, or in the case of the many hundreds with respect to which we would be accomplishing it if we did not have lending facilities available to private schools so that they could borrow money to take any students who ask for admission to private schools.

Let me state that argument another way, in order that it may be clear for the record. I try to follow through on the principles of the Supreme Court decision by applying those principles to other operative facts when new circumstances arise. In the Pierce case, the Court made it very clear that if a State passed a State statute which sought to require all children between the ages of 6 and 16 to go to a public school, that would be unconstitutional. One of the reasons it would be unconstitutional would be that in fact it would abridge a very precious natural right of a parent to determine the school to which his child should go.

If, in view of the educational crisis which faces our country, if in view of the financial problems which exist in our country, including high interest rates, private schools find themselves in a position where they cannot borrow the money in order to add to a school building the classrooms necessary to admit students who wish to enter the private school, are we not in fact indirectly following a policy which says to the parents, "You must send your children to the public school after all"?

As to those little boys and girls who are involved in that particular hypothetical situation, there is no denying the fact that they are required to go to a public school because no private school facility is open to them.

Mr. President, I think we must make sure, in this Federal-aid-to-education measure, that the private schools are able to maintain their share of the education burden. Further, I believe that the loan program set up in my amendment is the sound way to accomplish that purpose. We should not follow a legislative course of action that would justify anyone in saying that we are acting in a discriminatory fashion against the private schools, or to the disadvantage of the private schools. We owe the private schools so much for the great public contribution which they make each year to the educational system of our country. As I said a few moments ago, it would cost the public some $1,185 million a year to educate them.

CONGRESSIONAL PRECEDENTS

My next argument is that there are ample precedents in Federal legislation in support of the principle of my amendment. I wish to make my argument on that premise, although I am not one to say that merely because something has been done before it is all right to do it again.

On the contrary, we have many bad precedents, not only in the law, but in our governmental procedure, which should be overruled and discarded. But because the argument is made against me by those who have not done the necessary bookwork which, I respectfully say, ought to be done on this problem before they make this argument, that there is no precedent at all for the amendment I am proposing on the floor of the Senate this afternoon, I believe I owe it to my friends, supporters, and cosponsors to present the result of the research we have done on this particular point.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. BUSH. Did the Senator say he had no precedents?

Mr. MORSE. No. I said there were many precedents for the course of action I am proposing, but the argument has been made that there is no precedent.

Mr. BUSH. I thought the Senator said there was no precedent.

Mr. MORSE. I said that argument is made against me.

Mr. BUSH. I apologize. I am sorry. I misunderstood.

Mr. MORSE. That argument is made against the amendment, and I am about to show that there are a great many precedents in support of it.

Before going into the judicial aspects of Federal assistance, let us look at what Congress has already done in this area. For almost 15 years now we have kept in mind the needs of children in the private, nonprofit schools with reference to the school lunch program. Not only has the Department of Agriculture distributed food to them, but it has also administered a very small grant program to enable schools to construct the kitchen and cafeteria space and facilities needed to feed the children in private schools as well as public schools.

For 10 years, the college housing program has gone forward successfully, and I know something about that, because I was a member of the Senate Committee on Banking and Currency when that program was established. It applies to church colleges and universities of many denominations. I know of no instance where a question has been raised as to the constitutionality of including private—and church—colleges in the loan program for dormitories. Apparently it is all right to provide a place for them to sleep, but not a place for them to learn.

Two years ago, we applied the same principle to the National Defense Education Act. Where grants were authorized to the public schools for science facilities and minor remodeling to accommodate them, loans were authorized to private schools. Again, I know of no challenge to the constitutionality of that program, and scarcely any objection even to its advisability.

Another program related to this question is the Hill-Burton Hospital Construction Act. It will be remembered that in the 2d session of the 85th Congress, we considered and passed an amendment to the Hill-Burton Act making it possible for hospitals operated by churches to borrow funds for hospital construction, if they preferred to do that rather than accept the grants. This change was made at the request principally of the Baptist hospitals.

Before reviewing the official position taken by the Baptists, I wish to stress for the RECORD the fact that under the Hill-Burton Act we grant huge sums of money in total to denominational hospitals—Catholic and Presbyterian and of other denominations. The history of this subject is a very fascinating and interesting one.

The Baptists took the position that they could not accept grant money. Therefore, I now take the Senate through a very interesting bit of history as to what has happened in the administration of the Hill-Burton Act.

LOAN ACCEPTABLE AS SUBSTITUTE FOR GRANTS

In presenting their point of view to the House Committee on Interstate and Foreign Commerce, several Members of Congress who declared their affiliation with the Baptist Church, advocated this change on the ground that accepting grants for Baptist hospitals conflicted with their traditions, but that a loan program would not.

In addition, Dr. John H. Buchanan, who testified on behalf of the Baptist hospitals gave the following statement on May 7, 1958:

> It so happens, as has been intimated by both Congressman HAYS and Congressman HARRIS, that during these 12 years of its existence our Baptist people have not felt free to accept a grant because of a peculiar tradition we have on the separation of church and state. We have gone ahead in constructing hospitals and financing them with great difficulty from private sources and from benevolent funds.

I digress to say that this refers to the 12 years of the existence and operation of the Hill-Burton Act.

> This amendment offered by Congressman HARRIS, H.R. 6833, if approved, would make available to the Baptists—and there are some other groups across the Nation which have taken the same position who have never accepted grants—long-term loans for the help of these groups in making their added contribution to the health of the Nation.
>
> It would make available to us these funds simply as loans, long-term loans, enabling us to expand our facilities and add to the total health program of the Nation.
>
> So I come this morning simply to bring that plea, that you give consideration to those of us who have never availed ourselves of the use of these funds, because of this principle which some of our brethren hold. But this will make it possible for us to expand our facilities, pay back to the Government what we borrow, and meet increasingly a tremendous need across our Nation.

It is interesting to note here that no question was raised as to the constitutionality of extending or accepting a grant for hospital construction on the part of a church organization.

But those groups which had their own objections to the grants, came before Congress asking for a loan program so as to remove their objection to accepting grants.

Let me say, Mr. President, that neither has any question of constitutionality with respect to the loan program been raised in connection with hospitals. Now let us get this premise of my argument clearly understood. There is no difference as a matter of law whether we lend

money for use by hospitals or lend it for use by schools. Not a bit.

If the argument is that somehow or in someway the amendment violates the first amendment to the Constitution with respect to the separation of church and state, I will discuss those cases in a moment, but at this point I wish to say that Congress, in connection with the school lunch program, has been granting food to private schools; in connection with dormitory programs for sectarian colleges we have been lending money; and now, under the Hill-Burton Act, we have provided extended grants to sectarian hospitals—hospitals run by Catholic and other religious groups—and then, when we ran into objection by Baptist church officials, who said that practice conflicted with their tradition, we have provided that they could borrow money, although we were perfectly willing to grant it to them.

So I think that at least I have sustained my burden of proof of showing that there is ample legislative precedent for this program and that there has been no successful constitutional contest throwing out this loan program of the Hill-Burton Act or any of the other programs I have enumerated.

What Congress did in connection with the Hill-Burton program for meeting the health needs of the American people now needs to be done in regard to our education needs. That is what we are asking for in S. 8 and in my private school loan amendment.

COURT RULINGS ON SEPARATION OF CHURCH AND STATE

But beyond the fact that Congress has again and again included private and even church schools and hospitals in Federal programs of assistance to the general welfare, what have the Federal courts, and the U.S. Supreme Court in particular had to say on this subject?

There is no specific Federal judicial precedent on the exact point of Federal grant or loan programs. But there are precedents on other points. I have already mentioned the 1925 and 1930 cases, the latter upholding the expenditure of public funds by a State for textbooks for private schools.

In 1946, the Supreme Court again had occasion to pass upon a State statute extending another form of assistance to its children. This was the New Jersey law furnishing school-bus transportation, upheld by the High Court in 1946.

At that time, in *Everson* v. *Board of Education* (330 U.S. 1), the entire Court concurred in the following general interpretation of the first amendment ban upon the establishment of a religion:

> Neither a State nor the Federal Government * * * can pass laws which aid one religion, aid all religions, or prefer one religion over another.

The dissenting judges concurred in that conclusion, drawing their difference over what constitutes "aid." It was the decision of the majority that the granting of "aid" could not be construed so narrowly as to cut off welfare services for children attending the private schools, even if they are church-affiliated schools.

Shortly thereafter came the McCollum case, which has been cited to me as rendering my amendment unconstitutional. There are those who have called upon me during the last few days, and insisted that my amendment cannot be reconciled with the McCollum case. I told them that I completely disagreed with their interpretation of the McCollum case, and suggested that they hear me through my argument when I make it on the floor of the Senate. I do not believe that their construction of the McCollum case holds water.

In the 1948 case of *McCollum* v. *Board of Education* (333 U.S. 203), issue was made over a released time program in Champaign, Ill., where the children were released from class during the school day to receive religious instruction on school premises, provided the parents consented to the release. Other children continued their academic work.

Although the Illinois Supreme Court upheld this practice, the U.S. Supreme Court did not. Opponents of the released time program contended it was an "aid to all religions" and hence, unconstitutional. This view prevailed with the Supreme Court. Its majority declared:

> Here not only are the State's tax-supported public school buildings used for the dissemination of religious doctrines. The State also affords sectarian groups an invaluable aid in that it helps to provide pupils for their religious classes through the use of the State's compulsory public school machinery. This is not separation of church and state.

But this was not the last of the Court's statements on the subject, nor do the facts conform with the loan program under consideration in my amendment. In fact, the facts of the McCollum case have nothing whatsoever to do with any loan program.

The next released time case brought before the U.S. Supreme Court was from New York and was decided in the case of Zorach against Clauson in 1952. In this instance, the released time for religious instruction also required the consent of the parents, and occurred during the school day, but the religious instruction did not take place on school premises.

The Supreme Court found this entirely constitutional. Justice Douglas delivered the opinion of the Court, and declared:

> No one is forced to go to the religious classroom. * * * A student need not take religious instruction. He is left to his own desires as to the manner or time of his religious devotions, if any.
>
> There is a suggestion that the system involves the use of coercion to get public school students into religious classrooms. * * * The present record indeed tells us that the school authorities are neutral in this regard and do no more than release students whose parents so request.

In emphasizing the historic development of this Nation, Justice Douglas went on to say in the Zorach case of 1952:

> There cannot be the slightest doubt that the first amendment reflects the philosophy that church and state should be separated. And so far as interference with the free exercise of religion and an establishment of religion are concerned, the separation must be complete and unequivocal. The first amendment within the scope of its coverage permits no exception; the prohibition is absolute. The first amendment, however, does not say that in every and all respects there shall be a separation of church and state. Rather, it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other. That is the commonsense of the matter. Otherwise the state and religion would be aliens to each other—hostile, suspicious, and even unfriendly. Churches could not be required to pay even property taxes. Municipalities would not be permitted to render police or fire protection to religious groups. Policemen who helped parishioners into their places of worship would violate the Constitution. Prayers in our legislative halls; the appeals to the Almighty in the messages of the Chief Executive; the proclamations making Thanksgiving Day a holiday; "so help me God" in our courtroom oaths—these and all other references to the Almighty that run through our laws, our public rituals, our ceremonies would be flouting the first amendment. A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: "God save the United States and this Honorable Court."
>
> We are a religious people whose institutions presuppose a Supreme Being. We guarantee the freedom to worship as one chooses. We make room for as wide a variety of beliefs and creeds as the spiritual needs of man deem necessary. We sponsor an attitude on the part of government that shows no partiality to any one group and that lets each flourish according to the zeal of its adherents and the appeal of its dogma. When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe.

In declaring what government may not do, Justice Douglas continued:

> Government may not finance religious groups nor undertake religious instruction nor blend secular and sectarian education nor use secular institutions to force one or some religion on any person. But we find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.

This philosophy of the U.S. Supreme Court has been implemented by Congress in the Hill-Burton Hospital Construction Act, in the GI bill of rights which financed the education of our veterans even in seminaries and theological schools, in the college housing loans, and the National Defense Education Act, to mention but a few laws.

I do not doubt for a moment that the key to what may be done and what may not be done lies at the point where the difference between providing for the general welfare becomes "aiding" religion. Note should be taken here of the fact that the present Oregon textbook law is again being taken through the courts.

Assurances have been given on both sides that it will be taken up to the Supreme Court of the United States for another ruling on whether a State may expend State funds on textbooks for boys and girls in private schools, including church schools.

That is all right with me. I welcome judicial rulings on the questions of where the boundary which separates church and State in America is placed. Neither Congress nor the courts mean to discourage, curtail, or in any way hamper, in my opinion, the right of American parents to educate their children in schools of their own choosing.

I further believe that in this education bill sound public policy calls for the inclusion of an encouragement to private institutions in providing services which are aided directly by the Federal Government in their public aspects.

HISTORY OF FIRST AMENDMENT

Mr. President, when one talks about the first amendment, I think it important that he keep in mind what the first amendment provides, and that he then relate what it provides to the history of the first amendment. So I take a moment to read it:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Let us get this point clear: The whole question of separation of church and State stems from these words in the first amendment:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

But we need to keep in mind the facts which existed in our country, the controversy which was waged in our country, that caused the adoption of the first amendment. That is why it is so important that we get back to the views of our Constitutional Fathers. We need to remember that at the time the Constitution was adopted there were, if my recollection is correct, nine States which had State churches.

In other words, the first amendment was really the result of a controversy which was waged in this land at the time of the birth of the Republic, when there was strong opposition to the establishment by law of a state church.

That is not surprising, because all of us know that a great religious controversy had been waged for a long time in many parts of the world, and that some of our forefathers left Great Britain because of the so-called state-church issue. They were in revolt against state religious authoritarianism.

So it is not surprising that in the colonial days there was great controversy over the issue of whether the Federal Government should sanction—as some States already had done—a national church. Therefore, the Founding Fathers wrote this provision into the Constitution. I believe it is about as clear a provision as could be written, in bearing on this controversy:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

When I read various articles which quote Madison, Jefferson, and others of that day, I am always at a loss to understand why the articles do not include a discussion of this very controversy, which was waged over the establishment of state churches. As we read the great language of Justice Douglas in the decisions to which I have just now referred, I believe it most important that we realize that he had clearly in mind the historic basis for the first amendment.

GENERAL WELFARE AT ISSUE

To provide for the general welfare is one of the principal duties of the Federal Government. That does not mean that in promoting the general welfare of the people, we may deal only with public agencies in Federal, State, or local governments. On the contrary, as we already have done time and time and time again, we as a Congress have the obligation to deal with private agency ways, means, and methods which will promote the general welfare within the framework of our constitutional guarantees. Congress did that in the Hill-Burton Act and in many other acts which were of some assistance to the church or private agencies; and I propose that the same principle now be extended by way of the granting of loans to private schools, to provide classrooms for the boys and girls who attend those schools.

As I have said many times, as we pass judgment on these legislative proposals, I shall never take my eyes off the boys and girls. We should constantly ask whether the purpose of the particular bill is to help the boys and girls, and whether the money proposed to be provided is to be used for the benefit of the boys and girls. On that basis we justify the science facility program, the school-lunch program, the health program, the textbook program, the school-bus program, the dormitory program, and all the other programs I have cited this afternoon as precedents in support of the principle of my amendment.

Encouragement to the private schools of the Nation in their role of educating approximately 15 percent of our young people should be a part of the general aid-to-education bill. Under my amendment, no grant or subsidy will go to them; but the "high and impregnable wall of separation between church and state," as it has been called by Justice Black, does not preclude the Government from cooperating with church-sponsored activities which are in furtherance of the general welfare.

My loan proposal stays clear of the statement by Justice Douglas in the Zorach case—namely, that "government may not finance religious groups" nor prefer one religious group to another.

In providing for the education of our servicemen after World War II and the Korean war, the Federal Government paid their tuition, so the Nation's colleges and universities, public, private, and sectarian, could do that job. That was not a matter of supporting or financing religions; it was a matter of educating the young people.

The need for that is the same as the need dealt with in the amendment which I have offered this afternoon. It is the same as the need which in my amendment we seek to meet.

Because I recognize the existence of strong feelings on the part of some groups of Americans in regard to this matter—feelings in opposition to the conviction I personally hold in regard to it—I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, a letter which I have received from certain members of the Unitarian Fellowship for Social Justice. I believe it would be most unfair of me to make the argument which I make here this afternoon and not make clear, for the RECORD, that this group of very sincere and dedicated people who do not share my point of view in regard to this matter is opposed to my amendment. Therefore, I ask unanimous consent that the letter and the accompanying resolution be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letter and the resolution were ordered to be printed in the RECORD, as follows:

UNITARIAN FELLOWSHIP
FOR SOCIAL JUSTICE,
Washington, D.C., February 3, 1960.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: At the meeting of the legislative committee of the Unitarian Fellowship for Social Justice held this morning, the following resolution was passed:

"The Morse amendment to the school construction bill violates the spirit of the Constitution because it would use the Government's financial facilities to aid religious schools, at the level of compulsory school attendance. The Government has never before gone so far in the direction of aid to parochial schools, and we believe that this creates a dangerous precedent. Loans can easily lead to grants, and soon the taxpayers may be asked to pay all the expenses of sectarian schools.

"More than 90 percent of the pupils attending such schools in America are in Catholic parochial schools. Since the Catholic bishops want full public support for such schools, any move in that direction should be resisted by citizens who believe in the American tradition of church-state separation.

"We also believe that this amendment is dangerous because it may provide an opening wedge for segregationists to obtain public money for private, segregated schools in the South. If Southern States abolish their public school systems, they might secure some Federal loans for private schools through this amendment.

"Coming at this moment, this raises a divisive church-state issue and a divisive race issue. We hope that you and your associates will be persuaded to withdraw it in the name of civil rights and the separation of church and state."

We are sending copies of this letter to your fellow Senators who joined you in this amendment, and to the press.

Sincerely,

MURIEL A. DAVIES,
Mrs. A. Powell Davies, *President.*
ERNEST O. SOMMERFELD,
Rev. Ernest O. Sommerfeld,
Chairman, Legislative Committee.

Mr. MORSE. Mr. President, of course as we read the letter and the resolution, in light of the argument I have already made, it is clear that I do not share their opinion that loans to be repaid to the American taxpayers with interest, and with no subsidy, for the construction of private, nonprofit elementary and secondary schools do not constitute "aid to religious schools" which falls under the proscription of the Supreme Court of the United States. If I believed it was unconstitutional, my colleagues may be sure that I would not be offering or supporting this amendment.

TERMS OF AMENDMENT

In conclusion, I point out that the definition of school facilities for which loans may be made under my amendment is the same as the definition which is applied to the public-school grants in Senate bill 8—namely, the term "school facilities" means classrooms and related facilities, including furniture, instructional materials other than textbooks, equipment, machinery, and facilities necessary and appropriate for school purposes for education. It specifically excludes "athletic stadiums, or structures or facilities intended primarily for events such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public."

In other words, the educational facilities for which private school loans are authorized are the same as the ones for which grants are provided to the public schools.

I also point out that the assurances that construction will take place under the conditions provided in the Davis-Bacon Act are required for these loans, as in the case of grants for public schools.

Mr. President, in support of the legal argument I have made this afternoon in regard to the McCollum case, I should like to call attention to an article which appeared in the University of Pittsburgh Law Review, volume XII, page 154. The article was written by my very able administrative assistant, Mr. Berg, of whom I am very proud. The article was written in 1950, at the time when Mr. Berg was professor of law at the University of Colorado Law School. The article contains a very interesting analysis of the McCollum case.

So I ask unanimous consent—without taking time to read excerpts from the article—that certain excerpts from Mr. Berg's article be printed at this point in the RECORD, as part of my remarks, because they very effectively and in very scholarly fashion buttress the legal argument I have made this afternoon.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

[From the University of Pittsburgh Law Review]

BOOK REVIEW: "RELIGION AND EDUCATION UNDER THE CONSTITUTION," BY J. M. O'NEILL

The Constitution of the United States does not command the separation of church and state. Nevertheless, Mr. Justice Black, speaking for a majority of the U.S. Supreme Court in the much-discussed McCollum[1] case, announced that "the first amendment has erected a wall between church and state which must be kept high and impregnable."[2] In the same case, Mr. Justice Frankfurter referred to a "constitutional principle requiring separation of church and state."[3] In his recent book, O'Neill challenges these broad pronouncements, disagrees with the reasoning of the Court in the McCollum case and substantiates his position by a thorough documentation.

The facts of the McCollum case are relatively simple. Members of the Jewish, Protestant, and Roman Catholic faiths formed the Champaign Council on Religious Education. The council, with the consent of school authorities, conducted classes in religious education for public school children of Champaign, Ill., on released time in public school rooms. These classes were not compulsory. Attendance was permitted only upon written consent of the parents. Mrs. McCollum, a parent of a child attending one of the public elementary schools of Champaign, attacked this program in the State courts. She failed at that level, but the Supreme Court of the United States, with only one dissent, found the plan unconstitutional.[4] A majority of the Court, relying upon dicta in a decision handed down 2 years earlier,[5] in effect decided that the released time plan amounted to a State law "respecting an establishment of religion" in violation of the first amendment, the prohibitions of which the Court found applicable to the States under the 14th amendment.[6]

The constitutional prohibition against a law respecting an establishment of religion has been construed by the Supreme Court to mean: "Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another," and that "in the words of Jefferson, the clause was intended to erect 'a wall of separation between church and state.'"[7] O'Neill demonstrates that a majority of the Supreme Court, in defining the establishment clause in such sweeping terms and in making it applicable to the facts of the McCollum case, apparently did not understand the nature of the evils that the clause sought to eliminate.

One who studies the materials collected by O'Neill will find ample support for the proposition that the establishment clause of the first amendment was designed to make doubly certain that the Federal Government should never establish a national church. As O'Neill says: "My thesis is that the words 'establishment of religion' meant to Madison, Jefferson, the members of the First Congress, the historians, the legal scholars, and substantially all Americans who were at all familiar with the Constitution until very recent years, a formal, legal union of a single church or religion with government, giving the one church or religion an exclusive position of power and favor over all other churches or denominations."[8]

Recently the U.S. Supreme Court gave a fairly good indication of the canons of construction it would follow in determining the meaning of "an establishment of religion." In the Everson[9] case the Court, speaking through Mr. Justice Black, observed that it has long construed that clause "in light of its history and the evils it was designed forever to suppress."[10] Shortly thereafter, in the Adamson case, Mr. Justice Frankfurter stated that "* * * an amendment to the Constitution should be read in a 'sense most obvious to the common understanding at the time of its adoption.' * * *"[11] In view of these pronouncements, Mr. Justice Black could hardly have applied a different rule of construction in interpreting a constitutional provision in the McCollum case. It is true that the Court has often construed "expanding" concepts, such as those of interstate commerce and general welfare, in light of modern conditions. But it is highly improbable that the Court would state specifically that a stable concept, such as the constitutional prohibition against a law respecting an establishment of religion, should have a present-day meaning different from that which prevailed when the first amendment was adopted.

O'Neill's book makes it quite evident that the Supreme Court, in spite of the rules of construction quoted above, attributed to the establishment clause a meaning vastly different from that which it was intended to have "in light of its history and the evils it was designed forever to suppress." After reading this book one is tempted to agree with Mr. Justice Jackson's frank suggestion that the Court decided the McCollum case upon the basis of its prepossessions.[12]

O'Neill lists many of the evils attendant upon an establishment of religion.[13] For example, it was not uncommon to find that important civil rights, such as those of holding public office, participating in jury service, and giving testimony in court, were reserved to members in good standing in the established church. There were nine established churches—all Protestant—in the Original Colonies, and not until 1833 was the last of these disestablished.[14] In view of the extent of establishment in this county at the time of the first amendment and the seriousness of its infringement of human liberties, it is obvious that the facts of history support O'Neill's conclusion that the object of the establishment clause was the prevention of this intolerable situation at the Federal level.

The Supreme Court has relied heavily upon the writings of Jefferson and Madison in construing the establishment clause.[15] Those who insist that the Supreme Court correctly interpreted Jefferson's and Madison's points of view in this respect will find little comfort in what O'Neill has to say. In two chapters devoted to a study of the

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[1] Illinois ex rel. *McCollum* v. *Board of Education* (333 U.S. 203 (1948)).

[2] Id. at 212.

[3] Ibid.

[4] Reed, J., dissenting.

[5] *Everson* v. *Board of Education* (330 U.S. 1 (1947)).

[6] Illinois ex rel. *McCollum* v. *Board of Education* (333 U.S. 203, 210 (1948)).

[7] Id. at 210. 211.

[8] P. 56.

[9] *Everson* v. *Board of Education* (330 U.S. 1 (1947)).

[10] Id. at 14.

[11] *Adamson* v. *California* (332 U.S. 46, 63 (1947)).

[12] Illinois *ex rel. McCollum* v. *Board of Education* (333 U.S. 203, 238 (1948)). It should be observed that Justice Reed, dissenting, said: "The phrase 'an establishment of religion' may have been intended by Congress to be aimed only at a state church. * * * Passing years, however, have brought about acceptance of a broader meaning." Id. at 244.

[13] Pp. 24–25, 192–194. Mr. Justice Black's opinion in the Everson case also lists many of the evils of an establishment of religion. *Everson* v. *Board of Education* (330 U.S. 1, 9 (1947)).

[14] P. 25.

[15] See *Everson* v. *Board of Education* (330 U.S. 1, 11–13 (1947)); Id. at 31–41 (Rutledge, J., dissenting); *Illinois ex rel. McCollum* v. *Board of Education* (333 U.S 203, 214 (1948)) (Frankfurter, J., concurring).

attitudes, actions, and writings of these two great statesmen on the subject of religion, O'Neill finds that neither advocated complete separation of church and state as that concept was defined in the McCollum case.[16] Of course, if one wishes to single out a sentence or paragraph written by either of these men, he may claim that he has found support for the Supreme Court's broad interpretation of the establishment clause. However, any such isolated statements of Jefferson or Madison become insignificant when compared with the entirety of their works and actions.

O'Neill shows that the much-quoted metaphor, "a wall of separation between church and state," found in Jefferson's letter to the Baptists of Danbury, reflected disapproval of any "formal legal union between one religion and the government."[17] The author also collects for us convincing evidence that neither Jefferson, the citizen, nor Jefferson, the President, was an exponent of the idea of complete separation of church and state.[18]

The chapter on Madison brings into clear light significant public manifestations of that great American upon the subject of religion.[19] From these it is evident that Madison, too, feared and fought the establishment of a religion by government, but that in his public life he did not espouse the cause of absolute separation of church and state.

Other useful guides for ascertaining the meaning of the establishment clause are discussed by O'Neill. For example, he mentions many acts of Congress which inferentially involve Congress' interpretation of that clause. These substantiate his theory that an "establishment of religion" means and has always meant to Congress "only a single, formal, monopolistic union of one religion with the Federal Government."[20]

Another important guide to the meaning of the establishment clause is the interpretation placed upon it by recognized constitutional law authorities. His quotations from eminent writers in this field show that the Supreme Court has deviated far from the time-honored interpretation of the establishment clause.[21]

Chapter 10 has a discussion of the 14th amendment and its application to the facts of the McCollum case. O'Neill says that the view adopted by a minority of the Supreme Court in the Adamson case[22]—that the 14th amendment makes the Bill of Rights applicable in toto to the States—"is an essential part of any possible theory of the constitutional validity" of the McCollum decision.[23] I do not think this conclusion necessarily follows. In the McCollum case the Court merely decided that the provision of the first amendment which prohibits any law respecting an establishment of religion is applied to the States via the 14th amendment.[24]

I agree with O'Neill's conclusion that the Supreme Court erroneously enlarged the meaning of the establishment clause so as to make its prohibition cover the facts of the McCollum case.[25]

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[16] Chs. 5 and 6.

[17] At the time this letter was written (1802) the Baptists were experiencing an establishment of the Congregational Church in Connecticut (p. 83).

[18] Pp. 76–86. Among other items, O'Neill brings out these important facts:

(1) Jefferson advocated the use of public funds in Virginia for a school of theology (p. 76).

(2) Jefferson recommended that a room at the University of Virginia be used for religious worship (p. 206).

(3) The four key provisions of Jefferson's bill for establishment of religious freedom in Virginia were aimed at the evils of an established state religion (pp. 275–277). These four provisions are now found in Va. Code Ann., sec. 34 (1942).

(4) As President, Jefferson used public funds for chaplains in the Army and Navy and signed an Indian treaty requiring payment of public funds for the salary of a Catholic missionary priest (pp. 77, 116–117).

[19] Pp. 87–107, O'Neill mentions such facts as these concerning Madison's position:

(1) Madison was a member of the congressional joint committee that instituted the chaplain system in Congress pp. 99–100).

(2) Throughout Madison's term as President public funds were used to provide chaplains for the Army and Navy (p. 102).

(3) During Madison's administration, public funds were used for religious purposes on the Indian reservations (p. 102).

(4) Madison's original draft of the portion of the proposed first amendment dealing with an establishment of religion read: "Nor shall any national religion be established" (p. 103).

(5) The Memorial and Remonstrance was a protest against making the Christian religion the established religion of Virginia (pp. 88–89).

[20] P. 109, illustrative are these:

(1) Congress has elected House and Senate chaplains as salaried officers since 1790 (pp. 110–111).

(2) Since the First Congress, provision has been made for Army and Navy chaplains (p. 111).

(3) Under the GI bill of rights, public funds are paid to religious schools and colleges (p. 120).

(4) Federal funds are paid to religious schools for the care of Indian children (p. 120).

(5) Shortly after the McCollum decision was handed down, Congress appropriated $500,000 to erect a chapel for religious worship at the U.S. Merchant Marine Academy (p. 120).

[21] Pp. 62–65. The author cites these works: "Story's Commentaries," secs. 1873, 1874, 1877 (5th ed. 1891); Cooley, "Constitutional Limitations," 584 (4th ed. 1878); Corwin, "The Constitution—What It Means Today," 154 (9th ed. 1947).

Not listed by O'Neill, but also important are Cooley, "Constitutional Law," 259 (4th ed. 1931); Black, "Constitutional Law," 518 (4th ed. 1927); Willoughby, "Constitutional Law," sec. 723 (2d ed. 1929).

[22] *Adamson* v. *California* (332 U.S. 46 (1947)). In this case a majority of the Court, speaking through Mr. Justice Reed, followed the view that only the provisions of the Bill of Rights that are "implicit in the concept of ordered liberty" are secure from State interference under the due process clause of the 14th amendment. A minority of the Court agreed with Justice Black. In his dissenting opinion he took the position that the 14th amendment made the Bill of Rights applicable to the States.

[23] P. 161.

[24] However, a dictum in the Court's opinion indicates that the 1st amendment is made applicable to the States by the 14th.

[25] "In all of the discussion in Congress apparently no one had in mind a change that would have any effect at all on any question of religion or religious education. This is not surprising when one considers that in the first century after the adoption of the Bill of Rights we find no evidence either in public discussion or legislative debate that anyone thought 'an establishment of religion' meant anything other than what it had meant to Jefferson, Madison, and the men who wrote, adopted, and ratified the first amendment" (p. 160). See also pp. 163–168, 185–186.

NO SUBTERFUGE INTENDED

Mr. MORSE. Mr. President, I will turn now to my amendment to the amendment, which I want to discuss briefly. It deals with a problem that I do not think we should ignore. That is the question as to whether or not my amendment, if it should become the law, could be used as a form of subterfuge for undercutting the Supreme Court decisions in regard to nonsegregation in public schools.

Mr. President, I have a very brief argument to make in support of my amendment, but I am going to read the amendment and then send it to the desk. On page 4, line 4, after the period, I propose to insert a new sentence, as follows:

In making loans within any State under the provisions of this section, the Commissioner shall give priority to applicants proposing to construct school facilities in areas where the public schools are in operation.

I want to make my argument on the amendment before I offer it.

Mr. DODD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DODD. I do not want to interrupt the Senator's very cogent and persuasive argument, but I wish to say I am very happy to join with the Senator in support of his proposal.

Mr. MORSE. I am very proud to have the Senator from Connecticut join me.

Mr. DODD. I think the Senator from Oregon is making a very important and scholarly speech on this problem. I said this earlier today concerning the Monroney-Clark substitute, and it seems important to point it out again: Neither the committee bill nor the Monroney-Clark amendment makes any provision for private schools, which are educating 15 percent of all the schoolchildren in America.

I am sure the Senator will agree with me that there is another factor we should make note of here, and that is the expense which the parents of those children carry. They not only pay their share in taxes to support the public schools, which is proper and right, but they also pay the expenses of their own children in private schools.

The third point on which I commend the Senator is his having brought up and made clear to all the fact that the private schools are not seeking any grants. They seek only interest-bearing loans. I think this amendment offers a great opportunity for an investment in education in the United States, an investment that will reap not only a return of interest and the money loaned, but, more importantly, great and continuing dividends in the talents and aptitudes of the young people who are coming along in this country, and who will continue to come along. It is really an investment in the future of our Nation.

Finally, I should like to say I am very proud to be associated with the distinguished Senator from Oregon in offering this amendment; and I express, I am sure, the attitude of a great many people when I say we have reason to be grateful to the Senator from Oregon for

his scholarly exposition this afternoon and for his fairness, his courage, his sense of justice, and his ability to see the issue clearly as one of national interest.

Mr. MORSE. Mr. President, I appreciate very much the statement of the Senator from Connecticut, who is a great lawyer, with a brilliant legal record. I particularly appreciate his evaluation of the argument I have sought to make.

I am convinced that the law is clearly on my side so far as the constitutionality of my proposal is concerned, or I would not be offering it. I am satisfied that the public interest is on my side, because the boys and girls who go to private schools are entitled, it seems to me, to the kind of facilities that are necessary in order to make it possible for them to get a good education. Our amendment seeks to provide for them, on a loan basis, the same adequate facilities we seek to get for public school students on a grant basis.

The Senator from Connecticut is so right when he points out the great contribution that the parents of private school students really make to the public school interests. I have used the figure in my argument this afternoon, but it needs to be used over and over again, because it is a telling one.

They contribute, really, $1,185 million to the taxpayers of the country, because if these boys and girls were not in private schools, that amount of money would have to be spent in public schools for them. In fact, that is the minimum amount. It might be higher than that, because of the resulting problems of congestion and administrative difficulties that would be created in the public school system if all these boys and girls all at once walked into the front doors of our public schools, including the great increase in teachers' salaries which would be required because of the additional number of teachers that would have to be hired. I think the amount would be much more than $1,185 million.

That amount of money would have to come out of the public coffers to meet the educational needs that would be created by the admission into public schools of all the students now in private schools.

May I say also I think there would be another costly result. Because of all the difficulty that would be created by the additional number in public schools unequipped to meet their educational needs, there would be a great educational loss to America. There would be many a brain that would not be developed to its maximum potential.

Mr. President, if you want to be perfectly economically selfish about this question, you and I lose, in terms of national wealth, every time the potential brainpower of an American boy or girl is not developed to its maximum extent. So, Mr. President, I do not care how you look at this problem. I do not see how you can escape the force of the argument that we have an obligation to make money available, on a loan basis, to give these boys and girls a fair opportunity for an adequate education.

MORAL ISSUE AS WELL AS EDUCATIONAL ISSUE

Nothing has been said, but I will mention it in passing, because to me it is the controlling argument, about our moral obligation. We are a great people. We talk about our dedication to moral values. Mr. President, do you know of anything more valuable than the potential of a little grade school boy or girl in America? Do you know of anything more precious or priceless?

If you just look at the question from the moral standpoint, our duty, as people who believe in moral values, is to be unselfish, willing to sacrifice, if necessary, certainly willing to make some loan money available to give boys and girls an educational opportunity that they would not enjoy to their fullest potential if we did not follow such a course of action as I propose this afternoon.

Whether met on the legal argument, on the economic argument, or on the moral argument, I am satisfied that our amendment is correct.

Mr. President, many Senators wanted me not to offer the amendment. I am offering it because I think it is in the interest of my country, and I think we ought to agree to it this afternoon.

Mr. President, I turn now to a very brief discussion of the amendment to the amendment which I am about to offer. I offer it on my own responsibility.

On page 4, line 4, after the period insert the following new sentence:

In making loans within any State under the provisions of this section, the Commissioner shall give priority to applicants proposing to construct school facilities in areas where the public schools are in operation.

My argument for the amendment is very brief, as follows:

Some issue has been made, and it is one I have thought about a great deal before offering this amendment, of the question of Federal support of some kind going to private schools which are racially segregated.

CONGRESS HAS IGNORED SEGREGATION QUESTION

Of course, that whole matter is ignored in the pending bill. Under S. 8, funds for construction would be assigned to State public schools which continue to be segregated, in spite of Supreme Court rulings to the contrary.

The sad fact is that the Congress of the United States has not come to grips with this situation in any of its Federal programs. We have Public Laws 815 and 874 extending grants of Federal aid to racially segregated public schools; the same is true of the grants of the National Science Foundation; the college housing loan program applies to both public and private segregated schools; so does the school lunch program. The Department of Defense carries on its reserve officer training programs in racially segregated institutions, both public and private.

It is my opinion that Congress should deal with this matter in general terms. It is not enough that we let the Supreme Court hold the bag, so to speak, on racial discrimination. The Congress, too, has an equal responsibility to uphold the Constitution, and the Supreme Court has made very clear that under it segregated public facilities are not permissible.

However, the courts have also laid down a rule of reason regarding the adjustment necessary in many States. For that reason, many Members of Congress take the view that no legislative directive is called for in a program like the one authorized in S. 8.

In the case of a loan to a private school, the position of the courts is less clear. So far as I have been able to determine, there has been no ruling on any of the grant or loan programs I have mentioned as they apply to institutions which are both private and segregated.

NEED BASIS JUSTIFIES AMENDMENT

Nonetheless, the purposes of S. 8 and my amendment are to expand the educational facilities of the American school system. It makes no sense to lend money for construction of private schools when the public schools nearby stand idle and empty.

Therefore, on the basis of the need alone, I believe that in making loans under my amendment the Commissioner of Education should give priority to those applications coming from areas where the public schools are also in operation.

To say that no Federal loan for this one level of private school construction shall go to a racially segregated school is to strain at a gnat after swallowing the camel, since there is no such restriction on any other Federal loan or grant program to either private or public institutions. At the same time, the purpose of the bill we are considering is to help meet the demand for classrooms caused by our rising student population.

I believe that the purpose of this entire measure will best be served if the Commissioner of Education can take into account the fact that public schools are closed and available classrooms are unused in some areas in determining who shall be entitled to the limited loan funds under my amendment.

I wish to discuss this proposal very frankly, for the purpose of legislative history, Mr. President, in terms of two hypotheticals.

Let us suppose that my amendment becomes the law. Let us suppose that State X abolishes some of its public schools because it seeks to evade the application of the U.S. Supreme Court decisions in the school cases, and that private schools which the State seeks to adopt or which the State seeks to sponsor come before the Commissioner to ask for a loan.

Under my amendment, the Commissioner would be required to give priority to loans to private schools where the public schools continued in operation. Therefore, he would be in a position to deny a loan to a private school which was being set up as the result of State action which sought to subvert the great principle laid down by the U.S. Supreme Court, that under the 14th amendment segregation in public schools is unconstitutional.

Mr. President, I think that is a very fair and reasonable position for me to take, in view of my known dedication to the civil rights cause, a dedication in

complete support of the Supreme Court decision, which caused me in 1957 to be the only Northern Democrat who voted against the 1957 civil rights bill. In my judgment, when title 3 was stricken from that bill we in effect walked out on the U.S. Supreme Court by failing to include in the bill any enforcement procedure which would make it possible to give effective meaning to the Court decision.

It should be said, so that my colleagues will know, I have refused to propose an amendment which certain civil rights groups strongly—and "strongly" is a mild term—urged me to add to my amendment. Those groups wanted me to add an amendment which would provide for a complete denial of any loan to any private school in which segregation may now exist.

Mr. President, I take the point of view that we ought to pass a general civil rights bill, and that we should not try to add a little segment of civil rights to each piece of proposed legislation that comes before us, which would almost guarantee in advance that the proposed legislation would be defeated.

I took that position, Senators will remember, in 1949 when I opposed on the floor of the Senate and voted against an amendment which was offered to a public housing bill.

The amendment which was offered to the public housing bill, in my judgment, was offered by some, at least, who were motivated by a desire to "scuttle" the bill. It was a public housing bill which sought to make available to municipalities funds to be used for slum clearance and other public housing uses. I would not vote for an amendment to the bill which sought to embody in the bill a nonsegregation provision, because I felt that it was an attempt to prevent the passage of any bill at all, which would have resulted, in my judgment, had the amendment been added to the bill. I said then, as I say here on the floor of the Senate today, "Count me in when you want to bring to the floor of the Senate a thoroughgoing civil rights bill which backs up the decisions of the U.S. Supreme Court in respect to the meaning of the 14th and 15th amendments."

But I am not going to destroy any chance of having my amendment passed on the floor of the Senate in the year 1960 by offering an amendment which is not contained in the public school section of Senate bill 8, which is not contained in the Hill-Burton Act, and which is not contained in a single one of the legislative precedents which I cited earlier in my argument this afternoon.

At the same time, my amendment should not be used as a subterfuge in a controversy which might develop in States X and Y in regard to a proposal to close public schools.

AMENDMENT ESTABLISHES PRIORITY

So all my amendment provides is that the Commissioner of Education must give priority to requests for loans from applicants proposing to construct school facilities in areas where the public schools are in operation.

Thus we have the kind of hypothetical to which I have referred, namely, a situation in which a State abolishes its public schools and then seeks to use the Morse amendment as a way of getting money for a segregated school which it seeks to establish in order to evade the decision of the U.S. Supreme Court. My amendment would become applicable, and the private school would not get the funds, because obviously priority would be given to others, and the requests would be so great that there would not be any funds available for a private school which was only a subterfuge.

That is my amendment. I think it is a very fair solution of what we all must admit is a very delicate problem. We all must admit that unless we rise above blind partisanship and prejudice in connection with this issue we may jeopardize all good legislation in this field. I think this is a very workable compromise. I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 4, line 4, after the period, it is proposed to insert:

In making loans within any State under the provisions of this section, the Commissioner shall give priority to applicants proposing to construct school facilities in areas where the public schools are in operation.

Mr. MORSE. Mr. President, I understand that the Senator from New York [Mr. KEATING] wishes to make a speech on another subject. I have made my argument on my amendment, and shall yield the floor. I wish only to say that when my amendment is taken up for consideration again I shall suggest the absence of a quorum in order to ask for a yea-and-nay vote on my amendment.

First, however, I ask unanimous consent to have inserted in the RECORD a table showing the approximate distribution of funds under our amendment.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State (by region)	Approximate portion of $75,000,000 to be allotted to in each State to nonpublic schools	Approximate percent of $75,000,000 allotted to each State
Connecticut	$1,200,000	1.6
Maine	525,000	.7
Massachusetts	3,525,000	4.7
New Hampshire	450,000	.6
New Jersey	3,975,000	5.3
New York	11,400,000	15.2
Pennsylvania	7,725,000	10.3
Rhode Island	675,000	.9
Vermont	225,000	.3
Illinois	6,975,000	9.3
Indiana	1,650,000	2.2
Iowa	1,200,000	1.6
Kansas	600,000	.8
Michigan	4,050,000	5.4
Minnesota	1,950,000	2.6
Missouri	2,025,000	2.7
Nebraska	675,000	.9
North Dakota	225,000	.3
Ohio	4,725,000	6.3
South Dakota	225,000	.3
Wisconsin	3,075,000	4.1
Alabama	375,000	.5
Arkansas	150,000	.2
Delaware	225,000	.3
Florida	675,000	.9
Georgia	225,000	.3
Kentucky	$1,050,000	1.4
Louisiana	1,800,000	2.4
Maryland	1,575,000	2.1
Mississippi	300,000	.4
North Carolina	225,000	.3
Oklahoma	225,000	.3
South Carolina	150,000	.2
Tennessee	375,000	.5
Texas	1,800,000	2.4
Virginia	600,000	.8
West Virginia	225,000	.3
District of Columbia	375,000	.5
Arizona	375,000	.5
California	4,125,000	5.5
Colorado	525,000	.7
Idaho	75,000	.1
Montana	225,000	.3
Nevada	75,000	.1
New Mexico	375,000	.5
Oregon	450,000	.6
Utah	75,000	.1
Washington	675,000	.9
Wyoming	75,000	.1
Alaska	30,000	.04
Hawaii	450,000	.6
Total	74,955,000	99.94

Data from 1955-56 school year, the latest published by the U.S. Office of Education. Current total in nonpublic schools is over 5,000,000 and is about 15 percent of all schoolchildren. However, State-by-State breakdown is not published.

REGISTRAR-REFEREE VOTING RIGHTS PROPOSAL

Mr. KEATING. Mr. President, the Senate Committee on Rules and Administration has been conducting hearings for several weeks on various voting bills. Most of these bills relate to the appointment of temporary Federal registrars. Tomorrow, however, the committee will hear testimony from the Attorney General on the administration's plan for U.S. voting referees.

At my request and with the cooperation of the distinguished chairman of the committee, a draft of a bill to carry out the proposal for the appointment of voting referees and the explanation of the plan by the Attorney General at the time it was announced, already have been made a part of the record of the committee's hearings. It has thus been available for review and consideration by each member of the committee.

In view of the importance of this subject, I have spent many hours in attendance at the committee's hearing, in discussions with interested persons and groups, and in analyzing the various arguments and proposals which have been advanced. On the basis of this study, I have drafted a new proposal which I intend to offer in our committee deliberations at the appropriate time. It undoubtedly can be improved but will be offered in an effort to form a framework for legislation.

This new proposal is predicated on the conclusion that both administrative and judicial remedies are needed to fully protect the right of all qualified Americans to exercise the privilege of the ballot. In almost all the commentaries I have read on the registrar and referee bills, it is assumed that one is a substitute for the other. I challenge this assumption. In my opinion, these proposals supplement but do not supplant

each other. I do not know how the assumption that the measures are mutually exclusive ever took hold. In my opinion, it is unwarranted and has served only to confuse the quest for a proper solution to the problems faced in guaranteeing voting rights.

There are many precedents for concurrent or supplemental administrative and judicial proceedings for the enforcement of Federal rights. In the antitrust field, for example, we have for years allowed both the Federal Trade Commission and the Antitrust Division of the Department of Justice to bring suits against monopolists and others who restrain trade or commerce between the States. In addition, we have sanctioned private suits in this same field, even providing for treble damages in such cases.

Removal of the restraints on a citizen's exercise of his voting rights certainly is no less important than removal of restraints on his right to do business, unhampered by monopolistic practices.

The exercise of the voting franchise certainly is as worthy of full Federal protection as the exercise of any other constitutional or statutory privilege.

Only last year, Congress provided the most elaborate form of administrative enforcement of the right to vote in labor union elections. I fully supported these provisions because of the necessity for measures to deal with the undemocratic practices of some labor unions exposed by the Select Committee on Improper Practices in Labor-Management Relations. But can we in Congress ever show less concern for the right to vote for public officials than we have shown for the right to vote for union officials? We provided administrative, judicial, and criminal provisions to protect the right of union members to exercise the franchise. We can do no less to protect the right of all Americans to be governed by men and women of their choice.

My proposal in some respects does not go nearly as far as we went in enacting labor legislation last year. But it does at least guarantee that the same general modes of relief will be available to disenfranchised citizens generally as are now available to disenfranchised union members.

The legislative proposal I have drafted provides, in general, for administrative proceedings for the appointment of temporary Federal registrars and judicial proceedings for the appointment of U.S. voting referees. The title of the bill dealing with voting referees is similar in all respects but one to the excellent plan offered by the Attorney General which has been incorporated in the record of the committee's hearings. One important difference, however, is that under this proposal referees could be appointed as a result of private suits as well as in suits initiated by the Attorney General under the Civil Rights Act of 1957. I see no reason to limit this form of relief to Government-instituted litigation. If private parties—the victims of voting deprivations—bring suit in their behalf and prevail, they should be entitled to the same judicial relief as that to which the Government would be entitled. I am sure there will be complete agreement on that point.

The title of my proposal dealing with the appointment of temporary Federal registrars does make a number of significant changes in the present proposals on this subject. The most important of these is the extension of its application to cover State as well as Federal elections. The 15th amendment does not distinguish between State and Federal elections. It provides that—

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

I see no reason to limit enforcement of this mandate to national elections. Indeed, as the Attorney General has so well stated, any such limitation could "provide an opportunity for the establishment of a system of 'separate but unequal' voting, with whites registering at one place and voting at all elections and Negroes registering in another and attempting to vote in national elections." I can think of no more undesirable consequence of legislation in this field than the establishment of segregated voting rights.

A second significant change in this title is to make it applicable to voting as well as to registration. Under the terms of this proposal the appointment of a temporary Federal registrar could be directed either because of a pattern of registration or voting denials, and criminal sanctions could be imposed on any election official who willfully denied a registered voter the right to vote or to have his vote counted. This corrects a serious inadequacy in the present registrar bills.

A third important change in this title would be to eliminate the requirement that some magic number of citizens—nine is the number specified in most of the present bills—must be disenfranchised before the administrative process may be invoked or a registrar appointed. Instead, my proposal will use the same standard as is applicable in determining whether to appoint a voting referee; namely, whether the right of any qualified citizen to register or vote is being abridged under color of law or by State action solely because of race or color and pursuant to a pattern or practice. This is a much more meaningful and realistic standard to apply. Under this proposal the registrar would only register such qualified applicants as were being denied the right to register or vote on account of their race or color and he would cease to serve as soon as it was determined that citizens living within the district involved were no longer being denied the right to register or vote solely because of their race or color. This places all the operative provisions of the bill squarely within the 15th amendment which should eliminate any possible argument as to its constitutionality.

Finally, this title of my proposal makes a number of important procedural changes designed to expedite, simplify, and improve the processes thereunder. For example, it provides for the filing of complaints directly with the Commission instead of with the President. It allows investigation of complaints by the Commission "or any subcommittee or other designated agent thereof." While it still requires Presidential appointment of the registrar, this provision is no longer in mandatory language, and either the Commission or the President can discontinue the appointment of the Federal registrar. It also provides that notice and an opportunity to be heard shall be given to any adverse party which should guarantee the essentials of due process to any State election officials who wish an opportunity to testify before the Commission acts.

Mr. President, I believe that the legislative suggestion I have outlined offers the best hope for doing justice to the thousands of Americans whom the documented report of the Civil Rights Commission shows are not enjoying their full rights of citizenship. It removes the serious weaknesses in the specific provisions of the Federal registrar bills which our hearings have disclosed, and at the same time preserves its most important virtue—the simple, speedy character of administrative process. The combination of this process with the judicial machinery which could be invoked under the United States referee proposal, which in itself would be a very substantial improvement of the existing law, offers the only fully adequate remedy for the conditions which have been exposed.

I intend to propose this new suggestion containing both administrative and judicial remedies, for consideration by the Senate Committee on Rules and Administration as soon as it concludes its current hearings. I hope that it will be favorably received by a majority of the committee and that the Senate will then have an opportunity to act on this vitally needed legislation.

I close as I began by repeating the assertion that I have no particular pride of authorship in this proposal. I believe that the linking together of the administrative and the judicial remedies is the way out of our present dilemma and is the manner of meeting what could develop into a conflict of viewpoints which might destroy all possibility of enacting any legislation in this field. We know perfectly well that there are many Members who are opposed to either one or the other of these remedies. I hope that my proposal will be seriously considered and that it will be found to be a constructive suggestion which can be developed further in committee.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to his amendment on page 4, line 4.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to his own amendment on page 4, line 4. [Putting the question.]

The PRESIDING OFFICER. The "ayes" appear to have it.

Mr. MORSE. Mr. President, I ask for a division.

The PRESIDING OFFICER. As many as favor the amendment will rise and stand until counted. [After a pause.] Those who oppose the amendment will rise and stand until counted.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Oregon to his own amendment on page 4, line 4.

Mr. DIRKSEN. Mr. President, have the yeas and nays been ordered on this amendment?

The PRESIDING OFFICER. They have not.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE] to his own amendment on page 4, line 4. [Putting the question.]

Mr. MORSE. Mr. President, I ask for a division.

On a division, the amendment to the amendment was rejected.

Mr. LAUSCHE. Mr. President, I contemplate voting against the passage of the bill as it now stands, and, in all probability, as it may stand with any amendments which are likely to be adopted. I shall do so because the bill places upon the Federal Government a new financial responsibility which it is less able to bear than the State and local governments, with very few exceptions. If there are States in the Nation which are less capable of financing schools, those States have not asked for Federal aid; in fact, they oppose it.

Second. The bill will ultimately place the control of the schools in the centralized Government, because with control of the purse goes control of the operation. The bill already contains provisions for centralized control.

Third. The bill deceives the people in the States and local areas into believing that they are getting something from the Federal Government without paying for it. Ohio, for every $3 received under the bill for Federal aid, will have to pay the Federal Government $4.

Fourth. The bill impliedly declares that the people in the local areas, in whom the operation of the schools is vested, do not understand the problem, and that therefore the Federal Government, with a miraculous and magic hand, through money, will provide the solution.

Fifth. The bill manifests the indefensible and erroneous philosophy that the weakness in our educational system can be solved with money, but without a consideration of the basic causes which are deterring our youth from studying the professions of science, engineering, nursing, teaching, medicine, and other professions.

Sixth. The bill fails to recognize that while, on the one hand, from our institutions of higher learning there are being graduated each year practically twice as many students as from the Soviet institutions of higher learning, on the other hand our graduates in the sciences are only half the number which are being graduated in the Soviet Union. This indicates that something other than money is the cause.

From our institutions of higher learning there are being graduated twice as many students as are being graduated in the Soviet Union. But the Soviet Union is producing twice as many engineers and scientists as the United States. That indicates that the Soviets have fewer facilities than we have; it suggests that we have facilities for twice as many students. But, Mr. President, although we have facilities for twice as many and although we are graduating twice as many, we are producing only one-half the number of scientists and engineers. I believe that proves clearly that money is not the answer, but that something basic must be dealt with.

Seventh. The bill fails to recognize that the States and local governments are handling the matter and every day are bringing the required facilities up to the needs of the number of students that are to be taught.

Eighth. The bill abominably fails to recognize that in 24 out of the last 29 years, we operated on a deficit basis; that we have debased the purchasing power of the dollar from a level of 100 cents in 1941 to a new level of 47 cents in 1959; that the Federal Government is finding great difficulty in selling long-term Federal bonds to the American investors and to others; that the gold reserves have flowed out of our country in the sum of approximately $4½ billion in the last half decade; that in what was alleged to be a period of unprecedented prosperity, instead of reducing the national debt, it was, and is still being, increased.

Mr. President, I have prepared a statement in which I give the factual information in support of the conclusions I have just stated. I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EDUCATIONAL METHODS IN U.S.S.R.

(Statement by Senator LAUSCHE)

Ever since the launching of Sputnik I, some proponents of Federal aid to education have grasped the alleged inferiority and backwardness of our own system of public education as a tool in favor of their cause and as an example of a crash program of federally financed education in order to catch up with the Soviet. No doubt the Soviet has made great strides in its field of public education, tailored, however, to suit its own ambition for Communist world domination through whatever means it may choose.

The facts, however, reveal that our program is not out of pace with the Soviet, and that our objectives are more sound, and designed in the interest of the individual rather than the Communist-dominated state.

Irrespective of what progress the Soviet has made in its educational system, that system is no more compatible to our form of Government and the freedom of individuals than is our system of education to a Communist State. There is a great basically different premise from which Soviet and the United States higher education proceeds. The former regards education as an instrumentality for the training of persons who will serve the designed objectives of the state. As scientists and engineers are needed, individuals will be trained in those fields. Were public health suddenly to become a matter of major consequence, quotas for health education would be suddenly and perhaps drastically revised. On the other hand, if a surplus should develop in any field, or the cost of the training made too costly, the quotas for admission and the facilities provided would be systematically curtailed. The objective is to train people to staff the state's program.

In our own country, of course, we are concerned primarily with the development of the individual. The educational system is created in order to enable him to develop his capacities and interests to the maximum extent. Fundamentally held is our assumption that a dynamic and free system would be able to utilize fully every new resource that is thus created in the individual.

The most obvious difference between the two systems stemming from the varied premises is the admission poll. Every year in the Soviet, over 1½ million students graduate from the 10-year schools, but only 440,000 (220,000 full time and 220,000 part time) are admitted to Soviet institutions of higher education. In other words, one-third are accepted and two-thirds rejected. These young men and young women are not necessarily refused admission because of inability to profit considerably from higher education, but rather because the Soviet state has no specific and designed need for them in the fields which it has decided are important.

If we are apprehensive because of the thoroughness of the training of Soviets in certain areas, we can take satisfaction in the fact that we are not losing the benefit of hundreds of thousands of students whom we permit to follow their own chosen interests, but who are denied that privilege in the Soviet Union.

While it is extremely difficult to use statistics from the Soviet Union for comparison to the educational system of our own country due to the extreme vagueness of most Soviet reports, the following can be accepted as reliable and authentic in the highest degree possible under these circumstances. According to circular No. 570, "Earned Degrees Conferred by Higher Educational Institutions," 1957–58, U.S. Department of Health, Education, and Welfare, for the school year of 1957–58, earned degrees conferred by higher educational institutions in the United States totaled 440,304. For the same school year, according to latest statistics from the U.S.S.R., there were graduated from Soviet institutions of higher education, a total of 290,700 students.

Considerable erroneous information has been disseminated in which our educational system and the amount of public money expended to support it is compared to systems of other countries, and especially Soviet Russia. Comparisons with other countries are at best approximations. However, UNESCO statistics indicate that almost all

other countries allocate a small percentage of the national income to education. Russian expenditures for education in 1957 are officially reported at 78.9 billion rubles—the equivalent of $7.8 billion. The Russian gross national product has been estimated at 40 percent of that of the United States. From this, it appears that the Soviets do not allocate a larger percentage of their gross national product to education than does the United States. Claims that the Soviet Union devoted 13 percent of its gross national product to education are based on a confusion between the budget and the gross national product of the U.S.S.R. Actually, 13 percent of the U.S.S.R. budget goes for educational and a wide range of cultural activities, the latter including the subsidized opera, theaters, museums, political training centers, physical education and sports, and many others.

The challenge before American education would not, therefore, be regarded as a matter of competition with Soviet science, technology, or education, or in the manner in which these two systems seek to achieve their individual goals.

THE AMERICAN EDUCATIONAL SYSTEM

Our public school system is one of the few, if not the last bulwark of democratic home rule government, and now there are those who would invite the Federal Government to invade and create a situation which might eventually dominate this field as it has done in so many others.

Since 1871, and up to 1949, several hundred bills to authorize Federal financial assistance for the general support of elementary and secondary schools were before the Congress, but none were approved by both Houses. In the second session of the 85th Congress, subsequent to the appearance of the Soviet sputniks, proposals were submitted providing for Federal aid for scholarships, fellowships, and student loan programs. As a result, the National Defense Education Act of 1958 was enacted, providing for expenditures of $900 million over a period of 4 years. The Federal Government has over the past 30 years, expanded the scope of its activities to encompass a multitude of State and local functions. This trend, if continued, will make the Federal Government all powerful, leaving the States empty shells, a travesty of the Federal Union of sovereign States created in 1787. The land grants and the later grants in aid affecting education, such as vocational aid, school lunches, etc., were adopted to remedy a temporary situation then existing. They were not intended to become permanent, nor to establish the principle of Federal responsibility for education.

Some proponents of Federal aid to education say the financial assistance will be only temporary, just long enough to catch up in classroom construction, while others seek to make the program permanent. Once the Federal Government undertakes this task, it will become permanent, as have all other Federal-aid programs. There will be no retrenchment. Most likely, once the foot is in the door, it will swing wide open, and eventually will complete Federal domination and control.

FACTS AND FIGURES ON U.S. SCHOOL FINANCE

The proponents of Federal aid to education point out that the funds allocated to the schools are woefully inadequate; that too small a share of the Nation's income is allocated to education; that industrial production and personal consumption have forged ahead while the schools have been left behind to subsist on a starvation diet.

The facts in the case, however, prove the contrary. Comparative figures on educational expenditures in relation to enrollment for the period of 1939–40 to 1959–60 reveal that expenditures for education increased 642 percent, while pupil enrollment for the same period increased only 56 percent. The figures include public and nonpublic schools at all levels, elementary, secondary, and higher education.

These figures show that in the past 20 years, enrollment in educational institutions increased 56 percent and expenditures 642 percent. Prices more than doubled during this period, but an enrollment growth of 56 percent was accompanied by an increase in educational expenditures of 253 percent computed in dollar of constant purchasing power.

There has been a consistent trend interrupted only during wars and depressions, of increasing the share of the Nation's income allocated to education. Expenditure for education, as percent of national income, reveal that in 1930 it was 3.7 percent, and has steadily increased, reaching 6 percent for 1960. The percentage of national income allocated to education has multiplied more than five times since 1890 and increased 50 percent between 1950 and 1960. Increase in educational expenditures in relation to corporate net profits and national income reveals that between the period of 1929–30 to 1958–59, educational expenditures have increased 580 percent; corporate net profits 129 percent, and national income 317 percent.

It is also interesting to note that educational expenditures in relation to corporate net profits for the year 1929–30 was 39.2 percent but for 1958–59, it had increased 116.3 percent. In the meantime, corporate net profits as a percent of national income in 1929–30 were 19.4 percent and for 1958–59 had dropped to 5.2 percent. Educational expenditures as a percent of national income for 1929–30 were 3.7 percent but by 1958–59 had increased to 6 percent.

Taking into consideration the public elementary and secondary schools, it is found that the rate of expenditure on these has gone up more rapidly than the living standard of the American people. Over the past 30 years, personal consumption expenditures per capita have increased 60 percent, and public school expenditures per pupil, 155 percent measured in constant dollars.

It will be interesting to note that for the school year 1939–40, current school expenditures per pupil was $160, and by 1959–60, it had increased to $327, both sums measured in 1959 dollars.

Much has been said about the ratio between enrollment and number of teachers. Some allege that a teacher shortage continues to mount. Statistics from the U.S. Office of Education seem to prove that the reverse is true. According to these statistics, enrollment in public schools from 1900 to 1960 increased 132 percent, while the instructional staff increased 234 percent, and the number of pupils per teacher dropped over 30 percent. Furthermore, the percentage of college students who prepare for teacher certificates has increased from 21 percent in 1948 to 32 percent in 1959.

Along with the marked increase in number of teachers and expenditures for facilities, teachers' salaries have enjoyed a very substantial increase. In relation to salaries paid in other fields, the U.S. Department of Commerce reports that during the period from 1929 to 1958, teachers salaries have increased 103 percent, measured in constant dollars. Meanwhile, for the same period, and measured by the same formula, the increase for all persons working for wages or salaries increased but 83 percent and for civilian employees of the Federal Government, only 69 percent.

CLASSROOM SHORTAGE

It appears that through the cooperation of State and local governments, much progress has and is being made in solving the classroom shortage. In 1954, there were 983,000 classrooms in use and by 1959, this number had increased to 1,279,000, an increase of 30 percent. For the same period, the 1954 pupil enrollment was 30,045,000 and by 1959 it had reached to 35,990,000, an increase of 20 percent. Using these figures as a basis, in 1954, there were 30.6 pupils per classroom, and by 1959, it had been reduced to 28.1 pupils per classroom, a reduction of 2.5 percent. These data indicate that in the past 5 years, while enrollment increased 20 percent, the number of classrooms increased 30 percent.

TEACHER SHORTAGE

There has been a constant argument relative to the subject of the number of teachers in relation to enrollment in public schools but according to statistics released by the U.S. Office of Education, in spite of the continued uptrend in enrollment, comparatively, the teacher shortage problem has constantly diminished. During the 60-year period from 1900 to 1960, student enrollment in public schools increased 132 percent, and in the meantime, instructional staff availability increased 234 percent. These figures seem to indicate that the schools have been able in the first 60 years of the 20th century to attract a sufficient number of candidates into teaching to lower the pupil-teacher ratio consistently. The outlook for teacher supply over the next 10 years is not at all unfavorable. The percentage of college students who prepare for a teacher certificate has increased from 21 percent in 1948 to 32 percent in 1959. The number of bachelors and first professional college degrees is projected to raise 82 percent in the next 10 years. If the percentage of students selecting a teaching career remains constant for the next 10 years, we may expect an increase in the number of new teachers of 82 percent. If, however, the trend of the past 10 years continues, and a growing segment of college students choose teaching as a career, the number of new school teachers may well be doubled between 1960 and 1970. Meanwhile, the school age population (5 to 17) is expected to grow only 20 percent.

The question always arises what branch of our Government, Federal or State and local, can best finance the local schools. The key question and the debate over Federal aid to education well may be whether State and local governments are financially able to meet emergent school needs. It has been stated on many occasions—and in the preambles to some of the bills authorizing Federal aid—that States and communities are already overburdened and lack the capacity to raise the required funds. Capacity has two aspects: Legal and economic.

The Federal Constitution imposes no restrictions on the taxing powers of the States except in regard to import duties and interstate commerce. The U.S. Supreme Court has repeatedly upheld the power of the States to impose nondiscriminatory taxes upon interstate commerce. Legal restrictions on taxes and public debt which exist in several States were imposed by the people of those States and their elected representatives. Those laws and constitutions can be—and often are—amended or repealed by the same process by which they were imposed. Until this is done, it must be assumed that the limitations express the wishes of the people of the particular State.

The limits of economic capacity—for taxes or debts—cannot be objectively determined. Comparative data indicate that Federal taxes have increased more steeply, are now levied at far higher rates, and have become more burdensome than State and local taxes. A few figures illustrate the development over the past 30 years. In 1927, Federal taxes represented 4.1 percent of national income, while State and local taxes represented 7.4 percent of national income.

In 1958, however, Federal taxes represented 18.6 percent of national income and State and local taxes for the same year represented only 8.3 percent of national income. Fed-

eral taxes multiplied 20 times between 1927 and 1958, while State and local taxes multiplied only 5 times.

Comparative statistics relative to Federal, State, and local debt are of interest. In 1927 the Federal debt was $18.5 billion, while the State and local debt was $14.9 billion. In 1958, however, the Federal debt had climbed to $276.4 billion, while State and local debts climbed to $58.2 billion. The Federal debt multiplied 15 times between 1927 and 1958; the State and local debt only 4 times. State and local debts declined as a percent of national income for this period while the burden of the Federal debt multiplied more than three times. Interest on the Federal debt now accounts for over 10 percent of the Federal budget; interest on State and local debt equals only 3 percent of State and local general expenditures.

With Federal aid to education, can State and local control of education be preserved? In spite of what the proponents of the bills say, I believe it cannot. The Federal aid bills now being considered by the 86th Congress would add to the authority of the U.S. Commissioner of Education over the public schools; thus he may approve State plans for the distribution of Federal funds, defer allotments until certain conditions are met, or find a State or community in noncompliance and withhold funds. Even more importantly, the bills would materially broaden and strengthen the powers of the State department of education over local school systems (boards of education).

Possession of Federal funds without Federal control would enhance the independence of State departments of education from the general State authorities (Governor and legislative) and generally tend to weaken lay influence upon educational policies.

STATISTICS FROM OHIO

For the 4-year period of 1955 to 1958, Ohio voters approved school construction bond issues in the sum of $449,693,462. At an average cost of $25,000 per classroom, this total sum of bond issues approved are sufficient to provide 17,988 classrooms, and on the basis of 30 pupils per room, facilities for 539,640 pupils.

I am informed unofficially that the total sum of bond issues for school construction passed in 1959 will exceed $171 million. This, of course, would provide additional classrooms in the same ratio.

During the span of years from 1955 to 1958, enrollment in Ohio schools increased by 204,350 students. Average teacher salaries have maintained a steady advance since the 1945–46 school year, equivalent to 103.52 percent. During the school year which started September, 1945, there were employed a total of 39,199 teachers in Ohio schools. During the school year which started in September 1955 there were employed a total of 59,732 teachers. This relative increase over that span of years, therefore, was 52.38 percent. The largest relative increase occurred in the last three years of this bracket.

Over the span of years starting with 1948 and ending in 1955, there were 35,145 Ohio teachers who terminated their employment for one reason or another. However, during the same period, a total of 45,257 new teachers, that is, who had not taught in Ohio during the previous year, were employed, with a resultant net increase of 10,112 new teachers.

The "ideal" pupil-teacher ratio for years has been set by educators at the figure of 30. That figure was established as a standard for distribution of State funds in Ohio in the new school foundation program law enacted by the 101st general assembly. The pupil-teacher ratio over the span of years of 1945–55 has never gone as high as 30 pupils per teacher, but has varied within the range of 26.40 and 28.90 for the State as a whole.

SCHOOL EXPENDITURES

The year which marked the end of World War II, the 1945–46 school year, total payments by Ohio schools for current operation, interest payments, and debt retirement, capital outlay, and other payments totaled $175,299,204; 10 years later, during the 1954–55 school year, the total was $593,073,169, an absolute increase of $417,773,965, and a relative increase of 238.2 percent.

Complementary to the growth of expenditures for schools in Ohio in the 10-year bracket is the growth of funds available by sources. In the 1945–46 school year, revenue receipts totaled $169,595,707, and in 1954–55 revenue receipts were $462,339,397, an increase of 172.61 percent. Local sources, that is, property taxes, provided $96,851,301 in 1945–46 and $292,361,820 in 1954–55, an increase of 201.87 percent.

During the same period, payments by the State of Ohio increased by 116.27 percent from $60,944,860 to $131,805,595. Taxes on property, real estate, public utilities, and tangible personal property provide the sole source of funds for the support of schools at the local level. Thus, property evaluation is a measure of a school district's ability to finance its schools.

SUMMARY

While I agree in general with the views expressed by most people that our educational system is the best in the world for training young men and young women to properly adapt themselves to our democratic way of living, I also agree that there is much room for correction and improvement. I believe that most parents and a great number of our professional educators now concede that there should be a general tightening up and revamping of not only our methods but the courses offered in our public schools. Without the elimination of the features in our public educational system described by some as "social featherbedding" the appropriation of vast sums by the Federal Government for the operation of our public schools would only accentuate and encourage continuation of some of these practices and features that are held to be beyond the realm of the duties of our educational system.

The mere spending of a lot of money on an educational system that is in dire need of some basic and fundamental changes will not solve any problem.

In the final analysis, trained manpower can only come out of a thoroughly reorganized educational system with totally different aims and considerably higher scholastic standards. To carry through such drastic reforms is a great undertaking, but reforms of similar magnitude have been carried out in the past.

In our country, the major share of all our technical effort has gone into spreading ever higher standards of material well-being over ever larger segments of our population. It may well be that too large an effort has gone into the things that make American life pleasant and comfortable, and not enough into the things that insure continuous spiritual and material growth, as well as military and political victory in any war, hot or cold.

Mr. LONG of Louisiana. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I gladly yield.

Mr. LONG of Louisiana. The Senator from Ohio made the point that in many instances it is not a lack of money that is responsible for the failure to obtain better results.

The Senator from Ohio will recall that a short time ago, when we had before the Foreign Relations Committee some scientists or, at least, some persons who deal with scientific and technical matters, we asked them why they did not make more effort to see to it that young men and young women took the kind of courses which would qualify them to meet the Nation's needs. Their answer was that they hoped to do more about that matter.

Mr. LAUSCHE. That is correct.

Mr. LONG of Louisiana. A great number of Senators and Members of the House of Representatives appoint young men to West Point, after the giving of competitive examinations. In that way it seems to me they provide an incentive for our young men to do better work and to qualify themselves better.

But I regret to say that no competition is involved in the vast numbers of scholarships which are made available by State colleges and universities in my State. The State representatives and the State senators simply hand out the scholarships on any basis whatever—usually on a purely political basis. There is a good example of a situation in which scholarships could be made available and good college or university education could be made available to young men and young women, by using on a merit basis what already is available, so as to encourage the young men and young women to qualify themselves to achieve more in those fields, rather than to have the scholarships awarded on a political basis. That is an illustration of how we could use more effectively means which already are available.

Mr. LAUSCHE. I distinctly recall the colloquy we had with the experts who testified before the Foreign Relations Committee. I made the statement—and I repeat it now—that in the book, "One-Fifth of Our Population," the point is clearly made that one of the great weaknesses of our educational system is the declaration that the following three principles shall be the guides for our teachers, namely, that they shall teach the student, first, that for which he has the mental capacity; second, that which will be of utility to him in life; and, third, that which he desires to study.

The last-mentioned principle has been the one which has been the ruination; the students have been allowed to study only what they desired to study.

Let me say to the Senator from Louisiana that if I had had that right when I was studying, I would not have studied at all; instead, I would have played baseball and football and I would have gone fishing, and I never would have studied.

But in the Soviet Union there is a strong desire to learn and there is a strong incentive to learn, because if the students learn and become cultured, they will be placed in the upper echelon.

In that connection, let me say that my parents came to this country from Slovenia; where my mother walked to school 1 hour a day, to and fro. She went to school for 4 years. When she came to the United States, her sole purpose was to have her children gain an education. She labored and struggled to make a dentist out of one of my brothers, a graduate of Oberlin out of my sister, a lawyer out of another of

my brothers, and a lawyer out of me. She set the example, and we tried to follow it.

But today the situation is that the young person is allowed to choose what he will study. We have sown the wind; and, on account of that, we are going to reap the whirlwind.

So I wish to thank the Senator from Louisiana for reminding me of the discussion which we had in the Foreign Relations Committee 1 week ago.

In conclusion, Mr. President, let me state that whenever we have a problem, we are inclined to believe that all we need to do in order to solve it is dig down into the Federal Treasury and obtain some gold and use it. That is how we contemplate solving our international problems and our juvenile delinquency problem and our school problems. However, we are dealing with the symptoms, and not at all with the causes.

I shall vote against this bill because it is another instance of encroachment by the Federal Government upon functions which historically and traditionally belong back home. Even if the State and the local governments are doing the job badly, my opinion is that the Federal Government will do it worse. The Federal Government is too big to do the job, and that will be the eventual result.

If the Congress now says to the people of the country, "In the course of 2 years the Congress will provide $1,700 million, and that will solve the problem," 2 years from now the people will be requesting $3 billion, but in the meantime the problem will not be solved any better than it is now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Oregon to the committee amendment in the nature of a substitute.

Mr. McCLELLAN. Mr. President, I shall be brief. I had not intended to make any remarks on this measure; I had fully desired and expected to support the bill as it was reported by the committee. I would still be happy to do so.

However, I cannot vote for the bill with the provisions which it now contains. I shall be compelled, reluctantly, therefore, to cast my vote against its passage.

In my judgment, the situation in this country with respect to our schools does justify Federal aid to schools in the construction of the physical plants, the thousands of additional classrooms which are so greatly needed and necessary. Such aid could be given, Mr. President, without destroying the integrity of local government and without surrendering the control of our public school system as it was established and as it has traditionally existed and been operated from its founding. We could give aid to schools in that fashion without placing in jeopardy, the operation and management of our schools; without running any risk of the control and government of our school affairs being transmitted from the local jurisdictions that now have authority over our school system to a central power located in the National Capital. Because I sense—yes, more, Mr. President, because I am convinced beyond any doubt—that the minute the Federal Government provides aid for the operation and management of schools by making available funds for the payment of teachers salaries and other administrative expense, immediately the Federal Government puts itself in position, and the local government surrenders to the Federal Government the power to exercise control and domination over the school system.

He who controls the purse strings becomes the master; and we cannot escape it. The Federal Government can aid in the building of a physical plant, and that is over and done with; but it cannot supply the money from year to year for support, management and operation without usurping the whole governmental authority and power that is now reposed in the State, county, municipality and local school district.

That is the direction we are taking. That is why I cannot vote for this bill as now amended by the Monroney proposal.

Somebody has said, "Well, there is a 2-year limitation" on this authorization. There is, but it means absolutely nothing. We all know that teachers are underpaid. There is a responsibility upon us as citizens, and upon the State and local governments, to increase their pay commensurate with their duties and responsibilities. But, Mr. President, this is the wrong way to do it.

When this bill becomes law—if it does—and an appropriation is made to carry out the expenditures it authorizes, local school districts school boards, will immediately make contracts with schoolteachers on the basis of the anticipated revenues to be derived from the Federal Government by reason of this enactment. Should that mean, on the basis of the bill as it now stands, an increase in salaries for schoolteachers of some $300 to $500 a year, it follows that contracts will be made by the local board or Government authority with those teachers for another year, on that basis.

Once that is started, once the process is put in motion, we will not be able to stop it. If 2 years from now we undertake to stop it, the charge will be made that the Federal Government is breaching confidence, breaking faith, and repudiating its solemn and moral obligation. Mr. President, we have heard such charges made on this floor already with respect to the national highway program. It will be contended, again and again, that we have obligated the Federal Government to do it. The States and local school districts will claim they put their faith and trust in the Federal Government; that they were assured this was a national policy and the aid would be continued. They will assert, and truthfully so, that they made their plans and commitments accordingly.

Mr. President, what does that mean? Let no Senator vote for this bill thinking this program will be only temporary. It will not be. It is to become a fixed, continuing national policy. Maybe that is what some Senators want. If Senators want that, then let them vote for it. But let no Senator vote for it with the idea that it is only for a temporary period of 2 years. It will be of indefinite duration. It will be in perpetuity. What does it mean? It means 2 years from now, 3 years from now, 4 years from now, we will have put upon us pressures to make other provisions in the law which are not now in the pending bill. Conditions will be placed in the law that a school district or a State will not be eligible to participate in this program and receive these funds except, unless, and until it meets certain standards and conditions that the amended law will impose or administrative edict will require.

Do not, I say to my southern friends, vote for this measure with any thought that the segregation issue is not involved. We may just as well be frank about it and understand it. It is not openly present here at the moment, but let no one vote for this bill under any illusion or false conception that that issue is being bypassed. It is not. That issue cannot be evaded. We cannot escape it In due time it will be here to haunt us. Just one simple amendment, Mr. President, to this bill can be made, one sentence added, saying: *"Provided,* That no State or school district that practices or permits segregation of the races in the public schools shall be eligible to receive any of the financial aid herein provided."

That is all that will be needed to compel integration. I am talking now to my colleagues of the South who I know entertain the same views I do. Once the contracts are made by the local school authorities, Mr. President, on the basis of the anticipated Federal aid in support of and to pay the increased salaries to teachers, it will be too late to turn back. We will have gone too far. Our southern schools will not then be able to say, "No." They will have no alternative except to integrate or lose their share of these Federal funds.

No doubt some believe in integration. I have no quarrel with them, if that is what they honestly believe. That is their right. But I entertain a different belief. I believe in local self-government. I believe where the people want integration they should have a right to practice it. But I also believe with an abiding conviction that those who want to segregate have an inherent and constitutional right to do so. I believe the people have a right, as they have had from the very beginning of our Government, to choose the kind of school system they want and are willing to administer and support. I believe those rights should be held inviolate and preserved.

I make this statement because if and when this issue should arise some 2 or 3 years from now, it shall not plague me. I shall not then feel that I invited it by voting for this bill. I shall not obligate myself to accept it under those terms. I shall not, as their representative, commit the people of my State to accept it under those terms. I am not voting on this measure under any mistaken apprehension about the consequences. I know what the consequences will be if this bill should be enacted into law.

Mr. President, it gives me great concern to put this Government of ours further and further in debt. I know some think our national debt of some $300 billion is inconsequential. They scoff at the idea of a balanced budget. But I am disturbed about it. Just as certain as there is the day of judgment, just as surely is there a time of accountability in the fiscal affairs of any government. That time is rapidly approaching for us. We will have to meet it.

I have heard the statement made on the floor during this debate that Americans spend more money for cigarettes than they spend for education, and that they spend more money for liquor than they spend for education. Other similar comparisons have been made I agree. But, Mr. President, who spends that money? It is the citizens of this country who spend the money, and they are free men and women. If they think more of the pleasure of a cigarette or a cocktail than they do about educating their children, then they will spend their money that way. They are Americans, and they are free. If collectively our citizens so indulge and pursue that course to the neglect of providing ample and necessary educational opportunities and facilities, then a tragic destiny is likely in store for us—and I doubt that any amount or manner of Federal aid will save us from it.

We should spend more on education. I am perfectly willing to do so. I am willing to have the Federal Government help equalize educational opportunities by bearing some of the expense of building the physical plants. It is said, "Well, a plant, a schoolroom, is no good without a teacher." That is true, Mr. President, but if the little school district which needs a new building can get $500,000 from the Federal Government to help pay the cost of construction of the building, the same school district will have released to it for other use the revenues it would have had to obligate and apply for the liquidation of the debt incurred by the construction cost. Those revenues will then be available to raise the salaries of teachers.

Thus the original bill would help increase the salaries of teachers. It should be passed. I favor it. But, Mr. President, I am not going down the road of surrender and capitulation with regard to the inherent duty and constitutional right under our system of government of the local school districts and the local people having their public school systems operate in the manner they desire. I am not ready to surrender that for a mess of dubious pottage.

Mr. President, our country is blessed. We are blessed with wealth. We are blessed with abundant resources. We can have the kind and quality of educational system we want. We can have an adequate educational system when we want it and are willing to pay for it. When we are ready to place the value of that system above the value we are placing on some of the other things for which we spend our money then we can have all that we now need and profess to want.

Mr. President, if every time there is a need for something in this country we run to the Federal Government and continue to pyramid the national debt, we can also have a bankrupt Treasury and an insolvent Government. I shudder to think of what will happen to our school system and what will happen to our liberties and to our security if we ever permit that to occur.

I wish I might have the privilege of voting for the bill which was reported by the committee. I am very apprehensive—and I say this for the RECORD—that what is about to occur here in the Senate will mean no school aid at all of any kind. I say this to those who are really interested in the children, who are really interested in education and the building up of a better school system, and the providing of aid which will afford some relief in this present distressing situation.

I am not sure that by the course which is being pursued we are best serving the cause and the purpose desired. I rather think what is being done here will defeat the aid which we would get under the terms of the original bill. I think what is occurring will mean no aid, or aid deferred, and perhaps long deferred.

I should like to see the bill pass in its original form. I should like to have us make that start, which I think would be somewhat substantial, toward relieving existing conditions.

Mr. President, there ought to be a consciousness on the part of the people of the country that if we want education and want the best, we have to be willing to pay for it. There are times when we have to make a choice between things which are pleasant and delightful which we might desire, and those which we really need, in order to meet the obligations of citizenship which are upon us.

Mr. President, I am not unmindful that political expediency suggests, if not dictates, the propriety of supporting Federal aid for education. I should like to support the right kind of a bill and see it enacted into law, but I shall not be a party to destroying the integrity of State and local government in the affairs and management of our public school system in this country.

Mr. THURMOND obtained the floor.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. Mr. President, I am pleased to yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I ask unanimous consent that the Senator may yield to me without losing his right to the floor.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, the Senator from Illinois [Mr. DIRKSEN] has a perfecting amendment which he suggests be adopted in regard to my amendment. I am in perfect agreement with the proposal. However, since the yeas and nays have been ordered, on my amendment, it will be necessary to ask unanimous consent for me to accept the Senator's proposed amendment. I am sure the Senate will oblige us in that regard.

Mr. DIRKSEN. Mr. President, I trust consent will be granted.

I suggest to the Senator that on page 2, in line 10 of his amendment, where the amendment refers to loans, there should be inserted the words "State certified and approved."

The line would then read "for making loans to State certified and approved private nonprofit elementary and secondary schools."

I believe that language is carried in other acts. It would meet one of the specifications of the Department of Health, Education, and Welfare.

Mr. MORSE. Mr. President, I think this is a very sound amendment. I say in defense of the amendment as it was written that it contemplated, of course, that the Commissioner of Education would require this be done anyway, because he has the authority to pass on each individual request.

What the Senator from Illinois has in mind—and it is a very laudable objective—is to see to it that we shall not incur the danger of running in to the kind of scandalous situation which developed in connection with the GI education bill, when we had schools mushroom into existence overnight, only to take advantage of the GI's to their detriment.

This is a sound amendment, Mr. President, and I ask unanimous consent that the Senate permit me to accept it as a modification of my amendment, in view of the fact that the yeas and nays have been ordered already on my amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that he be permitted to modify his amendment as suggested? The Chair hears none, and the modification is permitted.

Mr. MORSE. I thank the Senator from Illinois, and I thank the Senator from South Carolina.

Mr. THURMOND. Mr. President, Senate consideration of a proposed program of general Federal aid to education involves questions that stem from the very roots of our constitutional federated republican form of government and, therefore, our action on this proposal may seriously impair the opportunities for continued exercise of individual liberty by the present and future citizens of the United States. It would behoove us to first examine the principles which are affected by such a proposal as the pending business before we become involved in the relative merits—or should I say, preponderantly, at least, the demerits—of the specific programs which are proposed. Accordingly, I have so arranged my remarks.

Currently, it appears to be a common and fashionable fallacy to conceive of our governmental system as a composite of the best features of those democratic or representative type governments which predated the late 18th century deliberations of self-emancipated Americans. Such a conception stems from the height of sophistication unadulterated by logical analysis.

Our system of government is novel, and under close scrutiny bears little resemblance to either governments which preceded it, or for that matter, those which ostensibly embraced its mechanics but not its total safeguards, in the fond hope that they might dance to the tune of individual liberty without paying the full price to the piper.

Only once in the recorded history of mankind have events conspired to bestow on a society both an attitude of public opinion conducive to acceptance of an original philosophy of government, unimpaired by the design of a predecessor government, and also the leadership of men learned in the truths proven by the ageless but unsuccessful struggle of man to maintain his liberty against the various forms of government formerly designed. Fortunately for those who have enjoyed the fruits of the labors of these great men between the formation of our United States and the present day, those to whom we refer as our Founding Fathers not only were cognizant of the lessons of history, but also possessed the capabilities of translating their knowledge into the formation of a government in which the deposit of power was on balance with the individual's ability to control it in the interest of his own protection.

Two basic and transcending facts underlay the consideration of those American patriots faced with the awesome task of devising the new government. First, they were conscious of the essentiality of some form of government possessed of a sufficient degree of powers to maintain peace and tranquillity. These men were fresh in the memory of a too weak government which they had so recently experienced in the form of a Continental Congress, which existed under the Articles of Confederation. In other words, they were conscious of the necessity of removing the Government from close proximity to a state of anarchism.

Secondly, they were equally impressed with the fact that government or the state was invariably the tool of tyranny and the greatest enemy of the individual's liberty. This lesson, learned from an academic consideration of history, had been indelibly impressed on their minds and hearts by the despotic occupant of the British throne.

Those Americans charged in the late 1780's with the invention of a form of government were faced with the difficult and previously unaccomplished task of devising a method of balancing the surrender to the State of sufficient powers to accomplish its intended purpose, on the one hand, against the imperative need to provide protection against its transformation into a tool of tyranny to suppress individual liberty.

Obviously, no single device was or is capable of providing the necessary balance. More important, but less often acknowledged by our sophisticated society of today, no combination of previously used devices was sufficient to adequately accomplish the purpose. As a consequence, the form of government they conceived was comprised of a combination of previously proven and useful safeguards and supplemental innovations specifically designed and weighted to bring the conflicting objectives into balance. Among the proven safeguards utilized was the process of subjecting those who were to exercise the power of the State to election at the hands of the people for a continuation of the right to wield that power; another was the utilization of a written Constitution, although they improved on this device by elevating it above the status of other laws, principally by conditioning its amendment to the most widespread approval.

These, and other tried and proven devices, contributed much to the successful accomplishment of their awesome task. It was the innovations, however, which transformed their efforts from the realm of attempts to the realm of achievement.

Foremost among the innovations were the numerous devices which can be characterized within the concept of split sovereignty. Departing from the unbroken precedent in previous governments of concentrating the necessary powers of state in a resultant all-powerful sovereign, these wise benefactors of succeeding generations chose to repose varying but lesser degrees of power in a number of sovereigns. The division of powers was accomplished by geographic and jurisdictional circumscription. To several sovereigns they reserved broad jurisdictional powers circumscribed by smaller geographical limitations. These were the States, in whom all sovereignty rested previously within their boundaries. To the sovereign created without geographical limitations, they accomplished a delegation of jurisdictionally narrow powers, specifically enumerated. Following the concept of split sovereignty to its practical and logical conclusion, they went further and split the powers of the geographically unlimited sovereign by a division of them among the three branches which comprised that sovereign. In effect, they accomplished a division of the powers derived from the people among what were 14 sovereigns at that time. Being designed as an implementation of sound principles, rather than an expedient, the structure they erected is now comprised of 51 sovereigns—50 States and a National Government.

Anyone who pictures this structure, as originally conceived and intended, in a pyramidical design, has a basic misconception of the safeguards which have provided the essence of novelty, and more importantly, the safeguards of liberty in our Government. The relationship between the National Government and each of the 50 States includes no conduit of authority. There was an act of delegation of sovereign powers initially via the Constitution, and only by amendment of the Constitution—a distinct action within itself, rather than a conduit—can a further exchange of power between sovereigns be accomplished consistent with the original design.

Tyrannical and despotic action can be avoided only so long as the balance between the inherent danger in the powers imposed and the safeguards of individual liberty is maintained. The diminution of any safeguard imperils the balance. The dissolution of any safeguard insures the lack of balance and the deprivation of individual liberty.

The process of erosion stemming from the impatience and lack of wisdom of many of those in subsequent generations has dealt harshly with the safeguards instilled in the noble institutions inaugurated by the Founding Fathers. Many of the safeguards have been reduced in weight, thereby imperiling the balance. In the consideration of proposals for a program of aid to education by the National Government, we stand on the threshold of action that could remove one of the most weighty safeguards—State sovereignty—and thereby insure a lack of balance and the destruction of individual liberty. It speaks well for the governmental system originally instituted that the form has remained fundamentally unaltered despite the pressures created by the ambitions, impatience, and stupidity of some of those who have gained positions of power in the interim. It is the substance, rather than the form, that has suffered from a continual series of usurpations, occurring almost invariably at the national level.

Among those powers of sovereignty remaining as principal vestiges of the States, only three now comprise the fabric that binds this safeguard into a whole. These three are the police power authority over elections, and the challenged but surviving control of the educational systems. The deterioration or removal of either cord will surely cause the complete unraveling of the already pierced and worn, but composite, cloth of split sovereignty.

Proposals for a program of aid—and I challenge the accuracy of the term in this instance—to education by the National Government contain inseparable ingredients of control, which, when mixed with State authority, will form an indissoluble compound unalterably destructive of State sovereignty and individual liberty.

Let me here and now acknowledge the chorus of denials of the intention to control, the unquestionably sincere protestations, by the advocates of action by the National Government's financial intervention in the field of education. Despite the sincerity which prompts the denials of intention for control by the National Government, and despite the absence of specific language in the proposals which would effectuate that control, control of education by the National Government remains a basic ingredient of the program. In the light of precedent, arguments to the contrary lack cogency.

Even the most superficial perception must acknowledge that control of the purse necessarily includes power over all dependent on the contents of the purse. Reliance on benevolence is no substitute for autonomy. The indivisible power of control which accompanies any subsidy was recognized and clearly enunciated by the Supreme Court of the United States

in 1942 in the case of *Wickard* v. *Filburn* (317 U.S. 111), in which the Court stated:

> It is hardly lack of due process for government to regulate that which it subsidizes.

Indeed, the conscientious performance of duty by an officeholder requires no less than to insure to the best of his ability that the taxpayers' funds, once appropriated, are wisely utilized.

The precedents in which one must place reliance, rather than in arguments and statements of intention, clearly indicate that national officeholders have been conscientious, even zealous, in exercising control over funds passing through the National Treasury. Although this has by no means insured wise application in every instance, it has demonstrated not only the will, but also the ability, to control activities that are recipients of the largess of the National Government.

Specific examples are numerous. Let us consider, first, a precedent in the specific field which we are now considering—that is, grants by the National Government for educational purposes. In 1917, the Congress passed the Smith-Hughes Act. Although it did not involve a program of grants to general education, it did authorize appropriations for grants to the specific field of vocational education. It is worthy of note that much of the impetus enabling the passage of the bill stemmed from the national peril created by the First World War. Even with regard to this program of grants to a limited area in the field of education, the question of Federal usurpation of the exclusive responsibility and obligation reserved to the States in the field of education was raised in the debate. Then, as now, the proponents of the program sincerely disclaimed any intention or purpose to inject Federal regulation or control into the operation of vocational educational programs which they sought to assist.

For instance, Senator Page, on July 24, 1916, denied such intentions, and I quote from volume 53 of the CONGRESSIONAL RECORD, at page 11465:

> The bill does not seek to take from the States the great burden of the maintenance of schools. It does not seek to deprive the States of the privilege of proceeding in matters of education in their own way. Nothing has been more carefully safeguarded in this bill than the autonomy of the States in the matter of schools.

Mr. President, those were unquestionably sincere words, well phrased and aptly sufficient as words can be to allay the fears of those who divined the specter of Federal control lurking behind the Smith-Hughes Act. Subsequent events have refuted the words of Senator Page and confirmed the worst fears of those who saw in the well-meaning but illusory language of the Smith-Hughes Act the strong arm of centralized authority. There is now in existence a 108-page booklet of regulations propounded by the National Government with regard to the program established by the Smith-Hughes Act. That regulation is synonymous with control is attested to by no less authority on the use of verbiage than Mr. Webster himself. This precedent alone is more cogent than the assurances of my protagonist colleagues to the contrary. Their words bear a familiar ring of similarity to those successfully spoken by Senator Page in 1916.

Illustrations in fields other than that of education, either general or specialized, illustrate the principle and truth that Federal control follows Federal grants. Even in programs in which the question of control by the National Government has not been raised, we find most impressive examples. The interstate highway program was undoubtedly drafted to accomplish the exclusion of control from the grantor of funds. A recent press report, however, indicated that the State of Oregon was compelled to change the color of the centerlines of its highways from yellow to white in order to be in compliance with this no control program. The color of a highway centerline may be considered by many as a small matter, but viewed from another light, it is indicative of the extensiveness of the control which inevitably accompanies or follows any grant by the Federal Government.

Let us now examine the objects of the proposed program in an effort to pinpoint the urgency, and the impatience with the fetters imposed in the interest of individual freedom.

A campaign to secure grants from the National Government professedly to assist education, typified by unreliable propaganda and self-serving agitation, has prevailed almost continuously for the last 15 years. Initial success or even encouragement was denied to those who sought this end, largely because the proposals were initially considered from an objective viewpoint without either hysteria or emotion. I am far from satisfied that emotion and hysteria—not to mention a contemplation of political fortunes—is absent from the consideration now being directed to these proposals.

As I have previously stated, I question the accuracy of the use of the term "aid to education" to describe the function contemplated by the utilization of Federal grants in this instance. Education is more than the process of spending money or building schools, or hiring teachers, to promote the general well-being of a group of individuals. At the hands of professional educators, we find no degree of unanimity as to the meaning of the word "education" itself. My personal preference is to consider education as the process by which an individual mind is disciplined to a point that it can discriminate between fact and fiction, and utilize the facts to reason to a sound conclusion. To this process money may be essential, but make no mistake—money provides no assurance of the success of the process.

An analysis of the propaganda on behalf of the proposed programs reveals that the principal pitch of the agitation is tuned to a comparison of the educational product of our own system with that of our international antagonist, the Soviet Union. Most of the propaganda is quite blunt in this regard. For instance, I have seen in a number of publications the assertion that Russia, with approximately the same total number of students as the United States, is now training 40 times as many students in physics as the United States; 18 times as many students in chemistry as the United States; 15 times as many students in trigonometry as the United States; 8 times as many students in foreign languages as the United States; and 4 times as many students in mathematics as the United States. The assertion is almost always so phrased as to convey the impression that the Russian system is, therefore, superior, and further, that the reason for the superiority lies in a greater financial effort being exerted by the Soviet Union in the field of education. In actuality, such is not the case. If indeed the Soviet Union is training such proportionately larger percentages of those students in the fields enumerated and to an equal degree of proficiency, their success lies in some other quarter than surpassing the United States in financial effort. Available information indicates that the United States is spending three times as much per capita on education as the Soviet Union. The UNESCO report, "The Financing of Education," indicates that the Soviet Union expenditures for education equal $34.17 per capita compared with a $103.94 per capita expenditure in the United States in 1956. Even in percentages of gross national product devoted to the education process, the United States makes a greater effort in the field of education by spending 4.3 percent of the gross national product—and this is computed for the fiscal year 1955–56—compared with 4.1 percent of the gross national product so employed in the Soviet Union. Even these figures are favorable to the Soviet Union as is readily evident from a consideration of the activities which are included in the expenditures to which I have referred from the Soviet Union. The "educational-cultural activities" of the Soviet Union include subsidies to finance deficits of State-controlled political rallies and rural clubs; deficits of radio, press, and television systems of the country; State-owned theaters and national symphony orchestras, public libraries, orphanages, lecture series to popularize scientific and engineering knowledge and establishments, including money which directly supports military development programs—all of which are in addition to what we normally consider the activities included in the educational field. Whatever advantage which may exist, if any, in the Soviet educational system, clearly does not stem from a superior financial investment.

I do not mean to imply that our educational system in the United States is beyond improvement nor even that it is without deficiencies in some instances, both financial and otherwise. As a matter of fact, a study of the current educational system in the United States reveals certain deficiencies which bear no relation whatever to lack of funds. The testimony before the Senate Labor and Public Welfare Committee suggests the conclusion that leadership in ideas,

rather than money, would best serve to improve the system for national defense needs. One of the deficiencies to which I refer is the use of so-called progressive education practices and concepts.

The most insidious of these concepts is that which assumes that since all men are created equal, they, therefore, have equal and identical ability. We must first recognize that we can—and at the State and local level—provide equality of opportunity for formal education. We cannot, however, provide or guarantee an equality of ability or knowledge through education; for the Creator, in His great wisdom, made no two men alike, either physically or mentally. We must, therefore, return to a recognition of individuality in the application of the educational process, rather than continuing to attempt to use a common mold for all students.

Another fallacious and destructive practice identified with progressive education is that of stressing methodology at the expense of substance. This, and not the lack of funds, is, in my opinion, primarily responsible for the lack of capable teachers and professional educators. I do not believe it is possible for any person, regardless of how well versed in methods of teaching, to ignite in a student the spark of interest which is vital to true education, unless that person has an intimate knowledge of, and interest in, the substantive subject matter he seeks to teach.

Progressive education ignores the fact that it is primarily the obligation of the family, the church, and the community to teach, by example and advocacy, the art of human relations. It is the duty of the educator to train the minds of the students in order that they may reason to a sound and logical conclusion by the recognition and assimilation of factual knowledge.

Discipline is the castoff of progressive education. No amount of money can make up for the failure to teach discipline, which must be applied from without in formative years in order that it may be applied from within in mature years.

Progressive education cannot be eliminated by funds, whether from the Federal, State, or local level. National leadership, not with money but in ideas, by stressing the parental, local, and State shortcomings and responsibilities, could do much toward the solution of this problem which is national in scope, but which is capable of solution at the local level only.

In the long run, we as legislators, must share with other national leaders the blame for a major part of our educational inadequacies. Rather than having encouraged ambition, initiative, and inventiveness, we have, by the enactment of welfare legislation and programs, encouraged indolence among the citizens of this country. So long as free enterprise was nurtured and encouraged and not unduly limited by a monstrous Federal Government, our country, including the educational system, remained strong and competitive. Free enterprise and free competition insure that one may gain in return for industry and initiative both the respect of his fellowman and financial independence. Attempts to make the Federal Government be all things to all men, on the other hand, insure the complete mental inertia which inevitably results from the destruction of the natural rewards of industry and initiative.

There are also, as I have acknowledged, deficiencies in some instances in the area of financial support for education. I am personally inclined to think that these deficiencies are more limited in number than appears to be the consensus of opinion. My conclusion is based on specific statistics dealing with the expenditures for education in the United States in both long past and recent years. For instance, between the years of 1952 and 1956, general expenditures of Federal, State, and local governments for education increased by 48 percent, while for all other purposes expenditures increased only 4 percent. The source of these figures is the U.S. Bureau of the Census. Between 1932 and 1958, per capita expenditure for education increased from $43.93 to $111.67. This continuing increase in per capita expenditure can be more readily appreciated when considered in light of the fact that expenditures for education in percentage of national income have increased from 1.4 percent in 1890, to 5.75 percent in 1958. Using even another gage, we can compare the trend of public-school expenditures with personal-consumption expenditures. Between the fiscal years 1929–30 and 1955–56, personal-consumption expenditures doubled, and public-school expenditures tripled. The latter statistics are based on constant dollars, so they do not reflect the effect of the inflation we have experienced in the interim. It is also notable that during the same period public-school enrollment increased 21 percent and the population increased 37 percent.

To put it mildly, these figures absolutely refute such assertions as that made by William G. Carr, executive secretary of the National Educational Association, who stated:

> To put it succinctly, in terms of every need, America's schools are not holding their own. Indeed, they are rapidly losing ground, and have been doing so since about 1930.

That statement by Mr. Carr, quoted from "Teachers for Tomorrow," is but one example of the fallacious and misleading statements publicized with regard to this question. Judgments of this body should be based, not on assertions of persons who have axes to grind, but, rather, on substantiated and reliable facts.

I would be remiss if I did not mention at this point that the excellent support which the education process in the United States has received, has been forthcoming in spite of, rather than with the assistance of, the National Government. Indeed, to me this record is astounding, especially in view of the fact that the National Government has continuously usurped additional sources of revenue with its tax system.

Mr. President, one conclusion stands head and shoulders above all else when the foregoing facts are considered impartially: Regardless of our accomplishments as compared to those of the Soviet Union, our deficiency exists in the amount of education we are receiving for each dollar spent, much more than it does from a deficiency of dollars to be spent for education.

In the area of school construction the arguments of the proponents of this program appear baseless from a statistical point of view. Certainly, and I say this advisedly, the figures on classroom shortages published by the U.S. Office of Education give no such basis, neither from their superficial significance, nor from the point of view of their reliability. To illustrate my point, it is only necessary to review the estimates by the U.S. Office of Education of the size of classroom shortages in recent years. In 1950, the U.S. Office of Education estimated that as of 1950, the backlog of need exceeded 250,000 classrooms. In the fiscal year 1952–53 the Office of Education, based on the results of the "Status Phase of the School Facilities Survey," estimated the shortage at 312,000 classrooms. In the fiscal year 1953–54 the Office of Education reported that the classroom shortage had grown to 340,000. Then in the fiscal year 1954–55, the U.S. Commissioner of Education testified before a House of Representatives hearing that the classroom shortage had reached 370,000. On October 5, 1956, newspapers quoted the Office of Education as estimating the shortage at 250,000 classrooms. The official release, which was dated October 4, 1956, estimated the shortage at 336,000 classrooms. Subsequently, in 1956, the Office of Education released a survey of school building shortages for the fall of 1956, as reported by State education departments, indicating the national shortage was 159,000 classrooms. In a circular released on January 23, 1958, the Office of Education released its fall, 1957, survey of classroom shortages, as reported by State departments of education, showing the national shortage as 140,400 classrooms.

Mr. President, keep in mind that the figures quoted do not represent projections of shortages for future years by the Office of Education, but profess to specify the shortages actually existing in the specified period. If taken at their face value, these figures indicate that our action here today, so far as school construction is concerned, is much ado about nothing. These figures reflect a decrease, between the fiscal year 1953–54 and January 28, 1958, of classroom shortage from 340,000 to 140,400. This would appear to indicate that during the last 5 years, the current need was not only being met, but that the previously existing shortage has been reduced by approximately 200,000 classrooms, or more than cut in half. Therefore, if these official figures are to be relied upon, the entire existing classroom shortage, whatever it may be, will be eliminated very Shortly without any "busybody" attitude on the part of the National Government. I would make it clear that I, for one, do not consider the figures on classroom shortages, promulgated by the U.S. Office of Education either accurate or reliable. I have every reason to believe that the figures quoted by this agency

are overstated in every instance, and in some or many, not only overstated, but grossly exaggerated. My conclusion in this regard does not stem entirely from the unrealistic fluctuations apparent on the face of these figures, although that is some basis for judgment in itself. However, I have a much more substantial ground for my disbelief. As is indicated by the reports on classroom shortages from the U.S. Office of Education, the figures were obtained by surveys of State education agencies through the media of questionnaires, prepared and promulgated by the U.S. Office of Education. To put it bluntly, the questionnaires are rigged. I will be specific. The most current report of the U.S. Office of Education indicates that the State of South Carolina has a classroom shortage of approximately 1,801. In order to ascertain the accuracy of this figure, I contacted the State department of education in the State of South Carolina, which acknowledged that the total figure shown on its completed questionnaire to the U.S. Office of Education, was, in fact, 1,801. It was the explanation of what comprised this figure, however, which revealed the deception. In the first category of deception fell 789 of the classrooms of the 1,801 reported as the existing shortage. The questionnaire submitted presupposes the maximum ratio of 36 pupils per room; and in every instance in which the number of pupils exceed 36, a shortage of 1 classroom was indicated on the questionnaire.

This result was reached despite the fact that in a given school, there might be 40 pupils in one room, and across the hall, only 20 in the other. In other words, despite the fact that the total number of pupils was only 60, the fact that one room contained more than 36 and was therefore overcrowded under the standards adopted by the U.S. Office of Education, there resulted a shortage of one classroom. So much for 789 of the 1,801 classrooms reported to be the shortage in South Carolina. Now let us turn to what was described to me quite candidly as the synthetic shortage. This consisted of 1,012 of the total 1,801 shortage. The 1,012 classrooms were found necessary for replacement of existing classrooms which did not meet optimum standards of construction, space, and arrangements. There is no denial that these classrooms could be improved, but it is unquestioned by authorities in the State of South Carolina that the classrooms designated for replacement, and thereby included in the shortage, are adequate at the present time. One specific example of the type of classroom which did not meet the standards, and therefore was shown as a shortage because of the need for replacement, was the case of an auditorium which had been partitioned into three classrooms. Certainly the design of such an arrangement would not be that which an architect would recommend for new construction, but it does provide housing which is warm, dry, and comfortable. These facts go a long way toward explaining the astronomical shortages reported from time to time by the U.S. Office of Education.

Another point which highlights the inaccuracy of the application of the term "aid to education" in this instance arises from the effect which financial assistance by the National Government would have on local initiative in matters pertaining to the educational process. If in the recent congressional hearings on education bills there was one conclusion by the witnesses which approached unanimity, it was on the essentiality of maintaining and stimulating local initiative. Education is not a matter that can be isolated in a classroom designed for that purpose, any more than education can be considered only in terms of physical plant. It is a process which, if successful, must draw from the totality of the individual's experience, including not only that obtained in a classroom, but also the experiences in the home, the community, and the church. Perhaps in this modern age, when homework is not as fashionable among the more sophisticated of our school personnel, it might be argued that the out-of-school experience contributes less than it formerly did. Nevertheless, only those who refuse to acknowledge reality would deny that the attitudes of parents are reflected to a major degree in the attitude of a child toward the educational process.

There are compelling reasons to believe that parental apathy constitutes, at present, a substantial handicap. If there be any truth in the adage that wherever a man's treasure lies, there will his heart be also, the remaining parental interest may be tied, to a degree, to the parents' direct financial support of the local educational system. Should the National Government, far removed from the scene, undertake by a vast program to usurp this responsibility, parental apathy is sure to increase. The result would be damage rather than aid to education, regardless of the number of classrooms constructed with Federal money. A house does not a home make, and neither does a classroom educate a child.

The most perplexing question raised by this entire proposal concerns the apparent assumption that the National Government has a source of income that transcends the financial ability of the combined citizenry of all the States of the United States. It is quite true that the National Government now collects three-fourths of all taxes. Regardless of that fact, however, in the past 30 years the National Government's revenues have been inadequate to meet budget expenditures 25 times. In total, national taxes have brought in only three-fourths of the national outlays, and the other one-fourth was covered by raising the national debt $270 billion, an average of $9 billion a year.

The National Government has no source of revenue save the taxpayers, each of whom is subject to taxation by one or more of the several States. How then can the argument be made that, since the States and local communities are not capable of adequately supporting the educational systems, the National Government must do it for them? Perhaps those who propound this argument are thinking in terms of borrowed funds. If so, their thoughts are not only unsound from a fiscal viewpoint—the national deficit is now approximately $292 billion—but also fallacious, for the States are in better financial condition and therefore better able to borrow than is the National Government itself. There is no magic in the Federal Treasury.

The entire matter may be summarized quite succinctly. State sovereignty is one of the principal weights holding the balance between the tyrannically inclined power of the National Government and the safeguards of individual liberty. The proposal now under consideration for grants by the National Government to the educational system in the various States will be accompanied by control from the National Government. This control would destroy one of the last vestiges of State sovereignty and imperil the individual liberty which that sovereignty was instituted to protect. That such control will follow is established by a clear pattern of precedence far more convincing than the denials and protestations to the contrary.

The educational system is not being neglected in the United States from a financial standpoint. We are devoting approximately three times the expenditures per capita for education as in Russia. It is more education for the dollar rather than more dollars for education which is needed.

There is no sound basis for assuming that the States cannot meet and are not meeting their classroom needs, on the whole. Figures to the contrary are obviously unreliable and are compiled in an effort to accomplish a desired impression.

To adopt this program would have the effect of destroying local initiative, thereby damaging, rather than aiding, the educational system.

Mr. President, in closing, I wish to say that the National Government is inferior in financial ability to the States collectively; it struggles with a debt of $292 billion. The National Government can send no funds to the States which it has not first, either by taxation or inflation, taken from the citizens of the States.

To adopt such a proposal would be the height of foolishness.

Mr. President, in my opinion, if we adopt Federal aid to education, we are entering upon one of the most dangerous programs that has ever been projected by the Congress of the United States since the Constitution was written in 1787.

It is my firm conviction that the people of the United States will regret the day—the very day, whether it is today or tomorrow or some day in the future—that the Federal Government injects itself into the field of education.

Mr. CURTIS. Mr. President, I wish to commend the distinguished Senator from South Carolina for his sound statement of principle.

I am opposed to this bill. I am opposed to it in all its forms. No matter how well intentioned are the proponents of Federal aid, not doubting for a moment their sincere interest in the advancement of educational opportunity, I

believe it is pitifully naive to assume that there can be Federal aid to education without Federal control.

If we deliver into the hands of a strong central government the direction of public education, we are destroying the last and most important vestige of States rights and individual rights.

Mr. President, every child in America is entitled to an education that is under the supervision and control of his parents and their neighbors and friends and community leaders. We deny educational opportunity when we transfer that control to a Federal bureaucracy responsible to no one, but a bureaucracy that soon becomes arrogant and dominating, and always is far removed from the people. It is because I believe in public education that I want the Federal Government to stay out.

If we deliver education to the direction of the Federal Government, we are delivering a system, which by its very nature needs the interest and supervision of community responsibility, to a far-off bureaucracy which cannot know or administer local affairs.

Parents deliver their children to the public schools of our State for 13 years' instruction. They see the schools as an adjunct of the home and are intimately interested in the day-to-day operations of the community school. It is they who know whether the school plant is adequate, whether teachers are doing the right kind of a job. It is they who rise to the occasion when a wholesome program of their community school needs civil support or additional financial help.

It is they who devote hours of volunteer work to school boards, parent-teacher associations, and other groups who are so completely dedicated to giving the children of their community the fullest and best school instruction it is possible to achieve.

The local school, the home, and the church have the awesome responsibility and greatest privilege of fashioning the minds and the bodies of the youth for adulthood. This endeavor is, in my opinion, one of the noblest. It cannot be carried out by a far-removed bureaucracy.

Mr. President, to me the arguments for Federal aid to education can be devastated by moral rebuttal alone. From the nature of the educational process, the need for parental and paternal interest from the community is obvious. The knowledge that a central bureaucracy cannot possess the facts of a local situation is equally obvious to those who have other dealings with the Federal Government.

In addition to those compelling moral reasons against Federal aid, there are also very practical objections which are equally devastating.

A former U.S. Commissioner of Education, Dr. John J. Tigert, wrote:

> My experience in handling Federal subsidies for education under the limited acts which are now in existence has taught me that you must have either Federal control and interference or you must have misappropriation of funds and waste * * *. If we embark upon a program of turning over Federal money to schools without any strings attached, it is only a question of time until the waste, extravagance and misuse of these funds will result in a reaction or a change. The alternative is Federal control.

Nicholas Murray Butler, president of Columbia University, said in 1921:

> Unless the school is both the work and the pride of the community it serves, it is nothing. A school system that grows naturally in response to the needs and ambitions of a hundred thousand different communities will be a better school system than any which can be imposed upon those localities by the aid of grants of public money from the Federal Treasury, accompanied by Federal regulations, Federal inspections, Federal reports, and Federal uniformities.

Mr. President, one of the most distinguished educator-statesmen in the Middle West is Dr. Allen P. Burkhardt, superintendent of schools and president of the junior college at Norfolk, Nebr. I quote a statement of his:

> The best argument against such permanent Federal assumption of responsibility for education is the faith in and success of local-State government in this field. And local control of education has succeeded. In fact, we Americans have evolved the best system of education ever developed through the diverse approaches of the 48 States.
>
> I have nothing against change, if change will actually mean progress. But there is no evidence that a change to Federal responsibility in education would represent anything but deterioration—deterioration in local effort and deterioration to have good schools.

I continue the quotation from Dr. Burkhardt:

> The American people can take pride in the accomplishments of State and local governments in the continued extension of educational opportunities. Financial support has, on the whole, been generously provided and standards have steadily risen, even in the less wealthy States. There is ample reason to regard State and local control of education as one of our most prized traditions.
> * * *
>
> The States do have the capacity to meet their educational requirements. This is a proven fact. Every State in the Union, and probably every school district in the United States is in better financial condition than is our Federal Government. Federal aid to the schools of America would either increase deficit spending or Federal taxation and speed the inflationary trend. With financial aid would eventually come Federal control. Any degree of Federal control over education would be disastrous to our tradition of local authority and State responsibility.

Mr. President, this issue is not a partisan one. The rights of the children of America to attend schools under the control of the parents and the local leaders of their community is at stake tonight. This is certainly not a partisan issue.

Mr. President, I hold in my hand a telegram from a vice president of a Young Democrats Club of one of the larger counties of my State. He says:

> Congratulations on Federal aid to education action of February 3, 1960. A more efficient and effective solution to the problem you ponder is to return the problem to the several States to whom it rightly belongs and from whom the funds for your proposed aid must necessarily flow. Federal aid to education demands Federal approval of disbursements the natural sequence being federalized thought control and vocational determination within a generation. State problems are compounded rather than solved by Federal realinement of responsibility. If you must give us aid let it be in the form of the representation which we have a right to expect.

I am grateful that we have young men like that interested in government and interested in the rights of parents to supervise education, as well as in the right of the children to attend a school the course of which is determined by the parents, by the scout leaders, by the civic leaders, by the pastors, and by the other wonderful people who make up our several communities. These people can and will continue to do more for the children of America than any bureaucracy in Washington.

A bureaucracy inevitably becomes intolerant of the ideas of others. It disregards the wishes of self-governing people. It exerts a power to compel human beings to be uniform and alike. We do not want that sort of direction of our education.

Mr. President, I should like to quote another educator. His point is well made, even though he uses a lighter vein. I quote William O'Brien, professor of government at Georgetown University, Washington, D.C.:

> There is another dimension to the current problem of education "needs" and the solvent proposed by many to dissipate them. First, on the general question of Federal aid, people should realize that financial assistance from the Central Government is always supplied with their money and not given by some magnanimous donor from outer space with his own cornucopia of independent wealth. Moreover, dollars invariably lose weight on their round trip to Washington where the political brokerage of the bureaucrats is deducted. Many Congressmen forget these basic facts of life when following their generous impulse to give you the shirt off their own back.

Mr. President, I hope this measure and all versions of it will be defeated. I believe that will result in better education in our country.

Mr. HRUSKA. Mr. President, if the proposition was ever doubted, I presume the one thing our debate of the past 2 days has clearly established is the increasing importance for the American people to be well educated. To this extent, therefore, we are on common ground.

Unfortunately, the proposition has little, if anything, to do with the question of the necessity for Federal aid to education, or the merits of the pending bill.

It ought to be clearly understood that opposition to the many Federal spending programs in this field which we have considered lately does not mean opposition to a well-educated and informed citizenry, any more than support of these programs assures us that we will have them.

To be sure, in order to cope with the mounting problems which face our Nation, as well as to enjoy the bountiful life it affords, we must have skilled and alert people.

The fact that we have made rapid and profound changes in our way of life, and have continued to do so at an increasing pace while assuming the grave

responsibility of leadership for the free world, signifies that our educational standards have been exceptionally high. This reflects great credit upon our teachers and school programs.

At the same time, the ever-broadening scope of our responsibilities require that we intelligently and adequately support our schools not only to maintain our unparalleled standard of living, but to improve it.

To these ends, the Senator from Nebraska is unswervingly dedicated. So, for that matter, it may be said of others engaged in this debate. The difference among us lies in the means we consider wise to achieve these desired objectives.

In presenting the case for Federal aid to education, its advocates mainly point to a shortage of classrooms and the inadequacy of teachers' salaries. On the basis of these two conditions, numerous proposals have been offered. They have been described at great length by their authors. No useful purpose could be served by my reviewing them here.

However, in their eagerness to discuss the relative merits of each proposal, an important preliminary question is passed over. Is Federal legislation of any form necessary at all?

I deplore the all too prevalent notion that whenever a problem exists within our national boundaries, it is axiomatic that its solution must be found in Federal action, especially in some form of dollar appropriations.

In the first place, it has not been adequately demonstrated that these solutions, whatever their character, solve more problems than they would create. Nor, for that matter, do they prove to be as inexpensive as initially claimed.

The existence of a national problem does not suggest either the necessity for or the desirability of Federal intervention. Often participation by the Federal Government is not only undesirable but affirmatively harmful. This is particularly true in the case of education.

Even in these instances where Federal action may be appropriate, by no means do we find that all proposals for Federal intervention are good. Some may serve the desired purpose. Others may not. It is necessary first to understand the character and extent of our problem before we choose among the variety of proposals directed at the manner by which we should proceed.

First, let us turn to the question of the need for more and better classrooms. Many figures have been quoted in this debate. These facts, however, stand out:

In 1954, the reported shortage of classrooms was 370,000.

By 1956, the shortage was reduced to 159,000.

In 1959, it was reduced to 132,400 classrooms.

Furthermore, an average of 70,000 classrooms have been built in the United States for the past 2 years. Projected over a period of the next 5 years, we will have 350,000 new classrooms without any participation on the part of the Federal Government.

One clear conclusion can be drawn. The shortage in our classrooms is steadily decreasing. The pressure for more classrooms, which was acute in the last decade, is now subsiding.

Construction, moveover, is keeping pace with the general population growth and school enrollment. Hence, in the main, the need for classrooms is being met. This is being done on a basis which is economically sound and in keeping with the time-tested practice of relying on the initiative of State and local governments.

One further observation could be made. It is based on the most recent classroom survey by the U.S. Office of Education filed on January 16, 1960. It shows that of the 40,604 school districts in the United States, less than 1 percent, 347 districts to be precise, expect to have difficulty marketing school construction bonds because of limitations in their mill levy rate or property valuation. Of these 347, a total of 107 had enrollments less than 600 students. Out of these 347 districts, furthermore, approximately 237 are shown to have definite classroom shortages which total 3,086.

Clearly, the problem narrows down to this: Shall we commit ourselves to a multi-billion-dollar program of Federal aid to education which is distributed across the board to all of the States, whether needed or not, in the face of such facts?

The answer seems to be obvious. The pending legislation is not tailored to meet the particular needs of the local community. In that sense, it is totally out of place, ill-considered and very harmful to our educational system.

The much more direct and effective solution would provide credit aid which would result in construction of classrooms only where needed and which could not otherwise be undertaken. In other words, if our target is real assistance to our public schools, we ought to aim and shoot at the problem with a rifle instead of a shotgun.

The conclusion is inescapable that the entire effort in the Federal aid to education effort is one to achieve Federal intervention and control of our public schools and educational programs.

Even the multi-billion-dollar construction program, should we limit our consideration to it alone, would come within Federal control sooner or later. This would be true in spite of express disclaimers in the law.

A disclaimer, easily inserted, can by the same process be repealed or modified by this or a succeeding Congress.

Furthermore, provisions eventually work their way into the bill calling for the submission of plans to the Department of Health, Education, and Welfare for approval. They frequently appear in connection with the reduction or consolidation of school districts. This means Washington wishes and decisions will prevail on the location of our schools, as well as in many other matters.

Lastly, Federal control will be necessary to assure that funds appropriated will be properly expended. This is an obligation which is not only expected but necessary. The consequence, however, is that the Federal Government does in reality exert an influence over the use of money without strings attached.

Federal control will likewise be inevitable if teachers' salaries were paid in part by Government checks. It is commonly acknowledged that teachers in many localities are poorly compensated, particularly in view of the high qualifications and grave responsibilities that attach to the job. Most certainly, however, the matter of recruiting teachers and training ought to remain within the province of the local school districts.

If the Federal Government would participate in this program, one effect most surely would be that teacher qualifications, tenure, and conditions of employment would become subject to Federal standards and prescription. The pattern which follows is all too familiar. The local school board would soon be submitting its plans for recruiting, qualifying and supervising the teachers to the Department of Health, Education, and Welfare and its Office of Education for approval.

It seems to me that in this we reach the core of the debate. Is Federal intervention and control, whatever its form or direction, bad for our body politic? I maintain that it is.

In its very essence, Federal participation signifies a loss of individual liberty and the right of local self-government.

It destroys our Federal system of government. It means that in effect there will be no State lines or even any States in the field of education.

It means further concentration of power in Washington.

It constitutes another vast step to make our Nation's Capital the master mechanic of even more activities.

Under the guise of a program for better education, tyranny in the form of a centralized, all-powerful Federal Government is getting an even more firm hold on our people.

Liberties and rights are never taken away from a people by action which is so labeled. It is invariably an oblique attack. The technique is to represent that a poor job is being done and that a better one can be done with the new proposal at hand.

Should the people accept this alternative, eventually certain important concepts must be abandoned. In this case, the loss will be independent school districts, local management of our schools and curricula, and loss of selection and supervision over the teachers. The price may eventually be freedom itself.

Mr. President, the people of our country have not shown a lack of concern about our vigorous and independent school systems. This interest in good public education should not be confused, however, with an enthusiasm for Federal participation. By a close analysis of recent local elections involving the approval of bond issues for school construction, exactly the opposite can be established. But the pattern of votes emphasized one point very clearly. Our citizens will approve only those programs which are both responsive to a demonstrated need for education and are free of senseless extravagance.

This is the inherent danger of any program entailing Federal aid to education. Where funds are derived from Federal taxation and are distributed by

the Department of Health, Education, and Welfare, control over the kind of teaching which is offered is lifted from the hands of those who are immediately concerned with it.

This local control has been most effective in assuring that we are provided with sound educational programs. This control should not readily be abandoned.

The thought, therefore, occurs to many of us as to propriety of any program of Federal aid. What illusions does it foster? It will hardly afford Federal relief to education. We are currently spending approximately $14.4 billion annually for education under college level. Assistance in the amount of $500 million a year as provided in the committee bill reported would have difficulty living up to the expectations of such relief.

More importantly, however, is the fact that large portions of these funds spent on education will still have to be raised locally. The people in Nebraska, for example, will continue to raise the amount that is necessary to spend for public education in Nebraska. However, a tax for the new Federal share will have to be met, plus additional funds raised to provide the matching State money by which the new Federal grants can be made available.

With the prospect of increased taxes considered with the objection to the ensuing Federal control, I am convinced, Mr. President, that the best interests of the American public would not be served by abandoning a well-tried and effective system of public education in favor of an unprecedented and perilous program of Federal aid.

Mr. President, I ask unanimous consent that an editorial published on February 2, 1960, in the Omaha World Herald entitled "Three Little Words" be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THREE LITTLE WORDS

One of the National Education Association leaflets Omaha teachers found in their mail boxes asked this question:

"Have you told your Congressman about your own local problems, that you want him to back pending legislation to provide Federal financial support, without Federal control?"

Those last three words are mighty important. They are the sugar coating on the pill. They are the bait by which advocates of Federal school aid hope to hook the country on a program that would eventually cost as much as $4 billion a year.

Does anyone seriously believe that the Government in Washington would spend such huge sums on the schools without controlling the ways in which it is spent? All experience with grants-in-aid shows that the Government sets standards and makes sure that the States and local governments adhere to them. The local government must accept the control or it will not get the money.

It is inconceivable that school aid would be different. Washington might let school boards decide the location of a new school, for example, just as it now lets a State or community decide—subject to Federal veto—the routing of a Federal-aid highway. But the road must meet Washington's standards and fit Washington's pattern for the Nation. And it is Washington, not the State or local government, which decides whether the standards are being met.

To look at this matter from Washington's viewpoint, it is an obligation of the Federal Government to see that State and local governments spent aid money the way Washington wants it spent. The Government's controlling hand should follow the Federal dollars. Congress would be negligent in its duty if it simply dispensed billions without a voice in the way the money is used.

That is the bitter logic of Federal aid. Many Americans would have more respect for the advocates of school aid if they would follow the logic and try to defend federalization of the schools.

That would at least be an honest approach. The probability that the American people would not knowingly swap control of their schools for a Washington subsidy is obviously the reason why that approach is not used—and why we are hearing and will doubtless continue to hear the promise that the public schools can have Federal money without Federal control.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I understand the Senator from Oregon wishes to propound a few inquiries to the minority leader. I hope that when that colloquy is concluded we may, with the approval of the Senate, have another quorum call, with the stipulation that at the end of the quorum call—it would not be a live quorum call—the Senate will proceed to a vote on the amendment.

Mr. MORSE. Mr. President, I desire the attention of the minority leader.

An hour or so ago, the Senator from Illinois offered a perfecting amendment to my amendment, on page 2, line 10, after the word "to" to insert "State certified and approved," so as to make the phrase read: "to State certified and approved, private nonprofit elementary and secondary schools in the States for constructing school facilities."

I accepted the amendment because I am sure the Senator from Illinois and I are of one mind as to the purpose of the amendment.

As I said in the earlier debate, we seek to prevent the misuse of this amendment, as occurred in some instances under the GI bill in the providing of funds for GI's to go to private schools. There was a mushrooming overnight of so-called private schools which were anything but real educational institutions.

Since we agreed upon the amendment of the Senator from Illinois awhile ago, it has been suggested to me that a problem may be raised which we ought to try to clarify on the floor of the Senate by way of legislative history, because I accepted the amendment with the purpose I have just stated, namely, to make certain that legitimate private schools may receive loans under this proposal.

However, I have been advised that many States do not have formal procedures for certifying or approving private schools. What they have are State statutes which authorize the graduates of such schools to go on to high school or on to college. So I should like to ask this question of the Senator from Illinois:

I assume it is the intent and purpose of the Senator's clarifying amendment that loans will be made available only to those schools where the attendance by pupils satisfies the compulsory school attendance statutes.

Mr. DIRKSEN. That might be one of the factors; there could be others, of course. I do not have all the relevant provisions of the different statutes in mind. But certainly the Department of Health, Education, and Welfare and very particularly its general counsel, would be mindful of exactly the situation which the Senator from Oregon has in mind.

When this matter first came to my attention, I thought I ought to make some inquiry as to whether this provision would offer a completely unregulated loan possibility to any kind of school, with no respect to the statutes of the given States at all. It was on the basis of observations made by the general counsel of the Department of Health, Education, and Welfare, who would manifestly speak for the Commissioner of Education also, that this language was suggested.

Mr. MORSE. May I tarry a moment longer? I think the Senator from Illinois and I are of one mind.

So that the legislative history may be perfectly clear, does the Senator from Illinois agree that when the Commissioner of Education finds that under the State statutes of any State a private school meets the standards necessary to qualify its students under State law to transfer back and forth from a private school to a public school, and to advance from a private school to a higher school, such a school would fall within the purview of this amendment and would be eligible for a loan under it?

Mr. DIRKSEN. Mr. President, that would be very definitely my understanding of the language here involved.

Mr. MORSE. I thank the Senator very much.

Mr. MANSFIELD. Mr. President, with the approval of the Senator, I should like to make a unanimous-consent request: I wish to suggest the absence of a quorum, with the proviso that at the conclusion of the call—and it would not be a live quorum—the Senate immediately proceed to vote on the Morse amendment.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection?

Mr. DIRKSEN. Mr. President, will the Senator from Montana withhold his request for a moment, please?

Mr. MANSFIELD. Certainly.

Mr. DIRKSEN. Mr. President, this will be the best opportunity to say a word or two about this amendment.

Frankly, I am grateful to the Senator from Oregon for having accepted the

perfecting language; but I still have some difficulty with this amendment. I do not press my opposition upon other Senators; but I make this statement, rather, to provide the legislative history.

The interest rate provided in this amendment is the higher of two; one is 2¾ percent, as I understand; and the other would be the average rate on all interest-bearing obligations which are a part of the public debt, plus one-eighth of 1 percent. So if the average at the present time is 2⅝ percent, and if one-eighth of 1 percent is added, that would be 2¾ percent. So in either event, as of this moment, the highest rate of interest which could be charged on the loans would be 2¾ percent.

Mr. MORSE. I am not so advised by the experts who helped draft this amendment. What we have here is the same provision which is to be found in the College Housing Act.

Mr. DIRKSEN. That is quite correct; to that, I agree.

Mr. MORSE. It is the same as the provision in that act; and I understand it is also the same as the provision in two or three other acts.

Mr. DIRKSEN. Exactly.

Mr. MORSE. I understand that we can forget about 2¾ percent per annum, now, because of the general increase in interest rates; and I am advised that the rate would be in excess of 2¾ percent, because the amendment provides—

> Not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum per annum—

And so forth. I am advised that at the present time it would be in excess of 2¾ percent, but it would be flexible from year to year as the money situation in the country would change.

Mr. DIRKSEN. Mr. President, my understanding—as of perhaps a good hour ago—is that the best information I could get is that the average interest rate is about 2⅝ percent. If we add one-eighth of 1 percent, we would have 2¾ percent. The other alternative of the bill is 2¾ percent; so the rate would be somewhere in the range of 2¾ percent, and conceivably it might be 3 percent.

The point I make is that the last two issues financed by the Treasury were at 4⅞ percent. So even if we got up to 2⅞ percent, under either alternative of this amendment, the Treasury would still be losing 2 percent on every dollar which was loaned under the $75 million herein authorized.

The reason I make the point is simply that today we have the REA loans which are made at 2 percent, no matter what the Treasury has to pay in order to get the money; and whatever the difference is, it is very definitely a loss to the Federal Treasury.

The question is, how long can we continue to finance at that rate, if we undertake to do this in a great many fields? If we are going to borrow at 4⅞ percent and if we are going to loan at 2¾ percent, obviously the more we loan, the more we lose.

The situation is a little like that of a fellow I knew in Bridge Square in Minneapolis, when I went to school there. He had in front of his store a sign, "Clothing Below Cost." I asked him, "How do you sell it below cost and still stay in business?"

He replied, "The reason is that we sell so many suits." [Laughter.]

So, Mr. President, you will realize that if many suits are sold, and if a loss is taken on each suit sold, something is going to happen. But he said that was the way he stayed in business.

Perhaps I can best describe the situation by referring to an old wheeze that Dr. Eaton used to tell, years ago, in the House of Representatives. He was a very gracious and distinguished minister who became a Member of the House. I remember chortling, one day when I was sitting in one of the front seats, when he unfolded this tale:

He said that a teacher once told her pupils to get out their pencils and their slates and figure the answer to the following: Suppose a cat fell into a well 100 feet deep, and suppose the cat tried to climb out of the well; but suppose that every time the cat climbed up 1 foot, the cat fell back 2 feet. The question, then: How long would it take the cat to get out of the well?

Dr. Eaton said that the children went to work with their pencils and their slates; and finally one boy raised his hand. The teacher said, "Johnny, can I be of any help?"

The boy replied, "Teacher, if I can have a couple of more slate pencils and another 45 minutes, I'm pretty sure I can land that cat in hell." [Laughter.]

So here we are proposing to have the Government lend at 2⅞ percent and borrow at 4⅞ percent. I should like any Senator to tell me how long any business enterprise could exist under those circumstances.

So I feel that the legislative history of the interest provision must be made, notwithstanding the fact that the distinguished Senator from Oregon is exactly right on the college housing loans and those in other fields.

But I resisted and fought them on the floor, on the ground that the interest rate was a subsidized interest rate. And I must also lift up my voice and object to this one, on the ground that even though it is for the benefit of loans to nonprofit private schools, it is still a subsidized interest rate; and if we subsidize enough of them, I do not know what the solvency of our Federal Treasury and of our budget will finally be.

So, Mr. President, having made the legislative history, I am content to leave it at that point.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. I have asked the Senator from Illinois to yield, so that I can make what I now say a part of his presentation, rather than mine.

I am glad the Senator from Illinois is making the legislative history, because I know he realizes that I want all the facts brought out clearly here before Senators vote on this provision.

I wish to point out clearly what the provision is, beginning with the "(B)" portion of paragraph (3), on page 3:

> (B) the total of one-quarter of 1 per centum per annum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the contract for the loan is made and adjusted to the nearest one-eighth of 1 per centum;

That means that we take all of the Government's interest-bearing obligations—not the lowest or the highest, but the average of all of them—and add to that rate one-fourth of 1 percent above the average; and that is what we say we shall make available by way of interest charges to these private schools—just as we do to private colleges now, in connection with the housing program for them and in connection with the Govenment's supplying them in some instances with the construction of laboratories and the equipment of laboratories; and they are sectarian colleges as well as private colleges.

The burden of my argument this afternoon was that I think the same equities should flow to the secondary schools and to the elementary schools, in view of the figures which I presented, namely, that at the present time they make a contribution of $1,185 million a year, minimum, to the taxpayers of the United States, from the standpoint of the educational services they render the children who now are attending those private schools.

This afternoon I said, and I now repeat, that in my judgment—and I would not be a party to the amendment if I thought it to the slightest degree violated this—this amendment is completely clear of any successful challenge on the ground of violation of the principle of the separation of church and state. This amendment is in line with all the list of legislative precedents which I set forth this afternoon—such as the Hill-Burton Act, the National Defense Education Act, the College Housing Act, and others. I think it is an equitable and fair and deserving amendment; and I offer it on its merits.

Mr. DIRKSEN. Mr. President, I can only say, in response to the Senator from Oregon, that I have made no contention on any score with respect to the amendment, except to point out what the interest rate is.

At 6 o'clock, I inquired of the Treasury, "What is the average annual interest rate on the obligations which are a part of the public debt?"

The reply was, "As of now, it would be about 2⅝ percent."

If we add one-fourth of 1 percent, we have 2⅞ percent. The other alternative is 2¾ percent.

So one can take his choice; but the difference between what the Treasury will receive and what the Treasury will have to pay on its borrowings will still be 2 percent. So, as of now—and of course it could change, I must admit; but as of now—as this money becomes available, if it does become available, on every dollar of the $75 million that is loaned, the Federal Government will lose a clear 2 percent; and, in consequence, I fortify the conclusion I stated, namely, that one cannot stay in business a long, long time on such a basis, because it is just like the basis used by the man who was selling suits at a loss, for when I asked him,

"How do you stay in business?" he replied, "It is because I sell so many suits."

If this is good business, of course we should do it across the board; and then the more the Government would lose, the sounder and the more solvent the Government would become.

Mr. KEATING. Mr. President, will the minority leader yield, so that I may propound an inquiry of the author of the amendment?

Mr. DIRKSEN. I yield.

Mr. KEATING. On page 2, in lines 13 and 14, following the provision to the effect that the loans are authorized to be made by the Commissioner, the amendment then provides "and the total amount of such loans which shall be allocated to qualifying schools in each State."

Would the distinguished author of the amendment point out to me what is intended by the word "qualifying"?

Mr. MORSE. I want to call the attention of the Senator from New York to the fact that on line 10——

Mr. KEATING. I may say to the Senator that I am familiar with the amendment which was accepted by the author of the amendment, the one suggested by the Senator from Illinois. I wondered whether this word went further. In other words, specifically, is it the opinion of the author of the amendment that if a pattern of schools in a State did not comply with the Constitution of the United States as interpreted by the Supreme Court, they would be qualifying schools?

Mr. MORSE. As the Senator knows, I offered an amendment this afternoon, which was defeated, that bore directly on that point. In that amendment I sought to provide that priority would be given to private schools that sought loans only in the areas where public school facilities were in operation.

Mr. KEATING. Even without the Senator's amendment, does he not feel that such a school would not qualify under the terms of the law?

Mr. MORSE. That is going to be determined by State statute. What I had in mind was what I said to the Senator from Illinois earlier, namely, the schools that qualify under State statute, that transfer students from private schools to public schools, or advance students graduating from grade school to high school or from high school to college. That is what is intended by the term "qualifying schools" on line 14 of page 2 of the amendment. Such private schools must be private schools that qualify under State statute by meeting compulsory school-attendance requirements of the State, for example.

Mr. KEATING. But if those schools qualified under a State statute, but the State statute was invalid under the Constitution, then they would not be qualifying schools?

Mr. MORSE. I will come to that point in a moment. This particular language is intended by the author to apply only to the statutes of any State, in which there are private schools qualified to transfer their students or to promote their students to public schools.

But now to the question the Senator directly asked: There is no intention on the part of the author of the amendment to have the language "qualifying schools" used as a gimmick whereby a question can be raised on the whole segregation matter.

I tried to meet that problem earlier, openly, by the amendment I offered, on which I did not get sufficient support to have it adopted. I said in the debate this afternoon that, in my judgment, Congress should enact civil rights statutes and give to the Supreme Court the backing I think it ought to have in order to assure successful enforcement of its decisions. But this language has nothing whatever to do with that issue.

Mr. MANSFIELD. Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE], as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

The Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Study Mission as chairman of the Latin American Trade Subcommittee of Senate Interstate and Foreign Commerce Committee.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Arkansas would vote "nay."

The Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Wyoming would vote "yea."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Wyoming [Mr. McGEE]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Wyoming would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Colorado would vote "nay."

I further announce that if present and voting the Senator from Oregon [Mr. NEUBERGER] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Colorado would vote "nay," and the Senator from Montana would vote "yea."

The result was announced—yeas 37, nays 49, as follows:

YEAS—37

Aiken	Hartke	Martin
Bartlett	Hennings	Morse
Bridges	Humphrey	Muskie
Bush	Jackson	Pastore
Carroll	Keating	Prouty
Case, N.J.	Kefauver	Proxmire
Clark	Kuchel	Saltonstall
Cotton	Lausche	Smith
Dodd	Long, La.	Williams, N.J.
Douglas	McCarthy	Young, N. Dak.
Engle	McNamara	Young, Ohio
Fong	Magnuson	
Hart	Mansfield	

NAYS—49

Beall	Frear	Monroney
Bennett	Goldwater	Morton
Bible	Gore	Moss
Brunsdale	Green	Mundt
Butler	Gruening	Randolph
Byrd, Va.	Hayden	Robertson
Byrd, W. Va.	Hickenlooper	Russell
Cannon	Hill	Schoeppel
Carlson	Holland	Scott
Case, S. Dak.	Hruska	Sparkman
Church	Javits	Stennis
Cooper	Johnson, Tex.	Talmadge
Curtis	Johnston, S.C.	Thurmond
Dirksen	Jordan	Williams, Del.
Dworshak	Kerr	Yarborough
Ellender	Long, Hawaii	
Ervin	McClellan	

NOT VOTING—14

Allott	Fulbright	O'Mahoney
Anderson	Kennedy	Smathers
Capehart	McGee	Symington
Chavez	Murray	Wiley
Eastland	Neuberger	

So Mr. MORSE's amendment, as modified, was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HILL. Mr. President, I move to lay that motion on the table.

Mr. DIRKSEN. Mr. President, I move to lay the motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to reconsider was laid on the table.

Mr. CLARK. Mr. President, on behalf of myself and Senators BARTLETT, CARROLL, CHURCH, ENGLE, GRUENING, HENNINGS, HUMPHREY, JACKSON, JAVITS, KENNEDY, McGEE, MONRONEY, MORSE, MOSS, MURRAY, MUSKIE, NEUBERGER, RANDOLPH, SYMINGTON, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio I call up amendment designated "9–14–59—B," and ask that it be read by title only.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. CLARK. Mr. President, I ask unanimous consent that the reading of the amendment may be dispensed with and that it may be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

The amendment offered by Mr. CLARK, for himself and other Senators, is as follows:

On page 8, between lines 17 and 18, insert the following: "TITLE I".

On page 8, line 18, strike out "That this Act" and insert in lieu thereof "Section 1. This title".

On page 19, after line 19, insert a new section as follows:

"SEC. 12. The term 'this Act' as used in this title means the School Construction Assistance Act of 1959."

At the end of the bill insert a new title as follows:

"TITLE II

"SEC. 201. This title may be cited as the 'College Classroom Assistance Act of 1959'.

"Authority to make loans

"SEC. 202. (a) The Commissioner may make loans to educational institutions for (1) the construction of new structures suitable for use as classrooms, laboratories, libraries, and related facilities (including initial equipment, machinery, and utilities) necessary or appropriate for the instruction of students or the administration of the institution, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for the uses described above if such structures are otherwise inadequate for such uses.

"(b) Any educational institution which, prior to the date of enactment of this Act, has contracted for the construction, rehabilitation, alteration, conversion, or improvement of any structures for the uses described in subsection (a) above may, in connection therewith, receive loans under this section, as the Commissioner may determine, but no such loan shall be made in connection with the construction, rehabilitation, alteration, conversion, or improvement of any such structure if the work thereon was commenced prior to the effective date of this section, or was completed prior to the filing of an application under this section.

"(c) No loan under this section shall be made unless the educational institution shows that it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans hereunder, and no such loan shall be made unless the Commissioner finds that the construction, rehabilitation, alteration, conversion, or improvement involved will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials.

"(d) A loan under this section (1) may be in an amount not exceeding the cost of constructing, rehabilitating, altering, converting, or improving the structures involved (including related facilities), and the cost of acquiring any land necessary thereto, as determined by the Commissioner, (2) shall be secured in such manner and be repaid within such period, not exceeding fifty years, as may be determined by the Commissioner, and (3) shall bear interest at a rate determined by the Commissioner which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum per annum added to the rate of interest paid by the Commissioner on funds obtained from the Secretary of the Treasury as provided in section 203 of this Act.

"Loan funds

"SEC. 203. (a) To obtain funds for loans under this Act, the Commissioner may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $125,000,000.

"(b) Notes or other obligations issued by the Commissioner under this section shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Commissioner, with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury which shall be not more than the higher of (1) 2½ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Commissioner and adjusted to the nearest one-eighth of 1 per centum. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Commissioner issued under this section and for such purpose is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public-debt transactions of the United States.

"(c) There are hereby authorized to be appropriated to the Commissioner such sums as may be necessary, together with loan principal and interest payments made by educational institutions assisted hereunder, for payments on notes or other obligations issued by the Commissioner under this section.

"General provisions

"SEC. 204. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Commissioner, notwithstanding the provisions of any other law, shall—

"(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act, as amended; and

"(2) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Commissioner as the making of loans and vouchers approved by the Commissioner in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

"(b) Funds made available to the Commissioner pursuant to the provisions of this Act shall be deposited in a checking account or accounts with the Treasurer of the United States. Receipts and assets obtained or held by the Commissioner in connection with the performance of his functions under this Act, and all funds available for carrying out the functions of the Commissioner under this Act (including appropriations therefor, which are hereby authorized), shall be available, in such amounts as may from year to year be authorized by the Congress, for the administrative expenses of the Commissioner in connection with the performance of such functions.

"(c) In the performance of, and with respect to the functions, powers, and duties vested in him by this Act, the Commissioner, notwithstanding the provisions of any other law, may—

"(1) prescribe such rules and regulations as may be necessary to carry out the purposes of this Act;

"(2) sue and be sued;

"(3) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a loan pursuant to this Act. In the event of any such acquisition, the Commissioner may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel, and convert, dispose of, lease and otherwise deal with, such property: *Provided*, That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

"(4) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

"(5) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

"(6) obtain insurance against loss in connection with property and other assets held;

"(7) subject to the specific limitations in this Act, consent to the modification, with respect to the rate of interest, time of payment of any installment of principal or interest, security, or any other term of any contract or agreement to which he is a party or which has been transferred to him pursuant to this title; and

"(8) include in any contract or instrument made pursuant to this Act such other covenants, conditions, or provisions as he may deem necessary to assure that the purposes of this Act will be achieved.

"(d) Section 3709 of the Revised Statutes shall not apply to any contract for services or supplies on account of any property acquired pursuant to this Act if the amount of such contract does not exceed $1,000.

"(e) The provisions of section 10 of the School Construction Assistance Act of 1959 shall apply with respect to the labor standards to be observed in connection with any project assisted under this Act.

"(f) The term 'this Act' as used in this title refers to the College Classroom Assistance Act of 1959.

"Apportionment

"SEC. 205. Not more than 10 per centum of the funds provided for in this Act in the form of loans shall be made available to educational institutions within any one State.

"Definitions

"SEC. 206. For purposes of this Act—

"(a) The term 'Commissioner' means the (United States) Commissioner of Education.

"(b) The term 'State' includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

"(c) The term 'educational institution' means any educational institution offering at least a two-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the

benefit of any private shareholder or individual."

Amend the title so as to read: "A bill to authorize a two-year program of Federal assistance to States and communities to enable them to increase public elementary and secondary school construction, and to assist in the provision of college classrooms."

Mr. JOHNSON of Texas. Mr. President, how many amendments are at the desk?

The PRESIDING OFFICER. The Chair will state there are four amendments at the desk.

Mr. JOHNSON of Texas. Who are the authors of the amendments?

The PRESIDING OFFICER. The Senator from Minnesota [Mr. HUMPHREY] has three amendments and the Senator from North Carolina [Mr. ERVIN] has one amendment.

Mr. LAUSCHE. I have one amendment, Mr. President.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Minnesota [Mr. HUMPHREY] give me his attention? Does the Senator expect to call up all his amendments?

Mr. HUMPHREY. I expect to call up one amendment.

Mr. JOHNSON of Texas. And there is one additional amendment?

The PRESIDING OFFICER. The Senator from North Carolina [Mr. ERVIN] has one amendment.

Mr. JOHNSON of Texas. The Senator from Ohio has one.

The PRESIDING OFFICER. The Senator from Ohio has an amendment.

Mr. JOHNSON of Texas. That means that there will be four votes.

Mr. CLARK. I intend to withdraw my amendment after I have made a brief statement about it.

Mr. JOHNSON of Texas. So we will have a vote on the amendment of the Senator from Illinois [Mr. DIRKSEN] on the amendment offered by the Senator from Ohio [Mr. LAUSCHE], and on the amendment offered by the Senator from Minnesota [Mr. HUMPHREY]. I should like the membership to know we will have at least three votes.

Mr. ERVIN. Mr. President, I do not intend to call up my amendment.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. CLARK. The amendment which is offered by me and in behalf of a number of other Senators would provide——

Mr. DOUGLAS. Mr. President, I must ask that order be restored in the Chamber.

The PRESIDING OFFICER. The Senate will be in order. Members will take their seats.

Mr. CLARK. Mr. President, the amendment would provide loans to colleges and universities for construction and renovation of classrooms, laboratories, and libraries. A similar loan program was adopted by the Senate last year as a part of the first omnibus housing bill. It was vetoed by the President. A modified college classroom loan program was included in the second housing bill passed by Congress last year. That bill also was vetoed by the President. In order to assure that the third housing bill would be signed by the President, the college classroom loan provisions were withdrawn.

This program would be very helpful to our hard pressed colleges. For that reason I and a number of my colleagues decided to offer this amendment to the pending bill.

However, I have talked to my cosponsors and many of them think it would be unwise to raise this issue at this time. I have talked to my colleagues on the Committee on Labor and Public Welfare, and they have assured me that they will support me in having the amendment reported as a separate bill early in this session.

In view of the fact that I do not wish unduly to burden the bill with amendments with which many Senators may not be in sympathy, and because many of my cosponsors feel it would be unwise to press the amendment at this time, I am prepared to withdraw the amendment, with the understanding that it will be pressed later as a separate bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend from Minnesota.

Mr. HUMPHREY. The amendment which the Senator offers is a good amendment, and I am proud to be a cosponsor of it. It is certainly germane to the subject matter.

Mr. CLARK. The Senator is correct.

Mr. HUMPHREY. I am hopeful, in the light of the discussions which have taken place among individual Members of the Senate, that we will be able at a later date to adopt a provision for a college loan program——

Mr. CLARK. And for academic facilities.

Mr. HUMPHREY. And for academic facilities. This program was included in the housing bill. It was declared by the President to be the wrong kind of program in the housing bill. I do not want it to be struck out again, tonight, having been struck out already on the housing bill. Tonight's bill is an elementary and secondary school bill. I trust that on the third try it will be successful.

Mr. CLARK. Let me say to my friend from Mississippi that if I thought this was the third strike I would not withdraw the amendment.

Mr. HUMPHREY. I said this was the second strike. Since the Senator from Pennsylvania is such a good home-run hitter——

Mr. CLARK. I thank the Senator.

Mr. HUMPHREY. He is such a good home-run hitter he needs only one good smack at the ball. I have no fear of what his strategy will be in the Senate. I ask unanimous consent that the statement I have prepared relating to the amendment be printed in the RECORD at this point, because I believe it offers a good reason why we need this kind of proposal in the law. At a later date it will be my intention, if the Senator from Pennsylvania for any reason whatever should not pursue this course, to be on the job to see that the amendment finally becomes law, because it is very much needed. I thank the Senator for his leadership.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY ON CLARK COLLEGE LOAN AMENDMENT TO S. 8

I support the college loan amendment. I am proud to join the senior Senator from Pennsylvania in sponsoring this amendment to provide a $125 million revolving loan fund to assist American colleges and universities build classrooms, laboratories, and libraries.

This proposal is in line with legislation approved by Congress last year to provide long-term, low-interest loans for construction of academic facilities. In spite of the clear mandate of support from Congress and distinguished representatives of higher education, this legislation was vetoed by the President.

I would like to make it perfectly clear that the administration's tight-money policies have made it difficult—if not impossible—for our colleges and universities to borrow privately the funds they need to expand their academic facilities. Many institutions of higher learning simply cannot afford private borrowing—even when available—because administration interest rate policies have pushed interest rates to prohibitive levels—the highest interest rates in 30 years. A Federal loan program will not displace private lending. It will make available funds which these institutions could not afford to borrow in the private money market.

We now have more than 3 million students enrolled in our colleges and universities, and enrollment is expected to double within the next 10 years. Obviously, there is tremendous pressure on these institutions to build new academic facilities and to expand existing classroom, laboratory, and library facilities.

Last year the President asked for $200 million for the college housing program—a program to encourage construction of dormitories, faculty housing and housing for married students. Congress raised this loan program for fiscal 1960 to $250 million—an action which shows how important we regard this program. This year the President has asked for nothing to continue this program. In fact, at a time when we still have tremendous unmet college housing needs, he is asking that we bring this program to an end.

I believe Congress should not let this program wither and die. Indeed, Congress should not only restore and expand the college housing loan program. Congress should also restore and expand the vetoed academic facilities loan program for construction of classrooms, laboratories, and libraries. We can give a tremendous boost to higher education by establishing the college classroom loan program proposed in the Clark amendment.

I would like to quote from testimony on the college loan legislation last year by Dr. John Hannah, president of Michigan State University, who was representing the American Association of Land Grant Colleges and State Universities, the American Council on Education, the State Universities Association, the American Association of Junior Colleges, and the Association for Higher Education. Dr. Hannah said: "Today the need is urgent and very real to expand the loan programs to include classroom buildings, scientific laboratories, libraries, and the like. Our industrial plants, our public schools, most of our public improvements, and our churches, are all built on a pay-as-you-use basis. If we are to have an adequate plant for our colleges and universities to enable them to take care of tomorrow's student load, it is evident that the same technique will have to be used."

And the president of Juniata College, Dr. Calvert Ellis, representing the Association of American Colleges, told the Housing Sub-

committee: "A Federal loan program is the only available guarantee that our building needs will be met. Without such a program, what assurance has a college like my own, not merely that it will be able to raise a loan at a rate of interest it can afford to pay, but even that it will get a loan at all? If we were to pretend that there is any satisfactory alternative to a Federal loan program, we should be conspiring to deceive the American people."

Federal aid is not a substitute for private and local support for higher education. Private loans have helped to build many college dormitories during the existence of the college housing program and will continue to do so. But it is just plain wishful thinking to expect that private funds can finance total college construction expansion of the 1960's.

As Dr. Ellis pointed out: "It would not be fair either to the private investor, or to the colleges, or to the Nation as a whole, to turn back to the investment bankers the full responsibility for financing college building loans other than those floated by a limited number of State institutions. It is no reflection on the public spirit of the investment banker to point out that his first duty is not the welfare of higher education, but the most profitable investment of his clients' money."

Many small private colleges across the country simply cannot borrow at all from private sources for dormitory construction, Dr. Ellis said, and there is no reason to think the situation would be any different when these colleges try to borrow for construction of classrooms, laboratories, and libraries.

Last year the organizations represented by Dr. Hannah—the American Association of Land Grant Colleges and State Universities, the American Council on Education, the State Universities Association, the American Association of Junior Colleges, and the Association for Higher Education of the NEA—all supported a new $250 million loan program for construction of college classrooms, laboratories, and libraries. Congress finally approved a $62.5 million program, and even this extremely inadequate program was lost as a result of the President's veto of the Housing bill.

The Clark college classroom assistance amendment is an important step in our efforts to increase the quantity and quality of higher education in America. Our colleges and universities must expand. We must help them to do so if we are to provide proper educational opportunities for the young men and women who will have the responsibilities for America's safety and prosperity in the years ahead.

Mr. CLARK. Mr. President, I ask unanimous consent that an explanation of the amendments which I have prepared may appear in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF CLARK COLLEGE CLASSROOM LOAN PROGRAM AMENDMENT TO S. 8

(Statement by Senator CLARK)

A. General: The amendment would establish a $125 million revolving fund to be administered by the Commissioner of Education to supply long-term, low-interest loans to colleges and universities for the construction or renovation of classrooms, laboratories, libraries, and related academic facilities.

B. Type of loans permitted:

1. Purpose: (1) New classrooms, laboratories, libraries, and related facilities (including initial equipment, machinery, and utilities) necessary or appropriate for the instruction of students or the administration of the institutions, and (2) the rehabilitation, alteration, conversion, or improvement of existing structures for like uses (sec. 202(a)).

2. Interest: The higher of (1) 2¾ percent, or (2) the average rate paid by the Government on its outstanding obligations plus one-fourth of 1 percent (sec. 202(d)(3)).

3. Terms: Not exceeding 50 years (sec. 202(d)(2)).

C. Loans not allowed:

1. When the necessary funds can be secured from other sources upon terms and conditions applicable to loans under the Act (sec. 202(c)).

2. When the construction proposed is of elaborate or extravagant design or materials (sec. 202(c)).

D. Funding: The passage of the amendment would make available to the Commissioner for loan purposes $125 million in Treasury funds. The financing provision is identical to that existing in the college housing program (12 U.S.C. 1749) (sec. 203).

E. Apportionment: Not more than 10 percent ($12.5 million) of the funds provided shall be made available to institutions within any one State (sec. 205).

F. Eligible institutions: Public or private (if nonprofit) "offering at least a 2-year program acceptable for full credit toward a baccalaureate degree."

DATA IN SUPPORT OF COLLEGE CLASSROOM AMENDMENT

1. The proposal was approved by the 86th Congress twice in the 1st session.

S. 57: $62.5 million classroom loan program with direct Treasury financing to be administered by HHFA. (NOTE.—The Senate-passed bill called for $125 million.)

S. 2539: $50 million classroom loan program with subsequent appropriations required to be administered by HHFA. 1958 housing bill passed by Senate included $125 million classroom loan program with direct Treasury financing.

2. College loan program should be in education bill: One of the President's objections to the college loan provisions in the first two housing bills last year was that such a program should not be in a housing bill, but, by implication, in an education bill. At his press conference on August 12 the President, referring to S. 57, said: "There was, as a matter of fact, a number of quite objectionable features. But there were four, as I recall—one was a college classroom building put in a housing bill. Well, this seems to me to be sort of an abrupt change in policy. This is for housing."

3. Higher education groups are unanimous in favor of classroom loan program: In hearings before a subcommittee of the Committee on Banking and Currency on the President's veto message on S. 57, two witnesses representing almost all of the country's 1,900 colleges, universities, and junior colleges testified in favor of a classroom loan program. They were (1) John A. Hannah, president of Michigan State University, representing the American Association of Land-Grant Colleges and State Universities (70 institutions); American Council on Education (142 educational organizations, 1,047 institutions); State Universities Association (24 institutions, which are not land-grant); American Association of Junior Colleges (510 schools); Association for Higher Education, NEA (16,000 administrators and teachers); (2) Calvert N. Ellis, president of Juniata College, Hunington, Pa., representing the Association of American Colleges (778 institutions).

4. College enrollment will almost double in the 1960's:

1940	1,300,000
1960	3,400,000
1970	6,000,000

(Office of Education statistics.)

5. Classroom construction costs will soar during the next decade: The six higher education organizations listed above recommended a $250 million loan program for academic facilities in testimony on S. 57 in January 1959.

Secretary Flemming stated in a letter to the Speaker of the House of Representatives dated February 9, 1959, that "by 1970 the total number of qualified students seeking to enter our institutions of higher education will about double. To care adequately for these anticipated enrollment increases, they must almost double their present rate of construction."

The Office of Education will publish a report next month, to be called "National (Needs or) Goals in Higher Education." It will set forth the following facts pertinent to the college classroom loan amendment:

Minimum recommended instructional space requirements are 125–200 square feet per college student.

Ten percent of present college instructional facilities need replacement. To replace these facilities and add new ones to bring the minimum square footage per student up to the prescribed minimum standard would require the expenditure of $1.2 billion for classroom and related facilities.

Construction of new facilities costs $20 per square foot. To meet the space requirements of each new student costs $2,500 (125 square feet) to $4,000 (200 square feet).

To take care of the needs of the 2.6 million new college students expected by 1970 would cost $6.5 billion (at 125-square-foot rate) to $10.4 billion (at 200-square-foot rate).

6. Private funds are not available in sufficient amounts: The President's veto message (S. 57) objected to "the new program for college classrooms and related academic facilities at the same subsidy interest rate (available under the college housing loan program)." The President added that "to the extent that this program merely displaces private financing it leads to Federal spending that is entirely unnecessary."

Witnesses before the Banking and Currency Committee commented as follows on the availability of private funds:

"We simply cannot build fast enough through our normal revenue sources to meet the need. Borrowing in substantial amounts is inevitable if our colleges and universities are to provide the required campus facilities for our young people." (Hannah, p. 370.)

"We submit that the financing of needed academic facilities by Government loans, at the average rate paid by the Government for its borrowed funds, plus one-fourth of 1 percent for administration, is as sound an investment in the welfare and security of our people as the Government can make. As we see it the charge that a subsidy is involved in this interest rate is not supported by the facts. * * * The funds made available to the colleges under the (housing and proposed classroom) program are loans, not grants and each year an increased amount of the principal is being repaid to the Government. We are proud to say that there is no record of a default ever having been made on one of these loans to a college." (Hannah, p. 370.)

"If the Congress stands firm in its intention to make Federal loans available for academic buildings, private donors will be able to play their part by contributing through their gifts to the amortization of the loans. But it would be wishful thinking to imagine that the total need for additional buildings could be met from private sources without inordinate expense or intolerable delay. * * * A Federal loan program is the only available guarantee that our building needs will be met. Without such a program, what assurance has a college like my own, not merely that it will be able to raise a loan at a rate of interest it can afford to pay, but even that it will get a loan at all? If we

were to pretend that there is any satisfactory alternative to a Federal loan program, we should be conspiring to deceive the American people. * * * There is not adequate private financing." (Ellis, pp. 373–374.)

(NOTE.—Section 202(c) of the amendment precludes college loans when the necessary funds can be secured from other sources upon equally favorable terms and conditions.)

Mr. CLARK. Mr. President, I withdraw the amendments.

Mr. HUMPHREY. Mr. President, I call up my amendment identified as "2–3–60—B."

The PRESIDING OFFICER. The amendment will be stated.

The Chief Clerk proceeded to state the amendment.

Mr. HUMPHREY. Mr. President, I do not believe it is necessary for the clerk to read the amendment. I ask that it be not read at this time, but printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY's amendment, ordered to be printed in the RECORD, is as follows:

On page 8, between lines 17 and 18, it is proposed to insert the following:

"TITLE I"

On page 8, line 18, strike out "That this Act" and insert in lieu thereof "SECTION 1. This title".

On page 19, after line 11, insert a new section as follows:

"SEC. 12. The term 'this Act' as used in this title means the School Construction Assistance Act of 1960."

At the end of the bill, insert a new title as follows:

"TITLE II

"Short title

"SEC. 201. This title may be cited as the 'Student Aid Act of 1960'.

"Federal control of education prohibited

"SEC. 202. Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum or program of instruction of any educational institution or, except as provided in sections 214 and 216, over its administration or personnel.

"Administration

"SEC. 203. (a) This title shall be administered by the Commissioner of Education, under the supervision and direction of the Secretary of Health, Education, and Welfare. The Commissioner shall, with the approval of the Secretary, make all regulations specifically authorized to be made under this title and such other regulations, not inconsistent with this title, as may be necessary to carry out its purposes. The Commissioner is authorized to delegate to any officer or employee of the Office of Education any of his powers and duties under this title, except the making of regulations.

"(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709 of the Revised Statutes, of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency or institution.

"(c) The Commissioner shall, with the advice and assistance of the National Council, make or cause to have made studies, investigations, and reports of the effectiveness of the student aid program established by this title, and prescribe objective tests and other measures of ability for the selection of individuals to be awarded certificates of scholarship.

"(d) At the beginning of each regular session of the Congress, the Commissioner shall make through the Secretary a full report to Congress of the administration of this title, including his recommendations for needed revisions.

"(e) The Secretary shall advise and consult with the heads of executive departments or independent establishments of the Federal Government responsible for the administration of scholarship, fellowship, student loan, or facilities assistance programs, with a view to the full coordination of all specialized scholarship, fellowship, student loan, and facilities assistance programs administered by or under all departments and establishments of the Federal Government with the general programs established by this title.

"(f) When deemed necessary by the Commissioner for the effective administration of this title, experts or consultants may be employed as provided in section 15 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 55a).

"National Council on Student Aid

"SEC. 204. (a) There is hereby established a National Council on Student Aid, consisting of the Commissioner, as Chairman, and 12 members appointed without regard to the civil service laws by the Commissioner with the approval of the Secretary. The 12 appointed members shall be so selected that the Council will be broadly representative of the individual, organizational, and professional interests in education, and of the public. Each appointed member of the Council shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that, of the members first appointed, three shall hold office for a term of 3 years, three shall hold office for a term of 2 years, and three shall hold office for a term of 1 year, as designated by the Commissioner at the time of appointment. None of such 12 members shall be eligible for reappointment until a year has elapsed since the end of his preceding term.

"(b) The Council shall advise the Commissioner as specifically indicated in this title and assist and advise him with respect to other matters of basic policy arising in the administration of this title.

"(c) Persons appointed to the Council shall, while serving on business of the Council, receive compensation at rates fixed by the Secretary, but not to exceed $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

"(d) Whenever the Council considers matter of concern to another agency of the Federal Government, the Secretary may invite the head thereof to designate a representative to be present at such consideration.

"Administrative appropriations authorized

"SEC. 205. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1961, and for each fiscal year thereafter, such sums as may be necessary for the cost of administering the provisions of this title, including the administrative expenses of State commissions on Federal scholarships.

"Discrimination proscribed

"SEC. 206. The awarding of certificates of scholarship and the granting of scholarship stipends under this title shall be without regard to sex, creed, race, color, national origin, or residence.

"Definitions

"SEC. 207. As used in this title—

"(a) The term 'State' means a State, the Canal Zone, the District of Columbia, Puerto Rico, or the Virgin Islands.

"(b) The term 'institution of higher education' means an educational institution in any State which (1) admits as regular students only persons having a secondary education or its recognized equivalent, (2) is legally authorized within its own State to provide a program of higher education, (3) offers and conducts an educational program extending at least 2 academic years beyond the high school, and (4) either is nonprofit and tax supported, or is determined by the Internal Revenue Service to be an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 as exempt from taxation under section 501(a) of such Code.

"(c) The term 'Commissioner' means the Commissioner of Education.

"(d) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(e) The term 'State commission' means the commission on Federal scholarships established in any State for the purposes of this title.

"(f) The term 'National Council' means the National Council on Student Aid established in accordance with the provisions of this title.

"Scholarship appropriations authorized

"SEC. 208. For the purpose of providing scholarship stipends for young persons of demonstrated ability and need, to assist them to attend institutions of higher education, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1961, the sum of $46,000,000; for the fiscal year ended June 30, 1962, the sum of $92,000,000; for the fiscal year ending June 30, 1963, the sum of $138,000,000; for the fiscal year ending June 30, 1964, the sum of $184,000,000; and for each fiscal year thereafter, the sum of $184,000,000 or such greater sum as the Congress may hereafter authorize to be appropriated.

"Apportionment of funds for scholarship stipends and determination of fields of study

"SEC. 209. (a) The Commissioner shall for each fiscal year beginning with the fiscal year ending June 30, 1961, estimate the total sum from the appropriation, made for such year under the authorization in section 208, which is necessary for continuing to make payments with respect to such year to individuals receiving scholarship stipends for previous years. He shall, in accordance with regulations prescribed by him, apportion such sum among the States on the basis of the aggregate amount paid in the preceding year to scholars from each State, his estimate of changes in the number of such scholars from each State who will be eligible for continuing payments in the year for which such apportionment is made, and such other factors as he may find to be relevant.

"(b) The remaining portion of such appropriation shall be available for such year for grants of new scholarship stipends. One-half of such remaining portion shall be apportioned among the States on the basis of the relative numbers of students graduating from high school in such States during the most recent year for which nationwide figures are available through the Office of Education, and one-half shall be apportioned among them on the basis of the relative numbers of their total population between the ages of eighteen and twenty-one, inclusive, as determined by the most recent available estimates furnished by the United States Bureau of the Census.

"(c) In time of actual hostilities involving the Armed Forces of the United States, or when found by the President to be necessary in the interest of national defense, the Commissioner shall for each such year designate the percentage, uniform for all States but in no event less than 60 per centum, of the total number of scholarship stipends to be paid to students engaging in fields of study which are determined, in a manner prescribed by the President, to be related to the national defense or to defense-supporting activities.

"Selection of recipients of scholarship certificates and stipends

"SEC. 210. (a) To be eligible to compete in any State for a certificate of scholarship, an individual (1) (A) must hold a certificate of graduation from a school in the State providing secondary education, or (B) must be determined by the State commission for the State in which the individual finished his secondary education (or, in case of an individual who finished his secondary education abroad, by the State commission for the State of which he is a resident), to have attained a level of educational advancement generally accepted as constituting the equivalent of secondary school graduation in the State; (2) must not be eligible for education and training under title II of the Servicemen's Readjustment Act of 1944, as amended, or title II of the Veterans' Readjustment Assistance Act of 1952; (3) must make application for such certificate of scholarship in accordance with such rules as the State commission for such State may establish; and (4) must not have had any Federal scholarship, previously granted under this or any other law, terminated or vacated for any reason (except health) which was inconsistent with continued eligibility to compete for such previous scholarship.

"(b) From among those competing for certificates of scholarship for each fiscal year, the State commission shall, in accordance with the objective tests and other measures of ability prescribed by the Commissioner pursuant to section 103(c), select the individuals who, on the basis of their outstanding ability to do work in higher education, are to be awarded certificates of scholarship for such year. From among those selected for certificates of scholarship (including individuals so selected in prior years), it shall also select the individuals who, on the basis of their financial need and demonstrated ability, are to be granted scholarship stipends from the State's apportionment for new stipends made pursuant to section 209 for such year, determine the amount of stipend payable to each, and, in the case of a scholar whose stipend is to be charged against a percentage quota established pursuant to section 209(c), designate the field of study for which the stipend is to be granted. Such elections and determinations shall be made in accordance with general principles and methods, including objective measures for determining the fact and degree of financial need and the amount of the stipend, prescribed in regulations made by the Commissioner with the advice of the National Council and in accordance with percentage quotas, if any, established pursuant to section 209(c).

"(c) The Commissioner shall award certificates of scholarship, and within the limits of the State's apportionment for new scholarship stipends for a fiscal year and applicable quota (if any) established pursuant to section 209(c) grant scholarship stipends, to individuals certified to him by the State commission of the State as having been selected for a certificate, or for a certificate and stipend, as the case may be, in accordance with the State plan.

"Amount and duration of scholarship stipends

"SEC. 211. (a) The Commissioner, with the advice of the National Council, shall prescribe regulations for determining for each academic year scholarship stipend amounts related to the scholar's financial need (objectively measured pursuant to regulations prescribed under sec. 210(b)), and for each such year shall fix a maximum stipend amount not in excess of $1,500. The scholarship stipend granted to any scholar under this title shall, for any academic year of the scholarship stipend's duration (as provided in subsection (b)), be the amount determined (pursuant to regulations of the Commissioner prescribed under section 210(b)) with respect to such scholar for such year by the State commission which selected him and shall be payable in such installments and at such times as the Commissioner shall prescribe.

"(b) The duration of a scholarship stipend granted under this title shall be a period of time not in excess of four academic years (as defined in regulations of the Commissioner) or, subject to such regulations, such longer period as is normally required to complete the undergraduate curriculum which the recipient is pursuing; but in no event shall the duration extend beyond the completion by the recipient of the work for his first post-secondary school degree. Notwithstanding the preceding provisions of this subsection, a scholarship stipend granted under this title shall entitle the scholar to payments only while (1) the recipient is in financial need thereof, as determined annually (pursuant to regulations of the Commissioner prescribed under section 210(b)) by the State commission which selected him, (2) the recipient devotes essentially full time to educational work in attendance and in good standing at an institution of higher education (except that failure to be in attendance at an institution during the summer months shall not by itself constitute a violation of this requirement) and, in the case of a stipend charged against a percentage quota established pursuant to section 209(c), does so in the field of study to which his stipend is restricted except as otherwise permitted pursuant to regulation, (3) the recipient is not receiving expenses of tuition or other scholarship or fellowship aid from other Federal sources (other than (A) a monetary allowance under a reserve officers' training program, or (B) compensation for work done for the institution which he is attending or any other work, regardless of the source of the funds from which such compensation is paid), and (4), in the case of a stipend holder considered for a continued payment under a stipend granted for a prior year, the amount of such payment is within the limits of the apportionment for continuing payments made pursuant to section 209(a) to the State from which such stipend holder was selected.

"Place of matriculation

"SEC. 212. (a) An individual granted a scholarship stipend under this title may attend any institution of higher education which has been determined as such in accordance with section 213 and which admits him, regardless of the State in which such institution is located.

"(b) An individual granted a scholarship stipend under this title may attend any institution outside of the United States, its Territories, and possessions which admits him, if the Commissioner determines that such institution is substantially comparable to an institution of higher education as defined in section 207(b).

"Scholarship commissions in the States

"SEC. 213. (a) Any State desiring to participate in the administration of the scholarship program under this title may do so by establishing a State commission on Federal scholarships broadly representative of educational and public interests in the State and by submitting through such commission a State plan, authorized under State law, for carrying out the purposes of this title, which is approved by the Commissioner under this section. Such plan must (1) provide that it shall be administered by such commission; (2) provide for the determination of the institutions in the State which are institutions of higher education as defined in section 207(b); (3) provide for the determination, in accordance with the provisions of section 210, of eligibility to compete for certificates of scholarship, for the selection, in accordance with such provisions, of individuals to be awarded certificates of scholarship, and of individuals to be granted new scholarship stipends out of the State's apportionment, for certification of such individuals to the Commissioner, and for subsequent certification of the fact and degree of the continued financial need of, and the amounts payable to, recipients of scholarship stipends and for charging of stipends against any applicable quota established pursuant to section 209(c); (4) provide that the selection of individuals for certificates of scholarship and scholarship stipends under this title shall be made without regard to sex, creed, color, race, national origin, or residence; (5) provide for the making of such reports, in such form and containing such information, as the Commissioner shall from time to time reasonably require for the purposes of this Act, and for compliance with such provisions as the Commissioner may from time to time find reasonably necessary to assure the correctness and verification of such reports; and (6) indicate the official to whom funds for the administrative expenses of the State commission are to be paid.

"(b) The Commissioner shall approve any plan which fulfills the condition specified in subsection (a).

"(c) In the case of any State which does not establish a commission and submit and have approved a State plan in accordance with the provisions of this section, the Commissioner shall perform the functions of the State commission in such State until such time as a plan has been submitted by such a commission and is approved under this section.

"(d) In the case of any State plan which has been approved by the Commissioner, if the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering such plan, finds (1) that the plan has been so changed that it no longer complies with the provisions of subsection (a), or (2) that in the administration of the plan there is a failure to comply substantially with such provisions, the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply. Until such time he shall perform the functions of the State commission in that State.

"Payment of scholarship stipends

"SEC. 214. The Commissioner shall from time to time determine the amounts payable to recipients of scholarship stipends under this title, and shall certify to the Secretary of the Treasury the amounts so determined and the name of each individual to whom such amounts are to be paid. The Secretary of the Treasury shall thereupon pay in accordance with such certification by check payable to such individual, transmitted through an official of the institution of higher education which such individual is attending. Such official shall be selected by the institution with the approval of the Commissioner. The official thus selected shall transmit such checks to the payee only upon his determination in each instance, and certification thereof to the Commissioner that the recipient is at the time of such transmittal devoting essentially full time to educational work in attendance and

in good standing at the institution, that, in the case of a student whose stipend was charged against a percentage quota determined pursuant to section 209(c), he is pursuing such studies in accordance with his designated field except as otherwise permitted pursuant to regulation, and that, so far as can be ascertained on the basis of the recipient's work at that institution, his scholarship stipend has not, under the provision of the first sentence of section 211(b), terminated. If for any reason such certification cannot be made by any such official with respect to an individual, the official shall return the check or checks involved to the drawer for cancellation.

"Administrative expenses of State commissions

"SEC. 215. The Commissioner shall from time to time certify to the Secretary of the Treasury for payment to the official designated in each State to receive funds for the administration of the State plan such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan approved under this title). The Secretary of the Treasury shall, upon receiving such certification and prior to audit or settlement by the General Accounting Office, pay to such official, at the time or times fixed by the Commissioner, the amounts so certified.

"Payments authorized for compensation to institutions of higher education for educational services

"SEC. 216. The Commissioner shall pay to any institution of higher education providing education to an individual under a scholarship granted under the provisions of sections 208 through 215 such amounts not in excess of $500 per academic year as are determined by the Commissioner to be necessary to reimburse such institution for the estimated costs of services rendered in providing such education to such individual over and above amounts received from or on behalf of such individual for such services. Such amounts shall be determined in accordance with regulations established by the Commissioner with the advice of the National Council. Costs of services rendered in providing such education shall include instruction, plant operation, administration (including not more than $1.50 a month for administrative costs with respect to such scholarship), and library costs and any other costs reasonably allocable to providing educational services, but shall not include costs of services related to activities not creditable toward the attainment of a degree.

"Appropriations authorized for educational services compensation

"SEC. 217. There are authorized to be appropriated such amounts as may be necessary for the payments authorized in section 216."

Mr. HUMPHREY. Mr. President, the purpose of the amendment is to establish a Federal scholarship program. The need for this program is clear. Thousands of qualified high school graduates ask our colleges and universities for financial help. And far too often, these talented youngsters are unable to get any kind of financial aid.

Experts in the field of education have estimated that there are more than 150,000 young men and women in the United States who rank in the top 12 percent of our population's intellectual range but who cannot go on to college because they just cannot afford it.

The loan program of the National Defense Education Act is sound, but it merely scratches the surface in providing financial help for needy students.

We are wasting our most valuable resource—our Nation's brainpower—if we let young people of outstanding ability be deprived of a college education because of financial difficulties. Therefore, I am proposing this college scholarship program to raise the standards of education throughout our country and to promote the future progress and well-being of our entire Nation.

Under my proposal, at least 46,000 young men and women each year will be able to enter these institutions of higher learning with the help of Federal scholarships of varying amounts.

Appropriations would begin in fiscal 1961 with $46 million. They are to increase by $46 million each year until fiscal 1964, when appropriations would level off at $184 million a year.

Mr. President, that sum, in the light of what it could mean in terms of a fine group of young men and women of intellectual attainments, is a modest sum.

The scholarships are to be awarded to high-school students everywhere in the United States for higher education, free, of course, from discriminations for reasons of sex, creed, or race. Each State is to have its quota of scholarships based on a formula providing that one-half of the total number of scholarships shall be allotted among the States in percentages equal to the percentage the State's high-school graduates bear to the national total of high-school graduates for the year. The remaining one-half of the total number of scholarships are to be allotted in the proportion that the State's population between 19 and 21 bears to the national total population of that age.

Any high-school graduate would be eligible to apply for a scholarship and each student who wins a certificate of scholarship from his State education agency will automatically get an annual $500 merit scholarship, regardless of his financial need. Such merit awards for outstanding scholastic achievement will stimulate high-school students to take courses qualifying them for entrance to college and will stimulate them to do their best to win a scholarship. These merit awards will also stimulate parents to encourage their children to work hard at the difficult courses.

Furthermore, I believe the most significant accomplishment of these merit scholarships will be their effect in raising the whole level of secondary education throughout the United States. The Nation's high schools will compete among themselves for the honor of graduating Federal scholarship winners and parents will insist that their local schools provide the courses, the teachers, and the laboratory equipment essential for proper study, particularly in science, mathematics, and modern languages. Thus, the scholarship program which I am proposing would become an enormous incentive to the schools, the students, and their parents to upgrade the level of academic achievement in the high schools across our Nation.

The State agencies which select the recipients of scholarship funds will also choose from the winners of scholarship certificates those needy students who require more scholarship assistance in addition to the merit award. These needy scholars could get amounts varying with their demonstrated need, but there would be a limit of $1,500 per recipient per academic year for a maximum of 4 years.

A scholarship winner can attend any bona fide college or university which admits him. So long as he continues in good standing, his stipend will be paid directly to him in installments suited to the academic year.

The only further qualifications for scholarships are that the recipient must apply in accordance with State rules; he must have a recognized certificate of graduation from high school; he must not be eligible for veterans' educational benefits; and he must not have had any Federal scholarship under this legislation or any other act vacated, except for good cause.

When found by the President to be necessary for national defense, at least 60 percent of the stipends must go to students engaging in studies determined to be related to national defense or to defense-supporting activities.

My amendment also provides for consultation between the Office of Education and the various Federal agencies such as the Atomic Energy Commission, the National Science Foundation, and the Department of Defense, which operate special programs of aid to undergraduate and graduate students so as to assure full coordination of the Federal scholarship program with other federally supported programs.

This program is to be administered by the Commissioner of Education, assisted by the National Council on Student Aid, a body of 12 members representing organizational and professional interests.

However, my amendment makes it very clear that there will be no Federal direction, supervision or control over the curriculum or program of instruction of any educational institution. The State scholarship commissions which carry out the provisions of my Student Aid Act will receive applications from students, they will conduct the tests to select the scholarship winners, they will assess the financial need of those qualifying for scholarships, and they will allot the amount of the stipend in each case.

Clearly, Mr. President, institutions already burdened with swollen enrollments ought not to be expected to handle additionally expanded student bodies, as a result of a new scholarship program, without some consideration being given to easing the pressure on existing facilities by assisting in their expansion. Legislation ought not to ease the financial burden currently barring talented youth from college attendance while ignoring the disproportionately increased load placed on the education institutions by the increased attendance. We do not solve our total problems by solving a difficulty at one end of the spectrum which will create a new one at the other.

Therefore, Mr. President, I have tried to suggest in this amendment a means of compensating the institution itself for its estimated costs of providing education to the new scholarship holder over and above the amounts it receives from the student for providing the education. In my amendment, the Commissioner of Education is instructed to work out a formula with each institution on a cost-of-services-rendered basis, including an amount for instruction, plant operation, administration, library costs, and any other costs reasonably allocable to providing educational services. The student himself would technically be the carrier of this grant, not to exceed $500 per year per scholarship student. The grant would follow from his choice of institution and would be payable to that institution on a basis worked out separately between the Commissioner and the institution.

The cost formula technique admittedly leaves some discretion in the hands of the Commissioner who, incidentally, will also be advised by the National Council established in the bill. The formula feature has nevertheless seemed advisable, because it has appeared to be desirable to go beyond any simple cost of instruction, teaching salary, flat grant or customary fees and charges basis for reimbursement for institutional costs. Of its fundamental equity and necessity, I have no doubt at all.

Mr. President, this is another of the amendments relating to institutions of higher education. It is my understanding that the Senators who have done such excellent work in handling the McNamara bill, as amended by the Clark and Monroney amendments, are of the opinion that it would be better to reserve this amendment, relating to scholarships; an amendment I had intended to offer with respect to tax credit for parents who provide assistance for their children in institutions of higher education; and also an amendment to provide loans for college facilities, including academic facilities, such as laboratories and equipment which might be necessary, because it is preferred that these amendments not be in the bill under consideration.

Therefore, rather than to encumber the bill with any additional requirements or to run the risk of having a good amendment, which ought to be adopted, face undue opposition because of an understanding in this body that the Federal aid to education bill ought to be limited, I shall withdraw my amendment. However, I want the Senate to know that it will be pressed at another date, to another bill; and if not to another bill, in its own right. I withdraw the amendment.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota is withdrawn.

Mr. LAUSCHE. Mr. President, I call up my amendment which is at the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 11, line 5, after "population," it is proposed to insert "which attends public schools and".

Mr. LAUSCHE. Mr. President, I invite the attention of the Senate to pages 10 and 11 of the original bill. In setting forth the formula under which allotments shall be made, the bill prescribes that the first factor to be considered is the school population of the State. That provision will be found in line 3, page 10.

On page 11, line 4, will be found the definition of school-age population. The definition reads:

> The term "school-age population" means that part of the population which is between the ages of 5 and 17, both inclusive.

I call attention to the fact that in determining the population which is between the ages of 5 and 17, under this definition those who attend both the public schools and the parochial schools will be counted.

The point I wish to make is that the parochial schools now feel that they have been denied fair consideration by the Government. Under this provision, a double wound is inflicted upon the parochial schools, because, in calculating the school population, both those in the public schools and in the parochial schools will be counted. I submit that that is not fair on any ground.

The parochial school officials say, in effect, "We have our children in the parochial schools. We are not getting any Federal aid."

But in the bill salt is rubbed into the wound by counting the children who attend parochial schools. They are added to the number of children who attend the public schools, and the total number is used as the factor for calculating the school age population for which Federal assistance will be available.

I dare go so far as to say that this arrangement has some of the attributes of dishonesty. We have no right to include parochial school children in the school-age population and to say that that is the factor which shall be used in determining what a State is entitled to receive as benefits from the bill.

My amendment is on page 11, line 5, after "population," to insert "which attends public schools and". The language will then read:

> The term "school-age population" means that part of the population which attends public schools and which is between the ages of 5 and 17.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. I support that amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. What the Senator's amendment means, in substance, is that persons who send their children to private schools or parochial schools will not be taxed for the money which otherwise would ordinarily go to the States for the public schools. In other words, money would go to the States for the benefit of the public schools alone, but the money which would be available, if the whole school population were considered, would be reduced by the amount which would otherwise be spent for children who attend the parochial schools.

Mr. LAUSCHE. I had not thought of the matter in that light, but the Senator from Massachusetts has developed another point. By including the children who attend parochial schools in the determination of the total number, an additional tax burden is being cast upon the families whose children attend the parochial schools.

Mr. SALTONSTALL. That is correct.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. AIKEN. Does the Senator from Ohio realize that his proposal would penalize New England States quite severely? New England has a large number of high schools which serve the purpose of public schools, but which technically are private schools. In my State of Vermont there are about 30 such schools. Only 11 are parochial high schools; the others are the old academies, which are maintained in the smaller towns by a combination of private and public funds. But those schools serve the purpose of public schools and, to all intents and purposes, are public schools. That is why it is impossible for me to vote for the Senator's amendment. I believe it would severely penalize the New England States.

Mr. LAUSCHE. If a school is a public school, then those who attend it ought properly to be included in the calculation of the school population within the State. But if it is not a public school, and truthfully is a parochial school, I cannot see why the pupils who attend such a school should be included in the public school population.

Frankly, my amendment will be harmful to my State; but I respectfully say to the Senator from Vermont that I cannot bring my reasoning to the point where I can justify that type of condition in determining what the public school population is.

Mr. AIKEN. Most people think of a private school as a parochial school, whereas in New England only a little more than a third of such schools are parochial schools; the rest serve the purpose of town high schools.

Mr. LAUSCHE. My recollection is that Ohio has 1,500,000 children attending the public schools and 200,000 attending the parochial schools. Under the language of the bill without my amendment, Ohio will be entitled to a payment from the Federal Government not on the basis of 1,500,000, but on the basis of 1,700,000, a figure which includes the 200,000 children who do not attend the public schools.

Mr. McNAMARA. Mr. President, in reply to the question raised by the Senator from Ohio, this matter was taken up in the hearings by the committee and was again discussed at the committee level. This method of calculation is a long standing practice of the Office of Education. There is no distinction made between public school children and private school children; they are simply all children under the law. A child may attend a private school one year, and the next year attend a public school, or

the reverse. They are simply children, and they should all be counted. This has been a long standing practice.

I hope the amendment of the Senator from Ohio will be rejected.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I ask for a division.

On a division, the amendment was rejected.

Mr. DIRKSEN. Mr. President, are there any other perfecting amendments at the desk?

The PRESIDING OFFICER. The Chair is advised that there are no more amendments at the desk.

Mr. DIRKSEN. Mr. President, I suppose the last order of business, then, will be to offer an amendment in the nature of a substitute for the committee bill.

In behalf of myself, the Senator from Kentucky [Mr. MORTON], the Senator from North Dakota [Mr. YOUNG], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvana [Mr. SCOTT], and the Senator from Colorado [Mr. ALLOTT], I offer an amendment in the nature of a substitute.

Mr. President, I ask unanimous consent that the title be read and that the amendment then be considered without further reading.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The amendment will be stated by title.

The LEGISLATIVE CLERK. To authorize a 5-year program of assistance to school districts in meeting the debt service on loans for construction of urgently needed elementary or secondary public school facilities, and for other purposes.

Mr. DIRKSEN. Mr. President, I see no particular need to discuss at length this amendment in the nature of a substitute. It was actually introduced on February 9, 1959, by eight or nine Members of the Senate. It has been before the committee. I have an idea that Members have had an opportunity to become reasonably well familiar with it. So I believe that all I need to do is to summarize it.

It contains the usual provision to the effect that there shall be no Federal interference with schools. It places the emphasis on facilities only, where they are urgently needed; and it puts the program on a need basis. The allocations are to be made to States for a period of 5 years, in the limited sum of $600 million for each year. The formula is substantially the same as that used in the committee bill. This amendment in the nature of a substitute considers the State income per child, the number of school children, and the efforts of the State in the educational field.

One item is added to the original text, as introduced last February—namely, a postponement provision, so that if a school district is not quite ready, and yet wishes to save the State allocation, there can be a postponement: and the allocation can, so to speak, be escrowed until the district is ready.

The Federal Government would make commitments, under this amendment in the nature of a substitute, on the following basis: It would commit itself to one-half of the principal and one-half of the interest, to which we commonly refer as the debt service, every year, as it became due; and the maturities on the obligations hereunder could run for between 20 and 30 years. There would be no payment on principal by a school district until the end of the third year. There could be a reduction in allocation, dependent entirely on whether the tax effort of the State was below the index of the tax effort on a national basis.

The State, in this case, as well as under other amendments, must have a plan and must meet certain required standards.

A reasonable effort must be made to repay, and a reasonable effort must be made to keep the State tax level in line with the national average, so that these obligations may be repaid from revenues. The State government would have to handle at least one-half of the bill; but in doing so it could make a capital grant in an equivalent amount to a school district. Of course, the State could assume the entire responsibility; and the application of this amendment is limited to school facilities, which are defined in the same fashion as in the committee bill, namely, for school construction and appurtenances.

This amendment in the nature of a substitute does not provide for any grants, and it does not contain a provision for teachers' salaries. It is designed to help the States and localities and the local school districts to carry on in areas where there is an emergent need.

I think that is all I care to say about the amendment.

In conclusion, I say this amendment in the nature of a substitute represents the administration approach to the school problem.

As I have said just now, and as I said on yesterday, I believe I can say that, generally speaking, the administration would look with genuine disfavor upon any proposal which included in its terms provisions for grants or provisions for teachers' salaries.

Having said that, Mr. President, I am ready to yield the floor, and I am ready to have this proposal voted on.

Mr. SALTONSTALL. Mr. President, I should like to add a few words to what the minority leader has said.

I was one of those who joined in introducing Senate bill 1016, which forms the basis of the amendment in the nature of a substitute which just now has been offered by the Senator from Illinois.

This amendment will help needy school districts throughout the Nation finance approximately $3 billion worth of school construction over a 5-year period. It will cost approximately $2 billion in Federal taxes. It will insure that State governments share in the cost of the construction on a 50–50 matching basis, with each providing one-half of the funds to pay the principal and interest charges on the 20-year to 30-year school construction bonds issued by the needy school districts themselves. It will be up to the States to prescribe the standards which determine what are needy school districts.

Mr. President, I believe that such a proposal will achieve the needed balance between Federal help and State-local initiative and responsibility. This proposal specifically guarantees that the Federal authorities will, under this legislation, exercise no direction, supervision, or control over the personnel, the curriculum, or the program of instruction of any school or school system.

As the Senator from Illinois [Mr. DIRKSEN] has said, this measure does not provide for any grant. It will be on a loan basis, spread over a 20-year to 30-year period and will be on a 50–50 matching basis with the States.

Mr. President, I do not wish to take more of the time of the Senate at this late hour; therefore, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, a brief statement which I have prepared on this subject.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

The American society has traditionally set educational opportunity for its citizens as one of its highest ideals. We have for a long time been proud of the fact that the United States is the best educated Nation in the world.

Under the complex social, political, economic, and moral problems of a modern world which is characterized by population explosions, technological explosions, and threatened military explosions, however, the educational competence of our Nation is seriously challenged. Most obviously, it is endangered by an energetic and dedicated Communist society which is pouring huge resources on a priority basis into the education of its qualified citizenry.

A less obvious but equally significant danger is involved in the growth of our own populace and the accompanying increase in the size and consequent authority of our Federal Government. This dual growth has brought about an unfortunate dual result. First, both our elementary and secondary schools are badly overloaded, according to national statistics. Second, our States and communities more and more turn their responsibilities over to Washington, cease to rely on their own resources, and call for "help from the outside." There appears to be a growing mentality in State affairs that the responsibility for meeting the challenge is someone else's.

The education of our people is the responsibility of each one of us. It is truly a national problem. It is important that we do what is necessary to assure that all our young people have an opportunity to obtain a first-rate education—with good teachers, adequate housing, and modern equipment. The President has for several years been convinced that action by the Federal Government is necessary and desirable to help eliminate the present and predicted shortages involved.

Awareness of the shortcomings facing our educational system and energetic dedication to programs aimed at progress are not the exclusive property of one group of people or one political party. There is no monopoly either in concern or action in this field, and no one should be lured into thinking the opposite is so.

The question before us is what is the most realistic and, in the long run, the most efficient method to educate our children.

I believe that the Federal Government must provide assistance for our educational system in such a way as to stimulate State and local effort as well. I believe that the Federal Government must not usurp the traditional role in the education of our young people played by the States and school districts. In the long run, the Federal Government simply will not have the resources to do the job right. Nor should it attempt to dictate or direct the education of all children from Maine to Hawaii and from Florida to Alaska. Its participation must be so planned now as to encourage rather than stagnate State and local responsibility, initiative, and participation.

A fundamental principle of our educational tradition has been that responsibility must remain as close to the people as possible—that control of our educational system must not be sacrificed to the Federal bureaucracy in Washington.

From several points of view, it is not helpful for the people of my State—the Commonwealth of Massachusetts—to support massive Federal aid to education. Our schools are in a relatively strong position; and Massachusetts' citizens contribute much more in Federal taxes than they receive from Washington in Federal services provided. The ratio is approximately $4 paid to Washington for $1 returned to Massachusetts.

In the last session of Congress, I cosponsored S. 1016, the administration's School Construction Assistance Act of 1959, because I felt that this proposal met the requirements of how the Federal Government may properly aid education. At the present time, I am happy to join with Senator DIRKSEN and others to support the amendment in the nature of a substitute. This is the administration's current school construction assistance proposal—a revised version of S. 1016.

This bill will help needy school districts throughout the Nation finance some $3 billion worth of school construction over a 5-year program. It will cost approximately $2 billion in Federal taxes. It will insure that State governments share in the cost of this building on a 50–50 matching basis, each providing one-half the funds to pay principal and interest charges on 20–30 year school construction bonds issued by the needy school districts themselves. It is up to the States to set the standards which determine needy school districts.

I feel that such a proposal achieves the needed balance between Federal help and State-local initiative and responsibility. The proposal specifically guarantees that the Federal authorities will, under this legislation, exercise no direction, supervision, or control over the personnel, curriculum or program of instruction of any school or school system.

The Dirksen amendment would authorize Federal expenditures consistent with efforts to preserve the stability of our dollar. It is a carefully prepared program, which insists on answering the true complexities involved, and which rejects the superficialities of the dollar approach.

The bill reported by the committee will not provide an acceptable solution. It is only a 2-year emergency measure so-called—not providing longrun guidance. It spends one-half as much money in only two-fifths of the time. The committee bill makes its money available to the States in grant form, and in my opinion does not require proper State participation. Rather than really encouraging our States and communities to get on the job, it moves in the opposite direction, suggesting a gradual taking over by Washington.

I hope we will support the administration bill. In this way we can pitch in at the Federal level in a shared program for better education—a program of stimulation rather than usurpation. In this way our schools can grow with vitality and freedom under local direction, rather than suffer apathy and interference under the heavy hand of a far-away bureaucracy.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have this amendment in the nature of a substitute printed at this point in the RECORD, without being read.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment in the nature of a substitute, submitted by Mr. DIRKSEN, on behalf of himself, Mr. MORTON, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, Mr. SCOTT, and Mr. ALLOTT, was ordered to be printed in the RECORD, as follows:

Strike out all after the enacting clause and insert the following:

"That this Act may be cited as the 'School Construction Assistance Act of 1960'.

"ASSURANCE AGAINST FEDERAL INTERFERENCE IN SCHOOLS

"SEC. 2. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3. For the purpose of assisting school districts in financing the construction of urgently needed school facilities which they cannot, through exercise of a reasonable tax effort, finance from their own resources, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1961, such sums as may be necessary to make the payments provided in this Act.

"ALLOCATIONS

"SEC. 4. (a) (1) For each fiscal year during the five-year period beginning July 1, 1960, and ending June 30, 1965, such amounts, not to exceed $600,000,000, as may be specified for such year by appropriation or other law shall be allocated by the Commissioner among the States on the basis of the income per child of school age, the number of public school children, and the effort for school purposes, of the respective States. Subject to the provisions of section 5, such allocations shall be made as follows: The Commissioner shall allocate to each State for each fiscal year an amount which bears the same ratio to the total to be allocated among all States as the product of—

"(A) the number of public school children in the State (determined as provided in section 5(c)(1) for such fiscal year), and

"(B) the State's allocation ratio (as determined under subsection (b)),

bears to the sum of the corresponding products for all the States.

"(2) A State's allocation pursuant to paragraph (1) shall be available during the fiscal year for which it is made and during the following fiscal year for Federal commitments pursuant to section 7 with respect to obligations, to finance the construction of school facilities projects in such State, totaling the amount of such allocation: *Provided*, That a State may at any time before July 1, 1961, and before requesting any Federal commitment under this Act, file with the Commissioner its election to have the availability of (a) its allocation for the fiscal year ending June 30, 1961, or (b) all its allocations pursuant to paragraph (1), postponed for one fiscal year, and thereupon its allocation for the fiscal year ending June 30, 1961, or if the State has so elected each of the allocations of such State, shall be deemed for purposes of this Act to first become available during the fiscal year following that for which such allocation was originally made. Such a commitment with respect to any obligations shall commit the Commissioner to pay one-half the principal and interest annually becoming due on such obligations. Such obligations may be for the purpose of financing all or a portion of the construction of school facilities projects. The latest maturity date of obligations (in any issue) with respect to which a Federal commitment is made under this Act may not be less than twenty years and not more than thirty years from the earliest date of any such obligations and the first payment of principal thereon shall be due not later than the end of the third year following such earliest date.

"(b) For purposes of this Act—

"(1) The 'allocation ratio' for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the United States, except that (A) the allocation ratio shall in no case be less than 0.25 or more than 0.75, and (B) the allocation ratio for Puerto Rico, Guam, and the Virgin Islands shall be 0.75.

"(2) (A) The allocation ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act and again between July 1 and September 30 of the year 1962, on the basis of the average of the incomes per child of school age for the States and for the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for purposes of this Act for each of the fiscal years in the period beginning July 1, 1960, and ending June 30, 1962, and the second for each of the fiscal years in the period beginning July 1, 1963, and ending June 30, 1965.

"(B) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe an allocation ratio for Alaska of 0.75 and, for purposes of such promulgations, Alaska shall not be included as part of the United States. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years.

"(3) The term 'child of school age' means a member of the population between the ages of five and seventeen, both inclusive.

"(4) The term 'United States' means the fifty States.

"(5) The term 'income per child of school age' for any State or for the United States means the total personal income for the State and the United States, respectively, divided by the number of children of school age (in the State and United States, respectively).

"MAINTENANCE OF STATE AND LOCAL SUPPORT FOR SCHOOL FINANCING

"SEC. 5. (a) The allocation of any State under section 4 for any year shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year. The total of such reductions shall be reallocated among the remaining States by proportionately increasing their allocations under section 4 for such year.

"(b) For purposes of subsection (a)—

"(1) The 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public school child by (B) the income per child of school age for the

State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) Puerto Rico, the Virgin Islands, and Guam, (ii) Alaska, but only for years for which it is, under subsection (c)(4), not included in the 'United States', and (iii) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for the United States;

"(2) The 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for the United States by (B) the income per child of school age for the United States.

"(c)(1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary or secondary education made from funds derived from State or local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary or secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The school expenditures per public school child for the United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary or secondary education made from funds derived from State or local sources in the United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary or secondary schools in the United States, determined as provided in paragraph (1).

"(3) The income per child of school age for the States and for the United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

"(4) The term 'United States' shall not include Alaska for purposes of determinations made under this section before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska.

"STATE PLANS

"SEC. 6. Federal commitments may be made under this act with respect to obligations to finance the construction of school facilities in any State only if such State has submitted, and had approved under this section, a State plan. The Commissioner shall approve a State plan for purposes of this Act if such plan—

"(a) provides that the State educational agency shall be the sole agency for administering the plan;

"(b) provides that a local educational agency will be eligible for a Federal commitment under this Act with respect to any obligations only if—

"(1) such obligations are for financing, in whole or in part, the construction of school facilities needed to relieve or prevent overcrowding, double shifts, or unhealthful or hazardous conditions,

"(2) such agency undertakes to exert the reasonable tax effort, determined for it under the plan, in financing its school construction needs,

"(3) such agency will be unable, after exertion of such reasonable tax effort, and full utilization of other resources (whether from Federal, State, or local sources) available to it for financing its school construction needs and not taken into account for purposes of section 8, to pay the principal and interest annually becoming due on such obligations and other outstanding obligations of such agency for financing school construction;

"(c) sets forth standards and procedures for determining the tax effort which each local educational agency applying for a Federal commitment under this Act will be required, in order to be eligible, to exert in financing its school construction needs, which standards and procedures will assure that the tax effort so determined will be a reasonable one in the light of the resources actually or potentially subject to taxation by such agency, the relative local and State shares in financing school construction, and the tax effort exerted and the methods of financing used by other local educational agencies in the State. Such standards and criteria shall also take into account the tax effort which local educational agencies should reasonably be expected to exert to meet other public elementary or secondary educational expenses, including the payment of adequate teachers' salaries, and may, if the State so elects, provide for a reduction in a local educational agency's reasonable tax effort for school construction financing if and to the extent such local educational agency exerts more than a reasonable tax effort to meet such other educational expenses;

"(d) sets forth standards and procedures for determining the order of priority for projects under the plan in case the allocation of the State for any year under this Act is not adequate to permit the making, during the period for which such allocation is available, of all Federal commitments requested by local educational agencies in the State; which standards and procedures shall assure (1) that the highest priority will be given to local educational agencies which are least able, solely because of lack of economic resources, to finance from the resources available to them the full cost of the school facilities needed to relieve or prevent overcrowding, double shifts, or unhealthful or hazardous conditions, and (2) that in other respects the order of priority will be based on relative need for financial aid in the construction of such school facilities and the relative urgency of the need for such facilities;

"(e) provides for affording to every applicant whose application to be included in a State request under section 7 for a Federal commitment is denied, an opportunity for a hearing before the State educational agency;

"(f) provides for the establishment of standards on a State level for planning and construction of school facilities;

"(g) provides that the State educational agency will make such reports to the Commissioner, in such form and containing such information, as are reasonably necessary to enable the Commission to perform his duties under this Act.

"FEDERAL COMMITMENTS

"SEC. 7. (a) In the case of each project for the construction of school facilities for a local educational agency to be financed by obligations for which the State educational agency requests a Federal commitment under this Act, the State educational agency shall include in its request—

"(1) a description of the school facilities project with respect to which the request is made and its estimate of the cost of construction of such project;

"(2) the amount of the obligations which are to be covered by the commitment;

"(3) a certification—

"(A) that it has determined, in accordance with the standards and procedures in the State plan approved under section 6, that the local educational agency is eligible for such commitment with respect to such obligations and such project is entitled to priority over other projects within the State;

"(B) that such project is consistent with any applicable State redistricting plans or policies and is in accord with applicable State construction laws and standards;

"(C) if any portion of the cost of construction of such project is not to be met from the proceeds of such obligations, that the financing of such portion has been arranged;

"(4) assurance, satisfactory to the Commissioner—

"(A) that the local educational agency will take appropriate steps, including a public offering of the obligations, to secure the most favorable rate of interest and other terms for such obligations;

"(B) that the local educational agency will, during each year in which such obligations are outstanding exert the reasonable tax effort, determined for it pursuant to the State plan, for financing its school construction needs, will certify to the Commissioner the amount of the revenues thereby produced, and will apply any surplus in such revenues to payment of the principal and interest becoming due in such year on the obligations covered by such commitment. For purposes of this subparagraph, (i) the existence and amount of any surplus in revenues produced by exercise of a reasonable tax effort shall be determined by adding to the revenues produced by the exercise of the reasonable tax effort any other resources available to the local educational agency for payments on account of debts incurred for construction of school facilities subtracting from the sum thereby obtained any payments made on account of debts incurred for such purpose, by the local educational agency before the request for the Federal debt service commitment here involved was filed by the State educational agency, and further subtracting therefrom any payments made on account of debts incurred for such purpose by the local educational agency after such filing but approved by the State educational agency upon a finding that the school facilities project for which such debts were incurred is needed to relieve or prevent overcrowding, double shifts, or unhealthful or hazardous conditions.

"(b) If the Commissioner finds that the request of a State educational agency for a Federal commitment with respect to any obligations meets the requirements of subsection (a) and that the amount of such obligations does not exceed the amount remaining in the State's allocation or allocations available for the purpose, the Commissioner shall, subject to the provisions of section 8, make the Federal debt service commitment requested with respect to the obligations specified.

"(c) In the case of a project for the construction of school facilities for a local educational agency which would in all respects qualify for a Federal commitment under this section but for the local educational agency's inability by reason of State legal restrictions to issue obligations, the State educational agency may request the Commissioner to reserve out of any amount remaining in the State's allocation or allocations available for a fiscal year, an amount equal to the obligations that would, if issued by the local educational agency, qualify for a Federal commitment. If the Commissioner finds that the obligations of such agency in the amount requested would if issued qualify for a Federal commitment, the State's allocation for such year shall be charged in the amount of such obligations and the Commissioner shall make a Federal commitment with respect to obligations of such agency in such amount which are issued by such agency at any time prior to June 30, 1968.

"STATE DEBT SERVICE COMMITMENTS

"SEC. 8. No Federal commitment may be made with respect to any obligations for financing, in whole or in part, the construction of a school facilities project unless the State makes an equally binding commitment to pay one-half of the principal and interest annually becoming due on such obligations; except that the State may make a capital grant to cover part of the cost of such construction, in which case the Federal debt service commitment with respect to so much of such obligations as do not exceed the amount of such capital grant shall be to pay in full the principal and interest annually becoming due thereon.

"STATES EXCLUSIVELY RESPONSIBLE FOR SCHOOL CONSTRUCTION FINANCING

"SEC. 9. If exclusive responsibility for the financing of the construction of school facilities in any State, or in any portion of a State, has been assumed by the State, the Commissioner may, to the extent he deems such action necessary to achieve the purposes of this Act, modify or make inapplicable to such State or portion thereof, as the case may be, any of the provisions of this Act which he determines to be inappropriate by reason of the absence of a local educational agency or agencies responsible for such financing.

"FEDERAL PAYMENT

"SEC. 10. The Commissioner shall from time to time pay in advance or otherwise, to such agency or person or persons as may be designated in the request of a State agency pursuant to section 7 with respect to any obligations so much of the principal and interest becoming due thereon each year as is required to be paid under the Federal commitment under this Act. Such payments for any year shall be reduced by the amount, if any, which the local educational agency issuing such obligations has applied, as provided in section 7(a)(4), out of any surplus in its revenues to the principal and interest on such obligations becoming due in such year.

"FAILURE OF LOCAL EDUCATIONAL AGENCY TO EXERT REASONABLE TAX EFFORT

"SEC. 11. If any local educational agency with respect to whose obligations a Federal commitment under this Act has been made fails, during any period in which such obligations are outstanding, to exert the reasonable tax effort determined for it under the State plan, such agency shall be obligated to repay to the United States the additional amount it would have applied toward payment of the principal and interest on such obligations as provided in section 7(a)(4), had such agency exerted such a tax effort.

"ABANDONMENT OF PROJECTS

"SEC. 12. If any project financed by obligations with respect to which a Federal debt service commitment has been made under this Act, is abandoned or is not completed within a reasonable period, determined under regulations of the Commissioner, after such obligations have been sold, the United States shall be entitled to recover from the State in which such project is located or from the local educational agency issuing such obligations, or both, the amount of the payments which the United States made with respect to such obligations or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located).

"LABOR STANDARDS

"SEC. 13. (a) The Commissioner shall not make any commitment under this Act with respect to obligations to finance the construction of any school facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a 5), and will receive compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be.

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"ADMINISTRATIVE PROVISIONS

"SEC. 14. (a) The Commissioner, in addition to other powers conferred by this Act, shall have power to agree to modifications of Federal commitments made under this Act and of obligations with respect to which such commitments have been made and to pay, compromise, waive, or release any right, title, claim, lien, or demand, however arising or acquired under this Act; except that nothing in this subsection shall be construed to affect the power of the Attorney General in the conduct of litigation arising under this Act.

"(b) Financial transactions of the Commissioner in making Federal commitments, and payments with respect thereto, pursuant to this Act, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may by regulation prescribe.

"SUITS AGAINST THE UNITED STATES

"SEC. 15. Any holder of obligations with respect to which a Federal debt service commitment has been made under this Act may bring suit against the United States to enforce any duty of the Commissioner under this Act or any undertaking of the Commissioner pursuant to a commitment under this Act. In any action arising under this Act to which the United States is a party, the district courts of the United States shall have jurisdiction, without regard to the amounts involved. Such action shall be brought in the district court of the United States for the judicial district in which the plaintiff, or any of the plaintiffs if there are more than one, resides, or has his principal place of business or, if he does not have his principal place of business within any such judicial district, in the District Court of the United States for the District of Columbia.

"DEFINITIONS

"SEC. 16. For purposes of this Act—

"(a) The term 'Commissioner' means the (United States) Commissioner of Education.

"(b) The term 'State' includes Puerto Rico, Guam, and the Virgin Islands.

"(c) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or (if different) the officer or agency primarily responsible for State construction or supervision of construction of such schools, whichever may be designated by the governor or by State law.

"(d) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public education in a city, county, township, school district, or political subdivision in a State. If a separate local public authority has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

"(e) The term 'school facilities' includes classrooms and related facilities for public elementary or secondary education; initial equipment, machinery, and utilities necessary or appropriate for school purposes; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadiums, or structures or facilities intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public.

"(f) The terms 'construct', 'constructing', and 'construction' include the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

"(g) The term 'obligations' means any bonds, notes, interim certificates, debentures, certificates of indebtedness, or other evidence of indebtedness.

"WITHHOLDING OF FUNDS AND JUDICIAL REVIEW

"SEC. 17. (a) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency, finds that—

"(1) the State plan approved under section 6 has been so changed that it no longer complies with the requirements of such section; or

"(2) in the administration of the plan there is a failure to comply substantially with any such requirement;

the Commissioner shall notify such State agency that no further Federal debt service commitments will be made under this Act with respect to obligations to finance the construction of school facilities projects in the State (or, in his discretion, that further commitments will not be made for projects in the State affected by such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Commissioner shall make no further Federal debt service commitments with respect to projects in such State under this Act (or shall limit commitments to projects with respect to which there is no such failure).

"(b)(1) If any State is dissatisfied with the Commissioner's action under subsection (a) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States.

"(2) The findings of fact by the Commissioner, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"UTILIZATION OF OTHER AGENCIES

"SEC. 18. In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any

agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency concerned.

"DELEGATION OF COMMISSIONER'S FUNCTIONS

"SEC. 19. The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

"APPROPRIATION FOR ADMINISTRATION

"SEC. 20. There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary for administration of this Act.

"Amend the title so as to read: 'A bill to authorize a five year program of assistance to school districts in paying the principal and interest on loans for construction of urgently needed elementary or secondary public school facilities, and for other purposes.'"

Mr. DIRKSEN. Mr. President, on the question of agreeing to this amendment in the nature of a substitute, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. BUSH. Mr. President, throughout the Senate's consideration of Federal aid to education, in the course of the debate which now is concluding, my votes have been cast in the hope that the Senate would pass a bill which would have a chance of becoming law.

I am interested in legislation which will help the schoolchildren of the Nation and will contribute to elevation of the standards of education throughout the Nation.

It seems that some of our friends across the aisle have been determined, instead, to create a campaign issue and send to the President a bill which he will feel compelled to veto.

The administration, through our minority leader, has tonight presented to the Congress a school-construction bill which I regard as a reasonable start; and I shall vote for it, although I felt that the Cooper-Javits substitute, which I supported, represented an improvement, and very likely would have been acceptable to the President.

I have been constrained to vote against amendments which would have broadened Senate bill 8, the committee's $1 billion school-construction bill, to make provision for Federal aid for teachers' salaries, not because I believe the teachers of the country are adequately paid in most communities, nor that they enjoy the status and the respect they should enjoy in their professional capacity. I would cite a comparison of the situation of our teachers with the situation of the teachers in the countries of Europe, where there is far greater respect for the learned and for learning. I think the lack of that respect or the inadequate amount of that respect in this country is one of the great deterrents to our educational system.

Mr. President, I voted against those amendments because of my conviction that their inclusion in the bill would be inappropriate and would invite a veto, and thus would delay the day when a fair and equitable division of the costs of education as between the Federal Government, the States, and the local governments would be achieved.

Finally, Mr. President, I state my conviction that mere dollars, whether provided by the Federal Government or by the States or by the localities, will not be enough to raise the standards of education to the levels demanded by the competition which we face today from the Soviet Union and others.

The Soviet Union has developed high standards in its primary and its secondary schools, and their curriculum is closely prescribed and toughly prescribed in order to fit the needs of that nation and the capabilities of the minds of the students. No time is wasted with the so-called life adjustment courses which we see used in our country so frequently and in such great volume in the secondary schools. The Soviets weed deadwood out of their school system as rapidly as they discover it, and they discover it very rapidly. The standard of the more capable students is the standard which is used; they do not bring the students down to the level of the least competent. Instead, they set their sights on the level possible of achievement by those who are the most competent, and encourage excellence in all departments of learning. This is something we should do and take note of, because if we do not, as sure as heaven, they will pass us in the field of education. This is one of the reasons why we are in grave danger of being passed in other fields as the Soviet Union advances.

If standards in the schools are not met in Russia, students are dropped and have to go to work in some useful occupation.

Since sputnik, I have sat in hearings of the Armed Services Committees and allied committees, such as the Subcommittee on Preparedness, and I have heard experts with the very best minds in our country come before those committees and emphasize the deficits in the quality of our education and in discipline. Our children seem to be more interested in getting drivers' licenses than in receiving diplomas. Sports cars and "hotrods" divert them too much. This lack of discipline in our schools is to a very large extent reflected in the high degree of juvenile delinquency that we see in this country today, which is one of the extra, heavy burdens we have to bear in our social and economic life.

I am afraid this bill, when we get through with it, will be too big. I think it is too big already. I am afraid the Senate has become so intrigued with outer space that we do not keep our feet on the ground on fundamental matters like education.

My friend, the distinguished Senator from Kentucky [Mr. COOPER], introduced a bill last year, on September 15, which was designed to help raise standards of education in this country. The bill called for the establishment of a council, to be appointed by the President, "for the purpose of assisting in efforts to improve the quality of education, and be available for consultation with Governors, the chief officials of State or local educational agencies, and the heads of institutions of higher education." The purpose of the council was to consider "means of raising the standards of scholarship expected of students" in the schools.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BUSH. I shall be glad to yield in a moment.

Mr. President, if we were debating a bill of this kind tonight, which was designed to raise the standards of education in our primary and secondary schools, we would be doing something far more useful than building up a great big bill, so big it is sure to be vetoed, so big that I do not believe the Senate will pass it over the President's veto.

My plea is, Mr. President, before we finish, we should try to come to grips in some way with the fundamental trouble with education in our primary and secondary schools, and raise the quality of education and discipline, so we can turn out better qualified citizens. This need has been pointed up since the development of sputnik a few years ago. We have been advised by experts in education, wise men whom we respect, that this is one of the major defects in our education today. I do not feel we are doing much about it.

I congratulate the Senator from Kentucky for having had the foresight to introduce a bill dealing with this very important deficit in education. I urged him to offer the text of his bill to the pending amendment tonight, but he thought he had better not do so.

Now I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I thank the distinguished Senator from Connecticut [Mr. BUSH] for calling attention to a bill I introduced last September, Senate bill 2727. I will ask at the conclusion of the remarks of the Senator from Connecticut that it be printed in the RECORD, with the hope that Members of the Senate will study it, and particularly that my good friend, the Senator from Alabama [Mr. HILL], will have his committee hold hearings on it.

The bill which we are debating, if enacted into law, will provide funds for school construction and teachers' salaries. It is hoped that eventually it will raise the quality of education. Yet few steps have been taken toward immediately raising the quality of education in this country.

I realize that standards, choice of curriculum, and so forth, are functions of local school boards, State universities, and private universities. A number of commissions have been appointed by the President, and there have been numerous private commissions, which in the past 2 years have made studies and recommendations regarding means to raise the quality of education in our country. But after they file their reports, no one hears anything more about them. I introduced S. 2727 last year, to which the Senator from Connecticut has referred, providing for the appointment by the President of 12 eminent educators whose function it would be to consult with Governors, the chief education offi-

cers of States, State educational boards, universities in the States, about means of raising the quality and standards of education in elementary, secondary, and high schools, and even in State universities.

My bill seems to be very simple, and it does not call for a large expenditure of money. Perhaps for that reason it has not been noted.

If the President would appoint men like Dr. Conant, Dr. Killian, and others of that character to such a Commission they would be able to use the studies that have been made, and in talks with State educational officers, presidents of universities, and Governors about curricula, standards, qualifications for entering universities, the maintenance of scholastic standards, assist in developing higher standards of education in our country. We want to maintain our open system of education, but it must raise its standards and provide quality, if the young men and women of our Nation are to be truly educated.

I hope the bill I have introduced, S. 2727, will be given early consideration. Again I thank my friend, the senior Senator from Connecticut, for his interest, and for bringing attention, it seems almost for the first time in this debate, to the necessity of improving the quality of education in the United States.

Mr. BUSH. I am very glad to hear the Senator speak on this subject. I point out that the purpose of the council which his bill would establish, made up of distinguished Americans, would be for the purpose of assisting in efforts to improve the quality of education, be available for consultation with Governors, the chief officials of State or local educational agencies, and the heads of institutions of higher education, on means of improving the quality and content of curriculums, with emphasis on the sciences, languages, and the humanities, means of raising the standards of scholarship expected of students, means of improving the quality of teaching, and other means of raising levels of educational achievement.

Mr. President, I ask unanimous consent that a copy of Senate bill 2727, which was introduced by the Senator from Kentucky [Mr. COOPER] on September 15, 1959, be printed at this point in the RECORD.

There being no objection, the bill (S. 2727) was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Advisory Council on Education Act of 1959".

DECLARATION OF FINDINGS AND PURPOSE

SEC. 2. The Congress declares that developments in technology and science have made it clear that the security as well as the strength of the economy and the happiness of the Nation depends upon the education of its citizens.

The Congress recognizes that education must keep pace with the needs of the future.

The Congress finds that public and private studies since World War II have established the increasingly urgent need for improving the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of the curriculum, on higher standards of scholarship, and on the effectiveness of teaching.

The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educational authorities, and to provide for the exchange of information toward improving the quality of education in the United States.

Therefore, it is the purpose of this Act to establish a Presidential Advisory Council on Education.

AMENDMENT OF ACT OF JULY 26, 1954

SEC. 3. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533), is amended to read as follows:

"That, in order to (1) provide an advisory body which will be available for consultation on means of improving the quality of education, and (2) secure for the President of the United States the advice of a group of distinguished educators and citizens on means of improving the quality of education in the United States, there is hereby established in the Department of Health, Education, and Welfare, an Advisory Council on Education (hereinafter referred to as the 'Council').

"SEC. 2. The Council shall be composed of twelve members appointed by the President, with the advice and consent of the Senate, from among individuals who are not otherwise in office under or in the employ of the Federal Government, a majority of whom shall be leaders in the fields of education and science. The President shall designate the chairman from among such members. Each member shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of members first taking office after the date of the enactment of the Advisory Council on Education Act of 1959 shall expire as follows: Three shall expire with the close of the first calendar year which begins after such date of enactment, three shall expire with the close of the second such calendar year, three shall expire with the close of the third such calendar year, and three shall expire with the close of the fourth such calendar year, as designated by the President at the time of appointment. The Secretary of Health, Education, and Welfare shall be a member of the Council by virtue of his office.

"SEC. 3. The Council shall—

"(1) For the purpose of assisting in efforts to improve the quality of education, be available for consultation with Governors, the chief officials of State or local educational agencies, and the heads of institutions of higher education, on—

"(A) means of improving the quality and content of curriculums, with emphasis on the sciences, languages, and the humanities,

"(B) means of raising the standards of scholarship expected of students,

"(C) means of improving the quality of teaching, and

"(D) other means of raising levels of educational achievement; and

"(2) from time to time, recommend to the President the initiation of studies of national concern in the field of education and shall propose to the President appropriate action indicated by such studies; and

"(3) transmit to the President and the Congress annually a report of its activities under the provisions of this Act and any such action taken with respect to any of the Council's recommendations under such provisions.

"SEC. 4. (a) The Council shall meet at the call of the President, the Secretary of Health, Education, and Welfare, or the Chairman, but not less often than three times each calendar year.

"(b) The Council may appoint, without regard to the civil service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

"SEC. 5. Members of the Council appointed as such by the President shall receive no compensation for their services, but while away from their homes or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"SEC. 6. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD prior to the vote a statement by the late Senator Taft on the Federal aid to education bill. This statement was made on March 24, 1948, and is to be found in the CONGRESSIONAL RECORD, volume 94, part 3, page 3348.

I do not believe the record on this very important legislation would be complete without including the statement by Senator Taft.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TAFT

Mr. President, I do not think I can exaggerate the necessity of education. Primary education lies at the basis of all forms of republican government. A government depending on the making of decisions by the people and depending on their intelligence can exist only if the people have some ability to understand the problems of government which are presented to them. Unless there is a satisfactory educational basis, there cannot possibly be hope for success in any democratic form of government where the people are expected to rule and to decide the questions which are placed before them.

* * * * *

The problem confronting us and the real objection to this bill, the point which troubled me and troubled others, is in connection with the question of what educational function the Federal Government has, and why the Federal Government is asked to participate in education. I quite agree that the primary obligation to educate children is in the States and local communities. Under our constitutional form of government, they have the primary obligation. I think the Federal obligation is a secondary one. It is one to back up the States, if I may use that expression, where it is necessary to back up the States. The difficulty with our tax system is that the States have limited powers of taxation, and that, particularly in the poorer States, they have very limited sources of taxation.

Today the States are exercising every power they can exercise. They have sales taxes, they have every form of tax they can think of. They are digging into all kinds of sources of taxation, and still the States today are raising about $12 billion, while the Federal Government is raising $45 billion. That is because, very simply, a State has no access to the principal sources of taxation. The States cannot successfully impose a personal-income tax of any considerable amount. They cannot successfully impose a corporation tax of any considerable amount. I served in the State Legislature of Ohio, and the moment we got our income tax a little higher than the surrounding States, all the wealthy people moved to other States. There

is competition for wealth. It is possible for States to get up to somewhere around 5 percent of income perhaps, and that is about as high as it is possible to go if the State is to keep its citizens. In the same field, in relation to corporations, the moment taxes on corporations in Ohio became higher than the taxes in Pennsylvania, every new steel plant was built in Pennsylvania instead of being built in Ohio. I think the actual result shows very clearly that the States do not have access to those particular sources of taxation. That applies to all States, but, of course, it applies particularly to States which are far below the average level where, even if they could tap the sources within the State, they would be very inadequate for the purposes for which it is necessary that the State act.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and, with the consent of the Senate, I ask that when the quorum call is withdrawn we proceed to a vote on the Dirksen substitute.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the substitute amendment offered by the Senator from Illinois [Mr. DIRKSEN] for himself and other Senators. Under the unanimous-consent agreement no debate is in order. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senators from Wyoming [Mr. MCGEE and Mr. O'MAHONEY], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

I further announce that the Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Conference as chairman of the Latin American Subcommittee of the Senate Interstate and Foreign Commerce Committee.

On this vote, the Senator from Montana [Mr. MURRAY] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Montana would vote "nay" and the Senator from Colorado would vote "yea."

I further announce that, if present and voting, the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senators from Wyoming [Mr. MCGEE and Mr. O'MAHONEY], the Senator from Oregon [Mr. NEUBERGER], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Montana would vote "nay."

The result was announced—yeas 25, nays 61, as follows:

YEAS—25

Beall	Curtis	Morton
Bennett	Dirksen	Prouty
Bridges	Dworshak	Saltonstall
Brunsdale	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Butler	Hruska	Williams, Del.
Carlson	Keating	Young, N. Dak.
Case, N.J.	Kuchel	
Cotton	Lausche	

NAYS—61

Aiken	Gruening	Martin
Bartlett	Hart	Monroney
Bible	Hartke	Morse
Byrd, Va.	Hayden	Moss
Byrd, W. Va.	Hennings	Mundt
Cannon	Hill	Muskie
Carroll	Holland	Pastore
Case, S. Dak.	Humphrey	Proxmire
Church	Jackson	Randolph
Clark	Javits	Robertson
Cooper	Johnson, Tex.	Russell
Dodd	Johnston, S.C.	Smith
Douglas	Jordan	Sparkman
Ellender	Kefauver	Stennis
Engle	Kerr	Talmadge
Ervin	Long, Hawaii	Thurmond
Fong	Long, La.	Williams, N.J.
Frear	McClellan	Yarborough
Fulbright	McNamara	Young, Ohio
Gore	Magnuson	
Green	Mansfield	

NOT VOTING—14

Allott	Kennedy	O'Mahoney
Anderson	McCarthy	Smathers
Capehart	McGee	Symington
Chavez	Murray	Wiley
Eastland	Neuberger	

So the amendment offered by Mr. DIRKSEN, for himself and other Senators, was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the Dirksen substitute was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, the policy committee has cleared several bills which I have previously announced, such as the coal mine safety bill and other measures. There are on the calendar a number of resolutions reported from the Committee on Rules and Administration, providing for investigations. I anticipate no yea-and-nay votes on those resolutions, but I cannot assure any Member that there will not be a yea-and-nay vote.

It is expected that those resolutions will be considered on Monday. They will be followed by other measures which have been cleared by the policy committee. I do not anticipate any serious controversy over the bills which will be called up next week. I would not say that only minor bills will be considered, because each Member thinks his measure is a major bill, but I do not think there will be any serious differences over the proposed legislation to be considered the early part of next week. There may be some objections to certain of the investigation resolutions reported by the Committee on Rules and Administration, but I am informed by those who will make the record that it is not anticipated that there will be any yea-and-nay votes.

In view of the fact that the Senate must be in session early and late, and in view of the fact that it is desired that the Congress adjourn in July, I should like to inform Senators that I think this is a good time for them to make their plans to be absent. We have positively agreed that there will be no yea-and-nay votes from Wednesday evening until the following Monday, because of the Lincoln Birthday celebrations; and while I cannot give assurances that there will be no yea-and-nay votes on Monday, Tuesday, or Wednesday, I do not anticipate any, and I shall do my best to see that there are none.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

OUR EDUCATIONAL SYSTEM MUST KEEP PACE WITH NATIONAL NEEDS; TEACHER SALARIES MUST BE INCREASED; FEDERAL CONTROL IS MYTH

Mr. RANDOLPH. Mr. President, the fundamental issue in education as in government today is no less than the assessment of the basic values of a democratic society. As we enter the decade of the sixties it is essential, if the vitality of our democracy is to be preserved, that our educational system keep pace with the demands of an ever more complex society and the needs of a rapidly growing population. Our concern is for the improvement of the overall educational programs of the United States, and Senators will vote in a few minutes on final passage of vital legislation.

The kind of greatness that we produce in the years ahead will be nurtured by the values that we as a society cherish and transmit, in large measure, through our formal education system. If we fail now, Mr. President, to supply the means for the best system possible our children and grandchildren will have little cause to be grateful to us.

Before discussing the evidence that substantiates the critical need for this legislation, I would like to address my comment to a point which has been raised on more than one occasion by its opponents.

I refer to the often-voiced fear of Federal control which follows inevitably, it is supposed, upon Federal support to education.

CONTROL AT LOCAL LEVEL CONTINUED

We are all aware of the importance of the American custom of local responsibility and control of public education. But let us at least be clear in our understanding of the origins and the reasons for this tradition. Let us not be confused by the invocations of the rhetoric of the Founding Fathers, or raise the specter of an omnivorous and power-hungry Federal police state.

Without going into historical detail, we can acknowledge that the practice of local support for public education has been one of the fundamental marks of the American system from its outset. But let us also acknowledge that this practice was not based upon any hallowed principle of democratic idealism but, rather, on the simple and understandable resistance of the citizens of one community to paying taxes for the education of the children of another.

The struggle for universal public education in America was not won overnight. The merchant and propertied classes resisted strongly the economic, political, and social ferment we associate with the Jacksonian period, and the chief tribute they won from the champions of public education was the principle of local support of the schools. The principle was thus motivated by self-interest, at least to a degree, as well as idealism.

But this is not to condemn it. Within the context of an agrarian society, a loose Federal structure, and the sectional jealousies and rivalries of the individual States such a point of view is easily understandable. But it is important, when we listen today to the critics of Federal aid to public schools invoking some supposedly time-honored American tradition, to know that that tradition has nothing to do with the fear of Federal control.

FEDERAL AID IS NOT NEW

On the contrary, in the field of higher education, the practice of Federal support is almost as old as our tax-supported universities themselves. Two years from now the great land-grant colleges and universities of America will celebrate the centennial of the Morrill Act which set aside Federal lands for the support of agricultural and engineering colleges. In 1862, Congress passed this epoch-making act which, for the first time, established the policy of Federal aid, not only to the newer States but to the older ones as well.

In recent decades the Federal Government has entered the field of education in a variety of ways—the public schools built by the WPA in the 1930's, the tuition-payment program of the GI bills, and the grants-in-aid and the underwriting of research programs at many of our colleges and universities. In none of these has the Federal Government encroached upon the control of local authorities.

The threat of Federal control is a myth, and the fear of it is spun from fantasy and a misreading of our history.

The question, therefore, is not whether or not we shall have Federal control, but whether we shall have Federal support, and, if so, how much, what direction will it take, and how best to utilize it in a coherent manner to lift our public school system to the level that a thriving democracy demands and one that our young people deserve.

Today the Senate must offer a significant contribution in alleviating two of the most critical problems in the educational scene—the inadequacy of teachers' salaries and the shortage of classroom space.

Let me refer first to the long-range problem of the shortage of classroom space. The figure of 132,400, representing our present classroom shortage as given by Arthur Flemming, this administration's Secretary of Health, Education, and Welfare, has been repeated so frequently in recent discussions that we are likely to overlook the more enduring features of our problem.

SCHOOL POPULATION HAS RAPID GROWTH

For example, from 1870 to 1955 our population grew from 40 million to 165 million. During this same period, while our general population increased 4 times, our public school population increased approximately 80 times.

Under our present rate of population development the bulge of the future will press even more heavily on our already burdened facilities. The elementary school enrollment of 30 million in 1958 will rise to over 35 million by 1965. By 1969 our high schools will be flooded with 50 to 70 percent more students than they can now handle. By 1975 our colleges and universities will face a doubling and, in some cases, a tripling of enrollment. Now these are only the bare bones of statistics that comprise one aspect of the problem. There are others.

For one, there is the problem born of the mobility of our society. We are a people on the go; 35 million of us change our addresses every year, and there are long-term currents of movement to the north and west. Thus, the effects of education offered in a given school may be registered in a State far removed from where the education was acquired. For instance, 1950 U.S. census figures show that some 632,000 native-born West Virginians are now living in other States.

The quality of education in the United States is therefore a national issue rather than a merely local one. And yet it is the only national problem that we have not attempted to solve on a national basis.

Let us turn now to a consideration of the shortage and recruitment of teachers. It is authoritatively estimated that in order to maintain the present student-teacher ratio between one-third and one-half of all 4-year college graduates would have to enter schoolteaching in the next decade. Since only one out of five college graduates customarily enters schoolteaching, one can appreciate the magnitude of the problem involved.

Not only is the number of teachers inadequate but the preparation of many of the present teachers is in need of improvement. According to the National Education Association, 29 percent of our elementary schoolteachers do not hold A.B. degrees, and more than 21 percent of all public schoolteachers have less than 4 years of college. A similar condition prevails, according to the NEA at the college and university level, with the holders of doctor's degrees among full-time teachers having decreased by 25 percent since 1953–54.

TEACHER SALARIES ARE TOO LOW

The reasons are apparent. Business, industry, and government are outbidding the teaching profession for the talents of many of its best qualified and most able men and women. Nor is it small wonder when one observes that the average income of teachers is far below that of most other professional persons. Graduates in teaching could expect an average starting salary of $3,650 in 1958. Average beginning salaries paid college graduates—both men and women—in all fields was $4,758, over $1,000 more.

The necessity of many of our teachers to have part-time supplementary jobs is, to put it in its mildest terms, inconsistent with the responsibility that a democratic society has placed upon them. Our teachers' salaries can and must be raised immediately and substantially if we are to attract able young men and women and retain those we have. Studies made by the NEA conclude that teachers' salaries should be at least 60 percent above the present average level "to meet any reasonable estimate of a professional level of compensation." And Dr. Arthur Flemming, Secretary of Health, Education, and Welfare, said recently that a 100 percent increase in teachers' salaries within the next 5 or 10 years was "a reasonable national goal."

According to the Rockefeller report, we spent in 1955 a total of just under $14 billion for public and private education at all levels, slightly less than we spent last year on alcohol and cosmetics in the United States. Against a gross national product of $391 billion for that year, our expenditures for formal education amounted to 3.6 percent. The same source estimates that by 1967 the increased demands that I referred to earlier will require an expenditure of $30 billion, or 5 percent of an estimated gross national product of $600 billion.

Such a sharp rise in expenditures calls for a determined departure from traditional methods of school financing. Historically, Americans have preferred to finance their school at the local and State levels. But there has already been a necessary shift of responsibility from the local to the State levels. In 1930 under 17 percent of the cost was borne by the State; in 1957 this had more than doubled to over 40 percent.

However, local and State tax systems in many instances are not adequate to the task, partly because they depend so heavily on the real property tax, which everywhere lags behind rising incomes and the increased cost of education, and partly because local and State governments are reluctant to raise taxes and thereby place their communities in an unfavorable competitive position with other States.

West Virginia, for example, with a per capita income in 1957 of only $1,480 was spending $218 a year for every child in school. From the total State revenues of

$285,996,653 the schools received over 36 percent, leaving less than two-thirds of every tax dollar for all the other State governmental services combined. Thus, if we were to try to match the per capita dollar expenditure of such States as New York or California, we would more than exhaust our total revenue on schools alone.

According to figures compiled by the National Education Association, the average per pupils expenditures among the individual States ranges from a high of $535 a year to a low of $164, with a national average of $340 per pupil.

WEST VIRGINIA BELOW NATIONAL LEVEL

This gross disparity in expenditure between our richest and our poorest States can be rectified only with Federal aid. For, to illustrate again by reference to our own State of West Virginia, even with proposed new tax levies and a statewide reappraisal of property, our school revenue per pupil would still be more than 60 percent below the national average and approximately $175 below that of New York State.

Before I leave the problem of financing let me clear up the myth of the heavy cost of collecting the Federal tax dollar in comparison with that of the State or local government. The cost of collecting Federal taxes is approximately 44 cents per $100. The cost of collecting State taxes generally is $1 per $100. The cost of collecting and administering local revenue has run as high as $5 to $10 per $100, according to experts who have studied the problem. You will note that I have omitted administration of State and Federal taxes, whereas I have included administration of local taxes. We have no figures on the costs of administration at the State level, but the cost of administering 10 grant programs of the Federal Government averaged 1.2 percent of the amounts distributed. This means that the cost of collecting the Federal tax dollar and the administration of Federal grant programs totals about 1.6 percent.

Mr. President, I reiterate, economic inequities can be redressed only with Federal assistance. Let us not be deluded by the ideas of a century ago, ideas which at that time had certain validity. For we are not longer a loose federation of quasi-independent States. We are a Nation of highly mobile people, a Nation in which the welfare of one section is inextricably involved with that of all. And, as a Nation, we have one future, a future that will in substantial measure be determined by the degree of our devotion to the cause of strengthening our system of public education.

None of us is so naive as to believe that money alone will solve a deep seated and pervasive cultural problem such as this. But the extent to which we will apply our financial resources is, in part, a measure of our purpose in other respects as well. It is not encouraging, therefore, to note that we spend slightly more on alcohol and cosmetics and more than twice as much on advertising as we do on education.

Let us examine once again our first principles. At the foundation of our values is the principle which more than any other distinguishes American culture from the older cultures of Europe and from the new totalitarian societies. That is the extent to which we are guided by our faith in the dignity and integrity of the individual. This is the faith which states that man should live in the light of reason, be free to exercise his own moral choice, and develop to the fullest the latent possibilities within him.

QUANTITY AND QUALITY BOTH ESSENTIAL

As this faith is translated into the practical problems of our school system it presents a double-barreled challenge, the challenge of maintaining the equality of opportunity for all while, at the same time, stressing the achievement of excellence for those capable of it. The challenge is to maintain both quantity and quality in education, to expand the one and improve the other.

Many people of late, laymen as well as professional educators, have posed the problem in terms of a choice between quantity and quality, a choice between equality and excellence.

We have no choice. We must, if we would survive, have both.

We must have a generally informed citizenry capable of making intelligent decisions on matters of the public good. And we must have the highly trained specialists as well as the men and women of broad-gage learning that our modern, complex society demands. This is the chief problem in the field of education before us. We must have an educational program to match our times.

Mr. President, a majority of the Members of the Senate acted with foresight in approving the amendments to include Federal funds for aiding in the increase of teacher salaries. It is important that both school construction aid and salary assistance be embraced in this measure on which we will now vote. It is my belief that the bill, on its recognized merits, will pass this body.

Mr. CANNON. Mr. President, only recently the National Science Foundation's annual report deplored the alarming dearth of trained teachers, especially for secondary schools. It stated that there has been, on the whole, little accomplished toward the prime requisite of providing salaries that will enable the teaching profession to compete successfully with other careers. Other sources have been quoted by my colleagues that substantiate that statement and serve to accentuate the sad plight of our teachers in American society. We may well feel the consequences in the decade ahead by our refusal to improve the quality of those who will teach our children.

But we have now before us legislation which will give some assistance in the construction of schools and for teachers' salaries. We have heard many eloquent arguments from both sides of the aisle, expressing the need for Federal assistance to construction. Many areas are financially unable to provide adequate classrooms for children.

In the fall of 1959, the State of Nevada made a factfinding survey regarding the efficiency and economy of the public schools in my State. The survey team included in its recommendations an increase of the local mandatory tax of 70 cents per $100 of assessed valuation. But it is clear that property valuations—reflecting so little the true national income—cannot offer any real solution. The percentage population growth of Nevada during the past 10 years has led the country. Tremendous strides were made in classroom construction to keep up with that growth. But enrollments are continuously rising. Half day sessions are predicted again next year. Without assistance from the Federal Government, it is doubtful that my State and local tax capabilities can meet the demands. This situation is true of most States of the Union which are seeking to cope with increasing educational requirements and an increasing population.

Our children are entitled to an opportunity for as much education as we can afford. That means a full education, not a part-time, lagging school program. They will need intensive learning to meet the demands of the challenging years ahead of them.

Some persons worry about spending their children's and grandchildren's money. They say this should be condemned. What is more condemnable is that in our indifference we may deny our children and grandchildren the facilities which will fit them to meet the demands of their time. Our opponents are saying we cannot afford to prepare them to cope with the world of tomorrow. If we do not train our youth adequately now, we will be sending them unequipped to compete with the more highly skilled youths of another generation and perhaps of another country. This is the crime we would be committing by refusing to give them every assistance possible now.

I hope that we will pass the bill which is now before the Senate. It is not all that we desired, but it will be of great help to our educational system. It has taken a long time for this proposed legislation to reach this stage. We should not permit it to die in a welter of protracted debate. It is deeds, not words, that are now needed.

The PRESIDING OFFICER. The question——

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this ques-

tion the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina. On this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Massachusetts [Mr. KENNEDY], the Senators from Wyoming [Mr. McGEE and Mr. O'MAHONEY], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Oregon [Mr. NEUBERGER] are absent because of illness.

I further announce that the Senator from Florida [Mr. SMATHERS] is absent on official business attending the Latin American Trade Conference as chairman of the Latin American Subcommittee of the Senate Committee on Interstate and Foreign Commerce.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Wyoming would vote "yea."

I further announce that, if present and voting, the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. NEUBERGER], and Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is detained on official business. If present and voting, would vote "yea."

On this vote the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Wisconsin [Mr. WILEY]. If present and voting, the Senator from Colorado would vote "nay," and the Senator from Wisconsin would vote "yea."

The result was announced—yeas 51, nays 34, as follows:

YEAS—51

Aiken	Green	McNamara
Bartlett	Gruening	Magnuson
Bible	Hart	Mansfield
Byrd, W. Va.	Hartke	Martin
Cannon	Hayden	Monroney
Carroll	Hennings	Morse
Case, S. Dak.	Hill	Moss
Church	Humphrey	Mundt
Clark	Jackson	Muskie
Cooper	Javits	Pastore
Dodd	Johnson, Tex.	Proxmire
Douglas	Jordan	Randolph
Engle	Kefauver	Smith
Ervin	Kerr	Sparkman
Fong	Kuchel	Williams, N.J.
Fulbright	Long, Hawaii	Yarborough
Gore	McCarthy	Young, Ohio

NAYS—34

Beall	Ellender	Robertson
Bennett	Frear	Russell
Bridges	Goldwater	Saltonstall
Brunsdale	Hickenlooper	Schoeppel
Bush	Holland	Scott
Butler	Hruska	Stennis
Byrd, Va.	Keating	Talmadge
Carlson	Lausche	Thurmond
Cotton	Long, La.	Williams, Del.
Curtis	McClellan	Young, N. Dak.
Dirksen	Morton	
Dworshak	Prouty	

NOT VOTING—15

Allott	Eastland	Neuberger
Anderson	Johnston, S.C.	O'Mahoney
Capehart	Kennedy	Smathers
Case, N.J.	McGee	Symington
Chavez	Murray	Wiley

So the bill, S. 8, was passed.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended so as to read: "A bill to authorize Federal financial assistance for school construction and teachers' salaries."

ORDER FOR ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until Monday next at noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. JOHNSON of Texas. Mr. President, this is a very proud moment for the Senate. In 2 working days we have passed one of the most far reaching and most constructive pieces of proposed legislation in which it has been my privilege to participate since I have been a Member of this body.

I wish to commend the very constructive leadership of the able chairman of the Committee on Labor and Public Welfare, the distinguished Senator from Alabama [Mr. HILL]; the author of the bill, the chairman of the subcommittee, the distinguished Senator from Michigan [Mr. McNAMARA]; the very able Senator from Pennsylvania [Mr. CLARK], and the distinguished Senator from Oklahoma [Mr. MONRONEY], all of whom participated in providing the leadership which is necessary to pass such a bill through this body.

I think the Senate has proved that it is a body which can function and can transact business; a body which can pass constructive, far-reaching measures in a minimum of time. I am very proud to see the Senate act as it has in the past 2 days.

Mr. McNAMARA. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. McNAMARA. I have asked the Senator from Texas to yield so that I may thank him for his cooperation and excellent guidance during the handling of the school bill. Without such cooperation, I am sure the work could not have been done.

Mr. GOLDWATER. Mr. President, I wish I could agree with the majority leader that the Senate had one of its finest moments today, and that we have passed a good piece of legislation.

Frankly, I think it was one of the dark days in the Senate's history, when we have once again said to the people of the country that they must rely on the Federal Government.

I myself am ashamed of the action of the Senate today.

Mr. President——

The PRESIDING OFFICER. The Senator from Arizona.

CLOSING THE MISSILE GAP

Mr. GOLDWATER. Mr. President, it was my privilege a few days ago to attend a meeting of the Preparedness Subcommittee. While there, I heard Gen. Bernard Schriever, the head of the missile program, make the following statement, which I want to relay to the Senate:

General SCHRIEVER. I would like to take this opportunity to make a comment on the so-called missile gap, because there is a lot of confusion in the minds I think of the American people with respect to this particular matter.

We started in earnest on the long-range ballistic missile program in 1954. This was considerably after the Soviets had started on theirs.

I think that the idea that persists in this Nation that there is a missile mess is one that is definitely wrong, and it is doing an injustice to all the people, the scientists, the industry and the military here who have been responsible for getting us where we are today, and we are here today with an operational ICBM sooner than the experts thought we could be here.

We have established the necessary resources. In other words, the people responsible for getting us where we are today have done this job and they have done it well.

Now the matter of the missile gap is one of numbers, and as I have pointed out, those decisions have to be made at least 2 years in advance, and they are decisions that are not at the level that I have been sitting, so it is a numbers gap, and really not a missiles gap.

Mr. President, I supply this statement for my colleagues because politics has got into the missile program. I simply remind those who have made it a political matter that it was Harry Truman, the President of the United States, who in 1947 stopped all research on missiles. The missile program did not get under way again until 1954, under the Republican administration. We have that from the words of the general who is in charge of the program today.

TIGHT MONEY POLICY COSTS SCHOOLS AN ADDITIONAL $675 MILLION EACH YEAR

Mr. PROXMIRE. Mr. President, the Senate has just passed a $913 million school assistance bill. I was glad to vote for the bill. I would agree with the distinguished majority leader that it is a bright, not a dark, hour in the history of the Senate. I can think of nothing

which is more important, nothing which is more desperately needed, than assistance for American education in this year of challenge. Virtually a billion dollars of assistance is substantial, significant, and important.

Mr. President, I wonder how many Americans realize that the direct action of a Federal Government agency, the Federal Reserve Board, has cost our schools a full two-thirds of the value of the bill we just passed. I call the attention of the Senate to the cost of the tight money policy, and the cost, particularly, to education in America. First, I point out that between 1952 and 1960, interest rates have increased for school bonds and municipal bonds, according to Standard and Poor's index, from 2.19 percent in 1952 to 4.19 percent in 1960.

I have computed the cost of building a typical elementary school. I have checked with the Office of Education of the Department of Health, Education, and Welfare today, and they tell me that a typical elementary school today costs about $500,000.

I have computed the interest cost, first, at 2.19 percent, which was the cost in 1952, and then the cost in 1953, 1954, 1955, 1956, and so on, as the interest rate increased.

I determined that in 1952 the interest cost was $164,000 over a 30-year period. I did this by assuming the cost was amortized evenly, and computing the interest on the average diminishing balance. I think this is the conservative way to do it. On this basis the interest cost in 1960 had risen to $314,000. Mr. President, this is a shocking increase, for a typical $500,000 elementary school, of $150,000. In other words, the interest rate related to the construction cost of the school has gone up 30 percent. The total cost including interest and construction cost has gone up more than 22 percent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a table, designated as table I, which reflects the increase in interest cost for construction of a typical $500,000 elementary school in the last 8 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Increase in interest cost for construction of a typical $500,000 elementary school*

	Cost	Interest	Total cost	High-grade municipal bonds
1952	$500,000	$164,250	$664,250	2.19
1953	500,000	204,000	704,000	2.72
1954	500,000	167,750	667,750	2.37
1955	500,000	189,750	689,750	2.53
1956	500,000	219,750	719,750	2.93
1957	500,000	270,000	770,000	3.60
1958	500,000	257,000	757,000	3.56
1959	500,000	292,500	792,500	3.90
1960	500,000	314,250	814,250	4.19

Cost of tight money policy for this school: $150,000.

(The interest cost has been determined by taking the Standard & Poor's high-grade municipal bond rate from 1952 to 1959; by assuming that the construction would be financed for a typical 30-year period and the cost was amortized evenly during the period. Hence, interest is computed on the average diminishing balance.)

Mr. PROXMIRE. Mr. President, I have also computed the rise in interest cost for a typical high school. Again I checked with the Department of Health, Education, and Welfare. I am informed that a typical high school today would cost around $1 million.

Computing the cost in exactly the same way, I discovered that the interest cost for such a high school in 1952 would be $328,500 during the 30-year period. But today the interest cost is $628,500, an increase of $300,000. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table designated as table II.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE II.—*Increase in interest cost for construction of a typical $1,000,000 high school*

	Cost	Interest	Total cost	High-grade municipal bonds
1952	$1,000,000	$328,500	$1,328,500	2.19
1953	1,000,000	408,000	1,408,000	2.72
1954	1,000,000	355,500	1,355,500	2.37
1955	1,000,000	379,500	1,379,500	2.53
1956	1,000,000	439,500	1,439,500	2.93
1957	1,000,000	540,000	1,540,000	3.60
1958	1,000,000	534,000	1,534,000	3.56
1959	1,000,000	585,000	1,585,000	3.90
1960	1,000,000	628,500	1,628,500	4.19

Cost of tight money policy for this school: $300,000.

(The interest cost has been determined by taking the Standard & Poor's high-grade municipal bond rate from 1952 to 1959; by assuming that the construction would be financed for a typical 30-year period and the cost was amortized evenly during the period. Hence, interest is computed on the average diminishing balance.)

Mr. PROXMIRE. Mr. President, many persons will say that the increase in the interest rates is not the responsibility of any individual, of any group, or of any Government agency; it is simply something which has happened in our economy.

Mr. President, this is not the case. I point out that the interest rate is a direct function of the relationship between the money supply and the gross national product. This is well known and is widely accepted by economists. I will show tonight how very close this relationship has been. As the money supply is increased by the Federal Reserve Board, the gross national product remaining constant, the interest rate falls. As the Federal Reserve Board fails to increase the money supply in relationship to the gross national product, or reduces the money supply, the interest rate goes up.

In order to determine the exact relationship, I have computed the money supply between 1952 and the present—1960; the gross national product during this same period; and the percentage the money supply constitutes of the gross national product.

Mr. President, at this point I ask unanimous consent that the table labeled III be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE III.—*Federal Reserve Board increases cost of school borrowing by reducing the money supply in relation to the gross national product*

Year	Money supply (demand deposits and currency) [1]	Gross national product [2]	Money supply as percent of gross national product	High-grade municipal bonds [3]
1952	129.0	347.0	37.0	2.19
1953	130.5	365.4	36.0	2.72
1954	134.4	363.1	37.0	2.37
1955	138.2	397.5	34.0	2.53
1956	139.7	419.2	33.0	2.93
1957	138.6	442.5	31.5	3.60
1958	144.2	441.7	32.7	3.56
1959	140.0	480.0	29.0	3.90
Current	[4] 140.0	[4] 500.0	[4] 28.0	4.19

[1] Source: Board of Governors, Federal Reserve System.
[2] Source: Department of Commerce.
[3] Source: Standard & Poor's.
[4] Estimated.

Mr. PROXMIRE. Then I have computed, in the same table, the level of high-grade municipal bonds.

I find, as this table shows—and this is very interesting and very revealing—that if we take the relationship between the money supply and the gross national product, and express it as a percentage, we find that as the Federal Reserve Board contracts the money supply or as it fails to keep pace with the gross national product, the interest rate for school bonds and municipal bonds rises, and rises every single year in which this takes place. When the Fed expands the money supply faster than the gross national product school bond interest rates fall.

I shall go into a little detail, because I think this point is most important.

Between 1952 and 1953 the money supply was held almost constant by the Federal Reserve System. It increased only $1.5 billion—from $129 billion to $130,500 million. During the same year the gross national product increased by approximately $18 billion. The result was that the money supply, as a percentage of the gross national product, dropped; so the inevitable happened, interest rates for schools rose from 2.19 percent to 2.72 percent—a very sharp increase.

Between 1953 and 1954 we suffered a recession. The Federal Reserve Board increased the money supply from $130,500 million to $134,400 million. The gross national product dropped that year because we were suffering a recession. As a result, this time the money supply expanded in relationship to the gross national product. The ratio rose. What happened? Exactly as expected, the interest rate dropped.

Now, I say the interest rate dropped as a result of the deliberate, planned, calculated action of the Federal Reserve Board. The school bond rate was the direct reflection of what the Federal Reserve Board was doing.

In 1955 the money supply again was increased by the Federal Reserve Board, but was increased by less than $4 billion, at the same time that the gross national product increased by approximately $34 billion. The result was that the money

supply did not keep pace with the increase in the gross national product, the ratio dropped, and the interest cost of schools for their money rose to 2.53 percent.

In 1956 the same thing happened. The money supply was increased very little, the gross national product increased very sharply, the ratio dropped, and interest cost to schools again increased—and they increased very sharply, in fact, to 2.93 percent. In 1957 the Federal Reserve Board actually reduced the money supply. At the same time the gross national product was increasing sharply; and, as a result, we had one of our very sharpest decreases in the relationship between the money supply and the gross national product. In fact the ratio dropped from 33 percent down to 31.5 percent. As a result, school bond costs increased very, very sharply. As a matter of fact, interest on municipal bonds increased from 2.93 percent to 3.60 percent—by far the greatest increase during this 8-year period.

So the deliberate, direct, calculated action of the Federal Reserve Board had the effect of greatly increasing the cost of school bonds throughout this country.

Nineteen hundred and fifty-eight was another recession year; and during that year the gross national product diminished. The Federal Reserve Board, recognizing that it was a recession year, expanded the money supply. As a matter of fact, the Board increased it very heavily—from $138,600 million to $144,200 million. The result was that the interest rates on school bonds reacted precisely as we would expect. It dropped from 3.60 percent to 3.56 percent.

Last year the Federal Reserve Board reduced the money supply sharply. They took $4 billion of money out of circulation. And last year the gross national product increased very sharply—nearly $40 billion. The result was that the ratio between the money supply and the gross national product dropped to the lowest level in 30 years; it dropped to as low a level as it had reached when Andrew Mellon was Secretary of the Treasury; it dropped to 29 percent. Interest rates increased to their highest level in 30 years; interest rates on school bonds rose to a punishing 3.90 percent.

This trend, which was established last year, is continuing. Today the money supply is about at the same level as it was on the average last year. The gross national product, however, continues to move ahead. The best estimates are that it has risen to $500 billion. As a result, the money supply, as a percentage of the gross national product, has gone down again. The squeeze is tighter than ever; and this time the cost of money to schools has increased to a whopping 4.19 percent.

I submit that this steady, regular rising increase in the cost of money to our schools is the direct result of the policy of the Federal Reserve Board. The fact is that whenever the Board expanded the money supply faster than the increase in the gross national product, the cost of money to the schools dropped. That happened in 2 years of the past 8 years. Whenever the Federal Reserve Board failed to expand the money supply as the gross national product increased, interest rates increased and the cost to our schools rose. There has not been one exception in any year for which I have had a chance to examine the figures.

It seems to me that on the basis of this evidence we can say that the Federal Reserve Board is directly responsible for the level of the cost of our school bonds. If the Federal Reserve Board is not responsible, and if that is not the direct result, I would like to debate any Senator who contradicts this any time.

Now I come to my final point. And Mr. President, I ask unanimous consent that the table I have labeled "table IV" be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV

Year	Money supply as percent of gross national product	Yearly increase in total school construction cost caused by interest rate increase as computed from table II	Increase over 1952
	Percent	*Percent*	*Percent*
1952	37.0		
1953	36.0	+5.9	+5.9
1954	37.0	−3.1	+1.2
1955	34.0	+1.8	+3.8
1956	33.0	+4.3	+8.4
1957	31.5	+7.0	+15.9
1958	32.7	−.4	+15.5
1959	29.0	+3.3	+19.3
Current	28.0	+2.6	+22.5

	Billion
Total public school construction cost	[1] $2.8
Total private school	[2] .2
Total	3.0

[1] Source: Senate Labor and Public Welfare Committee.
[2] Conservative estimate.

Since rise in interest rates has by itself increased school construction cost by 22.5 percent over 1952, the cost of hard money to American schools has been at least $675,000,000.

Mr. PROXMIRE. Mr. President, the fact is that since 1952, the Federal Reserve Board has contracted the money supply, as a percentage of the gross national product, from 37 percent in 1952 to 28 percent at the present time. As a result, we have had an increase in the total school-construction costs—caused exclusively and entirely by the interest rate increase—of 22.5 percent during this period.

I checked with the staff of the Committee on Labor and Public Welfare, who told me that last year there was $2,800 million of public-school construction, and the staff estimates there was a minimum of at least $200 million of private-school construction, and probably much more. If we add the two, we arrive at a total of $3 billion of school construction last year. The fact is that to finance this $3 billion of school building cost a huge $675 million more last year because of the direct, deliberate, calculated, planned action of the Federal Reserve Board than it would have if the Federal Reserve Board had followed a policy of maintaining a constant relationship between the money supply and the gross national product.

I am not going to charge that the Federal Reserve Board should have maintained an absolutely constant relationship. I frankly don't think they should. I believe they should have followed an orthodox position of neutrality. Instead of artificially restraining the money supply and shoving up interest cost, they should have permitted a free play of market forces. I think it a fair conclusion that the policies of the Federal Reserve Board have resulted, not in just somewhat higher costs of school construction, but—as I have documented them here—in a $675 million increased cost to our school districts in constructing their schools. This is a cost that wipes out two-thirds of the benefit of the bill we have just passed. Now I know I will be accused of favoring a huge expansion of the money supply. I do not. I simply call on the Federal Reserve Board to recognize when they tighten the money supply that they are imposing an immense burden on school construction and education in America.

I shall conclude this presentation by pointing out to the Senate that not a single dollar of that $675 million of additional costs, that 22 percent increase in costs, went to any workingman; not one penny of it went in higher construction wages, or in profits to any of the school building contractors, who are generally small business people. Every penny of it went to the money lenders, and came from the property taxes of hard pressed local citizens.

GOLDEN ANNIVERSARY OF THE FOREST PRODUCTS LABORATORY

Mr. PROXMIRE. Mr. President, this year marks the 50th anniversary of the establishment of our National Forest Products Laboratory at Madison, Wis. We in Wisconsin are indeed proud and fortunate to have this world-famed laboratory on the campus of our State university.

The steps of this world-renowned laboratory are well worn by the tread of thousands of visitors from most of the countries of the world, as well as from our own United States. Each year, three to four thousand consulting visitors, and an additional six or seven thousand people with a general interest in forest products, visit this institution.

I visited the Laboratory recently, and observed a ball on the reception desk from which 16 foreign flags were flying. This is a custom of the Lab—to indicate to foreign visitors that other people from their country are present or expected that day.

It was on June 4, 1910, when the doors of the first Forest Products Laboratory were officially opened. This was the first place in the world where a team of outstanding scientists had been assembled to attack the mysteries of wood. Since that time many other countries have followed its example. A large number of key personnel of foreign laboratories have been trained at our own Forest Products Laboratory. Still today, as through the past half-century, lines of communication between all of the forest products laboratories of the world lead to Madison, where the father

of all still acts in a coordinating capacity.

What led to the establishment of this internationally famous Laboratory? Before 1910, several universities and colleges in the country were working on a small scale, without coordination, on problems such as wood anatomy, wood strength, wood preservation, and the like. The pioneers of the U.S. Forest Service listened to the pleas of McGarvey Cline and other leaders in the field for a complete research team centralized in one location. After exploring advantages and offers of other universities, the Forest Service accepted the offer of the University of Wisconsin to provide a new building and other facilities. McGarvey Cline was the first Director. He is still living in Florida and hopes to attend the Laboratory's golden anniversary celebration in June of this year.

The history of the Laboratory has been one of magnificent achievement in peace and in war. The Laboratory opened with 45 people in 1910. Its peak activity occurred in World War II, when 700 people were employed. At present the staff is composed of some 400 scientists and supporting personnel.

The Laboratory's effort in the World War I era was woven around the development and improvement of aircraft, in which wood played an important part.

A pioneer in this work was Harry Tiemann, who was honored for his contributions at a recent national meeting of the Forest Products Research Society in Madison. One scientist at that meeting summarized the importance of his contributions in World War I by saying that, "In those days Harry Tiemann was the equivalent of a nuclear scientist of today."

The Forest Products Laboratory's accomplishments in the years between the World Wars include these:

First. Development of a type of dry kiln, patented in the name of the Government, which is the basis of over 90 percent of industrial kilns in use today. The estimated investment in modern dry kiln equipment is at least $600 million and the gross value of products seasoned annually is over $1.5 billion.

Second. Establishment of basic strength information on wood which permits engineers to design better bridges, schools, churches, factories, and homes with less lumber at lower cost.

Third. Development and improvement of pulping processes which now permit use of southern pines, Douglas-fir, and hardwoods, in addition to traditional woods such as spruce, for pulp products. It is interesting to note that approximately 20 percent of our pulp production last year was from hardwoods, largely by use of the semichemical process developed by the Laboratory over 25 years ago.

Fourth. The development of much basic information on anatomy, chemical composition, and physical properties of wood and bark which set the stage for later advances.

In World War II the Laboratory was called on again to postpone long-range research and devote its efforts to solving immediate problems. Wartime accomplishments include:

First. Development of a scientific approach to packaging of war material which made it possible to carry in four Liberty ships a quantity of urgently needed supplies that would have required five ships if packaged by less scientific methods. This war material reached its destination in far better shape for use. During this period thousands of packaging experts were trained at the Laboratory.

Second. Perfection of methods and technology of "stressed-skin" construction—sometimes called sandwich construction. As Senators may know, the "Mosquito" bombers were made of members using birch veneer faces on a balsa sandwich core.

Third. Development of design factors for laminated structural members such as those needed for keels and ribs of nonmagnetic minesweepers and other craft.

Fourth. Improvement of the German Scholler process for manufacturing alcohol and high-protein yeast from wood waste. The Laboratory developed a continuous process which permitted higher recovery than the batch Scholler process.

Fifth. Formulation of guidelines for selection of wood for industrial purposes, since substitutes for commonly used, but scarce, woods were needed.

Much of the work in the World War II era led to commercial uses later. For instance:

The stressed-skin principle of the Mosquito bomber was applied to prefabricated home construction. At present, about 10 percent of all homes started in this country are prefabricated.

The techniques, glues, and design factors developed for aircraft and ship and ship construction have been extended to the glue-laminating industry, which now has an output of over $20 million per year.

The engineering principles of scientific box and crate construction are now being applied to packaging of industrial and agricultural products. The cost of such packaging approaches $10 billion per year.

Since World War II the Forest Products Laboratory has continued its tradition of progress and discovery. Recent accomplishments include:

First. Information developed on toxicity of chlorinated phenols which has led to the establishment of a multi-million-dollar industry based on manufacture and use of these chemicals to protect wood.

Second. Findings on causes of paint deterioration on wood surfaces have led to the development of better paints and finishes which have made possible considerable savings for house owners.

Third. Studies of the effect of intumescent coatings in retarding spread of fire which have extended new uses of wood in important areas.

Fourth. Assistance for the veneer and plywood industries in establishing new techniques and commercial standards.

Fifth. Various ways have been developed to improve dimensional stability of wood. One product, now used in making die models in the automotive industry is reported to save manufacturers many millions each year.

What does the future hold? The present program covers the following broad categories:

First. Wood quality: Better knowledge of wood quality in standing timber will enable more exact appraisal of value, and form a basis for quality control in manufacture. Logs can be selected for highest potential use; outstanding trees can be selected for breeding of superior trees. All this means better returns for the timber owner—public or private—and for forest-based industries.

Second. Solid wood products: Better glues and gluing techniques; better and less wasteful methods of producing lumber and veneers; composite products of wood with plastics, paper, and metals: and improved boards made of wood particles will make possible more profitable new industries.

Third. Physics and engineering applications: Better knowledge of physical and engineering properties of wood will permit more economical use, and will lead to radically new structural systems and stressed-shelf types of construction for homes and other buildings. Some Senators have seen the hyperbolic-paraboloid structure at the Oregon Centennial Exhibition in Portland, Oreg. This is one example of what can be done with stressed shapes.

Fourth. Pulp, paper, and chemical products: Only the surface has been scratched as far as pulp and chemical products from wood are concerned. This is of tremendous importance since new uses permit better forest management by providing a market for thinnings and low-quality trees. Already, laboratory chemistry has provided knowledge of chemical reactions which show great promise. There remains the costly pilot plant development of commercial processes. For example, the present commercial source of supply for one of the main ingredients of nylon—furfural—is considered inadequate for future demand. Commercial production of furfural and other important chemicals from wood has been shown to be technically feasible.

The history of accomplishments and a brief look into the future truly excites one's imagination for the future of timber as a raw material. These developments will provide more jobs, expand the tax base, and give a better living for us all. It offers hope for new economic life for presently depressed areas such as the northern part of my own State of Wisconsin. The staff of the Forest Products Laboratory will welcome all to the formal celebration of the Laboratory's golden jubilee on June 2, 3, and 4, of this year.

I hope as many members of this body as possible will take the first opportunity to visit the Laboratory personally. I can assure that they will meet a devoted, hard-working, and dedicated group of scientists and supporting personnel. They would consider it a privilege to tell Senators of their work and their aspirations, and I am confident

they would find a visit to the Forest Products Laboratory a thrilling and enlightening experience.

NATIONAL PEACE AGENCY ACT

Mr. HUMPHREY. Mr. President, I introduce a bill which has as its purpose the creating and prescribing of the functions of a National Peace Agency.

The bill is a companion measure, at least in its general purpose, to a similar bill introduced in the House of Representatives, H.R. 9305.

The purpose of this particular measure is to deal with problems related to achieving peace through arms limitation agreements, to developing international control and inspection systems to enforce such agreements, and to applying scientific and technical resources to promote peace by eliminating or reducing the economic causes of war.

Mr. President, the test ban negotiations which are being conducted in Geneva are a test of the willingness of the nuclear powers to take practical steps toward the avowed goal of total disarmament. Progress has been made toward a test ban agreement, but there have also been some setbacks. Our negotiations and indeed our Nation are challenged to show great patience and preparation in the face of technical, military, and political obstacles in the path of agreement. The outcome of the Geneva test ban negotiations will, in large part, determine whether meaningful progress can be made in outlawing weapons of mass destruction without jeopardizing the national security of any nation.

The test ban negotiations, I believe, have at least a better than an even chance of being successful. We have pursued lesser goals under greater odds. One of the great problems impeding progress now is the matter of developing appropriate control measures to safeguard an agreement by insuring that violations are detected. It is this crucial matter of technical controls that I wish to discuss at this time, Mr. President.

Today I introduce a bill to create a National Peace Agency to conduct studies and research first, for the development of international control and inspection systems to accompany specific disarmament or arms control agreements and second, to promote peace and freedom by eliminating or reducing the economic and social causes of war. Such an agency, in effect, would be a peace agency in that it would deal with problems related to achieving peace through arms limitation agreements and through the development of the necessary control and inspection systems to enforce such agreements. Also it would provide for research and development to solve the problems of underdeveloped nations in such areas as food production, conservation of mineral and water resources, medicine and health, and education.

It is firm U.S. policy that all agreements for the reduction of armaments must include measures for controls. I concur in this policy wholeheartedly. Without such measures, agreements are likely to be worth less than the paper on which they are written.

Much time and serious consideration have been devoted to the technical difficulties in detecting and identifying nuclear tests. Sufficient control apparatus is available to reliably detect aerial, surface, and underwater explosions, but there is still room for much improvement. One of the greatest technical difficulties at this time is in establishing adequate control apparatus to detect underground explosions. More research is needed.

During the summer of 1958, the Western delegation met with the delegation of the Soviet bloc countries at the Geneva conference of experts to study the methods of detecting violations of a possible agreement on the suspension of nuclear tests. The experts concluded that with the technology and instruments existing at that time, 90 percent of the earthquakes equivalent to a nuclear explosion of five kilotons or greater could be identified, but that the identification of the remaining 10 percent would be doubtful. The negotiators proceeded to draft a treaty based on these findings.

Mr. President, the conclusions of this conference of experts have been discussed by me and other Members of the Senate at some length, and I shall not deal with them in detail here.

In January of last year the United States presented new data on the detection and identification of underground explosions to the effect that it is more difficult to identify such explosions than was previously believed. The Soviets rejected this new data. They refused to give objective consideration to it. The effect of the Soviet action was to bog down the negotiations on the matter of technical controls. If allowed to continue, the disagreement between the United States and Soviet scientists could scuttle chances for reaching an agreement.

One positive effect of the new data has been to prompt further research and study on detection methods. Already new methods have been developed, and there are promising techniques for further improvements. It is certain that improvements can be made so that the risk to the United States of entering into a test ban agreement will not be significantly increased.

I should like to say a few words, Mr. President, about the matter of risks. The fact that a 100 percent foolproof detection system has not been devised is being held up by some as a great bugaboo to nullify sincere efforts to achieve an adequately controlled treaty. Those who are skeptical about the degree of perfection in a control system refuse to recognize the fact that the risks involved in a less than perfect control system are not so great as the risks involved in standing idly by and allowing the negotiations to collapse. As President Eisenhower pointed out recently, even the most carefully elaborated disarmament agreements are likely to entail some risks of evasion, "but one must ponder, in reaching decisions on the very complex and difficult subject of arms control, the enormous risks entailed if reasonable steps are not taken to curb the international competition in armaments and to move effectively in the direction of disarmament."

We must recognize that no system can be made absolutely perfect or foolproof. But knowing that perfection is not attainable does not mean that we would be relying on good faith in any test ban agreement. We are attempting to construct a control system that will deter a violator because he can never be sure that he will not get caught. This is the principle of deterrence. In other words, Mr. President, we must neither belittle the new scientific data nor conclude rashly that an effective control system is impossible. We must make whatever improvements are deemed feasible and warranted to set up an effective control system. Our Government is doing the best it can, under the handicap of working on a limited basis, to effect the necessary improvements.

At present, research on control systems is being conducted under the auspices of the AEC, the Department of Defense, and the President's Science Advisory Committee. It is important to note, that, although we have placed great emphasis on the matter of controls, none of these agencies is concerned primarily with developing control systems. This is indicative of the kind of temporary and ofttimes makeshift preparations which I have often scored on the floor of the Senate. Mr. President, as long as I have been associated with the disarmament problems—back to 1955—the United States has not once entered negotiations adequately prepared. At this time, existing governmental machinery for the development of technology for peace is sorely inadequate.

In the military field, we have geared ourselves to keep pace with the rapid advance of technology. Technological and scientific progress in the past two decades have prompted a complete revolution of the nature of warfare and of the instruments and methods of war. To equal the challenge of this—the age of space and pentomic warfare—we are spending almost two-thirds of our annual national budget on defense, and a very significant portion of this amount is for research, test, evaluation, and development of newer and better facilities for destruction. This drive of the great powers of the world to keep pace with technological innovations in the military sphere is a key reason for the present armaments stalemate, for the international unrest, and, what is more, for the need to exert greater technical and scientific efforts for peace.

Mr. President, this is why I am today proposing an agency to marshall the scientific talent of our country, to draw upon its technical resources, and to make greater strides toward the development of an effective and workable world security system. The agency I am proposing would operate just as existing independent agencies in reporting directly to the President. Due to the nature of its work, it will work very closely with the Department of State, the Department of Defense, the Atomic Energy Commission, and other agencies.

As I pointed out earlier, the basic objectives of this agency will be to deal with problems related to achieving peace through arms limitation agreements, to developing international control and inspection systems. In general, its goal would be to open the way to disarmament agreements through the development of means and methods of safeguarding such agreements.

Briefly, Mr. President, I would like to review just what it is that the United States is seeking in the area of disarmament or arms control so that as I list the kinds of programs this new agency would undertake, it will be clear that the work of the Agency would be to implement the goals which we have already declared. Our disarmament goals consist of the following points: First, discontinuance of nuclear weapons tests; second, prevention of surprise attack; third, prohibition of fissionable material production for weapons purposes; fourth, transfer of fissionable material from weapons to peaceful purposes; fifth, reduction of armed forces; sixth, transfer of selected armaments to international depots; seventh, prohibition of the transfer of nuclear weapons to other countries; eighth, establishment of a committee to study ways to insure that objects sent into outer space will be used exclusively for peaceful and scientific purposes; and ninth, the grant of authority to an international agency to study the control of the export and importation of armaments.

The National Peace Agency which I am proposing would undertake programs for research and development relating to overall problems of disarmament, arms limitations, and inspection and control systems. More specifically, it would conduct programs for the development of systems for monitoring nuclear tests, for monitoring, detecting, and identifying missile and satellite tests, and for the development of techniques for aerial reconnaissance inspections.

It would develop new analytic organizations to generate new ideas and concepts applicable to systems and techniques for arms limitation, and to conduct general disarmament studies.

Furthermore, Mr. President, this agency would undertake programs for the support of studies and research on such projects as the following: First, techniques for limiting the use of space for military purposes; second, techniques associated with communications systems for inspection purposes; third, techniques relating to conventional armament inspection and detection systems; fourth, inspection techniques involved in limited warfare situations; fifth, surprise attack detection systems; sixth, monitoring techniques appropriate to the submarine problem; seventh, legal aspects of national sovereignty extended to the space domain and freedom of the seas, insofar as they contribute to the possibility of war; eighth, analyses of the effects of disarmament agreements upon national economies; and ninth, scientific and technical problems which contribute to the possibility of war.

From the outline I have just given, I think it is clear that this agency would be working within the context of the disarmament proposals which we have put forward. Its sole purpose would be to further studies and research for the development of the necessary safeguards against violations of any arms control agreement in which we might take part. It is time that our efforts along this line take on the characteristics of permanency and all-out dedication. Our thinking must be grounded in the best technological and scientific knowledge available. This is the only way we can negotiate effectively with the Soviets.

Mr. President, this is the kind of effort I had in mind when I rose on this floor and in various committees to urge the passage of an appropriation to permit the Departments of State and Defense to jointly contract for special foreign policy studies relating to disarmament, weapons control, and possible technical means for reduction of arms agreement.

I believe that this is the kind of effort Dr. James R. Killian, the President's former adviser for science and technology, had in mind last July when he stressed the need for more research on the requirements for acceptable arms limitations arrangements. He said:

> In the Geneva conference on nuclear test cessation and prevention of surprise attack, we have seen that scientific and technological considerations have an important bearing on possible international agreements in these areas. Without detracting from our national ability and alertness to keep ahead in military technology, we should seek to explore every promising opportunity to apply science and technology to the solution of the complex military and political problems associated with arms limitations.

I believe that this is the kind of effort the Disarmament Subcommittee had in mind when it reported unanimously:

> The subcommittee is struck by the disparity in the effort the world is putting into thought and action for controlling and reducing armaments and the effort going into the development, fabrication, and buildup of armaments. It strongly urges the executive branch to remedy this situation.

I believe that such an agency could realize the recommendations of the Berkner Panel, which pointed out the advancement of the Soviet Union in seismic research and recommended improvements in detection and identification instruments.

Mr. President, I prize very highly our system of government, including the use of the minimum number of Federal agencies for conducting the Nation's business. I feel very strongly that the proliferation of Federal agencies and offices could seriously impair our national ability to conduct forthrightly and promptly the affairs of Government. On the other hand, I consider it a sad reflection on the Nation to make ad hoc arrangements in such a vital area as disarmament. I have thought this matter over for some time and quite thoroughly. Were it possible to use some existing Federal facility for conducting studies and research for the development of control systems, I would recommend its use. No such facility is available. As I pointed out earlier, the Government is doing the best it can under present arrangements.

Present governmental machinery for international arms control agreements consists of the following: an ambassador and a small staff presently assigned to the Geneva test ban negotiations; Office of the Special Assistant for Arms Limitation in the Department of State, including about 20 staff members; a section in the Office of the Secretary of Defense known as the Office for International Security Affairs, consisting of a small staff of professionals with part-time assistance from experts from the three military services, and the temporary Joint Disarmament Study, recently appointed by the President. The study group consisting of about 18 persons, is assisted from time to time by the staff of the Special Assistant to the President for Science and Technology.

Although I will be the first to commend all of these persons for their outstanding efforts, I do not think this kind of here-there-and-everywhere arrangement is capable of producing the kind of results we need. Considering all Government efforts, including its extra-governmental assistance, in the area of arms control, the total machinery boils down to a small number of part-time workers, and a handful of experts working on a full-time basis. This is why I conclude, Mr. President, that we have no single, special agency to explore and pursue the technical problems of arms control and the paths to peace.

In view of the fact that we are a peace-loving nation and in view of the fact that we are perhaps closer to making real progress in the elimination of weapons of mass destruction than at any time before, I think it is time to make a full-time, coordinated all-out effort for arms control.

Peace is indeed the hope of the world. If solid blocks are not laid now to curb the arms race, our task will become increasingly more difficult and our goal increasingly more elusive.

Therefore, Mr. President, I propose that we make a dramatic show of our good faith and sincerity in establishing a special agency to deal with the difficult technical problems of arms control and obstacles to our quest for a just and lasting peace. I urge my colleagues to give serious consideration to my proposal, and I solicit their support and suggestions.

From time to time, after the introduction of this bill, it is my intention to direct my remarks to certain features of the bill. This is a very comprehensive measure. My colleagues will recall that the Democratic Advisory Council made a proposal along these lines. The proposal of the Democratic Advisory Council is very comprehensive and all-embracing. I believe it merits sincere and serious consideration in the Congress.

I introduced this particular proposal because of the need for emphasis on peace by this Government—not peace as a byproduct of defense or as a byproduct of the State Department, but, rather, as a concerted, determined effort by the Government of the United States to dramatize our sincere dedication to the cause of a just and enduring peace.

I note the presence of the distinguished Senator from West Virginia [Mr. RAN-

DOLPH], who, some time ago, addressed himself to this very subject and gave one of the most inspiring and at the same time one of the most informative addresses I have heard on the subject of a national policy directed toward the attainment of peace with justice and freedom.

Mr. President, none of us has a monopoly on these matters. The best we can do is make a sincere approach and a concentrated effort. My efforts, late as they are being made tonight, have for their purpose the placing before the Senate of this particular proposal, seeking suggestions, seeking amendments, seeking alterations that might improve the bill.

From time to time, as I have indicated, I shall offer suggestions in the form of addresses before the Senate or some other place in our country, where we can promote public attention and a sincere consideration of this vital proposition.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2989) to create and prescribe the functions of a National Peace Agency, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Foreign Relations, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Peace Agency Act".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to deal with problems related to achieving peace through arms limitation agreements, to developing international control and inspection systems to enforce such agreements, and to applying scientific and technical resources to promote peace by eliminating or reducing the economic causes of war.

CREATION AND FUNCTIONS OF NATIONAL PEACE AGENCY

SEC. 3. There is hereby established the National Peace Agency (hereinafter called the "Agency"). The Agency shall undertake programs to carry out the purpose of this Act, including, among others, programs—

(1) for research and development bearing upon the science and technology of nuclear test monitoring,

(2) for design, engineering and testing of experimental systems for monitoring nuclear tests,

(3) for research and development relating to systems and instruments for detecting and identifying missile and satellite tests,

(4) for design, engineering and testing of experimental systems for monitoring missile and satellite tests,

(5) for development and testing of satellites for monitoring nuclear tests in cosmic space,

(6) for research and development in the techniques of aerial reconnaissance inspection,

(7) for research and development relating to overall problems of disarmament, arms limitations, and inspection and control systems.

(8) for development and application of communications and advanced computer techniques for analyzing the problems involved in inspection of national budgets and economic indicators as they bear upon disarmament inspection systems.

(9) for development of new analytic organizations to—

(A) apply the techniques of operations research to peace problems in the same way that "war gaming" is conducted for the military problems,

(B) generate new ideas and concepts applicable to systems and techniques for arms limitation,

(C) conduct general disarmament studies.

(10) for support of studies and research on projects such as—

(A) techniques for limiting the use of space for military purposes,

(B) techniques associated with communications systems for inspection purposes,

(C) techniques relating to conventional armament inspection and detection systems,

(D) inspection techniques involved in limited warfare situations,

(E) surprise attack detection systems,

(F) monitoring techniques appropriate to the submarine problem,

(G) legal aspects of national sovereignty extended to the space domain and freedom of the seas, insofar as they contribute to the possibility of war,

(H) analyses of the effects of disarmament agreements upon national economies, and

(I) scientific and technical problems which contribute to the possibility of war.

(11) to investigate on a continuing basis the broad aspects of the effects of radiation upon man,

(12) for research on educational techniques aimed at rendering underdeveloped nations less technologically dependent,

(13) for research and development on problems of underdeveloped nations insofar as they contribute to international instability and tensions in such areas as food production, conservation of mineral and water resources (including desalination of sea and brackish water), practical power-generating systems and medicine and health.

LABORATORY FOR PEACE

SEC. 4. The Director of the Agency shall establish in the Agency a Laboratory for Peace through which the Agency shall develop and administer its research and study programs. In carrying on such programs the Agency shall enter into contracts with educational and research institutions within the United States and abroad with a view to obtaining the benefits of scientific and intellectual resources, wherever located in the world.

RELATIONSHIP WITH OTHER AGENCIES

SEC. 5. The President shall establish procedure designed to insure that the Agency will carry out its functions in close collaboration with the other agencies of the Government, but without duplicating the efforts of any such agency. Such procedures shall also provide that information available to other agencies will be made available to the National Peace Agency, and shall prescribe other means by which other agencies of the Government may support the efforts of the National Peace Agency.

DIRECTOR AND DEPUTY DIRECTOR OF THE AGENCY

SEC. 6. (a) The Agency shall be headed by a Director, who shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of $22,500 per annum. Under the supervision and direction of the President, the Director shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, and shall have authority and control over all personnel and activities thereof.

(b) There shall be in the Agency a Deputy Director, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate of $21,500 per annum, and shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during his absence or disability.

ADMINISTRATION

SEC. 7. (a) In the performance of its functions the Agency is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of its operations and the exercise of the powers vested in it by law;

(2) to appoint and fix the compensation of such officers and employees as may be necessary to carry out such functions. Such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1949;

(3) to accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible;

(4) without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the purpose of this Act, such contracts, leases, agreements, and other transactions shall be allocated by the Director in a manner which will enable small business concerns to participate equitably and proportionately in the conduct of the work of the Agency;

(5) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities. Each department and agency of the Federal Government shall cooperate fully with the Agency in making its services, equipment, personnel, and facilities available to the Agency, and any such department or agency is authorized, notwithstanding any other provision of law, to transfer to or to receive from the Agency, without reimbursement, supplies and equipment other than administrative supplies or equipment;

(6) to appoint such advisory committees as may be appropriate for purposes of consultation and advice to the Agency in the performance of its functions;

(7) to establish within the Agency such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this Act with related activities being carried on by other public and private agencies and organizations;

(8) when determined by the Director to be necessary, and subject to such security investigations as he may determine to be appropriate, to employ aliens without regard to statutory provisions prohibiting payment of compensation to aliens;

(9) to employ retired commissioned officers of the Armed Forces of the United States and compensate them at the rate established for the positions occupied by them within the administration, subject only to the limitations in pay set forth in section 212 of the Act of June 30, 1932, as amended (5 U.S.C. 59a); and

(10) with the approval of the President, to enter into cooperative agreements under

which members of Army, Navy, Air Force, and Marine Corps may be detailed by the appropriate Secretary for services in the performance of functions under this Act to the same extent as that to which they might be lawfully assigned in the Department of Defense.

INFORMATION AND SECURITY

SEC. 8. In order to promote the free flow and exchange of new ideas and concepts in the new technology of peace research and development, the Agency shall, so far as possible, have all research efforts of the Agency performed in subject matter not requiring classification for security purposes. Nothing in this Act shall be deemed to change or modify security procedures or to exempt personnel of the Agency from being required to obtain security clearance before obtaining classified information.

STRENGTHENING THE WORLD COURT

Mr. HUMPHREY. Mr. President, it is indeed heartening to note the increasing support for my resolution to repeal the self-judging reserve clause contained in our acceptance of jurisdiction of the International Court of Justice.

One of the West's most distinguished journals, the San Francisco Chronicle, has published a lead editorial giving strong support to repeal of this provision. I particularly want to underline one brief section of this thoughtful editorial:

This veto power puts the United States in the odd position of acting as its own judge in various cases submitted to the World Court. This obviously weakens the Court's power and diminishes its stature. It likewise opens to doubt and question the sincerity of U.S. affirmations in behalf of international law. * * * The reservation is superfluous and worse than useless in that it is serving both the Nation and the cause of international justice extremely ill.

Mr. President, I ask unanimous consent that this editorial from the San Francisco Chronicle of January 28 be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GO THE WHOLE WAY INTO WORLD COURT

Secretary of State Herter and Attorney General Rogers appeared before the Senate Foreign Relations Committee yesterday to open the administration fight for repeal of the so-called Connally amendment—an unfortunate reservation that throws a long shadow over this Nation's advocacy of the rule of law in international affairs.

The amendment was put forward by the late Senator Tom Connally, of Texas, in 1946 when the United States accepted the jurisdiction of the International Court of Justice, then newly set up by the United Nations. It reserved to the United States the right to decide for itself whether a matter lies within domestic jurisdiction and beyond that of the World Court.

As President Eisenhower has noted in twice urging its repeal, this veto power puts the United States in the odd position of acting as its own judge in various cases submitted to the World Court. This obviously weakens the court's power and diminishes its stature. It likewise opens to doubt and question the sincerity of U.S. affirmations in behalf of international law.

In testifying yesterday, both administration spokesmen observed that repeal of the reservation would greatly enhance U.S. prestige. Secretary Herter added that the reservation is utterly inconsistent with American policy for the settlement of international disputes and constitutes an untenable restriction on our participation in the World Court.

Persistent fears that repeal would permit foreign control of purely domestic matters were termed a "misapprehension" by the witnesses. Domestic issues, they said, are clearly beyond jurisdiction of the court.

Secretary Herter observed that even if such matters as immigration, tariffs, and the Panama Canal should come under the court's scrutiny, U.S. policy and actions are such that this country need never fear impartial international adjudication.

The case for repeal has become so plain that President Eisenhower has twice in consecutive state of the Union messages called for it with all promptness. The reservation of the Connally amendment is superfluous and worse than useless in that it is serving both this Nation and the cause of international justice extremely ill. The Senate should forthwith forswear it and permit the United States to adhere unreservedly with other nations to this instrument of world law.

POSTAL PAY

Mr. HUMPHREY. Mr. President, I was grievously disappointed in the President's statement in his budget message that he did not intend to recommend a pay raise for postal and Federal employees. Instead, he stated that he was recommending a study of existing pay schedules.

In the postal service, the Post Office Department had a Fry study in 1954 and a departmental study in 1955 which resulted in Public Law 68, a law that was so perfect—we were told when we attempted to amend it—that its perfection would be marred by any type of amendments. The law was sacrosanct. Utopia in pay classification had been attained.

Now we are told by the Chief Executive that more studies are needed. The only thing I find wrong with Public Law 68 and the Federal employees' pay schedule is that they do not provide sufficient pay to meet the demands of the present-day American standard of living.

But we are told that a study is needed. I sincerely hope that the poorly paid postal employees do not attempt to pay their rent or grocery bill with a joint committee study. I know that the landlord and the merchant in Minnesota will not look upon such a study as legal tender.

The postal employee under the present pay scale receives less pay than the unskilled worker. Three Presidential vetoes have put his pay rate several years behind that of his fellow worker in private industry. Yet the President declared:

Pending development and adoption of such a comprehensive policy, a general pay raise would be unwarranted, unfair to the taxpayers of the United States, and inequitable as among employees compensated under different and unrelated pay systems.

As far as I am concerned, the premise for the need for such a study has not been fully established and, if inequities are as flagrant as we have been led to believe, they should be so obvious that they could be easily corrected.

As I have pointed out previously, the need for a study could not possibly apply to the postal service because here we have the administration's own carefully devised and self-proclaimed perfect pay program.

I am sure that the taxpayers will be anxious to see the postal and Federal workers properly paid. The taxpayers are entitled to capable, efficient, well-trained employees. To recruit and train such employees, we must pay the prevailing rate. Persons holding responsible positions are entitled to pay commensurate with their responsibilities.

I know that my good friend and the great friend of the postal and Federal employees, the able chairman of the Committee on Post Office and Civil Service, the senior Senator from South Carolina [Mr. JOHNSTON], will take the proper steps to make certain that the Senate passes such legislation well in advance of our early adjournment date, and I pledge to him in his efforts my wholehearted support.

PROJECT HOPE

Mr. HUMPHREY. Mr. President, Dr. William B. Walsh, president of the People-to-People Health Foundation and head of Project HOPE, is scheduled to arrive in Djakarta, Indonesia, at the invitation of the Indonesian Government on Friday, February 5.

I am sure Senators will recall that Project HOPE, an outgrowth of the people-to-people program, has been engaged in outfitting and staffing a Navy hospital ship which will be sent to southeast Asia next summer, bringing with it the latest advances in medical knowledge and techniques.

During his 10-day visit in Indonesia, Dr. Walsh and Project HOPE's hospital administrator, John I. Spreckelmyer, will gain firsthand knowledge of conditions in that area and the circumstances under which the hospital ship will operate. Consulting with local physicians, they will determine as far as possible what assistance Project HOPE will offer the Indonesian medical and health professions when it visits the country next September.

During the year which the ship will spend in Asia, almost 200 American doctors, nurses, and medical technicians will bring the skills and techniques developed by the American medical professions to the people of newly developing nations in their own environment, adapted specifically to their special needs and their way of life.

I might add that most of these doctors will serve as volunteers, with little or no remuneration.

The project will be essentially a teaching operation, rather than an attempt at widespread treatment. Although large numbers of people will receive first-rate medical care, treatment will be secondary to teaching, except in cases of great emergencies or disasters.

The Government, through the U.S. Navy, will supply the hospital ship, but the $3.5 million needed to operate the vessel for a year is being raised from entirely private sources. The widespread support the project has received is most encouraging. For example, the advertising council, the public service organi-

zation of the advertising industry, is currently conducting a nationwide campaign appealing to American citizens to support HOPE through radio and TV appeals, newspaper and magazine advertisements, outdoor advertising displays, and so on.

The American Medical Association, the American Dental Association, and the American Pharmaceutical Association have firmly endorsed the project.

A number of oil companies have agreed to underwrite the cost of fueling the ship for a year; the American President Line will operate the ship at cost; the AFL–CIO formally endorsed HOPE at its convention in San Francisco and urged all unions to contribute generously to the project.

Finally, the American public is responding wholeheartedly with contributions ranging from single dollar bills to gifts of hundreds of dollars.

Certainly there are few ways in which a dollar could be better spent than in bringing the means to a full and healthy life to citizens of less fortunate nations throughout the world.

Finally, undertakings such as Project HOPE will effectively express the deep concern felt by the American people for the plight of millions in other lands.

As we enter a new decade, we can hope that such people-to-people undertakings as Project HOPE will lead to a strengthening of the ties of friendship and understanding among the peoples of the world.

ADDITIONAL FUNDS FOR THE SENATE OFFICIAL REPORTERS OF DEBATES

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1062, Senate Resolution 207.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 207) to provide additional funds for the Official Reporters of Debates of the Senate.

SATURDAY EVENING POST ARTICLE ON STATE OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I rise in response to the report on our State of West Virginia appearing in the Saturday Evening Post this week. The author of this article, Roul Tunley, has stated the strange case of West Virginia with unusual perception for an outsider. His objective reporting, his colorful slices of life, his summary of cause and effect, his listed suggestions for alleviation of the paradox—all these bare evidence of a reporter with purpose and dedication to his work.

Much of what Mr. Tunley says, we West Virginians have been saying. My colleague, Mr. RANDOLPH, and I have pointed to the poverty, the unemployment, the despair; we have also told of the limitless resources, the stalwart, courageous citizenry, the scenic grandeur of the Mountain State. The story of the paradox is not new. It is a story which, like Russell Conwell's "Acres of Diamonds," has been told 5,000 times. It has been told in other ages and in other times. Paradoxes are always with us. There is no State in the Union in which "the paradox of want and plenty living side by side" may not be found. The contrast may be seen to a greater degree in recent years in West Virginia, and the reasons are apparent, as Mr. Tunley has pointed out. Ours is a "basically rich State, long plundered by absentee landlords and later plied by all the woes of a one-industry area trying to convert to a multi-industry one." It is a State that is "just beginning to catch a glimpse of its potential."

I find no fault with those who try honestly to diagnose our problem. Mr. Tunley has indubitably attempted to do that. It is unfortunate that he has fallen into the error of pointing to the exception rather than the rule, to the extreme rather than the normal. But he perhaps is not to blame for whatever distorted impression the picture may leave in the minds of his readers.

I hold those most to blame who gave to Mr. Tunley information that is not factual, those who reported the exceptional case rather than the average one. The exceptions and extremes are always spectacular, and the spectacular is always breathtaking. It makes good reading. Most regrettable are the statements that are little short of disgraceful, and which have fallen from the lips of a few careless and misguided West Virginians. Such statements sometimes assume a magnitude all out of proportion to the facts. In this regard, I think of such statements as the one which was reportedly made by a teacher to the effect that if better schools were built "there is a good chance youngsters would not attend." This statement is simply not factual. West Virginia's pupils are outstandingly faithful in school attendance. In average daily attendance, as in percentage of the number of pupils enrolled, 1955–56, West Virginia ranked tenth in the Nation, with a percentage of 90.8. This same individual, according to Mr. Tunley, is reported to have implied that West Virginia parents are sensitive lest their children be better educated than the parents are. To buttress this, the story was told of a college-educated girl who "admitted she was careful to use 'hain't' when around her mother and father." I simply do not believe a statement like this. I do not say that such could not happen. It could happen in West Virginia or anywhere else. If such a state of ignorance and shortsightedness exists upon the part of a parent in West Virginia today, it would be but one case in 10,000. I repeat that I do not believe it exists at all. But the story has been printed, and millions of our fellow citizens all over the United States will remember West Virginia as a State in which uneducated parents are said to want to keep their children uneducated.

Mr. Tunley's article, perhaps unintentionally, may leave the impression that West Virginians are disinterested in education. There are certain favorable features dealing with education which should be mentioned:

First. Of all the Southern or border States which had segregated schools before the Supreme Court decision in 1954, West Virginia has been most successful in fully integrating its schools. Integration has been implemented in every school district.

Second. In general, the public schools in West Virginia are educating a large proportion of the State's school-age population. In 1957–58, the State ranked 16th in enrollment in public elementary and secondary schools as a percent of school-age population, with a percentage of 87.8. The national percentage was 82.9.

Third. The State itself is making a considerable financial effort to support its schools. West Virginia ranked 22d in the Nation in revenue from State sources per pupil enrolled, 1957–58.

Fourth. The State and local governments are spending a high percentage of their general expenditures for local schools. In 1957, West Virginia ranked 5th in the Nation in this respect, with a percentage of 33.1. The percentage for the Nation was 29.3.

Fifth. West Virginia also ranks high in per capita State expenditures (this does not include local contributions) for education. In 1957 the State ranked 21st, with a per capita expenditure of $42.14. The National average expenditure was $39.37.

Sixth. West Virginia is trying to maintain high standards in employing teachers. In the fall of 1958 its percentage of classroom teachers in secondary schools with substandard credentials as a percent of total teachers was 4.5. The figure for continental United States was 4.9 percent.

Seventh. Although, like all other States, West Virginia is experiencing a classroom shortage, the situation there is not so critical as it is in many States. In the fall of 1958 there were 19 States which had a higher percentage of pupils enrolled in school in excess of normal capacity as a percent of total enrollment than did West Virginia. Its percentage of 5.1 for elementary schools was better than the national percentage, which was 5.4.

Eighth. Citizens of the State are aware of the educational problems facing them and are taking steps to correct them. Recently the Princeton Research Service reported that 58 out of every 100 West Virginians considered the needs of the schools as the State's No. 1 problem. According to this same survey, only 9 percent opposed additional State taxes for schools. In order to learn how best to meet school problems, a number of studies and surveys have been and are now being made. When final conclusions are drawn, the State may be expected to begin vigorously to improve its public school system.

Ninth. According to one important statewide survey, authorized by the Legislative Interim Committee, West Virginia schools rank high in the Nation in regard to course offerings. The report based on this study, "A Survey of the Educational Programs of the West Virginia Public Schools," showed that in a national study made in 1954–55, 89.8

percent of the sample schools offered elementary algebra. In the West Virginia study, 96 percent of the sample State schools offered that subject. Plane geometry was offered in 78 percent of the schools in the national study, and in 94.6 percent of the schools in the State study. West Virginia also showed up well in course offerings in physics and chemistry.

Tenth. State accomplishments in education have been made in spite of financial handicaps. In 1957, West Virginia ranked 40th in amount of personal income per child of school age, with a figure of $5,805. The national figure was $8,591.

Eleventh. The State is making a great effort to assure its young people of an opportunity for higher education. Tuition fees in State institutions of higher education are among the lowest in the country.

Because of the many factors involved, States cannot be given an overall ranking in education. In a number of important respects, however, West Virginia does rank below the national averages. For example, in average salary of classroom teachers in public schools, 1958–59, the State ranked 41st, with an average salary of $3,610. The national average was $4,775. In current expenditure per pupil in average daily attendance, 1958–59, the State ranked 42d, with an average of $225. The national average was $340.

Most of all, Mr. President, I resent the implication, by those who claim to be native sons, that West Virginia is "remote, backward, and dangerously provincial." West Virginia is not remote. It is not backward. I am not, by birth, a native son of West Virginia, but I love the State dearly, and my soul is stirred by those native sons who speak disparagingly of it and of the folks back home. It is one thing to speak of unemployment and economic conditions which are ephemeral, not lasting. It is quite another thing to cast a reflection upon the resourcefulness, the ingenuity, the character of a great people, especially when such discordant notes come from individuals who bear the proud name of West Virginians. As I think of these misguided, miserable wretches, I think of the appropriate lines by Sir Walter Scott, from "The Lay of the Last Minstrel":

Breathes there the man with soul so dead
Who never to himself hath said,
This is my own, my native land!
Whose heart hath ne'er within him burned,
As home his footsteps he hath turned
From wandering on a foreign strand?
If such there breathe, go, mark him well;
For him no minstrel raptures swell;
High though his titles, proud his name,
Boundless his wealth as wish can claim,
Despite those titles, power, and pelf,
The wretch, concentred all in self,
Living, shall forfeit fair renown,
And, doubly dying, shall go down
To the vile dust from whence he sprung,
Unwept, unhonored, and unsung.

And so, Mr. President, I must be somewhat critical of Mr. Tunley for his having relied upon such puerile patter, and permitting it to so discolor the true picture. It is particularly unfortunate that the article places a blotch upon the character of my State's citizenry by stating that West Virginia has "a higher ratio of illegitimate white babies than any other State," and by implying that some women make careers there of giving birth to illegitimate children in order to draw money from the State Department of Public Assistance. Of course, one can find an isolated instance of almost anything he wishes to look for. Some women may indeed make it a career, but they are not to be confined to any one State or race. If Mr. Tunley had desired to print the whole truth, he would have said that a number of States have higher rates of illegitimate births than West Virginia. The rate for West Virginia for 1957 was 55.5 for each 1,000 births, according to the Childrens Bureau. For the rest of the Nation as a whole the rate was 47.4. Only 35 States report illegitimate births in this manner. Of these 35, in 1957 there were 10 States that had higher illegitimate birth rates than West Virginia. It is this printing of half-truths that is so disgusting, so discouraging, and so regrettable. I think it should be stated here that West Virginia has one of the lowest crime rates in the country.

According to the Uniform Crime Reports for the United States in 1958, the State's rate of major criminal offenses for the year was 429.1 per 100,000. The rate for the continental United States was 896.9 per 100,000. Only three States had lower rates than did West Virginia—New Hampshire, North Dakota, and Mississippi. The offenses included in this figure are murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny over $50, and auto theft. So, as one can see, our so-called "hillbillies" live a rather decent life as compared to people in certain other parts of the country.

Mr. President, the most offensive thing about Mr. Tunley's article was its reprint of a quotation from an unidentified newspaper which called the Mountain State's migrants "shoeless, shiftless, beer-swilling clods who wouldn't go to a church that didn't use rattlesnakes in the service." I protest such a charge. Ananias, together with his wife Sapphira, could not have concocted a more unadulterated, unmitigated untruth. Some West Virginians are shoeless, as are natives of other States, at times, but it is not by choice. It is no disgrace to be without shoes if a man is honest, wants to work, and would work if he could find work. As to shiftlessness, West Virginians are as industrious and resourceful as are other Americans. It is not a matter of laziness; it is one of finding employment during our State's industrial revolution. Edwin Markham might well have been thinking of men and women like those from the hills when he wrote:

THE RIGHT TO LABOR IN JOY

Out on the roads they have gathered, a hundred thousand men,
To ask for a hold on life as sure as the wolf's hold in his den.
Their need lies close to the quick of life as rain to the furrow sown:
It is as meat to the slender rib, as marrow to the bone.
They ask but the leave to labor for a taste of life's delight,
For a little salt to savor their bread, for houses watertight.
They ask but the right to labor, and to live by the strength of their hands—
They who have bodies like knotted oaks, and patience like sea sands.
And the right of a man to labor and his right to labor in joy—
Not all your laws can strangle that right, nor the gates of Hell destroy.
For it came with the making of man and was kneaded into his bones,
And it will stand at the last of things on the dust of crumbled thrones.

As to the implication that West Virginians attend only church services where "rattlesnakes" are used, I need make no comment except to say that the term might be a fitting title for those who make such unfounded, preposterous statements.

Mr. President, the word "hillbillies" has been used in this article with reference to the men and women of West Virginia. Let us do a bit of reflecting. Ours are a patriotic people who possess a fierce pride in their State and country. During the Revolutionary War what is now West Virginia sent the first soldiers from south of the Potomac to join the Army under George Washington in Boston. The men who lived south of the Allegheny Mountains fought with Braddock and with Washington. In the struggle against England, West Virginia gave our country important army leaders. Maj. Gen. Horatio Gates, Maj. Gen. Charles Lee, and Brig. Gen. Adam Stephen came from the section that was then Berkeley County but is now Jefferson County. William Darke, also from Berkeley, served bravely as a colonel in the Revolution and became a brigadier general in the later Indian wars. Daniel Morgan, who had once lived in Berkeley County, became a general in the war. Other officers of lower rank came from West Virginia.

Ratification of the U.S. Constitution was required of at least 9 of the 13 colonies. Phil Conley and Boyd B. Stutler, in "West Virginia Yesterday and Today," make the following statement:

The Virginia representatives held a convention in June 1788 to debate the subject. Sixteen of these men were from our section of the State of Virginia.

The convention ratified the Constitution by a vote of 79 to 89, a majority of only 10 votes. Of the 16 men from West Virginia, only one voted against ratifying the Constitution. The votes of our representatives were necessary for Virginia's approval.

In the War of 1812, records show that 52 companies went from the section that is now West Virginia. So many cavalry companies volunteered that at one time more than 1,000 men were sent home because they could not be used.

In the Civil War, the northern and northwestern sections of the State were in sympathy with the Union. Many of the southern counties and all of those east of the Allegheny Mountains were strongly Confederate. There were but few homes that did not give one or more men to the army of the North or of the South. In many instances a man would join one army, and his brother the other. It was a war where brother fought

against brother, and father against son. The Civil War was very real to West Virginia.

In all, West Virginia furnished at least 32,000 regular troops to the Union Army. These were included in 17 regiments of infantry, 7 regiments of cavalry, and 1 regiment of artillery. Many of the men continued in the army after the end of their first terms. These figures do not include the 32 companies of home guards, or State militia, which were raised to defend the border counties. The men in this service numbered 2,300. Many of the home guard companies saw hard service.

There are no complete records of the number of West Virginians who served in the Confederate Army. There were certainly no less than 8,000.

During the 4 years of the war, 203 battles and skirmishes were fought in West Virginia. Truly this State is a child of war. A few of the most important battles that were fought on our soil were Beverly, Rich Mountain, Top of Allegheny, Gauley Bridge, Cross Lanes, Carnifex Ferry, Bulltown, and Droop Mountain. The eastern section was a fighting ground from first to last. Romney, the county seat of Hampshire County, was captured and recaptured 56 times during the 4 years of the Civil War.

West Virginia is proud of the brave lads who joined both the Union and the Confederate Armies. To the Confederacy she gave Thomas J. Jackson, the "Stonewall" of Bull Run, a master of military science. Next to Lee, Jackson was the greatest military leader of the South. He was born at Clarksburg and was reared in Lewis County.

Other distinguished Confederate officers were Gen. Albert Gallatin Jenkins, of Cabell County; Gen. John Echols, of Monroe County; and Gen. John McCausland, of Mason County.

Sons of West Virginia who served in the Union Army and attained the rank of general were Jesse Lee Reno, of Ohio County, who fell in the Battle of South Mountain while commanding the IX Army Corps; Benjamin F. Kelley, of Ohio County; Thomas Maley Harris, of Gilmer County, later of Ritchie; Joseph A. J. Lightburn, of Lewis County; Isaac Harden Duval, of Brooke County; David Hunter Strother, of Berkeley County; William H. Powell, of Ohio County; Nathan Goff, of Harrison County; and Robert S. Northcott, of Harrison County.

In the midst of the Civil War, West Virginia became an independent State on June 20, 1863. On the following July 4, the 35th star was added to the flag of the United States to represent West Virginia.

During the Spanish-American War, more men than could be taken immediately offered their services in West Virginia.

The story of the message to Garcia is one of the famous tales of the war. The man who carried the message was Lt. Andrew Summers Rowan. He was born in Monroe County, W. Va., and was educated at the Military Academy at West Point. Early in the war with Spain, President McKinley selected Rowan to carry a message to Gen. Calixto Garcia, who commanded the Cuban armies and who was hemmed in by the Spanish Armies in the central part of Cuba. Lieutenant Rowan braved the dangers of the Cuban jungles and the Spanish Army and safely delivered the President's message. He then made his way back in an open boat to the British Island of Nassau. His bravery made him a national hero. Elbert Hubbard wrote about Rowan in his "Message to Garcia":

> There is a man whose form should be cast in deathless bronze and the statue placed in every college of the land. It is not book-learning young men need, nor instruction about this and that, but a stiffening of the vertebrae that will cause them to be loyal to a trust, to act promptly, concentrate their energies; do the thing.

In World War I, West Virginians volunteered for service. They did not wait to be drafted. On the first day for registering for the draft, 127,994 men in my State registered for military service. Later, 325,266 men of military age registered in the State. Under the draft method, not all were taken for service. Of the number registered, 45,355 were sent to training camps, but 3,775 of those were not accepted. My State was one of the first to complete the registering of its men and was praised for its work.

In famous Westminster Abbey in London, near the Tomb of the Unknown Soldier, a window honors the memory of Lt. Louis Bennett, of Weston, W. Va. A church in France was erected in honor of Louis Bennett, a member of the Royal Air Force of Great Britain in World War I. His plane was shot down by a German plane at Wavrin in August 1918.

A Greenbrier County man, John L. Hines, went to France as a major and came back a major general, commanding an Army corps. He succeeded General Pershing as Chief of Staff of the U.S. Army. Another distinguished Greenbrier County soldier, Maj. Gen. Mason M. Patrick, became Chief of the Air Service in France during World War I. He retained his place as chief of this service after the war, building up the national air defense.

West Virginia played a noble part in World War II. In all, 250,000 men from West Virginia went into the Army, Navy, Air Force, Marines, and the Coast Guard in World War II. As the war spread to every continent except South America, our men engaged in battles throughout most of the world. Our young women joined the nursing corps, the WAC of the Army, the WAVE of the Navy, the SPAR of the Coast Guard, the WAF of the Air Force, and the Marines. West Virginians took their place side by side with men from other States in stopping the Communists in Korea. And today West Virginians lie side by side with their fellow soldiers, sailors, and marines in silent sleep. The men from the hills, like the men from the cities and the lowlands, gave their all that freedom and liberty might not perish from the earth.

The Congressional Medal of Honor, the highest decoration this Government gives to any man, has been awarded to 13 West Virginians.

In peace, West Virginians have helped to build their country. In war, they have helped to defend it. Theirs is the same patriotic, zealous, pioneer spirit that led their forebears to explore and settle the challenging, untamed hills and mountains of the Alleghenies. They are mountaineers; not "hillbillies." Why should aspersions be cast upon mountain people? Are the Swiss a shiftless people? Are the Scotch highlanders a shiftless people? To ask the question is to answer it. West Virginians have been made in the same mold as have other courageous, strong, patriotic mountain men and women. William Griffee Brown has this to say about our pioneer ancestors in his history of Nicholas County, W. Va:

> Our pioneer ancestors found Nicholas County a wilderness. They, and those who have followed them, have made it into a community of homes, of productive farms and thriving industry. They hewed down forests and made their homes. They had no government—they organized government. They had no schools—they created schools. They had no roads—they built roads. They had no churches—they built and maintained churches. These examples are sermons for those of us who follow. What we of later generations now need is a keener desire to do the utmost of which we are capable in the worthwhile activities of life. This would be expected of us by those stalwart people who were our ancestors and who themselves represented the best in American citizenship.

And West Virginians represent the best in American citizenship today.

Mr. President, Mr. Tunley wrote about the potentially bright future of West Virginia. Permit me to speak of West Virginia's boundless wealth in the words of I. C. White, a geologist, who once wrote thusly:

> While precious stones, gems, and metals have been denied the Mountain State, yet generous nature has so richly endowed her with common minerals and other common things, that her natural wealth is unsurpassed by any equal area on this continent.

Mr. President, buried deep below the surface of the majestic hills of West Virginia are more than 100 different layers, or seams, of coal. In these seams lie billions of tons of coal that can be produced by present mining methods. Additional billions of tons may be mined when improved methods are developed.

West Virginia is located in one of the great gasfields of the United States. It is a producer of oil. We have beds of silica sand that are 99 percent pure. There are only six beds of sand in the world that are almost free of iron oxide, an element that does not produce good glass. Three of these beds are in America. One is in Morgan County, W. Va.

Millions of the world's marbles have been made in West Virginia glass factories. The largest bottle factory in the world is in West Virginia. The world's largest flat glass plant is in West Virginia. If one visits the Cathedral of St. John the Divine in New York or the National Cathedral in Washington, he will admire the artistic windows made of thousand of pieces of colored glass. This glass was made at Milton, W. Va. The sides of the huge United Nations Building in New York City were constructed of glass blocks made in a factory at Charleston, W. Va.

West Virginia could provide the Nation with all of its limestone for many years.

The largest pottery plant is at Newell. It is in Hancock County, and our State is said to be second in the Union in the production of pottery.

Our forests furnish ash, beech, birch, maple, oak, chestnut, hemlock, pine, poplar, and spruce woods. When the U.S. frigate *Constitution*, the most famous of our early warships, was to be destroyed, West Virginia timber from Fayette County was used in restoring the vessel, and it was made fine and strong again. Nearly 100,000 acres of the George Washington National Forest are in my State, and Monongahela National Forest, containing approximately 1 million acres, is there.

Our mineral springs are a great natural resource. Every year thousands of people from every section of the United States visit them. The Indians knew these springs before the white man came to this country.

The counties east of the Alleghenies in West Virginia have very rich soil. It is especially good for fruit trees. It is also good for farming and provides excellent grazing for cattle. Some of the largest truck farms in the State are found in the Ohio valley.

Chemicals are very important in the lives of West Virginias. The Kanawha Valley is often called the Ruhr Valley of America, and certainly it is frequently called the magic valley.

Union Carbide Corp. has an enormous plant at South Charleston. It makes many chemical products today at this place. Some of the interesting ones are synthetic or imitation jewels, such as diamonds, rubies, and sapphires. This company manufactured the first synthetic rubber produced in World War II in a plant built by the Government at Institute near South Charleston. This is the largest synthetic rubber producing facility in the country.

Other well-known chemical plants in the Kanawha Valley include the Electro Metallurgical Co. at Glen Ferris and Alloy near Gauley Bridge, Barium Reduction Corp. at South Charleston, Belle Alkali Co. at Belle—east of Charleston—E. I. du Pont de Nemours & Co. at Belle, Monsanto Chemical Co. at Nitro, and Westvaco Chemical Division of Food Machinery and Chemical Corp. at South Charleston.

There are chemical plants at a number of other places in the State. Du Pont has a plant near Parkersburg. Standard Ultramarine Co. at Huntington is one of the most important dye producers in the United States.

Some years ago the great German airship, *Graf Zeppelin*, flew from Bremen, Germany, to New York and back home. This large dirigible then flew around the world. People everywhere were interested in this lighter-than-air ship. On both return trips across the Atlantic from New York, the gas bags of the dirigible were filled with ethylene gas made in a chemical plant at South Charleston.

In 1760, a company was formed to build an iron furnace on the lands of Lord Fairfax in Jefferson County. It was near Harpers Ferry at a place called "The Bloomery." Local iron ore was used. By 1797, the United States Armory and Arsenal had been built at Harpers Ferry. It was located there on the recommendation of George Washington. Its purpose was to make and store guns for the Army.

One of the first furnaces, if not the first, operating west of the Allegheny Mountains was built by Peter Tarr on King's Creek in Hancock County. Although the exact date is not known, the furnace may have been built as early as 1790 and certainly was constructed not later than 1794. It could produce no more than 2 tons of iron a day.

The northern panhandle of West Virginia today constitutes one of the principal centers of the steel industry in the United States.

Wheeling and Huntington are large centers for tobacco warehouses. The famous "Mail Pouch" tobacco and several brands of stogies made in Wheeling are known throughout the world.

The manufacture of cement is another important industry in West Virginia.

A large garment factory is located in Martinsburg. There, too, is the largest men's hosiery plant in the world. The manufacture of rayon is one of West Virginia's growing industries.

West Virginia has been famous for having the largest shovel factory in the world, the largest ax factory in the world, the largest nickel factory in the United States; and the largest clothespin factory in the country. Some of these are no longer operating.

For many years, West Virginia has ranked as one of the leading States in the Union in the production of apples and peaches. Each year we produce millions of bushels of apples. Two of the most popular apples grown in the United States came from seedlings found in West Virginia. The Grimes Golden came from a tree discovered on the Thomas Grimes farm near Wellsburg in Brooke County. It was bearing fruit before 1800. In 1874 it was said to be 100 years old. The monument that stands where the first Grimes Golden apple grew is said to be the only one ever erected to the memory of an apple tree.

The Golden Delicious apple was found on a farm in Clay County. In recent years, this apple has become popular in many sections of the country.

Our farmers sell approximately $10 million worth of hogs annually, and our climate and hilly land are excellent for raising sheep. Many herds of purebred cattle have been developed in West Virginia.

Honey provides a delicious sweet for our tables and our cooking. West Virginia honey bees produce millions of pounds of honey every year.

West Virginia's poultry industry is becoming a leading feature of her agriculture. Millions of turkeys are raised each year and millions of broiling chickens are sent to markets in the East.

It is no secret that my State is a great producer of electric power, and I am sure that I need not repeat—after having spoken of it so many times—that West Virginia is the leading coal-producing State in the Union.

Mr. President, one can readily see that the future of West Virginia is not a hopeless one. The discouraging thing about our present situation lies in the fact that mechanization has displaced so many thousands of men in the coal industry. It is for this reason that I have sought diligently to have an intensive coal research program inaugurated. Such a program would be the means of discovery of thousands of new uses for coal. This magic mineral is a Cinderella story in itself. Formerly it was only used for heating purposes, but through capable research astounding discoveries have been made. Few Americans realize how heavily coal is woven into the fabric of their lives, and how much it will remain a vital part of the Nation for centuries to come. Byproducts of coal touch every family's life many times a day. Vitamins, insecticides, aspirin, drugs, phonograph records, dyes, paint, synthetic fibers, weed killers, cleaning fluids, fertilizer, films—the list is nearly endless, and West Virginia's coal is unexcelled by that of any area.

Mr. President, I have attempted to react as objectively as I possibly can to the Saturday Evening Post article. The author and his magazine have presented a truly interesting and excellent piece of work. As I have said, if there is one fault which I consider basic, it is that he, like any outsider, has been prone to highlight misguided statements which produce a detrimental impact. Moreover, one might believe, in reading his article, that most of the coal-mining communities in West Virginia are shabby and poorly kept.

In this respect, most of his story is built around the mining community of Stotesbury. My father worked in the mines at Stotesbury many years. It was there that I graduated from high school in 1934, and I lived there when I began working at a service station and later in a meat market. I married a coal miner's daughter at Stotesbury, and my first daughter was born there. Stotesbury will always have a very important place in my hall of memories. It is today a ghost town, but one should not get the impression in reading Mr. Tunley's article that all mining communities are like Stotesbury today.

The State has been and will be criticized for its condition. But it should never be compared with Afghanistan, as it has been in Mr. Tunley's article. I know, because I have been in Afghanistan. The blame for West Virginia's present problems must not be placed alone on her citizenry, her government, her politicians. All must share some responsibility for the paradox. Natural factors have also contributed to some extent. The people of West Virginia are not lazy; they are not shiftless; they are not so provincial as the transient native son put it. They are a people proud of their heritage and capable of overcoming the odds, if given the opportunity to do so.

They are a kindly people, happy with their lives, friendly with the stranger, even if they are without work and liv-

ing in a shanty in an abandoned coal town. They will welcome the stranger to their humble fare, be it yellow cornbread, turnip greens, rice, or pinto beans and potatoes. When I think of the friendliness of West Virginians, I think of Walt Whitman's bit of verse:

I dream'd in a dream I saw a city invincible
to the attacks of the whole of the rest
of the earth,
I dream'd that was the new city of friends,
Nothing was greater there than the quality
of robust love, it led the rest,
It was seen every hour in the actions of the
men of that city,
And in all their looks and words.

As I close, I only wish that each and every Member of this body had the opportunity to view the picturesque strata formations in the eastern panhandle and could feel the heaven-kissed breezes press against his cheeks in walking through the green pastures and beside the still waters in the Shenandoah Valley. I wish that all could survey the rolling, rounded mountains in the State's midsection or could see from Cooper's Rock, near Morgantown, the bluish mountains blend with the sky in the distance. I wish all could experience the serenity that comes when one catches the laziness of the Ohio River. A journey through nature's wonderland of West Virginia in autumn or in spring would instill in every heart the love which West Virginians possess for their hills and streams and deep valleys. But most of all, one would come to know better the sons and daughters of West Virginia. These are its greatest resource. These people must smile again. Diversification of industry, to a greater degree, must be the key. If the title of keymaker lies with the Federal Government, and Senator RANDOLPH and I think it does, to some extent, the time for action is now.

They are not dead.

They are very much alive, struggling perhaps, but with a verve and determination which will burst open new horizons.

My feeling toward the hills of home has been appropriately penned in these lines by Roy Lee Harmon, poet laureate of West Virginia:

IN WEST VIRGINIA

West Virginia, how I love you!
Every streamlet, shrub and stone,
Even the clouds that flit above you
Always seem to be my own.

Your steep hillsides clad in grandeur,
Always rugged, bold and free,
Sing with ever swelling chorus:
Montani, Semper, Liberi!
Always free! The little streamlets,
As they glide and race along,
Join their music to the anthem
And the zephyrs swell the song.

Always free! The mountain torrent
In its haste to reach the sea,
Shouts its challenge to the hillside
And the echo answers "Free!"

Always free! Repeats the river
In a deeper, fuller tone
And the west wind in the treetops
Adds a chorus all its own.

Always free! The crashing thunder
Madly flung from hill to hill,
In a wild reverberation
Adds a mighty, ringing thrill.

Always free! The Bob White whistles
And the whippoorwill replies,
Always free! The robin twitters
As the sunset gilds the skies.

Perched upon the tallest timber,
Far above the sheltered lea,
There the eagle screams defiance
To a hostile world: "I'm free!"

And two million happy people,
Hearts attuned in holy glee,
Add the hallelujah chorus:
"Mountaineers are always free!"

Mr. RANDOLPH. Mr. President, I ask my colleague to yield for a brief observation and a sincere commendation of his speech in reference to the Saturday Evening Post article.

Mr. BYRD of West Virginia. I yield to my distinguished senior colleague.

Mr. RANDOLPH. Mr. President, approximately 1 hour ago in this Chamber we had affirmative action and foresight by a majority of the Members of the Senate who supported a forward-looking program for school construction and the payment of Federal funds toward teachers' salaries in the expanding economy of the United States.

I think it appropriate to recall, as my diligent, devoted, and dedicated colleague has recalled, the contribution which West Virginians have made to the welfare of the Nation in many walks of life. I think it, therefore, pertinent, and not a gratuitous statement, to say that a West Virginia girl, Dr. Corma Mowrey, was the president of the National Education Association. Her contribution as a West Virginia teacher and as a leader in the educational development of our country is a very definite example of the type of consecrated West Virginian who lives beyond the borders of our State. and whose influence for good is felt in the country as a whole.

Mr. President, I wish that at the hour of almost 11 o'clock our colleagues of the Senate could have been here to have heard what I believe to be the restrained and reasoned comment of my colleague upon the article to which reference has been made. I shall not labor this subject, because I would hesitate to discuss it and seem to detract from the impact of the words which have been spoken; but as my colleague told of the contribution by West Virginia in time of strife to the cause of freedom and justice, I recall, what now he would recall, that it was the Father of our Country himself who said:

Give me but a banner to plant upon the hills of West Augusta, and I will gather around me the men who will set this bleeding Nation free.

West Augusta is an interchangeable name with West Virginia. George Washington realized that there was strength in those men of the mountains, when he spoke the words I have just recalled.

But to go from the days of the Founding Fathers almost to our most recent experiences in another type of warfare, we begin to break the barriers. Who was it who flew the first airplane faster than the speed of sound? It was Charles Yeager, from Hamlin, W. Va. This young man, whom I have heard on more than one occasion, after squaring his shoulders, say, "I was born so far up the 'holler' that they had to pipe sunshine into it," gave new light to the world.

These are the indications which have so well been brought out in the expression of my colleague, of many others who have held leadership in West Virginia through the changing conditions of the economy of our State.

I say with good conscience that I have the feeling that our colleagues in the Senate, on both sides of the aisle, who are unable to be here in person tonight—and understandably so after the long sessions, day and night, upon the school legislation—recognizing the stature of my colleague from West Virginia, will read what he has spoken tonight in their absence, and that they in a degree will join him in extolling, as it were, a land not overlooked from the standpoint of being unworthy of being understood, but a land which holds tremendous promise through its people and its resources for the years ahead.

I speak very calmly when I say that I resented the promotional program for the sale of this particular issue of the Saturday Evening Post, when that blazing jacket, placed on the newsstands, said that West Virginia was a dying State.

Very frankly, I shall say to my colleague from West Virginia, no such expression ever was used in the article to which reference has been made tonight. West Virginia is not a dying State. West Virginia is a living State. West Virginia can, and will, become an expanding State.

The contribution made tonight by my colleague toward a better realization that we are determined to build a better West Virginia is most timely. I congratulate him on the effort he has given to this task.

Mr. BYRD of West Virginia. Mr. President, I thank my fellow West Virginian.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

REPORT ON REVIEW OF MILITARY ASSISTANCE PROGRAM FOR TURKEY

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on review of the military assistance program for Turkey, which, with the accompanying report, was referred to the Committee on Government Operations.

ADDITIONAL BILL INTRODUCED

Mr. HUMPHREY introduced a bill (S. 2989) to create and prescribe the functions of a National Peace Agency, which was read twice by its title, and referred to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill,

which appear earlier in today's RECORD under a separate heading.)

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, February 4, 1960, he presented to the President of the United States the following enrolled bills:

S. 540. An act for the relief of Maybell King;

S. 981. An act for the relief of T. W. Holt & Co.;

S. 1862. An act for the relief of Harve M. Duggins; and

S. 2231. An act to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute formerly known as the American International Institute for the Protection of Childhood, as amended.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, as a further mark of respect to the memory of the late Senator LANGER, of North Dakota, I move that the Senate do now adjourn.

The motion was agreed to; and (at 11 o'clock and 2 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, February 8, 1960, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 4, 1959:

U.S. NAVY

Vice Adm. Maurice E. Curts, U.S. Navy, for appointment to the grade of admiral on the retired list in accordance with title 10, United States Code, section 5233.

Vice Adm. Thomas S. Combs, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with title 10, United States Code, section 5233.

U.S. NAVY REPRESENTATIVE TO UNITED NATIONS

Vice Adm. Charles Wellborn, Jr , U.S. Navy, for appointment as U.S. Naval Representative, Military Staff Committee, United Nations, as senior Navy member pursuant to title 10, United States Code, section 711.

IN THE AIR FORCE

The following named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code.

To be major generals

Maj. Gen. Robert B. Landry, 635A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Robert E. L. Eaton, 594A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Richard M. Montgomery, 1025A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Harvey T. Alness, 1085A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Russell L. Waldron, 1164A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Romulus W. Puryear, 637A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Thomas S. Moorman, Jr., 644A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Benjamin J. Webster, 974A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Leighton I. Davis, 1111A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. James H. Walsh, 1120A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Thomas C. Musgrave, Jr., 1129A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William T. Hudnell, 1171A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Howell M. Estes, Jr., 1211A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph J. Nazzaro, 1241A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Bruce K. Holloway, 1336A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Maurice A. Preston, 1337A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John D. Ryan, 1418A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William H. Blanchard, 1445A (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. James Ferguson, 1530A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. David Wade, 1582A (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Thomas P. Gerrity, 1613A (brigadier general, Regular Air Force) U.S. Air Force.

To be brigadier generals

Brig. Gen. Donald L. Hardy, 618A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles H. Pottenger, 661A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert J. Goewey, 910A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Harry C. Porter, 976A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. James C. Jensen, 1042A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Joseph D. C. Caldara, 1048A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Dale O. Smith, 1074A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Perry B. Griffith, 1075A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Elvin S. Ligon, Jr., 1077A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Robert W. Stillman, 1114A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Daniel E. Hooks, 1166A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Benjamin O. Davis, Jr., 1206A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Albert P. Clark, 1218A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Turner C. Rogers, 1232A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Von R. Shores, 1236A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Lewis L. Mundell, 1286A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. John W. Reynolds, 1299A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Sam W. Agee, 1346A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Kenneth O. Sanborn, 1363A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Don R. Ostrander, 1343A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Robert J. Friedman, 1397A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Robert A. Breitweiser, 1406A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Prescott M. Spicer, 1413A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Fred M. Dean, 1450A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Waymond A. Davis, 1470A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Marcus F. Cooper, 1543A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Cecil H. Childre, 1551A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Sam Maddux, Jr., 1561A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Frank E. Rouse, 1595A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Hewitt T. Wheless, 1609A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Glen R. Birchard, 1623A, colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry R. Sullivan, Jr., 1655A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. William K. Martin, 1697A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Henry Vicellio, 1728A (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Ozmond J. Ritland, 1731A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Don Coupland, 1766A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Beverly H. Warren, 1768A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Keith K. Compton, 1849A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John K. Hester, 1870A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph R. Holzapple, 1897A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. David A. Burchinal, 1936A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. James F. Whisenand, 1945A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Glen W. Martin, 1955A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles M. Eisenhart, 1957A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. William W. Momyer, 1964A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph J. Preston, 1966A (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. Harold H. Twitchell, 19034A (colonel, Regular Air Force, Medical) U.S. Air Force.

Brig. Gen. Major S. White, 19056A (colonel, Regular Air Force, Medical) U.S. Air Force.

Brig. Gen. Richard L. Bohannon, 19067A (colonel, Regular Air Force, Medical) U.S. Air Force.

Brig. Gen. John K. Cullen, 19068A (colonel Regular Air Force, Medical) U.S. Air Force.

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major generals

Brig. Gen. Donald P. Graul, 455A, Regular Air Force.

Brig. Gen. Donald L. Hardy, 618A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles H. Pottenger, 661A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Perry B. Griffith, 1075A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Major S. White, 19056A (colonel, Regular Air Force, Medical) United States Air Force.

Brig. Gen. John K. Cullen, 19063A (colonel, Regular Air Force, Medical) U.S. Air Force.

Brig. Gen. Kenneth O. Sanborn, 1363A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Prescott M. Spicer, 1413A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Glen R. Birchard, 1623A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Henry R. Sullivan, Jr., 1655A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John K. Hester, 1870A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph R. Holzapple, 1897A, (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles M. Eisenhart, 1957A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph J. Preston, 1966A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William C. Kingsbury, 923A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Jermain F. Rodenhauser, 933A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Thomas J. Gent, Jr., 1130A (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles B. Root, 1258A (colonel, Regular Air Force) U.S. Air Force.
Brig. Gen. Frederic H. Miller, 1273A (colonel, Regular Air Force) U.S. Air Force.
Brig. Gen. Chester W. Cecil, Jr., 1298A (colonel, Regular Air Force) U.S. Air Force.
Brig. Gen. William B. Keese, 1531A (colonel, Regular Air Force) U.S. Air Force.
Brig. Gen. Arthur C. Agan, Jr., 1759A (colonel, Regular Air Force) U.S. Air Force.
Brig. Gen. James W. Wilson, 1711A (colonel, Regular Air Force) U.S. Air Force.

To be brigadier generals

Col. Andrew B. Cannon, AO383870, Air Force Reserve.
Col. Franklin S. Henley, 655A, Regular Air Force.
Col. Aubrey L. Jennings, 19073A, Regular Air Force, medical.
Col. Harris B. Hull, 1050A, Regular Air Force.
Col. Robert H. Strauss, 1132A, Regular Air Force.
Col. Benjamin A. Strickland, Jr., 19097A, Regular Air Force, medical.
Col. Robert D. Forman, 1191A, Regular Air Force.
Col. Ralph C. Rockwood, 1279A, Regular Air Force.
Col. Richard W. Fellows, 1334A, Regular Air Force.
Col. Robert H. Herman, 1341A, Regular Air Force.
Col. Carl W. Andrews, 1398A, Regular Air Force.
Col. William B. Kieffer, 1409A, Regular Air Force.
Col. Douglas C. Polhamus, 1428A, Regular Air Force.
Col. Louis E. Coira, 1429A, Regular Air Force.
Col. Richard F. Bromiley, 1438A, Regular Air Force.
Col. Charles M. Young, 1458A, Regular Air Force.
Col. J. Francis Taylor, Jr., 1583A, Regular Air Force.
Col. Howard W. Moore, 1618A, Regular Air Force.
Col. Richard D. Curtin, 1666A, Regular Air Force.
Col. Robert C. Richardson 3d, 1681A, Regular Air Force.
Col. Milton B. Adams, 1712A, Regular Air Force.
Col. Elbert Helton, 1727A, Regular Air Force.
Col. Richard T. Kight, 1744A, Regular Air Force.
Col. Allman T. Culbertson, 1789A, Regular Air Force.
Col. Walter B. Putnam, 1825A, Regular Air Force.
Col. Vincent G. Huston, 1865A, Regular Air Force.
Col. Leo F. Dusard, Jr., 1869A, Regular Air Force.
Col. William R. Yancey, 1883A, Regular Air Force.
Col. Paul W. Tibbets, Jr., 1924A, Regular Air Force.
Col. Gilbert L. Meyers, 1958A, Regular Air Force.
Col. Roger M. Crow, 2059A, Regular Air Force.
Col. Edward G. Lansdale, 2534A, Regular Air Force.
Col. William E. Leonhard, 18095A, Regular Air Force.
Col. Carroll W. McColpin, 3514A, Regular Air Force.
Col. Robert N. Smith, 3783A, Regular Air Force.
Col. Thomas K. McGehee, 3809A, Regular Air Force.
Col. John B. Henry, Jr., 4129A, Regular Air Force.
Col. Robert W. Burns, 4142A, Regular Air Force.
Col. Raymond T. Jenkins, 19154A, Regular Air Force, Medical.
Col. James W. Humphreys, Jr., 19928A, Regular Air Force, Medical.
Col. Earl C. Hedlun, 4710A, Regular Air Force.
Col. Julian H. Bowman, 4181A, Regular Air Force.
Col. Jamie Gough, 4511A, Regular Air Force.
Col. James C. Sherrill, 4910A, Regular Air Force.

CONFIRMATION

Executive nomination confirmed by the Senate February 4, 1960:

CIVIL AERONAUTICS BOARD

Whitney Gillilland, of Iowa, to be a member of the Civil Aeronautics Board for the term of 6 years, expiring December 31, 1965.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 4, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 8: 31: *What shall we then say to these things? If God be for us, who can be against us?*

Almighty God, who hast blessed us with the gift of a new day, fill our minds and hearts with gratitude and inspire us to make our lives more meaningful and useful.

Help us to search ourselves to see how complacent and contented we often are without any concern or care for the needy members of the human family who are in distress and heavily burdened.

Grant that as men and women engaged in the business of statecraft we may glory in the dignity of our high vocation and have a deeper appreciation of the sacredness of our tasks and responsibilities.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON AGRICULTURE

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on H.R. 9331.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SUSPENSION OF RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order on Monday, February 8, for the Speaker to recognize a Member for the purpose of moving to suspend the rules and pass House Joint Resolution 567.

I might say that this has been cleared, and for the information of the Members, this is a resolution accelerating the going into effect of the transfer of the Huntsville Project Saturn from the Defense Department to the civilian agency, showing the action on the part of the Congress to not only cooperate but to expedite that transfer as quickly as possible. The information we have is that it will be very helpful. While the actual physical transfer will not take place until July 1 next, the passage of this resolution so far as the congressional action is concerned in relation to the transfer would be very helpful to the whole picture involved.

Mr. HALLECK. Mr. Speaker, if the gentleman will yield, the gentleman spoke to me about this matter, and as far as I am concerned, I concur in the action. I understand that the members of the Space Committee have agreed to this course of action.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file privileged reports on two appropriation bills—District of Columbia appropriation bill for 1961 and the Department of Commerce and Related Agencies appropriation bill for 1961.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, what is the program with reference to these two bills?

Mr. CANNON. If it is agreeable to the gentleman, I trust that we will be able to bring up the District of Columbia appropriation bill next Monday and the Commerce Department bill on next Tuesday.

Mr. TABER. Mr. Speaker, I withdraw my reservation of objection, but reserve all points of order against each of the bills.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HON. CHARLES A. HALLECK—25 YEARS OF SERVICE IN THE HOUSE OF REPRESENTATIVES

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, tomorrow, February 5, marks the 25th anniversary of the beginning of the service of the Honorable CHARLES A. HALLECK in the Congress of the United States. We Hoosiers are extremely proud of him and his record, both as majority and minority leader.

A recent article dealing with CHARLEY'S service appeared in the Indianapolis Star. In that article, Ben Cole, the writer, pointed out that Mr. HALLECK'S 25 years in Congress is a record for the Hoosier State. No other Congressman

from Indiana has served so long without a break in tenure. Because of its personal and historical interest, I include that article herewith:

HALLECK NEARING END OF 25 YEARS IN HOUSE

(By Ben Cole)

WASHINGTON.—Representative CHARLES A. HALLECK, Republican, of Indiana, next Friday will have completed 25 years as a Member of the U.S. House of Representatives.

He was elected a quarter century ago last Friday, January 29, 1935, in a special election to fill the vacancy created by the death of Frederick Landis, of Logansport.

HALLECK was a young man 34 years old when he came to Washington. He likes to recall that it was a lonesome place for a Republican in the bottom-most days of the depression and the highest pitch of the New Deal's popularity.

Almost from the first, HALLECK became recognized as an enlightened conservative and a capable floor tactician. He was close to former Speaker JOSEPH W. MARTIN, JR., Republican, of Massachusetts, and though he never has said so it must have been painful for him to accept the role of opponent to his old mentor a year ago when the GOP leadership changed hands.

HALLECK's 25 years in Congress will establish a record for the Hoosier State. He will have served longer than anybody in the history of Indiana without a break in tenure. Only one Hoosier spent more time in the Capitol—the late William Steel Holman, Democrat, of Aurora, who served 16 terms from March 4, 1859, until his death April 22, 1897. Holman was in the 36th to 38th Congresses, the 40th to 44th, 47th to 53d, and the 55th.

The political effervescence of Indiana has held most Congressmen to short tenures. Of the 274 Hoosiers in the House since December 11, 1816, when the State joined the Union, 255 have served fewer than 6 terms. More than a third of the whole bunch were one-termers. Only three were reelected to nine or more terms. Only HALLECK was reelected to 13 terms without a break.

Six other Members of the House share with HALLECK the distinction of being 13-termers. They are Republican Whip LESLIE C. ARENDS, Republican, of Illinois; Chairman GRAHAM A. BARDEN, Democrat, of North Carolina, of the Labor and Education Committee, who has announced he will retire after this year; FRANK W. BOYKIN, Democrat, of Alabama, whose slogan, "Everything was made for love," made him a national figure; Representative CHARLES A. BUCKLEY, Democrat, of New York; Representative CLARE E. HOFFMAN, Republican, of Michigan, an 85-year-old lawmaker with more pep than most of his juniors, and GEORGE H. MAHON, Democrat, of Texas, who presides over the Military Appropriations Subcommittee. Above these 6 oldtimers are 18 senior-seniors topped by the imperishable pair, Speaker SAM RAYBURN, Democrat, of Texas, and Chairman CARL VINSON, Democrat, of Georgia, of the Armed Services Committee, each with 24 terms. And Mr. SAM stands alone as the most senior of all, having come here 8 months ahead of Representative VINSON.

The elite 18 includes JOE MARTIN, Majority Leader JOHN W. MCCORMACK, Democrat, of Massachusetts; Representative B. CARROLL REECE, Republican, of Tennessee, and Mrs. EDITH NOURSE ROGERS, Republican, of Massachusetts.

Among the Hoosiers of the past, only the late ex-Newspaperman Louis Leon Ludlow, of Indianapolis, comes close to HALLECK's unbroken tenure. The only Member to be elected from the press gallery and to reclaim his gallery membership after retiring, Ludlow served 10 consecutive terms, retiring at the end of 1948.

Sometime this week one of HALLECK's colleagues is going to rise in the House and call attention to the quarter-century anniversary of the gentleman from Indiana. Almost certainly the occasion will provoke tributes from Members on both sides of the aisle.

No doubt the secret is out by now and HALLECK won't be surprised when somebody brings up the subject of his long service. What's going to surprise him, though, is to find out how many of his fellow lawmakers in both parties will join the celebration.

Furthermore, the Indiana Society of Washington has designated Congressman HALLECK as Hoosier of the year and on March 10 at the Sheraton-Park Hotel a dinner will be held by that society in his honor. Although public announcement has not yet been made, I am able to report that more than half the tables have already been reserved for this significant event.

A number of well-known Hoosiers will journey to Washington to be on hand for the dinner. Among them will be Hoagy Carmichael and Herb Shriner. I know, too, that many of our colleagues in the House and the Senate will want to be present to join in this celebration.

We hope that CHARLES HALLECK may have 25 more good years of service to his country.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, I think it is understandable that we people from Indiana have something of a reputation for bragging about our State. We think that God was good to Indiana, indeed, and we are usually willing with ever so slight prompting to tell others about those Hoosier blessings.

We also take pride in those of Indiana's sons who have achieved special prominence and contributed to the greatness of the Nation in science, education, business, and arts and government. In the latter field, Indiana has contributed much, because Hoosiers generally have a lifetime interest in politics and the arts of government.

I rise at this time to mark an anniversary in the life of one of the great political figures from Indiana. CHARLES ABRAHAM HALLECK has been a Member of this body for 25 years, being first elected in a special election on January 29, 1935. They have been eventful years, and his efforts have been greatly productive in the interests of this Nation.

When I entered Indiana University in 1921, CHARLES ABRAHAM HALLECK was an outstanding scholar and campus leader at that great institution. It is no accident that CHARLIE has been one of our Nation's really great leaders.

The legislative arts are reflected in Representative HALLECK as they have been in few other men in the history of this assembly. He is a "politician's politician"—at least so far as the House is concerned—and his understanding and ability in congressional matters has earned him high respect on both sides of the aisle. On March 10, the Indiana Society of Washington will honor CHARLIE as "Hoosier of the year."

We wish you a happy anniversary, CHARLIE, for a well-spent 25 years. We wish for you another rewarding quarter of a century in the House of Representatives, unless the people should call you to serve in an even greater capacity.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. I am glad to join my friend in paying tribute to CHARLIE HALLECK, not as a Republican, although I profoundly respect the party and him as its leader in this body, but as CHARLIE HALLECK, the American, the legislator, and the man.

During his period of service in this body there has been a very close friendship existing between us. He is one whom I admire and respect very much. I know I speak the sentiments of my Democratic colleagues when I say that it is without political consideration that we pay tribute to CHARLIE HALLECK, the American, the man, and the legislator. We of the Democratic Party respect him as a stalwart advocate of the policies and principles of his party.

I extend my congratulations personally to him on his 25th anniversary as a Member of the House, and I also extend my congratulations to Mrs. Halleck, who has been a constant source of guidance, direction, and inspiration to our distinguished friend.

Mr. ROUSH. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Indiana.

Mr. ROUSH. I concur in the remarks of our distinguished majority leader. As a Democrat from Indiana I do not always agree with the gentleman from Indiana, CHARLIE HALLECK, but I am sure my Hoosier colleagues would agree that we are compelled to respect his tenacious spirit and loyalty to his party. We cannot say that we share his hopes for a bright political future, but we do wish him well personally.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute for the purpose of asking the majority leader about the program for the balance of this week and for next week.

Mr. MCCORMACK. There is no further legislative program for this week. If my friend, the gentleman from Indiana, will yield for that purpose, I will make the request to adjourn over.

Mr. HALLECK. I yield.

ADJOURNMENT OVER

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. McCORMACK. Also, Mr. Speaker, with the permission of the gentleman from Indiana, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday of next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, in response to the inquiry as to the legislative program. Monday is District Day. There are three bills out of the Committee on the District of Columbia:

First. H.R. 9737, a bill relating to trustee requirements of corporations.

Second. H.R. 9451, a bill relating to taxes with reference to veterans of foreign wars.

Third. H.R. 7124, a bill relating to tuition payments in schools.

Following the District of Columbia business, there is House Joint Resolution 567, a resolution to be taken up under suspension of the rules to transfer the Ballistic Missile Agency to the National Aeronautics and Space Agency, permission for which was granted earlier.

Then, following that, the District of Columbia appropriation bill for 1961 will be taken up.

After that, H.R. 9331—special school milk program, a bill out of the Agriculture Committee.

For Tuesday, the conference report on the bill, H.R. 3610, the Federal Water Pollution Act.

Then, the appropriation bill for 1961 for the Department of Commerce and related agencies will be taken up.

I know of no further program for next week. Of course, the usual reservation that conference reports may be brought up at any time is understood and if any further program should develop, it would also be announced later for the benefit of the membership.

We have an agreement that starting Wednesday night there will be no business on account of the anniversary of Lincoln's birthday and the necessities of our Republican friends. It is my intention to keep Wednesday clear so that Members on both sides, particularly our Republican friends, will know that instead of being held here in Washington until Wednesday night, they can make their arrangements to get away on Tuesday night or in accordance with the program that I have announced, if they want to leave prior to that, they may, but in any event Members know that they may make arrangements to leave Tuesday night.

The Lincoln's Birthday recess period will be from the close of business Wednesday, February 10, through Sunday, February 14.

Mr. HALLECK. Mr. Speaker, I want to thank the gentleman from Massacuhsetts for his consideration which certainly has been most generous, and I wish to say we do appreciate it. I am particularly hopeful that Wednesday can be kept pretty clear.

Mr. McCORMACK. It is the intention to keep Wednesday clear.

Mr. HALLECK. I thank the gentleman.

GENERAL LEAVE TO EXTEND ON HOUSE CONCURRENT RESOLUTION 459—PANAMA-UNITED STATES TREATIES

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the permanent RECORD just preceding the passage of House Concurrent Resolution 459.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

TRUST AND PARTNERSHIP INCOME TAX REVISION

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 436) providing for the consideration of H.R. 9662, a bill to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

Mr. THORNBERRY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 436 makes in order the consideration of H.R. 9662, which would make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes. The resolution provides for a closed rule and 2 hours of debate.

The bill is concerned with the revision of subchapters J and K of chapter 1 of the Internal Revenue Code, which deal with the income tax treatment of estates, trusts, beneficiaries, partners, and partnerships.

The work on these subchapters began with advisory groups established in November 1956 by a subcommittee of the Committee on Ways and Means. The reports of the advisory groups were completed by the end of 1958 and were the subject of public hearings by the committee in February and March 1959.

Following the hearings, the reports of the advisory groups were extensively studied by the committee in executive session and the bulk of their recommendations has been incorporated in the provisions of H.R. 9662.

The bill makes a number of important substantive amendments to the estate and trust income tax provisions, which changes are concerned with unintended benefits and unintended hardships in present law. There are numerous technical amendments to the estate and trust income tax provisions, which amendments are largely clarifying.

The bill retains the basic structure of the present partnership provisions, and the changes made by this bill are largely in the nature of modifications and perfections of the existing provisions.

I feel certain that the chairman of the Committee on Ways and Means will go into quite some detail when the bill is presented for debate, so I will not undertake to do that at this time.

I urge the adoption of the rule.

Mr. ALLEN of Illinois. Mr. Speaker, I have no requests for time on the resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9662) with Mr. HAYS in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Arkansas [Mr. MILLS] is recognized for 1 hour and the gentleman from Illinois [Mr. MASON] for 1 hour.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. MILLS. Mr. Chairman, this bill, H.R. 9662, consists of two titles.

Title I of the bill relates to subchapter J of chapter 1 of the Internal Revenue Code and deals with the income taxation of estates, trusts, and beneficiaries.

Title II of the bill relates to subchapter K of chapter 1 of the Internal Revenue Code and deals with income tax treatment of partners and partnerships.

Both of these titles grew out of the work of the Subcommittee on Internal Revenue Taxation. This subcommittee began its studies in this matter at the direction of the former chairman of the Ways and Means Committee, the Honorable Jere Cooper, in the fall of 1956, when our attention was directed to the fact that there were numerous problems in subchapters C, J, and K. This bill deals with the latter two of these subchapters.

There possibly will be some legislation in the near future reported out by the committee dealing with some of the problems that were brought to our attention in subchapter C, which deals with corporate distributions and adjustments.

We, as part of the work in the subcommittee, asked several lawyers and accountants to serve on advisory groups. We asked these men, who were skilled in the problems of each of these subchapters, to give us their best judgment and advice as to the corrections the Congress should make in the provisions of the law. The estate and trust advisory group of nine members are: Messrs. A. James Casner, chairman, Kenneth W. Bergen, Carlysle A. Bethel, George Graven, Rupert Gresham, James P. Johnson, Carter T. Loutham, Weston Vernon, Jr., and Laurens Williams. The partnership advisory group consisted of eight members, of which one, Mr. Abner Hughes, found it necessary to resign before the completion of its report. The other seven members are: Messrs. Arthur B. Willis, chairman, Harry Janin, vice chairman, Mark H. Johnson, Paul Little, Donald McDonald, Herbert B. Story, and Laurens Williams.

These advisory groups were appointed on November 28, 1956. They completed their reports to the subcommittee in the latter part of December of 1958. I would like to take this opportunity to express my appreciation to the members of these advisory groups for the fine jobs they have done and for the many long hours that they, without compensation, devoted to their tasks.

After receiving the reports your committee held hearings on this matter in the months of February and March of 1959, in the last session of Congress. Subsequent to these hearings your committee considered the various subchapter J and K proposals in executive session and in the case of both subchapters adopted a great many of the advisory group recommendations. It turned its decisions over to the Drafting Service to be drafted during the fall when Congress was not in session. A draft of the bill finally was presented to the committee and introduced on January 28th. The bill was reported out by the Ways and Means Committee unanimously. Because of the technical nature of these matters I am sure they do not stimulate any broad interest on the part of the membership of the House, but I am certain you would like to know, in spite of that, very briefly, some of the more important provisions that we are treating in this bill.

Title I of the bill, consisting of 21 sections, makes a number of substantive and important technical amendments to the income tax provisions relating to estates and trusts. The substantive changes are, to a large extent, concerned with closing loopholes and correcting other unintended benefits and unintended hardships in present law.

Among the more important provisions designed to prevent tax avoidance is the amendment contained in section 113 of the bill, relating to multiple trusts. The multiple trust problem results from the creation of more than one trust by the same grantor for the purpose of accumulating the income over a number of years and distributing it to the same beneficiary. The splitting of the income among several taxable entities, thus created, results in the reduction of the overall tax burden, since the accumulated income is taxed to each separate trust at lower rates than would be the case if only one trust were created. To prevent tax avoidance by the use of such multiple trusts your committee's bill, in general, provides for taxing the distributions from such trusts to the beneficiaries at the time they are received, but only to the extent that income was accumulated by the trusts in the preceding 10 years. In other words, the tax imposed on the beneficiary for the taxable year in which the multiple trust distribution is received will be increased in an amount equal to the additional tax which would have been imposed on the beneficiary had such amounts actually been distributed to him in each of the preceding 10 years, instead of being accumulated by the trust. Generally speaking, where a grantor creates a series of trusts to distribute the accumulated income to the same beneficiary, the first trust making distributions would not be subject to the new multiple trust rules, but distributions from the second and succeeding trusts would be treated as multiple trust distributions.

Another important provision designed to prevent income from escaping taxation is contained in section 101 of the bill, relating to the sale of property subject to a legal life estate or other terminable legal interest. This is accomplished by deeming a trust to exist with respect to the gross income derived from property subject to a terminable legal interest in cases where the income is not taxable to the person holding the interest.

Another important change relates to the "tier system" of present law. This refers to the order of priority established in determining which distributions to beneficiaries are deemed to consist of income distributed by the estate or trust. The changes made in the tier system are designed to correct hardships and inequities which result from the two-tier system of existing law. Section 107 of the bill establishes a three-tier system under which all beneficiaries who can receive distributions only out of income are placed in the first tier, those who can receive distributions of either income or corpus are placed in the second tier, and those who can receive distributions only of corpus are placed in the third tier.

Another important change relates to the treatment accorded charitable contributions of trusts and estates. Sections 102 and 106 of the bill, in the interest of simplification of the law, treats these contributions as distribution deductions, rather than as deductions from gross income as is provided by present law. However, to eliminate opportunities for tax avoidance, such deductions are taken into account only to the extent that the distributable net income is not used up by distributions to taxable beneficiaries falling within the three tiers previously mentioned. I think I should point out that the real effect of this is the establishment of a four-tier system, with charities being placed in the fourth tier.

Other sections of title I of the bill make important technical or clarifying changes in present law, which are fully explained in the report of your committee accompanying this bill, and I do not believe necessitate further discussion.

Title II of this bill retains the basic structure of the present partnership provisions. As a result, the changes in the partnership provisions made here are largely in the nature of modifications and perfections of existing law. It might be said that this title is more technical and not as substantive as title I of the bill.

There can be no denying the complexity of the present partnership provisions even though the present provisions are necessary to maintain equities in the more complex situations. Much of the trouble in this respect stems from the fact that under partnership law a partnership on one hand may be viewed as an aggregation of individuals, or in effect as a series of sole proprietorships. On the other hand, a partnership may be viewed as an entity more closely approximating the corporate form of organization. Because partnerships have traditionally operated under both of these basic concepts, it is impossible to do them justice under the tax laws without permitting alternative types of tax treatment in various situations. However, your committee has recognized that this has presented problems for the smaller, simpler partnerships in gaining an understanding of the partnership tax law.

To meet the problem of these smaller, simpler partnerships, your committee's bill makes two changes designed for their benefit. First, it rearranges the partnership provisions so that the provisions of general application, which the smaller, simpler partnership is likely to have to use, are placed first in the law. This makes it unnecessary in most cases for the members of these partnerships to familiarize themselves with the more technical provisions which follow. In addition, the bill provides a simplified reporting procedure which can be elected if the partnership so desires. Under this

treatment all of the partnership income received by the partners, except capital gains and losses and dividends, is treated as ordinary income. For the small partnership where ordinary income represents the bulk of the income, such simplification will decrease the paperwork for the partners.

Among the more important unintended hardships of existing partnership law corrected by your committee's bill is the amendment relating to the time of the closing of the partnership taxable year for a partner who dies. Presently this year for the deceased partner continues to the normal ending of the partnership year with the result that his successor may lose an opportunity to offset against this partnership income expenses incurred by that partner for his last year, as well as lose the benefits of income splitting. This bill prevents this hardship by closing the partnership year for the deceased partner's interest at the time of his death although permitting his successor to elect to continue the year if he so desires.

The bill also substitutes a new definition for the definitions of unrealized receivables and inventory items, which under present law may result in ordinary income. The new definition determines whether an asset is an ordinary income asset by attributing to it the character it would have if the asset were held directly by an individual.

In connection with these ordinary income, or collapsible partnership provisions, your committee's bill also removes a loophole under existing law where ordinary income treatment may be avoided by borrowing funds. Presently these borrowed funds may be invested in the partnership in a manner which reduces below 10 percent the percentage of total assets which represent ordinary income assets. This makes the collapsible partnership provisions inapplicable. Your committee's bill prevents this result by excluding borrowings in determining the application of this percentage.

Mr. Chairman, in connection with my remarks, if there is no objection, I would like to include an itemization of some of the other changes which are made by the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The items follow:)

(1) Provision in the code for the imposition of tax where services are exchanged for an interest in the capital of a partnership;

(2) Refining of the rules which apply in the case of amounts paid by a partnership to a retiring partner or to a deceased partner's successor in interest;

(3) Clarifying the rules applicable to income in respect of a decedent;

(4) Making more precise the rules applicable in the case of transfers between related persons where one or more is a partner or partnership;

(5) Providing separate elections for special bases for partnership property in the case of distributions and transfers; and

(6) Permitting an election at the organization level, rather than at the level of the individual members, as to the application of the partnership provisions in the case of groups set up exclusively for investment, or for the production of property but not for its sale.

Mr. MILLS. With that, Mr. Chairman, I would urge that the membership of the House accept the bill reported by the committee and give it their support, so that it may be further considered by another body of this Congress.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. We heretofore have approved legislation which permits corporations to also file as partnerships. Now, will this new partnership law be applicable to those sections as well?

Mr. MILLS. No. The provisions to which the gentleman refers are in subchapter S of the Internal Revenue Code, where a qualifying corporation elects to be treated in a manner somewhat similar to partnerships. The provisions of that subchapter provide separate rules for subchapter S corporations. Subchapter K has no application in the case of the income taxation of a corporation electing to be treated under subchapter S. Subchapter K only has to do with the income taxation of partners and partnerships.

Mr. ROGERS of Colorado. Then the gentleman's answer would be that if a corporation decides to be treated as a partnership under the law that we have already passed, then these provisions in this bill would not affect it in any manner whatsoever?

Mr. MILLS. In the event of a partnership electing to be treated as a corporation under subchapter R of the code, rules are likewise provided in that subchapter. This has to do with the income taxation of partners and partnerships that elect to continue to be treated as partners and partnerships or at least continue in that status and make no election to be treated as a corporation. It does not apply to a corporation electing to be treated as a partnership.

Mr. ROGERS of Colorado. Last year we had a private bill concerning a partnership whose fiscal year was from February 1 to January 31. There was a death of one of the partners in the month of November, as an example. The Bureau of Internal Revenue as well as the court decision said that that partnership's taxable income was for the year plus the 9, almost 10 months of the fiscal year. The question I want to ask is, "Does this bill change that decision in any manner whatsoever as it relates to partnerships?"

Mr. MILLS. The provision to which you relate actually was fixed up in 1954 when Congress revised the partnership tax laws to prevent the bunching of more than 12 months' income in a single year when a partner dies. I believe the bill to which you relate was concerned with a year before the 1954 code provisions applied. The provision contained in this bill, to which I have already related, permits a deceased partner's successor to prevent this bunching of income if he wants to but, on the other hand, he may prefer closing the year with respect to the deceased partner at the time of his death in order to offset this income against deductions of the deceased partner, in his last year and also in the case of the deceased partner's wife in order to gain the benefits of income splitting. The bill permits them to elect this choice if they prefer to do so.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. HEMPHILL. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. HEMPHILL. I have in mind two instances in which, in order to accomplish some estate planning, a testator has set up multiple trusts with the same beneficiary. Having depended upon tax laws as written, now does this deprive him not only of his right to depend upon the will which has been processed because of the death; and, also does it go back 10 years?

Mr. MILLS. No. Do not misunderstand this 10-year provision. Let me ask the gentleman this: In the case of an existing will or trust instrument should there be any guarantee of the perpetuation of a loophole? Is it not the duty and the responsibility of the Congress whenever it becomes aware of the fact that a certain provision of law results in some unintended benefit, either favorable to the taxpayer or to the Government, to proceed to correct it? We are considering this situation not with respect to earnings already paid out through the multiple trusts but through earnings that are paid out in the future through these trusts. I recognize that there are people who actually think that they are safe in perpetuity where an instrument is in existence and especially where there is no possibility of changing it. But this is a matter of much concern—it was called to the attention of the committee some years ago as a loophole and it has become worse since that time. I should also point out that your committee was unanimous in feeling some solution had to be worked out to deal with this problem. Admittedly this is a tough solution.

Mr. HEMPHILL. I had in mind that when the taxpayer was considering it, he considered it a benefit when Congress enacted it but when Congress reconsidered it Congress then considered it a loophole.

Mr. MILLS. No. This, like other provisions of law today is being used for purposes never intended by the Congress. Where loopholes appear further action has to be taken.

Mr. HEMPHILL. He may take advantage of it in good faith, and therefore he makes a will.

Mr. MILLS. Here is the whole point I want to call to the attention of my friend from South Carolina because I know of his deep interest in these matters and his desire at all times to be fair. Would the gentleman think it is fair for a tax law to provide that a father can establish over a period of years, say 15 or 20 trusts, for the benefit of the same son with the result that the total income of the trusts is never taxed at a rate exceeding 20 percent? Whereas if only one trust were established for the son, or the income went directly to the son, some of

the income might be taxed at a rate as high as 90 percent. Does the gentleman think the trust vehicle should be used to permit taxation of income at lesser rates than people have to pay who are working and earning income for the same taxable year? I know the gentleman does not. That is what we are trying to do in part.

Mr. HEMPHILL. I do not question the fairness of the proposition, I just question the fact that people have made wills or other executory instruments or trust instruments on the faith that this benefit would be given to them. I think everybody ought to be taxed alike.

Mr. MILLS. If the gentleman wants to apply that rule, we should never increase the rate of taxation, as we have done over the years, because when a man accepted a job at say $10,000 a year he thought his payment was going to be so much. You might argue there that he took it at $10,000 because in 1939 the tax was going to be $300, and we ought to protect him in that. But in spite of this argument we have raised taxes since then a number of times. There is no conflict there. We have done this many times before. The bill in the case of existing instruments applies only to distributions paid out in future years, and not with respect to distributions paid out over past years.

Mr. HEMPHILL. I want to thank the chairman for his courtesy and salute his noble purposes. The point about which I was making inquiry, with all respect to the gentleman's knowledge of his subject, was that I wondered if there were any differentiations between those executory instruments which are already in effect and those which are coming into effect in the future.

Mr. MILLS. No; it is with respect to the time of the distribution that we are making this distinction. The bill applies to future distributions of both existing and new trusts.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Ohio.

Mr. VANIK. I want first of all to commend the committee and its chairman for the great work that has been done in connection with this legislation. May I inquire whether or not in any of the technical amendments that are being considered here this afternoon there will be any loss of revenue that can result, in the knowledge of the chairman?

Mr. MILLS. No. My thought about the bill is this, That it is not a bill that we bring to you primarily because it produces additional revenue, although I believe it will do so. It certainly does not lose any revenue. It is a bill that we bring to you primarily with the thought in mind that without the bill there would be substantially lower amounts of revenue collected over a period of time in the future than with the enactment of this bill.

Mr. VANIK. Are there any particular places where a reduction in revenue might result?

Mr. MILLS. Any time there is reference to the correction of an unintended hardship in the present law there is the possibility of some tax loss, but, by the same token, when there is a reference to the correction of an unintended benefit there is the possibility of some tax gain, so that one would offset the other.

Mr. VANIK. May I ask if the section in the report relating to dividends exclusion, section 642(a)(3), on page 44, would not in effect result in extending the dividend exclusion rather than contracting it?

Mr. MILLS. Not to any appreciable extent. The Treasury regulations already provide for the allocation of the $50 exclusion between the beneficiaries and the trust. The bill merely provides that the trust is to have a separate $50 exclusion. This was adopted in order to eliminate the present complexities in allocating this $50 exclusion. Of course, this exclusion is not available to the trust at all unless it retains part of the dividend income. On the other hand, the rule in the case of partnerships is quite different. There the exclusion is available only at the partner level and not the partnership level.

Mr. VANIK. I thank the chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I first want to compliment my chairman on his explanation of these very complicated sections of our tax code. He has given us as clear an explanation as can possibly be given on these two subchapters which are very technical and very complicated.

The second thing I want to say is this: I became interested in tax questions, both Federal taxes and State taxes, something over 40 years ago. I took a couple of courses at the University of Illinois on these subjects and I have been interested in taxation and tax problems ever since. I have sat in the House of Representatives for a long time. I have enjoyed the explanations and discussions concerning technical changes in our tax bills that have been made during the years of my service. These comments have been made by my former committee colleague in this body, Mr. Vinson, who was also Chief Justice of the Supreme Court and also, prior to that, Secretary of the Treasury.

I have enjoyed the debates between our friend and former colleague, Mr. Doughton, and others on this floor trying to explain the complicated things that are in our Federal Tax Code.

I say that our chairman today has given as able an explanation of a very obtuse subject as could possibly be given. If anyone in this House understands Federal taxes it is the chairman of the Ways and Means Committee, and I want to compliment him.

Mr. Chairman, this legislation comes before us after being unanimously reported favorably by the Committee on Ways and Means. This legislation has been a long time in its preparation.

Its purpose is to simplify and make more equitable two important areas of our Federal tax structure. The first area concerns subchapter J pertaining to the income taxation of estates and trusts. The second area concerns subchapter K pertaining to the taxation of partners and partnerships.

Original work leading up to the development of this legislation began with the Subcommittee on Internal Revenue Taxation in the 84th Congress. It continued with the establishment of advisory groups on November 28, 1956. These advisory groups were comprised of outstanding American citizens from the professions and business world having particular competence in tax matters. The Committee on Ways and Means has given careful consideration to the recommended changes contained in this bill both in public hearings and executive sessions.

My distinguished chairman, the gentleman from Arkansas [Mr. MILLS], has given a well considered explanation of the general purposes of this legislation and the changes that would be accomplished by its enactment. For that reason I will not undertake to deal with particular aspects of the bill but will merely content myself with being associated with his informative discussion of H.R. 9662.

I join with the able chairman of the Committee on Ways and Means in urging my colleagues in the House to support this legislation's passage.

Mr. MILLS. Mr. Chairman, I have no further requests for time, and the committee has no amendments to submit at this time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendment is in order except amendments submitted by members of the committee. The Chairman has no amendment.

Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS

Mr. BLATNIK submitted a conference report and statement on the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes.

THE FARM OUTLOOK PICTURE IS NOT ALL BLACK

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, under leave to extend my remarks, I include the following article, entitled "The Farm Outlook Picture Is Not All Black," which is an Illinois farmers' outlook letter, published at Urbana, Ill., December 9, 1959:

THE FARM OUTLOOK PICTURE IS NOT ALL BLACK

URBANA, ILL., *December 9, 1959.*

In recent weeks many writers and speakers have painted very dismal pictures of the future for farmers. They have dwelt at great length upon swelling farm surpluses and shrinking farm income.

The dreary scene that they describe might discourage almost any farm family. It is also dark enough to tempt many a farmer's creditors to foreclose the mortgage.

Fortunately the farm outlook picture is not entirely dark. There is some light among the shadows. Let's look at those farm income figures again:

Net realized farm income declined about 15 percent from 1958 to 1959, and a further decline of about half as much is officially forecast for 1960.

Farmers may remember many similar statements and forecasts in recent years. One such statement was made in the fall of 1957. But instead of going down in 1958 as expected, farm income went up nearly 20 percent. The decrease this year took the total back to about the 1957 level. Actually, realized net farm income has not trended downward during the past 5 years, but has about held level, fluctuating around $12 billion a year.

Realized gross farm income reached an all-time high of $37.2 billion in 1958. Gross farm income is what farmers have available to pay for their machinery, operating expenses, and living costs. Realized gross income is down about 3 percent in 1959 from 1958. This will be the third highest amount on record, being exceeded only in 1958 and by a narrow margin in 1951.

Two important developments have increased the incomes of many farm families in recent years:

1. Many men have quit farming (usually to take more profitable employment), leaving more land and more income for those families that remain in farming.

2. Many families have greatly increased their earnings by taking off-farm employment.

We should get some good information about these trends from the farm census that is now being taken. But in the meantime official estimates indicate that net cash farm income per farm operator in 1958 equaled the record high set in 1947, when price controls were first eliminated.

These official guesses may understate the actual increase in farm income per farm operator. They are based on the elimination of only one farm in five in the past 10 years. Farmers in many communities of Illinois report a much more rapid combination of farms. The consolidation of farms has speeded up in Illinois in the past 2 years, and it seems likely to proceed rapidly in the 1960's.

The average income of farm families from nonfarm sources apparently has increased about 60 percent in the past 10 years. In 1959 U.S. farm people received about half as much from off-farm sources as they made from farming.

Many farm families will get even more income from nonfarm sources in the future. This trend is the counterpart of the one in which many nonfarm families obtain income from two or more jobs.

L. H. SIMERL,
Department of Agricultural Economics.

OUR POSITION IN THE MISSILE-SPACE RACE

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I am inserting in the RECORD an editorial which appeared in the February 1 issue of the Kokomo Tribune, one of the leading newspapers of my district. The editorial points up one of the major problems which confronts us in the missile-space race, namely that of maintaining our position of world leadership not only in fact but in the eyes of the rest of the world. George V. Allen recently told the House Committee on Science and Astronautics that the world looks at both America and the Soviet Union with news eyes as a result of spectacular Soviet space triumphs. Mr. Allen further stated:

> As a consequence of these events the see-saw seems to have tipped solidly in the Soviet direction, in world opinion. Today, although we continue to see the hope expressed abroad that the United States will catch up, we also see growing doubt that this is likely during the next 5 or even 10 years.

This is a serious assertion and one which we cannot take lightly for American prestige abroad is, of course, necessary if we are to continue to assume a firm and steadfast role of leadership for the free world. Emphasis on sound policy as the basis for our prestige is fine but leadership on every level demands in addition that unusual quality of attracting another's attention—we might call it a flare for doing the unusual—which is the psychological factor which causes people or nations to listen, to be persuaded and finally to follow. The following editorial hits the nail right on the head:

IT'S PSYCHOLOGICAL, TOO

Generally, when the U.S. Government answers charges that it is falling behind in the space-missile race, it says two things:

1. Its overall defense posture is sufficiently strong to protect this country and to rain nuclear destruction on any potential enemy.

2. While America's space progress may not match Russia's, our scientists have developed many "qualitative" superiorities which make our missile work better than it seems.

You can get plenty of argument as to whether these are reasonable and satisfactory answers from a military standpoint. But aside from the military aspect, the psychological importance of the Russian space accomplishments may not be getting as much attention from the Government as they should. The matter of world prestige is of great importance and the Russian feats in space doubtless have made a deep impact on the nations of the world. What we are able to do and what Russia is able to do are matters that sway impressionable nations.

In weighing the question, the average American is handicapped by not having complete information on how hard the United States is working to make a strong showing in the space race. It may be that national security reasons prevent the Government from disclosing all its activity in this field. On the other hand, progress may be impeded by confusion caused by the presence of several different agencies which are working on our space program.

The dangers of doing too little should be clear. We cannot maintain a place of leadership in the world's eyes unless we accept the fact that space exploration is a race—one that we must win. And not only will our failures hurt us in the world view, thus engendering a correspondingly greater fear of the Russians, but the Soviet leaders might develop a dangerous overconfidence that could put them into aggressive misadventures carrying the peril of ruinous war.

If Washington is not fully aware of the psychological stake in the space race, it had better be jarred into awareness.

THE SPACE AGE—AND "ALL IS NOT WELL"

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it is the third year of the space age, and "all is not well." History will record that, from October 4, 1957, up to this date in 1960, the White House has failed to understand, to frankly acknowledge, and to provide the positive leadership that is needed to win the space race.

Soviet Russia has scored the impressive advances, while we have been content to follow along in second place. Russia successfully launched Sputnik I, the first satellite in history. Months later we followed suit, and subsequently put 15 earth satellites into orbit.

Russia then shot the first living thing, the dog Laika, into orbit. We have not accomplished this as yet.

The Russians were first to hurl a payload past the moon into solar space, and we followed with a smaller rocket.

The Russians then hit the moon with a rocket, and later shot a missile around the moon and earth to photograph the other side of the moon. We have not succeeded in duplicating these feats.

The administration tried to dismiss Sputnik I as "a mere toy." When the second Russian achievement spurred demands for action, the administration brushed them aside as "hysterical." At the third Russian achievement, the White House sought refuge behind "a balanced budget."

Its pedestrian approach to the space age has permitted Soviet Russia to score one prestige victory after another, and by neglect of its responsibilities, the administration has led the world to believe that we have grown too rich and soft

to even compete for the new horizons that are opening up. There is the slowly dawning realization that this administration is not up to the challenge.

Joseph Alsop's syndicated column of October 7, 1959, was titled "After Ike, the Deluge."

Life magazine, which is friendly to the administration and its policies, followed with an editorial, "Space: an American Necessity—To Overtake the Soviet Lead, the President Must Decide To Be Serious About It."

The Washington Merry-Go-Round column of December 1, 1959, warned that:

> The National Security Council has estimated that it will cost $1,500 million a year to keep up with Russia in the space age. This would be the bill for the civilian space program alone, not counting military missiles and satellites.

William R. McIntyre's column of December 14, 1959, stated:

> Crash program called for to overcome Russian space lead.

It quoted Representative OVERTON BROOKS, Democrat, of Louisiana, chairman of the House Committee on Science and Astronautics, as calling for a crash program "to overcome the Russian lead before it is too late." It referred to an assertion by Director Donald H. Menzel, of the Harvard Observatory—after Lunik 3 had photographed the moon—that "indifference, indecision, and the importance assigned to budget balancing had kept the United States from recording a similar achievement."

On January 6, 1960, the conservative New York Herald Tribune alerted its readers with an editorial titled "Space: A Race We Must Win." And went on to declare that—

> Whether we like it or not, we are in a race * * * a race we cannot afford to lose. * * * Our National Space Agency this year has a budget equal to only one-tenth of 1 percent of the gross national product, while vital space programs have been deliberately delayed for lack of funds. The U.S. space effort is still hamstrung by inadequate financing, by divided authority, by lack of a clear affirmation of national purpose. * * * We can't win unless we start running. * * * The free world has a right to demand more vigorous leadership than it has gotten from the United States in the competitive conquest of man's ultimate frontier.

On January 19, 1960, the "great clarifier," Walter Lippmann, in his criticism of the President's space program wrote:

> He [the President] has adhered to a principle which puts private comfort and private consumption ahead of national need. * * * We are falling behind in the race, because we are not allowed to run. * * * Nobody can say as yet when the Nation will become aroused to the realization that national duty must take precedence over private indulgence, that it is not possible to preserve our society by private affluence and public complacency. * * * The voices that will serve this country, and indeed save it, will be those of stern men demanding hard things.

Why is it, we must ask ourselves, that during these years of private prosperity, the President has permitted our Nation to fall back, and to lose its primacy among the big powers?

Is it because the President does not fully understand the necessities of the space age?

Is it because he has the good will, but not the resolute willpower, to give us effective leadership?

Or is it because he is influenced in his judgment and in his policies by financiers and scientists who, while expert in their own narrow fields, do not comprehend what Hanson W. Baldwin, military editor of the New York Times, describes as "the tremendous political and psychological importance to our international prestige and our national safety of easily discernible scientific and military achievements."

Baldwin's feature article in the New York Times magazine of January 17, 1960, quotes Clarke Newlon, executive editor of the magazine Missiles and Rockets, as stating that there is no lack of "national courage, skills, and basic techniques to overtake and pass Russia in the space race if we start now. The starting means adequate funding, enthusiastic support, and real desire to win."

Newlon then makes the serious charge that:

> There is almost universal feeling * * * that the Nation's space program is at present on dead center; that the present administration fails to recognize its importance; that we have no real space plan; that no significant action will be taken until we have a new head of Government.

I say that we cannot wait until then. If we had a parliamentary form of government, we could vote "no confidence" in the administration on this critical issue.

But we do not have this opportunity under our system to repudiate a National Government whose dilatory tactics are neglectful of our Nation's imperative needs.

Must we then stand by, helplessly, while the Russians forge ahead?

When a President fails, Congress must fill the leadership vacuum. But before we take this drastic step of legislating a real space program and providing energetic direction for it, I ask for approval of my resolution authorizing a joint, bipartisan committee, to be selected by the President of the Senate and the Speaker of the House, that shall meet immediately with the President of the United States. The committee shall urge him to speak to the Nation declaring our firm purpose to win the space race by doubling the funds he originally requested for it in his budget message, and calling upon all our citizens to support and share in this major effort.

Ours is a pioneering nation. To press forward, to explore, to discover, this is the vital spirit of free men.

We cannot allow the administration, by its substitution of words for action, to deny us our birthright. Private enterprise is not enough. We must have public enterprise with bold vision and determined effort to win the space race.

Freedom cannot survive if it is content to be second best.

TO EXPEDITE SETTLEMENT OF STRIKES

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, for nearly 4 months we witnessed a crippling strike in the steel industry with its damaging effects on the Nation's economy. I want to call your attention to one particular aspect of that strike. From July 15 until November 7 the employees had no means by which they could have accepted any offer to go back to work.

Approximately 10 men, 4 representatives of the steel companies and 6 representatives of the union, had complete power to decide when the strike should end. A half million steel workers, and nearly a quarter million workers in allied industries, lost a total of $1,235 million in wages. There was nothing they could do about it after the strike began.

Mr. Speaker, this is a situation that happens over and over in labor-management disputes, and I am introducing legislation today which is intended to give the employees some control over how long they must stay out of work after a strike begins. Under my bill the National Labor Relations Board would conduct a vote among the employees of an employer engaged in an industry affecting commerce 45 days after a strike begins, and each 45 days thereafter, on the last best offer of management. This would at least give striking employees an opportunity to review the negotiations of their union representatives.

Equally important is the fact that this gives representatives of management and labor, once every 45 days, a feeling of compulsion toward entering into some very hard bargaining. During the steel strike there were days on end when only token meetings were held or none at all. There have been strikes against the Anaconda, Phelps Dodge, Kennecott, and Magma mining corporations which were begun last August and which have brought hardship to whole communities where these corporations provide the major payrolls. Their negotiations with the Mine, Mill & Smelter Union have been agonizingly slow. We need a way to make negotiators accountable to someone besides themselves and their own particular interests.

Legislation of this kind is more urgently needed than many of us realize, both for the Nation's economic well-being and for the individual men and women and their families who are deprived of their earning power for extended periods of time. Last year there were approximately 3,900 strikes in the United States. In 1958 there were 3,632 strikes, 20 percent of them lasting more than a month. Two hundred sixty-nine of the strikes in 1958 lasted more than 2 months, and 133 lasted more than 3 months. Over 2 million workers each year are out of work because of strikes.

This is economic waste on a large scale, made possible in part by the inability of the employees themselves to limit the duration of strikes.

What I am proposing today is an amendment to the Taft-Hartley Act to correct this particular situation. In order to insure periodic employee elections during a strike, it would also be necessary for the National Labor Relations Board to know of the existence of strikes when they occur. I don't know how many Members of this body realize it, but no agency of the Federal Government now has the power to get that information. It is amazing to me that the Federal Government, as deeply involved as it has been in labor-management relations for over 25 years, has absolutely no provision for the official reporting of the existence of strikes, either by companies or labor unions.

The Bureau of Labor Statistics in the Department of Labor collects information about strikes, and I am sure a creditable and admirable job is being done considering the circumstances under which the Bureau has to work. News of the existence of strikes is gleaned from newspaper clipping services, information from State and Federal agencies, voluntary information from employers and labor unions, and union periodicals. Questionnaires are sent to the companies and unions which the Bureau discovers are engaged in strikes, and additional information is secured through this means on a voluntary basis.

This method of getting strike information is so tenuous that it can only be used for statistical purposes. Actual knowledge of strikes is kept confidential. Not even a Member of Congress may be told where strikes occurred in the United States last year unless he reads about them in the newspapers. I am informed that strikes have occurred involving over 1,000 employees for extended periods of time with a conspiracy of silence so effective that no mention of them was made in any newspaper. I consider this an intolerable situation. Not only are employees helpless to end a strike if they should wish to do so, but as far as the Federal Government is concerned management and labor may conduct their bargaining altogether in a twilight of conspiratorial secrecy.

Mr. Speaker, I hope this bill will receive early and favorable attention, and I urge every Member to give it his careful consideration and support.

THE HONORABLE JOHN J. O'CONNOR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, to those familiar with the personal and political exploits of the late John J. O'Connor, news of his passing is received in a spirit of deep sorrow. Throughout his lifetime he stood as a symbol of political integrity, and his independence, innate honesty, and unquestionable courage endeared him to the multitude, both in his native Massachusetts and in his adopted home of New York City. We mourn his loss.

John O'Connor was a graduate of Brown University, where he secured his academic degree, and of the Harvard Law School, where he was elected to Phi Beta Kappa. At the age of 26 he moved to New York City, and there took up the practice of law.

Displaying marked ability as a trial lawyer, John O'Connor soon awoke the interest of the political leadership in New York City, and in 1920 was elected to the State legislature, serving there for several years. In 1924 he was elected to the Congress as successor to the famous W. Bourke Cochran, and John O'Connor was as quickly recognized for his ability in Washington as he had been previously in Albany.

As a member of the Rules Committee he soon rose to chairman, and in that capacity earned the respect of the House. He knew the rules of the House. He was an outstanding parliamentarian, and when his less experienced colleagues wandered from the book he had a knack for untangling them without giving the slightest offense. He was recognized as an outstanding Member of the House, and a strong chairman of the Rules Committee.

Service at different times with the Child Welfare Commission and a legislative committee studying alleged exploitation of immigrants aroused John O'Connor's interest in public welfare to a high degree. It was an interest that was to grow steadily throughout his career, and played a prominent influence in the success of his public career.

The deep sympathy of John O'Connor, as well as his vast understanding, great knowledge, and good humor, made Washington not only a more productive place during his tenure in the House, but also made it a pleasanter place for other Members.

John O'Connor lived an active, affirmative, and constructive life.

To his loved ones, I extend my deep sympathy in their great loss and sorrow.

UNRESTRICTED USE OF THE SUEZ CANAL

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, through the vacillating policies of this administration, the United States has been ensnared into the role of aiding and abetting practices and actions which it deplores.

I am prompted to make this assertion due to the recent disclosure that the Navy Department, in order to assure an uninterrupted supply of necessary fuels, now requires insertion of a cancellation clause in the charter of private vessels should it develop that the tankers, yes, even American tankers, are blacklisted by U.A.R. and barred from Arab ports for having been used in trade with Israel.

This affront to freedom of trade and contract is because this administration does not put into practice and effect, when it has the opportunity so to do, those high-minded principles which it so repeatedly asserts.

In order to induce Israel to withdraw from the Sinai Peninsula the President of the United States on February 20, 1957, pledged to the American people over television so that he can be seen as well as heard:

> We should not assume that, if Israel withdraws, Egypt will prevent Israel shipping from using the Suez Canal or the Gulf of Aqaba. If, unhappily, Egypt does hereafter violate the armistice agreement or other international obligations, then this should be dealt with firmly by the society of nations.

From that time and right up to the present, in spite of repeated violations of such right to the use of the Suez Canal and the criticism leveled against the U.A.R. for such transgressions, this administration never dealt effectively howbeit not firmly with the situation.

Maybe the administration, after being in the forefront in pressuring Israel to retire from the Suez Peninsula, now prefers to defer to the United Nations and to lurk in the rear of moral forces when the time for action arrives.

From my point of view, the United States is a nation in the society of nations and we should make our views not only heard but felt as well in which latter respect this administration, it appears to me and to the world at large, knows not how or cares not sincerely.

Because of the administration's attitude as shown in fact through its actions, or better yet, inaction, the great power of the U.S. Navy has been made subservient to the illegal, irresponsible, and condemned boycott action of the U.A.R. and an unwilling tool to further it. This affront to the United States, this insult to our people, snub to our principles and sneer at our professed sense of morality, all with impunity and brashness, was induced only because this administration resorted to the use of platitudes as palliatives and the comfort of temporary expedients for positive action. True facts and moral realities were swept under the rug.

The pile of sweepings is now so great that the administration itself is now tripping over it. The debris must be cleaned out without delay or else in the eyes of the nations of the world we shall be considered not only weak in arms and technology, but also in enforcing moral issues.

In 1956 Egypt nationalized the Suez Canal but agreed to abide by six principles which provided for free and open transit through the canal without discrimination, overt or covert, and that the operation of the canal should be insulated from the politics of any country. Egypt is also bound by article I of the 1888 Constantinople convention which governs the operation of the canal. That article provides that the 110-mile waterway "shall always be free and open

in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag" and that "the canal shall never be subjected to the exercise of the right of blockade."

The foregoing are basic and still in effect. Add thereto the President's assurance given on February 20, 1957, plus the views of the United Nations Security Council.

How long did these promises and assurances last? Here are the answers. In 1957 and 1958, Israel did not try to send its own ships through the canal, but more than 40 non-Israel ships were allowed to carry Israeli cargoes through it.

In 1959, however, the Liberian ship *Captain Manolis* and the West German ship *Lealott* were, on February 26 and March 17, respectively, stopped by the U.A.R., and only after confiscating their cargoes were they allowed to pass. Such rank piracy was not firmly dealt with by the administration, as evidenced by the fact that on May 21 of that year the Danish ship *Inge Toft* was stopped when its captain refused to surrender his Orient-bound cargo of cement, potash, and copper.

To all this, when U.S. Senators reminded the President of his 1957 promise, the administration's firm action consisted of a mere reassurance to Congress that the U.S. position with respect to the unrestricted use of the canal is clear and unequivocal.

In July 1959 U.N. Secretary Dag Hammarskjold went to Cairo and received from Nasser a concession that U.A.R. might not interfere with shipping to and from Israel provided cargoes were shipped f.o.b. from Israel and c.i.f. to Israel in non-Israel boats and further provided there was no publicity.

This assurance lasted only until it was tested. On December 18, 1959, the Greek ship *Astypelea,* carrying 400 tons of cement purchased by an Asmara company, bound from Haifa to Djibouti, all without publicity, was seized by Nasser. Mr. Hammarskjold appealed to Nasser to let the ship pass in accordance with the agreement. Mr. Hammarskjold failed.

On December 21, 1959, 67 Congressmen from 17 States wired the World Bank and sent a wire to the Department of State urging postponement of the $56 million loan to the U.A.R. for widening the Suez Canal until the U.A.R. committed itself to permit freedom of shipping for all nations through the canal. This was another effort to secure the keeping of promises already made, to prevent the continuance of acts of piracy under the guise of a war already condemned by the United Nations Security Council, and to assure that the United States will not lend its support to actions condemned by it and decried by its President.

That action was of no avail. The administration acting through its Department of State replied in effect that it did not consider such action as an economic factor in the granting of the loan.

On July 3, 1959, as matters stood then evidently, the attitude of the State Department was different. Then it notified the U.S. Executive Director of the Bank of our "longstanding policy in support of the principle of freedom of transit through the canal." On December 22, 1959, it considered the same subject in deciding on the loan and concluded that the Bank grants should be granted on economic considerations alone and not out of political motivation.

Now I ask, how did it come about that the subject of free transit through the Suez Canal was a proper economic subject on which to instruct the U.S. Executive Director of the Bank on July 3, 1959, when there was nothing before it for immediate action and not an economic factor to be considered on December 22, 1959, when the time for action was at hand.

I also ask how does the matter of freedom of transit differ from the 1955 action of the Bank when it told Nasser that he cannot get a loan for the Aswan Dam until he settled with Sudan on the sharing of the Nile. Also, when the Bank told Nasser in 1957 that he would destroy his credit until he settled and paid off the Suez stockholders. If the factors upon which the bank instructed Nasser were within the domain of the Bank then I do not see how the matter of freedom of transit through the Suez Canal by Israel and all nations engaged in commerce with that state differ in any material respect.

The Department of State further asserted in its reply that the project on which the loan was made was sound technically and an improvement of an "international waterway." I emphasize the term "international." It was used by the Department. Surely the Department of State knows that Israel is a nation seated in the family of nations, properly recognized by the United Nations, a democracy and a stanch friend of the West and entitled to international respect and courtesy which includes the right to unimpeded transit through that international waterway, the Suez Canal. Surely it knows that other nations have the international right to enjoy, free from U.A.R. interference, the use of the canal in their internal affairs which includes conducting trade with any nation, including Israel.

That Department also stated in its reply that it is important to avoid circumstances which would expose the Bank to allegations that it is a political instrument rather than a bona fide international lending agency. For the shortsightedness of that view, I refer you to the comments of Senator JAVITS as it appeared in the CONGRESSIONAL RECORD of January 21, 1960, page 968:

> It is a fact that the loan of $56 million recently made to the United Arab Republic by the World Bank for the improvement of the Suez Canal and our offer to help finance the second stage of the Aswan Dam have both been seized upon and publicly proclaimed by the United Arab Republic as vindication of its policies.

The Department of State also set forth in its reply that sound economic development should be encouraged and that it is clearly in the free world's interest to try to be helpful in such cases rather than, by default, to furnish an opportunity to be exploited by the free world's enemies. The short answer to that high-sounding moral expression is that no one can argue in opposition to a position which is against sin. My criticism, however, is that the error in fact is again expressed in the language of Senator JAVITS:

> Both Moscow and Cairo are having a propaganda field day at our expense.

Such is an example of the course of the policy of this administration: so careful to proclaim the desirability of virtue; so inept in effectuating its position when an opportunity is afforded to so do. It comforts and delights our enemies; creates despair and frustration to our friends; produces anxiety, bewilderment and confusion to those nations still undecided whether our system of government is superior in strength and integrity to any other.

That the U.S. Navy becomes a tool of U.A.R. intransigence is the nadir of this administration's current policy.

GOVERNOR FURCOLO'S HIGHWAY BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS. Mr. Speaker, I include the following editorial from the Lowell (Mass.) Sunday Sun of January 24, 1960:

GOVERNOR FURCOLO'S HIGHWAY BILL SHOULD PROVE HARD TO BEAT

Gov. Foster Furcolo's billion dollar highway program designed to compress 10 years' normal work into a period of 4 years to provide roads badly needed in every section of the State, with no increase in gasoline or other taxes involved, is a measure which is going to be exceptionally difficult to defeat.

The simple reasoning behind this hard to beat prediction is that the program has so much public appeal, so much solid reasoning behind it, and is so well presented that legislators from one end of the State to the other will be hard pressed by their constituents if they allow political or anti-Furcolo reasons to lead to their opposition to the plan.

As an example of its appeal:

In the Greater-Lowell area alone, this program calls for completion within 4 years, and lesser times in some instances, of new Route 110 for its entire length from Foxboro to Salisbury, providing an outer belt to take the traffic pressure off Route 128 and to open up a large area for industrial development; of Route 3 north to the New Hampshire line and south from route 128 to the northern artery in Medford, to provide a long-needed direct route to Boston from this area; and completion of the Lowell connecter to Gallagher Square at Gorham and Thorndike Streets in this city.

For years now the people of every city and town to be served by new Route 110 have watched the industrial development along Route 128 and have hoped for a speedup of this outer belt as a means of providing industrial income so badly needed to hold tax rates under control, as well as improving the traffic situation far beyond present hopes.

And for years people served by new route 3 have seen it grow at about a snail's pace year by year until now it is within a short

distance of its northerly goal, but still miles away from Boston on the south.

Speedy completion of this highway in both directions would provide a north-south artery, as good as the new Route 110 will provide east to west, roughly speaking.

The same is true of the Lowell connector. Under present planning, this essential link between Lowell and new Routes 3 and 110 will be constructed in the next year or two from the interchange at the Lowell-Chelmsford line to Plain Street, dumping most of the traffic onto inadequate Chelmsford Street. Speedy completion of this connector to Gallagher Square would end this traffic problem and provide a speedy tie-in between many parts of the city and the new highways.

What is true in Greater Lowell is true to a greater or lesser extent in every metropolitan area throughout Massachusetts.

Every community of cities and towns has its traffic problems and this massive construction program provides the means for speedy relief of many of these problems in less than half of the time that would be necessary without approval of the Governor's speedup plan.

There are, however, a few questions that should be answered before the proposal goes to a vote.

One has to do with the financing and it is: Can the huge loan be paid off with Federal and highway funds without bringing a new tax or an increase in the gasoline tax? DPW Commissioner DiNatale says this can be done, but fiscal experts should have a chance to check on this angle for double security.

Another question has to do with the actual construction and is: Can the highway contractors—who appear to be working up to capacity at present—increase their forces and their equipment efficiently to meet the demands of the accelerated program?

Still a third question is: Can the State department of public works provide the engineering services necessary to get plans for this augmented program ready efficiently and without wasteful spending in time for the contracts to be set up so as not to delay any of the projects on the proposal submitted to the legislators?

If favorable answers can be given to these questions, the people of the State as a whole are going to be extremely hard to convince that the program—tremendous as it is and far beyond anyone's dreams up to now—is not a worthy one and one most beneficial to the various communities and to the Commonwealth as a whole as well.

And if the program is approved and carried out on schedule, Massachusetts will lead the entire Nation in its highway facilities—a factor having tremendous weight in the selection of industrial locations as well as one providing the ultimate in road safety for the motorists.

PROHIBITING U.S. CONTRACTS WHICH AID THE BOYCOTT OF ISRAEL BY THE ARAB NATIONS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, on January 21, 1960, I introduced a bill to prohibit U.S. contracts which aid the boycott of Israel by the Arab nations. At the time when I introduced this bill, I had learned that the Navy Department had made it virtually impossible for companies that previously did business with Israel to bid on cargo shipping contracts.

I now learn that the Navy Department is not alone in aiding the Arab boycott—two other agencies of the U.S. Government are doing likewise, namely, the Department of Agriculture and the Commodity Credit Corporation. These agencies in shipping dry cargo under the Agriculture Trade Development and Assistance Act of 1954, that is, sales of surplus commodities made to friendly nations against payment in local currency, have explicit provisions in the charter contracts that any vessel carrying such cargo is prohibited from calling at Israeli waters or ports. Transshipment is also prohibited. It is also explicitly stated that such vessels shall not have traded to Israel ports.

How can this powerful Nation, this moral Nation, permit itself to be used to serve the purposes of the Arab boycott against Israel? Are we getting down on our knees to beg the Arab nation to take our aid? Since when does this Government take that kind of dictation? I know the American people are shocked as I am shocked at these revelations.

FURTHER LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in connection with the legislative program there has been a bill reported out of a committee, I understand this morning, H.R. 9331, to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children. It is my understanding that it is important to get that bill through because there is a deadline in the very near future. If a rule is reported out of the Rules Committee it is my intention to bring this bill up on Tuesday next. It is a bill of emergency nature so far as meeting a certain time limit or deadline is concerned.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I would like to ask the majority leader if it would be possible and time is available to get the bill up on Monday.

Mr. McCORMACK. Efforts were made to have that done but they did not prevail. We have to get a rule.

Mr. ABERNETHY. We are in very good shape on that and I would appreciate it if the leadership would announce that if time is available to bring it up on Monday it will be brought up at that time.

Mr. McCORMACK. I hope the gentleman will confer with the chairman of the Rules Committee and others interested in the bill so that they may have a brief hearing on Monday, after which a rule could be reported. The only way you could get it up, if a rule is reported on Monday, is by a two-thirds vote. Under the circumstances, I think Tuesday would be the earliest we can get it up for consideration.

Mr. ABERNETHY. May I ask, if a rules comes out today, if time is available, will it be considered on Monday?

Mr. McCORMACK. If a rule is granted today I am putting it down for consideration on Monday.

Mr. ABERNETHY. I thank the gentleman.

COMMITTEE ON RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CBR IS A VALID WEAPON, NOT A MONSTROSITY

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 20 minutes.

Mr. SIKES. Mr. Speaker, I have spoken before on chemical and biological warfare, and I shall speak on this important subject whenever I believe the security of the Nation demands it. I feel that such a situation exists now, since there are people who carry on a constant campaign against CBR to the detriment of the national defense and security. Some of these, of course, are sincere in their beliefs that these are dreadful weapons which should not be used in warfare. Others may be deliberately seeking to deprive this nation of the capability of using CBR in war either for defense or offense.

Strangely, the crusaders against CBR dwell at length on the terrors of CBR warfare, but they never seem disturbed by the death, destruction and misery caused by conventional weapons and the inconceivable death and ruin which will be associated with nuclear weapons. A person maimed for life, blown to bits, or burned to a crisp by high explosives, flamethrowers, or atomic bombs is a far more tragic sight than a CBR casualty. In fact, history shows the latter has a much better chance to recover completely, unscarred and unmaimed. In World War I, only 2 percent of all gas casualties failed to recover; compare this with the 25 percent of all those wounded by other weapons who died from their wounds.

Why is there this protestation against CBR but not against conventional warfare? The first atomic bomb which was dropped on Hiroshima produced 100,000 casualties and completely destroyed a city. CBR could have incapacitated the populace with few deaths and left the city intact. Which is more dreadful?

One of the horror stories of World War II was the burning of Hamburg and of untold thousands of its inhabitants as the result of conventional bombing. That black mark on the name of the

Allied cause and the cost to the American taxpayer of helping to rebuild the city could have been avoided by the use of CBR.

It cost America 100,000 casualties plus the time and effort of building, assembling, and maintaining the mightiest armada ever conceived to breach the German defenses in Normandy in 1944. I believe that the use of CBR would have accomplished the result with a fraction of the casualties and effort.

Time after time after time, the true story of the place and importance of CBR has been told. But the critics neither see nor hear. Their stories never change. They refuse to understand or accept the basic facts which are so evident upon study and examination.

Military strength consists of a balanced posture in all weapons systems—not just in one or two but in all weapons available. A superiority in one or another would be of little avail if an enemy used a third in which we were unprepared defensively or offensively. To be more specific, regardless of how strong we are in nuclear weapons or high explosives, this would be of little value in meeting an attack with chemicals and biologicals. You will, I am certain, agree that there should be no weak link in our chain of defense.

Advances in science and technology have made possible chemical and biological weapons of tremendous power and effectiveness. These weapons are no different in purpose from other weapons of warfare—nuclear, high explosive, flame. They should be judged on the same basis as the other weapons—effectiveness and ability to cause a decisive result in war.

CBR is not a monstrosity born of the devil. CBR need not be a killer. In fact, much emphasis is laid upon temporary incapacitation from which the victim recovers completely. This is an important and far-reaching development. CBR does not destroy factories, homes, churches, or national shrines, CBR is adaptable to almost any condition in limited or general warfare, a fact which is not generally true of other weapons.

It is common knowledge that chemical warfare was used in World War I, but just how powerful a weapon it was is not generally recognized. Thirty percent of all American casualties were caused by poison gas. But the impressive thing is that only 10 percent of the shells fired against our troops were gas shells. This means that chemical warfare was three times as effective as high explosives—and this was with the comparatively primitive agents and munitions available then. Biological warfare has never been used, but we have information that it could be even more disastrous than chemicals to large bodies of troops. Significantly, biologicals may be used to produce disability but few casualties against civilian population centers. This even the critics of CBR should prefer to mass destruction of civilian populations.

I mention this to emphasize the importance of establishing a position of strength in CBR. In these fields we are engaged in a scientific and technological contest with the Communists, just as we are in nuclear weapons, missiles and rockets, and space travel. Remember, the best guarantee we have that CBR will not be used by an enemy is for the United States to establish a capability second to none.

Unfortunately too few people, some even in the Armed Forces, know the facts about CBR. They do not even know how to defend themselves against CBR. In Russia the situation is entirely different. We know that they have a vast CBR effort, including research and development, production, military doctrine and civil defense. Their civil defense program reaches millions of people who receive practical training in protection against CBR. By contrast, our civilian population is led to believe that we need only big and costly holes in which to hide from nuclear weapons. We are not told that CBR attacks from innocent appearing boats on our inland waterways, from submarines off our coast, from civilian autos or trucks or from commercial or executive type aircraft could contaminate much more territory than the entire Soviet ICBM and IRBM inventory could attack at this reading if the administration's intelligence reports are reliable, nor are we told that a large scale attack through these means could be launched against us without warning.

Now let us see how the remarks of the CBR critics make it difficult to obtain proper consideration of this subject. First, they characterize chemicals and biologicals as inhumane and immoral, as if they have some inherent qualities which make them worse than atomic bombs, flamethrowers and high explosives. I shall not argue this point, though it does seem to me absurd to say that one weapon is less moral than another, when we are dealing with warfare which is completely immoral, and with a potential enemy who shows little concept of morality. But I shall argue about the very real effect which the stigma of inhumanity has on CBR preparedness. First, is the effect on the scientists and technologists, who may be reluctant to become associated with a field which is so stigmatized. Public opinion is important to them—just as it is to us in Congress—and they cannot be expected to participate whole heartedly in an effort labeled immoral and inhumane. Yet we must have these people focusing their knowledge and abilities in science and technology on the development of new weapons of warfare and on defenses against those new weapons. Compare, if you will, the critics' impact on our scientists with this statement by a high Soviet official, "Many of our scientists regard research on the action of poisons—to be their patriotic duty."

We must also recognize that we do not help the many patriotic, devoted people who work in Army chemical and biological installations by telling them that they are engaged in a reprehensible undertaking, contrary to moral and ethical principles. Those who do the patient, unheralded work on CBR do it because they are dedicated, sincere men and women, many of them scientists and physicians. Others are devoted military career personnel who grasp the significance of the work of the Army in CBR.

Some of these men and women are struck down at their experiments. They know there is a risk. But only by taking risks can results be accomplished. This is true in all human endeavor, particularly in the frontier areas of science and technology.

If the Communists were to attack us tomorrow or next year with CBR, all of the limited preparedness we have would be due to this small but dedicated group which willingly accepts the hazards which to them are part of a vital job. I wish to emphasize that the Army safety record in CBR compares more than favorably with the records in atomic energy, medical research and high explosives.

For instance, three men have died as a result of CBR experimentation in the past 10 years. In the same period 12 people died just among those handling monkeys in polio experimentation. It is documented that this Nation's military air crashes have resulted in the death of 100 men a month since 1955. Most of the work of CBR is in new and dangerous fields, yet this safety record is ample evidence of the great effort which is made to protect the lives and the health of the workers in CBR.

CBR should not be sensationalized but rather presented objectively and logically. Nationwide defense against CBR attack by an enemy will never be attained until the facts are presented to the people—not wishful thinking, half-truths and emotional outbursts. America needs to know and appreciate the true significance of CBR. We must understand its true place in warfare—the fact that it can save lives instead of killing and crippling—the fact that it could spare needless destruction of property and resources. But it is of critical importance for our people to have the knowledge and equipment for defense against CBR. We make great capital of our assurances to the world that we will not attack first. The Communists have given no such assurances, nor have they told us what weapons they will or will not use. There is good reason to believe they will use those weapons against which we are least able to defend ourselves.

When I use the word Communists, I include the Chinese Communists as well as those of the Russian or Soviet variety. In view of the more imminent threat of the latter, we sometimes lose sight of the millions of Communist Chinese who must be considered our enemies. Without atomic weapons, and with limited conventional weapons, they are developing a capability in CBR, and with comparatively little effort, they could build up overwhelming power with these weapons against their neighbors in the Far East.

One of our greatest democratic traditions is to permit, and encourage, free expression of opinion by our citizens. People are entitled to speak out on CBR as they are on all subjects of vital concern to the country's welfare. But they are not entitled, in doing so, to weaken the national defense and security. And this, I am convinced, is what the critics

of CBR may be accomplishing by their emotional and unreasoning treatment of this vital subject.

As part of this presentation, I wish to include the following resolution of the national executive committee of the American Legion in October 1959:

Whereas the Soviet Union is known to have achieved an impressive military capability in the field of chemical, biological, and radiological (CBR) warfare; and

Whereas leaders of the Soviet Union in public statements have indicated increasing interest in the potential of agents that cause physical or mental incapacitation, including the new psychochemical agents; and

Whereas Soviet leaders have stated that future wars will be characterized by "various means of mass destruction, such as atomic, thermonuclear, chemical and bacteriological": Now, therefore, be it

Resolved, by the American Legion national executive committee assembled in Indianapolis, Ind., October 7–9, 1959, That the American Legion lend its full support to building a U.S. capability in CBR weapons sufficient to deter or defeat any Soviet CBR aggression; and be it further

Resolved, That the American Legion make every effort to obtain increased public understanding and support of the necessity of CBR preparedness by the United States; and be it further

Resolved, That the National Security Commission refer this resolution in its entirety to the Department of Defense and to the Office of Civil and Defense Mobilization.

I believe this resolution from a great patriotic organization speaks for itself and requires no additional comment from me.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. JOHNSON of Colorado. As a member of the Banking and Currency Committee I am somewhat familiar with what is called Gresham's Law, that bad money drives out good.

I am very proud of our moral heritage and our integrity as a nation with respect to our stand for freedom and for the advancement of the individual throughout the world. It seems to me that in discussing the morality of our adversaries we must keep in mind that we may be tempted to accept for ourselves the very immorality we deplore in them, and we will thus so develop a Gresham's Law of international morality.

Of course, the gentleman is quite correct. I represent a district in which is stored the free world's supply of nerve gas. We have enough nerve gas within a few miles of my home to kill every human being on the face of the earth. A single drop of it on the skin leads to certain death. Such a type of warfare attacks indiscriminately men, women, and children.

Mr. SIKES. Does a nuclear bomb not strike indiscriminately?

Mr. JOHNSON of Colorado. Certainly it does.

Mr. SIKES. Do high explosives not strike indiscriminately? Does a napalm bomb not strike indiscriminately?

Mr. JOHNSON of Colorado. The gentleman is correct.

Mr. SIKES. I say we must not leave ourselves unprepared and unprotected against an enemy's use of CBR warfare. We must perfect our knowledge in this field just as we do in other fields of warfare.

Mr. JOHNSON of Colorado. There is no adequate defense against any of these weapons. I do not agree with the gentleman that the real need is preparation against these extraordinary and unusual measures. I would hope and suggest that the administration, the Senate, and the House in its legislation seek quite as much to create conditions throughout the world which would make this discussion unnecessary.

Mr. SIKES. I beg to differ with the statement there is no defense. There is a defense against CBR if our troops and our civilians are educated in defense.

It would be my earnest hope that this Nation will never again be forced to use any weapon of war; that we shall by some honorable means find the peace we seek; that we never again be forced to resort to war. I say that with all the sincerity at my command. Of course, that is what we want. America demonstrates this every day and has done so constantly throughout our history.

But we live in an age in which we have no knowledge of what the morrow may bring. Weakness in any important field of defense is an invitation to attack at any time it suits the Communist dictators to do so.

Until we have achieved a lasting peace, and that is something very indefinite at this time, I trust the gentleman joins me in wanting this country to retain as much preparedness in every field of warfare as is essential for our own defense.

Mr. JOHNSON of Colorado. Let me add to what the gentleman has said that my own feeling is that the best preparation for peace in the world is to devote our energies more constructively to the solution of the problems of the people throughout the world, so that no nation would feel so angry with us that they would be tempted to use any of the weapons against us.

Mr. SIKES. We should never lessen our efforts for peace. Nor should we expose ourselves to coercion or conquest by accepting military weakness. If any nation is going to become angry with us for protecting ourselves, we will do much better to disregard the anger and take the weapons. We will be much safer. A defenseless person is in poor position to discuss terms of peace.

CIVIL RIGHTS LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, it is my hope that the Rules Committee, which is now holding hearings, will grant a generous and an open rule to permit the House to work its will on the civil rights bill.

There are grave implications in this legislation on all sides. Emotions are bound to rise critically in the discussion. This legislation is fundamental. It involves the relationship between right and privilege. Every expansion of right is balanced by a corresponding contraction of privilege. The sum total of both is always the same. Inexorably, the growth of right and the shrinking of privilege must occur. The shrinking of privilege must proceed, whether it be the shrinking privilege of race, business, labor, leadership, wealth, or even poverty.

When change comes—when rights are enhanced over privilege, it is my preference that it be the result of the deliberate work of Congress rather than the result of judicial process or the benevolent act of the Executive.

Mr. Speaker, I would like to see Congress restored to its past preeminence in the creation, development, and protection of human rights. Far too often in the past Congress has found itself living in the atmosphere and in a climate created by either the Executive or the judiciary. I regret to see the dereliction from congressional responsibility to generate the dynamic forces of progress.

It is true that this legislation is deep with political implications. When the will of Congress appears frustrated, many of us face bitter criticism for placing in the Rules Committee the great powers which it wields over legislation. These politically inspired criticisms do not add to our comfort.

It is my hope that Congress will be given the opportunity to fully and freely debate the issue and decide upon a solution to the problem in a manner in which the decision will be generally construed as the work of Congress rather than the handiwork of any ambitious individual who may endeavor to claim achievement on a subject in which he is only briefly familiar and only superficially interested. Certainly a better, more lasting, more fruitful result will occur as the result of our total deliberations.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Massachusetts.

STRIKE AGAINST BETHLEHEM STEEL CO.'S ATLANTIC COAST SHIPYARDS

Mr. BURKE of Massachusetts. Mr. Speaker, today I received a letter from the Industrial Union of Marine and Shipbuilding Workers of America signed by President John J. Grogan, Vice President Andrew A. Pettis, and Secretary-Treasurer Ross D. Blood.

The letter is as follows:

INDUSTRIAL UNION OF
MARINE AND SHIPBUILDING
WORKERS OF AMERICA,
A.F.L.–C.I.O.,
Washington, D.C., February 8, 1960.

Congressman JAMES A. BURKE,
Washington, D.C.

DEAR CONGRESSMAN BURKE: During the past week the members of this union have gone on strike against Bethlehem Steel Co.'s Atlantic coast shipyards.

We had hoped that it would not be necessary to strike, because they are building two nuclear vessels, three guided missile frigates; and converting one guided missile cruiser and another attack transport for the U.S. Navy. The nuclear vessels are the cruiser *Long Beach,* and the nuclear guided missile frigate, which are the first atomic-powered surface naval vessels to be built in this country.

All the vessels were awarded to the Bethlehem Steel Co. on noncompetitive bids; that is, on negotiated price, by the U.S. Department of the Navy, to retain in the yards

a complement of highly skilled shipyard workers and keep them available for periods of crisis.

Bethlehem Steel Co. operates eight shipyards on the Atlantic coast. These yards are covered by a master agreement, and have been since the inception of World War II. The yards employ 17,000 highly skilled craftsmen, and built over 60 percent of the total wartime production of vessels, both naval and merchant, during the Second World War. The yards hold a cadre of skilled workers which is capable at any time of expanding twentyfold to keep our Nation secure in time of emergency.

We fully realize that this strike means that Bethlehem Steel Co. has succeeded in its attempts, in defiance of all requirements of national defense, to shut its yards.

A 3-year agreement between the Bethlehem Steel Co. and our union expired on the 31st of July 1959. On May 26 our union wrote to Bethlehem notifying them of our desire to negotiate with respect to the terms and conditions of a new contract to become effective as of midnight, July 31. However, the first meeting between the parties did not take place until July 7—22 days prior to the expiration of the contract and over a month and one-half after our initial letter requesting negotiations.

Since 1947 the union has not struck upon the expiration of its collective bargaining contracts with the company. Indeed, upon the expiration of such contracts in 1952, 1954, and 1956, the parties on each occasion entered into one or more written agreements undertaking not to strike for specified periods and to continue then existing conditions, so that negotiations might be undertaken without undue pressure upon the parties.

The union on its own motion, on July 28, offered to enter into an agreement with the company that the union would not call a strike for at least 30 days after July 31, if the company would, during said 30 days, maintain the then existing conditions of employment, and further offered that if any customers during said period, desired to have the company perform repair work which could not be completed within said 30-day period, the union would be glad to consider entering into an agreement that the employees would complete such work. The company rejected these offers out of hand.

On August 6 our union offered to submit to arbitration by an impartial expert all of Bethlehem's proposals and our union's proposals for a new contract. Bethlehem rejected this offer. A few days later our union proposed that an impartial expert be invited to sit in with the negotiators in order to guide them in devising fruitful and constructive methods of procedures. Bethlehem rejected this last proposal.

The two extraordinary features of the negotiations with Bethlehem's Shipbuilding Division this year are:

1. The demand by the company for contract provisions which are unparalleled in American industry and which would (a) destroy any real seniority rights; (b) permit the company to require its highly skilled shipyard craftsmen to do any work outside of their own craft; (c) result in a reduction in many wage payments, such as call-in pay, night shift bonus, etc.; and (d) make a legalistic mumbo-jumbo out of the grievance and arbitration procedure more complicated even than court proceedings; and

2. The unilateral imposition upon the employees on August 13, after only three weeks of bargaining, of these onerous terms of employment.

On August 3 Bethlehem—though our union's members had remained at work despite termination of the labor contract—made a frontal attack upon the union; Bethlehem discontinued enforcement of the union shop provision of the labor contract; discontinued enforcement of the dues checkoff provision of that contract; discontinued the top seniority theretofore granted to union officers and shop stewards; and discontinued the old contract's provisions governing grievance procedure. (The last act would appear to be a direct attempt to provoke a strike by depriving the employees of any orderly machinery for the adjustment of grievances.)

Not content with these provocative acts, Bethlehem, on August 13, put into effect all of the unheard of and outrageous provisions of its proposed contract. That Bethlehem knew that this final arrogance probably would—and perhaps intended that it should—provoke a strike which would stop production of naval vessels, is evidenced by the fact that on August 11 (the day on which the company announced its plan to impose the provisions of its proposed contract upon the employees) a number of the personnel managers of Bethlehem's various yards, known as management's representatives, hastily returned to their yards from New York and took measures, such as removing from the yards work in progress therein, in preparation for a strike.

The union has filed unfair practice charges with the NLRB. The National Labor Relations Board has issued a complaint against the company on November 12, 1959, but the first hearing on this complaint is not scheduled to be held until February 8, 1960. You are fully aware that the procedures under the National Labor Relations Act are slow and tortuous, and that this entire issue may not be settled in the courts for years.

We must remember that no matter what the peace-war situation is at any given point in our Nation's history, it is absolutely necessary to insure that certain types of military production should go on unimpeded, with no interruptions, to assure the continuance of weapons and other material construction over the long term, and to maintain the even flow of experimental production in this new field of nuclear powered propulsion.

On January 29, 1960, the Bethlehem Steel Co. notified the union that as of January 31, 1960, the company was terminating the health, hospital, and other insurance protection which had covered their employees. This was done in spite of the fact that during the recent steel strike, the Bethlehem Steel Co. continued to cover their employees on the steel side with the same health and welfare plan for 116 days of the strike.

The Bethlehem Steel Co. broke off negotiations with the union on February 2, 1960 and because of this action on the part of the company the strike may continue for a long period, posing a serious threat to our national defense because of the important naval work under construction and repair in the eight shipyards involved in the strike.

We call upon you to use your good offices to prevail upon Bethlehem Steel Co. to meet at the bargaining table and there bargain in good faith; and to influence the Navy Department to demand of Bethlehem Steel Co. that it cease imperiling the national defense by its unprecedented unilateral desire to break the union.

With our deep thanks and appreciation for your assistance, we are,

Sincerely yours,

JOHN J. GROGAN,
President.
ANDREW A. PETTIS,
Vice President.
ROSS D. BLOOD,
Secretary-Treasurer.

Mr. Speaker, this letter contains many allegations. It charges the Bethlehem Steel Co. with failure to cooperate and to bring about in negotiation a settlement of the present strike that is in existence on the east coast of the United States.

In my own particular district, including Quincy, Mass., there are approximately 13,000 persons out of work. The entire shipbuilding program on the east coast so far as the private shipyards are concerned has come to practically a complete stop. In other words, the shipbuilding program for our defense in this country on the east coast has slowed down to such a degree that I believe it requires the attention of the Department of Defense and also the Department of Labor. I believe that there is no sound reason why this strike cannot be settled. The steel strike has been settled, contracts have been signed on the west coast so far as those shipyards are concerned, and, in my opinion, there is something lagging either in the U.S. Department of Labor or in these negotiations which is causing the continuance of this strike and the unsettled conditions that exist.

Mr. Speaker, I hope that the Secretary of Labor, James Mitchell, will take it upon himself to instruct those who are involved in the mediation to see if it is possible to bring both management and labor together. It is my considered opinion that today there is a great need for adherence to a sound code of social ethics on the part of both labor and management. There should be more trust in each other by both sides.

I think this particular strike was actually unnecessary because if you will recall, back on September 3, 1959, many Members of the House took the floor to point out the conditions that existed at that time. We pointed out to the membership of the House at that time that the contract between the Bethlehem Steel Shipyards and the unions had expired as of July 31, 1959. The unions have tried to cooperate. They have made a patriotic effort to continue the defense work, and it seems to me that the administration, and those in the administration who boasted that they brought about a settlement of the steel strike, should become interested in the shipbuilding industry of this Nation and lend their efforts to bring about a settlement of conditions in order to put our shipbuilding program back on a level so that we can complete the work that has to be done.

If all parties including management, labor, and governmental officials will sit down in a calm and trustful manner this strike can be settled within 24 hours in a way that will prove beneficial to the Nation—to management and to labor.

AMEND THE TRANSPORTATION ACT

Mrs. DWYER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Speaker, I have today introduced legislation to amend the Transportation Act of 1958 so as to accomplish the following objectives:

First. To foster the further development of railroad passenger transportation.

Second. To provide for the passenger transportation needs of the national defense, especially during a period of national emergency.

Third. To encourage railroads to meet their responsibility to the public for the safe, clean, and convenient operation of passenger service.

Fourth. To protect the public against the abrupt and hasty discontinuance of needed passenger railroad facilities.

This bill, Mr. Speaker, is similar to the bill, H.R. 5596, which I introduced nearly a year ago, and is nearly identical to the bills sponsored a few days ago by our colleagues, Mr. MOULDER and Mr. STAGGERS.

My purpose in cosponsoring the legislation is to give renewed emphasis to the urgency of the need to prevent the further deterioration of passenger railroad service, especially in heavily populated metropolitan areas like the New York-New Jersey-Connecticut region where a genuine crisis has been caused by the abandonment of much commuter service.

Approval of this legislation will halt the precipitate rush of some railroads to rid themselves of their passenger facilities and service. It will provide a means for a more thorough and rational decision to be reached by the Interstate Commerce Commission in considering railroads' applications to discontinue trains—a decision which will be based on considerations of public need to a greater extent than is presently the case.

I think this bill, Mr. Speaker, is fair both to the railroads and the general public. It is refreshing to find that many of the chief sponsors of the Transportation Act of 1958 have concluded, after considerable experience with the law, that it went too far in allowing railroads to determine for themselves—with virtually no check by public regulatory authorities—what service they would provide. The present bill would help reestablish the proper balance between the needs of the public and the abilities and desires of the railroads.

As I indicated last year in my testimony before the Committee on Interstate and Foreign Commerce of the other body, the important thing is to save what remains of railroad passenger facilities before it is too late. Latest figures show that under the 1958 law railroads have filed notices and petitions for the discontinuance of 196 trains. The particular formula for saving this service is less important than the need for action now. In any formula the fundamental requirement, it seems to me, is to return the burden of proof where it belongs in all cases of public utility service to the utility which holds the franchise to serve the public. It should be reiterated that this and other key provisions in both bills have been supported by the Interstate Commerce Commission, an agency not noted for its hostility to railroads.

It is most encouraging to me, Mr. Speaker, that the distinguished chairman of the House Interstate and Foreign Commerce Committee has indicated that hearings will be held on these bills probably within the month. This, together with the renewed activity in the other body, encourages me to believe that we shall succeed in obtaining corrective action before the end of this session.

GOLDEN JUBILEE OF FOREST PRODUCTS LABORATORY

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. KASTENMEIER] is recognized for 60 minutes.

Mr. KASTENMEIER. Mr. Speaker, it is my good fortune to represent the Second District of Wisconsin, particularly in view of the fact that the Forest Products Laboratory operated by the Forest Service of the U.S. Department of Agriculture is located on the University of Wisconsin campus in Madison, Wis.

I take a special interest in what goes on in that laboratory, not so much because it is maintained in my district and provides employment and is an attraction for people there, but because it is a national laboratory—the only one of its kind in the United States. Just as it serves everyone throughout the United States so must I serve as liaison between this laboratory and, through Congress, the people of the United States. Let me emphasize that I rise to call your attention to this national servant of the American people, rather than to extoll the virtues of a purely local industry.

After Congress adjourned last September, I again had the pleasure of visiting Forest Products Laboratory. By repeated visits I hope to keep well informed on the research projects being conducted by the fine people who work at the laboratory. This year I also had a specific mission. June 4, 1960, marks the golden jubilee of the founding of this research institution. I therefore wanted to brush up on my history of the laboratory so that I could report to you on the developments and achievements of the laboratory during the past 50 years. It is an impressive record and an interesting history.

First, however, I would like to provide a little background information so as to show where the laboratory stands in relation to the vital industry of forest products.

A large portion of the continental United States, nearly one-third, or over 600 million acres, is either in forest or suited by nature mainly or solely to the growing of timber. The Government itself has a large stake in timber. It owns, through the Department of Agriculture, over 100 million acres of commercial timberland. This land grows approximately 21 billion board feet of timber per year—valued at somewhat over $300 million. The laboratory's effect is felt in every part of the country.

Another gage of the size of this industry is provided by Department of Agriculture statistics. In recent years consumers have spent approximately $25 billion annually on forest products alone. Approximately a third of the products they purchased were produced by 300 large mills. The remaining two-thirds portion was produced by over 50,000 small mills. The larger mills are able to do some research on their own, but do rely heavily on Forest Products Laboratory. The smaller mills and small woodlot owners must look to the Forest Products Laboratory for research in forest and woodlot management as well as for utilization research.

New uses are constantly being developed for wood products and, with a growing population, heavy demands are being made for additional timber. The need for basic research in the many aspects of the utilization of wood and wood products is more urgent today than it has ever been. Research in the field of wood can provide better houses, better wood coverings, more uses for wood and its products and, as a result, a better life for all of us in this space age.

But I was amazed to find that the existing physical plant at Forest Products Laboratory, equipment and building, valued at approximately $15 million, is presently being used at half capacity. Current levels of research could be doubled without any expenditure for additional buildings or additional equipment. This is not efficient use of our resources. We have the means at our disposal to assure victory in the battle to meet the demand for more and better wood products. We must use it.

In 1910 farsighted people saw the crisis developing. Our timber resources had to be conserved—we were and still are consuming more wood than is being grown annually—and better use had to be made of it. We had to be more efficient and get longer life out of our timber if we were ever to stretch our supply to meet the increased demands of a growing nation.

The idea that we need to know more about the products of the forest was not a new concept even in 1910. In the early days of the young, vigorous, and reckless United States, there were those who spoke out against waste of the forests. As time went on, others urged that we learn to use the forest products more carefully. Farseeing men, such as Pinchot, Fernow, and their followers saw forestry as a whole and envisioned that there might be better ways of cutting and machining wood than were then in use, faster and less damaging ways of seasoning, better preservatives, better glues, and perhaps even better ways of using this ancient product.

The first decade of Federal forestry provided little money for research in forest products. What little work was done between 1890 and 1910 was mostly in cooperation with universities that had laboratory facilities or where buildings were available to house testing equipment. Originally federally sponsored studies of the mechanical properties of the more important American woods were begun on a cooperative basis about 1890 at Purdue, California, Oregon, Washington, and Yale Universities. Research on naval stores was conducted in the South and a small experimental pulp mill was established in Boston where the chemistry of wood and wood preservatives was studied on a small scale.

Forest products research entered the 20th century carried by a few men with ideas, working on big problems, in widely scattered locations and separated from other researchers, having only

meager equipment and limited means. This involved much duplication of effort and little coordination of results.

These men conceived the need for a Federal laboratory that would bring them together to work on wood—where engineers, foresters, chemists, physicists, and mathematicians could join together to learn the secrets of wood.

After several years of working on the plans the Laboratory was established to be operated in conjunction with the University of Wisconsin where it is today.

The reality of a declining source of supply was one of the first problems to come under the searching eye of the 45 people who initially staffed the Laboratory. As the first Director of the Laboratory, Mr. McGarvey Cline pointed out in 1910:

> It is estimated, from the results of experiments made by the Forest Service, that 25 percent of trees cut from lumber is left in the woods in the form of tops, stumps, and culled logs. Of the logs that reach the sawmill, 22 percent is lost in the form of slabs, trimmings, edgings, etc.; 14 percent is lost in the form of sawdust and 13 percent in bark.

Additional wastes are encountered in seasoning and in manufacturing lumber into numerous articles. Mr. Cline further pointed out that further waste occurs after the lumber is put into commercial use by the ravages of decay, fire, insects, and marine borers.

Four major problems were suggested to Mr. Cline and these were the original guide lines for the Laboratory:

First. Can wood substances being wasted be profitably utilized?

Second. Can seasoning and handling methods be improved so as to involve less waste?

Third. Can the serviceable life of the timber in use be lengthened?

Fourth. Are there satisfactory substitutes among American woods for those becoming scarce?

As the Forest Products Laboratory directed its efforts toward solving some of these problems in cooperation with lumbering and wood-using industries, it also laid a foundation for later work. A systematic evalution of the strength of common species of wood was started. Early work on wood-moisture relations gave us facts relied on today. And so it went—in pulp and paper, in wood preservation, in the chemistry of cellulose, lignin, and extractives.

The Laboratory from the first has directed its attention to conserving our natural resources. Conservationists throughout the United States have applauded its conservation efforts. Uses have been found for so-called waste products; better harvesting methods have reduced waste at the woodlot and the mill; and the life of wood products has been extended to free wood for new and other uses. The efforts of the Laboratory have been in the best traditions of Wisconsin and American conservation practices.

World War I came along just as the Laboratory was getting in full swing, and special research was undertaken in kiln drying of wood, in gluing, packaging, and many related fields. The end of World War I found the Laboratory staff of 1910 expanded from 45 to 450. This staff was reduced quickly to about half, and continued to decline slowly for about 20 years.

The between-the-wars years were fruitful ones, however. Partly as dividends of World War I research, contributions of this period included the discovery of the chlorinated phenols for use in wood preservation, development of the stress-covered plywood house wall, floor, and roof panels, the invention of the semichemical pulping process, the formulation of design principles for glued laminated structural timbers, the development of engineering data needed for the use of metal-timber connectors, basic research which resulted in the development of electric moisture meters, the invention of the stabilized woods "compreg," "impreg," and "staypak" were developed, and the complete carbohydrate fraction of wood "holocellulose" was isolated.

The emergency of the early and middle 1930's resulted in a small expansion of the Laboratory staff. Most importantly, however, in 1932 the Forest Products Laboratory moved into its present U.S.-owned building which provided greatly improved facilities, working space, and international communications.

By the late 1930's international tension indicated the probability of World War II and due to increased congressional appropriations made possible prior to World War II and at the time of Pearl Harbor the Laboratory was somewhat prepared.

The Second World War saw the Forest Products Laboratory staff increased to a maximum of nearly 700, housed partly in outbuildings at the present site and partly in a building rented in downtown Madison. Some lines of research were operated on a three-shift basis.

World War II contributions of the Laboratory were highlighted by several major specialized research efforts and a large program in personnel training. Metal scarcities required widespread wood substitution, and the development of special treatments and new wood-fabricating methods. Much of the research effort was spent on wood, mainly plywood, used in aircraft for training and light cargo planes and gliders.

Problems of plywood strength determination, seasoning, gluing, species substitution, bending, preservative treatments, and finishing were solved successfully. Another major research activity covered the selection, seasoning, and fabrication of ship timbers. Packaging research, training, and inspection were all major activities, with the Laboratory given credit for reducing military oversea shipping space requirements by one-third because of improved packing and container design. The Laboratory trained over 13,000 military and civilian inspectors, mostly in the fields of aircraft wood selection and processing.

After World War II the Forest Products Laboratory staff was rapidly reduced to less than 400. The requirements of the U.S. military agencies for research information on wood continued, with a period of increased demand during the Korean war.

As was the case following World War I, much of the World War II research was consolidated, completed, or continued at the Laboratory for later widespread industrial and military application. This was true especially in the fields of fabrication, gluing and molding of plywood; of the production of glued laminated structural members; and the work on nonmagnetic minesweepers; and of packaging by industry and by the military agencies.

The work of Forest Products Laboratory has worked its way into many phases of our life. Some of the basic research has given rise to entirely new products for our use. One of the industries, decorative and industrial laminated plastics, is a direct product of the Laboratory's research.

This industry—comprised of 18 companies, of which 4 are located in Wisconsin, including Decar Plastics Corp., of Middleton, located a few miles west of the Laboratory—produces materials almost entirely the result of the pioneer research at Forest Products Laboratory. The industry as a whole produced considerably in excess of 250 million square feet of laminated plastics in 1959. Not only are these laminated plastics a new use for wood products, but they also make use of woods previously considered to be useless. This is a significant contribution to the wealth and well-being of the United States.

Another means by which private industry and the consumer is benefited by the Forest Products Laboratory is the training the Lab provides young scientists who eventually are attracted to private industry by higher salaries. The present Director of the Laboratory, Dr. Edward G. Locke, has told me that he recognizes this problem and is proud of the contribution his Laboratory has made in the way of personnel for private concerns and many foreign laboratories established on the same basis as Forest Products Laboratory.

Director Locke has many outstanding scientists head each division. He has Joe Liska heading the Physics and Engineering Division, presently the largest and most active section; Jerry F. Saeman in charge of Wood Chemistry; Harold Mitchell heading Timber Growth and Utilization Relations; Ralph Lindgren directing the Wood Preservation Division; and G. H. Chidester, Kenneth Krueger, and Herb Fleisher directing the Pulp and Paper, Packaging Research, and Timber Processing Divisions, respectively. Approximately 350 full-time employees back these scientists up. Mr. Gordon Logan is in charge of the administrative management division which provides facilities services to the technical divisions. In addition, the University of Wisconsin offers a graduate research program for students interested in these problems which emphasizes the opportunities for study within the Laboratory on current forest products utilization research.

Incidentally, Dr. Locke himself headed the Wood Chemistry Division for 8 years

prior to being appointed Director of the Laboratory last September. He is a native of Portland, Oreg., holds a degree in chemical engineering from Oregon State College and received his Ph. D. in organic chemistry from Ohio State University at Columbus in 1932. He is past national president of the Forest Products Research Society. He sees phenomenal possibilities for further advances in the production of industrial chemicals from low-grade wood and harvesting and processing residues through increased research.

I feel that I must emphasize the need for increases in the Federal program of research to develop new and improved uses for forest products. A well-informed committee, set up by the Congress, studied this problem thoroughly and recommended a national program of $13 million annually, for forest products utilization research. The existing level of the budget for funds available for use at Forest Products Laboratory total close to $2 million. Additional funds resulting from defense work and work done in cooperation with private industry, bring the overall budget to approximately $3 million. It must be borne in mind that the existing plant and equipment valued at nearly $15 million can be used at twice its present level before additional space or equipment is needed.

Thus, despite the fact that the last Congress considered a "long-range program for the national forests" calling for substantial increases in appropriations for Forest Products Laboratory, the administration this year has called for additional appropriations of approximately $250,000, of which the Laboratory would receive about $150,000. This appropriation has already been budgeted for wood chemistry research and other needed research programs will have to continue to go wanting funds.

In conclusion I would like to restate three or four ideas.

First. This eminent body had the foresight 50 years ago to establish a national research institution to study the many aspects of the production and use of one of our greatest national resources—wood. Throughout the years Forest Products Laboratory has contributed vast amounts of knowledge and information to the benefit of industry and consumers throughout the United States and the world. I extend an invitation to you to visit the Laboratory, to meet the dedicated people who work there, and to see for yourself some of the projects underway there that will benefit you and your constituents in the future.

Second. I must emphasize that additional funds are needed to enable this Laboratory to meet the challenge of increased demands for wood and wood products. The research at the Laboratory has created new sources of wealth in the past and the evidence shows that the Government has received $70 back in additional taxes for every dollar spent on research at Forest Products Laboratory.

Third. The present Laboratory facilities are being utilized at only 50 percent of capacity. The existing $15 million plant at Forest Products Laboratory could handle twice as much research without any additional outlays for buildings or equipment. This is a startling fact. We must give serious thought to how we would benefit as a nation if funds were made available to utilize the existing Laboratory.

Lastly, let me take this opportunity to recognize the golden jubilee of Forest Products Laboratory and to commend the dedicated scientists, administrators, workmen, and students who have worked in the Laboratory to provide Americans with better wood products through research. Congratulations to them for past achievements. The success of their future efforts to meet the challenge of increased demands for wood depends entirely on our ability to recognize the national import of their work and their latent potential. May their continued dedicated efforts realize new achievements in the form of better wood products for a better life.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. KASTENMEIER. I yield.

Mr. WIER. Mr. Speaker, first I want to commend the gentleman from Wisconsin on his very splendid presentation of an institution that has had in the past a great potentiality and has also for the future an equally great potentiality in the field of wood products in our Nation. The State of Minnesota like the State of Wisconsin has a great lumber resource and even a greater potential resource to come. So I want to join in behalf of a new industry in our State, the wood products industry, which to date has contributed much to our economy in the State of Minnesota, and which has a great potential for even greater contributions to our economy in the future. As for myself, I would hardly qualify as an expert of the lumber industry, but the other day I received a letter from a man who has dedicated most of his life to the lumber and timber industry. He is Mr. Dave Winton of the Winton Lumber Co., in Minneapolis, Minn. He resides in the city of Minneapolis and operates in many parts of the Nation in the lumber industry. I would like to read the letter of Mr. Winton:

WINTON LUMBER CO.,
Minneapolis, Minn., January 21, 1960.

The Honorable ROY W. WIER,
House Office Building,
Washington, D.C.

DEAR ROY: Industrial research has probably made it possible for our country to hold as good a place as it has in the scheme of things in this world. This applies not only to the conveniences of life, but also to the sinews of war.

There is one industry in the country that is almost completely disorganized; that is the forest industry, particularly the lumber end of it. You are aware of the fact that there are almost 40,000 sawmills in the United States, their products come out much like potatoes for the most part, unnamed and unbranded. As a group these sawmillers are highly individualistic and very difficult to get together on any program of research, trade promotion, or development. The only ray of hope they have is the research done by one or two of the really large companies, such as Weyerhaeuser and Crown Zellerbach, and in the case of small operators, such as we are, the few independent laboratories located at one or two places on the west coast, and the Forest Service Laboratory at Madison, Wis.

We have used the Forest Service Laboratory, not only on a fee basis on specific projects, but for information and help in other cases. They have been very valuable to us.

The largest single timber holder in the country is the Forest Service by all odds, and the return that can be brought about by the careful use of these public forests in end products through research is, of course, of tremendous benefit to the common citizen.

The Forest Service Laboratory will be up before the budget committee one of these days, and the Madison lab is part of that budget, and is important to a number of small independent people like us. After your appraisal of the whole situation, it is my hope you will feel persuaded to see that their budget is given a real increase. They have been somewhat stuck on dead center over a number of years due to lack of funds.

We need their help at this time particularly when any material that can encase things, no matter what it is, is competing with wood.

And don't forget, ROY, wood is a recurring natural resource. There isn't a country that kept its forests green that ever went broke.

Sincerely yours,

DAVE WINTON.

P.S.—The Laboratory at Madison, Wis., is in the district of Congressman ROBERT KASTENMEIER. He is deeply interested in the Laboratory, very knowledgeable about its program and its problems. I am sure he would be glad to help you if you want more information.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, the statements made here today in connection with the 50th anniversary of the Forest Products Laboratory recall to my mind the many contributions it has made to the wood-using industry. Some of these with which I am personally familiar have been mentioned by others, including accomplishments in the fields of seasoning, gluing, wood chemistry, and dimensional stabilization.

I am personally well acquainted with some of the Laboratory's work in the field of paper manufacturing and the production of hardwood veneer and lumber. These are particularly important industries in Wisconsin.

This anniversary brings to mind some of the people who have contributed to the Laboratory's program. The first two Directors, McGarvey Cline and "Cap" Winslow, were before my time, but I have had pleasant contacts with George Hunt, Al Hall, and the newly appointed director Ed Locke. I must also mention George Trayer who left the Laboratory to head the Division of Forest Products here in Washington. All of these men not only made substantial technical contributions, but they were leaders in progressive thought. All of them were outstanding individualistic personalities. They have left their mark on the Laboratory.

Other oldtimers who come to mind are "Doc" Truax, R. P. A. Johnson,

"Mark" Marquardt, and J. D. (Mac) MacLean. Although these men are now retired, they are still contributing importantly in an unofficial capacity, as are a number of other retirees, whose donation to their life's work brings them back to the Laboratory almost daily.

"Doc" Truax and J. D. MacLean exemplify the Laboratory's contribution to our knowledge of glues, veneer, plywood, and wood preservatives. R. P. A. Johnson's dynamic espousal of timber as a structural material will be long remembered by anyone who has heard his theme on "Use and Abuse of Wood." Marquardt spent over 40 years at the Laboratory, and is recognized internationally as "the" authority on timber mechanics. Arthur Koehler's spectacular testimony in the Hauptman kidnaping case will be remembered by most of you. He is an outstanding wood technologist, now living in California.

I could name many more oldtimers who had a large share in making our Forest Products Laboratory the outstanding institution it is today.

I hail them all, as well as the present staff on this occasion of the golden anniversary.

Mr. KASTENMEIER. I thank the gentleman for his contribution.

Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. MAGNUSON], the gentleman from New York [Mr. OSTERTAG], the gentleman from Maine [Mr. MCINTIRE], the gentleman from Maine [Mr. COFFIN], and the gentleman from Texas [Mr. FISHER] may extend their remarks at this point in the RECORD on this same subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MAGNUSON. Mr. Speaker, I am pleased to join my colleagues in recognition of the great accomplishments of the Forest Products Laboratory at Madison, Wis., on its 50th anniversary. This world-famed U.S. Forest Service research unit has made and is continuing to make contributions of tremendous importance toward the full economic utilization of our forest products.

I know in my own State of Washington the lumber, plywood, and pulp industries benefit and depend on work accomplished at the Laboratory. These industries, large and small, look to the Laboratory for impartial evaluation of various products, for methods of testing and for assistance in establishing commercial standards. For example, the work of the Laboratory on advancing methods of seasoning lumber and drying veneer is known throughout the world.

While the past work of the Laboratory has been a key factor in our present utilization of forest materials, the future potential is of equal importance.

For instance, the use of wood residues from mill and logging operations depends on the development of a wood chemical industry. The Laboratory already has done bench chemistry to develop heat-pressure-time factors for making useful chemicals by a process called hydrolysis. However, there are other processes, largely unexplored, that show promise and it is hoped the Laboratory can proceed in an orderly fashion with research in this field.

Those who are informed in the field of industrial chemicals point to the tremendous growth of organic chemical industries—largely based on petroleum chemicals. It is the consensus that the petroleum industry cannot hope to satisfy all of the growing demands for chemicals and that a new raw base is needed. What better base is there than a renewable resource such as wood? And where can the wood industry look for the research-based information required by these advanced fields but to the Forest Products Laboratory?

I would like to mention briefly another valuable function of the Laboratory: supplying expert technologists. Over the last several years a number of Laboratory-trained men have been engaged by private industry throughout the country. Thus, the Laboratory activities yield not only research information but well-trained scientists to apply it.

Mr. Speaker, I cannot stress too strongly how important the Forest Products Laboratory is to the continuing economic development of all segments of the wood products industries, and it is with real pleasure that I pay tribute to this fine institution on its golden anniversary.

Mr. OSTERTAG. Mr. Speaker, I am grateful for this opportunity to commend the work of the Forest Products Laboratory on the occasion of its 50th anniversary.

I have labored for many years in the field of timber conservation and wise use. I am proud to have had a part in the creation of the Forest Practices Act of the State of New York. This act is designed to promote good forestry on small woodlands by providing technical forestry assistance, by supplying planting stock, and other helpful measures.

The longer I work on this problem, the more I am convinced of the great need for utilization industries to provide markets for the lower quality trees which now occupy so much of our woodland areas. It is costly to "weed" trees, even by chemical control. The answer to good forestry—and sound conservation in general—lies in developing uses to turn both actual and potential waste trees and milling residues into profitable products.

In particular, I would like to salute the Forest Products Laboratory for its accomplishment in developing processes to use hardwood for pulp products. Already, the impact is being felt in my district. Hardwoods not suitable for other purposes are now marketed on a small scale. I am confident that this trend will continue. We look forward, however, to new chemical industries and new solid-wood product manufacturing to aid our forestry practices by providing markets for the less desirable trees and species.

I also wish to compliment the Forest Products Laboratory for developing hardwood log grades to guide both forest management and utilization industries in the selection of timbers for specific wood products. For instance, manufacturers of bowling pins have increased their profits by guidance on tree selection. Another example, manufacturers of furniture are using research-developed standards and can now pay local timber owners more for logs at their mills than formerly, but they can also make more profit because they now know the proper types of logs to purchase.

Our industries are generally small in size. It is out of the question for them to do research on their own part. Consequently, the work of the Forest Products Laboratory is very important to them—in both applied and developmental fields. We need new processes suitable for small industry as well as large.

It gives me great pleasure, therefore, to congratulate the Forest Products Laboratory on its past and present achievements and to wish it continued success in the future.

Mr. MCINTIRE. Mr. Speaker, I would like to join with the multitude of others who are presently celebrating the 50th anniversary of the Forest Products Laboratory.

Each one of us interested in forestry matters is keenly conscious of the important part that the Forest Products Laboratory has played in stabilizing our forest-based industries of the past, just as every one of us is confident that it will serve as a solid foundation for the expansion of these industries in the future.

Benefits from this Laboratory flow in a steady stream into those States of our Union where the manufacture of wood products is an integral part of the economic complex.

The State of Maine is one of these, for there is much about this State to make it particularly interested in the functions of the Forest Products Laboratory. For instance, Maine has been—even as it is today—a heavily forested State, with approximately 86 percent of its area being woodlands. In fact, some authorities establish that Maine was one of the first States to engage in the manufacture of wood products, and there exist authentic records which show that a sawmill was operating in Maine in 1634, back in that period of time when Maine was still a part of the State of Massachusetts. These same records further show that descendants of those who operated mills in Maine back in the early days are still operating mills there today.

Big-time logging also had its origin in Maine, for anyone who has read the pages of logging history will quickly recall the highly important parts played by the waters of the Penobscot and Kennebec Rivers in Maine.

And so today the manufacture of wood products is still an important industry in Maine. Lumber, clothespins, toothpicks, paintbrush handles—these, just to mention a few, are some of the many forest products manufactured in the Pine Tree State.

There is abundant evidence to prove that these industries in Maine have benefited from the activities of the Forest Products Laboratory. For instance, the Laboratory's research-based technical assistance program has aided

Maine's lumber industry in becoming a leader in the movement of turning sawmill residues, once discarded or burned, into profitable use for pulp. Too, there has been an adoption in my State of certain seasoning methods developed in the Forest Products Laboratory, these processes being applied to lumber and the squares and bars of our almost unique woodturning industry. The utilization of these methods has contributed considerably to the modernization of traditional operating practices and has brought about substantial savings of money and material.

Furthermore, some of our fine wood handle plant operators affirm that the adoption of seasoning techniques learned from Forest Products Laboratory research has resulted in substantial savings in costs of manufacture over a number of years.

I am also certain that the modern veneer industry in Maine has profited from the studies of storage of veneer lop, heating of lop before cutting, and the techniques of lathe operation. Similarly, our large and vigorous pulp and paper industry—the fourth in the United States in both capacity and number of mills—owes much to the sound Forest Products Laboratory research into the problems of pulping and papermaking.

It becomes apparent, then, that the State of Maine, after long years of experience, has a well-developed wood products industry, one equipped to make anything from efficient lobster traps to fine printing paper from wood. And there can be no denying that the Forest Products Laboratory has made a substantial contribution to this march of progress.

Against this background, I would like—as I feel is appropriately my right—to pay tribute to the sound and useful accomplishments of the Forest Products Laboratory in its first 50 years, also to extend my wishes for a continued and expanded operation in the years that lie ahead.

Mr. COFFIN. Mr. Speaker, it is my privilege today to associate myself with the remarks of the gentleman from Wisconsin [Mr. KASTENMEIER] in praise of the U.S. Forest Products Laboratory at Madison, Wis. If I were to differ with him in any particular, it would be to wish that this facility were located in my own State of Maine.

The State of Maine is 85 percent forest covered; 16 million acres of our forest land is graded as commercial timberland. The products of the forest form the backbone of our State's economy in pulp and paper products, wood turnings, specialty items, long lumber, and other essential items manufactured from wood. This is an industry beset by difficulties in competition with other products, but faced with immense challenges in better use, more complete utilization and more imaginative application to modern requirements.

All our manufacturers are eager to adapt their production to meet these requirements and to utilize the full potential of the raw material. However, many of these manufacturers are not in a position to conduct their own research. They rely very heavily on the results of the work done at the Forest Products Laboratory in Wisconsin.

During the past year I have had the privilege of working with a group of wood manufacturers in the State of Maine in establishing the Maine Forest Products Council. This represents a new effort to grapple with marketing, research and design problems in order to improve the economic standing of the industry. The group is working in close cooperation with our State forestry department and they have received splendid advice and assistance from the U.S. Forest Service and other Federal agencies. I am confident that this group will be able to stimulate an expansion of the output and market capabilities of our Maine forest products industry. I am also sure that this and similar developments will place increasing emphasis on the contributions which the Forest Products Laboratory can make.

This is the golden jubilee year of the Laboratory, and yet we find that only 50 percent of its capacity is being utilized. We have a $15 million investment in a laboratory which serves the entire Nation; it would be a tragedy if we allow it to continue to function at only a fraction of its potential. From past experiences we have learned that for every dollar spent in the Laboratory, we have realized a $70 return in terms of increased wealth. Many of our most useful products in the wood-using industries were discovered and perfected at the Laboratory. Federal appropriations under the Forest Service account for 66 percent of its revenue. Another 26 percent comes from defense work and 8 percent is provided by industrial funds spent on cooperative projects.

The 1961 budget proposal would provide for a modest $150,000 increase over last year's appropriations. Much more is needed. The Laboratory could use a $4,500,000 appropriation without increasing its present physical plant. At the very minimum, we should provide an increase in appropriations for the Laboratory to $2,500,000. This would be a 50th anniversary gift, not to the Laboratory, but to the American people, through an investment in one of the most important research facilities at our disposal.

Mr. FISHER. Mr. Speaker, I wish to commend the gentleman from Wisconsin [Mr. KASTENMEIER] for a very able and enlightening discussion of an important subject. He has performed a valuable public service by developing the facts as he has that relate to an important phase of our great forestry industry.

I also wish to join in commemorating the 50th anniversary of the Forest Products Laboratory of the U.S. Forest Service.

I have long been interested in all aspects of forestry and the utilization of all forest products. In my district, we are particularly interested in watershed aspects of forest land management. A part of our task is in vegetative conversion to more useful or less water consuming types than now exist. I am intrigued with the basic chemical work done at the Laboratory on the conversion of woody material to useful chemical and pulp products. This may be one answer to economical land clearing for conversion to other vegetation—the profitable use of the cleared trees and brush.

We are also grateful to the Forest Products Laboratory for its leadership in promoting proper use of wood. Publications of the Laboratory on wood frame house construction are in great demand. The work on preservative treatment of wood to protect fence posts, railroad ties, power and telephone poles—and more recently pole-type farm structures—is well recognized as a major contribution to our economy.

I look forward to even greater accomplishments by the Forest Products Laboratory in its second 50 years of research in wood utilization.

CONTROL OF NUCLEAR WEAPONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. WOLF] is recognized for 15 minutes.

Mr. WOLF. Mr. Speaker, I am amazed, disturbed and chagrined. At the end of the last session of Congress, the administration sponsored a successful move to transfer nuclear weapons material and nuclear information to other NATO countries. At that time a number of us fought against this move claiming that this would lead to the increase of the nuclear club and would result in the impossibility of reaching nuclear agreements with the Soviet Union since we could not control those nations who would have this material in the way the Soviets could control their satellites if they were given the weapons. Well, we lost. We were unsuccessful in influencing the Joint Committee on Atomic Energy and we were unsuccessful on the floor of Congress when we tried to stop any funds from being used for the enforcement of these agreements.

Why did we lose? We lost because the administration falsified their true intentions; because the administration falsified what it intended to do when it appeared before the Joint Committee on Atomic Energy. They sold this Congress a bill of goods.

Last year I stated on this floor that the transfer would ultimately lead to what the administration is now asking for. In July of last year I stated—CONGRESSIONAL RECORD, volume 105, part 10, page 12531:

> The AEC and the State Department claim that the kinds of instruments we are giving to these nations are not of a substantial nature. That is, they do not involve basic materials necessary for the making of nuclear weapons. However, it is clear from the way the present agreements are worded, that if Congress does not object to these agreements, we will have taken a very great step toward ultimate nuclear rearmament of such nations as West Germany.

Mr. Speaker, the administration last year had no intention of limiting what was sent to the NATO nations. A report in the New York Times, yesterday, February 3 stated:

> There were indications that an important change in nuclear weapons policy was under discussion by the administration. In

the past the administration has taken the position that it would provide certain military allies with information on atomic weapons but would not turn over the actual weapons. Now it is indicated that the administration is considering placing the weapons themselves in the possession of certain allies. When the legislation was being considered last year, there was considerable concern expressed by some committee members. The committee therefore placed several restrictions on the sharing of information and weapons, including the provision that weapons must remain in the custody of the United States. At the time the administration endorsed these restrictions and repeatedly stated that it had no intention of turning over actual weapons to an ally.

Yesterday the President in his press conference supported a move to give certain allies these nuclear weapons. He said, in answer to a question on atomic arms custody:

So I would think that it would be better, for the interests of the United States, to make our law more liberal, as long as we classify our countries as those that are—we are confident, by our treaties and everything else, are confident they'd stand by us and stand by us in time of trouble.

Mr. Speaker, this Congress was hoodwinked last July. The administration knew full well that it intended to give the various NATO nations atomic arms. They feared the reaction then and decided to do the thing in stages. Mr. Speaker, what was unacceptable last year is even more unacceptable this year. This Congress should not grant the administration its wish. For the sake of humanity we must not be fooled.

Let me recapitulate what the results of such atomic transfer would mean.

First. They endanger world peace because the greater the number of countries in possession of these weapons, the less possibility there exists for negotiating any international agreements to bring the force of nuclear weapons under international control and agreement.

Second. In addition to the fact that it is now possible to fire nuclear weapons from great distances by missiles it will not always be possible to tell from which quarter a missile of this sort has come.

Third. There is greater chance of nuclear accident and nuclear recklessness where the precondition for political responsibility does not exist.

Fourth. By such transfers we are completely foreclosing the possibility of having a denuclearized zone in Europe; or any kind of disengagement.

Fifth. By such transfer we entrench further the Soviet Union's domination of the Eastern European countries since the Soviets will not let those nations have nuclear weapons without controls because of the danger that these nations might use them to gain their freedom from the Soviet Union. Consequently, Soviet military and technical forces in each satellite will increase, the satellite governments will have even less independence than they do now, and the people of these nations will suffer an even greater loss of freedom.

Mr. Speaker, we are on a roller coaster headed for destruction with atomic weapons. We think we control them, but I am afraid they are beginning to control us. For the sake of civilization, for the sake of humanity let us stop this madness before it is too late.

Mr. Speaker, this year I hope that the Joint Committee will not be misled by the sweet sounding words of the administration. I pray that Congress and the Joint Committee on Atomic Energy will strongly repudiate the administration's foolhardy position.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SLACK (at the request of Mr. BAILEY), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WOLF (at the request of Mr. SIKES), for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. BRAY (at the request of Mr. BALDWIN), for 15 minutes, on February 15 and February 16.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANE and to include extraneous matter.

Mr. JENSEN and to include excerpts from a speech.

Mr. WALLHAUSER.

Mrs. CHURCH and to include an editorial.

Mr. IRWIN and to include extraneous matter.

Mr. BREEDING and to include a committee report, notwithstanding the cost is estimated by the Public Printer to be $263.25.

Mr. VANIK.

(At the request of Mr. BALDWIN, and to include extraneous matter, the following:)

Mr. CAHILL.

(At the request of Mr. LIBONATI, and to include extraneous matter, the following:)

Mr. PHILBIN.

Mrs. KELLY.

Mr. FOGARTY in two instances.

Mr. BARING.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 540. An act for the relief of Maybell King;

S. 981. An act for the relief of T. W. Holt & Co.;

S. 1862. An act for the relief of Harve M. Duggins; and

S. 2231. An act to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 1 o'clock and 57 minutes p.m.) the House, pursuant to its previous order, adjourned until Monday, February 8, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1775. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal National Mortgage Association (FNMA), Housing and Home Finance Agency, for the fiscal year ended June 30, 1959 (H. Doc. No. 323); to the Committee on Government Operations and ordered to be printed.

1776. A letter from the Comptroller General of the United States, transmitting a report on the audit of the abaca fiber program, administered by General Services Administration (GSA), for the fiscal year ended June 30, 1959 (H. Doc. No. 324); to the Committee on Government Operations and ordered to be printed.

1777. A letter from the Secretary of the Interior, transmitting a report on the Garrison Diversion Unit, North Dakota and South Dakota, Missouri River Basin project (H. Doc. No. 325); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1778. A letter from the chairman, Joint Committee on Internal Revenue Taxation, transmitting a report by the Joint Committee on Internal Revenue Taxation, dated February 4, 1960, covering refunds and credits of internal-revenue taxes for the fiscal year ended June 30, 1958 (H. Doc. No. 326); to the Committee on Ways and Means and ordered to be printed.

1779. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize certain construction at military installations, and for other purposes"; to the Committee on Armed Services.

1780. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend section 303(a) of the Career Compensation Act of 1949 by increasing per diem rates and to provide reimbursement under certain circumstances for actual expenses incident to travel"; to the Committee on Armed Services.

1781. A letter from the Comptroller General of the United States, transmitting a report on examination of the pricing of J-69 turbojet engines under Department of the Air Force contracts with Continental Aviation and Engineering Corp., Toledo, Ohio; to the Committee on Government Operations.

1782. A letter from the Comptroller General of the United States, transmitting a report on the review of the administration of the surplus property program for educational

and public health purposes by the Division of Surplus Property Utilization, Department of Health, Education, and Welfare, in HEW's New York City, Chicago, and Denver regions; to the Committee on Government Operations.

1783. A letter from the Comptroller General of the United States, transmitting a report on the review of procurement of airframe spare parts and ammunition at the Ogden Air Materiel Area (OOAMA), Department of the Air Force; to the Committee on Government Operations.

1784. A letter from the Comptroller General of the United States, transmitting a report on the military assistance program for Turkey; to the Committee on Government Operations.

1785. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "a bill to provide for withdrawal and reservation by the Department of the Air Force of certain public lands of the United States at Nellis Air Force Range, Nev., for defense purposes, and for other purposes," to the Committee on Interior and Insular Affairs.

1786. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "a bill to clarify certain provisions of the Criminal Code relating to the importation or shipment on injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C., secs. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, national, or foreign laws (18 U.S.C., sec. 43), and for other purposes"; to the Committee on the Judiciary.

1787. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report by the U.S. Civil Service Commission relating to positions in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, for the calendar year 1959, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1788. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a revised draft of proposed legislation entitled "A bill to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes"; to the Committee on Science and Astronautics.

1789. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates; to the Committee on Ways and Means.

1790. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Huguette Bernard, A8562261, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1791. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

1792. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1793. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Science and Astronautics. House Joint Resolution 567. Joint resolution to effect immediately the transfer of the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration; with amendment (Rept. No. 1240). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Interior and Insular Affairs. H.R. 3375. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior, acting through the Bureau of Mines, to contract for coal research, and for other purposes; with amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 9664. A bill to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost; without amendment (Rept. No. 1242). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee of conference. H.R. 3610. A bill to amend the Federal Water Pollution Control Act to increase grants for construction of sewage-treatment works; to establish the Office of Water Pollution Control; and for other purposes (Rept. No. 1243). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 439. Resolution for consideration of H.R. 9331, a bill to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children; without amendment (Rept. No. 1244). Referred to the House Calendar.

Mr. COOLEY: Committee on Agriculture. H.R. 9331. A bill to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children; with amendment (Rept. No. 1245). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MASON:

H.R. 10181. A bill to amend the Tariff Act of 1930 and for other purposes; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 10182. A bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance; to the Committee on Education and Labor.

By Mr. AYRES:

H.R. 10183. A bill to amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BERRY:

H.R. 10184. A bill to extend the Sugar Act of 1948, as amended, for 2 years, to increase domestic beet sugar and mainland cane sugar quotas, to authorize the President to reduce quotas of certain foreign nations, and for other purposes; to the Committee on Agriculture.

By Mr. BUCKLEY:

H.R. 10185. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 10186. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CELLER:

H.R. 10187. A bill to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service; to the Committee on the Judiciary.

H.R. 10188. A bill to include certain officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides; to the Committee on the Judiciary.

By Mr. COOK:

H.R. 10189. A bill to provide an exemption from participation in the Federal old-age and survivors insurance program for individuals who are opposed to participation in such program on grounds of conscience or religious belief; to the Committee on Ways and Means.

By Mr. DAGUE:

H.R. 10190. A bill to amend the Packers and Stockyards Act, 1921, to provide that marketing agencies shall not be liable for selling livestock mortgaged under the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

By Mr. DANIELS:

H.R. 10191. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

By Mrs. DWYER:

H.R. 10192. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FLYNT:

H.R. 10193. A bill to provide for the procurement and retention of judge advocates and law specialist officers for the Army, Navy, Air Force, and Coast Guard, and for other purposes; to the Committee on Armed Services.

By Mr. GALLAGHER:

H.R. 10194. A bill to require that warnings be printed on certain plastic bags shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GEORGE:

H.R. 10195. A bill to amend title 38, United States Code, to provide educational and vocational rehabilitation benefits for veterans of service after January 31, 1955; to the Committee on Veterans Affairs.

By Mrs. GRANAHAN:

H.R. 10196. A bill to clarify the law with respect to transportation of airmail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 10197. A bill to provide for the establishment of rates of compensation for positions in the Federal Government in appropriate relationship to local prevailing rates for similar positions, and for other purposes;

to the Committee on Post Office and Civil Service.

By Mr. HARMON:

H.R. 10198. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

H.R. 10199. A bill to amend the Internal Revenue Code of 1954 with respect to the involuntary liquidation of LIFO inventories as the result of labor disputes; to the Committee on Ways and Means.

H.R. 10200. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HARRIS:

H.R. 10201. A bill relative to the distribution of automobiles in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. IRWIN:

H.R. 10202. A bill to amend the Veterans' Benefits Act of 1957 to provide a 3-year presumption of service connection for active tuberculous disease cases in peacetime; to the Committee on Veterans' Affairs.

By Mr. JENSEN:

H.R. 10203. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of California:

H.R. 10204. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of Maryland:

H.R. 10205. A bill to prevent the application of any milk-marketing order to milk produced in certain counties of Delaware and Maryland unless approved by a majority of the farmers producing milk in such counties; to the Committee on Agriculture.

By Mr. LESINSKI:

H.R. 10206. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McGOVERN:

H.R. 10207. A bill to provide for a highway bridge over the Missouri River west of Platte, S. Dak.; to the Committee on Public Works.

By Mr. METCALF:

H.R. 10208. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MORGAN (by request):

H.R. 10209. A bill to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States; to the Committee on Foreign Affairs.

By Mr. MULTER:

H.R. 10210. A bill to amend the Tariff Act of 1930 to provide that any article imported by a State or political subdivision for governmental purposes shall be free of duty; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 10211. A bill to amend the Internal Revenue Code of 1954 to provide tax exemption for nonprofit conservation organizations otherwise entitled thereto even though their activities may include the attempt to influence legislation; to the Committee on Ways and Means.

By Mr. QUIGLEY:

H.R. 10212. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RAINS:

H.R. 10213. A bill to amend the National Housing Act to halt the serious slump in residential construction, to increase both on-site and off-site job opportunities, to help achieve an expanding full employment economy, and to broaden homeownership opportunities for the American people; to the Committee on Banking and Currency.

By Mr. RHODES of Arizona:

H.R. 10214. A bill to amend section 206 of the Labor-Management Relations Act of 1947; to the Committee on Education and Labor.

By Mr. RIVERS of Alaska:

H.R. 10215. A bill to repeal an act entitled "An act extending the time in which to file adverse claims and institute adverse suits against mineral entries in the district of Alaska.", approved June 7, 1910 (36 Stat. 459); to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H.R. 10216. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10217. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. SAUND:

H.R. 10218. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. VANIK:

H.R. 10219. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VINSON:

H.R. 10220. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. WHARTON:

H.R. 10221. A bill to limit the amount of price support which may be made available by the Commodity Credit Corporation to $5,000 per person per year; to the Committee on Agriculture.

By Mr. WIER:

H.R. 10222. A bill to provide for assistance to States in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss and increasing production through safeguarding available manpower; to the Committee on Education and Labor.

By Mrs. DWYER:

H.J. Res. 600. Joint resolution authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson; to the Committee on House Administration.

By Mr. GEORGE:

H.J. Res. 601. Joint resolution proposing an amendment to the Constitution of the United States of America providing for a 4-year term for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 602. Joint resolution authorizing the President to proclaim henceforth the week in May of each year in which falls the third Friday of that month as National Transportation Week; to the Committee on the Judiciary.

By Mr. LANE:

H. Con. Res. 580. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

H. Con. Res. 581. Concurrent resolution establishing a joint committee to urge the President of the United Stated to take positive steps to assure the victory of the United States in the space race; to the Committee on Rules.

By Mr. VINSON:

H. Con. Res. 582. Concurrent resolution providing under section 3(e) of the Strategic and Critical Materials Stock Piling Act, the express approval of the Congress for the disposal from the national stockpile of approximately 470,000 long tons of natural rubber; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Kentucky memorializing the President and the Congress of the United States relative to urging the removal of present limits on matching State funds for old-age assistance which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON:

H.R. 10223. A bill for the relief of Sumiko Katsube; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 10224. A bill for the relief of Mrs. Yee Choi Eng; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 10225. A bill for the relief of Zofia (Abramczyk) Hill; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 10226. A bill for the relief of Christos George Kanellopoulos; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 10227. A bill for the relief of Iolanda Iebba Altimari; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10228. A bill for the relief of Helen Ozog-Witek; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H.R. 10229. A bill for the relief of Dr. Biong Woo Lee; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 10230. A bill for the relief of Louis J. Rosenstein; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 10231. A bill for the relief of Juan Reyes Arias; to the Committee on the Judiciary.

H.R. 10232. A bill for the relief of Jessie I. Sifuentes (Sueko Izena); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

334. Mr. HENDERSON presented a petition of Clifford Hale, Sr. and others of Veterans of World War I, relative to being in favor of the payment of a pension to World War I veterans as stipulated in pension bill H.R. 9336, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

We Build a School

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include an address which I delivered at the dedication of the Narragansett Junior High School, Narragansett, R.I., on December 20, 1959:

WE BUILD A SCHOOL

(Address by JOHN E. FOGARTY)

It is always a very great joy and a privilege to assist in the dedication of a school. It is a particular pleasure to participate in such a dedication in a community such as Narragansett which reflects so clearly your dedication to the best interests of your young people, your faith in the future growth and well-being of the community, your understanding of the importance of education in a democracy, and your determination to meet the challenge of a new age.

We live in a State which has been closely identified with educational and cultural development since the earliest colonial times. We have a proud heritage from our ancestors who labored to create the foundation of understanding on which our way of life is built. We are an optimistic people with faith and determination that we can meet the future with courage and integrity, and this fine new school which we dedicate today emphasizes those characteristics which keep democracy safe and strong.

These are challenging and crucial days in education because so much is happening. Within our own lifetime man has entered the age of atomic energy and space. He can transmit events with the velocity of light and travel faster than the speed of sound. His achievements in science and technology are spectacularly increasing, with the result that every other day seems to bring a new and breathtaking headline. This is having a profound effect upon public thinking in regard to education, upon public concern that the education our children receive shall be adequate to the needs of our times.

Because of my own great interest in educational progress and my particular good fortune to serve the Government at a time when that interest is shared to a high degree by the people of Rhode Island, it seems appropriate today to say a few words about the Federal-State relationship which exists between the schools and the National Government. It is a unique and satisfying relationship and one which has enabled us to strengthen our democracy and hold fast to the ideals of our forebears.

America has a proud history of local control and support of education. That concept was shaped and patterned by our early settlers and it is a pattern in which Americans believe wholeheartedly. We recognize that the schools belong to the people and that their strength is derived from the people. If the schools are to serve the varied interests and needs of the people, the people directly concerned must determine their procedures and their policies. We do not believe in Federal control of education but insofar as the purpose of education in a democracy is to prepare youth for alert and competent citizenship, we do believe in Federal responsibility.

Believing thus, and facing the gravest emergencies of our times, a year ago the Congress passed the National Defense Education Act, a law which has been characterized by many people as one of the three most important milestones in the history of Federal action to strengthen our schools. It was my privilege to have been in the chair during the debate on this important legislation, and I was highly gratified, as were other friends of education, when the bill was enacted into law. It touches every level of education, public and private, from the elementary grades through the graduate schools, and is a major breakthrough in the effort to see that every young person, from the day he first enters school, should have an opportunity to develop his gifts to the fullest extent. It is the recognition that in a free society the individual is the first line of defense.

Under the forward-looking guidance of our State department of education and the ability and leadership of Commissioner Walsh, Rhode Island is participating in considerable measure in the benefits made possible by the National Defense Education Act.

Our young people are availing themselves of the student loan program; our schools have initiated a plan for strengthening science, mathematics, and foreign language. Our area vocational program, which is designed to provide people trained in critical areas of scientific development, is being accelerated. Rhode Island is one of the States which has long believed that wide guidance is essential to the educative process, and the Department of Education is substantially extending the testing program now being conducted. The tangible results we can expect from this effort in identifying students with outstanding ability should be truly impressive. In thinking about the results, however, we should remember that this effort is designed not merely to identify and enable the most gifted to make the most of their gifts. It is to help all children, regardless of the degree or extent of their talents, to take courses best suited to their ability.

Naturally, I am delighted and proud of the example set by the people of Rhode Island in their understanding and acceptance of this partnership with the Federal Government.

But regardless of Federal enactments or of State supervision, education must remain a local responsibility. This beautiful building which we are dedicating today is your building, built for your young people and, under the leadership of your board of education, to be used so that each girl and boy may find herein satisfaction and pleasure and may be led to the fulfillment of his or her greatest capacities.

The school curriculum and how it is taught are matters to be decided by your State department, Commissioner Walsh, your local board, your superintendent and the citizens working with their chosen representatives. Yet it is rightly a concern of great importance to all of us that the school curriculum shall encompass the teaching of the fundamental skills and understandings which have made America strong and vigorous. We must have thorough learning of the three R's. We must delve more deeply into geography and history. We must increase our understanding of other peoples and nations.

We must reiterate and reemphasize, too, the old-fashioned virtues which have made America great but which are sometimes lost sight of in a frustrated and explosive world.

We must teach new competencies to give our children the tools with which they may hew out a path so clear that they shall not stumble or fall; we must teach truth, for only in the understanding of truth can man hold fast his dignity and his freedom; we must teach friendship, which is understanding and fair play and loyalty and honesty and integrity—for these are the binding substances of a free world. We must try to bring to every child the vision of freedom, the glory of democracy and the joy of an abiding faith.

Of these things you are well aware and you may be very proud of the record you have established, of the schools you have maintained, and of the leadership which holds them high.

I said that the schools belong to the people. And yet, in a very real sense, the schools belong neither to the people, the taxpayers, the teachers nor any other group, for all of us are only trustees and we hold the schools in trust for the benefit of our country, our community, our children and the generations to come. No school can ever be much better than the community wants it to be, for it represents our strivings, our sacrifices, our dreams and our visions.

You have built a school. But this, too, you have builded:

Not so much a schoolhouse, as a fortress, a haven, a temple, a dream, a hope. Within these walls we protect our greatest treasures and guard our most important resources.

It is a privilege and an honor to dedicate this school as a living memorial to the past, to the men and women who lived, struggled and died that their sons and daughters might grow stronger and wiser than they; to dedicate this school as a living promise to the future, that those who follow us may be wiser and stronger and more understanding than are we.

Re House Concurrent Resolution 459

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mrs. KELLY. Mr. Speaker, I wish to call the attention of the House to the fact that I was incorrectly listed in the CONGRESSIONAL RECORD for February 2 as having voted "present" rather than "aye" on House Concurrent Resolution 459. I have determined that my actual vote is correctly recorded in the Journal and I have been assured that the error in the RECORD of the proceedings on February 2 will be rectified in the permanent RECORD.

Mr. Speaker, I do indeed support House Concurrent Resolution 459. I am privileged to be associated with the splendid leadership being shown by the Chairman of the Subcommittee on Inter-American Affairs in safeguarding the interests of the Congress in this important matter.

I quite agree that flying the Panamanian flag in the Panama Canal Zone would be a major change in policy and a variation in the traditional interpretation of the several treaties between the United States and Panama on the matter of sovereignty in the Canal Zone.

This matter of flying the Panamanian flag became a matter for consideration during the negotiation of the treaty of 1955 with Panama. If necessary it should become a matter for new treaty negotiations in which the ultimate approval role of the Congress is clearly set forth in article II, section 2 of the Constitution of the United States.

I appreciate this opportunity, Mr. Speaker, of making my position clear on this important matter.

Advertising Builds the Economy

EXTENSION OF REMARKS
OF
HON. HENRY M. JACKSON
OF WASHINGTON
IN THE SENATE OF THE UNITED STATES
Thursday, February 4, 1960

Mr. JACKSON. Mr. President, many Members of the Senate obtained a rare insight both into the effectiveness of television and the ability of our national economy to grow at a breakfast meeting in Washington, D.C., Thursday, February 4.

As one of those privileged to attend the meeting, arranged by the Television Bureau of Advertising, Inc., whose board of directors is headed by Otto Brandt, of KING–TV, Seattle, I commend both the fine presentation made and the response delivered by my colleague, the senior Senator from Washington [Mr. MAGNUSON].

I ask unanimous consent that Senator MAGNUSON's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE HONORABLE WARREN G. MAGNUSON, SENATOR FROM THE STATE OF WASHINGTON

Senator MAGNUSON. Thank you, Pete Cash.

I am convinced that TV advertising is an important part of our economy.

I am convinced also that it's a very young industry. I am convinced also that we are very young ourselves, but the time goes by quickly, and probably as in advertising, as in politics, the time is now.

I am glad for the invitation to be here this morning. I am particularly pleased because my old friend Otto Brandt, who is one of your officers, invited me. He is one of the fine and responsible citizens of our community.

Television advertising, however, faces a sort of arduous task, a searching task; it is young; the whole medium is young, and that is why I suppose in the last few months they have taken the youngster out in the woodshed and given him a little spanking. I don't think that will hurt him; I think probably that will make him grow up to be a better person.

But television, and television advertising as an adjunct, is in the public domain, and therefore the responsibility to the public becomes a real and a real moving thing with all of you engaged in this industry. It is a little different than the normal type of advertising, and if this movie showed anything this morning, it showed that the impact of the great medium of television is the greatest the world has ever known, and therefore the greater the responsibility to you people.

I suppose if I were to suggest anything this morning looking at it from my angle, when you attract, intrigue and intrude, that that responsibility would carry with it that you do so in good taste; that you do so consistent with the responsibility that indirectly you have because this is in the public domain.

There are only so many channels, as you all well know; so much available space in the spectrum. There are only so many hours in the day, and that narrows the impact of what you people do in television advertising. And there again, this would point up the great responsibility.

For instance, that public domain is now being used by just a few channels. For instance, there are other uses that domain might be put to. I think of educational TV, which offers a great future to the problem that the U.S. Senate this morning is considering, namely, the school problem.

I suggest that probably that is one of the things that you people in the whole industry, from the licensee, to the advertisers, to the agencies, and those of you associated, consider as part of your public responsibility. Because if you don't accept that responsibility, which I think you have, or at least I think you are becoming more conscious of it—the very fact that you meet here today and break bread, and exchange ideas about it, the future, or the now, of television, surely augurs good for the fact that you do accept the responsibility that you have to the American public.

I am sure you will do that; I am sure you will realize it; I am sure also that you will face up to it, and we who are in Government, who are part also of that public responsibility, those of us in particular who have charge of the committees in the Congress of the United States that deal with this new media of television, also feel that you will measure up to that responsibility.

For instance, when I said Otto Brandt is a responsible citizen of our community, one of your high officers, that is true, and when a man is a responsible citizen I think he assumes his responsibility in that light.

So I do congratulate you on having an organization of this type and putting together this very vivid film. It is not only vivid to the mind and the eye, but it calls our attention to the fast-moving world. You are part of the Nation's economy, and without advertising I don't suppose America would be—despite all the talk you hear—the greatest power in the history of the world, and the greatest power in the world today, and in that role you play a very important part.

We up in the Congress have a deep feeling, I believe, leaving out headlines or specific instances that we have been reading about for the past few weeks, or past few months, have a great feeling that the industry of which you are a part is going to take care of a lot of these so-called evils themselves, because you are responsible citizens, and when I say good taste, I mean that. When you intrude into the American home, you must do it in good taste; you must do it honestly; you must not be carried away by a portion of this film which pointed out that if your competitor does something, you have got to do something, too.

Sometimes because the speed, the haste that is necessary, does move people to do something that may not be in the public responsibility, and may be sometimes in what I like to term bad taste, maybe we should look twice at some of the things we do in advertising, which I hope you will. And in doing that, you are going to help all of us, the public, the Government, and yourselves, to make this the thing that we hope it will be, a great force in not only a free America, but in the economy of these United States.

Thank you very much.

[Applause.]

Conservation of Water Resources

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. JENSEN. Mr. Speaker, most of us realize that a major domestic problem confronting us as a nation today is the conservation of our precious natural water resources.

The Congress has recognized this situation and has established programs and provided money to try to solve it.

There is both Federal and State responsibility in planning of this magnitude. A constant awareness of the task is not only desirable, but necessary. Education through publicity will accomplish this.

To that end I should like at this point in the RECORD to insert a splendid editorial contributed to the January Monthly Reporter of the National Rivers and Harbors Congress by the Honorable PHIL WEAVER, of Nebraska, my esteemed colleague on the Committee on Appropriations.

The editorial follows:

CONSERVATION OF WATER RESOURCES

(By Hon. PHIL WEAVER, U.S. House of Representatives (Fifth, Nebraska), chairman, National Rivers and Harbors Congress Project Committee)

In the past half century the development of our greatest single natural resource, water, has been delayed and at times mismanaged at the national level because of two factors: (1) The lack of foresight to develop an orderly long-term program and, (2) the tendency by some to look upon this sort of development as political pork.

Those of us who have been deeply concerned with this major national problem have worked under a handicap because of this Topsy-like growth of a natural resource development program in the past. Because—in years past—there was no attempt at logical planning, the field of resource development at times was thrown open to political pressures.

Many interested in conservation and development of our water resources have long seen the need for an orderly development in this area. Their efforts in recent years have succeeding in bringing at least a degree of order. In the forefront of this fight has been the National Rivers and Harbors Congress with its wide basis of representation.

That congress, for instance, has evolved its projects committee to screen every new proposal, to determine its merits and, equally important, to determine where and how individual projects fit into the overall national picture. By this criterion alone the projects are assigned a priority. This approach has also been adopted in the House Committee on Appropriations' Public Works Subcommittee under the able chairmanship of Hon. CLARENCE CANNON, of Missouri. Last year, for instance, more than a thousand witnesses appeared before the committee to testify

on proposed projects, many of them long authorized but dormant for lack of funds.

After studying this mass of testimony, both from the Executive and from individuals and associations, the committee developed a program which looked to the future as has perhaps no other program in recent years. It was a conservative program, a forward-looking one, and in which the confidence of the people could easily rest. It was a lean and muscular program, one from which every ounce of fat had been trimmed. We may be assured that the same approach will be used again this year by the committee.

It is to be hoped that both political parties at their July conventions will adopt a platform plank dealing forthrightly and honestly with this very important problem. Such a program, carefully worked out and looking to the future, would go a long way toward confounding those who level an accusing finger at water resources development and call it pork.

Address by Senator Thomas J. Dodd

EXTENSION OF REMARKS
OF
HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1960

Mr. IRWIN. Mr. Speaker, it was my privilege this past weekend to attend a luncheon of the Fairfield County (Conn.) Federation of Women's Clubs in Fairfield, Conn., at which my esteemed friend and colleague, Senator THOMAS J. DODD, delivered an inspiring and enlightening address.

With the permission of the House, I would like to introduce Senator DODD'S remarks into the CONGRESSIONAL RECORD:

TEXT OF REMARKS BY SENATOR THOMAS J. DODD DELIVERED AT LUNCHEON OF FAIRFIELD COUNTY FEDERATION OF WOMEN'S CLUBS, JANUARY 30, 1960 AT CONTINENTAL RESTAURANT, FAIRFIELD, CONN.

We are living in an era that greatly resembles the late 1920's. At that time, our Nation was bathed in an optimistic glow of apparent prosperity. An enormously popular President, Calvin Coolidge, was preparing to leave office and his heir-apparent, Herbert Hoover, was waiting in the wings to assume the mantle of peace and prosperity.

Competent observers of our national life realized that the surface appearance of calm and well-being had been purchased at the cost of sweeping under the rug all of the really great problems of that time. The Republican administration of that day had ignored America's international responsibilities. It had ignored the farm problem. It had refused to make needed reforms in the field of mergers, trusts, and stock-market manipulation. It had paid no attention to the plight of millions of American workers who were laboring under sweatshop conditions for a wage that was inadequate to meet the minimum decent standards of living.

Calvin Coolidge was scarcely out of office when the great bubble burst and the false prosperity became a real depression. A series of disasters forced the Nation to face up to a host of economic, social, and governmental problems, problems with which his successor seemed unable to cope.

There is no need to recount the details of the great depression. It is enough to recall that for many, the promise of American life seemed at a shabby end. In desperation, the people turned to the Democratic Party and we led them out of the darkness.

Today, too, we live in an era of complacency, lethargy, and false optimism. Today, too, an enormously popular President is preparing to leave office and a new heir-apparent is ready to assume the mantle of peace and prosperity.

Today, too, we have reached the stage where we have swept so many problems under the rug for so many years that the day of reckoning must be close at hand.

For 7 years this administration has failed to develop a consistent foreign policy. It has failed to develop a realistic military policy. We have no transportation policy. We have no civil defense policy. There is no administration policy on the conservation of natural resources, no education policy, no comprehensive plans for eliminating urban slums. Certainly there has not been adequate administration leadership on questions of agriculture, small business, depressed areas, interest rates, inflation, and in other vital questions. One by one these problems have been swept under the rug where they lie in wait for the next administration to solve.

Just as there are similarities between the 1920's and the present, there are also basic differences.

Then the problem was ignorance—ignorance of how to deal with complicated forces being let loose at home and abroad. Today the problem is not so much ignorance, but lack of determination and vigor.

Then the machinery of government was inadequate. Today it is adequate but unused. Then the price of failure of government was several years of misery, injustice, and suffering for many millions of people. This was a terrible price, but it was one we could pay. Today the price of failure may be permanent and total defeat for our country, a defeat from which we cannot recover.

I hope that there is another difference. I hope that the American people are more informed, more perceptive, more concerned with public affairs today than they were in the 1920's. I think they are. I think there is growing concern among the American people that, under this administration, America is allowing itself to become a second-best nation—second best in military strength, second best in diplomacy, second best in scientific achievement, second best in education, second best in economic growth.

Once again the Democratic Party offers the people of America an alternative. Once again we are asking for a chance to fire up the locomotive of government and put the train back on the track.

We offer the people of this country peace through strength. We offer a stronger defense, a speedup in scientific research, a vigorous space program. We offer a revitalized educational system and an increased rate of economic growth. We offer programs in place of platitudes.

Will this be another 1928 for our party, or will it be a 1932? Will the Democratic Party be given a chance to prevent disaster, or will the Presidency be denied us once more until all we can do is salvage the ruins? We cannot know. But we do know this:

We are far better equipped to carry our message to the country than we were 32 years ago. The country is more willing to listen to Democrats now than it was then. We are better organized and better prepared to make our appeal. We have a wealth of outstanding candidates.

We have a formidable task to perform in the next 9 months. We have 9 months to convince the American people of the terrible danger of our position in the world.

Those of us in Washington will do our best to make the image of the Democratic Party clear and strong, but it is those of you at home who must carry the message street by street and town by town.

Working together, I think we can gain a great victory for our party and usher in, as we did in the 1930's, a new era of American strength, progress, and achievement for our people and for the world.

Tax Benefits for Conservation Groups

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1960

Mr. PHILBIN. Mr. Speaker, in recent months there has been an unfortunate tax development affecting conservation organizations, including the Audubon Society with whose work and objectives most Members of Congress are familiar.

These conservation groups carry on outstanding programs to educate the public, safeguard our natural resources, and preserve the scientific, educational, and recreational areas of our country. Few, if any, will dispute the great work of these organizations, so much so that historically the Congress has granted special tax exemptions for conservation groups.

On the other hand, Congress has also sought to restrict abuses of special interest groups by curbing tax exemptions to those groups who among other things are attempting to influence legislation.

Current interpretations of this law are posing serious problems to conservation organizations although so far as I know no bona fide conservation group, certainly not the Audubon Society, devotes any substantial part of its activities to influencing legislation. Yet, if any activity of a conservation group can be identified as influencing legislation, for example, less than 5 percent in the case of a New England organization, the Internal Revenue Service may rule that the group is not entitled to the tax exemptions Congress has seen fit to grant.

Faced with this dilemma, conservation organizations must restrict their educational activities because this tax exemption is vitally important in insuring contributions without which few natural history or conservation groups could carry on. Thus those sound reasons which prompted the Congress to grant tax exemptions to conservation groups are being defeated.

In the light of this unfortunate situation, Mr. Speaker, I am introducing today appropriate legislation to maintain tax-exemption benefits for nonprofit conservation organizations, presently entitled to such benefits under existing laws, even though some of their activities may include attempts to influence legislation. My bill would preserve for conservation groups tax benefits they now hold as distinterested spokesmen for the public interest in conservation matters.

The text of my bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section

170(c)(2) of the Internal Revenue Code of 1954 (relating to definition of charitable contribution) is amended by adding at the end thereof the following new sentence: "The requirement of subparagraph (D) shall not apply in the case of any corporation, trust, chest, fund, or foundation whose principal purpose is to promote the conservation of natural resources in the United States."

SEC. 2. Section 501(c)(3) of the Internal Revenue Code of 1954 (relating to list of exempt organizations) is amended—

(1) by inserting "(A)" before "no part";

(2) by inserting "(B)" before "no substantial part", and inserting "(unless its principal purpose is to promote the conservation of natural resources in the United States)" after "the activities of which"; and

(3) by inserting "(C)" before "which does not participate".

SEC. 3. (a) Clause (ii) of section 2106(a)(2)(A) of the Internal Revenue Code of 1954 (relating to definition of taxable estate) is amended by inserting after "no substantial part of the activities of which" the following: "(unless its principal purpose is to promote the conservation of natural resources in the United States)".

(b) Clause (iii) of such section 2106(a)(2)(A) is amended by striking out "no substantial part of the activities of such trustee or trustees, or of such fraternal society, order, or association," and inserting in lieu thereof the following: "no substantial part of the activities of such trustee or trustees or of such fraternal society, order, or association (unless the principal purpose thereof is to promote the conservation of natural resources in the United States)".

SEC. 4. (a) Section 2522(a)(2) of the Internal Revenue Code of 1954 (relating to charitable and similar gifts by citizens and residents) is amended by inserting after "no substantial part of the activities of which" the following: "(unless its principal purpose is to promote the conservation of natural resources in the United States)".

(b) Paragraphs (2) and (3) of section 2522(b) of such Code (relating to charitable and similar gifts by nonresidents) are each amended by inserting after "no substantial part of the activities of which" the following: "(unless its principal purpose is to promote the conservation of natural resources in the United States)".

SEC. 5. The amendments made by the first two sections of this Act shall apply only with respect to taxable years ending on or after the date of the enactment of this Act. The amendment made by section 3 shall apply only with respect to the estates of individuals dying on or after such date. The amendments made by section 4 shall apply only with respect to gifts made in calendar years ending on or after such date.

Birkett L. Williams Elected President of the National Automobile Dealers Association

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. VANIK. Mr. Speaker, as a Clevelander, I take great pleasure in directing attention to the election of Mr. Birkett L. Williams, of my city, as president of the National Automobile Dealers Association at its annual meeting which is closing in Washington this week.

I first met Birkett L. Williams as a fellow member of the board of trustees of the Family Service Association of Cleveland, a united appeal organization, dedicated to the preservation of family unity in our community.

To Birkett Williams the obligations to the community come first. Clevelanders are thoroughly familiar with his work in the Red Cross, the Community Fund, the Boy Scouts, and Family Service Association, and a host of other civic organizations.

During World War II he served as OPA Director, an exacting assignment he carried out with dispatch and distinction. He also served a term as safety director of the city of Cleveland, a most difficult and demanding job which he handled with skill and with courage.

In the automotive trade in Cleveland, in Ohio, and throughout the Nation Birkett L. Williams is recognized as a symbol of business integrity in a business activity of tense and vigorous competition. For over 35 years as an automobile dealer in Cleveland he has developed and maintained the highest business standards of the industry.

Mr. Birkett L. Williams richly deserves the honor which the Nation's auto dealers have conferred upon him this week. The industry will be enriched by his inspiring leadership and his lasting contribution.

Lawyer-Pilots Association

EXTENSION OF REMARKS
OF
HON. WILLIAM T. CAHILL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. CAHILL. Mr. Speaker, I am happy to bring to the attention of the Congress the formation of the Lawyer-Pilots Association and am happy to note that its first national president is a resident of the first district of the State of New Jersey.

I have known personally several of the incorporators of this association and can attest to their civic-mindedness, their patriotism and their intense interest in all things pertaining to aviation.

The Lawyer-Pilots Association was incorporated as the Legal Eagles Association under an act of Legislature of the State of New Jersey, entitled "Title 15, of the Revised Statutes," and the several supplements thereto and acts amendatory thereof, being a corporation other than one for pecuniary profits.

The purposes for which this corporation is formed are to promote a spirit of fellowship within the legal profession for those having a pilot's interest in aviation; to promote general aviation safety; to promote cooperation with civilian agencies in times of emergencies and engaged in the welfare of our country; to assist in the drafting, interpretation and enforcement of laws affecting aviation in all of its phases; to study and attain more advanced proficiency and knowledge in the operation of aircraft; to stimulate aviation consciousness and acceptance in young men and women and to advance safe flying procedures.

The original incorporators were: Albert Rathblott, William G. Freeman, and the Honorable Alfred R. Pierce, all of Camden, N.J., Merrill Armour, of Washington, D.C.; Alfred L. Wolf and Frank Kingston Smith, of Philadelphia, Pa.; Stuart M. Speiser, David C. Quinn and Howard G. Law, Jr., all of New York City.

The corporation held its first meeting on October 25, 1959, at the Concord Hotel, Monticello, N.Y., where the membership, by appropriate resolution, amended the certificate of incorporation to change the name Legal Eagles Association to the Lawyer-Pilots Association.

The first board of directors elected by the association were: Albert Rathblott, Camden, N.J.; Edwin Marger, Miami Beach, Fla.; Frank J. Docktor, Washington, Pa.; Lackland H. Bloom, St. Louis, Mo.; Herbert H. Freise, Walla Walla, Wash.; Margaret L. Lebair, Trenton, N.J.; Charles W. Sydnor, Sandston, Va.; Charles R. Conklin, Delta, Colo.; Robert N. Grosby, Norwalk, Conn.; Merrill Armour, Washington, D.C.; Somers T. Brown, Washington, D.C.; Don N. Kersten, Ft. Dodge, Iowa; Robert G. Lake, Pratt, Kans.; Ernest L. Bell III, Keene, N.H.; Howard G. Law, Jr., New York, N.Y.; Stuart M. Speiser, New York, N.Y.; Nicholas Zinni, Batavia, N.Y.; William A. Richards, Columbus, Ohio; John D. Starn, Fremont, Ohio; Jerry O. Stephens, Youngstown, Ohio; Dean L. Foote, Allentown, Pa.; Oliver N. Hormell, California, Pa.; Frank Kingston Smith, Philadelphia, Pa.; Alfred L. Wolf, Philadelphia, Pa.; John A. Varone, Providence, R.I.; Sheldon N. Lelchuk, Miami Beach, Fla.; John W. Kitchen, Toledo, Ohio.

The officers of the corporation are: Albert Rathblott, national president; Edwin Marger, regional vice president, southeast region; Frank J. Docktor, regional vice president, northeast region; Lackland H. Bloom, regional vice president, central region; Hon. Herbert H. Freise, regional vice president, western region; Margaret L. LeBair, secretary; and Charles W. Sydnor, treasurer.

Membership in this association is open to all who are duly licensed lawyers and hold, or who have held, a valid pilot's certificate. Membership, for a term not exceeding 1 year from the date of the original application for membership, is available for duly licensed lawyers who hold a student's pilot certificate, with at least 5 hours of solo flight time.

The aim of the association basically concerns aviation safety and the democratic administration of the civil air regulations and appropriate statutes.

The association now has membership in 34 States and applications in process for membership in 12 additional States.

The States which now have members are as follows: Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massa-

chusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the Virgin Islands.

Applications are pending in Alabama, Delaware, Georgia, Idaho, Illinois, Maine, Maryland, Montana, Nebraska, Nevada, Utah, and Vermont.

I wish the members well in their endeavors and am certain they will make definite contributions to the advancement of safe flying conditions and the progress of aviation in the United States.

Baring Reveals Use of False Technical Data in Third Street Highway Selection

EXTENSION OF REMARKS
OF

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1960

Mr. BARING. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD a letter I addressed to the Secretary of Commerce on January 27, 1960, in which I showed conclusively that the Bureau of Public Roads did falsify pertinent technical information in presenting its side of the picture to the John Blatnik committee investigating the selection of the routing of the Interstate Freeway System from the California State line through Reno and Sparks to Vista, Nev. As you know, the estimated cost of completing the Interstate Highway System pursuant to the Federal-Aid Highway Act of 1956 and 1958 has now reached the gigantic figure of $39.8 billion. Since it is apparent that urban planning of the system is based on falsification of technical fact, the situation today should be of vital concern to every Member of Congress. The letter follows:

JANUARY 27, 1960.

Mr. FREDERICK H. MUELLER,
Secretary of Commerce,
Commerce Building,
Washington, D.C.

DEAR MR. SECRETARY: On September 22, 1959, Mr. Robert E. Merriam, Deputy Assistant to the President, wrote to me outlining certain developments relating to the Interstate Highway System routes in the Reno, Nev., area. A copy of this letter is attached hereto. In that letter he concludes that the routing question in the Reno-Sparks area had received full and adequate consideration by the local and by the State authorities concerned, and that their findings and recommendations were after proper evaluation approved by the Bureau of Public Roads. I must take exception to the information furnished Mr. Merriam upon inquiry.

Let me here point out that charges of influence by the Bureau of Public Roads were not cleared by investigations of the John A. Blatnik special subcommittee hearing held in Reno on February 24, 25, and 26, 1959, but only confirmed.

The Blatnik subcommittee, page 17 of its report, did attach no sinister motives to the action of the Bureau in the above regard. (Approval of line J by the State of Nevada, the approval acquiesced in on February 21, 1957, by the Bureau of Public Roads, all in advance of public hearings, and dispatch of telegrams by the Bureau of Public Roads which contained statements obviously designed to influence action that accorded with earlier State and Bureau of Public Roads approval of line J.)

A part of this action to which the Blatnik subcommittee did "attach no sinister motives" is so obviously illegal in the light of Title 23, United States Code, Highways, Section 128, and so clearly in conflict with the spirit of the Bill of Rights of the Constitution of the United States, that a paragraph from the Blatnik report, page 17, is here quoted in its entirety:

"The statements contained in the telegrams addressed to the Washoe County Board of Commissioners from officials of the Bureau of Public Roads were obviously designed to influence action that accorded with earlier State and Bureau of Public Roads approval of line J. Certainly, a local body faced with a telegram that line J is the 'only location acceptable for the expenditure of Federal interstate funds' has little room for deliberation. It might also be noted that the Washoe County Board had earlier approved the route, prior to holding public hearings."

Again referring to Mr. Merriam's letter of September 22, 1959, I should like here to quote for your convenient reference the next to the last paragraph:

"While there does not appear to be any evidence justifying further consideration of this matter, I can assure you that if the State of Nevada and the city of Reno wishes to reconsider their recommendations, that the Department of Commerce, through the Bureau of Public Roads, will be willing to review any new factual information or competent engineering data pertinent to the establishment of the Interstate route in the Reno-Sparks area."

It is quite inconceivable that the Bureau of Public Roads would be requested to review any new factual information or competent engineering data pertinent to the establishment of the Interstate route in the Reno-Sparks area submitted to it by the Nevada State Highway Department, since it is that department, through its consultants, that is responsible for the transmission of so-called technical data in support of the route through the city of Reno.

The State Highway Department, and in turn the Bureau of Public Roads, shows a highly technical line or argument to support the Third Street program. Essentially, both the State Highway Department and the Bureau of Public Roads pretended to sympathize with the people of Reno in their need for a useful and desirable route from the local viewpoint and pretended to protect the interest of the United States by choice of an economical route, volume of traffic, use and service considered, while at the same time the Bureau was insisting upon the destructive and expensive Third Street route. The Bureau of Public Roads sustained this pretense by choosing to use the professional engineering concept of benefit-cost ratio in an effort to prove its position.

Benefit-cost ratio is a measure of the economic value of a proposal which is determined by dividing the public benefit to be expected from the proposal by the cost of the proposal, if reduced to the same time period. The resultant figure is a numerical ratio—the benefit-cost ratio.

The people of Reno have not had the advantage of highly trained traffic and highway engineers on their side. All the qualified engineers were on the side of the Bureau of Public Roads, the State highway department, the county and city governments involved. The Blatnik subcommittee noted this unbalance of technical support and stated in its House Report No. 292 covering the Reno hearings, report dated April 23, 1959, that "In matters requiring technical knowledge, great reliance is placed on expert opinion." From kindergarten on into our adult life we are trained to be guided by the voice of technical knowledge and authority. However, the voice of expert opinion at the Reno hearing was an uncertain trumpet.

The Bureau of Public Roads testimony that the benefit-cost ratio of the Third Street route would be 4.6 is false by its own data. The benefit-cost ratio concept chosen in this instance, as an instrument of deception to the people of Nevada and to the Congress of the United States, is remote from the experience of most people. It is so remote that the Chief Engineer of the U.S. Bureau of Public Roads spent considerable time at the hearing describing what the benefit-cost ratio means.

The Blatnik subcommittee report gives this explanation on the bottom half of its page 10. With this explanation, and on the same page, various high benefit-cost ratios for each of the discussed alternate routes through Reno ranging from 4.6 to 7.0 were given, with the single exception of the Rim route asked by the people. This Rim route received a benefit-cost ratio of only 1.1 which, according to the second table on page 10 of the Blatnik subcommittee report, is admittedly a Bureau of Public Roads estimate.

Here the ingenuity of the deception practiced by the Bureau of Public Roads at the Blatnik hearing becomes apparent, when it is understood that investigation of the 1.1 Rim route benefit-cost ratio reveals the figure is too nearly correct to warrant comment. Only when the 4.6 Third Street benefit-cost ratio figure is examined does the enormity of the deception on the part of the Bureau of Public Roads become evident. The Bureau's own supplied figures and estimated data presented to the Blatnik subcommittee revealed that the 4.6 benefit-cost ratio for the Third Street route can be achieved only by using the absurdly high driving cost figure of 18.8 cents per mile for the present streets and present Highway Route 40. This statement has been checked and rechecked by competent engineers, some calculating independently of others.

The Bureau of Public Roads further impairs its integrity. This 18.8 cents exaggerated present operating cost figure will not give a 1.1 benefit-cost ratio for the Rim route. One has to use a present operating cost figure about 5 cents lower per mile on the present streets to achieve a 1.1 benefit-cost ratio for the Rim route. Any exaggeration of a present operating cost exaggerates the benefit to be expected from a proposed program.

The absurdity of alleging a 4.6 benefit-cost ratio for an urban Third Street route is further revealed by noting in the Detroit Metropolitan Area Traffic Study, part II, 1956, pages 101, 119, 131, 132, and 133, that an urban expressway has to carry about 50,000 vehicles per day to achieve even a 1.0 benefit-cost ratio. This is a situation in which the benefit only matches the cost.

Further inspection of the same pages shows that an urban expressway has to carry over 130,000 vehicles per day by 1975 to achieve a 3.4 benefit-cost ratio. Reno has possibly a somewhat lower freeway construction cost than more urban Detroit, and Reno's freeway is proposed to be less capacious. These factors would somewhat reduce the 130,000 traffic volume needed to provide the 3.4 benefit-cost ratio in Detroit. These same factors, however, would not reduce the needed traffic volume to a figure anywhere near as low as 16,400 vehicles per day given by the bureau of public roads for the Third Street route.

The 4.6 benefit-cost ratio is simply a false assumption that the benefit of the Third Street route would amount to 4.6 times its cost. The trick of inflating the benefit-cost ratio to push a proposal beyond its merit is old. This evil practice is revealed by the following quotation from the same Detroit Metropolitan Area Traffic Study, part II, page 118:

"The measures illustrated on map 30 were summed for the entire network and show that the benefits accruing to drivers actually assigned to expressways are 10 percent greater than the construction cost of the network. This 1.10 ratio of benefits to costs may seem low by comparison with many traffic reports issued in other places proposing to make such measurements."

Along with the theoretical economic desirability of an expressway proposal must be considered the esthetic, neighborhood, commercial and human factors involved. Cities are for people, not for abstract structures which do not attract people. The essence of Reno is the concentration of its attractions which can be reached, one from the other, by walking. The introduction of a structure to cut downtown Reno in two clearly reduces the attractiveness of the city to its citizens and to its visitors. This is true no matter how good the structure may be for vehicles. The proper determination of this route can be made only if factual technical and economic data are objectively considered.

To the extent that any charges alleging false technical data before the various deliberative bodies concerning an expressway route through Reno during the periods of deliberation remain unrefuted, confidence in the wisdom of their judgments is unjustified through possibly no fault of the members of such bodies.

The determinations of public bodies and constituted authorities are no more reliable than the information or opinions upon which they are based, and the best information can be useful only to the extent that it receives attention and objective evaluation. No valid determination of the best route location or method or traffic flow improvement for the Reno area has in fact yet been made. As a matter of fact, an objective and comprehensive study of traffic improvement, social and economic impacts and community betterment has to date only been authorized by the Bureau of Public Roads for the city of Boston. What is authorized for one city is justified for every city.

Now that the facts concerning the false information about the Reno highway situation, as furnished the Blatnik subcommittee by the Bureau of Public Roads, have become known, the constituted authorities should not attempt to push ahead construction plans on any part of the California State line—Sparks freeway proposal, until true factual data can be properly evaluated and considered. Any such attempt to proceed hastily at this time must be carefully scrutinized and could be viewed as collusive action with the Bureau of Public Roads in its effort to accomplish a route selection through the use of false technical data.

I have accordingly introduced a bill in Congress—H.R. 9802, a bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a specified portion of a route on the Interstate System in Nevada, and to prohibit further obligation or expenditure of Federal funds in connection with such route. A copy of this bill is attached for your convenient reference.

The false technical prestige of the Bureau of Public Roads won the day with the Blatnik subcommittee and prepared the way for the uninformed and frequent attacks which have since been launched against me for my interest in the Reno highway situation. These attacks are false because their technical bases are false.

On October 22, 1959, in a document dated October 16, 1959, which is since the Blatnik hearings, I revealed the method by which the Bureau of Public Roads falsified the cost of operation on the present streets and on Highway Route 40 in Reno. This document had a large distribution. A copy was mailed to you. It is interesting to note that to date, it has been accepted without objection.

The issue at stake is much bigger than Reno; it is vastly bigger than Nevada; it is as big as the future of the United States of America. We investigate television and radio programs. While the President of the United States wonders how "the television industry could want to do these things to us," in matters of entertainment with only hundreds of thousands of dollars involved, the Bureau of Public Roads and some of the cooperating roadbuilding authorities and interests are deceiving us in matters of reality with millions of dollars involved in Reno and with billions of dollars involved throughout the United States.

The public must be given correct factual information on all matters of public consideration and correct factual information must be presented to our deliberative bodies by constituted authorities and their consultants. It is imperative that we improve the moral fiber at both public and private levels.

I am today writing this same letter to Mr. Merriam, with copy to Congressman JOHN A. BLATNIK. I feel certain that when Mr. BLATNIK learns through unrefuted charges that the Bureau of Public Roads has presented false technical information to his committee at the Reno hearings, his committee will wish to reexamine its attachment of "no sinister motives" to the action of the Bureau of Public Roads in the above regard.

I urge, Mr. Secretary, that you take immediate steps to put into effect the provisions of my bill H.R. 9802. I further urge that the approval of the Third Street route through Reno and of line J from the State line to Lawtons be rescinded, as they were based on false technical facts, and the processes of locating a new route from the California State line to Vista, Nev., be immediately inaugurated, with the intent of securing the most economical system and at the same time meeting the objectives of the Interstate System.

I sincerely hope you will lend your fullest cooperation to the accomplishment of this end.

Respectfully,

WALTER S. BARING,
Congressman for Nevada.

Lewis M. Herrmann

EXTENSION OF REMARKS
OF

HON. GEORGE M. WALLHAUSER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1960

Mr. WALLHAUSER. Mr. Speaker, today I would like to pay tribute to an outstanding citizen and labor leader of my home State of New Jersey who has given much of his energies and fertile mind to the betterment of our Nation and its people.

He is Mr. Lewis M. Herrmann, of Newark, N.J.

It is a most auspicious day for giving recognition to Mr. Herrmann, for today he is celebrating his 75th birthday. For those of us who know Mr. Herrmann well, he is not today 75 years old, but, rather, he is 75 years young.

Additionally, the year 1960 is the 21st anniversary of Mr. Herrmann's pride and joy—the New Jersey Labor Herald, which enjoys the official endorsement of the New Jersey State Federation of Labor. Mr. Herrmann was the founder of this widely read publication and serves as its editor and publisher.

This evening members of the New Jersey congressional delegation will have the opportunity of personally extending birthday congratulations to Mr. Herrmann at the annual reception and dinner of the New Jersey State Chamber of Commerce at a hotel here in Washington, D.C. Mr. Herrmann is a regular attendant at these get-togethers and I cite the fact just to give an indication of the wide interest he has in affairs of government and in the field of management and labor relations.

Throughout his very active life, Mr. Herrmann's accomplishments have been many, but I would like to call particular attention to one endeavor that might well be emulated in other areas of our Nation.

While serving as a member of the New Jersey State Assembly from 1947 to 1951, three terms, as a Republican representative from my home county of Essex, Mr. Herrmann sponsored legislation which created the Labor Institute at Rutgers University, the State University of New Jersey. I believe the accomplishments of this institute, now known as the Institute of Management and Labor Relations, are well known throughout the Nation.

Mr. Herrmann's interest in the present and future of the institute continues to burn brightly. He is chairman of the institute's advisory council and is serving as chairman of a committee raising $550,000 for the erection of a labor center at Rutgers. The last report I heard was that the fundraising drive was nearing the $500,000 mark.

As the legislative sire of this institute, Mr. Herrmann can well look with great pride upon this accomplishment.

In recognition of his work, Rutgers University, on August 4, 1954, presented Mr. Herrmann with its "Award of Achievement Medal and Citation" for his "Service to Labor and Education." Then on August 14, 1956, the university gave Mr. Herrmann its "Special Award for Service to Labor and Education."

In paying this tribute to Mr. Herrmann, I would like to cite just a few more of the endeavors in which he has actively engaged and other awards that he has received. Some of these are:

Through appointment by President Eisenhower he serves as a member of the National Advisory Council for the U.S. Small Business Administration.

On September 6, 1959, he was presented the annual award of the National Labor Temple Fellowship for "Distinguished Service to Labor and the Nation."

In 1954, he was named the outstanding American Federation of Labor member in New Jersey and was presented with the award of merit at the New Jersey federation's annual banquet.

In World War I, Mr. Herrmann served as a sergeant of infantry in the U.S. Army, and during World War II, he headed a special War Department mission to the South Pacific combat area.

He serves as a member of the board of governors of the Northern New Jersey Multiple Sclerosis Society.

Mr. Herrmann has been commander of American Legion Post No. 104 and commander of the Atlantic County District, American Legion, and for 3 years was publicity director of the American Legion, Department of New Jersey.

For 15 terms Mr. Herrmann served as secretary-treasurer of the International Labor Press of America, and four times he was elected president of the Union Printers' League of New Jersey. He was a founder and president of the Eastern Labor Press Conference.

For 49 years Mr. Herrmann has been a member of the International Typographical Union, and for 44 years he has served as a delegate to the conventions of the New Jersey State Federation of Labor.

He is a member of the State Federation's executive council and serves as AFL–CIO national representative of the International Typographical Union of North America.

On behalf, therefore, of his many, many friends and admirers I would like to wish for him, his lovely wife, and family a great abundance of good health and continued good service in the years ahead.

A Bill To Provide Medical Scholarships

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. FOGARTY. Mr. Speaker, I have requested this time on the floor of the House of Representatives for the purpose of introducing legislation which will influence the number and help assure the quality of physicians for our growing population in the years ahead.

I ask the Members to ask themselves one simple question: Are you willing to entrust the health of the American people to proportionately fewer doctors of lesser competence, as compared with today? If your answer to that question is "No," as it must be, then I ask your interest and support in the bill which I place before you.

The facts that underlie this bill are hard, but not cold.

Some of our better medical schools are admitting students with a C average in their undergraduate work.

Ten years ago, 40 percent of the students accepted by medical schools had an A average in their undergraduate work; today, only 18 percent have an A average.

The number of applicants for medical school has declined by about one-third since 1950.

The present ratio of physicians to population is considered by experts to be the minimum essential for the protection of the people's health; yet the number of physicians graduated annually must be increased by 50 percent if that ratio is to be maintained as our population reaches upward toward the 200 million mark.

The implications of such facts are perfectly obvious. We are threatened with a shortage of physicians. And we are already faced with a decline in the caliber of students entering medical schools.

It is equally obvious that no remedial action of consequence will take place unless the Federal Government acts in a positive and constructive way. With leadership and stimulus from Washington, the States and local institutions will carry their share of this grave national responsibility.

I therefore propose that the U.S. Public Health Service initiate a $10 million a year program of scholarships providing up to $2,500 per academic year to selected students in schools of medicine, osteopathy, and dentistry. The Federal funds would be matched by State funds, and State commissions would select those receiving scholarship assistance on the basis of ability and need.

I have spoken of the threatened shortage to which this bill is directed in terms of both number and quality.

Let me comment on the number question first.

The bill that I introduce today has an indirect relationship to the supply of physicians and dentists in the years ahead. By increasing the number and quality of applicants for medical and dental education, it will serve as a pressure on States and institutions to provide additional resources—either to create new schools, or to expand existing schools—so that the well qualified young men and women can study in their chosen field.

A much more direct way of increasing present enrollment—and thus the number of graduate physicians and dentists—is by the construction of new facilities. In the 1st session of the 86th Congress, I introduced legislation that would authorize matching Federal grants for the construction of facilities for medical and dental education, paralleling the existing and highly successful Public Health Service program of grants assisting in the construction of health research facilities. I regret to say that this vital legislation has not been enacted, and call upon my colleagues in the House, and especially those serving on the committee responsible for health legislation, to see that this 2d session does not come to a close without action that will stimulate the renovation and modernization of our existing medical, dental, and osteopathic schools, and—even more important in the long run—the creation of new schools.

I want my colleagues to know that I sought, but did not get, the support of the executive branch on this construction grant legislation. I shall not burden you with the details of my correspondence with the President. It followed a now-familiar pattern: the problem is recognized, somebody should do something about it, preferably not the Federal Government, but the matter is under study and may be accorded token support if the pressures are great enough. In the meantime, it would take nearly 10 years to build and graduate the first class from a new medical school, and present schools can barely keep up with their present enrollment and certainly cannot expand unless they get a kind of support they are not now getting.

I wonder if the American people a few years hence will understand if we today, knowing the facts, deliberately place their health in jeopardy by not planning and building facilities to train enough doctors to give them superior medical and dental care?

But the bill I introduce today is focused primarily on quality, not numbers.

All sorts of reasons are given why medical education and a medical career no longer attract as many qualified college students as they used to.

Some of these reasons are bound up in intangibles. There are those who would point to the increasingly materialistic point of view in our society, to the diminishing rewards in a life of service, to deterioration in the image of the physician today, to general failures of today's young people to accept responsibility to contribute something to our society instead of merely taking from it.

I cannot subscribe to these views. I have a fundamental faith in the innate strength of the American people in both an individual and a community sense. And I have a deep-rooted conviction that we can and will meet boldly the challenges that confront us as we stride into a decade that may well encompass the acid test of our democracy.

No—I believe it is factors that are far more real and immediate and practical that tend to influence some of our most promising young people against choosing to pursue careers in medicine and related fields.

One such factor is the factor of time. The average American finishes high school at age 17 or 18. If he has the interest and potential for higher education, and if he is considering medicine as a career, what does he see ahead of him? Four years of college, 4 years of medical school, a year of internship, 2 years of residency (if he wants to specialize—and most young physicians do) plus probably 2 years of military service under the doctor draft law. Thus the high-school student sees this choice of career as another 10–12 years of education before he can settle down to earning a living.

Related to the factor of time is the factor of money. The cost of a medical

education to the individual and his family can be overwhelming. Those in modest circumstances, regardless of interest and capacity, will think long and hard before accepting the burden of such education. There are some scholarships and loan programs, of course. But they barely scratch the surface in terms of the need. At the end of medical school, about one-third of all graduates are at least $2,000 in debt. Some 17 percent have debts of $5,000 or more. This does not take into account the hardship and sacrifice of their families. Many married medical students—three-fifths of them marry before they graduate—owe their medical education to their wives, who must work to support the family throughout the long educational period. And even after finishing medical school the low income status continues during internship, residency training, and military service. For a great many families in the middle and low income groups, the financial prospect is too frightening to face, and the individual chooses another career in which the cost of education is less and the return on the investment more immediate.

In addition to time and money, there are other factors at work in the qualitative and numerical decline in applications for admission to medical and related schools.

One of these is quite personal: many young people want to settle down, marry, and have families while they are young. It is very hard to do this during the medical educational process unless there is a strong source of outside support.

Another factor is competing fields. As a matter of national policy, the United States has sought to give impetus to higher education in physics and other scientific fields, and significant support is available at graduate and postgraduate levels. Since similar support is not available for medical and dental students, it is understandable that many of the brightest young people choose to climb the rungs of the scientific career ladder.

Paradoxically, for those who do choose and remain in medicine, the need to make money once training is finally completed is so great that the less rewarding positions in fiscal terms—such as teaching, research, public health, and military medicine—often must be rejected, despite the individual's preference, because he simply must start to earn money and pay back his debts.

Since the health of the American people is one of our most precious national resources, it follows that we cannot let it be jeopardized by compromising on the number and quality of those who take care of the people's health.

The bill that I introduce is of course not the total answer. It is, however, a sound beginning, based on principles that assure the independence of individuals and of institutions, the integrity of States, and collaboration without control by the Federal Government.

The bill provides for scholarships of up to $2,500 per academic year to students in medicine, osteopathy, and dentistry. State commissions would select recipients on the basis of their ability and their need for assistance. The commissions would also review the students performance annually to determine their eligibility to continue to receive the funds.

One-half the cost of the scholarships would be borne by the States. In order to receive Federal funds, each State would be required to submit to the Surgeon General an acceptable plan for administering the scholarship funds.

The bill authorizes an initial appropriation of $5 million for fiscal year 1961, and $10 million for the succeeding nine fiscal years, to be allotted proportionately among the States on the basis of their populations between the ages 20–24 inclusive. The lesser authorization for the first year is to allow the States sufficient opportunity to initiate this program.

When matched with State funds, the $10 million in Federal funds would make it possible for 8,000 medical students to receive $2,500 scholarships each year. This means that—after the program has been in operation for some time, perhaps—one-fourth of all present medical school students would be partially financed under these scholarships.

I want to emphasize that the average expenditures of medical students are in excess of $3,000 a year, so a scholarship under this legislation does not cover the full cost of the individual student.

I seek your support of this bill. There is urgent need for it. The need is apparent in the facts obtained from medical school admissions offices. And it has been clearly recognized and forthrightly stated by a group of distinguished advisers to the Surgeon General of the U.S. Public Health Service. In their report, Physicians for a Growing America, the consultant group, chaired by Mr. Frank Bane, for many years the executive director of the Council of State Governments, said:

> The Federal Government should establish educational grants-in-aid for medical students on the basis of merit and need, similar in value and proportionate in number to grants now made to graduate students in other fields of specialization. These educational grants should be available to students so that they could attend a medical school any place in the United States.

What my bill does, in effect, is to fulfill that statement of a most pressing need.

In this matter, as in the matter of the construction of new facilities for medical and related education, which I mentioned at the opening of my remarks, we simply cannot wait. We must act, and act now, if we are to begin to turn the tide toward keen competition for admission to medical schools and the gradual expansion of our graduating classes.

I feel this way about it.

As a nation, we have reason to be proud of what we have done in the 1950's to strengthen and broaden our research effort in the health sciences. Sound research projects are virtually assured of long-term support, and we are investing sizable amounts of money in the development of research manpower and research facilities for an even more intensive search for new knowledge in the years ahead. Our patterns of research support are still imperfect. No way has yet been devised to provide career opportunities in health research that are stable, adequately remunerative, and professionally rewarding. Moreover, the universities, medical schools, and other research centers are desperate for operating funds that will strengthen them as institutions and permit them to achieve greater independence and exercise greater leadership as we face the intellectual, technological, and social challenges that surely confront us. I feel sure that these problems of research support can and will be solved.

As a Federal Government, we cannot discharge our responsibilities by supporting the research functions of non-Federal institutions but ignoring their capacity to perform their educational missions. Our experience in research demonstrates that the Federal Government can actively and broadly support university activity without domination, control, and interference. The same thing is true in medical and related education. We can assist the schools in constructing new and modernizing existing facilities. And we can assist deserving and needy students by defraying part of the high cost of extended specialized education that prepares them for lives of service to the people. We can do both of these within existing policies bearing on the relationship of the Federal Government to non-Federal institutions and to individual citizens, and we can do it without raising any of the ugly specters about Federal aid to medical education that are so often used as rationalizations for inaction.

The intent of the bill that I place before you is simply to place medical and dental education on a comparable status with advanced education in the sciences. We can do nothing to ease or shorten the strenuous course of study required to equip a young man or woman for competency in the medical professions. But we can and should take positive action to ease the intolerable financial burden which these young people must now shoulder in order to perform this service to humanity.

Speech of Congressman Lane Before Revere (Mass.) Golden Age Club

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 4, 1960

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include my speech before the Golden Age Club of Revere, Mass., on Sunday, January 31, 1960:

For thousands of years, man has considered it to be both a duty and a privilege to respect and protect the aged.

That is until the coming of the factory system, with its emphasis upon production to the exclusion of everything else.

When a person was unable to produce, due to disability or age, society promptly abandoned him and tried to salve its conscience

by accusing him of failure to provide for a rainy day.

The wealthy of those days who had fattened on the labors of the average worker without thinking of their obligation to arrange for some form of security in return were slow to learn.

The serious and prolonged depression of the 1930's which threatened the very existense of our free enterprise system, shocked the Nation into action.

It was recognized that a week's pay alone was not sufficient compensation for a man's labors.

Something else was needed to provide income during periods of unemployment and disability and during old age.

It was then that the concept of social insurance became more than an academic question.

The depression taught us that no society can survive with millions of unemployed and millions of old people who are destitute of income.

Neither the WPA nor the municipal welfare programs, with their meager benefits financed entirely out of public revenues, could solve the problem.

Even business and industry began to see the light. When many millions of people are unable to buy, the economy as a whole is bound to suffer.

To remedy this situation, the Congress worked on social insurance legislation to be financed through taxes levied on the employer and the employee that would provide a modest but steady source of income to people after their working years were over.

By the broad term "social security" we mean such varied programs as aid to the blind, aid to dependent children, unemployment insurance, old-age assistance, and old-age and survivors insurance.

In speaking to the members of the Revere Golden Age Club, I shall confine myself to old-age assistance, old-age and survivors insurance, and the need for new legislation to provide medical and hospital benefits for our senior citizens.

Old-age assistance is local relief or welfare assistance, paid to the aged who are in need, and who do not qualify for old-age and survivors insurance. It is sometimes utilized to supplement the latter program where OASI benefits are too low.

Old-age assistance was intended to cover the gap until the old-age insurance program was developed to reach all the people of our Nation. Eventually, because nearly all people reaching old age will have worked in covered employment, or will have been married to one who was, old-age assistance would largely disappear, and would be replaced by old-age insurance which is a right and not a charity.

Money to buy the essentials of survival, such as food and shelter, is the most obvious and urgent need, but it is not the only one. Take the case of Jane Doe for example. She's the elderly widow who lives in a two-room walkup flat. Since her husband died 3 years ago, her health has steadily failed. More and more of her time has been spent within the four walls of her cramped little housekeeping rooms. As her savings ran low, less was drawn from them for food and needed medical care. Like a shroud, loneliness and irritation settled around her. Aid in addition to an old-age assistance check was necessary to help Mrs. Doe preserve and strengthen her physical and emotional health. It was essential to help her find some satisfying outlets for her energies and a way to share again in the life of her community.

The work of public welfare staffs directed toward achieving this broad goal of human well-being is what is generally known as social services in public assistance.

But the older people themselves, whether they are receiving public aid, or whether they have retired on the old-age insurance they have earned, are doing something about this problem.

The Revere Golden Age Club is proof of that fact.

On your own you have organized this group where people share the same interests and hobbies and find happiness in companionship.

Men and women who were too busy working and raising families during their younger years, finally reach the age when they are free to do the things that were postponed.

The golden age should be just that, not only in terms of the ripening years, but in the enjoyment of mature satisfaction as well.

A group of older people up my way frequently go off on a sight-seeing bus tour that takes them to some special event, or to some beautiful or historic location that they missed during their working years. They have as much fun planning these tours as teenagers planning a school dance. And when the trip is over, they always look forward to the next one.

There should be more of these, and other pleasant activities for retired persons.

That will be possible when their benefits are increased.

As the social security taxes on payrolls inch upwards, it is only fair that the monthly checks to recipients should become more substantial.

For the intent of Congress ever since the first cautious start was made in the building of a true social security system, was not to provide the older people with enough income to pay for bread and clothing and shelter alone but with that extra income to do with as they pleased, giving them the freedom of choice that adds to human dignity.

The present benefits from old-age insurance are not enough for this purpose.

Slowly but inevitably they will be raised to close the cost-of-living gap.

But we also need fringe benefits for the older people, including special housing accommodations and provision for medical, hospital, and nursing-home care.

Last year, in a statement to the House Ways and Means Committee, in Washington, I supported H.R. 4700. This is the bill introduced by Congressman FORAND to amend the Social Security Act and to provide that persons eligible for old age and survivors' benefits shall also be eligible for medical and hospital benefits.

If and when this bill passes, it will mean that 60 days of hospitalization will be given in any 12-month period to those who have retired under OASI. The cost will be paid from this Federal trust fund to the hospital, physician, and nursing home which provides the services.

If the patient is transferred to a nursing home from a hospital, and if the services are for an illness or condition associated with that for which he received hospital services, an additional 60 days of nursing home care will be paid for from the trust fund. In no case shall the combined total exceed 120 days in any 12-month period.

This plan of health benefits would be of great help to older people who have difficulty in acquiring private insurance, and who often neglect themselves because they do not have the money to pay for medical services.

Social security is not doing the job when, as at present, it forces its so-called beneficiaries to seek public assistance with its degrading means test and when it fails to provide for medical and hospital care.

The Consumers' League of New York reports that the number of residents of that State who are 65 years of age and older, is approaching the 2 million mark. The league found that the relief costs to New York State can be reduced and much unnecessary suffering for the older citizens can be avoided if the earned retirement benefits under the program are increased, not only to keep pace with the rising cost of living, but to provide health insurance in addition to monthly benefit checks.

The mounting number of aged in our population, and the sharp rise in the cost of medical care will not permit the national conscience to evade its responsibilities to the older citizens.

The aged properly resent any questions by officials as to the resources of their children. They do not want anyone to contact their sons and daughters in an effort to find out what they can contribute to the support of their parents.

This is a matter of personal pride that should never be violated.

With this in mind: social security, pensions, and health insurance for the aged must be sufficient for their needs, and as a right to which they are entitled after their long years of work.

Through organizations like the Golden Age Club of Revere the general public is ever reminded that respect and protection for the aged of today, will entitle younger people to the same consideration when they in turn, become the senior citizens of tomorrow.

I do not want to leave you with the thought that I regard monthly checks, or insurance, as the complete answer.

By your own initiative in forming and supporting the Golden Age Club you have opened my eyes to the wonderful spirit of your members.

The ability to develop new programs for your own happiness and fulfillment is a quality that all your fellow Americans admire.

By this combination of Government programs and the programs organized by our retired citizens to make these the best years of their lives we shall build a social security that will be one of the real accomplishments of our civilization.

Food-for-Peace Program

EXTENSION OF REMARKS

OF

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Thursday, February 4, 1960

Mr. CHURCH. Mr. President, although the Agricultural Trade Development and Assistance Act of 1954, popularly known as Public Law 480, was extended last year, there is still pending on the Senate Calendar a bill, S. 1711, which would transform it into a genuine food-for-peace program.

This measure was introduced by the Senator from Minnesota [Mr. HUMPHREY] with sponsors from both parties. As one of these sponsors, I addressed the Senate in support of the food-for-peace program last August 24. It has wide and growing support, Mr. President.

Now an eloquent new voice has been raised in support of the food-for-peace program, with the publication in the February issue of Think magazine of an article written by CHESTER BOWLES entitled "Our Farm Surplus Can Be Their Daily Bread." From his experience as our Ambassador to India, Mr. BOWLES speaks with authority of the tremendous impact this program would have in the developing countries, and of the contribution it would make to the achievement of a peaceful world.

I ask that this fine article may be printed in the CONGRESSIONAL RECORD, and I commend it to the attention of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR FARM SURPLUS CAN BE THEIR DAILY BREAD

(By CHESTER BOWLES, U.S. Congressman, Connecticut)

It will be ironic indeed if history records that the free world died of its own fat. Yet this may happen unless we shake ourselves loose from the attitudes of mind we have developed about our so-called agricultural burden and see it for the wealth that it really is.

While much of the world is undernourished, the richness of our land, the industry of our farmers, the mechanization of our farming operations, the spectacular improvement in fertilizers, seed and pesticides and our new knowledge of the growth patterns of plants and livestock have combined to expand our agricultural productivity far beyond the hopes of our fathers. Our granaries, overflowing with wheat and feed grains, our abundant stocks of rice, milk products, fats, oils and cotton are major national assets that can and should be invested in the achievement of a better world.

Almost every country in the world is short of food and must import at great cost or allow its people to remain undernourished, a ready target for disease and disillusionment. Such conditions are a major stumbling block to political stability in the underdeveloped areas, where new governments are struggling to achieve higher standards of living.

In the meantime, the biggest single problem facing our Soviet competitors continues to be food production. Even more critical is the dilemma of the Communist regime in Peiping, which must feed 650 million people with only 1.7 acres of land for each family.

Yet here is the United States of America with its storage bins overflowing with abundance—wondering what in the world to do with it all.

Dramatic situations require dramatic actions.

Now is the time to build upon the experience gained through our postwar relief programs, the Marshall plan, the Mutual Security Act and, particularly, the Agricultural Trade Development and Assistance Act of 1954.

Five years ago, the Agricultural Trade Development and Assistance Act, known as Public Law 480, was set up to donate, barter, or sell America's agricultural surpluses through nonprofit voluntary American agencies.

By June 1959, 37 countries had bought U.S. agricultural products in exchange for their own currencies, with sales alone totaling over $5 billion. Care was taken, of course, that the farm commodities concerned came from supplies that exceeded an effective dollar demand in the United States and that the normal dollar export markets were protected.

As a result, tens of millions of people who would otherwise have gone hungry have been fed. And the foreign currencies involved have largely been turned into foreign loans for economic and social development projects. So our assistance is doing a double duty.

A typical sales agreement under this law is a complicated transaction. But basically, this is how the system works:

Suppose for example, that we should reach an agreement with the Government of Brazil to sell surplus wheat. It would cover the value and kinds of commodities to be financed, the period of time involved, safeguarding of usual markets and the assurance of use as intended, the exchange rate, and the highly important allocation of the foreign currencies among the many authorized purposes.

After the agreement is signed and the purchase authorized, banks in both countries must be designated and letters of commitment sent to the U.S. bank for reimbursement by the Commodity Credit Corporation. The foreign bank eventually pays the value of the sale by depositing local currency to the account of the U.S. Treasury rather than crediting dollars to the account of the designated U.S. bank.

Good as this program has been, it contains several basic deficiencies in law, in spirit, and in administration, most of which can be traced to the assumption that our agricultural abundance is really only a temporary surplus problem.

Almost all agricultural economists refute this narrow view. For the foreseeable future, the United States will continue to produce 6 to 10 percent more agricultural goods than can be sold through commercial channels. Long-range projections indicate that this surplus will persist for some years ahead.

At the same time, the underdeveloped nations of Asia, Africa, and Latin America cannot maintain their freedom unless they provide their people with greater opportunities and a better life. If all hopes for freedom disappear there, then the prospects for peace will grow dim throughout the entire world.

Our experience, as we have seen, established the guidelines. The underdeveloped nations have ample manpower to do the work that must be done. As their reserves of food and cotton fiber grow, they can pay the workers modest wages without driving up the prices of the basic commodities.

This means that by careful planning in partnership with these hard-pressed new nations, we can indirectly turn our surplus foods into new roads, schools, and factories—into healthier people capable of producing by their own labor new free societies that can ultimately take their rightful place among the more prosperous nations.

The sales of food and fiber which we have already made have accumulated a credit to the U.S. Treasury of some $2 billion of unused "soft currencies." Some say that this is the point at which to stop. On the contrary, it should be the beginning.

Some of these soft currencies generated by our food sales abroad should, of course, be put aside to cover the expenses of our missions in these countries. But the bulk of those currencies, paid by those who have bought the food locally, should be loaned back to pay the cost of local wages and local materials. Any good businessman would make his money work for him.

The law authorizes a number of uses for foreign currencies which, if imaginatively promoted, could turn our present program to far more productive use.

But these purposes are stated too restrictively in the current legislation, and additional limitations written into the law seriously weaken its scope. We can and should expand Public Law 480 commensurate with the tremendous opportunities actually facing us.

For instance, the need for more new schools and more teachers in all underdeveloped countries is enormous. People who are better nourished and better educated will find it much easier to summon the energy and abilities which are necessary for their own successful economic development.

Soft currencies can also be used to finance the publication of millions of good books in dozens of different languages to sell to idea-hungry Africans, Asians and Latin Americans for a few cents each.

Our agricultural abundance should, of course, continue to be given outright in cases of famine or disaster.

Admittedly, the situation is complicated by the fact that the United States is not the only free nation with high agricultural capacity. We must find a way to join hands with Canada and Australia and other food-exporting nations in using our agricultural abundance for the economic and social development of the free world.

At this early stage we probably must operate on a bilateral basis. But our long-range objective should be multilateral arrangements and the use of international agencies in achieving our common ends.

BANKS FOR FOOD

A forward step would be the storage abroad in United Food Banks of a major part of our food reserves. This idea has been developed and discussed before the United Nations and the U.S. Congress. At this session of Congress in 1960, thoughtful citizens throughout America should press for legislative action. It is morally wrong and politically stupid to allow our stored commodities to become a wasting asset.

We should undertake to store at least one half of our entire grain surpluses abroad in well protected U.S. food banks as a visible assurance against the traditional dangers of famine and disease, and as a dramatic demonstration of the willingness of the American people to see that no one starves while we have food to spare.

A look at the mechanics suggests that such a program would in fact save the American taxpayer considerable money. It now costs our Government 20 cents to store a bushel of grain for 1 year. Yet it costs only 38 cents to ship a bushel of grain to India or Iran. This means that in 2 years we can pay the full cost of each shipment and start to save money.

The total annual cost for storage, interest and handling charges on delivery of our stored grain is now $1 billion. If we shipped half of it to food banks in India, North Africa, Indonesia, the Middle East, Egypt and other countries with short or uncertain food supplies, and stored it at the expense of the recipient country in storage warehouses built by local currencies, the savings to us over the years would run into the billions.

So any way that you look at the question—from a moral, political or dollars and cents point of view—the setting up of these food banks makes sense.

We would want, of course, to make sure that they were well constructed so that the grain would be protected against spoilage and vermin. We would also need written agreements so that each government would draw on its grain reserves only in accordance with standards mutually agreed to.

Donation in case of actual failure of a harvest would, of course, have top priority. Grain from the food banks should also be available for donation or sale as a protection against soaring food prices if the recipient country encountered a critically inflationary situation due to general food shortages.

In judging world food needs we should look beyond the old colonial standards which were based on the amount of food required for a man just to go on existing, sitting under a tree, somehow getting by.

Substantially more food is required if he is to do a good day's work building a road, a school, a health clinic or an irrigation ditch. Under such circumstances the daily caloric requirement jumps from about 1,600 calories to 2,600 or 2,800.

This means that as people in the underdeveloped areas step up their programs of work and expansion which is what they are doing and must do, the daily caloric requirement for the same number of people, without consideration for the increase in population, jumps enormously.

For instance, the food needs of the new awakening India are such that her Government is trying to push her annual food grains production from 78 million tons to

110 million within the next 7 years. That is a formidable production goal, but the Indians are determined to reach it.

Let's hope that they succeed. But in the meantime, by building and stocking a network of food banks across India, we can help remove the immediate fear of hunger that undermines morale and leads to private food hoarding and speculation.

It is difficult to exaggerate the psychological impact of such action in India and other nations in similar circumstances. When we consider the schools, irrigation, and other development projects that can be financed with the local currencies paid for this food and fiber, the economic and political implications become doubly dramatic.

Most of the people of Asia, Africa, and Latin America have always led a hand-to-mouth existence. In northern India, for instance, much depends each year on the winter rains. Some years they come and some years they don't.

Two years ago I rode through the Punjab when rains happened to come in abundance. For 200 miles we drove through groups of happy villagers singing, dancing, laughing and smiling. Now they knew that their crops would be good. For the new year there was no reason to fear that their children would go hungry.

PUT FOOD TO WORK

The benefits of the long-term, commonsense, businesslike use of our abundant supplies of food and fiber which I have outlined would accrue not only to people in the developing countries. It would also benefit our own farms and, indeed, all of us who can prosper over the long haul only as living standards rise and as new world markets open.

Yet the greatest benefit of all is the contribution of such a program to the achievement of a peaceful world. If we are ever to live in such a world, we must work and plan to build it.

If we continue to allow $10 billion in food and fiber reserves to lie idle in a hungry and impoverished world, we will fail to live up to our Judaeo-Christian heritage. We will also commit a political blunder that future generations of Americans will find it difficult to understand.

Let us hope that the administration and the Congress will recognize the challenge in the next few months and boldly act to meet it.

Foreign Exports in Trouble

EXTENSION OF REMARKS

OF

HON. J. FLOYD BREEDING

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1960

Mr. BREEDING. Mr. Speaker, I would like to extend my remarks in the RECORD to include a report compiled by the House Committee on Agriculture on U.S. agricultural exports to Western Europe. This is the report of the study group that visited major countries of Western Europe last fall for the purpose of trying to determine why U.S. exports of agricultural commodities are lagging when the demand for agricultural imports is increasing. I feel that this report is a most comprehensive analysis as to the shortcomings of our present export operations, and goes far in recommending a solution to this problem. It is my feeling that every Member of Congress should read this report and that the public, generally speaking, should be enlightened. Therefore, my reason for inserting it in the daily proceedings of the House.

The report follows:

U.S. AGRICULTURAL EXPORTS TO WESTERN EUROPE—A REPORT ON THE COMPETITIVE POSITION OF U.S. AGRICULTURAL PRODUCTS IN THE HARD CURRENCY COUNTRIES OF WESTERN EUROPE

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C., January 20, 1960.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Attached hereto is the report of the study group which at your instruction visited the major countries of Western Europe last fall for the purpose of trying to determine, if possible, why U.S. exports of agricultural commodities to the hard currency countries of Western Europe are apparently losing some of their competitive position at a time when the demand for agricultural imports into those countries is increasing.

If the report appears to deal almost entirely with the negative aspects of our export program, this is unavoidable, since the very nature of the inquiry was to find out what is wrong with our existing programs and efforts to export agricultural commodities to these countries.

There are some affirmative aspects to this picture and I would mention specifically as an example the excellent trade development programs which are being carried on in several European countries by U.S. trade groups in cooperation with our Government; the work which is being done by the Great Plains Wheat Market Development Association and the American Farm Bureau Federation to develop our export markets; participation in trade and agricultural fairs to acquaint European importers with our products; and the excellent work which is being done by most of our agricultural attachés in their relationships with the governments to which they are accredited and with local trade groups and importers.

In presenting this report as the Member of Congress responsible for conducting this study, I want to state that the findings and conclusions of the report are not mine alone but are shared by the other two members of the study group: Dr. Walter W. Wilcox, senior agricultural specialist of the Legislative Reference Service, Library of Congress, and Mr. John J. Heimburger, general counsel of the House Agriculture Committee. Their contribution to this study was indispensable. The report presented herewith is a combined finding and recommendation based upon thorough discussion by the whole group of all the information available to it.

Sincerely yours,

CARL ALBERT,
Member of Congress.

U.S. AGRICULTURAL EXPORTS TO WESTERN EUROPE

U.S. agricultural exports declined 14 percent, or $653 million, during the calendar year, 1958. More than half this loss was in our trade with five Western European countries. Our exports to United Kingdom dropped 18 percent in 1958 as compared with 1957. Shipments to West Germany were down 30 percent, to the Netherlands 14 percent, Italy 34 percent, and Belgium down 30 percent.

During this same period, imports of agricultural commodities from the Soviet bloc increased substantially, and these five countries entered into or specifically extended more than a score of trade agreements with Soviet bloc countries contemplating the importation of additional agricultural commodities.

At the outset it should be stated that a large part of the dollar decrease in agricultural trade with the United States was the result of an unrealistic export cotton pricing policy in the crop year 1957–58, which resulted in the foreign shipment of only 2,894,000 bales of American cotton during that year compared to 5,958,000 bales the previous year. With cotton now priced more competitively, there appears to have been a moderate overall increase in our exports to Europe in the calendar year 1959.

Nevertheless, even when these factors are taken into consideration, the export situation is disturbing. The economy of Western Europe is being rapidly reestablished. Consumer incomes and purchasing power are reaching new record levels. There is a growing demand for agricultural imports and the United States is not participating to full advantage in this increased trade. The Soviet bloc, on the other hand, has declared its intention of moving into this trade area and is making substantial headway.

The chairman of the House Committee on Agriculture considered this situation to be such as to warrant the assignment of a special study group to go to Western Europe and explore the specific question: "What can the United States do to increase its agricultural exports to this area?"

NATURE OF INQUIRY

The group visited West Germany, Italy, France, Belgium, Holland, and the United Kingdom. In addition, it discussed the trade situation in detail with our agricultural attachés from Switzerland and Austria. In each of the countries visited the group discussed the agricultural trade of that country with our agricultural attaché and the Embassy staff, with representatives of the trade, including both importers and U.S. trade representatives, and with local governmental officials. The conclusions represented here are those arrived at by the group as the result of all of these discussions.

It is to be emphasized that we did not engage in original investigation, having neither the time nor the facilities for such an operation. The matters reported here are based on the opinions, observations, and statements of the best informed persons in the countries we visited. We believe that they do represent the conditions respecting our exports and that there is in possession of the Department of Agriculture ample factual detail to support the reports made to us.

It is to be emphasized, also, that this is essentially a negative report, trying to point out what is wrong with our export programs and procedures. This was our assignment. The report, therefore, makes little mention of the positive factors in our export program which we recognize do exist and to which we want to give full credit and approval. These include: some excellent trade development programs being carried on jointly by U.S. commodity groups and our Foreign Agricultural Service; serious efforts on the part of the American Farm Bureau Federation and the Great Plains Wheat Market Development Association to develop European export markets; aggressive and intelligent export sales programs being carried out by several commodity groups—notably the U.S. poultry industry; effective promotion at trade fairs and agricultural exhibits; and, last but not least, the effective work being done by our agricultural attachés and their staffs with the governments to which they are accredited and with trade groups within those countries.

It is to be remembered, also, that when you ask the question "What is wrong with our export programs?", you will get from importers all the accumulated gripes and complaints they can think of—some of which may be genuine, and some of which may be

merely tactics to obtain better terms in future business. We believe that we have properly discounted this latter factor.

EUROPE AS A MARKET FOR AGRICULTURAL EXPORTS

Europe, including the United Kingdom, is today the most important market in the world for agricultural exports. It will become an even more important market as economic growth and technological development increase purchasing power and consumer demand. The area is not self-sufficient in many agricultural commodities and in overall agricultural production. As economic growth continues, Europe will need to import increasing quantities of many agricultural commodities.

The agricultural import market in Europe today is highly competitive. It is a buyers' market. Producing areas in all parts of the world are bidding for the European market, and the United States is not maintaining a competitive position commensurate with its long-run interests. If present export policies and procedures are permitted to continue, we will not share fully in the increased agricultural exports to Europe, and we probably will lose some of the markets we now enjoy.

Several of the U.S. products such as feed grains, dressed poultry, and frozen fruits which have a good potential for increased sales are not well known to European buyers. If U.S. producers are to share fully in the future growth of the European market they must develop merchandising programs in the European countries. The merchandising programs should acquaint the end users with the capabilities of the products and should promote such changes in trade practices as will permit U.S. products to be fully competitive with similar products from other countries on a price, quality, and continuous availability basis.

Since it may take some time for private trade organizations to develop the needed merchandising programs for those products in Government stocks, the Commodity Credit Corporation might well assist the private trade in developing effective European merchandising programs.

It was the conclusion of the study group that representatives of U.S. producers or of the Commodity Credit Corporation should be available at trade fairs to promote the placing of orders if U.S. products are featured in the exhibits. U.S. producers should have aggressive merchandising representatives in Europe who, working with and through the private trade, would obtain a larger share of the expanding European market.

GOVERNMENTAL RESTRICTIONS

Virtually all countries (including the United States) have some governmental restrictions against the volume and kinds of agricultural commodities which may be imported. The existence of such restrictions in several of the countries discussed in this report has been an important factor in the volume of our agricultural trade in certain commodities. These restrictions are not discussed in this report because they are outside the scope of our inquiry which was centered on finding out what we, ourselves, can do to improve our agricultural trade position in Western Europe. It was gratifying to find that many of these restrictions, particularly those associated with the dollar shortage following World War II, have been removed or modified. Where such restrictions still discriminate unfairly against U.S. agricultural commodities, it is to be hoped and assumed that our agricultural attachés and diplomatic missions will continue their efforts to bring about their removal.

SHORTCOMINGS OF OUR PRESENT EXPORT OPERATIONS

Throughout our discussions we constantly asked the questions: "How can our present export operations be improved? Why are we losing markets to other producing countries?" Almost without exception we received these major reasons for the U.S. inability to compete effectively in the European market:

(1) Lack of quality, condition, and dependability of U.S. imports: It was shocking to us to hear almost all persons interviewed give this as their first reason for our failure to compete more effectively on the European market. The casual attitude of many of our exporters with respect to the quality, condition, and dependability of exports to Europe is destroying markets rather than building them.

(2) Lack of an effective sales force: While other nations and their exporters are maintaining active sales forces in the major markets of Europe, we found that many American commodity groups and individual commodities have no sales representatives in many European countries. Economic growth is creating import markets in Europe which American exporters are simply failing to take advantage of, by not making a sufficiently serious and aggressive effort to sell products from the United States.

(3) Price: In some instances American commodities are priced out of the European market. Where the price is determined by the amount or the effectiveness of a Government subsidy, it is absurd that this subsidy should not be established at a level which will permit American products to compete effectively in the European market with the frequently subsidized commodities of other countries. The spectacular example in this respect is, of course, the failure to price our cotton competitively during the 1958–59 marketing year.

(4) Lack of flexibility in our export operations: Because of the economic recovery and the currency stability which has been achieved by the Western European countries, virtually all are now ineligible for foreign currency purchases of our farm commodities under title I of Public Law 480. If we are to compete on even terms with other countries, however, we must offer more flexibility in trading than is possible now. Other countries in the European market are offering bilateral trade agreements, barter deals, two- and three-way exchanges, extended credit, sales on consignment, and other devices to encourage trade. As far as our Government is concerned, however, American commodities delivered into the European market must now be sold on the "cash on the barrelhead" basis. Since we have determined that these countries are now able to pay dollars for their imports, our only offer is cash sales for dollars and we are doing little or nothing on a governmental basis, to make possible the kind of flexibility in trading offered by other countries.

(5) Uncertainty of U.S. policies: There is a general feeling of uncertainty regarding U.S. export policies and programs. European importers have a feeling that they cannot rely on the United States as a continuing and dependable source of agricultural commodities on predictable terms. A major part of this uncertainty must be attributed to Government, but a substantial portion may be traced to the attitude of the trade itself, which has looked upon Europe as a residual for occasional surpluses rather than as a substantial market for long-term export operations.

WHEAT

All European countries produce wheat and collectively they normally produce about three-quarters of their total requirements. Most European wheat, however, is of a soft variety which requires a certain quantity of hard wheat admixture to make an acceptable flour. The wheat market in Europe, therefore, is specifically a quality market. Unfortunately, the experience of European importers leads them to believe that they can be less sure of obtaining the quality wheat they want from the United States than from almost any other producing country. The following comment is typical:

When we buy a cargo of Canadian wheat, we can be confident that the wheat we will receive will be the grade we have ordered or better and that the protein content will be up to specification. When we buy a cargo of U.S. wheat, we can never be sure what we will get but we can assume that it will be at the very bottom of the permissible grade and possibly even lower.

Too many exporters, it would appear, are international traders who are after a quick profit rather than a long-term market for American wheat. Wheat that may have rated at the top of the grade when it left the elevator in Kansas City or Buffalo may be "slugged" when it is loaded into the boat until it barely meets the lowest specifications of the grade it is represented to be. This kind of procedure would seem to raise a question about the whole departmental policy of making CCC sales through private trade. If the CCC has high-quality wheat to sell, it should be able to dispose of that wheat with assurance that it will reach the buyer without adulteration or deterioration in quality and will assist in building, instead of destroying, future markets for American wheat.

An interesting part of this problem is that our wheat exports to Europe are largely in the hands of big, international grain dealers who operate throughout the world and who would just as soon sell wheat from Canada, Australia, or Argentina, as wheat from the United States. In fact, several of our largest wheat exporters are not even U.S. companies and, for various reasons, would probably prefer at times to deal in grain from another country than from the United States. Somehow, producers and others interested in selling U.S. wheat must be more active in Europe and in tailoring U.S. wheat exports to European needs.

Although the Department of Agriculture has for several years been concerned with this problem of quality in U.S. wheat exports to Europe, too little progress has been made in its solution. If the problem cannot be solved by tighter grade requirements or more stringent export inspection, the Department should make whatever recommendations for new legislation appear to be necessary. We can build our long-term wheat markets in Europe only by giving European buyers an assurance of dependable and continuing quality and they have no such assurance under our present export methods.

COTTON

Price and the uncertainty of Government policies are apparently the No. 1 handicap to the United States maintaining its competitive position in cotton exports to Europe. In the marketing year 1958–59, American cotton was priced 5 to 7 cents above the world market. This was a result of the action of the Department of Agriculture in establishing the export subsidy. In the current marketing year, a more realistic export subsidy has been established and U.S. cotton is more nearly competitive in European markets. Most of those to whom the group talked in Europe, however, felt that the cotton subsidy should be established on a day-to-day basis, as in the case of grains, rather than on a preannounced, established price. Since virtually every other cotton-producing country operates its export programs with some type of governmental subsidy or assistance, it is hard to understand why the United States should not adopt the policy of making its cotton competitive with all other cotton on world markets on a day-to-day basis.

Although there were fewer complaints about cotton quality than there were about the quality of wheat, such complaints were not entirely absent. It is difficult for many European buyers to understand why U.S.

cotton could not be sold on the basis of Government grades and staples instead of on the basis of the exporter's private grading system. They point out that a cotton user needs to be able to depend on the grade and staple of the product he is buying, since his operations are usually set up to accommodate a certain type of cotton. Where cotton is purchased on a private grade, instead of on established U.S. grades and staples, the buyer not only may be disappointed in the quality of cotton he receives, but he finds it extremely difficult to secure a price adjustment.

To some extent our cotton export trade to Europe also suffers, as does wheat, from the domination of the market by a few large, international companies. Some of these companies not only operate as brokers and exporters in other countries but have actual proprietary interest in cotton produced in other countries and would, presumably, be more eager to sell their own cotton from some other area than cotton from the United States.

FEED GRAINS

Europe is an expanding market for feed grains. As consumer incomes increase, there is a growing demand for livestock products, which in turn requires additional feed grains. Some of this demand will be met by expanded production in Europe but there will remain, apparently, a very significant and a growing feed grain import market. Whether the United States obtains its share of this market will apparently depend on three things: (1) Market development to create demands specifically for the grains we produce, (2) the quality of the grains we send to Europe, and (3) a real sales effort on the part of U.S. feed grain producers and exporters. If the selling is left exclusively to the large international grain traders, it can be assumed that their efforts to sell feed grains produced in other areas of the world will be at least as great as their efforts to sell feed grains produced in the United States. We cannot escape the conclusion that if U.S. producers of corn, grain sorghums, and other feed grains want to take advantage of the growing market for these commodities in Europe, they must get their own salesmen into the European market areas and keep them there.

They must also see that the quality of their product is maintained. A specific example of the importance of this is to be found in the United Kingdom, where a brand new broiler industry is creating a demand for corn and other feed grains. Within the past 2 or 3 years enterprising Britishers have started in the United Kingdom a broiler production industry patterned directly after the highly efficient broiler production operations in the United States. The wide acceptance of this product is indicated by the fact that in London the traditional fish and chips shops have virtually disappeared and have been replaced by chicken huts and similar restaurants specializing in broilers.

U.S. corn is priced competitively on the world market and we have had a very favorable position on imports of corn into the United Kingdom. This position is being seriously jeopardized, however, by the poor quality and condition of some of the corn which has been shipped to this area. We were told of several shipments of corn which arrived in the United Kingdom in such condition as to be virtually unfit for any use. Apparently, perfectly good hard yellow corn of low moisture content had been mixed at the seaport with enough corn of high moisture content to bring the total down to the very bottom of tolerance for the grade. During the ocean voyage the wet corn had so deteriorated the whole shipment that it was virtually useless on arrival. This may represent a quick profit for the exporter but it is not the way to maintain and expand a market of great importance which can be ours if we will provide a quality product at a competitive price.

SOYBEANS AND GRAIN SORGHUMS

Although classified among the feed grains, soybeans, and grain sorghums require special mention. Some excellent market development work has been done on both these commodities by the Grain Sorghum Producers Association and the Soybean Council of America. In every country we were told, however, that these promotional efforts might in large part be wasted as far as American producers are concerned because there are virtually no salesmen in Europe trying to make sales of these particular commodities. The main thing that is needed, we were told repeatedly, is more salesmen spending their full time in Europe, familiar with the needs and the buying practices of European importers, and able to advise them how to use our products to the best advantage, with sales books in their pockets ready to take advantage of the promotional endeavors of the industry organizations. Perhaps an export sales cooperative, such as is maintained by tobacco producers, would be helpful in this situation.

Questions of quality have also been raised in connection with American soybeans. In the past 2 years, soybeans from Red China have moved into Europe in increasing volume. Comparing these imports with those from the United States, one Government official had this to say:

There have been difficulties with U.S. contracts for soybeans recently, both as regards the quality of the supplies (Manchurian beans are said to have up to 1 percent higher oil content than American) and also as regards the amount of adulteration or admixture. A further point is that Manchurian suppliers are very forthright about allowances for such things as excessive moisture content or reduced oil yield, whereas the American shippers take a very unyielding attitude toward claims under these headings.

DRY EDIBLE BEANS

Another commodity in which the lack of salesmen in Europe is apparently seriously hurting our competitive position is that of dry edible beans. Although the United States consistently produces an exportable surplus of dry edible beans and although Europe is a substantial market for such beans, we were informed that there is not in the whole of Europe one single salesman devoting his time exclusively to the sale of American beans into the European market.

FRUITS AND VEGETABLES

Europe is the largest consumer of citrus fruits in the world, exceeding the United States in every category except grapefruit. Because of the shipping distance involved, it is difficult for the United States to compete pricewise in the European market. It is apparent, therefore, that in these commodities emphasis must be placed on quality, condition, and reliability of supply. It is equally evident that our exporters have not been devoting enough attention to these factors. In virtually every country we visited, there were reports of American fruits arriving at their destination in poor condition. Citrus fruits arriving with as much as 36 percent rot in the shipment were reported, for example.

With respect to fruits and vegetables, an authoritative publication sums the situation up in the following words:

Not only have foreign (other than United States) competitive supplies been increasing and improving in quality, but foreign exporters have been directing more attention to marketing problems. They have increasingly offered advertising, scheduled selling on a consignment basis, panel arrangements, or other devices to gain or maintain a foothold in foreign markets. With even larger supplies promised in the future, the competitive race for a share of the world market in horticultural products is very great indeed.

The U.S. industry will be forced to meet these competitive problems by increasing efforts toward maintaining high standards of quality and condition for products exported to oversea markets. Prior to the war, U.S. products often were unusual in maintaining consistent standards, but in recent years the quality of some competing products has improved relatively more than that of U.S. items.

PROCESSED FOODS

Europe is just beginning to experience the same kind of revolution in the retailing and the home handling of food that has taken place in the United States in the past generation. Supermarkets and self-service stores are just beginning to appear in Europe and their acceptance and development there will probably be comparable to that in the United States. Many homes are experiencing the advantages of mechanical refrigeration, including freezing compartments, for the first time. As these developments take place there will be a growing shift on the part of consumers to prepacked and processed foods. In the opinion of those most familiar with the subject, there will be a substantial market for American processed foods but the extent of this market will depend almost entirely on the quality and dependability of these food products.

Our market will not be improved, for example, by instances of unreliability such as one reported to us. A German importer contracted for a very substantial order of canned green beans from a U.S. processor and had the entire shipment sold to his customers. When the shipment arrived, however, there were only two-thirds as many cases as he had ordered so that he had the unenviable (and unprofitable) job of canceling one-third of the sales he had made.

American processed foods have had a high reputation in Europe for quality and dependability. Since most of them must sell in the retail market at higher prices than local products, it is essential that their reputation of premium quality be maintained if they are to keep their place in this rapidly expanding market.

RECOMMENDATIONS

1. Quality and condition of exports: That the Department of Agriculture undertake an immediate study to reevaluate its progress to date and to determine what more can be done to improve the quality, conditions, and reliability of U.S. exports of agricultural commodities to the European area. It should consider stricter grade standards, more rigid export inspection, the requirement that commodities exported under Government subsidy be exported on Government grade only, and better procedure than now exists for the filing of complaints by foreign importers and for price adjustments on the basis of such complaints when justified. We believe the Department has available to it now ample data on which to base its studies and that it should promptly take such action as can be taken administratively and recommend to Congress any additional action requiring new legislation.

2. Price: Pricing of those commodities which are exported under Government subsidy should be done in such a manner that the commodities are fully competitive on the European market with similar commodities from other areas. More care should also be exercised that the quality of the commodities exported is the same quality on which the exporter receives his subsidy.

3. Government sales force: The various laws relating to the disposal of surplus agricultural commodities require that sales shall be made insofar as practicable through the established channels of private trade. The Department of Agriculture has interpreted these provisions to require that all sales shall

be made in this manner. There has been established in the Department of Agriculture an Office of General Sales Manager to assist in disposing of these surplus commodities but because of the policy of making all sales through private trade, the office has been relatively inactive.

The lack of private salesmen for certain American commodities in the European area has been commented on in this report. In order to fill this gap and at the same time not violate the legislative provisions regarding sales through private trade channels, it is recommended that the Department of Agriculture consider setting up a sales system somewhat along the following lines:

(1) Establish at strategic locations in Europe representatives of the Office of the General Sales Manager to work directly with importers and the trade to develop possible sales of those commodities which are in surplus.

(2) Establish teletype or other means of rapid communication between each salesman and the sales manager's office.

(3) Notify the U.S. private trade in each commodity of the arrangement being set up and establish a list of exporters who indicate their willingness to pay for collect telegrams informing them of sales opportunities.

(4) When the European representative of the Sales Manager's Office finds a possible sale for a surplus agricultural commodity, he could transmit this immediately to Washington where it could be sent out simultaneously to all of those in the trade who had indicated their interest and willingness to pay for such telegrams.

(5) Specific sales offers could then be made directly by the American exporter to the potential buyer in the foreign country.

This proposal was outlined to several of our agricultural attachés in Europe and opinion was divided as to whether or not it would be helpful and workable in their particular countries in moving our agricultural commodities. At least, we feel it merits the most careful consideration by the Department of Agriculture.

4. Flexibility in sales terms.—Since the close of World War II, our agricultural exports to Europe have been stimulated by various Government programs, including shipments under the Marshall plan and the Mutual Security Act, sales for local currency under title I of Public Law 480, and barters strategic and other materials. The countries of Western Europe have achieved an economic and monetary stability where they are no longer considered generally eligible for sales under title I of Public Law 480. At the same time, most of them have been ruled ineligible for Government-sponsored barter contracts with respect to most of our surplus commodities. The result is that, except for such terms or trading agreements as private exporters may enter into with private importers in the other country, our export sales to Europe are virtually on a cash dollar basis. As has been pointed out, in this highly competitive market where other producing countries are offering bilateral exchanges, barter, sales on consignment, and other trade concessions, this cash on delivery policy can be a serious handicap to the maintenance of our competitive position in this market. It is recommended that the Department of Agriculture and the Department of State give serious study to this problem with a view to inaugurating or reestablishing governmental programs which will permit American exporters to compete on a more nearly equal basis with exporters from other countries.

SENATE

MONDAY, FEBRUARY 8, 1960

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, always as we bow in this Chamber we come with reverent thanksgiving for the heritage our fathers have bestowed upon us, crowned with liberty and justice and the sacredness of human rights.

We turn to Thee, Father of Light, as in these latter days darkness seems to lie upon so much of the earth—the darkness of tyranny, of hypocrisy, and of materialism.

Open our eyes to the gleaming lights which in every land are stabbing the darkness.

Help us not to fear the dark, or to quail at it, however dense, but, rather, to light the beacons which dispel the encircling gloom.

Remind us, O God, that all the darkness in the world has never yet put out a light.

Accepting the Master's mandate, "Ye are the light of the world," we dedicate ourselves anew for our mission to the whole world, which is to hasten the time when the world shall roll out of the darkness into the dawn and it shall be daylight everywhere.

We ask it in the name of the One who is the Light of the World. Amen.

THE JOURNAL

On request of Mr. FREAR, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 4, 1960, was dispensed with.

CALL OF THE CALENDAR DISPENSED WITH

Mr. FREAR. Mr. President, I ask unanimous consent that the call of the calendar, under the rule, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that, pursuant to the provisions of section 601, Public Law 250, 77th Congress, the Speaker had appointed Mr. MASON, of Illinois, as a member, on the part of the House, of the Joint Committee on Reduction of Nonessential Federal Expenditures, to fill the existing vacancy thereon.

HOUSE BILL REFERRED

The bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, was read twice by its title and referred to the Committee on Finance.

LIMITATION OF DEBATE MORNING HOUR

Mr. FREAR. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. FREAR. Mr. President, I ask unanimous consent that the Committee on Aeronautical and Space Sciences and the Preparedness Investigating Subcommittee of the Committee on Armed Services be permitted to sit in joint session during the session of the Senate today, and also on Tuesday, February 9.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. SCHOEPPEL. Mr. President, the secretary of state of the State of Kansas, Paul R. Shanahan, has forwarded to me a copy of House Concurrent Resolution 7, which memorializes the Congress of the United States to appropriate sufficient funds for a continuation of the Federal-State brucellosis eradication program.

I ask unanimous consent that the concurrent resolution be printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

"HOUSE CONCURRENT RESOLUTION 7

"Concurrent resolution memorializing the Congress of the United States to appropriate sufficient funds for a continuation of Federal-State brucellosis eradication program

"Whereas in 1954, an accelerated brucellosis eradication program was encouraged by Federal authorities and by action of the Congress of the United States through allocation of $24,000,000 for such purpose, followed by comparable allocation in succeeding fiscal years and setting a tentative goal for completion in 1960; and

"Whereas there was an unexpected curtailment of Federal funds in fiscal year 1959 and another curtailment of up to twenty-five per

centum for fiscal year 1960, although the urgency of the problem has not diminished; and

"Whereas with over half the States already certified, many of them at heavy expense to the Federal Government, it appears that with their reduced budget they are spending considerable of these funds to maintain certification where already accomplished; and

"Whereas this leaves States in the process of certification with greatly reduced Federal assistance, and it is felt by many that Congress should furnish sufficient funds to complete this national job, and that the remaining States deserve as much help as the other States have already had; and

"Whereas the brucellosis eradication program planned for appreciable accomplishment during the current fiscal year must now be delayed in many counties in several States wherein the essential preliminary steps had been initiated; and

"Whereas the postponement of adequate Federal participation will promote loss of confidence and increase maintenance costs over a longer period; and

"Whereas curtailment of the eradication program will create a hardship on owners of cattle who move their animals interstate: Now, therefore be it

"Resolved by the House of Representatives of the State of Kansas, the Senate concurring therein, That we urgently request the Congress of the United States to appropriate such funds as may be necessary, to provide for a continuation of the brucellosis eradication program on an active and progressive basis in keeping with the assurances of Federal cooperation when the program was offered to the States; and be it further

"Resolved, That the secretary of the State be directed to transmit a copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each Member of the Kansas delegation in the U.S. House of Representatives and the U.S. Senate."

I hereby certify that the above concurrent resolution originated in the House, and was adopted by that body.

JESS TAYLOR,
Speaker of the House.
A. E. ANDERSEN,
Chief Clerk of the House.

Adopted by the Senate, January 29, 1960.

JOSEPH W. HENKLE, Sr.,
President of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

RESOLUTION OF THE SUPERVISORS' ASSOCIATION OF THE STATE OF NEW YORK, INC.

Mr. KEATING. Mr. President, I ask unanimous consent that a resolution of the Supervisors' Association of the State of New York, Inc., entitled "Resolve To Fight Inflation With All Means at Their Disposal," be printed in the RECORD. This resolution was adopted at the 10th annual winter conference of this association which was held on January 19 in Rochester, N.Y.

The resolution calls for all possible measures to curb inflation and thereby preserve "our free democratic form of government, the prosperity and way of life of our people, and the security of the United States of America."

Mr. President, I commend this fine association for its vigorous endorsement of policies designed to provide a stable and sound economy for our Nation.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF SUPERVISORS' ASSOCIATION OF STATE OF NEW YORK, INC., TO FIGHT INFLATION WITH ALL MEANS AT THEIR DISPOSAL

Whereas inflation increases the cost of government services to the people without proportionally increasing the revenues of local government to pay for those services; and

Whereas inflation robs our retired citizens of the purchasing power of their pensions, annuities, and social security benefits; and

Whereas inflation reduces the value of savings bank accounts, life insurance, and all forms of investment payable in fixed number of dollars; and

Whereas inflation lowers the living standards of the people whose wages and salary earnings do not keep pace with spiraling living costs; and

Whereas inflation causes ever-increasing governmental and private debt and a resulting colossal burden of repayment with mounting interest costs; and

Whereas the urgent need to halt inflation is shown by the fact that the value of the American dollar has decreased to less than 48 cents today; and

Whereas inflation destroys the people's confidence in our form of government, free economic system, and way of life by robbing them of the fruits of their labor at every turn; and

Whereas inflation, by eroding the value of our currency and creating economic instability, destroys the confidence of other free nations in our economic stability and in our leadership of the free world; and

Whereas inflation undermines the economic strength of a Nation and the moral fiber of its people and is now weakening the ability of this Nation to meet the threat of destruction by its enemies; and

Whereas the President of the United States has expressed deep concern over continued inflation and has made it a part of his official policy to curb inflation; and

Whereas the President has appointed a special committee on inflation headed by the vice president to advise ways and means to control inflation: Now, therefore, be it

Resolved, That the Supervisors' Association of the State of New York pledge its support through all measures at its disposal in the fight to curb this menace to the preservation of our free democratic form of government, the prosperity and way of life of our people, and the security of the United States of America; and be it further

Resolved, That a copy of this resolution be sent to the President and Vice President of the United States and to each Member of Congress from the State of New York.

FRANK J. LANGE,
Executive Secretary.

RESOLUTIONS ON WILDERNESS BILL AND YOUTH CONSERVATION BILL BY CITIZENS NATURAL RESOURCES ASSOCIATION OF WISCONSIN

Mr. WILEY. Mr. President, as we all recognize, the availability of informed analyses and viewpoints on legislation before Congress is always most welcome.

Today I was privileged to receive from the Citizens Natural Resources Association of Wisconsin, a splendid organization designed to promote programs for the preservation, management, and restoration of Wisconsin's natural resources, resolutions endorsing two significant bills before the Congress: First, the wilderness bill; and second, the youth conservation bill.

As we know, the wilderness bill, designed to preserve major areas of natural heritage in America, is still before the Senate Interior and Insular Affairs Committee. Extensive hearings have been held. I would hope that solutions could be found for the numerous questions which have been raised on the bill so that expeditious action could be taken on the measure.

As for the youth conservation bill, it will be recalled that the measure, supported by other Senators and myself, was passed during the 1st session of the 86th Congress. Currently, it is now pending before the Subcommittee on Special Education of the House Education and Labor Committee.

Since they represent constructive, thoughtful viewpoints of this fine Wisconsin association on these important pieces of legislation, I ask unanimous consent to have the resolutions printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

FEBRUARY 5, 1960.

RESOLUTION ON THE WILDERNESS BILL

Whereas neither the Senate nor the House of Representatives have as yet acted upon the wilderness bill vital to the preservation of the few remaining wilderness areas; and

Whereas it is imperative that this bill be voted upon favorably: Now, therefore, be it

Resolved by the Citizens' Natural Resources Association meeting on September 19, 1959 at Sarona, Wis., That the Wisconsin Senators and Congressmen be urged to get this bill to a vote before their perspective Houses and further that they support these measures favorably.

RESOLUTION ON THE YOUTH CONSERVATION BILL

Whereas problems of idle youth are becoming increasingly serious; and

Whereas the tremendous backlog of needed conservation work will give the young men constructive employment:

Now, therefore, the Citizens' Natural Resources Association meeting at Sarona, Wis., on September 19, 1959 reaffirms its endorsement of the Humphrey youth conservation corps bill (S. 812) which has passed the U.S. Senate, and strongly urges that Wisconsin Congressmen give favorable support to this measure when it goes before the House of Representatives in the next session of Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

STABILIZATION OF PRICE SUPPORT OF TOBACCO

Mr. COOPER. Mr. President, on behalf of the junior Senator from North Carolina [Mr. JORDAN], from the Committee on Agriculture and Forestry, I report favorably, without amendment, the bill (S. 2845) to stabilize the price support of tobacco, and I submit a report (No. 1081) thereon.

Joining with the Senator from North Carolina as cosponsors of S. 2845 are myself, the senior Senator from North Carolina [Mr. ERVIN], the senior Senator from South Carolina [Mr. JOHNSTON], my colleague, the junior Senator from Kentucky [Mr. MORTON], the senior

Senator from Tennessee [Mr. KEFAUVER], the junior Senator from South Carolina [Mr. THURMOND], and the junior Senator from Virginia [Mr. ROBERTSON].

Mr. President, I ask that the report be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Kentucky, and the bill will be placed on the calendar.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Administrator of General Services, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSH:

S. 2990. A bill for the relief of Abdulkarim Ahmad Ali; to the Committee on the Judiciary.

By Mr. LONG of Hawaii:

S. 2991. A bill for the relief of Ah See Lee Chin; to the Committee on the Judiciary.

By Mr. MCCARTHY (for himself and Mr. HUMPHREY):

S. 2992. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. MCCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 2993. A bill to permit the taxation by a State or local taxing authority of privately owned personal property situated within Federal areas which is used in carrying on a trade or business; to the Committee on Government Operations.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 2994. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained 50 years of age in order to be eligible for disability benefits thereunder, to provide for the coverage of doctors of medicine under social security, and to increase the annual amount individuals are permitted to earn without suffering deductions from their social security benefits; to the Committee on Finance.

(See the remarks of Mr. YOUNG of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. GREEN:

S. 2995. A bill to amend the Internal Revenue Code of 1954, so as to restore competitive equality to retailers and other distributors with respect to certain sales to business and other organizations; and

S. 2996. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; to the Committee on Finance.

By Mr. MAGNUSON:

S. 2997. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Finance.

S. 2998. A bill to amend the Merchant Marine Act, 1936, in order to extend the life of certain vessels under the provisions of such act from 20 to 25 years; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. BEALL:

S. 2999. A bill for the relief of Dr. Mehmet Arik; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 3000. A bill for the relief of Nicolaos Vagenas; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself, Mr. JAVITS, Mr. PROUTY, Mr. KEATING, Mr. SCOTT, Mr. SALTONSTALL, Mr. CASE of New Jersey, Mr. COOPER, Mr. KUCHEL, Mr. BRUNSDALE, Mr. CARLSON, Mr. WILEY, Mr. FONG, Mr. BUSH, Mr. MORTON, Mr. HRUSKA, Mr. BENNETT, Mr. ALLOTT, Mr. BEALL, Mr. CASE of South Dakota, Mr. MARTIN, Mr. AIKEN, Mrs. SMITH, and Mr. BUTLER):

S. 3001. A bill to provide for the enforcement of civil rights; provision for schools for military personnel dependents in areas where regular schools are closed by desegregation; to provide for voting referees, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 3002. A bill to provide for publication of a United States Treaty Code Annotated; to the Committee on Rules and Administration.

By Mr. SYMINGTON:

S.J. Res. 157. Joint resolution to provide for the convening of a national conference by the President of the United States of the authorized representatives of institutions of learning for the purpose of making a survey and formulating a recommended plan of action for meeting and solving the engineering and design and other technical problems which can strengthen the space exploration program of the United States; to the Committee on Aeronautical and Space Sciences.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT

Mr. MCCARTHY. Mr. President, on behalf of myself, and my colleague, the senior Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes. I ask unanimous consent that the bill may lie on the desk for 1 week, to afford other Senators an opportunity to cosponsor it if they so desire.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2992) to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes, introduced by Mr. MCCARTHY (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on Public Works.

TAXATION OF CERTAIN PROPERTY ON FEDERAL RESERVATIONS

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill having to do with taxation of property on Federal reservations.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2993) to permit the taxation by a State or local taxing authority of privately owned personal property situated within Federal areas which is used in carrying on a trade or business, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Government Operations.

LIBERALIZATION AND EXPANSION OF SOCIAL SECURITY

Mr. YOUNG of Ohio. Mr. President, since the passage of the Social Security Act of 1935, changes in it have been made in keeping with the ever-changing aspects of our economy and our society.

I should like to say, Mr. President, it is a happy personal recollection that, as a Member of the other body, I voted, back in 1935, for the creation of our social security system and for the enactment of the first social security law, which we have amended from time to time and liberalized in recent years.

Unfortunately, however, our social security program has not kept pace with the times. It does not give enough protection to enough people nor has it adequately fulfilled the needs of our elderly citizens.

Therefore, Mr. President, I introduce, for appropriate reference, a bill to amend certain provisions of the Social Security Act. These amendments will correct three of those glaring deficiencies in the act on which I spoke at length in the Senate recently.

The first will abolish the arbitrary age limit of 50 years before one who is totally disabled and unable to work may receive benefits. The second will allow those already receiving payments to earn up to $2,400 a year instead of the present unrealistic and restrictive $1,200 limitation. The third provision will provide another step toward making the program truly universal in coverage by bringing all physicians and surgeons under its beneficient coverage.

Mr. President, although these are just the first steps toward the adoption of a modernized social security program, they are vitally important ones. In the near future I intend to introduce further legislation calling for increased benefits and an increased wage base to provide them.

Mr. President, these basic improvements will be another step toward the creation of an America of expanded opportunity for all, where no one is forgotten, and where the dignity of the individual is still uppermost in our goals.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2994) to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained 50 years of age in order to be eligible for disability benefits thereunder, to provide for the coverage of doctors of medicine under social security, and to increase the annual amount individuals are permitted to earn without suffering deductions from their social security benefits, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF MERCHANT MARINE ACT OF 1936, RELATING TO EXTENSION OF LIFE OF CERTAIN VESSELS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Merchant Marine Act, 1936, in order to extend the life of certain vessels under the provisions of such act from 20 to 25 years. I ask unanimous consent that a statement, prepared by me, relating to the bill, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2998) to amend the Merchant Marine Act, 1936, in order to extend the life of certain vessels under the provisions of such act from 20 to 25 years, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

EXTENDED LIFE OF VESSELS

Early during 1959, the President of the United States directed that a study be made of the merchant marine and among other things requested that consideration be given to extending the statutory life of subsidized vessels. The Commerce Department study group has asked industry to express their views of this issue. Additionally, there is a growing recognition that because of budgetary limitations there is already in fact a stretchout of the vessels replacement program and that Government now has contracts it cannot implement. Since this is so, the policy and the contracts should be changed by recognizing that dry cargo merchant vessels can and are being operated for more than 20 years. During the past 6 months, both Government and industry have been considering this problem intensively and there is understanding of the problems involved and areas to be considered in adopting a 25-year vessel life policy. Adoption of such a policy will involve a number of collateral changes in the Merchant Marine Act.

A combination of economic factors, in addition to the impelling budgetary limitations facing the Government, make consideration of this problem timely.

There is at present a substantial worldwide imbalance between shipping capacity and cargo offerings. This imbalance probably will continue for a number of years because of a lag in the scrapping of old vessels, coupled with the continued worldwide construction of new and improved ships as a consequence of orders placed a number of years ago. Further, a noticeable reduction in commercial exports of the United States and the growing competitive impact of foreign economies on our post-war markets abroad aggravate the effect of this world situation on American flag carriers.

Since World War II world shipbuilding prices have risen constantly. Although prices have now stabilized at somewhat below the peak reached following the Suez crisis, the bulk of the American replacement program will be at these new high cost levels.

All of the foregoing factors raise serious questions about the ability of industry to support the financial burden of future vessel replacements in meeting fixed charges for debt service and recovering high capital costs over a 20-year life.

Current studies prepared by industry raise serious doubt as to the economic feasibility of the replacement ships with a 20-year life. This is too short a period within which to amortize high capital costs; increased annual debt retirement costs geared to a 20-year life, compound the problem.

During the recent past, which has included some of the most prosperous years in the history of the American merchant marine, the combined earnings of all lines (under contract with the Federal Maritime Board to replace their liner ships) did not equal depreciation on estimated replacement costs. This is shown below:

	1956	1957
Net income after taxes (per industry combined audited statements)	$73,599,000	$70,690,000
Less estimated additional depreciation on replacement costs	116,977,000	143,060,000
Net erosion of shipping capital	(43,378,000)	(72,370,000)

Technical advisers to industry are confident that vessels in the liner trades will be able to perform in a satisfactory manner on a 25-year-life basis.

Ships now being built under the vessel replacement program are specially adapted for the trades in which they are to be employed, are closely supervised during the construction period, and include many improvements in material and equipment, all of which support this conclusion.

After considering all of the many factors involved, the conclusion is clear that this group of ships can and should be operated on a 25-year-life basis and that such operation should be authorized by statutory amendment.

Industry is willing to join with Government in working out this problem. It cannot be accommodated unilaterally by the Government because of possible conflict with contractual obligations.

I have had prepared and am introducing a bill showing what changes are necessary to accomplish this transition which I hope may be satisfactory to all concerned.

ENFORCEMENT OF CIVIL RIGHTS

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference a bill to provide for the enforcement of civil rights; provision for schools for military personnel dependents in areas where regular schools are closed by desegregation; to provide for voting referees, and for other purposes. This bill is being cosponsored by Senators JAVITS, PROUTY, KEATING, SCOTT, SALTONSTALL, CASE of New Jersey, COOPER, KUCHEL, BRUNSDALE, CARLSON, WILEY, FONG, BUSH, MORTON, HRUSKA, BENNETT, ALLOTT, BEALL, CASE of South Dakota, MARTIN, AIKEN, and SMITH. The bill will obviously be referred to the Committee on the Judiciary.

The purpose of introducing the bill is to have a sort of working paper which will be available to all Senators. I expect to use it in due course under the prearrangement in September of last year as an amendment to a bill to be called up, I trust, next week when we convene on Monday. The bill represents the administration's program and contains seven sections.

The first section deals with the use of force or the threat of force to interfere with or obstruct court orders in school desegregation cases.

The second section makes it a Federal crime for suspects to flee from one State to another to avoid prosecution for bombing schools or churches.

The next section authorizes the Department of Justice to inspect voting records in enforcing the 1957 Right-To-Vote Act and to preserve Federal election records.

The fourth section relates to school assistance and provides grants to be matched by the States or communities under a 2-year program to help provide additional nonteaching, professional services required in desegregation cases.

The fifth section relates to schools for the children of military personnel. It authorizes the Government to provide schools for the children of military personnel in areas where regular schools are closed because of desegregation.

The sixth section establishes a commission on equal job opportunities under Government contracts.

The last section amends the Civil Rights Act of 1957 to provide for court-appointed U.S. voting referees.

This measure has been introduced in the House as H.R. 10018 and H.R. 10035. I have indicated that it represents the administration's package and will become a working paper when we come to the civil rights discussion next week.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3001) to provide for the enforcement of civil rights; provision for schools for military personnel dependents in areas where regular schools are closed by desegregation; to provide for voting referees, and for other purposes, introduced by Mr. DIRKSEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF FEDERAL COAL MINE SAFETY ACT—AMENDMENT

Mr. COOPER (for himself, Mr. BYRD of Virginia, Mr. ROBERTSON, and Mr. MORTON) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals, which was ordered to lie on the table and be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BENNETT:

Address on the subject "Fiscal and Monetary Policies in the Changing Economy," delivered by Senator ROBERTSON to the National Association of Mutual Savings Banks in New York, N.Y., December 8, 1959.

By Mr. GRUENING:

Address delivered by Senator HART at annual farm management banquet during Farmers Week, at Michigan State University, on February 4, 1960.

By Mr. KEFAUVER:

Address delivered by Senator HARTKE at dedication of Temple Adath Israel, Evansville, Ind., January 10, 1960.

By Mr. YOUNG of North Dakota:

Questionnaires sent to 27,000 North Dakota people, together with the answers.

TRIBUTE TO SENATOR THEODORE F. GREEN

Mr. YARBOROUGH. Mr. President, in the past few weeks, since his announcement of his retirement, we have heard many words of tribute to the distinguished senior Senator from Rhode Island, THEODORE FRANCIS GREEN. Such tributes are entirely fitting for in considering all our history, we find that he has made one of the greatest of senatorial contributions to our Nation, our people, our way of life.

It was my privilege to attend on January 26, 1960, a testimonial dinner given by the Women's National Democratic Club for Senator GREEN here in Washington. It was an occasion which will live long in the hearts and minds of all who heard it. As an admirer of Senator GREEN and his achievements I want these facts known to the people.

I ask unanimous consent that the remarks of one of the principal speakers at the testimonial dinner, those of the distinguished majority leader of the Senate, LYNDON JOHNSON be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THEODORE GREEN: A GREAT SENATOR

(Remarks of Senate Majority Leader LYNDON B. JOHNSON before Women's National Democratic Club dinner, Washington, D.C., January 26, 1960, Honoring Senator THEODORE FRANCIS GREEN)

My assignment tonight is to talk about THEODORE GREEN, the U.S. Senator.

As an assignment, this is one which is rather difficult. I believe that all of us here think of THEODORE GREEN the man—because the various aspects of his life are merely reflections of the personality of a man who has won all of us by his kindness, his love for his fellow human beings, and his complete devotion to his country.

I could say without arousing any arguments anywhere that THEODORE GREEN has been a great Senator. But this is because he is a great man who has brought to his senatorial post the same qualities that he has brought to everything else that he has done in his life.

It is, of course, always possible to discharge this kind of an assignment merely by retracing THEODORE GREEN'S Senate career. But I think almost everyone here is familiar with that record and a recitation of history would add nothing to this program.

I think what I really want to talk about tonight is THEODORE GREEN as a friend. Throughout my own Senate career, I have been able to turn to him whenever the going has been difficult and I believe that this is something that is true of all of the younger members of our party who have come under his sheltering wing during the years that he has served his country in the Capitol.

THEODORE GREEN is the kind of man who inspires affection and trust. Because of these qualities, he has occupied in the Senate a position of influence that has rarely been accorded to any of its Members.

He is a rare sort of a man. He is a partisan without rancor; a fighter who battles effectively for his convictions without nursing hatreds or enmity.

Everyone knows clearly where THEODORE GREEN stands. On any given issue, he is clearly for the people who most need help and clearly for the approach of humanitarianism. But he learned early in life how to express his convictions earnestly and forcefully but without casting personal reflections upon his opponents.

I have yet to know of a controversial issue which he has avoided.

He cast himself wholeheartedly into the struggle to place America clearly in the camp of freedom before World War II.

He entered the battle to open the doors of economic opportunity to millions of Americans during the dark days of the depression. He held aloft the banner of international cooperation during the days when others were urging that America shrink from its responsibility as a world leader.

And yet, he has not emerged from those battles with a load of personal enmities.

Part of this is due to the wit and the charm with which he has always conducted himself. Part of it is due to his keen, alert mind which does not require invective and abuse as a substitute for argument.

But I think most of it is due to the fact that he loves his fellow human beings so much that they simply must love him in return.

Most of us like to think of the Senator as a body associated with traditions.

We like to think that it is a body of thoughful statesmanship.

We like to think that it is a body of calm deliberation.

We like to think that it is a body that is deeply conscious of the roots in the past, but equally aware of its responsibilities to the future.

There is a validity to these traditions. They are more than mere wishful thinking and they will continue to have a reality as long as we have Senators like THEODORE GREEN.

We all know that he has decided to retire at the end of this term. But I think we also know that in a very real sense THEODORE GREEN will never leave the Senate.

His personality will always be with us so long as the Senate is an organization worthy of the confidence of the American people.

ACTIVITIES OF ANTITRUST AND MONOPOLY SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY AND OVERLAPPING AREAS OF INQUIRY

Mr. BUTLER. Mr. President, I have prepared a statement with reference to the activities of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, with particular reference to areas of inquiry which overlap those of other Senate committees. I ask unanimous consent that the statement may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

On January 30, 1957, the Senate approved Senate Resolution 57, 85th Congress, which authorized a Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary:

"To make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

"(1) Clarification of existing law to eliminate conflicts and uncertainties where necessary;

"(2) Improvement of the administration and enforcement of existing laws;

"(3) Supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof."

During the 85th Congress and the 1st session of the 86th Congress, $1,065,000 were authorized to permit this subcommittee to carry out the investigations entrusted to it and to make recommendations to the Congress. In taking this action, the Senate expected that it would develop legislative proposals to strengthen our antitrust laws which provide the basis for our American free enterprise competitive economy. The Senate also hoped that it might make specific suggestions to assist the antitrust agencies in the enforcement of existing statutes. During the past 2½ years, extensive investigations have been conducted involving many industries, including steel, automobiles, milk, bread, asphalt roofing, and now drugs.

In spite of these extensive hearings, no changes in existing antitrust statutes have been recommended. The futility of the approach taken by the staff of this committee was indicated in the individual views on the investigation of administered prices in the automobile industry by the distinguished minority leader, Senator DIRKSEN, as follows:

"In perspective this study seems like a rather fruitless, unobjective endeavor. However, I believe the efforts of the subcommittee may unwittingly have served a useful purpose. They emphasize the fact that sooner or later the Senate must give consideration to the broad question of investigations, particularly where they are extended and thus immobilize individual Senators who have important responsibilities to their constituents, to the legislative committees on which they serve, and to the Senate as a whole.

"This inquiry was ostensibly to study the effects of administered prices in the automobile industry and to review the effects of alleged concentration on competition. The majority's report itself provides the best evidence one can adduce as to how diffused, academic, and pointless an investigation may become. If any investigation by the Congress is to have value, it must be closely related to a legislative purpose.

"The decision of the U.S. Supreme Court in the so-called Watkins case provides a wise guide to the legislative branch in establishing areas appropriate for congressional investigations. The Court held that an investigation could not be a fishing expedition and that the private affairs of individual citizens could not be exposed to public view simply for the sake of exposure. The

district court found the witness guilty. The Supreme Court reversed the contempt citation on the ground that the committee had departed from a legislative purpose in connection with the interrogation of the witness.

"Following the philosophy developed by the Supreme Court, it is difficult to determine any well-defined legislative purpose underlying this study of the automobile industry, since there is not a single legislative recommendation in the majority's report. The conclusions enunciated by the majority in its report are compressed into less than a thousand words. They proposed that certain avenues of inquiry, which conceivably would justify additional hearings, are suggested by some of the information adduced during the course of the hearings the subcommittee has already conducted."

In reviewing all of the hearings and reports by the subcommittee, I fail to find one iota of evidence that it has made any serious attempt to perfect the antitrust laws. Instead, its direction has been dominated by the economic theories of its chief economist, Dr. John M. Blair. His book entitled "The Seeds of Destruction," suggests a lack of faith in our free enterprise economy. On numerous occasions, I have discussed these preconceived ideas on the floor of the Senate.

Again I find that this course was justified. It is supported by the minority leader, Senator DIRKSEN. He reviewed this question of bias in some detail in his individual views on administered prices in steel. I submit the following excerpts from Senate Report No. 1387, 85th Congress, 2d session:

"There has been widespread confusion that administered prices are monopoly prices. Dr. Means, the author of the term, was explicit that such pricing was not a monopolistic device. He noted that—

" 'Administered prices should not be confused with monopoly. The presence of administered prices does not indicate the presence of monopoly nor do market prices indicate the absence of monopoly.

" 'If administered prices are present in a major part of our economy and since they exist in a great many areas which are not monopolized but in which there is active competition between a few units, it is clear that they do not necessarily reflect monopoly conditions but something more widespread—namely the reduction in the number of competing units in many industries.'

"The chief economist of the subcommittee, Dr. John M. Blair, developed the theory that administered prices and monopoly prices were synonymous in a book published in 1938 entitled 'Seeds of Destruction.' He said:

" 'Most inflexible prices are inflexible because they are in one way or another determined by administrative control. * * * We must study the phenomenon of price setting by corporate monopoly, realizing in so doing that the larger is the percentage of our prices which are fixed by corporate monopoly as against the forces of competition, the higher will our price level probably tend to be, and the smaller will be the chances for any marked increase in real labor income to take place.'

"The current investigation further develops the preconceived economic theories expounded by Dr. Blair 20 years ago. Even before the opening of the hearings, the chairman of the subcommittee stated:

" 'Administered price industry * * * (are) those which because of their power have control over prices not affected by normal competitive forces. Examples are steel, newsprint, many types of food, automobiles, and farm machinery.'

"The majority has accepted the basic premises developed by the subcommittee's chief economist in 'Seeds of Destruction.'

"Since the majority's report is largely devoted to economic theory developed by the staff, the minority has an obligation to place these concepts in some perspective. 'Seeds of Destruction' is a denunciation of the capitalist system and forecasts the inevitability of its ultimate collapse.

"Following his review of the weaknesses of capitalism found in more than 400 pages of text, Dr. Blair concluded:

" 'We have gone at length into the axioms which capitalism has violated, into the aggravating trends which seemingly have made it inevitable for capitalism to violate the axioms, and into the corrective techniques which offer slight hope that capitalism can be made to function in accordance with the axioms.

" 'In doing this, it has been our hope, as stated in the beginning, to make recognizable a forest out of an almost infinite number of variegated trees. Or, to put it another way, we have tried to place on canvas a picture of capitalism of the minimum requirements it, or any other industrial society, must meet, of its increasing failure to meet them, of the trends which have tended to keep it from operating in accordance with these axioms, of the movement of these trends, and of the proposals which would supposedly make the system function successfully. In putting together the various segments out of which the picture is composed, it is quite likely, considering the scope of the work, that at times we might have used, in certain places, the wrong colors, that our shadings might in spots be imperfect, that some proportions might be out of line. Wherever we have noted such imperfections, we have endeavored to correct them. But even if we should have missed a number of them, yet the result, as a whole, cannot be interpreted as anything but a none-too-happy picture of capitalism and its probable future.' "

I have long been concerned that the preparation of hearings by any Senate committee dealing with the reputation of leading American firms should be entrusted to an individual who has been critical of the economic policies which have made our country great. I am not alone in making these characterizations.

The minority leader, Senator DIRKSEN, shows that outstanding academicians have questioned Dr. Blair's objectivity in his individual views on administered prices in steel, to which I have already referred. He includes the following quotations by Dr. J. D. Glover, of Harvard University, who observed:

"This is a painful thing to say. But it is a significant fact just the same. Even in what are obstensibly objective, scientific discussions by inveterate critics of big business, there is often revealed a deep, persistent emotional hostility. Their discussions are often marked—as I think Mr. Blair's is here—by pettifoggery and efforts not to analyze the facts but to handle data in such a way as to 'make a case' against big business. Even argument ad hominem and the technique of 'finding guilt by association' are resorted to."

This report also states that Prof. Edward S. Mason, fomer Deputy Assistant Secretary of State under President Harry S. Truman and an acknowledged expert on problems of economic concentration, showed that Dr. Blair admitted that his own statistics did not support his conclusions. On January 22 the minority leader, Senator DIRKSEN, revealed some of Dr. Blair's more flagrant misuses of statistics during the current drug hearings as follows:

"Mr. President, on December 7, 1959, the U.S. Senate Subcommittee on Antitrust and Monopoly began hearings on the pricing policies of the ethical drug industry. The first witness was Mr. Francis C. Brown, president of the Schering Corp., an ethical drug manufacturer. Shortly after Mr. Brown completed his testimony, the chief economist of the subcommittee introduced an exhibit into the record which seemed calculated to make headlines and front-page stories. This was done by alleging that the Schering Corp. was marking up its products from 1,118 to 7,079 percent when the fact was that Schering was operating on a 12- to 16-percent profit after taxes. Mr. President, the exhibit on its face was misleading, because it excluded the necessary expenditures of doing business under usual accounting practices accepted by the Internal Revenue Service by virtue of the income tax laws of our Nation. By excluding these expenditures, the chief economist used a computed cost figure of $1.57 in relation to the selling price of $17.90 for 100 tablets of prednisolone, when it was evident from the financial statement of Schering Corp. that proper allocated costs, namely, cost of production, research, selling, and distribution, administrative, and taxes, were $15.03 rather than the computed costs of $1.57. Had the proper costs been allocated, a profit of 16 percent after taxes, or a markup of 33 percent before taxes, would have resulted, which is the true picture. Mr. President, the result of all this was the glaring and misleading headlines and front-page stories of 1,000- to 10,000-percent profit by drug manufacturers, when the facts show that there was 12- to 16-percent profit after taxes for these drug manufacturers."

In the following statement he also showed that the public will lose faith in the fairness and integrity of the Senate's investigations if these practices are allowed to continue:

"Mr. President, what makes my complaint significant is not only the harm done to the Senate by introduction of misleading exhibits and explanations by staff but the impact on the people who must buy these wonder or miracle drugs. Imagine how they must feel in reading a misleading headline stating that drug manufacturers make a 7,079-percent profit on the drug that they must have to ease their pain when in all reality Senator KEFAUVER admitted to Senator WILEY on the last day of the hearings that the drug manufacturers were making 16-percent profit after taxes. Senator WILEY, the distinguished Senator from Wisconsin, condemned the use of 'assinine high percentages' through exhibits when staff knew they were misleading. Also of great significance is the distortion in the minds of the press and the public what markup on products means. If this practice continues, how will the farmer feel if only his cost of the seed should be used against the price he sells his wheat, cotton, produce, and so forth? Let's examine the small bakeries that serve our many towns and cities if their markup was the price of 2½-cent wheat against an 18-cent loaf of bread, or 725-percent markup; or a small canner of peas whose original cost of peas is 3.1 cents as against a 21.2 cents for price he receives for a can of peas, or 700-percent markup; or fertilizer manufactured in Tennessee and elsewhere which is sold for $30 a ton and the cost of raw material zero, which means an unlimited percent markup; or manufacturers of shirts that sell for $3.94 when cost of cotton was 28 cents, or 1,400-percent markup. Why, the Congress would be deluged with letters from small and large businessmen for such trickery. On top of that the public would lose faith in our Congress. Is such techniques to get a few headlines and front-page stores worth the damage to the reputation of Congress? Our Subcommittee on Antitrust and Monopoly has scheduled other hearings on drugs. Before such hearings begin I shall expect from the chairman a clarification on the record of these misconceptions brought on by the chief economist's exhibits and explanations which he continued to use every day of the hearings although cautioned time and time again."

The Senate is confronted with determining whether to adopt Senate Resolution 238. It would authorize this subcommittee to

spend an additional $425,000 of the taxpayers' money to continue this fruitless inquisition.

In reading the hearings and reports of the subcommittee, I am impressed by the fact that it has placed primary emphasis on problems relating to inflation, the cost of living, and the relationship of wages to prices. These are areas which are already receiving the careful and considered attention of two congressional committees. I happen to have the honor to serve on both. They are the Senate Finance Committee and the Joint Economic Committee.

Unless there is a marked departure from the previous efforts of this subcommittee in good conscience, we should save the American taxpayer further expenditures which are not contributing toward the development of new legislation.

I am a strong believer in our antitrust laws and in their vigorous enforcement, but I decry attacks directed at bigness per se, since our country requires firms of every size and description to serve the needs of our people and to meet the challenge of the Communists. This is the only function with which this subcommittee should be concerned.

It is my firm conviction that the problems of inflation and prices are not appropriate for consideration by the Antitrust and Monopoly Subcommittee. On the basis of jurisdiction, they are matters which are either in the province of the Senate Finance Committee or the Joint Economic Committee.

While the average person may have no great interest in the Senate's procedural problems, in this instance it is of great importance as it concerns the objectivity of any studies which may be undertaken in this field.

THE SEASON OF GOBLINS

Mr. CASE of South Dakota. Mr. President, this is the season of goblins. It is that time of year. Appropriations committees are at work to divide the pie of the Federal Treasury.

So each day brings its alarms in every field—river and harbor work, flood control, power development, agriculture, business, foreign aid, national defense, parks, recreation, public housing, and so forth. If Congress does not give more here and there, we are told "the Gobbleuns'll git you ef you don't watch out!"

Right now, drums are beating loudest on national defense. That is natural. We all want national security. And we would all rather be safe than not be at all. But here, as elsewhere, a dollar spent should be spent to get the most for the money.

The Army wants more modern weapons and more airlift.

The Navy wants modernization and another carrier deck, a floating airstrip.

The Air Force wants SAC to fly around the clock, plus missiles and a faster bomber.

The Marines want 200,000 men, not 175,000; the National Guard 400,000, not 360,000.

For 20 years I have heard military appropriations requests. Almost without exception, the period of these requests is marked by fears and alarms in the press and on the air. An old member of the Press Gallery remarked the other day, "I haven't heard of a Russian submarine off the coast recently, but one will be sighted before long, no doubt."

All of which is not to make light of the situation, but to say clearly and simply that Congress has a responsibility to weigh requests for military funds, just as it has in other fields, and to take a second look at activities which try to crawl under the tent of national defense.

We should take counsel of facts and our faith, as well as our fears.

Here are some facts: Today, seven of the eight space satellites in orbit were put there by the United States. Today, the SAC bomber fleet is the most powerful in the world. Today, the Polaris nuclear-powered submarine looks best in its class. Today, the United States is spending 10 times as much on ballistic missiles each day as was spent for that purpose in the entire fiscal year of 1952.

I do not subscribe to the idea that because the President places a stamp of personal approval on a budget program it should be accepted without careful study. Congress has its own responsibility under the Constitution—to use words I heard from Dwight Eisenhower when he was Chief of Staff—"to determine what proportion of the national economy should go into defense."

In 1953, the Senate's Subcommittee on Military Construction visited north Africa, where France has trouble with Algiers today. Four airbases had been built; two more and a headquarters were programed. We recommended against building the additional two. We proposed combining the headquarters with a base already built. We cited the unsettled outlook which might deny us the use of the bases when most needed.

Now, even the bases we did have are to be given up. At least $100 million were saved by the decision not to go on with the others.

Today, no one can be sure what the future holds. But we can make honest decisions based upon the best information we can get.

Man was not born to destroy himself. Atomic power was not revealed to man for mass suicide. Reason must prevail. We need not ascribe altruism to others, but we should give them credit for self-interest. An agreement with effective arms control is in the self-interest of every major power today.

Mr. President, Lenin is supposed to have said that communism would cause the capitalistic countries to spend themselves into destruction.

George Washington said: "As a very important source of strength and security, cherish the public credit."

Mr. FREAR subsequently said: Mr. President, I had been extremely hopeful that the comments made by the junior Senator from South Dakota [Mr. CASE] would include more favorable information regarding the underwater possibilities of the Polaris missile and its present stage of perfection.

ADDRESS BY BRYCE N. HARLOW, DEPUTY ASSISTANT TO THE PRESIDENT, ON THE OCCASION OF HIS DESIGNATION AS MINUTEMAN OF 1960

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks the text of an address by Bryce N. Harlow, Deputy Assistant to the President, at the midwinter banquet of the Reserve Officers Association of the United States, upon the designation of Mr. Harlow as "Minuteman of 1960."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE BRYCE N. HARLOW

(Remarks of the Honorable Bryce N. Harlow, deputy assistant to the President, at the midwinter banquet of the Reserve Officers' Association of the United States upon the designation of Mr. Harlow as Minuteman of 1960 on Friday evening, February 5, 1960, Sheraton-Park Hotel, Washington, D.C.)

Colonel Richardson, distinguished guests, ladies and gentlemen, I am sure that in future years, as in the past, this fine award will go to individuals far more deserving. But I earnestly say this to you: Never will this Minuteman Award be appreciated more than it is tonight. For I know it reflects the esteem of our finest citizens—those who sacrifice freely, in peacetime as well as in crisis, in order to help assure the safety of our Nation.

I realize that this award also stands for unwavering support of military preparedness. That the good citizen should prepare himself to come swiftly to his country's defense, that our Nation's sword and shield must be kept strong, are concepts that ROA has supported unfailingly, year after year.

So, Colonel Richardson, understanding the symbolism intended by this ceremony tonight and remembering the distinction of your Minutemen of previous years, I feel at once humble and deeply proud to receive this honor. I sincerely hope to be worthy of the fine thoughts it is intended to convey.

I confess to having approached this speaking assignment with some personal misgiving. In this city, from now until November, anyone who dares to raise his voice will likely regret it. The quadrennial political orgy is hard upon us. Any utterance is fair game.

Also, I have troubled over our uniformed personnel. These are, for them, tense and worrisome days. In this season they must apprehensively cluster about committee launching pads, with their congressional ICBM's competitively raised. In all this world nothing is as nerve wracking as the appropriations countdown.

Incidentally, I have noted over the years that to military budget officers ICBM means one of two things—either "I'm clobbered by Mahon" or "Increases can be manipulated."

In these delicate situations I do have some reassurance. Here in Washington we resort on occasion to what we gamefully call bipartisanship, which, to the political cynic, means, "My party won't tell on yours if yours won't tell on mine." Already we see its 1960 version shaping up, and I shall report this surreptitiously gathered information to you without juggling my intelligence data.

No doubt about it, in each party the warring wings show signs of closing the gap. We cannot yet be certain of their capabilities, but we can divine their intentions.

So already we begin to see a Republican bipartisanship which supports our defense programs, and one can discern a growing Democratic bipartisanship critical of it all.

I, for one, still cling to the oldtime nonpartisan bipartisanship. And to prove it, I want to make this clear: as regards the kind of military protection our country should have, I will bank proudly and confidently on one of the great commanders in all history—Dwight D. Eisenhower.

Now, my friends, most of us, I am sure, are already informed on the issues that mainly concern us today.

That for some time we have already lived, and that we must continue to live, in the immediate presence of deadly peril is known to us all. It is a period that calls for steady courage, unfaltering leadership, and strength of character. It calls for men who can face danger calmly, with the unruffled and steadfast spirit of our patriots of earlier years.

Our Nation has known danger many times before. In our acts, and in our talk, we must not shrink from it now.

Dangers we must face, yes, as have millions of Americans before us—but how fortunate we are in our generation, for we live in a dazzling transition. It is fascinating to live in a time when scientists and technologists contrive miracles so rapidly as to make the unbelievable commonplace. Daily we learn of marvels in instruments of war that are awesome in speed and power. But even as we are at once attracted and repelled by these terrible machines, we see exciting social and economic advances at home and throughout the world. And before us we see, within our reach, an era that can be resplendent beyond our dreams—if, and I must repeat if—if only man can have the wisdom to live with his fellow man, in good will and in peace.

We are fortunate, too, that ours is the most powerful and the richest nation on earth. But we realize how shrunken this planet has become, and how closely knit the human neighborhood. America is an oasis amid the hunger, poverty, and fear that afflict most of humanity. Most of us, I believe, realistically gage this situation and its opportunities, and its explosive potential as well. And so, together we cheer our President's assertion that America will always be willing to walk the extra mile with any nation, if in so doing we can bring one step nearer a brighter day for all mankind.

But as we so walk, we are aware that others in this world can be led to miscalculate our will and our might, and thus be tempted to attack us suddenly and violently. So it is that America must, and assuredly America will, remain powerful and poised. We shall be ever willing, of course, to negotiate, ever eager to forge a just peace, ever striving for trustworthy disarmament, but in the meantime we shall maintain a force that is plainly irresistible. Some across the seas may continue to belittle America's strength in their effort to dominate others, but they do not fool themselves. It is for us to see that this strength of ours always warrants their full respect.

So fateful are the consequences of a miscalculation of the power of America—so swift and so deadly are modern weapons—so irretrievable a decision to resort to their use—that I believe each of us henceforth has the patriotic duty to speak responsibly and to speak prudently of the quality and character of our defenses. Henceforth Americans live in constant danger; we must speak and we must act accordingly.

No responsible person discounts the military strength of the Soviet Union and its undeniable potentialities. We have to recognize it, and grasp its magnitude, if we are fully to appreciate the urgency of our own defense efforts.

But respectful and wary as we are of Soviet power, we certainly do not need to apologize for our own. Our strength, for today and tomorrow, is truly enormous.

In view of our military and civilian leaders best situated to advise us knowledgeably and objectively, our defensive forces hold the power of annihilation over any aggressor on the face of the earth. We can measure their scope to some degree by the huge sums invested in them. To build and maintain our almost incalculable power, we have, since World War II, paid more than $450 billion—some $20,000 for each man, woman, and child in our country. Yes, burdensome it is, but this mighty force is our sentinel of peace. It has preserved our liberty. It has, in recent years, halted major aggression dead in its tracks.

I am not fearful that we have, or that we will, let down this guard, in fact or relatively. As to this, the American people have proved they are steady and firm. Responding to their will the Congress has time and time again since World War II rejected its prewar tradition of severely reducing appropriations for defense. In these past 14 years the amounts requested for defense have been collectively cut by less than 3 percent. Clearly, whatever is required for our Nation's strength will be given unhesitatingly by the American people.

Of course, some among us seem to see our country in a less favorable light. They see an American people sunk in complacency and sloth—our only adult interest self-indulgence, and our youth comparatively illiterate and morally degenerate. To these unhappy people, we seem doomed to wallow in increasing stupidity and fat until at last we shall fall easy prey to the Spartan sons of atheistic communism.

Personally, I consider this desparing refrain to be a vote of no confidence in the people of America. It reminds me of the mournful fellow who sadly summed up life like this, "When you're born, you're soon to die."

Obviously our free society is far from perfect, and we should, and we do, struggle hard and constantly to improve it. But there is such a thing as becoming so obsessed with shortcomings as to lose all perspective.

I contend that any nation that will carry the domestic tax burdens which the American people have accepted uncomplainingly since World War II, at the same time buttressing about two-thirds of the entire world, can hardly be a nation of incompetents, ignoramuses, and indigents.

I would add that any nation that has generated and is maintaining an economic strength unmatched on earth is bound to be a nation hard at work, resourceful and vigorous, and worthy of its finest traditions.

Such matters may seem only distantly related to our main interest tonight—the Nation's defense. But it is important that we remember what a nation's strength really is. It is far more than soldiers, missiles, or ships. Essential these are, but the force of every country consists of a combination of strengths—or social, economic, intellectual, and spiritual energies and resources, as well as military power.

It is well that we also remember what our military strength is really for. Not simply survival justifies our defenses; they are to help defend our cherished liberty and ideals as well as our lives. There must be, therefore, a balance in all that we do. How unspeakably tragic it would be should we destroy our own freedom in an overzealous effort to defend it.

In saying this, I do not ignore the allegations being made by some that our defenses are too weak to meet present or future threats, or else are unbalanced, too rigid, or inefficiently organized. And, of course, one occasionally hears that the dollar, not defense, has become our reliance. This seems to imply that the various nonmilitary strengths I have mentioned, which in fact undergird our defenses, are something separate and distinct from the Nation's security. I cannot agree that the stability of our currency, the vigor of our economy, the spirit of our citizenry, and cost consciousness in the Pentagon are sworn enemies of our Nation's strength.

I know it to be a fact that most contentions of this kind are sincerely made by conscientious public servants who are devoted to our country's good. I know too, that our separate Armed Forces have separate and deeply held views respecting their own and their sister services' needs. But I recognize also that with an intensity that seems to vary a bit with the calendar, such allegations have ricocheted around Washington throughout a good part of the two decades I have been here. Curiously, however, despite the vigor with which such sentiments have been expressed over the years, only three times since World War II has a President's defense budget been increased by the Congress, and these three increases all together total only $1.7 billion. During the other 11 years, instead of the combined budget requests being raised, they were cut by more than $15 billion. In these matters, there seems on occasion to be an agonizing reappraisal between allegation and action.

Let me softly add, by the way, that it is intriguing how our defenses seem always frighteningly to shrivel around appropriation time each year, and it is appalling how they appear to disintegrate in the late spring of even-numbered years.

Of course, it is pointless to expect perfect safety from our defenses. It doesn't exist, and it never will. Anything less than complete mobilization requires us deliberately to accept calculated risks. This means that the size and character of our defense structure will always be arguable.

Nor is it reasonable for us to expect our military leaders always to see eye to eye on major security programs and policies, or to delight in every decision of the Secretary of Defense, the Commander in Chief, or the Congress. In fact, were our military leaders always to agree, I would then truly cry out, "God save the Republic." And were both ends of Constitution Avenue forever in accord on what our defenses should be, we would indeed have cause to fear the future.

One question, it seems to me, might help clarify some of this:

Where today is our leader, military or civilian, who would choose for the American people the Soviet strength complex of today or tomorrow in preference to our own?

I know of none.

It has been said: "Nations that refuse to learn from history are condemned to repeat it."

From two global wars and far-off Korea, we have at last, I believe, learned from history, and all the world is the safer for it. I would even say—with a weather eye cocked toward recent events at the Capitol—that there is still a bare possibility that the Congress this year won't cut the defense appropriation request. I risk that prediction, even though the post-World War II record denies it, because I am so deeply convinced of the alert readiness and determination of the American people.

And among our people that "alert readiness and determination" especially describes our Reserves, and I gladly say that their importance is valued more highly today than ever before. Only 7 years ago, in the Armed Forces Reserve Act, the Congress spelled out the authority so long needed, and the purposes so long desired, by all Reserves. Just 4 years ago came another epochal law making possible a surging growth in the manning of Reserve units. This current Congress, in its first session, helped still more by extending vital legislation about to expire.

And we have seen spectacular results.

By last July the Reserves had grown to almost 4.4 million, the Ready Reserve to 2.9 million, and the paid strength to well over a million.

But more important by far than these numbers has been the driving emphasis constantly placed upon Reserve readiness. More than 95 percent of the present Ready Reserve is now basically trained. This is truly a magnificent achievement. Many here tonight, in and out of Government, deserve our thanks for having worked long and hard to bring this about.

The results in efficiency and military competence have been exhilarating for the Reserves and highly significant for our country. Today our civilian soldiers are even assuming active operational assignments. The Air Guard, for example, provides fighter interceptor crews and aircraft on runway alert status. The Naval Reserve adds to our active antisubmarine capability both in ships and aircraft. Seven missile battalions of the National Guard are in operational control of Nike sites.

The fact that this association has vigorously supported advances such as these, legislatively as well as in the executive branch, all of us know full well. For this I join many present in a hearty congratulations to this association. Not simply have you advanced the interests of Reserves; more importantly, you have held true to the greater purpose of helping to keep America's total defenses up to snuff.

And now, ladies and gentlemen, I repeat my conviction that all of us, civilians, Regulars and Reserves alike, will continue keeping our America adequately strong, while persisting in the building of a just peace. As we do so, I suggest that we might benefit by recalling on occasion a statement by a great leader of long ago.

Behind the chair of the Speaker of the House of Representatives are inscribed these words of Daniel Webster: "Let us develop the resources of our land, call forth its powers, build up its institutions, provide for its great interests—and see whether we also in our day and generation may not perform something worthy to be remembered."

There, ladies and gentlemen, is our challenge in our time. It is for us eagerly and gladly to accept it.

There, too, is a rightful claim upon us by our children who, like us, want an America that is proud and strong, and like us, want to live their lives in freedom.

A PROPOSED CONSTITUTIONAL AMENDMENT CONCERNING CONTROL OVER SCHOOL SYSTEMS

Mr. JOHNSTON of South Carolina. Mr. President, not long ago the Senator from Georgia [Mr. TALMADGE] introduced a joint resolution proposing an amendment to the Constitution of the United States which would state in emphatic language that the control over school systems is a power belonging to the States. I joined the distinguished Senator from Georgia as cosponsor of this proposed amendment to the Constitution, as did several other Senators.

There are many who believe this constitutional amendment is not necessary because the writers of the Constitution declared that any power not granted the Federal Government in the Constitution was left to the States. Control of school systems was not mentioned in the Constitution as being anything over which the Federal Government should have any control, and therefore this power seemingly belongs to the States.

I believe this power belongs to the States, but there are many people in high places, particularly in the Supreme Court, who do not seem to follow this thinking. Through the years the Supreme Court has nibbled away at the school systems, and is now, in my opinion, in the process of attempting to federalize our schools. The constitutional amendment proposed by the Senator from Georgia, myself, and other Senators has been referred to the Judiciary Subcommittee on Constitutional Amendments. The distinguished Senator from Tennessee is chairman of this subcommittee, and I appeal to him to set up hearings on this proposed amendment. This is an extremely important amendment to the Constitution and I think an amendment which would do much to clear the air surrounding the general school situation today.

In this regard, Mr. President, I should like to quote from an editorial in the State newspaper of Columbia, S.C., entitled "Not That Liberal." The State says, "We cannot think of anything that would do more to calm the school situation than adoption of Senator TALMADGE's proposed constitutional amendment reaffirming State control of education."

Mr. President, there should be no opposition to the holding of hearings on this proposed constitutional amendment. Surely, if Senators oppose this amendment they should want the opportunity to step forward and speak up. If they are for the amendment, then, too, they would want an opportunity to defend the amendment. In this light, I hope the distinguished Senator from Tennessee will hold hearings on this constitutional amendment at the earliest date possible. I realize the full schedule the Senate has had since we convened in January, and I have no criticism of the Senator from Tennessee, because I realize that it probably has been impossible to set hearings before this date, but I hope that we shall be able to have hearings very soon.

Mr. President, I ask unanimous consent that the editorial from the Columbia, S.C., newspaper, the State, entitled "Not That Liberal," be printed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) State, Feb. 2, 1960]

NOT THAT LIBERAL

We cannot think of anything that would do more to calm the school situation than adoption of Senator TALMADGE's proposed constitutional amendment reaffirming State control of education. And we think the proposal would have a good chance of approval by the people, but we doubt that the liberals will vote for it to be submitted for ratification. They are not liberal enough to do that.

FEDERAL VOTING REGISTRARS

Mr. JOHNSTON of South Carolina. Mr. President, I wish to call to the attention of the Senate an editorial in the February 2 issue of the State newspaper of Columbia, S.C., entitled, "Two-Edged Sword."

I have seen no editorial regarding the Federal voting registrar proposals now pending in the Senate Rules and Administration Committee that has been more clear in its interpretation and findings than this editorial in the State. As the editorial points out, all of the proposals concerning Federal voting registration are political bids for votes, but will, in all probability, in the long run bring severe damage to the people they allegedly wish to help. Quite naturally, this editorial points out the unconstitutionality of all such proposals. I agree wholeheartedly with the findings and conclusions of the editorial, and I ask unanimous consent that it be printed in the body of the RECORD immediately following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) State, Feb. 2, 1960]

TWO-EDGED SWORD

While no more unconstitutional and obnoxious than the Federal voting registrar proposal being sponsored by several liberal Senators, the administration's "referee" proposal might, in the long run, be the more dangerous.

Both proposals seek to destroy State control of voter qualifications and registration. Both proposals are bald bids for minority bloc votes. Neither proposal will help the Southern Negro economically, educationally, or socially. It could hurt him more politically than it helps him.

The referee proposal would place final authority for voter registration in the hands of the judiciary and the Department of Justice. The Justice Department has been the most politically minded arm of the giant Federal Government in recent years.

By preemption, presumption, pushing, and sociology, the Federal judiciary has already greatly encroached upon the authority of the Congress, the Executive, and the several States. Under prodding of a politically responsive Supreme Court, the judiciary has destroyed the delicate checks and balances established by the Constitution. In fairness to many Federal judges, it should be pointed out that much of this has been done against their best judgment and opinions.

The Federal courts, in a Louisiana incident, have already asserted the power to restore names to a voting list. To legislate them additional power would be extremely dangerous—and an implied denial of present authority by the courts to act as they have acted.

To place executive authority in the hands of the judiciary, an appointive group not answerable to the public for their behavior would establish an omnious precedent.

The referee plan has been denounced as unconstitutional by several Senators and constitutional lawyers, just as President Eisenhower expressed doubts as to the constitutionality of the registrar plan. Both proposals may be used to disenfranchise whole segments of the population, for if someone has the power to make voters eligible, it also has the power to make them ineligible.

DETERRENTS TO WAR

Mr. WILEY. Mr. President, it has been my privilege to attend meetings of the Committee on Aeronautical and Space Sciences and listen to the experts in relation to missile development and our military situation. There is some disagreement, of course. I think everyone agrees that if we were to get as many missiles as the Russians have, the danger would be not lessened, but probably increased, especially if someone let the "balloon go up."

At any rate, the whole issue seems to be, What is an adequate deterrent? We

agree it is a military question. We have pretty good evidence on that question as to the adequacy of our bombers, and so forth. However, Mr. President, I was interested in reading an article in the Washington Post today by Roscoe Drummond, which raised in my mind the question as to what are other deterrents. For instance, the deterrents are not simply military. Questions of this kind are asked by the article: "Do you agree that the 200 million Russian people do not want war?" The answer is "Yes."

"Do you feel that the matter of the restlessness of the captive nations, as indicated recently in Poland and elsewhere, is of itself a deterrent?" The answer is "Yes."

I might point out that Mao is pretty much disturbed nowadays because Khrushchev has gone to visit India, so the question arises, "Do you agree also that the matter of the attitude of the Communist Chinese creates a deterrent?"

This article, in which I was particularly interested, confirms the opinion I have held. It refers to a young man by the name of Alexander Kaznacheyev, who apparently was in the Russian employ in Rangoon. He then took "French leave" and went to the U.S. Embassy. That event was most interesting. Roscoe Drummond says in this article, referring to that event:

What impressed me most about Alex is that he is more confident than most Westerners that over the years the Communist dictatorship cannot stand against the accumulating demand and pressure of the Russian people for a better life and for political liberty.

Mr. Drummond asked the question:

But isn't Premier Khrushchev in very firm control of the situation?

The reply was:

The Khrushchev regime faces a continuing crisis. The crisis comes from the contradiction between the interest of the people and the interests of the ruling class. This crisis became acute on the eve of World War II, but its most dangerous point—dangerous to the regime—came in the period surrounding Stalin's death. In 1953 the country was on the verge of explosion which, if it had happened, would have buried the Communists. Stalin died just in time. It was urgently necessary for the regime to take drastic steps to prevent this explosion.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. WILEY. Mr. President, I ask unanimous consent to have 3 additional minutes to complete my comments.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILEY. In this article Mr. Drummond asks this question: "Why did the Kremlin leaders rush to throw over Stalin and do it so crudely?"

Mr. President, the point of my remarks is that the deterrents are more than simply military, and we have considerable military deterrent. The people of the world recognize that they do not want a war in which each missile can destroy a city.

Mr. President, I ask unanimous consent that the entire article to which I have referred may be printed following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 8, 1960]

DEFECTOR SPEAKS—IS NEW SOVIET BLOWUP IN MAKING?

(By Roscoe Drummond)

Is another blowup in the making inside the Soviet Union—like the one which tore the halo off the dead Stalin? Why did his heirs feel they had to destroy the Stalin image which they had so long helped to create? Did they have any choice? What kind of Soviet leadership, what kind of regime, will follow Khrushchev? Do most Russians support the Communist Government? Are they proud of its accomplishments?

The answers which I am going to give you come from a source not usually quotable. He has the credentials to be heard.

You would enjoy meeting and talking with 28-year-old Alexander Yurievich Kaznacheyev, who was born to be a Communist, educated to be a Communist, trained and chosen to be an elite Communist agent—and who loathes the Soviet Communist dictatorship with all his heart.

Eight months ago Alexander Kaznacheyev was attached to the Soviet mission in Rangoon whose purpose is to undermine the present, independent Burmese Government so Communists can take it over. Despite his lifelong Communist indoctrination, he chose freedom at his first opportunity. When he obtained the protection of the American Embassy, he wrote a long account of his life and decision. It began: "I have freely left my position in the Soviet Embassy because I want to struggle against the cruel and oppressive tyranny of communism."

Today young Kaznacheyev is living in the United States. He is willing to take whatever risks are necessary to be interviewed—though not in front of the Soviet Embassy—and be quoted.

He has a quick, fleeting smile, speaks intently, earnestly, sometimes too rapidly for his good but not fluent English. He is no hardened conspirator gone sour. He is a bright, outgiving Russian youth—as nice to know as the boy next door—who has known only communism, has lived under nothing but communism, and who wants to see his homeland freed from the captivity of communism. What he wants is simple—and precious: freedom, liberty, democratic government.

What impressed me most about Alex is that he is more confident than most Westerners that over the years the Communist dictatorship cannot stand against the accumulating demand and pressure of the Russian people for a better life and for political liberty.

"But isn't Premier Khrushchev in very firm control of the situation?" I asked him.

"The Khrushchev regime faces a continuing crisis," he replied. "This crisis comes from the contradiction between the interests of the people and the interests of the ruling class.

"This crisis became acute on the eve of World War II but its most dangerous point—dangerous to the regime—came in the period surrounding Stalin's death.

"In 1953 the country was on the verge of explosion which, if it had happened, would have buried the Communists. Stalin died just in time. It was urgently necessary for the regime to take drastic steps to prevent this explosion."

Why did the Kremlin leaders rush to throw over Stalin and do it so crudely?

"They had to abandon Stalin's methods because his methods had been a fiasco. They had to accept some liberalization, relax internal tensions, reorganize industry and agriculture, modify foreign policy. They had to do it to avert the explosion which had been building up. The regime had to make concessions to the people. This whole process was a retreat for the regime. It did not wish to do it. It had to do it to stay in power."

But, I asked, even if these changes were forced upon the regime, didn't they have the effect of strengthening it?

"Perhaps temporarily," Kaznacheyev answered, "but the trend cannot be reversed. The events which followed the 20th Congress (when Stalin was downgraded) leave no doubt of this. These events were the uprising in Tbilisi, revolts and strikes in the concentration camps throughout the Soviet Union, the Polish and Hungarian revolutions, and, what is especially significant, student demonstrations and workers' strikes in the Soviet Union.

"Khrushchev's liberalization did lessen the gap between the regime and the people but at the same time it undermined the very foundations of absolute dictatorship on which the regime rested."

THE CHEAP MONEY PROPHETS

Mr. WILEY. Mr. President, I believe that not since the heyday of the Greenback Party, during the 1880's of last century, has there been as much congressional debate of economic-fiscal policies as there has been in recent months. In fact, everybody is assuming the role of financial expert and everybody is proposing solutions. Listening to the new economic prophets of cheap money at any price, and of Government pumping additional money into the economy—all in the name of full employment and economic growth, naturally—one may almost feel guilty if he sounds the old-fashioned notes of dollar stability and budgetary restraint.

Yet, if the economy of this country is to remain healthy, we cannot afford to create artificially a cheap supply of money. Especially appropriate are the words of an editorial in the Washington Daily News on Thursday, February 4, 1960, which I should like to read:

THE TIGHT MONEY MYTH

Some politicians here in Washington—mostly the so-called liberals on the Democratic side—are trying to make a political issue of an economic myth.

They claim money is "tight" and interest rates are rising by willful decree of the Government. This claim conveniently ignores the law of supply and demand.

William McChesney Martin, Chairman of the Federal Reserve Board, concisely rejected this hypothesis with a few facts in testimony before Congress this week.

In 1959, debt of all kinds (private, corporate, and government) rose $60 billion. This, as Mr. Martin said, was a "sensational" rise in borrowing.

This huge sum was provided by the savings of individuals and corporations who were induced by rising interest rates to lend their money.

If interest rates did not rise, the demand could not have been met. If the demand had not been met, then money would have been "tight" indeed. As it was, credit was made available on a previously unmatched scale.

The alternative to this natural operation of the law of supply and demand by a healthy economy is to have the Government crank up the printing presses—simply make more money. This quickly would cheapen the value of all money—thus destroying the value of everybody's assets, including savings in whatever form. This, it appears, is what the "tight money" claque is after.

THE OATH AND THE AFFIDAVIT IN THE NATIONAL DEFENSE EDUCATION ACT DISCLAIMING DISLOYALTY—STATEMENT BY DR. BARNABY C. KEENEY, PRESIDENT, BROWN UNIVERSITY

Mr. GREEN. Mr. President, on Wednesday, January 28, 1960, the junior Senator from Massachusetts [Mr. KENNEDY] introduced for himself and the senior Senator from New York [Mr. JAVITS] S. 2929, a bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of disbelief.

On the following Tuesday, February 2, the Committee on Labor and Public Welfare took prompt action on S. 2929, and the measure has been ordered favorably reported to the Senate.

In this connection, I ask unanimous consent to have printed in the RECORD a statement containing the personal views of a distinguished educator, a personal friend of mine, Dr. Barnaby C. Keeney, president of my alma mater, Brown University, at Providence, R.I. President Keeney's statement was delivered to the New England Society of Newspaper Editors on last November 20, and is especially timely and pertinent to the issue which will be before the Senate when it takes action on Senate bill 2929.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE OATH AND THE AFFIDAVIT DISCLAIMING DISLOYALTY IN THE NATIONAL DEFENSE EDUCATION ACT

(Excerpt from remarks by President Keeney to the New England Society of Newspaper Editors, November 20, 1959)

There are two matters involved here. The first is an oath of allegiance which we are all in the habit of taking and to which few object, though some of us feel that it is undignified to take an oath of allegiance to the United States in return for a small loan. The second is the negative disclaimer in which the student signs a certificate stating that he does not advocate the overthrow of the Government of the United States by force and does not belong to societies that do so. Remember that this oath and disclaimer are not extracted by the Government at the time the individual enters into a contract with the Government, but by the college at the time the student enters a loan contract with the college for which the funds are supplied by the Government. In most discussions, the oath and affidavit are thought of as one; they should not be. The primary objection is to the negative affidavit.

Most educators I know well oppose this procedure and most of the major educational associations in the country have gone on record as opposing it. Some have described this opposition as opposition to loyalty and have described support of the disclaimer as support for loyalty. This is not the issue at all, for educators are overwhelmingly loyal to this country and to its way of life, however critical they may be of temporary situations.

There are other issues. First, the procedure is ineffective as a safeguard; no subversive would hesitate for a moment to execute either the oath or the disclaimer. Second, it is vague, so that a young boy or girl could unwittingly swear that he did not belong to a subversive organization when, in fact, he had joined one without knowing what it was. This happens often and it has happened to many responsible adults. I daresay it has happened to some people in this room. It is one thing to have it happen and another thing to be subject to a perjury charge years later because of it. Third, the affidavit is discriminating, and it discriminates against the very people who are often described as the hope for our future—the students—and it singles them out as an especially untrustworthy lot, for citizens are not required to execute the affidavit in many other transactions with the Government.

These are important arguments, which may be described as liberal in their appeal.

On the other hand, the conservative argument against it—and there are many very thoughtful conservatives who are against it—is based upon interference by the Federal Government in the affairs of private and State-controlled institutions. One thing we are all afraid of in Federal aid to education is Federal control, and this is a step toward it. It is interference with the choice of students, for this oath and this disclaimer impose a test for entrance upon students or a test for financial aid which the institutions themselves do not impose. It is easy to say, as we have at Brown, that we will lend money to any student who objects, out of our own funds, and this may salve our consciences, but the record will stand, and years later, if we have another McCarthy era—and we will—any student who borrowed from sources other than the National Defense Education Act will find that it takes a little longer for him to get a clearance than one who borrowed from that source. As Federal aid increases, as it appears likely to do, it becomes more and more important that we be cautious about accepting restrictions and controls, and we must here, at the very beginning, be very cautious about accepting a precedent for other controls. This, to me, is the real issue.

The whole business shows a lack of confidence in education. Education is supposed to make people clearer thinkers and wiser men. If this is so, and I think it is so, no one should be excluded from education because of an ill-formed belief he holds as a boy of 18. A more sensible procedure would be to ferret out every junior subversive, or every kid who thinks he is a subversive, and sentence him to 4 years in the best college that will admit him without any oaths, without any disclaimers, and without any tests of anything but his intelligence and preparation.

EXECUTIVE SESSION

Mr. FREAR. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Hart H. Spiegel, of California, to be an Assistant General Counsel (Chief Counsel of the Internal Revenue Service), which was referred to the Committee on Finance.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of an agreement was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive I, 86th Congress, 1st session. Agreement on the importation of educational, scientific, and cultural materials; without reservation; Executive Report No. 1.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the calendar will be stated.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The Chief Clerk read the nomination of George Harold King, Jr., of Mississippi, to be a member of the Board of Governors of the Federal Reserve System, term of 14 years, from February 1, 1960.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

TENNESSEE VALLEY AUTHORITY

The Chief Clerk read the nomination of Brooks Hays, of Arkansas, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1969.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIRECTOR OF THE COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of Rear Adm. H. Arnold Karo to be Director of the Coast and Geodetic Survey for a term of 4 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. FREAR. Mr. President, I understand there is no objection to any of the nominations on the part of the minority leader. As a matter of fact, the acting majority leader conferred with the minority leader before asking for the executive session.

Mr. DIRKSEN. That is correct, Mr. President.

Mr. FREAR. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. FREAR. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE AMERICAN HELLENIC CONGRESS

Mr. DIRKSEN. Mr. President, the American Hellenic Congress, a federation of the leading American Hellenic organizations in the United States, was launched officially on Sunday, January 31, 1960, by the vote of 19 nationwide groups which became its component members. The American Hellenic Congress will henceforth speak as the united

voice of some 2 million Americans of Greek descent.

Dean Alfange, prominent member of the New York bar, was elected national chairman of the American Hellenic Congress. His Eminence Iakovos, Greek Orthodox Archbishop of North and South America, was elected honorary national chairman. He addressed the final session of the 2-day national conference held at the hotel St. Moritz and expressed the hope that the American Hellenic Congress in cooperation with the church would continue to further the recognition of Greek orthodoxy as the fourth major religious faith in the United States as now recognized in the Armed Forces and in 27 State legislatures.

Dean Alfange told the assembled delegates that the American Hellenic Congress "will enable our citizens of Hellenic descent to be heard in the councils of American affairs." He lauded the declared purpose of the American Hellenic Congress "to enlarge the areas of service to the United States and to create an awareness of the challenges and opportunities of the United States as a nation and of its citizens as individuals."

Peter N. Chumbris, counsel to the minority of the U.S. Senate Antitrust and Monopoly Subcommittee, was elected national secretary and Gregory G. Lagakos, member of the Philadelphia bar, was elected general counsel. Other elected officers were: Pericles Lantzounis, of New York; Constantine Rorris, of Columbus, Ohio; and Demetrius Tsintolas, of Washington, as national vice chairmen; Dr. Abraham Michaels, of Philadelphia, as treasurer; and Stauros Kalaras, of Pittsburgh, Pa., press secretary.

His Eminence the Archbishop and Mr. Alfange told the assembled delegates at the conclusion of the national conference that the creation of the American Hellenic Congress is a historic achievement which marks the dawn of a new era in that the congress represents the first nationwide federation of American Hellenic societies in this country.

Besides the Orders of AHEPA and GAPA, component members of the American Hellenic Congress include: The Pan Arcadian Federation of America, the New York Federation of American Hellenic Societies, Pan Laconian Federation of the United States, the Thracian Federation, the United Chios Societies of America, Pan Epirotic Federation, the Cyprus Federation of the United States, Federation of Pan Messinian Societies, Pan Rhodean Federation of America. Other nationwide groups which become component members of the Congress on or before December 31, 1960, will be accorded the status of charter members.

Mr. President, I extend my congratulations to the leaders of national organizations of Americans of Greek descent who have joined together in the American Hellenic Congress and wish them well in their objectives and purposes which are so consistent with our American way of life. The American Hellenic Congress, I am sure, will serve with the same vigor for a better America just as do the American Polish, Ukrainian, Italian, and Jewish congresses and councils. The American Hellenic Congress can also be of great service to Spyros Skouras and John and Tom Pappas' committee for the Hellenic University of America in Boston; and to Andrew Fasseas' committee for roadbuilding equipment for rural areas in Greece as part of President Eisenhower's people-to-people program of good will among various nations' peoples; and other philanthropies in America and abroad.

It is significant that the American Hellenic Congress was organized during Greek Letters and Greek Press Week which is commemorated each year from January 24 to 31 in all Greek Orthodox communities in this country.

Mr. President, I add a very personal note. Over a long period of time it has been my pleasure to have personal contact with many Americans of Hellenic extraction, and they are among the most patriotic, devoted, and loyal people in the whole citizenry of the United States. They have a great pride in their citizenship. I am delighted to see this amalgamation of these various organizations, which will devote itself to patriotic purposes.

FEDERAL AID TO EDUCATION

Mr. MOSS. Mr. President, it is unfortunate that political considerations in any way enter into a nationwide program with the noble and democratic purpose of giving every American child an equal opportunity to a good education. There is no resource more valuable than the human mind, and its full development can bring us incomprehensible rewards in the future.

The issue raised by passage of the Federal aid to education bill is very well stated in the editorial which was published in the Washington Post and Times Herald on February 5. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHOWDOWN ON SCHOOLS

The controversy about schools which has been raging for the last 2 days in the Senate centers on the nature of Federal financial aid—whether it should be by loans or outright grants to the States. The Senate decided yesterday on grants. Adopting a pared-down amendment offered by liberal Democrats as to the amount and duration of the grants, it reached a compromise on a program of $1,833 million for 2 years to be used for teacher salaries as well as for school construction. This runs directly counter to the President's wishes respecting Federal aid to education and so, if the measure is endorsed by the House, it may encounter a Presidential veto.

The President's proposal of loans to States for school aid construction alone suffers from an old and familiar defect; it is too little and too late. It would not make available to States desperately needing to bolster their sagging school systems the funds necessary to repair two decades of neglect. Borrowing would simply add new encumbrances to school districts already overburdened. It would mean that the Federal Government would pay out in interest charges on loans money which could far more effectively and economically be given in direct grants. It would not do nearly enough to relieve the classroom shortage, and it would do nothing at all to improve the plight of teachers.

The measure as it now stands amounts to a clear Democratic Party challenge to the President. We think the Democrats are justified in making the challenge—justified in forcing the President to veto this school bill if he wishes to do so. Simply to pass the President's loan proposal because of his threat to veto any more generous program would have been to deny effective aid to education and to duck the issue. The issue is now plainly joined; and if effective aid to education is denied, President Eisenhower will have to shoulder responsibility for denying it.

We hope that the President will weigh these considerations carefully—taking into account more than a doctrinaire determination to keep a big budget surplus. The Federal aid formula hammered out in the Senate yesterday after prolonged and considered debate represents a compromise in the best legislative tradition. We believe that it represents a measure of sound, realistic effective Federal aid, thoroughly justified by the contemporary national need.

INTERMEDIATE RANGE MISSILES IN ALASKA

Mr. BARTLETT. Mr. President, I agree with my friend the senior Senator from Wisconsin that the United States has in being strong military forces which we hope will be able to act in a deterrent capacity. There is in my mind, however, a very large question as to whether these forces are always correctly stationed, whether they will be where needed and when needed.

Only a few minutes ago, Mr. President, I saw on the Associated Press wire an article stating there is a substantial difference of opinion on this very subject. This difference of opinion was expressed before the House Committee on Appropriations, when the distinguished Representative from Pennsylvania [Mr. FLOOD], urged the Department of Defense to place intermediate range missiles in Alaska. The article stated that the Air Force does not approve of this recommendation, but the Army does. Secretary Brucker told the committee, "The very least that ought to be done there is to place IRBM's. I say Jupiter because I know what it can do."

Mr. President, last summer the highest military officer in Alaska, the commander in chief of the Alaskan command and himself an Air Force officer, in a dramatic speech recommended that this country place IRBM's immediately in Alaska. He told his audience that Siberia, so close across the sea from Alaska, was almost literally studded with Soviet missile sites and that the only way they could be "taken out" was by placing intermediate range missiles in Alaska. He implied that this could not be achieved in time through the use of SAC bombers, which would require several hours to reach Siberia from their bases in interior United States.

I am glad, Mr. President, that Secretary Brucker agrees with the conclusion that we ought to have IRBM's in Alaska at the earliest possible moment. Expense literally should not be considered in connection with this, Mr. President, because the missiles are needed now, not so much for the defense of Alaska as for the defense of the entire country.

Mr. President, I intend to speak later and many times on this subject in the weeks ahead.

In the meantime, I desire to commend Secretary Brucker and Representative FLOOD for tackling this problem and making the correct decisions and recommendations.

FEDERAL AID TO EDUCATION

Mr. BARTLETT. Mr. President, before the vote was taken in the Senate Wednesday evening on the Clark amendment to S. 8, the so-called Federal aid to education bill, I announced my intention to vote for that amendment. Subsequently and after the Clark amendment had been defeated and after the Vice President had cast the deciding vote tabling the amendment, I voted for the Monroney-Clark amendment. I was a cosponsor of and voted for the Morse amendment, and voted for final passage of the bill.

At the outset let me say, Mr. President, that the complimentary remarks made concerning the senior Senator from Pennsylvania, the senior Senator from Washington, the junior Senator from Oklahoma, the senior Senator from Oregon, and others, are appropriate and justified and I desire to associate myself with those laudatory statements. But most particularly, Mr. President, I should like here and now to pay especial tribute to a Senator whose interest, diligence, farsightedness, concern with education, and devotion to the welfare of this Nation were responsible in large measure for bringing S. 8 to the floor of the Senate. I refer, of course, to the distinguished senior Senator from Michigan. As chairman of the subcommittee which considered the bill and as floor manager of that bill he demonstrated skill and leadership of the character and kind which have marked his Senate career and of which the people of his State and, indeed, all of us, have a right to be proud. I commend the senior Senator from Michigan for his splendid victory.

Mr. President, in announcing earlier that I intended to vote for the Clark amendment I stated that this was a conclusion not easily arrived at.

From the very beginning, Mr. President, I have strongly favored Federal aid for school construction as being required on a short-term basis to alleviate the classroom shortage. Without classrooms, our educational system simply cannot function properly. Perhaps it is true that the best education can be had when there is an outstanding teacher at one end of a log and a child at the other. But the difficulty lies in the fact that not only is there a lack of teachers for this, but there are not enough logs either. So adequate classrooms must be built, properly heated, and well lighted. And since there is an alarming shortage which becomes constantly greater, I see no alternative to having a helping hand from all the Nation's taxpayers to the Federal Government.

I am advised that in Alaska, too, there is an urgent need for classrooms throughout the State. Mr. Robert L. Isaac, assistant commissioner for administrative services of the department of education at Juneau, has advised me that in State-operated schools there is an immediate need for 58 classrooms. In the several school districts the number of classrooms required but not available is 119. It will cost $2,490,000 to build classrooms and teachers' quarters in the first category and $5,950,000 in the second.

Aside from the classrooms for which there is urgent requirement, Mr. Isaac advises me that increased enrollment over the next 3 years, and replacement of unsatisfactory and obsolete buildings, will be on the order of 57 classrooms, at a cost of $2,740,000 for State-operated schools and 86 classrooms at a cost of $34,300,000 for the school districts.

Mr. President, the bill as presented to the Senate and the bill as amended and passed provides no great bonanza for Alaska. Because fund allocations are to be granted under a formula taking into consideration both school age population and per capita income, Alaska fares badly. Income is necessarily high because of the high cost of living. In terms of purchasing power the dollar in Juneau will buy only 75 percent or perhaps even only 70 percent of what it would buy in Washington, D.C. And in Anchorage and Fairbanks and Nome and many other places it will buy even less. Studies are now being made by the Bureau of Labor Statistics to determine exact figures not now available. I should expect them to reveal that the cost of living in Alaska's two largest communities, Anchorage and Fairbanks, is somewhere between 40 percent and 50 percent higher than in Washington, D.C. So in establishing the formula thought to apply best to the whole Nation, Alaska by the very terms of that formula fares badly.

In the field of school construction there was a physical job to be done, limited as to amount and duration, backed, insofar as Federal participation is concerned, by a long line of precedents which at least have the sanctity of test and usage. I think that most of us will agree that no hurt was done to our form of government by PWA grants, and grants from other Federal agencies, earlier made to the States for school building.

However, Mr. President, I could not so readily agree that the Federal Government should appropriate money to be used in payment of teachers' salaries. So I do not have the good fortune to count myself as an early and enthusiastic supporter of the Clark amendment. On the other hand, my adherence to its philosophy was arrived at the hard way, after considerable reading and much thought. My first instinct and one which persisted for a considerable period was that it is a basic duty of the local community or of the State to discharge an obligation essentially local in nature, namely the payment of adequate salaries to the men and women who have the splendid and demanding task of implanting in the minds of our youngsters some of the knowledge which mankind has gained, and sending them forth into the world or to higher education with a desire to learn more.

I thought that this was a fundamental obligation of the town, city, the school district or the State. And so perhaps it is. But the plain fact of the matter is, as most of us agree, that teachers are a low paid professional group in our society. They are underpaid. Adequate pay has not been made available under existing circumstances, although all of us, I am sure, have had correspondence from communities in our home districts and States indicating comprehension of the problem and inability, locally, to solve it. It is easy to say that people are drawn into the teaching profession because they like to teach and do not have a primary concern with money. Maybe that is true. Maybe it is not. In any case, the magnet that lures one person into a given profession might have no drawing power at all for another. I rather imagine that most young men who are attracted to the practice of medicine become doctors not for the financial rewards which may come to them, but because medicine appeals to them. Yet when they enter the practice of medicine and their income increases year by year they are not frowned upon for enjoying a higher standard of living earned by doing that which they like to do best. Yet teachers are restricted by pay schedules which assuredly are not attractive.

The more I thought about this, Mr. President, the more surely I was drawn to the conclusion that what we confront here is fact, not theory. Debate could go on endlessly as to whether teachers' salaries ought to be paid locally or the cost should be shared by the Federal Government. I would rather have them paid locally if every teacher with proper preparation and dedication might receive an adequate income. But it has not worked out that way. It is not working out that way and I doubt whether it will work out that way. But it is not so much for the sake of our teachers, deserving as they may be, but more basically for the sake of our children that we must pay teachers what they are worth. If I had been serving in the Senate when Federal aid for school construction was first proposed perhaps I should have entertained the same doubts I had about Federal aid for teachers' salaries. If so, I trust I would have resolved those doubts as I now have. That program through PWA and other similar channels worked out well; this one now proposed will, too. I am not one who believes teachers' salaries should be raised because we have suddenly and unexpectedly learned that the Russians have the capacity, the willingness and determination to educate their children. And I do not believe we should concentrate unduly on science. I am one who believes that our children should receive a broad education founded on the cultural heritage of our western civilization. Let us not send each child forth necessarily as a specialist, but as a rounded individual with a knowledge that will permit him or her to lead a better and more useful life, and

prepared to turn then, if he or she so desires, to some special field.

Mr. President, I shall say that it was not until the very day the Clark amendment was before us that I finally reached a determination upon this matter. Brief though my period of service in the Senate has been, there has been no issue before us which has absorbed my concern more deeply and regarding which I have had to contend more earnestly with two conflicting viewpoints within me.

To some extent and perhaps a very measurable extent, my change of attitude and my final conclusion came about because of a letter which I received from a friend of mine in Alaska's capital, Juneau, who communicated to me a personal problem in a very well-prepared letter. She said that she and her husband had 10 years ago bought a home in Juneau. The house was then 40 years old, but it was all they could afford. At that time the property taxes on the house were $150. Now, 10 years later, the taxes have mounted to $400. This friend told me that the people in the community had just about reached their limit in respect to local taxes. She said that their son had had a lifelong ambition to be an astronomer, but she feared that without Federal help a language course required in college for those desiring to study astronomy would have to be dropped in the junior high school which he is attending. This letter certainly went a considerable distance in persuading me that what we confront is a very real crisis and a basic component of our democratic society, namely the right of a child to receive a good education. When I viewed it from that standpoint, I found it much easier to decide that it would be better to be a late supporter of the Clark amendment than to be an opponent.

Mr. President, the distinguished junior Senator from Hawaii inserted in the CONGRESSIONAL RECORD on February 3 a table compiled by the National Education Association relating to teachers' salaries, State by State. This shows the annual salary scale in Alaska of $6,600 to be higher than that of any other State. California is next with $6,450 and New York third with $6,400. This is assuredly one case where figures do not mean what they say. For here again it must be remembered that the purchasing power of the dollar in Alaska is materially lower than elsewhere. Teachers' salaries vary in different parts of Alaska in accordance with the cost of living. For example, the teacher in Juneau schools receives a starting salary of $5,350, high when compared with most of the other States. But that teacher finds herself or himself not to be one of the highest paid teachers in the Nation, but actually one of the lower paid. The cost of living in Juneau is at least 25 percent higher than in the District of Columbia and may be even 30 percent higher. If the former figure is correct, the Juneau teacher received an equivalent of $4,000 in terms of the dollar's buying power in the District of Columbia. And if the cost of living is 30 percent higher, then the Juneau teacher's salary amounts only to $3,745 on the same basis of comparison. At Anchorage the salary seems very, very high compared with other States. It is $6,250. Yet the cost of living in Anchorage is 40 percent higher at a minimum and so the actual salary of the Anchorage teacher is closer to $3,750. The table from which I quoted gives the average salary of the Alaska teacher as $6,600. Yet if we calculated the average cost of living in Alaska as being 35 percent higher, then the Alaska salary is only worth $4,250. And as we all know, what a dollar is really worth is what really counts.

Alaska has a splendid school system. Alaskans want to make it even better. The measure of the effort exerted by the citizens of Alaska to erect and maintain a strong school system with high standards is revealed by the fact that the most recent figures available to me covering the last few years of Alaska's territorial status show that over 50 percent of all appropriations made by the territorial legislature were for education.

So, Mr. President, for these and other reasons I voted for the Clark amendment. I voted, too, for the substitute Monroney-Clark amendment which was adopted and I voted for the bill on final passage.

PROPOSED BAN ON NUCLEAR TESTS

Mr. FULBRIGHT. Mr. President, Mr. Joseph Alsop, one of our best informed and capable observers of American governmental affairs, has clarified for us one of the most confused situations which confronts the American people today.

His article in today's Washington Post is well worth reading by the people throughout our country.

I ask unanimous consent to insert as a part of my remarks the column "Matter of Fact."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MATTER OF FACT—THIS VERY REASON

(By Joseph Alsop)

"I am of the belief that if you could have now a ban on all (nuclear tests) testing that everybody could have confidence in, it would be a very, very fine thing to stop this, for this very reason, if no other:

"It is a very expensive business, to begin with. The very first bomb we produced I think cost America $2 billion or more before we ever, ever had the very first one. And since that time I don't believe that our—although you'd have to look this up—but I think our appropriations have never been below $2 billion a year. So it is an expensive business."

These historic words, uttered by Dwight D. Eisenhower last week, afford a clearer glimpse of the inner workings of the President's mind than has ever before been allowed.

There are, after all, many different kinds of excellent reasons for seeking an effective ban on nuclear tests. There are world political reasons, strategic reasons, moral and biological reasons.

But the President spontaneously, unhesitatingly chose a reason never before suggested in public. A test ban he indicated, would permit him to cut the budget of the Atomic Energy Commission.

Surely this singular choice of reasons for a high policy decision of truly immeasurable import, reveals a mind gripped by one idea to the point of total obsession. Surely it shows a man driven by a single purpose almost to the point of mania.

The President's unnoticed remarks at his press conference can properly be called historic, in turn, because they explain so much that is otherwise inexplicable. If you think about a nuclear test ban primarily in terms of possible budget cuts, how do you think about a missile gap? You think about it, the answer seems to be, primarily in terms of the threat to the budget, and hardly at all in terms of the threat to the United States.

If you are President, moreover, and these are your passionately enforced priorities, you are not alone in thinking in this peculiar way. Your viewpoint is reflected downward, through echelon after echelon, from the Cabinet level to the level of the Joint Chiefs of Staff and as far as the lowest level of the Government's "Indians."

"Will it cost too much to do this?" is the first question everyone asks. Only as an afterthought does anyone inquire, "Will it be dangerous not to do this?"

In this administration, uniformity of viewpoint is virtually enforced. Independent-minded persons who do not take their viewpoint, readymade, from the White House have always been condemned as nonteam players. Soon or late, they have always met the fate of General Gavin, General Ridgway, and Gen. Maxwell D. Taylor.

Wholly honorable and intelligent men may also lack the self-confidence to pit their judgment against the President's or to argue military facts with him. Here, no doubt, is the explanation of officials like Secretary of Defense Thomas Gates; although it is not the explanation of some of the Eisenhower era Chiefs of Staff, who have time-served at the Pentagon in happy preparation for richer careers as lobbyists.

To the ordinary American, these may seem hard things to say. But they are necessary things to say; and they are literally true, too. Anyone can see their truth, who weighs the astonishing implications of the Eisenhower remarks above quoted. In blunt words, the struggle to keep a grip on the budget has all but caused the administration to lose its grip on the hard realities of the ugly world we live in.

To be sure, there are other ways to attain the necessary purpose of a balanced budget. Taxes can be raised. Nondefense outlays, which have grown luxuriously in recent years, can be cut again despite their high political voltage. But these other ways are ruled out by the President himself.

Thus the whole struggle to keep a grip on the budget is transformed into a struggle to prune the defense budget. Under this relentless pressure the loss of grip on nonbudgetary defense realities inevitably occurs.

Maybe what amounts to an attempt to psychoanalyze the vast, amorphous organism of American Government will seem pretentious and unjustifiable. But the political reporter's task is to make the Government comprehensible. And at present, the American Government is simply and totally incomprehensible unless you first comprehend the obsessive power of the viewpoint the President revealed in his reason for a nuclear test ban.

FINDING OF CANARY DIAMOND IN ARKANSAS

Mr. FULBRIGHT. Mr. President, few people in this country realize that in my State we have a diamond mine, the only one in the United States. A few days ago a young swain en route to see his fiancee, stopped off at the mine to pick up an engagement stone.

His enterprise was rewarded by his finding a golden canary diamond estimated to be worth as much as $10,000 when cut.

Once again enterprise and originality have paid handsome dividends in our land of opportunity.

I ask unanimous consent to have printed at this point in the RECORD a news story about this event.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINDER OF CANARY DIAMOND NAMES IT FOR GARRY MOORE

MURFREESBORO, February 3.—A 6.50-carat golden canary diamond found near here yesterday has been named the Garry Moore Diamond in honor of the television entertainer.

Niels Bach, 25, of Ludington, Mich., who found the diamond, said he stopped off at the Crater of Diamonds after seeing Howard A. Millar, the crater's operator, on Moore's "I've Got a Secret" television program.

"I wouldn't have been here if it hadn't been for that program," Bach said, "so I decided I should name the diamond for Moore."

TO BE SENT TO NEW YORK

Bach and Millar agreed today to send the diamond to Harold Branch of Schenck & Dan Haelen at New York for appraisal. Branch appraised and cut the Star of Arkansas, a 15.33-carat diamond found at the crater in March 1956. After the appraisal, Bach will pay Millar the 25-percent royalty Millar collects on any stones of 5 carats or more, and then he will decide what to do with the gem, which Millar says is worth about $6,000 uncut and $8,000 to $10,000 cut.

Bach said today he hadn't decided what to do with the stone, but he added, "I think it will stay in the family." He said he didn't know if he would have the diamond cut or keep it in its spherical uncut form.

FIANCEE VERY EXCITED

When he stopped off here, Bach, a baker, was en route to San Bernardino, Calif., to visit his fiancee, Miss Carlyne Mentgen, and to give her a diamond engagement ring. He said he talked with Miss Mentgen by telephone last night and that she was very excited.

A normal number of tourists paid $1.50 each today to look for diamonds on a finders-keepers basis. Bach joined them for a short time and then returned to the office to admire the Garry Moore Diamond.

SPEECH IN VENEZUELAN SENATE BY SENATOR ARTURO USLAR PIETRI IN DEFENSE OF THE UNITED STATES

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD an English translation of a speech made by Senator Arturo Uslar Pietri in the Venezuelan Senate on January 15.

This speech was considered of such importance in Venezuela that it was printed in full in translation in the Caracas Daily Journal of January 21.

It is a reply to an attack on the United States by a Communist senator, and it is an encouraging reminder that the United States has eloquent defenders in Latin America. To those who are disturbed by our faltering leadership of the free world, of whom I am one, this speech is encouraging. It is especially so in that it is a response to an attack by a Communist upon the United States. Not only does it exhibit commonsense but it also required real courage.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

VENEZUELA'S POSITION VIS-A-VIS THE UNITED STATES

The following is a translation of the speech made by Senator Arturo Uslar Pietri in the Venezuelan Senate at its session of Friday, January 15, 1960:

As an outgrowth of a debate on an international treaty not of primary importance, a debate has arisen here in this chamber which I have seen coming for some time, which honestly I did not want to see joined because I don't think we are going to benefit much from its being joined sharply. But unfortunately it has been brought up here today and is going to require all of us here, in the light of conscience, personal dignity and loyalty to what one thinks and to what one believes to take our position fully and frankly and to state why we hold that position. The debate over the Inter-American Bank, in view of the fact that it is an international treaty, is simply reduced for Venezuela, to one alternative. We cannot modify a comma, we cannot add a word, for us it is a question simply of entering or not entering, of approving or rejecting, so that we either have to reject it as a whole or approve it as a whole because we cannot expect that the other 20 signatory nations which have come to an agreement, including the Venezuelan delegation which participated, can go back and meet again in order to consider some modifications which Venezuela might suggest.

I am not fully informed of the nature of this Bank nor of its antecedents, as are possibly some of my colleagues here.

But I do have sufficient information to say that this Bank did not come into being through the initiative of the United States, that this Bank was born out of Latin America's interest that an instrument of this type should be created with the idea that it could help or facilitate a speedier economic development of the Latin American countries; that not only was it not an idea of the United States but that there was opposition from the American Government to the creation of this Bank. Therefore, it is clearly unjust to say that in the creation of this Bank there was a maneuver of any type on the part of a country that had so little sympathy toward its creation as to limit itself purely and simply to accepting what had been proposed almost unanimously by the Spanish Americans.

On the other hand, Senator Márquez posed a question which cannot but be important. What could Venezuela gain by being in this Bank? That is a question which is not easy to answer and which requires a thorough study for an answer. I fear, in principle, that Venezuela is going to be among the Spanish-American countries that will profit the least, precisely, because of many circumstances, it is one of those with the greatest abundance of money, so that after the United States we are possibly going to be among those who are going to have to contribute most for the benefit of those who have less than we so that this inter-American institute may function. The fact is that we cannot measure the value or the disadvantage of an institution of this kind in the light of the present situation and in the light of the current resources of that Bank. One must think that if that Bank is created and functions, in accordance with the ideas behind it, in the near future it could prove useful to us because unfortunately no one can guarantee us indefinitely this privileged position that we have enjoyed, thanks to many circumstances which have been and continue to be beyond our control. Therefore, I do not wish to enter a debate on the instrument itself, which has been submitted for the approval of Congress or of this chamber, although I wish to point out that our position must be definite on this, acceptance or rejection, because there is not the least possibility of introducing any modification. But on the other hand and above all, this indeed I wanted to say and it is important: Senator Márquez has bought up here a grave problem for all of us, a grave problem for all of us who are not militant Communists or Marxists; he has implied that we are men of bad faith, that we are up to a certain point accomplices in an international conspiracy, and that perhaps the only way to be a Venezuelan patriot is to be a Communist.

I cannot accept to any extent at all such an implication; I cannot accept the fact that anyone, absolutely anyone may give me lessons in Venezuelan patriotism because my life, my work, my actions, my character, and my past guarantee me against the most remote suspicion that could cast a doubt or indicate weakness in my deepest sentiments toward my country; nor am I able to believe that the only way to be a Venezuelan and that the only way to serve the interests of the country is to be a militant in the Communist Party.

I am not going to attack the Communist Party here; the desire to attack or injure anyone is foreign to my character, and besides I wish to point out that the two representatives of the Communist Party we have in this chamber, Senator Márkuez and Senator Faría, are individuals for whom I personally profess great sympathy and respect because of their human qualities and because of their abilities so that it would be doubly difficult for me to attack them in a violent manner, but I do believe that at this time each and every one of us here has a duty to Venezuela and to the future, because it is possible that tomorrow we may be called cowards, or it may be said that we were timid, or we may be accused of not knowing how to take our stand at the time in which it was necessary to take it. I believe the moment has arrived in this debate for us to take that attitude.

From the speech of Senator Márquez comes a very simple picture of the world which, because it is simple is now unacceptable. The world is divided into two great camps: one an angelic camp and the other a diabolical camp. The angelic camp is represented by the Soviet Union and the peoples who make up the Soviet bloc, and the diabolical camp is represented by the Western world, embodied particularly in the United States of America. We might say, without offense, in good faith, that many militant Communists would be tempted to apply to the United States that old definition: "The presence and the joining of all the ills without the mixture of any good whatsoever."

I don't believe that this definition is just, I do not believe that the United States is a conspiracy of evil people, of criminals, of exploiters, of men without conscience who have no other objective in mind than to enslave, exploit, retard or degrade the Spanish American countries or the countries of the world that are near them. If we turn to history, history gives the lie to this. The United States has been the greatest military power in the world; it has won decisively, by its participation, two of the greatest wars in history, and it may be said that it is the only country that has not made any colonial acquisition in the shadow of two victories of this magnitude, when innumerable countries of much less military and economic potential have converted immediately their military victories into territorial acquisitions. The United States is a country which was founded in the name of principles respected by all men. These principles are:

liberty, respect for human dignity, representative government, reverence of the law, rejection of violence, acceptance of justice as a governing principle of relations between individuals and among nations; and we may say that with all of the failings that we might point to, the story of American international life is extraordinarily clean compared to any other great power of equal or similar magnitude. It is a country respectful of all opinions, a country which has maintained a democratic government, unchanged even by a single episode of force. It is a country in which debate is respected. I am not speaking bookishly. I have lived in that country and I am acquainted with many of its social sectors; I have lived among businessmen and I have lived among university people; I have lived among people of the middle class and I have been in contact with American farmers and workers and they have something in common that impresses one in that country, and it is a high average level of good faith which makes itself evident, perhaps it comes from its Puritan inheritance; but if there is something that impresses the visitor in the United States it is the high general average level of morality by which the people believe and presume that the one they are dealing with is a person of good faith and they do not expect to be deceived nor to deceive anyone in their dealings.

This does not mean that there are not some evil people there, this does not mean that there are no criminals there, this does not mean that the United States is a country of angels. It is a country which has produced evildoers, which has produced criminals, which has produced aggressive and grasping men, but whose average moral and intellectual level is one of the highest and most respected in the world. That anti-American prejudice that moves the words of Senator Márquez is lamentable and painful because it reflects a sentiment which I have always been against by nature, and that is hate. Hate is not constructive, gentlemen. You cannot do anything with hate; hate blinds our eyes, it paralyzes our hands, it makes us incapable of seeing truth. If we men who are not Communists, who are not Marxists, and we certainly are not, I wish to say it very clearly, not because of opportunism nor because of attachment to interests but because of great and well-founded ideological beliefs, we men who have this way of thinking, at least in my case, we are incapable of saying or inferring that the Soviet Union and the community of Socialist peoples of the world are a gang of criminals and of evildoers who are out to end human liberty and that all the Soviet policy represents is the suppression of the Hungarian revolution by means of tanks and machineguns. We would be incapable of saying that and he who does so would not be assuming a constructive attitude nor would he be assuming an attitude which is conducive toward solving the great problems of the world.

We have just had the first example of correction of that attitude, specifically, the recent visit which the chief of the Russian Government, Premier Khrushchev, just made to the United States. It was a good will visit; it was a visit of understanding; it was a visit to break prejudices and to see how Americans live and how they react. On this point, precisely, there was an interview of extraordinary importance, that between Premier Khrushchev and the American labor leaders in which they spoke and discussed freely their different ways of understanding the world. These men who faced him (Khrushchev) there were not slaves tied by their stomachs but perhaps the most independent and powerful labor-union leaders which there are in the world. And facing them was not a Cossack chieftain with a whip in his hand, master of slaves, but a man who embodies a doctrine, a philosophy, a concept of the world which today divides half of humanity.

For this reason I say that it was difficult, at least for myself, and I think for the majority of you, by avoiding debate, to remain silent here and to accept being (labeled) the accomplices of that nest of monsters called the United States in the business of destruction, of negation, and of perdition of those hopes of progress for the Latin American peoples.

This is unacceptable and, more than being unacceptable, is not true. This oversimplified concept which tends to make the United States the villain, which would have us accept nothing that comes from there, which—against historic reality, against what we have lived and seen—would have us think that all that comes from that people carries an evil intent and a destructive end, when in general we have seen them to be friends and to have been accessible; would be simply to see us condemned to live in error.

I agree with Senator Márquez and share his way of thinking when he says that we should not continue invoking geographic fatalism. I agree if we had to do business with and reach an understanding with the United States purely and simply because we are located on the Caribbean Sea, that would be a sad situation, unworthy of freemen. I do not believe that geographic location constitutes more than one element among many which should decide our international policy, I believe, indeed, that the fact of being near to the United States indicates rightfully that our policy should direct itself toward extracting the greatest advantage possible from this situation with the least amount of stumbling or disadvantage to ourselves.

This is the policy line that historical, geographic, and ideological circumstances impose upon us. It is in that manner in which we should conceive that situation. We are not going to believe, gentlemen, that American businesses which come to Venezuela are philanthropic businesses; neither are the Soviet missions which are going to the peoples in Asia philanthropic businesses; they go in the service of a policy, they go in the service of some very clearly defined interests. And we, on our part, are not a philanthropic enterprise; we are at the service of clearly defined interests which are those of Venezuela. When we are negotiating in the name of a concrete advantage for Venezuela for the progress of this country. Toward (the U.S. business interests) we are naturally moved by legitimate interest of protection of our own interests and hard and reasonable arrangements are precisely those which take into account opposing interests. Good societies, good business deals, are not those in which one of the parties carries off all advantages and the other none; they are those in which a working agreement is arrived at, in which the partners take away a benefit appropriate to their effort, which they consider equitable with respect to those that other partners can take away. This is the mentality that we should hold in our negotiations.

That passion which paints with the blackest of ink all initiative of the United States, that passion which probably stems from a deep conviction which moves Senator Márquez, and which, for that reason, I respect, although I see myself obliged to express my different and opposing point of view to that of his. That passion is not that which can take us toward Venezuelan progress, nor even to an intelligent participation in the events of the world, nor would a passion that would have us think that the Soviet people and the peoples (which constitute a group) controlled by Russia bring us only evils and horrors and that all that comes from there is designed and marked by a sign of perversity bring us to an intelligent participation in the events of the world. These attitudes would cause one to consider the world's history and international policy in the light of the novels of the American West, where there is a villain who has all the faults and a hero who is happily married to the most beautiful girl on the range.

History is more complex. International policy has very many more angles and human conditions is much too varied to allow us in these times to think that the world is composed of nations of evil doers and of nations of angels. This same passion has carried Senator Márquez to citing a series of cases which I am not in the slightest capacity able to reply to objectively, because it would be necessary to dedicate myself to studying one by one, the points that he cites and he has cited many. Nevertheless, let me briefly point out some of those points with the objective of calling his attention and the attention of all of you to precise consideration of those facts.

Senator Márquez, in his desire to show that all we have done in contact with the United States has been bad for us, goes to the extreme of wanting to consider that American capital investments made in Venezuela have been less than the exportations of American capital than the outflow of American capital. If this were so there would be no capital in Venezuela because, purely and simply, more would have gone out than entered and we would not be in a country which, with a thousand mistakes of every kind, has grown vertiginously in the last 15 or 20 years, but in an uninhabited desert, in a tundra, in one of those situations of some of the most forsaken and impoverished populations in the heart of Africa. What happens is, possibly that Senator Márquez cites as investments what are truly investments of capital made by the companies and cite as outflow of capital the petroleum exportation which goes out of Venezuela. Obviously, if petroleum is not exported from Venezuela, if the entire value of the petroleum were invested in the country, an ideal which is not attained in any part of the world, not even in a socialist country, possibly these figures would balance because the investment is always a fraction of the product and exportation is not capital but the product of exploitation. So then, obviously, the volume of petroleum exploitation must be much greater than the volume of capital investment just as the sales volume of a grocery store is always much greater than the grocer's investment because that which goes out is not capital, it is the course of the business, it is the product of the business, it is the active base from which the capital benefit is derived.

The other point to which Senator Márquez alluded and to which I wish to refer briefly is aluminum. I am not basically familiar with the current situation of the business and therefore I do not wish to refer concretely to it, but I was familiar with the general problem because this problem came up in Venezuela even in the period, now unfortunately remote, and I say that because of my age, not out of desire to participate on the government again, in which I was part of the Government of Venezuela. It was always thought that there was a way in which Venezuela might go into the aluminum industry and it will enter this industry which is very important on a worldwide scale. Unfortunately, the existence of important deposits of bauxite within our territory has never been confirmed, unless it has been just recently. On the other hand, the Guiana colonies, especially the English colony, have bauxite deposits of extraordinary richness. Bauxite is a kind of earth which has very little value in itself, and in the manufacture of aluminum the important thing is not the bauxite, which

is cheap, but the electricity to reduce the bauxite and convert it into aluminum.

Presently the great aluminum producing enterprises ship bauxite in tankers from the Guianas to the United States and Canada. The American aluminum industry was developed without American bauxite, because there is none in the United States, when President Roosevelt undertook the great development project which is known by the name TVA, the Tennessee Valley Authority, that great experiment in the integrated development of one of the most backward areas of the country, the Tennessee Valley area. There, thanks to this project, they obtained, among other things, the extremely cheap production of electric power. The determining factor in the production of aluminum is cheap electricity. Where there is cheap electricity there is aluminum, although it might be necessary to bring the bauxite from the other side of the world. So it was thought, beginning many years ago, in the Government of Venezuela that, since there is a strong potential for electric power in the highlands of Caroni, much closer to Guianan bauxite deposits than the electrical energy of the Tennessee Valley is, Venezuela could, by developing this electric power succeed in getting the bauxite of the Guianas, transformed into aluminum in Venezuela, producing employment and investment, and in having it exported from Venezuela in a much more practical and easier way, in aluminum sheets. This project which is fundamentally a sound project, has been among those vague projects which have always been going the rounds of Venezuelan governments without ever having been capable of practical fulfillment. I have understood, because I am not profoundly familiar with the business, that what is now being proposed is precisely a business of this type, now that we have cheap electric power in the Caroni Falls, to bring bauxite from Guiana and get those big world aluminum producing firms, in place of producing aluminum in the Tennessee Valley or in Canada, to produce it in Ciudad Bolivar, to produce it in Puerto Oradz, with cheap Venezuela electric power, that will permit us to sell power in our plants there, to establish sources of work which is our interest, and then to convert Venezuela into a source of aluminum exportation that in addition, incidentally, could give birth to some resulting industries which would utilize Venezuelan aluminum.

And so, in general terms, we are not dealing with an abominable nor an absurd business, but on the contrary, a means of stopping the manufacture of aluminum in the Tennessee Valley, at least in part, in order to bring it to Venezuelan territory.

Senator Márquez likewise said that in the constitution of this bank and in all of these enterprises which the United States adopts, there has always been a marked tendency to favor private capital. It is obvious; the United States is a capitalist country, gentlemen; the United States is not a socialist country. If this agreement were made in Russia very possibly there would be an article, some provision, through which these industries would not ever be allowed to become private property, because Russia is a socialist country and it is interested in favoring socialism.

The United States is a capitalist country, of private enterprise, and it is interested in favoring this system which is the one that it has because American banks are private, American mines are private, the general American industrial and economic activity is private, and the participation of the American state in these activities is minimal, so that we should not think that the United States, which has this for a system, and whose internal life is governed by that system, would have any interest in favoring an economic system which it considers different and alined against its own, at a time when it is going to invest money in the development of a financial institution for foreign countries. This is a simple, logical consequence of a factual situation which we cannot ignore.

Likewise, we may not, then, talk capitalist disfigurement; it is not capitalist disfigurement. In the eyes of Senator Márquez, everything which would favor private industry, everything which would favor the development of a private economy, must seem like capitalist disfigurement because Senator Márquez is a Socialist, just as, in the eyes of a man who believes in free enterprise, everything which might seem like state intervention will be considered Socialist disfigurement of private enterprise. May we be sincere, gentlemen, and just as I understand perfectly and reasonably that Senator Márquez, who is a Socialist, would like to see state socialism extended to the entire world, in the rigid form which exists in the Soviet orbit, those of us who believe in this (private enterprise) formula also should have, for our part, the right to be believed in good faith, when we think that it is not committing a crime to favor private initiative and to suppose that there may be in one country many, varied, numerous, private enterprises which develop the economic life.

Finally and to depart a little from the serious tone of these remarks I would like to make reference to another of Senator Márquez' points. Senator Márquez said that the United States was opposed to the creation of this Bank, which appears certain it was the Latin American initiative to which the United States consented but not happily. Senator Márquez puts this in a sphere in which only a dilemma remains. You see to what extremes passion can carry even a man of such a well-organized mind as Senator Márquez. If the United States had sponsored the Bank he would have been able to say that this was a way to enslave and submit these Latin American countries to vassalage; if the United States opposes the Bank it is possible to say it did so because it is a way to sabotage and put an end to an institution which was going to benefit the Latin American countries. And finally, if the United States accepts the Bank and joins it, as it has done, then it is possible to say they did it in order to be on the inside and be able to pervert it from inside and make it ineffectual. A little removed from the field of political debate, gentlemen, is the old story of the three men and the burro, who had no way of riding on the burro because if the old man rode it and left the two young ones, it would be said that the old man was hardhearted in leaving the two others to go on foot; if one of the young men rode and left the two others, equally it would be said that he was hardhearted if he left the old man to go on foot; if all three rode it would be said that the three were three monsters who had no consideration at all for the poor beast on which they had loaded the three humans. To these extremes this prejudice carries us.

I believe, gentlemen, and this is what I would like to say, that we must focus on the political situation of Venezuela including the international political situation of Venezuela with a little more objectivity and with a little less passion.

I am not asking that Senator Márquez renounce his ideas because I know that he professes them in good faith and that it would be the same as asking the impossible. What I am asking him is the same that I am imposing on myself, that he look upon the United States and upon the international political situations of these countries with an objective and comprehensive view, with a desire to understand realities and not with a prejudice toward seeing crimes, monstrosities, and nefarious conspiracies, in all the men and all the proposals that come from this country, and in all those who in this country are trying to find formulas so that our development may be benefited.

We have before us a basic problem which is the problem of development of Venezuela. I do not say even economic development but the general development of the country. In this problem we count on three kinds of resources: our own resources, developed or undeveloped, and the resources we are able to obtain in various forms from outside. It is obvious that we cannot achieve our total development in reliance on our own resources because it would not only be almost impossible but it would be only possible perhaps at the price of the most frightful sacrifices for our people, at a cost of 10, 15 or 20 years of extreme misery and at the lowest level of existence, in order that we might then again slowly climb the ladder. This then brings us to another obvious conclusion. We must accelerate the economic and general development of Venezuela by a skillful, intelligent, and patriotic combination of what we have and of what we are able to obtain from others. This is what would be called taking into consideration the general circumstances within which we can establish the course of a policy.

Among these neighbors, among these outsiders with whom we can cooperate in our development, is the United States, not because they have made a Franciscan profession of faith and love, not because overnight they have considered themselves bound by some sacred duty toward Venezuela that brings them to support us, to help us and to succor us without limit but because there are ways in which their interests coincide with ours.

Let's call it by its name and not fool ourselves, our interests are ours and theirs are theirs. Ours is not philanthropy nor is theirs philanthropy. When we are asking for more money for our petroleum it is not philanthropy that we are asking for, we are asking for money for Venezuela. And when they are asking more money from their petroleum participation it is not philanthropy they are asking for. They are asking to make a better deal from their investments. And it is in the light of realistic consideration of these facts that a policy may emerge. When we confront our interests with theirs, we can reach as we have reached many times, the point of desired balance which is that point at which we draw advantages from their investments in our development and we obtain the most just, the most desirable and the most equitable participation in the development of our resources; and when we may have grown up in a world in which it is going to be more difficult to speak of self-sufficiency, or isolation, then we will be able, in the light of other circumstances, to establish another policy, because policy, gentlemen, is not made solely with doctrine nor with impulses nor with love nor with hate; policy is made with realties, with circumstances, with possibilities, with clear eyes open to realities and with an unattainable goal, and upon this goal I believe we all agree. This goal cannot be other than the development, the progress and the grandeur of this country to which we have the honor to belong in blood and soul.

ADDITIONAL SUPPORT FOR THE ITEM VETO PROPOSAL

Mr. KEATING. Mr. President, I have noted with pleasure the fact that this morning's Washington Post contains an editorial endorsing once again the proposal to grant the President the power to veto individual items in appropriations bills. In the past, a great many newspapers across the land have given their strong support to this idea.

I introduced a constitutional amendment on this subject, Senate Joint Resolution 44, last year.

However, the obstacles standing in the way of enactment of this proposal are great, as the Post points out:

> We should very much like to see an item-veto amendment pass, but Congress is altogether unlikely to yield its right to pad appropriations bills with "pork" without a public furor. At present no such excitement over the issue is in sight.

Mr. President, I am hopeful those of us who feel this is a needed and realistic answer to the problem of wasteful spending will be able to whip up the necessary public furor in the near future. The backing of the distinguished chairman of the Senate Finance Committee, Senator BYRD of Virginia, of President Eisenhower, of numerous State Governors, of political scientists, of interested groups and organizations—all this will help.

No reform is longer overdue, no reform could reap greater benefits to individual taxpayers, no reform could contribute more substantially to national fiscal responsibility than the item veto. Eventually we will have it. Why wait?

THE NEW WAR ON ORGANIZED CRIME

Mr. KEATING. Mr. President, this week's issue of Parade magazine contains a very important article by the Attorney General of the United States, entitled "The New War on Organized Crime." This article highlights the excellent work which has been done by the Department of Justice in prosecuting a number of major racketeers in recent years.

The cost of crime to our Nation is appalling. In my opinion, despite the effectiveness of the work of the Department of Justice, we are losing ground in the war against crime because of our failure to up-date the existing laws in this field. We have been attempting to cope with 20th century criminal techniques with the backward methods and obsolete laws of yesteryear. I have long advocated a new statute to help the Federal Government deal directly with organized interstate criminal activities. I believe that such an interstate crime law is necessary if we are ever to completely blot out the nationwide crime menace.

Mr. President, I know that the Attorney General's article will be of great interest to many Members, and I ask that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Parade magazine, Feb. 7, 1960]

THE NEW WAR ON ORGANIZED CRIME

(By Attorney General William P. Rogers)

There have been few times in history when the battle lines between law and lawbreakers have been so sharply drawn, the opposing forces so powerful, and the outcome so important to the Nation as today. The challenge to our whole system of law enforcement is so menacing that it has become a major concern.

Law violators have amassed huge fortunes from gambling, narcotics, illicit liquor, and other lawless activities, and from their ruthless invasion of legitimate business. The total cost of crime, direct and indirect, is estimated at more than $20 billion.

The modern organizational racketeer is far removed from John Dillinger, Dion O'Banion, George "Machine Gun" Kelly, Basil Banghart, and others who dominated the crime scene in the prohibition era. Violence is employed only as a last resort, and then by hired underlings. The ringleaders hide behind a facade of legitimate business, using the economic power they have gained from a vast and increasing reserve of illicit and untaxed capital to control profitable forms of crime and to burrow deep into our society.

Law-abiding Americans are rightly disturbed. They have a right to ask what their Government is doing about it.

It is gratifying to be able to report substantial and continuing success.

The Federal Government has a number of powerful weapons that it can use in this battle against syndicated crime. And today the criminal is faced by a formidable alliance of State and Federal officers.

Properly, the primary responsibility to fight crime lies with State and local law enforcement agencies. No matter how serious a crime may be or how many people may have been involved in it, the U.S. Government cannot proceed unless a Federal law has been violated. Only about 10 percent of all crimes in this country violate Federal laws.

This does not mean, however, that State and Federal authorities are powerless to assist each other.

Twenty men who attended the meeting in the home of Joseph Barbara at Apalachin, N.Y., in November 1957 can attest to the effectiveness of this cooperation. Their conviction recently was a landmark in the fight against crime and racketeers.

PARTNERS AGAINST CRIME

After these men had been convicted in a Federal court of conspiracy to obstruct justice in lying about the purposes and activities of that meeting, I telegraphed congratulations to the director of the Federal Bureau of Investigation, the commissioner of the Narcotics Bureau, the commissioner of the Alcohol and Tobacco Tax Division, the superintendent of State police of New York, and the commissioner of police of New York City. For the contribution made by each was a wonderful example of how voluntary cooperative action among law enforcement agencies can deal telling blows against syndicated criminals.

Two years prior to the convictions, an Organized Crime Section was established in the Criminal Division of the Department of Justice. In New York City, Chicago, Los Angeles, and Miami, 18 lawyers sifted the records of the country's most notorious racketeers. All enforcement agencies made available their files. Investigative agencies were instructed to gather every scrap of evidence in every case where successful prosecution appeared likely.

The U.S. attorneys' offices were reinforced to render maximum assistance to the great Federal investigative agencies. In the larger cities special units were formed to combat the crime syndicate.

The result is that we now have a body of specialists who are giving the criminal element little sleep. They are under fire from all directions.

A primary target in our overall drive on organized crime has been what might loosely be called commercial crimes—the investment of illicit capital, illegal business monopolies, labor payoffs, and collusion with corrupt management. This fertile field for racketeers has been largely neglected in the past.

Since 1953, over 145 convictions have been obtained for labor racketeering as compared with three indictments during the previous 6-year period.

For example, Ebasco Services won a contract to build an electric powerplant at Joppa, Ill., for the Atomic Energy Commission. A labor racketeer named Evan Dale, aware that the company could not make a profit unless it could maintain building schedules, tried to extort money for guaranteeing labor peace. Dale, who boasted of an empire of 28,000 laborers, demanded his usual commission of 1 percent of the contract price. This would have given him a million dollars, which he suggested could be hidden in the company's payroll or charged off as an expense.

THEY SPOKE UP

But because the contractors, instead of paying tribute, courageously gave their evidence to the FBI and to a Federal grand jury, Dale was indicted, convicted, and sentenced to 15 years in jail. An added sentence of 10 years was imposed upon him for tax evasion.

In another case, three corrupt union officials—Carl Bianchi, William Poster, and L. A. Thompson—compelled a contractor to pay them 3 cents for every foot of a 90-mile pipeline that was laid in the St. Louis area. They threatened work stoppages, slowdowns, and even a final shutdown of the job unless their price was paid. The Department of Justice was able to convict all three.

Two waterfront racketeers, Henry Varlack and Samuel Kavalauskas, attempted to extort $2,500 apiece, an automobile, and their names on the payroll for assuring the American Sugar Refining Co. that a strike would not delay the unloading of raw bulk sugar before it spoiled. When the company resisted, the longshoremen's union struck. Not until the company paid $7,500 to David Roche, who showed up with credentials from the union president, Joseph Ryan, was the strike called. Varlack and Kavalauskas and Roche were convicted and received 5 years in the penitentiary.

Subsequently, our prosecutors found enough evidence to bring Ryan himself to trial on charges that certain stevedoring companies had given him Christmas presents of $1,000 each year since 1946. The purpose of these payments was to insure the companies from work stoppages by Ryan's waterfront union. Ryan, like his henchmen, was convicted.

An obvious fact to keep in mind in this field is that there can be no bribetaker without a bribegiver. For an extortionist to succeed, someone must succumb to his threats. Labor racketeers could not exist if some segments of management were not weak or corrupt.

The biggest source of money feeding organized crime is that most tolerated of all crimes—gambling. The syndicated bosses extract millions daily from bets placed with bookmakers and numbers operators. As with most crimes, gambling is controlled chiefly on the local level.

In 1951, however, Congress amended the tax laws to require a wagering occupational tax of $50 a year. Wagers themselves were also made subject to a 10 percent gross excise tax. This gave the Federal Government an opening to deal with the gambling fraternity.

Two men were arrested in Winnipeg, Canada, in 1956 on charges of violating Canadian gambling laws. Both were known to be Chicago professional gamblers, but one of them, Jules Horwick, strangely gave an address in Terre Houte, Ind. This odd fact was communicated to U.S. law enforcement officials.

FOOTBALL-POLL HEADQUARTERS

Horwick and his partner, Leo Shaffer, were believed to set the gambling odds on football games for bookmakers in both the United

States and Canada. Shortly before the 1958 football season, an Internal Revenue Service agent visited Terre Haute.

The agent found Horwick and Shaffer in the company of Irwin Gordon, James Tamer, and Philip Share, all notorious bookmakers from various parts of the country. The gamblers had established themselves over a restaurant on the main street. Eight telephones were installed in their quarters and 5,000 collect toll calls were received in 10 weeks. In the time the syndicate operated, it booked a minimum of $3,263,000 worth of bets. The Department of Justice prosecuted the members of the conspiracy and they were tried and found guilty this past summer. Each was sentenced to 5 years' imprisonment and fined $50,000.

The tax laws have been used successfully by the Federal Government against other gamblers and racketeers. Among those successfully prosecuted were Frank Costello, of New York, reputed head of a national crime syndicate; Frank Erickson, of New York, one of the country's largest bookmakers; Umberto Anastasio, of New Jersey, reportedly former executioner for Murder, Inc.; Paul "The Waiter" DeLuca, one of the alleged successors of Al Capone in Chicago; Peter Licavoli, reputed leader of the Detroit "Purple Gang"; Edward Curd, of Kentucky, and Sidney Brodson, of Wisconsin, linked with the sensational basketball scandals; L. B. "Benny" Binion, of Texas and Nevada, operator of large gambling ventures.

"Moonshining" probably ranks next to gambling as a lucrative source of revenue for the crime syndicate. Despite the popular conception of a 5-gallon still operated by a mountaineer, the recent conviction of six men in the Philadelphia area shows what big business moonshining is.

THE DANGERS OF BOOTLEGGING

To erect their still and remodel the premises must have cost the syndicate about $250,000 in cash. It operated from December 1956 until they were raided by the Alcohol Tax Division of the Treasury Department. On the known production, the estimated tax loss to the Government was nearly $4 million.

Such operations not only reduce tax revenue and introduce unfair competition for legitimate distillers but present an obvious danger to public health and a threat to the social and moral standards of the community. The law enforcement agencies of the Federal Government are making the commission of this type of crime as difficult and unrewarding as possible.

In conclusion it must be recognized that organized crime is a business, lawless to be sure, but still a business run for profit. Law enforcement agencies already are well on the way to establishing a record that should convince underworld figures that success in their chosen profession produces a trip to the Federal penitentiary for a long stay. For the ambitious hoodlum, it must be made clear that rising to the top brings him a passport to jail—an uninspiring reward for misguided ambition.

It is sometimes suggested, because a number of known criminals have escaped prosecution or have had their convictions set aside on appeal, that there are too many procedural safeguards in our system of justice. The point to remember is this—our job is not merely to win cases; it is to obtain justice. The legal rights of all men, good or bad, must be observed or all will suffer in the end. The drive against organized crime must be conducted within the framework of our legal safeguards designed to protect the innocent as well as to convict the guilty.

This is the basic philosophy of law enforcement in our system of government. It is summed up in an inscription outside my office that reads: "The United States wins its point whenever justice is done its citizens in the courts."

A WORLD TRADE CENTER FOR NEW YORK

Mr. KEATING. Mr. President, on January 27, the Downtown-Lower Manhattan Association, Inc., submitted a report recommending the construction of a dynamic and comprehensive world trade center in the city of New York. Their proposal is an exciting one. It is in my mind altogether fitting that the Nation's largest and busiest hub of domestic and international trade should build such a center.

The association's world trade center proposal calls for a display and exhibition area, offices to house importers, exporters, and auxiliary trade services, such as insurance, brokerage, and freight forwarding, a parking area, and a shopping arcade to serve those employed in the center. It would also include a central exchange building to house all of the many and important national commodity and security exchanges located in New York City.

The site which the association recommends for this center is in downtown Manhattan in the vicinity of the New York Stock Exchange. It includes 13½ acres, which for the most part now contain what the association refers to as "obsolete and deteriorated structures."

In its closing chapter, the report urges the Port of New York Authority to commence drawing up detailed plans for a world trade center to be submitted to the Governors and State Legislatures of New York and New Jersey and to the mayor and governing body of the city of New York. Knowing of the wide interest in this proposal, I am confident that this will be done and that the planning of a New York World Trade Center will move forward at a rapid rate.

Mr. President, this is a bold and imaginative proposal. It rightfully emphasizes the great importance of world trade to our own country and to all of the nations of the world. I commend the Downtown-Lower Manhattan Association for its vision and for the vigorous efforts which its members and officers have devoted to their proposal for the construction of a world trade center in New York.

Mr. President, I ask unanimous consent that the text of the report of Downtown-Lower Manhattan Association proposing a New York World Trade Center be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXT OF TRADE CENTER REPORT BY THE DOWNTOWN-LOWER MANHATTAN ASSOCIATION

In its first report, submitted to the mayor of the city of New York on October 14, 1958, the Downtown-Lower Manhattan Association proposed a broad redevelopment program for downtown New York in the area extending south to the Battery from Canal Street, west of Broadway, and from Chambers Street and the Brooklyn Bridge, east of Broadway.

The favorable reception accorded that report and the developments stemming from it have encouraged us to consider our studies in an effort to make definitive and constructive proposals for the comprehensive program.

The port of New York is a primary source of commerce and business which underlies the prosperity of the whole port district of New York and northern New Jersey. With the aid of Skidmore, Owings & Merrill, who also served as planning consultants for our first report, a proposal has been developed which we believe will assure the continued preeminence of the whole port district and, at the same time, help to meet a growing need in the broad field of expanding and highly competitive international commerce.

A report outlining the basic pattern of this proposal, together with the illustrative and schematic renderings of one plan by which a redevelopment project might be implemented, is submitted for your consideration.

In the port compact of 1921 the States of New York and New Jersey pledged "faithful cooperation in the future planning and development of the port of New York." In that treaty they agreed that "a better coordination of the facilities of commerce in, about, and through the port of New York will result in great economies, benefiting the Nation as well as the States of New York and New Jersey."

STATES JOINED FORCES

Under this treaty the two States created the Port of New York Authority, which went forward with the development of marine and inland terminals, airports, bridges and tunnels on a regional basis. The two States have thus joined forces for the promotion and continued development of the flow of their commerce, the import and export trade that is the foundation of business and jobs on both sides of the Hudson River.

The Port of New York Authority thus has the prime responsibility for the promotion and development of the commerce of the Port of New York. Therefore, we recommend that this established bistate agency be requested to make further intensive and detailed studies and to bring together the agencies of government and business whose coordinated effort and participation is essential to the development of a World Trade Center. The objective of such studies would be the submission of recommendations for the planning, financing, and activation of a World Trade Center within the port district.

In transmitting this report, the Downtown-Lower Manhattan Association is prepared to be of further help in any way you deem appropriate.

Yours very sincerely,

DAVID ROCKEFELLER,
Chairman.
JOHN D. BUTT,
President.

FOREWORD

This report outlines a project for developing a World Trade Center in the heart of the port district. Illustrating the text are architectural concepts of the physical form this project might assume. The report also contains recommendations for further studies which could provide the foundation for a workable plan under the proper auspices.

Today, the world stands on the brink of a boom in international trade. In a jet age that shrinks the globe, the exchange of new goods—much of it the product of postwar technology—promises to help raise the living standards of the people of many nations.

The challenge—and the opportunities—are immense. To realize its role in the new era dawning for oversea trade and finance, this country must marshal its resources. One primary step in this direction would be to establish a single center, planned and equipped to serve that vital purpose.

As the Nation's leading port, the port of New York is the natural headquarters for such a center. Its established inland, marine and air terminal facilities, its transportation and communications network, its financial and business leadership and its natural appeal make the Port District of New York and northern New Jersey a logical and practicable

base for a headquarters to assure the expanding role of our country in international trade.

The closely knit shipping and financial district of lower Manhattan houses an unrivaled concentration of resources and facilities essential for international trade and development. It is, in effect, a central force that promotes and develops the flow of commerce across the piers onto the rail tracks, highways and waterways, and into and out of the plants and factories on both sides of the harbor

Within a few short blocks are concentrated the corporate offices of the worldwide shipping industry of both American and foreign ownership, the marine insurance companies, the admiralty firms, other port industries and the head offices of many leading commercial banks.

These banks already arrange for and service the bulk of U.S. foreign trade. In this compact area also are found the largest security and commodity exchanges brokerage firms, the New York Clearing House and the Federal Reserve Bank of New York.

Here indeed is the vital core of facilities and services essential to the smooth functioning of a nerve center for international trade, its promotion and continued development. The report which follows describes such a nerve center, including as its two main structures an imposing World Trade Mart and a commerce office-hotel building rising from an elevated platform several blocks long, providing convenient accessibility to the entire areas.

Benefit from such a global-geared center would fan out far beyond the bi-State port of New York to every American farm and factory sending its products abroad, as well as to similar foreign interests trading with our Nation—in the language of the Port Treaty of 1921, "benefiting the Nation, as well as the States of New York and New Jersey."

I. INTRODUCTION

For several months the Downtown-Lower Manhattan Association has been studying the possibility of establishing a world trade center in the port of New York. In carrying out this study, it reviewed previous proposals for expanding international trade activities in the New York-New Jersey port.

Visits were made to world trade centers in New Orleans, Boston and Chicago. McKinsey & Co., management consultants, conducted a preliminary analysis of the need for such a center. Individual comments and suggestions were invited from a number of people and organizations.

A center, such as that contemplated in this report, would involve the construction of buildings with floor space which ultimately might total 5 million to 6 million square feet. In this center, space would be provided for trade activities and information, permanent displays and sales offices for exporters and importers, and services including a multilingual stenographic pool and an international commerce library.

The center would include space for banking houses, brokerage firms, Government agencies, and hotel accommodations for traders and shippers and businessmen of the world, a world trade club, and conference and meeting rooms. Provision could also be made to accommodate a central securities marketplace. Details of the proposed varied facilities and services are set forth later in this report.

The Downtown-Lower Manhattan Association is convinced both of the need and the practicability of such a World Trade Center in the heart of the port of New York. It is, therefore, submitting the following information and recommendations.

II. IMPORTANCE OF WORLD TRADE CENTER

A. National-international

A well-developed World Trade Center in the port district would assist immensely in servicing the constantly increasing volume of international commerce.

The activities of international trade are widely diversified. Many organizations, both governmental and private, and many corporations conduct highly organized programs designed to maintain and strengthen the position of the port of New York as well as international trade for the entire country. This port district is the obvious location for setting up a center which will benefit not only the areas concerned but also become the working symbol of America's leadership in international economic progress and trade.

United States investments abroad already total well over $40 billion. Combined sales from exports and from oversea operations of U.S. companies today run at an annual rate of $50 million. More than half of this Nation's financing of import-export operations is handled by New York banks.

Economists agree that the next 10 years will see an enormous expansion of worldwide trade and of production abroad. The majority predict that the volume of this trade for the United States alone will double within the next 10 to 12 years.

The effective coordination of this economic expansion depends upon the use of appropriate agencies and facilities.

B. For the city and New Jersey-New York metropolitan region

As the leading port of the United States, the port of New York stands at the crossroads of the Western World. To the extent that corporate offices and businesses are attracted to this nucleus, employment throughout this metropolitan area of over 13 million people is boosted, the taxing capacity of both States and the counties and municipalities of this port area is improved, and the purchasing power of countless people is expanded.

All too often the port of New York is thought of merely in terms of its maritime facilities and traffic. As the term is used in this report, however, the port of New York represents a much broader concept involving water traffic (overseas, coastal, intercoastal, and inland), air transport facilities, and ground transportation (rail and truck), with its numerous terminals.

Each of these is an important adjunct not only to the business of the New York-northern New Jersey metropolitan area but also to the economic prosperity of the States of New York and New Jersey and the Nation. These activities furthermore, comprise the most important transportation and communications complex in the world.

The water transportation facilities of the New York-New Jersey port stagger the imagination. One hundred and forty million tons of cargo each year move into, out of, and through the harbor. The cargoes include every type of commodity exchanged between the United States and the rest of the world.

The operation of the harbor facilities directly affects every business and every wage earner in an area of some 1,500 square miles within the States of New York and New Jersey. This area fans out within a 25-mile radius from the Statue of Liberty and comprises 200 municipalities with a population of over 13 million people.

Inside this area the harbor operation provides economic support for about 3,120,000 people—one out of every four in the port district. Jobs provide approximately $2,100 million in yearly wages—also one-fourth of the area's total. A key factor is the vast tonnage of general cargo handled through the port of New York, supporting every conceivable type of business and industrial activity.

In addition, the port of New York's position as an international center is strengthened by the passenger and cargo traffic at its three major airports—New York International, La Guardia and Newark. Some 33,400 people, earning $229 million a year, presently are employed at these airports, and increases are inevitable. (Airport operation is now the largest industrial operation in Queens County.) In 1959 these air terminals handled 15,500,000 passengers, 400 million pounds of air cargo and 117 million pounds of airmail. This represents a tremendous contribution to the continuing prosperity of the region.

Distribution facilities at the port of New York are extremely significant both to New York and to New Jersey. The operation of railroads into and out of the port, because of the enormous rail tonnage handled (68,700,000 tons in 1957), exerts an impact on the business and industrial activities of both States. The expanding network of modern highways adds greatly to the services available here. The New Jersey Turnpike and the New York Thruway, for example, provide fast transport between the port and the remainder of New Jersey and New York and are linked to the Interstate Highway System and other expressways serving the entire Nation.

The port, in short, is the hub of regional and national commerce and transportation. Its trade and commerce are increasing. The port's carefully planned expansion promotion and development are therefore clearly essential to the continued and growing prosperity of the entire metropolitan area and the States of New Jersey and New York.

C. For participating business

The proposed World Trade Center would act as a magnet to attract both business interests and Government agencies of the United States and other countries. The center would offer all the facilities required by these businesses and governmental agencies for communications, meetings, and other activities.

Thus, for a company engaged in international enterprises the center would provide easy access to other companies (both foreign and domestic) and to representatives of nations with which the company does business. In addition, various services needed to facilitate export and import operations would be immediately available.

Today, corporations in the United States are gearing their activities to the increasing flow of capital for investment throughout the free world. This activity encompasses the construction of new plants abroad, distribution of goods on a worldwide basis, and the necessary financing of such facilities and activities. A great World Trade Center in the port district to help coordinate the developing boom in international trade is vital in this new era in world communications and commerce.

The World Trade Center would offer great advantages, including:

1. The fulfillment of a growing need of American and foreign businessmen—particularly in small and medium-sized companies—for a well-organized and integrated center providing facilities for practical support for export and import trade.

2. Provision of a general meeting place for United States and foreign businessmen. As one international trade expert puts it: "There is almost a complete lack of understanding and coordination between the production and consumption areas in the international trade picture." The center would foster this needed understanding and coordination.

3. Attractive permanent display and sales facilities for import and export goods in one functioning market.

4. Services such as an information and introduction bureau, an international trade and commerce library, a multilingual secretarial pool and adequate meeting facilities. These services would contribute to the reputation of the port as a place where visitors receive helpful and friendly consideration.

III. SUMMARY

The World Trade Center should be organized and operated to provide within a concentrated area the services and facilities needed to expedite business through the port of New York. Ready access to financial, shipping, insurance, supply, and informational resources is essential to accomplish this vital objective.

With respect to any portions of the World Trade Center which, it might be found after study, should in the public interest be financed and developed under public auspices, it is assumed that consideration would be given in the study of the extent to which the city might receive payments in lieu of taxes under some fair and reasonable arrangement.

In addition to its commercial aspects, the center would fulfill a broader function. It would serve as an instrument to further the cooperation of the business communities of the free world in the financing and conduct of worldwide trade and industrial development.

IV. THE PROPOSAL

The basic physical pattern of a World Trade Center is summarized as follows:

A. Site

Many aspects of the site problem were studied. The association believes that the outstanding location for the World Trade Center would be an area of 13½ acres of land in downtown Manhattan bounded by Water Street on the west, Fulton Street on the north, South Street on the east, and Old Slip on the south, excluding the U.S. Assay Office and the 120 Wall Street Building. This site is recommended for the following reasons:

Convenience: The suggested site is within 5 to 8 minutes walking distance of all points in the central and traditional commercial, banking and maritime district of lower Manhattan. This concentration of banking, insurance, forwarding, brokerage, and shipping is of critical importance to the generation and support of international trade in the New York-New Jersey Port District and the Nation.

Access: Access to the proposed World Trade Center would be convenient from all parts of the metropolitan area. From the north (midtown) vehicular access would be by the East River Drive, Front Street and Water Street (which is being widened to 90 feet); from the south, the Brooklyn-Battery Tunnel; from the east, the Brooklyn and Manhattan Bridges, and from New Jersey, the Holland Tunnel and the proposed crosstown elevated highway just north of Canal Street. The new Narrows Bridge will provide future access from points to the south and west of the port district. Express subway stations on all systems are convenient to the area.

Studies of additional bus and other mass transportation facilities are now under way. In addition, plans are well advanced for the construction of a new heliport close to the proposed center. With the increasing use of jet transportation service at outlying airports, helicopter service from this central business area to the airports will assume much greater importance.

Area development: With a few exceptions, the existing buildings on the site are obsolete and deteriorated. Rather than contributing to the economic health of the area and the city they are a drain upon it. The development suggested by this report would put this land back to work for the city in a way which would strengthen the existing functional values in the area and stimulate continued productive growth.

B. Buildings

After reviewing projected space needs for various aspects of the center, preliminary architectural studies were made by Skidmore, Owings & Merrill. The illustrative plan includes several buildings containing floor space totaling five to six million square feet. To be successful, the project should be developed as a functionally and architecturally integrated center.

To this end a practical and imaginative feature of the tentative plan is the tying together of the different elements on a multilevel platform which covers the entire site. This provides maximum vehicular and pedestrian access to, and circulation within, the development. Large areas are available for parking, a shopping arcade, lobbies, exhibits, shops, and plazas to serve the people working in the center. Individual buildings rising above the platform, as well as contiguous structures, enjoy the light and view of an open plan.

It should be emphasized that these renderings are simply an illustrative and schematic concept of a single plan. Many variations of this plan are, of course, possible. The proposed buildings include:

World Trade Mart

This structure would include:

Office and display space for trade activities; this includes areas for importers and exporters, freight forwarders, customs and marine insurance brokers, transportation offices for rail, steamship, and air cargo companies. In addition, space would be available for the sales display of firms. Exhibit space also could be provided for governmental trade missions.

Receiving and storage space for exhibits.

Space for commodity exchanges.

Collateral services such as an introduction and information center, a clearinghouse to bring together foreign and domestic buyers and sellers, multilingual stenographic pool, international trade library, and office facilities for transients.

Restaurants and retail shops.

World Trade Center Commerce Building

A 50- to 75-story building would house:

United States and foreign companies operating in the international field.

Banking houses and brokerage firms dealing in international banking and securities markets.

Approximately 10 floors at the top of the building would provide an essential and convenient 500- to 700-room hotel to accommodate shippers, international traders, and businessmen of the world. Such a location would command a sweeping view of the port district and its magnificent, busy harbor.

Facilities for meetings between foreign and American citizens who are engaged in international trade and its allied services would be provided in a world trade club which would occupy two or three upper floors.

Banquet and flexible meeting and dining facilities would be provided as adjuncts of the club and hotel.

Central Securities Exchange Building

In the overall development of the proposed project it appeared important to consider the possibility of providing for a central securities marketplace. This suggestion has been broached informally to officials of the New York Stock Exchange and they, without making any commitment, indicated a willingness to consider any proposal which might be in the long-range interest of the exchange.

This possibility, while related, of course, to international trade and the flow of commerce, is typical of the combination of facilities within the center, which would require the cooperative participation of many private interests together with various agencies of government.

V. CONCLUSIONS

Interest has been expressed from time to time over the past 25 years in the establishment of some type of world trade center for the bi-State metropolitan area, but this interest never produced a plan that materialized. In the meantime, trade centers have also been developed in New Orleans, Boston, and San Francisco. Trade centers have been developed also in other countries.

Since the development of a trade center involves such broad potential benefits to the port district, it should attract the support of both private enterprise and government. There is a crucial need for further extensive developmental study if practical and workable plans for an actual physical project are to be evolved.

It is appropriate and desirable that a public agency with experience in the planning and development of large and complicated public projects be requested to undertake such a developmental study.

Under the port treaty, the States of New Jersey and New York gave to the Port of New York Authority the prime responsibility for promoting and developing the commerce of the port of New York. The port authority therefore carries on a wide program to encourage and protect the flow of exports and imports into and through the port of New York.

The port authority is directed by the port treaty to undertake the planning of the future development of the trade and commerce of the port district. The port authority is further directed "to make recommendations to the legislatures of the two States or to the Congress of the United States, based upon study and analysis, for the better conduct of the commerce passing in and through the port of New York, the increase and improvement of transportation and terminal facilities therein, and the more economical and expeditious handling of such commerce."

VI. RECOMMENDATION

It is therefore recommended:

That the Port of New York Authority be requested to coordinate and make a detailed study of the planning, financing, and activation of a World Trade Center within the port district. In this connection it is recognized that the Port of New York Authority would undoubtedly require the cooperation, indeed perhaps the actual participation, of Federal, State, and local government agencies and of business.

It is further recommended that such a study have as its objective the submission of a report containing specific findings and recommendations for the consideration of the Governors and legislatures of the States of New York and New Jersey and of the mayor and governing bodies of the city of New York.

FIFTIETH ANNIVERSARY OF BOY SCOUTS OF AMERICA

Mr. CARLSON. Mr. President, on February 8, 1910, 50 years ago today, the Boy Scouts of America were incorporated in the District of Columbia.

It was 50 years ago that an idea and an ideal were developed in America that have meant much to the youth, not only of our own Nation, but of the world.

This morning there was a breakfast in Washington commemorating the 50th anniversary of Boy Scouting. Many Members of the Senate were in attendance. I thought it was of special significance that the distinguished Senator from Arizona, the Honorable CARL HAYDEN, was presented as the one man in the present U.S. Senate who was a Member of Congress and voted for the granting of the charter of this great organization.

Senator HAYDEN in his usual fine manner stated that of all the votes he had cast in the U.S. Senate, this vote had given him the greatest satisfaction.

For 50 years the work of the Boy Scouts of America has been one of top importance for the youth of this country. It is during this formative period of their life that they are impressed with the motive to serve other people, the daily good turn and the opportunity to be of help to the Nation in times of peace and of war.

One of the greatest contributions of the Scouts has been the adventure of friendship and brotherhood that speak around the world.

There are Boy Scouts in practically every country in the free world dedicated to tolerance, good will, and friendliness. There are 5 million Scouts and Scout leaders here in the United States and 3 million brother Scouts in other lands—all working together to help build a better world.

Since 1910 more than 35 million Americans have been identified with the Scouts. There is hardly a family that has not felt Scouting's influence.

During this 50-year period a total of 27 million different boys have had Scout membership. They have been assisted by 8,750,000 adult leaders.

As one who has been greatly interested in Scouting for the past 30 years and who has had the honor of serving in several capacities in the Scout movement, I extend congratulations and best wishes on this golden anniversary.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. CARLSON. I am pleased to yield to the Senator from Delaware.

Mr. FREAR. I thank the Senator from Kansas for the fine tribute he has paid to the Senator from Arizona. I am sure that if the Senator from Kansas had been in Congress 50 years ago he too would have supported the resolution granting a Federal charter to the Boy Scouts of America, because I know not only of his interest, but also his influence in Boy Scouting. That is very laudable. I am sorry that the junior Senator from Delaware was not able to be present at the breakfast this morning. Nevertheless, we had a very fine representative from our State at the breakfast, Mr. John F. Tarburton.

Mr. CARLSON. Although the Senator from Delaware was absent from the breakfast this morning, I know of his great interest in the Boy Scout movement, and I know the State of Delaware had a very able representative at the breakfast in the person of Mr. Tarburton.

CIVIL DEFENSE FEATHERBEDDING

Mr. YOUNG of Ohio. Mr. President, many of our country's great newspapers have pointed out that the Office of Civil and Defense Mobilization has wasted more than $1 billion in its 10 years history of futility.

For this heavy investment, American taxpayers have received nothing in return except the too-frequent irritation of a noisy siren and an occasional so-called civil defense exercise which causes only confusion and inconvenience.

As a fine newspaper from my home State of Ohio, the Cincinnati Post and Times Star, says in a perceptive editorial, our civil defense apparatus is a "nuisance in peace and would be in the way of the policemen, firemen, and military if anyone ever dropped a bomb."

I ask unanimous consent that this editorial be printed at this point in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CD FEATHERBED

Civil Defense, as currently operated, is a pompous boondoggle. The one-man crusade against it by Senator STEPHEN M. YOUNG of Ohio, is an outstanding public service. Maybe, eventually, someone will pay attention.

The Senator's most recent speech deals with his own city, Cleveland, where he has found six policemen assigned to some nebulous chore connected with civil defense, "apparently sitting around waiting for a nuclear bomb to drop." He notes that meanwhile "housewives are assaulted on the streets * * * muggings and purse snatchings fill column after column in the daily newspapers * * * major crimes go unsolved."

If Clevelanders knew the facts, he says, "they would resent the featherbedding of these six men assigned to the ridiculous, worse-than-useless civil defense organization.

If Americans, generally, knew the facts, this situation probably is duplicated in other places. Civil Defense, which spent $45 million in fiscal 1959, and hopes to spend $56 million this year, is asking for $68 million for next. The bulk of the increases would go to hire more civil defense workers.

This growing crew is a nuisance in peace and would be in the way of the policemen, firemen, and military if anyone ever dropped a bomb.

Of course, a civil defense organization is necessary, but it should be directed by the Army. In the last 10 years, says Senator YOUNG, Civil Defense has asked for $2.1 billion and got $1 billion. We agree that it's money thrown away.

STATEMENT BY SENATOR MUNDT ON CENTRALIZATION OF WHITE HOUSE STAFF ASSISTANCE FOR NATIONAL SECURITY AFFAIRS.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by the Senator from South Dakota [Mr. MUNDT], who is unavoidably absent from the Senate at this moment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MUNDT

With great pleasure I note the recent action of President Eisenhower to centralize White House staff assistance for the whole range of national security affairs. The President has designated his Special Assistant for National Security Affairs, Gordon Gray, as Chairman of the Operations Coordinating Board. Until now this chairman has been the Under Secretary of State.

One of the important innovations of the President in 1953 was the Operations Coordinating Board. Experience had shown the need for a body to assure the coordinated execution of policies in the field of national security. The pressure of the cold war left no room for hit-or-miss administration in this sensitive field. The OCB, as it is called, brings together representatives of such agencies as the Department of State, the Department of Defense, Central Intelligence Agency, U.S. Information Agency, and International Cooperation Administration. The Board guides the development of programs in the national security field, coordinates the activities of the several departments involved, and evaluates results.

As a member of the Subcommittee on National Policy Machinery, I wish to commend the President for his continuing review of the organization of his staff in the security field. This recent reorganization is a new demonstration of President Eisenhower's command ability, earlier spotlighted when he created the OCB. Our subcommittee has no pat solutions for machinery to fight the cold war. I feel that adaptation to changed conditions by improving the operation of the Presidential staff is a continuing requirement. The President is doing this.

On January 13 President Eisenhower wrote Gordon Gray, his special assistant, designating him "Chairman of the Operations Coordinating Board, vice Mr. Robert D. Murphy" recently Under Secretary of State. The President looked on this appointment as "one step which I feel should be taken toward enabling the President to look to one office for staff assistance in the whole range of national security affairs." By its very nature the OCB is an interdepartmental operation. It is the arm of the President for coordination of national security programs in all agencies. Designation of a member of the President's staff as Board chairman should make such coordination more effective.

At the same time the President directed that continued emphasis be given two functions of the OCB: Initiation of new measures to take advantage of the changed situations and consideration of foreign attitudes toward U.S. policies. We would lose the cold war through unbending adherence to outmoded policy positions, as Gen. Billy Mitchell could have told the admirals. We could lose the cold war if the uncommitted nations turn from democracy because of failure to understand our policies. President Eisenhower wisely has spotlighted these key areas.

The Subcommittee on National Policy Machinery is continuing its study of this vital field. I laud President Eisenhower in his support of our efforts and for the initiative which he has taken already.

FEDERAL AID TO EDUCATION

Mr. LONG of Hawaii. Mr. President, the Federal aid to education bill passed last week by the Senate is, I believe, a milestone in the fight for equality of educational opportunity. I earnestly hope that if this legislation reaches the President's desk he will come to understand that anything less will be too little, too late—a course we cannot afford to take where the future of American youth is at stake. I ask unanimous consent to have printed at this point in the RECORD an editorial on this subject from the Washington Post and Times Herald of February 5, entitled "Showdown on Schools."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHOWDOWN ON SCHOOLS

The controversy about schools which has been raging for the last 2 days in the Senate centers on the nature of Federal financial aid—whether it should be by loans or outright grants to the States. The Senate decided yesterday on grants. Adopting a pared-down amendment offered by liberal Democrats as to the amount and duration of the grants, it reached a compromise on a program of $1,833 million for 2 years to be used

for teacher salaries as well as for school construction. This runs directly counter to the President's wishes respecting Federal aid to education and so, if the measure is endorsed by the House, it may encounter a Presidential veto.

The President's proposal of loans to States for school aid construction alone suffers from an old and familiar defect: it is too little and too late. It would not make available to States desperately needing to bolster their sagging school systems the funds necessary to repair two decades of neglect. Borrowing would simply add new encumbrances to school districts already overburdened. It would mean that the Federal Government would pay out in interest charges on loans money which could far more effectively and economically be given in direct grants. It would not do nearly enough to relieve the classroom shortage, and it would do nothing at all to improve the plight of teachers.

The measure as it now stands amounts to a clear Democratic Party challenge to the President. We think the Democrats are justified in making the challenge—justified in forcing the President to veto this school bill if he wishes to do so. Simply to pass the President's loan proposal because of his threat to veto any more generous program would have been to deny effective aid to education and to duck the issue. The issue is now plainly joined; and if effective aid to education is denied, President Eisenhower will have to shoulder responsibility for denying it.

We hope that the President will weigh these considerations carefully—taking into account more than a doctrinaire determination to keep a big budget surplus. The Federal aid formula hammered out in the Senate yesterday after prolonged and considered debate represents a compromise in the best legislative tradition. We believe that it represents a measure of sound, realistic, effective Federal aid, thoroughly justified by the contemporary national need.

THE STATUS OF NATIONAL DEFENSE

Mr. GRUENING. Mr. President, there is increasing concern among the American people about the status of our Nation's defense. The feeling is increasing that the United States is slipping, if it has not already slipped, into the position of a second-class power. The administration is viewing this situation through rose-tinted glasses and is, apparently, also supplying rose-tinted glasses with orders that they be worn, to those members of the armed services who are still on active duty and less free than those who have retired or resigned in protest. Those of us who have read Gen. Maxwell Taylor's book entitled "Uncertain Trumpet" and the comments of Lieutenant General Gavin and of others truly expert, cannot help feeling seriously alarmed. We believe this is a matter which should have the further and fullest attention of the appropriations committees of Congress.

Mr. President, in this connection and on this vital subject, I ask unanimous consent to have printed at this point in the RECORD two very excellent articles which were published in this morning's Washington Post and Times Herald. One is entitled "This Very Reason," and was written by the distinguished columnist, Joseph Alsop; the other is entitled "Ike Angered by His CIA Chief," and was written by the well-known, able commentator, Drew Pearson.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 8, 1960]

THIS VERY REASON

(By Joseph Alsop)

"I am of the belief that if you could have now a ban on all (nuclear tests) testing that everybody could have confidence in, it would be a very, very fine thing to stop this, for this very reason, if no other:

"It is a very expensive business to begin with. The very first bomb we produced I think cost America $2 billion or more before we ever, ever had the first one. And since that time I don't believe that our—although you would have to look this up—but I think our appropriations have never been below $2 billion a year. So it is an expensive business."

These historic words, uttered by Dwight D. Eisenhower last week, afford a clearer glimpse of the inner workings of the President's mind than has ever before been allowed.

There are, after all, many different kinds of excellent reasons for seeking an effective ban on nuclear tests. There are world political reasons, strategic reasons, moral, and biological reasons.

But the President spontaneously, unhesitatingly chose a reason never before suggested in public. A test ban, he indicated, would permit him to cut the budget of the Atomic Energy Commission.

Surely this singular choice of reasons for a high policy decision of truly immeasurable import reveals a mind gripped by one idea to the point of total obsession. Surely it shows a man driven by a single purpose almost to the point of mania.

The President's unnoticed remarks at his press conference can properly be called historic, in turn, because they explain so much that is otherwise inexplicable. If you think about a nuclear test ban primarily in terms of possible budget cuts, how do you think about a missile gap? You think about it, the answer seems to be, primarily in terms of the threat to the budget, and hardly at all in terms of the threat to the United States.

If you are President, moreover, and these are your passionately enforced priorities, you are not alone in thinking in this peculiar way. Your viewpoint is reflected downward, through echelon after echelon, from the Cabinet level to the level of the Joint Chiefs of Staff, and as far as the lowest level of the Government's "Indians."

"Will it cost too much to do this?" is the first question everyone asks. Only as an afterthought does anyone inquire: "Will it be dangerous not to do this?"

In this administration, uniformity of viewpoint is virtually enforced. Independent-minded persons who do not take their viewpoint, ready made, from the White House have always been condemned as nonteam players. Soon or late, they have always met the fate of General Gavin, General Ridgeway, and Gen. Maxwell D. Taylor.

Wholly honorable and intelligent men may also lack the self-confidence to pit their judgment against the President's or to argue military facts with him. Here, no doubt, is the explanation of officials like Secretary of Defense Thomas Gates; although it is not the explanation of some of the Eisenhower-era Chiefs of Staff, who have time served at the Pentagon in happy preparation for richer careers as lobbyists.

To the ordinary American, these may seem hard things to say. But they are necessary things to say; and they are literally true, too. Anyone can see their truth, who weighs the astonishing implications of the Eisenhower remarks above quoted. In blunt words, the struggle to keep a grip on the budget has all but caused the administration to lose its grip on the hard realities of the ugly world we live in.

To be sure, there are other ways to attain the necessary purpose of a balanced budget. Taxes can be raised. Nondefense outlays, which have grown luxuriously in recent years, can be cut again despite their high political voltage. But these other ways are ruled out by the President himself.

Thus the whole struggle to keep a grip on the budget is transformed into a struggle to prune the defense budget. Under this relentless pressure the loss of grip on nonbudgetary defense realities inevitably occurs.

Maybe what amounts to an attempt to psychoanalyze the vast, amorphous organism of American Government will seem pretentious and unjustifiable. But the political reporter's task is to make the Government comprehensible. And at present, the American Government is simply and totally incomprehensive unless you first comprehend the obsessive power of the viewpoint the President revealed in his reason for a nuclear test ban.

[From the Washington Post, Feb. 8, 1960]

IKE ANGERED BY HIS CIA CHIEF

(By Drew Pearson)

What many Senators didn't know about Allen Dulles' closed-door missile testimony was that the Chief of Central Intelligence had privately requested the opportunity to appear before the Senate Preparedness Committee. Dulles was so alarmed at the tranquilizing testimony of Secretary of Defense Gates, who said there was no real need to worry about Russian missiles, that he immediately asked to be heard.

What he told the Senators was anything but tranquilizing.

President Eisenhower, hearing about this, promptly sent for Dulles' testimony. As he read it, the blood rose on the back of his neck. Intimates described his reaction as the biggest explosion since nuclear tests were suspended. If Dulles hadn't been the brother of the late Secretary of State and a public servant who served under both Democrats and Republicans he might have been fired.

For he gave the Senators bleak intelligence figures which not only completely refuted Secretary Gates, but also the rosy reassurances which Ike himself has been giving the public.

THE CHILLING FACTS

Here are the chilling figures Dulles presented which the American people are entitled to know:

By midyear 1960 the Russians should have between 40 and 45 intercontinental missiles ready to fire. The United States will have 20 operational Atlas missiles. And as the Russians already know, these will be sticking up like sore thumbs at Vandenberg Air Force Base where they could all be destroyed by one bomb.

By mid-1961, Russia should have between 200 and 300 combat-ready ICBM's. The United States will have only 50 Atlas and 10 Titan missiles.

By mid-1962, Dulles expects the Russians to have between 500 and 800 missiles capable of reaching any American target.

Dulles added that Soviet missiles appear to be even more accurate and reliable than our own. Of 25 intercontinental missiles tested in the past 10 months, Central Intelligence detected only one failure.

Dulles' figures support Gen. Tom Power's warning that Russia will have enough inter-

continental missiles by 1962 to wipe out our own retaliatory force. Despite this mathematical edge, the National Security Council has concluded that it would still be too risky for Russia to count upon a missile broadside's destroying America's power to strike back. This is what Secretary of Defense Gates meant when he said his optimistic outlook is based upon Russian intent.

Only bright spot in Dulles' secret testimony was his report that the United States should start catching up with Russia in missile power when our minuteman missiles start coming off the production line in 1963. The national intelligence estimate indicates the United States finally should surpass Russia in missile strength by late 1964. But this assumes that Moscow will be content to continue its present schedule.

Note—Vice President NIXON, alarmed over the effect a missile lag may have on his election chances, has been studying the secret testimony and conferring with Republican members of the Senate and House Armed Services Committees.

JAMES J. BRYANT: GOOD FATHER AND GOOD CITIZEN

Mr. YARBOROUGH. Mr. President, on December 27, 1959, death claimed 78-year-old James J. Bryant, of Pleasanton, Atascosa County, Tex.

I have known Jim Bryant since I was old enough to remember, and trusted and relied upon him.

Mr. Bryant and his family supported the post-World War II movement for good government in my home State with energy, devotion, and sacrifices. As a good family man, a good Christian, and a believer in honor and integrity in office, his leadership in Pleasanton strengthened the forces for good government in all south Texas.

Mr. President, I request unanimous consent to have printed at this point in the RECORD two articles about J. J. Bryant from the Pleasanton, Tex., Express, for Thursday, December 31, 1959, entitled "Death Claims J. J. Bryant, 78," and "Attend Bryant Funeral."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

DEATH CLAIMS J. J. BRYANT, 78

A stroke has proved fatal to J. J. Bryant, one of Pleasanton's best known residents. He was 78.

Mr. Bryant died in a local hospital Sunday morning at 7:45 o'clock. His condition had been critical since he suffered a stroke more than a week before his death.

Funeral services for Mr. Bryant were held Monday afternoon at 3 o'clock from the First Baptist Church in Pleasanton. The Reverends Howard Thrift and O. G. Barrow conducted the rites. Burial was in the Pleasanton Cemetery, under the direction of the Hurley Funeral Home.

Born on September 24, 1881, at Goodwater, Ala., James Jay Bryant had been a resident here for 30 years. He was a retired Railway Express messenger and baggageman. He was a member of the First Baptist Church of Pleasanton and had served as a Baptist church deacon, here and elsewhere, for a total of 35 years.

Mr. Bryant was both widely known and highly respected in this community. In his youth he attended the public schools at Chandler, Tex., and later Baylor University.

It was at Chandler that he married his wife, Mrs. Sunshine Yarborough Bryant, on June 30, 1907. Mr. and Mrs. Bryant noted their golden wedding anniversary 2 years ago.

Surviving Mr. Bryant, besides his wife, are the following children: Richard T. Bryant, Pleasanton; Mrs. Gwen Humphreys, San Antonio; Eldon L. Bryant, Pleasanton; J. Chester Bryant, Angleton; Mrs. Martha Jane Hagert, Premont; and Mrs. Mary Alice Frazier, Electra.

He also leaves 16 grandchildren; a sister, Mrs. Lena Yarborough, of Chandler; a niece, Mrs. Maurice Kendricks, Hillsboro; and five nephews, A. L. Yarborough, Chandler; Rex Yarborough, Waco; Bryant Conaway, Hillsboro; Wendel Conaway, Fort Worth; and Phaxon Conaway, Dallas.

ATTEND BRYANT FUNERAL

Among those from out of town attending the funeral of J. J. Bryant Monday afternoon at the First Baptist Church were Mr. and Mrs. Maurice Kendrick and Bryant Conaway, Hillsboro; Mr. and Mrs. S. B. Mallet, Mrs. Lena Yarborough, Chandler; Mr. and Mrs. Rex Yarborough, Waco; Senator Ralph W. Yarborough, Austin; Harvey Yarborough, Dallas; Mr. and Mrs. J. H. Frazier, Mr. and Mrs. W. T. Spence, Mr. and Mrs. De Roy Frazier, Rev. and Mrs. O. G. Barrow, Robert Vanderveer, San Antonio; E. S. Caldwell, O. V. McDaniel, Angleton; Mrs. Gladys Burnett, Tucson, Ariz.; Mrs. Cecil H. Williams, George West; R. F. Humphreys, Freeport; Rev. and Mrs. Don Carmichael, Dilley; and Mrs. Charles Bassett, Premont.

Mr. YARBOROUGH. Mr. President, though J. J. Bryant was retired at the time of his death, it is typical of him and his family that his son, Richard Bryant, a Pleasanton businessman, has the poem "Don't Quit" printed on the reverse of all his business cards.

I ask unanimous consent to have printed at this point in the RECORD the poem entitled "Don't Quit," from Richard Bryant's card.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

DON'T QUIT

When things go wrong, as they sometimes will;
When the road you're trudging seems all uphill;
When funds are low and the debts are high,
And you want to smile but you have to sigh;
When care is pressing you down a bit
Rest, if you must (but don't you quit).

Life is queer with its twists and turns,
As every one of us sometimes learns;
And many a failure turn about,
When he might have won had he stuck it out;
Don't give up though the pace seems slow
You may succeed with another blow.

Success is failure turned inside out,
The silver tint of the clouds of doubt;
And you be near when it seems far,
So stick to the fight when you're hardest hit,
It's when things seem worse that you mustn't quit.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

The PRESIDING OFFICER (Mr. MCGEE in the chair). Is there further morning business? If not, morning business is closed.

Mr. FREAR. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 207) to provide additional funds for the Official Reporters of Debates of the Senate.

NOMINATION OF GEORGE HAROLD KING, JR., OF MISSISSIPPI, TO BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. STENNIS. Mr. President, I note with pride and interest that the President has nominated to a 14-year term on the Board of Governors of the Federal Reserve System the Honorable George Harold King, Jr., of Mississippi, and that the Committee on Banking and Currency has recommended that the nomination be approved.

I point to this gentleman's record with pride and satisfaction. I am pleased that he is about to enter upon a new term, which, incidentally, is for 14 years. The term will expire in February 1975. As I recall, it is the second-longest term among appointive offices. Mr. King has already served on the Board nearly a year and has made a very fine record indeed. He acquitted himself unusually well when he appeared before the Committee on Banking and Currency. He is a young man. I am very proud of his reappointment, and predict that he will continue to serve with distinction, ability, and credit not only to himself but to the Board of Governors, and that his service will be of benefit to the Nation.

A PROGRAM FOR FORESTRY RESEARCH

Mr. STENNIS. Mr. President, the subject I am about to discuss is, I believe, of major importance to the entire Nation, and thus should be of interest to every Senator. It relates to an additional and enlarged program for forestry research.

Mr. President, last March 24 Secretary of Agriculture Benson transmitted to the Congress a highly significant document entitled "A Program for the National Forests." This document and accompanying background material outlined the steps necessary to put the national forests' 181 million acres to work in such a way that the maximum multiple benefits of timber, forage, water, wildlife, and recreation would flow from these lands for the benefit of all the people. Hearings were held last spring on it by committee in both Houses of Congress. The total amount required for the first year's increment for the full program is only $6 million. Unfortunately, only $1,786,400 is included in the 1961 fiscal year budget. The table I hold in my hand gives a comparison of the budget request and the added amount required

to implement this important program. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Forest research—Budget estimate, fiscal year 1961 compared with increase suggested for implementing the program for the national forests

	Appropriated, fiscal year 1960	Budget request, 1961	Budget increase, fiscal year 1961	Additional increase required to implement full national forest program
Forest and range management research	$7,104,000	$7,354,600	$250,600	$1,337,000
Forest protection research	2,650,000	2,834,000	184,000	456,000
Forest products utilization	2,854,400	3,103,400	249,000	745,300
Forest resources research	1,937,000	2,040,000	103,000	175,100
Construction research	----------	1,000,000	1,000,000	1,500,000
Total research	14,545,400	16,332,000	1,786,600	4,213,400

Mr. STENNIS. Mr. President, I have studied this plan carefully, and commend the Department of Agriculture and the Forest Service for this comprehensive and carefully developed program, with estimates of costs necessary to put it into operation. This program deals with all phases of the work needed to properly protect, develop, manage, and utilize our national forests. It includes a plan of research to provide the scientific and technological basis for insuring that the most effective and efficient practices can be used. I shall confine my remarks today to the forestry research program.

BENEFITS FROM THE NATIONAL FOREST PROGRAM

At the outset, however, I want to say that this is the first time the Congress has had such a complete picture of: the work that needs to be done toward a balanced development of our great national forests; the costs of the work to be done; and the benefits that will come from the national forests provided the Congress makes available the required funds.

Last year there was sold from the national forests of the Nation alone and fed into our national economy, in round numbers, 9.3 billion board feet of timber. It brought, in cash receipts to the Federal Treasury, more than $124 million. In the current year, sale of these forests' products will bring into the Federal Treasury, $137 million. In round numbers, the total cost of operating the entire program of the National Forest Service will be only $138 million.

We see from these figures that already, with the stepped up production in the salable products—the things actually sold for money—each year that there is a return from these products which brings almost as much money into the Federal Treasury than it costs to run the entire national forest program.

These forests will return to the Treasury more than the cost of the program from the very beginning from the sale of timber on a sustained yield basis. But more important perhaps—certainly a basic concern to our country—is the protection and management that will be given to the soil and water values in well-managed national forests. Situated as they are at the headwaters of our great watersheds, these important forests must retail increased quantities of usable water and check erosion and floods. Other great benefits are the scenic and recreational values, the wildlife and hunting and fishing values, and the domestic livestock grazing values.

In short, the multiple benefits from the multiple-use management of these national forests will be tremendous. These benefits are enormously important to our national economy and well-being now and will increase greatly in the future. I sincerely hope this Congress will provide the necessary first-year funds required to implement the Forest Service program along the lines proposed in the plan presented last spring.

As I have said, a part of that plan deals with the forestry research required. Let me emphasize right here that while this research is necessary to the success of the national forest development, it also will benefit the proper development and management of State and other public forests, and of private forests where similar problems occur and must also be solved.

On that point, let me say that in my home State of Mississippi, a major part of the tremendous benefits which have flowed from the operation of the national forests in that State, beginning in the early 1930's, during the depression, are to be found in the example and the encouragement given to the small landowners, including the very small landowners, to take care of their own forests. Under this program they are shown how to build them up to maximum yield; how to cope with insects, fires, and other problems; and also how to obtain the most for their products when they are marketed.

Last fall, I traveled from Hattiesburg, Miss., to Biloxi., Miss., a distance of approximately 70 or 80 miles, through some of the national forest. As I recall, 46 industrial units which have been built between those two fine cities were using some of the products of the national forest; those 46 industrial units were obtaining all or part of their raw products from the growth there from land which, when taken over by the National Forest Service, was almost barren.

RESEARCH NEEDS FOR THE FIRST YEAR OF IMPLEMENTATION

During the discussions of the national forest program to which I have referred, it was pointed out that $6.5 million would be required to implement a reasonable first increment of forestry research. This first step would be in balance with other parts of the program, and would be necessary, as a start, to get the answers to problems of protection, management, and utilization. At the close of the last session, Congress provided $500,000 toward the research program. Hence, to implement fully the first year's needs, an additional $6 million should be made available this year.

The $6 million additional which I propose will provide for two highly essential phases of research needs: First, $2.5 million for the construction of badly needed laboratories and other research facilities; and second, $3.5 million for strengthening vitally important programs and vigorously attacking new problems heretofore untouched.

Mr. President, this is certainly a relatively small amount of money. It is to be appropriated for a Government operation which already is in business. From a business standpoint it is justifiable. This sum is for necessary basic research which is going to have to be done some day, if we really mean business in connection with our attempts to obtain the maximum use and the maximum utilization of these forest lands.

Mr. President, I cannot understand why we hold back funds from a money-making enterprise of the vast potentiality of this one for future generations. Under these circumstances, why should we hesitate to appropriate $2,500,000 for one part of the program, and $3,500,000 for the other part? Those appropriations will permit the work to be begun now, for the benefit of future years; and this is an essential research program.

THE NEED FOR BETTER RESEARCH FACILITIES

Last year, I outlined to the committees the critical need I had observed for better laboratories, greenhouses, and other research structures and equipment that were required to give forestry research scientists more adequate space and modern laboratories for their work.

Mr. President, I have been to the National Forest Service Laboratory, where some of this work is now being done in a limited way. When I was there, I found at work some of the top scientists of the Nation and some of the very best forestry scientists and experts in the world. However, they had to do their work in the small rooms, and many of them were virtually sitting on drygoods boxes. They lacked the instruments they needed; they were working with far too limited facilities; they were denied the tools of their trade; they had to work under physical conditions which made it impossible for them to obtain the best results.

As I said then, I have been impressed, as I visited some of the locations, by the lack of adequate facilities, by the crowded office space, and the generally poor condition of buildings in which research people are working. Many of the structures were built by the Civilian Conservation Corps in the 1930's. Many were not even permanent buildings, and were never intended for the kind of modern equipment and facilities now available to speed up research. In most cases, these

structures are not adaptable to the use of new and modern methods, such as radioactive techniques, microchemical methods of analysis, and so forth.

Last year, I proposed that the Congress make a start on worthwhile construction of forestry research facilities; and I recommended that $2.5 million be appropriated for that purpose. Only $500,000 was made available. I was glad to note that the Department's program for the national forests includes a number of regional laboratories and related facilities. The research construction critically needed in the next several years would amount to $34 million. But this program now is directed toward the smaller amount I have mentioned.

Mr. MOSS. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Utah.

Mr. MOSS. I am very much pleased to associate myself with the remarks of the distinguished Senator from Mississippi. He has long been a leader in the efforts to make progress in the development and improvement of our national forests.

Inasmuch as I come from the West, where we have an extensive part of our land in national forests, I, too, am very much interested in the program and I am very much concerned about it.

I should like to ask the distinguished Senator whether the program which was outlined last year by the Secretary of Agriculture, for work in the national forests, would be adequate, in the opinion of the Senator, to carry on the work which needs to be done in order to keep our national forests on a sustained and improving basis.

Mr. STENNIS. I appreciate the interest of the Senator from Utah, who knows a great deal about this subject. Some of the finest work in the Nation is being done in his home State, as he knows.

He has asked a good question; and the answer is, yes. This entire plan has been prepared most scientifically, and the costs have been accurately estimated. This is the first increment of the needed amounts in order really to put this research program on its feet and get it on its way. It is not designed for the benefit of any particular region of the United States; instead, it is for the benefit of the entire Nation.

Mr. MOSS. Then is it not correct that we need to provide the funds in accordance with the program which has been worked out, rather than to cut them back to a point where the forest research will be crippled?

Mr. STENNIS. Yes, it is certainly up to us to provide the needed funds, because the Forest Service has outlined the need and has made the plans and has pointed the way.

Mr. MOSS. I congratulate the Senator from Mississippi; and I certainly pledge my support of his efforts to sustain and improve our national forests.

Mr. STENNIS. I thank the Senator from Utah very much indeed.

Mr. GRUENING. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I should like to associate myself with the Senator's presentation of this excellent program. As he and the junior Senator from Utah have pointed out, the national forests are an invaluable national asset which does not belong to any particular region. Our forests may exist more in some regions of our country than in others, but their products are for the benefit of the entire Nation.

I would say the modest sum now sought for their conservation and wise utilization should not be considered as an expenditure. Instead, it should be considered in the nature of an investment and an investment of the soundest kind. It will produce manifold returns.

Let me ask this question of the Senator from Mississippi: What part of the forest program of the Secretary of Agriculture, which calls for $6 million, was requested in the President's budget?

Mr. STENNIS. I was coming to that point in just a moment. Of the $6 million, only $1,700,000 in round figures, has been included in the 1961 budget. Therefore, the additional amount necessary to constitute the $6 million would, of course, be $4,300,000.

Mr. GRUENING. In other words, the President's budget is chiseling away part of the program of its own administration—a conservation and basic resource development undertaking proposed by the Secretary of Agriculture. Is that correct?

Mr. STENNIS. That is correct, yes; just a little over 20 percent of the amount needed is in the budget.

Mr. GRUENING. Has the Senator from Mississippi looked into the extent to which we have subsidized forest research, reforestation, and forest development generally in foreign countries?

Mr. STENNIS. The Senator from Mississippi really has no actual figures on the subject, but I know the figures are highly inadequate in our own country.

Mr. GRUENING. The Senator realizes, does he not, that whenever a project is sent down from the White House for an expenditure abroad, under our so-called mutual security program, we are enjoined and told emphatically we must not cut a cent of it, that the expenditures in foreign countries for aid to these countries are sacrosanct and indispensable; but when a Cabinet official from the President's own official family sends down a recommendation for $6 million for a vital American program it is cut down to less than one-third of the amount asked. I wonder how it is possible to justify this strange disparity between what are proclaimed by the administration to be essential expenditures in foreign countries and what informed Americans consider essential expenditures in our own country.

Mr. STENNIS. The Senator's point is well taken. I appreciate his contribution to this debate.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. STENNIS. Yes; I am glad to yield to the Senator from Wyoming.

Mr. McGEE. Having a kindred interest in our forests, again representing a Western State, I wanted to raise a point the Senator from Mississippi has been bringing out extremely well; that is, the overall program that has been outlined, projecting ahead the needs of this country in forest research and reforestation, if we are to meet our anticipated needs. That program, presented last spring, intelligently described to us the burdens which lie ahead. The Senator from Mississippi has put his finger on the shortcomings we are up against, of inadequate research in our forestry problems.

May I suggest to the Senator from Mississippi that the shortcoming is borne out in a second, and rather glaring phase of the program—in actual reforestation itself. The program spelled out a reforestation program, projected for the next 12 years, of planting 10 billion trees. The Department felt 10 billion trees were necessary to meet our timber requirements and to continue to bring needed income to the National Government.

I wondered if the Senator from Mississippi was aware of the fact that the reforestation program, as laid down in this 12-year program, will take, at the present rate of allowance in the budget this year, 400 years in the State of Wyoming. At the rate of the present budget allowance, we are going to extend this program for a period of four centuries, instead of meeting the demands expected in the next 12 years.

Would the Senator regard it as a waste of our economy to spell out the program over 400 years, instead of meeting the 12-year program which we agreed was necessary?

Mr. STENNIS. I think the Senator from Wyoming has made a fine contribution to the debate in the way of facts as well as his own opinions, and I thank him. It seems to me it would be the height of folly to have this great reproducible natural resource, which is capable of generating more and more income, as well as of strengthening the economy of the Nation in the area where it is located, not fully developed. Certainly, if we are willing to pay for the basic and fundamental research to get this program before us, we should be willing to take the responsibility of putting it into effect. In addition, it is a mighty good business proposition.

I thank the Senator for his thoroughness and his interest, and what I know will be valuable support in this program.

Mr. McGEE. If we do not have, not only forest research, but reforestation itself, which naturally follows from the benefits obtained from a research program, we are undermining our own interests. I may remind those in some positions of responsibility that our natural resource in timber is not a Republican resource or a Democratic resource or a western resource, but it is an American resource. It enriches our country only if we exploit that resource and promote it with long-range views in mind. That cannot be done in the program being described at the present time by the Bureau of the Budget. It is the

wrong kind of economy, in which we penalize our own economic betterment.

Mr. STENNIS. I think the Senator from Wyoming is eminently correct. We must do something about it. I thank the Senator for his contribution.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Alaska.

Mr. BARTLETT. The Senator from Mississippi is to be commended for bringing the forest needs of the Nation to the attention of the Senate and of the country. As he has pointed out, this program has to do with a renewable resource, one that, if properly cared for, will never be exhausted, but which, on the contrary, can grow greater and greater, instead of becoming depleted.

The Senator from Mississippi stated, and ever so correctly, that this is a national program. This fact is emphasized, in my judgment, in looking over the list of recommendations he has made for forest-research construction, because the facilities would extend from New Hampshire to the Deep South and from Alaska to California and many areas in between.

If the Senator will permit, I should like to say that in respect to the laboratory for Alaska a statement is to be made before the appropriate committee by the Honorable B. Frank Heintzleman, a former Governor of Alaska, and before that U.S. regional forester for Alaska. In the very well-prepared paper which he will present to the committee, Governor Heintzleman informs us that the area which would be served by the proposed laboratory in Alaska, in a very modest way, of course, is estimated to be 100 million acres in extent—simply vast. It is important to note, too, that the principal species of timber are white spruce, white birch, and cottonwoods. These types of trees do not grow in appreciable quantities in the other States, although they do in Canada, and they are of a higher order of importance.

I join the Senator from Mississippi, and the other Senators who have spoken on this subject, in pledging my support, not only for the proposed laboratory in Alaska, but all the others which he recommended, and, ever so properly, ought to be built now, without any further delays.

Mr. STENNIS. I thank the Senator from Alaska for his very timely remarks and very sound comments. I shall welcome the testimony of the former Governor of Alaska, whom I know personally, and I know of his personal interest as well as his fine knowledge of the timber problems and forestry resources of that truly great State.

Mr. BARTLETT. Mr. President, will the Senator yield further?

Mr. STENNIS. I am happy to yield.

Mr. BARTLETT. With the Senator's consent, I ask unanimous consent that the statement by former Governor Heintzleman may be printed in the RECORD at the conclusion of the remarks of the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I wish to say to the Senator from Mississippi that I received an advance copy of the Senator's speech. I thought so well of it, and so recognized its importance not only to the forestry problem in his part of the country, but in my own and elsewhere in the country, that I have prepared a very brief statement on the Senator's speech, ending with a question.

I want to consult the Senator's pleasure. My statement in support of the Senator's position is 2½ pages long. I shall accommodate myself to the time available. Would the Senator like to have me make my statement at the end of his speech, and ask him questions after he finishes?

Mr. STENNIS. Mr. President, were it not for a very urgent situation in which the Senator from Mississippi finds himself with reference to a committee hearing at 2 o'clock, when he will have to serve as chairman, he would yield to the Senator now. Under those conditions, I ask the Senator to permit me to finish.

Mr. MORSE. I shall make my speech later, but I would like to have the Senator make a comment or two in response to a brief question.

Mr. STENNIS. I am glad to have the Senator ask questions.

Mr. MORSE. In his statement the Senator from Mississippi speaks of a need for a $4,213,400 increase for forest research. As I understand, this is part of a $20,132,500 deficiency in the budget for the Forest Service submitted by the Eisenhower administration. Is it the Senator's view that we must move forward in all phases of national forest activity, and that this Congress will fulfill its responsibility to future generations by providing the additional $20 million suggested by the Senator?

Mr. STENNIS. I think that is unquestionably true. We are sleeping on our responsibilities and ignoring one of the great potentials of the Nation unless we really make up our minds to move in on this problem and provide the money, such as the figure the Senator from Oregon suggests, as a minimum amount to be used now. There will be untold hundreds of millions of dollars returned to us in the years to come.

Mr. President, I continue with my remarks.

Again I urge that a substantial start be made this year on this construction program. I propose $2.5 million for this purpose and recommend the following nine projects. This list of projects is substantially the same as last year's after adjustments which I have made in the light of the needs set forth in the national forest program and in the light of budget recommendations for fiscal year 1961. The first three projects listed, totaling $1 million, are included in the budget and I am delighted, of course, to see them included. The remaining six projects totaling $1.5 million would be in addition. They, too, ought to be given serious consideration so that we can make more adequate progress on implementing this worthwhile program.

With reference to the forestry research construction, I have a table setting out in detail the type of facility, the location, and the amount of money.

I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Forest research construction

Type of facility	Location	Amount
1. Insect and disease regional laboratory.	Durham-Raleigh, N.C.	$350,000
2. Insect and disease regional laboratory.	Corvallis, Oreg.	350,000
3. Regional laboratory for southern hardwood research.	Stoneville, Miss.	300,000
4. Regional forest fire research laboratory.	Riverside, Calif.	900,000
5. Office-laboratory for timber management research center.	Flagstaff, Ariz.	150,000
6. Office-laboratory for timber and fire protection research.	Fairbanks, Alaska	250,000
7. Field work, headquarters, and streamflow research structures on the Hubbard's Brook Experimental Watershed.	West Thornton, N.H.	50,000
8. Office-laboratory for northern hardwood research.	Marquette, Mich.	75,000
9. Office-laboratory for Great Plains shelterbelt studies.	Bottineau, N. Dak.	75,000
Total for research facilities.		2,500,000

RECOMMENDATIONS FOR STRENGTHENING RESEARCH WORK

Mr. STENNIS. Mr. President, I also recommend substantial increases to strengthen the forestry research programs along the lines proposed in the program for the national forests. This is in addition to the research laboratory construction program which I have just discussed. I propose an increase of $3.5 million which, combined with the $2.5 million for construction, provides the $6 million required for the first year's implementation of the research portion of the Department's national forest program.

Here again, I have prepared my suggestions in the light of budget recommendations for forestry research and the detailed study I made last year. As I told the committee then, I have sought the views of more than 50 of the country's leaders in the whole broad field of forestry—lumbermen, fish and game experts, economists, engineers, educators, water resource specialists, businessmen, and many others. An analysis of their opinions, plus my own experience has convinced me that an increase of $3.5 million this year is a sound investment and that it might be made up of increases for the major fields of research shown in the tabulation following.

Mr. President, I ask unanimous consent that this list of suggested fields of

research in support of the forestry research program be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Forestry research program

Fields of research:	*Amount*
Timber, range, watershed, recreation, and wildlife habitat research programs	$1,587,600
Protection of forests from fire, insects, and diseases	640,000
Forest products utilization and forestry engineering	994,300
Forest economics and marketing	278,100
Total for research programs	3,500,000

Mr. STENNIS. Mr. President, the above proposal for adequate funding of these research programs in the various forestry projects will provide for a more aggressive attack and faster progress than has been possible heretofore. The budget proposes an increase of $786,600 in fiscal year 1961 for these purposes. My proposal is for $3.5 million, a substantial part of which would go to the Forest Products Laboratory where research facilities are already available to use effectively this increase immediately.

In other words, Mr. President, this is a case where we have the facilities, we have most of the equipment, we have a going organization, but we do not have the money to put the program on the road.

One of the most critical needs as well as one of the greatest opportunities for progress is in forest products utilization and forestry engineering research. In this country we have tremendous supplies of wood waste, little-used species, and low-quality timber. For example, in 1952, we had 2.7 billion cubic feet of unused residue wood, enough to keep over 100 good-sized pulp mills supplied. This material and all of the millions of cords of standing poor-quality trees would form the reservoir for a large and diversified wood chemical industry if methods could be found to extract, separate, and modify all of the constituents that make up wood. Little is known, for example, about the chemistry of lignin, an important material that cements wood fibers together and makes up about a third of all wood volume. Here is the basis of a great new plastics and chemical industry if the basic research is undertaken, and is successful.

Unmodified wood products—lumber, plywood, laminated beams, and so forth—are extremely important in housing construction and other uses. However, the demands of modern architecture and the need for more economical use of wood call for a much greater knowledge of many aspects of utilization. We must learn more about how to season wood quickly and cheaply, what variations in strength and other important properties are characteristic for newly used species, what are the best adhesives to bond small pieces of wood into more usable larger sheets and beams. Knowledge of this kind will extend marketing possibilities for wood and create the basis for fuller utilization of national forest and other timber. Success in this field could do much to check skyrocketing construction costs.

Mr. President, in my part of the Nation since I was a small boy I have known of the great number of forest products which were considered to be waste material. Long after pulpwood became a salable product at a fairly good price great quantities of our so-called soft hardwoods were considered unfit for the market and were considered to be waste—useless—whereas in the last few years the paper mills, masonite mills and others have started using gum pulpwood on a very large and extensive scale and have found many of those so-called soft hardwoods to turn out in the final analysis a better product for special purposes than pine.

Little progress has been made on forestry engineering in keeping up with the growth of intensive management practices. We need to develop especially designed equipment to lower the unit cost and to speed up all phases of forestry operations in the woods. One of the greatest needs is for soundly engineered systems of removing timber from steep slopes without soil damage and erosion. We have many important watersheds with valuable timber that should be utilized before it deteriorates. But this can only be done if methods and machines are devised to keep erodible soils undisturbed and properly protected. A modest start should be made now in this important field, essentially untouched up to this time.

Protection of the timber, range, and water resources is always important. But in spite of good progress on some fronts, we still are beset by problems of great consequence. Fire losses still are extremely high, especially in highly flammable areas such as the vital watersheds of southern California.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from California.

Mr. KUCHEL. The people of my State have a devoted friend in the able Senator from Mississippi, who has prepared, as many of my colleagues have previously indicated, an exceptionally thoughtful and constructive Senate address, which he is now delivering. If it had not been for the kind of leadership which my friend from Mississippi has offered, Mr. President, the 12-month hazards of forest fires in the State from which I come would not be met in the fashion in which they are being met today by the Federal Government. In each of my appearances before the Senate Appropriations Committee, asking for Federal assistance for fire prevention and fire control in the forests of California—particularly southern California—the able Senator from Mississippi has been most helpful.

I wish to pay my respects to my friend, and salute him not merely for what he says, but also for what he has done.

Mr. STENNIS. I thank the Senator from California very much. I appreciate his very fine interest and active support of all phases of the forestry program.

I have had the privilege of visiting great forest areas in his fine State. At Placerville, Calif., I found the mother laboratory in forest genetics, especially with respect to pines. We now have a daughter laboratory in the Deep South, working on our varieties of pines. California has taken the lead in many ways, and the Senator from California has actively supported these programs.

Speaking of forest fires, all my life I had seen forest fires which ran on the ground; but when I got to the West, especially in California, I saw a new version of a forest fire, one which runs through the tops of the trees. That is one reason why it is so terribly deadly.

I am glad to know that in planning this program it was planned to establish at Riverside, Calif., a regional forest fire research laboratory, which would cost the modest sum of less than $1 million. A great amount of good would result from it. It would pay off in dividends many hundreds of millions of dollars in conservation benefits.

Mr. KUCHEL. Mr. President, will the Senator further yield?

Mr. STENNIS. I yield.

Mr. KUCHEL. The able Senator outlines the very urgent need to establish this facility in Riverside, in the southern section of California. I must say that the local citizens who are responsible for fire protection and fire control place the highest premium on the need for the type of research facility which this relatively modest appropriation of some $900,000 would furnish.

Mr. STENNIS. I thank the Senator again. We will not get very far with a real forestry program, although we talk about setting out so many hundreds of millions of trees, until we do a better job of controlling forest fires.

Fire losses are still extremely high, especially in highly inflammable areas such as the vital watersheds of southern California. New insect and disease pests crop up to make additional research a necessity to check such outbreaks. The losses suffered from these pests are intolerable—28 billion board feet of timber a year either killed outright or suffered through growth losses to the timber stands. We need new methods of combating these losses. We need a substantial sustained program of research to give us these methods.

As forestry practices intensify, so do the problems of fitting all of the many uses of the national forests together with a minimum of conflict and with a maximum return in benefits. The multiple-use principle, so effectively demonstrated in some areas, will be greatly aided by research into the basic relationships of tree growth, soils, forage requirements of livestock and big game and recreation, to name only a few. We need to know more about the relation of vegetation to water supplies and how to influence the yield of water from forested areas and protect its quality. We must learn how best to harmonize mass forest recreation with timber cutting and other uses if we

are to take care of the 600 million visitors on the national forests anticipated in the years ahead. Livestock and big game can be successfully produced on the same ranges if we learn the forage requirements and habitat needs for both. All of these and many other similar relationships need basic research before we can fully understand and apply the best practices to the lands.

Finally, forest economics and timber marketing research should be intensified in order to create more useful marketing procedures and create ways for timber products to move into the channels of trade. For example, one critical need is better log and tree quality grades and systems for separating logs into uniform quality groups for better marketing. The greatest need in my State, from the standpoint of dollars and cents, is for the landowner to learn how to market his product—not merely his saw logs, but his pulpwood, and all the related items. Simpler and surer methods of determining the volumes of products going into markets are needed. These and other studies would go far to stimulate outlets for forest products and create a stronger economic atmosphere for the integration of all forest management activities.

In conclusion, there is no question in my mind that this first step toward full use of our national forests will depend substantially on forestry research. The program needs a sound technical basis such as will come from a balanced research effort. This first step of implementation of program and laboratory construction will start the country on the road to realizing major returns from its forests.

I am a member of the Armed Services Committee, where we must talk of research for military purposes in terms of hundreds of millions of dollars. Not infrequently, but frequently, after $2 billion or more has been spent on a weapon, it must be scrapped overnight because it has become obsolete.

Most of those programs are necessary; but if we really mean to build up our resources and our economy so that it can support the growing needs of the Government, we must put this problem up front, where it belongs, and appropriate the relatively few million dollars which are necessary to put the program "on the road." We cannot say that we do not know how much is needed, or that the lines have not been drawn, or that the program has not been worked out, because all of that planning has been done by some of the soundest men in Government. In connection with the research effort, I have found the gentlemen in charge of our forest research services to be some of the most dedicated and devoted men I have known in Government, and some of the outstanding scientists of the Nation. One of the great rewards I have had in my connection with the National Forest Service has been to come in contact with the fine personnel in the National Forest Service, ranging all the way from the Forest Service Chief, Dr. Richard E. McCardle, and Dr. V. L. Harper, of the Forest Research Division, right down the line to the newest recruit out in the woods. They are men who have vision, purpose, and dedication. Their lifelong interest is their work. They are devoted to it. They are learning all the time, adding experience to their training, and they are making great progress in their wonderful profession.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. GRUENING. I could not commend too highly the very constructive presentation which the distinguished junior Senator from Mississippi has made.

This forestry program is a vital national need. It involves the conservation and enlargement of one of our basic natural resources, timber and wood products. I do not know of any program which is more important for the welfare of our Nation, and for its strengthening—materially, economically, yes, also spiritually, and in every other way—than to preserve and improve our natural resources.

The Senator from Mississippi has made his presentation in the important field of forestry. We need the same sort of program in the matter of soils, and in the matter of water. Water is and will increasingly become, one of the great necessities of our mushrooming population. We are running short of water. We are allowing our rivers to run wastefully to the sea. We are permitting their pollution.

When I was in Russia with some of my colleagues, we were impressed not only by what the Russians were doing in the field of hydroelectric power, which was the subject of our investigation, but also in the field of forestry. We saw millions of seedlings and of larger trees being planted on slopes which has been eroded. Reforestation in Russia is widespread. We saw it with our own eyes.

I am not one who feels that we must engage in such a program merely because the Russians are doing it—although that is an important factor. We should do it for ourselves regardless of what other nations may do.

I shall be most happy to support this program in every way. The appropriation for the forest laboratory at Fairbanks is highly essential. It is in the center of a vast interior forest area of 100 million acres, which has been neglected. It has been ravaged time and again by forest fires.

We have two great national forests along the coast, the Tongass and the Chugach, the former of which I had the pleasure of visiting with the Senator from Mississippi when he came to Alaska a few years ago.

The interior forests have another type of timber, including white spruce, black spruce, birch, cottonwood, aspen, and tamarack species which, in that far northern habitat, need to be studied, preserved, developed, and wisely utilized.

I am very grateful for the inclusion of this activity at Fairbanks in the program, and I am hopeful that Congress will rectify the omission in the Presidential budget and appropriate the necessary amount.

Mr. STENNIS. I thank the Senator for his remarks. I certainly received a part of my inspiration from him, including the time when I was in his great State, where I had the privilege of being in the Senator's home. I wish to invite the Senator now to come before the Committee on Appropriations prepared to present this matter to us in committee and also to present it on the floor of the Senate, because we will press for this small additional sum.

Mr. GRUENING. I will be there.

Mr. MORSE. Mr. President, I congratulate the Senator from Mississippi on his comments and I wholeheartedly endorse his remarks on the importance of building up, as rapidly as possible, our national forestry-research program. The Senator is correct when he points out that the budget for this year is totally inadequate and in no way measures up to the program for the national forests submitted last year by the Eisenhower administration.

I should like to invite attention to the fact that not only is research slighted, but so is virtually every other program which would build for the future of our Nation. Many forestry programs will be financed inadequately under the budget for fiscal 1961. Two million three hundred thousand dollars less than is needed is requested for reforestation; wildlife habitat management is $900,000 under the amount required to do the job; the budget is short $1,250,000 for range management and the vital soil and water management program is $1 million below program requirements. I could go on and list several others. All I want to point out is that this is a totally inadequate budget.

The Senator from Oregon knows that there is some money in this budget for a forest insect and disease control laboratory at Corvallis, Oreg. But I refuse to take the point of view that because this budget contains some money for a major research facility in my State I should stand by and watch the rest of the program be slighted. I am going to work with the Senator from Mississippi to obtain the research increase which is needed so that the rest of the country will have the funds to provide the answer to many perplexing, biotic and economic problems affecting land management and product development.

At this time I should like to compliment my colleague from Mississippi for the leadership he has shown. He has always given complete support to a broad program for all phases of forestry while establishing his reputation as an expert in analyzing the forest-research situation.

The Senator is aware that Oregon holds a unique position among the States with national forest lands. It is the key producer of revenue, turning into the treasury over twice as much money as is spent for all phases of national forest activities in Oregon. We in Oregon object most strenuously to the administration budgets which fail to build our forests for tomorrow while extracting vast sums of money for the general fund. These budgets do not reflect good business management of our forests.

I have been fighting for years to obtain adequate money for access roads in our forests. We need them to protect the forests from fire and to make possible the harvesting and treatment which will protect against insects and disease. We need these roads to permit the recreational use of our forests. These roads are valuable for the development of the minerals under much of our national forest lands; they provide access to the summer range for our stockmen who are wholly dependent upon forest grazing for a balanced livestock economy.

This administration has fought the development of an adequate road system and I am proud that the Congress has moved forward despite administration blockades. I am grateful that the Senator from Mississippi has long been my ally in this fight. His understanding and his real assistance have helped us achieve better development of our forest resources for all of the people.

Mr. STENNIS. Mr. President, I yield the floor.

EXHIBIT 1

FOREST RESEARCH NEEDS FOR ALASKA

(By B. Frank Heintzleman)

The continuing high rate of increase in population of the United States raises the question of possible help from Alaska in relieving the expected population pressure of the next two or three decades.

Some of the points that merit consideration in a study of this question are herein discussed. Presently, Alaska is practically an empty region with an area of more than 3½ times that of California and a population density of only 1 person to 3 square miles or slightly more than one-half percent of the average of that of the other 49 States combined. Being an integral part of our country, Alaska presents no political obstacles in connection with migration from the other States and it can be linked with the 48 States to the south by highways and railroads as the need develops. One highway presently forms such a connection. The small present population is almost entirely of American origin. Its people follow the American mode of life and have recently established a State government of the same general pattern as that of the other States. The climate is not unlike that of the tier of States along the 49th parallel and the location is no further north than portions of Europe which long have supported millions of people.

The inventorying and testing of natural resources, while still in the beginning stage, indicate clearly that the State is capable of supporting a greatly increased population at a satisfactory standard of living.

Granted that the above are favorable factors to large-scale settlement, the possibilities of a sporadic or boom-and-bust type of development must and can only be avoided by proper planning for the use of the natural resources and this must have careful research as a foundation. The mistakes made in many instances in Western States settlement should not be repeated in Alaska, and they will not be, if good research findings are available and used.

NORTHERN FOREST RESEARCH

One of the most important fields in research needing attention in Alaska is forest research. Since the forests are one of the greatest resources of the State, and research in forest problems often require long-term studies due to the relative slowness of tree growth the small research program now being conducted in Alaska needs great and early expansion if the forests are to make their best contribution to the development of the new State.

These Alaska timberlands need protection from fire, insects, disease, and animals, as is true of the forests in other parts of the United States; also management methods must be evolved to suit great variety in forest types and composition, climatic zones and kinds of soil within Alaska.

Only research will supply answers to the questions of how these northern forests are to be best protected and managed.

INTERIOR FOREST TYPE

The natural vegetative cover of vast areas of Alaska south of the Arctic Circle and north of the mountain range which adjoins the south coast is the Interior Forest. Its area is roughly estimated to be 100 million acres and its principal species are white spruce, white birch, and cottonwoods. The volume per acre of mature stands is small, averaging 8 to 10 cords.

This forest type does not occur in any appreciable amount anywhere in the 48 States to the south. Consequently it constitutes a new field for research by American foresters. Little of the information being obtained in research programs in the States to the south are applicable to Alaska.

Fire is the worst enemy of this northern forest and has caused widespread damage. An almost incredible portion, estimated to be 80 percent, of the 100 million acres, has been devastated or severely injured by this destructive agency. Most of this damage has been caused by repeated fires over the same areas since white men first entered the country in large numbers during the gold rush days at the turn of the century.

The effect of fire damage on trees of various species and on forest soils and stream flows and its relationship to Alaska's great scenic and wildlife resources; the determination of better methods of fire prevention and control; how to restock burned areas and with the most suitable species; and what classes of soil and sites, should be given the higher priorities in the job of forest restoration; all of these items are highly important problems for research on these fire-damaged areas. Proper forest management methods for the Interior Forest also have to be determined by research.

The Interior Forest is a part of the forest type which forms a belt entirely across Canada. In Ontario and Quebec it contributes very substantially to the support of a huge pulp and paper industry. The value of this tree growth for the early and more particularly the future economy of interior Alaska can be impressive. The estimated 20 million acres or more of undevastated virgin forest can be a valuable supply source of fuel and building materials for settlers and of raw material for assorted local-use industries. The white spruce of these forests should attract large pulp enterprises when expanding pulp markets bring these timberlands within economic range of the markets.

Unlike minerals which are expected to figure prominently in Alaska development timber is a renewable resource, which can, under proper management, be counted on to contribute in perpetuity to the local economy.

The Interior Forest type is almost entirely federally owned and to a large extent is located on public domain land. The State is expected to select large areas of these forested public lands as a part of its Federal land grant under the Statehood Act.

THE COASTAL FOREST

The range of this forest is a relatively narrow strip along the south mainland coast and along the shores of the adjacent islands from Ketchikan to Kodiak. It is very different in form and composition from the Interior Forest due to the milder climate and heavier rainfall of this section of Alaska, and is similar to the forest found directly along the coast of Washington. Sitka spruce, western hemlock and western red cedar form dense stands of large trees with a high volume of timber per acre. The total area, in Alaska, of this forest, classified as presently commercial in quality and accessibility, is between 4 million and 5 million acres. Its estimated presently commercial timber volume runs to the huge figure of 100 billion boardfeet. This timberland largely has national forest status, and is managed by the Forest Service, Department of Agriculture, in accordance with the principles of sustained yield forest management.

Two huge pulp mills in this area, each representing an investment of nearly $60 million, and a number of sawmills are now drawing their wood supplies from this national forest area. Additional pulp mills and other timber use enterprises are in prospect. No other Alaska resource with the possible exception of the petroleum industry which has yet to prove itself, holds a greater promise for outstanding and early economic support of the State than the coastal forest timberlands. The cut should be brought up to the full growing power of the forest as rapidly as economically possible.

Forest research activities in the Coast Forest are presently very small. The work is largely confined to problems of immediate urgency and is inadequate to make satisfactory progress even there. The urgent questions now under study include how best to get satisfactory natural reproduction on logging areas and the best means of preventing damage to fish-spawning streams in the vicinity of logging operations.

The desirability of bringing this coastal timberland to the peak of production justifies a greatly enlarged forest research program.

Practically nothing is now being done in the way of forest research in the Interior Forest. The logical center for handling research programs covering this extensive Interior Forest is the campus of the University of Alaska, near Fairbanks. The university is well located with respect to the forest areas and has an equally important advantage in that it is now, and is rapidly becoming more so, a nucleus for other classes of natural resource research. Forest research specialists would be able to coordinate their work with that of workers in such related fields as wildlife, fish, soils and agriculture. If for some reason the research headquarters cannot be located on the university campus a site for the purpose is available on federally owned land in the Fairbanks area.

RECOMMENDATIONS

It is strongly recommended that Alaska be included in an enlarged program of forest research for the United States and especially that a start be made at this time on a research program for the Interior forest with headquarters in the Fairbanks area, preferably on the university campus.

Alaska was included as an authorized research region in the basic Forest Research Act of 1928. The 10 or more other regions so authorized have long since been provided with forest experiment stations, research centers, and experimental areas, and staffed with specialists in the various classes of needed work. Alaska with a forest land area equal to one-fifth to one-fourth that of the other 49 States combined, has not yet been given these facilities and the present research staff is composed of three or four men on special assignment in the coastal forest area.

A satisfactory start on Interior forest research could be made under an appropriation of $350,000 ($250,000 for laboratory and $100,000 for residences) for the first year. This would be sufficient to erect and equip an office and laboratory structure and some minor buildings, and to meet the salaries

and expenses of five technicians and their facilitating personnel. The building cost, a nonrecurring expense item, would amount to approximately $350,000.

Mr. GRUENING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRUENING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCONTINUANCE OF NUCLEAR TESTS

Mr. GORE. Mr. President, in 1958 I had the honor and responsibility of being selected as the Senate adviser, and thus a member of the U.S. delegation to the Conference on Discontinuance of Nuclear Weapons Tests, which began in Geneva on October 31, 1958. I was there at the opening session, and remained at the conference for a period of 2 weeks. During that 2-week period, in which I attended every session and listened intently, I reached conclusions which I thought necessary to report to the President of the United States. I cabled for an appointment with the President and returned to the United States.

President Eisenhower received me. I could not have asked for more cordiality; neither could I have expected or have received more courteous attention and consideration of the suggestions I made. The President twice extended, by his own suggestion, the conference which eventually lasted 45 minutes. At the conclusion of the conference, the President requested me to submit a memorandum of my views. I submitted a memorandum to him on November 19, 1958. I did not make the contents of the memorandum public because it was submitted for the private use of the President of the United States.

Now that 15 months have elapsed, however, I see no reason why it should not be made public, and in a moment I shall read the memorandum to the Senate. Before doing so, I should like to say that in this whole complex and vexatious field of nuclear weapons tests, of nuclear weapons policy, and of disarmament, I have sought to be helpful to the President of the United States in his tremendous and frightful responsibilities. There are times on other subjects when I have had my partisan moments. Indeed, some might say that I have upon occasion been a strident partisan. I have no apology to make for that. Such is at times necessary in the operation of our two-party system. However, in this delicate field, in which the security of America and of the free world is involved, there has not been the slightest touch of partisanship in my action or attitude. I should like to note also that this memorandum was submitted from the standpoint of the United States of America. The memorandum, dated November 19, 1958, reads as follows:

In the Geneva Conference on Nuclear Tests, two essentials are involved: (1) The moral and political position of the United States, and (2) U.S. military strength vis-a-vis the Soviets.

The U.S. delegation would seem to be negotiating toward an unattainable goal. If so, we must face the prospect of a failure of the conference, for which we would suffer propaganda blame, or an unfavorable agreement.

The Russians plainly seek to pressure the United States and the United Kingdom into agreeing to stop all tests for all time without accepting effective inspection. If they fail in this, they will seek to blame the United States for failure of the conference. Soviet success in either respect would be detrimental to U.S. interest.

Mounting fears of radioactive contamination of the air is Russia's most powerful propaganda weapon against us.

The United States can strengthen her moral and political position by seizing the initiative to stop radioactive contamination of the world's atmosphere. This can be done without the establishment of the cumbersome, if not entirely impractical system of inspection and control proposed by technical efficiency experts in detection of atmospheric detonations.

It is respectfully suggested, therefore, that the President announce the unconditional and unilateral cessation of all nuclear tests in the earth's atmosphere for a specific period, say 3 years, ask similar action by other nuclear powers, and suggest that the Geneva conference proceed immediately to negotiate a treaty among the nuclear powers for a permanent stoppage of atmospheric tests.

Thereafter, the conference can proceed to negotiate for the discontinuance of other types of nuclear weapons tests—underground, outer space, and suboceanic—with an adequate system of inspection and control, making the necessary exceptions for threshold and space tests. Technicians have advised that it is possible to develop improved low-yield weapons through underground tests and that it may be possible to conduct tests beyond the earth's atmosphere. The argument for cessation of these types of tests is essentially an argument for disarmament and can be considered as a part of the whole involved problem of disarmament.

The course of action herein recommended has the possibility of bringing three important advantages to the United States: (1) An improvement of the moral and political position of the United States in the world; (2) the drawing of a clear distinction between the antisocial contamination of the atmosphere for which the United States is being sorely blamed, on the one hand, and other types of nuclear weapons tests, on the other; (3) possibly laying the groundwork for a successful conference at Geneva or, at least, mitigating or saving the United States from blame for its failure.

Since the conference evolved from the President's pronouncement of August 22, there is no way that the United States can be disassociated from either the success or the failure of the conference. Our prestige and responsibility are involved.

Moreover, one important forward step toward peace and international cooperation might lead to others in our time.

Mr. President, this memorandum was prepared 15 months ago. It reflected the earnest, considered judgment of the junior Senator from Tennessee. I should like now to discuss this entire question. I may say that since presenting the memorandum I have had occasion to talk with former Secretary of State Dulles, Secretary of State Herter, officials of the Department of Defense, members of the Atomic Energy Commission, my colleagues on the Joint Committee on Atomic Energy, and many others. It is a subject to which I have devoted concentrated study.

The cessation of nuclear weapons tests is a matter which is of tremendous importance to the United States and to the world. The solution of the problem involves, on the one hand, as I stated in the memorandum, the position of the United States as a leader of the world in promoting political and military morality and the principles of humanity, while on the other hand the manner in which the problem is resolved will affect our military strength and that of our allies compared with that of Soviet Russia and her satellites.

This is a subject which, unfortunately, is not fully understood by a great many of our citizens. It is a subject about which public discussion is sometimes influenced by strong emotions. It is a problem for which we must attempt to seek a solution, but one as to which we dare not let our desire for political agreement blind us to scientific and military realities.

I consider it essential that the U.S. policy on nuclear weapons testing be reappraised in the light of the facts as they exist; that we publicly and clearly define our objectives; and that we promote public discussion and debate upon the factors involved. It is my purpose and my hope to contribute to this public discussion and public understanding as best I can. I had planned to speak upon this subject on the floor of the Senate several times heretofore, but have been dissuaded from doing so because of the delicacy of the pending negotiations. Now that the conference in Geneva appears to be stalemated and, after 15 months, the situation still appears to be as I described it on November 19, 1958, I should like to contribute, as best I can, to public discussion and understanding of this subject.

What is the objective of U.S. policy in this field? What kind of agreement do we seek relative to the cessation of nuclear weapons tests? It seems to me that our minimum objective should be to seek an enforcible agreement which will, first, stop the discharge of poisonous, radioactive fallout into the atmosphere which all must breathe; second, achieve an agreement between nuclear powers on discontinuance of weapons tests which can be subject to adequate inspection, detection, and control; third, provide a sound basis and an example in experience which could lead, and which we hope would lead, to progress in bringing about meaningful effective disarmament. These are laudable objectives toward which we must continue to press.

There is widespread acceptance of the premise that any international agreement with the Soviet Union designed to accomplish these objectives will endanger our national security unless there are in being scientific equipment, effective procedures, and a political mechanism to insure that the agreement is not violated. I am very much concerned that in our zeal to reach an agreement on this subject, we may be placing ourselves in the position of being forced to accept an agreement which, in fact, will be unen-

forceable, on the one hand, or to be assessed the blame in the eyes of the world for failure to reach an agreement, on the other.

In the memorandum of November 19, 1958, to the President, I said:

> The Russians plainly seek to pressure the United States and the United Kingdom into agreeing to stop all tests for all time, without effective inspection. If they fail in this, they will seek to blame the United States for failure of the conference. Soviet success in either respect would be detrimental to U.S. interests.

Mr. President, the international blame for failure of the Nuclear Weapons Test Conference in Geneva is a serious matter. If assessed against the United States, it would seriously impair our position and prestige. The alternative seems now to be an unenforcible and unwise agreement. Acceptance by our representatives of an unwise agreement, in itself would pose two types of hazard: One, that the Senate accept it; two, that the Senate reject it. Either course would entail dangers and hazards for the United States.

I thought and sincerely believed in November 1958 that President Eisenhower could then have seized the initiative, by not only proclaiming to the world the willingness of the United States to stop contamination of the world's air, but also by saying, "We have stopped." He could then have invited all other nuclear powers to join us in this action. If they refused to do so, upon them would rest the responsibility for further contamination of the earth's atmosphere. Subsequent events have confirmed and strengthened my views.

Mr. President, the phenomenon of global fallout of radioactive particles resulting from nuclear explosions was generally recognized as a significant problem only after initiation of the testing of hydrogen bombs in 1952. Last year, the Atomic Energy Commission released its estimates of the fission yield of tests conducted by the United States, the United Kingdom, and the Soviet Union through 1958. There is still some considerable uncertainty, however, about the total volume of poisonous substances remaining in the stratosphere as a result of tests already conducted, about how long it will take these substances to drift down to the lower atmosphere, and about their precise effect.

In 1956, the National Academy of Sciences issued a report which served to call attention to the potential fallout hazard of weapons testing. I believe it fair to say that that report, as well as the one issued by the United Kingdom Medical Research Council, raised more questions than it answered. Hearings held by the Joint Committee on Atomic Energy in 1957 and again in 1959 added some new facts to our meager store of information on this subject.

Mr. President, I am neither a scientist nor a technician. I do not know the precise degree of the danger which exists or which may exist if the testing of nuclear weapons in the atmosphere continues at a level substantially similar to that of the past 5 years. However, whatever the degree of danger which may actually exist, suffice it to say for the benefit of this discussion that in the minds of the people of the world the danger is real, and in the minds of many the fear is stark.

Mr. President, the United States of America developed the atomic bomb. Moreover, the United States used it. To this day the United States is the only nation which has used it. In our view, the use of the atomic weapon was justified by its contribution to the early termination of hostilities in World War II, thereby saving the lives of thousands and thousands of American soldiers, Japanese soldiers, and Japanese civilians. Nevertheless, many persons automatically associate the problem of radioactive fallout with the U.S. development and use of atomic weapons. It seems to me that this imposes upon the United States a moral responsibility to take the lead in eliminating or reducing the fallout hazard.

The problem of fallout, although related to disarmament, is separate and distinct from disarmament. The problem of fallout from tests is far easier to solve and its solution poses far less serious hazards to our national security. For all practical purposes, the contamination of the atmosphere arises from atmospheric explosions. An effective ban on further atmospheric explosions would eliminate further contamination of the earth's atmosphere to any appreciable extent. As I shall explain later in more detail, an agreement limited to this type of tests is enforceable with equipment and procedures now in being and now in operation; and which have been in operation for some 10 or 12 years.

The overall problem of disarmament is infinitely more complex than that of ending fallout from tests. The Conference on General Disarmament is to begin in Geneva about the 15th of next month. The success or the failure of the Weapons Test Conference will undoubtedly have an important bearing upon the course of the Disarmament Conference. A complete ban on nuclear weapons testing is essentially a matter related to disarmament and a part of disarmament.

Enforcement problems for an agreement to stop all tests are vastly more complex than those related to an agreement covering only atmospheric tests. A complete test ban, we are told, would hamper, if not prevent, the development of small nuclear weapons, and possibly defense mechanisms, too.

Obviously, the discontinuance of our own development program under conditions which would enable the Russians to continue theirs clandestinely would be dangerous. Moreover, the American people have been conditioned, through the administration of former President Truman and the administration of President Eisenhower, to the necessity of adequate inspection and control mechanisms being a vital part of an agreement on disarmament or test stoppage.

It must be remembered that restrictions on the development of new nuclear weapons would not limit the production or use of those weapons already in being.

We have been endeavoring, since 1946, to find some effective means for controlling these awesome instruments for destruction. Unfortunately, our efforts toward meaningful disarmament have amounted to little more than an exercise in futility.

The requirements for inspection to detect a nuclear test explosion underground or in extremely high altitudes pose great difficulties, as I shall show later. They are as nothing, however, when compared to the difficulty of insuring that nuclear warheads have actually been destroyed, even if political conditions for agreement for their destruction can be agreed upon. Under these circumstances, nuclear disarmament necessarily involves limitation of the means of delivery, as well as of nuclear components. Since nuclear weapon test delivery systems usually have a dual capacity, nuclear or conventional, it is no longer possible to isolate nuclear disarmament from conventional disarmament measures.

Let me emphasize that actual nuclear disarmament and discontinuance of tests which do not involve the antisocial aspect of contamination of the world's atmosphere are essentially a part of the general problem of disarmament. I trust that our representative to the General Disarmament Conference, Mr. Eaton, will have occasion to ponder this effort on my part to contribute to an understanding of this vexatious subject.

Let me repeat once again that a successful step taken now—even at this late date—would offer some greater hope than now exists for success of the General Disarmament Conference.

I should like now to read once more the final sentence in the memorandum which I submitted to President Eisenhower in November 1958:

> Moreover, one important forward step toward peace and international cooperation might lead to others in our time.

Nuclear disarmament, even if attainable, without simultaneous limitation on conventional arms would raise serious questions about U.S. defense posture. Since 1953 the administration has placed increasing reliance upon the concept of massive retaliation, or deterrence, with nuclear weapons. We are told now that there is no deterrent gap. I am not sure of the meaning of this term, but whatever it means, our defense efforts in this regard have been carried forward at the expense of maintaining forces capable of fighting with conventional weapons. The elimination, or significant limitation upon the use, of nuclear weapons would place our forces at a serious disadvantage if opposed by the overwhelming concentration of conventional forces which are maintained by the Communist bloc nations.

In citing these obstacles to meaningful disarmament, Mr. President, I do not mean to imply that we should abandon our efforts in this field. Quite on the contrary, I have suggested that our goals be reappraised and redefined and that we fix for ourselves goals which are, in our opinion, reasonably attainable.

The goal of complete stoppage of all nuclear tests for all time, with adequate inspection and control, is simply not now

attainable. Why? Because the Soviet representatives will not even agree with our own scientific experts about a statement of scientific facts. Nor have they ever agreed, or indicated that they would agree, to the principle of free and adequate international inspection of suspicious events occurring in the Soviet Union.

No one has yet mentioned at the conference table the necessity of bringing Red China into an effective and adequate inspection and control mechanism, though I must say, to his credit, Secretary Herter recently made a statement respecting this matter.

I cite these obstacles only to emphasize that we should not undertake more in this direction than can be accomplished with adequate safeguards. To do so would be to gamble on Russian sincerity. To do so would be to accept a Russian promise at face value, if it has any face value. Our experiences in this regard have not been such as to instill confidence in Soviet propaganda extolling their desire for peace.

With this background, I should like to review briefly events immediately leading up to the stalemated conference in Geneva on test discontinuance.

In the summer of 1958 technical experts representing the nuclear powers met in Geneva to discuss existing means for detecting nuclear explosions. At the conclusion of this conference, its participants reported their agreement, with certain important reservations, that by establishing a system of detection and inspection posts located at strategic points, it would be possible to detect nuclear explosions with a high degree of accuracy. This report indicated that a system of detection was feasible, again with reservations and limitations, provided agreement could be reached at political levels for its establishment and operation. Later in these remarks I shall refer in more detail to the report of this conference of experts.

Following the report of the experts who met at Geneva, the President of the United States, on August 22, 1958, announced that the United States was prepared to suspend all nuclear tests for 1 year beginning October 31, 1958, provided the other nuclear powers were willing to meet at that time to negotiate an agreement for the suspension of weapons tests and the establishment of an international control system based on the expert's report. The President's announcement stated that the United States would be further prepared, as a part of the agreement, to continue to suspend weapons tests on a year-to-year basis subject to a determination at the beginning of each year that the inspection system is installed and working and that satisfactory progress is being made in reaching agreement on substantive disarmament. The current Geneva conference evolved from this pronouncement by President Eisenhower.

The U.S. proposal embodied a call for the cessation of all nuclear weapons tests of whatever size and however conducted. This represented a drastic reversal of the previous publicly announced U.S. policy. The basis for this change in policy—the justification for this sharp change and reversal in official policy—has never been publicly revealed. It seems to me that a matter of such grave import could well be discussed with the American people.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MORSE. Before asking the Senator's consent to have some material put in the RECORD, I should like to have the RECORD show that I am very proud of the Senator from Tennessee for the vision he is expressing this afternoon with regard to the whole matter of nuclear disarmament. This morning's newspaper carried the news that the Senator was going to make this speech. I have not had the privilege of seeing a copy of it, but I have listened to part of it. I know the Senator's views.

As one Senator, I want to thank the Senator from Tennessee for the speech, because the Senator has demonstrated time and time again he is not afraid to come to grips with what I think is not only the most important issue facing the American people but also the most important issue facing mankind.

Unless we take some steps forward along the line suggested this afternoon by the Senator from Tennessee I doubt whether my great, great grandchildren are going to live under a system of freedom, if they live at all, because I simply do not think we are going to be able in our time to erase the lessons of history. They are written too indelibly in the annals of mankind.

If the lessons of history teach us anything it is that powerful nations such as Russia and the United States cannot do what they are doing for very long and survive.

I think we have to have the kind of forward looking vision which the Senator from Tennessee is expressing this afternoon. What he is really outlining to us is a paradox. Surely, we have to stay strong during this period of time that is going to be necessary to work out a workable disarmament program. That is the paradox. We have to come to disarmament, because without it Russia and the United States cannot possibly survive. Whether we like it or not, history is going to record that in this generation it was Russia and the United States leading mankind pell-mell down the highway of civilization to their own destruction.

No one can be so shortsighted as to think that two powerful nations such as the United States and Russia can continue to pour into a nuclear armaments race the billions upon billions of dollars that we are pouring and will continue to pour, if the process is not stopped, and have permanent peace.

When we get a leader such as the Senator from Tennessee who is willing to stand up on the floor of the Senate and suggest that we have to start working out some concrete program toward successful disarmament, then we are better off for it.

Mr. GORE. And we must start with achievable goals.

Mr. MORSE. We must start with achievable goals. I thank the Senator. Forty-one billion dollars or forty-two billion dollars are being poured into this economy today for military expenditures. Does anyone want to suggest this is a free economy? There is no free economy in the United States of America today. The economy of America today is basically a military economy, with a great many businessmen in America subsidized with national defense expenditures. Businessmen are the most subsidized group in America. The business subsidy makes the subsidy which the farmers get look like economic peanuts.

If it were not for the $41 billion to $42 billion of nonproductive goods being poured by military expenditures into the American economy today, what would the word "prosperity" really sound like?

We shall not have any true prosperity when that prosperity is built upon between $41 billion and $42 billion of military expenditures. We cannot eat the fruits of those expenditures. We cannot wear them. They do not house us. They do not advance the economic welfare of the American people.

The sad feature is that such expenditures advance the danger of the destruction of the people of the United States. But there are not very many politicians who are willing to lead with their chins, so to speak, and to warn the American people—fat with false prosperity today, fat with luxury, fat with complacency. The American people need to be awakened to the great danger that confronts them as we, along with Russia, lead mankind, I fear, to its own destruction by building up a nuclear armaments race which cannot be squared with a single moral principle we teach our boys and girls. We cannot square the course of action of Russia and the United States in the development of nuclear weapons with a single moral, religious principle that we teach our boys and girls.

Let me say, as a Christian, that it is un-Christian. It cannot be reconciled with the teachings of my Master. If I were of the Jewish faith, I should say that it cannot be reconciled with a belief in its tenets, either. If I belonged to any other religious denomination, I would say the same thing.

I do not know what we can do to awaken the American people to a spiritual consciousness of the course of action the Nation is following as we turn more and more of our life over to the military. Here is one Senator who wants to go along as far as the Senator from Tennessee will lead in this matter. As the Senator says, we must start with achievable goals, but we must start. We are not starting. We are walking in the opposite direction. We are walking in the direction toward war. There are not very many who are willing, in these fat times, to warn the American people as to what the great danger is.

Mr. GORE. Mr. President, I am deeply grateful for the able and moving remarks of the distinguished senior Senator from Oregon. I should like to indicate to him that my deeply held conviction is that the security, the welfare, and the future greatness of the United States of America depend as much upon its moral and political posture in the

family of nations as upon its military strength. Both, it seems to me, are important.

Throughout this delicate, dangerous, important undertaking I have sought to contribute as best I could to realistic public discussion. It seemed to me 15 months ago that the agreement upon which Russia insisted was impractical. I was at the conference on the opening day, and as the record will show, the chief Russian delegate, Mr. Tsarapkin proposed, in his very first statement, that the United States, Russia, and Great Britain agree to stop all tests for all time, right now. He said, "We have a treaty ready to sign. We will talk about inspection later."

It seems to me that what we should start with is the antisocial—according to many experts, highly dangerous—discharge of radioactive particles into the world's atmosphere. If we could achieve that stoppage, if we could cleanse our own hands, so to speak, being the nation which has contributed most to radioactive contamination, we would improve our moral position before mankind by saying not only, "We are willing to stop," but "We have stopped."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MORSE. I completely agree with the Senator.

Mr. GORE. Thereafter, after inviting the Russians and Great Britain to join us in making this stoppage permanent, we could negotiate the suspension of tests in other spheres, underground, outer space, or whatever—but we would have stopped the one serious danger to generations of the future from radioactive poisoning.

I share with the able Senator from Oregon the deep moral and religious convictions he expresses, but I wish to say also that a unilateral disarmament by the United States, general or nuclear, is dangerous; and I could not conscientiously take the responsibility of recommending it.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. MORSE. On the latter point, I want it definitely understood that the senior Senator from Oregon does not favor any unilateral disarmament. But I wish all the other countries of the world, other than the United States and Russia—because I think the United States and Russia will go down in history as the real offenders in this connection—would rise up in protest against Russia and the United States, rise up in protest to the United Nations and say to the United Nations, "Bring both the United States and Russia before the bar of world opinion through the procedures of the United Nations, and have the United Nations really become an effective force against the United States and against Russia in regard to this mad armament race."

It is my opinion that both Russia and the United States are circumventing the United Nations too much, and I think it is about time that the United Nations called to account these two powerful nations, my country and Communist Russia, and directed the force of world opinion against both nations in regard to this immoral armament race into which the United States and Russia are leading mankind.

I know that there are many who will resent the statement which the Senator from Oregon has just made. Someone must be willing to make it, because until Russia and the United States stop this mad armament race I fear that we are going on to the abyss, and that civilization will fall into the depths of a new dark age.

Those are my views. I had no intention of expressing them today, but the Senator from Tennessee has inspired me by the leadership he has displayed on the floor of the Senate by suggesting that we start with a cessation of atomic bursts which are creating radioactivity, which is endangering, in various parts of the world, the health and safety of thousands of people.

I ask Senators to go with me to certain parts of the world where I have been, and answer, if they can, the criticisms made against the United States because of the atomic testing we are doing. It is no excuse for us to say, "Russia does it, too." I happen to think that both countries, the United States and Russia, ought to be confronted with a united world opinion against them, under the procedures of the United Nations. That is why I have been heard to say that I think the United Nations ought to start exercising some of the jurisdiction available to it under the charter.

The forthcoming summit conferences should not be outside the United Nations, but under the canopy of the United Nations, with the Secretary General of the United Nations presiding as the chairman of any summit conference. Why should the United States, Russia, Great Britain, France, and West Germany, or any other group of nations, decide to get together and have a summit conference and decide for the rest of the world what the solution should be?

Let me tell the Senate what history proves will happen. We have the old story of international power politics again. That sort of game can be played for a few generations, but all during those generations small nations will be resentful, and will be organizing more and more against nations which participate at the summit, only to have a world war break forth again, as it always has when international power politics have been played by the "big boys." The weaker nations eventually organize themselves into a force against the so-called strong nations, and the world is thrown into another world war.

If I were to name one of the greatest causes of world wars, I should say that it is the international power politics which conflicting, powerful nations have played, resulting in the kind of alinement of forces which eventually leads to war.

I do not believe we have too much time. We have only a few years to win the fight for permanent peace; and I think it is about time the rest of the world called the United States and Russia to an accounting for what I consider to be the inexcusable, immoral course which both Russia and the United States are following in this whole matter of nuclear competition and armament.

Mr. GORE. The eloquently stated views of the able senior Senator from Oregon are provocative. I should like to call to his attention that at a time when the United States was the only nuclear power, at a time when the United States had a monopoly on nuclear weapons and a stockpile sufficient to destroy most of the larger cities of the world, the United States proposed to deposit all of its nuclear arms with an international agency.

The Senator from Oregon will recall that that proposal was called the Baruch plan. The Soviet Union refused to accept it and refused to cooperate in its implementation. We were well aware that she was undertaking to develop nuclear weapons. We know more now of her technical proficiency than we then knew. So the United States undertook the course which the able Senator has suggested, but with no avail. The able Senator suggests now that the United Nations undertake—I hope I understand correctly the Senator's suggestion—a program of inspection and control and to bring the force of world public opinion upon all nuclear powers. I hope I am quoting the Senator's proposal accurately.

Mr. MORSE. I think that is a fair summary.

Mr. GORE. I suggest to the able Senator that I would endorse that objective if the force of public opinion of the nationals of each country could be brought to bear with equal effect upon the policies and actions of their government. Unfortunately, the Soviet people know very little about the actions of their own government.

As of now we do not know and we have no way of knowing whether the Soviets have discontinued their underground tests and outer space tests, or whether they have not. If the United States should resume testing, even with the smallest of nuclear devices, it would be on the front page of every American newspaper.

Indeed, such events must be reported to Congress and to the public. Just a few days ago the Atomic Energy Commission reported that it had kept in repair and had made certain improvements in some tunnels in Nevada. That was reported. We do not know, nor does the United Nations know, nor does anyone but the hierarchy of the Soviet Union know, whether the Soviet Union has similar tunnels or whether the Soviets have conducted underground tests or whether they are conducting them now. These questions present practical problems, problems which must be overcome in order to achieve the noble goal which the able Senator so eloquently presents.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MORSE. I should like to call the Senator's attention to the fact that the senior Senator from Oregon was a strong advocate of the Baruch plan. I thought

it was a great start. The Senator is quite right that we ran into the noncooperative attitude of the Soviet Union that he mentions.

The point I wish to make is that we did not carry through, that we have not been exercising world leadership within the United Nations in accordance with this program that we could have been exercising.

I think it is a very sad thing that we left it to Khrushchev to make the disarmament speech before the United Nations. I believe the President should have made it a long time before that. We missed a great opportunity there in our offensive for peace. I believe we should be taking the lead in the United Nations by way of an American resolution asking for an extraordinary session of the General Assembly of the United Nations. For what purpose? For the purpose of calling the heads of all states, large and small, to an extraordinary session of the General Assembly of the United Nations and to lay before the world the proposal of each country for peace—their blueprint for peace.

It is possible that we might get from the head of one of the smaller States in the United Nations the best plan; at any rate, we should focus world opinion on such a conference, and give asurance to the world that the United States would back up the findings of that conference, and that we would go along with the program of the nations of the world that seek peace; at the same time attention would be focused on who might be—and the Senator and I suspect who it would be—the Russians and the Communist segment of the world—dragging their heels and trying to distort and misrepresent what we are proposing.

What I am saying is that we should get in back of a peace offensive and get ourselves out of the position where we are being charged with being on a war offensive. We must really subject ourselves to the jurisdiction of the United Nations on this armament subject in the interest of freedom and peace. If Russia does not come along, we will prove what the Senator and I suspect, and what I said at the time, that the Khrushchev speech sounded fine, but what is he willing to accept by way of implementation? That is the test. What is he willing to accept by way of enforcing a disarmament program both, as the Senator from Tennessee says, with respect to nuclear and conventional weapons? We should be bringing to bear on Mr. Khrushchev the pressure of world opinion through the United Nations, because we will not have permanent peace until we get a nuclear and conventional weapons disarmament program adopted.

I did not mean to interrupt the Senator for as long as I did. However, it is his fault. He stimulated me to these observations. He touched on a view of mine that I believe goes to the very heart of the survival of my country.

Mr. GORE. That is a fault of which I am proud.

I wish to make one additional point in response to the able senior Senator from Oregon. I suggested, in November 1958, a step which I think could have been taken then with greater profit and greater hope of contributing to the realization of effective disarmament than if the same step should be taken now. But even now I once again make the same proposal of an objective which can be achieved by action which the United States can safely take. It is action which, if emulated by the other nuclear powers, would constitute an example of international cooperation among the nuclear powers, and which would be helpful in engendering confidence in each other. It would constitute an example of cooperation which would greatly influence the course of a general disarmament conference. I again propose that we stop unconditionally for some period—the longer the better—the testing of nuclear weapons in the atmosphere of the world. If Russia agrees to do likewise, we have at hand the means of detecting a violation of the agreement.

I respectfully suggest that mutual confidence and trust among nations is not achieved by one grand assault. Confidence is achieved step by step.

I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend the Senator from Tennessee for the outstanding contribution he is making in the difficult field of the control of nuclear energy explosions. In my opinion he is on the right track. I think he was on the right track a year and a half ago, when he first proposed this matter to the President of the United States. I support him fully in his position taken today.

Having had the opportunity to hear the colloquy between the Senator from Tennessee and the Senator from Oregon, I should like to point out that the Senator from Tennessee has mentioned the subject of disarmament, but I think his view is perhaps a little more pessimistic than that of the Senator from Oregon and my own, in that the Senator from Tennessee is concerned that we must move by small steps to achieve practical limited agreements before we make efforts to achieve broader agreements. But I submit to him for his consideration and comment the view of the Senator from Oregon, with which I am in accord, that the United States must also redouble its efforts to achieve total and permanent controlled disarmament at the earliest possible moment.

In that connection, I call the attention of the Senator from Tennessee to Senate Concurrent Resolution 83, cosponsored by 26 Members of this body, including the senior Senator from Oregon [Mr. MORSE], the junior Senator from Alaska [Mr. GRUENING], the present occupant of the chair, the distinguished Senator from Wyoming [Mr. MCGEE], and myself. That resolution, which I hope will be the subject of hearings before the Committee on Foreign Relations at this session—and five members of the committee are sponsors of the resolution—calls for the convening of a United Nations Charter Review Conference no later than 1962, to make a drastic revision of the United Nations Charter in the light of current world conditions. The resolution calls upon the President to initiate high-level studies to determine what the United States position toward charter revision should be. Finally, it calls upon our representatives to present at future general disarmament conferences specific proposals to strengthen the authority of the United Nations to prevent war.

The United States is the only nuclear power which has not accepted total and permanent disarmament under adequate international safeguards as its goal and put forward a comprehensive plan to achieve that end, and I think that is a disgrace. The British have done it. The Russians have done it. We have not done it. If the newspaper accounts of the disarmament report furnished the President by Mr. Coolidge are correct, we are not going to do it at the 10-nation Disarmament Conference convening in Geneva next month.

I believe the full weight of the moral authority of the Senate should be brought to bear through the adoption of this resolution, together with what other steps the Senators may think desirable, to get the United States to take the lead in efforts to achieve total and permanent controlled disarmament.

In saying this, I should like the Senator from Tennessee to understand that I fully appreciate the important and practical step he is taking today. I support him 100 percent in that regard. But I feel we must move further than that.

Looking around the Chamber, I see on the other side of the aisle only the distinguished senior Senator from California [Mr. KUCHEL]. Frankly, I think that our party, on this side of the aisle, has a definite obligation to urge our Government to make greater efforts in the arms control field before the year is out.

I thank the Senator from Tennessee for yielding.

Mr. GORE. I thank the Senator from Pennsylvania for his able and eloquent comments. I am aware of and feel keenly the necessity of efforts to achieve the broader objective of general disarmament. But in order to move further, I think we must first make a start.

Mr. CLARK. The Senator is quite correct.

Mr. GORE. Impractical solutions, unachievable goals, and political propaganda regarding this overall problem, serve to raise false hopes in the world, hopes which are later to be dashed on the realities of the cold war struggle. To the extent that we raise hopes that total disarmament may become a reality overnight, we take the risk of being assessed the blame for failing to bring it about, on the one hand, or on the other hand, of being pressured into signing an agreement which fails adequately to safeguard our security.

In this connection, I call the attention of the able Senator from Pennsylvania to the fact that in his speech to the United Nations, Mr. Khrushchev first proposed total disarmament. But if we read the speech carefully, and further on, it will be seen that he says this will take time. Meanwhile, what does he propose? I think this part of the speech must have been read at the White House on Friday,

and in the State Department on Saturday. He proposed, first, the cessation of all weapons tests; and then, if I recall correctly, he listed a neutral zone in Western Europe, which it seems to me raises the Berlin problem once again. Next, he proposed that all foreign troops be withdrawn from Europe.

So we see that Mr. Khrushchev made a political propaganda pitch for total disarmament, which even he said was not immediately achievable.

Meanwhile, he outlined courses which, if the United States adopted them without corresponding action on the part of the Soviet Union and its satellites, and without adequate safeguards of inspection to assure the keeping of the agreement, might be very dangerous for our people.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. I am keenly aware of the wisdom of what the Senator has said. I am sure that if he would reread Mr. Khrushchev's speech, however, he would find that Mr. Khrushchev said that his plan for total and permanent disarmament would take 4 years, and would be accompanied at each of three stages of disarmament with the controls and inspection which that stage required. I regret that the press of the United States failed to report that the Soviet plan did call for controls during the first two stages of disarmament. But Khrushchev did propose such controls in his U.N. speech, and he repeated and amplified this aspect of his disarmament plan at his final press conference in the United States on September 27.

Selwyn Lloyd, of the United Kingdom, also put forward at the U.N. last September a plan for total and permanent disarmament to be achieved in three stages, including proposals to strengthen international machinery to maintain the peace in a disarmed world. I regret that that proposal did not receive more attention in our press.

In think the Senator from Tennessee will agree that Khrushchev then said that if the nations in what we call the free world, or in what he calls the capitalist world, were unwilling to meet him halfway with total and permanent disarmament, then as a less attractive step in the interim, he would be willing to take certain partial disarmament measures.

I am making this point now because I think there is widespread misunderstanding in American public opinion and in the American press as to just what Khrushchev and Selwyn Lloyd did say, and as to how very negative the reply and the attitude and the posture of our country has been, following proposals which I believe should have been explored promptly and in good faith.

All of this does not mean in any way that I am in disagreement with my friend, the Senator from Tennessee, as to either our ultimate objectives or as to our methods of achieving them. I think all these measures have to go along side by side. But my strong view is that we are the laggards, whereas we should be the leaders, in the whole field of disarmament.

Mr. GORE. I should like to make a comment, and then I shall yield to the Senator from Alaska.

We are not the laggards in sincerity. I should like to say that the Khrushchev proposal envisages on its face progressive steps in disarmament over a period of 4 years, as the able senior Senator from Pennsylvania has pointed out, and to include complete abolition of arms and armed forces, defense ministries, military service academies, and all military appropriations. The proposal is remarkably devoid of details. Reference is made to an international control body whose functions and powers—and now I quote from his speech—"shall correspond to the nature of the disarmament measures being carried out. Upon the attainment of complete disarmament, the control body shall have free access to all objects under control."

As the able Senator from Pennsylvania will recognize, it remains to be seen just what measure of inspection is actually contemplated by the Russian Premier. But it appears to me that under this proposal, inspection would not become effective until after disarmament was already supposed to have occurred.

Our experience in dealing with the Russians justifies our insistence that each preliminary item in a disarmament proposal be fully verified before the next step is taken. Anything less would constitute, as I see it, wholly unjustified reliance upon the intentions of the Russians.

One condition precedent for effective mutual disarmament is mutual confidence. One essential requirement of a sound position to be taken by the U.S. Government is confidence of the people of the United States in the rectitude of the position taken. So I suggest to my able friend that we need to go further and faster; but in order to do so, we must start, and we must first achieve something upon which to build mutual confidence which will enable us to take the next step.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. GORE. I yield.

Mr. CLARK. My good friend, the Senator from Tennessee, has read one quotation from Mr. Khrushchev's speech. Unfortunately, I do not have before me at the moment the other quotation, to which I referred a minute or two ago, which definitely stated that the inspection controls would take hold as the disarmament progressed, and not at the end. I shall furnish that quotation to my friend before the end of the day.

I should like to state that in my opinion the important point here is that it is now our turn to speak. Khrushchev has made a proposal. The United Kingdom has made a proposal. What do we think wrong with them? What implementation do we think necessary in order to make them effective? What inspection controls do we insist upon? What do we propose to strengthen the authority of the United Nations to maintain peace if nations do disarm.

I say that it is our obligation to come up with the answers to these questions if we are to retain the confidence of the rest of the world in the sincerity of our desire to achieve world peace under the rule of law.

Mr. GORE. Mr. President, I say to my able friend, the Senator from Pennsylvania, that I do not know the negotiating position of the U.S. representative who is soon to depart for Geneva; therefore, I am not prepared to discuss its adequacy or its soundness. I hope the objectives will be realistically set, and I hope that our position will be sincerely taken—as we have every right to believe will be the case.

As the able Senator has suggested, almost without exception in recent years we have allowed the Communists to seize and to maintain the propaganda offensive for peace, although no other nation or no other people on earth love or desire peace more avidly than do the American people; no other people on earth have sacrificed as much in the interest of freedom or have demonstrated their devotion to peace to the extent that the American people did when they were willing—although then the United States was the only nation which had nuclear weapons—to deposit all of them in the control of an international agency.

Yet, the Russians have seized the propaganda initiative for peace. We have allowed ourselves to get into the position of merely reacting to Soviet proposals. We are somewhat in that situation now, with the disarmament conference coming up and, as I pointed out earlier, with the apparent stalemate of the nuclear weapons testing conference.

To some, it appears that the Soviets are calling for total disarmament, while we appear to be hanging back, without any proposals of our own. We have failed to proclaim, and to initiate clearly, policy decisions of our Government which reflect our interest in measures related to disarmament.

I join the Senator from Pennsylvania in the hope, the wish, and the prayer that our course will be clear, that our goal will be achievable, and that the successful achievement of it will lead to an enduring peace.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. Yes, if that is agreeable to the Senator from Alaska [Mr. GRUENING].

Mr. GRUENING. Certainly.

Mr. GORE. Then, Mr. President, I yield.

Mr. MORSE. I assure the Senator that this will be my last interruption.

I wish the RECORD to show that not only do I associate myself with everything the Senator from Pennsylvania has said in this colloquy, but I say "Amen" to all that he said.

I do not think the Senator from Pennsylvania and the Senator from Oregon are very far apart from the Senator from Tennessee. In my opinion, any extent to which our remarks this afternoon

may reflect a difference of opinion is by way of a difference of approach to the second step which has been discussed here this afternoon. The Senator from Pennsylvania and the Senator from Oregon are completely in agreement with the Senator from Tennessee in regard to the atomic-testing matter.

I wish to make this observation in regard to the remark the Senator from Tennessee made about the sincerity of the United States and the people of the United States: We do not have any question about our sincerity; we know we are sincere. But millions and millions of people in the world do not believe it.

One of the reasons why they do not believe it is—as was brought out by the Senator from Pennsylvania—that we still have not come forward with an unequivocal commitment for total disarmament, and we still have not been willing to submit the entire matter to the United Nations' jurisdiction and control; we are still in a bilateral negotiation with Russia, as we have been time and time and time again.

We shall not get anywhere by following such a course. We shall not get anywhere in this field until a third party with authority comes between the two disputants, and says, in effect, and very frankly, "This is the way it is going to be."

I think it is through such a procedure, under a system of international justice, by the rule of law referred to by the Senator from Pennsylvania, that we have any hope of saving mankind.

Khrushchev made the speech. I have the same reservations the Senator from Tennessee has about Khrushchev's motives and designs; but where were we after that speech? What a great opportunity we had to take the offensive for peace away from Khrushchev.

Why did we not get before the United Nations, with a dramatic appeal to the world, to come forward now, under the canopy and jurisdiction of the United Nations, to set up a program for total disarmament, and to say to the United States and to Russia, "Take it or leave it, and if you leave it, then we will know who it is that seeks to throw the world into the possibility of another war?"

I think we have just about reached that point in world affairs. That is what I said earlier this afternoon, impolitically, but I do not propose to be politic when I think the destiny of my country is involved. That is why I think the other nations of the world ought to say to the United States and to Russia, "Get this to the jurisdiction of the United Nations. Agree to accept its total jurisdiction in regard to this matter of disarmament. Let the United Nations, through the leaders of the countries of the world, put forth a program of total disarmament to which the United States and Russia would commit themselves and abide by."

That is the greatest test of sincerity we can make to the world. Once we do that, we shall be back in a position of leadership. Until we do it, the doubts of our sincerity are going to accumulate around the world, and we are going to lose more and more prestige.

Mr. GORE. The nuclear test conference, if nothing else, has been a probing effort, an effort to find a way to bring the Soviet Union into the family of nations in a manner that would comport with international law and order.

I yield to the senior Senator from Alaska.

Mr. GRUENING. Mr. President, this has been a historic debate, and I want to congratulate and warmly commend the Senator from Tennessee for giving us such a comprehensive and enlightening discussion.

Mr. GORE. I thank the Senator.

Mr. GRUENING. I want to associate myself with his presentation, and very particularly with the very moving, convincing words of the senior Senator from Oregon and the illuminating comments of the senior Senator from Pennsylvania. With a number of my senatorial colleagues, I was in Russia when Khrushchev made his proposal of total disarmament before the United Nations. Our reaction was the same: What are we—the United States—going to respond? What answer is the President of the United States going to make to this? If this is a phony proposal, it should be immediately challenged. If it is a sincere proposal, we should promptly supoprt it and move toward its implementation. But there was a complete silence from our administration, a completely negative attitude by it, following that challenging Russian proposal, widespread before the whole world.

Of course we are, very properly, deeply suspicious of the professions or expressions or offers that come from the Kremlin. Experience has shown time and time again that its masters have made agreements only to break them immediately. It is proper and wise that we should be cautious and reserved. But is that any reason for allowing the Kremlin to seize the initiative, to keep the initiative in this propaganda for peace, constantly to be ahead at least in the proposals for disarmament, in which the whole world is deeply concerned?

As the senior Senator from Oregon has so ably pointed out, we should be out in front, pushing the Kremlin in the direction it alleges it wants to go. We have not done that. We have given many nations the impression that we are reluctant to move in this direction. It has not helped us in our purpose to win sympathy and support.

Mr. President, this has been a vital discussion. No subject is more important to the people of the whole world today than this. If we, our Nation, cannot find a way to stop nuclear testing, we ought to be ashamed of ourselves. If it goes on, the whole world will be poisoned and imperiled even if the war use of atomic weapons never takes place. The United States, which allegedly, and sincerely, also, is the present leader for peace, should in fact be the leader in this field, and not cease its efforts until we get results. I think the cessation of all nuclear tests is not an unattainable goal. We should strive for it, persist in it, until we get it.

Mr. GORE. I thank my friend. The subject of cessation of nuclear weapons testing is technical and complex. Only Thursday, however, I listened to a scientific expert before the Disarmament Subcommittee, of which I am a member, state that it was infinitely less complicated than the problem of general disarmament. The assistant to the Secretary of State, Mr. Farley, testified that success in achieving an agreement in the field of nuclear testing, even limited success, could serve as an example of international cooperation which would have favorable portent for the general disarmament conference soon to begin.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I have followed the tireless efforts of my colleague, the junior Senator from Tennessee, for over a year, as he has struggled to bring commonsense and fact to the disarmament negotiations that we have undertaken with Russia at Geneva. I know the valued suggestions he has made in the past, and the warnings he has given to beware of agreeing to things on which we could not check the Communists to be sure they did not violate the pact.

I agree completely with the Senator that only with a means of adequate inspection can we take this first step toward disarmament; but a small step toward disarmament is better than no step at all. Sometimes at Geneva it seems we move forward by an inch, and then go backward by three-quarters of an inch.

I compliment my colleague for his energy and understanding and the presentation which he has made before the Senate; but I am fearful indeed when I realize that the tremendous efforts which have gone into this mere inching toward disarmament to read in the transcription of President Eisenhower's press conference of February 4, the following.

I read question No. 8 by Mrs. May Craig, of the Portland (Maine) Press Herald.

Mr. President, there is concern in the Capital for fear you may feel it necessary to give atomic information, or even actual custody of atomic weapons, to those countries where we're going to have bases for nuclear weapons. Do you want to do that and, if so, inasmuch as we took our bases out of France on that quarrel with de Gaulle, would that mean you want to put nuclear bases back into France?

Answer: Well, you've got about a three-barreled question there.

But, Mrs. Craig, the law itself says what information the Executive can give to particular nations, and it completely—and it defines rather accurately the nations to whom you can give this information.

As far as giving away the bombs, this cannot be done under existing law.

Now, I do believe this, that where we are allied with other nations and we are trying to arm ourselves in such a way as to make certain of our defense, we should try to arm them in such methods and ways as well make that defense more strong and more secure.

I would not ever give any information, even if the law permitted—give away information that was still, in our opinion, withheld from the Soviets themselves. But when the Soviets have the information and

know-how to do things, it's pretty hard for me to understand why we don't do something with our allies as long as they themselves stand with us firmly in defending against the probable aggressive intent of communism.

Question No. 16 was by Garnett D. Horner of the Washington Star. He asked:

Mr. President, a while ago, sir, while you were talking about the atomic weapons and information to allies, I got the impression that you might lean toward favoring changing the law so that you could provide allies with custody of weapons that Russia has or knows how to make. Was that correct or wrong impression?

The President's answer was:

Well, from the very beginning, from what I knew about allied cooperation, and so on, I have always been of the belief that we should not deny to our allies what the enemies, what your potential enemy already has. We do want allies to be treated as partners and allies, and not as junior members of a firm who are to be seen but not heard.

So I would think that it would be better, for the interests of the United States, to make our law more liberal, as long as classify our countries as those that are—we are confident, by our treaties and everything else, are confident they'd stand by us and stand by us in time of trouble.

To translate these answers into a more understandable form I should like to ask unanimous consent to have printed in the RECORD the news story written by a very eminent reporter on atomic activity, John W. Finney, from the same issue of the New York Times, February 4. The headline is "Eisenhower Would Share Atom Bombs With Allies," and the subheadline is, "Says United States Should Not Treat Partners as Junior Members, Denying to Them Arms Possessed by Potential Enemy."

I ask unanimous consent to have the article printed in the RECORD at this point, to follow the quotations I have given from the direct shorthand transcription of the President's press conference.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EISENHOWER WOULD SHARE ATOM BOMBS WITH ALLIES—SAYS UNITED STATES SHOULD NOT TREAT PARTNERS AS JUNIOR MEMBERS, DENYING TO THEM ARMS POSSESSED BY POTENTIAL ENEMY

(By John W. Finney)

WASHINGTON, February 3.—President Eisenhower said today he would favor a change in the atomic energy law to permit the United States to provide its allies with atomic weapons.

The President told his news conference that the United States should not treat trusted allies as "junior members" by denying them weapons already possessed by a potential enemy.

Furthermore, the President said, it would be in the interest of the United States to make allies stronger and more secure by giving atomic weapons to nations that would stand by this country in event of war.

The President's statements opened the door to a major reversal in administration policy in the military and diplomatically delicate field of atomic weapons cooperation.

The net effect of the President's comments was that the administration was now preparing to abandon its past policy—a policy incorporated in law—against giving possession of complete atomic weapons to any other nation.

In the process of opening the door, the President seemed to have gone further in intent than was planned within the administration or was immediately acceptable within Congress. The result was to cause consternation in the State Department and irate grumblings among members of the Joint Congressional Committee on Atomic Energy.

The President did not limit the number of allies that he thought should be given atomic weapons, except that they should be countries we are confident, by our treaties and everything else, would stand by us in time of trouble. This went far beyond the present plans of the State and Defense Departments.

LENGTHY DISCUSSIONS

In extremely secret discussions over the last several months, the two departments have been drafting plans to give complete atomic weapons only to Britain. The weapons would be used as warheads in air defense missiles carried by Royal Air Force planes.

Furthermore, the President suggested the atomic energy law should be changed to permit closer weapons cooperation with allies. The State Department is opposed to seeking a change in the law now largely to avoid a battle with a hostile Atomic Energy Committee.

The State Department's view is that the weapons can be transferred to the British under the inherent powers of the President—a legal view that is challanged by the congressional committee.

The confusion over whether the administration was intending to seek a change in the atomic law was compounded later by the White House. When asked following the Presidential news conference whether the administration aids were preparing legislation to amend the law, the White House press secretary, James C. Hagerty, replied: "They are exploring the possibility."

At the request of the administration, the atomic energy law was amended in 1958 to permit closer cooperation, but the information that can be revealed is limited and the transfer of weapons is probihited.

As the law stands, the United States can provide classified information on the nature and effects of atomic weapons and nonnuclear parts of the weapons.

Classified information on the design of nuclear weapons as well as nuclear materials to make the weapons can be provided, but only to a nation that has made "substantial progress in the development of atomic weapons"—a restriction designed to exclude all nations but Britain.

The President took the position today that these provisions were too restrictive and argued that the United States should at least be able to provide allies with information and types of weapons already known by the Soviet.

He also said: "I have always been of the belief that we should not deny to our allies what the enemies, what our potential enemy, already has. We do want allies to be treated as partners and allies, and not as junior members of a firm who are to be seen but not heard."

GAVE ASSURANCES IN 1958

In 1958, the administration repeatedly assured Congress that the amendments would not bring the turning over of atomic weapons to any nation.

For example, Lewis L. Strauss, then Chairman of the Atomic Energy Commission told the Congressional Atomic Committee on January 29, 1958: "It should be emphasized that neither this change nor any other proposed change would permit the transfer to another nation of the nuclear components of weapons."

WOULD RESTRICT CLUB

Within the committee there is a deep-seated concern that to distribute atomic weapons among other nations would only expand the nuclear club.

On this latter point, the President said that any thoughtful person should be concerned over the problem of atomic weapons spreading to other nations "as the process of their manufacture may become more simple" and the "necessary know-how becomes more widespread."

The President said the best way to stop the spread would be to have "a ban on all testing that everybody could have confidence in." For this reason, he said, the United States will keep a delegation at the Geneva test-ban talks "as long as there is the slightest chance of success."

Mr. MONRONEY. The point which I wish to make is, will we not be straining at a gnat of disarmament and swallowing a camel if we permit the President to broadcast atomic weapons secrets, if this is his intent, or to furnish the weapons themselves to the allies we have? I cannot give the number of allies we have, but I know there are well over a dozen to which we have commitments.

As we struggle to inch forward to disarmament at Geneva, if the President, as he is quoted in the shorthand transcription in the New York Times, insists on spreading the knowledge and the secrets of atomic weapons around the world to all of the countries he thinks are trustworthy allies, will we not set ourselves back by miles in the effort to reach atomic disarmament?

It seems to me that there may be a chance for agreement if there are only three who are members of the atomic club, which today includes Russia, Great Britain, and the United States. It seems to me, however, there are many more problems with respect to an agreement on a program for the inspection and control of these awful, catastrophic weapons, with more countries involved. The difficulties would increase by the square or the cube of the number of countries which have the information and which have atomic potential.

I would appreciate hearing the comments of the distinguished Senator from Tennessee in regard to this situation, which to me is alarming in the extreme. It is hard to believe that off the cuff, without a prepared statement, the President would raise the hopes of dozens of our allies, all the way from perhaps Formosa to South Korea to Siam or Thailand, on across western Europe. The hope is held out to any and all that the President of the United States, in a press conference, has declared a new policy of the United States, that we are willing to give away the secrets of atomic bombs, the triggering mechanics, and the instruments necessary for their explosion, to those allies whom we seem to trust.

That seems to me to be a thing with which the Congress should be most concerned, because today we trust ourselves on triggering the bomb. All kinds of

precautions are wrapped around the security of the bomb, so that it will not be fired by mistake or accident, including a total recall as the bombers are nearing the coast where the targets might lie.

To put these weapons in the hands of those who are generally allies on the basis that "Russia may have these secrets anyway," I think, is a dangerous policy. How do we know what secrets Russia has? We know Russia has tested atomic and hydrogen bombs. Perhaps the Russians have the secret of atomic warheads and missiles in outer space, but how do we know their system is the same as ours? How do we know, when we disclose this information to any and all allies, as appears to be the clear intent of the President's press conference statement, that we will not be expanding by tenfold or twentyfold the number of countries which will then possess this horrifying atomic weapon, with which the smallest could blackmail the biggest, so that the world could know no peace? We would have no incentive to inch forward, as we are now trying to do at Geneva, in our effort to arrive at an airtight inspection system and agreement on testing.

Mr. GORE. Mr. President, the junior Senator from Oklahoma, in a demonstration of his usual eloquence, has raised on the Senate floor and invited me to comment upon one of the most important and most serious occurrences in international relations for many, many months.

First, I should like briefly to agree with the President that the law prohibits the transfer of nuclear weapons out of the custody of the United States. I should like to read from the testimony of Mr. Strauss, former Chairman of the Atomic Energy Commission, who testified before the Joint Committee on Atomic Energy on January 29, 1958. I wish to read one statement, which I hope is not subject to a different meaning taken out of context. This statement was given in response to a question, as Mr. Strauss appeared before the Joint Committee, in support of the proposed legislation in 1958 to authorize greater exchange of certain classified information with our allies and the transfer of special nuclear material and parts of nuclear weapons to our allies:

> It should be emphasized that neither this change nor any other proposed change would permit the transfer to another nation of the nuclear components of weapons. For weapons whose nonnuclear components are transferred to another nation, the United States-made nuclear components must remain still in the custody of U.S. personnel.

Representative VAN ZANDT, a member of the committee, asked this question:

> On that point, Mr. Chairman, if I might ask a question: That does not necessarily mean those nations will not have nuclear components, because we are furnishing material to make nuclear components and design information and they can fabricate their own nuclear components.

Mr. Strauss said:

> That is correct, sir. This refers to nuclear components of American manufacture. They would not leave our custody.

The late Deputy Secretary of Defense, Donald Quarles, had this to say in testimony on March 27, 1958, before the same committee in support of the legislation:

> Mr. QUARLES. I think you have very clearly stated the problem.
>
> In the first place I would like to say that it is not my concept of the legislation we are now considering that it will lead to the distribution of atomic weapons to other countries.
>
> Senator ANDERSON. Then why do we pass the legislation?
>
> Representative HOLIFIELD. The whole purpose of the legislation is that, Mr. Secretary. Let me change my word "purpose" to the whole permissive effect. I am not saying it is the purpose because I believe what you say: That you do not at this time contemplate wide distribution of the weapons.
>
> But the permissive language in the legislation permits the step by step in due course of time.
>
> Mr. QUARLES. Your statement there, Mr. Holifield, goes beyond my concept of the legislation although I admit that there are methods within the legislation by which it could have the kind of practical effect you are speaking of.
>
> Mr. HOLIFIELD. It is very clearly set forth, sir, in my opinion, and I won't burden you by referring to the specific sections. I will furnish you with an analysis of the legislation which I have made which I think will sustain my position.
>
> Mr. QUARLES. I believe you mean, do you not, through the furnishing of nonnuclears under one section and through the furnishing of nuclear materials in another?
>
> Mr. HOLIFIELD. And design information for military purposes.
>
> Mr. QUARLES. And through the provision of furnishing design information. Of course, any agreement or arrangement with another country in which we proposed to carry the cooperation to this degree would have to be spelled out fully and would have to be submitted and would come before this joint committee. There would be the kind of consideration with this committee that General Lopar outlined earlier. So it is not my concept that we are moving as broadly toward cooperation in making weapons available as your word implies. But perhaps that is not really your basic point.

I point out to the able Senator that after this testimony the committee amended the bill and made it unmistakably clear—if I can read the English language—that atomic weapons could not be transferred to any other country under the 1958 amendment to the law. I will say to the able Senator—and I know he realizes that he has raised a very big question—that there are three ways in which the President could legally accomplish the goal of which he spoke at his press conference. The first is by a treaty, which would be submitted, of course, to the Senate for ratification; and if ratified it would become the supreme law of the land. The second is by an international arrangement approved by the Congress in accordance with section 121 of the Atomic Energy Act of 1954, as amended. The third is by amendment to the Atomic Energy Act duly enacted into law.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MONRONEY. Thus the people's representatives in the Senate would have an opportunity to approve or disapprove the wisdom of such a course.

Mr. GORE. That is correct.

Mr. MONRONEY. I thank the Senator.

Mr. GORE. Another approach would be to follow the carefully drawn but limited 1958 amendment. The Senator will notice that I said, "carefully drawn but limited." That amendment to the basic law is limited in several respects. Some classified information to improve operation and training can be exchanged with our allies. I do not have the act before me, but the exchange of sensitive information as to how to design and fabricate a nuclear weapon is limited to an ally who already has made substantial progress in the art. The President would be required to make a finding that the nation with respect to which such an exchange could be made had made substantial progress in the nuclear weapons field. The Joint Committee in its report on the 1958 amendment to the law described what would constitute "substantial progress." The mere detonation of one primitive device or even the testing of a limited number of nuclear devices would not meet the requirements of the 1958 act. Under the 1958 amendment as carefully drawn by the Joint Committee only Great Britain can meet the required standards to receive sensitive information necessary to fabricate weapons, nuclear material for use in the weapons or even nonnuclear parts of the nuclear weapons.

Mr. MONRONEY. Mr. President, will the Senator further yield?

Mr. GORE. Let me mention again the third approach.

As I mentioned the third method is legislation. The Senator read the President's statement. It seemed that he was suggesting that a request for legislation was impending. I listened to the testimony of administration officials the day before, in secret session. I cannot discuss that session, but I believe I would be permitted to say that no request for legislation was submitted.

I respectfully suggest to President Eisenhower that he is correct in his statement that such a transfer of nuclear weapons to our allies would require an amendment of the law, or the other steps which I have outlined, and that the wise and prudent course, if he has such a goal or intent, would be to request such legislation.

I am prepared to say that such a request would require, and would deserve, and, so far as I am concerned would receive careful, nonpartisan consideration, measured by the security requirements of our Nation and of the free world.

I am prepared now to go to another part of my reply. I now yield to the Senator from Oklahoma.

Mr. MONRONEY. I believe, in outlining the three approaches, the Senator mentioned as one method a provision by which the President is empowered under the law to make an agreement for exchange of atomic information. I presume that means weapons information, from what the Senator says.

Mr. GORE. Even in that instance, the proposal must come before the Joint Committee, and is subject to disapproval by concurrent resolution of the Congress.

Mr. MONRONEY. Of both Houses of Congress.

Mr. GORE. Yes.

Mr. MONRONEY. Then he could not do anything if the committee disapproved, until both Houses of Congress had passed upon the question and either failed to disapprove or permitted the transfer. Is that correct?

Mr. GORE. The procedure is that the proposed agreement must lie before the Congress for 60 days. If the Congress should not disapprove the exchange, it could legally go into effect; but even then the limitations of the act would apply.

Mr. MONRONEY. I still am somewhat concerned about the expression "substantial progress" in the atomic field. The distinguished Senator has said that in his opinion the mere explosion of a primitive nuclear device would not qualify for eligibility under this law; but if that is the only prohibition, the President could determine that anything he found to be approaching some substantial progress would free him from the necessity of a treaty or the passage of a law, and therefore he could resort to a method which would involve going before the Joint Committee on Atomic Energy. Is that correct?

Mr. GORE. Well, the answer to that question must be in two parts. First, if he made a finding that an ally had made the necessary substantial progress, he could submit the proposed action to Congress. Congress would have an opportunity to act thereon. With respect to the first step, I should like to read page 12 of the committee report which a member of the committee staff has just handed me:

With regard to to the words "substantial progress" in the second proviso of subsection 91c(4) it is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons. It is intended that the cooperating nation must have achieved a capability on its own of fabricating a variety of atomic weapons, and constructed and operated the necessary facilities, including weapons research and development laboratories, weapon manufacturing facilities, a weapon-testing station, and trained personnel to operate each of these facilities. It is intended that full information shall be provided the Joint Committee as to the basis of any such determination. In reaching the conclusion as to the intended meaning of "substantial progress," and the types of material and the conditions established under subsection 91c, the Joint Committee relied heavily upon the good faith of the executive branch in its assertion in the January 27, 1958, letter forwarding the proposed amendments that "It is not intended that manufactured nuclear components of weapons could be transferred under this amendment nor that we promote the entry of additional nations into the field of production of nuclear weapons" (S. Rept. No. 1654, H. Rept. No. 1849, 85th Cong., 2d sess., p. 12).

Mr. MONRONEY. In other words, the basis on which the act was passed had in it the commitment from the administration that they would not under the circumstances outlined yield either weapons or information. It seems to me that in the last sentence the Senator has read from the administration's statement, they have given assurances that they will not spread atomic knowledge to where there could be created an international terror possessed by some 10 or 20 or 30 nations of varying degrees of size, and perhaps varying degrees of stability.

Mr. GORE. Which assurance was given to Congress, and the committee specifically states that it has acted upon that assurance.

Mr. MONRONEY. Does the Senator think that the quotations from the President's press conference are in line with the message that was sent by the administration prior to the enactment of this act?

Mr. GORE. I believe they might well be, because the President says the transfer is prohibited by law, and the transfer would require an amendment of the law. To that extent I believe it comports with the request and statement I have read. On the other hand I do not believe that his general statement, which would indicate that he did not want to treat any ally as a junior partner, is clearly in line with the 1958 act.

Mr. MONRONEY. Or keep from them information which he felt certain Communists already have.

Mr. GORE. That part does not comport with what I have said.

Mr. MONRONEY. It shows no concern whatever, in the quoted press conference statement, for what it will do in spreading of the danger, worldwide, by having no cutoff by which we can deny this information to any and all people who claim to be our allies or who have so stated in NATO or SEATO or in any of the other numerous pacts which we have signed.

Mr. GORE. I should like further to suggest that last year, in considering bilateral agreements with Great Britain and others, this position of the committee was reiterated in a report to the Congress. Now I should like to discuss the substance of the suggestion for a moment, though I have no answer prepared. I wish to suggest to my distinguished friend from Oklahoma, whom I regard as close a friend as a man can have, that it is not a onesided question which the President discussed in his press conference. There are serious objections, which I shall mention in a few minutes.

There are also reasons—some of which the President stated—which strongly impelled him to his view. I know some of them. This matter involves the strength of our allies if trouble should come. It may involve the unity of NATO. Apparently the President has access to more complete information on this subject than I have. However, I am sure the junior Senator from Oklahoma knows that some of our closest allies have been pressing, and pressing very hard, for possession of nuclear weapons.

Mr. MONRONEY. Mr. President, will the Senator yield right at that point?

Mr. GORE. I yield.

Mr. MONRONEY. But in this pressing is it not correct to say that few, if any, wish to see any member of NATO, other than themselves, receive these secrets and this control of the atomic bomb? I do not believe that any of the NATO members are going to be very happy if all of their neighbors also have the possession of this secret. Therefore, we would have no cutoff place where we can give it to one without giving it to all. We cannot favor one and deny all the others. This kind of situation might well lead to terror on the part of all countries but the one that was given that information.

Mr. GORE. I am sure the Senator knows that I was not making an argument in favor of the proposal.

Mr. MONRONEY. Oh, no.

Mr. GORE. I was trying to indicate that it was not an entirely one-sided question. There are few things which are more important to America and the free world right now, as we approach a summit conference, the feasibility of which may be subject to question due to lack of unity, than the unity of the Allies. Surely a prerequisite for a summit conference should be the unity of purpose and position of the Allied Powers. I do not know to what extent that unity depends upon the giving of nuclear weapons to our allies. If trouble should come, of course, the exigencies of war would then give to the President the power and authority to make the transfer. The practical difficulties in immediate transfer and custody from one to another in the split second conditions of modern warfare are exacting.

Having indicated some of the reasons why certain people advocate the course of action now suggested, I should like to say to the Senator from Oklahoma that I see foreboding implications in such an act. The able Senator has referred to one: the proliferation of nuclear powers. Would it mean Turkey, with nuclear warheads on missiles? Would it mean Italy? France? Formosa? Spain? This proposition has far-reaching implications, one danger of which would be the obliteration of any real hope for the control of nuclear weapons.

But there is another possibility, namely, the provocation of the Soviet Union and her satellites. I refer now to the implications of nuclear arming of West Germany and the possibility of supplying nuclear armaments to Turkey and Japan. Would this kind of provocation, before the summit conference, lend encouragement for success of such a conference?

There are other implications I could discuss, but it seems, perhaps, that I have said about all that I should say extemporaneously.

I conclude by saying that if the President of the United States or his administration has in mind such action as is implied, then the wise and prudent course would be to submit a request for legislation, on which there could be sincere and open debate, and on which the representatives of the people in the legislative branch of the Government could reach a conclusion. I would be prepared to give such a request the earnest consideration which I think it would require and deserve.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MONRONEY. The distinguished Senator from Tennessee has, I believe, pointed out very clearly the proper

course. Certainly nothing is more vital to our security and the security of so many millions, if not billions, of people in the world than being protected against a proliferation of countries having these lethal weapons and the nuclear secrets. I should think our leadership in this field would compel us to do everything possible to formulate an airtight, foolproof disarmament program while there are still but three members of the "atomic club," and not to wait until the knowledge is possessed by the *n*th atomic power. Perhaps this may be one of the great fears of Khrushchev which has led to some of the thawing of the cold war. Perhaps it is this possibility that has worried him about any chance of an agreement. A proliferation of nations having control of the weapon, or even coming into possession of it through their own research and development efforts, presents a danger to Russia itself, because other nations may desire to spend money and effort and eventually have the weapon. But while we search for ways for peace, we should never of our own accord speed up the dangers which are inherent in increasing and multiplying the numbers of nations which will have the weapons or the knowledge to produce them.

Mr. GORE. I would regret to see such a course of action taken, but perhaps it might be well for Mr. Khrushchev to know that if he insists upon a Berlin ultimatum, either in the disarmament conference or in the summit conference, such a course of action might be taken by the United States. A nuclear-armed Germany and the nuclear arming of powers on the periphery of the Soviet Union would be a great provocation. But so are a threat and an ultimatum concerning the allied position in Berlin and in central Europe. The stakes are high. The peace of the world is involved. Certainly the security of the United States is. We should proceed with caution, but so should the Soviet Union.

I should like to refer briefly to the President's constitutional powers in connection with this matter. I must take cognizance of the fact that I have read in newspaper articles speculative comments to the effect that there was under consideration the taking of such action without reference to the legislative branch. I cannot verify the accuracy of those reports.

Under the Constitution, the President is the Commander in Chief and the Chief Executive. On the other hand, Congress also has constitutional responsibilities in the field of national defense: to raise and support armies; to provide and maintain a Navy; to makes rules for the Government and regulation of the land and naval forces; and to raise revenue and make appropriations for the Armed Forces.

As I see it, the principal constitutional question which would be presented, if such an act as has been rumored should be taken, would be this: First, can the President under his inherent constitutional powers to follow one course of action, when Congress has carefully considered the subject and by legislation has provided an alternative procedure to accomplish the same objective? Or second, regardless of any legislative prohibitions or alternatives, can the President proceed under his inherent constitutional powers when a grave emergency develops?

This question was considered in the case of *Youngstown Sheet and Tube Company* v. *Sawyer* (343 U.S. 579 (1952)). In that case, as the Senator from Oklahoma may recall, the President, during the Korean war, seized the steel mills in order to assure continued production for vital military and national defense purposes. In that case, Mr. Justice Black rendered the Court's opinion. I should like to read as follows:

> Nor can this seizure order be sustained because of the several constitutional provisions that grant Executive power to the President. In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the forbidding of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute. The first section of the first article says that "all legislative powers herein granted shall be vested in a Congress of the United States."

Two other Justices, in separate and concurring opinions, also relied heavily on the fact that Congress had legislated in the field, as Congress has in this field; and the President had attempted to follow an alternative course, under his so-called inherent powers, which the Court held he did not possess.

Mr. Justice Burton spoke as follows:

> The foregoing circumstances distinguish this emergency from one in which Congress takes no action and outlines no governmental policy. In the case before us, Congress authorized a procedure which the President declined to follow. Instead, he followed another procedure, which he hoped might eliminate the need for the first. Upon its failure, he issued an Executive order to seize the steel properties, in the face of the reserved right of Congress to adopt or reject that course as a matter of legislative policy. Congress has reserved to itself the right to determine where and when to authorize the seizure of property in meeting such an emergency. Under the circumstances, the President's order of April 8 invaded the jurisdiction of Congress; it violated the essence of the principle of the separation of governmental powers. Accordingly, the injunction against its effectiveness should be sustained.

Similarly, Mr. Justice Clark emphasized the fact that Congress had laid down specific procedures. He spoke as follows:

> I conclude that where Congress has laid down specific procedures to deal with the type of crisis confronting the President, he must follow those procedures in meeting the crisis, but that in the absence of such action by Congress the President's independent power to act depends upon the gravity of the situation confronting the Nation.

So, Mr. President, with those quotations from a decision in which the so-called inherent power of the President was at issue, I conclude by agreeing with President Eisenhower that it would be necessary to amend the law.

I thank the Senator from Oklahoma for his question, and I hope that my feeble efforts have at least stimulated some thinking on the subject.

Mr. MONRONEY. Mr. President, I wish to thank my distinguished colleague, the Senator from Tennessee, for his clarification and explanation of the problem before us. I recognize that this matter is not all one-sided; it is neither all white nor all black. I feel that it is the point of wisdom for a country which faces this crucial decision to have before it all the information it can possibly obtain.

I compliment my distinguished colleague, who has served so long in the atomic energy field, both as a member of the House Appropriations Committee's subcommittee dealing with atomic energy appropriations, and, more recently, during much of his service in the Senate, as one of the distinguished members of the Joint Committee on Atomic Energy.

Unfortunately, I am not a member of that committee; and those of us who are not members of it must rely largely upon the information we are able to obtain from our distinguished colleague from Tennessee or the distinguished chairman of the committee, the Senator from New Mexico [Mr. ANDERSON], or the distinguished Senator from Rhode Island [Mr. PASTORE] or others who give such great leadership in this field.

Mr. GORE. I thank the Senator from Oklahoma. It is a pleasure to serve on that committee, as well as on other committees. I assure him that it is an arduous undertaking, because the subject matter with which we deal is scientific and technical; and it involves not only the science and technology of our own country, but also those of other countries. Of course, as I have indicated, this subject is extremely important in the field of international relations.

Before I conclude my reply to the able Senator from Oklahoma, I should like to read an additional paragraph from the committee report on the 1958 amendment to the law, as follows:

> As an additional safeguard, the Joint Committee added a new section (123–D) to require that proposed agreements for cooperation involving transfer of military information or military material be submitted to the Congress and referred to the Joint Committee. Such proposed agreement shall not become effective if the Congress passes a concurrent resolution of disapproval within a period of 60 days. Thus, the Congress reserves to itself, by this process, a share in the responsibility for the dissemination of this important information and the distribution of this important material.

Now I should like to return to the question of the change of the administration's policy on the question of nuclear weapons tests. In October 1957, President Eisenhower wrote to the Prime Minister of Japan a letter in which he stated, in part:

> The security of the United States and, I believe, that of the free world, depends to a great degree upon what we learn from the testing of nuclear weapons. * * * To

stop these tests in the absence of effective limitations on nuclear weapons production and on other elements of armed strength, and without opening up of all principal nations to a measure of inspection is a sacrifice which would be dangerous to accept.

Two months later—in December 1957—the President wrote to Prime Minister Nehru, of India, as follows:

We are at a stage where testing is required, particularly for the development of important defensive uses of these weapons. * * * To stop these tests at this time is a sacrifice which we could not in prudence accept.

Those statements by the President reflect what was generally understood to be official U.S. policy. From those statements it is clear that the cessation of weapons tests was regarded as inseparable from the problem of disarmament. Indeed, in prior negotiations on disarmament, we had declined even to have a test ban discussed as the first item on the agenda or to discuss nuclear disarmament separate and apart from general disarmament.

The statement in the letter to Prime Minister Nehru appears to confirm this thesis and, further, to state unequivocally that in the absence of disarmament measures, further nuclear weapons testing was essential to our national security.

The statement of August 22, 1958, proposed a ban on nuclear weapons testing and, thereafter, on nuclear weapons development in advance of any progress in real disarmament.

Furthermore, the President announced a voluntary unilateral moratorium on tests for a period of 1 year, which subsequently was extended to December 31, 1959, without any apparent evidence that the forthcoming negotiations would be successful.

Mr. President, it seems to me that the American people have a right to know what events transpired between December 1957, and August 1958, to cause so complete a change in U.S. policy on a matter so vital to national security.

In that connection, I do not speak critically. I say that was an important change in American governmental policy on a vital question. But to this day no explanation of the reason for the change has been given to the American people.

Several events did occur between December 1957, and the announcement of August 22, 1958, that conceivably could have had a bearing on the announcement issued on the latter date. First, there was the conference of experts held in Geneva in the summer of 1958 to which reference has already been made. This conference, however, was not concerned with the policy question of whether a test ban was desirable, but only with the question of the technical feasibility of existing detection equipment. This conference did not even consider—indeed, it could not consider—the political feasibility of a control apparatus. It has subsequently been revealed that the technical conclusions reached by the conference of experts as applied to underground tests were based upon the byproduct results of a single U.S. underground test explosion which had been conducted for an altogether different purpose. The basis of these conclusions by the experts must have been known to the administration.

No consideration or even serious discussion was given by the experts to the feasibility of detecting high altitude explosions. The existence of problems in the high altitude area must have been known to the administration because at the time of the experts' conference, the United States had already scheduled the subsequently announced high altitude tests at Johnston Island in the South Pacific and the Argus series in the South Atlantic. In fact, the tests at Johnston Island had already been conducted.

I was briefed about the tests before going to Geneva. These tests proved the feasibility of high altitude tests and disclosed some of the related problems.

Aside from the omission of consideration of high altitude tests by the experts, their conclusions with reference to the feasibility of detecting underground tests were subjected to serious question, as a result of information derived from the U.S. series of underground tests held in the late summer and early fall of 1958. This later information, which has been made available to the Soviets, their representative at Geneva has thus far refused even to discuss, except at the technical level, where their experts pointedly refused to agree even upon the scientific and technical questions involved.

In any event, the report of the Geneva conference of experts would not appear to support the change in U.S. policy to the extent proclaimed on August 22.

A second factor which conceivably could have affected this change in policy is the results of the 1958 U.S. test series which, although scheduled, had been only partially completed on August 22. Is it possible that the administration concluded in advance that this series of tests would supply sufficient answers to meet the requirements for weapons development and confirm the conclusions of the report of the experts? Such does not seem probable. For one thing, as I have said, the Johnston Island tests had been conducted on July 31 and August 11, proving the feasibility of high altitude tests, a matter not even considered by the conference of experts.

I should like to say here, Mr. President, the high altitude tests over Johnston Island and the Argus tests in the South Atlantic posed extremely serious questions as to the feasibility and worth of the Early Warning System stretching across northern Canada. Indeed, it put into serious question dependence upon electrical warning devices of various kinds.

Furthermore, in terms of the President's statement in his letter to Prime Minister Nehru about the need for further testing, "particularly for the development of important defensive uses of these weapons," the Johnston Island tests, as well as the subsequent Argus tests, raised more questions than they answered. I assure you, Mr. President, that is an understatement.

Data obtained from the Johnston Island test raised questions in many respects.

The only other event, on the public record, between December 1957 and August 1958 which might have influenced such a reversal of U.S. policy occurred in March 1958. At that time the Russians achieved substantial propaganda advantage by announcing a cessation of nuclear tests to be effective so long as other nations refrained from testing. The fact that the Russians had just completed a series of tests when this announcement was made, and the further fact that the announcement was probably made with full knowledge that the United States already had planned a series of tests to be held later in the year, did not materially lessen the propaganda advantage which the Russians reaped.

I readily agree, Mr. President, that forthright action by the United States was required to counteract the effects of Russian propaganda about the banning of tests, but I question whether our responsibility to demonstrate our willingness to eliminate or reduce the hazard of radioactive fallout resulting from tests is adequate justification for a proposal to eliminate all tests, including both those which contribute to fallout and those which do not.

Mr. President, I was not privy to the discussions which undoubtedly took place between the President and his advisers prior to the decision which led to the issuance of the August 22 statement. It may well be that factors were considered of which neither the junior Senator from Tennessee nor the public at large is aware. My purpose in raising this point is to emphasize the fact that there was, in fact, between December of 1957 and August of 1958 a complete reversal of administration policy, and to demonstrate the absence of any public explanation of the reasons for the change.

Mr. President, this is a government of the people. A matter so vital as the testing of nuclear weapons, which goes to the very heart of the military strength of our country and the moral and military position of our country in the family of nations, should be discussed with the American people.

Negotiations at Geneva between the three nuclear powers have been in progress now for 15 months. The United States has made substantial concessions from the position taken in the President's statement of August 22, 1958.

Apparently, we no longer insist that an agreement be subject to renewal on an annual basis with renewal conditioned upon a finding by ourselves that an effective inspection and control system is in operation and that substantial progress is being made in the field of disarmament.

If we do, in fact, still adhere to these conditions of the August 22 statement, little notice of it has appeared in the public press. On the overall subject of disarmament it appears from the President's statement made on the eve of his departure for Europe last September that we no longer couple nuclear disarmament with general disarmament.

I happen to think that nuclear disarmament is a part of general disarmament.

The President suggested that the Allies "restate our readiness to negotiate on any reasonable and mutually enforceable plan for general or special disarmament."

Our negotiators have gone as far as they could possibly go, and at least as far as they should go, in meeting the Russians on the questions of composition of and operation of a proposed control commission. Meanwhile, the Soviets have made no real concessions at all on the really substantive issues. In order to find alleged Soviet concessions, one must classify as a concession any deviation, however slight, from their original extreme position that all that is necessary is for the nuclear powers each to sign a simple statement saying they agree to ban all tests of all kinds forever, without any inspection and enforcement provisions at all.

Much has been said of the fact that agreement has been reached on 17 articles of a proposed treaty. What are they? Upon analysis, it is found that agreement has not been reached on any one of several key issues, each of which is indispensable to unimpeded operation of an impartial international control system. I do not wish to cast reflection upon the labors of our negotiators who have been working diligently at Geneva.

I have seen them work. I have worked with them. Twice I have been at the conference table with them. They have labored diligently.

I must say in all candor, however, that a provision, for example, which specifies that personnel of the control commission staff shall have diplomatic immunity, should not be classified as agreement on a substantive point.

I think if our representatives have erred their greatest error may have been in the making of statements which have led many people in the United States and around the world to think that the Soviets have made big concessions and that great progress has been made.

We have agreed that the proposed control commission should consist of representatives of seven nations. But there is no agreement as to who these nations will be, other than the three nuclear powers who are to be permanent members, or how the remaining four members are to be selected.

I shall refer briefly to some of the major questions still unresolved.

There has been some discussion but no agreement on means for detecting nuclear explosions at very high altitudes. Indeed, there is little scientific data and practically no scientific experience upon which to base such a system. All we have are some scientific theories which cannot be proved or disproved in the absence of more tests.

On the political side, there has been no agreement on the nationality of the key personnel at any control post located in Russia.

The Russian insistence on a veto on all matters pertaining to the budget of the proposed commission has not been resolved. With this weapon alone, the operations of the entire control system could be effectively stymied.

As I have said, the question of how the land mass of Red China might be brought into the control machinery has not even been discussed at the conference. Moreover, I question how we could bring into the discussions a nation we do not even recognize diplomatically. Yet the plan of the Geneva experts provided that 37 of a proposed total of 180 control posts should be located on the land mass of Asia, about as many in Red China as in the Soviet Union.

This brings me to the question of onsite inspection of events which technical equipment would be unable to identify positively as being either a natural event or a nuclear explosion. On this point, the Soviets started out by insisting on a veto of any such inspection conducted within her borders. Much emphasis is placed on the fact that they appear to have made some concessions on this point. They have indicated a willingness to consider excluding from the veto an unspecified limited number of such inspections each year. They have not yet said the number they would consider adequate. I know from personal experience, in talking with Mr. Tsarapkin, that he thinks a very few would be too many.

Is this concession real or is it only apparent? In the first place, they have not indicated, as I said, what limited number they might be willing to accept. Moreover, there has been no agreement on what technical data would be deemed to justify an inspection, or how much freedom the inspecting team would have in moving directly to the site and in making its inspection.

The question of onsite inspections is one which is subject to dangerous oversimplification. Even with unlimited inspection, the identification of a suspicious event as a nuclear explosion is far from certain, even assuming complete freedom of movement and activity by the inspecting team. Equipment now available would be able to locate a suspicious underground event within an area of perhaps 10 square miles or larger. The radioactive evidence of a nuclear underground explosion might, however, be confined to an area of 100 square feet, and that area might be, and probably would be, if an attempt at evasion were made, deep underground. An inspection team might have to drill holes 100 feet apart over the entire area to be satisfied that no nuclear explosion had occurred.

It is said that other physical indications of activity would narrow the search zone. This may be true. But could not a nation which desired to cheat conduct simultaneously a conventional explosion, lead the inspection team to that site, and then insist it was that explosion which was recorded by instrumentation?

This may sound like a farfetched and extreme position. I do not think, however, that it should be considered, or that the many other difficulties should be dismissed. For example, it required more than 3 months for our own engineers and scientists to locate by drilling the subterranean radioactive evidence of our Ranier test shot when we knew exactly where and when the explosion had occurred. The problems encountered in this instance may not be indicative of the difficulty. Again, they might be.

At best, the onsite inspections with existing technical equipment would be difficult. Should there be a limit on the number of such inspections, it would be a comparatively simple matter for a nation which desired to cheat to wait until the prescribed number had been conducted, perhaps even instigating and encouraging such inspections; later, significant tests could be conducted clandestinely with small probability that the control commission would be able to establish conclusively that they had occurred.

Mr. President, of course it would be unrealistic to insist upon an absolutely foolproof inspection system. I agree with President Eisenhower's recent statement that there is no such thing as a foolproof system. It is impossible to achieve. Prudence requires, however, that we not place reliance upon an inspection system unless the probability of detection is reasonably good. That is the test. Equipment and scientific techniques for such a system are not yet developed insofar as underground and high altitude tests are concerned. I do not suggest that adequate equipment and procedures cannot be developed. On the contrary, I am confident that these obstacles can, in time, be overcome. I do suggest, however, and I strongly urge, that we ought not to enter into any agreement depending for its effectiveness upon an inspection system until after the technical questions have been resolved and until after the Russians have demonstrated a willingness to permit unimpeded application of the techniques developed. Thus far there is no basis, either technically or politically, for a reliable agreement covering underground and high altitude tests.

We have allowed the negotiations at Geneva to drag on without substantive progress, to the point that there is real danger that the significant issues will be obscured. How, then, do we extricate ourselves from such a situation? In my view, as I said earlier, this involves a reappraisal and reaffirmation of our objectives and consideration of how we can accomplish them, and the degree to which they can be accomplished without endangering our national security.

My proposal, to which I have earlier referred, received serious and sympathetic consideration by the President, and for this I am grateful. I was pleased that on April 13, 1959, the United States adopted in part the substance of my suggestion and formally proposed at Geneva that the nuclear powers, as an initial step, enter into an agreement limited to the discontinuance of atmospheric tests. The President, as was subsequently announced, also wrote to Premier Khrushchev urging his acceptance of this approach.

I regret that the President did not incorporate in his April 13, 1959, proposal a unilateral declaration on the part of the United States announcing a firm intention to suspend atmospheric tests for a specified period. Such a

declaration, in my opinion, might well have captured the imagination of a world grown increasingly uneasy about the danger of fallout. With such a declaration on the part of our President, it would no longer be possible for the Russians to obscure the fact that it is they, not we, who are obstructing progress on a question vital to all and dangerous to the health of all mankind. There is yet time for such a step to be taken. An agreement limited initially to atmospheric tests represents a step forward which can be safely taken; and we could invite the nuclear powers to join with us and hope that they would do so. If we could take this limited but important step, as I said to the President in the concluding sentence of my memorandum, one important forward step toward international cooperation and peace might lead to others in our time.

PROSPECTS FOR UNDERDEVELOPED COUNTRIES IN THE DECADE OF THE SIXTIES

Mr. MONRONEY. Mr. President, David E. Lilienthal, whose leadership brought such a transformation in the Tennessee Valley some years ago, has been engaged since 1956 in economic development overseas, in Asia, Latin America, and Africa.

Wide attention has been drawn to the major planning and managerial job which Development and Resources Corp., headed by Mr. Lilienthal and Gordon Clapp, has done under contract with the Iranian Government to begin restoration of the oil-rich Khuzestan region to the green and flourishing state it enjoyed in Bible times. This project involving private enterprise in economic development was described in the October quarterly, Foreign Affairs, and on a recent TV documentary film.

Because of Mr. Lilienthal's experience in the field of economic development in many countries, I want to bring to the attention of my colleagues the Newton D. Baker lecture which he delivered to the Cleveland Council on World Affairs, at Cleveland, Ohio, on January 14, 1960. I ask unanimous consent to insert it in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DECADE OF DECISION: 1960–1970—THE PROSPECTS FOR THE UNDERDEVELOPED COUNTRIES IN THE DECADE OF THE SIXTIES

(Address by David E. Lilienthal, chairman of the board, Development & Resources Corp., New York, N.Y.; former Chairman, Tennessee Valley Authority (TVA) and the U.S. Atomic Energy Commission)

Ever since the end of the war, and more particularly during the decade of the fifties just drawn to a close, international affairs have been dominated by two overshadowing issues. First, of course, has been the avoidance of a major war. Second has been ways and means to speed up a bettering of the lot of the two-thirds or more of the world's people who live in regions usually described as underdeveloped.

Now we enter a new decade. The world's chief preoccupations will continue to be the same two issues: avoidance of war and economic improvement.

But the basic ideas and policies by which in the fifties the world sought to achieve these two goals no longer fit the radically changed circumstances of the quite different world of the sixties. Those ideas and policies of the immediate postwar world must in large part be discarded or revised, their place taken by ideas more suited to the state of world affairs which mankind must face in the decade just begun.

To prevent war and protect its vital interests the free world of the West during the fifties relied chiefly on a clear superiority of military power and a policy well described by the word "containment," that is, containment of the Soviet Union. The Soviet Union, on the other hand, during that period, relied upon a set of ideas and political operations which it thought would avoid war, yet give it what it wanted. The central theme can perhaps be described by the phrase "expansion through domination," that is domination of more and more peoples beyond the borders of the Soviet Union.

If anything is clear, it is that a policy for the West of containment of the Soviet simply no longer fits the facts of the sixties, however adequate a policy it may have been in the early fifties.

Similarly, I hazard the guess that a policy of expansion by domination is becoming equally unrealistic for the Soviet, and is in process of change. This is not because the leaders of the Soviet Union have changed their convictions or ambitions, but because a policy of domination has run into major difficulties—difficulties that increase as time goes by.

Both the West and the Soviet are learning that the world of the sixties is simply not the world of the fifties. The Soviet's rapid strides in technological might and our preoccupation with budget balancing has altered the military posture of both. Emerging nations have grown impatient with the East-West cold war and the danger of a hot one—in which they would be among the casualties. Quite new and different policies and measures to avoid the catastrophe of war are being evolved before our eyes, both in the free West and the Soviet East.

NEW PREMISE NEEDED

The need for new policies and measures to prevent war is matched by an equally clear need for new policies adequate for the second major issue of world affairs, that is, the speeding up of the processes of improvement in the needy and underdeveloped countries. This issue of world development is the theme of the Cleveland Council on World Affairs discussions for the current year; it is to this theme that you have invited me to address myself in the 1960 Newton D. Baker lecture.

By the term "world development" I assume we all have in mind that marked and accelerated change in the physical conditions of life for the nearly 2 billion of our fellow human beings who tonight are hungry, sick, and yet without medical care, ragged, dirty, without decent shelter, who have little chance to learn how to help themselves—and, worst fate of all—without hope that their future or that of their children will be any better.

To help these 2 billion human beings change these conditions requires what we usually refer to as foreign economic aid. For it is obvious that without aid from others there is little or no hope for improvement for them in our time.

Tonight I shall express to you certain convictions about the need to revise one of the basic concepts underlying our own Government's economic aid. My views grow largely out of personal observation, experience, and responsibilities in the practical realities of economic improvement of underdeveloped areas, both in this country and in certain of the major underdeveloped regions of Asia, Latin America, and Africa. This experience makes me feel strongly that we Americans need to discuss critically the basic premises of our foreign aid. These premises need especially to be discussed by private citizens, free to think independently and to have their say without worrying whether their convictions fit into what may from time to time be the official policy or the official rhetoric.

In the fifties what has been the major premise upon which Congress has appropriated very large sums for economic aid to foreign countries? What has been the principal reason advanced for asking the American taxpayers to provide technical aid, loans, and guarantees running into many billions of dollars?

CAN WE HELP SECURITY?

The principal thesis—though not the sole one—has been this: That we should provide economic aid—financial and technical—to stop the spread of communism in underdeveloped countries. According to this doctrine, drummed into our ears steadily for the past decade by American and foreign officials, if we do not provide the poor and needy countries with economic help they will probably go Communist, or be dominated by the Soviet Union.

The many billions of American treasure poured into the reconstruction of an already industrialized Western Europe, under the Marshall plan, saved Europe from communism, so the argument runs; I believe this is true. Therefore, it is argued, to pour billions into the utterly different kinds of economies of underdeveloped Asia, Africa, and Latin America will also save those continents from the same threat and thereby protect us from the same threat. U.S. economic aid—so this thesis argues—is a way of buying security for us against Soviet domination of the new and emerging countries, or the older nations which have not yet attained a high level of productivity.

Tonight I wish to add my voice to those who challenge both the wisdom and effectiveness of these ideas. Particularly do I challenge it under the quite new conditions of the sixties; namely, a Soviet Union far stronger than it was a decade ago, and a rising spirit of independence and pride not only among the more than a score of newly born nations but many of the older ones as well. That spirit of independence—or nationalism, if you prefer—makes a doctrine of commitments to us, explicit or implicit, in return for our aid quite unrealistic and unworkable. These nations desire aid but they are now in no mood to take it on an exclusive basis—from either the West or the East. May I add that I also question the effectiveness, for the recipient peoples, of aid put on an essentially political and security basis.

I will spend no time criticizing Americans who in the past 15 years have sold economic aid on this basis, or of officials of countries who urge us to provide economic aid to insure their being on our side in the struggle with the Soviet Union. The important question is what do we do now and in the future, not what have we done.

I submit that in the light of experience and of the vastly changed conditions that prevail today this doctrine should be rejected.

STRENGTH LIES IN ETHICS

This policy is not practical; it does not and, I believe, it will not work. It leads us down a dead end street where cynicism, bitterness, and destructive isolation await us. This policy does not work because the philosophy behind it betrays the great ideals of American tradition—it is out of character for us. It is not in tune with the deepest American motivations alive in thousands of our communities—motivations which have saved us in our darkest crises, at home and abroad. These motivations are rooted in our striving for a practice of ethics among men and our search for universal spiritual values. The

hope in the hearts and minds of other peoples that Americans will be motivated by these ethical concerns is still our greatest source of respect, influence, and strength in the world.

Anyone who challenges a public policy of such basic importance has two obligations: First, to indicate the reasons both of practice and of principle why he believes our policies need to be changed, and second, to suggest the basis upon which a better alternative can be erected. Within the limitations of time tonight these two things I shall attempt to do.

But first it is essential that we review quickly the state of economic development of needy people as it stands today, as well as the current state of our own foreign aid efforts, at the beginning of this decade.

Such a review is relevant to the question of a revision of basic policies. For if foreign economic development where it is most needed were moving forward steadily, if it were making good headway, and if the American foreign aid program were today gaining increasing public confidence at home and overseas, then proposals for a change in our fundamental policy might well appear to be pointless, a quibbling over abstractions.

The effort since the war to make a substantial and marked improvement in the conditions of life of the great mass of people of the underdeveloped countries is lagging tragically; indeed it is in jeopardy, from the viewpoint of the free world. True, the already well-to-do in most of these countries are increasingly better off; but what is crucial is the gap between those relatively few and the impoverished many. That gap has narrowed very little; in some cases has even grown wider, at a time when the demand for improvement becomes more insistent, more widespread, more violent. It is the apparent widening of this chasm between the comfortable and the hungry within the countries that make up almost two-thirds of the earth that constitutes one measure of the enormity of this failure, that is, failure judged by expectations aroused and stirred by the successes of technology and science and the ferment of national pride.

HAVE-HAVE NOT GAP INCREASES

The marks of failure of economic development, both absolutely and as measured by what is demanded, is as evident between the prosperous and poor countries as it is within the needy countries. Economic development is shockingly out of balance; there is no persuasive indication I have seen that the balance substantially improves as the days and months go by. On the contrary, the so-called "have" countries, and this must now include the Soviet Union, since the war have so far improved their positions that prosperity for most people—speaking always relatively, of course—is the rule rather than the exception. Even the war-smashed countries have reached levels of productivity greater than before the war. Britain, France, West Germany, the Low Countries, and Scandinavia are productive and prosperous, and the rate of this economic improvement continues unabated.

These are heartening facts. But in sad contrast, the needy and hungry countries with a low rate of productivity have inched forward slowly and in some parts of the world have actually lost ground in the last 10 years. This is only partly due to increases in population.

The emergence into independence in the past decade of more than a score of countries comprising nearly a billion people has given them the cherished right of self-government; but for many of them their independence has for the time being diminished their overall productivity and lowered an already low standard of life. The new nations have had to contend with an understandable wariness and even a flight of foreign capital, a reluctance of foreign management experts to brave the fires of antiforeigner feeling, a loss of markets and fiscal stability, a lack of trained people in government and in business. For many reasons, of which this is one, the gap between the "haves" and the "have-nots" has tended to increase rather than diminish.

This ugly fact casts a dark shadow over the conscience of mankind as we enter the new decade. That it will produce tensions for all of us of a kind almost unbearable over a long period, should require no extended exposition.

To narrow this growing chasm between the lot of almost two-thirds of the people of the world, and those who are increasingly prosperous, obviously requires continuing help of every kind—financial, technical, educational, and moral—from those who have to those who are struggling to improve their condition by their own efforts, consistent with their own aspirations and cultures.

The largest such aid program in the world is, of course, that of the United States, directly as well as through our overwhelmingly predominate financial contributions and guarantees to agencies of the United Nations.

It would be inexcusably complacent and blind to ignore the fact that the foreign aid program supported by the United States is in serious trouble today and that this trouble is mounting.

SENSITIVITY IS DULLED

The moral vitality and fervid conviction that characterized the United States program of aid 10 years ago has suffered a serious setback. It has lost public confidence to an alarming degree. Leaving aside the glowing eloquence of a relatively few confirmed foreign aid advocates, the rank and file of people are showing a growing lack of conviction, lack of any warmly affirmative conviction favoring the idea of aid by this country to the less developed, the less productive, the desperately needy peoples of the world. This has tended to dull the sensitivity of the American people to human suffering. The many pleasant diversions to which we devote ourselves so wholeheartedly is one way to try to forget all this. But in so doing we are false to our own natures, and thereby I fear injuring ourselves even more than we are hurting those who could be helped by our concern and our assistance.

The measure of America's effort is how we as a people feel about the importance of economic aid, of its implications, of the reasons why it is important. When we are as much in doubt, as a people, as I believe that we are, then it is only to be expected that the Congress of the United States should reflect that doubt, that waning confidence, in their votes upon specific issues. And although there is much sincere talk about Britain and France sharing more fully in the financial and technical burdens of economic aid overseas, a sharing that is certainly overdue, the fact remains that if the United States program totters and falters, this will have a slowing down and negative effect upon the efforts of the other prosperous countries of the West.

The American-supported foreign-aid program has been having a more and more difficult time mustering support for appropriations for economic grants, loans and technical assistance. I am not here referring to the usually separable program of foreign military assistance. Of course these difficulties are not due solely to waning confidence in the idea of foreign aid.

America needs billions of dollars for the mounting needs of our own people; education, public health, highways, conservation, the clearing of blighted urban areas, and a host of other needs. Our huge defense program, absolutely vital to the survival of the Nation, requires enormous expenditures. The cost of military assistance to threatened countries overseas—already larger by far than economic aid expenditures—does not diminish, might even increase. True, we could be productive enough to afford all these essentials, and still put more funds into foreign aid. But to do so might well require higher taxes and a cutting down on some of our gargantuan expenditures for multimillion dollar racetracks, luxurious winter resorts, cosmetics, liquor, specially balanced diets for parakeets, and other consumer items we apparently consider essential. There is little present likelihood we will increase taxes or cut down very much on what we spend on these consumer essentials.

The flood of imports from countries which our foreign aid funds put back on their feet—notably Japan and West Germany—is not going to lessen scepticism about foreign aid appropriations. Nor has the current softening of the dollar, temporary as it is, made the immediate case for foreign aid more persuasive to a good many people of influence.

Such factors as these are important in putting the future of our foreign economic aid program in real jeopardy. But there is still another and perhaps a principal reason. It is that in the mind of many people foreign aid has not delivered what, mistakenly or not, they were led to believe it would deliver, that is, that it would buy us friends and allies, nations which would deal only with us, would have nothing to do with the Soviet. Our foreign aid was to make other peoples choose sides in the cold war; foreign aid, they were told, would commit the uncommitted, the neutral nations so-called, to the cause we believe in, and to us, and deny them to the Soviet. As time goes by, the evidence to support this argument grows weaker and weaker. The fact is becoming clear that hunger, disease and frustration of human hopes makes the cold war seem irrelevant to many millions of people.

RESULT IS MORAL MESS

Moreover, this thesis and practice has plunged us into a moral mess. What can we say in defense of an American policy, however disguised with diplomatic rhetoric, which from time to time displays the representatives of a noble nation up to their elbows in the cynical international bazaar, there to bargain and haggle and make deals by which we trade our money or credit or technical aid for friendships? How much are friendships worth when bought in this way? How much do they cost us in loss of our own self-esteem? How much does this process weaken the greatest source of our strength—the respect of other peoples in search for freedom?

Extending economic aid in order to buy the allegiance of an underdeveloped country, or to keep the Soviet from buying or coercing it has still another defect. What we buy is often not what we instinctively want most, the friendship and trust of the whole people. Too often we find ourselves in cozy isolation with the military or political or economic top layer then in control of that country. This tends to confuse helping a people to become more free, economically and politically—the object of America's concern as a humane and freedom-loving nation—with help to those who at the time are the dominant minority in these countries, who may, or then, again, may not be concerned with helping anyone but themselves.

If on the one hand these huge economic expenditures produce questionable results for us, in a political and military and economic sense, and if on the other they are not used by the recipients to help strengthen the whole population and make it better able to control its own destiny, then the main rationale of economic aid totters. No wonder so many Americans are saying: "Why not use that foreign aid money to shore up our missile program, or to build schools we need so badly, or to reduce taxes, or slow up the out-flow of our gold reserves?"

The doctrine of extending economic aid for narrowly conceived political purposes makes it exceedingly difficult for us to exercise a judgment on the methods used by the recipient countries in getting results from the aid extended. And methods may determine whether our aid helps or is futile. For example, it is basic, it seems to me, that the drive for economic improvement of an underdeveloped country, to be genuinely effective, should begin at home; yet there is a minimum prospect for us to insist upon evidence of this essential national initiative and will if it is implicitly understood that the aid is handed out as a quid pro quo for doing something for the giver. Moreover, when aid is given primarily for our own political, or our own short-range economic reasons—however good those reasons from our point of view—we are then at a great disadvantage in insisting that the recipient countries themselves be organized in such ways that the funds loaned or granted or the technical aid made available have the best chance of producing results that will benefit the whole people.

What public or humanitarian purpose is served in expending American or U.N. funds or credit if the basic precondition for some measure of results for the whole people of the recipient country simply does not exist, or the recipient country is not willing to try to establish them? If we expect a quid pro quo for ourselves from such aid, we are in a poor position to call for or help establish, or insist upon, those preconditions. But if we grant our aid with no expectation of a political return to us, such conditions are within the range of discussion on their merits—simply to say, "No."

When U.S. aid is so often not effectively used—as judged from our basically democratic and freedom-loving viewpoint or from the viewpoint of economic results—then is it any wonder that so many of our people believe we are just throwing our money away? Worse than throwing it away. For so often the unofficial leaders of the masses of people of some of these countries have had more faith in the underlying motive of the United States than in the motives and public ethics of their own rulers. This is a faith that can readily turn to scepticism and contempt for us. And the last shred of respect for us on the part of the dominant groups in these countries may also go down the drain if they conclude that Americans are easy touches who have disabled themselves from discussing, on the merits, whether the funds we provide actually are used for the purposes described in the official rhetoric of their own statesmen and ours.

BETTER RESULTS POSSIBLE

The how of economic improvement, the explicit managerial problem of getting results, is one that has been a part of my life for a good many years, and still is. And yet, of this subject I have thus far said nothing in these remarks. And yet it is implicit in challenging the present policy of aid that an alternative policy can be made to yield better results, for the underdeveloped peoples, and results consistent with our own ethical and democratic standards. Adequately to discuss this subject of how would take us far beyond the limits of the time we have tonight. But this much I do want to say:

An American aid program completely and explicitly divorced from the notion of buying political or military friends, or for the main purpose of promoting American business, at home or overseas, could, I am persuaded, be so organized and managed by the recipient countries as to produce economic benefit for the whole people, and more readily than under the present practices.

This is not a proposition without some support in experience. Let me point briefly to one analogy, that of the World Bank, a public agency of the United Nations, chiefly dependent upon the contributions and guarantees of the United States' taxpayer. This enterprise has been remarkably successful—true, under unusually able leadership—in requiring borrowing nations to provide evidence of the economic worth and productivity to be expected from the funds borrowed, and to account to the Bank as to where the money is going and for just what purposes. And if these standards are not met, the Bank simply refuses to extend credit.

This is a useful analogy, but not one to be pressed too far. The World Bank is primarily a lending institution, and as such, is chiefly concerned—though not exclusively—with relatively simple economic goals. The worth or the results of many kinds of greatly needed aid—such as for training or health—cannot be measured as readily as one would measure the expected benefits of a dam or a steel plant, for example. But even for noneconomic goals managerial methods have been developed during the past generation that can be used not only to get results that are productive, but that tend to strengthen individual freedom of choice. These methods are among the major achievements of modern life under democracy. Such managerial techniques, if intelligently used in an aid program, can buttress the desire for self-reliance and self-direction of the people of the underdeveloped countries.

If our past policy is no longer a valid or workable one, judged by results, then what do I suggest as the basis for an alternative policy?

Clarity in developing a new policy must, I suggest, begin with answers to the central question, "Why do we extend foreign aid?" It must begin with a reexamination of our basic motives.

Should our answer not be: We do it in the final analysis because we must, because we are that kind of people, because we find that we cannot honorably live in a world in which we are growing fatter and fatter, more and more comfortable and hundreds of millions of other human beings, our brothers as the children of God, are hungry, are needy, chronically ill, and without a chance to help themselves; that they need not only something of our treasure but need our moral support and our deep concern for them for their own sake.

CONSCIENCE BEST GUIDEPOST

I submit that perhaps the most trustworthy guidepost as to why we should provide foreign assistance is our conscience, as a people, a matter of our own sense of values, our own ideas of what is right and wrong for us as a people, our own ideas of what is a decent kind of world in which we and our children can live.

The Americans of the 19th century did not open wide the doors of immigration to the oppressed and hungry and dispossessed of Europe only because it would help the planters and merchants and businessmen already here. They did it because this was to be a new kind of country in the family of the human race. And today when we cast adrift from basic principle in dealing with the problems of the oppressed and hungry and dispossessed of the rest of the world, we are bound to become confused; above all, we are bound to lose an inner sense of confidence about our program of economic aid, a loss of confidence that may suffocate the most creative and magnificent and hopeful—and feasible—enterprise of our century.

An American foreign-aid program should be rooted in the most basic of our ideals and human sentiments, and reflect the most admired of our talents—our sensitivity to the aspirations of others and our faith in what others can do to help themselves if given a fair chance.

But what would such a program of assistance do for us? Would it win us friends and allies? It might—but only as a priceless by-product. Would it make others grateful to us? No, I would hope not.

But there is something it could do, for us, and for the world—something far more important than purchased friends or gratitude.

A program of aid from which we ask nothing for ourselves in return could give the world a demonstration of the kind of people a system of political and economic freedom is capable of producing. By our example we would provide evidence of the creative power released in a human society by our practice of freedom of choice. We could provide an example by which the rapidly emerging nations of the world could weigh and judge the virtue of making increasing freedom for the individual—with justice for his neighbor—the cornerstone of their own evolving societies.

MODERNIZATION OF U.S. AIRLIFT

Mr. MONRONEY. Mr. President, we began hearings today in the Senate Aviation Subcommittee of the Interstate and Foreign Commerce Committee on a bill aimed at filling a gap in our defense posture which I believe is crucial and should be enacted at this session of Congress to provide an adequate military and supplemental airlift. I refer to S. 2774, a guaranteed loan bill for cargo aircraft. I hope that any Senators interested and free will attend the hearings this afternoon and tomorrow. The case for an airlift bill is so well stated in an editorial published in the Tulsa (Okla.) World last Friday that I ask unanimous consent for its inclusion in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Tulsa (Okla.) World, Feb. 5, 1960]

LEGISLATION THAT MAKES SENSE

The Senate Aviation Subcommittee will begin hearings Monday on a bill to create a modern supplemental airlift program for the armed services and to stimulate the enlargement of commercial air cargo—two phases of our security and private industry that need beefing up.

Senator MIKE MONRONEY's bill is aimed to foster the national defense, the postal service, the development of civil aeronautics, air commerce in the United States and abroad, and for other purposes, by providing for Government guarantee of loans to certain air carriers for purchase of efficient, newly developed, modern cargo aircraft, and components of a cargo airlift system.

The problems of modern military air transportation and the proper role of the Military Air Transport Service and the civil air carriers in providing the airlift necessary to an adequate national defense are of long standing. It has been pointed out often that MATS could not maintain the immediate readiness required by its wartime mission if it continued to perform all routine military logistics in its own aircraft, nor without modernization of its fleet. Tragically, neither MATS nor the commercial carriers have modern cargo aircraft capable of intercontinental movement of significant quantities of fully equipped troops and military equipment.

Senator MONRONEY's approach to adequate airlift is offered as the result of almost 3 years of study by the members of the Aviation Subcommittee and the Special Subcommittee to Investigate the Military Air Transport Service. The details of the

MONRONEY proposal are equally the result of consultations within the executive branch over a period of some 10 months.

Briefly, the bill would authorize the Civil Aeronautics Board to guarantee the repayment of loans for the purchase only of approved modern cargo aircraft. The loan could not exceed 75 percent of the purchase price of the aircraft and would have to be repaid within 10 years. Ninety percent of the unpaid balance would be guaranteed, and repossession of the aircraft would be the sole recourse of the Government in the event of default. Loans to any one carrier could not exceed $75 million.

Before the bill can reach the Senate floor in time for action there and on the House side prior to adjournment, it must be reported favorably by the subcommittee and then by the full Interstate and Foreign Commerce Committee.

Congress has the opportunity to enact legislation to correct our defense posture at this session. The MONRONEY bill provides for the necessary and immediate modernization of our strategic air fleet. It should be supported.

NOMINATION OF BROOKS HAYS TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY—NOMINATION OF REAR ADM. H. ARNOLD KARO TO BE DIRECTOR OF COAST AND GEODETIC SURVEY

Mr. BARTLETT. Mr. President, I wish to express great personal pleasure at the action of the Senate today in confirming two nominations. I refer to the nomination of Brooks Hays, of Arkansas, to be a member of the Board of Directors of the Tennessee Valley Authority, and the nomination of Rear Adm. H. Arnold Karo to be Director of the Coast and Geodetic Survey.

As to the third nomination on today's Executive Calendar, I am not personally acquainted with Mr. King, of Mississippi, whose nomination the Senate confirmed as a member of the Board of Governors of the Federal Reserve System. However, the junior Senator from Mississippi [Mr. STENNIS] earlier praised his qualifications and his abilities.

From the time I first came to the House of Representatives as a Delegate in Congress from Alaska I have known Brooks Hays. I considered him then, as I consider him now, one of the kindliest, gentlest, and ablest gentlemen of my acquaintance. I am glad that the public is to have the benefit of further service from Brooks Hays in his continuing capacity as a member of the Board of Directors of the Tennessee Valley Authority.

Admiral Karo is a dedicated, able officer of our Federal Government who has made a fine record in the exacting work of the Coast and Geodetic Survey.

That service will be in most excellent hands during the next 4 years as he proceeds in his second term of office.

NONSUBSIDIZED COMMON CARRIERS OPERATING IN THE DOMESTIC AND FOREIGN COMMERCE OF THE UNITED STATES—PROPOSED AMENDMENT TO S. 2618

Mr. BARTLETT. Mr. President, on behalf of myself and the junior Senator from Alaska [Mr. GRUENING], I submit amendments intended to be proposed by us, to Senate bill 2618.

Mr. President, in a matter of days the Committee on Interstate and Foreign Commerce will hold hearings on S. 2618, introduced last August by the distinguished junior Senator from California [Mr. ENGLE]. S. 2618 would authorize nonsubsidized common carriers operating in the domestic or foreign commerce of the United States to acquire vessels owned by the United States from the Secretary of Commerce. Such carriers would be required to pay the fair market value of the traded-out ships, minus the fair market value of the ships traded in by them. The vessels traded out would be operated in the U.S. flag service.

The basic purposes of the bill should command the support of everyone who is concerned about the health of the U.S. merchant marine. Nothing can gainsay the hard fact that the U.S. merchant marine is in trouble. As the distinguished chairman of the Interstate and Foreign Commerce Committee pointed out only last week, only 11 percent of America's foreign waterborne commerce is carried in American ships. U.S. companies own 1,695 vessels which are operated under runaway flags. S. 2618 would encourage U.S. citizens to operate vessels under the U.S. flag and would make available superior vessels to increase the efficiency of merchant marine operations both in the domestic and the foreign trade.

We in Alaska, Mr. President, have a particular interest in promoting efficiency in merchant marine operations, because to the extent that the merchant marine in the Alaska trade is inefficient, the Alaska consumer bears the burden of inefficiency. I am told that the nonsubsidized carriers in the Alaska trade could use to advantage some of the war-built vessels which now are in mothballs. With these vessels, efficiency of operation could be promoted.

At the same time, Mr. President, we have a very grave concern about the possible effect of S. 2618 on freight rates in the Alaska trade, and in other trades, as well. We fear that unless safeguards are added to S. 2618, the bill will add to, not subtract from, shipping costs. Our concern is that the taxpayers of America will be providing vessels to the nonsubsidized carriers under the bill at bargain prices, and that the carriers will urge, in turn, that their rates should be increased because of the added value to their fleets made possible by the people. Our experience is that the replacement value of the ships in the fleets—whether the ships were bought, built, donated, or exchanged—is urged as a rate base factor by the carriers for ratemaking purposes. I do not believe that the rate bases of carriers receiving ships from the public should be calculated under the illusory assumption that public donations equal carrier investments. That is the assumption by which shipping rates reflect not the carrier's costs, but the public's generosity, and under which the public is billed in proportion to its generosity.

We would welcome passage of S. 2618 with assurances that the vessels turned out to the carriers would promote efficiency, and that from this efficiency, both the carriers and the public would benefit. We are hesitant, however, to support any measure which might allow the carriers to operate more efficiently but, at the same time, to swell their rate bases for rate-fixing purposes.

So the first thing that the amendments I have submitted today would accomplish would be to provide that any vessel traded out shall not be valued for any rate-making purpose at a sum in excess of the fair and reasonable exchange value of such vessel, with appropriate allowances for the cost of modifications, improvements, and depreciation. We believe that a carrier taking out a war-built vessel should agree that for a limited time, at least, the vessel provided him by the people will not be valued under an artificial formula calculated upon replacement costs.

Mr. President, at a recent hearing of the Committee on Interstate and Foreign Commerce, I expressed my regret that the Federal Maritime Board, in all the years of its history, has never come forward with a suggestion which would develop the maritime trade to Alaska. Certainly, the development of this trade is one of the responsibilities with which the Federal Maritime Board is charged. In the hearing to which I refer, Mr. Sigwas testifying before the committee, frid Unander, a nominee to the Board, which will soon consider his qualifications for confirmation. I found it necessary to be very blunt with Mr. Unander about my evaluation of the Board's work to date. I said:

> The Board seems to have, and has, focused its attention exclusively on its regulatory duties in connection with Alaska, and has never made one constructive suggestion over the years in this Alaska trade as to how the merchant marine might be improved, how rates might be established at a tolerable level.

Since the Federal Maritime Board comes up with nothing that would benefit or promote the Alaska maritime trade, the Congress itself must step into the breach with constructive suggestions. That is why I welcome the proposed legislation offered by the distinguished junior Senator from California, legislation which, with the safeguards contained in the amendments offered today, would promote not only the Alaska maritime trade, but perhaps all trade in which nonsubsidized carriers operate.

In the absence of leadership in the field of development from the Board itself, the junior Senator from Alaska and I would add constructive suggestions of our own in this field. Our amendments would also permit a nonsubsidized carrier, under proper conditions, to take out mothballed vessels for less than fair market value. With reference to the most important condition, the carriers would be eligible for not more than two mothballed war-built vessels in the reserve fleet, paying only the breakout, layup, and repair costs to place the vessels in commercial operation, if it were certified by the Governor of Alaska, the

Governor of Hawaii, or the Governor of Puerto Rico, that the carrier had submitted an economically feasible plan for serving the coastal trade in the area concerned in the public interest. So in our amendments, we propose to take a constructive step forward to aid the coastal, nonsubsidized shipping trade serving the 49th and 50th States and the Commonwealth of Puerto Rico. Present conditions as represented by the industry, and the reliance of these three areas on shipping, justify the program outlined in the amendments. The amendments would promote teamwork in the public interest between the representatives of the people most concerned and the carriers. The amendments would help modernize the industry, and would benefit consumers in Alaska, Hawaii, and Puerto Rico.

Moreover, Mr. President, the Governor of any one of the three areas mentioned could apply directly for not more than two vessels now in the reserve fleet, to operate the vessels applied for directly, or under charter. Adequate safeguards are provided to protect the Federal interest and the public at large, under the amendments submitted today.

Mr. President, I am happy to announce that the distinguished Representative from the State of Alaska [Mr. RIVERS], is introducing in the other body proposed legislation which will incorporate the substance of the amendments submitted here today. I am also pleased to advise Senators that the Governor of Alaska, the Honorable William A. Egan, has been consulted about these amendments, and supports them.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The amendments will be received, printed, and referred to the Committee on Interstate and Foreign Commerce.

Mr. GRUENING. Mr. President, I wish to make a few comments with respect to the amendments which my able colleague [Mr. BARTLETT] and I have proposed to Senate bill 2618, which was introduced for the purpose of authorizing the exchange, by domestic water carriers, of old ships for new ships now lying idle in the reserve fleet.

Our amendments have two objectives. The first is to establish a realistic basis for the evaluation of the vessels obtained by the carriers under the proposed legislation for purposes of rate setting by the Federal Maritime Board. The reason for this proposal has its origin in a present policy of the Maritime Board under which the evaluation of the property investment of a carrier, for purposes of determining a rate of fair return of value, is determined by the inclusion in the rate determination formula of a factor representing the reproduction cost depreciated of vessels. Since, in the case of some carriers, vessels are not constructed by the carrier at all but, rather, are obtained from the Maritime Administration at a bargain price, the result of this formula has been the unjustified inflation of values upon which calculations are made and, thus, it follows, an unjustified inflation of rates allowed. It would be a fiction without any basis in fact to allow a carrier obtaining vessels under the proposed legislation to establish a rate base for tariff setting purposes which would be based upon reproduction cost of the ships. The value of the ships to the carrier, which should be the value recognized by the Federal Maritime Board, is the fair and reasonable exchange value plus costs of modification and improvements necessary to put them into commercial service.

The second objective of our amendments is to give to the States of Alaska and Hawaii and the Commonwealth of Puerto Rico something of the same opportunity which foreign countries now have to purchase ships from the reserve fleet.

The State of Alaska is totally dependent on ocean transportation for its existence.

Throughout its history Alaska has been the victim of cruelly high water transportation rates which have been the direct cause of a phenomenally high cost of living. As a Territory, Alaska fought this vicious cycles of high costs of transportation resulting in high costs of living with all the inadequate weapons then available to it. Now that Alaska is a State, with the advantages which ought to come from our new status, we intend to take every available opportunity to try to diminish our high cost of living which is so largely based on the high cost of transportation.

The amendment we propose would be a step in the direction of achieving a situation under which transportation rates for Alaska could be effectively regulated. It has, within the last month, been shown that present law and the administrative machinery of the Federal Maritime Board cannot be depended upon to protect the public interest. The dominant carrier in the Alaska trade was, on January 10, allowed by the Maritime Board to put into effect, without a prior hearing, although such a hearing was requested, a 10-percent freight rate increase which even now is again inflating the cost of living in Alaska. This was on top of a 15-percent increase less than 2 years ago, making a total increase of 26.5 percent.

The State of Alaska cannot allow this to go on happening without seeking to take all possible steps to protect itself more vigorously than ever before.

We propose that the State be authorized to obtain ships from the reserve fleet or, in the alternative, to exercise some effective control over the conditions under which commercial carriers operate to our State.

These are the reasons for the introduction of these amendments. We look upon them as one of the ways in which the State of Alaska can try to employ its new status as a sovereign State of the Union to work toward the solution of one of its most pressing problems.

If this recourse and others which my colleague and I purpose to explore fully and follow through to their fulfillment do not succeed, then Alaska faces only the grim prospect of slow economic strangulation. Maritime transportation, long known as Alaska's lifeline, has become a rope, the two ends of which now appear to be firmly held, on the one hand, by the carrier which monopolizes our seaborne transportation, and, on the other hand, the Federal agency, the Federal Maritime Board, which by its actions demonstrates that it is primarily carrier-minded, carrier-oriented, and carrier-subservient, rather than public-intent-minded, public-interest-minded, and public-interest-solicitous.

This so-called lifeline is a rope which is inexorably being tightened. Unless loosened, it will slowly strangle the life of Alaska. We shall not allow that to happen if we can prevent it.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

The Senate resumed the consideration of the resoution (S. Res. 207) to provide additional funds for the Official Reporters of Debates of the Senate.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 207.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRUENING in the chair). Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, this afternoon the Senate is once more confronted with our annual parade of resolutions for funds with which to operate special Senate committees or subcommittees.

Let me say first that it is not my intention to oppose the pending resolution; I think those who serve us here by recording the remarks we make deserve our kindest attention.

But, as in the past my opposition is directed at the many useless, unending so-called investigations which have been going on for the past 15 years.

As I have often pointed out, in 1940 the Congress spent, as I recall the figure, approximately $140,000 for all investigations by special committees or subcommittees. Today we are spending more than $3,500,000 for that purpose and there seems to be no end to the requests for more funds.

The cost of operating the U.S. Senate has increased manyfold since the Reorganization Act was placed on the statute books. In 1946, the cost to the taxpayers to operate the Senate—that is to say, to pay the salaries of all Senators and all the help, and for the operation of the building and its upkeep, and so forth—came to $6,360,385. For the current fiscal year the cost will be $26,435,140—or an increase, since 1946, of $20,074,755.

Mr. President, I know that Senators have received salary increases since 1946. In fact, when I first came to the Senate, the salary of a Senator was $10,000 a year. A little later it was increased to $15,000 a year. It is now

$22,500. However, the increases in Senators' salaries account for only $2,250,000 of the more than $26 million which the operation of the Senate is now costing.

Mr. President, if we are to set a good example in frugality for other Government agencies to follow, we should begin by trying to reduce our expenses. It is sad to say, but I fear that our Government is getting so overloaded and top-heavy with employees and expenses that some day not too far in the future it may fall and collapse upon us.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief table which indicates the increases in cost of operating the Senate from 1940, when the cost was less than $4 million, up to fiscal year 1960, when the cost to date is $26,435,140.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Senate appropriations including salaries of Senators by fiscal years

1940	$3,936,986
1941	4,126,884
1942	4,153,374
1943	4,400,585
1944	4,605,005
1945	4,882,103
1946	6,360,385
1947	8,443,002
1948	11,218,625
1949	11,895,698
1950	11,507,772
1951	12,424,781
1952	12,850,183
1953	13,406,396
1954	14,491,768
1955	14,665,223
1956	16,315,720
1957	22,839,115
1958	23,156,255
1959	26,257,815
1960 to date	26,435,140

Mr. ELLENDER. I would now like to direct my attention to the various investigating subcommittees who today are requesting funds for their continued operation. In looking over the tabulation of funds requested I notice that some committees have requested less funds than they were authorized last year. For this I wish to compliment the respective chairmen. In this connection, of the almost 30 subcommittees with which we are dealing today, four will shortly bring their operation to an end. Two of them happen to be special committees created by the Senate, not subcommittees of a regular standing committee. For instance, I have particular reference to the Select Committee on Improper Activities in the Labor-Management Field. As I recall, last year we appropriated almost $750,000 for the operation of that select committee. This year, as I understand, a little more than $40,000 is being requested, in order to liquidate that committee.

Mr. McCLELLAN. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. I beg my colleague's pardon; I was otherwise engaged for the moment. Was he speaking of our select committee?

Mr. ELLENDER. Yes, the so-called Labor-Management Relations Committee.

Mr. McCLELLAN. We are returning approximately $100,000. But because a little time is required to turn in the reports, we are requesting only $40,000.

Mr. ELLENDER. That is correct; and that committee will expire.

Mr. McCLELLAN. Yes.

Mr. ELLENDER. Last year the Senator from Arkansas promised that that would be done, and I am happy to see it done. Again I wish to take this occasion to thank the distinguished Senator from Arkansas for the great work he has done on that committee.

Mr. McCLELLAN. I thank the Senator from Louisiana. I think the fact that we are returning as much as $100,000 indicates that we tried to do that work economically.

Mr. ELLENDER. I understand that the Committee on Employment Problems also will expire.

I think these are good things. Apparently, these committees have concluded—or are about to conclude—the work for which they were created. Now they will be done away with. In addition, I am also pleased to note that in many instances other Senators have made a definite attempt to reduce expenditures of certain subcommittees. I made a tabulation of all these savings which revealed that through either anticipated conclusion of operation or attempts at frugality, that savings of $1,180,500 could be made in this field.

But, unhappily, Mr. President, I also discovered that requests had also been made to increase the amounts authorized for a few other subcommittees. These requests amount to $315,000. In other words, while savings are being made in some directions, other attempts are being made to increase this spending.

Mr. President, I was in hopes that we could gradually do away with some of these committees. I know the process, the way it works now, will be slow; but I am hopeful that the members, particularly of the Judiciary Committee, will look into these matters. The work that is being done by the Judiciary Committee, according to the amounts it is asking for, must be enormous. Today the Judiciary Committee has 11 subcommittees, which are asking for $1,615,000, in contrast to the $1,542,000 they were authorized last year.

It is true that as to a few of these committees some return was made to the Treasury; but, overall, if these subcommittees desire to spend what they are asking for, the entire amount will be $73,000 more than they asked for last year.

Mr. CURTIS. Mr. President, will the distinguished Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. CURTIS. I appreciate what the distinguished Senator is saying. It will be interesting to note that in the 79th Congress, the last Congress before the effective date of the Congressional Reorganization Act, there were 33 standing committees, and the Senate spent $1,677,000.

Mr. ELLENDER. Does the Senator mean for all committees?

Mr. CURTIS. Yes.

Mr. ELLENDER. It does not include subcommittees, or anything like that?

Mr. CURTIS. It is the full cost of running the committees of the Senate.

Mr. ELLENDER. Yes.

Mr. CURTIS. In the last year, one committee requested almost as much as all the committees of the Senate used in the 79th Congress.

In the 80th Congress there were 15 standing committtes. Today we have 16 standing committees. There are 30 subcommittees with budgets, 4 select committees, 2 special committees, and 2 joint committees.

The purpose of the Reorganization Act was to lessen the number of committees. Whether the act caused it or not, I do not know, but there are almost as many subcommittees on budgets running special projects as there were standing committees prior to the consolidation of committees in the 79th Congress.

I thank the Senator for yielding.

Mr. ELLENDER. I appreciate the Senator's remarks. Of course, there is no doubt about what he has said. If one adds the number of subcommittees to the number of standing committees, he gets a great many more. There is no doubt about it. The overall cost of Senate committees has increased, as the Senator from Nebraska has indicated.

Mr. President, under present rules and regulations, each standing committee—and there are 16 of them—is allowed $123,555.67 yearly to pay for 4 professional staff members, 2 clerks, and 4 clerical assistants.

Thus, under the Reorganization Act, 160 persons can be employed by the standing committees and the Select Committee on Small Business. In addition, certain committees are empowered by resolution to employ additional personnel. The Foreign Relations Committee can employ three additional professional staff members and three clerical assistants. The Government Operations Committee employs an additional professional staff member. The Judiciary Committee, with all of its 11 subcommittees, can appoint, in addition to the 10 regular employees and in addition to its special committees, 2 additional professional staff members and 3 clerical assistants, making a total for the Judiciary Committee in its regular budget of 15 persons.

In addition to that, Mr. President, the 11 subcommittees of the Judiciary Committee employ 127 persons.

In other words, the regular committee employees aggregate 160; and, by resolution, the Foreign Relations Committee, the Government Operations Committee, the Judiciary Committee, the Labor and Public Welfare Committee, the Post Office and Civil Service Committee, and the Rules and Administration Committee appoint and pay 25 extra employees to serve their staffs, making a total for the standing committees of 185 employees.

But, Mr. President, do you know what the number of employees is for the special subcommittees of the standing committees? Two hundred and seventy-three. I wish Senators would look into the presentation made on these resolu-

tions and see the large number of employees receiving from $10,000 to $16,000 or $17,000 each. I would like to know what those 273 employees do. We see them around here every day, hanging around, many of them, and I would judge that a lot of them do not earn their salt. But here they are, 273 of them, which is in addition to the 185 persons who work for the regular committees.

Mr. CURTIS. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I shall yield in a moment.

In addition to that, Mr. President, every time more employees are hired, it means more space is required.

For about 8 or 9 years I tried to delay the construction of the New Senate Office Building. It has been called by some Senators a monstrosity. I will not be so unkind. It was felt that this huge new office building would be sufficient for all our needs for the foreseeable future. But if we go around the Old Senate Office Building today, we find that every nook and corner is being used. Repairs are being made here and there, so that every foot of space in the Old Senate Office Building will be occupied. Why is that the case? What happened to all the room we were to have? I say that the room has gone to house all these employees we have been putting on the payrolls from time to time.

Mr. CURTIS. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I will yield in 1 minute.

The subcommittees of the standing committees now occupy 102 rooms in the Old and New Senate Office Buildings.

Mr. President, everybody knows, I am sure, of my opposition to the creation and continued life of the Juvenile Delinquency Subcommittee of the Judiciary Committee, which was created in 1953. We were told it was to be in existence for a year or two, but it is still in existence. That subcommittee is occupying four large rooms. To add insult to injury, that subcommittee has been placed next to my offices. [Laughter.] I see the employees every day. Oh, they are busy now. They are busy. The lights are on until 8 o'clock at night and are on early in the morning. During the summer months, however, I think things are a little different.

I will speak a little more in reference to that subcommittee later.

I now yield to the Senator from Nebraska.

Mr. CURTIS. I thank the distinguished Senator from Louisiana. Those on the Committee on Rules and Administration given the task of assigning space have a very difficult time. There are Senators who come before us stating that they need more space, so that they may answer the mail which their constituents send them, especially from the larger States.

At the present time committees are using 32 percent of the space that is available. The standing and special committees are using 242 rooms. The situation is really quite critical. My information is that there is only one vacant room which has been unassigned. As I say, the growth of committee operations is such that in the old and new office buildings, and in the Senate wing of the Capitol, 32 percent of the space is assigned to committees.

Mr. ELLENDER. If we continue to add on and to spend more money in that direction we may have to build another new Senate Office Building before very long.

Mr. President, I do not want to belabor the questnon. I do not care to go into any details, but I was hopeful that more attempts would be made during this session of Congress to reduce these huge expenditures, so that we could set a good example for the other departments of Government.

We cannot much blame the other departments if they do not reduce expenditures as much as they should. They say, "Well, now, what are you doing about your expenses?" We often get that query. Our yearly cost of operation has been going up and up and up and up, until today, as I pointed out, it is some $20 million more than it was when the Reorganization Act was placed on the statute books.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing what each standing committee obtains by way of money to operate, the number of employees the committees have, and the additional employees provided by special resolution. In addition, this table shows the number of employees of each subcommittee.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection to the request of the Senator from Louisiana?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Tabulation of Senate committee employees Jan. 31, 1960

Each standing committee (other than Appropriations) is authorized—		
4 professional staff members	1 at	$16,300.00
1 chief counsel	2 at	15,731.47
1 assistant chief counsel	3 at	15,044.83
Clerical assistants	4 at	7,664.56
Appropriations:		123,555.67
Regular		359,000.00
Res. 193		+380,000.00

Committee	Employees authorized under Legislative Reorganization Act	Employees authorized by special resolutions [1]	Employees of special investigating [2] committees
Aeronautical and Space Sciences	10		
Agriculture and Forestry	10		
Armed Services	10		12
Banking and Currency	10		13
The District of Columbia	10		
Finance	10		
Foreign Relations	10	PSM (T) 1; PSM (P) 2; CA (P) 3	9
Government Operations	10	PSM (P) 1	20
Interior and Insular Affairs	10		17
Interstate and Foreign Commerce	10		42
Judiciary	10	PSM (P) 2; CA (P) 3	127
Labor and Public Welfare	10	PSM 4; CA 7	6
Post Office and Civil Service	10	CA 1	9
Public Works	10		2
Rules and Administration	10	PSM (P) 1	4
Select Small Business	10		12
Subtotal	160	25	273
Appropriations	Unlimited		5
Total		25	278

[1] PSM, not to exceed $15,044.83 each; CA, not to exceed $7,664.56 each.

[2] All rates not to exceed $15,044.83 (higher rates may be fixed only if the 2 parts at $15,731.47 each and 1 part at $16,300 are not otherwise assigned).

Mr. ELLENDER. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a statement showing how the subcommittees fare in obtaining office space.

The Preparedness Subcommittee of the Committee on Armed Services has an additional seven rooms.

The Housing Subcommittee of the Committee on Banking and Currency has three staff rooms.

The Committee on the District of Columbia, the Committee on Finance, the Committee on Aeronautical and Space Sciences, the Committee on Agriculture and Forestry, and the Committee on Appropriations have no extra rooms.

The subcommittees of the Committee on Government Operations have an additional 12 rooms.

The subcommittee of the Committee on the Judiciary has an additional 39 rooms.

Throughout the entire statement, Mr. President, it will be noticed that the Committee on the Judiciary will be given, this year, almost 50 percent of the amount of money appropriated for these special committees, and will occupy approximately 39 additional rooms.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALLOCATION OF ROOMS IN THE OLD AND NEW SENATE OFFICE BUILDINGS TO SUBCOMMITTEES OF SENATE STANDING COMMITTEES, JOINT, SELECT, AND SPECIAL SENATE COMMITTEES, AUTHORIZED INQUIRY AND INVESTIGATION FUNDS BY SENATE RESOLUTION

Aeronautical and Space Sciences, none.

Agriculture and Forestry, none.

Appropriations, none.

Armed Services:
Preparedness Subcommittee, five staff rooms, one hearing room.
General Investigations, one staff room.
Banking and Currency: Housing Subcommittee, three staff rooms.
District of Columbia, none.
Finance, none.
Foreign Relations: Various subcommittees, four staff rooms.
Government Operations:
Subcommittee on Investigations, three double staff rooms.
Residual staff of Select Committee on Improper Activities in the Labor or Management Field, four staff rooms.
National Policy Subcommittee, two staff rooms.
World Wide Health Subcommittee, one double staff room, two staff rooms.
Interior and Insular Affairs: Various subcommittees, three staff rooms.
Interstate and Foreign Commerce:
General Investigative Subcommittees, six staff rooms.
Transportation subcommittee, two double staff rooms.
Judiciary:
Administrative Practices and Procedures, two staff rooms.
Antitrust and Monopoly, nine staff rooms, one hearing room.
Constitutional Amendments, one staff room.
Constitutional Rights, three staff rooms, one hearing room.
Federal Judicial System, one double staff room, one staff room.
Immigration and Naturalization, one double staff room, two staff rooms.
Internal Security, seven staff rooms.
Juvenile Delinquency, four staff rooms.
Patents, Trademarks, Copyrights, two double staff rooms.
Refugees, one staff room.
Revision and Codification, one staff room.
Trading With the Enemy Act, two staff rooms.
Labor and Public Welfare: Problems of the Aged, one double staff room.
Post Office and Civil Service: General investigative subcommittees, three staff rooms.
Public Works, none.
Rules and Administration: Privileges and Elections Subcommittee, two staff rooms.
Select Committee on Small Business, five staff rooms, one hearing room.
Joint Committee on Washington Metropolitan Problems, two staff rooms.
Joint Economic Committee, seven staff rooms, one double staff room.
Select Committee on National Water Resources, two staff rooms.
Special Committee on Unemployment Problems, one staff room, one double staff room.

Mr. ELLENDER. Mr. President, I do not want to put into the RECORD the names of all these employees. They are listed in the report of the Secretary of the Senate, furnished on a quarterly basis. I invite Senators to look at the list of employees of each of these subcommittees and the amount of money they receive. I also invite Senators to look at the justifications given before the Committee on Rules and Administration by these subcommittees.

Mr. President, as I stated a moment ago, the Juvenile Delinquency Subcommittee was created by Senate Resolution 89 during the 83d Congress, on June 1, 1953, and the RECORD will show that the Senator who had the resolution agreed to, stated that the work could be completed in 1, 2, or 3 years at the most. But here we are, in 1960, and the subcommittee is still going as strong as ever.

As I have often pointed out, you cannot treat juvenile delinquency by holding hearings. Everyone knows that we have a juvenile problem all over the Nation. It cannot be cured by holding hearings, by showing that it exists all over the Nation. I might point out that in my own State of Louisiana we have one of the finest peace officers I know. His name is J. Howell Flournoy. He is at present the sheriff of Caddo Parish, La. Mr. Flournoy has been serving as a peace officer from 1913 to date, except for a few years spent in the Army. He served as a deputy sheriff from 1913 until 1940, when he was elected to the office of sheriff. He has been serving in that capacity since that time. He was elected in 1956 without any opposition, and again in 1960 without any opposition. That is a great tribute to a great peace officer. He is very much interested in juvenile delinquency—so much so that he wrote a booklet on the subject, entitled "Winning Our Youth." Sheriff Flournoy has done very good work in this field. The Louisiana Legislature gave permission for each sheriff to spend up to $8,000 per year from funds of the sheriff's office to stimulate the creation of boys' clubs, in an effort to fight delinquency. Sheriff Flournoy has done just that. The Boys Club of Shreveport has an enviable record of activities. And, I might point out that the city of Shreveport is far below the national average in the incidence of juvenile crime. I should like to read a few excerpts from this pamphlet. It is less than 14 pages in length. I ask unanimous consent that the entire booklet be printed in the RECORD at this point as a part of my remarks.

There being no objection, the booklet was ordered to be printed in the RECORD, as follows:

WINNING OUR YOUTH

(By J. Howell Flournoy, sheriff, Caddo Parish, Shreveport, La.)

Juvenile delinquency is adult delinquency. We all know that for a fact. Whenever you see a boy or girl who has gone wrong you may be sure that some adult associated with him or her has gone wrong first. Our boys and girls learn to be bad from or because of our adults, just as they learn to be good from or because of those who lead them.

Good homes do not breed criminals; viciousness does not spring from sound leadership. Criminals are not born; they are made by you and me, by the parents, by the adults around them. The juvenile problem is an adult problem.

I am sure that each thinking law-enforcement officer has often wished that there was some way for him to charge parents with the crimes of juveniles. There is no doubt that such would have an immediate effect in reducing our juvenile delinquency. But forcing parents to accept the responsibility for their children's acts is not the answer, in my opinion. The solution is in something broader and deeper than the passing and enforcing of more laws.

Too often, I believe, the law-enforcement officer finds himself in one corner of a triangle, with crime in another corner and the citizen in the third corner. It is the citizen who holds the balance of power between law enforcement and crime. Wherever you find citizens alining themselves with law enforcement you will find crime under control. And wherever you find citizens uninterested in law enforcement you will find crime always increasing.

Therefore, I believe that one of the biggest and most important jobs of law-enforcement agencies is the work of winning the citizens, particularly the young citizens, to the side of law and order. You don't find boys and girls who have a healthy respect for law enforcement becoming involved in crimes. And the teaching of respect for law enforcement to our youth is not altogether a responsibility of parents. It's a duty and responsibility of the law-enforcement officer himself.

The duties of a good law-enforcement officer, I think, go far beyond his technical duties of apprehending and bringing before a court the violators of our laws. Admitted, he must know enforcement, must know laws, must know how to apprehend the violators, must know how to use all the scientific aids of fingerprinting, photography, handwriting, ballistics, lie detectors, and all the others, must know legal evidence, and must know courts and procedures. He must be physically fit and proficient in the use of small arms, riot guns, machineguns, tear gas bombs, and so on. But above and beyond all this the good law-enforcement officer must know humanity; he must know how to lead the citizens for whom he works on his side of the fight against crime.

We think too much about the duties of the law-enforcement officer after a crime has been committed. I believe that we must begin to think more and more about what we can do before a crime has been committed. Anyone can drive people with clubs and guns; it takes men and women with strong character to lead people by virtue of respect.

The time and place to begin building respect is with our juveniles. It is not enough that we should leave this entirely to the parents. Although the parents are key people in the process, much of the responsibility lies with us who practice the profession of law enforcement. We are the ones who must prove to our youth each and every day that we are worthy of their respect.

Here in Shreveport, I spend more of my time with boys and grils who have not committed crimes than I do with those that have. Of course, not every law enforcement officer can or should do this. But I believe that a great deal of the effort of any enforcement agency should be devoted to winning of our youth before they become involved in crime. If we don't win them to the side of law and order, it is certain that we shall have to deal with them after they have become tainted with the scars of crime.

I believe that the law enforcement officer who stands aloof of citizens is failing in one of his most important responsibilities. I believe that he should mix and mingle with his citizens as much as possible. He should live with his fellow citizens as well as work for him. And the more and better he knows the youth of his community the bigger and more useful he becomes.

Right now there are hundreds of worthy youth programs going on across the country. Millions of citizens are donating money to clubs, camps, playgrounds, and other facilities for youth activities. All these are wonderful. We need many more. But the mere donation of dollars to youth is empty unless we, the enforcement officers and the adult citizens, also give ourselves. It's leadership which youth needs, not just real estate. And the more of that leadership which comes from the ranks of law enforcement officers, the more sure we shall be to win our youth to our side.

The making of speeches by high enforcement officials before student bodies, youth conventions, and other large gatherings is great. It plays its part. But I doubt that the finest speech before a huge gathering ever did as much as a friendly chat before a Sunday school class of a half dozen youngsters. Johnny Doe will forget the eloquent phrases of the best orator, but he'll always

remember the warmth of a handclasp and the honesty of a smile.

And just talk isn't enough. Youth, as we all know, are more impressed by what they see than what they hear. Therefore, I have made it a policy to show young people law enforcement at work. I not only welcome young people to inspect the sheriff's department. I invite and urge them. Whenever I appear with youth—churches, schools, clubs, and so forth—I especially invited them to a tour of inspection. But whether there is 1 or 20 who want to see how the department operates, I find time to show them.

On occasions I have a group of young people for lunch at the parish jail. These luncheons, I believe, have been an important influence in winning the youth of Shreveport to the side of law and order. Not only do I get to know them better but they get to see for themselves about our work, and many of the officers and officials of the department get to meet them.

I don't try to make any speeches to them. We eat, and laugh, and joke, and talk about whatever they want to talk about. Then I take them on a tour of the jail and show them everything from the black, solitary confinement cell and hangman's trap, through which 23 men have dropped to their death, to the jail's supply rooms and kitchen.

From the jail I show them through our record department, fingerprint department, and mug room. Often, for a joke, we "mug" one another with them getting a mug shot of me. I show them how we reload cartridges for range practice. I show them our armory with its riot guns, machineguns, and tear-gas equipment, and explain how it is all used. I show them whatever they want to see, and I answer all of their questions.

Realizing that young active minds and bodies require action in addition to knowledge obtained through talks and lectures, I have, in cooperation with the Caddo Rifle & Pistol Club, organized and sponsored a junior rifle club for boys 12 to 17 years of age. The purpose of this club is to teach boys how to safely handle and use firearms. Accredited and approved NRA instructors supervise and instruct all classes of shooters, from beginners to those who have completed the prescribed course in shooting, at all times. Tournaments are held at intervals at which trophies are awarded to winners. In addition to outdoor sunshine and exercise, the incentives provided keep the boys on their toes to exceed in marksmanship.

It doesn't take a psychologist to see how all these things impress the youngsters. The impression is not only left with them but it is taken away and spread to other young people. They come to know law enforcement and the officers who practice it. They come to know how we work and more important, why. They learn to respect us, not because they fear us but because they like us.

Although we, as law enforcement officers, can reasonably expect that parents will tell their children to respect law and order, it is up to us to show youth that we are worthy of their respect. The parents may teach respect, but we have to prove its value. We have to live with our youth. We not only have to come to understand the youth, we have to lead the youth to understand us. When we do that, when we win the youth to our side, then we don't have a juvenile problem, for the juveniles of today are the parents of tomorrow.

Mr. ELLENDER. Mr. Flournoy says:

Juvenile delinquency is adult delinquency. We all know that for a fact. Whenever you see a boy or girl who has gone wrong you may be sure that some adult associated with him or her has gone wrong first. Our boys and girls learn to be bad from or because of our adults, just as they learn to be good from or because of those who lead them.

Good homes do not breed criminals; viciousness does not spring from sound leadership. Criminals are not born; they are made by you and me, by the parents, by the adults around them. The juvenile problem is an adult problem.

* * * * *

It is the citizen who holds the balance of power between law enforcement and crime. Wherever you find citizens alining themselves with law enforcement you will find crime under control. And wherever you find citizens uninterested in law enforcement you will find crime always increasing.

Therefore, I believe that one of the biggest and most important jobs of law enforcement agencies is the work of winning the citizens, particularly the young citizens, to the side of law and order. You don't find boys and girls who have a healthy respect for law enforcement becoming involved in crimes. And the teaching of respect for law enforcement to our youth is not altogether a responsibility of parents. It's a duty and responsibility of the law enforcement officer himself.

In conclusion he says:

Although we, as law enforcement officers, can reasonably expect that parents will tell their children to respect law and order, it is up to us to show youth that we are worthy of their respect. The parents may teach respect, but we have to prove its value. We have to live with our youth. We not only have to come to understand the youth, we have to lead the youth to understand us. When we do that, when we win the youth to our side, then we don't have a juvenile problem, for the juveniles of today are the parents of tomorrow.

Mr. President, I shall comment further on some of these pending resolutions as they are called up.

Mr. CURTIS. Mr. President, I wish to make a brief general statement about these resolutions. In so doing I am not critical of any Senator or any committee. I wish to speak against what appears to be a trend which I believe is not in the best interests of the Senate or in the best interests of our country.

First, I point out that the Committee on Rules and Administration has a very difficult problem when members of a committee or a subcommittee appear before our committee with a request for funds, supported by both the majority and the minority, or a sizable portion thereof. Experience has proved that it is quite difficult to reduce the requests. We are always faced with the problem, if we reduce the request of one committee, are we going to reduce across the board? To do so requires votes on the floor of the Senate, and that procedure is not successful, because the entire Senate has moved in a direction which, in my opinion, is not the right direction.

I again stress that I have no personal criticism of any Senator who has spent long hours on a subject and who feels that an investigation of that subject is worth while. I should like to focus attention on the entire picture.

This is what is happening in our work in the Senate: We are adding committees and subcommittees, and more subcommittees are seeking funds. They are given special assignments, and they are building up staffs. In addition to the immediate expense, there is a request for space, which results in so much going on in the Senate, so many staffs holding hearings and issuing reports, that individual Senators find it impossible to read the reports, examine them, and use the information which is developed.

As this great flow of staff material continues to come to our offices, either we must be buried by it or Senators must seek larger staffs to read the material which committee staffs send us.

As a result, we are having legislation by staff, rather than by elected legislators. Far be it from me to challenge the qualifications of any of the staff members. So far as I know, all of them are brilliant and well educated, but they were not elected by anyone. They do not represent the people. They are not answerable to the people. The public does not know who they are.

The theory of the Reorganization Act was to reduce the number of committees, and to lessen the time which Senators must give to these matters, so that the main job of finding out what is going on and casting an intelligent vote might be better executed.

We are moving away from that. We are moving in the direction of government by staff. A great amount of material carries the official sanction of this Government, when no one elected by the people and responsible to the people has had a hand in formulating it. Perhaps someone has found a little time to give it cursory approval.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. Some members of committees have undertaken to rewrite certain reports. I know that with regard to a very lengthy committee report some time ago, I refused to approve a report of a committee on which I serve. I insisted on rewriting the entire report, and I did it in less than one-third the verbiage it had contained. It seems to me that every Senator on a committee should accept the responsibility to see to it that the reports are concise and do not contain excess verbiage. The chairman of a committee, the subcommittee chairman, or even ordinary members of the committee, should see to it that surplus verbiage is trimmed down, and that a report is presented in concise language. If a report is verbose or too lengthy, or contains more verbiage than is necessary, it is the fault of either the chairman of the committee or the members of the committee for permitting such a report to be issued.

Mr. CURTIS. I have no particular comment to make on that statement. I believe that all Senators do their best to familiarize themselves with the material that comes before them. However, I think that the increase in the number of committees and the increase in staffs not only result in loading Senators with more details than they can possibly digest, but have a tendency to cause them to delegate to staffs the making of vital decisions. As a consequence we are moving away from having elected officials making the decisions. I also think it stirs up what appears to be a need to legislate which is not genuine and real.

I have the utmost faith in the common sense and hopes and desires of the rank and file of the American people.

I believe they have a respect for their Government. I think they want to give to their Government, rather than get from it. I believe they want to assume responsibilities in their individual communities. However, sometimes a notion springs up in a legislative body that if we can only hold hearings on something we will satisfy a great demand, whereas what we do is create a demand which is not exactly genuine.

With no reflection upon how any committee conducts its affairs, I should like to point to an example, which I consider to be a good example. The Committee on Finance is headed by one of the greatest of all living Americans, Senator HARRY BYRD of Virginia. That committee has charge not only of trade agreements and sugar quotas and social security legislation and legislation on duties and tariffs, but of the whole tax program. That committee could be enlarged into subcommittees, and it could create additional staffs, and could go to every major city in the country and hold hearings on corporation taxes, excess profit taxes, taxes on individuals, and other taxes. I doubt if such activities would result in any tax reduction along the line. A smaller group must look at the whole picture, and try to formulate a consistent tax program.

I do not believe that in the example I have just cited, with the great chairman who presides over the committee, expanding and expanding would result in better tax laws. Nor do I think that we would have fewer taxes. I believe we would bring into one place so many details it would be hard to unscramble them, and that the matter of looking at the entire picture and making a policy decision would not be helped.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. Is the Senator familiar with the very extensive study which is presently being made by the Committee on Interstate and Foreign Commerce into the subject of foreign trade and tariff policy?

Mr. CURTIS. Somewhat, yes.

Mr. LONG of Louisiana. Has it occurred to the Senator that that subject is logically within the jurisdiction of the Committee on Finance?

Mr. CURTIS. Some of it may be.

Mr. LONG of Louisiana. Well, could the Senator tell me what committee has jurisdiction over tariffs?

Mr. CURTIS. In general, the Committee on Interstate and Foreign Commerce has jurisdiction of matters relating to foreign commerce. However, questions of duties, tariffs, and trade agreements, which are an important aspect of foreign commerce, come under the jurisdiction of the Finance Committee.

Mr. LONG of Louisiana. What about tariffs and quotas?

Mr. CURTIS. They come under the Finance Committee. Those subjects form one important aspect of foreign commerce, but not all of it.

Mr. LONG of Louisiana. How about reciprocal trade?

Mr. CURTIS. That is important, too, but it is not the entire jurisdiction of the Committee on Interstate and Foreign Commerce.

Mr. LONG of Louisiana. If the Committee on Finance has jurisdiction over tariffs and quotas and reciprocal trade, and the legislation authorizing agreements which are made in pursuance of the Reciprocal Trade Act, would it not occur to the Senator that that is the committee that would have to do with foreign trade?

Mr. CURTIS. I do not care to be diverted into questions of jurisdiction of committees. That is not the purpose for which I rose at all.

Mr. LONG of Louisiana. Now——

Mr. CURTIS. I decline to yield further at this time.

Mr. LONG of Louisiana. Perhaps the Senator does not see the purpose of my question. Let me tell him what I had in mind. I was going to ask the Senator whether he knows how many days the Committee on Finance spent studying the subject of tariffs and foreign trade and quotas during the last session and during the first month of this session.

Mr. CURTIS. Is the Senator referring to how many days of public hearings?

Mr. LONG of Louisiana. Yes; I would say hearings and studies.

Mr. CURTIS. I cannot answer for the studies, because I think most Senators study these things themselves.

Mr. LONG of Louisiana. Does the Senator know how much of a staff we have assigned to it?

Mr. CURTIS. That is the very point I wish to make.

Mr. LONG of Louisiana. Let me say that, as a member of the committee, I did not get much from the staff of what I know about foreign trade.

Mr. CURTIS. I am speaking against government by staff. I have no quarrel with the Senator. I am speaking for goverment by the elected representatives who are responsible to the people. I believe we have grown so large and have increased our staffs—they are qualified people, and I am not critical of them—that apparently it will be necessary to hire more staff people to find out about it. I should like to move on now.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. CURTIS. I shall be glad to yield in a little while. In the 79th Congress, the last Congress before the Reorganization Act was passed, there were 33 standing committees. There was spent for the whole year, $1,667,420; and I am now referring to the money coming from the contingent fund, under the jurisdiction of the Committee on Rules and Administration.

During the next Congress, the 80th, the Reorganization Act was involved, and then there were 15 standing committees. There was spent during that Congress $1,305,670.49. There was also spent on special investigations $390,000, or the total cost of running the committees in that Congress was $1,695,670.49, less than $20,000 more than was spent in the previous Congress.

Then that continued. I will mention the last three Congresses. In the 84th Congress, the total expenditure had increased. In the 79th and 80th Congresses, it had been $1,600,000. By the 84th Congress, it was $4,700,000. There were 15 standing committees, 26 subcommittees, 2 select committees, and 4 special committees.

In the 85th Congress $5,800,000 was expended. At the beginning of the session there were 15 standing committees, and toward the end of the Congress another standing committee was created, the Committee on Aeronautical and Space Sciences; 25 subcommittees, 2 select committees, and 4 special committees.

In the 86th Congress, the 1st session, there were 16 standing committees, 30 subcommittees, 4 select committees, 2 special committees, and 2 joint committees. They expended $3,800,000. That was for the first session of the 86th Congress, as compared with $1,600,000 before the Reorganization Act and $1,600,000 in the first two sessions under the Reorganization Act.

If we spend that much this year, it will mean that committee costs from the contingent fund will run more than $7 million. The request of one committee for all of its special and subcommittee work in this session is $1,500,000, compared with $1,600,000 which was the cost of running all the committees from the contingent fund in the entire 79th Congress, and also in the entire 80th Congress.

There are some savings, the principal one of which is a reduction in the request of the Labor Rackets Committee.

I am not unmindful of the fact that now and then a problem presents itself in the country which involves the investigation of many people or activities. I am talking about the fact that the subcommittees start with small staffs and keep growing and growing, but never accomplish their missions.

This growth of committees has affected printing costs. In fiscal 1951, the cost of printing hearings, only, was $1,900,000. For 1959, the amount increased to a total of $3,100,000. Overall, printing costs have increased by better than 20 percent. While the total amount reported by the Committee on Rules and Administration may seem to be only a small portion of the total of present budget requests, the rate of increase is rather rapid, and should be examined into rather carefully.

Certainly the intent of the Legislative Reorganization Act was to make the operations of Congress more efficient and to permit more frequent attendance at committee meetings by all of the membership. But the greater number of committees—the 16 standing committees and 30 subcommittees, as well as the special and select committees—has served only to increase the workload of the individual Senator. Would it not be better to do away with many of the subcommittees, hire a few more professional staff members for the standing committees, and let the full committees handle all the committee work, so that the individual Senator would have a better chance to be more fully informed on all the legislation handled by the parent committees?

Not only are we confronted with the problem that the number of staffs is increased and they are enlarged; not only is there more material that Senators cannot find out about, because there are not enough hours in the day; but certain staff members do not even know what the other staff members are doing, simply because there are so many subcommittees running in so many different directions.

Calvin Coolidge once said that America should practice economy, not alone to save dollars, but to save men and women. I believe that in the matter of our own housekeeping, the Senate should practice economy to save dollars. I should like to see this trend changed, or at least held down, if it cannot be reversed. I think money should be saved in this field to save the U.S. Senate—to save it as a body responsible to the people, a body where important decisions are made by officials within reach of the people. The Senate should not be an ever-growing bureaucracy. Bureaucracies are distant and far removed from the people who pay the taxes and have to live under their laws and their edicts.

Mr. President, I ask unanimous consent to have printed as a part of my remarks a list which has been prepared for me of the assignments of rooms for committees. It contains the total number of rooms assigned to a parent committee, but is not broken down by subcommittees. The list shows that 242 rooms are used by committees, while approximately 550 rooms are assigned to Senators for their office staffs.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Space is at the critical stage. Any further expansion of committee or subcommittee staffs should be absorbed in present quarters. At the present time there is only one room vacant (unassigned) but is loaned to a committee for a special study.

By committees, here is the list: [1]

Aero and Space Sciences	7
Agriculture and Forestry	5
Appropriations (this does not include Capitol)	29
Armed Services (includes Preparedness Subcommittee)	14
Banking and Currency (includes Housing Subcommittee)	8
District of Columbia	4
Finance Committee	8
Foreign Relations (does not include Capitol)	11
Government Operations (includes Permanent Investigating, National Policy and Reorganization Subcommittees)	17
Interior and Insular Affairs	10
Interstate and Foreign Commerce	15
Judiciary Committee (includes 12 subcommittees)	47
Labor and Public Welfare	11
Post Office and Civil Service	8
Public Works	6
Rules and Administration (includes P. & E. Subcommittee)	8
Small Business	6
Joint and special committees	21
Campaign committees	7
Total	242

[1] Hearing rooms and other large rooms are counted as one room.

Approximately 550 assigned to Members for office staff. Almost 32 percent of space assigned to committees.

Mr. CURTIS. Mr. President, I yield the floor.

Mr. HENNINGS obtained the floor.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield briefly?

Mr. HENNINGS. I am glad to yield to my distinguished colleague from Colorado.

Mr. CARROLL. Mr. President, I wish to direct my remarks to the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished Senator from Nebraska [Mr. CURTIS]. I commend both of them for their very excellent presentations and for their desire to save money. That is a very laudable purpose.

But I wish to make a suggestion and then ask a question.

Yesterday I saw on television the Georgetown University Forum. It was a debate between an historian, Sidney Hyman, and a constitutional lawyer, Professor McManus. The question was, "Is the power of Congress declining?"

The general conclusion of those who participated in the program was that Congress is losing some of its powers, as a result of the tremendous concentration of power in the executive branch, first, in the field of foreign policy, and, second, because great advances in the fields of science and technology have made both society and Government highly complex. It was stated that the erosion of the power of Congress did not develop because Congress did not have competence to represent the people, but because the Members of Congress did not have sufficient staff research facilities.

So I suggest that instead of having less staff, if we wish to restore the power of the Senate, we should have more staff.

One of our burdens is the countless reports we are required to study; but what Senator will deny that today we obtain most of our information from the press.

Now we are confronted with a new and disturbing development, an injunction of secrecy has been imposed on various executive agencies, restricting their release of information to the Congress.

In that connection, let me ask where we heard about the intelligence report given the other day by the director of CIA, Allen Dulles? Unless we are members of the special Senate committee before which Mr. Dulles testified, we obtained that information through the press, not through the Congress.

Of course we want to economize, and economy is highly desirable. But does the executive branch of the Government not function by virtue of staff work? Of course it does. I do not know the exact figures; but the budget for the executive branch of the Government runs into billions of dollars. Does the President make all the decisions that are made by the executive branch? Does he reach into the air for the necessary information? Oh, no; he has a Cabinet, and each Cabinet member has much staff work done for him. The Bureau of the Budget itself must have 500 technicians. The many decisions made by the executive branch are made by means of staff work.

Let me say that I am chairman of a subcommittee which was created last year, as a result of presentations made by the American Bar Association and other groups. We obtained for the purposes for which that committee was established an appropriation of $115,000. Because the field with which we had to deal was so vast, we selected four or five staff members. We turned back $60,000 of the fund which had been made available to us.

But in the executive branch of the Government more than 100 agencies are making rules and adjudications in the field of administrative law; and the field is so complex that many of those agencies do not know what the others are doing. There is no proper codification of their rules and regulations.

Mr. President, when we think of the tremendous growth of our population—now increasing by almost 3 million a year—and when we think of the increase in the national income, and the increasing problems with which legislators must deal—whether as Members of the Senate or as Members of the House of Representatives—certainly it is nonsense to cut down on our staff work. The real question is how to obtain adequate staff members to advise us.

Of course, the staff members do not do the legislating; but if I did not have staff members in my office, doing research and helping me, I could not keep up with the load of legislative work. I must do a tremendous amount of reading every day, in almost every field, in order to keep abreast of the developments and the problems with which my State and the Nation are confronted.

I thank the Senator from Missouri for giving me this opportunity to respond.

I shall conclude with this statement, which I believe will prove conclusively why staff work is necessary: In early 1957 the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee conducted an investigation into the increase by one oil company in the price of crude oil. That investigation began to spread, and since then it had spread considerably.

For instance, in the Wall Street Journal of February 1, I read the following headline: "Antitrust Test—Oil Industry Pricing Goes on Trial Today." And the trial will begin 3 years after a Senate subcommittee began its investigation.

As a result of the investigation begun by the Antitrust Subcommittee of the Senate Committee on the Judiciary, 29 oil companies, I believe, now have to face charges of violation of the Sherman Antitrust Act.

The point I make is that a few thousand dollars were spent by the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee in investigating the increase in the price of crude oil; but Admiral Lattu testified that the 35 cents per barrel increase in the price of crude oil would cost the United States and its military establishments an additional $85 million in 1 year.

So I say it is well to have adequate research and staff work done for the Members of the Senate and House.

I commend the distinguished Senator from Louisiana. I think that perhaps in each committee one might find a little padding. But, on the whole, I have confidence in the chairmen of the standing committees and the chairmen of the subcommittees; and in view of the tremendous workload they have, they need more staff work and more intelligent staff members, not less.

As a matter of fact, I find great difficulty in obtaining for my subcommittee the additional expert talent and qualified technicians to complete the staff. Many qualified persons will not accept such positions at the pay the Federal Government offers, because in most cases the great private corporations will pay them twice as much.

So I say in all sincerity that the time has come for the Senate and the House to establish adequate staffs which will provide the Members of Congress with sufficient research support especially in the fields of science and technology and in connection with the serious problems with which the Nation is confronted.

Again I thank the Senator from Missouri for giving me this opportunity to express my views.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article to which I referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 1, 1960]

ANTITRUST TEST—OIL INDUSTRY PRICING GOES ON TRIAL TODAY; CONSPIRACY IS ALLEGED—OIL FIRMS CLAIM COMPETITION LED TO 1957 BOOSTS; ONE BRINGS 60,000 DOCUMENTS—THREAT TO OTHER INDUSTRIES?

(By James Tanner and William Giles)

TULSA.—When major companies in an industry raise prices within a brief period of time, are they engaged in an alleged conspiracy to fix prices?

That's a key issue today as 28 oil companies and 1 chemical firm go on trial here in the spacious, pale green-walled courtroom of U.S. District Judge Royce H. Savage.

Specifically, the 29 companies are accused of violating the Sherman Antitrust Act by engaging in an unlawful combination and conspiracy to raise, fix, and stabilize the prices of both crude oil and gasoline in 43 States and the District of Columbia in 1956. Then, it is charged, they actually increased their prices in concert during January 1957. The time of the price increases alone is an important part of the Government's case.

BROAD SIGNIFICANCE

The charges pose a new challenge to the traditional pricing, distribution and marketing practices of the Nation's oil industry—practices which largely determine the price of gasoline, fuel oil, and the multitude of other petroleum products sold daily around the land. But the significance of the case extends far beyond the oil industry. If the Government eventually wins, it may pave the way for filing similar charges in other fields.

No one on either side minimizes the importance of the case, and the vast amounts of time, talent, and money thrown into the fight testify to the significance they attach to it. Legal counsel for several companies cooly estimate defense costs will run to an average of $1 million for each of the 29 defendants; Government people say their costs are uncalculable but substantial.

"We've had five lawyers working full time on the case for almost 2 years, plus an economist for almost that long," notes a Justice Department aid. "Two girls have been doing the clerical work, but at one point we've had as many as five typing up trial papers."

The case has some unusual—and intriguing—aspects. Never before, as far as the trustbusters can recall, have so many different companies actually been brought to trial in a conspiracy case of this sort. In setting jurisdiction, the indictment specifies that the alleged conspiracy was carried out in part in the eastern district of Virginia—a State, interestingly enough, in which none of the defendants produces crude oil and in which only nine retail automotive gasoline. Some of the Government's documentary evidence are subpenaed telephone toll slips, covering conversations—the content of which is not known—between officials of various companies on certain dates.

MORE THAN 80 LAWYERS

On the other side, defendant companies, fearful they might be accused of collusion if they employed common counsel, are each preparing individual defenses. The result: More than 80 lawyers will be in the courtroom for the defendants.

Accused in the alleged conspiracy are the following: Arkansas Fuel Oil Corp., Ashland Oil & Refining Co., Atlantic Refining Co., Cities Service Co., Cities Service Oil Co. (Delaware), Continental Oil Co., D-X Sunray Oil Co., Gulf Oil Corp., Monsanto Chemical Co. (because of its Lion Oil division), Ohio Oil Co., Phillips Petroleum Co., Shell Oil Co., Sinclair Oil Corp., Sinclair Crude Oil Co., Sinclair Refining Co., Skelly Oil Co., Socony Mobil Oil Co., Inc., Magnolia Petroleum Co., Standard Oil Co. (Indiana), Indiana Oil Purchasing Co., Standard Oil Co. (New Jersey), Carter Oil Co., Esso Standard Oil Co., Humble Oil & Refining Co., Standard Oil Co. (Ohio), Sohio Petroleum Co., Sun Oil Co., Texaco, Inc., and Tidewater Oil Co.

Maximum fine, if convicted, could be $50,000 for each defendant. So why the feverish, and much more costly, defense preparations?

A matter of principle, say the indicted oil companies. "This case appears to be one of the most unwarranted antitrust prosecutions on record," avers Albert L. Nickerson, president of Socony Mobil.

More significant though, is the nagging fear of the defendants that a guilty verdict in this criminal case can spark a rash of civil damage suits, seriously hamper routine practices and set the industry up as an inviting target in a political climate that, the oil concerns fret, already is none too favorable. "If we lose this," worries one oil lawyer, "we're well on the road to becoming a public utility."

A COMPLEX BUSINESS

The issues are complex because the business of petroleum pricing it not simple.

Crude oil, unlike most commodities, is priced by the buyer rather than by the seller. The 10,000 or so petroleum producers in this country sell their oil to some 300 refineries. The crude purchaser—the refiners—"post" the prices they will pay for specific types of oil in certain fields, including crude they may produce themselves or buy from others. The major oil companies operate the bigger refineries, produce much of the crude processed in the plants, and normally initiate the changes in posting in the oil fields. Several companies may be buying oil and producing it, too, in a single field or from a single well.

Crude oil is found and produced across the land, including such unlikely spots as churchyards in Kilgore, Tex., off the California shores, and in the rugged Rocky Mountains. The oil is trucked, barged, and carried through an intricate network of pipelines to the refineries. For example, much of the 250 million barrels of crude presently in aboveground supplies is gurgling through some 200,000 miles of pipelines.

An oil company may produce more crude than it needs. Or it may have to purchase all or most of its petroleum. Too, a company's oil wells often are located a long haul from its refineries. For these reasons, there's a great deal of trading of crude among the companies. One of the companies on trial today, for instance, produced 116 million barrels of crude in 1957, bought 178 million barrels from others, sold 104 million barrels, and processed in its refineries 185 million barrels. The remaining 5 million barrels were carried over to the following year.

A KEYMAN—AND A TARGET

The oil company's crude oil buyer, or trader, is a keyman in these transactions and a prime target of the trust busters in the Tulsa trial. The buyer determines his company's crude needs, calculates its own crude production, and then buys and sells petroleum in a frenzy of manipulation aimed at getting enough oil to his refineries at the moment it's needed.

Out of crude oil comes a myriad of products, ranging from the familiar fuels such as gasoline and kerosene to chemicals. Oil companies not only produce, transport, buy and sell crude, and refine it; they also market their chief product, gasoline, and also buy and sell the motor fuel among themselves. This situation puts them in a peculiar position. A refiner, for instance, may be both selling to another marketer and in competition with him.

Given the complexity of the issues, it's necessary to look at what brought them about. The alleged conspiracy began in 1956 when, at midyear, gasoline inventories totaled some 175 million barrels, up 20 million barrels from a year earlier, and crude oil stocks had climbed to 280 million barrels, considerably higher than many oil observers considered necessary.

But the industry had been seeking a gasoline price increase for almost 2 years. Wholesale tags on motor fuel were below the levels of 1953, when prices had been raised slightly following a 25-cent barrel increase in crude postings. Crude producers, who were receiving around $2.84 a barrel, were urging a general price increase on their product to offset rising drilling costs since the 1953 boost.

On October 31, 1956, Egypt's President Nasser closed the Suez Canal, chopping off movement of 1,200,000 barrels of oil daily to European refiners. Europe sought crude from the United States to supplement the lost supplies.

REFINERY OPERATIONS RISE

Several major oil companies stepped up their purchases of crude oil, particularly in southwestern regions within easy reach of the gulf, where tankers were shuttling crude to Europe. United States refinery operations also rose, reaching 8,395,000 barrels of crude processing a day in the last week of December 1956, and setting a record topped only in the first week of 1960.

On January 3, 1957, Humble Oil & Refining Co., citing the need for added oil to meet European demand, increased the prices it would pay for Texas crude, an average of 35 cents a barrel. Continental Oil Co. followed quickly with an increase in Texas and two New Mexico counties and by the weekend had made similar advances in Oklahoma, Kansas, Montana, Wyoming and Louisiana. Other buyers of crude elsewhere began making similar moves.

On January 4, Humble lifted its gasoline prices in Texas a cent a gallon. Gulf and Continental took similar action.

By January 16, gasoline prices in key marketing areas across the country were up from one-half to 1 cent a gallon. By the end of January, crude oil prices across the United States generally were up an average of 25 cents a barrel.

The Government charges that the chronology of events indicates conspiracy.

Specifically, the Government claims that the defendants schemed in collusive action to raise prices on crude and gasoline; that they used the Suez crisis as a peg to "almost simultaneously" order marketwide boosts in the face of ample stocks of crude and excessive supplies of gasoline; and that the increases were to fatten profits rather than a response to asserted shortages.

THOUSANDS OF DOCUMENTS

Government lawyers, who concede that much of their evidence is circumstantial, argue that such evidence is adequate to prove conspiracy in a case of this sort. They are submitting to the court thousands of subpenaed documents—including the telephone toll slips, intercompany memos, some records of meetings of the Texas Railroad Commission (the oil-regulating body in the Lone Star State), and public statements of officials of some of the defendant firms.

For example, the Government will cite a newspaper story of December 7, 1956, quoting M. J. Rathbone, president of Jersey Standard, who noted that a general price increase appeared imminent. Then, the Government charges, L. F. McCollum, president of Continental Oil Co., on December 16 was quoted in the press as saying crude oil price advances might be in the offering. The next day, the U.S. lawyers assert, Hines H. Baker, then president of Humble, had a long telephone talk with Mr. Rathbone.

The Government names other telephone calls in this period and during the time of the price increases and then alleges that the boost was agreed on in a December 26 Baton Rouge, La., meeting between Mr. Baker and Mr. Rathbone. Humble, the Government alleges, was to initiate the price rise, which was to be promptly followed by other companies.

The defendants generally will counter along these lines: The Suez Canal closure demanded quick, unusual movements of crude from the gulf. There wasn't enough crude readily available so, at the urging of the Government, the companies launched a drive to get added supplies. The companies will say prices moved up as a result of free market activity and only for specific grades of crude, not across the board as had been the pattern in previous oil price boosts. Defendants, too, will claim that they had to follow the increases once they began; otherwise, they would lose their sources of oil to competitors.

ISOLATED OPINIONS

The oil companies also will assert that the public statements prior to the price boost were simply isolated expressions of views of individuals and that the telephone talks were routine in the day-to-day buying and selling of oil and in many other operations of petroleum concerns.

To present its case, the Government has collected enough papers to reach from Tulsa to the Suez Canal (1 company had to dig up 60,000 documents since the initial charges were made) and so far has subpenaed 39 witnesses, including 4 members of the Federal Bureau of Investigation and 1 official from each of 3 telephone companies. The other witnesses are top-ranking executives of the indicted companies. U.S. Attorney Robert S. Rizley, who is working on the Government case, says more may be subpenaed.

The case stems from a grand jury indictment in 1958 at Alexandria, Va. It was transferred to Tulsa, smack in the middle of the oil country, at the request of the defendants.

The Government lawyers admit that some of the calls on the subpenaed telephone slips may be easily explained and that they may not actually have had anything to do with prices. But their point is this: Opportunities for price conversations existed, and then, again in context of other actions, the inference is drawn that these price talks were, in fact, held.

The Federal attorneys believe that this case raises several significant questions. "Among them," says one Justice Department aid, "is whether or not there is room in the oil industry as it is now organized and operated, for competition, in the old-fashioned economic sense of the word." He argues that the industry is completely integrated across the board, and that the "natural tendency" is to work against competition. Thus, he avers, the question is raised whether the oil industry can be left as it is, without extensive Government control under the circumstances.

Though lawyers for the defense are reluctant to talk about their strategy, privately they are willing to discuss their individual attitudes.

Defense lawyers figure that the oil industry has been lax in its public relations and that political and sociological factors enter into this antitrust case. They contend the industry historically has been a whipping boy for the politicians, and that there seems to be a growing sociological reaction against "bigness" as such.

One lawyer reasons that if the companies win this case it will benefit other industries, too, in the fight against what he calls scurrilous attacks by the Justice Department. The defense lawyers worry, though, about the impact of a guilty verdict. "If what we did in 1957 was wrong, I frankly don't know how we'll be able to operate," says the general counsel for one major oil company.

Mr. HENNINGS. I thank the Senator from Colorado for his observations.

Mr. President, I think it might be of interest for us to take note of the total appropriations for the Government for fiscal year 1959 during the 86th Congress, 1st session. The total of all appropriation bills was $72,977,598,352. The total new obligational authority was $6,451 million, making a grand total of $79,428,598,352.

The total legislative appropriations were $128,877,000 and some odd dollars.

The total appropriations for Senate inquiries and investigations authorized by the Committee on Rules and Administration were $5,871,761. That figure has been broken down, and I ask unanimous consent to have the tabulation printed at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

U.S. Government total appropriations, 1959 (86th Cong., 1st sess.)

Total, all appropriation bills	$72,977,598,352
Total, new obligational authority	6,451,000,000
Grand total	79,428,598,352

U.S. Government total appropriations, 1959 (86th Cong., 1st sess.)—Continued

Total, legislative appropriations	[1] 128,877,380
Total, Senate inquiries and investigations authorized by the Committee on Rules and Administration	[2] [3] 5,871,761

[1] The legislative appropriation total is 0.00162 percent of the grand total.

[2] The Senate inquiries and investigations total is 0.0455 percent of the legislative.

[3] The Senate inquiries and investigations total is 0.0000739 percent of the grand total.

Mr. HENNINGS. The legislative appropriations total is 0.00162 percent of the grand total. The Senate inquiries and investigations total is 0.0455 percent of the legislative total. The Senate inquiries and investigations total is 0.0000739 percent of the grand total—all of which I think will bring some of these figures into better relationship.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I am glad to yield.

Mr. CARROLL. Can the Senator from Missouri state what those figures mean, in terms of tenths or twentieths?

Mr. HENNINGS. They mean seven hundred and thirty-nine ten-millionths, if I am any hand at breaking them down.

Mr. CARROLL. Of what?

Mr. HENNINGS. Of all appropriations for the entire Government in the fiscal year 1959.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 207) was agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period February 1, 1960, to December 31, 1960, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

FUNERAL EXPENSES OF THE LATE SENATOR LANGER

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1063, Senate Resolution 211.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 211) to pay certain funeral expenses of the late Senator Langer, of North Dakota.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the resolution (S. Res. 211) was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable William Langer, late a Senator from the State of North Dakota, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

INVESTIGATION OF TRADING WITH THE ENEMY ACT

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1074, Senate Resolution 236.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 236) to investigate the Trading With the Enemy Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

Mr. KUCHEL. Mr. President, I do not intend to oppose the resolution, but I should like to ask the Senator from Missouri if he has any word as to how much longer the session will continue this evening.

Mr. HENNINGS. I may say to the distinguished assistant minority leader that I think it is hoped we may complete action on the money resolutions this evening. Of course, the time to be taken depends on how much discussion there may be. There are many Members of the Senate who have an interest in these resolutions who have made plans to be away, some of them for the remainder of the week.

Mr. KUCHEL. I wonder if I might inquire of the able senior Senator from Louisiana if he has in mind discussing at any length any of the resolutions that are expected to be brought up.

Mr. ELLENDER. I do not know. I was informed we would not be too long tonight in considering these resolutions. Whether the Senator from Missouri has a different understanding with the majority leader, I do not know, but I understood we would take up two or three of the resolutions tonight and then recess until tomorrow. That was my understanding.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri that the Senate proceed to the consideration of Senate Resolution 236.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum, if the Senator does not object. I want to find out about this.

Mr. HENNINGS. I might say to the distinguished Senator from Louisiana that I know of no such understanding as the one he has cited.

Mr. ELLENDER. I have been here since 1 o'clock, awaiting action on the resolutions. It was my understanding we would continue until about 5:30, and then would consider tomorrow what resolutions remained.

Mr. HENNINGS. I have no control over it.

Mr. ELLENDER. I know, but it has now been suggested that all of the resolutions be taken up this evening, and there are almost 30 of them.

Let us get a quorum call and find out.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 236.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the resolution.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the justification presented by the subcommittee showing how the money is to be spent.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget—Trading With the Enemy Act Subcommittee

Position	Number	Base salary per annum	Gross salary per annum	Gross monthly salary	Total for budget period (gross)
STAFF					
Legal and investigative:					
Counsel	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Minority counsel	1	7,320	13,867.75	1,155.64	13,867.75
Attorney investigator	1	3,300	6,873.30	572.77	6,873.30
Administrative and clerical:					
Clerk	1	3,420	7,099.37	591.61	7,099.37
Clerical assistant	2	2,280	4,951.65	412.63	9,903.30
Stenographer	1	1,800	4,047.36	337.28	4,047.36
Total					56,835.91
ADMINISTRATIVE					
Contribution to employees health benefit programs from July 1 (Public Law 86-382)					250.00
Contribution to civil service retirement fund					3,670.42
Contribution to employees Federal employees group life insurance					194.40
Travel (inclusive of field investigations)					750.00
Hearings (inclusive of reporters' fees)					250.00
Witness fees, expenses					100.00
Stationery, office supplies					500.00
Communications					300.00
Contingent fund					2,149.27
Total					8,164.09
Grand total					65,000.00

Funds requested, S. Res. 236, $65,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution. [Putting the question.]

The "noes" appear to have it.

Mr. HENNINGS. Mr. President, I ask for a division.

The PRESIDING OFFICER. A subdivision is requested.

On a division, the resolution (S. Res. 236) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and also the War Claims Act of 1948, as amended, and consider bills affecting said Acts.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $65,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF PROBLEMS FROM FLOW OF ESCAPEES AND REFUGEES FROM COMMUNIST TYRANNY

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1075, Senate Resolution 235.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 235) to investigate problems of certain foreign countries arising from the flow of escapees and refugees from Communist tyranny.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the justification showing how the money is to be spent by the subcommittee be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget of the Subcommittee on Refugees and Escapees of the Committee on the Judiciary for the period Feb. 1, 1960, to Jan. 31, 1961, inclusive

Position	Number	Base salary	Gross salary	Monthly salary	Total for period of budget
STAFF					
Professional staff: General counsel	1	$6,240	$12,102.11	$1,008.50	$12,102.11
Administrative staff: Clerical assistant	1	3,480	7,212.41	60.03	7,212.41
Total					19,314.52
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					94.50
Contribution to civil service retirement fund (6½ percent of total salaries paid)					1,255.44
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					68.04
Travel					1,200.00
Hearings (inclusive of reporters' fees)					1,200.00
Witness fees					200.00
Stationery and office supplies					600.00
Communications (telephone and telegraph)					600.00
Contingent fund					467.50
Total					5,685.48
Grand total					25,000.00

Funds requested, S. Res. 235, $25,000.

Mr. CURTIS. Mr. President, I should like to invite to the attention of the Senate the fact that there have been referred to this subcommittee in this Congress two bills.

In reference to the work of the subcommittee which we considered under the resolution previously before the Senate, Senate Resolution 236, that subcommittee handled 12 bills.

Mr. ELLENDER. I understand that the amount asked by this subcommittee for this year has been cut in half. Is that correct?

Mr. HENNINGS. It is about $12,500 less, I believe.

Mr. McCLELLAN. Mr. President, if the Senator will yield I should like to make a statement for the information of the Senate. The subcommittee in question is one of which I seem to have inherited the chairmanship, succeeding the late Senator Langer.

Mr. ELLENDER. Does the Senator have reference to Senate Resolution 235?

Mr. McCLELLAN. Calendar No. 1075, I understand, is under consideration.

Mr. ELLENDER. Is the Senator a member of the Committee on the Judiciary?

Mr. McCLELLAN. Yes.

Mr. ELLENDER. Excuse me.

Mr. McCLELLAN. Mr. President, I have taken over the chairmanship of this subcommittee. I have not had time to make a thorough investigation, but I made a preliminary investigation of its work. I have reduced the staff in this budget from three to two. I also reduced the amount to be paid to staff members. It is probable—although I do not wish to make a definite commitment at this time—that at the end of this year, or as soon as we can finish our work, I shall be reporting the final disposition of the subcommittee's functions. I hope I can do that. I do not wish to make a definite commitment, as I have said, because I have just taken over the subcommittee. I may find something with respect to which I do not now have information, but I am of the opinion that I shall be able to return some of the $25,000 for which I am asking.

Mr. ELLENDER. What prompted the Senator to take the steps he did?

Mr. McCLELLAN. To take what steps?

Mr. ELLENDER. To cut his budget in half.

Mr. McCLELLAN. I did not cut it in half. I cut it one-third.

Mr. ELLENDER. What prompted the Senator to do that?

Mr. McCLELLAN. I felt, from what I had observed, that the subcommittee could be operated with a smaller staff, and that it would not be necessary to incur as much expense as had been incurred in the past. I may be mistaken, but I think the subcommittee is moving in the direction of termination. I hope that is the case. I do not wish to make a positive commitment until I know more about the situation.

Mr. ELLENDER. I hope more Senators will look into the situation and take the view which the Senator from Arkansas has taken.

Mr. McCLELLAN. I thank my friend.

Mr. ELLENDER. The failure on the part of other Senators to take similar steps has been my complaint for the past 10 years.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 235) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems in certain Western European nations, and in certain Near Eastern, Middle Eastern, and Far Eastern countries, created by the flow of escapees and refugees from Communist tyranny.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $25,000 shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

INVESTIGATION OF CERTAIN MATTERS RELATING TO COMMON DEFENSE

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1088, Senate Resolution 261.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 261) authorizing the Committee on Armed Services to investigate certain matters relating to the common defense.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, as I understand, the subcommittee is asking for the same amount which it obtained last year.

Mr. HENNINGS. That is true.

Mr. ELLENDER. How much was returned by the committee?

Mr. HENNINGS. Approximately $25,000, I am advised.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD the subcommittee's justification, showing how the sum of $190,000 is to be expended during the coming fiscal year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Chief counsel	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Special counsel	1	7,320	13,867.75	1,155.64	13,867.75
Assistant chief counsel	1	6,420	12,396.39	1,033.03	12,396.39
Attorney	1	4,980	10,005.82	833.81	10,005.82
Accountant	1	5,160	10,329.53	860.79	10,329.53
Investigator	7	4,320	8,794.94	732.91	61,564.58
Administrative and clerical:					
Chief clerk	1	2,820	5,968.98	497.41	5,968.98
Assistant chief clerk	1	2,460	5,290.76	440.89	5,290.76
Stenographer	2	2,580	5,516.84	459.73	11,033.68
Do	2	2,460	5,290.76	440.89	10,581.52
Total					159,939.04
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					1,159.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					10,403.72
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					598.24
Travel (inclusive of field investigations)					7,900.00
Hearings (inclusive of reporters' fees)					1,000.00
Witness fees, expenses					3,500.00
Stationery, office supplies					1,500.00
Communications (telephone, telegraph)					2,000.00
Contingent fund					2,000.00
Total					30,060.96
Grand total					190,000.00

Funds requested, S. Res. 261, $190,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 261) was agreed to, as follows:

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the War Department and the Military Establishment generally;

(3) the Navy Department and the Naval Establishment generally;

(4) soldiers' and sailors' homes;

(5) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(6) selective service;

(7) size and composition of the Army and Navy;

(8) forts, arsenals, military reservations, and navy yards;

(9) ammunition depots;

(10) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(11) conservation, development, and use of naval petroleum and oil shale reserves;

(12) strategic and critical materials necessary for the common defense;

(13) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $190,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1077, Senate Resolution 233.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 233) authorizing a study of matters pertaining to constitutional rights.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, I wonder if the distinguished Senator from Missouri, who, I understand, heads this subcommittee, can tell us what work has been done in the field of constitutional rights. How long does he think the subcommittee will continue doing this work?

Mr. HENNINGS. The subcommittee will probably be doing the work it is now engaged in as long as it is necessary.

Mr. ELLENDER. How long will that be?

Mr. HENNINGS. Inasmuch as it is a standing subcommittee of the Committee on the Judiciary, that will be indefinitely.

Mr. ELLENDER. It is a subcommittee?

Mr. HENNINGS. It is a standing subcommittee of the Committee on the Judiciary. I hope that the subcommittee may continue its existence indefinitely. There will probably be continuous work.

Mr. ELLENDER. Will the Senator tell us the extent to which the subcommittee held hearings?

Mr. HENNINGS. The subcommittee conducted 30 hearings last year. There were hearings on wiretapping, eavesdropping, the right to privacy and the bill of rights, civil rights legislation; a nomination; due process of law and security programs; secrecy and science; Executive privilege; and freedom of information.

The subcommittee handles specific legislation and nominations on assignment from the Senate Judiciary Committee.

The subcommittee renders service for U.S. Senators and other committees on inquiries concerning constitutional rights.

The subcommittee attempts to render appropriate assistance in individual cases which may illustrate aspects of its current studies.

Mr. President, at this time I ask unanimous consent to have printed in the RECORD the list from which I have been reading.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON SUMMARY OF ACTIVITIES IN 1960, SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS OF THE SENATE JUDICIARY COMMITTEE

1. Amount ($140,000) requested is the same as approved by the Senate last year.

2. The subcommittee activities primarily will amount to continuations of studies and investigations previously undertaken. These are:

(a) Wiretapping, eavesdropping, the right of privacy and the Bill of Rights.

(b) The right to adequate legal counsel for indigents in Federal courts.

(c) The law of arrest and questioning of persons in custody.

(d) Rights of civilians under military jurisdiction.

(e) Survey of the status of constitutional rights in the United States today.

(f) Due process of law and security programs.

(g) Freedom of information:

(1) Legislation: preparation of a Federal public records statute.

(2) Executive privilege.

(3) Post Office Department interception of foreign mail.

3. The subcommittee handles specific legislation and nominations on assignment from the Senate Judiciary Committee.

4. The subcommittee renders service for U.S. Senators and other committees on inquiries concerning constitutional rights.

5. The subcommittee attempts to render appropriate assistance in individual cases which may illustrate aspects of its current studies.

Mr. HENNINGS. I am sure the Senator from Louisiana has read one committee print, dated November 1, 1959, giving a complete list of publications re-

lating to the work of the Subcommittee on Constitutional Rights.

Mr. ELLENDER. Can the Senator tell us whether or not any legislation is proposed to correct such evils as were discovered by the subcommittee?

Mr. HENNINGS. Yes, indeed.

Mr. ELLENDER. I wonder if we may have inserted in the RECORD at this point the information I have asked about.

Mr. HENNINGS. Mr. President, I ask unanimous consent to have the statement referred to printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PUBLICATIONS—SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS, 86TH CONGRESS (1959–60)

HEARINGS

"Executive Privilege"; hearings before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, 1959, L.C. card 59–61935: Part 1: General Accounting Office, March 13, 1959, pages 1–334. Part 2: International Cooperation Administration, May 5, 1959, pages 335–365.

"Civil Rights—1959—Proposals To Secure, Protect, and Strengthen Civil Rights of Persons Under the Constitution and Laws of the United States"; hearings before the Subcommittee on Constitutional Rights of the Committee on the Judiciary on S. 435, S. 456, S. 499, S. 810, S. 957, S. 958, S. 959, S. 960, S. 1084, S. 1199, S. 1277, S. 1848, S. 1998, S. 2001, S. 2002, S. 2003, and S. 2041, 1959, L.C. card 59–61844:

Part 1: March 18, 19, 20, April 8, 10, 14, 16, 22, May 12 and 13, 1959, pages 1–698.

Part 2: May 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, and 28, 1959, pages 699–1446.

Part 3: Appendix, pages 1447–2127.

Part 4: Appendix (continued), pages 2128–2831.

"Freedom of Information and Secrecy in Government"; hearing before the Subcommittee on Constitutional Rights of the Committee on the Judiciary on S. 186 and the "Extent to Which Constitutional Rights Are Being Infringed by Undue Secrecy in Government," April 17, 1959, 64 pages, L.C. card 59–62117.

"Nomination of George M. Johnson"; hearing before the Subcommittee on Constitutional Rights of the Committee on the Judiciary on nomination of George M. Johnson, of California, to be a member of the Commission on Civil Rights, April 21, 1959, 14 pages, L.C. card 59–61201.

"Secrecy and Science—a Survey of the Extent to Which Restrictions on the Free Exchange of Information Have Impeded Scientific Development and Progress"; hearing before the Subcommittee on Constitutional Rights of the Committee on the Judiciary:

Part 1: April 28, 1959, pages 1–43, L.C. card 59–62396.

"Security and Constitutional Rights[1]—a Study of Methods of Providing Due Process of Law in Federal Loyalty-Security Programs"; hearing before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, 1959, L.C. card 56–60654.

Part 3: July 2, 1959.

"Wiretapping, Eavesdropping, and the Bill of Rights"; [2] hearing before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, 1959, L.C. card 58–61539:

Part 3: July 9, 1959.

Part 3: Appendix.

[1] Parts 1 and 2 were published during the 84th Congress.

[2] Part 1, Part 3 Appendix, and Part 2 were published during the 85th Congress.

SENATE JUDICIARY SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS, 1959, PUBLIC HEARINGS AND STUDIES

Public hearings conducted and some of the studies undertaken are listed in the Senate Judiciary Committee print, publications relating to the work of the Subcommittee on Constitutional Rights, dated November 1, 1959, on pages 5 and 6.

In addition to the above, public hearings were held as a part of the continuing study of wiretapping, eavesdropping, and the Bill of Rights, on December 15 and 16, 1959; and preliminary staff studies were undertaken on subjects summarized in the chairman's letter contained in Senate Report No. 31, accompanying Senate Resolution 62, 86th Congress, 1st session, authorizing constitutional rights studies in 1959.

These hearings totaled 30 in number.

Mr. HENNINGS. Two clean bills have been reported to the full committee—one on civil rights and one on freedom of information—and the subcommittee has held a hearing on one nomination during 1959 which was favorably reported to the full Judiciary Committee.

Mr. ELLENDER. Were further hearings held by the committee as a whole to consider the two bills which the Senator says were reported?

Mr. HENNINGS. The full committee has not met this year, except for the purpose of reporting bills and money resolutions unanimously.

Mr. ELLENDER. The Senator has said two bills were reported.

Mr. HENNINGS. If the Senator will be patient, I shall try to explain.

Mr. ELLENDER. I think I am as patient as is the Senator. What I am trying to find out is how many bills were reported by the subcommittee that were acted upon in any manner by the full committee.

Mr. HENNINGS. The Senator will recall the civil rights bill, for one, and the freedom of information bill, for another.

Mr. ELLENDER. Which civil rights bill was that?

Mr. HENNINGS. A bill relating to the continuation of the present Commission on Civil Rights, passed by the Senate.

Mr. ELLENDER. Was that bill considered by the subcommittee?

Mr. HENNINGS. Oh, yes.

Mr. ELLENDER. Were any hearings held by the full committee?

Mr. HENNINGS. Extensive hearings were held on all civil rights legislation by the subcommittee; the full committee subsequently discussed the subject at several meetings.

I presided over hearings, together with the Senator from North Carolina [Mr. ERVIN] on questions of the extension of the Civil Rights Commission, and other bills assigned to us by the full Judiciary Committee. Those hearings extended over a period of about 3 months. There were 21 days of hearings during that period of time. In addition 8 days of hearings were devoted to other subjects.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the subcommittee's justification, showing how the money requested is to be spent during the coming year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Budget—The Senate Judiciary Subcommittee on Constitutional Rights, Feb. 1, 1960, to Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Chief counsel and staff director	1	$8,040	$15,044.83	$1,253.73	$15,044.83
1st assistant counsel	1	6,840	13,083.02	1,090.25	13,083.02
Legislative consultant	1	5,280	10,532.66	877.72	10,532.66
Assistant counsel	1	5,280	10,532.66	877.72	10,532.66
Editorial and research:					
Research consultant	1	6,840	13,083.02	1,090.25	13,083.02
Do	1	6,180	12,004.02	1,000.33	12,004.02
Research assistants	2	3,420	7,099.37	591.61	14,198.74
Research assistant	1	2,880	6,082.04	506.83	6,082.04
Administrative and clerical:					
Secretaries	2	3,420	7,099.37	591.61	14,198.74
Do	2	2,880	6,082.04	506.83	12,164.08
Total	13				120,923.81
ADMINISTRATIVE					
Contributions to employees health benefit programs (Public Law 86–382, effective July 1, 1960)					708.75
Contribution to civil service retirement fund (6½ percent of total salaries paid)					7,860.05
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					427.68
Travel (inclusive of field investigations)					1,500.00
Hearings (inclusive of reporters' fees)					3,200.00
Witness fees, expenses					2,500.00
Stationery, office supplies					1,000.00
Communications (telephone, telegraph, postage)					1,200.00
Newspapers, periodicals, journals, reference material					500.00
Contingent fund					179.71
Total					19,076.19
Grand total					140,000.00

Funds requested, S. Res. 233, $140,000.

Mr. CURTIS. Mr. President, I wish to be fair about these matters. I rise to make a statement for the RECORD.

It is very true that much legislation is referred to the Committee on the Judiciary. Under the Reorganization Act, the Subcommittees on Immigration, Patents, and other subcommittees were placed in the Judiciary Committee. So in interpreting what has been said here, I wish to make note of that fact.

I have asked the Committee on the Judiciary to prepare for me a list of the bills which have been introduced and referred to the various subcommittees. I do not find that the amount of money spent by the subcommittees has very much relation to the number of bills referred to that subcommittee. For instance, the Subcommittee on Immigration and Naturalization handled a great deal of work. Six hundred and fifteen private bills were referred to that subcommittee. In addition 26 bills of a general nature were referred to it. The resolution for that subcommittee has not yet been called up. Their budget is $116,000. The point I wish to make is with reference to the heavy spending for activities other than activities of legislative committees. The matter now before us, the request for $140,000 for the Subcommittee on Constitutional Rights, is for a subcommittee which, according to the information furnished me by the Committee on the Judiciary, had 17 bills referred to it.

The PRESIDING OFFICER (Mr. HART in the chair). The question is on agreeing to the resolution. [Putting the question.] The "noes" appear to have it.

Mr. HENNINGS. Mr. President, I ask for a division.

On a division the resolution was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $140,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF JUVENILE DELINQUENCY IN THE UNITED STATES

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 232, Calendar No. 1078.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 232) to investigate juvenile delinquency in the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, a few minutes ago I spoke on this never-ending Subcommittee on Juvenile Delinquency. The subcommittee is asking for the same amount of money this year as it obtained last year. I wish to point out that since the inception of the subcommittee, on June 1, 1953, it has been authorized to spend $752,857.82. The actual expenditure to date has aggregated $682,677.23. I am informed that although $150,000 was appropriated last year, the subcommittee expended $120,214.02. I wonder whether the chairman of the subcommittee could tell us how long he expects this subcommittee to come before the Senate asking for money for its continuance.

Mr. HENNINGS. Mr. President, I should like to reply most respectfully to my friend from Louisiana by saying that I would not undertake to indicate precisely or specifically the length of time that I think the subcommittee should remain in existence, except to say that I believe the subcommittee should continue its activities until such time as there seems to be no further need for it, which time certainly has not arrived, irrespective of the suggested solution by a sheriff in a parish in Louisiana. Some of us feel that the matter is a little more difficult of solution.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a resolution adopted by the Past Grand Jurors Association of Los Angeles, on December 10, 1959, commending the work of the subcommittee when it held hearings on the international traffic in narcotics during the month of November in Los Angeles, San Francisco, and San Diego.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION BY PAST GRAND JURORS' ASSOCIATION OF LOS ANGELES COUNTY, DECEMBER 10, 1959

Whereas the members of the successive grand juries of Los Angeles County for the past several years have been intensely concerned with the ever-growing illicit traffic in narcotics in the State of California and especially in the county of Los Angeles; and

Whereas this diabolic traffic in narcotics constitutes a major factor in California's crime problem, especially in reference to the juvenile problems of crime and violence; and

Whereas the attention of the Past Grand Jurors' Association of Los Angeles County has been focused upon this problem through constant investigation and study in all its facets; and

Whereas the Past Grand Jurors' Association of Los Angeles County believes as a result of its investigation that solution of this problem does not rest solely in the State or in the local communities, but is of an international nature since the narcotics used in this illicit traffic are produced in foreign countries, the major portion of that coming into California over the Mexican border, being produced in Mexico; and

Whereas the Past Grand Jurors' Association of Los Angeles County wishes to commend the committee of the U.S. Senate in its recent investigation conducted here in relation to this problem and, in so doing, thus recognizing the international aspect of the illicit narcotics traffic: Now, therefore, be it

Resolved, That this association urges said U.S. Senate Subcommittee on Juvenile Delinquency to continue its said activities, seeking the cooperation of such branches of the Federal Government as may be appropriate to engage in a joint effort with the Government of Mexico to study the general problem involved, the source of supply of narcotics and effective means for apprehending illicit dealers in the narcotics traffic and means of terminating their activities with the ultimate view of completely destroying all production, distribution and use of harmful, poisonous drugs except as may be permitted under the existing international laws governing the production, distribution, and use of narcotics for medical and scientific uses; and be it further

Resolved, That a copy of this resolution be sent to each of the members of the U.S. Subcommittee on Juvenile Delinquency so as to apprise them of the fact that this association not only heartily supports their endeavors, but stands willing, if requested, to aid them in the accomplishments of their objectives.

FRANK G. HATHAWAY,
President.

Mr. HENNINGS. Mr. President, I also ask unanimous consent to have included in the RECORD at this point in my remarks a letter from the executive director of the Youth Study Center of Philadelphia, which in substance states that, as the result of the hearings which were held in Philadelphia, for the first time in more than 12 years legislation was passsd by the State of Pennsylvania providing additional institutional space to retrain delinquent children.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CITY OF PHILADELPHIA,
YOUTH STUDY CENTER,
Philadelphia, Pa., January 28, 1960.

Senator THOMAS C. HENNINGS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HENNINGS: The purpose of this letter is to express my appreciation to you and the members of the Senate subcommittee investigating juvenile delinquency for the contribution you made to the problems we face in Pennsylvania. You remember that the hearings held in Philadelphia occurred last summer at the same time the State legislature was in session. Among the bills that had been introduced was house bill 1614 which involved a crash program to provide additional training school facilities for the State. Undoubtedly, the constructive publicity resulting from these hearings assisted greatly in the final passage of the act. This represents the first time in more than 12 years that legislation has been passed providing additional institutional space to retrain delinquent children.

On behalf of the children who need this service, as well as those in Philadelphia who are charged with handling this problem, I wish to express to you and your committee again my sincere thanks.

Sincerely,

E. PRESTON SHARP,
Executive Director.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. KEFAUVER. As former chairman of the subcommittee I wish to pay the very highest tribute to the work the subcommittee has done under the chairmanship of the distinguished Senator from Missouri [Mr. HENNINGS]. He has an excellent staff which has done a fine job in digging into the facts and arranging hearings. I have not been able to attend many of the hearings, but I have read the reports and most of the hearings held on the west coast on the narcotics problem and the young people coming across the border, and on forest camps. I have followed closely the hearings in Philadelphia and the hearings on the juvenile delinquency problem here in the District of Columbia, with particular reference to the jam in the juvenile court.

It should be pointed out, further, that there has been an increase in the problem of young people getting into trouble. The subcommittee is the rallying point, the center around which many State and local organizations and people and institutions working on the juvenile problem find their inspiration and their help. It is rendering most valuable public service.

Mr. HENNINGS. Mr. President, I thank the able senior Senator from Tennessee, who served as chairman of this subcommittee most effectively, and with the greatest diligence and skill. During that time some of us had the honor of being members of the subcommittee.

It is rather hard in a short space of time to discuss the value of the work of the subcommittee. There are many people who have the golden specific remedy for the problem. We were invited to New York City, for example, by the mayor and the judges of the criminal courts to investigate the gangs infesting that great metropolis. Governor Rockefeller of New York thought it was of sufficient importance for him to come to New York from Albany to encourage us and to give us the benefit of his views and suggestions. The mayor of the City of New York, judges of the criminal courts, and judges of the juvenile courts, and the Commissioner of Police, Mr. Kennedy, all thought it of sufficient importance to appear before us. In Pennsylvania Governor Lawrence thought the work of the subcommittee was of sufficient importance for him to come to Philadelphia from Harrisburg to testify before the subcommittee. Mayor Dilworth, of the city of Philadelphia, and our colleague in the Senate, the able Senator from Pennsylvania [Mr. CLARK], thought this matter of great importance. They also attended the hearings in Philadelphia.

The mayors of Los Angeles, San Francisco, San Diego, and other cities, the chief of police of San Francisco, and various other public officials invited us to hold hearings, and we heard testimony. We are trying to reach at a problem which I think is one of the most important and distressing that we have in our country today. I do not believe that the work of this subcommittee can be minimized. I do not believe that the mothers and fathers of this country think it should be minimized. As a member of approximately 15 committees and subcommittees of the Senate, of which I have the honor to be chairman of 5, I regard this as one of the most important of the committee tasks which I have undertaken since I have come to the Senate.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. CARROLL. I may say to the able Senator from Louisiana that as a junior member of this committee I had some qualms, at first, about becoming a member of the subcommittee. I wondered whether the committee was really serving a useful function. I did not attend the New York meeting because I was engaged in other activities. However, I wish to associate myself with the remarks of the distinguished Senator from Tennessee [Mr. KEFAUVER] and the able Senator from Missouri [Mr. HENNINGS].

I first realized the importance of the subcommittee when I attended the Los Angeles hearings. There we had appear before us as witnesses the mayor of Los Angeles; the chief of police, a very able man, recognized throughout all of America as one of the most able law enforcement officers in the Nation; the sheriff of Los Angeles County, a county with a population of more than 6 million. For the first time, I began to understand that the function of this subcommittee is not only to legislate but also to conduct an educational campaign to alert U.S. communities on the subject of juvenile delinquency.

I have learned that all over America, church groups, civic groups, and parent-teacher associations have a vital interest in this important question. As the Senator from Tennessee has said, this subcommittee has become the focal point, the center, of public interest.

The subcommittee would have performed a great educational achievement if it had never reported a bill or never had a bill passed. But it can claim several legislative accomplishments, the most recent of which was the piloting through the Senate of a bill providing for $25 million for a 5-year program for the training of personnel to combat juvenile delinquency and for establishment of community projects to correct and control juvenile delinquency. The task of the newly trained personnel will be to develop new techniques for solving the problems of juvenile delinquency. This will be no small achievement.

Also, I say to the able Senator from Louisiana, I learned for the first time that many poor farmers in Mexico raise as their main crops, poppies. This is not true all over Mexico, but it is true in certain areas. From the poppy comes opium, and from opium comes heroin, a narcotic which is pouring into southern California and is being spread throughout the Nation. In addition, bricks of marijuana are going into U.S. high schools. This has not been widely known until the subcommittee obtained the information. It is known to the Bureau of Narcotics and perhaps to the Bureau of Customs, but it has not received wide public attention.

The function of this subcommittee is to supply the public information about what is happening to the youth of the Nation and to stimulate local action. The able Senator from Missouri has been very successful in this field. For the pitifully small sum of money which is involved for this purpose, the Senator from Missouri, the chairman of the committee, and a very excellent, nonpartisan, nonpolitical staff have done the finest work possible under the circumstances. I commend the Senator from Missouri for his outstanding leadership in this work.

Mr. HENNINGS. I thank the distinguished Senator from Colorado, who has been of great help in this work. Some of us have had the experience of sending people to penitentiaries. We are not bleeding hearts. Some of us have had to tell young men 17 and 18 years of age that they would have to serve 10 years, or even life, on pleas of guilty. I myself spent 8 years of my life as a prosecutor.

As chairman of the Subcommittee on National Penitentiaries, I have visited more than 20 institutions for men and women throughout the country. I have seen the human wreckage, the human tragedies, and the results of not trying to do something to prevent these things from happening.

My experience of 8 years in standing before juries and recommending sentences on a plea of guilty, in a metropolitan city of 2 million, relating to crimes of violence in the so-called gang days, is an experience I will never forget. I would not invite anyone to go through it who expected to see anything but squalor, tragedy, and the plain and simple annals of the poor.

I know it is easy to talk about social workers doing this and that. I am familiar with the phrases which are uttered by many persons who do not understand that this problem is a national scandal and a monumental disgrace to American civilization. We do not have the answers. I wish we did have some of them.

But, as the able Senator from Colorado and the distinguished Senator from Tennessee have said, we have passed some legislation, and we have focused community attention upon these problems.

We have not done so in a spirit of sensationalism nor of holding up to public obloquy and scorn young persons who are in trouble. Our purpose has been to try to stimulate communities to do something at home, because this is essentially a community problem. The communities look to the Federal Government for

guidance and suggestions, as we go from city to city and town to town, during the vacation period, when the Senate is in adjournment, and when, for the most part, Senators are on vacation.

For instance, following the close of the last session, hearings were held for 4 days in New York. In November, hearings were held for about 10 days on the coast.

I could say much more on this subject, but I shall not further burden the RECORD.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table relating to the resolutions adopted from the 83d through the 86th Congresses, inclusive, under the chairmanship of former Senator Hendrickson, Senator KEFAUVER, and myself.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

The first resolution setting up the subcommittee was passed on June 1, 1953, and the subcommittee was organized about August of that year.

Following are the appropriations for each year:

83d Cong.:	
1953	$44,000
1954	175,000
84th Cong.:	
1955	154,000
1956	85,000
85th Cong.:	
1957 ($10,000 returned)	60,000
1958 ($25,000 returned)	75,000
86th Cong.:	
1959 (approximately $15,000 to be returned)	150,000
Total appropriated	743,000
Less amounts returned	50,500
Total	692,000

Senator Robert Hendrickson, Republican, of New Jersey, was appointed first chairman of the subcommittee and served until he resigned from the Senate in December 1954.

In January 1955, Senator ESTES KEFAUVER was appointed chairman and served in that capacity until January 1957, when Senator HENNINGS, the present chairman, was appointed.

Senator HENNINGS has been a member of the subcommittee since its inception.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield for one or two observations?

Mr. HENNINGS. I yield.

Mr. CARROLL. Was not the able Senator from Missouri chairman of the subcommittee which has to do with penitentiaries?

Mr. HENNINGS. I have been on the subcommittee which spent about $400 or $500 a year out of an appropriation of $5,000. In the last 2 months I have been to Alcatraz and to the Women's Reformatory at Alderson, W. Va. Hearings were held on the coast, and from there I journeyed to Alderson. I have visited some 20 Federal penal institutions throughout the country, as well as some of the State institutions, including San Quentin.

Mr. CARROLL. Would not the Senator from Missouri say that $1 spent for educational or prevention purposes is worth $20 spent for housing prisoners? We call them punishment dollars.

Mr. HENNINGS. There is no calculable amount which can be set upon the saving of human life from degradation and the infliction of our penal code—that is, imprisonment. There is no calculation I know of as to the cost of crime. I know it runs into the billions, not considering the human lives taken; that cannot be calculated.

Mr. CARROLL. If only to emphasize the importance of the educational feature of the juvenile delinquency subcommittee investigations, is it not true that we received testimony in Los Angeles that there was a conflict of jurisdiction between two agencies of the U.S. Government—the Bureau of Narcotics and the Bureau of Customs?

Mr. HENNINGS. We did, indeed.

Mr. CARROLL. In this conflict, the agencies were supposed to have staked out certain exclusive areas of control. One area reserved exclusively to the Customs Bureau was Mexico, and this allegedly interferred with the enforcement of the law in the United States because of inadequate control of narcotics crossing the border and going to adults and possibly to juvenile delinquents.

Mr. HENNINGS. That is correct. We are working on that problem now by holding hearings, as the Senator knows.

Mr. CARROLL. I thank the Senator. I wanted to make that point to show the importance of the educational aspect of the investigations. We would not have learned of these conditions had there not been hearings at which testimony was given by Government agents and by the chiefs of police and the sheriffs of California.

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement showing the estimate of the crime cost on a national scale, as stated by Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, on page 278 of the House Appropriations Committee hearings for 1960. The amount shown is $22 billion annually. The statement also shows the cost for the administration of Federal prisons, the total cost of U.S. courts, the total number of inmates of Federal prisons, the number of youthful offenders in Federal prisons, and the amount the Department of Justice spends for crime.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Total for administration of Federal prisons, $33,262,000 (for the fiscal year ending June 30, 1959).

Total for U.S. courts, $46,172,453 (for the fiscal year ending June 30, 1959).

Total inmates, Federal prisons (as of June 30, 1959), 23,310 ($1,800 per year for each prisoner).

Youthful offenders in Federal prisons (as of June 30, 1959), 4,024 (17.2 percent of total prison population).

U.S. Department of Justice spends for crime, $175 million (budget for fiscal year ending June 30, 1960).

Crime cost on a national scale (Hoover, FBI, p. 278 of House Appropriations Committee hearings, 1960), $22 billion annually.

Mr. CURTIS. Mr. President, I merely wish to point out that I believe there should be some relationship between the budget provided and the volume of the legislative load of a committee. According to the information which I obtained, this particular subcommittee, whose request for funds we are now considering, had two bills referred to it during the last session of Congress.

Mr. HENNINGS. Mr. President, I desire to have the record reflect that eight bills relating to juvenile delinquency have been submitted by this subcommittee during the past year.

Mr. ELLENDER. Mr. President, there is no doubt at all that an appealing argument could be made in connection with almost any of these resolutions. Particularly is that true of the resolution in connection with the subcommittee which deals with the problem of juvenile delinquency. But that problem has been with us for a long time, and I do not believe it will be solved merely by holding hearings and publicizing a problem, which everyone knows exists.

In Louisiana, we have been working on this problem for many years, even before the subcommittee was established. Every sheriff in the State of Louisiana now has authority to spend, out of the funds of his office, from $7,000 to $8,000—relatively a small amount, it is true—to establish boy's clubs and girls' clubs as a means of combatting juvenile delinquency.

The mere fact that 10 or 12 days of hearings are held in New York City, where the situation is admittedly most acute, and in Philadelphia and in Los Angeles does not mean that, as a result, a cure for the problem will be found, by any means. In fact, I doubt that the hearings which were held in those cities received much publicity outside of the cities in which the hearings occurred.

As the distinguished Senator from Nebraska stated a moment ago, during the last session of Congress two bills were referred to this subcommittee. One was passed by the Senate last week, as I recall. It included an expenditure, as I recollect, of $25 million, over a period of 5 years, to train people, as I recall, to deal with juvenile delinquency throughout the country. If I had felt that such a process would cure the evil of juvenile delinquency, I would have voted for the bill. But I do not believe that will be the case.

The way to attack that problem is to use the processes which have been in effect in my own State, through the will of the people themselves, who are determined to have the problem dealt with in the best possible way. Certainly it must be attacked on the local level.

Of course I do not blame the mayor of New York City or the Governor of New York State for coming before the committee and seeking to testify before it, because the conditions in New York City and in many of the other large cities have grown in such proportions that something should be done. But whatever is done should be done at the local level, not by the Federal Government.

Mr. President, in the justification which shows how these funds are being

spent, I notice that the salary of the chief counsel is $14,979.45; the salary of the minority counsel is $13,867.75; the salary of the assistant counsel is $15,103.06; the salary of the editorial director is $9,574; and the salary of the research director is $10,434. I ask unanimous consent that the entire justification be printed at this point in the RECORD, to show how the funds are being spent.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Chief counsel	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Minority counsel	1	7,320	13,867.75	1,155.64	13,867.75
Assistant counsel	2	[1] 3,660	15,103.06	1,258.58	15,103.06
Investigator	1	4,740	9,574.22	797.85	9,574.22
Editorial and research:					
Editorial director	1	4,740	9,574.22	797.85	9,574.22
Research director	1	5,220	10,434.57	869.54	10,434.57
Research assistant	1	2,880	6,082.04	506.83	6,082.04
Administrative and clerical:					
Chief clerk	1	4,020	8,229.76	685.81	8,229.76
Secretary	2	[1] 2,940	12,390.14	1,032.50	12,390.14
Stenographer	1	2,460	5,290.76	440.89	5,290.76
Assistant clerk	1	1,920	4,273.42	356.11	4,273.42
Clerical assistant	1	1,800	4,047.36	337.28	4,047.36
Clerical assistant	1	1,320	3,252.94	271.07	3,252.94
Total	15				117,099.69
ADMINISTRATIVE					
Contribution to employees' health benefit programs (Public Law 86-382, effective July 1, 1960)					498.75
Contribution to civil service retirement fund (6½ percent of total salaries paid)					7,611.48
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					408.24
Travel (inclusive of field investigations)					14,000.00
Hearings (inclusive of reporters' fees)					4,500.00
Witness fees, expenses					1,000.00
Stationery, office supplies					1,381.84
Communications (telephone, telegraph)					2,500.00
Newspapers, magazines, documents					800.00
Contingent fund					200.00
Total					32,900.31
Grand total					150,000.00

[1] Each.

Fund requested, S. Res. 232, $150,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 232) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE IN GOVERNMENT DEPARTMENTS AND AGENCIES

Mr. HENNINGS. Mr. President, I call up Calendar No. 1076, Senate Resolution 234, authorizing a study of administrative practice and procedure in Government departments and agencies.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution? The Chair hears none; and, without objection, the Senate will proceed to consider the resolution.

The question now is on agreeing to Senate Resolution 234.

Mr. ELLENDER. Mr. President, an explanation as to the purpose of this resolution was given to me by the distinguished Senator from Colorado [Mr. CARROLL]. As I understand, the amount appropriated last year was not spent in its entirety; but when the committee got into the matter, it was felt necessary to increase the staff in order to proceed with the work. Is that correct?

Mr. CARROLL. This is a new standing subcommittee, created by virtue of many requests, which came from the American Bar Association and other large groups, to investigate and make recommendations to the Congress on administrative practice and procedure, mainly because the Administrative Procedures Act had not been touched for 13 years.

As I said earlier this evening, the study involves more than 100 agencies of Government which come under the Administrative Procedures Act. The chairman of the Committee on the Judiciary asked me to be chairman of the subcommittee. I did not seek the job, and the people of Colorado did not send me here to take the job. But I was willing to assume it because of the importance of the legislative programs involved, as they had been proposed by able Members of this body.

Last year our subcommittee received an appropriation of $115,000. It was necessary to proceed carefully to select a staff to find out what we were going to do and how to move into this great administrative jungle and underbrush.

We returned $62,000 of the $115,000.

The pending resolution will again give us $115,000, as we move forward into this field.

If it is not necessary for us to use all of the $115,000, I will return again, the part that is not needed.

But I should like to have this amount of money, because I think we will now begin to move further to do the job, which I hope we can do in a good, constructive way.

Mr. ELLENDER. I should like to ask a question. I notice that in the justification two positions are listed—one for an economist, and another for an accountant, each at almost $15,000. Why is it necessary to have an economist and an accountant?

Mr. CARROLL. I am very happy that the Senator from Louisiana has asked the question. We are dealing with Federal regulatory agencies which have to do with billions of the economy of the Nation. We are dealing with all agencies of the executive branch and the regulatory agencies of the Government that are covered by the Administrative Procedures Act.

For instance, suppose we were to go into the Interstate Commerce Commission. We must have an economist.

Of course, the American Bar Association is now recommending certain legislation in reference to what I call ex parte influence. For some unfortunate reason, the burden of the inquiry was placed on the Congress, although the Congress is not using ex parte influence on regulatory bodies; such influence is

being used by many private groups which have tremendous financial interests at stake.

So I need economists and accountants and lawyers; and the truth is that the $115,000 will not even scratch the surface, in order to do the complete job.

Mr. ELLENDER. I notice that the subcommittee has only nine employees. According to what the Senator from Colorado says, perhaps it should have many more employees, in order to do the job.

Mr. CARROLL. If I do not need such an accountant, the Senator from Louisiana can rest assured I will not hire him. We will not get into the entire field, because many of the standing committees have primary jurisdiction, and we are not trying to overlap. I have proceeded very carefully, because I have been moving into the field of administrative procedure, and have been conferring with the Judicial Conference and the American Bar Association, and others.

Mr. ELLENDER. Does not the Senator feel, with what he has just said and based upon the studies he has made in this field that there must be somebody in the executive department who is falling down on the job, if all these investigations are necessary?

Mr. CARROLL. The Senator from Louisiana never made a truer statement. The primary responsibility for the appointment of men to the regulatory body falls on the Executive. Until the executive branch appoints the proper caliber of men, the sole responsibility cannot be put on legislative agencies. I am not talking about this administration; I am talking about any administration. There has been an almost complete breakdown of administrative law in the U.S. Government, and that fact is recognized today by all serious students of American Government. That is what makes it such a very difficult field into which to move.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have the justification of the committee's budget placed in the RECORD at this point.

There being on objection, the table was ordered to be printed in the RECORD, as follows:

Proposed budget—Senate Subcommittee on Administrative Practice and Procedure

Position	Number	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF				
Legal and investigative:				
Counsel and staff director	1	$14,979.45	$1,248.28	$14,979.45
Assistant counsel	2	27,735.50	2,311.28	27,735.50
Economist	1	14,979.45	1,248.28	14,979.45
Accountant	1	14,979.45	1,248.28	14,979.45
Secretarial and clerical	4	5,822.07	487.09	23,288.28
Total	9			95,962.13
ADMINISTRATIVE				
Contribution to civil service retirement fund (6½ percent of total salaries paid)				6,237.54
Travel (inclusive of field investigations)				3,500.00
Hearings (inclusive of reporters' fees)				5,250.00
Witness fees and expenses				2,250.00
Stationery and office supplies				750.00
Communications (telephone and telegraph)				750.00
Contingent fund				300.33
Total				19,037.87
Grand total				115,000.00

Funds requested, S. Res. 234, $115,000.

Mr. CURTIS. Mr. President, it occurred to me that perhaps the interest of the bar association was in the general field of administrative practice. Certainly, there is a followthrough duty to observe how that has operated. From listening to the Senator from Colorado, there is a question in my mind as to whether the committee expects to investigate operation of the departments. If the operation of the Interstate Commerce Commission, for example, is to be investigated, with accountants, economists, and so forth, I would assume that would be the task which would fall on the Committee on Government Operations or the Committee on Interstate and Foreign Commerce, or perhaps both.

We cannot escape the conclusion that the interest in these matters is somewhat reflected by the amount of legislation introduced. During the last session of Congress six bills were referred to this committee.

Mr. CARROLL. Mr. President, I think I should make a statement for the record. It is very important, and I shall not take too much time to present it.

I do not want any misunderstanding about the subcommittee. The pending resolution permits it overall jurisdiction in quasi-judicial hearings of every nature, in licensing and in rulemaking. This is what we have done with respect to the American Bar Association bill S. 2374. The bill has to do with improper ex parte influence on Government agencies, whether it be on the part of Congress or on the part of private persons.

We are conforming to the Senate rules respecting jurisdiction. The Senate Committee on the Judiciary has, under the standing rules, primary jurisdiction over judicial and quasi-judicial hearings. I intend to assert that jurisdiction without impinging on oversight functions of other committees which have primary jurisdiction in their field. I have talked to the chairmen of other standing committees. I want to make perfectly clear what the intention of this subcommittee is. We are not going into other matters. This is not a cloak and dagger committee.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. CARROLL. I am glad to yield.

Mr. HENNINGS. I compliment the Senator, and I wish to make a brief statement. The Senator being the fine, seasoned lawyer that he is, I know he would not transgress upon any of the functions of Senate committees with relation to any other activities of Government, without having proper jurisdiction.

Mr. CARROLL. I assure the Senator from Missouri of that.

Mr. HENNINGS. The Senator's assignment is a difficult one. The Senator from Colorado has undertaken it because he felt it was his duty to do so. I think rather than make it more difficult for him, the Senator is to be complimented for being willing to serve in that capacity.

Mr. CARROLL. I thank the Senator. I may say to the Senator from Nebraska that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], is a member of the subcommittee. The able Senator from Nebraska should know that we have put on the committee minority counsel, because what we are trying to do is a professional, nonpartisan job, in a most difficult field. All those who have studied administrative law will admit it. We are just beginning to function. Where we are going, we are going under the terms of the resolution.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. CARROLL. I am glad to yield.

Mr. CURTIS. Is it the view of the Senator from Colorado that the jurisdiction of this committee involves investigation of the operation of agencies, their efficiency, and their economy?

Mr. CARROLL. No; we have nothing to do with investigation of efficiency or economy. That is the function of the Committee on Government Operations. Nor does the committee presume to encroach or infringe on the oversight function of committees which have primary jurisdiction.

Mr. CURTIS. The Senator is referring to procedures our citizens have to follow in dealing with administrative agencies. Is that correct?

Mr. CARROLL. Will the Senator permit me to read a portion of Senate Resolution 234? This language contains the jurisdiction of the committee:

> To make a full and complete study and investigation of administrative practice and procedure within the departments and agencies of the United States in the exercise of their rulemaking, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

Mr. CURTIS. I am glad to have that explanation in the RECORD, because of the discussion about the economists, accountants, and so on. I wanted the record made clear as to whether or not the committee is going to investigate these agencies, or whether it is going to undertake to confine its activities to the

problems pointed out by the various bar associations, which deal with procedure.

Mr. CARROLL. That is the reason why I have taken time to make my statement. I do not want to have the statement of the able Senator from Nebraska misconstrued. I am sure he does not mean to have that done, but the purpose of the resolution might be misconstrued. One of the very first bills the junior Senator from Colorado presented was introduced at the request of the American Bar Association. It has to do with ex parte influence. It has to do with procedure. It has to do with quasi-judicial functions of the agencies. It cuts across the board on this function of agencies that are under the Administrative Procedure Act. We shall be better able to discharge our function if we have the staff, the knowledge, and the competence to do it.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 234) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practice and procedure within the departments and agencies of the United States in the exercise of their rule-making, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF EFFICIENCY AND ECONOMY OF OPERATIONS OF ALL BRANCHES OF THE GOVERNMENT

Mr. KEFAUVER. Mr. President, I move that the Senate proceed to the consideration of Order No. 1083, Senate Resolution 246.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 246) to investigate the efficiency and economy of operations of all branches of the Government.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER subsequently said: Mr. President, in respect to Calendar No. 1083, Senate Resolution 246, I ask unanimous consent that the justification for that subcommittee be printed in the RECORD prior to the resolution being agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

The table, ordered to be printed in the RECORD, is as follows:

Proposed budget for the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, pursuant to S. Res. 246 for the period Feb. 1, 1960, to Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
Legal and investigative:					
Acting chief counsel	1	$8,400	$15,633.38	$1,302.78	$15,633.38
Chief counsel to minority	1	8,000	14,979.45	1,248.28	14,979.45
Assistant counsel	----------	8,000	14,979.45	1,248.28	14,979.45
Do	----------	8,000	14,979.45	1,248.28	14,979.45
Do	----------	8,000	14,979.45	1,248.28	14,979.45
Do	4	6,720	12,886.84	1,073.90	12,886.84
Investigator	----------	8,000	14,979.45	1,204.69	14,979.45
Do	----------	7,080	13,475.38	1,122.94	13,475.38
Do	----------	5,280	10,532.66	877.72	10,532.66
Do	4	6,960	13,279.21	1,106.60	13,279.21
Clerical:					
Chief clerk	1	4,680	9,466.33	788.86	9,466.33
Assistant chief clerk in charge of files	1	3,720	7,664.56	638.71	7,664.56
Staff editor	1	3,060	6,421.16	535.09	6,421.16
Assistant clerk	1	3,060	6,421.16	535.09	6,421.16
Stenographer	----------	3,060	6,421.16	535.09	6,421.16
Do	----------	3,060	6,421.16	535.09	6,421.16
Do	----------	3,060	6,421.16	535.09	6,421.16
Do	4	3,060	6,421.16	535.09	6,421.16
Research assistant	1	2,580	5,516.84	459.73	5,516.84
Total	19	----------	----------	----------	201,879.41
ADMINISTRATIVE					
Contribution to civil service retirement fund					11,481.24
Contribution, Government insurance					943.51
Contribution, health benefit program					1,035.84
Travel and per diem (investigators)					25,000.00
Accounting firm					10,000.00
Recording proceedings					1,500.00
Witness fees and travel					17,000.00
Office supplies and postage					2,000.00
Telephone and telegraph					3,000.00
Documents					1,000.00
Miscellaneous					160.00
Total					73,120.59
Grand total					275,000.00

Funds requested, S. Res. 246, $275,000.

Mr. McCLELLAN subsequently said: Mr. President, I should like to make the statement at this point that the subcommittee turned back $79,000 this year because we were not able to carry on the operations with a full force, since members of the subcommittee were members of the committee dealing with labor. We saved the Government far more money by the limited work we did, I would say, than the cost to operate the subcommittee. I believe we saved enough to operate the subcommittee for a dozen years or more, in two instances.

Mr. ELLENDER. Mr. President, as I understand, the Senator asked for an increase in the amount of money for this subcommittee.

Mr. McCLELLAN. I ask to go back to full operation, yes.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 246) was agreed to, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under Rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized from February 1, 1960, through January 31, 1961, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds, in transactions, contracts, and activities of the Government or of Government officials and employees; and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That, in carrying out the duties herein set forth, the inquiries of this committee shall not be deemed limited to the records, functions, and operations of the particular branch of the

Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government; (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis such technical, clerical, and other assistants and consultants as it deems advisable: *Provided further,* That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the head of the department or agency concerned, and of the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $275,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

EXTENSION OF TIME FOR FILING REPORT BY THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1101, Senate Resolution 249.

The PRESIDING OFFICER. The resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 249) to extend to March 31, 1960, the time to file report by the Select Committee on Improper Activities in the Labor or Management Field.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment on page 2, line 1, after the figures "$48,000" to insert "from February 1, 1960, through March 31, 1960," so as to make the resolution read:

Resolved, That the time for filing a final report by the Select Committee on Improper Activities in the Labor or Management Field, established by S. Res. 74, Eighty-fifth Congress, agreed to January 29, 1957, as amended and supplemented, is hereby extended to March 31, 1960.

SEC. 2. For the purpose of enabling the select committee to complete its work and prepare such final report, it is hereby authorized to exercise, until such date, all of the duties, functions, and powers conferred upon it by S. Res. 74, Eighty-fifth Congress, as amended and supplemented.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $48,000 from February 1, 1960, through March 31, 1960, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. HENNINGS. Mr. President, the distinguished Senator from Arkansas [Mr. MCCLELLAN] is the chairman of the select committee.

Mr. MCCLELLAN. Mr. President, for the information of the Senator from Louisiana and other Senators, this is a resolution with respect to the Senate Select Committee on Improper Activities in the Labor or Management Field. We wish to continue for 2 months in order to give the committee an opportunity to file reports. I will state that 11 reports have been completed by the staff. It is simply a matter of the committee meeting, working the reports out, and filing them.

This committee turned back $100,000 plus from its allowance for the last year. From the amount here requested it is very probable the committee will turn back some of the money.

I hope the resolution will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The resolution (S. Res. 249), as amended, was agreed to.

ADDITIONAL FUNDS FOR COMMITTEE ON GOVERNMENT OPERATIONS

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1082, Senate Resolution 248.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 248) providing additional funds for the Committee on Government Operations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, I understand that the amount of money requested for this subcommittee has been increased from $65,000 for last year to $125,000 for this year. May we have an explanation as to why there is a requested increase?

Mr. MCCLELLAN. Mr. President, I will say that the amount for last year, $65,000, was for a period of only 5 months. I believe that was the time the committee operated last year.

Mr. ELLENDER. Is this a new subcommittee?

Mr. MCCLELLAN. This was a new subcommittee set up last year. It received $65,000, of which it is returning $25,000, since it took some time to get organized and get set up to really go to work. That is the explanation.

Mr. ELLENDER. I wonder if the Senator would be good enough to tell us what is the chief function of this subcommittee.

Mr. MCCLELLAN. The Senator from Washington [Mr. JACKSON] is chairman of the subcommittee. This matter has attracted a great deal of attention. It has the support, as I understand it, of the administration. The desire is to discover and explore with respect to the policy machinery of our Government. I cannot go into the details about it. The Senator from Washington [Mr. JACKSON] is not present in the Chamber. He has presented the matter in quite some detail to the Committee on Rules and Administration. I have been present, and I heard him testify twice. I heard him last year and this year.

I think everybody is fully satisfied that the subcommittee is constructive in its work and in its purpose. There is really a desire to have the work done.

I am sorry I cannot go into any greater detail. I know the objectives of the committee have won the support of the administration and, apparently, of both parties.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the justification of the proposed expenditures of the subcommittee be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Staff director	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Counsel (minority)	1	8,040	15,044.83	1,253.73	15,044.83
Consultants (temporary, as required, on a consultants' fee basis)	(15-20)				10,000.00
Editorial and research:					
Research assistant	1	3,120	6,534.19	544.51	6,534.19
Staff members	4	22,140	43,649.78	3,637.46	43,649.78
Administrative and clerical:					
Assistant clerk (secretary to director)	1	3,360	6,986.34	582.19	6,986.34
Stenographer	1	2,340	5,064.68	422.05	5,064.68
Total					102,324.65
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					250.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					2,250.00
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					300.00
Reimbursable payments to agencies					4,500.00
Travel (inclusive of field investigations)					4,500.00
Hearings (inclusive of reporters' fees)					6,500.00
Stationery, office supplies					1,500.00
Communications (telephone, telegraph)					1,200.00
Contingent fund					1,675.35
Total					22,675.35
Grand total					125,000.00

Fund requested, S. Res. 248, $125,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 248) was agreed to, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1960, to January 31, 1961, inclusive, to make studies as to the efficiency and economy of operations of all branches of the Government with particular reference to—

(1) the effectiveness of the present organizational structures and operational methods of agencies and instrumentalities of the Federal Government at all levels in the formulation, coordination, and execution of an integrated national policy for the solution of the problems of survival with which the free world is confronted in the contest with world communism;

(2) the capacity of such structures and methods to utilize with maximum effectiveness the skills, talents, and resources of the Nation in the solution of those problems; and

(3) development of whatever legislative and other proposals or means may be required whereby such structures and methods can be reorganized or otherwise improved to be more effective in formulating, coordinating, and executing an integrated national policy, and to make more effective use of the sustained, creative thinking of our ablest citizens for the solution of the full range of problems facing the free world in the contest with world communism.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one such person for appointment, and the person so selected shall be appointed and shall receive compensation at an annual gross rate not less than $1,200 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1090, Senate Resolution 238.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 238) authorizing an investigation of the antitrust and monopoly laws of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. KEFAUVER. Mr. President, briefly I will say we want to continue to make an investigation with regard to identical bidding, as to whether there is collusion or whether the antitrust laws need to be changed in connection with the matter. We are interested in the bidding for the Army, the General Services Administration, and the Defense Establishments. We have had some investigations already.

We are in the middle of an important drug hearing, which involves several prospective legislative proposals. We also have pending a number of bills and requests for further hearing in connection with the application or lack of application of the laws to team sports. We have been asked to investigate and we are investigating the problems in connection wth professional boxing, as a result of the Supreme Court decision taking that out from under the antitrust laws. We are investigating restraint of trade and efforts toward monopolization in connection with that matter.

Mr. CURTIS. Mr. President, will the distinguished Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. CURTIS. What proposed legislation has been reported to the Senate in the last Congress from this subcommittee?

Mr. KEFAUVER. There were reported, and they became law, S. 714 and S. 726, to make final orders under section 11 of the Clayton Act. This was a very important legislative proposal, to help the Federal Trade Commission.

We have had committee hearings. The Senate Committee on the Judicary reported and the Senate passed S. 716 and S. 1003, to authorize the Department of Justice to make demands for evidence in civil antitrust investigations, instead of having to go through the grand jury procedure.

S. 11 and S. 138 were bills to amend the Clayton Act with reference to equality of opportunity. The bills have had full hearings. That matter is before the committee.

S. 839 and S. 838 are bills to supplement the Sherman Act by prohibiting automobile manufacturers from engaging in the business of financing and insuring automobiles purchased by consumers. Those bills are before the committee.

Mr. CURTIS. The Senator is discussing the bills under consideration. There were two bills reported in the last session of Congress. It that correct?

Mr. KEFAUVER. Does the Senator mean from the subcommittee?

Mr. CURTIS. Yes.

Mr. KEFAUVER. No. We have the bill with respect to prenotice of merger, which is a very important recommendation of the administration, which was up for consideration by the full committee at its last meeting.

Mr. CURTIS. I am talking about proposed legislation which has reached the Senate floor.

Mr. KEFAUVER. There were two bills. One has been passed and enacted into law. The other has passed the Senate.

Mr. CURTIS. What was the situation in the 85th Congress?

Mr. KEFAUVER. We considered a number of bills. I would have to go back to review the matter.

Mr. CURTIS. If the distinguished Senator will yield further for an observation, the defense of the overall Judiciary Committee budget has been justified on the ground of the great number of bills which were introduced. I referred a short while ago to the Subcommittee on Immigration and Naturalization, which had referred to it 615 private bills and 26 general bills, with a budget of $116,000. This is a proposed budget of $425,000.

The total number of bills referred to the committee last year was 25. I agree that that is not the sole criterion. However, the volume of legislation is some measure of the work to be done. Senators introduce bills, and they are referred to committees for consideration.

Mr. KEFAUVER. I agree with the Senator. The Senator also knows that in the matter of the antitrust laws, it is not merely a question of introducing a bill, having a hearing, and passing the bill. Often there is a great conflict of interest. For example, in the Congress before last, five of the important economic recommendations made by the President were in connection with the antitrust laws. One of those bills has been enacted, and the other has passed the Senate.

One of the most important questions upon which we have held voluminous hearings, because so many economic interests wish to testify, plus the Government and many private witnesses, involves the question of prenotice of merger. We read in the newspapers about mergers taking place. Sometimes the Government claims that it did not have an opportunity to find out beforehand about a certain merger.

With all due deference—and I am sure the distinguished Senator from Illinois [Mr. DIRKSEN] would agree with me if he were present—the reason why this proposed legislation, which I hope can be reported, has been stymied is that the Senator from Illinois, a very able member of the committee, has been fighting it very hard in the full Committee on the Judiciary. These things take time. They are hard to move.

I think it should be pointed out also that sometimes the exploration of an issue, even though the result is that no bill is reported, may be of greater service to the public than would be the case if some legislation resulted.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. ELLENDER. During the hearings, did the Senator find laxity on the part of the President or the Attorney General in enforcing laws which are on the statute books?

Mr. KEFAUVER. In some cases it has been my own opinion that certain

laws have not been enforced with sufficient vigor by the enforcement departments. With a changing economic condition, certain laws do not seem to have application. Let me give the Senator an example.

If two or three people get together and fix prices at the same level and sell at the fixed prices by agreement, that is a conspiracy, which has a deleterious effect upon our free competitive enterprise economy. Somehow or other we are finding that, apparently, without the parties getting together—at least we have difficulty in proving it in a great many cases—the same result is arrived at. What are we to do about it? The bids are exactly the same. I think the departments should try to prosecute such cases more vigorously. One such case was prosecuted, involving the Salk vaccine, but the criminal indictment was dismissed.

Also there is the situation in which corporations, instead of expanding in the same line of business spread out in a conglomerate way, into 15 or 20 businesses, perhaps in order to drive some little fellow out of business in a particular line of endeavor, and to make up for it in 14 or 15 other lines of business. That is one of the questions we are investigating. I think the antitrust laws should be more vigorously enforced, and we need some improvement in our antitrust laws.

At the present time we are engaged in a hearing involving a great deal of acrimony. It is not easy. It involves important economic questions, and perhaps the improper use of the patent function and price fixing. In the case of drugs we developed information to the effect that two companies have the same price, even though one sells the other its bulk material for enough to pay for all of its costs. The bids to the Government are identical, down to one-thousandths of a cent, even though prices may go up and down. In the middle of our hearing an indictment was sought by the Department of Justice.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. CARROLL. Can the Senator think of any other committee of the Senate which calls before it representatives of more giant corporations in the Nation than does the subcommittee of which the Senator is chairman?

Mr. KEFAUVER. The Senator is correct. It is not an easy subcommittee to conduct.

Furthermore, under the direction of the distinguished Senator from Wyoming [Mr. O'MAHONEY], a report is now being prepared dealing with certain other aspects, in an endeavor to show whether or not there is real competition in the insurance business, as a result of the McCarran Act, turning jurisdiction back to the States in connection with certain types of insurance.

These questions involve the oil industry, the insurance industry, the steel industry, the drug industry, the building industry, and many others, involving many of the industrial giants, which makes these hearings very difficult to conduct.

Mr. CARROLL. Is not the purpose of some of the investigations to turn the spotlight of public opinion on what is happening in the economy of the Nation? For example, take the automobile industry, the steel industry, the oil industry, and the gas industry, which have all been dealt with by the Senator's subcommittee. It has also dealt with the drug industry.

Let me point out one further thing, which I think is important, and which has not been covered by the Senator from Tennessee. Was not the great national interest in the question of administered prices largely stimulated by the testimony of economists before the Senator's subcommittee?

Mr. KEFAUVER. Yes; the Senator is correct. The subject was not discussed until the testimony before our subcommittee was made public.

Mr. CARROLL. Some of the great economists of the Nation came before the subcommittee and presented their economic theories and evidence. We received testimony on how the wholesale price index of the Nation rose from 1953 to 1959. According to the eminent economist Gardner Means, 85 percent of the rise in the wholesale price index from 1953 to 1959, resulted largely from pricing by industries functioning under the so-called administered pricing system.

Mr. KEFAUVER. I do not remember the figures exactly, but in certain industries in which there is no real price competition, prices have gone up.

Mr. CARROLL. The reason I emphasize that point is that this committee is one of the major committees of the Senate which has an education function. The subcommittee, through its contacts with the universities and the economists of the Nation, and through talking to the people, obtains information with which to widen the knowledge of the American people on our economic system and its strength and weaknesses. I heard the able Senator from Nebraska [Mr. CURTIS], and I agree with him 100 percent. We can have confidence in the intelligence of the American public, but first they must have the facts.

One of the great functions in our democracy is that the Congress shall have the investigating power to find out what is going on.

I am a member of the Antitrust Subcommittee. I believe that more than any other committee of the Congress, it deals with specifics. The Joint Economic Committee deals in the abstract. This committee deals with specific economic fact; so at least it can present both sides of the story to the American people.

In connection with the steel strike, months ahead of time the chairman of this important subcommittee, the able Senator from Tennessee, was calling upon steel and labor to settle their differences and, upon occasion, was calling upon the President of the United States to take appropriate action. Those efforts were based upon the expert knowledge which he had gained in this important committee from both labor and management.

Let me say to the able Senator from Louisiana that the amount of money expended by this subcommittee and its able staff is relatively unimportant. It is a small amount of money considering the great investigations which are being conducted. To support the Senator from Tennessee——

Mr. ELLENDER. I should like to say——

Mr. CARROLL. May I finish?

Mr. ELLENDER. I would merely like to say that I have not raised any objection to the amount. I believe the committee is doing some good work.

Mr. CARROLL. I appreciate that statement. I did not know whether the Senator objected when he rose to speak. I was not in the Chamber at the time.

Mr. ELLENDER. No; I did not say anything about it.

Mr. CARROLL. I thank the Senator. I should like to make this last observation. With respect to S. 11, the Senator from Tennessee has been fighting year after year to move it out of the committee. It is not his fault or the subcommittee's fault that it has not moved.

Mr. KEFAUVER. There is a great deal of opposition in the antitrust and monopoly field.

Mr. CARROLL. The Senator is in a field where he can expect a great deal of opposition. He is moving against some very powerful forces.

Mr. ELLENDER. I should like to call to the attention of the Senator from Colorado that when we considered Order No. 1076, the resolution authorizing a study of administrative practice and procedure in Government departments and agencies, I called the attention of the distinguished Senator from Nebraska to the fact that there was minority counsel on that committee. I wish to state to my friend from Colorado that the minority counsel procedure is not peculiar to the subcommittee we discussed a while ago. It is my understanding that all the subcommittees have minority counsel. On page 7 of the justification for this subcommittee there appear two minority counsel.

Mr. KEFAUVER. We had three.

Mr. ELLENDER. Why is that necessary? Are not all of them working toward the same goal?

Mr. KEFAUVER. We are, but——

Mr. ELLENDER. Is that due to a division of patronage?

Mr. KEFAUVER. No; it is not a division of patronage. They are all able men and they all work very hard. However, studying the records and reports involve so much work that it is not possible for Senators to attend all the hearings. They write up reports and attend hearings and they are all very busily engaged in the work of the subcommittee.

Mr. CARROLL. I should like to answer the Senator from Louisiana.

Mr. ELLENDER. I ask unanimous consent to have printed in the RECORD at this point the justification of the subcommittee, showing the number of counsels and how the money is going to be spent.

There being no objection, the table was ordered to be printed in the RECORD,

Budget—Senate Antitrust and Monopoly Subcommittee

Position	Number	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF				
Legal and investigative:				
Chief counsel and staff director	1	$14,979.45	$1,248.28	$14,979.45
Counsel	1	14,979.45	1,248.28	14,979.45
Minority counsel	1	14,979.45	1,248.28	14,979.45
Do	1	9,021.02	751.75	9,021.02
Assistant counsel	2	14,979.45	1,248.28	29,958.90
Do	1	13,965.84	1,163.82	13,965.84
Do	1	13,279.21	1,106.60	13,279.21
Do	1	12,004.02	1,000.33	12,004.02
Attorneys	1	12,004.02	1,000.33	12,004.02
Do	1	11,415.48	951.29	11,415.48
Do	1	10,630.75	885.89	10,630.75
Do	2	10,005.82	833.81	20,011.64
Do	1	8,455.83	704.65	8,455.83
Do	1	8,003.68	666.97	8,003.68
Investigators	1	12,004.02	1,000.33	12,004.02
Chief economist	1	14,979.45	1,248.28	14,979.45
Economists	2	13,769.66	1,147.47	27,539.32
Do	1	13,083.02	1,090.25	13,083.02
Editorial and research:				
Hearing editor	1	11,415.48	951.29	11,415.48
Associate hearing editor	1	11,415.48	951.29	11,415.48
Administrative and clerical:				
Clerk	1	7,438.49	619.87	7,438.49
Records clerk	1	7,438.49	619.87	7,438.49
Stenographer	1	6,195.07	516.25	6,195.07
Do	3	5,855.97	487.99	17,567.91
Do	3	5,516.84	459.73	16,550.52
Do	1	5,064.68	422.05	5,064.68
Stenographer (minority)	1	5,403.79	450.31	5,403.79
Telephone operator	1	3,433.23	286.10	3,433.23
Messenger	1	3,072.66	256.05	3,072.66
Temporary consultants, w.a.e., gross salary	2			5,000.00
Total	39			361,290.35
ADMINISTRATIVE				
Contribution to civil service retirement fund (6½ percent of total salaries paid)				23,158.87
Travel (inclusive of field investigations)				27,000.00
Hearings (inclusive of reporters fees)				
Witness fees, expenses				7,000.00
Stationery, office supplies				2,000.00
Communications (telephone, telegraph)				3,000.00
Newspapers, magazines, documents				1,400.00
Contingent fund				150.78
Total				63,709.65
Grand total				425,000.00

Mr. CARROLL. I should like to make an observation. The Senator from Nebraska knows, as a member of the Committee on Rules and Administration, that they are entitled to minority counsel. The Republican minority leader has so many duties to perform and so many committees to handle, he is entitled to have some men stay at the meetings to find out what we are doing. As a matter of fact on this particular subcommittee—and I wish to make a record on this, because I believe this sincerely—I said a little earlier that we ought to have more staff people, and I would like to have someone representing me on this subcommittee. I have many committee and subcommittee projects which demand my time and attention. These staff men have a tremendous amount of experience in this kind of work. The Senator from Louisiana also should have more people helping him with his staff work.

Mr. ELLENDER. I have enough.

Mr. CARROLL. If he has enough, I hope he will not object to other Senators having enough.

Mr. ELLENDER. It depends on the amount of work and the purposes we have in mind. I wish to say that on this committee there are 16 lawyers. I am sure the Senator can induce the Senator from Tennessee to let him have at least one lawyer to tend to his part of the duties.

Mr. CARROLL. That is the point I had in mind when I raised the matter.

Mr. ELLENDER. If I can be of any assistance, I wish the Senator would let me know.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution, Senate Resolution 238, was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws;

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $425,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have included in the RECORD at this point a report on the activities and program of the Antitrust and Monopoly Subcommittee.

There being no objection, the report and program were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON
ANTITRUST AND MONOPOLY,
January 11, 1960.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: The Antitrust and Monopoly Subcommittee of the Committee on the Judiciary today approved the following program, attached budget and proposed resolution approving the sum of $425,000 for a continuing study and investigation of the antitrust laws of the United States. The approval was supported by all the members of the subcommittee with the exception of Senator WILEY.

The subcommittee reiterates its belief that the well-being of the people of the United States depends in a large part on the maintenance of a free, competitive enterprise system. The very keystone of the American free enterprise system is competition, because without price competition the system is endangered.

With the acceleration of monopoly power in America, price competition is disappearing. With the decline of price competition, the problem of high prices and inflation becomes most serious. The only statutory safeguards enacted by the Congress to protect the free, competitive enterprise system are our antitrust laws. The paramount question confronting our economy today is whether these laws, which were initially passed over 70 years ago, are adequate to protect our current economic freedom. The theory behind the enactment of antitrust legislation was not to dictate competition, but to strike down and eliminate illegal agreements and restraints as well as monopolistic abuses which interfered with free business intercourse and interstate commerce.

Although identity of prices is evidence which can be considered in determining whether the antitrust laws have been violated, the mere identity of prices, in and of itself, has been construed as not enough to determine that the law has been violated. With the increase in concentration and economic power in the hands of a few producers, prices in many industries appear today to be administratively set by the leader and followed by the rest of the industry.

The classic evidence of conspiracy or collusion no longer can be found by the enforcement agencies. This conclusion has been attested to by representatives of the Department of Justice and the Federal Trade Commission. The seriousness of this problem is highlighted by the factual developments in the steel and automobile industries. Studies by this subcommittee have indicated that whenever the leaders in these industries raise prices, the other immediately fall in line.

The answer to this dilemma must be found within the framework of legislation, without sacrificing any of our basic freedoms. The antitrust laws must be supplemented if the free enterprise system is to survive, and abuses of monopoly power must be curtailed if an atmosphere is to be expected wherein free competition can be expected to exist.

Under the Constitution the exclusive power and responsibility to regulate interstate and foreign commerce is vested in the Congress. Having this grant of power, the responsibility for legislation must be exercised by the Congress. It continues to be apparent to the subcommittee that the antitrust laws passed by the Congress years ago are inadequate to deal with the power wielded by the managers of our large concentrated industries. It is within this area that the subcommittee has been working during the past 3 years and must continue to work if the problem is to be solved in whole or in part.

The subcommittee's plans for the next year are wide in scope and represent its planned effort to find an answer to this fundamental problem in the antitrust and monopoly field. The subcommittee contemplates the consideration of legislation to supplement our existing antitrust laws.

The subcommittee has in its study of administered prices thus far considered the pricing practices existing in the steel, automobile, asphalt roofing and bread industries. Because the steel industry is so important to the American economy, the subcommittee feels that it must continue to observe and study the administration of prices in this industry and, possibly, hold further hearings on any possible price advance which may occur as a result of the recent settlement entered into by and between labor and management.

During the 1st session of the 86th Congress, the Antitrust and Monopoly Subcommittee began two new important series of hearings in the administered price field. One of these hearings, which was begun on September 28, 1959, dealt with the problem of identity of bids received from various suppliers by the Tennessee Valley Authority on electrical and other products, as well as bids received by the utility boards or departments of several municipalities. The subcommittee has requested the Department of Defense and the General Services Administration to prepare for future presentation to the subcommittee their experience in the receipt of identical bids. During this session it is contemplated that this information will be received in open hearings by the subcommittee and explanations of the principal suppliers will be invited.

The other series of hearings, begun on December 7, 1959, dealt with the administered pricing practices of the manufacturers of ethical drugs. While our country has the best drugs in the world, it appears from the great number of letters which the subcommittee has received that many of our citizens are experiencing difficulty in being able to purchase them. The purpose of the subcommittee's inquiry is to determine whether drug manufacturers are setting their prices at excessive levels and whether the public is adequately protected by competition. In order to establish a factual basis upon which a determination ior legislation might be predicated, it is the intention of the subcommittee to inquire into specific products as well as into general matters affecting the industry as a whole. The first product hearings were on the steriod hormones. The next product hearing which has been announced to begin on January 21, 1960, will deal with tranquilizers, after which the first of the general hearings will be held. Other product classifications to be inquired into include diabetic drugs and antibiotics.

During the first session of this Congress there were referred to the Antitrust and Monopoly Subcommittee two bills, S. 616 and S. 886 which dealt with the applicability of the antitrust laws to the organized team sports of baseball, football, basketball, and hockey. After public hearings, it was determined by the subcommittee to report to the Judiciary Committee S. 2545, introduced in the Senate on August 17, 1959, with respect to only the professional team sports of football, basketball, and hockey, it being determined by the subcommittee at that time to eliminate from consideration the problem of baseball because of the different judicial status that baseball enjoyed as well as the fact that an unique and different problem existed in this sport by virtue of the problem of minor leagues. S. 2545 has not as yet been reported on by the Judiciary Committee. During the consideration of S. 616 and S. 886 considerable testimony was heard by the subcommittee with respect to expansion within the sports of professional baseball and football. The commissioners of both professional baseball and professional football publicly made assertions indicating cooperation with the announced intentions of new forces to expand within both of these sports. Public disclosures have indicated that this cooperation has not been furnished. It is contemplated by the subcommittee, therefore, that the consideration of legislation affecting professional team sports will necessitate new hearings during this session of the Congress.

Having noted a public complaint by the Governor of California that a national investigation of the promotion of professional boxing was needed, during the days of the first session of this Congress, the staff of the subcommittee was directed to begin a field investigation looking toward hearings on this subject matter. It is contemplated by the subcommittee that such hearings will be conducted during this session, looking toward the formulation of legislation if the need for such is indicated.

During the 1st session of the 86th Congress there was referred to the Antitrust and Monopoly Subcommittee S. 838 and S. 839, dealing with the proposal to strengthen the antitrust laws so as to prevent the financing and insuring of motor vehicles by automobile manufacturers. Public hearings were held and completed on these measures. In its attempt to arrive at a decision on this legislation it was determined by the subcommittee to defer its ultimate decision unil February 15, 1960, during which time members of the subcommittee would have an opportunity to survey the impact of such legislation within their own States. When this matter is again brought before the subcommittee it is entirely possible that further hearings may be deemed necessary in order to acquaint the subcommittee further on this matter. It is contemplated that such hearings will be held early in this session of the Congress.

During this session of the Congress the subcommittee contemplates the institution of hearings into the administered pricing practices of certain highly concentrated industries manufacturing building materials, such as glass, plumbing fixtures, asbestos, and gypsum products. At the present time perhaps the principal causes of concern over the recurrence of a decline in building activity is the projected decline in new housing starts. High prices of building materials are undoubtedly an important contributing cause of this anticipated decline.

Past antitrust litigation has not been singularly successful in arresting the continuous upward movement of prices of these products. While the Department of Justice and the Federal Trade Commission during the past 15 years have conducted a number of successful litigated cases in this area, the relief obtained has been largely limited to injunctive relief against the conspiratorial continuation of price fixing.

A typical case in point is the recent price increase in the plumbing fixtures industry. Two months ago a few large manufacturers in this industry, which accounts for most of the industry's output, made identical price increases in the absence of any prior advance in the price of steel or other basic materials to them.

Under the direction of Senator O'MAHONEY, the subcommittee will continue with its study of the insurance industry, on which extensive public hearings were conducted in 1959. As part of its function of determining whether, pursuant to the mandate of the McCarran Act, State regulation is adequately protecting the public interest, the subcommittee plans to explore the effectiveness of the regulation of insurance companies domiciled abroad and operating in the United States under so-called surplus-line laws of the States. This inquiry will seek to ascertain whether American policyholders, claimants, and creditors of such foreign insurance companies are being adequately protected, and will attempt to determine whether licensed American insurers are at a competitive disadvantage in competing with these companies. Other matters are under consideration.

Because the problem of concentration continues to be one of the foremost problems in our economy, the subcommittee, time permitting, contemplates calling for a report from the Department of Justice and the Federal Trade Commission within this area. Public disclosures reveal weekly the continued march of concentration by mergers—many times by industries merging with corporations in wholly unrelated fields.

In addition to the legislative hearings hereinbefore referred to, it is contemplated that the President is likely to send to the Congress legislative proposals within the purview of the Antitrust and Monopoly Subcommittee. It is also not unlikely to expect that Members of the Senate will introduce such legislation. In the event of either of these occurrences, the subcommittee will schedule hearings for consideration of such measures.

The proposed budget which is attached for the information of the Committee on the Judiciary is the same budget upon which the subcommittee is presently operating. Accordingly, the program, attached budget, and proposed resolution are submitted with the recommendation that they be approved.

With kindest personal regards, I am,

Sincerely,

ESTES KEFAUVER,
Chairman.

Mr. KEFAUVER. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a statement by the Senator from Illinois [Mr. DIRKSEN], having to do with some part of the hearings which we have been conducting, and a statement of mine following it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Ffrom the Washington Post and Times Herald, Jan. 27, 1960]

DIRKSEN SEEKS CURB ON KEFAUVER PROBES

Senator EVERETT M. DIRKSEN, Republican, of Illinois, yesterday moved to curb wide-rang-

ing investigations by the Senate Antimonopoly Subcommittee headed by Senator ESTES KEFAUVER, Democrat, of Tennessee.

DIRKSEN, the Senate Republican leader, said he will ask the Senate to require approval by a majority of the parent Judiciary Committee before the subcommittee can start any new investigations. He proposed the limitation as an amendment to a measure to give the subcommittee another $425,000 for its work.

"The practice of having a subcommittee chairman decide by himself what investigations are to be undertaken and then having him order the staff to go ahead ought to be stopped," DIRKSEN said.

In the case of the antimonopoly group, DIRKSEN said he thinks there has been considerable waste of taxpayers' funds by inquiries that he said have produced little benefit for the country.

KEFAUVER disputed DIRKSEN's contention, saying DIRKSEN's move is obviously aimed at hamstringing the subcommittee.

"I think our investigations have been of tremendous value," KEFAUVER said. "They have showed the concentration of monopolistic power which doesn't give the little people a chance to compete."

DIRKSEN said subcommittee inquiries in the insurance, steel, motors, and baking fields didn't turn up anything of value.

DIRKSEN said the inquiries had imposed heavy financial burdens on companies that were forced to bring their records to Washington and to have their officers testify.

"The General Motors people, for instance, told me it cost them a half million dollars to prepare and present their case," he said.

STATEMENT BY SENATOR KEFAUVER

On January 27, 1960, in the Washington Post, the minority leader was quoted as follows: "The practice of having a subcommittee chairman decide by himself what investigations are to be undertaken and then having him order the staff to go ahead, ought to be stopped," and in the case of the Antitrust and Monopoly Subcommittee, he stated that there had been considerable waste of taxpayers' funds by inquiries that had produced little benefit for the country. From this statement no conclusion could be reached, Mr. President, other than the inference that I, as chairman of the Antitrust and Monopoly Subcommittee, have decided, by myself, the investigations that the subcommittee would undertake and have, accordingly, directed the staff in its preparation for such studies.

The record does not bear out the minority leader. The fact of the matter is that he is aware that, both as a member of the Senate Antitrust and Monopoly Subcommittee and as a member of the full Judiciary Committee, he voted to approve the program, budget, and resolution of the subcommittee. The subcommittee formulated and approved its program on January 21, 1959, which was submitted to the parent Judiciary Committee. This program which was approved by the minority leader, among other things, contained the following statements:

"The subcommittee's plans for the next year are wide in scope so that it can continue to study and seek an answer to this fundamental problem in the antitrust field. The subcommittee envisages the consideration of legislation to supplement existing antitrust laws.

"The subcommittee in its study of administered prices has thus far considered the pricing practices existing in the steel, automobile, and asphalt roofing industries. Because the steel and the automobile industries are so important to the American economy, the subcommittee feels that it must continue to observe and study the administration of prices in these industries.

"It is becoming apparent, based upon previous work of the subcommittee, that it is necessary for the subcommittee to consider and study the problem of improving enforcement tools of the enforcement agencies. Similarly, it must consider the elimination of weaknesses in basic antitrust laws as shown by court decisions. These weaknesses have been uncovered in the laws due to changes in our complicated economic system from its more simple form at the time when our present laws were enacted.

"The subcommittee plans to make studies in a number of other industries including bread, drugs, fertilizer, replacement parts for farm machinery, paper boxes, automobile financing, rubber tires, and aluminum. Studies have already been launched by the staff of the subcommittee into manufacturers' pricing practices in bread and drugs. This initial investigation has uncovered such important facts that the subcommittee has decided to hold early hearings in both of these industries. These studies and hearings will materially contribute to an understanding of the administered price inflation and its relationship to the antitrust laws."

On January 26, 1959, the "program, budget, and resolution," as submitted by the Subcommittee on Antitrust and Monopoly, was approved unanimously by the Committee on the Judiciary. On January 29, 1959, Senate Resolution 57 authorizing the Subcommittee on Antitrust and Monopoly to expend through January 31, 1960, $395,000 was reported by the Committee on Rules and Administration. On February 2, 1959, this resolution was agreed to and passed by the Senate.

The Antitrust and Monopoly Subcommittee, on June 24, 1959, approved an amendment to Senate Resolution 57 authorizing an increased appropriation to the Antitrust and Monopoly Subcommittee of $30,000. The minority leader supported this amendment, both in the subcommittee and in the full committee, which approved the amendment on July 13, 1959. In support of this request it was stated, among other things:

"This increase in the subcommittee's payroll came primarily from the added expense necessary to obtain the services of specially trained personnel needed for the subcommittee's investigation of the pricing practices of manufacturers of drug products. It is anticipated that this sizable payroll will continue unless it is necessarily curtailed because of the lack of funds."

Receiving favorable consideration by the Committee on Rules and Administration, this amendment was agreed to by the Senate on August 7, 1959, by the passage of Senate Resolution 1444.

On January 11 of this year the distinguished minority leader again approved the "program, budget, and proposed resolution," approving the sum of $425,000 for a continuing study and investigation of the antitrust laws of the United States. When the "program, budget, and proposed resolution" was brought before the full Judiciary Committee, the distinguished minority leader again indicated his support. This "program, budget, and proposed resolution," which has been approved by the Committee on Rules and Administration, is now before the Senate in connection with Senate Resolution 238.

I think the position of the distinguished minority leader is clearly without merit. As chairman of the Antitrust and Monopoly Subcommittee, I have diligently endeavored to execute the program of the subcommittee, as approved by its membership and the parent Committee on the Judiciary. I know of no instance when I, as chairman of the subcommittee, have announced hearings or an investigation of any subject matter without calling it to the attention of the membership of the subcommittee and obtaining support for the undertaking.

The distinguished minority leader has been, in my opinion, unduly critical of the excellent staff work of the Antitrust and Monopoly Subcommittee and the subcommittee's administered price investigation of pricing practices of drug manufacturers. He would have you believe that the subcommittee introduced exihibits into the RECORD merely for the purpose of making headlines and front page stories. Let us examine this allegation.

In its past experience in attempting to determine production costs of various manufacturers, the subcommittee was refused access to this information on the basis that such information was confidential and would harm the competitive position of individual companies if made public. In order to obviate the reoccurrence of this situation, the staff of the subcommittee obtained from the records and files of drug manufacturers their bulk purchases and sales contracts. Having obtained these bulk prices, the staff then worked out computed production costs of various products based on bulk price transaction, plus contract processing charges. An example of this procedure was illustrated by the computed costs for meprobamate for 400 milligram tablets. In presenting this table at the hearings it was made plain, as it had been made indelibly clear in other similar examples, that what was reproduced was computed production costs as compared to actual price and that it did not purport to include, nor represent that it included, such other costs as research, selling, and distribution costs, taxes and profits. By this computation it was determined that the Carter Products Co., which sells meprobamate as Miltown in quantities of 1,000 tablets, could manufacture such tablets for 7 cents per tablet, or $7.32 per thousand. The representative of Carter Products was asked to explain to the subcommittee why it was necessary to charge its wholesalers $52 for these 1,000 tablets and the druggists $65, who, in turn, charged the consumer $108.40, in view of its production costs of $7.32. The representative of Carter Products, as had previous representatives of other drug companies when confronted with similar computations, explained that all of this difference did not represent profit, but that the company had selling and administrative expense, advertising promotion and clinical samples expense, research and royalty expense, and income tax expense. What is interesting, Mr. President, is this. When confronted with the computed production costs as devised by the staff of the subcommittee, the head of the Carter Products Co. then offered the company's own figures on Miltown costs and profits per tablet. The actual manufacturing costs, presented by the Carter company, is 7 cents per tablet, which is identical with the computed costs of the staff of the subcommittee. The minority leader is disturbed about the headlines which appeared in the various papers which reported these hearings. He is particularly disturbed about the headlines which reported the percentage markups of production costs. Some of these headlines factually reported these percentages in ranges from hundreds of percents to thousands of percents. I don't think these facts were misrepresented or misconstrued. They are the truth, and, perhaps, the truth is disturbing.

I have long been dedicated to the belief that our very national existence depends upon making effective our free, competitive enterprise system. I am afraid that there are many in our country who interpret the free enterprise system without due respect to the word "competition." There are many who believe that this system should be operated on the basis that individuals or corporations are free to do as they please, without respect to the public interest. Congress has the responsibility to regulate interstate and foreign commerce. We have been lax in our responsibility. Much of our everyday life is controlled by the free exercise of judgment of individual managers of giant corporations. Great concentrations of power

have been allowed to grow up in our economy. Monopoly is rampant. I am afraid that the public has been subjected to irresponsible and unconscionable price gouging. How else could one explain what has been allowed to happen in the drug industry?

A comparison of rates of return after taxes in selected industries for the year 1957 reveals that the drug industry enjoys a rate of return of 21.4 percent, which is the highest rate of return for any industry group. It is nearly twice the average of all manufacturers, which is 11 percent. Remember, the drug industry sells to a captive market. The consumer who pays for the drugs does not order them; and the doctor who orders them does not pay for them. In the scheme of sales promotion, tremendous sums of money are spent by the larger drug manufacturers to persuade the physicians of this country to prescribe their individual products by trade name. Smaller manufacturers, not possessing economic resources to engage in promotional schemes, are completely and effectively locked out of the mass market. They, of necessity, have to content themselves with bidding on Government and hospital purchases.

Reserpine is the generic name for one of the tranquilizer products. The product patent of this drug is held by the Ciba Pharmaceutical Products Co., which sells its products under the trade name of Serpasil. Ciba has freely licensed the right to manufacture this product and make bulk sales to manufacturers in this country. Ciba sells its product, Serpasil, in 0.25 milligram quantities, in bottles of 1,000 to wholesalers at $32, who sell to druggists at $39.50, who, in turn, sell to consumers at $65.83. A small company, the Panray Corp., sells this same type of product, in the same quantity, to druggists for $6.25. In February 1959, Ciba was awarded a purchase by the Military Medical Supply Agency as a result of secret bids on this same product in bottles of 1,000, at the unit price of 60 cents. Think of this, gentlemen: Ciba sells the Government the same product for 60 cents for which the druggists of our great country must pay $39.50. Ask yourself why this occurs. It is my belief that the Government is obtaining these low prices merely by virtue of the fact that there are small manufacturing companies, such as Panray Corp. which has made sales to the Military Medical Supply Agency for as low as 70 cents. In other words—the larger manufacturers of drug products will meet competition where necessary.

I call your attention to another interesting factual piece of information which has been developed by the Antitrust and Monopoly Subcommittee during its drug price study. It is obvious that the American druggists and the public are paying many times what druggists and the public are paying for identical products in foreign countries. The tranquilizers Miltown and Equinal, which are identical, are sold to the druggists in the United States at $3.25 for 400 milligram tablets, in bottles of fifties, In Germany, Miltown is sold to druggists at 69 cents; in Argentina at 73½ cents; in Great Britain at $1.84; and in Italy at $1.77. I could give you other examples on other products, but I do not care to burden the record.

According to Fortune magazine's ranking of major industrial corporations by net profits after taxes as a percent of invested capital, for the year 1958, for the 500 largest corporations in America, 9 drug companies are within the first 50 companies. By interpolating and placing in proper rank drug companies which do not fall within the 500 largest American companies, this number is increased to 13. By this interpolation, the three largest profit companies, after taxes as a percent of invested capital, are drug companies, all principally engaged in the tranquilizer field. Carter Products, Inc., would rank first with the rate of 38.2 percent; American Home Products would be second with 33.5 percent; and Smith, Kline & French Laboratories would be third with 33.1 percent.

The work and duties of the Antitrust and Monopoly Subcommittee are complex and difficult. I am of the belief that congressional investigations and studies are necessary. How else could we legislate without such studies? If we are to preserve our free, competitive enterprise system I am convinced that much must be learned about our complex industrial society. Remember, the Sherman Antitrust Act was passed in 1890. Our industrial community is much more complex than it was in that year. Representatives of the Department of Justice and the Federal Trade Commission have informed the Antitrust and Monopoly Subcommittee that they are powerless to do anything about identical prices unless hardcore evidence of conspiracy can be obtained. What, then, are we to do when we find prices in given industries established by the leader and followed identically, or substantially identically, by the other members of the industry? It is quite apparent that where there is such a concentration of economic power, or monopoly, those in such a position can administer and set their prices to suit themselves. This is the dilemma in our commerce field. I, for one, refuse to concede that there is not enough intelligence in the Halls of Congress to effectively legislate on this problem without surrendering our desire for maximum freedom. It is my hope that the answer to this riddle will eventually be discovered. I do not know how it will ever be discovered if congressional committees are hamstrung in their efforts. We can ill afford not to examine ourselves if we are to continue to grow and if the public interest is to be protected.

STUDY OF MATTERS RELATING TO CONSTITUTIONAL AMENDMENTS

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1091, Senate Resolution 239.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 239) authorizing a study of matters pertaining to constitutional amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, may I inquire how much is being asked in this resolution?

Mr. KEFAUVER, Twenty-five thousand dollars.

Mr. ELLENDER. Is that the same as last year?

Mr. KEFAUVER. Yes.

Mr. ELLENDER. I suppose that the subcommittee makes a special study of the proposed constitutional amendments which are presented to the Senate.

Mr. KEFAUVER. Yes; we have had hearings, and the last hearing was on the District of Columbia enfranchisement and the poll tax and the 22d amendment.

Mr. ELLENDER. What does the full committee do as far as hearings are concerned?

Mr. KEFAUVER. The full committee holds no hearings. They are all held by the subcommittee.

Mr. ELLENDER. They are all held by the subcommittee?

Mr. KEFAUVER. Yes; by the subcommittee. Last year I believe 100 resolutions were referred to the subcommittee. No; I am mistaken. That was in a previous Congress. We have about 40 resolutions before us at the present time. The Senate passed three of them a little while ago.

Mr. ELLENDER. I notice that there is only one counsel and one secretary on the subcommittee.

Mr. KEFAUVER. That is correct.

Mr. ELLENDER. The hearings are being conducted by this staff?

Mr. KEFAUVER. By the staff; yes.

Mr. ELLENDER. At this point I ask unanimous consent that the justification of the subcommittee be placed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget—The Senate Judiciary Subcommittee on Constitutional Amendments, Feb. 1, 1960, to Jan. 31, 1961

Position	Number	Base salary per annum	Gross salary per annum	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal: Chief counsel	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Clerical: Secretary	1	3,180	6,647.23	553.93	6,647.23
Total	2				21,692.06
ADMINISTRATIVE					
Contribution to civil service retirement fund (6½ percent of total salaries)					1,409.98
Contribution to employees' health benefit program					100.00
Hearings (inclusive of reporters' fees)					1,100.00
Witness fees, expenses					200.00
Stationery, office supplies					200.00
Communications (telephone, telegraph, postage)					100.00
Newspapers, periodicals, etc					50.00
Contingent fund					147.96
Total					3,307.94
Grand total					25,000.00

Funds requested, S. Res. 239, $25,000.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that a very brief statement about the work of the subcommittee be placed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

I shall not detain the Senate long in my explanation of the need for the modest sum authorized in Senate Resolution 239 for the Subcommittee on Constitutional Amendments.

As you will undoubtedly recall, the Senate has been unusually diligent this session in considering and approving long needed changes in our Constitution. However, there are still a number of proposals which should receive careful attention.

There is at the moment on the Senate Calendar one proposed amendment (S. J. Res. 69) which has been favorably reported by the Committee on the Judiciary. There are two other proposed amendments (S.J. Res. 11 and S.J. Res. 40) which have been approved by the subcommittee and are pending on the calendar of the Committee on the Judiciary. In addition, there are an unusual number of proposals, many of which have wide sponsorship, and which should receive consideration by the subcommittee. I might mention that it is the intention of the subcommittee to hold hearings on one of these, S. J. Res. 140, as soon as they can be arranged. This is a resolution which was introduced by the junior Senator from Connecticut, Senator DODD, and which is designed to provide relief for those many persons who live in one State and work in another and who are subjected to very inequitable tax burdens. Hearings were held last year on two other resolutions designed to alleviate this situation, but, as drawn, the resolutions have little or no chance of adoption. I am hopeful that the more recent resolution of Senator DODD will prove more practical.

The amount of money requested for the Subcommittee on Constitutional Amendments is most modest indeed; it is $25,000, the same amount expended last year. The budget provides for a single counsel and a single clerk; that is all. Therefore, I urge the Senate to adopt the pending resolution, Senate Resolution 239.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 239) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That, if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its finding, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1080, Senate Resolution 226.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 226) providing for an investigation of national penitentiaries.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. HENNINGS. I might say that, as Senators know, the amount of $5,000 is annually appropriated. This year a little less than $700 of that amount was expended, so that each year something like $4,500, more or less, is returned.

I ask unanimous consent that a statement which I have prepared be placed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENNINGS

The standing Subcommittee on National Penitentiaries, of the Committee on the the Judiciary, has been in operation since the 80th Congress, and is charged with inspecting and investigating the operation of our national penitentiaries in accordance with jurisdiction specified by Rule XXV of the Standing Rules of the Senate. To fulfill the duties imposed by the subcommittee it is necessary that members travel to various Federal penal institutions. As chairman of the subcommittee, I am proud to report that members of the subcommittee are extremely diligent in their duties visiting—often at great difficulty to themselves—the most remote of our many national correctional institutions. I am also proud to report that the subcommittee is considered by penal authorities to be a highly useful and effective instrument for promoting morale among the inmates and personnel of our Federal penal institutions and in observing the character of the service rendered by prison personnel.

The subcommittee affords the personnel of the Federal Prison Service an opportunity to bring directly to the Members of the Senate, problems of housing, custody, discipline, food, health, and recreation for inmates. It also provides Members of the Senate with opportunities to speak to inmates and to hear any grievances which these unfortunates might have.

No expenditures for staff personnel have been incurred by the subcommittee and none are anticipated during the coming session. A member of the full committee staff, Mr. Francis C. Rosenberger, has served as counsel to the subcommittee in addition to his other duties. The modest expenditures of the subcommittee have been used entirely to make it possible for members of the subcommittee to fulfill their duty of visiting Federal penal institutions. This year, as last, the subcommittee is asking funds totaling $5,000. The Rules Committee has unanimously approved this amount, and I urge the Senate to approve Senate Resolution 226.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 226) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by Rule XXV of the Standing Rules of the Senate to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF CERTAIN MATTERS RELATING TO FEDERAL ELECTIONS

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1104, Senate Resolution 263.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 263) authorizing the Committee on Rules and Administration to investigate certain matters pertaining to Federal elections.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. HENNINGS. Mr. President, the senior Senator from Rhode Island [Mr. GREEN] is the chairman of the subcommittee. The amount called for is $160,000 for use during the year beginning February 1, 1960. The resolution has the unanimous approval of the Subcommittee on Privileges and Elections, and was unanimously reported to the Senate by the Committee on Rules and Administration.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. CURTIS. Is it not the purpose to hold a considerable portion of the appropriation provided in abeyance, in the event that contests arise out of the elections to be held in the fall of 1960?

Mr. HENNINGS. The distinguished Senator from Nebraska, being a member

of the subcommittee, knows that that has been its policy.

Mr. CURTIS. There is no immediate plan for enlarging the staff or embarking on additional hearings, is there?

Mr. HENNINGS. No. I am not a member of the subcommittee. The Senator from Rhode Island [Mr. GREEN] is the chairman of it. I know of no immediate plan. No such suggestion was made. Was the Senator present when this matter was discussed?

Mr. CURTIS. Yes. I merely wanted the RECORD to show that it has been the practice to have these funds authorized by the Senate, so that if the committee were suddenly called upon, in connection with an election contest or a matter involving the seating of a Senator—and the Senate probably would be in recess at that time——

Mr. HENNINGS. It generally is, I may say to the Senator.

Mr. CURTIS. The practical side of the situation would have been taken care of in advance.

Mr. HENNINGS. The Senator from Nebraska has well stated the proposition, and the requirement that this amount be set aside in the nature of a standby fund for such use as may be required.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 263), was agreed to, as follows:

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by Rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally; and

(6) presidential succession.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $160,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF FEDERAL JUDICIAL SYSTEM

Mr. HENNINGS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1079, Senate Resolution 231, and that it be made the unfinished business.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 231) authorizing a study of the Federal judicial system.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to consider the resolution.

COMMENDATION OF APPOINTMENT OF FORMER REPRESENTATIVE BROOKS HAYS TO TENNESSEE VALLEY BOARD OF DIRECTORS

Mr. KEFAUVER. Mr. President, I commend the administration for appointing former Representative Brooks Hays to a full term on the Tennessee Valley Board of Directors. Mr. Hays, in the short time he has served on the Board, has won the respect and endorsement of thousands of citizens in the valley who have come to know him personally.

The appointment of Mr. Hays to a full term was hailed by many newspapers in the area, including the Clarksville Leaf Chronicle and the Chattanooga Times.

Mr. President, I ask unanimous consent that the editorial published in the Leaf Chronicle on January 29, 1960, and the editorial published in the Times on January 28, 1960, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Clarksville Leaf-Chronicle, Jan. 29, 1960]

MR. HAYS IS A GOOD CHOICE FOR THE TVA BOARD

Despite the fact that Representative Brooks Hays is a Democrat, President Eisenhower has appointed him to a full term on the TVA Board of Directors. The choice is a good one.

President Eisenhower cannot be said to be a friend of TVA. He has followed the established Republican line of opposition to the TVA and, at the beginning of his term, he did everything he possibly could do to hamstring and hamper the TVA. It has been interesting to observe that some of the individuals the President appointed to preside over the dismemberment of TVA have become its most ardent supporters. It has been a well-known fact for many years that it is impossible to work closely with TVA without becoming imbued with enthusiasm for the project. Mr. Hays has possessed this enthusiasm from the beginning and it is gratifying to know that he will continue on the Board.

TVA is upon the threshold of a great development. New steam plants and additional dams in the TVA and Cumberland Valley areas will be needed to produce the ever-expanding power needs of the region. The new self-financing program of TVA will free it from the battleground of politics and enable the agency to better carry out its plan of overall development.

The Tennessee and Cumberland Valleys are natural sites for new industries. It is difficult to understand how many industries can continue to operate economically in the unfriendly climate of many Northern States. Here in the South, we have year-around working weather, plenty of good water and the finest labor in the world. What more can industry need?

[From the Chattanooga Times, Jan. 28, 1960]

MR. HAYS FOR A FULL TERM

The Tennessee Valley generally will welcome President Eisenhower's nomination of Brooks Hays for a full term on the TVA Board.

It serves to clarify Mr. Hays' personal intentions, which were rumored to cover several possibilities, and it removes the small element of uncertainty over his availability for the longer appointment.

It is, we think, the recognition of a public service well begun, and the promise of an opportunity to make full and fruitful use of Mr. Hays' developing capacities for this particular assignment. It gives TVA a strong Board for the period of growth ahead.

With a greater degree of permanence at their disposal, no doubt the Hayses will feel more settled in their Knoxville home than has been their lot over the past several months. We hope so. They have earned the distinction of being good neighbors. It will be pleasant to have them in the valley for years to come.

ADJOURNMENT

Mr. HENNINGS. Mr. President, I move that the Senate adjourn until 12 o'clock meridian tomorrow.

The motion was agreed to; and (at 7 o'clock and 53 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, February 9, 1960, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 8, 1960:

ASSISTANT GENERAL COUNSEL

Hart H. Spiegel, of California, to be an Assistant General Counsel (Chief Counsel of the Internal Revenue Service).

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8, 1960:

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

George Harold King, Jr., of Mississippi, to be a member of the Board of Governors of the Federal Reserve System, term of 14 years, from February 1, 1960.

TENNESSEE VALLEY AUTHORITY

Brooks Hays, of Arkansas, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1969.

DIRECTOR OF THE COAST AND GEODETIC SURVEY

Rear Adm. H. Arnold Karo, to be Director of the Coast and Geodetic Survey for a term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 8, 1960

The House met at 12 o'clock noon.

Rev. Wilbur E. Goist of the Trinity Methodist Church, Chillicothe, Ohio, offered the following prayer:

God of Grace and God of Glory, pour the richness of Thy spirit upon the people of our land as well as the peoples of all nations. Sharpen, O Lord, our sense of responsibility and duty to our country and world, and may Thy truth be in our words and decisions as we write today's page to our heritage. Keep vital our sense of appreciation and gratitude for the labors and sacrifices of those who have so nobly written yesterday's page of our heritage.

Grant us courage and a quiet inner calm amid the tumult and the shouting, both in the world and in our deliberations. Let not timidity engulf us in our hour of testing. May a divine strength be in our hearts for facing the burdens and problems which bend the back and harass the lives of so many people. Enable our eyes to look as Thou dost behold the children of men and may our compassion and understanding strive for Thy perfection.

Stir within the heart of all mankind an abiding love of peace, and may all of us possess the quality of spirit to walk the path of peace. Hear this petition, we pray, in the name of the Prince of Peace. Amen.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 8. An act to authorize Federal financial assistance for school construction and teachers' salaries.

The message also announced that the Senate had passed the following resolution:

SENATE RESOLUTION 268

Resolved, That the legislative business of the Senate be now suspended in order that memorial addresses may be delivered on the life, character, and public service of the Honorable William Langer, late a Senator from the State of North Dakota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn.

THE JOURNAL

The Journal of the proceedings of Thursday, February 4, 1960, was read and approved.

SCHOOL SUPPORT ACT

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, at a hearing on a piece of major legislation the other day, our distinguished colleague, the gentleman from Virginia [Mr. SMITH], was quoted as saying:

I will not dilly. I will not delay. I will not dally.

Now that the chairman of the Committee on Rules has enunciated this new policy, I am confident that he will give prompt attention to H.R. 22, the School Support Act, which was reported by the Committee on Education and Labor last June 8.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

TAX EXEMPTION FOR THE VETERANS OF FOREIGN WARS

Mr. MCMILLAN. Mr. Speaker, I call up the bill (H.R. 9451) to amend Public Law 86-333 to provide that the tax exemption granted the property of the Veterans of Foreign Wars in the District of Columbia shall be effective with respect to taxable years beginning on and after July 1, 1959, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 21, 1959 (73 Stat. 599; P.L. 86-333), is amended by adding at the end thereof the following new section:

"SEC. 2. The amendment made by the first section of this Act shall take effect with respect to taxable years beginning on and after July 1, 1959."

With the following committee amendment:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Act entitled "An Act to exempt from taxation certain property of the Veterans of Foreign Wars of the United States in the District of Columbia", approved July 19, 1954 (Public Law 510, Eighty-third Congress), as amended, is amended—

(1) by striking out "lots 38, 20, and 19" and inserting in lieu thereof "lots 38, 20, 19, and 841"; and

(2) by inserting "with respect to taxable years beginning on and after July 1, 1959," immediately after "exempt".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Act of July 19, 1954, to exempt from taxation certain additional property of the Veterans of Foreign Wars of the United States in the District of Columbia, and to provide that the tax exemption granted the property of the Veterans of Foreign Wars of the United States in the District of Columbia shall be effective with respect to taxable years beginning on and after July 1, 1959."

A motion to reconsider was laid on the table.

Mr. MCMILLAN. Mr. Speaker, in the 83d Congress Public Law 510 was enacted to exempt from taxation certain property of the Veterans of Foreign Wars of the United States, which is located in the District of Columbia.

The property referred to are lots 819, 820, 821, 822, 823, and 824 in square 724, and provided that such property be exempt from all taxation so long as the same is owned and occupied by the Veterans of Foreign Wars of the United States.

It was the intention of the Veterans of Foreign Wars of the United States to erect a building on this property. However, before construction actually started the United States Government filed a declaration of taking the property owned by the Veterans of Foreign Wars of the United States.

The Veterans of Foreign Wars of the United States in anticipation of this move by the Government acquired by deed, recorded on September 19, 1956, lots 38, 20, 19, and 841 in square 757. For tax purposes these lots are carried as lot 845, square 757.

Real estate taxes assessed against the property had been paid through June 30, 1959. At the time the Congress considered H.R. 7683, which became Public Law 333 of the 86th Congress, it was the intent of the Committee on the District of Columbia, House of Representatives, that the tax exemption afforded under Public Law 510 of the 83d Congress be transferred to the property acquired by the Veterans of Foreign Wars of the United States as stated in Public Law 333 of the 86th Congress. However, because of the fact that the committee failed to write into the law that such exemption should apply "with respect to taxable years beginning on and after July 1, 1959," the Commissioners of the District of Columbia have interpreted this to mean that the property would now be subject to District taxes.

The purpose of the amendment to Public Law 510 of the 83d Congress is twofold:

First. At the time Public Law 510 of the 83d Congress was enacted, lots 819, 820, 821, 822, 823, and 824 in square 724 were exempt from taxation in the District of Columbia. Public Law 333 of the 86th Congress transferred the tax exemption from those lots to lots 38, 20, and 19 in square 757. At the time the bill was submitted for introduction a small portion of land referred to as lot 841 in square 757, which was occupied as a garage in the area, was omitted from the legislation. The first purpose of this legislation is to exempt lot 841 in square

757, which was unintentionally overlooked at the time H.R. 7683 was drafted but which should have been included as a part of the original exemption. The loss in revenue to the District of Columbia would be approximately $22 a year because of this exemption.

Second. The purpose in the second amendment: In the language "with respect to taxable years beginning on and after July 1, 1959," the real purpose is to insure the Veterans of Foreign Wars of the United States that the building and property occupied by them will not be subject to taxation in the District of Columbia on and after July 1, 1959.

Mr. Speaker, I ask unanimous consent that members of the committee may extend their remarks in connection with the bills we pass today.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CONCERNING TRUSTEES OF DISTRICT OF COLUMBIA CORPORATIONS

Mr. MATTHEWS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9737) to amend the act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by trustees the majority of whom are citizens of the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 608 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D.C. Code 29–204) is amended by striking out "respectively" and by striking out "and a majority citizens of the District,".

With the following committee amendment:

Committee amendment: Page 1, line 6, strike out "respectively" and insert ", respectively,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, under existing law insurance companies, organized under the District of Columbia laws, are required to have a majority of their trustees or directors reside in the District of Columbia. Because of the fact that the modern trend is for residents of the District to move into suburban areas several insurance companies have reached the point where it is necessary for them to dispense with the services of many of their trustees or directors because of the fact that they live in Virginia or Maryland.

In 1957 it was recognized that trust companies, loan and title companies were operating under a similar handicap in the District of Columbia and the statute with respect to these organizations was amended so as to eliminate the requirement that a majority of the directors of these businesses be citizens of the District of Columbia.

The purpose of this amendment is to eliminate the requirement that a majority of the trustees or directors of insurance companies be citizens of the District of Columbia. This is the only purpose in the bill, it involves no cost and there were no objections to this amendment.

PAYMENT OF TUITION TO DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Mr. MATTHEWS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 7124) to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Nonresident Tuition Act".

SEC. 2. (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan as that term is defined in paragraph (2) of section 4 of this Act, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

SEC. 3. (a) Each adult who attends a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing that he (1) is an adult as that term is defined in paragraph (3) of section 4 of this Act, and (2) resides in the District of Columbia. Such statement shall be sworn to or affirmed by such adult and shall be on file with the Board of Education at all times while such adult is attending a public school of the District of Columbia without the payment of such amounts.

(b) A parent or guardian of each child attending a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing that (1) he is the parent or guardian of such child and has custody or control of such child, (2) he resides in the District of Columbia, and (3) that such child is a child as that term is defined in paragraph (1) of section 4 of this Act. Each such statement shall be sworn to or affirmed by the maker and shall be on file with the Board of Education at all times while such child is attending a public school of the District of Columbia without the payment of such amounts.

(c) The head of each institution in which an orphan resides who is attending a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing (1) that such orphan is both a child and an orphan as those terms are defined in paragraphs (1) and (2) of section 4 of this Act, (2) that the institution is located in the District of Columbia, (3) that such orphan resides in such institution, and (4) that such institution complies with the laws and regulations in effect in the District of Columbia relating to orphan asylums. Such statements shall be sworn to or affirmed by the maker and shall be on file with the Board of Education at all times while such orphan is attending a public school of the District of Columbia without the payment of such amounts.

(d) The statement required by subsection (a), (b), or (c) of this section—

(1) shall be made prior to admittance to a public school of the District of Columbia and at such times thereafter as the Board of Education shall by regulation prescribe, but not less than once each year, and

(2) must be true at all times with respect to the statements set forth therein.

(e) (1) Any person who—

(A) willfully fails to comply with the provisions of this section in order to avoid payment of amounts under section 2(a), or

(B) files a statement with the Board of Education under subsection (a), (b), or (c) of this section knowing that information set forth in such statement is false,

shall be fined not more than $300 or imprisoned for not more than ninety days, or both.

(2) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

SEC. 4. As used in this Act—

(1) the term "child" means a male person who is less than twenty-one years of age, or a female person who is less than eighteen years of age;

(2) the term "orphan" means a child who (A) does not have a living parent or guardian, and (B) resides in an institution which is located in the District of Columbia and which complies with laws and regulations in effect in the District of Columbia relating to orphan asylums;

(3) the term "adult" means a male person who is twenty-one years of age or older, or a female person who is eighteen years of age or older;

(4) the term "guardian" means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

(5) the term "parent" means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

(6) the term "Board of Education" means the Board of Education of the District of Columbia.

SEC. 5. Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

SEC. 6. The following provisions of law are repealed:

(1) The last paragraph under the heading "Public Schools" in the Act of March 3, 1899, as amended (D.C. Code, sec. 31–301).

(2) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of July 21, 1914 (D.C. Code, sec. 31–302).

(3) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of March 3, 1915 (D.C. Code, sec. 31–303).

(4) The second paragraph under the center heading "Public Schools" in the Act of March 28, 1918 (D.C. Code, sec. 31–304).

(5) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 29, 1949 (D.C. Code, sec. 31, 306).

(6) All provisions of law which provide that children of officers and men of the United States Army, Navy, and Marine Corps and children of other employees of the United States stationed outside of the District of Columbia shall be admitted to the public schools without payment of tuition.

SEC. 7. This Act shall take effect on (1) the date of enactment of this Act, or (2) September 1 of the year during which this Act is enacted, whichever occurs last.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That this Act may be cited as the 'District of Columbia Nonresident Tuition Act'.

"SEC. 2. (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan as that term is defined in paragraph (2) of section 4 of this Act, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

"(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

"(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

"SEC. 3. (a) Each adult who attends a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing that he (1) is an adult as that term is defined in paragraph (3) of section 4 of this Act, and (2) resides in the District of Columbia. Such statement shall be on file with the Board of Education at all times while such adult is attending a public school of the District of Columbia without the payment of such amounts.

"(b) A parent or guardian of each child attending a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing that (1) he is the parent or guardian of such child and has custody or control of such child, (2) he resides in the District of Columbia, and (3) that such child is a child as that term is defined in paragraph (1) of section 4 of this Act. Each such statement shall be on file with the Board of Education at all times while such child is attending a public school of the District of Columbia without the payment of such amounts.

"(c) The head of each institution in which an orphan resides who is attending a public school of the District of Columbia without the payment of amounts under section 2(a) shall make a statement in writing (1) that such orphan is both a child and an orphan as those terms are defined in paragraphs (1) and (2) of section 4 of this Act, (2) that the institution is located in the District of Columbia, (3) that such orphan resides in such institution, and (4) that such institution complies with the laws and regulations in effect in the District of Columbia relating to orphan asylums or foster homes. Such statements shall be on file with the Board of Education at all times while such orphan is attending a public school of the District of Columbia without the payment of such amounts.

"(d) The statement required by subsection (a), (b), or (c) of this section—

"(1) shall be made prior to admittance to a public school of the District of Columbia and at such times thereafter as the Board of Education shall by regulation prescribe, but not less than once a year, and

"(2) must be true at all times with respect to the statements set forth therein.

"(e) (1) Any person who—

"(A) willfully fails to comply with the provisions of this section in order to avoid payment of amounts under section 2(a), or

"(B) makes a statement required or authorized to be filed with the Board of Education by this Act knowing that the information set forth in such statement is false,

shall be fined not more than $300 or imprisoned for not more than ninety days, or both. Any person violating any regulation made pursuant to the authority in this Act shall be fined not more than $100 or imprisoned for not more than thirty days.

"(2) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants. As used in this Act the term 'Corporation Counsel' means the attorney for the District of Columbia, by whatever title such attorney may be known, designated by the Board of Commissioners of the District of Columbia to perform the functions prescribed for the Corporation Counsel in this Act.

"SEC. 4. As used in this Act—

"(1) the term 'child' means a person who is less than twenty-one years of age;

"(2) the term 'orphan' means a child who (A) does not have a living parent or guardian, and (B) resides in a child-care institution or foster home located in the District of Columbia which complies with the applicable laws and regulations relating to any such child-care institution or foster home;

"(3) the term "adult" means a person who is twenty-one years of age, or older;

"(4) the term 'guardian' means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

"(5) the term 'parent' means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

"(6) the term 'Board of Education' means the Board of Education of the District of Columbia.

"SEC. 5. (1) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

"(2) This Act shall not be construed as superseding the Act approved April 23, 1958 (72 Stat. 98), and such Act approved April 23, 1958, shall continue in full force and effect.

"SEC. 6. The following provisions of law are repealed:

"(1) The last paragraph under the heading 'Public Schools' in the Act of March 3, 1899, as amended (D.C. Code, sec. 31–301).

"(2) The last paragraph under the side heading 'Miscellaneous' which follows the center heading 'Public Schools' in the Act of July 21, 1914 (D.C. Code, sec. 31–302).

"(3) The last paragraph under the side heading 'Miscellaneous' which follows the center heading 'Public Schools' in the Act of March 3, 1915 (D.C. Code, sec. 31–303).

"(4) The second paragraph under the center heading 'Public Schools' in the Act of March 28, 1918 (D.C. Code, sec. 31–304).

"(5) The last paragraph under the heading 'Capital Outlay' which follows the center heading 'Public Schools' in the Act of June 29, 1949 (D.C. Code, sec. 31–306).

"SEC. 7. This Act shall take effect on (1) the date of enactment of this Act, or (2) September 1 of the year during which this Act is enacted, whichever occurs last."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MATTHEWS. Mr. Speaker, the purpose of this bill is to require payment of tuition for all children attending public schools of the District of Columbia, except for certain orphans, who do not have a parent or a legal guardian residing in the District of Columbia.

The present law on this subject states that tuition shall be charged in the case of any student, child, or adult, who is not a resident of the District of Columbia. However, the age-old precept that the residence of a child is that of his parents has not been adhered to with respect to this law. Rather, the corporation counsel has held in numerous opinions that a child living in the District of Columbia with persons other than a parent or a legal guardian, even though his parents reside elsewhere, is a resident of the District of Columbia for the purpose of tuition-free attendance in the District of Columbia public schools, if he is not living here primarily for the purpose of attending the public schools, or if absentee parents are not contributing to the child's support. The application of this principle is very unsatisfactory, as the accurate determination of both of these criteria is frequently impossible. This difficulty of administration was attested to by the superintendent of District of Columbia schools at a hearing on October 12, 1959.

During the school year of 1958–59, out of 1,645 children of nonresident parents known to be attending the District of Columbia public schools, only 114 paid tuition. Thus, 93 percent of these nonresident students attended the District of Columbia public schools without paying tuition. According to the District of Columbia Board of Education's scale of tuition fees, this resulted in a loss of some $384,715 of potential revenue to the District of Columbia that year.

This situation is at variance with that in the areas of Virginia and Maryland

adjacent to the District of Columbia, where much stricter policies prevail in regard to payment of tuition for nonresident students.

The most fundamental and important feature of H.R. 7124 is that it will base the determination of exemption from payment of tuition upon the residence of the parent or guardian, rather than that of the child. This will sustain the time-honored legal precept that a child's residence is that of his parents or legal guardian, and also will place the District of Columbia for the first time squarely in line with the other parts of the Washington metropolitan area in this respect.

Public hearings were held on this bill on October 12, 1959, and January 14, 1960. As a result, the committee incorporated in this bill a number of additions and changes as suggested to them by the Board of Commissioners of the District of Columbia and endorsed by the Board of Education of the District of Columbia. Approval of this bill has been expressed by a large number of citizens' groups whose memberships total thousands of District of Columbia residents, by testimony at the hearings and by letters and resolutions of support.

This legislation will involve no expense in addition to the cost of the present procedure.

Mr. BROYHILL. Mr. Speaker, the purpose of H.R. 7124 is to require payment of tuition for all children attending public schools in the District of Columbia, except for certain orphans, who do not have a parent or legal guardian residing in the District of Columbia.

It came to my attention last spring that students attending the public schools of the District of Columbia, whose parents or guardians live elsewhere, in the great majority of cases are doing so without paying tuition. This is not the case in the areas of Maryland and Virginia adjacent to the District of Columbia, as in all these areas quite strict regulations prevail in regard to payment of tuition for nonresident students.

The latest of the present laws applying to tuition payments in the District of Columbia public school system is Public Law 145 enacted by the 81st Congress in 1950. This law specifically prohibits "free instruction of pupils who dwell outside the District of Columbia." If the age-old legal precept that the residence of a child is that of his parents or legal guardian were adhered to in the enforcement of this law, the present inequitable situation would not prevail in the District of Columbia. This, however, is not the case. I have copies of a number of rulings by the Corporation Counsel and by District of Columbia school officials, as applied to actual cases, regarding the intent and meaning of this law, and many of these interpretations are very broad indeed. As a matter of general application, the District of Columbia School Superintendent's Circular No. 11 states, on page 4:

> There are cases of parents dwelling outside the District of Columbia whose child has a permanent home within the District of Columbia, and who resides here not for the purpose of avoiding payment of tuition, but rather for the purpose of establishing a bona fide home. The child in a case of this nature is considered as a resident of the District of Columbia, and, therefore, payment of tuition is not required.

Briefly, then, the burden imposed by this interpretation is that of deciding for what reason a child in such a case is residing in the District for the purpose of attending District of Columbia public schools, or to establish a home in the District of Columbia.

Also, in many cases, the corporation counsel has held that if a child's parents, residing outside the District of Columbia, are not paying for the child's support in the District of Columbia, then the adult with whom the child is living in the District of Columbia stands in loco parentis, and tuition cannot be charged.

Thus, it becomes obvious that the present law, as it is applied, involves two basic weaknesses, neither of which would exist if the residence of the parent or guardian were made the standard for determination of responsibility for payment of tuition, rather than that of the child. These two weaknesses are the following:

(a) Determination of the purpose for which a child is residing in the District of Columbia—whether it be primarily for the purpose of attending public school or for some other purpose—is obviously an extremely difficult task.

(b) It is equally difficult to establish with certainty whether nonresident parents are paying for a child's support in the District of Columbia, since the adult with whom the child is living might have reasons for concealing the truth in this respect—and if he did so, it would be virtually impossible to disprove.

Dr. Carl Hansen, District of Columbia Superintendent of Schools, stated at a joint meeting of the House and Senate District of Columbia Committees on March 2, 1959, that he felt the school administration was doing the best that could be done in this matter under existing regulations. While this may be true, I submit that the present law, on which these regulations are based, is inherently poor and inadequate for the reasons given above, and would not make for effective administration under any conditions. I feel that this position is thoroughly supported by the following statistics. During the school year of 1958–59, out of 1,645 known children of nonresident parents attending the District of Columbia public schools, only 114 paid tuition. Thus, 93 percent of the nonresident students attended the District of Columbia public schools without paying tuition. The District of Columbia School Board's scale of tuition fees shows that this resulted in a loss of $384,715 of potential revenue to the District of Columbia. I contend that this presents an indefensible picture of unjustified burden on the taxpayers of the District of Columbia. Furthermore, I feel it to be axiomatic that this influx of nonresident schoolchildren into the District of Columbia to take advantage of this loose operation must have an appreciable effect upon the District of Columbia's welfare picture and also upon the problem of juvenile delinquency in the city.

It is my earnest opinion that the logical, proper, and equitable correction of this situation lies in legislation which will require that all children residing in the District of Columbia with people other than their parents or legal guardians be required to pay tuition to attend District of Columbia public schools, as is the case in the adjacent areas of Virginia and Maryland. Thus, I submit that H.R. 7124 is highly desirable legislation which will be fair to the District of Columbia taxpayers, and will place the District of Columbia for the first time squarely in line with the other sections of the Washington metropolitan area in this respect.

On October 12, 1959, Hon. Robert E. McLaughlin, President of the Board of Commissioners of the District of Columbia, testified at a public hearing on H.R. 7124 and recommended a number of amendments to the original bill. He expressed the Board's approval of enactment of the bill if so amended. This position was concurred in by Dr. Carl Hansen, Superintendent of Schools for the District of Columbia. After considerable study of these suggested amendments, and further conference with District of Columbia school officials and a representative of the District of Columbia Corporation Counsel's Office, we incorporated into this bill all of the Board of Commissioners' recommendations except for one suggested amendment and two other very minor items which were dependent upon it.

The only amendment of any consequence which we rejected would have exempted from tuition not only children whose parents or legal guardians are residents of the District of Columbia—as the bill provides—but also children living in the District of Columbia with people other than their parents or legal guardians and whose parents, living elsewhere, are not contributing to the child's support and also are not financially able to make such contribution. We felt that this would create virtually the same nebulous, unsatisfactory standard for tuition exemption which exists under present law, and which Dr. Hansen admitted at a public hearing on October 12, 1959, is very difficult to enforce. It is my opinion also that in the case of indigent parents living outside of the District of Columbia, the financial burden of their indigence, including the expense of educating their children, should be borne by the locality in which they live, rather than by the District of Columbia. Our view on this suggested amendment was supported emphatically by the Evening Star in an editorial of last October 15, entitled "Free Riders," and also by an impressive array of witnesses representing thousands of District of Columbia citizens, at a public hearing on January 14, 1960.

We accepted the Commissioners' recommendation that the statements of residence of each child's parents or guardian, required to be filed each year, need not be notarized as our bill originally would have required. Upon assurance by the corporation counsel that satisfactory prosecution could be effected without the statements being sworn, simply for

the inclusion of deliberate false information, and in view of further suggested amendment to specify penalties of fine or imprisonment which will apply, we agreed that this would appear to accomplish the desired result in a simpler manner than we had originally contemplated.

We concurred also with the position taken by the Commissioners that the establishment of different maximum age limits for male and female children, in our original bill, would as well be eliminated. Hence, we adopted their recommendation that 21 years be adopted as the dividing age between childhood and adulthood for both sexes.

Also, we have incorporated in this bill the Commissioners' request that the term "orphan" be so defined as to include orphans in licensed foster homes in the District of Columbia, as well as those in orphan asylums. As the Commissioners explained, while many children placed in District of Columbia foster homes by child-placing agencies are eventually legally adopted by their foster parents and hence would become eligible for tuition-free public school education in the District of Columbia, sometimes these orphan children are not legally adopted, and hence would not be exempt from tuition under the original language of our bill. As these orphan children are supported in foster homes by District of Columbia Welfare Department funds, we would have the anomalous situation of the District of Columbia government paying tuition to itself. Acknowledging the validity of these arguments, we were pleased to adopt the Commissioners' recommendation.

The Board of Commissioners' final request was that this act not be construed to supersede Public Law 85-384, and that language be added to assure this. The above-named act, enacted on April 23, 1958, provides that a maximum of 25 foreign students each year, with valid unexpired student visas, be permitted to attend the D. C. Teachers College without payment of tuition. As we could see no objection to the continuance of this practice, we have incorporated this language into the present bill.

Thus, I submit that H.R. 7124, as it has been presented to this body, includes all but one of the major amendments recommended by the Board of Commissioners and the Board of Education of the District of Columbia, that it represents badly needed legislation which will correct a glaring inequity and stop an unwarranted drain upon the taxpayers of the District of Columbia. Further, the provisions of this bill will establish for the District of Columbia a policy which prevails, I am reliably told, in most parts of the United States.

STABILIZING SUPPORT LEVELS FOR TOBACCO

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file a report on H.R. 9664, a bill stabilizing support levels for tobacco against disruptive fluctuations, et cetera.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM FOR TUESDAY, FEBRUARY 9

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I asked for this time in order to inquire of the distinguished majority leader concerning the program for tomorrow.

Mr. McCORMACK. Mr. Speaker, in response to the inquiry of the gentleman from Indiana, the distinguished minority leader, if a rule is reported, I am programing the bill to which I have just referred, H.R. 9664, a bill to stabilize support levels for tobacco against disruptive fluctuations, and so forth, for tomorrow.

Mr. HALLECK. Mr. Speaker, I might say to the gentleman that I am sure he would agree with me, so far as we can understand, the committee is pretty much in agreement on this bill and I should not anticipate any difficulty with it tomorrow.

Mr. McCORMACK. That is my understanding.

TRANSFER OF DEVELOPMENT OPERATIONS DIVISION TO NASA

Mr. BROOKS of Louisiana. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 567) to effect immediately the transfer of the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration, as amended.

The Clerk read as follows:

Whereas the President has transmitted to the Congress a plan proposing to transfer the Development Operations Division, directed by Doctor Wernher von Braun and known as the Von Braun team, of the Army Ballistic Missile Agency, Department of the Army, to the National Aeronautics and Space Administration pursuant to section 302 of Public Law 85-568, the National Aeronautics and Space Act of 1958 (72 Stat. 433); and

Whereas clause 2 of subsection (c) of said section authorizing the transfer provides that the transfer cannot be effected until a report lies before the Congress for sixty days without the adoption of a concurrent resolution opposing the transfer; and

Whereas the Congress is seriously concerned about the lag in national programs for space science and exploration; and

Whereas the responsibility for overcoming this lag and for promoting vigorously such programs is vested by law in the President and the Administrator of the National Aeronautics and Space Administration; and

Whereas the Congress desires to remove any unnecessary obstacles or delaying factors in the prosecution of such programs; and

Whereas the Congress believes that a waiver of sixty-day period during which the transfer plan must lie before the Congress before taking effect may contribute to the speeding up of such programs; and

Whereas the Congress believes further that such programs will be materially expedited and advanced by maintaining the Von Braun team essentially intact: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President's transfer plan transmitted with a report of January 14, 1960, shall take effect immediately upon the enactment of this resolution, notwithstanding the provisions of section 302(c) of the National Aeronautics and Space Act of 1958.

The SPEAKER. Is a second demanded?

Mr. STRATTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, as chairman of the Committee on Science and Astronautics, I am pleased to report that our committee voted unanimously to favorably report out to you House Joint Resolution 567, sponsored by my colleague and fellow committee member, the gentleman from California [Mr. SISK].

These are difficult times. Newspaper writers print that we are behind Russia in space and missile programs. The man in the street talks of a space lag. We have had witnesses to appear before our committee this year whose testimony indicates that we must come from behind insofar as a large booster program for space vehicles is concerned. This joint resolution concerns itself with the immediate approval of the transfer of the Development Operations Division of the Army Ballistic Missile Agency, commonly referred to as the Von Braun team, to NASA. The leader of this great team of scientists, Dr. Wernher von Braun, recently testified before our committee that the Russians are ahead of us in great weight, and great weight-lifting capability of space rockets. This group will give to NASA a team of outstanding experts who are capable not only of in-house research and development of large boosters and large launching vehicles, but also of providing the responsible technical direction of the various industrial contractors who assist in the engineering and production of such launching vehicles.

The law places the burden of performance in space activities upon the President and the Administrator of the National Aeronautics and Space Administration. The decision to transfer the Von Braun team has been made. This is no small problem, for it involves not only personnel but facilities, equipment, and supplies as well.

What can Congress do to add impetus to our space program? By taking favorable action on this joint resolution we would signify to the Nation and to the people directly concerned in this transfer that we favor immediate action and that we support any constructive endeavor to make up for any deficiencies that may have existed in our space program.

Further, it is my opinion that favorable action on this joint resolution will enable the agencies directly concerned with this transfer to proceed with more certain knowledge in their endeavors.

For example, we were advised in our committee hearings that for some time the Army Ballistic Missile Agency had been attempting to seek a firm decision on the configuration of the upper stages of the Saturn vehicle. Recommendations were made but not accepted. However, a few weeks after the President's decision to transfer the Von Braun team to NASA, the configuration problem was resolved and a firm decision made. And it therefore follows that already it appears the firm decision and orderly procedure have become the order of the day under this transfer.

We of the Committee on Science and Astronautics say to you that there must be an urgency in our space program. This joint resolution gives the immediate approval of Congress to the transfer of this splendid, highly competent team, and will indeed place the stamp of urgency upon its program.

To do other than to approve this joint resolution would be to place restrictions and encumbrances on the Von Braun team that would not serve the best interest of our country. Be mindful of the fact that this joint resolution will not disturb the orderly procedure of the business at hand, but our mark of approval here will be for all to know that it is the sense of this Congress that the United States be second to none in space programs.

The gentleman from California [Mr. SISK] is the author of the resolution and I yield the time to him at this time.

Mr. SISK. Mr. Speaker, House Joint Resolution 567 waives the 60-day waiting period the law requires before the President's plan to transfer the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration can take effect. Under this resolution the transfer would become effective immediately upon its enactment.

On October 21, 1959, the Secretary of Defense and the Administrator of NASA made certain recommendations to the President designed to improve, coordinate, and enhance the national space effort, as well as to clarify the responsibilities concerned therewith. This document of agreement concerned itself primarily with the transfer from the Department of the Army to NASA of the Development Operations Division of the Army Ballistic Missile Agency, an organization commonly referred to as the Von Braun team at Redstone Arsenal, Huntsville, Ala. This memorandum of agreement was approved by the President on November 2, 1959. And consequently, under date of November 16 an agreement was signed between the Department of the Army and NASA implementing the President's decision to effect this transfer.

Despite the fact that the Von Braun team and the National Aeronautics and Space Administration have been effectively working on the space program under terms of a cooperative agreement dated December 3, 1958, the decision was made that there should be assigned to NASA the sole responsibility for the development of space booster vehicle systems of very high thrust. One of these programs being developed by the Von Braun team is commonly known as the Saturn program. This decision recognized that we must build at least one superbooster and that this activity should properly be vested in one agency. This decision, furthermore, was based on the present fact that there are no clear military requirements for large boosters although there is a great possibility that future military weapons will require such systems.

On the other hand, there is a definite need for large boosters, both manned and unmanned, for civilian space exploration purposes. My colleagues on the Science and Astronautics Committee have heard statements time and time again that we lack large booster capability for our space programs, and I know that all of us in the Congress are concerned that the scientists and technicians have found no hesitancy in stating that we are behind Soviet Russia in large booster capability.

Let me direct your attention to what I consider a very material aspect of this joint resolution. The memorandum to the President and the implementation agreement of October and November 1959 were executed not only for the purpost of laying down the guidelines for the transfer, but more important, they were to assure the Nation that this transfer would be effected smoothly, efficiently, and with a minimum of disruption to our military programs and space efforts so that not a single day would be lost. The committee is of the opinion that the adoption of this joint resolution will add impetus to this effort.

On January 14 of this year the President transmitted to the Congress his message and the transfer plan constituting the order relative to transfers as required by the provisions of section 302 of the National Aeronautics and Space Act of 1958. This joint resolution has been favorably reported by unanimous vote of the Committee on Science and Astronautics. The Department of the Army, on behalf of the Department of Defense, expresses no objection to the adoption of the resolution. The National Aeronautics and Space Administration advises that expeditious action now would be of material benefit to the space exploration program for which it is responsible.

I want to urge upon you two primary considerations. In the first place, timely confirmation of this transfer will put at ease the minds of the personnel involved in the transfer, in that it will make firm their future plans. Resolving the indecision here will enable them to resolve their personal problems, and that in turn will enable them to do a good job better.

And in the second place, this joint resolution expresses the intent of the Congress that the Von Braun team will remain essentially intact, and that our programs for space science and exploration will thereby be materially expedited and advanced. This team, of truly proven competence, is a national asset as a team, and therefore it should remain essentially intact.

My colleagues, I assure you that it is later than you think, and we should do nothing that would retard the hour. I do urge your support of this joint resolution as an implementing step in a tight time schedule.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks immediately following the statement of the gentleman from California [Mr. SISK].

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Is it contemplated that this transfer will save any money?

Mr. SISK. As far as the money is involved, I would say it would make no difference. It certainly will not cost any money. I think it will make the financing and funding of the Saturn program a little more orderly and the quicker that transfer occurs the better. As the gentleman from Iowa will understand, if he has read the report, there is an orderly procedure set up for the transfer to take place so that the actual transfer of the keys, if you will permit me to use that term, will take place on July 1, 1960. This resolution will simply set at rest any controversy or question as to the fact that the transfer definitely will take place in view of certain questions which have been raised by the personnel at Huntsville.

Mr. GROSS. This has the approval of the Department of the Army, but not of certain other executive agencies in the executive branch of the Government; is that correct?

Mr. SISK. It has the approval of all the various agencies whom we have had the opportunity to question, that is, the ABMA and the Department of Defense officials and the people in the Army and the people in NASA, and so far as I know, there was no objection anywhere in the executive branch of the Government.

Mr. GROSS. I thank the gentleman.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Pennsylvania, a member of our committee.

Mr. FULTON. On the Republican side, we want to join in this resolution as it will promptly approve President Eisenhower's plan for transferring the Army Ballistic Missile Agency, the "Von Braun team," to the National Aeronautics and Space Administration. We think the plan should be approved unanimously by the House because it will make for a more efficient U.S. space program. This resolution will settle once and for all the view of the Congress as to the Administration in which the ABMA is to be placed permanently. That is in the National Aeronautics and Space Administration as the President has proposed in his plan which I thoroughly agree with.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I have certain reservations with respect to this move. I am not going to oppose the move now but I think Congress and the Executive should continue to take a frequent look-see at this to make certain it does not result in additional waste and duplication. Certainly, our space program is a matter of concern. Did I understand the gentleman to express concern that we might not be up with or ahead of the Soviet in this space effort?

Mr. SISK. I was referring to the situation in reference to large boosters. We have had the Department of Defense and every branch of the service and NASA before our committee, and there is no argument or controversy with reference to our position on large boosters.

Mr. THOMSON of Wyoming. I just want to agree with the gentleman. I listened last night to the television program, the American Forum, and I heard one of the gentleman from the other body talking about this. He certainly contradicted himself, however. First, he pointed out that no money was spent on missiles, or at least no substantial money was spent on missiles during the last Democratic administration between the period of 1946 and 1953 because of the major thrust problems involved. Then he turned right around in a few minutes and complained because the Russians were ahead as far as space is concerned. The answer is simple. The Russians went ahead in the period 1946 to 1952 instead of sitting on their hands. Using captured German personnel and information, they spent their money and scientific efforts in modest amounts on an orderly program at that time and they developed this higher thrust. If we had spent more money during that period on research on large thrust and on getting the thrust that the Saturn project that you mentioned will develop, and if we had spent less money on agricultural subsidies and other socialistic schemes, we might have had some space ships soaring out to the moon instead of having our agricultural surpluses soaring upward to the moon.

Mr. SISK. I want to say to the gentleman, of course, that had a definite decision been made earlier to build large thrust vehicles, there is no question but what they would have been available sooner. But regardless of when the decision may have been made, unfortunately, no decisions were forthcoming, of course, until the last 2 or 3 years and, there is no question but what it is necessary for us to move ahead regardless of who may have been at fault.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield further?

Mr. SISK. I yield.

Mr. THOMSON of Wyoming. Of course, the answer to that question is that we will never be able to buy that time back that elapsed between 1946 and 1953. You simply cannot buy back the time that has been lost on a research program at any cost.

Mr. SISK. Of course, we cannot buy back any of the time that is past. There is no question of that. The important thing now is to do everything we can to overcome the gap that has developed since Sputnik I.

Mr. Speaker, I yield back the balance of my time.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I would like to say a few words in behalf of the Sisk resolution which would indicate the approval of Congress of the transfer of the Von Braun team in Hunstville, Ala., from the Army to the National Aeronautics and Space Administration.

Under the Space Act any transfer of facilities from one Government establishment to the NASA must be placed before Congress for 60 days for approval. If not disapproved during that period the plan of transfer becomes effective upon the expiration of the 60 days. Since the President placed this transfer plan before Congress on January 14, 1960, this plan will become effective on March 14 unless disapproved by Congress.

The Sisk resolution would indicate Congress' approval immediately without waiting for the expiration of the 60-day period. As Secretary of the Army, Wilber M. Brucker, has testified before the House Science and Astronautics Committee on February 3, 1960, the adoption of the Sisk resolution, House Joint Resolution 567, "would resolve the issue so it would set at rest the minds or the doubts on anything that occurred with reference to individuals" and also that it would have "the psychological effect of settling and putting to rest once and for all the attitude of Congress on it."

The Development Operations Division of the Army Ballistic Missile Agency, which the Von Braun team is technically called, is located in my congressional district, at Huntsville, Ala. We in Alabama are proud of this group and the accomplishments it has made in behalf of our country. Its pioneering work in the development of missiles and rockets was graphically demonstrated 2 years ago when it put the first United States satellite into orbit within 60 days from the time it was assigned the job.

There are presently employed by the Development Operations Division about 4,200 civilian personnel. Most of these will be transferred to NASA through the plan which has been formulated by the President. A great deal of preparatory work has been done to bring about this transfer which will be finally completed on the beginning of the new fiscal year, July 1, 1960. But since this transfer plan must lie before Congress for 60 days in case Congress wishes to disapprove of it, an area of uncertainty naturally arises with respect to the transfer. Although I do not believe that Congress will disapprove the transfer, nonetheless you can readily see the advantage in the immediate adoption of the Sisk resolution—it will, as Secretary Bricker testified, put to rest any uncertainty that may exist with regard to the transfer. I am sure that the 4,200 civilians now working in Huntsville on the Von Braun team will be glad to know as soon as possible if the transfer will be effected. We all like to live and work in an environment of certainty rather than uncertain wherever possible. So, too, would the people in Huntsville who are doing so much good work for our country. Therefore, we would be providing a good service to them, and in turn for their continued efficiency and morale by adopting the Sisk resolution now. If it is the attitude of Congress to approve the transfer, everyone would gain by indicating such approval now rather than waiting for the lapse of the 60-day period.

The President has emphasized that the assignment of superbooster development to NASA was being made regardless of the vehicle's ultimate military or nonmilitary uses. He based this decision on the consideration that presently there is no clear-cut military requirement for these high-thrust boosters. On the other hand, they are absolutely essential for manned and unmanned space exploration of nonmilitary nature.

The Saturn project was initiated by the Advanced Research Projects Agency of the Department of Defense and was being carried forward by ABMA. It now constitutes a substantial part of the Von Braun team's workload; it will soon become the major workload.

I feel that the decision to assign to NASA sole responsibility for development of high-thrust boosters, along with the Von Braun and Saturn transfer to NASA, serves to clarify responsibility. It also serves to increase efficiency and get the steam up in our superbooster program.

I hope the Congress will quickly approve House Joint Resolution 567.

The SPEAKER. The gentleman from New York [Mr. STRATTON] is recognized.

Mr. STRATTON. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I rise this morning in opposition to House Joint Resolution 567 with no particular illusion that the position I am taking is overwhelmingly popular with Members of the House at the moment. But though I am aware of the temper of the House, I feel that this issue is so tremendously vital to the future safety and security of the Nation that I would be shirking my sworn responsibilities as a Member of this House if I were to fail to speak out on this issue even though I were to be the only one speaking and voting in opposition.

Mr. Speaker, there has been a great deal of attention in the past few weeks to the matter of the posture of our national defense, whether we are or are not doing enough to protect ourselves from Soviet military power and close any possible missile gap that may exist now or in the future. And in the course of this debate, Mr. Speaker, one dramatic fact has recently arisen, that is, that regardless of what we in this Congress may or may not do on the subject of national defense we cannot possibly alter our own military power for at least another 2 or 3 years. In other words our present

position with respect to the Soviets is in a sense almost set in concrete for a very substantial period into the future. And if we are in fact in any peril today it is not because of what we do or fail to do here in the 2d session of the 86th Congress but because of decisions that were made or that were not made 2 or 3 or 4 years ago.

Mr. Speaker, this is precisely the reason why I am taking the time of the House to stand in the well today to oppose this resolution. I am not opposed to it so much for its immediate consequences as for the long-range effect which it may have in 4 or 5 or 10 years from now when another Congress and other individuals may again be assessing the relative position of the United States of America and the Soviet Union to determine whether we are still secure and whether the freedom we cherish is still adequately protected.

I am opposing this resolution, Mr. Speaker, not because Dr. von Braun is understandably eager at the prospect of being able to get from the National Aeronautics and Space Agency the same funds which he has been trying for some time unsuccessfully to get through the Army budget. One can readily understand the doctor's immediate satisfaction with such a prospect. I am opposing the resolution because of the disastrous effect which I sincerely believe this action will have on our security 5 or 10 years from now. And because we in this Chamber and in the other body are the ones who will be held responsible for our situation 5 or 10 years from now, I want to urge Members with all of the persuasiveness I possess to consider carefully these long-range effects before rushing into a decision which recommends itself primarily on emotional grounds and happens at the moment to be highly popular.

Mr. Speaker, there are two things fundamentally wrong with the President's transfer plan contained in House Document 297, switching the Development Operations Division of the Army Ballistic Missile Agency, the so-called Von Braun team, from the Department of Defense to the National Aeronautics and Space Agency.

The first thing wrong is that this transfer is predicated upon an assumption which I believe to be dangerously incorrect, namely that it is possible to separate the military and civilian aspects of missile and rocket development into separate and distinct compartments. This transfer is based on the assumption that somehow a different set of controls and a different set of individuals should be responsible for the development of missiles and rockets which can fly 5,500 miles, while a completely different set of controls and a completely different set of men should be responsible for developing those which fly 5,600 miles or beyond.

Does anyone in this Chamber really believe that the exploration and conquest of space do not have the most profound military importance? Does anybody here really believe that the Soviet activities in this field, which have certainly been spectacular and which have so far vastly outdistanced us, are not closely and intimately connected with their overall philosophy of world domination, militarily as well as economically? What will we think, and what will the American people think, if the Soviets someday succeed in beating us in the establishment of a full-fledged reconnaissance satellite or a so-called space bomber or a space platform mounting a death ray, or any one of a number of things which a few years ago appeared completely fantastic, but today can no longer be regarded as such? Can we honestly say that we can view these developments with complete equanimity and can we honestly agree that there is no military requirement that our military security depends upon our being able not only to match the Soviets but to surpass them in this field as quickly as possible?

The Soviets don't make the mistake of separating their space activities into two neat compartments marked civilian on the one hand and military on the other. Their program is an integrated program and their space scientists, I have been reliably informed, are at the same time high-ranking military officers.

Of course, Mr. Speaker, I recognize the worthwhile intentions behind this resolution and the sincere desire of members of the Committee on Science and Astronautics, as well as Members of the House, to do everything possible to speed up our lagging efforts in the field of space exploration. But I am sincerely convinced that we are proceeding down the road of disaster in trying to separate military and nonmilitary aspects of space. We have learned in the past the importance to our national security of controlling the vast areas of the sea and more recently controlling the vast areas of the atmosphere. It is indeed possible that the next war, if it comes, may well be fought from bases established in outer space. At least we cannot exclude that possibility. Therefore any efforts to freeze out the military service from full-scale participation in the Nation's space effort—which is what this plan really does—would most certainly lead in the future to a massive space gap alongside which the present missile gap would be but small potatoes.

Mr. Speaker, the second reason why I oppose this resolution and why I have in fact introduced a contrary resolution, House Concurrent Resolution 559, expressing the opposition of the Congress to the President's plan, is that I believe it would be a disaster at the present time to break up a winning combination no matter how persuasive the arguments may seem to be. Let us not forget that it was the Army Ballistic Missile Agency under General Medaris that put up the first American satellite, and accomplished that job in 84 days, 6 days less than General Medaris had predicted. In a recent television program over the CBS network, entitled "The Space Lag," on February 6, 1960, a program which the gentleman from California [Mr. HOLIFIELD] graciously had replayed for Members of the House recently, the statement was made by the Scientific Director of the Defense Department, Dr. York, that if the Army Ballistic Missile Agency had been given the green light in 1955 we would in fact have beaten the Soviets to the punch with our own satellite. The distinguished CBS news commentator, Howard K. Smith, said that our failures that have taken place to date in space development have been because of scientists who wanted to divorce it from the military.

President Eisenhower pledged in his message of January 14 to the Congress that in switching the Von Braun team from the Defense Department to NASA he would make every effort to prevent the dislocation or disruption of ongoing missile or space vehicle projects. This sentence in itself is clear-cut recognition of the fact that no such transfer can take place without some disruption.

Very frankly, I find it difficult to see why the program of an agency that has already demonstrated its ability to get the job done should be switched to an agency which in my judgment has not yet demonstrated its ability successfully to manage a program as vital to our future and to our security.

Mr. Speaker, let me add this further point. What is all the hurry about? The National Aeronautics and Space Act of 1958 provides for a 2-month waiting period which the resolution now before us proposes to eliminate. That waiting period was put in by Congress precisely so that in this important field Members of Congress could fully explore the implications involved and satisfy themselves of the wisdom of any adjustment in space organization. I was amazed to read in the CONGRESSIONAL RECORD on Thursday that the distinguished majority leader, himself a member of the Space Committee, acknowledged that the actual transfer proposed by the President could not take place in any event until July 1. What is all the hurry about then? Not only will this resolution not speed up the transfer but there is in fact adequate time before any transfer can take place for Members of the Congress to examine more fully a proposal which could have such far-reaching and disastrous results.

This resolution comes before this body this morning without the Committee on Space ever having heard an unfavorable witness against it even though General Medaris, the able retired commander of the Ballistic Missile Agency, expressed himself as vitally opposed to the transfer in the public print well before the committee acted. And in spite of the fact that this matter concerns the defense of our Nation, the subject was never considered by the Committee on Armed Services.

Is Congress going to abdicate its authority and responsibility in this important regard? Are we going to be stampeded into rubber-stamping action that could have a profound effect on our national security and on which we are certain to be held responsible without even looking into it? Are we going to strain at the gnat—comparatively speaking—of ballistic missiles and then swallow the camel of space control without batting an eyelash?

Mr. Speaker, the text of the resolution offered by the gentleman from California [Mr. SISK] says rather revealingly that Congress believes that a waiver of

the 60-day period in this case may contribute to the speeding up of such programs. Is this the kind of evidence on which we should decide today, simply the pious hope that it may contribute to our national defense? What about the possibility that it may actually do very grave harm? Should not we look into that, too?

Let me quote for a moment the remarks of General Medaris, who certainly ought to know something of what he is saying. In the February 1 issue of Missiles and Rockets magazine this distinguished officer called the civilian-military separation of U.S. space programs "fundamentally unrealistic"; he charged that the contention of the President that the Armed Forces have no business in space was "utter nonsense"; and he said that a failure on the part of this Government to make the right decisions could mean that "we can be so far outdistanced in missiles and space that we will become a second-rate power with all the consequences that will mean to the integrity of man." Do not the members of the committee and this House feel that these statements are sufficiently strong and come from a sufficiently distinguished source to merit their full investigation before any final decision is taken by this House?

Mr. Speaker, let me conclude by saying that I too believe in the need for some measure of reorganization in our space and missile programs, but I believe that the solution lies in unifying our programs rather than in separating them. General Medaris has said that he believes we need a single joint military command. General Schriever, the head of missiles for the Air Force, has stated that—

> It is the placing of centralized responsibility and authority for the conduct of a program, and the streamlining of our decision-making procedures which are, in my opinion, the most important factors in getting the job done.

I believe strongly that we do need a unified command and I personally would favor a single overall civilian-military agency charged with the responsibility for the whole missile and rocket field, something that can exercise the type of control that General Schriever spoke of, something based on the lines of the Manhattan project or the AEC.

But if we are to reorganize this program, Mr. Speaker, let us not abdicate our responsibility for fully considering and developing a program that will be helpful to us in the years that lie ahead. Let us not embark on some other inadequate substitute for this kind of unified command on a hasty and ill-considered basis, simply because it has been proposed by the President and because it may appear to the public as though we were doing something to speed up space activities at a time when there is complaint about what we have achieved. Let us turn down the President's proposal and reject the resolution of the gentleman from California. Let us spend the time instead to call in the witnesses who should be heard on this matter, General Medaris, and others. Since we still have time available, let us spend that time wisely and effectively to make sure that any reorganization we support will be one that will do the job properly.

Mr. Speaker, I urge Members again sincerely and solemnly not to abdicate the responsibility of Congress in this important field. Let us not pass this legislation without the opportunity to examine, because what we do or fail to do here today could indeed well determine the security of this great country of ours for years and indeed generations yet to come.

The SPEAKER. The gentleman from New York has consumed 10 minutes.

Mr. BROOKS of Louisiana. Mr. Speaker, I yield 10 minutes to the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Mr. Speaker, may I first say a word or two in answer to the remarks of my distinguished colleague from New York, with regard to House Resolution 567.

I call to the attention of the House the fact that this matter has been before the Committee on Science and Astronautics for several weeks. We have had before us the Chief of Staff, General Lemnitzer; we have had before us the Secretary of the Army, Mr. Brucker; we have had before us Dr. von Braun, who knows as much as, if not more, about rocketry than any other person in America. We have had before us almost all of the other top-ranking military officials testifying on behalf of this bill, and, if my recollection serves me correctly, there has not been one dissenting vote among them. They agreed unanimously that this particular resolution now before the House moves in the right direction and that it is proper to disassociate, in some measure, the military aspects of our space program from its civilian aspects.

As has been pointed out in testimony before the committee, there are many aspects to our space exploration program which are definitely civilian, and it is unfair to saddle these civilian functions onto the military: the Army, Navy, and Air Force. We have given to the armed services the primary responsibility of defending our Nation, of making it strong and invulnerable to attack. It is, therefore, unfair to distract their attention and proliferate their undertakings into a multitude of collateral activities that will carry them away from their primary field of responsibility. Suffice it to say that the experts who have gone into this and who have come before our committee in the last month, as far as I know, are unanimous that this represents a step forward.

This resolution is not a partisan matter. In committee, all of us, on both sides of the aisle, favored its adoption.

In supporting its favorable consideration by the House, I should like to further point out the following facts:

First. The first earth satellite was a Russian sputnik.

Second. The first impact on the moon by a manmade object was achieved by the U.S.S.R.

Third. The first pictures of the dark side of the moon were accomplished by a Russian instrument.

Mr. Speaker, what do these events signify? They signify that our Nation at this moment is considered an "also ran" in space by the nations of the world. They signify that the United States is running second in a race which gives no prizes for second place. They signify that, after the close of World War II, the Soviet Union has gained such a technological and military advantage through the development of ICBM's as to give it the upper hand at the bargaining table.

The United States, by all expert and authoritative judgment, now stands about 5 years behind the Soviets in its level of technical development of the tools of space exploration. These 5 years represent the extent of the challenge to technical leadership of the United States that has been thrown in our face by the U.S.S.R.

Time is the one element in this challenge that cannot and must not be wasted. Even the gain of 1 day over that lead of 5 years may be a most critical factor to our future.

In House Resolution 567 is expressed what I think should be the clear sentiments of the House.

In this transfer of the Army Ballistic Missile Agency to NASA, many invaluable scientists and technicians will be involved. Such a transfer manifestly involves a difficult and tedious process, requiring an extended period of phasing out, and phasing in.

This resolution will eliminate any doubts in the minds of the ABMA people about the firm intentions of the House to do everything possible to support and expedite the President's transfer of ABMA to NASA.

The citizens of this great Nation demand that our Government and NASA get on with the job of meeting the Russian challenge in space with full speed. House Resolution 567 is an expression of their desire and I urge every Member to give it his support.

Mr. STRATTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, I thank the gentleman for yielding me this time. I join with the gentleman from California [Mr. SISK] in sponsoring this resolution so far as the Republican side of the House is concerned.

We must remember that the Von Braun team is not being broken up. The purpose of this plan is to see that it is kept together, and that the proper functions go to NASA. The functions that can best be done by NASA should be placed there, as those that can be done best under the Army Ballistic Missile Agency.

The question has been asked, Why change the Von Braun team at this time? Previously the Von Braun team has been working 80 percent on combat missile work and 20 percent on the large thrust rockets and boosters and other supporting work. The percentage has now been completely reversed, and this fact should be recognized.

Dr. von Braun says that, the Army says that, NASA says that, everybody in the administration says that is the case. Percentagewise the Von Braun team members are now working 80 percent on the Saturn project. They are similarly

winding up on the Pershing, the Redstone, and Jupiter programs. They have performed remarkably well on this type of missile. But when that work is done then we should have this reorganization.

Under the bill that we passed last year setting up NASA, Public Law of the 85th Congress No. 568, there is a provision that we could see ahead there would be such needed reorganization we determined that the President should give us plans in Congress, and we provided in section 302(c) subsection 2 for just such transfers.

What happens in this particular type of transfer? We have scientists, we have military personnel, who wonder what is going to happen for 60 days from the time the President sends up the plan. This bill tells everybody that it is the intention of Congress to immediately implement the President's plan, and implement it firmly.

The President's proposal contained in the Sisk resolution has the unanimous approval of our entire Space and Science Committee, both Republican and Democratic sides.

Secondly, it says to the scientists who are there at the installations that they are going to be sure of their jobs; that there is no uncertainty; that Congress has quickly decided and affirmatively agreed, rather than just wait out the 60 days and have the plan become law without any affirmative action by the Congress.

The plan recognizes and provides for the continued performance by the Army of its mission. Two basic methods are used to achieve this result. First by providing for the continuance of service to the Army of the transferred group and, second, by providing for retention by the Army of capability for continuing weapons system management.

Fundamental to the plan is a concept of phasing operations and responsibility in a manner calculated to prevent dislocation or disruption of ongoing programs.

Generally, all personnel of the Development Operations Division will be transferred to NASA. However, in order to enable the Army to maintain a weapons system management capability up to 350 personnel of the Division will be offered an opportunity to remain with the Army. This group includes personnel currently in the weapons system project manager offices and a complement of representative skills from each laboratory area. The completion of current weapons systems assignment will be accomplished using the capabilities of the transferred group with a phasing out of NASA and assumption by the Army as may be agreed upon.

The plan provides for the transfer of 815 personnel in the areas of support services provided the development operations division from AOMC organization at Redstone Arsenal. This number represents about two-thirds of the supporting staff which NASA will ultimately require and recognizes the Army's personnel requirements to continue to carry out its continuing mission.

Of the military personnel, approximately 250 enlisted military personnel now within the development operations division will be phased out over a period of time. In general, the unskilled group will be phased out almost immediately and the more skilled specialists over a somewhat longer but specifically agreed upon time span.

Existing AOMC facilities at Cape Canaveral will, in general, be shared by the Army and NASA to assure that the requirements of each are met. The Pershing and Saturn complexes now under construction will be assigned respectively to the Army and NASA.

This plan provides for the Army to grant to NASA a long-term nonrevocable, and renewable use permit for the agreed-upon Redstone Arsenal land and facilities.

The plan provides for transfer to NASA or retention by the Army of equipment and inventories as appropriate in the particular case. In general, the plan will provide the transferred organization with equipment and supplies it requires to maintain its capability. At the same time the plan provides for retention by the Army of equipment related primarily to Army weapons system and of a share of common-use equipment and inventories. Teams of NASA-Army people will effectuate this concept under agreed-upon criteria.

Mr. Speaker, I favor this resolution because it makes for efficiency and it is a well-worked-out plan by the President dividing the various functions among the various groups that will be handling the specific programs and handling these responsibilities.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Iowa.

Mr. GROSS. Is it true that General Medaris was not invited to testify on this resolution?

Mr. FULTON. General Medaris was invited to come before the committee and will come later this week or next week. We do know General Medaris' views, but it has been a case of the President deciding, as he does, on his Executive authority, how the administrative setup of this organization shall be. I do not believe General Medaris himself claims that this proposed plan will hurt Von Braun's organization, because Von Braun favors it and says it will be a good thing to have the certainty now. Even Von Braun himself says that this is a good plan to put into effect now, because it gives the firm go-ahead to work out the details that are necessary.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. STRATTON. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I would like to ask the gentleman from New York a question. I did not get a very good answer from the gentleman from Pennsylvania as to why General Medaris was not invited to testify with respect to this resolution. Does the gentleman have any further information?

Mr. STRATTON. Let me say to my friend that that is one of the most vital questions involved here. General Medaris probably knows more about this than anybody else. He was in the public print last week in much more violent opposition than other officers have been, and yet the General, as the gentleman from Iowa points out, was not invited to testify in opposition to this matter.

Mr. GROSS. And his testimony, if taken this week, will come awfully late insofar as this resolution is concerned.

Mr. STRATTON. I will say to the gentleman it will come much too late.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. I personally talked to General Medaris. He is scheduled as a witness next week. He was not able to come up at the time we needed him, but he registered no opposition to the resolution.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. We did not have General Medaris. We, of course, had a man who has the most to say about his team, and that is Von Braun himself. Von Braun said to our committee categorically "I favor this resolution and want it passed." That is the resolution submitted by Mr. SISK.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. STRATTON. Mr. Speaker, I yield myself 1 minute.

Dr. von Braun is quoted in the press as having said he was satisfied with the change. As a member of the Committee on Armed Services, I am familiar with generals coming before us and telling us they are satisfied with the budget, but that does not always tell the whole story.

Mr. Speaker, I yield the remainder of the time to the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the Committee on Science has unanimously reported out this resolution. The President announced the transfer and, for all practical purposes, it is an accomplished fact. One of the main reasons we acted was to show an accelerated approval on the part of the leadership of the Congress. While the physical transfer will not take place until July 1 the acceleration of approval will settle the question and more or less clear the atmosphere so that Dr. von Braun and those associated with him can level more definitely upon the plans that they have in connection with this important project.

Basically I agree with the gentleman from New York [Mr. STRATTON]. I have asked many questions of those who appeared before the committee about the protection of the military in the field of research with reference to military appliances and weapons. It was only this morning that I interrogated the Secretary of the Navy, and Admiral Burke; the other day the Secretary of the Army and also representatives of the Air Force.

The special committee of which I was chairman thought we had taken care of that very effectively but an interpretation was placed upon the word "except" in the organic act which I think members of the committee on both sides, Democrats and Republicans, are at variance with; that it was not completely consistent with our intent. So basically we agree with the gentleman from New York that you cannot separate military research from military appliances and development. I think the gentleman from New York may rest content that the members of this committee, the House Committee on Science, are very carefully looking into that and without regard to party, we are going to look into it very fully because we recognize the importance of the military in the world of today in the matter of the preservation of our country. We realize that we cannot completely separate.

On the other hand, there are civilian activities which can be pictured, and other activities that are strictly military, and we want to protect both of them. Then there is a twilight zone and, if I know the sentiment of the members of the committee—and I refer both to the select committee of which I was chairman and the present committee of which I am a member, the members on both sides—broadly speaking we want any reasonable doubts on that twilight zone, where there might be military and civilian involved, resolved in favor of the military.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. BROOKS of Louisiana. Mr. Speaker, I yield 2½ minutes to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am glad to yield.

Mr. STRATTON. Does the gentleman feel that he could support an alternate plan which would put the civilian and the military effort together into a single overall agency rather than separate them as this transfer plan does?

Mr. McCORMACK. The gentleman refers to this particular transfer plan; if he wants to ask me about putting the military and civilian together in an overall agency—is that what he means?

Mr. STRATTON. Yes; that is my question.

Mr. McCORMACK. I should want to look into that more carefully. My thought is that in the world of today we have got to take all calculated risks possible on the side of safety and on the side of military preparations. If the gentleman is asking me about a world of peace, that is an entirely different proposition. At least we know where this is now. As a result of the transfer of another project to NASA a year ago, it left the Saturn project and program in a very unsettled status. When the proposed transfer was announced I had my doubts, I will inform my friend from New York.

But it is an accomplished fact. As we look into it more and more, with everyone in agreement I am satisfied there will be the close cooperation between the Defense Department and NASA that will inure to the benefit of both, with the results and the fruits that the efforts of Dr. von Braun and his team also inuring to the benefit of the military.

Under the circumstances, therefore, I think there is nothing else we can do. Under the circumstances, it is the advisable course to take, I may say, profoundly respecting the views of my friend from New York. But I also feel that the House Committee on Science and Astronautics should very carefully look into section 309 to see that the military in the field of research as well as development are thoroughly protected.

Mr. STRATTON. Does not the gentleman agree that the reason Dr. von Braun favors this transfer is that he had been promised the funds which he had previously sought unsuccessfully from the Army?

Mr. McCORMACK. I am unable to answer that from my own knowledge, but knowing Dr. von Braun as I do I doubt that he would testify in favor of this transfer if in conscience he felt from the military angle it was unwise to do so. I may say that the benefits of this transfer should inure to the military. Certainly that should happen. I think under the circumstances the Congress is showing leadership in accelerating the approval of this transfer.

Mr. BROOKS of Louisiana. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Speaker, I rise in support of the Sisk resolution. I concur in what the majority leader has had to say in respect to our committee's interest and activity with regard to this resolution. Dr. von Braun and Secretary Brucker, both of whom appeared before the committee to discuss this matter, left no doubt in the minds of the members that it was entirely satisfactory to them that this transfer be made. They were both in favor of this resolution being passed immediately because of the psychologicial effect this will have on the Von Braun team.

I am confident that most of my colleagues in the House will endorse the transfer. Thus I feel there is no reason for any further delay.

This resolution is not expected to greatly expedite accomplishment of the transfer before the July 1 target date. The important thing is that it assures all the personnel affected by the transfer that there will be no resistance from the Congress. I think it only reasonable that Congress should erase every shred of doubt from the minds of those concerned when in fact there is no cause for such doubt.

I think it a waste of both time and opportunity to express our approval by remaining inactive for the required period. Let us give the agencies and the people involved an affirmative assurance that Congress supports the transfer and that we feel this program should be moved forward in an orderly and expeditious manner.

Mr. BROOKS of Louisiana. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the Committee on Science and Astronautics has been holding hearings every work day since January 20. This proposed transfer has been before the committee that entire period of time. We have heard many witnesses from all branches of the service, witnesses of the highest order, yet we have found not one single dissent to this transfer plan.

I agree with the distinguished majority leader, and want personally to pay tribute to the fact that he has been personally interested in this problem and the entire problem of the development of the space program, and has attended our meetings and participated in the work of the committee.

This resolution is in the interest of speeding up space development. It is in the interest of attempting to catch up with Russia in the phase in which we now lag behind Russia. Favorable action would be most happily received by Dr. von Braun, if we approve this resolution, and it will set to rest the uneasiness, if any there is, in the minds of the 4,500 people who will be transferred.

Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is, Will the House suspend the rules and pass the joint resolution, House Joint Resolution 567, as amended?

The question was taken; and on a division (demanded by Mr. STRATTON) there were—ayes 92, noes 2.

So (two-thirds having voted in favor thereof) the joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent that Members may have 2 legislative days in which to extend their remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WOLF. Mr. Speaker, I would like to express my support of House Joint Resolution 567, which has had the full consideration of the committee and which has the unanimous approval of every member.

I have been deeply concerned with every aspect of the transfer of ABMA from the Army to the National Aeronautics and Space Administration, and have given serious study to the testimony of the Secretary of the Army, the Army Chief of Staff, and Dr. Wernher von Braun, head of the ABMA team, all of whom have forthrightly given their cooperation and support to effect the move, and have said so in sworn testimony. Based on the statements and recommendations of these officials, I am convinced of the desirability of the expeditious transfer of Dr. von Braun's group as proposed in House Joint Resolution 567.

APPOINTMENT TO COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. The Chair lays before the House the following announcement, which the Clerk will read.

The Clerk read as follows:

Pursuant to the provisions of section 601, Public Law 250, 77th Congress, the Chair appoints as a member of the Committee To Investigate Nonessential Federal Expenditures to fill the existing vacancy thereon, the following member of the Committee on Ways and Means: Mr. MASON, of Illinois.

AMENDING SECTION 6659(B) OF THE INTERNAL REVENUE CODE OF 1954—PROCEDURE FOR ASSESSING CERTAIN ADDITIONS TO TAX

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9660) to amend section 6659(b) of the Internal Revenue Code of 1954 with respect to the procedure for assessing certain additions to tax, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6659(b) of the Internal Revenue Code of 1954 (relating to additions to tax for failure to file return or pay tax) is amended to read as follows:

"(b) PROCEDURE FOR ASSESSING CERTAIN ADDITIONS TO TAX.—For purposes of subchapter B of chapter 63 (relating to deficiency procedures for income, estate, and gift taxes), subsection (a) shall not apply to any addition to tax under section 6651, 6654, or 6655; except that it shall apply—

"(1) in the case of an addition described in section 6651, to that portion of such addition which is attributable to a deficiency in tax described in section 6211; or

"(2) to an addition described in section 6654 or 6655, if no return is filed for the taxable year."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to assessments made after the date of the enactment of this Act. Any addition to tax under section 6651, 6654, or 6655 of the Internal Revenue Code of 1954, assessed and collected on or before the date of the enactment of this Act, shall not be considered an overpayment solely on the ground that such assessment was invalid, if such assessment would not have been invalid had the amendment made by the first section of this Act applied with respect to such assessment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, H.R. 9660, which was introduced at the request of the Treasury Department and unanimously reported by the Committee on Ways and Means, is designed to overrule several recent court decisions which would seriously impede the tax collection process.

Ordinarily when the Internal Revenue Service proposes to assess an income tax deficiency against a taxpayer, certain formal procedures are laid out designed to protect the taxpayer's interest. One of these is the issuance of a statutory notice of deficiency, a 90-day letter, which gives the taxpayer 90 days within which to petition the Tax Court for a redetermination of the deficiency before the Internal Revenue Service takes steps to assess and collect the tax.

Prior to 1954, the Internal Revenue Service could assess two types of additions to tax which were quite mechanical in nature without going through the procedure of the 90-day letter. These were the penalties imposed for late filing of tax returns and for the underpayment of estimated tax. The assessment of these additions to tax without the issuance of a statutory notice of deficiency had received court approval under the 1939 code.

Several recent court decisions have held that the new statutory language adopted in the general revision of the Internal Revenue Code in 1954 has foreclosed this practice and that the assessment of additions to tax for late filing and for underpayment of estimated tax cannot validly be made without the issuance of a 90-day letter. The committee reports accompanying the 1954 code indicate that there was no intention to change the law in this manner. Because of the nature of these two penalties, the committee did not believe that any significant taxpayer protection would be removed by precluding taxpayers an opportunity to contest these penalties in the tax court.

This bill would, in effect, overrule recent court decisions and would restore the procedure that had been followed for the assessment of these additions to tax for many years under the pre-1954 law. This would be accomplished by amending section 6659(b) of the Internal Revenue Code of 1954 to provide that after the date of enactment certain additions to tax imposed for the delinquent filing of tax returns or for the underpayment of estimated taxes may be assessed without resort to the elaborate procedures required by the code for the assessment of tax deficiencies. With respect to any additions to tax that have been assessed and collected in this manner on or before the date of enactment, this bill further provides that no refund will be allowed where the sole basis of the refund claim is that the assessment was made without resort to the tax deficiency procedures.

This bill is vitally important to the orderly administration of the internal revenue laws and would remove the material impediment to the collection of these additions to tax as a result of the recent court decisions.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, this legislation which has just passed the House pertains to the assessment of additions to tax and the procedures concerned with such assessments.

Recent court decisions have required the issuance of a 90-day letter before an assessment can be validly made for an addition to tax as a consequence of late filing. With respect to matters involving late filing, there is usually no question of law or fact in dispute. To require the issuance of such a letter would impose a greatly increased administrative burden on the Internal Revenue Service.

This legislation would serve to make it clear that a 90-day letter is not required precedent to the issuance of an addition to tax in such cases.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1961

Mr. RABAUT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10233) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited not to exceed 1½ hours, one-half of the time to be controlled by the gentleman from Arizona [Mr. RHODES] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan [Mr. RABAUT].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10233, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this is the annual appropriation bill to provide for the financial operation of the District government for the fiscal year 1961.

The bill recommends a total appropriation of $237,118,276, of which $205,048,276 is for operating expenses and $32,070,000 is for capital outlay. The bill before you today is $5,284,724 below the estimates and $4,576,800 below appropriations for fiscal 1960. However, the Commissioners have proposed legislation to provide additional revenue to the District which is now pending before the legislative committees of the Congress.

As soon as the legislation is enacted, the Commissioners propose to submit a supplemental estimate in the amount of $10.3 million—primarily for capital outlay projects.

The committee has recommended an increase of $10,037,600 over the 1960 appropriation for operating expenses. A few of the major items of increase recommended in the bill are as follows:

First. Approximately $2.7 million for mandatory personnel costs such as within-grade promotions, reallocation of positions, and the cost of the new Health Benefits Act, which goes into effect on July 1.

Second. Approval by the committee of 771 new positions out of the 1,095 requested in the budget. At an average salary of about $4,500, this will amount to approximately $3.5 million. Included in the new positions allowed are the full request of teachers to handle the projected increase in pupil population, to reduce the pupil-teacher ratio to 31 to 1 in the elementary schools, and to provide staff for special fields of instruction in the elementary grades. Incidentally, the school population is expected to be 119,381 next October, compared to 115,860 this past October.

Third. Another item of increase, also in the public schools, was an unbudgeted increase of $258,000 to provide noon lunches for an additional 2,300 needy children in the elementary schools. The total amount available now for this purpose is $425,000 and will provide lunches for approximately 4,800 children.

Included in the 771 new positions are 50 new police officers. The Department requested 150, but after reviewing the crime statistics, the total number of police officers in the District—in an area of about 70 square miles—and more importantly, the number of unfilled positions in the Department, which just last Monday was 78, the committee decided an additional 50 positions would be adequate. It is true that the Department utilizes the funds provided for the unfilled positions by employing police officers for a 6th day of work. The legislation authorizing this procedure was passed in 1951, and the Department has been utilizing that law in trying to reach a 2,500-man force. With the positions allowed in this bill, the Department will have an authorized force of 2,658 men. Therefore, the committee is of the opinion that, in the future, this Department should be treated the same as any other department of the Government—District and Federal—when it requests additional personnel in that there should be a minimum amount of vacancies.

The Department of Corrections received an increase of $1 million above the 1960 appropriation. Besides mandatory personnel costs, staffing costs for the new youth center and several other facilities account for the major part of the increase.

An increase of $1.6 million has been recommended by the committee for the Department of Public Welfare. Total funds available, if this bill is approved, would be $19 million. The average monthly caseload in all categories of assistance has increased from 11,212 in July of 1959 to 11,415 in December. For comparison purposes, the average monthly caseload in fiscal 1957 was 8,542, in fiscal 1958 it was 9,532, and in fiscal 1959 it was 11,212.

As I mentioned earlier, the bill provides $32,070,000 for capital outlay purposes. This is a decrease of $2.6 million in the estimates and $14.6 million below the 1960 appropriations for this purpose. However, the Commissioners submitted to the Congress last week a request for legislation increasing certain tax revenues. If this legislation is enacted, the Commissioners propose to submit a supplemental estimate for an additional $10 million in capital outlay projects.

Last, but first in the eyes of our local press, is the recommendation of the committee for a Federal payment of $25 million. This is a reduction of $7 million in the estimate but the same amount as has been appropriated for the past 2 fiscal years. The committee took two primary factors into consideration in arriving at the $25 million figure. One was an increase in revenues of about $5.1 million above the amount originally estimated in the President's budget. Two, the reduction of $4.5 million made by the committee in those estimates financed from the general fund.

Despite this reduction of $7 million, there would be, on the basis of current data, a surplus of approximately $2.1 million in the general fund on June 30, 1961. While the committee in the past has not been in the habit of leaving a surplus of any significant size in the general fund, it felt that in view of the $1 million cost of the pending salary increase for wage scale employees and other financial requirements, there was some merit for a surplus this year. In fact, this cushion amounts to only $750,000 and the bill still has to go through the other body.

In my opinion, the committee has recommended for your consideration and approval a good and fair bill, and I ask for your support of it.

Mr. RHODES of Arizona. Mr. Chairman, I yield myself such time as I may require.

Mr. RHODES of Arizona. Mr. Chairman, the bill we have before us is the first of the appropriation bills for the fiscal year 1961.

As far as I know there is no controversy among the Members of the House as to the merits of this bill; at least I have had nobody on my side or on the other side indicate that there was anything but satisfaction with this bill.

To begin with, Mr. Chairman, as the gentleman from Michigan [Mr. RABAUT] has already mentioned, although the Metropolitan Police Department asked for 150 additional policemen, the committee has given them the equivalent of 69 additional positions. This was done primarily because of the fact that 100 extra positions were authorized by the appropriation bill on foreign operations in the last Congress, which turned out to be more or less of a supplemental appropriation bill. Despite the 100 positions authorized in that bill, there are some 78 vacancies; therefore we did not feel that it is possible for the Department to recruit and train the number of men which would be required to fill the 78 vacancies and all of the 150 new positions requested. However, I think from the past history of this committee and this Congress it is fairly obvious that should the Police Department find itself in need, that assistance will be forthcoming, as it always has been.

I may point out, too, Mr. Chairman, that in this bill we provide borrowing authority for the government of the District of Columbia for capital outlay expenditures. One item is the sum of $14½ million in the general fund. That is intended for capital outlay. It is intended to give some flexibility in the operation of the general fund of the District of Columbia in the event it becomes necessary to make expenditures which cannot now be foreseen. The District of Columbia cannot operate on a deficit basis like some other governments can because in the final analysis it does not have full control of its own resources. It becomes necessary, therefore, to give them some sort of a contingency cushion.

This appropriation is not a cut, in the strict sense of the word, of the 1960 appropriations. While the table on page 24 of the committee report indicates that the appropriation for this year is $4,576,800 less than the appropriation for 1960, actually the main cuts have been achieved by completion of certain capital projects for which we appropriated money in 1960. In other words, the appropriations for capital outlay are that much less this year than they were for the year 1960.

I do regard this as a fair bill, I regard it as a bill which takes into consideration the fact that this is a growing city, that it is the Nation's Capital, and that it has problems which are unique.

I congratulate my good friend, the gentleman from Michigan [Mr. RABAUT], chairman of the subcommittee, for the fine job he has done. It is a pleasure to serve with him and with the gentleman from Nebraska [Mr. WEAVER], the gentleman from Kentucky [Mr. NATCHER], and the gentleman from New York [Mr. SANTANGELO].

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Iowa.

Mr. GROSS. Are there in this bill any funds for the construction of additional bridges across the Potomac River?

Mr. RHODES of Arizona. There are funds for the partial funding of certain bridges which are now under construction, but not for any new bridges.

Mr. GROSS. No new bridges of any kind?

Mr. RHODES of Arizona. As the gentleman knows, authorization for bridges must come from the legislative committee, the Committee on the District of Columbia. The Committee on Appropriations would not have any authority to authorize the construction of any new bridges. However, as I stated, we have included funds in this bill for some of the bridges which have previously been authorized.

Mr. GROSS. I note a reference to the construction of streetcar loading platforms. May I ask, Does the gentleman know whether or not the District of

Columbia is removing the platforms that were previously used by streetcars or is the transit company doing that? Who is removing those platforms where streetcar service has been abandoned?

Mr. RHODES of Arizona. That is mainly the responsibility of the transit company. The District of Columbia government removes permanent type platforms.

Mr. GROSS. Also the removal of the tracks and the overhead and underground trollies?

Mr. RHODES of Arizona. That is the responsibility of the transit company.

Mr. GROSS. On page 32 of the bill I notice an item for the hiring of consultants at $75 per diem.

Now, I am one of those Members of Congress who is becoming pretty well fed up with this hiring of consultants all over the Government. Some bills provide $100 a day, some $75 a day, and some $50 a day. Is there no uniformity in the hiring of consultants, if they are to be hired?

Mr. RHODES of Arizona. As far as I can tell, there is not, and probably there could not be uniformity because of the various types of skills which one must acquire in getting consultants. In other words, if you are going to hire a certain skill, you will pay more than for other skills.

Mr. SANTANGELO. Mr. Chairman, if the gentleman will yield, there was a reduction of $100 per diem to $75. This is not an increase.

Mr. GROSS. I am glad to hear that. But, in other bills—and you will find one coming before the House this week—I believe you will find that goes up to $100. I am not certain, but in the Commerce and related agencies appropriation bill I think it goes up to $100. What are these consultants being hired for in this particular instance, on page 32 of the bill?

Mr. RHODES of Arizona. They are hired in connection with the Washington aqueduct. I presume they are technical consultants in the engineering field. However, I agree with the gentleman that there should be more uniformity in the amounts paid consultants than there is. As I stated before, you are probably paying what the market demands as far as this particular type of consultant is concerned.

Mr. GROSS. In other words, the District of Columbia does not have people who can perform the duties here to be paid for by the hiring of consultants; is that correct?

Mr. RHODES of Arizona. That would be the only interpretation we could put on the request for the hiring of these consultants.

Mr. GROSS. Is this $75 per day plus expenses or $75 per day including expenses?

Mr. RHODES of Arizona. There is nothing in the bill providing expenses for these consultants other than the $75 per diem.

Mr. GROSS. I thank the gentleman.

Mr. RABAUT. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I want to earnestly commend to the House and to the Nation the very pertinent and timely statement by the gentleman from Texas [Mr. MAHON] in his broadcast yesterday afternoon, which I trust is carried by every metropolitan newspaper in the country in this morning's issue.

Mr. TABER. Mr. Chairman, will the gentleman yield ?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. I would like to join the gentleman in congratulating the gentleman from Texas [Mr. MAHON] on that statement. It was a very clear and intelligent statement.

Mr. CANNON. I am glad to have the commendation of the distinguished gentleman from New York, the ranking minority member of the committee, who is as thoroughly familiar with this situation as most anyone who could discuss it here on the floor this morning.

The gentleman from Texas [Mr. MAHON] in my opinion knows as much about our defense situation as anyone in the Congress. He has been in charge of the armed services appropriation on this side of the Capitol for many years.

And what is more important he is motivated by no political consideration of any character whatever. I believe I speak advisedly when I say Mr. MAHON'S only interest in this matter is in the safety of the Nation. And may I say for myself, Mr. Chairman, that I have no interest in the political phases of the question. My only desire is to keep the Russians out of the United States.

Their retort is "politics." But the matter goes much deeper than politics. It is much more serious in its ultimate effect and much more dangerous. It deals with the obdurate refusal of the Navy admirals to recognize the inevitable changes brought about by modern conditions and the scientific and mechanical progress of the last decade. There was a time, it is true, when the oceans were an effective bulwark against foreign aggression. They protected us in 1776, in 1812, and 1917, just as they protected England against Napoleon in the early years of the last century. Napoleon stood for months with his great army on the English Channel trying to get across. As he said, "If it was not for the damned ditch I could take England in a day." But it is a far cry back to Napoleon. It is a long time back to the last World War. That day has gone by. The oceans are no longer a barrier. We fly over them. Even the intercontinental bomber is obsolete. Now, unfortunately, they can fire direct missiles over them. It is a matter of minutes—6,000 miles, 8,000 miles, and with the accuracy of artillery. Within the last 30 minutes newspapers on the street report a statement by Soviet Deputy Premier Mikoyan to the effect that, "If we can send a rocket to the moon with such precision, we can send a rocket with the same precision to any point on earth." And few who are fully informed doubt that statement.

The only effective service the Navy can render these days—and it is an indispensable service—is submarine, antisubmarine, and convoy. The submarine and the submarine alone after SAC becomes ineffective, can stop attack by a foreign enemy. But for years they have refused to recognize that fact. While Russia was steadily forging ahead they refused, as they said, to go down in the pig boats. They wanted to stay up in the sunlight. They wasted precious time and priceless scientific and technical resources building the most expensive and complicated machinery since the pyramids—eggshells which will not last half an hour after the first attack. If they had given the time and attention and material to the submarine they have given other futile measures and utterly useless weapons, we today would be masters of the world situation—as we were at the close of the Second World War.

And they still come to Congress and demand an unwarranted share as one of the three services in defense appropriations.

Try as both the administration and the committees of Congress have, we have been unable to unify the services. We have taken every possible measure both in appropriations and in legislation to get the three services to work together, but the Navy has always been a discordant note, insisting on having, as in the days when they were the first line of defense, a disproportionate share of the appropriations. They refuse to recognize the obvious and the inevitable and permit allocation of funds to modern arms which must be perfected if the Nation is to survive.

Let us hope that the Congress and the Nation will not be lulled into a false sense of security by this sudden release of jingo, pollyanna effusions to the effect that we are still the most powerful nation on earth, and that we can destroy any nation that attacks us. We are not the most powerful nation on earth.

Our Armed Forces are not as effectively armed today as those of at least one other nation. They will not be by 1961 and certainly not by 1963. Let us not have a happy sense of tranquilizing complacency and bury our heads in the sand. There is no longer a no man's land. There are no longer any frontline trenches. Every city in the United States is today subject to direct attack. Armies today have weapons which even now and certainly by 1963 can destroy any city, anywhere, regardless of geographical location.

This is not an estimate, it is not a surmise. It is a certainty. The spokesmen for the Armed Forces have not denied it. They have told us repeatedly that we are in danger, in a great danger, that we are 3 or 4 years behind the enemy.

Now very suddenly a new voice is heard: "Have no apprehension. We are superior in overall capability. We must judge the enemy not by his strength but by his intention." Let me pause long enough to ask why he has denied his people the necessities of life to produce these weapons if he does not intend to use them? As a matter of fact, we would never see the enemy that attacks. Unquestionably, now—at this moment, and I speak on the basis of information by those in a position to testify—already enough missiles are piled up to destroy the major cities of

the United States. Whether or not our only deterrent to attack at the present time is the SAC, the Strategic Air Command, the head of SAC himself, who understands and is certainly in a position to understand the situation as well as anybody, says that every defense installation he has can be destroyed by the enemy in 30 minutes.

Mr. Chairman, we all realize the importance of not alarming the public unnecessarily or unduly, but none are more completely deceived than those who deceive themselves. We cannot—in order to avoid unpleasant considerations—close our eyes to the extent that we will not immediately—in this session—and it must be done in this session, because after this session the situation will be to that extent more and more nearly irretrievable. Eventually there comes a time when the "watchman waketh but in vain."

Mr. Chairman, many facts and figures will be cited and many statements and opinions by commanders and statesmen will be quoted in criticism of what I am saying. But why split hairs and quibble and debate when one single fact will dispose of any doubt about the seriousness of the matter?

At the close of the last World War we were superior on land and sea and in the air. We had a greater army, a greater navy, and a greater air fleet than all other nations in the world combined. We were in complete command of the situation. When we called in the defeated nations, we did not discuss the terms of the surrender. We said "Sign," and they signed. Today we could not tell anybody to sign. That alone answers anyone who wants to discuss how far behind we are or how far ahead we are. Let us leave that for the time being and concentrate on how we can best protect ourselves against attack.

Already time is running. And in this session of the Congress—and no later—we must recognize the true situation, and must, as best we can, meet that situation.

We ask ourselves in astonishment how it could possibly be that the United States, so recently superior in every branch of warfare and so completely in command of every international situation, drop 3 or 4 years behind in so vital a matter. Why are our defense forces today inadequate?

Our forces today are inadequate because Congress has not in the annual military appropriation bills provided the weapons which should have been provided.

That is all there is to it.

We have not in our appropriation bills provided the weapons we needed to keep our forces in a position to meet an enemy attack. While other nations were spending the necessary funds and developing the weapons we today lack, our Committee on Appropriations has failed to report the bills and recommend the expenditures to keep our armies and navies abreast of the times. And, of course, if the committee failed to report the bills, Congress could not pass them.

Why has the Committee on Appropriations not reported a bill that would have met the situation? Because they listened to the admirals—and the admirals blindly, obstinately refused to recognize the situation—that the Navy was no longer the first line of defense—that the command of the sea was no longer essential to victory, that a great nation could be subjugated and destroyed regardless of who held the sea and especially that the only naval units remaining after a nuclear war would be the submarines.

Blinded by this monomania, the admirals stalked into the committee rooms of the House and Senate, in full regalia, and wrote the defense bills in the budget. And the committees, with no one to caution or warn or even question, reported them out to their respective bodies and the conference committees wrecked and ruined American supremacy and undermined national security. That is where we find ourselves this morning.

It is all but incredible that the United States whose inventive genius and scientific research discovered, invented and devised these modern weapons which now menace us should have lost control of them. We built the first submarine and used it in the Civil War. We built the first airplane and first used it for reconnaissance in France. We devised and used the first atomic bomb and used it to end the last World War. And yet we have slept on our laurels and permitted a nation just emerging from barbarism to perfect and adapt them until they are today the instruments with which a rapacious and ungrateful power threatens our existence.

We are in greater danger today than at Valley Forge. Defeat there would merely have continued an oppressive government without danger to life or property. We are in greater danger than at Gettysburg. Defeat there would have merely created two nations living side by side. We are in greater danger than at Chateau Thierry. The Kaiser would have been content to exercise an overlordship and monopolize commerce. But today defeat means extermination.

It is not an academic situation. We have it on competent authority that intercontinental ballistic missiles are piled up like cordwood. That they are in mass production. That the number is increasing rapidly.

We know that with modern warheads and the accuracy they have demonstrated these projectiles can destroy complete cities in minutes. We know that one falling at the intersection of 42d Street and 7th Avenue, New York, would leave a chasm 1 mile across and 142 feet deep; that it would destroy every vestige of life for a radius of 7 miles in every direction, and so injure those for a further radius of 10 miles that few would live.

We received here in the House from the Senate last week a resolution authorizing Governors of States to appoint successors to vacancies in the House in an emergency—an unheard of provision. And there are intimations that procedures are being studied with a view to authorizing Governors of States, in event of the destruction of the Government, to organize, via radio, because all other methods of communication would be destroyed, a provisional government. One bomb, falling anywhere on Pennsylvania between the Capitol and the White house at the right time would destroy the United States Government, executive, legislative and judicial.

It is not a question of arming to prosecute a war. Our objective is to avoid war. It is not a question of victory. It is a matter of survival. Defeat means not only the wreckage of a great nation but the complete destruction of Christian civilization. Mr. Chairman, the stakes are too high to take the risk.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. CANNON] has again expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Chairman, certainly the subject of where we stand with reference to the deterrent capability or lack of it has come in for more than adequate discussion over the past few weeks, and even months; but I often wonder how much of that discussion has been designed to clarify and how much has been designed to confuse. I do not know whether in 5 minutes I can do much clarifying of it, but I should like to try.

In the first place, there is no one I know of in a responsible position today either in a military capacity or political office who questions our present overwhelming deterrent capability and superiority or its adequacy as of today. I think it speaks quite well for the continuing record of this administration and the Congresses that have served with it that we are prepared today. For one, I believe America can confidently buy a future based on a record like that and will do so when it reflects the condition that pertained in Korea when this administration took over. But then we still hear scare talk about the future. I know my distinguished chairman of the committee on which I serve would not be a party to this group that I refer to as the peanut gallery. I do not believe our chairman should criticize himself, the Congress, or this administration. The record speaks for itself and is a good record. I can understand though why he might have become temporarily so concerned, I refer to this mass of political criticism at this time as criticism from the peanut gallery as it seems to be largely led by two prominent gentlemen from his fine State of Missouri, one a former President, and the other a former Secretary of the Air Force, in that administration; now a U.S. Senator, who the hard facts of the record show recommended and spent over $117 million for peanut subsidies, but little or nothing at all for missile research and development. Unfortunately some of the other people who seek the high office of the presidency, seem to have decided to do so on the same basis and I am much concerned that in doing so they are toying with the security of the United States and even jeopardizing the very peace of the world. Our fine Chief of Staff, General Twining, has forcefully cautioned against the danger of downgrading our

capabilities. It has been pointed out that each of the last three wars we got into were the result of an aggressor miscalculating as to if the United States would or could react in time to stop their aggression. That was true in World War I, World War II, and in Korea we even invited the miscalculation. He further pointed out the dangers of helping those who are trying to sell the slogan and idea, "I'd rather be Red than be dead."

I remember experiences I had in Italy during World War II when Axis Sally and Lord Haw Haw were broadcasting to us in this new era of so-called psychological warfare, telling us "we have these new horrible weapons; come on over to us; we will make you real comfortable; if you do not we will kill you all; surrender; you do not want to be dead." Very effective propaganda on some people. I do not think anybody today would want to contribute to that type of thing that Axis Sally, Lord Haw Haw, and although I was not there, I am told that Tokyo Rose did in the Pacific. For that under the laws and attitudes of less than 15 years ago, they were sent to jail or given more serious punishment. I do not think times have changed to the point that today it would be a popular or rewarding platform.

I have referred to certain criticism as coming from the peanut gallery because as shown by figures I have had assembled and presented to me, these very people who now criticize, spent over $117 million between 1947 and 1952 on peanut subsidies, but did not provide one single dime for our IRBM's.

Furthermore, for the fiscal year 1946, $1.9 million—not billion, but million—was requested and appropriated for ICBM. For the next fiscal year 1947 nothing was done, either requested or appropriated for ICBM's or IRBM's.

For the next fiscal year, 1948, $300,000 was requested and $300,000 was appropriated for ICBM's and again nothing for IRBM's; whereas for that year $5,200,000 went for peanut subsidies.

For 1949 they only requested $100,000, and $100,000 was appropriated for ICBM's and again narry a thing for an IRBM; whereas the peanut subsidy jumped toward outer space at a cost of $36,200,000.

For 1950 nothing was requested and nothing appropriated for either ICBM or IRBM.

For the fiscal year 1951, $500,000 was requested and $500,000 appropriated.

For the fiscal year 1952, $800,000 was requested and $800,000 appropriated.

For the fiscal year 1953, $3 million was requested and $3 million was appropriated.

During all that time most of this chorus of critics were men who held positions of great responsibility, held high positions in Government in the legislative, in the executive establishment, or even as secretary in a department responsible for the space and missile program, oh yes, even as his boss and as Commander in Chief.

In addition, let me point this out. Last night, as I mentioned a little earlier on the floor today, I was amazed to see the dexterity of a member of another body appearing on the American Forum television program when he tried to justify this lack of preparation by saying that we had thrust problems and we could not solve them, that is we did not think we could solve them.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. THOMSON of Wyoming. Mr. Chairman, he said therefore we did not spend the taxpayers' money, and should not have spent it. Later the question came up, Why are we not, if we are not, away out in front in the space program? His answer was, Because we did not have vehicles with as large thrust capabilities as the Soviets have. He had just finished saying, mind you, that the head of his party during the critical period 1946–52 had thrown in the sponge and did not try to do anything about the problem in those latter years of the Truman administration. They did not spend any money, and they did not appropriate any money. Contrast that with the last 7 years under the Eisenhower administration. For instance, in the fiscal year 1954 we jumped to $13 million plus for ICBM from $3 million; then in successive years up to $40.9 million in fiscal year 1955 with a $158 million program; to $144.9 million for ICBM in fiscal year 1956 plus $4.4 million for IRBM; thereafter to $858.9 million for both as requested and as appropriated in fiscal year 1957; and on up to where this year there is requested $2,471,800,000 in the budget for ICBM's, and a budget request of $952.2 million for IRBM's, intermediate range ballistic missiles, making a total of $3,424 million and in addition to that for the space program. Contrast that with the $3 million, the less, or the nothing year by year during the Truman administration. The remarkable thing is we have the missiles; the research and development has been done; they work and will do the job required from the military standpoint. What a tribute to American capability. Do not anyone downgrade it.

I say, and it stands uncontroverted, America should be holding her head up with pride that through our American ingenuity and capability in these last 7 years we have done as well as we have. That progress speaks well and indicates we will move way out in front in small areas other than military where for the moment we may not have all we would like to have. This afternoon the Saturn space project was discussed under the order of another bill. It is coming fine.

We had a cavalry unit down at Fort Bliss when I first went into the Army in 1941, World War II. I liked to ride horseback, and I hated to see that cavalry go by the wayside. But the 1st Cavalry Division was done away with as a horse unit and cadred the 91st Division, which I helped organize.

I therefore understand the real rugged resistance being made by some people to any reductions in the flying services of the Air Force. They naturally want to have a big flying force with lots of airplanes no matter how many missiles you have. They want to have it just as big as it ever was. I understand their motivations and respect their feelings. But it is unbecoming, in my mind, if press reports are correct, which in fairness I hasten to say I am advised may not prove to be the fact, for a man in a responsible position to assume 300 missiles, a couple or three years away, and try to justify flying airplanes on a big Air Force alert today at taxpayers' expense and maybe having them worn out when you need them. Some have even suggested that such an effort is a part of a planned offensive to justify an enlarged B–70 program. I cannot conceive of that but time will tell.

No one in a responsible position has questioned the adequacy of the American deterrent efforts or its overwhelming capability to deter aggression as of today. We merely want strength to buy peace and we have it.

Furthermore, on the basis of the record, this administration and this Congress, in full cooperation—I do not make this a partisan issue—in the last 7 years have marched forward to provide plans that will continue to boost and augment that strength that we need as we need it. The heat of a campaign should not be permitted to burn the record or encourage anyone to miscalculate again.

May I also say that if we are going to assume that the Soviets were to put all their capabilities into airplanes, they can have an X number. A year ago it was 5,000. Now it is agreed that it is only a small fraction of that number that they actually have or will have. Also that if the Soviets put all of their capability into submarines that they can have an X number of submarines and on the same assumption an X number of missiles. Then if we try to take from the American taxpayers sufficient to meet every one of those possibilities, the ridiculousness of the situation is apparent on its face. They are overall capabilities. If we fall for that, we are going to contribute to what Lenin said, what Stalin said, and what the present occupant of the chair over there said, that they will not have to bother with us later because they will entice us to spend ourselves into bankruptcy.

In this regard may I respectfully refer you to the very fine statement of our colleague, the able gentleman from Mississippi [Mr. WHITTEN], as made before the Joint Economic Committee, in recent hearings.

Yet this is just what all this rumble about intelligence estimates boils down to. At this point I will insert in the RECORD my recent questioning of General Lemnitzer, the very capable new Army Chief of Staff, as taken from our Subcommittee on Defense Appropriations hearings just released:

INTELLIGENCE ESTIMATES

Mr. THOMSON. General Lemnitzer, we have been hearing a lot here recently about juggling the books on intelligence and accusations that the services are coming up with new gimmicks to get different intelligence figures. With my limited background in the military, I do not think there is anything mystic or classified about the accepted and time-honored procedures for making an intelligence estimate which have proved their worth in and out of combat.

Could you go down the elements in working up an estimate of the situation for me in 1, 2, 3, and 4 order? That is, the elements that go into making up an intelligence estimate of the situation? Would you do that as far as the intelligence paragraph only is concerned?

Mr. FLOOD. What document?

General LEMNITZER. This is our Field Manual 101–5, a staff officers' field manual which presents an outline of the estimate of the situation.

Mr. FLOOD. What year?

General LEMNITZER. 1954, but it is kept up to date.

Mr. THOMSON. I believe, I have the time.

General LEMNITZER. It is the 1954 edition, but with such amendments as have been required, which are a part of it. Every officer in the Army is thoroughly familiar with the format of making an estimate of the situation.

In the first paragraph he writes out in concise and clear terms what his mission is.

In paragraph 2, he discusses the situation and the courses of action which are open to him.

Paragraph 3 is a detailed analysis of the opposing courses of action.

Mr. THOMSON. What goes into that? All I want to know is, What goes into the intelligence estimate?

General LEMNITZER. What goes into the intelligence estimate?

Mr. THOMSON. The process that he goes through. The first thing is the collection of data, is it not?

General LEMNITZER. Yes, sir. He goes through the listing of enemy forces, what the capabilities of those forces are, in his opinion, and he includes this in his analysis.

In paragraph 4, he makes a comparison of his own courses of action.

Mr. THOMSON. Let us just confine ourselves——

General LEMNITZER. I think we ought to mention the last paragraph because it is the most important.

After making these analyses, paragraph 5 is a brief, concise statement of the decision which is decided upon.

Mr. FORD. His decision?

General LEMNITZER. His decision or, in the case of a staff officer, his recommended decision to his commander.

Mr. THOMSON. Under the intelligence estimate itself, he first collects the data and then he evaluates it. Is that not the process he goes through? It is a collection of data and then he evaluates it and then disseminates it. Those are the three things you would do with intelligence?

General LEMNITZER. Yes, sir.

Mr. THOMSON. Collection of data comes from many sources, many reports and rumors, no matter what the credibility you assign to them, and photographs and everything else that can be assimilated on down the line.

General LEMNITZER. Yes.

Mr. THOMSON. The evaluation is where in the conventional sense the intelligence begins, or that is the way I have always looked at it.

The other things are mechanical functions of collecting data, and so on.

General LEMNITZER. You sort out those that appear to be the most credible, the sources which are the most valuable and the most likely to be accurate, and things of that kind.

It is a weighing process.

Mr. THOMSON. The second step that he goes through is this: An analysis and discussion of the enemy's capabilities to justify, when possible, the determination or relative probabilities of adoption. Does that sound familiar?

General LEMNITZER. Yes, it does.

Mr. THOMSON. This process that you go through is nothing new, is it?

I was in service back in 1941 and that was practically the same wording then, as I remember it.

General LEMNITZER. That is right.

Mr. THOMSON. Probably Clausewitz followed exactly the same procedures, and I am sure, of course, but probably Julius Caesar went through some sort of a similar mental process. This is merely, as a matter of fact, what we came up with as a tried and proven principle of the best guideline for going through this thought process to come up with what the enemy can reasonably be expected to do.

That then goes into the first paragraph of a five paragraph field order, which is the information, first, on the enemy, and then on friendly forces?

General LEMNITZER. That is right.

Mr. THOMSON. The fact that you evaluate the data, etc., to get the probabilities has been a conventional concept of military intelligence down through modern times; is that correct?

General LEMNITZER. That is right.

Mr. THOMSON. I want you to check for me, if you can, something I have been somewhat disturbed about in the little time I have been on this committee. For that matter, not only during that time but throughout the time that I have been in Congress and had access to some information even before coming to Congress about the wide discrepancies from year to year in intelligence estimates or, more particularly, estimates of Soviet strength.

General LEMNITZER. Are they discrepancies or differences?

Mr. THOMSON. I think they were differences, but here is what seemed to me like what was going on: We would just take the first paragraph of that intelligence estimate and collect some information as best we could, and when we got the analysis made we said that if you took Soviet industrial capacity and Soviet capacity to produce, and their scientific know-how, and so forth, and put it all in bombers, then we would have X number of bombers. That figure would then go into the record and we would turn and say that if they took those same capacities and put them into submarines we would have X number of submarines.

We then further said if they took their overall capacity and put it into missiles we would have X number of missiles.

The people who wanted bombers said that we had to have enough bombers to meet this X number of bomber threat, and the people who wanted missiles and the people who wanted submarines said we would have to have at least enough force to meet this fictitious number of missiles or submarines.

The error of this is as simple as in the case of estimating the yield on a farmer's field. We can say with accuracy, "If the farmer puts in wheat he can grow X bushels of wheat. If he puts in oats he can grow X bushels of oats. If he puts in barley he can grow X bushels of barley."

But he cannot grow all the bushels at once.

Actually, that to me tends to explain why we come up with a great big difference of Russian bombers here a year ago, or a couple of years ago, and so forth right along, and they do not have them because they decided they were going to build a few missiles and submarines instead of or at least right along with building airplanes.

Is that the problem we have been faced with as far as some of these services trying to lobby for more airplanes, for more submarines, or for more missiles, and so on down the line are concerned?

Am I looking at this problem objectively?

General LEMNITZER. Well, I am not in a position to say that, but what you describe is generally the process which is followed in making an intelligence estimate.

Mr. THOMSON. Now we get down to one more step which is being cranked into the estimate as more reliable information and credible evidence becomes available; that is the factor of probability. We have always recognized that we should do so when we have sufficient evidence to make a reliable report.

We consider the informational data we have collected, even before Mr. Khrushchev spoke out about stopping bomber production and if we take that into consideration and based upon their known production facilities, what they are in fact doing and things like that, come up with what they probably will have, is that not the next conventional step in the intelligence analysis?

General LEMNITZER. That is a step, but I would like to point out that I do not think we should change any of our intelligence estimates merely on what Mr. Khrushchev says.

Mr. THOMSON. I agree with you.

General LEMNITZER. We would have to have that substantiated by intelligence sources.

Mr. THOMSON. I agree with you. In fact, there has been too much done to upgrade the number of bombers they are going to have, and the number of missiles they are going to have, and this and that on what Mr. K. says. Mr. Khrushchev upgrades and boasts and is a recognized and agreed expert in that field, whereas there seems to be a tendency around here, as expressed by General Twining to downgrade our own. We should be careful that we do not downgrade and invite a miscalculation. The last three wars were a result of miscalculations on how the United States of America would or could react to aggression.

I just wanted to have on the record here that this intelligence process is one that is nothing new or mystic or any new gimmick. It is one we have had for years and has proven its value under all circumstances.

I remember someplace in that field manual it states that this is the same type of thinking that a civilian goes through in making a decision as to whether or not he will go into a certain undertaking. I used that same process as a lawyer, businessman, and so forth, and I found it was in fact a very orderly thinking process all the way through.

General LEMNITZER. That is, in essence, what we feel the outline is. Anyone in arriving at a decision or making an analysis goes through these steps, consciously or subconsciously.

Mr. THOMSON. May I say to you that in my 5 years in the Army I did not waste them because I found out that this process furnished me an orderly basis of analysis for any business undertaking I was thinking about going into. I thought about it and made an estimate of the situation based upon the possible enemy, whether a competitor or what have you. I collected the data and evaluated it and I certainly weighed heavily the capabilities and the probabilities based on the facts. I thought about it and made an analysis of my capabilities and usually that was decided by the banker. Then I decided, made my decision, as to a course of action I was going to follow. I did not issue any order but I put it into execution the same way.

As to the old paragraph 5 on information of the enemy, friendly forces—my wife always disagreed with me because she wanted a fur coat or something which she does not have yet—then you come to your lines of communication and that sort of thing which is a matter of going back and forth with the bankers or political customers through the post office.

Anyway, I point out that I have been particularly disturbed about some of the remarks made about cranking new factors in. You crank new factors in when you have

better information which permits you to reasonably do it with some degree of credibility.

Would you agree with that?

Perhaps I talked too much, but that is what we go through, is it not?

General LEMNITZER. Yes.

Mr. THOMSON. You will agree?

General LEMNITZER. I agree with the way that you have expressed it.

Mr. THOMSON. Thank you.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Maryland.

Mr. FOLEY. During that period right after World War II, during the period covered by your statistics, who was the chairman of the Joint Chiefs of Staff?

Mr. THOMSON of Wyoming. I am glad that the gentleman asked that question. This came up unexpectedly, and I do not happen to have the quotations here with me, but I will be glad to mail the direct quotations from the then Chief of Staff, now the President of the United States, who stated directly then that we needed the money for missile programs and said in effect and very forcefully "Let us get something done."

Mr. FOLEY. What did he do to achieve his program at that time?

Mr. THOMSON of Wyoming. Well, at that time he was in uniform, and I think that he performed his duty when he reported that to the President and testified before the committees of the Congress to that effect.

I do not believe that he should have called out the military forces to storm the Capitol or the White House. I do though also think he answered a call to duty when he captured the White House in the American way in 1952. I further believe he has discharged that duty with honor and distinction and with credit to both himself and his country. All evidence *supports* that the overwhelmingly majority of the American people agree with me in that conclusion. The American people are not being misled by this knit-picking criticism from the peanut gallery either.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Also is it not true that the then Chief of Staff was serving under a President who demonstrated that he would just as soon fire generals who, in his opinion, get out of line?

Mr. THOMSON of Wyoming. Quite definitely, in the case of Korea that was clearly demonstrated. Furthermore, I think when some money was put up in the 80th Congress, it was impounded by the very same President and I presume on the advice of his Secretary of Air, anyway. There is not much use getting money when it is locked up.

Mr. RHODES of Arizona. I am glad the gentleman made the statement about psychological warfare, because it appears to me right here and in the other body we are taking grave risks, by giving the U.S.S.R. all the material they need, and speaking about the capability of the U.S.S.R., are in fact conducting psychological warfare for them by making statements which I claim are irresponsible. These statements have the effect of scaring the American people to death, and even if the dire predictions were borne out by facts, which I claim they are not, they would serve no useful purpose except for the Soviets. When we get on the floor, we have heard an influential Member of the House, the chairman of the great Appropriations Committee, depreciate our defense position, and then state that Members of the House and Senate are to blame for not appropriating enough money. I wonder if the gentleman will not agree with me that it would be much more appropriate for our good friend and colleague to go downstairs to the Defense Subcommittee room and do something about it instead of prophesying doom here on the floor.

Mr. THOMSON of Wyoming. May I answer it this way, that last night on this American forum program, a Democrat gentleman from the other body I thought stated it quite honestly when he said, "Sure I am partisan, and that explains some of these positions I take to a certain degree."

Mr. RHODES of Arizona. Does not the gentleman agree that partisanship should go only so far, and when it gets to the point where the American people are told, in effect that they should have no confidence in themselves, in their Armed Forces, in their executive department, and in their Congress, that maybe we are carrying partisanship a little too far.

Mr. THOMSON of Wyoming. I certainly do. As a matter of fact, in this area I want it clearly understood that if I felt for 1 minute that there was any major defect in our deterrent capability, I would be the first one to point it out, coming, as I do, from Cheyenne, Wyo., with the first operational missile base in the United States of America being headquartered out of my hometown. I think under such circumstances I would consider it my duty to point out the facts in the proper manner. May I say though, I have been thoroughly briefed on the facts and this criticism from the peanut gallery is pure and simple political propaganda. It is played on TV and in the press instead of before our committees in executive session. Classified information is misrepresented in the sense that the highest and not the best estimates are taken and used without regard to the year when a capability is in fact expected or possible. Then that sensitive classified information is thrown all around making it available to anyone and everyone, friend or foe.

In answer to the gentleman's question, I say that if we want to preserve the security of the country and the peace of the world we better keep the defense out of politics as has been done throughout the years.

Mr. RHODES of Arizona. I hope so, too, and that this numbers racket that we have every year about this time will cease and desist and we will work together to make sure that we keep the deterrent capability which is so necessary to preserve our way of life.

Mr. NATCHER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the Subcommittee on the District of Columbia of the Appropriations Committee once again brings to the floor of the House for your approval the annual District of Columbia appropriation bill for the fiscal year 1961.

It has been a pleasure serving with our chairman, the able and distinguished gentleman from Michigan [Mr. RABAUT] and the other members of this committee.

Our Capital City is one of the most beautiful in the world, and should be a model city in every respect. With a metropolitan area which includes a part of two States, four counties, two independent cities, and the seat of the Federal Government, we are subjected to problems that require careful study and understanding.

The 1950 census shows Washington's population as 808,000. Today, the population is estimated to be about 840,000, and no substantial increase is expected during the next decade.

The Maryland suburbs have some 730,000 residents today and an increase of 300,000 is expected during the next decade. Northern Virginia suburbs with its rapidly increasing population is also expected to show a substantial increase during the next 10 years.

What is the trouble here in Washington? Why is our Capital City passing through the most crucial period of its entire history?

The pressure groups maintain that Washington is suffering as the result of inadequate funds to properly maintain the city. This is simply an easy way out, and a refusal to face the facts.

The size of the District of Columbia budget will not correct the situation confronting our Capital City today. In 1950 the budget totaled $98,331,274, and 10 years later the budget totaled $241,695,076. Today we are recommending a budget totaling $237,118,276. Of this amount, $32,070,000 is for capital outlay. The total amount recommended is adequate.

Our present condition is not the result of the Federal payment. The Federal payment to the District from 1924 to 1960 has ranged from $4,539,295 to $25 million. In 1954, the Federal payment amounted to $11 million and today we recommend the sum of $25 million.

Deterioration in the non-Federal portions of our Capital City is one of the major reasons for our present condition.

Sudden shifts in population in certain sections of our city and rapid movement to the suburbs of large numbers of middle- and upper-income families is another reason for our situation today.

The downtown area of our city is deteriorating and has been ignored for a great number of years. Our downtown section is one of Washington's major tax sources. Here we have only 2 percent of the land area and some 20 percent of the property tax revenue. Other cities have the same problem today and are taking positive steps to correct the situation. Baltimore, Philadelphia and Pittsburgh are blazing a trail that should be observed by those who are responsible for making recommendations concerning our Capital City. A downtown action

program must be approved and started as quickly as possible. How many cities in this country drawing 6 million tourists a year who spend about $375 million yearly would ignore or turn their backs on the section serving these people. We should remember that business and population is rapidly expanding in the suburbs while the level of income and business activity in the District is considerably below suburban levels. Here again is another major reason for our present difficulty.

The change in the population in the District has brought additional medical and welfare obligations which is a major reason for our present trouble. In 1951, the sum of $7,800,989 was appropriated for public welfare. Today, we are recommending $19,508,000. The total number of persons on public assistance in 1959 in the District totaled 26,291. We have a 1-year residency requirement in the District. Our welfare program is known far and wide and the number of applicants is increasing by leaps and bounds. In order to stop undesirables from drifting in to our Capital City, we must take a new look at our welfare program.

Our public health program is seriously affected by our shifts in population. In 1951 the sum of $18,585,330 was appropriated and today we are recommending $36,551,476.

Population trends in the Capital City today has brought about high delinquency and crime rates. A police force of 3,000 will soon be required to cope with the situation. A force of this size will be helpless so long as offenders who are guilty are given inadequate sentences. For example, I cite the Alexander Truesdale case. Here we have a man who shot two women and within a matter of a few minutes this action was reported to Private Harold K. Shelton, one of the fine police officers in the District. Truesdale turned on Private Shelton and shot him. The officer died and Truesdale pleaded guilty and was sentenced to a term of 9 to 28 years. This case took place in May of 1959.

Another officer, William Maginnis, was assaulted by three men. All three had police records. One received a sentence of 15 to 45 months, another 6 to 18 months, and the third 4 months to a year. What is the condition of the officer at the present time? He is scheduled to appear before the Retirement Board because of disability—the result of this terrific beating that he suffered—beaten by clubs and seriously injured.

Certainly sentences such as these are not commensurate with good law enforcement. Our citizens and our courts should assist in proper law enforcement and one place to start is in cases such as the two just described.

In 1951 we appropriated $9,191,352 for the Metropolitan Police Force. Today we are recommending $23,217,000. In 1959 we had 17,515 major crimes committed in the District.

Population trends directly affect the school system, and this is one of the major problems of the District. We have 115,860 schoolchildren. In 1951 the sum of $21,827,247 was appropriated for public schools and today we recommend $49,232,700.

Urban renewal is of major concern to our city. Much of our Capital City needs redevelopment. Thousands of families will be displaced and housing must be provided. This is one of the reasons for our present condition today, and is a problem that must be solved.

The Constitution provides the boundary for our Capital City and we cannot follow the population into the Maryland and Virginia sections through annexation. This prevents certain development which is essential for a growing, prosperous city, and makes our position a more difficult one.

With the present situation slowly closing in on us, we continue to have demands for more money, more buildings, and more employees. This, of course, will not correct the situation locally. In 1955 the District had 20,633 employees and in 1960 there were 24,491. This year 1,092 new employees were requested.

Now is the time for those who are really interested in the future of our Capital City to give their full assistance and understanding to a solution of the many complicated social and economic problems present today in the District of Columbia. We are in need of expert advice and the sooner the better.

Mr. Chairman, our Capital City should be a model city and certainly the problems confronting us today can be solved. Our shortcomings do not result from lack of funds, but from lack of proper planning and action. We are failing because we refuse to face the facts and the situation as it is today. Along with a new transit plan, new zoning regulations, new citywide reassessment of real estate, management improvement efforts, public works program, and urban renewal program we should establish a plan for meeting present social and economic problems in our Capital City. At the same time a congressional policy should be established and any and all necessary legislation enacted as quickly as possible.

With our present situation in the District an increase in the tax rate is probably a mistake. Today the value of taxable real estate is $705,703,734 for the land and $1,511,223,744 for improvements. The tax amounts to $50,989,332 and the number of items total 151,591. The tangible personal property is assessed at $400,322,259 and produces a total tax of $8,006,445.

In closing, Mr. Chairman, I would like to call the Committee's attention to the record established by our fire department. We enjoy in the District an excellent rating for fire prevention and protection. You will be interested to know that the 2.48 per capita fire loss in 1959 is one of the lowest in the Nation.

Our Capital City is a beautiful city; we have good Commissioners and excellent District employees. We have nothing to fear as far as the future is concerned if we proceed now to understand and solve the problems confronting us today.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to my friend, the distinguished gentleman from the great State of Kentucky.

Mr. CHELF. I thank my colleague for yielding to me, and I commend him and this committee on the excellent job they have seen fit to do for the District of Columbia.

Most especially am I pleased, and I know other Members of the House of Representatives are pleased, in the increase of the amount of money for the Police Department. They are doing a magnificent job. Only yesterday they caught the culprit who raped and killed that little 4-year-old child just the day before. That is fine police work. I want to take this opportunity to commend the Police Commissioner and all of the police of the District of Columbia. I think they are doing a grand job, and with this extra money they can increase their force and can give even better protection here in the District. Give them the tools and they will get the job done. Let us help our police and quit all of this criticism that has been heaped on them.

Mr. NATCHER. I thank my colleague.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska [Mr. WEAVER] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. WEAVER. Mr. Chairman, we have before us today the first of 15 regular appropriations bills for the 2d session of the 86th Congress. In itself this bill is not considered an important one from a national point of view since it deals only with one city, Washington, D.C., and since it contains only $237 million in new appropriations.

However, because of its position as the first of many bills to come before us, this bill has a unique distinction. It may well establish the pattern in a general way for other appropriation measures to follow.

For this reason, I believe a complete explanation of the bill—and more important—a complete explanation of the reasoning of the House Committee on Appropriations is important today.

In considering the appropriations bill for the District of Columbia the House committee each year is faced with a rather difficult problem. The committee must consider carefully details of municipal administration of a large city with a growing population but whose limits physically are defined by nearly unchangeable law. Washington cannot spread out, in the normal manner of many other cities. And yet within this confined area, the population has increased dramatically over the past decade and it appears to be a continuing process of population expansion.

Washington has further legal limitations on its municipal financing which must be considered by the Congress each year in appropriating for the District of Columbia. And, finally, Washington as the National Capital has but one major industry, the Federal Government. This, too, must weigh heavily in decisions taken by the committee.

The committee, under the able leadership of the gentleman from Michigan [Mr. RABAUT], who has shown a dedication to his task that should be the envy of all in the House, has approached these problems with care and with long deliberation. All elements were considered, and the final bill reflects a desire on the part of the committee to meet the true needs of the people of Washington and of the Federal Government, the city's largest tenant. These needs were carefully assessed on the scale and balanced against the ability of the community to pay for the essential needs plus a reasonable and just estimation of the bills the Government owes as tenant to its landlord, the District of Columbia.

At this point I would like to observe that there seems to be a philosophy among many in Washington that because the city is the National Capital the rest of the country owes it something. This is often expressed by the observations which have been made that "the rest of the Nation wants to be proud of its Capital. They want it to have the best." This attitude, I am afraid, has quite often colored the reasoning behind budgetary requests.

Against this background then the committee set to work on the task of appropriating for the municipal government of Washington.

I think that in the bill before us today we have a good, sound measure and one which takes care adequately of all the essentials, provides for growth of population, and cares sufficiently for the unique problems which Washington as a city faces.

We have appropriated a total of $237,118,276.

This bill contains some $4½ million less than was approved for fiscal 1960—and it is some $5,284,724 less than was requested by the city in the budget requests for operations and capital improvements during fiscal 1961.

This is not a miserly sum. This is not a pennypinching bill, despite the allegations of some. Much, for instance, has been made of the allegation that we cut the police department requests by two-thirds, from 150 new positions to 50 new positions. This bears a careful examination. As pointed out in both the hearings and the report accompanying this bill, the Metropolitan Police force last year asked for and was given 100 new positions to be filled. As of this date 78 of those positions remain unfilled.

Add to that 78 the 50 new positions we have given in this bill and the figure is 128 new police officers. In addition, we have provided in this bill positions for civilian parking meter collectors. This, alone, will provide 19 extra police officers to take up positions on the foot patrol in the interest of crime prevention in Washington. Actually, if the police department makes the best use of the positions now available and those which will be made available under this bill, there will be an additional 147 uniformed officers available to fight crime. This is just three shy of the number the department requested this year. I cannot, of course, commit any future Appropriations Committee nor can we commit a future Congress. If it is demonstrated this next year that the additional 147 men are not enough to do the job, the requests for additional policemen above these 147 will meet with the most sympathetic understanding on the part of both the committee and the Congress.

In all, this bill provides for a total police force of 2,658 men. To maintain this force we have recommended $23,217,000. This is somewhat less than requested, but it is an increase of $1,061,000 over fiscal 1960.

Fire protection, too, has been increased under the provisions of this bill. We have recommended a total of $10,940,000 for this purpose, an increase of some $393,000 over last year. In this, too, the growth of population and growing demands on the fire department were considered by the committee which acted accordingly.

After protection, the other greatest single essential for a city like Washington is the educational system.

Here again the committee weighed carefully the needs of the expanding population, and acted accordingly.

To operate the public school system during fiscal 1961, the board of education requested a total of $49,115,000. The committee did not feel that this was quite adequate to meet the needs, and we upped that sum by $117,700 to a total of $49,232,700. That is what we recommend to the House and to Congress.

The committee has approved the request of 195 additional teachers to meet the growing pupil population and the demand this makes on the educational system. We have attempted to establish a 31 to 1 ratio of pupils to teachers which is a reasonable figure as compared with the national average for elementary schools and is far better than the ratio which exists in many parts of the country. The committee cannot in any way be accused of being stingy when it comes to providing educational funds for Washington this year. We have been, it seems to me, generous in the extreme. However, there is no hesitation on my part in supporting this enlarged budget, nor, I believe, on the part of any on my side of the aisle in this matter. Education is of too vital an importance to our Nation for us not to make the utmost use of available local funds—not only in Washington but elsewhere in the country.

Another essential in a well-rounded educational system is the public library. Here again the committee met all of the essential needs of the city, providing a total of $2,689,000 to staff and operate the libraries, including an additional $61,000 for staffing the new Fort Davis branch library.

To cope with the growing problem of traffic in the already congested Washington streets, we have approved a $13 million construction program to broaden and improve access streets and to clear some of the congestion.

The important reductions in this appropriations bill are for construction of an elementary school and a branch library. However, neither of these reductions involves a denial of new construction. They are merely a postponement because the design work has not been done nor will it be completed until next spring for either of these buildings. It is senseless to set aside the money until we know what the actual costs of these buildings will be. And we cannot know that until we get the designs next spring.

In only two aspects of this bill am I the slightest bit disappointed.

Because hospital officials here were unable to get the required sets of figures for the committee in time to act, no provision has been made in this bill to increase the payments by the District of Columbia to the private or charity hospitals doing contract work for the District with the indigent who are ill.

The payments now being made, at a little over $21 a day, are far too low. However, an adjustment on this could not be made by our committee because we did not have available the audit figures we needed.

Ultimately these costs will have to reach a realistic point. Unless they do, we are placing an unfair burden on such places as Children's Hospital and the two great university hospitals here. If these institutions are unable to provide the service, an ultimately greater cost will have to be borne by the taxpayers in the form of new hospital construction by the District government.

In one other respect I am disappointed in this bill. I feel very strongly that we could be making a mistake in providing a $25,000 fund for an inquiry into underground parking facilities at Farragut Square. I do not approve of this feasibility survey because I believe that, regardless of how uneconomic this program is, the parking people will come up with justification for big new expenditures for parking facilities that will, in the long run, probably destroy the parking industry in this city.

The parking industry has been able to do an amazing job of handling the problem in the downtown area. There has been a net gain of some 10,000 parking spaces in off-street lots and garages during the past 10 years. In cities of comparable size or even larger than Washington, there has been a net gain of only some 400 such spaces in an equal period of time.

In this area, I feel that private enterprise is doing a good and thorough job. It should be encouraged, not destroyed.

All in all, this is a good bill. I take great pride in the fact that the committee has been able to present it to you in this form. We have approached a difficult subject and, I think, the committee has handled it well.

In this bill we have been able to cut out the fat. We have left in it all the essentials—the protection of life and property, the protection of public health, the advancement of education, and the provision of good recreational facilities.

In addition, we are looking to the future in the form of continued population growth in the Washington area and the strains this will place on the public services which the District government is required to perform.

Although this in itself can be considered a minor appropriations bill, particularly when compared with the billions coming up in defense appropria-

tions, it is important however, I feel, because in the reductions we have made, the committee is responding to the strongly expressed will of the Congress. We are determined to reduce the budget wherever it is possible to do so. But we are not willing to approach this in a reckless or irresponsible manner. We want the people—not only of Washington, but of the Nation as a whole—to have all of the services that are essential. We do not in any way wish to place the dollar sign above the actual and proven needs of the people. To do so would be to shirk our responsibility. Neither, however, do we wish to squander the wealth of our Nation in frills and nonessentials. This, too, would be a violation of our responsibility.

Mr. Chairman, this is a good bill. We have made some honest reductions. We have provided everything necessary and vital. I not only recommend this bill to my colleagues, I recommend the pattern which I hope this bill is setting.

Mr. RHODES of Arizona. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, this annual debate over appropriations for the District of Columbia is a large part of what we mean when it is said that Congress governs the District. But what is the reality? I am sure that there are many Members of the House who, like me in 10 years' membership, have never participated in a District appropriations debate. If we needed a quorum to legislate, the District government would be paralyzed.

In reality, two hard working, self-sacrificing committees of each House govern the District. They act as city council, giving up precious time that they probably would prefer to spend serving their own constituents and dealing with national legislative problems. Instead, they have to consider licensing regulations for District plumbers, and the fees that should be charged for birth certificates.

Look at the grave and serious problems the Appropriations Committee has given its valuable time to, problems we are supposed to consider on the floor of the House. Does the District Home for the Aged need more money to wash 30,000 pounds of laundry every week? How many trees did the District tree sprayers spray last year? I am happy to see that it was brought out in the appropriations hearings that the number was 37,480. Was that enough? Should they spray more? We must consider this problem carefully. It is a vital issue.

Mr. Chairman, I am forced to say that when this sort of thing takes the time of the National Legislature and its committees, it is just plain wrong and plain foolish. Is this really what we mean by congressional control of the District?

Can we not protect the Federal interest without counting the number of trees sprayed last year?

Mr. Chairman, this whole procedure is a mockery of the serious responsibilities of this House. Common sense shouts that we should put an end to it and let the people of Washington spend their own taxes, supervise their own garbage collection, provide their own city council.

Let us put this whole thing in perspective. Nobody for one moment wants to surrender the Federal interest in the District, or abdicate congressional control, or shirk congressional responsibility. What we are arguing for is a reasonable, sensible system that will permit Congress to do its constitutional job. If we give back home rule to the District, Congress still retains every iota of its legislative power. The District Committee will continue to safeguard Federal interests and control policy. The Appropriations Committee will still control the Federal payment to the District and, so, exercise a proper congressional voice in District fiscal affairs. All we are trying to do is turn over to the people the things they should take care of, so that Congress will have time and opportunity to concentrate on the things it should take care of. We are not really able to protect the Federal interest in Washington when we are busy housekeeping for Washington.

Let us be honest about this. Some people profess to be very worried about whether the Capital City would be kept up properly and services needed by the Government would be properly provided under home rule. Well, how good a job are we doing? According to the figures in the appropriations hearings, we actually are paying a lot less than half of what the Federal Government should pay as its share of the cost of government. We do not even pay what we authorized. The testimony of District officials in the hearings tells a pretty convincing story of the unfilled needs of the Capital, the way we are running it. For example, we have spreading slums in the Nation's Capital—but we cut down on the Federal share of costs for clearing them. If we are so concerned with safeguarding the Nation's Capital, why are we not willing to pay our share?

Instead, we tell the people of Washington how to spend their money. We have a national zoo, at their expense. We have beautiful, wide tree-lined streets, suitable to a Nation's Capital, at their expense. We have a fine expanse of federally owned and controlled national parks for our National Capital, in large part at the expense of the local community. The truth is, we seem very anxious to safeguard the Federal interest at their expense, but much less so if it comes to paying the Federal share of the cost. We are like the fight manager who is not hurt a bit by the punches his fighter is taking, but just tells him to get in and fight.

The answer to this situation is obvious—home rule for the District. We do not need to give up control. We do not need to sacrifice the Federal interest. All we need to do is exercise some common sense about the proper job of Congress and the proper job of the local people.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield.

Mr. BAILEY. Who is paying for the bridges across the Potomac River connecting the District of Columbia with Virginia? Who is paying for the bulk of the airport expenditures? If these matters are turned over to local home rule, do you think the interest of the National Capital would be kept abreast of other capitals and other nations of the world without the support of the Congress? Do you think that after you once turned this control over to the management of local authorities that Congress is going to keep on making appropriations for such purposes?

Mr. WIDNALL. I certainly believe so. I think there would be a good working arrangement between the Congress and the local District government.

Mr. BAILEY. It is hard enough to get money out of the Congress of the United States now when we are supposed to be taking care of these things.

Mr. RHODES of Arizona. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, at the outset I want to commend my chairman, the gentleman from Michigan [Mr. RABAUT], for the painstaking efforts he made, the wonderful job he did as chairman, and the courtesy he showed to the witnesses and the Commissioners of the District. In order to give the residents of the District of Columbia an opportunity to be heard without losing time from work or income, he ordered public hearings at night and any one who wished to be heard had the opportunity to present his point of view. It has been a pleasure for me to participate and serve with the distinguished and able gentleman from Arizona [Mr. RHODES], the distinguished colonel from Kentucky [Mr. NATCHER], and the distinguished gentleman from Nebraska [Mr. WEAVER].

There are several significant points which I would like to discuss. They are the Federal contribution to the District, the appropriations for schools, school lunch, welfare, and police. Before I discuss them specifically, I would like to say that we have recommended appropriations for the District in the sum of $237,118,276, which includes the $25 million Federal contributions. We have cut the President's budget estimate by $5,284,724. I believe that upon the basis of the evidence before us that these recommended funds are adequate to provide the essential services for the District for fiscal year 1961. If additional proof is submitted by the contract hospitals supporting their cost estimates, I believe the conferees may take cognizance of their requests.

FEDERAL CONTRIBUTION

In arriving at the recommended Federal payment the committee did not resort to the so-called formula of computing the Federal contribution on the basis of multiplying the assessed valuation of Federal exempt property by the real estate tax rate. I, for one, felt that the increase of assessments of federally exempt properties by 31 percent as contrasted to a 9 percent overall increase on assessments of taxable properties was unrealistic, unjustified, and rigged to satisfy a so-called formula. In any event, the formula was only a guidepost, a method of testing, and not a criterion or standard of computation.

In arriving at the $25 million Federal contribution, the committee took into

consideration two factors. First, the increased estimate of revenues to the general fund of approximately $5.1 million above the figure estimated in the President's budget, and second, a reduction of approximately $4.5 million in those estimates financed from the General Fund. In trying to be fair to the District and the Federal Government in regard to the Federal contribution, we must not overlook the fact also that the Capital is a mecca and millions of people flock here, not only during cherry blossom time, but through the year. By doing so, these visitors avail themselves of hotel facilities and purchase from tradesmen and merchants, thereby contributing to their growth and prosperity. In my opinion, the residents of the District do not have the right to expect the Federal Government to solve all their problems. They have a duty to call upon their property owners, their residents, and even those who work here and live in the adjoining States to contribute their fair share for the support of the District Government. Is each group doing its proper share?

SCHOOL APPROPRIATIONS

We have recommended increases in appropriations for fiscal year 1961 for almost all departments. Notwithstanding these increases, complaints have been heard orally and in the press. Additional money cannot solve all of the District's problems. A dollar saved is a dollar earned. During the hearings I pointed out that it was possible to save millions of dollars by eliminating the Teachers College and granting scholarships in private teachers' colleges in the area to those District residents seeking to obtain a teacher's license. In my opinion, the District is not getting its money's worth in the operation of the Teachers College. The Teachers College exists primarily to train teachers in the public schools. Of the 112 graduates last year, only 65 have gone into teaching. The public elementary, junior, and senior high schools need teachers desperately. There are many temporary teachers not possessing a high standard of qualification. Inasmuch as the annual tuition in private teachers colleges is less than the annual operation cost for training one teacher in the District of Columbia Teachers College, to wit, $700 to $750, a saving could be effected by having scholarships instead of operating the school. In addition, millions could be saved by eliminating the cost of alterations and repairs and the replacement of the dilapidated Teachers College building. However, I believe that the loud complaint that the discontinuance of the District Teachers College would eliminate the only public institution of higher learning in the District is justified and a valid complaint. I believe that a free District College should be provided for in the District of Columbia for the ambitious student from the 3,000 graduates who graduate annually from the high school with a modernized curriculum designed to educate the collegians in conformity with the needs of a burgeoning scientific world.

The full Appropriation Committee on August 18, 1959, had the privilege and pleasure of hearing Adm. Hyman G. Rickover give his observations of the Russian educational system and his recommendations. Admiral Rickover pointed out among other things that the Russians were teaching foreign languages and especially English in their schools. The District of Columbia school system has a program of teaching foreign languages. One of the feature writers of one of the District's newspapers and certain educators criticized me for recommending that another foreign language, preferably Italian or Russian, should be taught in the schools instead of French. I, for one, cannot see the utility of teaching French to children in America who will find a rare occasion to use this language and not teaching Italian which can be used very often in these United States, in South America, and throughout the world; or Russian, which is spoken by millions of peoples whose importance must be recognized in the world. In our own country, there are approximately 15 million persons of Italian origin, 10 million of Russian origin in the United States, as opposed to 1,800,000 of French origin. The statistics relating to immigration into the United States since 1920 demonstrate that France has sent one of the smallest quotas to these shores. Yet we require French to be taught in the public schools. I, for one, have studied French for 5 years, and although I have traveled in many lands—in Asia, in the Scandinavian countries, in Italy and France—I have found little occasion to use it. During my visit to France I found that the great French people are multilingual, speak English, and I did not need it there. It is my considered judgment that a choice of several languages should be offered to the students and that French should not be foisted upon them. The freedom of choice is not available today in the public schools. If we have no vision and do not provide an intelligent curriculum, we shall hamper our Nation's capacity to meet the demands of the future and we shall not profit from the warnings of one of our greatest Americans, Admiral Rickover.

SCHOOL LUNCH PROGRAM

To a certain extent I was pleased to see that the District Commissioners recommended an expansion of the school lunch program. We recommended $425,900 for the elementary school lunch program for needy and indigent children which will provide noon lunches for approximately 4,800 additional children, making the total 7,000. It is my opinion that this program should be expanded and should provide school lunches for all children and that those who can pay should pay and that the indigent should continue to receive a free lunch. It is recognized by the Army, by experienced educators, and by informed persons that schools today must not only teach the R's, but also must provide food for thought and food for health.

WELFARE

The appropriation for the Department of Welfare has given the committee a great deal of concern. We have recommended an appropriation of $19 million, an increase of $1,630,000 over last year's appropriation, and a reduction of $508,000 in the budget estimates. The District has a 1-year residence law. Despite the requirement that a welfare recipient must reside here for a period of 1 year, the number of welfare cases and the number of people on relief in the District have increased by 15 percent over last year. Over 88 percent of the people on relief today have been residents of the District since before 1950. At least 24 percent of the people who are on welfare today were born in the District. There is no influx into the District for the purpose of obtaining welfare. If one is interested in the breakdown of the length of and the number of cases receiving assistance, I refer you to page 37 of this year's hearings. I would like to point out that despite the increase of the caseloads, the increasing numbers of dependent children, and the increasing welfare budget that the Department of Welfare has several important rehabilitation programs which are designed to reduce the number of welfare cases and which programs are proving effective. Last year at least 7,500 people went off welfare by finding employment and many are being rehabilitated so as to provide and take care of themselves. I commend the Department for its work in the maternity home care program and the residential training center. They are steps in the right direction and constructive.

In digression, I would like to point out that in my own State of New York, the Republican legislature, is considering a 1-year residency law under the notion that the welfare cases would be substantially and drastically reduced and that they could save money. If the experience in the District of Columbia is any criterion, the New York State Governor, Mr. Nelson Rockefeller, despite his knowledge and familiarity with money and gold, will find the anticipated savings of money to be "fool's gold."

POLICE DEPARTMENT

There is one final point that I would like to make. It is believed that in some quarters in the District of Columbia crime is rampant and uncontrolled and on the increase everywhere. Pursuant to my inquiry, the chief of police, Mr. Robert Murray, broke down the number of aggravated crimes according to area and these show that in three of the precincts, crime has fallen off substantially, but in the outlying districts in the northeast section, crime has been on the increase. I wish to commend the chief of police, Mr. Murray, and the members of the police department for their wonderful work in solving crimes, and can state without fear of successful contradiction that the District posses one of the finest police forces in the country.

For the operation of the police department we recommended an appropriation of $23,217,000. This is an increase of $1,061,000 above the 1960 fiscal year appropriation. Criticism is unjustifiably being raised against this appropriation on the ground that it is inadequate. The District Commissioners requested appropriations for 150 additional policemen. We allowed them sufficient funds for 50 additional policemen, but believe

that they can obtain the full complement of 150 by doing what they were supposed to do last year and they should not delay in carrying out what is provided for them in former appropriations. Last year they were allowed 100 policemen. As of February 1 of this year, only 1 week ago, the department still had 74 vacancies. In addition, their requests to obtain civilian help to check parking meters under the parking meter attendant program will release 16 police officers for actual police work and the replacement of three police officers in the public vehicles unit and release three police officers to the foot patrol force in the prevention of crime. Thus the authorized strength of the police department has been met. The hearings will definitely disclose that since the Mallory decision, the solution of crime has been increased in the District of Columbia. This will be found on pages 619 and 620 of the hearings. The crime rate has fallen from a high of 22,848 in 1948 to 17,515 in 1959, although it increased slightly over last year.

In my opinion, the chairman of the committee has done a yeoman job and the members of this committee have assisted him to the best of their ability. In our desire to have an early adjournment, no time was wasted by the committee. If there is any criticism as to the shortcomings and inadequacies, I can only say that reasonable men differ as to what is reasonable. This appropriation bill is fair and adequate and should be approved.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Maryland.

Mr. FOLEY. Earlier the gentleman stated that he did not believe the Federal Government should solve all of the problems of the citizens of the District of Columbia. Now, my question is this: I would like to ask your opinion as to whether or not home rule for the District of Columbia would aid the citizens of the District of Columbia in letting them solve their own problems and taking this burden off the Federal Government.

Mr. SANTANGELO. Before I answer your question specifically I would like to state that I signed the home-rule petition. In my opinion I do not believe that home rule would solve their problems. I believe that they would be losing certain benefits. I do believe that they should have the right to vote, and no person who is a citizen of our country should be disenfranchised, but specifically answering your question, I do not believe it would solve their problems. Home rule would create problems which are insoluble without the help of the Federal Government.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman from New York mentioned Governor Rockefeller in connection with the residency law. The gentleman is aware that the Governor is opposed to the residency requirement.

Mr. SANTANGELO. I am not aware of that. In the past he has said he is opposed to the requirement of a 1-year residency. As a matter of fact, there is a strong current of feeling in the State legislature that with his support they are going to recommend and pass a 1-year's residency law. I think the proof of the pudding will be in the eating, and if a bill is passed and he signs it, he will be for the 1-year residency law and if he vetoes it his position will be clear.

Mr. FOLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FOLEY. Mr. Chairman, I felt sure that someone today would fire up the old smokescreen about cutting off the Federal payment if the District is given home rule. So I armed myself with a few facts and figures.

First, let me say that the reasons for the Federal payment to the District have not a thing to do with its form of government. We pay for services received—we pay a lot less than the value of what we receive but that is the principle involved. We receive those services whether the District is governed by Congress, or Commissioners, or a locally elected government, or by a dozen or so Congressmen on two committees.

How much we should pay is a matter in some dispute. Some think we should pay a full, in-lieu-of-tax payment for the Federal Government—estimated at over $60 million. Some say we should pay at least the full amount we have authorized—$32 million a year, I believe. Some say we should not pay anything, especially if the people are allowed to vote. We should make them pay for their vote by giving the Government a free ride in Washington. In fact, we now pay about a third or a little more of a full Federal share of the cost of government. We do not let them vote, but then we do not make them completely support us.

The fact is, of course, that with the new tax rates proposed this year, the people of Washington will be among the most heavily taxed in the metropolitan area, as testimony in the hearings showed. The fact is, the Federal Government has paid a steadily declining share of the cost of District government, going from a 50–50 share as late as 1920 to 12 percent last year.

I recall last year that some Members got up here during the appropriations debate to say that Washington would get no Federal payment if their right to vote is restored. These Members have a right to their opinion, even though I disagree. But neither they nor I, alone, can settle that question. Whether the District has self-government or not, the Federal payment and the size of the Federal payment will be decided as they always have been—by majority vote of both Houses of Congress, the President concurring. The decision does not depend and will not depend on the opinion of any one Congressman or any small group of Congressmen. It will depend on our consciences and sense of fairness and our readiness to face up to our responsibility to bear the Government's share of the cost of running the District. I would hope that, when the District has self-government, and so has real locally chosen leaders, speaking with the force and support of the community behind them, we would listen a little better and come closer to paying our fair share. But even that is a guess. The only thing that is certain is that the Federal payment in no way depends on what kind of government the District has.

A comparison of the District of Columbia and Federal shares of the total District of Columbia budget since fiscal year 1955 (prepared by the Library of Congress)

TOTAL APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA, FISCAL YEARS 1955-60

Fiscal year	Authorized as Federal contribution (Public Law 85-451)	Appropriated as Federal contribution	Total appropriations (Federal plus District of Columbia)	Federal contribution as a percent of total appropriations
1955	$21,000,000 ($12,000,000 plus $9,000,000)	$21, 890, 000	$171, 936, 113	12.7
1956	$21,000,000 ($12,000,000 plus $9,000,000)	19, 892, 700	179, 194, 592	11.1
1957	$24,000,000 ($12,000,000 plus $12,000,000)	22, 558, 650	200, 461, 989	11.3
1958	$24,000,000 ($12,000,000 plus $12,000,000)	22, 504, 450	203, 303, 385	11.1
1959	$33,000,000 ($12,000,000 plus $21,000,000)	27, 860, 600	218, 592, 675	12.7
1960	$33,000,000 ($12,000,000 plus $21,000,000)	27, 218, 000	241, 289, 076	11.3

Source: District of Columbia Budget Office; The Budget of the U.S. Government, annual volumes for the fiscal years 1957 through 1961. Washington, U.S. Government Printing Office; Public Law 85-451.

Although a controversy currently exists as to the formula best suited for determining what the Federal contribution should rightfully be, there is no question but what the Federal contribution has hovered at an historically low point in recent years.

From 1879 through 1920 the Federal payment was 50 percent of the general fund appropriation; that is, of each dollar appropriated to operate and maintain the District, the local taxpayer paid 50 cents with the remaining 50 cents being paid by the Federal Government.

In 1921 the Congress of the United States discontinued its practice of paying 50 percent of the cost of operating the District of Columbia. Since that time, the percentage of costs borne by the United States has fluctuated from a high of 39.5 percent of general fund appropriations in 1924 to a low of 8.5 percent in 1954. Since 1956, the Federal payment has been only slightly over 12 percent. The newly increased authorization—Public Law 85-451—provides for an annual payment of $32 million, which is approximately 13 percent of the general fund budget estimate for fiscal year 1961.

Yet, if anything, the Federal Government's obligation has increased in recent

years—a fact which ought to be reflected in the Federal contribution. Furthermore, each year Congress makes it harder and harder for the District to make ends meet on its own.

Illustrative of the ways in which the District's revenues are limited through its role as the Federal City, are:

First. The city was established and developed to serve the Federal Government as its Capital. It does not have and probably never will have independent basic industries that would support it. The Federal Government is actually the major industry in the District. The tax-exempt status of the Federal Government deprives the District of major sources of tax revenue that are paid by the principal employers and land users in other cities. Recent studies show that a cross-section of the Nation's largest corporations pay approximately $1 in State and local taxes for every $20 spent for salaries. If the same ratio were applied to the annual Federal payroll of more than $1,250 million in Washington, and the Federal Government were to pay to the District the amount which a private employer of comparable size would pay in State and local taxes, the annual Federal payment to the District would approximate $62.5 million.

Second. Washington attracts tax-exempt activities such as foreign agencies, patriotic organizations, and others, because it is the Capital City. Each year more property is taken off the tax rolls. Property with an assessed value of $81 million has been taken off in the last 3 years, making the total $275.3 million now exempt.

Third. Building height limitations are set to prevent any commercial structure from overshadowing Federal structures, which precludes the skyscrapers common to large cities. This limitation holds down realty values and, as a result, tax revenues. For example, Chicago in its central business district has an employment density of about 160 thousand persons per square mile contrasted with 90,000 in Washington.

Fourth. Many local residents maintain their legal domiciles elsewhere and are thereby exempt from payment of District of Columbia income tax. Also among District residents is an extraordinary number of persons in the military service who are exempt from the District of Columbia income tax under the Soldiers' and Sailors' Civil Relief Act.

Fifth. Many cities extend their boundaries to include growing suburbs. This obviously is not possible here, but is particularly pertinent to the city's problem in view of the fact that during the postwar years the income of District residents is not increasing at the rate of the surrounding suburbs. The median family income per household in 1947 and 1958 compares as follows:

	1947	1958	Percentage increase
District of Columbia	$3,836	$5,660	47.5
Suburban areas	4,639	7,940	71.2

Source: 1947 data, U.S. Census Bureau; 1958 data, Washington Board of Trade (Dr. J. P. Picard).

INCREASED COSTS

In the matter of expenses, the District incurs increased costs over and above those incurred by an ordinary city because it is the Nation's Capital. Some examples of these increases follow:

First. The Fine Arts Commission and National Capital Planning Commission require that most public works structures be designed to harmonize with the Federal master plan for the Capital City. It is estimated that the structure of the new Constitution Avenue Bridge will cost $2.5 million or 33 percent extra, because of this. The Municipal Center is also an illustration of fine monumental construction consistent with such concepts. Furthermore, the delay in receiving concurrence of other agencies frequently defers construction which results in considerable additional cost.

Second. The federally conceived plan of the city calls for wide, beautiful, tree-lined streets such as few other major cities enjoy. Planting and maintaining these trees is costing over $56,000 this year, and further increases are in sight. Wide streets also mean additional paving costs.

Third. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is approximately $1.3 million.

Fourth. The National Park Service receives more than $3 million each year from the District of Columbia primarily for the maintenance and operation of federally owned and controlled parks in the city. Of this amount, the District pays approximately $600,000 per year to support the Park Police. This is considerably more park land and more park expenditures than are customary in comparable cities.

Fifth. The District has unique Federal legislation which frequently adds considerably to the cost of maintaining the city. For instance, under Public Law 648, 79th Congress, as amended, the District is required to share the cost of Federal grants for the construction of a hospital center and other hospitals. The potential liability for these purposes is $19.6 million. It is estimated that 30 percent of the patients treated at these hospitals are non-District residents.

Sixth. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban population to move to and from the city. The fact that two rivers have to be crossed by much of this traffic requires the construction of very costly bridges.

The District, more so than other municipalities, renders numerous services to nonresidents. Faced with a somewhat similar situation, some cities have resorted to a payroll or earnings tax applicable to residents and nonresidents alike. The imposition of such a tax in the District would, however, further increase the already heavy tax burden since District residents would pay about two-thirds of the total yield.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks in the RECORD on the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

RECREATION DEPARTMENT

Recreation Department, for operation and maintenance of recreation facilities in and for the District of Columbia, $2,855,600.

Mrs. CHURCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time in order to get accurate information, if I can, concerning the number that we are actually supporting on the Metropolitan Police force. A reading of the committee report on page 6 shows that the committee recommends an appropriation of $23,217,000, which is a reduction of $583,000 below the estimate; and I find furthermore the explanation given that the reason for this cut apparently lies in the fact that the department has 78 unfilled vacancies out of the 100 additional positions which were authorized last year. The report further states that the committee recommends funds to allow an increase of 50 officers, which will provide a total authorized force of 2,658 men. In addition, the committee has approved the request to establish a civilian parking meter attendant program and the replacement of three police officers in the public vehicles unit with civilian employees. The approval of these two latter requests would permit the reassignment of 19 police officers to the foot patrol force.

Well, I tried to do a little arithmetic, Mr. Chairman; and because of my great interest in obtaining some safety on the streets of Washington at night and at dusk and perhaps even in the daytimes, certainly, when protection should be given, I would like to ask the chairman whether the reassignment of the 19 police officers and the assignment of civilian parking meter attendants plus the 50 officers allowed are in addition to the 78 vacancies that were not filled last year. Is money contained in this bill also for filling in fiscal year 1961, these 78 vacancies?

Mr. RABAUT. In answer to the gentlewoman's question, there is money in the bill for 2,658 police officers. The civilian parking meter attendant program and the replacement of three officers with civilians in the public vehicles unit will permit the reassignment of 19 officers to the foot patrol force. Those 19 positions are included within the 2,658-man force I mentioned earlier.

Mrs. CHURCH. My specific question, Mr. Chairman, is this: Is the money still allowed to fill the 78 positions that were left unfilled last year?

Mr. RABAUT. The answer is yes. As you know, the department utilized the funds provided for the vacant positions by working policemen on their day off, on a voluntary basis of course. I do not know if the gentlewoman was here when I made my opening statement?

Mrs. CHURCH. I was here for part of the gentleman's remarks, but wish further specific information.

Mr. RABAUT. I said this department of the District government should be treated the same as every other agency of the Government from now on when they request funds for an increased force and still have vacant positions.

Mrs. CHURCH. I may presume, of course, that the subcommittee recommended to the Police Department that the members wanted full service and protection to the average citizen at all times?

Mr. RABAUT. Yes. We really do not think there is quite the crime wave here that the newspapers indicate. As soon as anything happens here, they need 150 new men.

Mrs. CHURCH. I am very much gratified to hear that the gentleman thinks that there is not a crime wave, because the newspapers seem to give great space to it. I find in my own territory that people are beginning to hesitate to come here without additional protection.

Mr. RABAUT. I hope that the gentlewoman does not believe that, any more than the things that the newspapers have said about me.

Mrs. CHURCH. I have never heard anything but pleasant words spoken of the gentleman.

Mr. RABAUT. I thank the gentlewoman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 10, line 4:

"ADDITIONAL MUNICIPAL SERVICES, INAUGURAL CEREMONIES

"Metropolitan Police (additional municipal services, inaugural ceremonies), including payment at basic salary rates for services performed by officers and members of the police and fire departments in excess of the regular tours of duty (but not to exceed a total of sixteen hours overtime pay to any individual officer or member performing service within such period) with such overtime earned by firemen chargeable to the appropriation for operating expenses of the Fire Department, $200,000."

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee a question concerning the appropriation for the forthcoming inaugural ceremonies. I assume that is what this item refers to on page 10 of the bill. How much is proposed to be spent for the inauguration next year?

Mr. RABAUT. There is $200,000 in the bill which is the District of Columbia's share. We do not have anything to do with the Federal cost. It is a peculiar thing that everybody on the committee, from both parties, seems to think that his party is going to win.

Mr. GROSS. I was not passing on who is going to win or who is not going to win.

Mr. RABAUT. I mention that only to show how easy it was for the committee to approve this item.

Mr. GROSS. We hear a lot of talk these days about economy and austerity. I am just wondering if the gentleman has any idea how much is going to be spent by the District of Columbia in connection with the inaugural.

Mr. RABAUT. The amount is $200,000.

Mr. GROSS. $200,000; is that correct?

Mr. RABAUT. Yes. As you know, included in the estimate was funds for hiring out-of-town policemen, but we eliminated that.

Mr. GROSS. What was that the gentleman was saying?

Mr. RABAUT. There were funds in the estimate for the hiring of out-of-town policemen.

Mr. GROSS. Is the gentleman saying that they wanted to permit practically each Member of Congress to hire a policeman?

Mr. RABAUT. They did, but they did not get it.

Mr. GROSS. I am glad to hear that. That is some saving, anyway.

Mr. RABAUT. Yes.

Mr. GROSS. And this $200,000 item is in addition to the money that will be appropriated for the inauguration at the Capitol, is that correct?

Mr. RABAUT. That money will be in the legislative appropriation bill.

Mr. GROSS. For the proceedings over here?

Mr. RABAUT. Yes.

Mr. GROSS. But it starts out with $200,000 in this bill.

Mr. RABAUT. Yes, and this item is unanimously supported on both sides.

Mr. GROSS. We are going to have a plush inauguration, aren't we?

Mr. RABAUT. Yes.

The CHAIRMAN. The Clerk will read.

(The Clerk concluded the reading of the bill.)

Mr. RABAUT. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10233) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. RABAUT. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that the Special Subcommittee of the Committee on Interstate and Foreign Commerce may have permission to sit this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADDITIONAL FUNDS FOR SCHOOL MILK PROGRAM

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Idaho [Mr. BUDGE]; and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 439 makes in order the consideration of H.R. 9331, to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children. The resolution provides for an open rule with 1 hour general debate.

The purpose of the bill is to authorize use of an additional $4 million in funds of the Commodity Credit Corporation for the special school milk program for the current fiscal year and an additional $1 million in CCC funds for the fiscal year ending June 30, 1961. This will bring the authorized use of such funds for the special school milk program up to $85 million for each of the two fiscal years. In addition, the bill as amended will authorize appropriation for the fiscal year 1961 of up to $15 million over and above the amount available from CCC.

I urge the adoption of the rule.

Mr. BUDGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is one of those programs which down through the years have been charged to the agricultural programs of the Nation rather than bearing some relationship to other purposes to which it and other programs relate.

The committee report on page 4 has a very excellent statement, which is as follows:

MULTIPLE BENEFIT PROGRAMS CHARGED TO AGRICULTURE

The school milk program is typical of many programs which, in the public mind, are charged to the farmer and to farm programs although they are for the general welfare, for the protection of consumers, or of a kind conferring multiple benefits on the Nation at large. Other programs in this category are the school lunch program, meat and poultry inspection, food donation programs, and surplus disposal as a part of our foreign relations or mutual defense programs.

The following table, prepared by the Budget Office of the Department of Agriculture, shows a general breakdown between those expenditures of the Department of Agriculture which might properly be charged to the farm program and those which should properly be charged to the general welfare of the Nation.

I have long felt that the assistance given the farmer has been grossly exaggerated and the tabulation made by the Department of Agriculture certainly bears this out.

Mr. Speaker, I appreciate the committee setting forth this statement in its report, and I ask unanimous consent that there may be inserted at this point in the RECORD the chart which is referred to in the report, and which constitutes a part of the report on page 5.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The chart referred to is as follows:

PROGRAMS FOR MULTIPLE BENEFITS AND NOT DIRECTLY CHARGEABLE TO THE FARMER

[Millions of dollars]

	1960	1961
Programs having foreign relations and defense aspects including Public Law 480	1,490	1,508
Food distribution programs including commodity purchases under the program for removal of surplus agricultural commodities, school lunch, and school milk	342	342
Investment in REA and FHA loans which are subject to repayment	576	548
Long-range programs for the improvement of agricultural resources, including research, meat inspection, diseases and pest control, education, market development and services, protection of soil and water resources and forest and public land management	676	733
Total	3,084	3,131

PROGRAMS PREDOMINATELY FOR THE BENEFIT OF THE FARMER

Agricultural conservation program	244	233
Soil bank programs:		
Acreage reserve program	5	
Conservation reserve program	365	394
CCC price support, supply, and related programs, and National Wool Act and acreage allotments and marketing quotas	1,934	2,365
Sugar Act program	74	78
Total	2,622	3,070
Grand total	5,706	6,201

Mr. BUDGE. Mr. Speaker, I know of no objection to the adoption of this rule and reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I want to express my interest in the legislation that would increase the amount of milk available to children particularly. I am speaking now particularly of the hot lunch program in our schools. I commend the committee for reporting out legislation of this kind. I think it is commendable and it will be quite helpful in relieving the situation in certain soft spots in our economy.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 9331, with Mr. PATMAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 30 minutes and the gentleman from Iowa [Mr. HOEVEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield 7 minutes to the author of the bill, the gentleman from Wisconsin [Mr. JOHNSON], who is also chairman of our Subcommittee on Dairy Products.

Mr. JOHNSON of Wisconsin. Mr. Chairman, today we are considering my bill to increase the amount of money available for the children's milk program for fiscal 1960 and 1961 so the program will be able to keep pace with rising school enrollment and increased school participation.

As reported out by the House Agriculture Committee the legislation provides that the amount of Commodity Credit Corporation funds which can be used for the program during fiscal 1960 be increased from $81 million to $85 million. For fiscal 1961, the authorization of CCC funds would be raised from $84 million to $85 million, and an additional $15 million could be made available for the program through a direct appropriation.

Here are the reasons why prompt action on this legislation is necessary. On November 11, 1959, the U.S. Department of Agriculture announced that the Federal reimbursement rate of schools under the children's milk program will be cut by half a cent per half pint of milk on March 1 of this year. Since the program was started in 1954, schools under the type A national school lunch program have received a maximum of 4 cents per half pint for milk which is served as a separately priced item. In schools and child-care institutions serving just the milk, the maximum reimbursement rate is 3 cents per half pint.

I was very disturbed to hear of the coming cut in the reimbursement rate, and when I returned to Washington in December, I immediately looked into the reasons behind the USDA's announcement. I learned that the children's milk program has grown to the point where the $81 million authorized for fiscal 1960 and the $84 million authorized for fiscal 1961 will not cover the expanding program at the present reimbursement rate.

Mr. Chairman, during the 6 years the children's milk program has been in operation, it has amply demonstrated its worth. In the past fiscal year, some 2.2 billion half pints of milk were consumed by children under the program. The number of participating schools, child-care institutions and summer camps climbed to an all-time high of more than 81,500 during the same period. This figure is better than 5,000 higher than the 1958 total of participating organizations.

Preliminary reports indicate that the program is continuing to expand. For instance, the State of Utah needs 26.5 percent more money to carry on its expanded children's milk program this year than was needed last year. Estimates for the current school year indicate that some 83,300 schools are participating in the program and that they will use better than 2.3 billion half pints of milk.

However, as successful as the program has been, just a little over one-half of the Nation's schoolchildren are now drinking milk in school. Nutritionists agree that milk is nature's most nearly perfect food. I feel it is vitally important for the children of our country to have a sufficient amount of wholesome, nutritious milk.

This can hardly be accomplished unless sufficient funds are made available so the children's milk program can keep up with rising school enrollment as well as encourage additional schools to join this worthwhile program. For a school which is thinking of taking part in the program, nothing could be more discouraging than the fear that the funds for the program might run out in the middle of the school year—or the fear that the reimbursement rate to the schools might be sliced.

Mr. Chairman, if the announced cut in the Federal reimbursement rate to schools is allowed to go through, naturally the price of school milk will go up. And if the students have to pay more for the milk, there will be a decrease in milk consumption in the schools, particularly among children from low-income families. These are the youngsters who need the milk the most, because they very likely are not getting enough milk at home.

The direct relationship between the price the children pay for milk and the amount they drink has been proven by studies conducted by the Department of Agriculture. I would like to quote from a USDA news story entitled "Special Milk Program Continues To Increase Children's Milk Consumption." It was released to the press on January 5, 1960, and the paragraph on the correlation between milk price and milk consumption reads as follows:

Schools, nursery schools, settlement houses, summer camps, and other child-care

institutions have found that children want to drink more milk. The more opportunities found to serve milk at additional times during the day, the more milk the youngsters will drink. The opportunity to make milk available to them at a special price—lower than they would ordinarily pay—through operation of the Special Milk Program has resulted in substantial extra sales and increased consumption by children.

Mr. Chairman, on the opening day of the 2d session of the 86th Congress, I introduced my bill to raise the authorization for the children's milk program for fiscal 1960 and 1961. I was pleased that 16 of my colleagues joined me by introducing this legislation. On the Senate side, a similar measure has been introduced and had hearings.

When hearings were held last year by the House Agriculture Committee on the children's milk program, Department of Agriculture policymakers testified in favor of holding back the program. To use their own words, they wanted to "stabilize the program" by keeping expenditures at the level of $75 million a year.

Such action would not result in a stabilization of the program. Rather, it would mean a gradual diminishing of the program, since the number of schoolchildren and the number of participating schools continues to increase. Any program such as the children's milk program cannot stand still. It either advances or it starts down hill.

However, when hearings were held January 20 before the House Dairy Subcommittee, I was gratified to learn that the Department of Agriculture has reversed its previous stand. At those hearings, Assistant Secretary of Agriculture Clarence Miller stated that it would not be advisable to cut the present reimbursement rate to schools in the middle of the school year and that the Department is in favor of the current bills to increase the amount of money available for the children's milk program.

Mr. Chairman, the bill I introduced would have authorized the use of an additional $4 million in CCC funds for the children's milk program for the current fiscal year and an additional $6 million for fiscal 1961, making a total authorization of $85 million for fiscal 1960 and $90 million for fiscal 1961. The committee amendment reduces the authorized use of CCC funds for the 1961 program to $85 million but provides that additional funds up to $15 million may be appropriated if needed for 1961.

This amendment has my wholehearted support, as it is a step in the direction of taking the children's milk program out of the price support program, where it no longer belongs. When the children's milk program was first authorized in the Agricultual Act of 1954, the program was viewed as an outright price support measure. It has served that purpose well, utilizing surplus milk which otherwise would have had to be acquired by the CCC in the form of surplus butter, cheese, or dried milk.

However, during the 6 years the children's milk program has been in operation, it has taken on a broader meaning. It has been enthusiastically accepted by parents, school officials, and nutritionists and is now regarded as a program devoted to the welfare of our Nation's schoolchildren rather than as a program operated solely for price support purposes.

Proof of this can be found in the continued growth of the program during the current year, at a time when the general level of milk prices is above the support level and when there is less demand or need for expansion of the program in the interest of supporting the price of milk. This continuing growth of the children's milk program can only be attributed to the public demand for and acceptance of a child health and nutrition program.

Mr. Chairman, much has been written and said about the cost of the farm program to the taxpayers. Professional critics of agriculture continue to harp on the misconception that farmers alone reap the benefits of the money which is spent on the farm program.

The children's milk program is typical of the many programs that are charged in the public mind to the farmer although they are programs for the general welfare, for the protection of consumers, or of the type that confer multiple benefits on the Nation as a whole. Other programs in this category are the school lunch program, meat and poultry inspection, food donation programs, and surplus commodity disposal as part of our foreign relations or mutual defense programs.

My colleague, Congressman FRED MARSHALL, of Minnesota, has made a very illuminating breakdown of the Department of Agriculture budget for fiscal 1959. He has found that of the $7,341 million appropriated that year in the name of the farmers, only $2,212 million went for programs of direct benefit to the farmers. The remaining $5,129 million was used for multipurpose programs affecting the general welfare of the entire Nation.

Mr. Chairman, the children's milk program is a general welfare program and no longer should be considered a part of the price support program. Later in this session, I intend to introduce legislation which will provide that funds for the children's milk program for 1962 and 1963 come from general appropriations rather than from the Commodity Credit Corporation. Meanwhile, I urge my colleagues to pass the bill before them now in order that the program will not be retarded by a cut in the reimbursement rate on March 1.

Special milk program, Federal expenditures, fiscal year 1959

Alabama	$1,105,758
Alaska	18,699
Arizona	450,381
Arkansas	664,537
California	7,224,585
Colorado	590,597
Connecticut	835,412
Delaware	203,819
District of Columbia	371,335
Florida	1,288,667
Georgia	983,115
Hawaii	172,449
Idaho	185,095
Illinois	5,550,581
Indiana	1,741,516
Iowa	1,603,160
Kansas	811,230
Kentucky	1,244,629
Louisiana	463,837
Maine	318,026
Maryland	$1,505,250
Massachusetts	2,801,086
Michigan	4,372,076
Minnesota	2,098,955
Mississippi	1,020,115
Missouri	1,996,946
Montana	141,938
Nebraska	445,813
Nevada	74,090
New Hampshire	211,215
New Jersey	1,959,694
New Mexico	604,062
New York	8,624,513
North Carolina	1,320,758
North Dakota	259,808
Ohio	4,543,129
Oklahoma	844,441
Oregon	479,948
Pennsylvania	3,509,697
Rhode Island	312,110
South Carolina	589,202
South Dakota	382,509
Tennessee	1,663,469
Texas	2,373,403
Utah	188,467
Vermont	148,371
Virginia	1,473,631
Washington	1,225,483
West Virginia	398,959
Wisconsin	2,744,890
Wyoming	142,134
Total	74,284,590

Special milk program, Federal expenditures, fiscal year 1959—Continued

SPECIAL MILK PROGRAM

Average daily expenditure of Federal funds, September–November fiscal year 1960 compared with the same period in fiscal year 1959 by States

State	Fiscal year— 1959	Fiscal year— 1960	Percent increase 1960 over 1959
Alabama	$7,054	$7,996	13.4
Alaska	107	158	47.7
Arizona	2,747	3,218	17.1
Arkansas	4,154	4,193	.9
California	41,955	45,932	9.5
Colorado	3,472	3,883	11.8
Connecticut	4,771	5,455	14.3
Delaware	1,137	1,377	21.1
District of Columbia	2,064	2,276	10.3
Florida	7,845	8,146	3.8
Georgia	6,129	6,763	10.3
Hawaii	1,062	1,148	8.1
Idaho	1,071	1,130	5.5
Illinois [1]	31,514	33,562	6.5
Indiana	10,266	11,457	11.6
Iowa	9,219	9,909	7.5
Kansas	4,882	5,362	9.8
Kentucky	7,498	7,708	2.8
Louisiana	2,949	3,361	14.0
Maine	1,845	2,054	11.3
Maryland	8,508	9,145	7.5
Massachusetts	16,246	17,137	5.5
Michigan	24,935	29,197	17.1
Minnesota	12,926	13,778	6.6
Mississippi	6,175	7,143	15.7
Missouri	12,284	13,543	10.2
Montana	837	892	6.6
Nebraska	2,595	2,895	11.6
Nevada	426	484	13.6
New Hampshire	1,237	1,425	15.2
New Jersey	10,582	12,947	22.3
New Mexico	3,589	3,912	9.0
New York	47,725	51,688	8.3
North Carolina	8,060	8,645	7.3
North Dakota	1,500	1,695	13.0
Ohio	27,051	30,687	13.4
Oklahoma	5,188	5,476	5.6
Oregon	2,894	3,106	7.3
Pennsylvania	19,874	22,357	12.5
Rhode Island	1,841	2,100	14.1
South Carolina	3,596	3,689	2.6
South Dakota	2,304	2,588	12.3
Tennessee	9,719	9,739	.2
Texas	14,616	15,065	3.1
Utah	1,140	1,442	26.5
Vermont	865	856	−1.0
Virginia	8,837	9,318	5.4
Washington	7,123	7,639	7.2
West Virginia	2,459	2,666	8.4
Wisconsin	15,923	17,066	7.2
Wyoming	886	861	−2.8
Total	433,682	474,269	9.4

[1] Partly estimated

SPECIAL MILK PROGRAM

Comparison of monthly expenditures fiscal year 1959 with estimates for fiscal year 1960

[In thousands of dollars]

Month	Fiscal year 1959		Fiscal year 1960 with no reduction in maximum rates of reimbursement		Fiscal year 1960 with ½-cent reduction in maximum rates of reimbursement effective Mar. 1	
	Monthly expenditures	Average daily expenditures	Monthly expenditures	Average daily expenditures	Monthly expenditures	Average daily expenditures
July	469		657		657	
August	478		600		600	
September	7,724	413	7,729	444	7,729	444
October	9,626	445	10,029	490	10,029	490
November	7,389	440	8,601	485	8,601	485
December	6,508	425	7,192	464	7,192	464
January	8,099	420	8,951	459	8,951	459
February	7,910	416	8,782	455	8,782	455
March	7,761	406	8,550	443	7,156	371
April	8,411	401	9,329	438	7,795	366
May	7,689	403	8,492	440	7,158	371
June	2,221	220	2,448	240	2,230	219
Total	74,285	413	81,360	452	76,880	427
Total including administrative	74,897		82,018		77,538	

Mr. HOEVEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of the committee bill. Since its enactment in 1954, the special milk program has been of tremendous benefit both to the schoolchildren of the Nation and to the American dairy farmer. In fiscal 1955, the first year of the program's operation, there were some 41,000 outlets distributing 449 million half pints of milk. During the past fiscal year, fiscal 1959, the total number of outlets has almost doubled to over 81,500 and the consumption of nature's most perfect food has risen to nearly 2.2 billion half pints. In my home State of Iowa alone the number of schools, summer camps, and similar nonprofit child-care institutions participating in this valuable program was 2,222 in November 1959. The children in these outlets consumed over 16.5 million half pints of milk during the first 5 months of fiscal 1960. The most recent figures show that during the September–November period of the current fiscal year, fiscal 1960, there was a 7.5 percent increase over 1959 in the average daily expenditure of Federal funds in the State of Iowa. This worthwhile program is growing and should be continued.

When this program was first adopted in the 83d Congress, its primary purpose was the stabilization of dairy prices, as illustrated by the following reference from our House Committee on Agriculture Report No. 1927, 83d Congress:

> School milk: In section 320, the committee also provides for the next 2 years an entirely new and extremely beneficial method of supporting dairy prices by providing for increased fluid milk consumption by children in nonprofit schools of high school grade and under. At the present time, the CCC is not authorized to purchase milk and sell it to schools or donate it for school lunch programs and similar uses. This will authorize CCC to use not to exceed $50 million of its funds for such disposal activities during each of the next 2 years.

In 1954 the secondary purpose was to raise the nutritional level of schoolchildren's diets. As time has gone by, however, the secondary purpose has become more and more important to the point where today the welfare of millions of schoolchildren is of equal if not of paramount importance. This is especially true today in light of the improved marketing situation for dairying.

While the actual percentage of the cost of this program chargeable to farmers and consumers may be debatable, the fact undeniably remains that a considerable portion of these expenditures accrues to the direct benefit of consumers. This principle is equally true when the overall agricultural picture is examined.

Too often the American farmer is unfairly depicted as an unworthy recipient of Federal treasure. We who are close to agriculture know that this is just not so. The members of this committee and the Department of Agriculture have both tried to present the facts on the farm budget clearly and honestly. Many times we have found these figures distorted. So when we consider the school milk program, let us not forget the many other activities of the Department of Agriculture which are for the national benefit of all our citizens. These include USDA expenditures for foreign relations and defense activities; most of Public Law 480, our oversea crop disposal law; food distribution programs to needy people—foreign and domestic—penal welfare institutions, and children under the school lunch program; REA and FHA loans which are ultimately repaid by farmers; agricultural research for new and better uses; meat and poultry inspection, Federal grading, animal disease control, insect and pest control, education and information, market development services, protection of soil and water resources, and forest and public land management. All these programs benefit the whole Nation not just farmers, but they are charged to agriculture just like the special milk program.

H.R. 9331, as amended by the committee, is a sound bill and should be enacted. The committee bill covers 2 years, fiscal 1960, the current fiscal year, and fiscal 1961, the upcoming fiscal year. For fiscal 1960 the bill increases the authorization of the Secretary to impair the assets of the Commodity Credit Corporation by an additional $4 million, thereby providing a total authorization of $85 million for the current fiscal year. This increase will be ample to take care of all foreseeable needs in the present school year and will prevent the cut of one-half cent per half pint in Federal reimbursement scheduled by the Department of Agriculture for March 1. The bill further provides that in the next fiscal year, fiscal 1961, that there will be a total authorization of $100 million available for the program. There will be $85 million available to the Secretary through the assets of the Commodity Credit Corporation, exactly the same as during the current fiscal year. In addition to the amounts authorized out of CCC funds there is authorized to be appropriated such additional sums as may be necessary to continue this highly successful program on its current level, but not to exceed $15 million.

The committee bill was reported unanimously and represents not only the continued success of this fine program, but it also reaffirms a principle of sound congressional fiscal management. In addition it calls for a little more public awareness that the cost of the school milk program is properly assignable to consumers as well as to farmers, just like so many programs administered by the U.S. Department of Agriculture.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I want to congratulate the gentleman from Iowa, the top Republican member of the House Committee on Agriculture, for the statement he has just made. I am very glad he has explained the many agencies which receive funds from the Agricultural Appropriation bill that are charged to the Department of Agriculture since few people are aware of that fact.

I am pleased to have the gentleman explain that even the school lunch program is charged to the Department of Agriculture, and I should like to say further that I am very much in favor of this bill to continue furnishing milk to our schoolchildren, which I feel is justified, but just about as far as we should or dare go toward Federal aid to education.

Mr. HOEVEN. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I support this bill wholeheartedly. As a matter of fact, I introduced a companion bill, H.R. 9496.

It appears to me that certainly this is the manner in which we should take care of our milk surpluses. Not only do we prevent the cost of processing, storing, and distribution, but it also provides opportunity to take care of the youth and build for the future of this country.

Virginia schools have participated widely in this program, the State last year being reimbursed approximately $1,474,000 for about 41.8 million half pints of milk.

According to official figures, Virginia participation is up 5.4 percent in this year as compared to last year. This clearly illustrates the need for the additional funds to be provided in this bill.

As a consistent supporter of the school milk program in every respect, I urge immediate passage of H.R. 9331 as introduced by the chairman of the Dairy and Poultry Subcommittee the gentleman from Wisconsin [Mr. JOHNSON], and reported from the House Agriculture Committee.

Mr. HOEVEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. MCINTIRE], the ranking minority member of the Subcommittee on Dairy and Poultry of the Committee on Agriculture.

Mr. MCINTIRE. Mr. Chairman, I join with the chairman of the Dairy and Poultry Subcommittee of the Committee on Agriculture of the House, the gentleman from Wisconsin [Mr. JOHNSON] who introduced and is presenting this bill to the House today.

Our subcommittee held very constructive hearings. We have a great deal of discussion in executive session relative to this bill and the amendment thereto. It should be pointed out that the action of this committee is in complete support of the special milk program. We have attempted to provide all of the funds that are needed for the fiscal year 1960. We have set the program on the same level from the same source of funds for the fiscal year 1961, and we have provided an authorization whereby the Appropriations Committee may increase these funds if it is in their judgment necessary.

Mr. Chairman, in my opinion, this is a very sound bill, and I am happy to join in its support, and I urge its immediate passage.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. MCFALL].

Mr. MCFALL. Mr. Chairman, I rise in support of this legislation as being vitally necessary to the schoolchildren of America.

I am the author of H.R. 9688, a similar measure, and there are a number of additional cosponsors.

Unless favorable action is taken on these measures the Department of Agriculture's order, which would curtail the school milk program on March 1, will stand.

This program is one of the most worthwhile of the many farm support programs since it enhances the health of children who otherwise would not get enough milk to drink, and it does not effect the price consumers pay in the market place.

The fiscal 1959 budget carried $75 million for this program nationally. Last spring when this amount proved insufficient, the Congress voted a supplemental $3 million.

Congress then extended the law and authorized a $81 million program for fiscal 1960 and $84 million for fiscal 1961, since the participation in the program is on a steadily rising curve.

Surveys since this action was taken have shown that the program should be increased to $85 million for both this year and the next. This is what H.R. 9331 would do.

The measure also authorized a $15 million direct appropriation for this program which in the past has always been financed from Commodity Credit Corporation funds.

May I quote from the California State Board of Agriculture:

California schools entered the program in good faith and have more than doubled milk consumption by school children since 1954.

A reduction in the rate of reimbursement in the face of rising milk prices will force schools to increase charges to pupils, which will result in reduced participation.

The following table shows that California is one of the major participants in the program since its inception in fiscal 1955:

Fiscal year	Federal fund	California participation
1955	$17,100,000	$598,634
1956	45,900,000	4,013,998
1957	60,500,000	5,400,500
1958	66,300,000	6,458,485
1959	74,900,000	7,224,585

In fiscal 1959, the year just ended, there were 5,691 separate schools, nonprofit summer camps, settlement houses, and child care centers in California that participated in the program, receiving Federal assistance for 231,857,000 half-pints of milk.

Nationally, more than 81,000 schools and institutions have participated in the program, serving some 2.2 billion half-pints of milk to children. This is all in addition to the milk served children under the National School Lunch Program.

I urge a favorable vote on this measure today so the order to cut back on this most worthwhile program can be rescinded.

Mr. HECHLER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Chairman, during the current fiscal year, there are 83,300 schools and institutions participating in the school milk program. They will use a total of 2,380,000,000 half pints of milk. West Virginia participation in the school milk program increased 8.4 percent in fiscal 1960 over fiscal 1959.

In my State of West Virginia, the school milk program has become vital to the survival of thousands of underprivileged children, whose daily diets—consisting largely of surplus Government commodities—are woefully inadequate from the standpoint of nutrition. The milk and the hot meal served under the school lunch program usually is the only adequate meal they get day after day.

The school milk program and similar Department of Agriculture programs dramatize how our agricultural abundance can be put to work for the benefit of all mankind.

So I urge my colleagues to vote for H.R. 9331, which is identical to the bill I introduced, H.R. 9769. These bills would provide the additional funds required to prevent a drastic cutback in the school milk program on March 1.

For children everywhere, such a cutback would be a nutritional step backward. For the children of our depressed areas, it would be calamitous.

Mr. COOLEY. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I rise in support of the pending legislation because I firmly believe that the past record shows the milk program and hot lunch program have benefited the entire population of the Nation, not only our urban areas but our rural areas as well. It helps dairymen and farmers—and all taxpayers, and it is one program in which the Members of both parties are in accord. I believe it is in the interest of the whole Nation.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, I rise to support the immediate adoption of H.R. 9331 to increase the authorized maximum expenditure for fiscal years 1960 and 1961 under the special milk program for children.

I believe the record has already amply demonstrated the spendid job which this program has done, not only in improving the health of our children but also in making possible a useful and worthwhile way in which the consumption of fluid milk can be increased, thereby also improving the position of our dairy farmers.

Those of us who have the privilege of representing dairy districts, as I do in representing the 32d District of New York State, recognize that one of the most important problems facing the dairy farmer in his effort to achieve increased income and to improve the stability of his market lies in creating an ever widening demand for the consumption of fluid milk. There is a great deal still to be done in this field; but at least this special milk program for children, which has shown its effectiveness over the years, has demonstrated that there is much the Government can do in this field that can be of great value to the farmer.

For that reason, Mr. Speaker, I am happy to support the program, and I hope the extension and increase which this legislation makes possible will be indicative of other efforts soon to come which will also find support here in the Congress to increase the consumption of dairy products in other ways as well, thereby giving the dairy farmer a better opportunity to establish a sound and unfettered basis for his economic livelihood.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. LEVERING].

Mr. LEVERING. Mr. Chairman, I rise in support of H.R. 9331. The Department of Agriculture last November issued a directive reducing Federal reimbursement by half a cent per one-half pint of milk. I was amazed to learn from the hearings which we held on the bill under consideration and authorized by the distinguished gentleman from Wisconsin [Mr. JOHNSON], the chairman of our Subcommittee on Dairy and

Poultry, that in some areas in our great Nation there are children who would not have milk for lunch, or in fact would not have any lunch at all but for the school lunch and school milk programs. Presently the Government is contributing 4 cents in cash and approximately 4 cents is donated food from surplus commodities for the lunch, and each child pays an average of 25 cents throughout the country.

Both of these programs, which benefit almost half of our children, are popular. Ohio's participation in the milk program increased by 14 percent in 1960 over 1959. It can be said that these programs not only contribute to improved nutrition for our children, but they also assist farmers and Uncle Sam as well. The milk program alone is making a great contribution toward keeping supply and demand in close balance. It has created a whole new outlet for fluid milk. Each year we sell 2.2 billion half pints of milk in addition to that under the regular school lunch program. This means that we are staying away from having to process milk—away from the problem of storing dry milk and cheese products which simply would increase the burden of our taxpayers. I strongly urge the House to support the legislation before us by an overwhelming vote.

Mr. COOLEY. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Chairman, I want to add my voice to those who have already spoken in favor of the legislation to increase the funds for the Federal school milk program for the next 2 years. I am proud to join with my colleague the gentleman from Wisconsin in sponsoring this vitally important measure.

I look upon this legislation as an investment in America. We have no more important resources in this country today than our youth. I feel deeply that it is our job to assure that youth a full measure of health during their growing years so that they may be strong and can build us a better America in the future.

The funds we spend on this project today will insure a rich harvest of dividends for our Nation tomorrow.

I believe this legislation, which would authorize an increase in the Commodity Credit Corporation funds for fiscal 1960 and 1961, has the overwhelming support of the American people. It has operated with great success since it began in 1954. Starting with a modest—I say modest advisedly when you consider the millions of youngsters in our schools today—outlay of $17.1 million, it was only natural that this total was increased over the years as more and more children were brought under the benefits of the program.

The second factor, moreover, has been the Nation's exploding population. In 1954, our school enrollment totaled 33.2 million, but by 1959 it had climbed to 39.1 million. I know that new millions will be added to the school enrollment totals in the years ahead, so we can expect the children's milk program to cost still more in the future.

While the program has been highly successful so far, it must be recorded that even now it reaches only about half of the schoolchildren in the country.

During the 1958–59 school year, more than 80,000 schools and child-care institutions participated with the children drinking some 2,175 million half-pints of milk. Many of these children were from low-income families which would not have had the benefits of health-giving milk had this program not been in operation. This has been borne out by studies in the St. Louis area, in Wisconsin and in other parts of the country. One has only to visit such a school district, and talk to school officials, and look over their milk consumption figures to better understand what this program means to the youth of America.

The program was first authorized in the revised dairy price-support provision of the 1954 Agricultural Act. More than 41,000 schools took part in the program that first year, with 45 million half pints of milk being distributed. The following year the act was broadened and saw milk consumption jump to almost 1.4 billion half pints of milk. The act was changed again in 1956 to cover settlement houses, child-care institutions, and approximately 3,000 nonprofit summer camps. All of this has meant an overexpanding market for fluid milk and has served as a shot in the arm to the dairy industry. The dairy industry spokesmen were extremely enthusiastic in their backing of the proposed increases when they appeared to testify in behalf of the legislation before the Dairy Subcommittee of the House Agriculture Committee last month. They spoke for the dairy industry, but they spoke too, for a healthier America.

Mr. Chairman, what would happen if the $85 million for fiscal 1960 and the $90 million for fiscal 1961 were not approved? I think that failure to add this extra boost at this time would be nothing short of tragic. It would be certain to force cutbacks of the program in some localities and the possibility of complete curtailment of the program in other areas in the Nation.

This certainly is not a happy thought to consider in this age of abundance in which we live here in America. I am sure the Members of this body do not consider that saving a few dollars is more important than guaranteeing our young people the benefit of milk in their diets when they might not otherwise have it.

During the next fiscal year we will be spending more than $45 billion for the security of our Nation. This is more than half of the total budget. We will be spending billions more under foreign aid agreements which I am sure the State and Defense Departments consider of prime importance. Against the backdrop of these expenditures, the amount spent under the Federal school milk program is dwarfed to less than the proverbial drop in a bucket.

Mr. Chairman, I urge the Members of the House to support this vitally important children's milk program. By so doing you will not only win the thanks of the citizens of my State of Idaho but that of the children of America. Remember that this legislation is truly an investment in America.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. KASTENMEIER].

Mr. KASTENMEIER. Mr Chairman, I rise in support of the bill as reported by the committee. My bill, H.R. 9498, and several identical bills, including that of the gentleman from Wisconsin [Mr. JOHNSON], call for an increase in appropriations for fiscal year 1960 to $85 million and to $90 million for 1961. I believe that it is important that the present program be continued at present levels and that additional funds be made available next year to accommodate additional schools which will join the program. The committee bill will continue to appropriate $85 million from Commodity Credit Corporation funds for the program in 1960, but will make additional funds available from agriculture appropriations for 1961. Since this program now is a consumer program, rather than one to reduce surpluses of milk, the money should, at least in part, come from appropriations more nearly identified with consumer programs than are the appropriations of the Commodity Credit Corporation. In other words, this program benefits consumers more than it does farmers and the cost of it should not be charged to the surplus reducing programs of the Commodity Credit Corporation.

I have received a number of communications from school representatives in Wisconsin who fear that the reduction in the reimbursement rate as proposed by the Secretary of Agriculture for this fiscal year will adversely affect this program and the youth of our country.

This special children's milk program, first instituted in 1954, benefits nearly one-half of the schoolchildren in the United States. About 80,000 schools and child-care institutions take part in the program and over 2 billion half pints of milk will be consumed by children during the current school year. This consumption of a wholesome food full of vitamins and body- and bone-building nutrients is contributing substantially to the health and strength of our country's youth.

At the present time, the Commodity Credit Corporation is authorized to pay schools up to 4 cents for each half pint of milk served as a separately priced item. In schools and child-care institutions serving just milk, the maximum reimbursement is 3 cents per half pint of milk. The cost of the milk to the schools and to the students is thereby reduced. The economics of the reduced price is plain: More milk can be and is consumed.

The Department of Agriculture has ordered a reduction in the reimbursement rate to take effect on March 1, 1960. Most of us here today can remember that the Department of Agriculture opposed any increase in the appropriations for this program last spring on the grounds that the then existing level of appropriations of $75 million was adequate. Despite an increase voted at that time, existing funds already are

found to be insufficient to carry the program at the current level through this school year. I was pleased to note that the Agriculture Department withdrew its opposition to the increase to $85 million for this fiscal year.

If additional appropriations are not provided, the level of reimbursement will be lowered and the consumption of milk will be similarly reduced. For many students, especially those from low-income families, additional money is not available to pay more for the milk. On the other hand, if school boards have shared in the cost of the milk, their budgets have been set for the school year and cannot be changed to meet increased costs.

The problem facing schools throughout the country, if this one-half cent reduction in reimbursement is ordered March 1, 1960, has been reported by the superintendent of the Lodi, Wis., school, which was the first school in the Nation to participate in this program when it was instituted in 1954.

Mr. C. G. Hugill, superintendent of Lodi schools and a constituent of mine, wrote me as follows:

I understand that the Secretary of Agriculture, on November 11, 1959, issued an amendment to his regulations governing the operation of the special milk program in which the rates of reimbursement are to be reduced by one-half cent per one-half pint of milk, beginning March 1, 1960.

This means that our reimbursement for type A lunch milk would be 3½ cents.

The only way in which this action can be rescinded would be through legislation by Congress. Would you please help with this legislation? School budgets are not prepared to handle the situation.

I have also received a copy of a resolution, adopted on January 18, 1960, by the executive board of the Wisconsin School Food Service Association, which requests that Congress rescind the action ordered by the Secretary of Agriculture. The resolution, signed by Mr. R. W. Fenske, president of the association and superintendent of Union High School, Wisconsin Dells, Wis., which is located in my congressional district, follows:

Whereas the special milk program in Wisconsin has demonstrated its value in providing essential nutritional benefits to schoolchildren of the State; and

Whereas such program has provided a substantial, and ready market for the abundant milk production of Wisconsin's dairy farms; and

Whereas the Secretary of Agriculture has announced by amendment to regulations the reduction in reimbursement rates for milk served under the terms of the special milk program effective March 1, 1960; and

Whereas such reduction of one-half cent per pint would tend to work a hardship on school districts and children participating in such programs; and

Whereas school budgets and finances for the current year have been established and cannot be readily amended to provide for the additional funds which this action would require; and

Whereas this action would in itself tend to discourage the expansion of the special milk program in Wisconsin and deny the nutritional benefits of this worthy program to the many needy children of the State: Now, therefore, be it

Resolved, That the executive board of the Wisconsin School Food Service Association do hereby resolve that the association go on record as opposing such action by the Secretary of Agriculture and requesting that the Representatives and Senators in Congress from Wisconsin initiate and support such legislation as would rescind the action taken by the Secretary of Agriculture and reinstate the prevailing rates of reimbursement for special milk, and that copies of this resolution be provided to Representatives and Senators from Wisconsin.

The superintendent of the Waukesha, Wis., public schools, which also is located in my district, describes the difficult situation which would confront Waukesha school officials in the event the reduction in reimbursement rate is instituted. Mr. R. G. Hein, the superintendent, writes as follows:

It has just come to my attention that the Secretary of Agriculture issued an amendment on November 11, 1959 which states that our allowance on milk will be reduced one-half cent per one-half pint beginning March 1, 1960.

This poses a very serious problem for us because at the present time we can sell our milk with the hot lunch program at 1 cent and milk without the lunch program at 2 cents. If the subsidy is reduced one-half cent, you can see that we will have to charge the children 1 cent more in each instance than we do now since most children buy only half pints at a time.

If this is going to be a legal policy, that is one thing; however, if the subsidy is reduced for a temporary period and then is increased to normal again, it causes greater confusion and inconvenience at the local level.

I hope you will use your influence to bring about action that will leave the subsidy the same so that we are not forced into an embarrassing situation in local schools.

This is a sound program. It makes milk, something we have in abundance in the United States, available to our growing youth. Through the participation of many school boards, the milk is made available free of charge to many students. We can see to it that the program will be continued throughout this school year at present levels and that it will be continued in the future at similar levels in any school that desires to participate by voting for the measure reported by the committee. I urge your support of this bill.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I join my colleagues in support of this measure. Certainly it is beneficial to the schoolchildren and the dairy people of my State.

Mr. HOEVEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, there is need for the extension of the special school milk program, as the previous speakers have stated, and I associate myself with their remarks. As was stated, the program began as a price support measure. Presently CCC is buying 2.5 percent of the butterfat produced and 9 percent of the nonfat; however, it is our hope that eventually there will no longer be a surplus of dairy commodities to contend with and for that reason no longer a need for a price support mechanism. With that in mind I, for one, introduced a bill not only to provide sufficient funds for the program but to make it permanent, because it has proven a great benefit for the adequate nutrition of many students. Now, we hear some people say that their children can afford to pay for the milk at school, but I find many people who do not have the ability or the inclination to buy, as the gentleman from Iowa has said, nature's most perfect food. So, I think it is important to continue this program for a long time. That is the reason we provided for an amendment that a portion of the additional funds needed for the next year would come from a direct appropriation. I believe it is felt in the subcommittee that in the years thereafter the entire amount would be coming from the Appropriations Committee, but in order to do that, it will be necessary this year for an authorization bill to be passed. I would like to ask the chairman of the subcommittee if plans will be made to hold hearings this year for an authorization bill and that the full amount may be brought about from the Committee on Appropriations.

Mr. JOHNSON of Wisconsin. I may say to the gentleman from Minnesota I am having a bill drafted at this time to provide for a direct appropriation, and after I have introduced the bill, I expect to hold hearings in our subcommittee.

Mr. QUIE. I would like to commend the gentleman from Wisconsin for doing that. I would like to work with him and join with him in the introduction of such legislation.

Mr. JOHNSON of Wisconsin. I will be glad to have the help of the gentleman from Minnesota.

Mr. QUIE. With this matter taken up each year by the Committee on Appropriations, I think it will be adequately handled for the good of the young people of our country.

Mr. HOEVEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, as a member of the subcommittee which has considered this legislation, I am pleased to rise in its support. I appreciate that this body has consistently approved the program that this bill implements and that the sums specified here are adequate to carry out the program for the fiscal years specified therein.

Further, I consider it very appropriate that attention be called to the fact that this program is clearly beneficial to the Nation as a whole and that the resultant benefit to the agricultural economy, important as it is, has now become a secondary consideration.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I recognize that any discordant note in this discussion will not rock the boat. Yet I want to say, as I say periodically every year or two, that there is at least one contrary opinion in this body about the continuation of this program. If you listen to me patiently perhaps you will find that some of these thoughts are at least provocative.

I came through a campaign as the man who opposed the school milk program.

"Taking milk out of children's mouths," I think I was accused of doing. That of course is not so. I believe in children drinking milk. But I have some very grave reservations about the Federal Government's role in our lives and whether it should extend to this matter of providing our basic necessities, such as food, clothing, and housing. I thought I should like to explain my thoughts on this to you, even as I have explained them to the people in my district. And, by the way, my district is with me on this particular issue. Maybe they think much as I do about restricting the Federal Government to its intended role. And if we are thus to distribute food, why not clothing? Let us take an illustration.

Suppose, for example, our children need blue jeans. Many children wear blue jeans and, of course, some of them are a little frayed. Surely the blue jeans manufacturers must want to produce all the blue jeans they can, and I am sure they would appreciate a Government-supported price for them.

Suppose the Government says, "Now, here; we are not going to buy the blue jeans and give them to the children, but we will provide them through the school system. We will pick up the tab beyond a certain price level, a level that everybody can afford. We will pay the difference." Well, you could not oppose that. At least you cannot logically support this program, and oppose that one. You cannot oppose children being adequately clothed, and the blue jeans manufacturers would be happy to provide clothing on that basis.

But we must keep in mind that while the children would be glad to get them, and the parents too, by what right do we shift the responsibility for clothing children adequately from their parents to the taxpayers? We are not just talking about unfortunate or needy children now, mind you, but all children.

So, back to my point. I really do not believe it is the function of the Government to feed us. I think all of us want children to drink milk. I know that I am taking on the entire House when I say this. But let us look carefully at this program. The gentleman from North Carolina has been very courteous to me when I have asked these questions before, as I have asked them of my colleagues on this side. It has been said, I think fairly, that this program was started as a surplus disposal program. No one would get excited at the proposal to consume surplus products in some beneficial manner rather than dumping them in the ocean. That is one thing. But it is another thing to set up a self-perpetuating program and then say that the reason for it is the health and the nutrition of our children. I have children. I am interested in the health and nutrition of children. I am interested in that as much as is the Federal Government, or even more so. But I wonder if the Federal Government can replace the parents, in discharging this responsibility, or if it has any business trying.

It has been said here that this has been a program of continued growth. Have you ever seen a program that did not grow, when the money was there, and when, if you did not take it, it would be gone so far as you were concerned, leaving you to pay for it in taxes, anyway? Of course not.

By the way, it was said that there was no opposition offered in the hearings. I will confess to having been rather busy lately on other legislation, but if consistency demands that I should appear during the hearings, to remind the committee that a body of opinion still exists which doubts the propriety of the Federal Government carrying on this sort of program, then I shall be there the next time.

I see, too, that the Secretary of Agriculture says that he does not believe this should be made a permanent program. He says that they are opposed to placing the program on a permanent basis. I do not know whether that opposition should be a part of the hearings, but I would say that this letter is rather diplomatically worded. It does not seem to be entirely four-square behind the bill. But perhaps I do not understand the bill in its entirety.

Mr. Chairman, I do not know if I have made my point. I think the primary purpose, the sensible and useful disposal of surplus commodities, is something that most Dallas people could agree with. But when we begin to say that we are going to provide this program as a health matter, that is a hard thing to stop. But when you realize that whatever the expenditure, it is the taxpayer who is being gigged, then maybe this should have a little more study.

Mr. Chairman, I thank the Members for their patience.

Mr. McGOVERN. Mr. Chairman, as one of the sponsors of legislation calling for an expanded school milk program, I strongly urge the passage of the bill now before the House.

The milk for schoolchildren program is one of the truly successful services of the Federal Government. The program has been a gratifying one in all parts of the Nation. It has not only expanded the market for our dairy farmers, but has substantially aided the nutrition of our children by providing them with a basic bodybuilding food.

It is unfortunate that only about half of the Nation's schoolchildren are now participating in the school milk program. The legislation before us will not meet all of the need, but it is a substantial stride in the right direction. It will provide for moderate increases in the school milk fund and insures the permanence of the program.

I trust that my colleagues will join with me in giving this splendid program the vote of confidence that it deserves.

Mr. WOLF. Mr. Chairman, I am very happy to submit this statement in support of my bill, H.R. 9469, and other companion bills which endeavor to increase the amount of funds provided for the school milk program to $90 million for the fiscal year 1961.

Unless this measure is adopted, the program will have to be cut. Last November the Agriculture Department informed the schools and institutions which take part in the special milk program, that on March 1, 1960, the reimbursement rate would be cut by half a cent per half pint of milk. The program is at the point where the $81 million previously authorized for this program will not be enough. This fact was known by many of us last year who worked for legislation at that time which would increase the amount of Commodity Credit Corporation funds available so that the program could meet the requirements of an increasing school age population.

It is my feeling that this program should neither decrease the amount of aid given, nor decrease the numbers of children of school age who qualify. Rather, the approach should be exactly the opposite. It should be aimed at increasing the numbers of children of school age who do qualify. Under the program at the present time, only one-half of the Nation's children participate, with 2.2 billion half pints of milk provided per year.

It was not the intent of the proponents of this program when it was first initiated in 1954, to freeze the cost or size of it at a certain level. The purpose of that program was to keep pace with the needs of our school age population; to fulfill our responsibility to improve the diets of our school children by providing them with adequate supplies of milk while at the same time expanding the production of our dairy farmers.

In my opinion, it would be utter folly to stabilize the program, as the Department of Agriculture suggests, by holding expenditures to the level of $75 million annually. Obviously, stabilization at this level necessarily means that the program would cover fewer and fewer children as the number of school children continues to rise.

Ways should be found, as Senator HUMPHREY has suggested, to "reach more child-care institutions, making milk available to still more children."

One of the unfortunate results of this program is the notion that it should be charged to the farmer as a subsidy because it is helping him. This is unreasonable. The intent of this program is not primarily for the benefit of the farmer. Rather, it is an aid to the millions of children in this country who would be without an adequate diet if this program was not in existence. This is the primary purpose of the program and it should be understood in that context. The program is another example of those activities which are the responsibility of Government to undertake in order to provide for the welfare of its younger citizens. I feel that this point should be made perfectly clear by the Department of Agriculture—which does not seem to make distinctions of this kind for the American taxpayer.

I urge on the committee and on the Congress support of Congressman JOHNSON of Wisconsin's bill and other bills, including my own, which will make available for the special milk program an increase from $81 million to $85 million for fiscal 1960 and from $84 million to $90 million for fiscal 1961.

Mr. CARNAHAN. Mr. Chairman, I rise in support of H.R. 9331, for I introduced a similar bill, H.R. 9766, to increase the funds for the special school milk program for children. By fostering the consumption of fluid milk in the

schools we serve the interest of improved nutrition. The bill I introduced would increase the funds for the fiscal year beginning July 1, 1959, from $81 million to $85 million and would increase the funds for the fiscal year beginning July 1, 1960, from $84 million to $90 million. By increasing the funds for the program the Department of Agriculture would be in position to rescind the notification to the States that, effective March 1, 1960, the rate of reimbursement to the States would be reduced.

Mr. Chairman, increasing the consumption of fluid milk direct from the farm is one way in which we can reduce mounting surpluses, thereby sparing the taxpayers some additional taxload. Milk in this program is used in public schools, in the nonprofit schools of high school grade and under, in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children.

The milk program needs more funds to meet the steady rise in the number of schools and schoolchildren. The State of Missouri entered into the program in good faith and has perhaps doubled milk consumption by schoolchildren. A reduction in the rate of reimbursement in the face of rising milk prices will force schools to either increase charges to pupils or reduce milk consumption. Mr. Chairman, pennypinching should not come at the expense of proper nutrition for our schoolchildren. I therefore vigorously support the passage of this legislation.

Mr. ROOSEVELT. Mr. Chairman, I wish to express, as I have done in the past, my support of the objective of increasing available funds for the special milk program for children, and to express my appreciation to the House Committee on Agriculture for its prompt consideration of a program benefiting our most important resource—our Nation's children. Few Federal programs benefit so many.

The very success of the special milk program has created the perennial problem of providing sufficient Federal funds. It is for this reason that I joined with my able colleague the gentleman from Wisconsin [Mr. JOHNSON] in introducing the legislation which is before us today, with certain committee amendments.

Mr. Chairman, this bill is needed if the program is to achieve its objective of furnishing milk to children, particularly those who, because of family circumstances, are unable to get the proper amount of milk or are victims of malnutrition. In a Nation that produces in abundance, malnutrition among youngsters should be nonexistent, and the very least we can do is assure that needy children, through the special milk program, will have the opportunity to benefit from our surplus supply of milk.

As we know, prompt action by this Congress is a priority consideration. The program is being threatened by the decision of the Department of Agriculture to reduce the Federal reimbursement rate, effective March 1 of this year. Therefore, I sincerely hope that Congress will provide adequate legislation to offset this administrative decision. We in this body have this opportunity in supporting the committee-reported measure.

We hear the administration make much of inflation. Yet, in this one area—perhaps comparatively small but extremely important—the cutback of Federal aid to those participating in the program would create inflation of the worst sort. Obviously if the reimbursement rate decreases, the price of milk will increase for already overburdened school districts or hard-pressed States, depending on which would have to assume the additional financial burden. But more significant than this, there is the possibility that the extra cost would have to be absorbed by the children themselves. For many needy children the added cost would mean less consumption of milk. In effect, we would be discriminating against those from low-income or substandard income families. This certainly is not the measure of democracy we want to see.

Mr. Chairman, I would like to end on the note that we should be reminded of and should recognize the importance that the farm community and the urban community have to each other; that the well-being of our Nation can only be assured when there is a close cooperation between these two communities, and in this instance cooperation means a healthier young America.

Mr. JOHNSON of California. Mr. Chairman, I would like to add my voice in support of the legislation to authorize an increase in Federal funds for the school milk program.

We stand today a wealthy nation, a nation with rich farm surpluses, a nation helping other nations through contribution of moneys and supplies, and yet a nation in which hungry children are going to school in every State of the Union. There are children who would not get an adequate hot meal from day to day if it were not for the school lunch programs carried on by the Federal, State and school district governments and organizations such as the Parent-Teachers Association. I have seen this as a member of a school board in my home city of Roseville. My wife and my friends have witnessed this through their PTA participation and teaching careers.

Milk is an important factor in a balanced diet. While we are feeding the people of other nations, let us not deprive our own children of the basic food, milk, which is available in surplus pools.

The legislation as proposed will have no effect upon the price of milk to the consumer, but it not only will benefit the children, but also the dairy industry. In the last 6 years, the California dairy industry has faced economic troubles which forced 8,000 dairymen out of the business. In the 1958–59 school year the school milk program amounted to 125 million gallons of milk. There is no question but what this amount of consumption is beneficial to the children and the industry.

Continuation of the school milk program at the desired levels will have a stabilizing effect on the dairy industry, increase the consumption of fluid milk and thereby reduce surpluses, and encourage the lifelong use of milk, one of nature's finest and most complete foods.

Mr. HAGEN. Mr. Chairman, I have a personal interest in H.R. 9331, which augments the school milk program, because I am the author of H.R. 9633, one of the bills on which it is based.

The authorization of and expenditure of increasing amounts of money for this program is necessitated by the fact that more and more schoolchildren receive its benefits annually and a failure of increased authorization and appropriation will inevitably result in decreased Federal grants per bottle of milk with either local or State school agencies or the children themselves picking up the deficit of Federal contribution.

This program started out solely for the purpose of providing help to dairy producers by giving them an additional market and thereby preventing the transfer of some supplies of milk into CCC hands in the form of manufactured milk products. With the reduction of surplus milk products in Government hands this justification has loomed smaller and an additional justification has ballooned into visual reality. This latter basis for the program is the welfare of the children themselves and it is increasingly felt that at least part of the costs of the program should not be charged to price support operations. The committee amendment which authorizes the amount of $15 million to be sought through the regular appropriation process rather than through the back door of CCC reflects this reasoning. It is at least a partial recognition of the money value of the program spent for children rather than farmers.

A comparison of the Federal contribution to school lunches—which include a requirement of a half pint of milk—with the Federal contribution to school milk reveals a startling disparity. The cash contribution to each unit of milk is identical with the cash contribution to each lunch which includes milk. Inasmuch as the lunch costs at least 25 cents per unit and the milk no more than 6 cents per unit it is patently obvious that they are receiving unequal treatment viewed as programs for the benefit of children. The disparity flags the milk program as a price support program, pure and simple.

Those of us who believe that school milk is no more of a price support operation than school lunches feel that the situation can only be clarified by treating the two programs on an equal basis. Those of us who support the programs advocate an ultimate transfer of the school milk program to the regular appropriation process at its present level of contribution of 4 cents per half pint. A corollary advocacy is that of raising the per unit contribution to each school lunch.

Mr. COOLEY. Mr. Chairman, I should like to say a word in closing. This bill was reported by the House Committee on Agriculture by a unanimous vote. It provides for the continuation of a very worthwhile program, and I hope that it will be adopted here.

Mr. Chairman, I have no further requests for time.

Mr. HOEVEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended to read as follows: "That for the fiscal year beginning July 1, 1959, not to exceed $85,000,000, and for the fiscal year beginning July 1, 1960, not to exceed $90,000,000 of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children (1) in nonprofit schools of high-school grade and under; and (2) in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children."

With the following committee amendments:

Page 1, line 10, strike out "$90,000,000" and insert "$85,000,000".

Page 2, after line 6, insert the following:

"SEC. 2. Such Act is further amended by adding after the first sentence thereof the following new sentence: 'In addition to the funds hereinbefore made available, there is authorized to be appropriated for the purposes of this Act for the fiscal year beginning July 1, 1960, such amount as may be deemed to be necessary but not to exceed $15,000,000.'."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PATMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children, pursuant to House Resolution 439, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at that point in the RECORD at the close of the debate on the bill, H.R. 9331.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE LATE W. ROSS DUKE, OF WICHITA FALLS, TEX., COMMANDER IN CHIEF OF THE UNITED SPANISH WAR VETERANS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with profound sorrow that I announce to the House the death of the commander in chief of the United Spanish War Veterans, the beloved W. Ross Duke of Wichita Falls, Tex. He was a veteran of both the Cuban and Philippines campaigns. His regiment, the 44th Volunteer Infantry, engaged in 131 battles and skirmishes in the Philippines. He represents the finest traditions of the armed forces of the United States, composed entirely of volunteers, that started our country on the road to world history more than 6 decades ago.

I shall miss him very, very much. His visits with me when in Washington in the faithful and dedicated performance of his duties as commander in chief of the USWV I shall never forget. Only last February, on the anniversary of the sinking of the battleship *Maine,* it was my privilege personally to deliver at Santiago de Cuba, where American troops fought with Cuban troops for Cuba Libre, his message of greeting to the people of Cuba and expression of eternal friendship between the peoples of the United States and the peoples of Cuba.

On January 25, 1960, I appeared with Past Commanders in Chief John V. Shroyer and John White before a subcommittee of the Committee on Veterans' Affairs in support of H.R. 2412. This bill, providing that for the purpose of hospitalization all disabilities of veterans of the Spanish-American War shall be considered as service-connected, is intended to make hospitalization available to a handful of veterans, whose average age is 84, and none of whom could prove service-connected disabilities for the simple reason that at that period no medical or other records were kept. It is a good and meritorious bill, and the subcommittee chairmaned by the able Congresswoman from West Virginia, the Honorable ELIZABETH KEE, was most gracious and sympathetic.

I had not known of the illness of Commander in Chief Duke, and in my remarks had made mention of him, thinking that he was present. I was shocked later to learn that at that moment he was dying. His death occurred at 3 o'clock the following morning. To his devoted widow, his brother, Jim, and his sister, Mrs. Will Stevens, I extend my deepest sympathy.

GENERAL LEAVE TO EXTEND REMARKS

Mr. Speaker, I ask unanimous consent that any Member who may desire to do so may have permission to extend their remarks at this point in the RECORD on the late W. Ross Duke.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. O'HARA]?

There was no objection.

TEXTILE IMPORTS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, did you know that men's woolen and worsted suits, manufactured abroad are being imported into the United States where they sell for lower prices than American-made suits?

This threat to our apparel industry is also a blow to our textile industry which is fighting for its life against the increasing pressure of textile imports.

Cotton fabric imports have jumped from 122 million square yards in 1957, to 180 million in 1959. Imports of wool fabrics have risen from 32 million square yards in 1957, to about 46 million square yards in 1959.

One-hundred and eighty thousand men's and boys' pants were imported from the Far East in 1957; 5 million in 1959, an increase of more than 2,700 percent.

The billions of dollars of American capital invested abroad have resulted in the manufacture of products that are being shipped back to the United States to compete unfairly with American industries and American workers in our home market.

The administration is alarmed by the unfavorable balance of trade; the widening lead of imports over exports caused by its indifference to the pleas for protection by those American industries that are fighting for survival.

We who represent the textile manufacturing communities have been trying to open the eyes of the administration to the need for adequate tariffs and quotas to protect our domestic industries and workers from this invasion for many years.

Now that other American industries are being hurt the administration may wake up to the peril and take effective action to safeguard our domestic economy.

In order to strengthen the hand of the executive department in its negotiations with other countries, the Congress delegated its own tariffmaking powers. We believed that no American President would permit any American industry to be harmed under reciprocal trade agreements with other nations. But our pleas for the protection of textile and other industries, supported by incontrovertible facts, have been ignored.

In reaction to this neglect, Senator KEATING, of New York, introduced a bill late in the last session seeking to establish a new method of restricting imports. Under the terms of his bill the additional duties imposed would have the purpose of "equalizing the conditions of

competition between domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States."

Whether this bill or a similar one that takes into account other cost factors becomes law it is clear that we must have some form of equalizing legislation to protect us from foreign sweatshop competition.

Textile manufacturers in Hong Kong pay only 14 cents an hour. Even in Canada, whose wage and hour standards are closest to our own, there are many instances in which their rates are materially below those prevailing in the United States.

The proposed legislation would link trade curbs to rates of pay in foreign lands. This is a worthwhile remedy, but it will take time before it or similar legislation becomes law.

The textile industry needs immediate relief.

We, therefore, urge the administration to establish import quotas, and, in renegotiating the tariffs on wool fabrics this year, to establish a duty in excess of 45 percent.

Four hundred thousand textile workers have lost their jobs during the past 10 years due in large measure to the administration's international trade policy.

We recommend a prompt revision of that policy, in order to save the American wool manufacturing industry.

SOCIAL SECURITY PLUS OPPORTUNITY

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the greatest need for our older people is for security plus opportunity.

Retirement at a bare subsistence level is not good enough.

Many a man or woman at the age of 65 or 62, while unable to work with the full vigor of earlier years, has the precious patience, experience, and judgment that the Nation needs.

Under the present Social Security Act, which limits their wages after retirement to a mere $1,200 a year, we are denying them the opportunity to supplement their meager pensions and to engage in the part-time productive efforts that are essential to their morale.

By raising this ceiling to $2,400, through the bill I have introduced for that purpose, we shall realize a happy solution to this problem, combining the best elements of security plus opportunity.

Mr. Arthur Flynn, of Lawrence, Mass., the able and respected radio commentator whose editorial feature "Assignment Haverhill" is the favorite program of the hundreds of thousands of people living in the industrial cities of the Merrimack Valley, devoted his program of January 27, 1960, to this subject.

Under unanimous consent I include in the CONGRESSIONAL RECORD the text of Mr. Flynn's remarks that were broadcast from WHAV, Haverhill, Mass., on that date, as follows:

ASSIGNMENT HAVERHILL

(Remarks by Arthur Flynn, WHAV, Jan. 27, 1960)

There is probably no one in public office who fights more diligently and with greater fervor for the aged and the workingman than Congressman THOMAS J. LANE, of the Seventh Congressional District. Over the many years that this popular lawmaker has been serving the public he has been a dedicated individual. Congressman LANE is a fighter for the underdog; he is the champion of the underprivileged; he is an inspiration to the aged.

So many times over the past years have we heard people complain of the inadequacy of old-age insurance as provided under the Social Security Act. So many times have we heard people who are over 65 years of age tell of the terrible problems with which they are faced in their seemingly hopeless endeavor to make ends meet. And strangely enough you find all too few people in public life who are willing to devote a mere portion of their time to the urgings or the pleas of this certain class of people—a class of people which is entitled to more consideration than most. For who should be more revered? Who should be given the utmost consideration in any matter, but the aged? They are our senior citizens; they are the people who, by the sweat of their brows have made possible many of the niceties which we enjoy today and too frequently simply take for granted. The aged are the people who should be given preferential treatment in all matters. They (in my book at least) are our finest citizens. Social security is given far too little attention by all of us and pursuant to that we can only say in a loud, clear voice, "Thank heavens for a man like Congressman THOMAS J. LANE." Imagine now, if you are one of those people unfortunate enough to fall into the minimum social security bracket, you receive the fantastic sum of approximately $33 a month. On top of that you are permitted to earn a tiny bit on the side—a tiny, tiny bit, an amount not to exceed $1,200 in a single year. If you earn more than that you lose the $33 which the "Uncle" sends you monthly. If you are one of those people who fall into the maximum bracket you are not too badly off, for then you receive $119 a month and of course you can still earn the limit of $1,200 annually if you are able. But no more, or you lose the original $119.

But getting back to the minimum (the category into which far too many fall), isn't it ridiculous to think that an elderly person is expected to survive on $33 a month, especially if he is unable to do any outside work—or even if he is able to do outside work he is still limited to the aforementioned $1,200 a year, which adds up to a total weekly income of about $33. Try to get by on that sometime. And bear in mind, of course, many, many of these older folks are unable to do outside work and are compelled to "sweat it out" on the $33 monthly income. How they do it—if they do—is a miracle of the ages.

There is no questioning the fact that social security benefits, as far as a retired individual or couple are concerned, are far from being adequate. The minimum income allowed a retired individual wouldn't keep him supplied with matches to light the pipe he can't afford to own.

People in public office, with the exception of men like Congressman LANE, seem to forget that times have changed. They overlook the fact that retired individuals are entitled to the right of living like normal human beings—not public charges with an occasional bone tossed to them simply because they have reached a certain age.

And in view of all this, it is heartening indeed to observe the action of Congressman THOMAS J. LANE in this all important matter in which he has submitted a bill that would raise the ceiling on wages for people who continue to work after retiring under social security. Congressman LANE has charged that social security benefits are not sufficient for a retired person. He said the unrealistic limitation on wage earnings after retirement discourages those who are struggling to make both ends meet. The crux of the matter seems to be that the present social security laws and regulations are far outmoded. They do not fill the bill under the present standard of living. They simply do not make sense. The ceiling of $1,200 was inserted in the Social Security Act at a time when wages and the cost of living were much, much lower than they are today. The action along these lines was motivated by the fears of Congress during the depression, that retired people would go on working and thus deprive younger people of job opportunities. Congressman LANE points out that this reasoning has been outdated by the march of events. The $1,200 ceiling is penalizing old folks who want to work at a part-time job in order to raise themselves above the level of mere subsistence.

Another interesting inconsistency in the law is the fact that there is no ceiling on other income such as interest, dividends, etc. received by retirees who are so fortunately situated. But how many of the older folks are in the "coupon clipping" league? Most of them, under the present setup, are handcuffed to the kitchen table.

Congressman LANE, in a manner most encouraging to the older folks, states emphatically that the ceiling on income from wages should definitely be raised. And what is extremely encouraging regarding the popular Congressman's proposal is, that no one would be penalized, one penny, in any way, by this action. Congressman LANE has asked that the present ceiling be raised from $1,200 a year to $2,400 in order that those who have to work after retirement can hold their heads high and live like normal human beings as they approach the "far turn" on the road in life.

This proposal on the part of Congressman THOMAS J. LANE is just one more act the type of which has so endeared him to his constitutents in the Seventh Congressional District. No individual, as we stated earlier, works harder in the interest of the elderly or the laboring man than LANE. And this bill that has been filed by the popular Congressman regarding the raising of the social security ceiling as far as wages earned after retirement are concerned, is simply one more example of his awareness of the needs of the people whom he represents.

The unrealistic limitations now imposed should be changed and it is heartening indeed to see Congressman LANE grab the bull by the horns in his customary fashion, in bringing the matter up for action.

How fortunate the people in the Seventh District are having such a tireless, sincere, aggressive Representative in Washington as Congressman THOMAS J. LANE.

IMPORTATION OF CANADIAN PORK

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, truly one of the most important factors in our

agricultural economy is a healthy hog market. Recent developments in the hog marketing picture has been somewhat encouraging. The reported farrowing of 11 percent less baby pigs for the 1960 spring crop, along with some increase in hog market prices, have been both gratifying and hopeful for the hog farmer.

Another bright spot has been the cooperation of the Canadian Government in withholding substantial quantities of low-priced pork from the American market. The institution of a compensatory payment program on Canadian hogs last month gave me considerable concern. I have been assured by the Department of Agriculture, however, that cheap Canadian pork will not be dumped into the United States.

Under unanimous consent I insert into the RECORD the following correspondence between myself and the Department of Agriculture on this important subject:

JANUARY 14, 1960.

Hon. EZRA TAFT BENSON,
The Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I am taking this occasion to inquire about your Department's activity in response to the reported institution of a compensatory payment program on live hogs by the Canadian Government.

As you recall, I, along with the other minority members of this committee, wrote to you last summer expressing deep concern over developments in Canadian hog pricing practices which would seriously affect the American hog farmer. At that time the failure of the price support program on Canadian hogs was building up pressure to dump the excess production of pork into the United States and make up the difference between the depressed market price and the support price with compensatory payments to Canadian hog farmers. Last weekend, according to a recent farm magazine story, was the time for launching this "Brannan plan" for Canadian hogs.

Now that Canada has adopted this program, I am extremely concerned as to its effect. Everyone is for mutually advantageous trade, but we cannot and must not let government-subsidized pork from Canada be dumped into our country in competition with American hog farmers who are producing for a free market without such a subsidy. Any substantial increase in Canadian imports will also tend to depress the domestic hog market and affect the effectiveness of your Department's pork diversion programs.

I realize that both the Department of Agriculture and you, personally, have followed the Canadian hog situation and have taken some concrete steps to prevent this cheap Canadian pork from flooding the American market. I would greatly appreciate your comments on the Department of Agriculture's plans for the future in this regard.

Sincerely yours,

CHARLES B. HOEVEN,
Member of Congress,
Eighth District of Iowa.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 28, 1960.

Hon. CHARLES B. HOEVEN,
House of Representatives.

DEAR CONGRESSMAN HOEVEN: Reference is made to your inquiry concerning the Canadian deficiency payment program on hogs and the problem of subsidized Canadian pork being imported into the United States.

We have had consultations with representatives of the Canadian Government on these problems as the program was being developed and I am happy to advise you that the Canadian Government has taken action to prevent any subsidized pork from being exported to U.S. markets.

The Minister of Trade and Commerce in Ottawa issued the following press release on January 13, 1960:

"A general export permit will be issued to cover the export of pork and pork products to all destinations except the United States. This general permit will also permit the export of a variety of pork and pork products to the United States. However, individual permits will be required to cover the export to the United States of products eligible for deficiency payment, i.e., products from grade A and B carcasses. Such permits will be granted only after the exporter has purchased the product from the Agricultural Products Board at a price equivalent to the support price of $23.65 per 100 pounds dressed weight for grade A and B hogs at Toronto.

"Applications for export permits should be submitted to the Export and Import Permits Section, Commodities Branch, Department of Trade and Commerce.

"This action has been taken as a means of maintaining traditional exports of pork and pork products to the United States by avoiding the possibility of countervailing duty being applied by the United States on products that might be eligible for deficiency payment under the support program, which came into effect in Canada on January 11, 1960."

We appreciate your interest in this matter and assure you that we shall watch developments closely.

Sincerely yours,

E. T. BENSON.

FOR HEALTH'S SAKE—COOPERATION NEEDED

Mr. HORAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, on February 2, 1960, the Honorable HENRY A. DIXON, of Utah, made a statement entitled "Agricultural Chemicals: Realistic Policy Needed." I have carefully reread this statement and want to add my concurrence.

Dr. DIXON has gone to the heart of the problem, and in discussing this with him we find that if the original intent of the pesticide residue amendment were followed none of these food scares would have occurred.

Many of you have seen a reprint of an editorial which appeared in the February issue of the Farm Journal. For those who have not, I commend it to you.

I served on the select committee which studied chemicals in foods. I feel that I have a good background on the problems.

It is interesting to note the House Interstate and Foreign Commerce Committee heard testimony from experts and did not recommend the so-called Delaney amendment. Their better judgment was ignored and now we have the odd procedure of the Food and Drug Administration administering a congressional edict—not the findings of qualified scientists. We must set up a legal administrative procedure based on proper and thorough research.

Certainly the public health must be protected with every able facility we have at hand—let us make them into a real team—in the public interest and the health protection of all of us.

Under unanimous consent I insert the editorial from the Farm Journal at this point, as follows:

THIS CAN'T BE ALLOWED TO GO ON

Farmers are as much interested in protecting the public health as anyone. But with respect to feed additives, pesticides, and similar tools of modern agriculture, we have an intolerable situation.

1. We have a law that needs changing—the Delaney amendment, or "additive" to the Food Additives Act. It specifies that no substance which has ever caused cancer, in so much as a laboratory mouse, can be added to feed. It doesn't matter that the substance requires massive doses over an extended time; it doesn't matter that as little as one part per million of the additive may show up in meat, milk, or eggs, or that absolutely none shows up. Congress—not scientists—has said this is dangerous and can't be allowed. The trouble with the law is simple: It leaves no room for scientific judgment.

Never before has the Food and Drug Administration been hamstrung this way. It has allowed tolerances of some 2,000 potent substances which are judged by scientists to be safe in negligible amounts. Why not continue to let scientists decide?

Actually, it has been proved that salt, pepper, eggs, or glucose solutions can produce cancer in experimental animals as readily as diethyl stilbestrol, which produced the recent poultry scare. Other estrogens which act much like stilbestrol occur naturally in alfalfa hay, corn, and wheat. Are we to stop feeding them, too?

The result of the cancer scare is that Food and Drug is not approving any new feed additive. Manufacturers are now required to prove not only that their product hasn't yet produced cancer, but that under no conceivable circumstances could it do so—obviously impossible of proof. Hence, progress with new and better feed additives has almost ground to a stop. The pesticide world has been thrown into confusion.

2. We have an able, though understaffed, Food and Drug Administration which is not completely running its own show. Decisions, if they have any publicity value, are being made by the Secretary of Health, Education, and Welfare. In the more spectacular instances, the pronouncements come from him, too—by press conference.

FDA is responsible to a cabinet officer, who is a political appointee, part of a political administration. We can't say whether Arthur S. Flemming, Secretary of HEW, is influenced by political motives or not. The point is he could be. And if he weren't, his successor might be. The Secretary of HEW doesn't have many opportunities to make the front page. When something like cranberries or capons comes along, it's a temptation to call a press conference, toss the word "cancer" about, suddenly achieve headlines and emerge as the great defender of the people.

What can be done? Well, first, we need a change in the Delaney amendment. Second, we need a change in the administrative setup. Third, farmers must absolutely follow labels—the responsibility is on them, too.

As to administration, we need to remove from the hands of any one man, particularly when he is a political officeholder, (1) the power to panic American consumers with a

mere ill-advised statement and (2) the power to lay low with one blow an entire segment of agriculture.

How can we do it? We might make FDA an independent agency like the Federal Trade Commission. We might equip FDA with better advisory bodies than it already has—let these bodies assay the danger, make recommendations, and take over the function of announcing such news to the public. We might bring in the U.S. Public Health Service. Agriculture ought to have a voice somewhere—at least it should be heard. Maybe we need a new broad-based commission.

Certainly we need something better than we've got. The present situation cannot be allowed to go on.

CIVIL RIGHTS HEARINGS

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, last week at the Asbury Methodist Church in this city there occurred a very moving and revealing episode. American citizens from a number of States came to that church and were asked to testify as to the roadblocks which had been placed in the way of their exercise of the birthright of every American citizen—the free, secret ballot. These citizens had two things in common—they were Negroes and they had been denied an opportunity to participate in the choice of the people who govern them and who represent them in the institutions which do control their lives and their destinies.

This testimony, and the ensuing discussion, was recorded on tape, and the entire proceedings were made available to the Civil Rights Commission. I shall not ask that the entire 57-page transcript be inserted, but I do include the testimony of the witnesses before this assembly at this point in my remarks in the RECORD:

Chairman LOVE. Good afternoon. You are about to witness the first hearing conducted by the Volunteer Civil Rights Commission. This is an unofficial body of six distinguished citizens from five States and the District of Columbia.

Before introducing members of the Commission I want to tell you briefly how they came to be here and why it is that we are holding this hearing.

Last July a Federal judge in Shreveport, La., ordered the U.S. Commission on Civil Rights not to hold a hearing on violations of voting rights in northern Louisiana. Sixty-seven Negro citizens who were in Shreveport to testify were thus barred from telling how they were kept from registering to vote.

Sponsors of today's hearing decided that one way to get this story told to Congress and to the Nation at large was to form their own Volunteer Civil Rights Commission. This commission will hear the stories of voteless people from several Southern States.

After each witness has testified, members of the commission will have the opportunity to question him or her. Later there will be recommendations for action and a chance for participation by the audience.

This whole proceeding is being recorded by tape and by a court stenographer. Copies will be made and presented to Members of Congress as soon as possible to help them, guide them in shaping and passing civil rights legislation.

The man responsible for assembling these witnesses is Dr. Charles G. Gomillion of Tuskegee Institute, Ala., who is at my right. With him is Mr. Belford V. Lawson, Jr., Washington attorney, who is staff counsel and who will question the witnesses as they take the stand. Later Mr. Lawson will summarize the testimony.

Will members of the commission please rise as I introduce them:

Rt. Rev. George W. Baber, Philadelphia, presiding bishop of the African Methodist Episcopal Zion Church. [Applause.]

Mr. Philip A. Camponeschi, Baltimore, executive secretary of the Equal Employment Opportunity Commission of the city of Baltimore. [Applause.]

Dr. Roland P. Mackay, Chicago, noted neurologist and a leader in the field of nervous and mental diseases. [Applause.]

Bishop G. Bromley Oxnam of the Washington area of the Methodist Church. [Applause.]

Rt. Rev. C. Ewbank Tucker, Louisville, presiding bishop of the African Methodist Episcopal Zion Church.

We have on the platform with us a number of other distinguished citizens from out of town who have contributed to the success of this enterprise and who are giving leadership to the struggle for human dignity and first-class citizenship. Will they please stand as I introduce them:

Mr. Aubrey W. Williams, Montgomery, Ala., president of the Southern Conference Educational Fund, former director of the National Youth Administration; publisher of Southern Farm and Home. [Applause.]

Miss Ella J. Baker, Atlanta, Ga., executive director of the Southern Christian Leadership Conference, of which Dr. Martin L. King is president. [Applause.]

The Reverend Fred L. Shuttlesworth, Birmingham, president of the Alabama Christian Movement for Human Rights and secretary of the Southern Christian Leadership Conference. He is also a board member of the SCLC and the SCEF.

Dr. Aaron Henry, pharmacist from Clarksdale, Miss., officer of the Mississippi Regional Council of Negro Leadership. [Applause].

Mr. Hilbert L. Bradley, legislative chairman for the NAACP in Gary, Ind., who headed a delegation from that city to this hearing. [Applause.]

Mr. Amzie Moore, leader of the NAACP in Cleveland, Miss., and also an official of the Mississippi Regional Council of Negro Leadership. [Applause.]

Two distinguished citizens from Washington will be presented among the witnesses to be heard today.

Dr. Gomillion, will you please call your first witness?

Dr. GOMILLION. Fellow citizens, Mr. Lawson, the local attorney, will call the witnesses to the stand.

Mr. Lawson.

Mr. LAWSON. Members of the commission, ladies and gentlemen, our first witness is Dr. Daniel W. Wynn from Tuskegee Institute, Alabama.

(Whereupon Dr. Daniel W. Wynn was examined and testified as follows:)

By Mr. Lawson:

Question. Will you state your full name, Dr. Wynn?

Answer. My name is Daniel W. Wynn.

Question. What is your occupation?

Answer. I am professor of philosophy in Tuskegee Institute, in Alabama.

Question. Have you been actively engaged in seeking voting rights for Negroes?

Answer. Yes; I have.

Question. For how long?

Answer. Since 1957.

Question. Now, will you tell us as briefly as you can, the situation at Tuskegee regarding the issue here involved?

Answer. In my own words?

Question. Yes.

Answer. During the month of July 1957, I went to the Macon County Courthouse in Tuskegee for the purpose of registering to vote. Because of the large crowd of people ahead of me, I did not succeed in getting into the registration room the first day. I succeeded in getting into the registration room on the second day, where I found two members of the board and another person trying to complete the registration requirements.

After entering the room, one of the registrars handed a number of sheets of paper to me, and a small paperbacked book containing the Constitution of the United States.

After this, he asked me to write in longhand, the second article of the Constitution of the United States. This I did. Following this, he asked me to read aloud the first part of the article of the Constitution of the United States. This I did.

After completing these two requirements, I was asked to fill in a questionnaire of about four pages, and address an envelope to myself. I left the envelope with the board of registrars.

The entire procedure took me about 1 hour and 10 or 15 minutes. Immediately after this, I went out and found the person who was to vouch for me, and presented him to the board of registrars. After being unable to hear from the board during the year 1957, I returned to the Macon County Courthouse in October 1958 for the purpose of trying again to register to vote and to inquire of the members of the board why I had not heard from them.

On this occasion, I was advised that members of the board of registrars were in the process of processing the applicants for the forthcoming election, and because of that reason, they did not have time to register me, and after I asked why I had not heard from them considering my previous attempt, I was advised if I had not heard from them it was because I had failed in the examination.

I left the room on this occasion and I have not had an opportunity to make the attempt again.

Question. Now, does any member of the commission wish to ask the witness a question, or do you wish to wait?

Chairman LOVE. I would like to ask a question while it is on my mind.

You say, person who would vouch for you. Would you explain that? Does a person have to vouch for you?

The WITNESS. Well, the rule is each voter or each person who attempts to register to vote must have another individual to vouch for him. I learned during my efforts to register that no person could vouch for more than two persons in a year. I heard the board of registrars advise the person who vouched for me that he could not vouch for any others because he vouched for me and my wife on that occasion.

Bishop TUCKER. Dr. Wynn, what are the qualifications of the voucherer, if any?

The WITNESS. I have never heard. Pardon me. I was thinking of the board of registrars. Well, he must be a registered voter. The voucher must be a registered voter in the particular county in which the application is made.

Bishop TUCKER. Does he have to be white or colored?

The WITNESS. It does not matter, if he is a registered voter.

Bishop TUCKER. Do you know of any colored vouchers who have vouched for any registrants?

The WITNESS. Yes; I have heard of some.

Bishop TUCKER. You don't know of any?

The WITNESS. No; I don't know.

Question. Now, Dr. Wynn, are you familiar with the recommendation of the Civil Rights Commission wherein they recommend a presidential registrar?

Answer. Yes; I am acquainted with it.

Question. Are you familiar with Attorney General Rogers' proposal to have the Federal courts appoint referees with respect to voting?

Answer. Yes; I am.

Question. In your opinion, which is preferable?

Answer. Preferable?

Question. If you have had time properly to study them. I don't wish to embarrass you if you have not had time.

Answer. I am a little reluctant, because it seems a Republican administration recommends one and the Democratic seems to be behind the other, and I hate to get involved in that.

Question. May I assure you and all other witnesses that politics has nothing to do with this issue, and both the Republican and Democratic Parties ought to take a firm stand on this issue; and if they don't, I think they ought to lose, so don't be embarrassed by any politics in this situation.

Answer. Yes. I see advantages in both. I think that I would prefer the Federal registrars, providing that the registrars will have the power to register people to vote in all elections, local, State, and Federal. I believe this because I think the process should be much quicker.

Mr. LAWSON. Thank you very much.

Bishop BABER. Doctor, in counties where there are no colored voters, in counties in Alabama, Mississippi, where there are no colored voters, if you could not get one or two white voters to act as vouchers, you never could get an opportunity to vote.

Answer. No; you could not be registered to vote.

Question. Isn't it also true that in some of the counties in your State, and Mississippi and Louisiana, that the vouchers must be white voters? Isn't that true?

Answer. I am not that familiar with the law. I don't know, but there are some counties where we don't have any registered Negro voters.

Mr. LAWSON. There are counties? Do you know how many counties there are where there no Negro registered voters?

Answer. I don't know how many; no. I remember one county being mentioned during the recent hearing in Civil Rights Commission, and this was news to me. I did not know we had any such counties until then, and I don't know what the number is.

Question. Dr. Wynn, do all applicants for registration in Macon County have to go through the same procedures that you described?

Answer. Yes. The procedure varies at times. It depends on the board of registrars. I think for the most part, those attempting to register for the past 2 years, for the most part, have gone through the same procedure but it varies, depending upon the board of registrars.

Mr. LAWSON. Thank you very much, Dr. Wynn.

(Witness excused.)

(Whereupon Fidelia JoAnne Adams was examined and testified as follows:)

By Mr. Lawson:

Question. Miss Adams, will you give your name and address?

Answer. Fidelia JoAnne Adams, Tuskegee Institute, Alabama.

Question. What is your vocation?

Answer. I am a student in the Department of Nutrition, Tuskegee Institute.

Question. Would you tell us what you would like to say regarding this issue?

Answer. On August 4, 1958, I went to the Macon County Courthouse for the purpose of applying to the board of registrars for voting registration.

I arrived at the courthouse about 7:15 that morning and had to wait until 10:30 that same morning before I was admitted to the office of the board of registrars.

Upon entering the office, I was requested to be seated, given two pencils, paper, and a reprint of the Constitution of the United States and told to copy, in its entirety, article II of the U.S. Constitution.

After I had completed this task I had approximately eight pages of longhand. I gave these pages to one of the two board of registrars, who were in the office at that time. I was given an application blank to complete and also an envelope which was to be self-addressed.

After I completed the filling of the application and self-addressing the envelope, I was questioned as to the legality of my Alabama residence, although on the application I had stated that I had been living in Macon County since 1941.

In January 1959, after not hearing from the board of registrars, I wrote a formal letter of complaint to the attorney general of the State of Alabama.

On January 23, I received a reply from this letter in which it was stated that this matter would be given the proper consideration of this office. As of this date, I have had no other further communications from either the board of registrars nor the office of the attorney general in the State of Alabama.

Mr. LAWSON. Does any member of the panel have any questions of this witness?

Dr. MACKAY. How often do the registrars meet for the purpose of registering voters?

The WITNESS. I believe the date was twice a month every other Monday. I think that is what the date was. I am not certain on that but since December 10, 1958, there has been no functioning board of registrars at all.

Dr. MACKAY. Since that date, have there been no people able to register officially?

The WITNESS. No.

Bishop BABER. Madam, have you taken time to study the alternate propositions by the Eisenhower administration, and the Democratic Party in reference to the referees to be appointed by the court or the straight appointment of Federal registrars? Have you studied the situation?

The WITNESS. I have not studied it in any detail. I am familiar with some of the principles.

Bishop BABER. Do you have any opinion as to which of the two would be better in the situation we are discussing here?

The WITNESS. Well, both of them have very, very good qualities. I am not prepared to choose between the two, but I am for the one that will get the job done. [Applause.]

(Witness excused.)

Mr. LAWSON. Our next witness will be Prof. J. N. Blankenship.

(Prof. J. N. Blankenship was examined and testified as follows:)

By Mr. LAWSON:

Question. Dr. Blankenship, I understand you are a retired teacher, is that correct?

Answer. That is correct.

Question. Will you tell us your story? You are from Saline?

Answer. That is correct.

Question. Tell us your story.

Answer. In 1952, I registered in Bienville Parish without incident. In 1954, when Governor Long of Louisiana was elected overwhelmingly by landslide, the council was set up in my parish, in the Parish of Bienville, and they challenged our 630 Negroes and I was included in the 630. I taught school for a period of 34 years. I own 500 acres of land. Yet I am taxed without representation.

I dedicated myself to this great cause of freedom and democracy in this great fight. I know that what Bienville Parish has, the entire South has the same problem.

I notice down here, one of the speakers referred to the Civil Rights Commission attempting to hold a hearing in the State of Louisiana. I was one of the 68 applicants applying for registration and voting, by our juries down in Louisiana—I believe in the western district—and the Attorney General, they brought injunctions against the suit and denied the Civil Rights Commission from having a hearing in the State of Louisiana.

Question. Professor Blankenship, do I understand you were one of the plaintiffs in the lawsuit and that the State enjoined the lawsuit?

Answer. That is correct.

Mr. LAWSON. Any questions by the members of the panel?

Mr. CAMPONESCHI. Mr. Blankenship, why was your registration challenged?

Answer. May I read this?

"Affidavit in case of registration of voter is challenged.

"STATE OF LOUISIANA, PARISH OF PIESVILLE.

"Personally came and appeared before me, Pauline A. Sims, deputy registrar of voters in and for the Parish of Bienville, State of Louisiana, and Joe A. Reeves, and Joe B. Williams, who being duly sworn, do depose and say:

"That they are bona fide registered voters of this parish, that after reasonable investigation by them and each of them, and on information and belief, that J. N. Blankenship registered from Saline, La., to whom was issued registration certificate No. 126, ward 6, precinct 2 of this parish, is illegally registered or has lost his or her right to vote in the precinct, ward or parish in which they are registered for the following reasons:

"Incorrect and incomplete application.

"And should be erased from the official precinct register of ward 6 and precinct 2.

"That this affidavit is made for the purpose of causing said name to be erased.

"Sworn to and subscribed,

"JOE A. REEVES,

"Before me this 27th day of September 1956.

"JOE B. WILLIAMS.
"PAULINE SIMS."

Question. Professor, does that mean you were disqualified because of inaccuracy on your application?

Answer. I don't think so.

Question. Isn't that the gist of the reply of the affidavit?

Answer. Yes, sir. That is the gist of it.

Question. My understanding is they disqualified you because your application is not filled out correctly. Is that so?

Answer. That is so.

Question. Yet you own 500 acres of land and have taught for 34 years.

Answer. Thirty-four years. Other than that we have teachers in the parish that cannot even go to the registrar's office with their bachelor of science, bachelor of arts, master's degrees, and also Ph. D.

Question. Did they tell you what was wrong with your application?

Answer. They did not.

Mr. LAWSON. Any other questions?

Bishop OXNAM. Did this happen in the case of the rest of the 630? Were all of them summarily denied?

The WITNESS. Yes, sir.

Mr. LAWSON. I think we ought to get the full import of that. Bishop, would you ask that again, please?

Bishop OXNAM. Did the same thing happen to the 630 whose names were taken from the list and for the same reason?

The WITNESS. The same thing. Only 26 was left.

Chairman LOVE. I want to ask a question. You had voted before?

The WITNESS. That is right.

Chairman LOVE. How long had you been a registered voter before they denied you the right?

The WITNESS. About 2 years.

Bishop BABER. Professor, am I correct in saying, as I understand it, deprivation of the right to vote in Louisiana is more rampant in northern Louisiana than it is in any other part of the State. Is that true?

The WITNESS. That is true. May I say this: We have three parishes where there are no Negroes voting at all.

Bishop BABER. Madison is one of them?

The WITNESS. Madison, East Carroll, and Calcasieu.

Bishop TUCKER. If you went to register again, what would be the reaction?

The WITNESS. Well, they would just hand me a book and say, "Read this." The man would say, "Let me take this book back. I have not read this myself." And then he would hand the book back. "Well, you have not read this to my satisfaction. Go back and study it again."

Dr. MACKAY. To your knowledge, is there any procedure that is followed which would permit you to appeal a judgment by the registrars, stating in effect, that you have illegally or incorrectly filled out your application—any procedure by which you could protest or appeal this judgment?

The WITNESS. They give us 10 days to make an appeal. For the reason we did not have any confidence—in fact, I waited about a year before I went back. I came out just as I expected, and if I go back 2 more years from now, it would be the same thing. Procrastination.

Mr. LAWSON. Thank you very much, Professor.

(Witness excused.)

Mr. LAWSON. Our next witness will be Prof. S. T. Nero, of Holly Springs, Miss.

Chairman LOVE. I would like the audience to know there is an awful lot of pressure for time. We cannot be as thorough on this as we would like to be.

(Whereupon Prof. S. T. Nero was examined and testified as follows:)

By Mr. Lawson:

Question. Professor Nero, you are a retired teacher?

Answer. I am.

Question. You are from Holly Springs, Miss.?

Answer. I am.

Question. Have you voted at all before?

Answer. Yes; I have voted.

Question. When is the last time you voted?

Answer. Well, I worked in Arkansas a while, and I voted there.

Question. Would you tell us your story briefly?

Answer. In January of this past year, I went and asked if I might register. They gave me something to fill out. I filled that out. Then they gave me a certain article of the Constitution of the United States, to write it out in longhand, verbatim, and then they wanted me to read it. I did. Then they said, give the interpretation of this article. Well, I did.

So they said, "I will notify you within the next few days, if you have passed the test."

I waited the next few days, and I waited the next few days, and the next few days. They never answered. I got no reply. So I walked up there and I spoke to the registrar in reference to it, and he said, "Oh, yes." He said, "I forgot. You did not pass." That is about the end of that. Now, I have had some other experiences.

Question. Would you tell us about them? If we had time, we would like to hear all of your experiences, but would you just give us one more, as briefly as you can?

Answer. Well now, living there in the town and being connected with the college, and so forth, I have influenced other men to go up that had the full tax receipts for 2 years, and they were given about the same treatment they gave me.

Then I sent a young man up who graduated from the same school I graduated from and was teaching in the college where I used to teach and they passed him by three consecutive times. I am not saying anything about the others. I had told him to go up.

Question. So your experience was the same with many other people?

Answer. Many others, yes.

Mr. LAWSON. Are there any suggestions by the panel?

If not, thank you very much Professor.

(Witness excused.)

Whereupon Grafton R. Gray was examined and testified as follows:

By Mr. Lawson:

Question. Mr. Gray, my understanding is you are a farmer?

Answer. I am.

Question. You are from Holly Springs, Miss.?

Answer. No. I am from Charleston, Miss.

Question. Would you tell us your story?

Answer. My name is Grafton R. Gray, Charleston, Miss. I have lived in this area 50 years. I have tried to pay my poll tax and register three times, and have been turned down. I was informed by the deputy sheriff no Negroes could pay poll taxes in Tallahatchie County. Many of us are afraid to register because of fear of loss of job, credit, and violence.

Question. Do I understand you to say the sheriff said no Negroes could pay their poll tax?

Answer. No niggers could pay their poll tax in Tallahatchie County.

Question. When was that?

Answer. That was about 3 years ago.

Mr. LAWSON. Any questions?

Bishop BABER. Are there any Negroes registered in that county, sir?

The WITNESS. Not one.

Bishop BABER. What is the Negro population?

The WITNESS. About 19,000.

Question. What is the name of that county?

Answer. Tallahatchie County.

Question. Any other questions?

Chairman LOVE. Is that the county that Rust College is in?

The WITNESS. There is no college there.

Mr. CAMPONESCHI. Do you know of anyone who lost their job, credit, or suffered violence from anyone when they attempted to register in that county?

Answer. Well, at one time, I taught school in Tallahatchie County school system. I taught there for about 12 years. One night, I was stopped. I had my family in the car and I was intimidated for exactly 1 hour and a half and about maybe a year after that, I received a letter from the county superintendent that my services would not be required for the next coming year.

Bishop TUCKER. You stated there were 19,000 colored people in that county. How many whites are there in that county?

The WITNESS. 11,000.

Question. You lost your job? I want to get that clear for the benefit of the audience. They advised you your services were no longer needed?

Answer. That is correct.

Question. You feel it is as a result of your activity in the county regarding rights for Negroes to vote?

Answer. That is correct.

Mr. LAWSON. Any further questions?

(None.)

(Witness excused.)

(Whereupon Mrs. Louise Lassiter was examined and testified as follows:)

By Mr. Lawson:

Question. Mrs. Lassiter, will you tell your story?

Answer. I am Mrs. Louise Lassiter of Seaboard, N.C. I have been denied the right to vote in Northampton County, N.C. Precinct school teachers, college students, and wives like myself, find it almost impossible to become a voting citizen. Being a Negro, I have the experience that other Negroes had, trying to vote in this precinct.

We are given an educational test which is not known to be given to any member of the white race in our State. This test is really not a test but it is more of a trial for Negroes applying for registration.

The first step in this trial for registration, she gives you a copy of the Constitution to read from and you begin reading until she says stop, and you ask her, did you pass; and she says, no. You mispronounced a word. And everything had to be perfect in order to pass.

For those who passed the first test in this trial, there is another test that must be passed to the satisfaction of the registrant. That test is taking dictation from the registrar as she reads the Constitution. In this test, you fail if you do not dot an "i" or cross a "t." When trying to keep up with the reading by the registrants the fact that she reads too fast or that you need time to think of any spelling of words is not taken into consideration, in passing, by the registrant. The whole matter is up to the feeling of the registrar. There is nothing Negroes can do to pass when the trial is over.

Question. The person who registered you was a woman?

Answer. Yes, sir.

Question. She said you mispronounced a word?

Answer. Yes, sir.

Question. In respect to this dictation, she would read something and ask you to write it down in longhand or shorthand?

Answer. In longhand.

Question. In longhand. If you could not do it speedily enough, you were disqualified?

Answer. Yes.

Bishop BABER. Madam, could you tell me if you know, of course, what is the pattern as applied to the white applicants who want to vote? Do you know what is the pattern of the questioning?

The WITNESS. No, I do not.

MEMBER OF AUDIENCE. I cannot hear you.

Bishop BABER. I asked the lady if she knew what was the pattern of questioning as applied to white applicants by the registrars, if she knew?

Answer. Well, I never saw any there. I don't know.

Bishop BABER. You don't think it is as rigorous as the one applied to you?

The WITNESS. No.

Question. You testified that you knew of your own personal knowledge that they do not give the white applicants the same test. Is that right?

Answer. No. I said it is not known.

Question. It is not known? In other words, the colored people don't know what kind of test they give white people?

Answer. No.

Mr. LAWSON. Thank you very much.

Chairman LOVE. I think I would like to know how many, approximately, Negroes are in the county?

The WITNESS. Approximately 68 or 70 percent.

Chairman LOVE. And how many of them are registered, to your knowledge, in Seaboard?

The WITNESS. I think around 300.

Dr. MACKAY. Will you tell us whether any applicants for registration were asked to write or explain the 13th or the 14th amendments?

The WITNESS. No.

Mr. LAWSON. Any other questions?

(None.)

Mr. LAWSON. Thank you.

(Witness excused.)

Whereupon Curry P. Boyd was examined and testified as follows:)

By Mr. Lawson:

Question. What is your name?

Answer. Curry P. Boyd, Haywood County, Tenn.

Question. What is your occupation?

Answer. I am presently a schoolteacher in high school in Shelby County, Tenn.

Question. Will you tell us, sir, what the population of Haywood County is, sir?

Answer. Haywood County has a population of 26,000 of which there are approximately 18,000 Negroes.

Question. Will you tell us your experience, please?

Answer. Yes. I moved to Haywood County in 1957. After moving, I went to change my registration to Haywood County. The lady in the office said she knew nothing of the place to go and knew nothing about anything.

So I returned later and tried again. She sent me to the sheriff's office. I did not go. I went to the county clerk's office. He told me that, "We have no registrants here." After this, I took a delegation of Negroes to the county clerk and conferred with him concerning this matter. He said he would give us a chance to express ourselves to the county election commission. Later, we found that one of the commissioners had passed away and there was only one left. This one kept procrastinating and never registered. So later we took a delegation to the State voters, and they said they would appoint some registrars. They conspired and they have effective methods of excluding Negroes from registration by having these registrars they appoint either to remain for 20 days and then not qualify. We have been told, and it seems people are planted to do this, up until the last minute, so no Negro can be registered. We have not had a single Negro registered in Haywood County since the Reconstruction days; when we registered our charter in the courthouse, a white man took his stick and beat one of our members, who went to pick up the charter, to the extent he had to receive stitches on his face. Other members of our organization were made to move—those who were tenant farmers have been made to move. Others were fired outright. I lost my position as a principal in the elementary school for no reason except this. I have a B.S. degree from Tennessee State University; a masters degree from Ohio State University. I have 11 years of teaching experience in high schools, and 1 year of teaching experience at Ohio State University.

At every turn, these people have planned to keep us completely away from registration. They have intimidated us from all ends; fined us unnecessarily for minor things. I was fined $33.50 because a car I had just purchased had a few little marks; yet the person I bought the car from had driven it all these years without being fined.

Question. Are there any lawsuits now pending or contemplated in your county?

Answer. Yes. We have taken steps toward a lawsuit and we plan to meet with the State board in Nashville tomorrow for another move to attempt to get some registrars in our county. We are like a chicken with its head cut off. We don't have registration offices.

Question. Have you had or do you expect any reprisal in any way as a result of your appearance here today?

Answer. Oh, yes. We have had all kinds of threats. Members of my organization have had all kinds of threats and most of us have been fined for some reason or another and been made to move. We have been denied loans from banks and most of the business places will not deal with our members any more. Back in 1940, one of the citizens was lynched because he wanted to vote. The FBI investigated this and they investigated the investigation. Nothing was done. We have had the FBI to investigate this. We have had visits from the Commission but so far, we still don't have Negroes registered.

Question. Do you know, of your own personal knowledge, of any economic pressure that has been put on anybody as a result of your activity in this regard?

Answer. Yes; I do. In addition to the fines, there were people who every year borrowed from the banks, and were refused and some of them were told that if they would take their names off the charter, that they would do so. Consequently, they have not pursued it any longer.

Question. To your knowledge, have any citizens lost homes by way of foreclosure?

Answer. Not as yet. Not that I know of.

Question. It has not been long enough yet?

Answer. No.

Bishop OXNAM. I wonder if you would tell us precisely what was upon the notice when you were discharged from your teaching position. Did they give reasons? What kind of notice did you get?

The WITNESS. Well, I like to say this first: In Haywood County, Negroes do not sign contracts even though the State law says they do. The superintendent will tell you that you have been hired. That is it. Well, the superintendent told me that I was to take this particular school. Well, when the time was near to begin school, I stopped by and asked him, to make sure. He said no, they did not have any openings and he gave me no reason whatsoever. There was no reason given. They said, well, they just did not have the openings. I went to the neighboring county, Fayette, which has a situation very similar to us. They have about 20,000 Negroes. The superintendent there said he would call back to the superintendent in Haywood. So consequently, he did not have a job but he did hire a young man 6 months after I had applied there, so it is a part of a conspiracy to keep all of us down. We want our civil rights.

Question. Have you had a chance to study the relative value of the Presidential appointed referees and the proposal of the administration to have Federal court referees appointed as Presidential appointed registrars?

Answer. No. I have not studied it but I have heard of it.

Question. I see.

Answer. I prefer the Federal registrars all the way down the line in everything. I do not wish to see any local people have the situation because of what they have done in Tennessee so far. They have conspired and helped each other, so to speak, and ended up with the Negroes being left out completely. Yet they never leave us out when it is time to pay taxes.

Mr. LAWSON. Any questions?

(None.)

Mr. LAWSON. Thank you very much.

(Witnessed excused.)

(Whereupon John McFerren was examined and testified as follows:)

By Mr. Lawson:

Question. What is your name?

Answer. John McFerren. I was born and raised in Fayette County, in the State of Tennessee.

Question. What is the population there?

Answer. The population of that county is 20,000 Negroes.

Question. How many white people?

Answer. I do not know the number of whites.

On August 1, 1959, the members and myself went up to the courthouse to vote. First we went to the fire station. I pulled out my registration card and handed it to the registration lady and she picked up the card and looked at it and said—she called one of the other men over and said—he asked her—he said, "What are you going to do with these people?" He said, "Where do you live, the country or in town?" She said, "You go to the courthouse and vote."

When I got to the courthouse, me and my four other companions, I pulled out my registration card and handed it to the lady. She looked at the card and called over the man. She said to the man, she said, "If we turn all of these people down, we will get in trouble with the Federal Government."

Then I immediately turned and went out and called our legal counsel and our legal counsel advised us later we would bring a Federal suit against the county. During the Federal suit, the FBI came out in the field and investigated me. When they investigated me, he brought back the report and gave the report to the sheriff. That put me on the hot dog stand.

Johnson was the FBI man. He gave the report to the sheriff and immediately after then, my life was threatened.

(At this point, the witness was unable to continue.)

Mr. LAWSON. We will give him a few minutes to relax and come back, if there is time.

* * * * *

(Witness temporarily excused.)

Mr. LAWSON. Now, I understand that Mr. McFerren who was about to go to town here a minute ago, had trouble. I am sure the commission wants to ask him a few questions.

(Whereupon John McFerren was further examined and testified as follows:)

By Mr. Lawson:

Question. Will you pick up where you left off?

Answer. The FBI notified the sheriff and the FBI came out there while I was picking cotton. They told me to go to tell the sheriff everything I know, that that was the thing to do, and so that night, I received a threatening telephone call. From that day to this, my wife and family and myself were threatened. And this FBI man who came out to investigate the rights to vote, he was a native of Fayette County. He knew my father and before him, my grandfather, and we went back and talked with our legal counsel and we wrote to Hoover here in Washington. They sent another investigator out. I was on the hot dog stand. That is where I was.

Now, the teachers in the county are scared to register. They are even scared to talk to me on the street. When they see me coming, they run the other way and many farmers are harmed, today, on account we want to come to be first class citizens. They are making a move by the hundreds. They took the crop from the farm; would not sell it. They made them move because they even tried to raise it. When we go up to register, the landlord would walk up and down to see if any of his tenants were in line. When they go to register, the sheriff calls the names and calls the landlord, and the landlord would make him move that night.

Question. Have you tried to make a loan? Do you know of any people who tried to make a loan down there and could not make it?

Answer. No Negroes in the county of Fayette County have a GI loan for a farm. They are all local loans down there thrown on the Negro 10 or 15 years ago. You cannot get a local loan to buy a farm. Now there is a few local loans that charge 25 percent interest on the money, but where they put that interest on the money, they take it out before you get the money. If you borrow $200, he will take the interest out before you get the money and I have borrowed money in my lifetime. I know what he gives me.

Question. Those 25 percent interest charges are from private lenders?

Answer. They are from private lenders but the banks, they charge us 12 percent interest. I had not borrowed no money from the bank in about 2 or 3 years, but I have some notes at home I can show you, that charge 12 percent interest. Here is the way they do that. If you go in there to borrow some money, he will take out the interest before you get your money. What have you got to show?

Question. Does the note read 12 percent?

Answer. They don't put no interest at all on the note.

Mr. LAWSON. Any questions?

Mr. CAMPONESCHI. What do they threaten to do?

The WITNESS. They called my wife. I reported this to the FBI headquarters. They call my wife over the telephone. They groan over the telephone like somebody died. And I have a 2½-ton truck. I do public hauling on the side and they threatened my driver. They said they would push him off the road. And I, myself, was threatened in that way. "If you keep moving with that voting issue, you will come up with a necktie around your neck."

The teachers in our county are under a tremendous strain because they are between the other side and ourselves. Now, we have registered—I do not have the accurate number—but approximately between 1,000 and 1,300 registered, by standing at the door, counting. But this count is not accurate because I have no records of the books.

Question. Have you ever voted?

Answer. I never voted in my life.

Question. Have you been trying to vote all these years, ever since you have been 21?

Answer. I tried to vote this year—last year, pardon me. Last year.

Question. Tell us precisely what happened last year. Very briefly, what happened when you tried to vote?

Answer. Well, four of us went out there together to vote. When we went in to vote, to the fire station, when I pulled my card out the fire station lady, she called another man over, and said, the man said, "Where do you live. In the country or town" I told him I lived in the country. He told me, "You have to go to the courthouse to vote." When I got to the courthouse, I pulled the card out and gave it to the registration lady and they called another gentleman over and asked him, "What are we going to do with these folks. There are too many of them coming here and trying to vote. We will get in trouble with the Federal Government." He said, "This is an all white, Democratic primary election." That is what he said.

Mr. LAWSON. Thank you very much.

There is one final thing I think the audience would be interested in.

The WITNESS. Now, you might know, because of this voting issue, my mother was run down with a 2½-ton truck.

Question. What happened? Has there been any investigation of that?

Answer. In other words, my mother was up in the yard and this guy, this man, with the 2½-ton truck, was riding 8 or 9 miles an hour. He hit me and went across to my mother's yard and ran over her. She has not come back, yet. She is going to get all right, yet.

Question. She is in the hospital?

Answer. She has been in there.

* * * * *

SUMMARY BY BELFORD V. LAWSON, JR.

Mr. LAWSON. Bishop Love, ladies and gentlemen, this is one time a lawyer has to be brief. I think of a little story, a little incident, which indicates that an attorney can be brief, and I think epitomizes what I have in mind regarding his testimony.

The other day, a man was sued in our courts for debt. The judge said to him, "What do you have to say for yourself?" The defendant said to the judge, "As God is my judge, I do not owe money." And the judge said, "He is not, I am, and you owe money."

As God is my judge, I think it is perfectly clear from this testimony that there is a hard conspiracy to deprive Negroes of the right to vote in the South and in the District of Columbia. I think the evidence shows beyond a doubt that there is a pattern of discrimination, a longstanding, inflexible pattern of regulations and discrimination regarding the voting right which I think falls right within the intent and purpose of the pending legislation, the Civil Rights Act of 1957; the recommendation of the Civil Rights Commission and the proposal of the Attorney General to have the Federal courts appoint referees contemplates the situation; and finally, it is implicit, I think, in this testimony that the reason we don't have the vote in the District of Columbia goes back to the deprival of the right of Negroes to vote in the South.

All of that is to say that lawsuits are fine; Supreme Court methodologies are fine; but the time has come I think this is implicit from the testimony, that all the decisions of the Supreme Court; all of the work which all of the organizations represented here today have done, must be implemented and pinpointed on what seems to me to be the one central issue, namely, the right of the Negroes to vote in the South.

Thank you very much. [Applause.]

Chairman LOVE. Thank you, Attorney Lawson.

Dr. Gomillion will make a resolution.

Dr. GOMILLION. Whereas there has been widespread discrimination against Negroes in various parts of the South, especially in the area of registration and voting we have resolved:

1. That unregistered and disfranchised American citizens in the South seek to understand their rights and responsibilities as American citizens and strive to experience those rights and perform those duties.

2. That all democratic citizens and civil action agencies in southern States and cities will challenge the legislation and alleged injustice of State and local legislative acts, executive orders, and judicial decrees which restrict or deny citizens opportunities in participation because of race, color, or creed.

3. That the State Advisory Committees on Civil Rights in the South will work diligently to discover and assemble data on civil rights and restriction of civil opportunities and report their findings to the Federal Commission on Civil Rights.

4. That the State advisory committees will also work to create in the States of the South the civic climate more favorably disposed to the democratic participation of American citizens in the State and local politics and government on the basis of constitutional rights, interests, and merit, rather than on the basis of race, color, or creed.

5. That the State advisory committees urge the State appointing boards to cease the practice of refusing to appoint to membership on county boards of registrars, Negro voters who are qualified to serve and appointing only white citizens to serve.

6. That the Federal Commission on Civil Rights continue its efforts to hold public hearings in the Southern States, disseminate its findings, and make recommendations to the Federal Government.

7. That the Congress of the United States revise the Civil Rights Act of 1957 so as to strengthen its provision. This might be done by restoring to it article of title III, which was deleted before the act was passed, or by including a recommendation made by the Federal Commission in its official report to Congress; and

8. Finally, that the Congress guarantee to all American citizens the right to vote by enacting a measure which would enable the Federal Government to provide for the registration and voting of eligible citizens in Federal, State, and local elections when and where the regular local and State machinery fails to function. Such provision is embodied in House bill No. 7957 now in the House Administration Committee of the U.S. House of Representatives.

Chairman LOVE. He moves the adoption of this. This is a volunteer body of free citizens. We want those who will, to vote—those who want to, we would like to vote.

I would like to make a suggestion. It might not be apropos, but it is that you include in there that a copy of the findings here on the record be sent to the Civil Rights Commission.

Would that be all right? Would the House agree to that? We have a tape recording of this meeting for them. It will become a part of the record.

Those in favor signify by raising their hand.

Those opposed?

The motion is carried.

Those who have refrained from voting did not vote against it. We thank you very much.

Mr. Aubrey Williams is going to have one final word.

Mr. WILLIAMS. Bishop Love and members of the panel, I appreciate very much the opportunity to speak to you but frankly, I would be much happier if Bishop Oxnam would take my place here. Let me say a word or two.

I feel we have been greatly honored by having the presiding bishop and President of the 10 million Methodists come here today. I appreciate everyone else's presence. Just one other word. We are happy to have been able to participate in this. We have been proud of the fact that some 17 organizations have joined together to make this possible. It is our hope in the future that these organizations will continue to work together and that other organizations will be added to it, and I am going to ask Bishop Oxnam if you will take the rest of my time.

Bishop OXNAM. What do you do when you are trying to be polite and at the same time wise? If you will allow me to say this: That the whole issue that has been the subject of segregation is primarily, from my point of view, not a political issue. It is basically a religious issue because the Lord commanded that we love one another. I suggest to you that you do not segregate people you love. Consequently, you are violating one of the fundamental principles of the faith when we do segregate and it becomes basically a religious issue, but this whole question of voting to me, is incredible—that in 1960 men and women must come here in a democracy and ask for the privilege of voting. It is incredible that we have to face that.

All we are here to do is to see that sooner or later the fundamental principles of democracy became applied. I am of the opinion that when the Negro has the vote and exercises his franchise as a freeman, the legal, economic and other problems will fall into line because there is power in the vote and that is precisely where we would be upon this issue. [Applause.]

Chairman LOVE. Thank you, Bishop Oxnam.

This testimony, Mr. Speaker, is self-explanatory. It points out, in terms that spell out the Nation's shame so that he who runs may read, that this country is still a long way from achieving the standard which we hold forth to the world to emulate. We look with disgust and loathing upon the spectacle of free elections being suppressed in the Iron Curtain countries. We try to tell the people of the world that this is the fate that would be theirs if the Communist conspiracy succeeds. Yet every time an American citizen is kept out of the polling place by one of the shoddy tricks related above, we sink to that same level ourselves.

This is not a regional problem, Mr. Speaker. It is not a State or local problem. It is a national problem—a national shortcoming. No one in this

Chamber can feel smug or self-satisfied until the Congress has acted to insure to every American the freedom to participate in the basic democratic procedure—the free election.

A BILL TO HELP SMALL BUSINESS BY PREVENTING BELOW-COST SALES

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, today I have introduced H.R. 10235. This is a bill to prohibit sales below cost through an amendment to the Federal Trade Commission Act.

The objectives of the bill are to prohibit by Federal law certain discriminations in price and sales at unreasonably low prices, including those at levels below cost.

These objectives would be accomplished by adding a section to the FTC Act and including in that section the provisions now appearing in section 3 of the Robinson-Patman Act. It should be noted that the provisions of section 3 of the Robinson-Patman Act constitute a part of the Federal criminal laws. These provisions, when carried over and added to the FTC Act by amendment, do not carry with them the criminal penalties. Instead, they simply would provide for injunctive relief and the right of those injured to sue for triple damages in civil proceedings. Of course, the Federal Trade Commission would be empowered to stop the practices made unlawful by the provisions of this bill.

Among the practices which would be prohibited by the terms of this bill are those which have been so dramatically brought to light during the course of the hearings before the Special Subcommittee on Small Business Problems in the Dairy Industry and before Subcommittee No. 5 in hearings on small business problems in the food industry. It will be recalled that during these hearings one witness after another admitted using the great resources of his company in making sales at prices below cost to the detriment of small business.

Relatively speaking, a small retail establishment represents an ever-decreasing proportion of all retailers, accounting for an ever-smaller share of the total volume of merchandise distributed and sold throughout the United States. In the field of food distribution, it has been stated in the hearings previously referred to, that 212,000 independent small food stores which represent 68 percent of all food retailers, do less than 10 percent of the retail business today, while 27,000 supermarkets, or 9 percent of the total number of food stores, do 62 percent of the business.

One of the reasons frequently given for the relative decline of small distributive business and the growth of the large retail chains and supermarkets, is the frequent use by these larger entities of the device of selling one or more popular products below actual cost in order to attract trade to their stores and away from the small retailer. This practice is generally known as the use of the "loss leader" and is sometimes called "bait advertising."

Only a few months ago the Supreme Court unanimously upheld as constitutional a State law prohibiting sales below cost and noted that one of the chief aims of such law is to put an end to "loss-leader" selling—*Safeway Stores, Inc.*, v. *Oklahoma Retail Grocers Association, Inc., et al.* (360 U.S. 334). In doing that the Court stated that—

> The selling of selected goods at a loss in order to lure customers into the store is deemed not only a destructive means of competition; it also plays on the gullibility of customers by leading them to expect what generally is not true, that a store which offers such an amazing bargain is full of other such bargains.

This thought about the use of loss-leaders in preying on the gullibility of customers by leading them to expect what is generally not true—that is, that a store that offers such an amazing bargain is full of other such bargains—is not one simply based on theory. Not only logic, but also the history of human experience fully support the thought. If that should not be taken to abundantly support the thought expressed by the Supreme Court to the effect that loss-leader selling is an advertising gimmick, then we only need to turn to the words of one who has engaged in loss-leader selling for further evidence. Not long ago the Committee on the Judiciary in the course of hearings regarding monopoly power heard a witness who had engaged in loss-leader selling. In the course of the testimony and with reference to that practice, he stated:

> What cheaper method of advertising is there if I advertise a commodity that cost me a dime for 5 cents and that customer comes into my store. And my only hope is * * * he will buy something else from me.
>
> In my estimation I say loss-leaders is one of the finest methods of retail advertising devices.

The advertising characteristics and any misleading and deceptive effects incident thereto are not necessarily the worst aspects of making sales at prices below cost. Its deadly effect upon small and independent competitors of the loss-leader selling is one of its most dangerous characteristics.

The records of the hearings which have been held by the House Small Business Committee regarding discriminatory pricing and loss-leader selling practices of large business concerns, are filled with detailed accounts of how small and independent business concerns have been destroyed or nearly destroyed as a result of the use of such practices.

During the last term of the 85th Congress our colleague the gentleman from Oklahoma [Mr. STEED] presided over hearings before the Special Subcommittee of the House Small Business Committee in Kansas City, Mo., during March 1958. During those hearings, sworn testimony was received to the effect that a small business engaged in the distribution of dairy products in Mexico, Mo., had been almost forced out of business through the use of loss-leader selling by its larger competitors. One of those larger competitors is a nationwide concern. The small business concern in question did business only in the area of Mexico, Mo. Its business was limited to that market. It had been selling milk at approximately 70 cents per gallon on a nondiscriminatory basis in that market, but at lower prices per gallon in glass gallon jugs than the large nationwide firms had been offering milk in two half-gallon paper containers. Under that set of circumstances a price war was started by the larger concerns. Before it ended, the larger competitors, including the nationwide concern, were selling milk at wholesale at 6 cents per half-gallon in paper containers. For that milk it was paying farmers more than 20 cents per half-gallon.

Another similar instance occurred in Dallas, Tex., where two large nationwide distributors of dairy products began selling milk at approximately 18 cents per gallon below cost, with devastating effect upon small distributors in that area whose sales were limited to the Dallas, Tex., market. In sworn testimony before the subcommittee of the House Small Business Committee, representatives of these large firms admitted that they were losing thousands of dollars each day when they were selling milk at prices below cost. Obviously their small competitors were unable to match those large losses.

More recently, the special subcommittee of the House Small Business Committee has made investigations or held hearings in Oklahoma, Tennessee, Kentucky, Indiana, Michigan, Colorado, California, Florida, and the New England States. These investigations and hearings have developed additional evidence of sales at prices below cost by large firms engaged in the distribution of milk and other dairy products with devastating effect on small competing business firms.

This practice is indulged in by the large nationwide concerns at will. They pick and choose the spots where they want to lose money on sales. Of course they recoup their losses in other sales through sales at much higher prices. In other words, as a musician chooses the keys to which the fingers are directed, these large concerns make the music and the small concerns are compelled to dance to their tunes.

Of course, this evil practice of loss-leader selling is not used by all large firms. A number of our largest corporations, many of which are engaged in the food industry, recognize and live up to their responsibilities and obligations to carry on their business in a fair competitive manner.

This practice is not restricted to the distribution of dairy products. During the course of recent hearings before Subcommittee No. 5 of the House Small Business Committee regarding small business problems in the distribution of food, our colleague the gentleman from California [Mr. ROOSEVELT] heard testimony to the effect that not many months ago a large nationwide chainstore organization retailing food in Washington, D.C., bought a large volume of dressed turkeys at 46 cents per pound and then kindly resold the same turkeys at retail for 38 cents per pound.

Since the beginning of the century, this has been a favorite device utilized by giant retailers to destroy the competition of their less favorable circumstanced competitors. Nationally known products, or products of universal appeal having widely established values, are disposed of at cost or at less than the actual cost of acquisition. This offer to sell at such ruinous prices is intended as an enticement calculated to increase customer traffic to the place of business of the below-cost seller, and to induce the purchaser of other merchandise for which no standard price is generally known. Thereby, the customer is entrapped without suspicion into purchasing other goods, often at an exorbitant markup, more than sufficient to make up the loss on the leader.

This device is a particularly potent one in the hands of large scale distributors having innumerable outlets and engaged in the sale of vast multiplicity of products. Losses incurred with respect to one commodity can be compensated either by charging a higher price for that commodity elsewhere, or by increasing the price of other merchandise sold concurrently at the place where the loss-leader is offered.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from West Virginia.

Mr. BAILEY. Will this legislation correct the present situation that permits your Texas gas transmission and Tennessee gas transmission to conduct dump-sales of natural gas along their lines from Texas to the eastern termini of their lines in West Virginia?

Mr. PATMAN. I am not sure whether it will apply to a service of that type or not. This applies to goods, wares, and merchandise. I see no reason why it should not.

Mr. BAILEY. That concerns the consumers who are the ones who pay the bill.

Mr. PATMAN. I do not know. It can be made to include anything.

Mr. BAILEY. In that case with that in there we will support it on the assumption it will reach that situation

Mr. PATMAN. It is against selling below cost. I am not clear as to whether the matter the gentleman refers to is a service or a commodity.

Mr. BAILEY. It is selling below cost, because they have that surplus gas on their hands.

Mr. PATMAN. It applies to anything where it is sold below cost. The bill is intended to apply to the practice of selling below cost.

Mr. LEVERING. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. LEVERING. I have followed with great interest the remarks of the distinguished gentleman from Texas and would like to associate myself with them. I wish to propound this question: I ask the gentleman if the proposed legislation he is now discussing would apply to milk wars of the type mentioned in those counties in the various States where national marketing orders are not in effect.

Mr. PATMAN. I have not studied the matter with that particular question in mind. I see no reason why it should not, because one of the competitors will be engaged in interstate commerce, as I understand, at least one of them.

Mr. LEVERING. The gentleman maintains, then, that if one of the competitors is in an area which we may call a major location, a city or county, that brings the matter within the jurisdiction of the Federal Government under the interstate commerce clause.

Mr. PATMAN. It certainly would include the one that is engaged in interstate commerce, and usually that is the one that causes the devastating situation locally.

Mr. LEVERING. I thank the gentleman.

Mr. PATMAN. The action of some large business concerns to sell some one or more of their commodities at prices less than the actual cost of such commodity, as an inducement to attract customers into their stores, has been described as a major weapon employed by the larger distributive entities in order to eliminate their smaller competitors. Apologists for this practice attempt to equate it with other forms of advertising, and claim it to be indistinguishable from handing out samples in order to demonstrate the value of the product.

There being no substantial question as to the value of the loss-leader practice here condemned, it remains but to consider the scope and magnitude of what concededly is a dishonorable commercial practice. That the problem is not of trivial scope, is indicated by the fact that more than 31 States—Arizona, Arkansas, California, Colorado, Connecticut, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming—have enacted laws of general application proscribing sales below cost, while 27 States have, in addition or instead, enacted such laws applicable only to one or more products particularly sensitive to price manipulation.

At this point it should be mentioned that H.R. 10235, which has been introduced today, not only acknowledges but also provides for an extension of the effectiveness of these various State laws. For example, in my bill there is a provision prohibiting sales of goods at unreasonably low prices in or affecting commerce where the effect of the sales may be to substantially lessen competition or to injure, destroy or prevent competition. Then, in subsection (b), the term "unreasonably low prices" is defined as a price below cost as the term "below cost" is defined by the law applicable to sales at unreasonably low prices or at prices below cost in any State into which the merchandise shipped or is to be transported for use, resale, or consumption. Thus, this bill would aid the effective enforcement of State laws dealing with this problem.

Of course, it has been the policy of the House Small Business Committee to cooperate in every way possible with officials of the various States in providing them with information which would assist in the enforcement of the State laws which prohibit sales at prices below cost. However, there are limits beyond which State law cannot apply. Sales and transportation of merchandise in interstate commerce are beyond the reach of State enforcement agencies. Hence, we need Federal legislation on this point to complement State legislation and, thereby, fill an existing void.

Perhaps it would be appropriate to ask the question about the nature and status of existing Federal legislation applicable to practices sought to be covered by the bill I am introducing today. Permit me to say a few words about existing Federal legislation on this matter.

The only existing Federal legislation dealing specifically with the practices covered by the present bill I am introducing today are the provisions of the Robinson-Patman Act, which provisions were approved on June 19, 1936. Through that act, Congress meant to correct defects which had become apparent in the law permitting destructive discriminations in prices.

Before the Robinson-Patman Act became law, many small businessmen complained they were being driven out of business by virtue of price discriminations and secret rebates beyond anything that was justified by the seller's cost differences. Congress had directed the Federal Trade Commission to make an investigation of the matter, and a special investigating committee, of which I had the honor of serving as chairman, also investigated the matter.

The records of the Federal Trade Commission investigation and of the special investigating committee of the House of Representatives are eloquent in their showing that the Clayton Antitrust Act, as then written, permitted destructive price discriminations. Also, it was pointed out that the Sherman Act could not be relied upon to halt these destructive price discriminations. Therefore, it was recommended that Congress strengthen our Federal laws to prohibit price discriminations which had the effect of eliminating small business concerns and competition generally.

Congress acted promptly and almost unanimously. The Robinson-Patman Act passed the Senate without record opposition, and only 16 votes were cast in the House as opposing its passage. Thus, we acted with the thought that with the passage of the Robinson-Patman Act we had closed up the loopholes in our laws so as to prevent destructive price discriminations in interstate commerce.

Representatives of large concerns, determined to continue the practice of destructive price discrimination, were not content. They propagandized against the law. They misled public officials and judges about congressional intent and about the real meaning of the law. Among the results are those of reluctance on the part of public officials to

enforce the law, and a willingness on the part of judges to accept the propaganda of the law's opponents and misread and misapply the provisions of the law.

These results have brought us to the point where the law needs clarification and new provisions added to the extent that it would be made so clear that the judges would find it easy to clearly and accurately interpret and apply the law. Also, the bill would provide a means for its enforcement, in large part, through private litigation brought by those small business concerns injured through practices in violation of the law.

Many thought that section 3 of the Robinson-Patman Act, from which the language of my present bill is drawn in large part, provided small business concerns with a right to sue for damages sustained as a result of a violation of that section of the law. However, on January 20, 1958, the Supreme Court of the United States by a 5 to 4 decision in the cases of *National Milk Company* v. *The Carnation Company*, and *Safeway Stores, Inc.* v. *Vance* (355 U.S. 373 and 389), held that small and independent business concerns will not be permitted to use section 3 of the Robinson-Patman Act in proceeding against unlawful selling at unreasonably low price if each such practice should result in the creation of monopoly. The effect of the decision in those cases is to limit the use of section 3 of the Robinson-Patman Act to criminal cases instituted by the Government. It is common knowledge that the Department of Justice under the present and past administrations has not enforced and has had little sympathy for section 3 of the Robinson-Patman Act as a criminal law against predatory pricing practices. Indeed, the group which formulated the majority view for the report of the Attorney General's committee to study antitrust laws in 1955, acknowledged that fact, and in so doing stated:

> Although Congress authorized the Department of Justice and local U.S. attorneys to enforce section 3, public enforcement organs have largely forsaken this law. * * *
>
> The Government's reluctance to enforce section 3 has relegated its enforcement to private treble damage litigants.

Thus, it is shown that section 3 of the Robinson-Patman Act, on the one hand, stands unenforced by the only Government agency with authority to enforce it, and, on the other hand, has now been made otherwise unenforceable by the small businessmen who are victimized as a result of violation of that section of the law.

In the mentioned cases where National Milk Co. and Vance had proceeded against the Carnation Co. and Safeway Stores, Inc., the practices involved were discriminations in price in the making of sales at unreasonably low prices for the purpose of destroying competition.

While the decision made by the Supreme Court in those cases affected only section 3 of the Robinson-Patman Act, nevertheless, small business concerns will continue to be affected seriously and adversely by the decision. It is clear that small businessmen will not be permitted to proceed under section 3 of the Robinson-Patman Act in the future in an effort to protect themselves from the devastating effects of monopolistic price discriminations, such as are made unlawful under existing law only by the terms of section 3 of the Robinson-Patman Act. It is for this reason that I think it imperative that we act without delay to accomplish what I have so often heretofore recommended, namely, that legislation be provided which will enable small businessmen to institute proceedings in Federal courts to stop these price discrimination practices which are so destructive of small business and competition. We must act to save from destruction thousands of small and independent businessmen. Big business is now free to discriminate by selling at unreasonably low prices in some sections of the country, while holding their prices high in other areas. In doing that they destroy the little fellows and create monopolies, to the detriment of consumers.

This matter is urgent. It demands serious and immediate consideration. The law must not be left as it is at present, providing that section 3 of the Robinson-Patman Act can be used only in criminal cases prosecuted by the Department of Justice.

The facts dramatically show that the practice of price discrimination is being used by large and powerful monopoly forces to eliminate small and independent business concerns and thereby substantially lessening competition. In that way, the monopoly power over business is entrenched. It results in a heavy concentration of economic power in American industry.

The records show that one nationwide processor and distributor of dairy products has increased its share of the total business in that industry tremendously. It increased its sales between 1932 and 1955 by 38,706.89 percent.

Eight large processors and distributors of dairy products now enjoy more than 50 percent of the sales in that industry. Four of the largest companies account for more than 97 percent of the sales of canned milk. This is the commodity that was involved in the National Milk Company against the Carnation Company case decided by the Supreme Court of the United States against small business in 1958.

Concentration in American industry is not peculiar to the distribution of dairy products. Recently, even the Federal Trade Commission, in announcing that it would study the matter stated:

> We want to know why the industry is getting so tough on the smaller operator * * * a trend seems to be to eliminate the small man entirely.

The House Small Business Committee and its subcommittees, which have been studying this matter, have an abundance of information. We have made that information available to the Federal Trade Commission, the Department of Justice, and other Government agencies. We shall continue to do so. However, we recognize that their abilities to stop these unwholesome practices are limited to some extent by the law. We need to expand their authority so that they will no longer have the excuse that they are without authority under the law to stop these practices.

Our colleague the gentleman from California [Mr. ROOSEVELT], as chairman of Subcommittee No. 5 of the House Small Business Committee, has developed evidence showing that less than 35 percent of the 77 chains account for 77 percent of the total food chain sales. Of the 370,000 food stores in existence today, about 12 percent of them do 70 percent of the business. The so-called mom-and-pop stores are disappearing from the neighborhood.

Two percent of all the companies engaged in food marketing in 1954 employed 43 percent of the people and accounted for 52 percent of the industry payroll.

Shelf space is one of the keys to success in the grocery business. With perhaps 7,000 items to choose from, the housewife is going to be influenced by the location of items placed at her eye level. Today the problem is to get your merchandise on the shelf.

Today one of the large nationwide chain food retailers enjoyed an annual volume of business one and a half times greater than the entire aggregate annual volume of business enjoyed by all of the 194,000 independent small single store food retailers in the United States. Many additional facts could be cited which would further dramatize this alarming concentration of business in the hands of a few, but I shall not take your time and belabor the matter in citing further from the abundance of available statistics. We should be mindful that the significant fact remains that these monopoly conditions preclude competition.

We should aim to stop the practices which create the monopolistic conditions. It is beyond dispute that the most deadly of these practices is the practice of price discrimination. It is through this practice that the large concerns have gathered unto themselves monopoly control over prices and markets of a number of our basic industries and lines of business.

The problem is now up to Congress. We should act to place in the hands of the enforcement agency and in the hands of small business, the tools with which they may be enabled to act to stop or reduce the use of the monopolistic practice of price discrimination. Unless we do, as the years roll by the trust busters will be calling upon us to appropriate millions and millions of dollars to help break up monopolies and trusts which price discriminations today are building up. It seems quite futile to build up for the sake of break up. Let us act to prevent the build up of monopoly. The bill I am introducing today, H.R. 10235, will help us and help small business. I invite your cosponsorship and support of this proposed legislation.

A majority of the members of the House Small Business Committee have endorsed H.R. 10235 in principle. In addition, a number of the members of our House Small Business Committee have

today introduced identical bills. These members include Representatives EVINS, MULTER, STEED, and ROOSEVELT.

I am inserting as part of my remarks a copy of the bill; and also questions and answers on H.R. 10235, a bill which would prohibit sales below cost.

(The matter referred to follows:)

H.R. 10235

A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices, and methods of competition, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission Act (15 U.S.C., sec. 41 et seq.) is amended by renumbering section 18 as section 19 and by adding immediately after section 17 the following new section:

"SEC. 18. (a) It shall be unlawful for any person engaged in commerce—

"(1) to be a party to, or assist in, any transaction of sale, or contract to sell, in or affecting commerce, which discriminates to his knowledge against competitors of the purchaser, in that any discount, rebate, allowance, or advertising service charge is granted to the purchaser over and above any discount, rebate, allowance, or advertising service charge available at the time of such transaction to said competitors in respect of a sale of goods of like grade, quality, and quantity;

"(2) to sell, or contract to sell, goods in any part of the United States in or affecting commerce, at prices lower than those exacted by him elsewhere in the United States where such sales—

"(A) have a dangerous tendency unduly to hinder competition or create monopoly in any section of the country, or

"(B) have the purpose of destroying competition or eliminating competitors in that part of the United States where such lower prices are exacted; or

"(3) to advertise, offer to sell, sell, or contract to sell, goods at unreasonably low prices in or affecting commerce where the effect of such sale may be—

"(A) substantially to lessen competition or tend to create a monopoly in any line of commerce, or

"(B) to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such unreasonably low prices.

"(b) For purposes of this section a sale at an unreasonably low price shall include any sale, contract of sale, advertising, offer to sell, or other disposition of merchandise at a price below cost as such term is defined by the law applicable to sales at unreasonably low prices or sales below cost, of any State, Commonwealth or possession of the United States, or of the District of Columbia into which the merchandise is shipped or is to be transported for use, resale, or consumption. If there is no such law applicable, a sale at an unreasonably low price means—

"(1) in the case of a producer, a sale at a price less than the cost of manufacturing, packaging, and selling a commodity together with the payment of such transportation costs as are actually borne by a producer; and

"(2) in the case of any other vendor, a sale at a price less than the invoice or replacement cost of the commodity plus the overhead cost and other costs of the vendor doing business.

"(c) Any person who shall be injured in his business or property by reason of anything forbidden by this section may sue therefor in any district court of the United States in the district in which the defendant resides, is found, or has an agent, without respect to the amount in controversy, and shall be entitled to injunctive relief and to recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

"(d) The doing of any act made unlawful by this section shall be an unfair or deceptive act or practice in commerce within the meaning of section 5 of this Act.

"(e) *Provided, however,* That nothing contained in this section shall prevent price changes from time to time where in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned."

QUESTIONS AND ANSWERS ABOUT H.R. 10235, A BILL WHICH WOULD PROHIBIT SALES BELOW COST

1. How would H.R. 10235 apply to sales at prices below cost?

H.R. 10235 would prohibit sales in or adversely affecting interstate commerce at unreasonably low prices, where the effect would be to substantially lessen competition or tend to create a monopoly in any line of commerce or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefits of such unreasonably low prices. The term "unreasonably low prices" is defined in the bill as prices below "cost" as that latter term is defined in the law of any State, Commonwealth, or possession of the United States or the District of Columbia, into which the goods are shipped for resale and in which jurisdiction the State law prohibits sales below cost. In those instances where there is no such State law the term "unreasonably low prices" means a sale at prices below "cost" as that term is normally determined by accepted accounting practices to mean the total costs of the seller as applicable to the sale in question. Thus it is seen that the provisions of H.R. 10235 will prohibit sales at prices below cost, and in doing so will hit directly at the evil of loss leader selling.

2. What is a loss leader?

A loss leader is the sale by a merchant of a product for less than its cost to the merchant.

3. Why are products sold as loss leaders?

To attract customers to the merchant's store by leading them to believe that all items in the store are sold at less than cost.

4. Does the customer actually derive a financial or economic gain by doing business with merchants employing "loss leader" tactics?

An abundance of economic studies show that the customer does not. On the contrary, the customer very often suffers severe economic detriment. "Loss leader" is better characterized as "misleader," since the customer, concurrently with the purchase of the loss leader as a rule, also purchases other items at grossly inflated prices in the deluded belief that these items, too, are being sold at bargain prices.

5. Can a merchant survive in business by selling all his merchandise below cost?

Patently, no merchant can continue in business by selling his merchandise below the cost to him.

6. Is the loss leader then a form of fraudulent misrepresentation?

It is—decidedly so.

7. What items are generally used as loss leaders?

Standardized products having a wide popular appeal and great sensitivity of price are invariably used for this purpose. Such items are, as a rule, readily recognized by the public-at-large. Cigarettes, film, confectionery products, electrical appliances and a vast number of other advertised items of general use and frequent purchase, are a tailormade vehicle for unscrupulous merchants engaging in loss-leader practices.

8. How can this evil be prevented?

Experience, particularly at State levels (31 States), has proven beyond a shadow of a doubt that such predatory practices can be forestalled by the enactment of a national law to prohibit sales below cost.

9. What will a national law to prohibit sales below cost do?

It will prevent the sale of all commodities below cost of acquisition by the merchant.

10. Apart from loss leaders, are there any other reasons why the merchant would want to sell known products below cost?

None of an ethical nature. Some merchants use cut-price tactics with regard to these items in order unfairly to drive their smaller competitors out of business. When the small competitor is eliminated the practitioner of the cut-throat price, more often than not, proceeds to sell these goods at an even higher price than that formerly prevailing. This procedure inevitably leads to a monopoly in distribution.

11. Are not these monopolistic concerns the ideal vehicle for the efficient and economic distribution of these products?

Definitely not. The most efficient method of distributing products, and marketing history underscores it, is through a multiplicity of small retail outlets, dotting every nook and corner of this Nation and within easy access of every customer. It is the ready accessibility and wide availability of these products that have enabled them to reach their present huge proportions in our economy. Our antitrust laws are founded on the principle that monopoly destroys competition and that competition is the lifeblood of trade. Insofar as selling below cost encourages the growth of monopoly, it is inimical to our antitrust statutes and should be proscribed by a law prohibiting such practice.

12. Will a national law eliminate the twin evils of loss-leader and cutthroat competition?

It definitely will, without in any way impinging upon the American competitive system. The authenticity of this assertion has been proven by the successful experience with the functioning of unfair cigarette sales laws in the following States: Alabama, Arkansas, Connecticut, Georgia, Hawaii, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Mississippi, New Jersey, New Mexico, Ohio, Oklahoma, Pennsylvania, Tennessee, and Washington.

13. Does this proposed national law establish monopolistic and uniform prices for all goods?

It has no such effect whatever. Free and open competition on fair and equal terms is the norm under the proposed national law. A merchant may sell for as little or as much as he pleases only that he does not sell below his actual cost of acquisition and his actual cost of doing business as defined by established accounting practices.

14. Does this proposed law guarantee a profit?

Not by any means. Profit is not an element of cost as defined by the proposed national law against loss leaders. Under such law, an efficient merchant may well make a profit, but the inefficient one is not subsidized and kept in business at the expense of the economy as a whole.

15. How will the proposed law aid the economy of the United States?

If freedom of opportunity is to be preserved in our great Nation, then the small retail merchant must be protected from the predatory competition of those who would drive him out of business, regardless of the efficiency of his individual operation. The

small merchant is defenseless against the ruthless competition of the predatory price cutter who uses sales below cost to destroy his competitor whose small capitalization renders him vulnerable to such tactics. Once competition is eliminated, the price cutter enjoys a monopoly to charge all that the traffic will bear, in utter disregard of the competitive checks and balances now contained in our system of distribution.

16. Why should the Congress of the United States concern itself with this problem?

Congress, in safeguarding the present distributive system, confers a benefit upon itself and preserves the continued opportunity for the exercise of individual initiative. In benefiting the small businessman, the Government benefits itself.

17. Who supports a national law to prohibit sales below cost?

Such a national law has been commended and approved by the principal economists of this Nation. It will unquestionably be accorded the unqualified endorsement of manufacturers, wholesalers, and retailers throughout the Nation. Recent congressional hearings have revealed that even the proprietors of the large discount houses do not oppose such a national law. Nor do they hold any brief for the practice of selling below cost.

18. Why is such a law imperative?

Because legislation prohibiting this tactic is vital if the present tested and fruitful system of distribution is to survive.

A PLAN FOR THE RELIEF OF THE COMMUTER AND THE COMMUTER RAILROADS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ZELENKO] is recognized for 30 minutes.

Mr. ZELENKO. Mr. Speaker, the problem of the survival of commuter railroads is national in scope and in its solution we must deal directly with the economic health of our country. There is indeed a crisis in urbia and suburbia.

It is beyond dispute that we face incipient danger of a peril to our national defense effort and economic strangulation of many of our large cities.

The growth pattern of the Nation, particularly in the past 15 years, has been migratory from urban to suburban areas, or according to a more colloquial appellation "commuterville."

But while a considerable part of the Nation has transplanted its domestic roots to the country the economic taproot still remains in the city. And the cities, most of which today are financially pressed, would most probably face economic collapse if they did not have the commuter productive work hours and dollars to keep them going. In reality, the suburbs and the cities are interrelated and interdependent, with the commuter as the single most important connecting link. The commuter requires suitable means of traveling between his home in the suburbs and his office in the city. Today the commuter is the victim of our changing times—the ultimate victims will be the city and the suburbs.

One of the byproducts of our changing times has been an effect on the passenger carrying railroads. Railroad schedules at one time balanced throughout the day have been telescoped into a highly concentrated rush hour operation. The effective utilization of crews and equipment are now being compressed into a very few morning and evening hours.

As the railroads have felt the economic pinch more each year they have reacted by increasing fares, curtailing service, and abandoning lines. Throughout the Nation in the past decade 17 railroads have discontinued passenger service altogether. It is unrealistic not to recognize this trend and not to heed the warning of the inexorable consequences.

The railroads are a vital and essential part of our National Defense Establishment. The most effective way to transport people in mass movement is by rail. The railroad, with its expansive network linking all areas of the country, is still the backbone of our transportation system. Its all weather dependability and its tremendous carrying capacity are unchallengable. It is also a silent force contributing to the economic well-being of our metropolitan centers.

One need not strain his imagination to develop a vision of New York City without rail transportation. Existing highways, already congested, would become clogged. It would be impossible for suburbanites to get to work every day. Incidentally, it should be noted that a significant number of workers move daily from the city to the suburbs—domestics, salesmen. Either commuters would be forced to find new jobs or move back to the city. And in the meantime, we would have to appropriate millions more of dollars to build new superhighways so that the city would become one big parking lot. Not alone would the commuter himself suffer inconvenience, but his community would suffer depressed property and business values. Thousands upon thousands of railroad employees would be thrown out of jobs, and business in the city would begin to atrophy. A decline of business gross would produce considerable less revenue and thus less taxes and the sorely strained treasury of the city would be seriously affected. Economically as well as socially we would face catastrophe, a creeping paralysis which is unrelentingly moving across the States so that even now they turn to the Federal Government for their salvation.

To me it is worse than senseless—it is criminal—to permit any further deterioration of the railroads. We need the railroads—and they must be healthy to continue serving America.

But today the passenger carrying railroads are rocking instead of rolling. In the past 10 years there has been a 30-percent drop in passenger-rail miles traveled and yet a tremendous increase in costly and unprofitable commuter miles traveled. Costs have soared and income diminished. This is probably the only essential public service which in the postwar period has retrogressed rather than surged along with the other leading industries of the country.

A case has been made, it seems to me, for equality of treatment. We have, over the years, developed an intricate system of aid for other necessary forms of transportation. Some Federal aid is direct as in the case of the Merchant Marine Act of 1936. Others are indirect, such as highway construction in aid of motor vehicle travel. A railroad must acquire its own right-of-way, construct its own facilities, purchase and maintain its own equipment, develop and operate its signaling system, plan its own technological advances and is then fully taxed by Federal, State, and local governments. This is in contrast to the fact that in 1959 the Federal Government spent $494 million to promote aviation, $429 million to preserve water transportation, and is spending additional hundreds of millions of dollars for highways. The faithful iron horse has been ignored.

Recently the President presented to the Congress the budget of the United States for fiscal 1961. The prime objective appears to be to achieve a surplus and so reduce the national debt. But a surplus at what cost? Among the failures of the administration as reflected in the budget message is the complete absence of any recommendation for a national transportation policy; in particular, the lack of any recommendations to preserve essential rail passenger service. How much Eisenhower surplus has been generated by not asking for funds to protect ourselves from the railroads highballing toward oblivion? Elaborate plans are being formulated to cope with the space age, and yet we have not conquered surface transportation. Other countries which are forging ahead into space are not at the same time neglecting the ground; on the contrary, they are spending millions to construct new facilities. And we, who will not help ourselves, help other countries improve their rail facilities. For the past 10 years we have spent millions of dollars through our foreign-aid program to construct and rehabilitate foreign railroads.

We must preserve, and even improve, our own rail system, or we must accept that which will certainly ensue—a gradual disappearance of railroad service.

Recently an attempt was made in Philadelphia to solve the commuter problem. The city joined with two railroads and labor to form a corporate public agency for the operation of rail service. The agency, subsidized by the city, will contract with the railroads for the quality and frequency of service at the fares they want, less than it costs to haul a passenger and less than the present fare. The great hope in the Philadelphia plan—in fact, what appears to be the sine qua non of the entire idea—is matching Federal funds to those put up by the city. In the words of Mayor Dilworth, of Philadelphia:

> The long-range success of this venture depends on Federal aid.

Although the Philadelphia plan is a step in the right direction, it, as all other proposed remedies, calls for Federal appropriations. Most responsible public officials in areas concerned with the question have come to the conclusion that Federal assistance in one form or another is necessary to alleviate this emergency. They base their conclusions upon three main premises:

First. The continued reduction in rail passenger facilities and services and the

elimination of dedicated and experienced railroad workers constitute a serious threat to the national defense in view of the essentiality of such transportation in times of national emergency.

Second. The continued decline in rail commutation services impedes the objectives and policies of many Federal programs for urban renewal and economic expansion.

Third. The revenues derived by rail carriers from fares and other sources are insufficient to enable the passenger railroads to provide adequate commuter service.

It is obvious, Mr. Speaker, that in the not too distant future, in fact, almost in the immediate present, we are to be confronted with the need for furnishing Federal assistance in a new field. It is true that appropriations in sufficient amounts would provide the necessary relief. However, the sad fact is that we do not at present have any untapped source to provide in the form of grant or loan. Assistance by this method obviously would place the Federal Governernment in the railroad business to greater or lesser degree. Such a step we must attempt to avoid, if possible. Furthermore, the Philadelphia plan which I have mentioned may or may not be feasible for Philadelphia. Yet, definite and different problems confront the metropolitan areas of New York City, Chicago, Detroit, and the others. Federal appropriations to activate the so-called Philadelphia plan would not meet the requirements of the other cities. To work out one master plan suitable to all would by the very nature of the problem take years, resulting in competition for Federal money by localities and quite probably end in no solution.

In my own metropolitan area of New York, other concerned public officials as well as myself have for a long time attempted to work out an answer with the help of our interested and dedicated citizens. I have today introduced a bill which is the result of these labors. I do not hold it to be the answer to all the trouble but it is my sincere belief that though not perfect, it may aid in finding the solution. It is a new and unique approach, simple, workable, and can be put into effect within the framework of existing governmental, State, and municipal administrations. The railroads will find that they need incur no new or additional expenses under the plan.

The bill is an amendment to the Internal Revenue Code of 1954 and provides a credit or refund against the commuter's income tax for the cost to him for any increase in his present commuting transportation fare. In nontechnical language, this is how the plan would work: Where a commuter railroad has received permission from a regulatory agency, either State or Federal, to increase commuter fare, the commuter, of course, is obliged to pay the additional sum. However, at the end of the year, when filing his income tax return he would be given credit or refund for the difference between his commuter fare as it existed on January 1, 1960, and any increase thereafter.

This credit or rebate would constitute the assistance of the Federal Government to the commuter and indirectly to the commuter railroad. It requires no sums for appropriations. It would provide no windfalls for any taxpayer for it merely would reflect the additional cost of his railroad transportation. It would freeze the cost of this transportation, thus stabilizing the commuter economy. Natural beneficial consequences would result from this stabilization. This plan will encourage the continuance of suburban living and increase suburban commuting railroad transportation. The Federal assistance provided in this bill will be limited to a specific purpose; the salvation of the commuter railroad. It is obvious that the Federal Government by the very terms of the proposal would give the assistance only after the specific service has been rendered to the commuter and clear evidence thereof has been submitted by him on his tax return.

One provision of the bill states that the Secretary of the Treasury would set up the machinery for achieving the credit. However, this presents no problem. All railroads have commuter or multiple trip tickets. Either a change in the form of ticket or by means of a simple form devised by the Treasury Department the commuter taxpayer at the end of each year in requesting the credit or refund would merely annex the ticket stub or the Treasury forms to his income tax returns, thereby providing direct evidence to the Internal Revenue Service that he had paid a fare increase.

The commuter, although obliged to meet any additional fare increase, would actually suffer no additional cost by reason of his tax refund or credit.

Of course, under this plan one of the immediate results would be some diminishing of Federal tax receipts. However, this would be balanced by the increase in revenue to the railroads, for once the commuter portions of all railroads are made self-sustaining they would be in a position, because of their other revenues, to pay additional income taxes to the Government. The commuter, relieved of the burden of supplying additional funds for his transportation without additional sources of income, would continue to use his money in the general economy, thereby providing income, the taxes upon which the Government would eventually receive. The stabilization of metropolitan, urban, and suburban economies, at least in regard to their transportation problems, would, of course, assist them in other important directions such as planning for future housing and road and street development.

It would be possible, by means of this plan, for the Government to ascertain within 2 years the actual cost of this subsidy for, as I have indicated above, the individual taxpayer's return, multiplied by all those similarly situated, would give us the answer almost to the penny.

It is my opinion that unless this bill or some other means of Federal assistance to the commuter railroads is forthcoming within a reasonably short time we shall find ourselves without such railroads. If this happens, we shall be obliged to increase our Federal subsidies and grants for roads and highways so that eventually there will be no saving to the Government.

I urge the immediate consideration of this legislation.

LABOR AND FOREIGN COMPETITION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 10 minutes.

Mr. BAILEY. Mr. Speaker, no one has more at stake in the devastation caused by imports of low-wage products from abroad than has American labor. When competitive imports are bought by consumers it means that the output of the American worker in an American competing industry is left on the shelf or in the warehouse. This in turn means that domestic production will be reduced by that amount.

If imports remain at a reasonable volume no one can properly object, because we know that many other countries have to export in order to live; and the United States provides a good market for many foreign products. Unfortunately when imports enjoy a big price advantage over the output of our own factories they usually roll into this country in a fast-rising volume and threaten the very jobs of our own workers.

It is then that the American worker begins to understand what foreign wage competition means. That a great part of our imports come into this country only because foreign wages are generally far below domestic wages, cannot be denied.

The ability of other countries to ship into this country is increasing largely because a vast amount of modern machinery supplied by this country has been installed abroad. At the same time, while foreign productivity per man-hour has risen sharply in many foreign factories, foreign wages have not come up in proportion. This means cheaper goods or at least goods that are much below ours in cost.

Should imports of cheaper goods be allowed to come in unrestricted they would soon drive our own workers out of jobs by the millions. Fortunately we still have some tariff protection left; but it is at a low estate at the present time. Under our trade agreements program we have greatly reduced our tariffs in the past 25 years. Today the protective effect of our tariffs on the average is only one-fifth to one-fourth of what it was 25 years ago. In other words our average tariff protection is off from 75 to 80 percent.

Scores of our industries have been hard hit. Coal has been undersold by foreign residual fuel oil. Steel has turned from an export position to that of a net importer. Generators and turbines of foreign manufacture undersell our own by 30 to 40 percent. Where we were formerly the leading automobile exporters of the world a complete turnabout has taken place in the past 3 or 4 years. We now import several times as many cars as we export. In the case

of sewing machines we have only one manufacturer left and that company—Singer—is turning to imports more and more. The last other remaining sewing machine manufacturer went out of production and became solely an importer about 2 years ago.

Watch manufacturing tells about the same story. Only three domestic producers are left and some of these are now manufacturing abroad. Camera imports, imports of electronics, plywood, fishery products, brass mill items, oil, textiles, shirts, pajamas, caps, knit and leather gloves, baseball gloves, golf balls, tennis racquets, toys, bicycles, clothes pins, fishing tackle, and numerous other items are coming into this country from low-wage countries in rising volume as time goes by.

In 1959, imports in 3 separate months exceeded all previous monthly records of imports, namely, March, September, and December; 1959 imports as a whole broke all previous records by close to 20 percent.

In all these industries that are hard hit by imports the workers take it on the chin. In the end it means less expansion and fewer jobs. In some cases actual worker displacement has taken place despite the general postwar level of prosperity. Pottery, woolen, and other textiles, silken goods, glassware, fisheries, clothespins, and others have experienced an actual shrinkage in employment.

Yet, Mr. Speaker, the United States is preparing to go into another tariff-cutting conference. This would be ridiculous were it not so serious. Our imports from Japan have gone up 50 percent during the past year; those from Europe rose some 40 percent. Such trends do not point toward the need of further tariff reductions but the opposite. I have introduced a concurrent resolution expressing opposition to any such step.

The interest of labor in the effects of imports has been increasing. Not many months ago the AFL–CIO had their biennial convention in San Francisco. They passed a resolution calling for a tightening of the escape clause of the Trade Agreements Act. This fact indicates an awakening that has been too slow coming.

A speech was made to the convention of the union label and service trades department on the occasion of the San Francisco meeting. The speaker was O. R. Strackbein, who heads the nationwide committee on import-export policy. A dozen unions are already members of that organization and others are showing increasing interest. Mr. Strackbein, in his talk before the union label department, spoke of the perilous competitive position of the United States. I think his statement is very worth reading. I include it at this point in the RECORD:

ADDRESS OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE ON IMPORT-EXPORT POLICY, AT ANNUAL CONVENTION OF THE AFL–CIO UNION LABEL AND SERVICE TRADES DEPARTMENT, SAN FRANCISCO, CALIF., SEPTEMBER 15, 1959

Labor has long had a vital interest in foreign trade, both imports and exports. Its interest is based on the balance of employment resulting from the displacement of jobs by imports, on the one hand, and the addition of jobs by employment in production for export, on the other. It is also concerned over the effect of low-wage import competition on wage levels and wage trends in this country.

Labor, however, has a special concern that sets it apart from some other parts of the economy. It is more vulnerable to the effects of labor-displacing imports than are the larger elements of industry. These have a defense that is not available to labor or, for that matter, to small business and suppliers of materials and parts. The larger companies are able to escape from the domestic scene and to cover themselves by reaching abroad.

During the past two decades labor has generally with notable exceptions approved the lowering of tariffs and trade barriers on the grounds that doing so would lead to trade expansion all around and therefore to increasing employment.

We all know that the United States has lowered its tariffs very drastically through foreign trade agreements. Today our average tariff protection is much lower than it was in 1934 when the tariff cutting program began. It has been reduced approximately 80 percent, part of this decline having been caused by rising prices.

The upshot is that this country has gone a very long way toward freeing our trade. Other countries have also reduced their tariffs; but many of them have substituted other restrictions for the tariff, such as import licenses, exchange controls, barter arrangements, and import quotas. These devices are often much more restrictive of trade than tariffs alone. Actually trade barriers throughout the world are not now less restrictive than when we entered the trade agreements system but actually more so—with the exception of ourselves, Canada, and perhaps a handful of other countries.

Meantime we have badly exposed ourselves to goods made abroad under low-wage and inferior working conditions. This is something that concerns the union label department.

What I want to talk to you about is just where American labor stands in the world of foreign competition today. I think it finds itself in an almost untenable position. Let me go into a little detail on this point.

There are those who will say immediately that American labor has priced itself out of world markets. Generally there will be the accompanying comment: "Of course there were other contributing factors."

There were indeed; but that is not the point. It is not so much a question of what brought us to our present unhappy competitive position as it is one of asking, What are we going to do about it?

To say that American wages are too high overlooks the obvious fact that foreign wages may be too low. American wages have not priced us out of the home market. They have, on the contrary, provided the purchasing power to absorb the great volume of our industrial output.

Our wages on the other hand do make for costs that are high in relation to foreign costs in many lines for the simple reason that foreign wages are from less than a tenth to a quarter or a half of ours. Only Canadian wages come within earshot of our own. They are only some 20 or 25 percent below ours.

What could we expect from this kind of a situation?

Time was when the low foreign wages were offset rather effectively by the lower foreign productivity. If our workers received $2 an hour and the foreign workers got only 50 cents, our output per man-hour may have been three or four or five times as high as that of our foreign competitor. The result was that we still came out with lower unit costs and imports could not hurt us. Of course, there were notable exceptions. Those of our industries that did not enjoy mass production did not have the same higher productivity that was the special advantage of our moving production lines, standardized parts, etc. Our large mass production industries, however, were quite immune to the sting of import competition.

On the contrary, and for the same reason, they were exporters. For that reason they inclined toward freer trade. We need only mention automobiles, steel, electrical appliances, and rubber.

In recent times a change has been under way. We are coming more and more to realize that we are living in a changed trade world no less than in a changed and changing scientific and military world.

What are the factors that have produced the changed competitive condition?

We have already noted our drastic tariff reductions of the past 25 years. These would have made us more vulnerable than we had been to low-cost imports without an assist from other factors, but there were others. We have mentioned high wages. It would be better to say high prices and high costs.

How have these come about? They have resulted from conscious policies pursued for some years. We have only to think of price supports for agriculture, minimum wage laws, social security, the shorter workweek, obligatory collective bargaining, etc. Yet that is not all; nor perhaps more than the half of it. We must not overlook World War II and the resulting high national debt and high taxes. Thereafter came the Korean war, followed by skyrocketing national defense outlays.

Today our annual national budget of nearly $80 billion is three times as high as was our total national debt before 1940. Our interest payment of some $7 billion per year on the national debt alone is higher than was our peacetime total national budget before World War II.

All these costs are added to production costs. The taxes and high Federal outlays do not come free. They have to be paid for. Should we go back to the price level of 1940 we would be sunk under a hopeless burden of debts and taxes. It is bad enough as it is. So it is obvious that wages alone did not create our high prices. They had a great deal of help.

The fact is that we did move, for good or for bad, but as the result of easily distinguishable policies, to a high plateau of prices. The principal trouble today is that other countries have not done for their workers and their farmers what we did in this country.

To be sure, foreign wages have risen; but so have ours, and our upward swing began after the war several years before it got under way in most of the other countries.

The picture, then, shows us economically on a high plateau, surrounded by lower cost competitive forces on nearly all sides; and our tariff defenses well demolished.

This is not all.

Two really important things that have happened beyond what has already been mentioned have been (1) the introduction of modern machinery and equipment abroad in an unprecedented scale. Since the beginning of the Marshall plan we have shipped abroad over $30 billion worth of machinery. In the past 6 years alone we have shipped $21 billion worth.

The use of this machinery has added greatly to foreign productivity. Even if our prices had stood still the previous competitive situation would have been changed; for introduction of machinery where there was none or a relatively low order of it changed output and costs in a revolutionary way in many a spot.

This would not have had the effect it did if foreign unions were strong and energetic; but in this respect they are far behind our own unions. Foreign producers therefore

retain much of their greater productivity resulting from installation of machinery. They can as a result sell at relatively lower prices, as many of our industries have learned in recent years. It has not been unusual to see imports rising from a level of supplying 5 percent or 10 percent of our home market and going on up the scale to 15 percent, 20 percent, 30 percent, 40 percent, and in some cases over 50 percent in a matter of 4 or 5 years. Some of you here today know something about this and it needs no emphasis from me.

(2) The second important change that looms before us is the changing European attitude toward the mass market. On another occasion I have said, "They have seen our system and they have bought it," or words to that effect. The European Common Market is an example. In a few years' time the tariff wall and other trade restrictions (and these are the more important) that have made tight economic compartments out of the European countries, thus greatly limiting the markets for European industries, will be progressively lowered and in time European industry will have a mass market roughly equal to our own. Then there is the free trade area of the so-called outer seven countries, about which an agreement was reached only a few weeks ago.

Should we oppose these developments?

I think not. There is every reason to believe that they will improve the economy of the countries involved and that is not something that we would wish to oppose. Should we then be indifferent to it?

That does not follow. Not at all. Whereas the European countries may be able to rip down their internal compartments without fear of exposing their industries to a lethal competition, they may be able to do so only because there is not so much difference in cost among them as there is between them and us. Moreover, we already have a vast market. They are striving to achieve what we already enjoy. Therefore the medicine that may be good for their malady might be bad for us. A doctor does not prescribe the same medicine for patients that have different diseases.

Now where does this leave us?

Our costs are much higher in some lines of production than those of other countries. Japan is able to run rings around us, and so can some of the European countries in a number of lines. Our watch industry is about gone because of imports. We are now importing more typewriters than we are exporting for the first time. We have for nearly a year now been importing more steel than we export. In the case of automobiles our imports are running 4 to 1 over our exports whereas in the past we were by far the world's foremost automobile exporters. In the case of textiles we have lost leadership in exports to Japan and India, and our imports have been rising sharply. Japan has imposed a quota limitation on her textile exports to us and that fact alone has at least temporarily stopped a panic. Glassware and pottery and fishery products have long been sufferers from imports. Many other items, new ones, are feeling the keen edge of import competition; machine tools, for example, and sewing machines, petroleum, fisheries, bicycles, and many other items.

Yet they say, any of those who are new to the hurt, tariffs are not the answer; and I will quickly agree that in many cases that is true. We need import quotas or a combination of import quotas and a tariff.

As matters stand on the import and the export front American industry will seek to move to automation as quickly as possible to keep costs down; but, of course, other countries are on that course too; and we are helping them. Our manufacturers are looking overseas for production facilities and many have set up plants abroad or bought into going concerns or made licensing arrangements under patents for foreign production. The purpose is to supply those markets from within rather than from this country, and also to export from there to third countries rather than from here. In some cases they even ship back to this country. It is estimated that our foreign investments have created 5 million jobs abroad.

This emigration of capital may rescue many of our manufacturers from losses that they would otherwise suffer; but it certainly does not rescue the workers from anything. Rather it confronts them with a shrinkage in jobs. The same with automation that is too rapid. This too may help the companies but it will mean fewer jobs. Those thrown out of work will not so easily find other jobs for three reasons: (1) Imports will be removing some jobs; (2) exports will not be expanding, except in subsidized form; and (3) new workers will be coming on the scene at the rate of some 700,000 a year.

Shall we then stand idly by or shall we do something about preserving a reasonable share of our market for our own industries and workers? Shall we recognize the fact that we are facing something we have not faced before and take some holding action with which to buy time? What can we do to bring up wages abroad so as to narrow the wage gap? This will in any case be slow and we must do something in the meantime or instead of bringing up other countries to meet us we will fall in order to meet them.

The union label stands for American standards and to the extent that we purchase union-made goods we can be sure that we are contributing to and not undermining the American standard of living. The very efforts of the union label department is evidence of the prevalent recognition of the destructive effect of competition that comes from beyond the reach of our domestic legislation such as minimum wages, shorter hours, collective bargaining, and so on. For such competition we need special devices to assure us that it will not upset and destroy the domestic standards and attainments that in turn have made us competitively so vulnerable.

We must not be deluded into thinking that our competitive discomfiture is a passing nightmare. In the nature of things, considering all the factors on the horizon, it is an ominous confrontation, not a mirage. Our imports have been breaking records successively this year. Our exports are down 20 percent from their heights and even those that we enjoy are heavily subsidized in important segments. Otherwise they would swing into an import balance.

In our total foreign transactions we are running a heavy deficit, amounting to $3.4 billion last year and estimated to exceed over $4 billion this year. Since January 1958 we have lost $3½ billion in gold.

Let no one persuade you that what we face is but a passing case of indigestion. We face a systemic malady; not a mere peptic upset.

There is no good and sound reason why any industry that is in trouble over imports should not have a remedy that will save its job and safeguard the American standard of living.

This was indeed promised by every President since the trade agreements program began. The assurances of the Presidents were echoed by the successive Secretaries of State, Assistant Secretaries, and other Cabinet members. One quotation from Cordell Hull, who as Secretary of State under Franklin Roosevelt, was known as the father of the trade agreements program, set the pattern. Said Mr. Hull in testimony before the House Ways and Means Committee, March 1934, page 24:

"But our purpose is to make a beginning by picking out one item very carefully here, another commodity over there very carefully, which, as is said, can be made the basis of an interchange in a mutually profitable way, so that instead of anybody being injured, the American people would be helped."

This same theme has run like a refrain throughout the testimony in the succeeding years; but unfortunately the assurances have been forgotten by the executive branch and that is why so many of our industries are in trouble from imports and why their workers face displacement.

To this we must get an answer.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a speech.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

COMMUNIST LINK TO CASTRO GOVERNMENT MANIFESTED IN VISIT OF RUSSIAN DEPUTY PREMIER MIKOYAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the visit of Russian Deputy Premier Mikoyan to Cuba is an outward manifestation of what our Central Intelligence Agency and State Department have known to exist for some time. It confirms a very definite liaison between the Communists and the Castro government. It is quite probable that the Communist position in the Castro government could not be better served if the government were Communist in name. For many reasons, it is felt that the Communists are much more content in having a willing tool such as Castro than having a proclaimed card-carrying Communist ruling the country.

Since the President spoke on Cuba there has been a toning down by Castro of his denunciations of the United States. I hope that we are not being deluded into believing that this problem too can be swept under the rug in the hope that it is better not to give it too much attention.

The grave danger illustrated by Mr. Mikoyan's visit is that the Castro government is riddled with Communists desirous of displaying their allegiance to Moscow. The Soviet Union recognizes the value in exploiting the Castro crises as part of their drive in Latin America. Fortunately, the people of Latin America recognize the implications of Castro's Communist leaning.

It is not inconceivable that not only could Cuba become the espionage center of a Communist network in the Americas but, in fact, could very easily become a Communist missile center with all its inherent danger. The greatest achievement for the Communist quest of world domination would be to have a Communist country right on our doorstep. This appears to be what Castro is attempting to deliver. Failure to cope with this is unthinkable. We should not

confuse the issue. Our displeasure is with Castro and not with the Cuban people who had such high hopes when Castro assumed power. It is evident now that Castro has no real interest in the welfare of the Cuban people. The objectives of which he speaks are at complete variances with his acts and accomplishments. He appears quite adept at the use of the Communist jargon and doubletalk; black is white, democracy is communism, freedom leaves the choice of Castro or the wall.

Evidence is also available which discloses that the passions and emotions of the Cuban people are being used as stimulants to the ego of Castro who needs constant acclaim much like an addict needs drugs. This could also account for his failure to recognize that the need for military posturing and swaggering ended with the disposition of Batista. I understand that recently at a mass meeting in Havana he was greeted coolly. He was so distraught that he had organized a mass rally at his Santiago stronghold where he harangued them for hours denouncing the United States until he writhed in the cheers which his rabble rousing brought about. Then rejuvenated he abruptly left for Havana refreshed. It appears that not only is he a fanatic like Hitler but his college nickname which was "Loco" is singularly descriptive of his present condition.

In the court of world opinion, he is seeking mercy and understanding. This is similar to a man shooting both his parents and then asking the court for mercy and understanding because he is an orphan.

Cuba's predominantly agricultural economy is based on sugar. Its foreign trade is principally with the United States which takes in excess of 60 percent of Cuba's exports and provides 75 percent of imports. We annually provide an assured market for over one-half of its production. We also buy this at a price differential which last year amounted to 1.9 cents per pound which gave Cuba a total premium of over $130 million. In addition, Cuba enjoys a tariff preference which netted them an additional $9 million last year.

I am not for imposing further hardship on the Cuban people. However, if the Sugar Act were automatically renewed without modification, Castro would have no reason to halt his continued denunciations of the United States. In fact, if he follows the pattern of the other dictator Hitler or his present counterpart Nasser, we could expect even worse treatments at his hands and even a closer relationship with the Communists. I would, therefore, propose that the authority to change the sugar quota and price differential be vested with the President who could act according to the requirements of our national interest. If we allow the Sugar Act to go unchanged, I feel it would encourage people everywhere to understand that our friendship is less an advantage than our enmity.

It might be well for our administration to realize that the sweet talk of friendship of Mr. Khrushchev has not been heard by his subordinates on the negotiating level of diplomacy. Because our problems are temporarily swept under the rug does not mean that they have disappeared. The Soviets made our lend-lease negotiations with them into a farce. The Atom Control Conference found them more difficult than ever. Berlin still stares us in the face.

While Khrushchev preaches peace and coexistence, we find Russia laying down a challenge to our Monroe Doctrine by using Castro as a pawn in their plotting against the Western Hemisphere.

To ignore this for whatever reason may in the end lead to far greater problems than we have ever found so close to our own shore.

THE LATE HON. LEE B. WYATT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. FLYNT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLYNT. Mr. Speaker, on Saturday, February 6, 1960, an outstanding and distinguished Georgia jurist, presiding justice of the Supreme Court of Georgia, departed this life. Hon. Lee B. Wyatt, who had been a member of the Supreme Court of Georgia since 1943, died in La Grange, Ga.

Judge Wyatt was a lifelong resident of the Fourth Congressional District of Georgia. He was born July 13, 1890, in Heard County, Ga. He attended public schools and graduated from the Fourth District A. & M. School. He attended Bowdon College and received an LL.B. degree from Mercer University in 1914. He began the practice of law in La Grange, Ga., upon graduation from Mercer. At the time of his death he was a member of the American Bar Association, the Georgia Bar Association, the Coweta Bar Association, and the Troup County Bar Association.

Judge Wyatt became presiding justice of the Supreme Court of Georgia in 1953, and his record of service has drawn frequent praise.

His career was a long and vigorous one, beginning with his election as a Troup County representative to the general assembly in 1916. He served through 1922.

In 1923 he became La Grange city attorney, a position he held until 1931. That year he became judge of the Coweta Circuit of Superior Courts, and it was from this judgeship that he was appointed to the Supreme Court by Gov. Ellis Arnall in 1943.

From August 1947 until March 1948, Justice Wyatt was on leave of absence from the Supreme Court of Georgia. He was the presiding judge of Tribunal No. 1 Nuremberg, Germany, for the trial of Nazi war criminals, at which 14 former SS officials and Nazi leaders associated with Heinrich Himmler were tried. Thirteen were convicted.

Surviving Justice Wyatt are his wife, the former Miss Sara Baker; his mother, Mrs. Mary Elizabeth Kent Wyatt, of Bowdon, Ga.; one brother, Luther M. Wyatt, of LaGrange, Ga.; and three sisters, Mrs. Olin Downs, of Bowdon, Miss Irene Wyatt, of Carrollton, Ga.; and Mrs. Charles Reed, of Alamo, Tex.

The State of Georgia has lost a great man in the passing of Justice Lee B. Wyatt.

THE LAUGHTER IS STILLED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. HALEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HALEY. Mr. Speaker, I rise to the floor today to pay tribute to a great American whose death has brought sadness to many people—a man who in life probably brought more laughter and happiness into our lives than any other man. I speak of my friend Felix Adler who spent all of his working years as a clown with the Ringling Bros., Barnum & Bailey Circus. I have known Felix Adler for many years both as a friend and an employee. He was a man of sterling character—religious, Godfearing, and conscientious.

A man's accomplishments may be measured in the wealth of material possessions or they may be measured by his service to mankind. Felix Adler's wealth was not in money but in the joy that he brought through laughter into the lives of the children of America, both young and old. Felix probably entertained more children than any other performer in the history of this Nation. In the many years of our friendship, I have never known Felix to turn down any request for an appearance before an underprivileged children's group. He traveled many miles to appear at children's homes, and hospitals, and orphanages. His entertainment brought great happiness into the otherwise drab lives of these children.

What is the mark of greatness in a man? I think it is the use we have made of the talents given to us by our Creator to do the things we are able to do in the world to the best of our ability—by serving cheerfully without complaint, whatever may be our station in life. In other words, the mark of greatness in a man may be seen when we do the best that we can with the talents we have.

Felix Adler was a great man. His talent was his ability to make us laugh. He gave freely of this talent and brought happiness into many lives. Now that laughter is stilled and the millions of Americans who have known that laughter mourn the passing of a great man.

An editorial tribute which appeared in the Lakeland Ledger of February 2, 1960, follows:

FELIX ADLER: MAKER OF MIRTH

Felix Adler, who spent all his working years as a clown with the Ringling Circus, died yesterday at the age of 62, and his passing was of sufficient news value to be placed on the national news wires.

Why would the passing of a clown be evaluated as news of national interest?

Because as a maker of mirth Adler was an artist who delighted millions of children and made millions of adults forget their worries for a little while and break out in gales of laughter that was good for them.

At the age of 12, Adler hit the show road by attaching himself to the Ringling Circus. Eventually he found his niche as a funny man and he achieved national fame as a performer who was one of the best in his field.

In Lakeland and in cities over a large portion of the Nation, the great crowds who went and took seats under the big top fastened their eyes upon the ludicrous Adler when he appeared. His clownish getup was distinctive, became his trademark, as is customary among clowns.

The things he did while the crowd roared with laughter did not make sense. But he was not supposed to make sense. He was supposed to make fun. This he did with such practiced precision that he became a national favorite welcomed season after season.

The best clowns, it is said, are really sad inside. Perhaps Adler was sad inside but he let none of his sadness reach the public.

Millions of adult Americans who look back with nostalgia to the childhood experience of going to the big circus remember the clowns most vividly—and it is likely that Felix Adler was one of the clowns they saw.

Now he is gone and who is there that can rightly say he spent his life frivolously because he spent it as a clown? He was an artist in great demand. People paid money to see him and he was good medicine for everybody.

He spent his whole life making other people feel good, millions of people.

So, why shouldn't the Nation take note of his passing?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOX (at the request of Mr. HALLECK), on account of illness in his family.

Mr. HOSMER (at the request of Mr. HALLECK), on account of illness.

Mr. GRAY (at the request of Mr. MURPHY), on account of illness.

Mr. QUIGLEY (at the request of Mr. DENT), for Monday and Tuesday, February 8 and 9, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PORTER, for 30 minutes, on February 10.

Mr. BAILEY, for 10 minutes, today.

Mr. CONTE (at the request of Mr. MOORE), for 30 minutes, on February 9.

Mr. SCHWENGEL (at the request of Mr. MOORE), for 15 minutes, on February 9.

Mr. PELLY (at the request of Mr. MOORE), for 30 minutes, on February 10.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mr. LEVERING in two instances and to include extraneous matter.

Mr. WALTER in two instances and to include extraneous matter.

Mr. FORAND and to include an address by the chairman of the Committee on Ways and Means, Hon. WILBUR MILLS.

Mr. HECHLER in two instances.

Mr. FLYNN.

(At the request of Mr. MOORE, the following Members were given permission to extend their remarks and include extraneous matter in the RECORD:)

Mr. NELSEN.

Mrs. MAY.

Mr. MILLER of New York.

Mr. LINDSAY.

Mr. ALGER.

(The following Members (at the request of Mr. ALBERT) were granted permission to extend their remarks in the CONGRESSIONAL RECORD and include extraneous matter, if desired:)

Mr. DINGELL.

Mr. BOLAND in two instances.

Mr. GIAIMO.

Mr. HOLTZMAN.

Mr. DADDARIO in four instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 8. An act to authorize Federal financial assistance for school construction and teachers' salaries; to the Committee or Education and Labor.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 57 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 9, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1794. A letter from the Acting Secretary of Defense, transmitting a copy of a report covering a violation of section 3679, Revised Statutes, and Department of Defense Directives 7200.1 entitled, "Administrative Control of Appropriations within the Department of Defense", pursuant to section 3679 (i)(2), Revised Statutes; to the Committee on Appropriations.

1795. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contracts to small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1796. A letter from the Secretary of Commerce, transmitting a report of foreign excess property disposed of during calendar year 1959 by the U.S. Department of Commerce, pursuant to section 404(d) of Public Law 152, 81st Congress; to the Committee on Government Operations.

1797. A letter from the Comptroller General of the United States, transmitting a report on examination of the negotiation of additional fees for contractor financing expenses under Department of the Air Force contracts AF-33(600)-32944, 34952, and -33168 with Northrop Corp., Hawthorne, Calif.; to the Committee on Government Operations.

1798. A letter from the Assistant Secretary of the Interior, transmitting a report relating to all compensatory royalty agreements entered into during calendar year 1959, pursuant to section 17 of the Mineral Leasing Act, as amended, 68 Stat. 584, 30 U.S.C. 226; to the Committee on Interior and Insular Affairs.

1799. A letter from the Comptroller General of the United States, transmitting a report by the U.S. General Accounting Office on its positions and their incumbents in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949, as amended, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1800. A letter from the Acting Secretary of Defense, transmitting a report covering the professional and scientific positions established in the Department of Defense under the authority of section 1581, title 10, United States Code, as amended, and Public Law 86-36, for the calendar year ending December 31, 1959, pursuant to section 1582 of title 10, United States Code, as amended; to the Committee on Post Office and Civil Service.

1801. A communication from the President of the United States, transmitting proposed new obligational authority in the amount of $950,370,664 for various agencies and $527,383 for the District of Columbia, all for the fiscal year 1960. In addition, other proposals not increasing new obligational authority are made for the appropriation of $61 million to liquidate obligations incurred under previously granted contract authority, for transfers between appropriations in the amount of $287,000, and for increases in limitations amounting to $1,220,000 (H. Doc. No. 327); to the Committee on Appropriations and ordered to be printed.

1802. A Communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1961 involving reductions in the amount of $66,554,000 for the Veterans' Administration (H. Doc. No. 328); to the Committee on Appropriations and ordered to be printed.

1803. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1961 in the amount of $113 million for the National Aeronautics and Space Administration (H. Doc. No. 329); to the Committee on Appropriations and ordered to be printed.

1804. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes"; to the Committee on Agriculture.

1805. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Farm Credit Administration for "Administrative expenses," for the fiscal year 1960, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1806. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation for the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1960 has been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

1807. A letter from the Comptroller General of the United States, transmitting a report on the review of the administration of tax-exemption privileges under the offshore procurement program in Europe; to the Committee on Government Operations.

1808. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report of all tort claims paid by this Department under section 2672 for the period January 1, 1959, to December 31, 1959, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

1809. A letter from the Administrator, Small Business Administration, transmitting the annual report of positions in the Small Business Administration established in grades GS–18, GS–17, and GS–16, as of December 31, 1959, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1810. A letter from the Administrator, Federal Aviation Agency, transmitting a report of positions in grades GS–18, 17, and 16 in the Federal Aviation Agency on December 31, 1959, pursuant to Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

1811. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a report on grade GS–17 positions in this agency, pursuant to title 5, United States Code, section 1105a; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of February 4, 1960, the following bills were reported on February 5, 1960:

Mr. RABAUT: Committee on Appropriations. H.R. 10233. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 1246). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRESTON: Committee on Appropriations. H.R. 10234. A bill making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 1247). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted February 8, 1960*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 1805. A bill to amend the act entitled "An act to authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland; with amendment (Rept. No. 1248). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 7004. A bill to facilitate the administration of the public lands, and for other purposes; with amendment (Rept. No. 1249). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 7359. A bill to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada; with amendment (Rept. No. 1250). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on Un-American Activities. Annual report of the Committee on Un-American Activities. (Rept. No. 1251). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 51 pertaining to organization and operation of the Small Business Administration (Rept. No. 1252). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 6516. A bill to approve a contract with the Conejos Water Conservancy District, Colorado, to ratify its execution, and for other purposes; without amendment (Rept. No. 1253). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 623. An act to provide a 2-year extension of the existing provision for a minimum wheat-acreage allotment in the Tulelake area of California; without amendment (Rept. No. 1254). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 440. Resolution for consideration of H.R. 9664, a bill to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost; without amendment (Rept. No. 1255). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1256. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of February 4, 1960, the following bills were introduced February 5, 1960:

By Mr. RABAUT:

H.R. 10233. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes.

By Mr. PRESTON:

H.R. 10234. A bill making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

[*Introduced and referred February 8, 1960*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 10235. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EVINS:

H.R. 10236. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H.R. 10237. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 10238. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices, and methods of competition, and for other purposes to the Committee on Interstate and Foreign Commerce.

By Mr. ROOSEVELT:

H.R. 10239. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 10240. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise, by providing for fair competitive acts, practices and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT of Michigan:

H.R. 10241. A bill to amend the Communications Act of 1934 by adding thereto a new section to prohibit the broadcasting of material intended to deceive the listening or viewing public; to the Committee on Interstate and Foreign Commerce.

H.R. 10242. A bill to amend the Communications Act of 1934, to strengthen the effectiveness of the Federal Communications Commission in assuring that broadcasting licenses operate in accordance with the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 10243. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

By Mr. DINGELL:

H.R. 10244. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

By Mr. BROCK:

H.R. 10245. A bill to provide for the licensing of public parking lots and garages in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BROOKS of Louisiana:

H.R. 10246. A bill to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BROWN of Georgia:

H.R. 10247. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BUCKLEY:

H.R. 10248. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 10249. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. CHAMBERLAIN:

H.R. 10250. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits; to the Committee on Ways and Means.

By Mr. CHELF:

H.R. 10251. A bill to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost; to the Committee on Agriculture.

By Mr. DENT:

H.R. 10252. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. DORN of South Carolina:

H.R. 10253. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. DOYLE (by request):

H.R. 10254. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H.R. 10255. A bill to amend the Public Health Service Act to provide Federal assistance to States which award scholarships to students of medicine and dentistry; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRANAHAN:

H.R. 10256. A bill to prevent the use of stopwatches, work-measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. HARMON:

H.R. 10257. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

H.R. 10258. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. HARRIS:

H.R. 10259. A bill to amend section 303 of the Communications Act of 1934, with respect to the applicability of certain painting and lighting requirements in the case of abandoned radio towers; to the Committee on Interstate and Foreign Commerce.

H.R. 10260. A bill to establish the position of Administrative Assistant Secretary of Health, Education, and Welfare; to the Committee on Interstate and Foreign Commerce.

H.R. 10261. A bill to amend section 4(k) of the Communications Act of 1934, so as to relieve the Federal Communications Commission of the duty of making an annual report with respect to personnel as now required by such section; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYS:

H.R. 10262. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JENSEN:

H.R. 10263. A bill to provide free mailing privileges for physically handicapped persons; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 10264. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of Utah:

H.R. 10265. A bill to permit weekly publications to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on Post Office and Civil Service.

By Mr. LIBONATI:

H.R. 10266. A bill to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State, and to establish procedure for such admission if the people of Puerto Rico desire it; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 10267. A bill to authorize the Secretary of Health, Education, and Welfare to make grants to the States to assist in the provision of facilities and services for the day care of children; to the Committee on Education and Labor.

By Mr. McSWEEN:

H.R. 10268. A bill to incorporate the Hall of Fame of the Louisiana Purchase Territory; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H.R. 10269. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to nonprofit nonpartisan civic organizations; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 10270. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. MILLER of New York:

H.R. 10271. A bill to amend the Tariff Act of 1930 to impose duty upon the importation of bread; to the Committee on Ways and Means.

H.R. 10272. A bill to amend the Internal Revenue Code of 1954 so as to provide that lawful expenditures for legislative purposes shall be allowed as deductions from gross income; to the Committee on Ways and Means.

By Mr. CLEM MILLER:

H.R. 10273. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. PELLY:

H.R. 10274. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 10275. A bill to amend the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. WIER:

H.R. 10276. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

H.R. 10277. A bill to clarify the law with respect to transportation of airmail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. YOUNGER:

H.R. 10278. A bill to amend the Czechoslovakian claims fund law; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H.R. 10279. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for the cost to a taxpayer of certain increases in commuting transportation fares; to the Committee on Ways and Means.

By Mr. MOULDER:

H.R. 10280. A bill to extend the Library Services Act for a period of 5 years; to the Committee on Education and Labor.

H.R. 10281. A bill to suspend the granting of foreign aid until all expenditures made therefor have been audited and examined; to the Committee on Foreign Affairs.

By Mr. RABAUT:

H.R. 10282. A bill to authorize reimbursement of certain Veterans' Administration beneficiaries and their attendants for ferry fares, and bridge, road, and tunnel tolls; to the Committee on Veterans' Affairs.

By Mr. DULSKI:

H.J. Res. 603. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mrs. KELLY:

H.J. Res. 604. Joint resolution providing for the convening of a national conference by the President of the United States of the authorized representatives of institutions of learning for the purpose of making a survey and formulating a recommended plan of action for meeting and solving the engineering and design and other technical problems which can strengthen the space exploration program of the United States; to the Committee on Science and Astronautics.

By Mr. HAYS:

H. Con. Res. 583. Concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes; to the Committee on Ways and Means.

By Mr. JUDD:

H. Con. Res. 584. Concurrent resolution calling for a convention of delegates from the NATO countries to explore methods of achieving more effective and democratic unity in advancing their common interest; to the Committee on Foreign Affairs.

By Mr. KING of Utah:

H. Con. Res. 585. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

By Mr. BARDEN:

H. Res. 441. Resolution providing additional funds for studies and investigations pursuant to House Resolution 147, 86th Congress; to the Committee on House Administration.

By Mr. BOGGS:

H. Res. 442. Resolution directing the Tariff Commission to make an investigation of the effect of the existing customs treatment of shrimp upon the domestic shrimp industry; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H. Res. 443. Resolution to amend the rules of the House of Representatives so as to permit two or more Members to introduce jointly any public bill, memorial, or resolution; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CONTE: Resolution in the House of Representatives of the Commonwealth of Massachusetts memorializing the Congress of the United States to establish a national cemetery in the New England area; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Georgia, memorializing the President and the Congress of the United States relative to requesting the passage of a proposed amendment to the U.S. Constitution with reference to balancing the Federal budget; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States relative to requesting the Congress to appropriate such funds as may be necessary for the continuation of the Federal-State brucellosis eradication program on an active and progressive basis; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to establish a national cemetery in the New England area; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United

States to enact legislation granting to veterans of World War I pensions comparable to grants to veterans of American wars prior to World War I; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLLING:

H.R. 10283. A bill for the relief of certain sisters of the Missionary of Our Lady of Mercy; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 10284. A bill for the relief of Jovenal Gornes Verano; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 10285. A bill for the relief of Marion Manion; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 10286. A bill to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co.; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:

H.R. 10287. A bill providing for the promotion of Col. James Cannon Henderson to the rank of brigadier general; to the Committee on Armed Services.

By Mr. McDONOUGH:

H.R. 10288. A bill to authorize Col. Charles P. Baldwin, U.S. Army, retired, to accept certain employment with the Government of Venezuela; to the Committee on Armed Services.

By Mr. MADDEN:

H.R. 10289. A bill for the relief of Nikolija Lazic; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 10290. A bill for the relief of Dr. Samuel Ribacoff; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10291. A bill for the relief of Tadeusz Franciszek Chodor; to the Committee on the Judiciary.

H.R. 10292. A bill for the relief of Katarzyna Chodor; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 10293. A bill for the relief of Irena Maria Koller; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 10294. A bill for the relief of Luther L. Stevens; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 10295. A bill to admit the vessel *Martha Washington* to American registry and to permit its use in the coastwise trade which is owned by the Cherry Grove Ferry Corp.; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII,

335. Mr. FORAND presented a petition of Joseph Messier of Pawtucket, R.I., and others, relative to requesting favorable consideration of the increasing of the Federal minimum wage to $1.25 an hour and to broaden the coverage of the Fair Labor Standards Act, which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

Fiscal and Monetary Policies in the Changing Economy

EXTENSION OF REMARKS

OF

HON. WALLACE F. BENNETT

OF UTAH

IN THE SENATE OF THE UNITED STATES

Monday, February 8, 1960

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address on the subject "Fiscal and Monetary Policies in the Changing Economy," delivered by the junior Senator from Virginia [Mr. ROBERTSON] at the midyear meeting of the National Association of Mutual Savings Banks, at the Commodore Hotel, in New York City, on December 8, 1959.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FISCAL AND MONETARY POLICIES IN A CHANGING ECONOMY

(Address by Senator A. WILLIS ROBERTSON, of Virginia, to the midyear meeting of the National Association of Mutual Savings Banks, Commodore Hotel, New York, N.Y., December 8, 1959)

It is a pleasure to meet today with the representatives of the mutual savings banks of the country which have been doing such a fine job of promoting thrift in the areas they serve.

It is also a pleasure again to see your able executive vice president, Grover Ensley, and your counsel, Bill McKenna. I have enjoyed working with both of them while I have been a Member of the Senate. Grover, incidentally, is a part-time constituent of mine, for when you allow him a vacation, he retires to a beautiful spot which he owns on the Shenandoah River in Virginia. Bill, of course, was for a long time counsel of the Senate Committee on Banking and Currency, of which I now have the honor of being chairman.

I was interested in learning from them more about the institutions which you represent and the important function they perform in the Nation's economy, even though your banks are located in only 17 of the 50 States. I was glad to find that your deposits are continuing to grow rapidly, just about doubling each decade. That is a record of which you can be proud, particularly when it is considered that it was the small savings of many individuals which accounted for your present $35 billion of deposits, and your $1½ billion of home mortgages recorded in 1 year.

Although my State of Virginia has no mutual savings banks, I was interested to learn that at the end of the third quarter of 1957 your institutions had invested over $277 million in Virginia home mortgages. Those investments have benefited both the borrowers and the lenders, for I am sure you have found Virginia mortgages to be good risks.

As chairman of the Senate committee which has jurisdiction over housing matters, I am appreciative of the stabilizing influence you exercise on a rather unstable industry—homebuilding—by your large investments all over the country in FHA and VA mortgages.

My subject is a broad one, and, of course, I could not do it justice in the time which is allotted to me. I can merely sketch some of my views on proper fiscal and monetary policies in a changing economy.

One of the significant changes in our economy is that which is implicit in our population growth. It has been predicted that our population will increase by 25 to 30 million during the next decade, and optimistic estimates are that employment will rise by 12 or 13 million, in the same period, an increase of 20 percent. To provide a proper economic climate for these changes will require intelligence and statesmanship of the highest order.

Our economy is a dynamic one because it is relatively free. The freedom which our private enterprise system provides, whereby economic decisions are made by millions of persons throughout the country, gives us a vitality which is the envy of the world. At the same time, this freedom carries with it the obligation of self-restraint, calling for sacrifice in many directions.

With respect to our international responsibilities, the changes which have occurred over the last 2 years have been striking. Although the United States has had a virtually continuous deficit in its external payments since 1949, the deficits in 1958 and 1959 have been over two and one-half times as large as those of the first 8 years of this period. In 1958, as a result of transactions with the United States, foreigners acquired $3.4 billion in gold and liquid dollar assets. Of this amount, $2.3 billion was in the form of gold. So far this year, transfers of gold and dollars have been at an annual rate of around $4 billion. However, the gold portion of these transfers has been markedly smaller than in 1958.

This change in economic conditions requires corresponding changes in our policy. Shortly after World War II, it became clear that our allies had suffered such appalling losses that they could not get back on their feet without an aid program from the United States—and this in spite of the great agencies created by the Bretton Woods Agreements—the International Monetary Fund, and the World Bank. Therefore, in the spring of 1947, at Natural Bridge, Va., I made a speech advocating aid for our World War allies, sending a copy of that speech to the Secretary of State. The following June, Gen. George Marshall developed that theme in his now famous Harvard speech and the United States embarked upon an aid program to close the dollar-gap. A bipartisan majority of the Congress wrote the program into law. It was carried out with some mistakes and considerable waste, but, fortunately, with success. Now that the recipients of that rehabilitation program are back on their feet, with strong and vigorous productive capacities, appropriations for foreign aid should be materially reduced.

The deficit in our external payments, while not alarming, demands attention. The fact that most of the European nations are now in sound financial condition is itself cause for gratification rather than for alarm. But this is a change in the economy of the free world which we can disregard only at our peril. The continuation of large deficits in our budget could lead to a lessening of confidence in the dollar as a reserve currency by those foreign governments and individuals who currently hold $16 billion in short-term dollar claims. I rate the preservation of a stable dollar as second only in importance to the preservation of peace.

In my judgment, several major steps should be taken to end the current unfavorable balance of payments.

First, we must make sure that other NATO nations bear their full share of the necessary aid to underdeveloped countries and their full share of the costs of defending the free world. We have taken some steps in this direction—we have increased the proportion of development aid which goes through international organizations, such as the World Bank and the International Finance Corporation, where other countries put up two-thirds of the capital, and by reducing the direct foreign aid programs, where we put up all of the funds. This change is possible because the European nations and Japan are now in a position to bear a larger share of the costs of these programs.

Another essential ingredient in the adjustment of our balance of payments situation is to raise our exports sufficiently, relative to imports, to cover more adequately than heretofore Government payments of $5 billion to $6 billion a year for grants, loans, and military expenditures abroad, and private capital outflows in excess of $2 billion a year.

It is important especially to our farmers that we correct our unfavorable balance of payments by increasing our exports rather than by reducing our imports.

As a member for 10 years of the House Ways and Means Committee, it was my privilege to participate in the initial efforts to substitute, for the trade-throttling Hawley-Smoot Tariff Act, the program of mutually beneficial reciprocal foreign trade which is associated with the name of Cordell Hull. My interest has continued ever since, and the program has been successful over the years although it has been modified to meet changes in conditions. With the change in our balance of trade, the continuation of that program will require the best efforts of all of us who believe that trade wars lead to shooting wars and who also believe in putting the general welfare first.

Minority pressure groups today, armed with the change in our balance of payments situation which I have heretofore described, will argue that we must resort to protectionist devices. I disagree, but if we are to continue our mutually beneficial trade programs, nations with whom we negotiated agreements must be required to live up to them, hardship cases must be recognized, and we must exercise more discipline and greater restraint in our domestic monetary and fiscal policies.

A large part of the world is again in competition with us for foreign markets. The European common market is becoming a trading market comparable to our own and a new outer market is being organized. At the same time the Soviet bloc has warned us through Khrushchev, who recently said: "We declare war upon you—in the peaceful field of trade."

Our international trade position is directly related to our domestic economy. Our ability to win the trade war, which Khrushchev has declared, and to hold our share of the world's trade, will depend upon our producing goods and services which can successfully meet foreign competition. This, in turn, depends upon confidence in the dollar abroad and control of inflation at home.

As indicated, our domestic economy is a changing one, and the policies applicable to it must accommodate to those changes.

In the fall and winter of 1957 and the spring of 1958, we were suffering from a recession, with substantial numbers of unemployed and a substantial decline in our industrial production, gross national product, and national income. But from the middle of 1958 to the middle of 1959 all of these measures of our national wealth rose rapidly, and by June 1959 had exceeded the previous peaks. The wholesale and retail price indexes continued their inexorable rise during all of this period, as they had through virtually the entire postwar period. And if the prices of farm products and foods had not fallen since the spring of 1958 by over 10 percent the increases in the overall wholesale and consumer price indexes would have been much more significant.

The longest steel work stoppage on record interrupted the recovery that started in the spring of 1958. Through last September, its effect was confined for the most part to the industries involved in the strike. However, as the strike continued into October, its secondary effects were much more widespread, and by early November the total number out of work because of the direct and indirect effects of the strike approached 1 million.

With output in steel and related industries sharply curtailed, industrial production in October was nearly 5 percent below the prestrike peak in June. In November, with steel production up sharply, it is expected that the total index will show some rise, despite curtailments in steel-consuming industries.

Gross national product declined $6 billion, or over 1 percent, in the third quarter of 1959 due principally to a shift from building up to liquidation of steel stocks. Total business inventories declined at an annual rate of $1 billion during the quarter, in contrast with a $10 billion increase in the second quarter.

Despite these developments, income and consumer spending held up well. Between June and October, personal income declined less than 1 percent. Most other types of income were stable or above that period.

The national economy is beginning to recover from the contraction caused by the steel strike. Following reactivation of the major steel plants on November 7, production climbed rapidly and was scheduled at nearly 80 percent of capacity for the week of November 15. Workers in related industries, such as foundries and coal mines, are being recalled to their jobs. Workers in other steel-consuming industries will not be recalled insubstantial numbers for some time yet, because of the time required to refill the pipelines in the steel-fabricating process.

In spite of the aberration caused by the steel strike, our principal long-term economic problem both within this country and with respect to our international balance of payments is the control of inflation. It seems quite likely that, in the long run, the net effect of the steel strike will be additional pressures on the wage-price spiral.

The most important single element in this struggle against inflation is the balancing of the Federal budget. Last year, fiscal 1959, ended with a record setting peacetime budget deficit of $12½ billion. This year, fiscal 1960, an anticipated balance has, by the steel strike, been turned into a probable deficit of $500 million. For the next fiscal year, incidentally an election year, we hear of new and expanded programs which would add billions of expenditures. Many of the proposed new programs, and many of the proposed increases in existing programs, will be supported by large segments of the country, and many of them will have considerable inherent merit. But in spite of this strong support and their possible merit, these programs must be weighed in the scales of monetary and fiscal policy. They must not be approved unless we are prepared to pay for them by taxation, and then only if it can be demonstrated that the resources involved can be better utilized in those programs than in the private uses to which the resources would be put were they not preempted by taxation. As a member of the Senate Appropriations Committee I shall fight for a balanced budget for fiscal 1961 but my present feeling is that it will be an uphill fight.

The monumental task of managing our existing debt will remain with us. The Treasury, faced with the problem of refinancing about $75 billion a year, must have greater flexibility with respect to interest rates and maturities in order that more of this debt may be placed on longer terms with less pressure upon the money market.

We must continue to support the Federal Reserve System in its policy of monetary restraint. No group should be more aware than yours of the fact that monetary policy must be flexible and that the creation of new money or bank check money should be with relation to the necessary money work to be done. We must resist the efforts of those who would convert our central bank into an arm of the Treasury, affording a market for a huge debt, regardless of other demands for money, and regardless of the price, or interest, which the market will pay for that debt.

"Nations," said a popular political leader 27 years ago, "have been wrecked on the rocks of a loose fiscal policy." Revolution and dictatorship are the end products of uncontrolled inflation. In my opinion any discussion of fiscal policies becomes meaningless unless it includes the perpetuity of our personal freedom. Therefore, I hope you will not think that I am talking partisan politics when I say that the preservation of States rights is as important to the North and the rest of the Nation as it is to the South—the keystone of the arch of constitutional liberty.

Frank DeLucia

EXTENSION OF REMARKS
OF

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. GIAIMO. Mr. Speaker, in an era when the media of mass communication appears to be continuously fascinated by the misdeeds of society's antagonists, the true heroes of our time—the men and women who exhibit a sense of civic responsibility and concern for their fellowmen—are, too often, ignored and their acts go unnoticed. And yet, it is to these people that we must look if our civilization is to sustain our finest ideals and provide that wonderful world of which we all dream. I wish to call the attention of this House to one such man.

His name is Frank DeLucia. Mr. DeLucia drives a tractor trailer for the Adley Express Co., of New Haven, Conn. On January 14 he received the American Trucking Association's Pro Merits Medal, the trucking industry's highest award for heroism. In 1947 and 1948 Mr. DeLucia was named Driver of the Year by the Motor Transport Association of Connecticut. The events which have prompted the selection of Mr. DeLucia for these distinctions fully substantiate my appraisal of him as a remarkable citizen and a true hero of our contemporary times.

The Pro Meritis Award was presented by Gov. Abraham Ribicoff, of Connecticut, in acknowledgment of the courage Mr. DeLucia displayed on October 11, 1958. While driving his truck on that date, Mr. DeLucia spotted a car which had crashed into a power utility pole in Stratford, Conn. The pole had broken, dropping high tension wires which trapped the driver and set the car afire.

Despite the extreme danger of being electrocuted, Mr. DeLucia secured a stick of wood and used it to remove the live wires from the car. Then he helped the injured woman, Anna Celone, of Milford, Conn., from the blazing vehicle and covered her with his coat to prevent shock.

After calling the Stratford police for an ambulance, Mr. DeLucia returned to the scene of the accident and put out the fire with an extinguisher which he carried in his truck.

In a letter written to the Adley Express Co., Mrs. Celone, who suffered three fractured ribs and a cut knee in the accident, said that if Mr. DeLucia had not come to her assistance when he did, she "would probably have been electrocuted."

To win the title of Driver of the Year which the Connecticut Motor Transport Association bestowed upon him in 1947 and 1948, Mr. DeLucia performed several acts of courtesy and safety. His deeds included removing an automobile from a garage threatened by fire, and towing a stalled car carrying an 8-year-old girl to a doctor.

In 1950 Mr. DeLucia exhibited his fine sense of civic responsibility when he encountered a drunken driver who was weaving across four lanes of a highway near Langhorne, Pa., on August 19, 1950. Mr. DeLucia lit a flare and held it out the window of his cab to warn motorists behind him of the danger. He then followed the car until it struck an oncoming tractor trailer truck. Due to his efforts, the driver and the occupants of the car were held at the scene until the police arrived. Later it was discovered that the car had been stolen.

Mr. DeLucia, who has been driving trucks since he was 16 years old, has an impressive safety record. He has driven an estimated 700,000 miles in the last 14 years without a single chargeable accident.

I am proud to salute Mr. Frank DeLucia, a neighbor in my community. Our Nation is a better place to live because of his wonderful deeds.

The Late Honorable John J. O'Connor

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. WALTER. Mr. Speaker, it was with great sorrow that I received the news of the passing of the late Honorable John J. O'Connor. To those who knew him, he has left behind him a true and deep spirit of admiration, not only for his personal integrity, but as one who with courage undaunted in the face of adversity, remained intellectually vigorous and high spirited until the last, never losing the hope of combating his illness and returning to the work he loved, that of helping his fellow men. This spirit of survival and good humor until the last is truly worthy of the man that the late John O'Connor was.

Many things could be said in superfluity of the individual activities of such a man, but it is the spirit of the man which held forth through his many undertakings and which endeared him to his friends. To his family and loved ones, I extend my deepest sorrow and the comfort that this fine person lived life to his fullest capacity, never suffering defeat even to the last, but merely passing into the fuller life for which he strived, and one which he deserved.

Educational Readjustment Assistance to Veterans Who Serve in the Armed Forces Between January 31, 1955, and July 1, 1963

EXTENSION OF REMARKS
OF
HON. GERALD T. FLYNN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. FLYNN. Mr. Speaker, soon there will come before the House for consideration a Senate-passed bill, S. 1138, which provides educational and vocational training, rehabilitation training for service-connected disabilities, and loans for homes, farms, livestock, farm machinery, and otherwise closely parallels the World War II and Korean GI bills. The principal feature of this bill is the educational opportunity it will afford our young men and women who serve in the military service of their country during the peacetime years of 1955 through 1963.

Testimony before the House Veterans' Affairs Committee has clearly shown the greatest asset this country has is the brains and intellectual potential of its young people. Failure of the United States to develop the minds and skills of its young and strong is one of the greatest crimes of our age. Testimony has shown that this country will, in the very near future, be repaid in full for all expense it was put to in providing educational training for the GIs of World War II and Korea. Yet this investment will continue to produce a financial, productive, and technological return for the next 30 years or more. The Senate has seen the wisdom of enabling ex-GI's to gain an education with Government help—yet there are powerful forces, including the Departments of Defense and Health, Education, and Welfare, which oppose this legislation.

The Defense Department opposes it maintaining it tends to cause some enlistees or draftees not to reenlist. They have found, in the past, that 45 percent of those separating from the service did so to take advantage of educational opportunities afforded by the GI bill of rights. I believe this is a wonderful tribute to modern American youth who have the desire to learn and be of greater value to themselves, their families, and their country. On the basis of testimony offered by the Defense Department, approximately 100,000 young men are being inducted into service each year. The majority of these men receive from 9 to 21 weeks of technical training. About 50 percent of those trained are in the lower schools and 50 percent are in the higher technical schools, such as electronics and mechanics.

Would it not be a wonderful thing to permit young men who have served and will serve their country in the next few years to go on to college under the GI bill of rights and equip themselves to render greater service to their country and to their home communities? The cost to the Government would be slight and the Government would get it back many times over during the lifetime of the GI's benefited. It is narrow thinking on the part of the Defense Department officials to deny boys and girls who have served their country the opportunity of finacial assistance toward an education, merely because the various branches of the military do not want to be bothered with training new recruits to take the place of those who leave to go back to school.

I am hopeful that Members of this House will acquaint themselves with the provisions of S. 1138, passed by the Senate on July 21, 1959, and make it possible for GI's and WAC's to secure a higher education.

The "Big Spender" Myth Exploded

EXTENSION OF REMARKS
OF
HON. ROBERT W. LEVERING
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. LEVERING. Mr. Speaker, despite the fact that Congress in the last session cut the President's spending requests by some $2 billion, many partisans and propagandists seeking political gain have deliberately or in ignorance, misrepresented the facts concerning the expenditures of taxpayers' money by calling Members of Congress reckless spenders.

It appears that many of our people are unaware of the fact that Congress has nothing to do with the preparation of the budget, a function wholly within the executive department; that Congress has no authority to spend, but can only authorize expenditures; that only the President can spend or withhold funds authorized by the Congress.

Mr. Speaker, I voted to cut the President's budget in an effort to balance expenditures with income, believing that the Congress should authorize what is absolutely necessary for our Nation's protection and survival, but that we should not authorize or spend 1 red cent for waste or extravagance.

Mr. Speaker, under previous leave, I include the following tables from the last page of the CONGRESSIONAL RECORD of September 15, 1959. These figures compiled or verified by the Bureau of the Budget show cuts by Congress of the President's request for appropriation and new obligational authority known as back-door spending by a total of $2,580,410,093.

Bills providing appropriations and other new obligational authority, 86th Cong., 1st sess.

TABLE I. APPROPRIATION BILLS

Bill No.	Title	House					Senate					Amount agreed to by conferees	Increase or decrease compared to President's budget estimates to date	Date approved by President	Public Law No.
		President's budget estimates to House	Date reported	Amount as reported	Date passed	Amount as passed	President's budget estimates to Senate	Date reported	Amount as reported	Date passed	Amount as passed				
	1959 SUPPLEMENTAL														
H.R. 5916	2d Supplemental	$2,864,954,526	Mar. 20	$2,479,522,494	Mar. 24	$2,657,402,994	$2,900,799,370	Apr. 18	$2,820,040,054	Apr. 30	$2,843,902,805	$2,764,500,380	−$136,298,990	May 20	86-30
	1960 APPROPRIATIONS														
	SUPPLEMENTAL														
H.R. 7978	Supplemental	888,931,417	June 26	632,568,845	June 29	609,843,845	1,218,090,555	July 31	1,076,186,108	Aug. 3	1,076,186,108	977,345,608	−240,744,947	Sept. 1	86-213
H.J. Res. 439	Temporary (July)		June 25		June 30			June 30		June 30				July 1	86-76
H.J. Res. 475	Temporary (August)		July 24		July 29			July 29		July 29				July 31	86-118
H.J. Res. 510	Temporary (September)				Aug. 31					Aug. 31				Sept. 3	86-224
	REGULAR														
H.R. 5676	District of Columbia	(246,698,000)	Mar. 13	(237,186,112)	Mar. 16	(237,186,112)	(245,990,000)	May 21	(241,569,402	May 28	(241,702,402)	(241,289,076)	(−4,700,924)	July 23	86-104
	Federal payment	34,218,000		27,218,000		27,218,000	34,218,000		29,218,000		29,351,000	27,218,000	−7,000,000		
H.R. 5805	Treasury-Post Office	4,688,327,000	Mar. 18	4,628,097,000	Mar. 20	4,628,097,000	4,688,327,000	May 21	4,663,158,600	May 28	4,664,027,600	4,643,363,000	−44,964,000	June 11	86-39
H.R. 5915	Interior	491,101,400	Mar. 20	472,198,800	Mar. 23	472,198,800	491,101,400	June 5	487,211,025	June 8	487,211,025	481,809,100	−9,292,300	June 23	86-60
H.R. 6769	Labor-HEW	3,756,848,581	Apr. 28	3,915,084,181	Apr. 30	3,915,084,181	3,756,848,581	June 23	4,124,460,581	June 24	4,124,460,581	4,016,485,981	+259,637,400	Aug. 14	86-158
H.R. 7040	Independent offices	6,586,418,000	May 8	6,441,069,800	May 11	6,459,887,800	6,586,418,000	June 22	6,561,578,600	June 23	6,561,578,600	6,504,382,200	−82,035,800	Sept. 14	86-225
H.R. 7175	Agriculture	4,081,364,863	May 15	3,939,165,498	May 20	3,939,165,498	4,081,364,863	May 28	3,975,505,148	June 3	3,975,774,848	3,971,362,673	−110,002,190	July 8	86-80
H.R. 7176	General government	13,608,500	May 15	13,338,500	May 27	13,338,500	13,608,500	June 22	13,568,500	June 24	13,568,500	13,463,500	−145,000	July 8	86-79
H.R. 7343	State-Justice-Judiciary	682,387,600	May 21	649,896,700	May 27	651,896,700	682,387,600	June 22	650,674,700	June 23	650,924,700	648,941,200	−33,446,400	July 13	86-84
H.R. 7349	Commerce	732,191,000	May 25	674,687,300	May 28	675,297,300	732,191,000	June 16	715,328,500	June 18	715,328,500	712,672,900	−19,518,100	July 13	86-88
H.R. 7453	Legislative	105,460,005	May 28	100,279,350	June 1	100,279,350	133,648,180	June 16	128,797,380	June 18	128,797,380	128,797,380	−4,850,800	Aug. 21	86-176
H.R. 7454	Defense	39,248,200,000	May 28	38,848,339,000	June 3	38,848,339,000	39,248,200,000	July 7	39,594,339,000	July 14	39,594,339,000	39,228,239,000	−19,961,000	Aug. 18	86-166
H.R. 7509	Public Works	(1,185,406,259)	June 2	(1,185,406,259	June 9	(1,185,906,259)	(1,185,406,259)	July 8	(1,265,565,559)	July 9	(1,265,565,559)	(1,215,477,808)	(+30,071,549)	Vetoed	
H.R. 8283	Atomic Energy	2,718,715,000	July 17	2,660,529,000	July 21	2,660,529,000	2,718,715,000	July 30	2,711,829,000	Aug. 3	2,711,829,000	2,683,029,000	−35,686,000	Aug. 18	86-164
H.R. 8385	Mutual Security	4,436,277,000	July 24	3,209,782,000	July 29	3,191,782,000	4,824,484,137	Sept. 8	3,691,269,508	Sept. 14	3,692,262,137	3,626,718,137	−1,197,766,000	Sept. 28	86-383
H.R. 8575	Military Construction	1,563,200,000	Aug. 7	1,285,002,700	Aug. 10	1,285,002,700	1,563,200,000	Aug. 20	1,428,178,700	Aug. 21	1,428,178,700	1,363,961,200	−199,238,800	Sept. 16	86-275
H.R. 9105	Public Works	1,185,406,259	Sept. 4	1,185,309,093	Sept. 8	1,185,309,093	1,185,406,259		1,185,309,093	Sept. 8	1,185,309,093	1,185,309,093	−97,166	{Veto overridden}	86-254
	Total regular	70,323,723,208		68,049,996,922		68,053,424,922	70,740,118,520		69,960,426,335		69,962,940,664	69,235,752,364	−1,504,366,156		
	Total, all bills	74,077,609,151		71,162,088,261		71,320,671,761	74,859,008,445		73,856,652,497		73,883,029,577	72,977,598,352	−1,881,410,093		

TABLE II. NEW OBLIGATIONAL AUTHORITY PROVIDED OUTSIDE THE APPROPRIATION PROCESS (SO-CALLED BACKDOOR FINANCING)

Bill No.	Title	House					Senate					Amount agreed to by conferees	Increase or decrease made by the Congress	Date approved by President	Public Law No.
		President's requests	Date reported	Amount as reported	Date passed	Amount as passed	President's requests	Date reported	Amount as reported	Date passed	Amount as passed				
H.R. 4452 S. 1094	Bretton Woods Agreement Act	$4,550,000,000	Mar. 18	$4,550,000,000	Mar. 25	$4,550,000,000	$4,550,000,000	Mar. 18	$4,550,000,000	Mar. 19	$4,550,000,000	$4,550,000,000		June 17	86-48
S. 57	Housing Act of 1959	(1,650,000,000)	Feb. 27	(1,975,000,000)	May 21	(*)	(1,650,000,000)	Feb. 3	(2,625,000,000)	Feb. 5	(2,525,000,000)	(1,300,000,000)	(−$350,000,000)	Vetoed	
S. 2539	Housing Act of 1959	(1,650,000,000)	Aug. 25	(825,000,000)	Aug. 27	(825,000,000)	(1,650,000,000)	Aug. 13	(825,000,000)	Aug. 18	(825,000,000)	(825,000,000)	(−825,000,000)	Vetoed	
S. 2654	Housing Act of 1959	1,650,000,000	Sept. 10	925,000,000	Sept. 10	925,000,000	1,650,000,000	Sept. 8	925,000,000	Sept. 9	925,000,000	925,000,000	−725,000,000	Sept. 23	86-372
S. 1 H.R. 1011	Aid to airports	200,000,000	Mar. 2	297,000,000	Mar. 19	297,000,000	200,000,000	Feb. 5	565,000,000	Feb. 6	465,000,000	126,000,000	−74,000,000	June 29	86-72
H.R. 2256	Veterans' Housing Loan Act		Jan. 29	300,000,000	Feb. 4	300,000,000		Feb. 3	300,000,000	June 16	100,000,000	100,000,000	+100,000,000	June 30	86-73
H.R. 3460	Tennessee Valley Authority bond issuance	750,000,000	Apr. 14	750,000,000	May 7	750,000,000	750,000,000	July 2	750,000,000	July 9	750,000,000	750,000,000		Aug. 6	86-137
	Total	7,150,000,000		6,822,000,000		6,822,000,000	7,150,000,000		7,090,000,000		6,790,000,000	6,451,000,000	−699,000,000		

*Authorized $1,975,000,000 to be appropriated.

NOTE.—Amounts shown represent total new obligational authority actually provided by each bill. Differences in amounts may include changes in scope of programs and differences in time periods covered by various versions of each bill.

Grand total, all bills, tables I and II	$81,227,609,151		$77,984,088,261		$78,142,671,761	$82,009,008,445		$80,946,652,497		$80,673,029,557	$79,428,598,352	−$2,580,410,093		

Farmers Week Address by Hon. Philip A. Hart, of Michigan

EXTENSION OF REMARKS
OF
HON. ERNEST GRUENING
OF ALASKA
IN THE SENATE OF THE UNITED STATES
Monday, February 8, 1960

Mr. GRUENING. Mr. President, last Thursday evening, at the Michigan State University, the distinguished junior Senator from Michigan [Mr. HART] delivered a speech in connection with the celebration of Farmers Week. While he himself had to remain here to vote on the school aid bill, his remarks were delivered via film. His penetrating statements on the farm program should be preserved in yet another and I therefore ask unanimous consent that they be printed in full in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR PHILIP A. HART, DEMOCRAT OF MICHIGAN, AT THE ANNUAL FARM MANAGEMENT BANQUET HELD DURING FARMERS WEEK, MICHIGAN STATE UNIVERSITY, THURSDAY EVENING, FEBRUARY 4, 1960

Farmers Week is one of the rich traditions of our great State. It has served well, not only the good farmers of Michigan but our whole economic community. Again we meet here on the Michigan State University campus, the most appropriate setting for this conference in all of Michigan. No longer is MSU thought of as preeminent in the agricultural education field alone. Its contribution in all the disciplines long has been acknowledged. But tonight I want to report that which is no surprise—the quality of its agricultural faculty is conceded by everyone with whom I have had contact in Washington. First hand I can testify to the willingness of that agricultural faculty to help me. I take this opportunity publicly to thank them for their help and patience with this agriculture student.

Some 16 months ago, during the campaign for the U.S. Senate, I came to MSU and delivered a speech on agricultural policy. As the radio soap operas put it, time passed. I was elected to the Senate—just a year ago. Within days of the opening of the Senate, the freshmen were assigned to their committees. For the first time in 35 years, Michigan had a Senator on the Committee on Agriculture and Forestry—it was HART. And I was afraid to look at that speech I had made. I hope all future officeholders profit from my experience, and when they campaign beyond their fields of experience, they had better realize that suddenly they may have to answer the question, just as I did: "Well, what are you going to do about the farm program now?"

Dean Cowden and his staff of able professors know a lot about freshmen. They know they take awhile to settle down and do their studying. So, as in all institutions of higher learning, where there is great tolerance but ever-present hope for their potential, ways are devised to make freshmen study. It's called semester exams, and the cramming that is done for these exams is one of the great techniques of the American educational system.

There is a similar problem and a similar method in the Congress. Cramming comes on the day before the committee opens hearings on a basic farm bill. The examination occurs when the roll is called. It is a yes or no vote. Just like some yes or no college exams, some of the questions are so involved they seem to require more than just yes or no answers. Incidentally, when that roll is called in the Senate Agriculture Committee, it is a great advantage to come from a State with a diversity of agricultural and forestry interests such as we have in Michigan. I don't have to answer the roll for cotton, rice, tobacco, wheat, dairy, citrus fruits, or corn and hogs. Every man on the committee, I am sure, seeks what is best for the whole country, but if your State's chief economy is one basic crop, you can expect to find that crop's best interest looking mighty like the whole country's best interest.

Perhaps my baptism of fire came on the wheat bill last year. I discovered that not only did thousands of Michigan's farmers grow wheat, but that there were different kinds of wheat. The kind we grow in Michigan is in high demand and is not in the great storage bins as the surplus which is the Nation's worry. One of our great troubles is the failure of the press, slick and daily, to make this fact clear in their call to arms against the wheat glut.

A fellow named Mr. Yankus also kept my life interesting. But even though the bills we sent to the House and to the President would have made Mr. Yankus' life easier had he stayed with us in the United States, and would have protected our 15-acre wheat farmers in Michigan, the administration and the President worked hard against both the bills—the one that would have cut 20 percent in exchange for an 80 percent price support, and finally the 25 percent cut in exchange for 90 percent parity supports.

Well, we are back working on the wheat this week—the opening hearing was on Wednesday—and all I can say is that I will do my best for soft white winter Michigan wheat, as well as for a program that will bring some order to a situation seriously out of balance. Here again, because Michigan is a State with diversified farming, I do not feel the same kind of duty which one would feel if he represented one of the great wheat areas.

Fortunately, I am not a candidate this year for any office. I do not come to you with a farm program. But there will be plenty of those who will do just that this year, and tonight I want to discuss some of the criteria—the tests—by which we might evaluate the 1960 farm programs proposed by the avowed and the unavowed candidates, not to mention by the major farm organizations of our Nation. What are the questions we should ask about any farm program?

Eight separate questions or measurements have occurred to me as I have done my cramming on my assignment, and I mention them not in any necessary priority or order:

First, will the farm program enable farmers to share in the proceeds of their own increased productivity, as well as the increased national prosperity which the future should hold for all our people?

In recent years farmers have not gained from their increased productivity. On the contrary, their income has been reduced. Michigan's farmers are no exception. To the extent that legislation will be a factor in this participation in productivity, the difficulty and limitations have been illustrated in the contrast between the work I have done on the Senate Antitrust and Monopoly Subcommittee and my work on the Agriculture Committee.

When Congress is concerned with the nature of automobile financing or pricing, it is a simple matter to have the officials of the three or four firms that produce over 90 percent of the Nation's automobiles appear before the committee. Contrast this with the impossibility of hearing from the over 2 million farmers who produce 90 percent of our feed and fiber.

When the demand for automobiles or steel was not particularly good during the 1958 recession, the assembly lines were slowed or stopped, and the steel mills went on short shifts. As everyone knows, the farmer cannot do this. All those with farms here tonight could not significantly affect the food or fiber by substantially cutting their production—not even all the farmers in Michigan could achieve a meaningful measure of reduced national production if they should cut farm production in half next year.

The individual farmer, regardless of the level of price, cannot significantly affect overall output; on the contrary every pressure upon him is to utilize his production resources to the fullest. This would seem to say that a national farm program that does not recognize the need to influence orderly changes in overall farm production and work to do just that, is inadequate.

A second measure to ask: Does the farm program make a contribution to our foreign policy; does it advance the cause of world peace and the growth of less developed nations? Does it at least avoid conflict with or harmful effects upon the United States relations with other nations? This general topic may seem far away, but specific actions involving these issues confront us every day. Will the revision and extension of the Sugar Act—a program from which we might learn much in dealing with basic commodities—will this extension help or aggravate our relations with Cuba? Will our overseas sales of wheat affect the economy of our neighbors in Canada? Clearly yes. Then how do we reconcile conflicting claims? These are not insignificant questions; but even more basic is the fact that tonight over two-thirds of the people of the world will go to bed hungry. The population of the world is twice that of a hundred years ago; the population explosion indicates that it may well double again in just 40 years. Who here tonight is blind to the enormous impact, in terms of world stability, of this contrast of hunger among many and abundance in the hands of a few? Certainly, any farm program must be measured against the fact of the total world population—peoples far beyond our 50 States.

Thirdly, does the program contribute to the wisest use of the Nation's total human and natural resources and to our maximum growth? Committing too much of our resources to agriculture—or to any segment of our economy—would mean a shortage of resources for other needs, such as schools, roads, forests, recreation areas, hospitals, etc. True not all of our resources are transferable. But many are, including people, and the very best National and State programs are needed effectively to meet the demands on our resources.

The fourth is one which, when stated, is obvious: Does the farm program provide an adequate food supply for the American consumer, both now and in the future when needs will be greater and capabilities more uncertain. This seems so obvious I suspect it sometimes is completely overlooked.

There are those who look at the surpluses of today and scoff at the idea that there is any need for conservation and reclamation programs. In my book, nothing could be more dangerous or more shortsighted. Population estimates for the United States in 50 years indicate we must produce sufficient food and fiber for 370 million persons here at home—more than twice our population today.

But not only will our agricultural production have to meet the demands of our increased population; the USDA, in studies just completed for the Senate Select Committee on National Water Resources, indicates that some 80 million acres of our best cropland will have disappeared by that time, mostly as a result of the expansion of our cities and other factors well known to you. The Department has also projected the addition of only 25 million acres through reclamation and related practices in that same

period. Research in new techniques, increased irrigation in areas where irrigation has been only an experiment, and vastly expanded conservation practices and programs are needed to meet the demands of tomorrow. It is foolhardy to use the existence of surplus production now as an argument for throttling and restricting our conservation and research programs for future decades.

The fifth question: Will the proposed farm programs reward the farmers for their work and managerial skills on a scale comparable to those of other persons in the economy? It is on this point that so much of the debate revolves when programs come before the Senate Agriculture Committee—particularly those concerned with our basic price-supported commodities.

The question constantly before the Senate Agriculture Committee, when it considers the role of government in supporting or controlling the production of a basic commodity, is: What will happen to the farmer's receipts and to his income? It is the answer to this question which most effectively establishes the limits and the extent of approaches to be considered.

There has been much debate about pulling Government out of agriculture, or "freeing agriculture"; the idea being that we should "free" agriculture from Government intervention. In terms of this fifth measurement, is this "freeing agriculture" a realistic alternative? Last year, frankly, I was not sure. As the public pressures and mail mounted—generated by magazine stories of payments to corporate farms of hundreds of thousands of dollars—and as budget costs continued to mount, I often felt that this was the only direction in which to move. At least one of the results of this concern was our vote putting a ceiling of $50,000 on support payments. No more millionaires by way of USDA checks.

But the answer as to what the economic results would be if we really "freed" agriculture—removing controls and support—was not clear in my mind. I think it was not clear to some of the old hands, either. For this reason I welcomed the initiative taken by Senator ELLENDER, chairman of the Senate Agriculture Committee, in requesting that agriculture economists of the USDA, in cooperation with economists from our leading colleges of agriculture, undertake a study based on the following suppositions, necessarily present in any "freeing agriculture" move:

"What would be the probable market supplies and prices of farm products and the probable aggregate farm output and level of farm prices for the period 1960–65, assuming all production controls except those on tobacco were removed and assuming price supports were maintained at levels which would permit an orderly reduction, over a 7–10 year period, of the current excessive stocks of storeable farm products."

In plain language, what would happen to farm prices and farm income with virtually free production and marketing of agricultural commodities?

The study and report are now available—received by the committee just 2 weeks ago. Here are some of the results—and remember, this is not from those who want to prove or disprove a program, but from the experts who made the analysis without trying to prove or disprove, support or undermine, specific programs or proposals. The highlights are these, and I am assured thay are on the conservative side.

Net farm income would drop to $7 billion by 1965, a drop of 46 percent from 1958; average commodity prices would be 90 cents for a bushel of wheat; 80 cents for a bushel of corn; $15 per 100 pounds of beef cattle; $11.20 per 100 pounds for hogs; $3.60 per 100 pounds for milk at wholesale; 29 cents for a dozen eggs; 15 cents a pound for broilers.

And even more startling is the fact that the overall drop in net farm income would be occurring while the overall income of individuals is estimated to increase 22 percent by the year 1965.

Yes, a right, proper, and very key question to ask concerning any farm program is: What happens to the income of the farmers? I believe the answer to this question puts very definite limits on the acceptance of some of the proposed programs. We now have the conclusions of our best agricultural economists; we now see the extreme economic effect on farmers' income from an absence of some type of controls or support.

As we look for new methods of production control, I, for one, will be sympathetic to suggestions to abandon acreage controls and move toward systems based on specific units of production. Hopefully, we can return many of the decisions on these controls to the farmers themselves.

In our Nation we have always supported a system of agriculture consistent with our ideas of individual private ownership. Family farms have been an important and continuing part of our Nation's life. Thus, the sixth point I would make is that a farm program must result in a system of agriculture providing to the fullest extent possible freedom of individual management and ownership, and supporting family-sized units in the traditions of our Nation. These historic concepts today are being challenged, are said to be outmoded, and will continually be attacked from many quarters. The price that would be paid for abandoning these principles would be very high indeed. To have a meaningful program must it not be geared in two directions—the commercial farm and the low income farmer? Needs and aspirations of one differ from the other. Our farm programs should reflect these differences. The distinctions between programs designed to help rural low-income families, through rural development programs, the family-type commercial farm, and the corporate-owned commercial farm are often blurred. We need a vastly expanded rural development effort along the lines of the area redevelopment bill which passed the Senate last year and is now in the House. The family-type commercial farm must be provided with adequate credit, managerial, and technical resources.

My seventh question in measuring: Is the cost of the program, both to the Treasury and directly to the consumer, reasonable, and will it be distributed fairly? American consumers are willing to pay for their groceries and farm products if they are assured the farmer is sharing equitably and fairly in the abundance of our Nation's wealth. Certainly this question of what is fair, how much is equitable, is a reasonable area for political debate. The programs you will hear discussed in the months ahead will place much emphasis on what is proper, and how these costs will be reduced. Perhaps the most disturbing facts brought to light recently on this point are the evidences of excessive storage costs disclosed by the Agriculture Subcommittee under the chairmanship of Senator SYMINGTON, investigating the CCC. We can all profit from the careful and responsible work that he has undertaken.

Last question: Does the proposed program contribute to the permanent solution of the problem or is it a temporary palliative which will make more difficult a long-run solution?

For any one farm program fully to meet all of these criteria, I am confident would be impossible. Our Government works because we have built into our system the means by which each of us may express his thoughts and viewpoints as to which of these eight points are of the greatest necessity and demand the most immediate attention. This is the true political process. I do not pretend to have the answers, but I believe the process can and will work if we all continue to study and probe for the answers.

Slogans, catchwords, and slick phrases, are not going to be the building blocks for a satisfactory farm program. Tonight, I can assure you only of my intention to measure the programs which come before me, acting for you in the U.S. Senate, by these standards; to ask these questions of each new proposal. And I promise to continue my own education with the able support and advice of the staff of this College of Agriculture, which has never yet failed to further the farm education of your freshman Senator.

Thank you for this opportunity to be with you tonight.

Questionnaire on Public Questions Submitted to People of North Dakota

EXTENSION OF REMARKS
OF

HON. MILTON R. YOUNG

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, February 8, 1960

Mr. YOUNG of North Dakota. Mr. President, recently I sent questionnaires to 27,000 North Dakota people. This represents about 1 out of every 10 voters in North Dakota. They reached every voting precinct in the State. The return of the questionnaires was amazingly good and, when completed, there will be approximately 7,000 replies.

I ask unanimous consent to have the results of the questionnaires printed in the CONGRESSIONAL RECORD.

There being no objection, the questionnaires and returns were ordered to be printed in the RECORD, as follows:

The 5,697 questionnaires tabulated to date (from a total of 27,000 mailed to North Dakota people) represent a good cross section of views. It should be noted, however, that there was a higher proportionate return from farmers than nonfarmers. Every effort was made to describe the major farm proposals pending in Congress fairly and accurately in the small space available. "F" where used means farmers; "NF" means nonfarmers.

1. Do you think that foreign aid should be: Abolished? 808. Continued with present amount of funds? 1,687. Continued with greatly decreased funds? 2,867.

2. Do you favor legislation to provide Federal aid to education? Yes, 3,033; no, 2,116.

3. If you plan to vote Republican this year, which of the following would be your choice for President? Nixon, 2,132; Rockefeller, 1,371.

4. If you plan to vote Democrat, which of the following would be your choice for President? Humphrey, 2,249; Kennedy, 782; Stevenson, 248; Symington, 381.

5. If the following were nominated for President, which one in each group would be your choice? (All candidates listed alphabetically.) Humphrey, F, 2,329; NF, 529; total, 2,848; Nixon, F, 940; NF, 875; total, 1,815. Kennedy, F, 1,451; NF, 468; total, 1,919; Nixon, F, 1,123; NF, 837; total, 1,960. Nixon, F, 1,200; NF, 918; total, 1,118; Stevenson, F, 1,243; NF, 376; total, 1,619. Rockefeller, F, 1,492; NF, 935; total, 2,427; Stevenson, F, 1,033; NF, 309; total, 1,342.

6. (The bracketed comments on the following farm measure did not appear on the original questionnaire.)

(a) Abolish all price support programs and controls? [Many commented that these

programs should be abolished gradually.] Yes, F, 607; NF, 564; total, 1,171. No, F, 3,203; NF, 1,023; total, 4,226.

(b) Provide high price supports and marketing quotas for every commodity a farmer produces, with stiff penalties for violation of marketing quotas? Under this proposal price supports would be based on direct production payments for each commodity. [This is basically the farmers union program.] Approve, F, 2,048; NF, 543; total, 2,591. Disapprove, F, 1,224; NF, 732; total, 1,956.

(c) Abolish present mandatory 75 percent of parity price supports for wheat and dairy commodities; elimination of the 15-acre provision; elimination of acreage allotments and marketing quotas; price supports for wheat based on the support level for corn (which is primarily based on a 3-year market price average) with adjustments for differences in quality, etc.? According to testimony of proponents, this would result in price supports of approximately $1.10 to $1.20 a bushel. [This is a brief outline of the American Farm Bureau Federation program as it appeared in the December 21, 1959, issue of the American Farm Bureau News.]

Approve: F, 632; NF, 389; total, 1021; disapprove: F, 2735; NF, 804; total, 3539.

(d) Provide price supports for wheat at 100 percent of parity (presently $2.36 a bushel) for that portion of the farmers' production which is consumed within the United States. (This would be about half of his production.) For the other half, the producer could receive the market price or whatever minimum price support the Congress might provide. Proponents claim that under this program acreage allotments or quotas soon could be eliminated. [This is the Young proposal as contained in Senate bill 892. It is substantially the program sponsored by the National Grange and the National Association of Wheat Growers.] Approve: F, 2861; NF, 941; total, 3802; disapprove: F, 643; NF, 395; total, 1038.

7. If it would appear impossible for Congress to agree on any new farm legislation, would you approve modifying the present program to make it more workable until a new one could be enacted? This would envision some further cut in production, reducing the present 15-acre exemption to 12 acres or less, and stiffer penalties for violation of quotas. Approve: F, 2615; NF, 1021; total, 3636; disapprove: F, 751; NF, 381; total, 1132.

8. Do you approve of the soil bank program? Yes: F, 1365; NF, 446; total, 1811; No: F, 2354; NF 1263; total, 3617.

Report of the House Committee on Un-American Activities

EXTENSION OF REMARKS
OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. WALTER. Mr. Speaker, as chairman of the House Committee on Un-American Activities, I am placing in the hopper today a report of the work accomplished by this committee during the year 1959.

During the course of committee hearings, as the report points out, it has become increasingly apparent that the threat to our security from international communism is growing each day. It is urgent that each Member of Congress become aware and familiar with the operations of the Communist conspiracy, and I heartily recommend the committee's annual report as background material for study.

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. ALGER. Mr. Speaker, I include the following newsletter of February 6, 1960:

WASHINGTON REPORT BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS, FEBRUARY 6, 1960

TAXATION OF COOPERATIVES

What should be done about cooperatives' taxation? At present co-ops can escape Federal taxation completely while corporations are taxed twice—once as a corporation (30 percent first $25,000 of profit, 52 percent all above $25,000) and again when what's left is distributed to stockholders, each of whom pays personal income tax according to his bracket. Yet both co-ops and corporations engage in many of the same business activities.

Co-ops originated from the voluntary banding together of farmers who wanted to strengthen their bargaining position in sales of their products and the purchase of needed supplies. Despite the legitimate aim of farmers, the tax inequity of the present situation is recognized and admitted by all but a few of the most extreme farm organizations. In 1951 Congress tried to remedy the situation by passing legislation to tax all co-op income a single time either at the co-op level (retained earnings) or the co-op patron. However, the courts have rendered the legislation ineffective inasmuch as the certificates of value frequently issued by the co-ops were ruled nontaxable to the patron since they weren't money. Certificates were issued as representative of a patron's investment and earnings in the co-op. The earnings were left in the co-op for growth purposes. Result—this double-jointed problem demanded answer—how to tax the noncash certificate and how to tax the retained earnings of co-ops which weren't distributed? The demands came from corporation personnel and stockholders who saw huge co-ops spring up, engaged in manufacturing, distribution, and processing in such widely divergent fields as oil production, cotton processing, fertilizer manufacture—all grown big by tax-free retained earnings. By contrast, corporations must pay at least half their earnings in Federal income taxes.

The Ways and Means Committee hearings concluded this week were but one of a series over several years without legislative action. Approximately 50 witnesses testified this week, representing divergent viewpoints, including business, government, private citizens, agriculture and various associations. Some of the views differed greatly and warrant study

Arguments advanced in behalf of co-ops

1. "Tax co-ops only once, to either the co-op or the patron, but not both; noncash allocations to patron must be reported as taxable income by patrons." (W. E. Rumble, National Federation of Grain Co-ops.)

2. "Spell out the intent of the 1951 law so there are no loopholes." (E. S. Sletton, Minnesota Association of Co-ops.)

3. "Co-op businesses enjoy no tax advantage over their competitors. On the contrary, co-op businesses pay all taxes under the same law and at the same rates as do their competitors. Exceptions are minor in nature." (Jerry Voorhis, Co-op League of U.S.A.)

4. "Co-ops have spread into other fields in only a minor degree—any inequity that may exist by reason of the corporation double tax should be relieved by gradual elimination of the double tax and not by extending it to co-ops." (M. R. Garstan, National Milk Producers Federation.)

5. "The co-op is merely a vehicle—there should be a single tax and at the patrons' level." (Wilmer Smith and Horace Smith, Texas.)

6. "Our farmers co-ops have not been able to achieve the size that is necessary." (F. V. Heinkel, Missouri Farmers Association.)

7. "We are opposed to enactment of legislation classifying co-op savings as corporation profits." (John Baker, National Farmers Union.)

Arguments in behalf of business

1. "Co-ops do all the things their non-co-op competitors (corporations) do; co-ops enjoy the benefits of corporate citizenship; co-ops should share the cost of government." (Roswell Magill, Grain and Feed Dealers National Association.)

2. "Co-op tax privileges should be ended for three reasons: (a) It's inequitable; there's discrimination between sources of revenue, and unwarranted competitive advantage; (b) It's uneconomic, hurting Nation overall since other taxpayers must make up the difference, and is monopolistic; (c) Loss of revenue to Government."—Dr. R. T. Patterson, National Tax Equality Association.

3. "All organizations engaging in business should be taxed equally—co-ops should be taxed on retained earnings besides cash distribution."—John White, Council of State Chambers of Commerce and American Cotton Shippers Association.

4. "Co-ops have U.S. Treasury funds as capital with cotton as collateral—selective control of cotton results in overvalued cotton inventories owned by the CCC."—R. W. Williamson, American Cotton Shippers Association.

5. "Of the $66 million net savings of the Southern States Ccoperative, only $17 million was paid to patrons, leaving $49 million for business expansion free of income taxes."—J. Howell, Southern States Industrial Council.

6. "Ninety percent of people polled wanted co-ops to be taxed equally with corporations."—George Burger, National Federation of Independent Business.

7. "We do feel it our duty to request that the difference in the tax laws concerning our company and co-ops be corrected. It is unfair."—Harold Garner, president, International Chemical Workers Union, Local 644 (AFL–CIO), Henderson, Ky., Spencer Chemical Co.

8. "All net savings and income of farmer co-ops should be subject to a single Federal income tax."—Charles Shuman, American Farm Bureau Federation.

9. "Wealthy landowners not only get the lion's share of the price-support money and acreage allotments, but they are indeed the principal beneficiaries on the income tax exemption accorded farm co-ops."—A. L. Reed, Public Information Committee of the Cotton Industries.

The alternative proposals suggested as solutions

1. Rumble suggestion, proposed by co-ops, that net earnings or savings of co-ops are to be taxed only once and then to either the co-op or the patron but not both. Noncash allocations are to be reported as income by patrons. (Disadvantage here is that patron must pay tax when not getting any money.)

2. Simpson bill (Treasury bill)—H.R. 7875: Tax co-ops retained earnings but do not tax

at co-op level the cash distributions or 3-year 4-percent promise-to-pay certificates (both of which are reported for tax by patron).

3. Davis bill H.R. 3848 assesses the entire tax to the co-op itself, then extends a tax credit to the patron when he receives a co-op distribution. His tax credit is equal to the tax paid by the co-op on the member's share of the earnings.

4. Cash compromise: Co-ops to be taxed as corporations on retained earnings, except all cash pay-outs are to be fully deductible from co-op tax but taxable individually to patrons.

5. Mason bill H.R. 199: Co-ops to be taxed just like corporations.

For my part, I dislike as much as anyone the double taxation of corporations today. Therefore, I dislike extending it to co-ops but in equity and in the interest of consistency, I see no alternative.

The entire controversy surrounding co-op corporation taxation is another demonstration of too heavy a tax load and the effort made to avoid it. The real answer is reduced Federal Government spending which would make possible sound tax reduction. My continued efforts directed toward these twin goals of less spending and lower taxes should please both cooperatives and corporations.

What will be done by the Ways and Means Committee and Congress? Well, it's an election year. More than ever, Members of Congress will respond to the demands of the more vocal constituents (sometimes, facts to the contrary notwithstanding). As always, it's up to the people, even on occasion, to provide the leadership. Yet, I am sure that a substantial majority of Members of Congress recognize the need for immediate legislative action.

The Golden Anniversary of the Forest Products Laboratory

EXTENSION OF REMARKS
OF
HON. CATHERINE MAY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mrs. MAY. Mr. Speaker, as a native of the State of Washington, I have watched many a logging truck pass by to satisfy the hunger of our great timber industries. Some of the trucks carry only one log, and require a special guide car to warn motorists that a wider than highway limit load is following. Others may carry a load equivalent to several small trees. The species include Douglas-fir, western hemlock, sitka spruce, ponderosa pine, white pine, white firs, cedars, lodgepole pine and many other lesser known varieties.

I have long marveled at the great variety of products made from these logs which vary so widely in size and type of wood. It is evident that the Forest Products Laboratory, which does our Federal utilization research on wood, has dealt with a broad and complex field during these past 50 years.

The timber industries are not the only ones who benefit from work of the laboratory. During the past few years the laboratory has collaborated with the Agricultural Research Service in improving the engineering design of palletized field boxes used for harvesting apples and other crops. Some excellent designs have already been developed through this joint effort.

I am also grateful to the laboratory for the advances it has made in use of wood in the home. The warmth of wood makes it a favorite material in home construction. The development of better finishes and paints for wood, better ways to protect wood from insects, decay and fire, and more economical ways of using wood for the structural parts of the home are of great value to all home owners and prospective builders.

I subscribe to the principle of "wise use" expounded by the Forest Service. The development of economic processes to use all of the products of the forest should be an important part of the job. I am sure that the Forest Service can rise to the challenge in its Forest Products Laboratory.

I wish to join with my colleagues in saluting the internationally famous Forest Products Laboratory on its 50th anniversary.

The Federal Fair Trade Bill

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. DINGELL. Mr. Speaker, during the last session of Congress I opposed H.R. 1253, the Harris Federal fair trade bill. The bill would have vested in the hands of manufacturers the power to control prices, not only on the manufacturer level but also on the wholesale and retail levels of distribution—in fact, from the plant gates until the time it reached the hands of the ultimate consumer. The bill would permit those who control the prices to deal ruthlessly with retailers and wholesalers who did not follow their high fixed prices.

According to reputable economists, who are unanimously opposed to fair trade, this specific bill would cost consumers $10 billion a year.

Proponents of this iniquitous legislation did not make any complaint of unfairly high and improper manufacturer and wholesale prices. The principal sponsors of this legislation are the National Association of Retail Druggists, wholesale drug associations, and some of the big drug manufacturers.

The hearings being conducted by the Honorable ESTES KEFAUVER in the U.S. Senate have revealed some additional and shocking reasons why the enactment of fair trade is not in the public interest. These hearings have shown conclusively that fair trade is a danger even beyond that anticipated by the Federal Trade Commission, the Attorney General, and every Government agency which uniformly opposed it as a "pro tanto repeal of the antitrust laws." This legislation would authorize complete price fixing in the drug and pharmaceutical line, where factory prices are already fixed exorbitantly high by big drug manufacturers.

Here are some examples of gouging practices which have been engaged in by large pharmaceutical manufacturers, according to hearings conducted by the Kefauver committee, which are good reasons for defeat of fair trade legislation. Enactment of such legislation would place still further power to gouge consumers in the hands of those now fixing manufacturer prices at exorbitant levels:

First. A large pharmaceutical house bought female sex hormones for 14 cents a gram and sold them to druggists for $15 a gram, an increase of over 10,000 percent.

Second. The same large pharmaceutical house sells an arthritis wonder drug in Britain for $7.35 per hundred tablets, while U.S. customers are charged $17.90, 2½ times as much.

Third. Steroid compounds are sold for markups of 1,000 to 8,000 percent by manufacturers to wholesalers. The defense is made by manufacturers that this markup finances research. However, Dr. Philip Berke, vice president of Formet Labs in New Jersey, a small bulk manufacturer of steroids, said that his firm could supply "the steroid needs of the world" on an investment of $5 million.

Fourth. A large firm markets an antiarthritic drug for $17.90 per 100 tablets, while competitors market the same for $4, $6.75, $6.95, or $12. The smaller firms say that they can do this because of low promotional budgets.

Fifth. Another large drug house markets a drug, which costs 3.05 cents a tablet to produce, for 17.9 cents a tablet. Small competitors are able to sell the same drug at prices ranging from 4 cents to 12 cents a tablet, oftentimes buying the substance in bulk from the first large manufacturer and then processing it into tablets.

The Military Medical Supply Agency asked for bids and bought the same drug for 4.15 cents and later for 2.09 cents.

The Veterans' Administration negotiated a purchase of the same drug, prednisone, for 13.6 cents and later bought it by bid for 3.85 cents and in another instance for 2.2 cents a tablet.

Prices of other miracle drugs, pharmaceuticals, steroids, and other substances necessary to the health and welfare of our people are being raised to astronomical price heights by greedy persons who are profiting unduly from the misery of our sick and aged.

Remember, the prices I cite are only prices to wholesalers and the ultimate price may actually be 50 percent to 200 percent higher by the time the commodity in question reaches the ultimate consumer through the retail outlet.

To place in the hands of such ruthless, greedy persons the vast power over the whole price structure by enactment of a Federal fair trade law would be a mistake which cannot be made by the Congress charged with protecting the public interest.

Enactment of a Federal fair trade statute would mean precisely such power and would be dangerous to our economy and to our people beyond telling.

Passage of a Federal fair trade statute would permit other industries, such as hardware, appliances, food, clothing, soft goods, auto accessories, gasoline and oil to adopt the pricing practices prevalent in the drug industry.

West Virginia University—Symbol of Hope for a Great Future

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. HECHLER. Mr. Speaker, throughout West Virginia this week, citizens are observing the 93d birthday of our great State university, which was founded on February 7, 1867.

The founding of West Virginia University at Morgantown is of special interest to Members of Congress because an act of Congress enabled my State to begin the development of its first great university.

On July 2, 1862, Congress passed the Land Grant (Morrill) Act—an example of how Federal aid without Federal control can be used to stimulate the growth of education. This is a timely example as we consider current proposals to strengthen our educational system through Federal aid. The Morrill Act spurred the development of great State universities through our land.

The tremendous achievements flowing from this act of Congress dramatize the dynamic role Federal aid can play in strengthening our educational system. As an example, let us look behind the magical door which the Morrill Act opened for higher education in West Virginia.

When the Agricultural College of West Virginia opened in 1867, there were 2 buildings, 6 faculty members and 122 students. The college was valued at $137,000. Its name was changed to West Virginia University the following year.

From this modest beginning, a great university has emerged. Today West Virginia University has 35 buildings on 3 campuses totaling 480 acres. The faculty and staff have increased to 1,800. And the student body has grown from 122 to 6,000 students in 6 colleges and many schools. The overall value of the university is estimated at $100 million.

West Virginia University has made tremendous strides under the outstanding leadership of its dynamic young president, Dr. Elvis Stahr.

One of the world's most modern medical centers will be completed this summer at a cost of $30 million on a new, 145-acre university campus. This magnificent West Virginia University Medical Center, an outstanding architectural achievement, is the first 4-year medical and dental school in the State's history.

Another new university campus is rising near the medical center. A large building for the College of Engineering and two classroom-office buildings and a greenhouse for the College of Agriculture are under construction at a cost of $10 million.

But the heart of any great university is its faculty. In practically every field, West Virginia University faculty members have distinguished themselves through their research and imagination. And, among State universities, West Virginia University is among the leaders in the proportion of its alumni who are included in "Who's Who in America."

In 93 years of tremendous expansion, West Virginia University has not lost one of its greatest assets—it's campus and the community of Morgantown—which the board of visitors of the old Agricultural College described to Gov. Arthur I. Boreman in 1867 as:

> Unsurpassed for health, good order and morality. The view and scenery, embracing mountain, river, forests and farms, are exceedingly attractive and picturesque.

This description adequately fits most of West Virginia, which is indeed one of our country's most scenic States. Despite the distorted picture which an itinerant writer for the Saturday Evening Post tried to present, West Virginia is on the threshold of tremendous economic expansion. I am convinced that my State will grow and prosper in the years ahead as its university has in the past 93 years. West Virginia University symbolizes the State's hope and promise of dynamic growth in the future. Its graduates, and those of our great State colleges, will provide the imaginative leadership which West Virginia's great future demands.

Raising Interest Ceilings

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. LINDSAY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement relating to the need for congressional action raising interest ceilings on long-term Government securities:

STATEMENT BY REPRESENTATIVE JOHN V. LINDSAY, REPUBLICAN OF NEW YORK, RELATING TO THE NEED FOR CONGRESSIONAL ACTION RAISING INTEREST CEILINGS ON LONG-TERM GOVERNMENT SECURITIES FEBRUARY 8, 1960

The continued existence of the 4¼ percent interest rate ceiling strikes directly at the pocketbook of the average American. As a taxpayer, he must bear the cost of the highly uneconomical management of our huge national debt that results from the Treasury Department being forced to do all of its financing on short-term securities at high interest rates. Conservatively estimated, this is costing the taxpayer about a half billion dollars a year. As a man who wants to buy an automobile, he is hurt by the stiff competition that arises from the Treasury being forced to do all of its borrowing in this way. As a consumer, he may be hurt by still further increases in the cost of living, because the concentration of all Treasury borrowing on very short-term securities, which are very close to being money, has much the same effect as creation of money by running the printing press. If this archaic and harmful restriction is not removed, it is the average American citizen who will be hurt—and hurt badly.

The question of whether the Congress will act responsibly with respect to the interest rate ceiling is much broader than the question of the ceiling itself; it is a question of whether this Nation will return to the discredited and highly dangerous cheap money policies of the past. The demagogs can cry out against high interest rates, but the only alternative they can offer is simply to create more and more money to try to bring interest rates down. This can only lead to debasement of the currency, inflation, and all of the hardship and misery that a depreciating currency entails. If this great Nation were to embark on such a program it would inevitably weaken, and perhaps destroy this country's position of leadership in the free world.

This is no idle theory; it is a lesson of history, testified to by the countless instances in which fiscal recklessness and irresponsibility have led to economic ruin.

Address by Hon. Vance Hartke, of Indiana, at Dedication of Temple Adath Israel, Evansville, Ind.

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Monday, February 8, 1960

Mr. KEFAUVER. Mr. President, all of us from time to time are called upon to speak before various civic, business, and religious groups. This is a privilege of our public office, and one which we accept with pleasure and pride. I was particularly impressed by a speech delivered by our colleague, the distinguished junior Senator from Indiana [Mr. HARTKE], when he spoke at the dedication of Temple Adath Israel in Evansville, Ind., last January 10.

In his talk, Senator HARTKE used as his theme, "Only in America." It is most inspirational and, I feel certain, will be of interest and value to my colleagues.

Mr. President, I ask unanimous consent that the speech delivered by Senator HARTKE of Indiana before Temple Adath Israel be printed in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed at this point in the RECORD, as follows:

DEDICATION SPEECH, TEMPLE ADATH ISRAEL, EVANSVILLE, IND.

When I thought about coming home today to help dedicate this Jewish house of worship, I thought it could all best be summed up with the title of the best seller by Harry Golden. Of course, you know the title well—"Only in America". I am told this was a favorite expression among the Jewish people who had not been long in this blessed land, having arrived shortly before from countries ravaged by starvation, privation, and pogroms.

The comment "only in America" was used to describe the thousands of phenomena which these immigrants found—chiefly freedom. Today it is apropos once more.

You see before you something which could indeed happen only in America. I stand before you as the cantor does on the Jewish High Holy days when he says, "Behold here am I, in deep humility."

I came from a small coal-mining town. My parents were of very modest means. I learned the meaning of hard work at an early age. But I got a chance to go to college, and then law school. You folks helped make me mayor at 36 and U.S. Senator at 39. Only in America could this happen.

Only in America could a poor boy from a Lutheran family find college training first in a Methodist institution and then in a State institution and then be invited to help dedicate a Jewish temple. Only in America could a Jewish congregation buy its temple location from the Catholic Church which obtained it originally from the State. Only in America could we look in one direction and see three great Catholic institutions as neighbors and then look in the other direction and see two Protestant institutions as neighbors—all while we dedicate a Jewish institution.

The words of the Psalmist are appropriate: "Then said they among the nations: 'The Lord hath done great things with these.' The Lord hath done great things with us; We are rejoiced."

Only in America do we see full flowering of the kind of life in keeping with the Mosaic Code of laws and of justice. Only here do we have the kind of daily lives and the kind of government that is in keeping with not only this code, but with the concept of the brotherhood of man and the fatherhood of God.

In deed, the Judeo-Christian concept of religion and the American concept of government carry similar goals and similar roads to these goals. The Government makes and carries out laws based to a great degree on the laws of Moses. But government of the kind we know in the United States of America is more than laws. It is a way of life.

So religion is more than ritual, more than buildings, more than rules and regulations. Religion, too, is a way of life.

True religion teaches living with dignity, righteousness and charity, fostering justice, peace, and brotherhood. This is God's way, we are taught.

Our kind of government could not exist without the same principles. This is what gives it morality and a sense of justice. The principles of equality of opportunity, human dignity, God-given rights are embodied in the earliest documents of this Republic. Every schoolboy knows that every great leader of this Nation has reaffirmed faith in God in almost every lasting address.

Anyone who has attended sessions of city council, the State legislature, or Congress knows that each is opened with a prayer. Every official in our land swears by his God that he will faithfully carry out the duties of his office in accord with the Constitution. Everywhere you go in this land you find that the country and all its divisions are rooted in belief in God.

It has been a source of joy and strength to find a capable and understanding Chaplain in the Senate. It has been inspirational for me to meet on Wednesdays with other Senators for breakfast and Christian meditation and discussion.

Yet, a country so grounded and whose leaders are so grounded in religion has no official religion. Only in America and few other lands is there full recognition of God and His word without an official religion. Here in America we take full and official and legal cognizance that every man is free to worship as he sees fit.

As I see it, part of the greatness of America stems from our collective belief—our nondenominational belief in God—and our dedication to protection of separate beliefs. The men who forged this unique concept of government have lighted the way along which the country has traveled, is traveling, and will travel.

From them we draw inspiration and knowledge. And this is the true role of history—to provide guidance and an example. James Madison, sometimes called the father of the Constitution, said that "to suppose that any form of government will secure liberty or happiness without any virtue in the people is a chimerical idea." Chimerical is his word. It means unreal or imaginary.

George Washington said it is not realistic to believe that good government is possible without people whose thoughts are rooted in morality and decency. He said: "Virtue or morality is a necessary spring of popular government."

Of course, we do not always live up to our ideals. But, so long as citizens are well trained in the principles of morality and government, those principles of the Mosaic Code, wrongs will inevitably be righted.

This is the true purpose of the edifice we dedicate here today. It is to carry on that unbroken chain of Judaism and its teachings which started with Father Abraham and has passed from generation to generation and which includes Jesus of Nazareth. It is to teach the lofty ideals of the Judeo-Christian belief—brotherhood, justice. It is to teach the Ten Commandments and the other moral codes of religion upon which man has not been able to improve in many hundreds of years of trying.

So long as Temple Adath Israel of Evansville, Ind., and thousands of churches and synagogues like it throughout this land can teach the ancient truths and beliefs and morals of the Bible and the prophets, rabbis, teachers, and disciples, the system we cherish in this country will live.

This is more than a house of worship. It is, as the synagogues have also long been known—a house of teachings, a meeting house, a house of God. The Jewish tradition of strong family ties is legendary. Without it how could a religion and a people have survived so much for so long? It is a bedrock upon which sturdy foundations have been built.

So it is no wonder to the thinking man that this temple of a modest congregation in a medium-sized city contains not only a beautiful sanctuary combining the traditional with the modern, but also many fine classrooms, a youth recreation center, an auditorium-gym combination. You are trying to keep on the traditions of learning which has become synonymous with the Jewish people.

Citizens so educated not only pass on to future generations the great traditions and knowledge of a great people, they are also essential to continuing this great country of ours. Without citizens of the future trained in the teachings of Judaism and Christianity, imbued with a spirit of basic morality, there is no future for this country.

Jefferson once wrote: "I know of no safe depository of the ultimate powers of society but the people themselves. And, if we think them not enlightened enough to exercise their control with wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Madison put it this way: "Knowledge will forever govern ignorance."

In our way of doing things, religious knowledge—to know God, to understand Him, to fear Him as a son fears his father, to walk in His ways—is important knowledge because it gives meaning and depth, because it provides the morality the Nation needs to exist in its tradition.

Knowledge such as is taught in this building is truly the only hope we have of governing ourselves in the American way. It must govern the ignorance of godlessness and immorality. Therefore, it must be taught.

Thus, this temple is not alone the symbol of a religion. It is not alone the symbol of a community wherein Catholic, Protestant, and Jew are neighbors and like it. It is a fountainhead of knowledge and morality of the kind which has sustained not only the Jewish people, but the Judeo-Christian way and, indeed, the American way.

Boy Scouts of America 50th Anniversary—Hampden Council No. 234 Also Celebrates Its 50th Anniversary

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. BOLAND. Mr. Speaker, all America tips its hat today to the Boy Scouts of America on the occasion of its 50th anniversary. I take pride in noting that Hampden Council No. 234, with its headquarters in my congressional district, also celebrates its 50th anniversary this year. Both events were marked by an impressive banquet held in the Springfield, Mass., auditorium on January 27, 1960. I was highly honored to be asked to deliver the anniversary address. But, more significantly, I was privileged to witness the presentation of honors and awards to scouts, scout leaders, and distinguished citizens for their outstanding contributions to and in behalf of scoutdom.

Mr. Speaker, under unanimous consent I include in my remarks the program, the list of recipients of special honors, and my address.

The address, program, and list of recipients follow:

ADDRESS BY HON. EDWARD P. BOLAND

When I was first asked to come here to participate in this event, I felt then, and I know now that my talents would not be equal to the task. For this is no ordinary, run-of-the-mill, routine occasion—the kind of event that people in public life experience so much and too often. No. This gathering is something extraordinary—an episode that happens infrequently and the only time it will occur in the history of this great organization.

You honor me indeed to invite me to be a part of it. I appreciate very deeply your gracious request. I welcome it enthusiastically.

All of us gather here tonight to mark the 50th anniversary of the Boy Scouts of America—the golden jubilee of Scoutdom. But as we look back at the pages of Scout history, we can say with certainty that every year has been a golden year.

What a glorious history it has been. No other youth movement has caught on so fast * * * none has succeeded as well. None will endure as long.

My friends, this is not just happenstance. It is so because of the very nature of the movement—the bedrock upon which it is built. Its whole activity appeals to the finer instincts of youth and adult. Its entire program is geared to building a better boy—trained to the true values of physical strength, mental alertness—and moral straightness. Its total concern is attuned to the Scout doing his duty to his God and his country. On this basis and in this atmosphere, it is no wonder that it developed

into the magnificent organization that opens its golden door on February 8, 1960.

It all started with Lord Baden-Powell, British military hero, author and artist. This remarkable human being drew on his vast and interesting experiences to shape the "Boy Scout theme" in the first Boy Scout camp the world had ever known on Brownsea Island, off the southern coast of England in 1907. The germ of scoutdom was planted in the United States by a newspaper and magazine publisher, William D. Boyce. A good deed—a simple one—by an English Boy Scout, guiding this visiting American through a dense London fog, was the spark that ignited Boyce's interest. He talked to and learned from the chief Scout himself, Baden-Powell, the aims and program of scouting. He came back to America to spread the idea. With his friends, Colin H. Livingstone, Edgar Robinson and other people in the Nation's Capital, Boyce established the Boy Scouts of America on February 8, 1910.

How it has flourished over the past years is emphatically told by the figures—58,456 troops—3,288,446 cubs, scouts, and explorers—1,271,702 adult volunteers. Think of it. Some 5,000,000 people in the Boy Scouts of America alone. And from the time of its birth, some 30,000,000 people of the United States have participated in the movement.

The impact that this great group has had on the American way of life can never be measured. You will find that their influence has been, and is being felt in every facet of the American scene. The contributions that they have made and are now making in building a better Nation: A stronger country: A healthier America—these contributions can be noted through the history of your Boy Scout movement. The pages of your membership are emblazoned with the names of great and dedicated Americans who have served this Nation courageously and devotedly in peace and in war—Presidents, Governors, Senators, Representatives, university presidents and educators, religious leaders, generals and privates in the Armed Forces—in business and in industry, labor and agriculture, the arts and sciences—the whole gamut of American life on the National, State, and local levels.

All of this gives eloquent testimony to the worth, the value, the untold influence of scoutdom.

Scoutdom succeeds because into it go the hopes, the aspirations, the thrills, the good, the deeds of millions. It offers the things that young people strive for, that boys want, when they are given the opportunity and the leadership.

The scout oath, its 12 laws, the motto and scout slogan, all add up to a code that can and does produce the best in the character of human mind, body and soul. Scoutdom is built on lasting values, something like the very nature of the Nation itself. This country was not solely built by its majestic mountains, its tumbling waterfalls and streams, its racing rivers, its rockbound coasts, its magnificent plains, docile and beautiful harbors. It did not, alone, come to life with its teeming cities, shaded towns and villages and its almost infinite wealth of natural resources. No! A nation is not built merely of brick, mortar, and timber to fall in the first storm. Rather it is built and bound together by the hopes and fears, the love and the labor of millions of men and women seeking a way to the infinite.

So it is with Scouting. It is based upon the combined and patient labor of millions of men and women determined that American boys, no matter where they live, shall have the opportunities that spell faith, hope, and love.

To you, the leaders of the Scouting movement, go the grateful thanks of the Nation. Without your enthusiasm, your zeal, your devotion to this movement, it could not succeed, expand, and prosper. In assisting the young to grow, you grow yourselves. In giving of your ability, your time and efforts, I know you have felt the sense of giving to yourself. How true Walt Whitman's words, "The gift is to the giver and comes back most to him."

With the challenge that faces our existence on all fronts—adversaries from without and decay from within—you cannot relax the steady and tremendous work that is yours to continue to educate our youth in the business of scouting and responsibility. You have taught and are teaching much of our youth to love and respect our country, in making the individual boy conscious of his obligation to his patrol, his troop, to his community, State, and Nation, you have instilled in him at an early age the kind of responsibility that our country needs if it is to last and survive in this atomic, hydrogen, missile, and space age.

With prejudice, hatred, and fear, youth delinquency seemingly running rampant in many parts of the world, as well as in our own great land, the need for the program you offer is perhaps greater today than ever before.

The task that lives before the leaders of the Scout program is great. Yet heavy and difficult assignments are ofttimes reduced to featherweight from the shear joy of the job and the knowledge that it must be done. What greater happiness can be experienced than that of helping your fellow man—particularly the youth—to offer a chance, to provide the means and the tools to develop their talents, to learn of and enjoy the world about them. And this, all tending toward building a good boy for today, a better man for the morrow.

May I say that only you—and people like you throughout the land and in freedom loving countries across the world—only you can make this plan work. Volunteers, completely unselfish people, dedicated to love of people, of country and of God. You are the reason why the Boy Scout movement does and can succeed.

Oh, there have been other youth movements that have been tried and tested. We know of some of them in the past and some of the present—youth movements predicated upon government conscription and controlled by paid hirelings of the state to inculcate hate, arrogance and love of war into the impressionable youthful mind and character.

Many of you can recall, as I vividly do, the documentary films on the Nazi youth movement made prior to World War II. Mere boys, the same kind and age of those you have trained, being mentally framed to love war, hand-to-hand combat, gas warfare, how to shoot, how to kill.

This was their youth movement and many within a few years went off to war—confident, proud, arrogant. I remember seeing many of them as captives at the end of war—bitter disillusionment written on their faces. Their entire training, as mere youths, had been geared to the vicious doctrine that they were the master race and the only good was to conquer and to rule.

In defeat, they were lost—aimless. They had nothing in which to believe and little will or capacity to turn elsewhere. Their souls and their minds had been wrenched from them. What a pity to behold.

And today, we can be sure that the youth movements behind the Iron Curtain—in Russia and her satellites—though, perhaps playing down the war games, are engaged in a massive propaganda program. This effort is scaled to the task of educating through young peoples organizations the supremacy of the state—that communism is to rule the world—that any means justifies the end—that religion is the opiate of the people. Relentlessly pounded into fertile youthful minds is the theme the people exist for the state—not the state for the people. The state is all—the state is everything. And they are continually being told that they can and will bury us.

Well, this is what can happen and has happened when the State controls youth organizations. The boys and girls become mere pawns in the scheme of the political masters.

Thank the founders, and the long list of Scout leaders, that this cannot happen to your movement. By its very nature, the Boy Scouts of America could not decay to this end. From the beginning, it was made certain that no Government funds were wanted to maintain and support scouting—for such funds too often lead to political and State interference.

But most of all, it cannot happen because of the hundreds of thousands of unpaid, intensely interested volunteers who want to run their own shop and abhor the thought of being told what to do, when to do it and if it can be done at all.

As I flew here this afternoon and watched the great sprawling cities of Baltimore and Philadelphia and New York below, I thought of the values that made America and what must be done to preserve it—the tremendously significant part that the Boy Scouts of America have played in the role of building this Nation, and what scoutdom must do in the present and the future. It seems to me that your chief Scout executive, Arthur A. Shuck, summed up the job:

"You must go forward with scoutdom aggressively * * * as you do so, you must keep in mind that tremendous parade of youth growing up in the years before you, and safeguard the future of our country by adequately training our boys in those things that make for the spiritual minded, dedicated citizen who will, in turn, guarantee the future freedom, not only of America but of the world. This is the goal to which the Boy Scouts of America stand dedicated."

With this goal in mind, the Boy Scouts of America can look ahead to the next 50 years secure in the knowledge that is is doing its part in the development of our youth to be physically strong, mentally awake, and morally straight, to be citizens of character, with high spiritual ideals and motives. This is not just a desirable thing, but is essential if America is to fulfill its mission as the leader of the free world.

I close with my congratulations and again express the thanks of the people of America to Hampden Council, Boy Scouts of America, for its service of 50 years to the youth of our community.

I am also privileged to bring to this great gathering, the greetings of the honorary president of the Boy Scouts of America, Dwight D. Eisenhower, the President of the United States.

BOY SCOUT BANQUET PROGRAM, HAMPDEN COUNCIL NO. 234, JANUARY 27, 1960

Opening ceremony.

Invocation by Rev. Leslie H. Johnson, D.D., Protestant Scout chaplain, pastor, Wesley Church.

Dinner.

Introduction by Toastmaster Charles M. Healey, Jr., council commissioner.

"Facing the Next Fifty," by A. Lionel Lawrence, council president.

Eagle badge presentation by Lee V. D. Schermerhorn, council advancement chairman.

Training achievement by Andrew F. Fitzhugh, council leadership training chairman—Arrowhead honor, den mother's award, scouter's award, scouter's key.

Special recognition by Russell G. Exley, scout executive.

Woodbadge presentation by Harry W. Blodgett, director, Horace A. Moses Scout Reservation.

Silver Beaver Award for Distinguished Service.

Address by Hon. EDWARD P. BOLAND.

Closing ceremony.

SILVER BEAVER AWARDS FOR DISTINGUISHED SERVICE

William R. Falconer, Jr., Leon J. Carman, Eugene Ouimet, Melvin D. Southworth.

WOODBADGE INTERNATIONAL TRAINING AWARD

Alexander Hryniewicz, scoutmaster, troop 163; Roger D. Ball, scoutmaster, troop 18; John Redman, scoutmaster, troop 173; Warren LaBorde, assistant scoutmaster, troop 173; J. Arthur Baron, chairman, Chicopee Health and Safety Committee; Harold Guyton, scoutmaster, troop 89.

SCOUT AWARDS

Receiving the Arrowhead Honor for outstanding commissioner service to the units of the Hampden Council, Boy Scouts of America, and upon completion of the required years of service plus local and national training courses were the following: Algonquin district, Horace "Doc" Ashline, of Feeding Hills; Nipmuck district, Rudolph Longtin, of Springfield; King Philip District, David Katz, of Springfield.

The Scouters key, a formal recognition of successful youth leadership plus attendance at district, council, national training courses, and roundtables were the following Scouters: Frederick M. Converse of Troop 41 of Springfield; Wilfred Thivierge of Troop 150 of Chicopee; Earl Nugent of Troop 48 of Springfield; Adrian LaPointe of Cub Scout Pack 100 of Westfield; Edward Whittemore of Troop 63 of Springfield; Arthur Kingston of Troop 300 of Chicopee; William Luke, neighborhood commissioner of Westover Air Force Base; Donald Rice of Cub Scout Pack 34 of Springfield; Ludger Morin of Troop 149 of Chicopee Falls; Charles McCall, neighborhood commissioner of Westover Air Force Base; Richard Gour of Troop 54 of Springfield; Douglas Taylor of Troop 21 of Springfield; Gerald LaPalme of Troop 358 of Ludlow; Julian Pomfrey of Troop 101 of Westfield; Frank Nowatka of Cub Scout Pack 124 of Westfield; Michael F. Regan of Cub Scout Pack 141 of Chicopee; Fred Held of Cub Scout Pack 143 of Westover Field; Alex Johnson, neighborhood commissioner of Westover; Robert Kaczman of Troop 108 of Westfield.

Receiving the Scouters Award, recognition in the adult field of leadership: Kenneth Boggs of Troop 48 of Springfield; Frank Biza of Troop 89 of Agawam; Richard Gingras of Troop 89 of Agawam; Basil Pederzani of Troop 89 of Agawam; Frank Pinio of Troop 89 of Agawam; Woodrow Roberts of Troop 89 of Agawam; Kenneth Howe of Troop 161 of Palmer; Edgar Canty of Pack and Troop 141 of Chicopee; Julius Thal of Troop 32 of Springfield; Albert Domainque of Pack 56 of Springfield; Robert Pollard of Pack 173 of Sixteen Acres; John Parent of Troop 18 of Sixteen Acres; Charles Amos of Troop 182 of Ludlow; Arthur Sattler of Troop 117 of Westfield; Alton Foote of Troop 4 of Indian Orchard; Kenneth Walcott of Troop 150 of Chicopee; Fred Schultz of Troop 150 of Chicopee; Charles Agen of Troop 181 of Ludlow; Armand Gamache of Troop 180 of Ludlow; Sam Fine of Troop 21 of Springfield; Romeo Meunier of Troop 54 of Springfield.

"Den Mothers Award," symbol of trained dedicated leadership for youth; Pack 4 of Indian Orchard, Jeanne Sas, Isabelle Jambora, Marie Fay, Mary Dodge; Pack 161 of Palmer, Louise Ball, Pauline Santucci; Pack 140 of Westover Air Force Base, Frances Held; Pack 56 of Springfield, Mrs. George Dwyer, Esther Groleau, Mildred Domainque, Evelyn Surprenant, Anne Denis, Alice Hamre; Pack 48 of Springfield, Rose LaBonte; Pack 54 of Springfield, Edith Guevin; Pack 102 of Westfield, Audrey Grant; Pack 52 of Springfield, Margaret Mikesh; Pack 173 of Sixteen Acres, Betty Plouffe; Pack 131 of Chicopee, Vera Paci; Pack 124 of Westfield, Ina Berggren; Pack 15 of Springfield, Mrs. Henry Stebbins; Pack 182 of Ludlow, Barbara LaPalme; Pack 83 of West Springfield, Iris Stefnowich; Pack 87 of West Springfield, Beulah Russell; Pack 150 of Chicopee, Mrs. Wilfred Thivierge; Pack 27 of Springfield, Dolores Mungert; Pack 107 of Westfield, Elizabeth Ann Regan; Pack 34 of Springfield, Mrs. Jean Stratton; Pack 78 of Feeding Hills, Elaine Roberts; Pack 15 of Springfield, Mrs. Herve Pondrice; Pack 7 of Brimfield, Jean McGann; Pack 21 of Springfield, Myrtle Picard.

Freedom of Expression

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MILLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. MILLER of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to call to the attention of the House of Representatives a bill I introduced today to amend the Internal Revenue Code of 1954 so as to provide that lawful expenditures for legislative purposes shall be allowed as deductions from gross income.

The Internal Revenue Service recently published a regulation which attempts to define the type of "ordinary and necessary" business expense that may be deductible for Federal tax purposes when such expenses involve so-called legislative activities. This regulation, which was published on December 29, 1959, holds that business expenses are not a justified tax expense if for "lobbying purposes, or the promotion or defeat of legislation, for political campaign purposes (including the support of or opposition to any candidate for public office), or for carrying on propaganda (including advertising) relating to any of the foregoing purposes."

These broad, ambiguous terms are not defined in the regulation and therefore there are no guidelines either for the Government or for affected taxpayers to determine what type of activities in this area may be covered. Because of these ambiguities, there is widespread concern that such administrative interpretation may have the effect of inhibiting freedom of expression of views on matters of government.

With the ever expanding impact of government activities, at all levels of government, in the daily lives of our citizens, any action that may curtail the freedom of expression of views on such matters should be examined very carefully. Our Constitution expressly guarantees the rights of free speech and a free press and the right to petition the Congress. The tax laws should not be invoked as an indirect means of curtailing any of these basic freedoms of expression.

The Congress should immediately undertake a review of the problems raised by this regulation for it appears that the only appropriate clarification can come through congressional action. Any action of the Government that affects a person's business or right to do business should be a permissible tax expense. Congress should express this philosophy in clarifying legislation that makes it absolutely clear that it is the "sharply defined national policy" to encourage and not to repress freedom of expression.

H.R. 755–3

EXTENSION OF REMARKS
OF
HON. ANCHER NELSEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. NELSEN. Mr. Speaker, this morning is was the pleasure of several Members of this Congress, including myself, to attend the 50th anniversary breakfast of the Boy Scouts of America, and there take part in ceremonies marking the golden jubilee of this youth movement which has meant so much to our Nation.

We were particularly impressed with the 50 young men, among them Robert Floyd Hoel, of Hutchinson, Minn.—Scouts all—who represented the 50 States of the Union. Certainly they epitomized the finest type of embryonic citizens. It is gratifying to know that our Nation can count on them as the leaders of tomorrow.

Though there were only 50 of these Scouts present, they represented an alumni of over 31 million men and boys who have been associated with the movement since its formation here in our Nation's Capital 50 years ago. They also represent, in a most admirable way, the 5,043,000 boys and men who are currently active in the programs of scouting.

It is significant to note that these large figures mean much more than cold statistics. They represent a concrete measurement of the effectiveness of our American way of doing things. Much credit must go to the 1,300,000 men and women who give dedicated service as volunteer leaders of this movement, and to the 3,500 men who have dedicated their lives to career service as Scout executives.

The Boy Scouts of America have a very dynamic program. Its Cub Scout program, its Boy Scout program, and its Explorer program give to boys the things they want—fun, adventure, and romance. But it gives to the Nation of the future new generations of young men trained in the finest precepts of citizenship. This movement has a program with a purpose.

When the movement got underway it was dedicated to training boys in citizenship, building citizenship, developing self-reliance, and forming good character. It has done this, and done it effectively.

Through its virile and appealing program built around the lore of scouting,

with its rich outdoor activities, it exposes boys to the highest type of men as scoutmasters and leaders. And as it goes about this program involvement, it exposes these boys, and their leaders, to one of the finest codes of ethics ever developed—the Scout oath. I would have that oath repeated here for inclusion in this RECORD, not only for what it means to growing boys, but for what it means as a guide for adults in their performance of day-to-day duties in business and Government:

On my honor, I will do my best; to do my duty to God and my country; to obey the Scout law; to help other people at all times; and to keep myself physically strong, mentally awake, and morally straight.

The Honorable Speaker SAM RAYBURN, along with Congressman CARL VINSON and Senator CARL HAYDEN were in the 64th Congress which granted a charter to the Boy Scouts of America in 1916. Mr. RAYBURN wrote of the event in the February issue of Scouting magazine. As a tribute to Scouting I would ask that the article be inserted in the CONGRESSIONAL RECORD.

The article follows:

H.R. 755–3

(By the Honorable SAM RAYBURN, Speaker, House of Representatives)

The summer of 1916 was a hectic time for the U.S. Government.

South of our border an outlaw named Pancho Villa caused armed clashes to occur. Submarine warfare in the Atlantic Ocean threatened our neutrality, and President Woodrow Wilson has demanded that Germany abandon this practice.

The 64th Congress was hurriedly enacting emergency defense legislation. On June 3, the National Defense Act increased the size of the Regular Army to 186,000 men, provided for a federalized National Guard of 424,800, established civilian training camps, and Reserve Officers' Training Corps at colleges and universities, and authorized the purchase of maintenance of airships.

Domestic legislation under consideration included establishment of the National Park Service; a bill providing a standard 8-hour day for most railroad workers; a $5 million Federal good roads bill; the Farm Loan Act, creating a land bank system for loans to farmers; a Child Labor Act; a new Revenue Act that would double the normal rate of income tax.

Congress would soon pass the Jones Act that guaranteed Philippine independence when the islands demonstrated ability to govern themselves.

This busy 64th Congress also found time to pass a bill known as H.R. 755–3.

SIGNED WITH CEREMONY

On June 15, 1916, President Wilson, who was nominated the next day for a second term, approved H.R. 755–3. This bill granted a Federal charter to the Boy Scouts of America, thereby giving a legal foundation for Scouting as a permanent program for boys. Here was protection that could be secured by no other means.

In 1916 it was rare for the President to make a ceremony of signing bills. However, Woodrow Wilson had a great interest in the Scouting movement and was its honorary president. He made an exception for H.R. 755–3 and signed the bill, surrounded by a group of Eagle Scouts and officers and members of the National Council, Boy Scouts of America.

The President presented the pen he had used to Colin Livingstone, national council president. Besides Mr. Livingstone, Paul Sleman, Washington attorney for the Boy Scouts of America, and scores of other prominent citizens had sought this legislation for years.

TWO YEARS OF SPADEWORK

The bill for Federal incorporation had been introduced in the House in 1914 by Representative Charles C. Carlin of Virginia and in 1915 in the Senate by Senator John K. Shields of Tennessee.

The House Judiciary Committee had made an exhaustive analysis of the Boy Scouts of America, as well as other organizations of a similar character. The committee had reported the bill favorably to the House on February 7, 1916, where it had been passed by unanimous consent. The Senate had approved it in the same manner and it then went to the President for signature.

PRESTIGE PLUS PROTECTION

Those familiar with legislation by our Congress know how difficult it is to secure Federal incorporation. That this bill passed in both House and Senate without a dissenting vote during a period when demands on our lawmakers were greater than ever before is significant of the high regard our National Government had for the Boy Scout movement.

The report of the House Judiciary Committee shows that Congress fully appreciated Scouting's value and recognized that its development and promise of usefulness to the future of the country warranted Federal protection.

H.R. 755–3 gives protection to the Boy Scouts of America from the claims of organizations having in their programs none of the features that distinguishes Scouting from all other programs for boys. It also prevents the use of the words "Boy Scouts," without authorization, by persons or concerns who may endeavor to commercialize on the Scout-created interest of boys.

The law also protects the uniforms and emblems of the movement. Some imitations of Scout insignia had appeared, and the Federal law prevented further imitations from destroying the meaning of the Scout uniform and emblems.

RESPONSIBILITY REQUIRED

The act charged the incorporators with the responsibility of drafting a constitution and bylaws to make the provisions of the new law effective. It also required the Boy Scouts of America to submit an annual report to Congress. On February 26, 1917, a National Constitution and bylaws was adopted, covering the fundamentals of Scouting and definitely stating its principles, policies, and methods, and providing for its administration in a democratic and businesslike manner.

Thus, the 64th Congress helped lay the foundations for the Boy Scout movement in our country—foundations so firm as to guarantee its permanency as a potential factor for the development of America's citizens.

I was a Member of that 64th Congress, serving my 2d term as representative of the 4th Congressional District of Texas, an office I still hold. The 64th Congress included two other Members of the current 86th Congress—CARL HAYDEN, in 1916 a Representative from Arizona and now Senator from that State, serving as President pro tempore of the Senate, and chairman of the powerful Senate Committee on Appropriations; and CARL VINSON, in 1916 serving as a Representative from Georgia, holds that office and is chairman of the great Committee on Armed Services in the House of Representatives.

My fellow Congressmen and I are indeed proud of the part we had in laying Scouting's foundation. The results of the bill known as H.R. 755–3 will certainly continue to bless our Nation with outstanding citizens for generations to come.

In section 3 of that bill these words appear:

"That the purpose of this corporation shall be to promote, through organization and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in Scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods which are now in common use by Boy Scouts."

As the Boy Scouts of America celebrate its 50th birthday, let me remind you that the purpose for which the charter was granted continues as your vital service to our beloved America.

A father takes particular pride in successful accomplishments of his son, and it is with that feeling that we recognize the important things that Scouting has done, not only since the Federal charter was granted but in its whole life span of 50 years.

The Scout movement now has an active membership of over 5 million boys and men of all races and creeds, and an alumni consisting of over 31 million. With 130,000 Scouting units sponsored by 83,000 local churches, schools, civic bodies, farm organizations and citizens groups, this movement fully justifies the support of this Congress and the citizenry of an appreciative Nation.

Practical Opportunities for Tax Reduction

EXTENSION OF REMARKS
OF
HON. AIME J. FORAND
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. FORAND. Mr. Speaker, under leave to extend my remarks, I am including in the RECORD for the information of all the Members and the interested public a speech which the distinguished and able chairman of the Committee on Ways and Means, the Honorable WILBUR D. MILLS, made on February 3, 1960, before the Freedom Forum in Oklahoma City, Okla., entitled "Practical Opportunities for Tax Reduction." Due to the widespread and, indeed, intense interest in the subject of Chairman MILLS' speech, I commend it to my colleagues in the House.

The speech follows:

PRACTICAL OPPORTUNITIES FOR TAX REDUCTION

THE BUDGET AND EXPENDITURES

(Remarks of Hon. WILBUR D. MILLS, chairman, Committee on Ways and Means, before the Freedom Forum, Oklahoma City)

My invitation was to talk about practical opportunities for tax reduction. In doing so, the logical place to start is with the budget and expenditures.

Some may feel that the predicted $4.2 billion surplus for fiscal 1961 means we will have a general tax cut this year. I do not believe this will or should happen, as things now appear.

In the first place, there is a question as to whether we will really have a $4.2 billion surplus as the President predicted. Budget estimating is a risky business. You may remember that only 2 years ago the President predicted a surplus for fiscal year 1959 and we ended with a $12.4 billion deficit.

A Federal budget is not written on a clean slate. A part of it is a guess as to the size of expenditures under preexisting laws. A good example is payments to veterans. The

total cost for any year is simply a matter of how many eligible veterans there are using these provisions.

In the area of agriculture, the estimate of the cost of the support commitments in the law is a guess as to such things as the weather, good or bad crop conditions, and market demand.

The accuracy of the $9.6 billion estimate for interest on the Federal debt depends largely on future business conditions and on the monetary policy of the Federal Reserve Board. The estimate of interest costs for the current fiscal year is now approximately $1.2 billion above the budget prediction made just 1 year ago.

The expenditure forecast can miss actual spending quite widely due to unpredictable factors.

Another uncertainty as to the budget surplus is that the budget assumes that all the President's legislative recommendations will be enacted. This, I dare say, never happens. Again this year the expenditures carry a postal deficit, for example, which is reduced by $554 million on the assumption that the Congress will act on the recommendation to increase postal rates. This increase was specifically voted down last year and will not, in my opinion, pass this year.

The most difficult prediction problem in the budget is forecasting revenue. This involves business conditions 18 months in advance. Compared to other recent economic outlook studies, the President's outlook appears moderately optimistic although certainly within the realm of possibility. A somewhat slower growth in the economy than he predicts could easily mean budget receipts of less than the figure in the budget document.

Although we should strive to attain it, we can by no means be sure of a $4.2 billion surplus. It is, nevertheless, timely to discuss priorities for action if we should become convinced that it or something close to it will occur.

Many urge that first priority should be given to increased expenditures such as for defense, education, housing, highways, etc. The Congress is now reviewing the missile lag and our capability for limited war. There will be much debate in the Congress in this and other areas of expenditures.

If the receipts estimate should prove to be accurate and if the Congress does not vote significant changes in recommended expenditures, we then face the question of priority between tax reduction and debt reduction. As I stated, I do not think an immediate general tax cut can be justified. Nor do I believe that our citizens will be dissatisfied with a $4 billion surplus being applied to debt reduction. The economic outlook underlying the budget forecast is essentially a continuation of the inflationary situation which has beset us now for quite a few years. A budget surplus is an effective way of dealing with this inflationary pressure and is at present a basic requirement.

I have always urged that we plan our tax and expenditure programs to produce surpluses in good years to approximately meet the deficits of recession years. Much of the trouble that we are experiencing today in my opinion arises because we have not followed such a plan in the past. In fact, we have operated fiscal policy in such a way as to produce surpluses in only 4 of the last 29 years.

What are the prospects for tax reduction through expenditure limitations over the longer run?

As I stated legislation calling for large continuing expenditures is already on the books. Here are a few examples. We have commitments for highway expenditures running into the mid-1970's. Outstanding commitments for public works, public housing, and community improvement amount at the present time to some $17 billion. The commitment to future veterans benefits and Government retirement payments at the present time amounts to something more than $350 billion.

In spite of these known commitments and if expenditures are prevented from rising as rapidly as tax revenues rise in a growing economy, some reduction in tax rates can be enacted through this action alone. But such reduction in my opinion cannot be enacted in anticipation of freezing or reducing expenditure levels, but only after those conditions have materialized.

TAX REFORM

I will now turn from a consideration of the budget outlook as a basis for tax reduction to the possibility of tax reform that can provide a reduction in rates.

It is my view that tax reform is always timely provided equitable and desirable proposals which are practical of enactment can be developed. The Congress should periodically review the operation of our tax system and the relative burdens imposed on our citizens in order to assure the fair sharing of the burden of necessary taxation.

All too often, however, tax revision or reform programs have resulted primarily in enactment of legislative proposals for special tax relief, or, for the elimination of so-called discriminations by the extension of the application of existing relief provisions to additional taxpayer groups. Frequently these programs have resulted in provisions which were designed to meet some special social or economic need existing at the time of their enactment. Once entrenched in the law, such provisions have proven to be self-perpetuating and self-proliferating and have been retained and expanded even though changing times may have eliminated the social or economic objectives which were their initial justification. Historically, therefore, tax revision and reform programs have more often than not resulted in what has been aptly termed an erosion or a narrowing of the tax base. This, in turn, has resulted in the consequent necessity of imposing high tax rates in order to obtain the revenues needed to meet the costs of Government operation.

In my opinion, our tax rates are too high and they have a strong tendency to blunt incentives and stifle economic growth. As you know, a large part of our present Internal Revenue Code, including its high rate structure, had its origins during wartime when concern over economic growth was not a factor which had to be considered, and it still persists today in virtually the same form though its adverse impact upon incentives and economic growth and stability in a peacetime economy is becoming increasingly evident.

There is general agreement that in order for this country to maintain its economic strength domestically and to continue in its dominant position in today's world, our rate of economic growth in the next decade must exceed that of any previous decade in history. As a part of achieving this objective there must be a substantial revision of our war-engendered and revenue-inspired tax system in view of the strong doubt that such growth can be attained under our present tax system. This is particularly true under our present high rate structure, which, because of its rates and the unevenness of its application, limits initiative and causes tax considerations to override business decisions which would otherwise be dictated by the signals of the marketplace.

Although it is my firm conviction that the basic purpose of taxation is to raise revenues required to meet the costs of government, gearing tax revision and reform to the objective of economic growth and stability is in no way inconsistent with this viewpoint. It is obvious that when the cost of Federal Government accounts for approximately one-fifth of the total activity of the economy, we cannot ignore the economic impact of taxes.

With these factors in mind, the Committee on Ways and Means has under way an inquiry into the operation of our tax system under today's economy.

It is my view that the major objective of tax reform is a reduction in our stultifying tax rates and that this may not be possible to the extent required except through broadening the tax base. In arriving at this objective we must strive to develop a tax system that is characterized by fairness and equity in the distribution of tax burdens; that is conducive to the attainment of a desired rate of economic growth in the years ahead; that is neutral in economic impact and interferes as little as possible with the operation of the free market mechanism in directing resources into the most productive uses; and that affords greater ease of taxpayer compliance and governmental administration.

The first phase looking toward this end was initiated by a 5-week period of panel discussions before the committee late last fall. These discussions were designed to present an appraisal of our present income tax system in the light of the objectives that I have just mentioned and particular attention was given to the various provisions of the income tax law which serve either to narrow the tax base or to provide differential treatment for items included in such base, in order to permit a reevaluation of their original social or economic justifications for inclusion in the code in light of conditions as they exist today.

As I pointed out in my statement at the conclusion of these discussions, some of the suggestions appear to offer some practical possibilities; others do not. There must be an assessment of the various issues from the standpoint of their effect on fairness among taxpayers, on revenues, on economic growth, on economic stability, and on ability to pay. Before there can be any resolution of the issues raised by these panel discussions, there must be a considerable amount of study of all the problems involved.

One of the proposals advanced by some panelists is the concept of imputed rent. This concept, which is primarily an economic concept, rather than a tax concept, would impute as income to a homeowner the net rental value of his house and is included in the Department of Commerce's figures of annual total personal income. It was discussed in connection with a consideration of exclusions and deductions from income. Some panelists proposed that the deductions presently allowed for interest on home mortgages and for real estate taxes should be offset by the inclusion of the related imputed rent in gross income. Alternatively, it was suggested that the failure to include imputed rent in gross income was sufficient justification for a denial of these deductions. The discussions developed that there are serious questions as to constitutionality, administrative feasibility and desirability that far outweigh any economic concept for including this in the tax base.

There were a number of other suggestions made by the panelists which would broaden the tax base by including in income certain cash payments which are presently exempt from tax, such as veterans' disability pensions. These items are income in the broad economic sense and their exemption from tax is a preference. However, their inclusion in the tax base, as a practical matter, would not increase net revenues that could be used for rate reduction since the effective reduction in the amount of such payments that would result from making them taxable would very likely be offset by a compensating increase in the amount of such payments in order to maintain the status quo of the recipients. This is a case where theoretically the elimination of a preference might lead to greater fairness and equity among taxpayers but as a practical matter there would be no increase

of revenue available for reduction in tax rates in end result since any revenue gains would most likely be offset by increased appropriation expenditures.

A like proposal for expanding the tax base was one that would include social security benefit payments in income but would allow employees a current deduction for the amount of their contributions to this system.

Under present law, as you know, an employer's share of social security contributions made for the benefit of his employees is deductible, and hence exempt from tax, even though the full amount of the social security benefit received by an employee upon disability or retirement is also exempt. Thus, no tax is ever paid on the funds used by an employer to make these contributions—either by the employer or by the employee. Here again fairness and equity might be considered to call for the elimination of this preference; however, such elimination would give rise to demands for an increase in social security benefits to offset any additional taxes imposed on the beneficiary. Analysis of the suggestion in this context indicates, in addition, that the combination of including the social security benefits in the base and exclusion of all contributions at the time made to the fund would actually produce less net revenue. It is highly questionable, therefore, whether the adoption of this proposal would result in any overall improvement.

These types of suggestions as well as some others made by some of the panelists for revising the law are really not the type of changes which are basically needed in my opinion in connection with tax reform. They are either impossible of administration or else would make no contribution by their inclusion in the base to rate reduction.

Suggestions were also made for broadening the tax base by curtailing or eliminating a number of the personal deductions that are presently allowed in computing taxable income. In this area there was no firm agreement among the panelists as to which of the various deductions now existing could be eliminated, but I believe that all agreed that some of the deductions should not be eliminated. Whereas it may be that all of the deductions now accorded to taxpayers cannot be justified, as I believe, it is equally true that some of these deductions do accomplish social or economic objectives. This area, like all other areas, if viewed strictly from the standpoint of tax policy, including ease of taxpayer compliance and administration, would present no real difficulty of decision, but before action can finally be taken all other factors must be weighed. I have often pointed out what could happen to the rate structure if they were eliminated, but I have reached no final conclusion as to which of these should or can be eliminated.

In the area of business deductions, you as businessmen interested in depreciation allowances will probably be pleased to learn that the majority of the panel of experts that discussed this subject were in favor of increased, rather than decreased, depreciation allowances. Among other things, it was suggested that this be accomplished by accelerating depreciation deductions through shortening depreciable lives, increasing the allowable depreciation rates, or allowing larger initial writeoffs in the year of acquisition. Proponents of these accelerated depreciation proposals would also provide ordinary income treatment rather than capital gain treatment to the proceeds received on the ultimate disposition of rapidly depreciated assets.

The panel of experts on the subject of depreciation presented compelling arguments as to the adverse effect of present depreciation policies on the growth of our economy and on the ability of our manufacturers to compete in either the domestic or world markets with their foreign competitors. In this connection, let me reiterate what I have said earlier; that is, that in my view, gearing tax reform to the objective of economic growth is not inconsistent with the basic purpose of taxation, the raising of revenue. However, the advantages of the adoption of liberalized depreciation rules and the resultant effect on revenues must be balanced against the distortion that would inevitably result in the distribution of the total tax burden among other sectors of the economy. It is conflicting factors such as these that the committee must weigh in its overall consideration of a program of tax revision and reform.

I regret that time does not permit me to refer to all the topics covered in the panel discussions.

The Committee on Ways and Means in my opinion has been impressed with the magnitude of the job of reaching a sound judgment with respect to what changes should be made in our income tax structure and in the manner in which changes should be made in those areas which do appear to offer some practical possibility of achievement.

As I have said many times before, constructive tax reform cannot be accomplished overnight in view of the extreme care and thoroughgoing analysis that must be given to the various proposals that have been made. However, evidence was presented to the committee that certainly justifies our maximum efforts in this undertaking. For example, it is stated that the elimination of the major preferences and differentials presently contained in the Internal Revenue Code would permit a 30-percent across-the-board reduction in rates without sacrificing present revenues.

This would mean that the present individual rate scale that starts at 20 percent and progresses to a maximum of 91 percent could be reduced to about 14 percent and 64 percent respectively. Even if only some of these preferences and differentials were eliminated, the evidence indicated that we could have a 20-percent rate reduction across the board and thus have a minimum 16-percent rate and a maximum 73-percent rate without jeopardizing the revenues. Similar percentage reductions could also be expected in corporate income tax rates.

It should also be pointed out that during the course of the panel discussions the committee not only looked to possible changes in the law itself but also to the whole broad area of administration of the existing provisions of the code to determine whether there are areas wherein collections of revenues can be improved. Some witnesses pointed out the possibility that as much as $28 billion of personal income presently subject to tax might be escaping taxation. This would represent, in terms of revenue, perhaps as much as $5 billion. If this were found to be true, and if this amount of revenue could be collected and thus added to a $4 billion surplus that is in the future available to be so used, we could reduce rates by almost 20-percent across the board.

While a reduction in rates is the primary objective of the revision and reform study of the committee, we are seeking at the same time a system with greater simplicity, greater ease of compliance, and better enforcement procedures. The balancing of these with the other factors that I have mentioned precludes our coming up with overall revision legislation promptly.

Should it develop that expenditures can be reduced, I would agree with those who contend that this is the easier and most expeditious way to achieve prompt tax rate reduction. However, to produce a fair and equitable tax system that is easy to enforce and that is conducive to sustained economic growth is a much more difficult and time-consuming task, particularly if revenue requirements continue at their present or even higher levels. The attainment of such a system, in my opinion, will require more than merely its sponsorship by a committee of the Congress. It can be realized only by the full and active support of the public generally and businessmen such as you in particular.

More Debate by Insertion

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. PORTER. Mr. Speaker, in this the greatest of all deliberative bodies we should, it seems to me, debate the vital issues face to face on the floor of the House. Our distinguished colleague, war hero, and former chairman of the National Republican Committee, Mr. B. CARROLL REECE, of Tennessee, however, apparently prefers to debate by insertion.

This means the gentleman turns in his side of the argument to the clerks, just as I turned this in. It means he does not have to undergo cross-examination by a colleague who may disagree with him. It means he does not have to defend his words.

It was this kind of debate he insisted on carrying on with me during the 85th Congress in spite of my efforts to persuade him to debate the issues personally on the floor of the House.

Now, the gentleman reverts to this regrettable practice of debate by RECORD insert. Not only is this unworthy of the issues and the traditions of this great House, in my opinion, but the practice makes it very difficult for the readers of the RECORD to follow the arguments.

I repeat my most respectful request to my distinguished colleague: Desist from debate by insert and agree to carry your differences with me or other colleagues to the floor of the House. I would be delighted to discuss personally our policies with respect to Cuba or China with my esteemed colleague from east Tennessee on the floor of the House at his early convenience.

It is my hope, but hardly my expectation, that the gentleman will see fit to alter his policies and to give me an affirmative answer to this request.

Meanwhile, since the gentleman saw fit to include a slanted article from Time magazine—November 30, 1959—about my trip to the Far East last November, I shall include, following these remarks and by previously granted unanimous request, the text of two press releases issued by my office with respect to the Time article, copies of which releases were sent at the time to Mr. REECE.

The releases are as follows:

NOVEMBER 25, 1959.

Charging distortions and inaccuracies in Time magazine's November 30 article about his recent Far Eastern trip, Representative CHARLES O. PORTER, Democrat, of Oregon, in a letter to the editor of Time challenged them to produce an editor to debate China policy with him publicly.

"Let the objective press, radio, and television give the public an opportunity to judge as to the merits of the arguments and the good faith of the participants," PORTER said. He said he had informal assurances from one national television network that it would be pleased to program the debate.

According to PORTER's letter to the editor of Time, the question is: "Will Time, the weekly news magazine, produce from its editors a champion to dispute publicly and in person the proposition that effective opposition to the Red Chinese requires disengagement from our warm embrace with the defeated, discredited Chinese Nationalists?"

PORTER said he knew that Chiang Kai-shek was "the most cherished of Time's sacred cows but even so the extent of Time's personal attack, distortions, and inaccuracies surprised me." He referred to an article on page 16 of the magazine.

The Congressman sent two letters to Time, one for possible publication and one personally to Henry Luce, editor in chief. PORTER cited the distortions and inaccuracies in detail. The text of the letters follows:

NOVEMBER 24, 1959.

The EDITOR,
Time magazine.

DEAR SIR: My China policy recommendations do not, as you correctly report (Nov. 30), meet with the approval of either the Red Chinese or the Nationalist Chinese. I have been expressing them publicly since 1954 and I believe an increasingly large number of Americans hold the same opinions.

My views coincide with the recommendations made earlier this month to the Senate Foreign Relations Committee by Conlon Associates, Ltd., at the conclusion of a study requested by that committee. Of course, I knew that Chiang Kai-shek was the most cherished of Time's sacred cows but even so the extent of your personal attack, distortions, and inaccuracies surprised me.

For example, you report that a "glacial silence" followed my opening remark at my Taiwan dinner meeting with Chinese Nationalist leaders and then you say that I returned to Tokyo the next day as though that were the reason. This is untrue and misleading. As I intended, my remark relaxed the atmosphere and we had a cordial discussion. I returned to Tokyo the next day to fulfill a predetermined schedule of work for my committee.

It seems to me a shame, both politically and journalistically, that Time will drag an important issue to such a low level to promote an editor's opinion. Ambassador MacArthur backed out of his challenge to debate China policy with me. Will Time, the weekly news magazine, produce from its editors a champion to dispute publicly and in person the proposition that effective opposition to the Red Chinese requires disengagement from our warm embrace with the defeated, discredited Chinese Nationalists?

Very truly yours,

CHARLES O. PORTER,
Member of Congress.

NOVEMBER 25, 1959.

Mr. HENRY R. LUCE,
Editor in Chief,
Time Magazine.

DEAR MR. LUCE: We agree about the importance of promoting world law. We disagree about China policies and I am writing to you now to protest against the distortions and inaccuracies of an article about me on page 16 of your November 30 issue.

I spoke at some length this morning with Mr. Furth, your executive assistant. He very patiently heard me out on the matters set forth below and told me that he would investigate them and bring them to your personal attention upon your return.

Of course I knew the time-line about Nationalist China. I didn't expect sympathetic treatment of my activities on my recent trip but I did expect better journalism. Let me now be specific. I hope you'll turn to the article and have it in mind as you read these comments.

1. The references to tuxes and birds are well within the range of fair comment. Congressmen, however, have always been concerned about our foreign policies and today, far from becoming less active, they are more and more participating in the formation of foreign policy. No real complaint here.

2. As for the "embarrassment and consternation" created by my flight, I found none except among the Chinese Nationalists, not among Americans, both in and out of government, and certainly not among Japanese. The unpalatable fact is that the Red Chinese are in firm control of the mainland and that the Chinese Nationalists, even in the unlikely event of a revolution, have no chance of regaining control. They have the intention but not the ability. We have the ability but not the intention. Point: Good reporting would have made it clear who was embarrassed and who displayed consternation.

3. "He next turned his attention to seething Cuba." Apparently your writers don't read your Latin American edition, much less the New York Times. In the interim I was active with respect to Venezuela, Colombia, and Latin American policies generally, including opposition to Batista. I went to Europe to a meeting of the World Parliament Association at the urging of Grenville Clark. Point: I didn't "next" turn to Cuba.

4. "I've urged him from the first to shave his beard." Of course I urged him to do that and settle down to the hard job of administering his country. I also urged him to hold elections, ban Communists from government and labor union positions, use civil courts, reform land reform, and so on. Any slight check of my activities here would show I had tried harder than any other 10 Congressmen to assist him along democratic paths. Point: The writer wanted me to look ridiculous so he selected that quotation.

5. "Looked around for new worlds to explore." My views on China haven't changed for a long time and I first expressed them publicly when I ran for Congress in 1954. I mentioned them on the floor in 1958 and I made many speeches embodying them earlier this year. Point: I'd been exploring this area for a long time.

6. "But prudently trimmed his travel plans." I had travel orders and a C–54 which could have taken me to Hong Kong from where I might have been admitted to China, just as Senator Malone went into Bulgaria. I didn't go because I had the question before the Supreme Court and I don't believe in defying duly constituted authority however much I may disagree with its rulings. Point: I didn't "trim" my plans.

7. That quotation about sending Chiang to an old soldiers' home is one I've used many times. I told one of your reporters that if you used it you ought to use it all, that is, including "for his protection and ours." Point: You didn't.

8. "Understandably hesitant about going to Formosa." The implication here is that I was afraid. The fact is that Chiang's Ambassador Yeh had warmly urged me to visit Taiwan and his First Secretary in Washington had repeated the invitation after Chiang had formally protested my "old soldiers' home" statement. I didn't want any sticky incident—that is, the sort of thing that a true whooping Congressman would seek. No "discreet inquiry" was made. A telegram went from MacArthur to our Embassy in Taipei. The answer was affirmative, strongly so. Point: I made sure I was welcome, not just permitted to come, and I let the State Department have a chance to veto the whole trip.

9. "Chiang too preoccupied." I didn't ask to see him, although I indicated in a polite, low-pressure manner to Foreign Minister Huang that I would be glad to see him, even delay my departure a few hours, if he cared to see me. Point: Chiang didn't snub me nor I him.

10. "A glacial silence descended on the party, and PORTER returned to Tokyo next day." Untrue and misleading. There was a warm response to my intentionally flippant remark and we had a cordial discussion all evening. I returned to Tokyo because I had a heavy schedule of visits beginning the next day. Your people in Tokyo and Washington know better. Your editor had to make this out of whole cloth. Don't take my word. Talk to the Air Force man who accompanied me, Joe Hochreiter. Ask the chargé, Mr. Yager. Point: No factual basis for saying there was a "glacial silence," nor for the implication about my return to Tokyo the next day.

11. "Row" with MacArthur. It might have been relevant to mention what we argued about, namely, his putting off the record an interview I had had with a leading Diet member after the interview and with no previous notice. Point: Maybe I had a right to argue with the Ambassador.

12. MacArthur's denial of the China debate challenge is put down uncritically, whereas I know Alex Campbell understood very well that wire stories on 2 successive days, emanating from Embassy sources, affirmed the challenge. It wasn't until the third day that the Ambassador issued this denial. Point: The undisputed facts discredit MacArthur's denial.

13. "Excess of adrenalin." This was the reason suggested by MacArthur for our differences at a 40-minute meeting, very cordial, which I had with him on the day I left Japan. This quotation is out of context and garbled. Point: MacArthur's diagnosis, not mine.

14. "Strong nonrecognition in the two places most concerned." I would say the United States was the place most concerned. Point: I did not adopt my views to make either the Red Chinese or the Nationalists happy.

"U.S. good will abroad" might be increased if we disengaged ourselves from a defeated, discredited army. The issue is communication and recognition is only a part of that. It is not a question of softness or in any way diminishing our strength. Red China is the nation most likely to commit the rash act that could lead to war. We need her participation in any acceptable agreement with respect to the cessation of nuclear weapons tests. Communication will not insure against rash acts or that Red China will go along with international inspection stations, but it will help.

I cannot see how your editors could write such a story on the basis of the available facts. Crusading journalism is one thing. This article is something else.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

Publisher Henry R. Luce has admitted his Time magazine was imprecise and could have looked further in its November 30 article about Congressman CHARLES O. PORTER's recent Far Eastern trip. PORTER made public today the publisher's December 5 letter commenting on Time's article.

"Time was imprecise," wrote Luce to PORTER with respect to Time's report of the reaction PORTER's opening remark received when he met with Chinese Nationalist leaders in Taiwan in November.

"Time was 180° inaccurate," PORTER wrote Luce in reply. "My remark was not received

by a 'glacial silence' as stated in Time but with relaxation and courteous good humor," PORTER said.

In reply to PORTER's objection that Time misrepresented his concern for Cuba, Luce wrote, "I shall concede that Time could have looked further into your total attitude toward Castro." He added that PORTER had been reported "in rationalization of Castro's acts" and that it was not "clear to us" that PORTER was Castro's "severe critic."

"Mr. Luce should read his Time magazine," PORTER said. "It quoted me months ago as seeing an 'ominous trend' in Cuba. It is easily ascertained that I have constructively criticized Castro more than any other Member of Congress."

In his letter to PORTER, Luce wrote that he thought the story was "sound journalism" and was "just and essentially accurate."

"In spite of Mr. Luce's admissions and in the face of other distortions he does not admit, he writes me that Time will say in its December 21 issue that it 'stands by its story,'" PORTER said.

(The texts of the letter from Luce and PORTER's reply are attached.)

DECEMBER 5, 1959.

DEAR CONGRESSMAN PORTER: On my return from Hawaii a few days ago, I received your personal letter, and a written report from the editors who studied it in my absence. And I have given due attention to both documents.

As you correctly point out, you and I agree on the importance of promoting world law. We disagree, however, not only on policies toward China, but also on what constitutes sound journalism.

I shall be explicit. Was Time's report of your trip to the Orient "sympathetic"? No; and not merely because of our policy disagreement. It was unsympathetic because the reports from our correspondents in the Far East portrayed the incidents of your visit as unfortunate for our national posture there.

Addressing myself to your 12-point letter, I shall skip some points that I consider too tenuous to warrant debate. There remain others worth talking about.

For example, your No. 4, the bit about Castro's beard. I shall concede that Time could have looked farther into your total attitude toward Castro. However, you have been reported in rationalization of Castro's acts, and it is not clear to us that you are, as you imply in your letter, his severe critic.

Your No. 8, "understandably hesitant about going to Formosa." Time did not imply that you were "afraid," any more than you imply it in your explanation: "I didn't want any sticky incident."

Your No. 10, "A glacial silence descended on the party." Time was imprecise. Evidently your remark about shooting was not followed by silence. However, a recheck to our correspondents in Hong Kong and Taiwan confirms that the Chinese guests at the party considered your remarks "provocative"; that they maintained their tempers and good manners with conscious effort.

Your No. 12, the Ambassador said in a press conference: "I have been in the foreign service 25 years and I think I am too experienced to propose that I debate with a Member of Congress on any matter." That sounds convincing to me.

In sum: While I can see why you consider Time's report tough, I consider it just and essentially accurate. Your shorter letter intended for publication will be published in the December 21 issue. Time will say that it stands by its story.

So, it is clear that we have more on which to disagree than we had before. I shall be happy one day to resume discussion with you on, for example, world law.

Sincerely yours,

HENRY R. LUCE.

DECEMBER 7, 1959.

DEAR MR. LUCE: Many thanks for your prompt and careful consideration of my letter of November 25 protesting the distortions and inaccuracies in Time's recent article about my Far Eastern trip. I am glad to know you intend to publish my other letter in your December 21 issue.

You say that Time will say following my letter that it stands by its story which you regard as sound journalism even though—

1. I didn't "next" turn my attention to seething Cuba.

2. Time, as you admit, could have looked further into my total attitude toward Castro. This wouldn't be difficult. I inserted many speeches, etc., into the CONGRESSIONAL RECORD. Your Washington correspondent, Jerry Hannifin, is fully informed in this respect. I still say it's "dirty pool," not sound journalism, to use, all by itself, the quote you did.

3. China was not a "new world" for me to explore politically.

4. I didn't ask to see Chiang so his being "too preoccupied" was irrelevant.

5. Time was, as you admit, "imprecise" in reporting the response to my remark at the Taiwan dinner party. "Inaccurate" 180 degrees is more precise. I note you do not comment on the misleading implication in "* * * and PORTER returned to Tokyo the next day."

6. Both UPI and AP carried news stories, coming directly from the Embassy, affirming MacArthur's challenge to debate China policy with me. I don't ask you to believe me. All I say is ask Gene Kramer of AP or Arnold Dibble (UPI) or your own Alex Campbell. Moreover, in the same conference where he said the words you quote in your letter he remarked that he had offered to debate the propriety of his refusing a transcript to me. I'm enclosing a thermofax of these news stories so you can see for yourself.

I certainly cannot agree that Time's report is "just and essentially accurate," although I did anticpate that Time would stick by its story nevertheless.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

Tadeusz Kosciuszko

EXTENSION OF REMARKS
OF
HON. EMILIO Q. DADDARIO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. DADDARIO. Mr. Speaker, February 12 is the anniversary of the birth of a great Polish patriot whose contribution to the freedom of our United States should never be forgotten. General Kosciuszko designed the fortifications at West Point, as visitors to the partly restored Fort Putnam on Mount Independence at the Academy well recall, and played a vital role in the winning of our independence.

Tadeusz Kosciuszko was a true product of his age: a gifted, energetic, and of course, ambitious youth, born in the mid-18th century with a mission to fight for the cause of human freedom. This son of an impoverished family in Poland showed remarkable abilities even in early youth, and he was aided in his desire to obtain the best military education Poland could offer him. But he wanted to go beyond that; he wished to carry on his studies in the art and science of war in the celebrated Mezieres Military School in France. With the aid of a scholarship he entered Mezieres and graduated as a specialist in artillery and engineering. He had finished his courses there and was staying in Paris when he heard of the American Revolution in 1776. There and then he made up his mind to go to America, and here to put his learning to practice in the service of a good cause. On borrowed money he sailed for the New World and in the fall of 1776 he was in Philadelphia.

Immediately upon arrival he applied for service, was of course admitted, and, on the strength of his preparation, was entrusted with drawing up plans for fortifying the Delaware River. The successful completion of this assignment earned him a commission as colonel of engineers in the Continental Army. Thenceforth his rise was rapid and his accomplishments were great. He was soon placed in charge of the building of fortifications at West Point. Subsequently he took part in the battle of Charleston, and was among the first of the Continentals to enter that city after its evacuation by the British. In October of 1783, in recognition of his outstanding services, Congress made him a brigadier general.

This brave son of Poland, having served the cause of our freedom with distinction, wanted to serve the cause of his beloved Poland. He returned to his native land, and there, after fighting the forces of oppression and tyranny for more than 20 years, he had to seek refuge abroad and then die in exile in 1817 at the age of 71. In commemorating the 214th anniversary of his birth we pay our tribute to this gallant son of Poland for his service in the cause of our freedom.

The Library Services Act—Vital to the Nation's Education

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 8, 1960

Mr. HECHLER. Mr. Speaker, those of us who believe deeply in democracy place great faith in the power of education to strengthen man's ability to govern himself, and indeed, to provide the basis for the future defense, security, and progress of our Nation.

But education should not cease abruptly with the ceremonious awarding of diplomas and degrees. It is a dynamic, continuing process which keeps free men forever free.

An essential ingredient of this process is books—books which are readily available to all our citizens, regardless of the ability to pay. Such an indispensable, democratic service is provided by our free public libraries across the Nation.

In 1956 Congress took a significant step toward expanding free public library services where they were needed most—in our rural areas—by enacting the Library Services Act. Federal grants

totaling $19,050,000 over the past 4 years have been invested in this program. The States have provided matching funds and imaginative leadership in extending library services into rural areas where books simply were not available to the people.

My State of West Virginia has moved dramatically ahead under this program of Federal-State partnership. Per capita expenditures jumped from 26 cents in 1956 to 45 cents in 1959. And the number of West Virginians with library services has increased from 50 to 56.5 percent.

In 23 counties in West Virginia, with a total population of 243,757, library services have been strengthened. Three bookmobiles are serving new regional libraries operating in eight counties, including two counties—Jackson and Roane—in the Fourth Congressional District which I proudly represent. More than 184,000 books, including basic reference collections, have been purchased for libraries throughout the State.

These significant beginnings in breaking West Virginia's book barrier have been made with only $277,921 in Federal funds and $174,246 in State contributions.

Thousands of West Virginians, however, still do not have reasonable access to public libraries. In my congressional district alone, the citizens of two counties have no library services whatever. More than half of the people in 4 other counties among the 10 in my district are without library facilities. A similar story of library neglect exists throughout West Virginia.

As my able colleague, the gentleman from Alabama [Mr. ELLIOTT] has pointed out, the absence of adequate library services is a national disgrace which reaches into practically every area of our country.

Outstanding progress has been made in the past 3 years under the Library Services Act, which began a new era of Federal-State partnership in making books available to all the people.

My bill, H.R. 9574, would extend this act for another 5 years. I would like to urge my colleagues to vote for this extension of the Library Services Act, which is making a dramatic contribution to democracy's growth. As Thomas Jefferson once remarked: "A nation that expects to be ignorant and free expects that which never was and never will be."

Letter to the New York Times

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 1960

Mr. HOLTZMAN. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include herewith a letter I have today written to the editor of the New York Times, commenting on an editorial which appeared in that paper today.

The letter follows, and is, I believe, self-explanatory:

FEBRUARY 8, 1960.

The EDITOR, THE NEW YORK TIMES,
New York, N.Y.

DEAR SIR: Relative to your editorial in this morning's Times, entitled "A Call for Greatness," I should like to make the following comments.

Nothing I say herein is intended to criticize Dr. Wriston, who has on other occasions rendered substantially worthwhile service to our country. Nevertheless, I cannot help but think what a great pity it is that after 8 years of President Eisenhower—with full access to all the intelligence data available—we now need a commission to determine our national goals.

If this truly be a call for greatness to a resolute people it does not speak well for what has happened during this administration.

Is it possible that we still do not know enough about discrimination in certain areas of our country so that we cannot cope with the problem without the help of a new commission? Is it possible that after the many commissions already established and the volumes written on our failure in the educational field that this vital problem must be reexplored by another commission? Is it possible that the Committee of which Vice President NIXON is chairman is unable or unequipped to cope with the problem of the economic power of our Nation? It is a source of wonder to me what we have been doing these past 8 years during which time we have had more commissions than in any other period of our history. Is it possible at this stage of our development we still do not know what our goals are to accomplish a better and still greater America? Is it possible that your editorial indicates that we still do not have a sense of purpose and a sense of direction, or that we do not have enlightened and vigorous political leadership?

More importantly, if this Commission finds as it must that there is a great need in all the fields that you mention, is it possible to divorce the administration from its transcending marriage to the balanced budget? Frankly, I doubt that there is any need for this Commission at this time because if we begin from the inflexible premise that we must balance our books, we can never accomplish any of these goals, and certainly can never answer this call for greatness.

Sincerely yours,

SENATE

TUESDAY, FEBRUARY 9, 1960

The Senate met at 12 o'clock meridian, and was called to order by Senator ALBERT GORE, of Tennessee, Acting President pro tempore.

Father Godfrey Kloetzli, O.F.M., of the Franciscan Monastery, Washington, D.C., offered the following prayer:

Almighty and Eternal God, we humbly ask Thy blessing in a threefold way.

We ask Thee to bless this earth of ours and its peoples. Give us the realization of the brotherhood of mankind under Thy divine fatherhood. Give to this world of ours the peace based on Thy law, and thus a lasting one.

We ask Thee to bless this Nation of ours, so dearly beloved. Give unto her and her people continued prosperity and peace. Grant that they may always use, in a wise and generous way, the gifts Thou hast lavished upon them, helping their less fortunate brothers in other lands. Grant also that she may ever remain a shining light of hope to a world in darkness.

Finally, we ask Thee to bless those in authority, especially those present here. In their difficult task, give them enlightenment to know and the courage to do what is right and just.

Let us take to ourselves the prayer of St. Francis of Assisi—so loved by all men—and pondering on it, make it our prayer:

"Lord, make me an instrument of Your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sickness, joy. O divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love; for it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life."

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 9, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 8, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

THE WHEAT PROBLEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 330)

Mr. MANSFIELD. Mr. President, the President of the United States has today transmitted to Congress a message dealing with the wheat situation. I am informed that the message has been read in the House. I therefore ask unanimous consent that the message may be

laid before the Senate, and that it be referred to the Committee on Agriculture and Forestry without having been read.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was referred to the Committee on Agriculture and Forestry.

(For text of President's message, see House proceedings for today.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 7124. An act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes;

H.R. 9331. An act to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children;

H.R. 9451. An act to amend the Act of July 19, 1954, to exempt from taxation certain additional property of the Veterans of Foreign Wars of the United States in the District of Columbia, and to provide that the tax exemption granted the property of the Veterans of Foreign Wars of the United States in the District of Columbia shall be effective with respect to taxable years beginning on and after July 1, 1959;

H.R. 9660. An act to amend section 6659(b) of the Internal Revenue Code of 1954 with respect to the procedure for assessing certain additions to tax;

H.R. 9737. An act to amend the Act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by trustees the majority of whom are citizens of the District of Columbia;

H.R. 10233. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes; and

H.J. Res. 567. Joint resolution to effect immediately the transfer of the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 7124. An act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 9451. An act to amend the Act of July 19, 1954, to exempt from taxation certain additional property of the Veterans of Foreign Wars of the United States in the District of Columbia, and to provide that the tax exemption granted the property of the Veterans of Foreign Wars of the United States in the District of Columbia shall be effective with respect to taxable years beginning on and after July 1, 1959; and

H.R. 9737. An act to amend the Act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by trustees the majority of whom are citizens of the District of Columbia; to the Committee on the District of Columbia.

H.R. 9331. An act to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children; to the Committee on Agriculture and Forestry.

H.R. 9660. An act to amend section 6659(b) of the Internal Revenue Code of 1954 with respect to the procedure for assessing certain additions to tax; to the Committee on Finance.

H.R. 10233. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes; to the Committee on Appropriations.

H.J. Res. 567. Joint resolution to effect immediately the transfer of the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration; to the Committee on Aeronautical and Space Sciences.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. CARLSON. Mr. President, the budget session of the Kansas Legislature is now meeting in Topeka, and has approved House Concurrent Resolution 13, in which they express concern over the ever-increasing imports of beef and other meat products.

I ask unanimous consent that a copy of the concurrent resolution be printed in the RECORD, and referred to the appropriate committee.

There being no objection, the concurrent resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

"HOUSE CONCURRENT RESOLUTION 13

"Concurrent resolution memorializing the Congress of the United States, the United States Department of Agriculture, and the United States Tariff Commission to reduce and control the importation of beef and other red meats from foreign countries and to establish smaller quotas and other controls on such imports

"Whereas the expanding imports of beef and other red meats on the hoof and in the frozen or processed form pose a very serious threat to the domestic cattle and livestock industries of this country; and

"Whereas such imports into this country of beef and other red meats are currently expanding at a rate which is altogether out of proportion to any justifiable need and at the present time such imports constitute at least 10 per centum of our domestic consumption of beef and other red meats; and

"Whereas the domestic livestock producers of this country have for some time been expending their own funds to expand the national market for beef and other red meats and if imports of these commodities are not further restricted any expansion in said national market will result only in providing foreign competitors with a most attractive market at the expense of the American producers; and

"Whereas the feeding of grain to cattle and livestock by the domestic cattle and livestock industries provides the principal means of solving the burdensome feed-grain surplus now depressing the total agricultural market; and

"Whereas a reasonable restriction on imports of beef and other red meats would provide a means of reducing this feed-grain surplus, as then Americans would consume American fed beef and livestock rather than that fed in foreign countries; and

"Whereas the further prosperity and strength of this country is in a large measure dependent upon a prosperous and growing domestic agricultural economy: Now therefore, be it

"*Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein)*, That we respectfully urge and request the Congress of the United States, United States Tariff Commission and the United States Department of Agriculture to do everything within their respective powers to bring about a reduction and stricter control of the importation of beef and other red meats in any form from any foreign country and to establish smaller quotas for the importation of the same, such quotas to be predetermined on an annual basis, thus providing American beef and livestock producers with the needed protection and vital encouragement necessary for the maintenance and welfare of their own industry, and helping insure the future prosperity and strength of this country; and be it further

"*Resolved*, That the secretary of the state be directed to transmit an enrolled copy of this resolution to the President and Vice President and Secretary of Agriculture of the United States, to each member of the Kansas delegation in the Congress of the United States and to the Chairman of the United States Tariff Commission."

I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body February 2, 1960.

JAMES TAYLOR,
Speaker of the House.
A. E. ANDERSON,
Chief Clerk of the House.

Adopted by the senate February 4, 1960.

PAUL R. WUNSCH,
President pro tempore of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 3003. A bill directing the Secretary of the Army to convey to the Western Montana Youth Guidance Center, Inc., Missoula, Mont., certain property comprising a part of Fort Missoula, Missoula, Mont.; to the Committee on Armed Services.

S. 3004. A bill to set aside certain lands in Montana for the Indians of the Con-

federated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 3005. A bill to amend the act of March 3, 1933 (47 Stat. 1426), relating to the length of time by which the Federal Maritime Board may suspend tariff schedules; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. STENNIS (for himself and Mr. SALTONSTALL):

S. 3006. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. STENNIS when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. BARTLETT, Mr. CARROLL, Mr. CHURCH, Mr. ENGLE, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. McGEE, Mr. MONRONEY, Mr. MORSE, Mr. MOSS, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. RANDOLPH, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 3007 A bill to authorize Federal loans to colleges and universities for the construction, rehabilitation, alteration, conversion, or improvement of classroom buildings and other academic facilities; to the Committee on Labor and Public Welfare.

By Mr. LONG of Louisiana:

S. 3008. A bill to amend title IV of the International Claims Settlement Act of 1949, as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. SALTONSTALL, and Mr. WILLIAMS of New Jersey):

S.J. Res. 158. Joint resolution to establish a National Advisory Committee on Rail Transportation; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF INTERCOASTAL SHIPPING ACT

Mr. BARTLETT. Mr. President, on behalf of my colleague, the junior Senator from Alaska [Mr. GRUENING] and myself, I introduce, for appropriate reference, a bill to amend the act of March 3, 1933, the Intercoastal Shipping Act.

Mr. President, when the Senators from Alaska urged that the Federal Maritime Board order a suspension of the proposed increased freight tariffs filed by carriers in the Alaska trade, it was said by the Board that no suspension order would issue. Instead, the Board announced that the increased tariffs would become effective prior to hearings. Of course, this announcement distressed everyone who realized that whatever the outcome of the hearings, the consumers in Alaska would be faced with the burden of the increased tariffs—a burden that would never be lifted under the procedure followed by the Board.

Under these circumstances, it is only natural that the Board was asked to justify its refusal to suspend the proposed increased rates until the objectors to those rates could be heard. The Board's justification was that under existing law the Board can suspend proposed increased tariffs for no longer than 120 days, or 4 months, and that 4 months is too short a period to complete hearing procedures.

It must be said that Alaskans are not sympathetic to this purported justification. In the first place, the Board could complete hearing procedures in many controversies within the 4-month time period. In the second place, the suspension of rates even for 4 months would allow time for at least a partial development of the legal issues and the facts. There can be no doubt that Board rulings, after even a partial development of the issues and the evidence, would provide a sounder basis for decision than ex parte procedure can afford.

However, in view of the Board's statements on this matter, it appears advisable to broaden the Board's authority to suspend proposed tariff increases. The bill introduced today would allow the Board to suspend such increases for 7 months, instead of for the 4-month period now permitted. For easy reference, the bill would amend section 845 of title 46, United States Code. The 7-month period corresponds to the period of suspensions which the Interstate Commerce Commission may enforce under paragraph 7, section 15 of title 49, United States Code. The bill introduced today will add desirable uniformity in the powers of two leading regulatory agencies whose activities affect transportation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3005) to amend the act of March 3, 1933 (47 Stat. 1426), relating to the length of time by which the Federal Maritime Board may suspend tariff schedules, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS

Mr. STENNIS. Mr. President, on behalf of myself, and the senior Senator from Massachusetts [Mr. SALTONSTALL], I introduce, for appropriate reference, a bill to authorize certain construction at military installations, and for other purposes.

This bill is requested by the Department of Defense, and is accompanied by a letter of transmittal explaining the purpose of the bill.

I ask unanimous consent that the letter of transmittal be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3006) to authorize certain construction at military installations, and for other purposes, introduced by Mr. STENNIS (for himself and Mr. SALTONSTALL), was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. STENNIS is as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., February 4, 1960.

Hon. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation to authorize certain construction at military installations, and for other purposes.

This proposed legislation is a part of the Department of Defense legislative program for 1960, and the Bureau of the Budget advises that there is no objection to its presentation to the Congress. The Department of Defense recommends that it be enacted.

This proposed legislation would authorize additional military construction that is urgently needed by the Department of Defense at this time, and would provide additional authority to cover deficiencies in prior construction authorizations. The appropriation of money required for construction is provided for in the budget of the U.S. Government for the fiscal year 1961.

This legislation consists of titles I, II, and III covering authorization required for the Active Forces of the Departments of the Army, Navy, and Air Force; title IV covering authorization required by the Department of Defense; title V covering general provisions relating to the foregoing titles; and title VI covering authorization required for the respective Reserve components.

For the Active Forces, this proposal would authorize new construction totaling $992,053,000 of which $158,406,000 is for the Department of the Army; $137,851,000 is for the Department of the Navy; $675,796,000 is for the Department of the Air Force; and $20 million is for the Department of Defense. This proposal would also provide additional monetary authority to correct deficiencies in authorization for projects authorized under previous laws totaling $107,764,000 of which $7,898,000 is for the Army; $25,800,000 is for the Navy; $50,521,000 is for the Air Force; and $23,545,000 is for the Department of Defense. Therefore, the total in this proposed legislation of new authorization plus additional monetary authority for projects previously authorized amounts to $1,099,817,000 for the Active Forces.

This proposal would also repeal as of July 1, 1961, all authorizations, with certain exceptions, for military construction for the Active Forces that are contained in laws enacted prior to August 21, 1958. This repeal will continue in effect the policy established in the fiscal year 1956 Military Construction Authorization Act (Public Law 161, 84th Congress) of repealing longstanding authority that has not been exercised by the military departments. It is believed that the continuation of this policy will result in a construction program which will reflect more accurately the current needs of the Department of Defense.

For the Reserve components, the proposal would authorize construction totaling $42,108,000 of which $12,168,000 is for the Army National Guard; $11,674,000 is for the Army Reserve; $6,450,000 is for the Naval and Marine Corps Reserves; $7,226,000 is for the Air National Guard; and $4,590,000 is for the Air Force Reserve. This proposed legislation would also provide additional monetary authority in the amount of $197,000 to correct a deficiency in authorization of an Army National Guard project previously authorized in Public Law 85-685. Therefore, the total in this proposed legislation of new authorization plus additional monetary authority for the project previously authorized amounts to $42,305,000 for the Reserve components. Title VI also contains a repeal provision of similar effect to that described in

the preceding paragraph, which would apply to longstanding construction authorization that has not been exercised by the Reserve components.

Accordingly, the total authorization requested in this legislation for the Active Forces and the Reserve components amounts to $1,142,122,000.

Sincerely yours,

THOMAS S. GATES.

NATIONALIZATION OF PROPERTY IN CZECHOSLOVAKIA

Mr. LONG of Louisiana. Mr. President, in early 1945 the Government of Czechoslovakia started to nationalize large amounts of property situated within that country. Then, after the Communist coup, following the death of President Benes, further nationalization decrees were put into effect with the result that approximately 99 percent of holdings in that nation were taken by the Government.

The Government of the United States recognized its duties toward American investors who had good-faith holdings in Czechoslovakia, and it proceeded to negotiation, seeking settlement for losses of American property.

As chairman of a subcommittee dealing with social and economic matters, I introduced proposed legislation some years later to create the Czechoslovakia Claims Fund. There was approximately $9 million available by virtue of the fact that this nation had seized a steel mill which had been placed on order by the Benes government, and for which funds had been advanced to the United States prior to the Communist coup. It was my intention, as well as the intention of Representative YOUNGER, who introduced similar legislation, to see that the funds available from seizure and sale of the steel mill would be used to reimburse American citizens for their investments in Czechoslovakia.

It was not my intention nor that of Representative YOUNGER to support legislation to compensate citizens of Czechoslovakia, who had fled that country to escape the Nazis or the Communists, for the property which they had left behind when they fled their native land. While I have good will toward those persons and sympathy for most of them, their problem and their relation to the U.S. Government is on a different basis.

When a foreign government seizes and nationalizes property belonging to American citizens, this country owes an obligation to Americans to respond in kind toward the foreign nation by seizing and selling its assets to compensate our citizens who have suffered by the injustices done them in the foreign land.

This Nation recognizes the right of foreign nations to nationalize property belonging to their citizens. While we do not advocate such a procedure, we do not claim for ourselves the right to correct the evils of such a policy. Where citizens of a foreign country flee to the United States and take out citizenship papers, it would ordinarily happen that the loss of their property would occur previous to their obtaining citizenship within this country and ordinary claims legislation would not seek to redeem their property for them by action of this Government.

In situations where funds made available for the settlement of American claims has been more than sufficient to settle those claims, legislation has been passed to enable persons who were not eligible in the first instance to become eligible thereafter. This was the case with the Italian Claims Fund.

With regard to the situation that exists in connection with the Czechoslovakian Claims Fund, we now find that claims which have been filed by former citizens of Czechoslovakia, who fled from the Nazis in the first instance or the Communists in the second instance, exceed vastly the claims of American citizens who were entitled from the beginning to expect the protection of their Government as one of the considerations for which they pay taxes to support our Government. The legislation as it presently exists will provide very little compensation for American citizens who are most entitled to expect it by virtue of unexpected and unintended benefits to others which will exceed by several times that which will be available for those who are most entitled to expect settlement.

This situation would not have developed had the Claims Commission made clear to the subcommittee, of which I was chairman, that any such result as this could have been anticipated. It was the estimate of the Commission that the claims would number approximately 1,000 and that the amount would be approximately $25 million in valid claims. Instead, the number of claimants has become nearly 4,000 in number and the amount claimed exceeds $364 million.

Naturally, the $364 million figure will be reduced with investigation, but it is logical that the amount will probably exceed six times that which the Commission first estimated. In view of the liberal attitude which the Commission has presently taken toward including those who had not previously been contemplated, it would seem logical that the Commission will display such liberality in arriving at the value of claims. If that should be the case, then the amount of claims could be far more than six times that which the Commission first estimated.

Under these circumstances, I have felt compelled to introduce proposed legislation to correspond with that which should have been passed in the first instance. I find it extremely regrettable that this proposed legislation must move contrary to the logical pattern. Logically, our claims legislation should first take care of those who are most entitled to be compensated, and at a later date make additional persons eligible if funds become sufficient to permit greater liberality.

The proposed legislation which I am introducing necessarily rests upon recognized fact that the earlier legislation was based upon misinformation supplied me by the Claims Commission. For that reason the present law is far more liberal in its definition of claimants than this Government had any right to be. The legislation which I am now introducing would attempt to compensate those American citizens who invested their funds in Czechoslovakia. It would seek to settle their claims against the Czechoslovakian Governments and leave for subsequent legislation and events whatever adjustment may be possible for the refugees who left Czechoslovakia to escape the Nazis or the Communists. This proposed legislation would seek to follow the previous precedents in the handling of claims legislation by providing first for American investments. Only after sufficient funds became available to compensate those Americans whose investments had been seized would we seek to provide by subsequent legislation compensation for those who left their country and took out citizenship in this country.

The logic of this procedure is plainly apparent when we look at the situation that exists in Cuba today. The Castro government has already seized and undoubtedly will continue to nationalize large amounts of property which had previously belonged to Batista supporters. It can also be expected to seize property of American citizens and American corporations in Cuba.

This Nation is in a position to bring a large amount of economic pressure to bear upon Cuba. It stands to reason that the Castro government will be much more willing to negotiate a settlement with American citizens and American companies which invested their money in Cuba in good faith than with former Batista supporters. The Castro government may hold out to the bitter end against any settlement with Batista supporters who may have acquired U.S. citizenship prior to the final nationalization of their property. If the Cuban assets upon which our Government is able to lay hands should prove to be far less in value than the property of American citizens, then it would not seem fair that American investors should be forced to share the fund with former Batista supporters who may have acquired U.S. citizenship by that time.

I introduce the bill and ask that it be appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3008) to amend title IV of the International Claims Settlement Act of 1949, as amended, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Foreign Relations.

NATIONAL ADVISORY COMMITTEE ON RAIL TRANSPORTATION

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself, my colleague, the junior Senator from New York [Mr. KEATING], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Jersey [Mr. WILLIAMS], a joint resolution to establish a National Advisory Committee on Rail Transportation.

Mr. President, I wish at once to note that the Committee is designed to perform in the field of railroading the same services which have been performed so admirably for the airlines and the aero-

nautical industry generally by the National Advisory Committee for Aeronautics. Mr. President, I contemplate that should the bill become law at least the same order of magnitude in appropriations would be made available to deal with the research problems of the railroad industry as have been made available to deal with the problems of the airplane industry. This is on the magnitude of $100 million a year.

Mr. President, the 12 member Committee would study, conduct scientific research, and make recommendations on those development programs and other activities essential to the improvement and modernization of rail equipment, facilities and operating methods and freight, passenger, and commuter services so that the U.S. rail transportation system can better meet the demands of our expanding national economy and defense requirements.

I have the honor to announce, Mr. President, that the joint resolution will be introduced today in the House of Representatives by Representative STEVEN B. DEROUNIAN, Republican, of New York.

In addition to two members each from the Interstate Commerce Commission, the Defense Department, and the Commerce Department, the six remaining members of the National Advisory Committee would be selected on the basis of their technical competence in rail transportation or a related field with two of this group chosen for their experience in labor-management problems common to the industry. Its recommendations would be forwarded to the Congress at least once a year as part of its annual report and more frequently when deemed advisable in the national interest.

In the interests of national security and to keep pace with the growth of our Nation's economy, the Congress must heed the growing chorus which regards U.S. railroads as an incurably sick industry which one day, it is implied, may be taken over by the Federal Government. On the contrary, the combined resources and facilities of the railroads and the Federal Government should be channeled into a coordinated, maximum effort in research and development programs to enable this vital industry to modernize its facilities and upgrade its operational efficiency and services in the discharge of its present responsibilities. Also, the railroads must be capable of executing whatever additional steps may be necessary to meet any emergency as well as anticipated demands in the future.

That is the concept underlying this joint resolution being introduced today which would, through a National Advisory Committee on Rail Transportation, direct this effort under the leadership of public and private transportation authorities and experts.

The financial ill health of too many of the Nation's 413 separate railroads has reached the crisis stage in the opinion of many, with rising costs, deteriorating commuter facilities and services, obsolete equipment, and shrinking passenger schedules the most chronic complaints. The industry needs new assistance and guidance. Just as back in 1915 the Congress recognized its responsibilities to the infant and floundering aviation industry and established the National Advisory Committee for Aeronautics, we now have a duty to our century-old railroad industry which forged our first transcontinental communications and transportation link with the territories in the North, West, and Southwest destined for statehood. The railroads' role in the internal development of the United States is not all past history. It is of future importance and major significance to U.S. business which, exclusive of pipeline and Great Lakes shipping traffic, sends nearly 63 percent of its goods by rail freight, and to almost every major urban area since trains carry 224 million commuters every year.

Of primary concern to the proposed National Advisory Committee would be the conduct and the coordination of scientific research into those phases of rail transportation where lack of modernization and the failure to keep up with technological advances has seriously handicapped the performance and financial stability of the industry. Unless such an effort is organized and executed at a national level with the backing of a Federal agency, the result may easily be additional cost increases further handicapping the industry and loss of services with resultant shrinkage of employment.

The diversified research activities of the railroads amount to more than $10 million annually. This relatively small amount may reflect the low rate of return for the industry as a whole—4.7 percent on $28 billion invested for the 5 years ending in 1958. That was less than half the rate of return on air transport—10.3 percent—and on shipping—9.6 percent. Overall, the return on railroad investment is reported to have declined some 50 percent since 1929 while other industries' earnings rose by 189 percent with the result that the railroads report extreme difficulty in getting the business credit and equity capital necessary to make improvements and plans for expansion in view of their depressed earning power.

Nevertheless, the Nation's 220,000 miles of track carry 65 percent more tonnage than they did just before World War II, and during wartime the existing rail facilities constituted an indispensable part in our war effort, carrying 90 percent of all military freight transport and 97 percent of military passenger transport. After the war, freight rates began their rapid rise, multiplying 3 times as fast as the consumer price index generally. Revenues did not keep pace since they rose by 50 percent compared to the freight rate increase of 75 percent.

Today, 4 cents of every dollar's worth of goods purchased by a U.S. consumer represents the cost of transporting by rail freight. The impact, then, of rate increases by the railways as an inflationary factor on our economy is of such magnitude as to deserve the careful study and evaluation by recognized transportation experts functioning through the National Advisory Committee on Rail Transportation.

In addition, many railroads believe short-haul passenger service for commuters has long since passed the point of no return for them. As the number of commuter-line discontinuances increase, they are rapidly followed by dire predictions that the downtown areas in our major cities will have to be turned into monster parking lots to accommodate the cars which will bring the former rail commuters to work. In New York City, for example, 200,000 people ride to work on trains, while 150,000 commute in Chicago, and 100,000 more do so in Boston, Philadelphia, and other cities. Intercity passenger traffic has declined steadily since before the war; but, with the upsurge of suburbia, commuters have not appreciably declined in number across the Nation in recent years.

The commuter's continued dependence on daily rail transport to and from work will also be of major concern to the proposed National Advisory Committee.

The dismal financial outlook for many railroads has even led to the extreme suggestion that Government should take over certain passenger lines and hire the railroads to run them. I doubt whether many of us are prepared to go that far; but, as it reflects the grave plight of some lines, it reinforces the imperative need for a coordinated Federal, industry, and labor effort to solve the main survival problems facing the railroads. The establishment of a National Advisory Committee on Rail Transportation would be a convincing demonstration by the Congress that we recognize the precarious condition of many U.S. railroads and the contributions they have yet to make to U.S. growth and prosperity.

Mr. President, I ask unanimous consent to have printed as a part of my remarks a schedule of the appropriations made over the years, going back to 1915, for the National Advisory Committee for Aeronautics.

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

Appropriation for National Advisory Committee on Aeronautics

Fiscal years:	*Millions*
1959	$101.1
1958	117.3
1957	78.2
1956	72.7
1955	56.9
1954	62.4
1953	66.3
1952	69.0
1951	63.1
1950 ($75 million for 3 wind tunnels)	128.0
1949	48.7
1948	43.4
1947	30.8
1946	24.0
1945	45.6
1944	38.4
1943	25.4
1942	19.5
1941	11.2
1940	9.2
1930	1.3
	Thousands
1920	$175
1915	5

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 158) to establish a National Advisory Committee

on Rail Transportation, introduced by Mr. JAVITS (for himself, Mr. KEATING, Mr. SALTONSTALL, and Mr. WILLIAMS of New Jersey), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

MEMORIAL TO ALBERT EINSTEIN IN THE DISTRICT OF COLUMBIA—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from New Jersey [Mr. WILLIAMS] may be added as an additional cosponsor of the joint resolution (S.J. Res. 155) authorizing the establishing in the District of Columbia of a memorial to Albert Einstein, introduced by me on January 28, 1960.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATIONS OF THEODORE C. ACHILLES TO BE COUNSELOR OF THE DEPARTMENT OF STATE, AND SIGURD S. LARMON TO BE A MEMBER OF THE U.S. ADVISORY COMMISSION, BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate today received the nominations of Theodore C. Achilles, of the District of Columbia, to be Counselor of the Department of State, and Sigurd S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years expiring January 27, 1963.

In accordance with the committee rule, the pending nominations may not be considered prior to the expiration of 6 days.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Address broadcast by him from Station WIND, Chicago.

CHARLES TEBBE, FORESTER

Mr. MANSFIELD. Mr. President, we in the Montana delegation and, I am sure, all who represent the adjoining States served by region I of the Forest Service, have a tremendously high and warm regard for Charlie Tebbe, the regional forester. He has done an outstanding job as public administrator of a most valuable natural resource. Last year, when Montana was stricken by an earthquake, Charlie Tebbe had his Forest Service crews at work relieving the disaster before any other public or private organization was on the job.

He has overcome the limitations of tight budgets to make sure that the taxpayers got more than a dollar's worth of work for every dollar expended. He has been forward-looking in all of his endeavors, trying his utmost to make the forest resources of the inland empire contribute effectively to the growth of this region.

I could spend a great deal of time today discussing the accomplishments of Charlie Tebbe, the leadership, and the human understanding that he possesses. I do not wish to detain the Senate long, but I wish to make this brief statement: Charlie Tebbe suffered a mild stroke here in Washington, D.C., on Friday, February 5, while back here on official business. He is now at Doctor's Hospital; and his family and many friends are pleased to learn that he is on the way to recovery. We hope that Charlie will take a little rest now, before coming back on the job. We sincerely wish him a speedy recovery and the full restoration of his health.

ESTIMATED ALLOCATIONS TO STATES UNDER THE EDUCATION BILL

Mr. CLARK. Mr. President, a great deal of interest has been aroused with respect to the distribution among the States of the funds which were voted last week by means of our Federal aid to education bill.

I have had prepared a table which shows the estimated allocation to the States in 1960–61 and in 1961–62, and the estimated State-local matching funds required to receive the full Federal allotments in the second year of the program, under Senate bill 8, as amended, and passed by the Senate. I ask unanimous consent that the table be printed at this point in the RECORD in connection with my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated Federal allotments [1] to States in 1960–61 and 1961–62 and estimated State and local matching funds required under S. 8, as passed by Senate

State	Estimated allocations, 1960–61 [2]	Estimated allocations, 1961–62 [3]	Total estimated allocations, 1960–61 and 1961–62	Estimated increase in State and local funds in 1960–61 over 1959–60 required for matching in S. 8.[4]		Ratio of Federal funds to increases in State and local funds
				Amount	Percent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total, United States	$916,600,000	$939,460,000	$1,856,060,000	$344,698,000	----------	2.59
Alabama	25,855,000	25,909,000	51,764,000	2,225,000	1.6670	11.62
Alaska	623,000	687,000	1,310,000	623,000	3.3335	1.00
Arizona	7,985,000	8,449,000	16,434,000	1,931,000	2.0540	4.14
Arkansas	13,749,000	13,450,000	27,199,000	1,342,000	1.6670	10.25
California	50,211,000	52,729,000	102,940,000	47,834,000	3.3080	1.05
Colorado	9,660,000	10,095,000	19,755,000	3,584,000	2.4070	2.70
Connecticut	5,626,000	5,788,000	11,414,000	5,867,000	3.3335	.96
Delaware	1,256,000	1,335,000	2,591,000	1,197,000	3.3335	1.05
District of Columbia	1,689,000	1,732,000	3,421,000	1,743,000	3.3335	.97
Florida	23,399,000	24,914,000	48,313,000	7,633,000	2.4235	3.07
Georgia	30,013,000	30,597,000	60,610,000	3,584,000	1.6670	8.37
Hawaii	3,993,000	4,117,000	8,110,000	854,000	2.0965	4.68
Idaho	4,701,000	4,787,000	9,488,000	819,000	1.8210	5.74
Illinois	34,008,000	35,071,000	69,079,000	19,706,000	3.2305	1.73
Indiana	24,687,000	25,471,000	50,158,000	8,740,000	2.4585	2.82
Iowa	15,679,000	15,958,000	31,637,000	4,325,000	2.2180	3.63
Kansas	11,766,000	12,134,000	23,900,000	3,704,000	2.3240	3.18
Kentucky	23,039,000	23,143,000	46,182,000	2,277,000	1.6670	10.12
Louisiana	24,239,000	24,982,000	49,221,000	4,322,000	1.6755	5.61
Maine	5,571,000	5,607,000	11,178,000	1,246,000	2.0595	4.47
Maryland	14,784,000	15,318,000	30,102,000	5,892,000	2.6710	2.51
Massachusetts	16,047,000	16,255,000	32,302,000	8,818,000	3.1835	1.82
Michigan	41,164,000	42,843,000	84,007,000	17,968,000	2.6040	2.29
Minnesota	19,762,000	20,271,000	40,033,000	6,562,000	2.2225	3.01
Mississippi	18,857,000	18,866,000	37,723,000	1,525,000	1.6670	12.37
Missouri	19,566,000	20,009,000	39,575,000	6,890,000	2.6100	2.84
Montana	4,167,000	4,310,000	8,477,000	1,496,000	2.2125	2.79
Nebraska	8,070,000	8,285,000	16,355,000	1,665,000	2.2495	4.85
Nevada	1,125,000	1,216,000	2,341,000	658,000	3.1490	1.72
New Hampshire	2,932,000	3,001,000	5,933,000	828,000	2.3805	3.54
New Jersey	17,937,000	18,520,000	36,457,000	17,218,000	3.3335	1.04
New Mexico	6,866,000	7,142,000	14,008,000	1,160,000	1.7345	5.92
New York	44,226,000	45,210,000	89,436,000	54,869,000	3.3335	.81
North Carolina	36,051,000	36,606,000	72,657,000	4,501,000	1.6670	8.01
North Dakota	4,742,000	4,804,000	9,546,000	691,000	1.7050	6.86
Ohio	43,490,000	45,095,000	88,585,000	20,487,000	2.7760	2.12
Oklahoma	13,411,000	13,439,000	26,850,000	3,217,000	2.0045	4.17
Oregon	9,521,000	9,746,000	19,267,000	4,211,000	2.4335	2.26
Pennsylvania	47,662,000	48,373,000	96,035,000	20,913,000	2.7570	2.28
Rhode Island	3,642,000	3,703,000	7,345,000	1,345,000	2.7340	2.71
South Carolina	22,005,000	22,352,000	44,357,000	2,484,000	1.6670	8.86
South Dakota	4,877,000	4,991,000	9,868,000	866,000	1.7720	5.63
Tennessee	25,338,000	25,501,000	50,839,000	2,792,000	1.6670	9.08
Texas	62,901,000	65,261,000	128,162,000	12,312,000	2.0410	5.11
Utah	6,836,000	7,055,000	13,891,000	1,551,000	1.7975	4.41
Vermont	2,231,000	2,235,000	4,466,000	532,000	2.0315	4.19
Virginia	25,538,000	26,176,000	51,714,000	4,568,000	1.9605	5.59
Washington	14,004,000	14,378,000	28,382,000	6,439,000	2.6070	2.17
West Virginia	14,067,000	13,881,000	27,948,000	1,685,000	1.6670	8.34
Wisconsin	21,541,000	22,136,000	43,677,000	6,115,000	2.3610	3.52
Wyoming	1,927,000	1,974,000	3,901,000	883,000	2.3225	2.18
Guam	240,000	571,000	811,000	----------	----------	----------
Puerto Rico	22,755,000	22,741,000	45,496,000	----------	----------	----------
Virgin Islands	569,000	241,000	810,000	----------	----------	----------

[1] Allocation estimates are based on the equalization formula contained in S. 8, as amended and passed by the Senate on Feb. 4, 1960.

[2] The estimated allotments for 1960–61 use average income per child of school age for 1956, 1957, and 1958, and U.S. Bureau of the Census projections of July 1, 1960, school-age population based on 1950–57 migration levels.

[3] The estimated allotments for 1961–62 use average income per child of school age for 1956, 1957, and 1958, and U.S. Bureau of the Census projections of July 1, 1961, school-age population based on 1950–57 migration levels.

[4] State and local funds for 1959–60 are the estimated total revenue receipts from State and local sources reported in the National Education Association "Estimates of School Statistics, 1959–60."

KHRUSHCHEV ON INSPECTION AND CONTROLS SYSTEMS

Mr. CLARK. Mr. President, the distinguished occupant of the chair [Mr. GORE] will recall that yesterday afternoon we had a colloquy in regard to Mr. Khrushchev's position on inspection and control systems in connection with a workable general disarmament plan. At that time I undertook to supply data on exactly what Mr. Khrushchev had said. I ask unanimous consent that a statement quoting from Mr. Khrushchev's speech and press conference on the question of inspection and control be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

We cannot justify inaction on the ground that Mr. Khrushchev may oppose those inspection and control systems which are the heart of a workable general disarmament plan. On the contrary, the Russians have indicated their interest in setting up such inspection and control as a part of any total and permanent disarmament agreement. In his U.N. speech, Khrushchev stated:

"There should be initiated a system of control over all disarmament measures which should be created and should function in conformity with the three stages (NB: plural) by which disarmament should be effected."

At a Washington press conference on September 27, Khrushchev stated:

"We believe that in the process of disarmament, in accordance with each stage of disarmament, there should be an appropriate stage of control, that is, the presence of representatives of other states and control over the regions subject to control in accordance with agreement. And this will be throughout the whole process of disarmament up to its full completion."

That this was not an unintentional ad lib response to a newsman's question was indicated by the fact that Mr. Kuznetzov, of the U.S.S.R., repeated Khrushchev's answer at the U.N. on October 7, 1959.

ERRORS OF THE EISENHOWER ADMINISTRATION

Mr. CLARK. Mr. President, I believe that as this session of Congress moves ahead, it becomes increasingly clear that in regard to a number of issues the President and the Vice President of the United States and the Eisenhower administration are taking positions which are not in the best interest of our country. It behooves the Senate and the Congress generally to pass legislation and take action which will be on the right side of these issues.

In this connection, my thoughts have been very much influenced by articles being written several times a week by the great commentator Walter Lippmann. I ask unanimous consent that two articles written by him, one dated December 31, 1959, and the other dated today, February 9, 1960, may be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit A.)

Mr. CLARK. Mr. President, the Eisenhower administration, including the President and the Vice President, are wrong on defense; and we must do something about it, preferably by increasing appropriations and cutting waste.

They are wrong on disarmament; and we should do something about it, preferably by adopting Senate Concurrent Resolution 82.

They are wrong on education. We have already done something about that, by passing the aid to education bill, last week.

They are wrong in their tight-money, high-interest-rate policy which inhibits the growth of our country; and I hope very much that we shall stand adamantly in opposition to repeal of the 4¼-percent interest rate.

They are wrong in their neglect of the cities; and we must pass another housing bill, and we must assure adequate transportation and transit arrangements for our metropolitan areas.

They are wrong in their neglect of the unemployed, especially in distressed areas. We have done something about that, by passing the distressed areas bill.

They are wrong in their neglect of the problems of the aging and the aged. Today, the McNamara committee is making recommendations in that regard, and I hope they will receive the approval of the Senate.

They are wrong in their farm program; and I hope we will be able to pass a meaningful farm bill before we adjourn.

Mr. President, I yield the floor.

EXHIBIT A

[From the Washington Post, Dec. 31, 1959]

SOME POLITICAL NOTIONS

(By Walter Lippmann)

Although Mr. NIXON is now the President's one and only heir, there is a most important part of the estate which he cannot inherit. It has been General Eisenhower's unique achievement that he has been able to place himself as President above the party battles, and to invest for the time being the Office with the attributes of a constitutional monarchy. This has enveloped him with an aura of invulnerability such as no other President in modern times, if ever before, has enjoyed. Whatever has gone wrong has been blamed on his ministers and he has moved above it serene and untouched.

This exalted position is uniquely Eisenhower's, and it cannot be passed on to his successor. It is entirely beyond Mr. NIXON'S reach. As a candidate, as a President if he is elected, Mr. NIXON will be down in the dust and the heat of the battle, not above it in the clear blue yonder. In this critical respect there could be no sharper contrast than between Eisenhower and NIXON—between the nonpolitical, world-famous soldier who was drawn into politics at the top and the ambitious young man who clawed his way up from obscurity.

The contrast is a warning that a NIXON administration will not be and cannot be a continuation of the Eisenhower administration. We shall find, I believe, that the Eisenhower administration has been an interlude which cannot continue and will not soon be repeated.

The party struggle which has been throttled down under Eisenhower is certain to break out again under NIXON. Our present situation—that of living under a divided government with the Republicans in control of the executive branch and the Democrats of the legislative—has been made workable by President Eisenhower's prestige with which he has overawed the Democratic congressional leaders. With NIXON the party struggle would be bound to revive, and a divided Government would then seem far less benign than it does under the Eisenhower-Johnson regime.

As a candidate, the immediate question about NIXON is whether he will be carried into office by the Eisenhower tide, or whether he will have to fight for his election. The Eisenhower tide is a strong one, and it will continue to run strongly if, as the economists say, the business boom continues, and if at the summit meeting in May there is a prospect of some continuing accommodation. It is not easy to build up an opposition to Eisenhower. As a party the Democrats have not yet been able to make an effective case against him, and Governor Rockefeller found that he could not make one either.

Yet there is a case to be made, and some fine day—perhaps not yet in the 1960 elections—someone will make the case.

The case against Eisenhower's prosperity is that we are not producing enough wealth of the right kind. Our economic growth is slower than is required by our position in the world, which is challenged as it has never been challenged before. And of the wealth we do produce too large a proportion goes into consumer goods which are not necessities, and too small a proportion into public necessities, both military and civilian.

The case against the Eisenhower administration on the peace issue is not that he is seeking an accommodation with the Soviet Union. With the race in nuclear armaments as menacing as it is, it would be a neglect of the President's duty if he did not seek the accommodation.

The great charge to be made against the Eisenhower administration is that it has been fumbling the ball in the contest of armaments with the Soviet Union. Thus it has compelled us to negotiate for the accommodation from a second rate position.

Although, no doubt, military expenditures ought to be increased, the primary source of the fumbling in the Pentagon is a feeble leadership from the White House.

Thus, we are not meeting the challenge of the Soviet Union. It is a dual challenge—to negotiate and to compete, to reduce the international tension and to increase the national effort. This is the case which, if I have read the record rightly, Rockefeller would have made had the Republican contest been an open one. This is the case which the Democrats need to make if ever they can unite behind a candidate who understands the case and has the eloquence to take it to the country.

[From the Washington Post, Feb. 9, 1960]

DEFEATISM

(By Walter Lippmann)

At his press conference last week the President replied to his critics who are saying that we are behind the Soviet Union. At the end, in response to a question by Mr. Edward P. Morgan, he went beyond the technical argument about the missile gap and deterrent power to his own philosophical attitude toward the rivalry of the two strongest world powers, the Soviet Union and ourselves.

Mr. Eisenhower's philosophy, if I have understood correctly his impromptu remarks, is that our security is not in jeopardy and that if the Soviet Union is moving faster than we are in the development of certain elements of national power that is to be expected and must be accepted. For, said Mr. Eisenhower, "let's remember that dictatorships have been very efficient." If we must achieve a greater tempo in our development of national power, we shall have to "take our country and make it an armed camp and regiment it * * * and get people steamed up like you did in wars."

After that explanation of why we have fallen behind, Mr. Eisenhower delivered a

little lecture on how we should think and talk more about the "values * * * which we do believe"—namely, "our own individual freedoms and rights." He went on to say that "our people ought to have greater faith in their own system." By this he seemed to mean that the critics who think our defenses are inadequate and the critics who say that we are neglecting our children and not keeping up with the needs of our populations, have less faith than he has in our system.

With all due respect, Mr. Eisenhower is mistaken. It is he who lacks faith in our system. It is he who is saying that we cannot meet the Soviet challenge without changing our system and givng up our freedom. It is he who is telling the country that it cannot afford to meet the needs of our rapidly growing and increasingly urbanized population. It is he who is saying that with a $500 billion economy, the American Nation will lose its freedom if it devotes to public purposes a somewhat larger share than it does today.

It is he who is saying that our system of liberty is so fragile that it is not tough enough and durable enough to keep up the pace in the great contest of national power.

Again with all due respect, he has sunk into, he has resigned himself to, an attitude of defeatism in which there is no faith that our people have the will, the energy, the resourcefulness, and the capacity to close ranks, if they are summoned to make a greater effort. Mr. Eisenhower is talking like a tired old man who has lost touch with the springs of our national vitality.

The doctrine which the President holds, the doctrine which determines his budget, his program, and his preaching to the Nation is, in the perspective of the world struggle, a most dangerous doctrine. The central issue of the world struggle is whether the Soviet system or a liberal system can deal best with the problems that beset mankind. In that struggle we shall surely lose if we tell the world that, though we have the richest economy in all history, our liberal system is such that we cannot afford a sure defense and adequate provision for the civil needs of our people.

If that doctrine goes out into the world, unchallenged and unrefuted here at home, Mr. K. will have the ball which we will have fumbled. We can talk to the end of time about how much we love liberty. But if the masses of mankind understand us to mean that we love liberty in such a way that we cannot keep our place in the world, they will look for guidance and for example to Moscow and not to Washington.

Yet the President's defeatism has no objective justification. The virtues of our system of society are not inseparably tied up with the Revenue Act of 1954 or with a philosophy of government which, when the President explains it, regards the Federal Government as at best a necessary evil.

The Federal Government is no doubt wasteful, and clumsy, and inflated with bureaucracy, and not wholly immune to the payola. But the Federal Government is not a necessary evil to be talked down to. The Federal Government is an indispensable good which must be held to account and be criticized but with respect and appreciation.

For when we talk about our freedoms and our rights, we should not forget the next sentence in the Declaration of Independence which says "that to secure these rights governments are instituted among men" deriving their just powers from the consent of the governed.

RELATIONS WITH LATIN AMERICA, DETERRENT STRENGTH, AND SPACE

Mr. MANSFIELD. Mr. President, in the January 31, 1960, issue of the Hearst newspapers there appeared an editor's report on three very important subjects; namely, our relations with Latin America, the question of deterrent strength, and the question of space. I ask unanimous consent that the editorial may be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITOR'S REPORT: SOUTH AMERICA VITAL TO UNITED STATES

(By William Randolph Hearst, Jr.)

It is about time that we (nationals of the United States of America) realized and appreciated the fact that we are not the only Americans in the Western Hemisphere; that south of us are two other great Americas—Central and South—and that we learn a bit and take a more active interest in our fellow Americans.

So, starting with the ABC's, as we did in our school days—A is for Argentina; B is for Brazil, and C is for Colombia—when soft—Chile.

President Eisenhower's forthcoming trip to South America has emphasized the fact that big things are happening in this hemisphere and that most of us don't know enough about our neighbors to understand the meaning of the events.

As I hinted last week, the importance of current Latin American news has caused the Hearst task force to make this our next assignment. Starting tomorrow we, that is, Bob Considine, Frank Conniff and I, are off on a tour of nine Latin countries, including those Ike will visit.

We're going to send back our observations as we travel, and then we'll write a series briefing you on the situation Ike will find on his trip.

I think the relations of our country with the Latin American nations are as vital to our future as those of any countries in the world. But U.S. ignorance about this hemisphere is a big handicap.

Try this on yourself or your family: You'll find you won't have much trouble answering who is the Chancellor of West Germany or Prime Minister of Great Britain, or President of France, or Prime Minister of India. You may even remember that the President of Tunisia is a guy named Bourguiba.

But then test yourself on the Latins. How many of us can answer who is President of Venezuela (he's Romulo Betancourt) or of Brazil (Juscelino Kubitschek) or of Argentina (Arturo Frondizi)?

Our ignorance goes deeper. Most of us have read little or nothing about the great regions to the south of us. We don't know their history, their cultural traditions, their economic problems.

The truth is we haven't been interested, and our mass communications media, including, I am sorry to say—the Hearst newspapers—have reflected that lack of interest by the skimpy attention we all have paid to Latin America.

The Cuban revolution went on for months before most of us got the idea Batista might be on his way out. And Fidel Castro was well snuggled into power before we suspected that the reddish glow around him wasn't just a Caribbean sunrise.

So stick with us for the next few weeks for some intensive, on-the-scene reports from Latin America.

Our 3-week itinerary takes us—in about this order—to Venezuela, Brazil, Uruguay, Argentina, Chile, Peru, Colombia, Panama, and Mexico. That's all the way down the east coast of South America and back up the west coast.

We'll be meeting many of the major statesmen of the Latin nations, and we'll be telling you what they are like and what their plans are and what they think of our United States of America.

We hope to make it interesting reading—as well as informative.

As we get ready to take off, there is a stackup over Washington of differing opinions by administration and Pentagon officials over (a) our overall deterrent strength vis-a-vis Russia and (b) our accomplishments in space.

In each of these categories I find myself dissenting from positions taken by President Eisenhower. To wit:

1. DETERRENT STRENGTH

We must assume that the President, Defense Secretary Gates, and General Twining, Chairman of the Joint Chiefs of Staff, know what they are talking about when they say our deterrent strength—right now—is sufficient either to prevent aggresison or to retaliate overwhelmingly if it occurs.

Our assumption is that they have superior knowledge and experience.

All agree that the core of our deterrent posture—right now—is the Strategic Air Command (SAC). It will continue to be the core until such time that our missile arsenal is greatly increased, and we have "hard" bases from which to launch them, in contrast to present "soft" bases. "Soft" means capable of being destroyed in an initial missile strike.

It follows, does it not, that since SAC is the core and is likely to be for a few years to come, it should be our primary purpose to make sure it never becomes a "soft" target, too?

But the only way to do this is to keep an adequate number of our bombers in the air 24 hours a day every day.

This is where I differ from the President and support Gen. Thomas S. Power, head of SAC, and his boss, Gen. Thomas D. White, Air Force Chief of Staff.

In his budget message the President questioned the necessity of an airborne alert unless the need should arise.

The danger is that in this era when missiles travel thousands of miles in a matter of minutes, the time when the need arises might be disastrously too late.

General Power estimates it would cost $600 million to keep one-fourth of his 2,000-bomber force in the air at all times.

Granted $600 million is a lot of money, but if it is the difference between getting caught with our planes down out of a total military budget of $40 billion, I say it would be the least wasteful thing in the budget. As my friend co-columnist and co-aviation enthusiast Joe Alsop aptly puts it, it is too much like playing Russian roulette with the safety of our country.

2. SPACE

At his latest press conference President Eisenhower said he didn't see that international prestige was particularly involved in the big and spectacular space achievements of the Russians. He said our rocketry science was coming along fine.

I don't doubt that it is. But I am also convinced we have suffered a serious propaganda-psychological loss from the series of Soviet firsts in space—first to put up a sputnik—first to throw big heavy stuff into space—first to loop a camera satellite around the moon and so on.

One dictionary definition of prestige is a commanding position in men's minds, and that is precisely what I mean. The Russians have a commanding position in people's minds on space. We do not. And this is a blind spot in the Eisenhower administration.

Here is an example. A few days after the first sputnik I was talking with the late, great Foster Dulles in Washington.

"Bill," he said, "you're an experienced newspaperman. Can you tell me what all this excitement is about?"

Now, it is understandable that pure space scientists, because of the nature of their

work and their continuous concentration and preoccupation with it, might have little or no interest in the theory of propaganda and/or psychology. But this excuse should not have applied to Secretary Dulles, nor does it to President Eisenhower.

The administration badly needs specialists in propaganda. I return to a recommendation made nearly 5 years ago when the Hearst Task Force returned from its first trip to Moscow.

It was for the formation of a competitive coexistence council, a Cold War Planning Board to seize and direct the propaganda initiative in all phases of our life. To go back to the dictionary, to give our country a commanding position in men's minds.

I submit that the need for such a Board is as great now as it was then.

Perhaps greater.

RESOLUTION OF NATIONAL SECURITY COMMITTEE OF VETERANS OF FOREIGN WARS COMMENDING SECRETARY OF DEFENSE THOMAS S. GATES, JR.

Mr. DIRKSEN. Mr. President, at the present time, the Veterans of Foreign Wars of the United States is holding its mid-year meeting of National and State officers and National committees in Washington. One of the highlights of the meeting was the dedication yesterday of the beautiful Veterans of Foreign Wars Memorial Building and headquarters.

President Eisenhower yesterday delivered the principal address at the dedication ceremonies. The presence of the President of the United States at the ceremony is indicative of the high esteem in which the Veterans of Foreign Wars are held by the American people.

The interests and civic activities of the Veterans of Foreign Wars are many, both on a national and local scale.

However, one of the most constructive activities of the Veterans of Foreign Wars has been the organization's highly perceptive and genuine interest in national security matters. The National Security Committee of the Veterans of Foreign Wars has as its chairman this year the Honorable B. W. "Pat" Kearney, who for many years was our colleague in the House of Representatives, and who retired last year.

The Veterans of Foreign Wars National Security Committee has been, during the current meeting, studying national security issues.

Traditionally, the Veterans of Foreign Wars thinking with respect to national security has seen through the veneer of sensationalism and political expediency which has, unfortunately, too frequently beclouded defense policies.

Accordingly, it is with a deep sense of satisfaction that I note a major resolution passed by the National Security Committee of the Veterans of Foreign Wars within the last few days. The resolution by this great organization of 1,300,000 oversea veterans commends the present Secretary of Defense, Thomas S. Gates, Jr., for his leadership, for strengthening defense organization, and for vitalizing and preserving the constitutional principle of civilian control.

One of the most important steps ever taken by a Secretary of Defense was Mr. Gates' directive of December 29, 1959, by which he established the policy of personally meeting with the Joint Chiefs of Staff during discussion of matters in disagreement. By this simple, but fundamental procedure, the Secretary of Defense strengthened the Joint Chiefs of Staff system, established a procedure for hastening JSC decisions, provided for a more informed civilian leadership in the Pentagon, and made the constitutional philosophy of civilian control of the military more practical and meaningful.

This action by Secretary Gates has been universally hailed in the press and among thoughtful citizens. It is particularly reassuring to realize that the Veterans of Foreign Wars—veterans who have served our Nation overseas and who have demonstrated such a sound and genuine understanding of defense problems—have formally commended the Secretary of Defense for his leadership.

Mr. President, in connection with my remarks, I ask unanimous consent to have printed in the RECORD a copy of the VFW resolution with respect to the Secretary of Defense.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

VFW NATIONAL SECURITY COMMITTEE RESOLUTION COMMENDING THE SECRETARY OF DEFENSE, THOMAS S. GATES, JR., FOR STRENGTHENING DEFENSE ORGANIZATION AND CIVILIAN CONTROL

Whereas effective national security is dependent upon efficient military planning at the seat of government; and

Whereas the Joint Chiefs of Staff system is a war proven and indispensable feature of our defense planning mechanism; and

Whereas Secretary of Defense Thomas S. Gates, Jr., has, by his memorandum of December 29, 1959, to the Joint Chiefs of Staff, established a procedure whereby he will meet with the Joint Chiefs when matters in disagreement are under consideration; and

Whereas this procedure, which has been acclaimed in the press, and by leaders in Congress regardless of party, enhances the effectiveness of the Joint Chiefs of Staff by hastening decisions, and strengthens the constitutional principle of civilian control over the military; and

Whereas the Veterans of Foreign Wars of the United States has historically supported the Joint Chiefs of Staff system and the constitutional concepts of civilian and military relationships: Now, therefore, be it

Resolved, That the Veterans of Foreign Wars of the United States express its appreciation to the Secretary of Defense, Thomas S. Gates, Jr., for the leadership and sense of responsibility he has demonstrated by his policy of meeting with the Joint Chiefs and thus establishing a procedure which strengthens our Nation militarily, and vitalizes and preserves the principle of civilian control; and be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of Defense.

NOW IS THE TIME TO EXPAND THE POLARIS PROGRAM

Mr. COTTON. Mr. President, Adm. Arleigh Burke, Chief of Naval Operations, has called for an additional billion dollars for six more Polaris submarines.

Admiral Burke reports that the Polaris missile has now passed its critical tests. Secretary Gates has testified that the first of these matchless weapons, nuclear powered submarines with Polaris missiles ready to fire, may join the active fleet by the end of this year.

Mr. President, I cannot express too strongly my ardent hope that the President and the Defense Department will join in speeding production of these Polaris submarines.

We all know the advantages of this weapon. Some of us have continually harped upon them. It is the hardest to find and knock out of any of our present deterrent weapons. It is the lowest cost. It does not require expensive land bases. It does not need a vast flotilla of supporting ships. With a crew of about 100, Polaris submarines can range the oceans for long periods and can launch up to 16 nuclear missiles to reach almost any target in Soviet territory while being hidden beneath the sea.

If we want terrific striking power at minimum cost—this is it.

If we want defense that cannot be knocked out by one attack—this is it.

If we want a weapon which will make any enemy think twice before starting a war—this is it.

Let us not turn a deaf ear to Admiral Burke's appeal.

NEW SOUTH WALES, AUSTRALIA

Mr. WILEY. Mr. President, I hold in my hand what I regard as a fine article, carried in the New York Times. I have received it today with the compliments of Dr. Arthur Denning, Commissioner from New South Wales. It is really too bad that we are not in a position to have printed in the CONGRESSIONAL RECORD the beautiful pictures of a great country that appeared in the article.

Mr. President, I ask unanimous consent that the brief material appearing on two pages of the New York Times section containing this article be printed in the RECORD following my remarks.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

A MESSAGE FROM THE HONORABLE R. J. HEFFRON, M. L. A., PREMIER AND MINISTER FOR EDUCATION, NEW SOUTH WALES, AUSTRALIA

When Americans think of Australia, do they think of Sydney Harbour, of sheep and wheat, of tennis players, of surfing beaches in the sun, of busy cities of 2 million people or more, of playgrounds in the snow, of steel works and coal mines, of expanding industrial plants, or of busy commercial ports?

All of these you will find in New South Wales. This was the name which the English explorers of the 18th century gave to the eastern half of the continent which is now known as Australia. Gradually as settlement of the continent progressed, other areas were detached for better administration, and what is New South Wales now is a State of some 300,000 square miles, nearly twice the area of the State of California.

We are proud of our progress in the 171 years since the first settlement on the shores of Sydney Harbour. In these years the State of New South Wales has always led the development of Australia and I am satisfied it will continue to do so. Although it has only about one-tenth the area of the continent, more than one-third of all Australians live in New South Wales. In the last few years, between a third and a half of all new construction and manufacturing projects in Australia were undertaken in New South Wales.

The use of the latest production methods in industry enable workers to give of their best to their jobs, and still have ample leisure to enjoy to the full the unrivaled opportunities for sports and recreation which abound. The vast increase in the use of road and air transport within Australia has made its people one of the most travel-minded nations in the world.

I hope that the contents of this New York Times supplement will prove of interest to the people of America, with whom we have so much in common, and will serve to give some idea of the opportunities that New South Wales offers for investment, for work, and for play.

NEW SOUTH WALES—AUSTRALIA'S KEY STATE—A LAND OF PACIFIC CHARM AND BUSINESS VITALITY

New South Wales, the key state of Australia, adds to its attractions as a land of exciting business opportunity by presenting to the traveler vast and varied pleasures. Few areas in the world have a greater diversity of scenic beauties.

The coastline extends over 900 miles and is broken by a magnificent chain of headlands and promontories providing an endless panorama of scenic grandeur. Cradled in these headlands is an infinite series of beautiful beaches with the softest sand, upon which rolls the beautiful blue Pacific surf in ceaseless motion.

Parallel to the coast about 60 miles away stretches the Great Dividing Range with its peaks up to 7,000 feet and its rich verdant land and fast flowing rivers. In the Blue Mountain area the valleys and the majestic mountain tops extend as far as the eye can see and over the whole area is a faint scent of eucalyptus trees and wild flowers. Mount Kosciusko, part of the southern Alps, is the biggest peak (7,305 feet) in Australia and is the snow playground of the continent. From May to September this resort provides skiing, tobogganing, and ice skating under ideal natural conditions, and over 1 million acres. During the other months of the year when only drifts of snow remain on the mountainside Kosciusko offers superb trout fishing, mountain climbing, horseback riding, and motoring in a clear bracing climate.

The far north coast is tropical and from Grafton to the northern border sugarcane, bananas, and pineapples are successfully grown. Westward beyond the Great Dividing Range are the golden slopes and the great western plains. Here are the agricultural areas so long a backbone of the state, where the Australian wheat and sheep are produced that have become so famous in the markets of the world. This area is home to over 250,000 people and its modern rural atmosphere will charm many Americans.

In all these areas, indeed all over New South Wales, the traveler will find flowers, birds, and animals of tropical character and color that can be seen in no other place in the world.

The city of Sydney is not only the oldest and largest city in Australia but, like most large cities in the world, has a charm all its own. It has been described as a bustling, colorful, erratic city which is a blend of English, American, and Continental influences. Americans will find that it has the feel and quality of San Francisco. Few cities could be more delightfully situated than Sydney. It is built around more than 150 miles of foreshore of one of the loveliest harbors in the world. The blue Pacific waters, the fresh, clear atmosphere, and a series of magnificent beaches give Sydney a freshness and vitality that is unique among large cities. The climate adds to these physical charms. The mean summer temperature is 71°, and the mean winter temperature is 56°. A freezing temperature of 32° has never been registered in Sydney. More significant still is the fact that the sun shines 342 out of every 365 days in the year.

Whereas Sydney was once the commercial center of an agricultural state, it is now a mature metropolis with much international flavor. Since World War II, people have come from all over the world to settle in this gem of the South Pacific. Over 20 percent of its 2 million people now come from Europe. The million G.I.'s who passed through wartime Sydney would still recognize its physical appearance but would be surprised and pleased to see the new hotels, the new motels, and the new restaurants that have sprung up all over the city. They would be particularly pleased to find Italian, German, Hungarian, and French restaurants and to find the old familiar "Kings Cross area" a virtual international settlement with restaurants and music in the style of the European country from which the proprietor came.

Sydney is not Paris, or Havana, or New York, and visitors are foolish to expect it to be similar. It is a fresh, vital, and booming frontier metropolis that is changing its character and is on its way to becoming one of the famous international cities of the world.

Tourists and businessmen will find in New South Wales and in its capital, Sydney, a land of Pacific charm and business vitality. Now, only a day away from New York by luxurious jet aircraft, this sunny, friendly continent should be visited by tourists and businessmen who love the thrill of international travel and like to feel the excitement of a growing, vibrant nation.

QUESTION AND ANSWER DOCUMENT ON ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, the completion of the St. Lawrence Seaway in June 1959, opened, I believe, a new era of economic progress for the United States—particularly for the Great Lakes region.

The Seaway offers a less expensive route to the markets of the world for the products of the farms and factories of this country.

In addition, it provides access to raw materials and other commodities, to meet the domestic needs of our people.

The completion of the Seaway in 1959 has opened a floodgate of inquiries on the scope and significance of the waterway. To provide such information on the project, a special question and answer report has now been published.

The report contains information on the scope of the project, administrative and legislative history, tolls, defense aspects, prospective economic benefits, and other information relating to the completed waterway.

Formally dedicated on June 26, 1959, the Seaway represents a stronger, economic lifeline between the United States—particularly the Great Lakes region—and markets, people, and nations around the globe.

Overall, the project has excited and challenged the thinking and imagination, not only of shipping and commerce, and other economic groups, but of citizens in almost all walks of life.

Serving the Nation, the Seaway is expected to create ever-greater economic benefits that will flow veinlike to communities throughout the country.

Particularly, the Great Lakes region—the greatest industrial-agricultural complex in the world—is expected to directly benefit from stimulated trade and commerce for over 70 million people in the United States including 8½ million industrial workers residing in about 17 States, and hundreds of thousands of farms in the area.

Despite difficulties of the operation of such a tremendous, complex project, as well as the loss of commerce due to the steel strike, Seaway traffic for the first year of operations with ocean vessels was most encouraging. The volume of cargo tonnage for 1959 was 75 percent over 1958. Indications are even more promising for the 1960 season. New lines are reported entering the Great Lakes next year, and most scheduled lines which used the Seaway in 1959 are expected to return. Bulk cargo potentials are increasing.

From 1959 toll revenues, the Corporation paid operating expenses of nearly $1 million, and in addition, repaid to the U.S. Treasury the sum of $2 million.

The Seaway will, I believe, not only pay off its costs of construction as provided in the law, but will also, as we who supported it envisioned, be of tremendous economic benefit to the country.

Authorized by the Wiley-Dondero law—Public Law 358 in 83d Congress, 1954—the completed Seaway, too, stands as a symbol of joint United States and Canadian efforts to deepen, improve, and modernize the St. Lawrence River for the mutual benefit of their peoples.

Following authorization for U.S. participation in the joint United States-Canadian project, a document entitled "Questions and Answers on the St. Lawrence Seaway," was published in 1954. Over 50,000 copies of this publication were distributed to interested persons, groups, and organizations.

The completion and operation of the Seaway in 1959 stimulated ever-widening interest in its significance, opportunity, and potential.

In response to a growing need for information on the project, the staff of the St. Lawrence Seaway Development Corporation—the U.S. agency authorized to construct, operate, and maintain the Seaway—prepared a revised, up-to-date question-and-answer review of the completed project. The reprint was published at my request by the Senate Foreign Relations Committee.

The document, I believe, represents a comprehensive picture of the major aspects of the Seaway and serves as a valuable source of data relating to its legislative and formational history, as well as to the commercial, economic, and other aspects of its significance to the Nation.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TESTIMONY OF CIA DIRECTOR ALLEN W. DULLES

Mr. DIRKSEN. Mr. President, on Friday, February 5 there was published in

the Washington Post and Times Herald a column under the title "Matter of Fact," written by Joseph Alsop. The subtitle was "The Dulles Testimony."

It was my understanding, Mr. President, that when Mr. Dulles, the head of the Central Intelligence Agency, appeared before the Committee on Aeronautical and Space Sciences it was a closed session. I understand all the testimony was taken in closed session. I think everybody knows what the implications of a closed session are.

Yet the first paragraph of Mr. Alsop's article is:

The hard, disturbing facts and figures in the testimony of the Director of the Central Intelligence Agency, Allen W. Dulles, before the Senate Space Committee can now be revealed on undoubted authority.

Mr. President, who is the "undoubted authority" on which Mr. Alsop predicates his column? Who has made available in whole or in part, or in paraphrase or in capsule form, any of the testimony given by the Director of the CIA? That becomes a very serious question when one is dealing with the whole problem of national defense and national security.

I recall, Mr. President, when Prime Minister Khrushchev was here I was permitted to ask him questions in the closed session of the Foreign Relations Committee, after which the testimony became pretty well common property, because it was set out in paraphrase, prepared by the clerk of the committee.

I asked Mr. Khrushchev particularly about the continuance of the censorship on American news dispatches coming from Moscow. He made some kind of answer. Then I continued. I said I thought it was an amazing thing that his people could come here and roam the countryside, but our dispatches from Moscow were all censored.

Finally he developed a streak of irritation, and then said that perhaps some of them might be spies, and as a result the Russians had to be mindful of their security. Yet Mr. Alsop says it can now be revealed what the Director of our own security agency says; and the revelation comes on "undoubted authority." That becomes a pretty disturbing matter, Mr. President, and I believe it is something that merits further attention by the Senate.

I ask unanimous consent, in connection with my remarks, that the entire column, which has already appeared in print and has been syndicated, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 5, 1960]

THE DULLES TESTIMONY

(By Joseph Alsop)

The hard, disturbing facts and figures in the testimony of the director of the Central Intelligence Agency, Allen W. Dulles, before the Senate Space Committee, can now be revealed on undoubted authority.

In brief, CIA Director Dulles told the committee that the American Government expected the Soviet Union to have 35 intercontinental ballistic missiles "on launchers" by the end of June this year.

He stated that the Soviets would further be expected to have some 140 to 200 ICBMs operational by mid-1961.

He gave the estimate that the Soviets "probably" have two factories turning out ballistic missiles at this time. But he added that one or both of these factories may still be devoted, in part or in whole, to the production of intermediate range missiles.

Finally CIA Director Dulles admitted that these estimates, though used by the U.S. Government for planning purposes, were only the best estimates that could be made on the basis of the fragmentary known facts. They had no claim, he said, to micrometric accuracy. If the estimates were erroneous, he further admitted, they might as easily err on the low side as on the high side.

Three points of the highest significance are implied by this testimony of the CIA Director. His estimates show, first of all, what kind of ICBM lead the American Government now thinks the Soviets have. By next June, when the Soviets are expected to have 35 ICBM's "on launchers," we should have 2 operational Atlas squadrons, or a total of 18 ICBM's ready to fire. By June 1961, when the Soviets are expected to have 140 to 200 ICBM's "on launchers," we should have 5 operational Atlas squadrons plus 1 Titan squadron, or a total of 54 ICBM's ready to fire.

Second, the Dulles estimates explain both the business-as-usual defense budget and the complacent justification of that budget by Secretary of Defense Thomas S. Gates and the Chairman of the Joint Chiefs of Staff, Gen. Nathan Twining.

If the estimates are indeed micrometrically correct (as Secretary Gates and General Twining assume), the Soviets do not now have the number of ICBM's they need to wipe out the American nuclear deterrent. Furthermore, our incoming ICBM squadrons will multiply the targets the Soviets must destroy more rapidly than the Soviets are expected to multiply their stock of operational ICBM's.

This is because three Soviet ICBM firings are needed to give the Kremlin 95 percent assurance of destroying one of our ICBM's in a "soft" launching site. Thus, even in the case of missiles in soft pads, each American ICBM that becomes operational creates a requirement for three more Soviet ICBM's. The ratio is much higher, too, in the case of American ICBM's in "hard" pads; and the Titan squadron that should become operational by mid-1961 will be fully "hardened."

For these reasons if the estimates are precisely accurate, and if there is no slippage in the scheduled activation of the American ICBM squadrons, there will be no moment when the Kremlin can risk a nuclear strike at the United States. For if the Soviets do not accumulate ICBM's more rapidly than the estimates allow, they will never have enough to take out the whole target system presented by the American nuclear deterrent. And thus they will never have enough ICBM's to avert an American counterstrike that would destroy the Soviet Union.

Third, however, the Dulles testimony clearly reveals the absolute reliance of the Eisenhower administration policymakers on the micrometric precision of the intelligence estimates—which CIA Director Dulles says cannot be micrometrically precise.

To illustrate, the brilliant Strategic Air Commander, Gen. Thomas Power, has repeatedly stated that the Soviets can now wipe out nuclear deterrent with only 150 ICBM's, plus the same amount of IRBM's, which they are known to have in ample quantities. The estimates give the Soviets only 35 operational ICBM's by the middle of this year. By then, the complete activation of the first 2 Atlas squadrons will increase the Soviet requirement, as figured by General Power, to something like 180 ICBM's.

The margin may appear to be ample, but it is really incredibly narrow. Our own Atlas ICBM plant is capable of turning out no less than 15 missiles per month, on 3 shifts, and on its single production line. This capacity output has never been attained because of business-as-usual budget making, but the possibility of this kind of Atlas output has existed for over a year. Thus 10 months of capacity output by the Atlas plant equals the present Soviet ICBM requirement as stated by General Power.

CIA Director Dulles has now testified that the Soviets probably have not one, but two missile plants in production at present. Either, or both, of these plants may have, not one business-as-usual production line like the Atlas plant, but two lines in three-shift production. That sort of situation in at least one plant was implied by Nikita S. Khrushchev's recent boast, that he had inspected a Soviet factory which produced no less than 250 rockets last year. The word "rockets" was used in a context that seemed to indicate intercontinental rockets, of which Khrushchev had just been speaking. Thus the chance of error in the estimate can hardly be excluded.

Yet the whole outlook would be hideously transformed by the most trifling error in the American intelligence estimates—a mere error, for example, concerning the actual moment when one or both of the Soviet rocket plants began production of ICBM's for operational purposes.

Soviet IRBM stocks were estimated to be ample for the target available as long as a year ago. If both Soviet plants were then converted from IRBM to ICBM production, the Soviets could now have far more than their basic requirement, as stated by General Power. And they would have this requirement even after allowing most generously for diversion of Soviet ICBM's for tests, into satellites, and so on.

In fact, if both the two probable Soviet rocket plants began producing operational ICBM's at Khrushchev's rate just 4 months ago, the Kremlin would now have the ICBM requirement stated by General Power. This kind of error of a mere 4 months is vastly less, in turn, than the recurring optimistic errors in earlier national estimates. These have averaged a good two years.

These facts, in turn, explain why General Power has been pressing so hard for a maximum airborne alert of his B–52's, in order to put at least a part of the American nuclear deterrent beyond reach of a surprise Soviet rocket strike. As has been remarked, gambling the whole national future on the chance that there cannot be an error of a mere 4 months in the intelligence estimates is simply a game of Russian roulette on an unprecedented scale.

TRIBUTE TO THE LATE VASILIOS I. CHEBITHES BY HARRIS J. BOORAS

Mr. SALTONSTALL. Mr. President, on December 10, 1959, while Congress was in adjournment, Mr. Vasilios I. Chebithes, past supreme president of the Order of Ahepa—American Hellenic Educational Progressive Association—for eight terms, passed away. He was lovingly referred to as "White Father V. I." by Ahepa and Greek-Americans. He was a veteran of the First World War, serving overseas with Field Remount Squadron 326. He was born in Icaria, Greece, the son of a Greek Orthodox priest, Rev. I. N. Chebithes. Arriving in the United States in 1906 at the age of 14, he was raised by Mr. and Mrs. Lemuel Gragg in Somerset, Ky., which is the hometown of the senior Senator

from Kentucky. He moved to Washington, D.C., where he worked for the Government and attended George Washington Law School.

He served as supreme president from 1924–27 and 1935–40, providing strong and inspiring leadership for the Order of Ahepa and the American Hellenes.

I express my condolences to his children, his friends and all of the Greek-Americans who will truly miss this great leader.

I ask unanimous consent on behalf of the Senator from Kentucky [Mr. COOPER] and myself, to have printed in the body of the RECORD, a eulogy by Mr. Harris J. Booras, past supreme president of Ahepa and former assistant attorney general of the Commonwealth of Massachusetts, a recognized leader of Greek-Americans and Greek orthodoxy, which was printed in a recent issue of the Ahepa magazine.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

V. I. CHEBITHES—A NOBLE ARCHON

(By Harris J. Booras)

V. I., our dearly beloved past supreme president, is no longer with us. He has entered the company of immortals, as was ordained by God. His untimely death is an irreparable loss to his beloved children and also to the entire Ahepa family. We have lost a noble overpowering leader, whose unmatched services and contributions to the progress and welfare of Ahepa and Hellenism in general shall radiate both faith and inspiration to all of us and to our future generations.

I have known V. I. from the very minute that I entered the portals of the fraternity back in October of 1924 when he, as supreme president, administered the oath to me. As the months rolled into years thereafter and as we met and even combated in the arena of our fraternity and at supreme conventions, my admiration and respect of him grew greater and fonder, for I realized that he was a most conscientious apostle of our fraternity's progress and creed.

WE RESPECTED EACH OTHER

In writing these few words of tribute to his memory, I must emphasize a great example of fraternalism and respect. V. I. and I, as everybody well knows, were for many years the acknowledged leaders of the two political factions in the Ahepa. We clashed and, in most instances, disagreed. We fought and argued and stood steadfast in our respective beliefs. Yet, when the battle was over and the debates terminated, V. I. and I walked hand in hand from the arena, as true friends and associates. I emphasize this fraternal demeanor on the part of V. I. and myself, for it is an example that should be followed by all Ahepans who disagree or find themselves in opposite camps.

When V. I. first became supreme president back in 1924, he was an unknown to our people. His brilliant, eventful and romantic career in the service of Ahepa made him the idol of Hellenism in America and the giant in Ahepa's missions. When the curtain finally closed and his life ended, he had risen to the highest pedestal of renown and respectability, not only in America and Canada but also throughout mother Greece.

The assembly rooms of the Ahepa chapters, and especially the rostra of the district and supreme conventions, will sense a great emptiness because of the physical absence of this mighty leader; but his dynamic spirit shall be ever present and ever guiding his brother Ahepans to nobler deeds and accomplishments.

A master among men
In thought and word and deed,
He trod the paths of life as one
Ordained by God to lead.

Mr. COOPER. Mr. President, I am glad to join the senior Senator from Massachusetts [Mr. SALTONSTALL] in paying tribute to the Honorable Vasilios I. Chebithes.

I knew the Honorable Vasilios I. Chebithes since he first came to the United States and settled in my hometown of Somerset, Ky.

I can remember him as a brilliant student in the Somerset High School, as the winner of numerous oratorical and debating prizes, as well as of awards for high scholastic achievement. Adhering to the Greek tradition of excellence in mind and body, he found time to learn our American games, and played on the Somerset High School football team.

After graduating from Somerset High School, he attended Centre College at Danville, Ky., one of the oldest colleges founded west of the Allegheny Mountains, where again he won high honors for scholarship, debating, and athletics. When the United States entered World War I, Vasilios I. Chebithes entered the service—in devotion and patriotism to the country he had chosen as his own.

Since that time, he went on to other honors, which have been noted today in the statement of the Senator from Massachusetts [Mr. SALTONSTALL]. I was sorry to learn of the death of Vasilios I. Chebithes, and I join today in this tribute to the high example which he set—in the best traditions of his native and his adopted lands.

NEEDED: EARLY ACTION ON PRESIDENT'S FARM RECOMMENDATIONS

Mr. WILEY. Mr. President, Congress, I believe, should act expeditiously on the farm recommendations presented today by President Eisenhower.

We recognize that we still face a serious problem in attempting to establish a supply-demand balance on farm commodities.

While there are widely diversified views on just what is best for agriculture, the Congress—particularly in the face of high costs of the present program—has a responsibility for making a realistic attempt to find a solution to the problems.

Wisely, the President offered only general objectives and recommendations essential for the American farmer and the whole economy—leaving it up to Congress to find more specific formulas—or perhaps acceptable alternatives for improving the outlook in agriculture.

As the President pointed out, "we are most fortunate that our problem in agriculture is overabundance, rather than a shortage of food." However, continuing production to an excess—costing the taxpayers $1.5 million per day for surplus maintenance—is not in the best interests of the farmer, taxpayer or the economy.

The major task of course is to find a solution to the overproduction problems, particularly in such commodities as wheat and corn.

As recommended by the President, the expansion of the conservation reserve program would, I believe, be worthwhile if aimed at curbing the major surplus commodities. While still costly, it is estimated to be less expensive than the price support program. Too, the long-range benefits of greater soil fertility and enrichment through conservation practices would help to offset the costs of the program—ultimately to be expanded to 60 million acres as recommended by the President. The proposals, too, for expansion of the food-for-peace program I believe, are meritorious. Insofar as possible, the surplus food should be more effectively utilized to feed hungry people, both at home and abroad. In addition, these commodities can well be used in support of our policies—economic, political, strategic, as well as humanitarian—around the world.

Also, the expansion of research programs for greater utilization of farm products and their components is a necessary objective if we are to reduce surpluses, as well as to get maximum benefit from the potential of our food production plant.

As a matter of fact, I have recommended the establishment of such expanded research in dairying, for example, by the establishment of a research laboratory at Madison, Wis.

Designating a coordinator for utilization and research, too, is a constructive step. Coordination in research is essential—particularly in avoidance of duplication of effort—if we are to make maximum progress in research.

Incidentally, I have also recently recommended the establishment of an Inter-Governmental Department Committee on Utilization of Farm Commodities, with objectives similar to those recommended by the President.

Finally, the effort to expand the rural development program would make a useful contribution to resolving some of the fundamental problems in agriculture—particularly as these adversely affect the low-income farmer.

Necessarily, this is a long-range program. The pilot projects now underway—aimed at mobilizing the human and natural resources through cooperative local, State, and Federal efforts—however, have demonstrated sufficient promise to merit, I believe, going ahead full speed on this program for improving the economy in economically depressed communities. On price supports, we can expect that there will continue to be widely divergent views on the proper level of price supports for farm commodities—to achieve the objectives of: improving farm income, while at the same time, enabling us to reduce surpluses, and its oppressive effect on the farm economy.

Recognizing the need for maintaining a healthy farm economy—traditionally the birthplace of depressions—as well as reducing the cost of the burden of surpluses on the American taxpayer—Congress should, I believe, give consideration to the recommendations by the President—or constructive alternatives—as soon as possible.

TIME TO REMEDY AN INEQUITY IN OUR LAWS

Mr. KEATING. Mr. President, a recent editorial in the Washington Star underscored the need for congressional action to eliminate the inequity of the 1958 Military Pay Act. The necessity for Congress to take steps to rectify the injustice of the present law has also been pointed out in recent months by President Eisenhower, Secretary of Defense Gates, and other leaders.

Last year, on January 14, I joined with other Senators in sponsoring S. 269, which seeks to equalize the pay of retired members of the Armed Forces. The passage of this measure would permit Congress to live up to the obligation noted by the Star in its editorial, to "correct this mistake." I am hopeful the powerful backing being given the principle of the proposed legislation will result in favorable action in the very near future.

Mr. President, I ask unanimous consent to have the fine editorial from the Washington Star printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CORRECT THIS MISTAKE

Bills to correct an inequity of the 1958 Military Pay Act which, in effect, has created privileged and underprivileged classes of retired military personnel have been introduced—this time with the blessing of President Eisenhower. The chances are good, therefore, that this legislation—previously opposed by the Budget Bureau and the Pentagon, will be passed in the near future. Congress certainly should do its part in removing the discriminatory retirement pay provisions of the present law.

The 1958 legislation scrapped the time-honored relationship between active duty and retirement pay in the case of officers retired before June 1, 1958. Instead of giving these already retired officers the same pay benefits as those who retired after that date, a flat 6-percent raise in retirement pay was decreed for those then on the retired list. However, personnel retired after the cutoff date were given substantially higher increases, geared to the general increases in active duty pay. The new plan justifiably was protested by many veteran officers of the armed services, including those who had served their country in combat.

Defense Secretary Gates, in letters to the chairmen of Senate and House Armed Services Committees, has announced that the administration has restudied its earlier position on the issue and now believes it only equitable and fair to reestablish the traditional relationship between active duty pay and retired pay. Apparently the earlier position was an economy move, the ill effects of which had not been foreseen. The mistake should be remedied, with retroactive benefits to those who were penalized for retiring too soon.

POLAR SOCIETY HONORS CAPT. FINN RONNE

Mr. CASE of South Dakota. Mr. President, last Saturday night the American Polar Society and the Washington group of the Explorers Club joined in observing the 25th anniversary of the Polar Society with a dinner at which Capt. Finn Ronne, Antarctic explorer, was the guest of honor.

Captain Ronne, who has made four year-long trips to the Antarctic, was awarded the Polar Society's honorary membership, a recognition given to only seven others in its history. He was the scientific and military leader for the unit of the U.S. participation in the International Geophysical Year that established Ellsworth Station at the head of the Weddell Sea.

The feature of the evening was Captain Ronne's presentation of an epic motion picture of that latest expedition, accompanied by his own brilliant narration of the incidents recorded by color film.

Highlights were the battle of the U.S.S. *Wyandotte* against the polar ice, the intimate glimpses of team life during the longer winter night while carrying on regular observations of weather and atmosphere, a series of candid shots of whale, seals, and penguins found in the Antarctic, and a heroic flight to take emergency gasoline to Sir Vivian Fuchs that made possible his overland trek to the South Pole.

The Senate can rightfully take special pride in the accomplishments of the International Geophysical Years as it was a resolution by the Senate's Armed Services Committee which gave the signal of approval for the Department of Defense, and notably the Navy, to supply personnel and equipment for the operations carried on under Rear Adm. George Dufek, and of which the units led by Dr. Paul A. Siple and Captain Ronne were such notable elements.

I personally appreciated the privilege of presenting that resolution on the suggestion of the distinguished senior Senator from Virginia [Mr. BYRD], and the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], as a replacement for an earlier bill I had introduced to authorize an expedition to be led by Captain Ronne.

This was in 1954 and the resolution, to be found in the proceedings of the Armed Services Committee for July 29, 1954, was duly transmitted to the President and the Department of the Navy to assure the executive branch of the committee's interest in and desire for Antarctic exploration.

Saturday night's anniversary banquet for the American Polar Society was held at the Cosmos Club, with the Honorable Edward Cleaveland Sweeney, chairman of the Washington group of the Explorer's Club as master of ceremonies, and Capt. Elliott B. Roberts as chairman of the program committee.

Dr. Paul A. Siple, also a veteran of the Antarctic, and famed as the Boy Scout on an early Byrd Expedition, who had known Captain Ronne's father, Martin Ronne, veteran Norwegian polar explorer, made the presentation of the illuminated membership scroll to Ronne. Dr. Charles B. Hitchcock, president of the Explorer's Club, welcomed the guests, and presented a very fine globe of the earth to August Howard in recognition of his 25 years' service as secretary of the American Polar Society.

The Polar Society issued a statement in connection with the ceremonies which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEWS RELEASE OF AMERICAN POLAR SOCIETY
FEBRUARY 6, 1960

Capt. Finn Ronne, USNR, of 6323 Wiscassett Road NW., Washington, D.C., who in 1947 discovered the world's last coastline facing the Weddell Sea in Antarctica, tonight, receives an illuminated scroll making him the eighth honorary member of the American Polar Society of which he is a vice president.

Dr. Paul A. Siple of 131 North Jackson Street, Arlington, Va., Antarctic explorer and scientific leader of the IGY's South Pole station in 1957, presents the scroll to Captain Ronne at the society's silver anniversary dinner at the Cosmos Club, 2121 Massachusetts Avenue NW., Washington, D.C.

Captain Ronne's discovery of Edith Ronne Land at the head of the Weddell Sea eliminated the possibility of a strait dividing Antarctica. Some 250,000 square miles of newly discovered land are included in the 700,000 square miles his party covered by trimetrigon photography.

Captain Ronne was on the second Byrd Antarctic Expedition of 1933–35; U.S. Antarctic Service Expedition, 1939–41; and was the scientific and military leader of the IGY Ellsworth Station the first year of its operation in 1957.

Seven honored earlier as honorary members were: Brig. Gen. David L. Brainard, of Washington, D.C., last survivor of the Greely Arctic Expedition of 1881–84, on his 80th birthday in 1936; Adm. Richard E. Byrd in 1938; Dr. Vilhjalmur Stefansson in 1940; Dr. Lincoln Ellsworth in 1944; Prof. Frank Debenham, founder of the Scott Polar Research Institute at Cambridge, England, in 1949; Dr. Paul A. Siple of Arlington, Va., who received his honorary membership scroll at the South Pole, December 1, 1957, when he completed his year of duty there, and Miss Louise A. Boyd, of San Francisco last June, leader of eight Arctic expeditions including one to the North Pole in 1955.

Captain Ronne's scroll is signed by Rear Adm. Robert A. J. English, U.S. Navy, retired, of San Gabriel, Calif., as president of the society. He was on the second Antarctic expedition of 1933–35.

Mr. CASE of South Dakota. Responding to the presentation by Dr. Siple, Captain Ronne made some interesting observations on changes in polar exploration and the significance of U.S. participation in the International Geophysical Year. I ask unanimous consent that his remarks may appear at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY CAPTAIN RONNE

Thank you very much, Paul, for your kind and nice remarks.

This scroll and the thought that motivated it is very much appreciated. It has a particularly deep and significant meaning to me because it was voted upon by the 23 members who compose the board of governors of the American Polar Society, nearly all of whom have actively participated in some form of polar work. Because of their unanimous backing, I am proud to accept this scroll and join their list of honorary members.

I grew up with polar exploration. At first the interest was through my father's close

connection with Roald Amundsen and I followed the gradual progress of man's conquest of the unknown and the great personalities who played leading roles in this drama. My personal contacts with such men as Amundsen, Nansen, Sverdrup, Ellsworth, Arctowski, Byrd, Wilkins, and Stefansson are treasured memories now.

Although my training was in engineering, Antarctic exploration has always been my vital interest.

Since I first went with Byrd in 1933—as a ski expert and dog drives, I have been a part of the development of modern exploration. As Paul Siple will agree, the explorers tools have changed radically since then. The dog team has given way to tractors and airplanes. With my friend, Carl Eklund here, we once sledged almost 1,300 miles in 84 days behind a pair of dog teams.

The three of us here tonight Carl, Paul, and I are among the few oldtime explorers still kicking around who can remember how slow and tough the going was then.

Mechanization has made dog power obsolete. Furthermore, polar activities are now supported by Government appropriations. My own private modestly furnished expedition in 1946–48 undoubtedly was the last private expedition ever to venture to the Antarctic. As a result of the present-day onslaught, the aroma of polar exploration and its adventure has faded away. Where only a handful of men once struggled independently to solve mysteries looming over the horizon, now, every year thousands of men are in action.

The impact which the International Geophysical Year made on opening up the Antarctic should not be underestimated.

It provided the necessary wedge to renewed interest on an international scale undreamed of by the pioneers. As a result, scientists from many nations are accumulating vast amounts of knowledge from the world's last unknown continent. Huge logistic task forces provide the support for the detailed scientific cleanup job.

These worthy objectives have also been materially aided by the new international treaty on the Antarctic recently signed here in Washington. As part of this agreement, the claims of individual nations will no longer be a political deterrent to the furtherance of the scientific investigations which we trust will be of future benefit to all mankind.

Those who have watched this transition cannot help but be moved by the tremendous forward strides made in the last few years. As the pioneering era ends in the Antarctic, men with similar spirit today are turning their eyes to outer space. However, I might add that my calling to search for new horizons ends right here on terra firma.

In closing I want to express my appreciation to the many men with whom I have been associated in the polar field during the past 26 years and specifically acknowledge the trojan task accomplished by the small group of 23 who wintered with me on my own private expedition back in 1947. And finally, I also wish to pay tribute to my wife, Edith Ronne, "Jackie" as you know her, who has sledged the entire distance with me on smooth as well as over the roughest terrain, and who accompanied the expedition of 1946–48. I thank you all.

Mr. CASE of South Dakota. Finally, Mr. President, I ask unanimous consent that the contents of the printed program may appear at this point in the RECORD, carrying the names of the officers of both the Explorers Club and the American Polar Society, noting, as I do, that our colleague the distinguished junior Senator from Oregon [Mr. NEUBERGER] is a member of the board of governors.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

AMERICAN POLAR SOCIETY WITH THE EXPLORERS CLUB WASHINGTON GROUP CELEBRATING 25TH ANNIVERSARY OF THE POLAR SOCIETY AND HONORING CAPT. FINN RONNE, USNR., ANTARCTIC EXPLORER, AT THE COSMOS CLUB, WASHINGTON, D.C., FEBRUARY 6, 1960

American Polar Society: Robert A. J. English, rear admiral, U.S. Navy, retired, president; Dr. Thomas C. Poulter, Capt. Finn Ronne, USNR., Dr. John H. Roscoe, vice presidents; August Howard, secretary; William Briesemeister, treasurer.

Board of governors: Dr. Wallace W. Atwood, Jr.; Louise A. Boyd; Dr. Meredith F. Burrill; Rear Adm. George Dufek, USN, retired; Herman R. Friis; Dr. Neil D. Josephson; Dr. Victor E. Levine; Capt. Edwin A. McDonald, USN.; Fred E. Meinholtz; Capt. Alton B. Moody, USNR; Senator Richard L. Neuberger; Comdr. David C. Nutt, USNR; Dr. Paul A. Siple; Charles H. Stoll; Walter Sullivan; Prof. Edward C. Sweeney; Rear Adm. Charles W. Thomas, USCG, retired; Bradford Washburn.

Oversea advisory council: Dr. Griffith Taylor, Australia; Paul Emile Victor, France; Dr. Elizaburo E. Nishibori, Japan; Harold F. Griffiths, New Zealand.

Honorary members: Gen. David L. Brainard, 1936–46; Adm. Richard E. Byrd, 1938–57; Dr. Vilhjalmur Stefansson, 1940; Dr. Lincoln Ellsworth, 1944–51; Prof. Frank Debenham, 1949; Dr. Paul A. Siple, 1957; Louise A. Boyd, 1959; Capt. Finn Ronne, 1960.

The Explorers Club: officers 1959; Dr. Charles Baker Hitchcock, president; John Clare Pallister, first vice president; Dr. Melville B. Grosvenor, second vice president; Dr. Lowell Thomas, third vice president; Melville Porter Cummin, secretary; Ward Randol, treasurer.

Washington group: Edward C. Sweeney, chairman; J. O. Kilmartin, vice chairman; Charles Allmon, secretary; Homer Heller, treasurer; Capt. Elliott B. Roberts, chairman program committee.

Steering committee: In addition to officers, Wallace D. Barlow, Dr. Roy L. Sexton, Joseph M. Ehlers, Col. M. T. Cowling, Capt. Finn Ronne, Matthew W. Stirling, Steuart A. Reiss, Mark "Evans" Austed.

PROGRAM

Chairman: Edward C. Sweeney.

Invocation: Dr. Edward L. Elson.

Welcome: Dr. Charles B. Hitchcock, August Howard.

Head table: Senator Francis Case, South Dakota; Mrs. Francis Case; Dr. Edward L. Elson, pastor, National Presbyterian Church; Mrs. Edward Elson; Dr. Melville Grosvenor, president, National Geographic Society; Mrs. Melville Grosvenor; Dr. Charles B. Hitchcock, president, Explorers Club; Mrs. Charles B. Hitchcock; August Howard, secretary, American Polar Society; Capt. Alton Moody, American Polar Society; Capt. Finn Ronne; Mrs. Finn Ronne; Dr. Paul Siple; Mrs. Paul Siple; Edward Cleaveland Sweeney, chairman, Washington group, Explorers Club; Mrs. Edward Cleaveland Sweeney.

Remarks: Dr. Paul Siple, "25 Years of the American Polar Society"; Capt. Alton Moody.

Presentation: Honorary membership scroll to Capt. Finn Ronne, by Dr. Paul Siple.

Response and illustrated lecture: Capt. Finn Ronne, "Probing Antarctica."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes.

Mr. MANSFIELD. Mr. President, is morning business concluded?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

Is there objection to laying before the Senate the unfinished business? The Chair hears none; and the Chair lays before the Senate the unfinished business.

STUDY OF FEDERAL JUDICIAL SYSTEM

The Senate resumed the consideration of the resolution (S. Res. 231) authorizing a study of the Federal judicial system.

THE PRESIDENT'S FARM MESSAGE

Mr. ELLENDER. Mr. President, today the President of the United States sent to the Congress a message dealing primarily with the wheat problem. I have issued the following statement:

The President's message casts a ray of hope that we may soon enact wheat legislation.

However, my initial reaction to the message is that in order for us to have any real cooperation between the administration and the Congress so that wheat legislation can be enacted it is necessary that we obtain the active support of the President's Secretary of Agriculture.

It was only last August when the President wrote me to the effect that he hoped wheat legislation could be favorably acted upon by the Senate Committee on Agriculture and Forestry in a form that would prove acceptable to the Congress and consistent with the interest of all Americans.

Yet, it was only a few weeks later when the President, acting upon the recommendation of his Secretary of Agriculture, vetoed the only bill the Congress could pass—a bill which, over a 2-year period, would have resulted in savings aggregating between $400 and $600 million. Congress cannot respond to such a brand of cooperation if we are to settle the pressing wheat problem.

In any event, if the President's most recent views on wheat had only come a few years earlier, we would not be faced with such a staggering wheat surplus which presently fills elevators, warehouses, and bins throughout the country.

I have introduced a wheat bill which, to a large extent, meets the standards laid down by the President in his message. I intend to actively press for enactment of this legislation, or any alternative legislation which could pass Congress and which would reduce wheat production without causing drastic reductions in the income of wheat producers.

It is my hope that the administration will give serious consideration to my bill, as I sincerely believe it presents the only approach that will receive the blessings of Congress.

The bill to which I refer is Senate bill 2759. Although I authored this bill, it is similar to the one that was originally agreed to in conference last year between the conferees on the part of the House and the Senate. However, the full membership of the House of Representatives rejected the conference report,

although it had been agreed to by the Senate.

That bill envisioned a cutback of 20 percent of the wheat acreage which was fixed by law, and which aggregated 55 million acres, with a support price of 80 percent.

We have before the Committee on Agriculture and Forestry at this time quite a number of bills pertaining to the farm problem as a whole. It is my considered judgment that there is no prospect of committee members agreeing on an overall farm bill. It is my belief that what the committee should do is to lend its efforts toward trying to solve the wheat problem, because if we do not do something to solve the wheat problem, my fear is that it will destroy the whole farm program.

All of us realize that there is too much wheat on hand now. As a matter of fact, almost one-third of the moneys invested by the Government in our program relates to wheat. Certainly with such a huge surplus facing us now, this Congress cannot afford to go home and permit the continuation of the piling up of wheat, causing much unnecessary cost to the taxpayers.

As I have said, several bills are before the Congress. As we all know, the distinguished Senator from Missouri [Mr. SYMINGTON] introduced Senate bill 2862, with several titles, which would reform the whole farm program. Personally, I am willing to hold hearings on the bill and see what can be done, but when I talk with members of the Committee on Agriculture and Forestry, I know that there would be no chance to report to the Senate a bill of the character introduced by the distinguished Senator from Missouri.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief explanation of that bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION OF S. 2862

Title I establishes State and National farmer advisory committees; provides for the use of such committees and the local, county, and State ASC committees in administering the act; and requires that farmer members of such committees derive the major part of their income from farming. State ASC committees, which now consist of three to five farmers who are legal residents of the State and appointed by the Secretary for indefinite terms, would in the future consist of three farmers appointed by the Secretary for 3-year terms from nominees designated by the county committees.

Title II transfers administration of certain laws authorizing school lunch, special milk, and food stamp programs to the Secretary of Health, Education, and Welfare; directs the Director of the Office of Civil and Defense Mobilization to maintain a national reserve stockpile of food, fiber, and biological oils; requires the Secretary of State to determine the quantity of each agricultural commodity required in carrying out U.S. foreign policy (such as under titles I and II of Public Law 480, 83d Cong.); and requires the Commodity Credit Corporation to be reimbursed by those officers for commodities furnished by it for those programs.

Title III requires the Secretary of Agriculture to maintain the average price for each farm agricultural commodity for each marketing year at not less than 90 percent of parity unless producers have disapproved a market supply adjustment program under title IV. The Secretary is also to develop and submit to Congress a parity formula for each agricultural commodity which will enable the efficient family farm operator to earn a return on his labor and investment comparable to other units of the economy.

Title IV provides for market supply adjustment programs for agricultural commodities or groups of related agricultural commodities for marketing years in which the Secretary determines they will be necessary to maintain average prices at 90 percent of parity. They would be developed by the Secretary, with the aid of the National Farmer Advisory Committee, and be subject to two-thirds approval in a producer referendum. Such programs might include such elements as commodity loans, marketing agreements and orders, acreage allotments, marketing quotas, market shipment scheduling, commodity purchase and diversion programs, stabilization pools, incentive payments, compensatory payments, market stratification, and export equalization payments. Sections 405 and 406 provide that in formulating a market supply adjustment program, the Secretary shall (i) determine the national requirement for the commodity, consisting of the quantity which will move through commercial channels for domestic consumption at not less than 90 percent of parity, the quantity which will be used in programs specified in title II, and the quantity which will be exported for dollars at world prices; (ii) reduce such requirement by the quantity then in CCC stocks which will be delivered for programs specified in title II, and (iii) allocate such reduced requirement to States, counties, and farms on the basis of past production, adjusted so as to provide fair and equitable treatment. In the case of commodities used to a substantial extent on the farm where produced the allocation might be in acres, otherwise in bushels, bales, etc. The bill does not prohibit farmers from producing or marketing in excess of their allocations, but section 407 requires the Secretary to establish necessary incentives, penalties, or compliance deposits to facilitate enforcement of any market supply adjustment program. Section 404 requires the Secretary to furnish a thorough explanation of the program and the estimated effects of approval or disapproval to producers prior to the referendum. Section 408 prohibits any person deriving more than 50 percent of his income from sources other than the production of agricultural commodities from receiving benefits under the act in excess of $5,000 per year.

Title V conditions the eligibility of each producer for benefits under the act upon retirement to conservation of up to 10 percent (as specified by the Secretary) of his cropland (not counting the first 20 acres); and authorizes the Secretary to enter into rental agreements for the retirement of the additional acreage necessary to balance production with requirements. Annual rental agreements may cover up to 50 percent of a producer's cropland. Long-term rental contracts are authorized for lands to be returned to their original cover or reforested. Whether land is retired as a condition of eligibility for benefits under the Act or pursuant to annual or long-term rental agreements, the Secretary is to share with the producer the cost of establishing conservation practices in accordance with programs approved under section 7 of the Soil Conservation and Domestic Allotment Act. To date no programs have been approved under section 7 and we understand that the ACP program carried out under sections 7 to 17 of that act is the program intended to be described. Conservation Reserve contracts under the Soil Bank Act may be renegotiated to provide fair treatment to all producers.

Title VI creates an Agriculture Development Service in the Department of Agriculture to assist low income farm families and develop rural areas. Its Administrator would designate agricultural development areas, and submit to Congress a program for each such area and a national program to provide credit, technical advice, and nonagricultural training for low income farm families and to assist local and State authorities in developing agricultural development areas.

Title VII repeals existing law providing for acreage allotments, marketing quotas, and price supports.

Mr. ELLENDER. There are presently three proposals being considered by the committee which deal exclusively with wheat. The first is the proposal of the National Association of Wheat Growers. They would scrap the present program and provide bushelage quotas on wheat for domestic food use and for export. Total use for these purposes would be estimated by the Secretary of Agriculture.

Quotas would be enforced through the use of marketing certificates. In other words, it is one of those two-price plans, more or less, something our committee has been considering for many years, and which up to now it has not seen fit to accept.

Other parts of their program are:

First, that 150 million bushels of the quota determination as made by the Secretary would be the CCC marketing quota with adjustment provisions for estimating errors.

Second, that the CCC quota would not be subject to sale at less than the parity price for wheat.

Third, the plan calls for the retirement from production of 20 percent of the wheat base acreage. That would entail, as I understand, a soil bank program, which I do not believe Congress would enact.

Fourth, they provide for orderly marketing through the use of recourse loans, at 65 percent of parity.

Fifth, wheat produced in excess of the quota would move into secondary uses, such as feed or industrial uses, or could be stored at the farmers' expense until the next year.

Mr. President, 2 weeks ago the committee empowered me to hold hearings on the wheat bill I had introduced. We held hearings for a day. The National Association of Wheat Growers came to us and suggested that their plan was being seriously considered by the Grange, and by several other farm organizations. We were asked to postpone further hearings on the wheat program. Thereafter I was directed by the committee to do just that.

It is my hope that early next month or in the latter part of this month we will be able to resume hearings on the wheat bill.

In addition to that bill there is one which is being supported by the American Farm Bureau Federation. That bill is diametrically opposed to the bill which is proposed by the National Association of Wheat Growers. The Farm Bureau Federation bill would eliminate all acreage controls and marketing quotas effective with the 1961 wheat crop.

Secondly, it would base price supports for wheat on the price-support level for

corn, except that for 1961 the wheat price would not be less than 120 percent of the price support for corn.

I am sure that all of the Senators from the corngrowing States and those that produce feed grains would oppose this bill. It would mean that the price of wheat would be geared to the price of corn and other feed grains, something that I am sure the corngrowers would not like. I am positive, after talking to quite a number of members of the committee, that it would be impossible for us to report such a bill to Congress.

Third, the CCC resale price of wheat for domestic uses would be 150 percent of the effective price support, plus reasonable carrying charges.

It might simply mean that wheat would remain quite a long time as surplus in the warehouses of the Nation.

Fourth, the bill would expand the conservation reserve to 60 million acres.

Again, Mr. President, I am very doubtful that Congress would enact a new or an expanded conservation program or soil-bank program. It will be recalled that the reserve-acreage program was done away with only a few years ago, when Congress failed to provide money for it, and the conservation program will expire at the end of this year.

Mr. President, it is my judgment that the reason why Congress will not enact or extend the soil conservation program is that the first program was badly managed. When the first program was enacted by Congress it was intended that the only land which would be subject to the program would be the land then in cultivation, and no other. We had then a little over 400 million acres of land in cultivation, which produced many of the crops that were in surplus.

Well, Mr. Benson came along with the soil bank proposal. The committee went along with it. I am sorry now that we did. However, in administering the program, instead of limiting the program to acres then in cultivation the Department left some loopholes. Within 1 or 2 years some farmers started to plow up pastureland, and that land was placed in the soil bank. Of course it ruined the program, since placing such land in the bank did not reduce production of surplus crops. For that reason alone, I do not believe Congress will go along with the President's proposal in this regard.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Is it not a fact that we passed a bill which did not contain a soil bank provision?

Mr. ELLENDER. Yes.

Mr. JOHNSTON of South Carolina. The President vetoed it.

Mr. ELLENDER. Yes.

Mr. JOHNSTON of South Carolina. The wheat bill we passed would have taken care of the situation at that time. I believe we should keep the record straight. Of the six basic commodities there is only one that we did not fool with until last year, and that is tobacco. Tobacco is in the best shape of any of the six basic commodities. The truth of the matter is that the Government has been making money on tobacco. It did so until it tried to change the law last year.

We passed a bill last year and sent it to the President, and he pocket-vetoed it. Now I understand he is asking us to pass the identical bill, or almost the identical bill, and send it back to him so that he may put it into effect. Is that correct?

Mr. ELLENDER. That is my understanding.

With further reference to the soil bank proposal which is being advocated by the President in his message, it is his desire to provide funds to take out of cultivation something like 60 million acres of land. One of the proposals is to pay farmers for so doing in kind. I presume he means payment in wheat, because wheat is the only commodity with which he deals in the message. He advocates that procedure in order to get rid of the surpluses.

Another reason why the soil bank has been very unpopular it had a terrible effect in many rural communities. Cotton gins "went under." Feed and seed stores suffered, as did stores which deal in fertilizer, since farmers did not plant anything, farm labor suffered, because leaving land idle means that no work is needed. The farm machinery people—in fact, all those engaged in the sale of machinery and tools for the farmer were hard hit.

If payments should be made in kind, as the President now proposes, it would simply mean that there would be less planted.

The third bill dealing with wheat is the one I introduced. I wish to say that the bill is not the product of my brain alone, but is the result of hearings which the committee held last year and the year before.

It follows, to some extent, the proposals to which the conferees on the wheat bill agreed last year. What were they? First, that if the wheat farmers, who now have a minimum acreage amounting to 55 million acres, are willing to cut back their acreage by 20 percent, they would get an 80-percent price support for 1961. For 1962, if acreage is reduced by another 5 percent—or a total of 25 percent from the present 55 million acreage minimum—price support would be fixed at 75 percent of parity. That would mean, then, that the minimum acreage now fixed at 55 million, would be reduced in 2 years to 41,500,000 or 42 million acres. That is exactly in line with what the President is advocating. He said:

> First, that price support levels be realistically related to whatever policy the Congress chooses in respect to production control, it being recognized that the higher the support the more regimented must be the farmer.

Now, I would be willing to challenge the President's use of the word "regimented," but the plan I envision is to cut back acreage as much as 25 percent over 2 years, with a maximum of a 75-percent price support for the second year.

In the third year price support would be fixed at 70 percent of parity; in the fourth year, 65 percent of parity. During all succeeding years price support would be fixed at 65 percent of parity. This would place wheat in the same category as cotton and rice, since cotton and rice have already sustained large acreage cuts over past years, with maximum support price at 65 percent of parity.

It is my judgment that under my bill, the price of wheat would become more competitive in world markets. I do not believe many Senators would want to cut back price supports to an extent greater than 65 percent of parity.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a short explanation of the bill which I have introduced and which I hope Congress will consider.

I feel confident that if the Department of Agriculture will fairly study that bill and will keep in mind the other recommendations made by the President and I ask unanimous consent to have the President's message printed in the RECORD at the conclusion of my remarks. It should be possible to get legislation before the Senate within the next month or so.

There being no objection, the explanation and message were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

The Ellender bill provides:

1. For a reduction in acreage allotments by 20 percent for the 1961 crop and 25 per cent thereafter.
2. For price supports at 80 percent of parity for the 1961 crop; 75 percent for the 1962 crop; 70 percent for the 1963 crop; and 65 percent for the 1964 and subsequent crops.
3. Prevent the diversion of such acreage reduction to other price support crops in 1961.
4. Provide a payment in kind in 1961 on the acreage reduction if such acreage is not harvested or grazed.
5. Impose penalties on the actual yield of the excess acres or develop the normal yield.
6. Increase the marketing penalty to 65 percent of parity.
7. Reduce the 15-acre exemption to 12.
8. Remove the 30-acre limitation.
9. Otherwise tighten up restrictions.

THE WHITE HOUSE.

To the Congress of the United States:

I urgently call attention, once again, to a most vexing domestic problem—the low net income of many of our farmers and excessive production of certain farm products, largely due to economic distortions induced by years of Federal interference.

We are most fortunate that our problem in agriculture is overabundance rather than a shortage of food. But it defies commonsense to continue to encourage, at the cost of many millions of tax dollars, the building of ever larger excess supplies of products that, as they accumulate, depress farm prices and endanger the future of our farmers.

The wheat situation is particularly acute. Federal funds tied up in wheat approximate $3½ billion. Although this means that well over 30 percent of the total funds invested in inventories and loans of the Commodity Credit Corporation goes for wheat, this crop provides only 6 percent of the cash receipts from sales of farm products. The Government sustains a net cost of more than $1,000 a minute—$1,500,000 every day—the year around, to stabilize wheat prices and income.

Day by day this program further distorts wheat markets and supplies. Its only future is ever higher cost. Inexorably it generates ever larger surpluses which must be expensively stored. Ultimately, if our Government does not act quickly and construc-

tively, the danger is very real that this entire program will collapse under the pressure of public indignation, and thousands of our farming people will be hurt.

I think the American people have every right to expect the Congress to move promptly to solve situations of this kind. Sound legislation is imperatively needed. We must quickly and sensibly revise the present program to avoid visiting havoc upon the very people this program is intended to help. Every additional day of delay makes a sound solution more difficult.

I have repeatedly expressed my preference for programs that will ultimately free the farmer rather than subject him to increasing governmental restraints. I am convinced that most farmers hold the same view. But whatever the legislative approach, whether toward greater freedom or more regimentation, it must be sensible and economically sound and not a political poultice. And it must be enacted promptly. I will approve any constructive solution that the Congress wishes to develop, by "constructive" meaning this:

First, that price support levels be realistically related to whatever policy the Congress chooses in respect to production control, it being recognized that the higher the support the more regimented must be the farmer.

Second, that price support levels not be so high so as to stimulate still more excessive production, reduce domestic markets, and increase the subsidies required to hold world outlets.

Third, for reasons long expressed by the administration, that we avoid direct subsidy payment programs for crops in surplus; likewise, we must avoid programs which would invite harmful countermeasures by our friends abroad, or which, while seeking to assist one group of farmers, would badly hurt other farmers.

Within these three guidelines, I am constantly ready to approve any one or a combination of constructive proposals. I will approve legislation which will eliminate production controls, or make them really effective, or allow the farmers themselves to choose between realistic alternatives. I am willing to gear supports to market prices of previous years, or to establish supports in accordance with general rather than specific provisions of law, or to relate price supports to parity.

I recognize that these observations are general in nature. They are intentionally so in order to leave the Congress room for alternative constructive approaches to this problem. If the Congress should so act, I urge an orderly expansion of the conservation reserve program up to 60 million acres, with authority granted the Secretary of Agriculture to direct the major expansion of this program to areas of greatest need.

In connection with the expansion of the conservation reserve, the Department of Agriculture stands ready to assist, if desired, with the development of sound legislative criteria governing the administration of this program in the light of its experience gained through its operations of the past 4 years.

As part of the conservation reserve program, I would be willing to accept an authorization, with proper safeguards, to the Secretary of Agriculture to make payments in kind in whole or in part for the reduction of acreage devoted to crops in surplus and retirement of this acreage from cultivation, provided measures are included to keep production below total consumption while the payment-in-kind procedure is being used. Lacking such safeguards, a payment-in-kind procedure would overload the free market and thereby depress prices.

My views as regards the price support program for wheat are clear. I prefer the following approach:

Acreage allotments and marketing quotas for wheat should be eliminated beginning with the 1961 crop—thus freeing the wheat farmers—and thereupon price support levels should be set as a percentage of the average price of wheat during the 3 preceding calendar years. The Secretary of Agriculture will furnish the Congress the details of this approach.

Here I wish to comment somewhat more specifically on corn, a crop tremendously important to many thousands of our farmers.

Just over a year ago, by a referendum margin of almost 3 to 1, our corn farmers decided upon a new program that liberalizes corn acreage and adjusts corn price supports. This program is still new, and I believe it would be wise to give it a chance to demonstrate what it can do. In order to help the producers adjust to this new program, it is intended to use the expanded conservation reserve program to provide a voluntary means of removing substantial acreage of corn and other feed grains from production.

On the administrative side, I want briefly to mention three programs highly important to agriculture.

The food for peace program, initiated pursuant to my recommendations of last year, has been vigorously advanced. On my recent trip abroad, I saw many constructive results from these efforts and the need and opportunity for even greater use of this humanitarian program. Clearly we should continue to do our utmost to use our abundance constructively in the worldwide battle against hunger. The law we enacted in 1954, known as Public Law 480 of the 83d Congress, has been especially helpful to us in waging this battle.

Next, an aggressive utilization research program is under way to develop new markets and new uses for farm products. The 1961 budget now before Congress recommends additional appropriations for utilization research, and additional local currencies being acquired under Public Law 480 transactions will be devoted to this purpose.

A Coordinator for Utilization Research will shortly be named by the Secretary of Agriculture with the sole mission of concentrating on finding and promoting productive new uses for farm products.

The rural development program, to assist rural people in low income areas to achieve a better living, is also being accelerated.

This program, initiated in my 1954 message, is now well beyond the demonstration stage and is going steadily forward in 30 States and Puerto Rico. Other States are now starting this important work. I have also recommended more funds for this program in the pending budget.

Finally, I repeat my conviction that the public, and farmers particularly, are entitled to sound legislative action on the problems I have mentioned. The Congress can act within a broad latitude of proposals and still comply with the recommendations I have made.

If the Congress wishes to propose a plan as an alternative to the course here recommended, so long as that plan is constructive, as I have indicated herein, I will approve it. The Department of Agriculture will cooperate fully with congressional committees and with individual Members of Congress in helping to prepare such alternative programs as they may wish to have considered.

The important thing for farmers, and for all other Americans, is for us to act sensibly and to act swiftly.

I urge the Congress so to act in order that the farmers and public generally may plan accordingly.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 9, 1960.*

STUDY OF FEDERAL JUDICIAL SYSTEM

Mr. MANSFIELD. Mr. President, may I ask what is the unfinished business?

The ACTING PRESIDENT pro tempore. The unfinished business is Senate Resolution 231, which the Chair lays before the Senate.

The Senate resumed the consideration of the resolution (S. Res. 231) authorizing a study of the Federal judicial system.

Mr. JOHNSTON of South Carolina. Mr. President, the resolution authorizes a study of the Federal judicial system. The resolution was favorably reported unanimously by the Committee on the Judiciary and also was reported favorably by the Committee on Rules and Administration. I do not know what the vote of the latter committee was, but I believe it was a unanimous vote.

The Department of Justice has urged upon us the necessity of making such a study, in that there has not been a study made along these lines for many years. I believe much benefit can be derived by having a thorough study made.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. ELLENDER. As I understand, a similar study was made a year ago by, I believe, Mr. Paul Carter, at the suggestion of the Committee on Appropriations. Is the Senator familiar with the study made by Mr. Carter? If he is, how does the study differ from the one which the Senator now proposes to have made?

Mr. JOHNSTON of South Carolina. Only a summary was presented at that time. What is proposed by the resolution is to follow up the lead which has been given us by the investigation which was made by the Committee on Appropriations, and which showed the great need for a detailed study in this particular field.

Mr. ELLENDER. Is not the study which is proposed to be conducted along the same lines?

Mr. JOHNSTON of South Carolina. It will be along the same lines; but when we examine into the judiciary it must be remembered that there has not been in the past any such study as that which is proposed. The status of the dockets of our courts is deplorable. In many places the courts are 4 or 5 years behind in the trial of cases.

Mr. ELLENDER. Can the Senator from South Carolina state the approximate length of time which will be required to make this study?

Mr. JOHNSTON of South Carolina. We certainly hope it will not be a study which will have to be continued indefinitely. We hope we can finish the study promptly.

Mr. ELLENDER. Does the Senator believe that the work which Mr. Carter has done and the information collected by him will enable the committee to conclude its study in a year?

Mr. JOHNSTON of South Carolina. I think so. That is my purpose at this time. We hope to have it finished within a year. That will be my recommendation. Mr. Carter's study did not point out a remedy for the trouble. It will be our purpose to determine the exact trouble and then to provide a remedy.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the justification for the Subcommittee on Improvements in Judicial Machinery. This table shows how the money will be expended.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget—Subcommittee on Improvements in Judicial Machinery

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for budget period (gross)
STAFF					
Legal and investigative:					
Chief counsel	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Minority counsel	1	7,320	13,867.75	1,155.64	13,867.75
Assistant chief counsel	1	7,320	13,867.75	1,155.64	13,867.75
Assistant counsel	5	7,320	13,867.75	1,155.64	69,338.75
Administrative and clerical:					
Clerk	1	3,420	7,099.37	591.61	7,099.37
Stenographer	2	2,280	4,951.65	412.63	9,903.30
Total	8				129,121.75
ADMINISTRATIVE					
Contribution to employees health benefit programs from July 1 (Public Law 86-382)					400.00
Contribution to civil service retirement fund					7,472.92
Contribution to employees Federal employees group life insurance					356.40
Travel (inclusive of field investigations)					10,000.00
Hearings (inclusive of reporters' fees)					700.00
Witness fees, expenses					400.00
Stationery, office supplies					400.00
Communications					400.00
Contingent fund					748.93
Total					20,878.25
Grand total					150,000.00

Fund requested, S. Res. 231, $150,000.

Mr. CURTIS subsequently said: Mr. President, this is a resolution calling for the sum of $150,000 for the standing Subcommittee on the Improvement of the Judiciary Machinery. This should not be done. This resolution contemplates setting up a larger staff than is needed, and it deals with a subject which a staff cannot handle.

The question of improving judicial machinery is something that deserves attention, but it is the kind of problem that a staff cannot handle. The answer to this problem will come from the judges themselves, from bar associations, from judicial associations, from special committees of judicial associations, and special committees of bar associations, who will come here and serve for nothing, with a small staff and sufficient funds to reimburse for the expenses involved

As I understand the problem, it is to improve the workings of our courts. It is not a theoretical problem. It is not a problem which law clerks, regardless of their diligence and ability, can solve. Those directly involved must be assembled, and their recommendations must be made, and then we must do the best we can to carry out their recommendations or reject them.

The type of help which will be necessary to get this job done is the type of help which the Senate cannot hire. It is my understanding that earlier there was discussion in the committee of a proposal to ask for a considerably lesser sum, and follow the course which I have outlined. However, a decision was made to ask for more money and to enlarge the staff.

I repeat that I think this is a mistake. I wish totally to dissociate myself from this trend toward government by staff—a staff beyond the reach of the people, not elected by the people and not answerable to them.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. ELLENDER. Let me say to my good friend from Nebraska that one salutary note about the work of this subcommittee is that its chairman, who was present in the Chamber a little while ago, stated that he felt that the work can be completed within a year. I pointed out that Mr. Paul Cotter, who works for the Appropriations Committee of the Senate, made a study last year of this same problem. I think he spent almost 12 months going about the country trying to find out the extent to which the courts were overworked, and to study the case load to determine whether or not some method could be devised by which a judge from one district could relieve a judge in another district who had more work to be done.

That report has been filed with the Committee on Appropriations. My guess is that similar reports can be found with almost any of the committees. Recommendations are made, but little is done about them.

I agree with the Senator that those who could correct the situation are the persons connected with the work. The judges themselves ought to be able to shed light on the problem. It should not be left to clerks or investigators to go around and gather information and write reports, with respect to which nothing is done.

Mr. CURTIS. Individuals who have spent their adult lifetime in trying or hearing cases can very quickly put their fingers on the bottlenecks which must be dealt with. That type of help is something that cannot be hired.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 231) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with is jurisdiction specified by Rule XXV of the Standing Rules of the Senate, to conduct a further study and examination of the Federal judicial system with a view to determining the legislative or other measures, if any, which may be necessary or desirable in order to increase the efficiency of the Federal courts in justly and expeditiously adjudicating or determining the cases, controversies, and other matters which may be brought before them.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon voucher approved by the chairman of the committee.

EMPLOYMENT OF AN ADDITIONAL CLERK BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1095, Senate Resolution 208.

The ACTING PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 208) authorizing the employment by the Committee on Post Office and Civil Service of an additional clerk.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that a statement concerning the resolu-

tion be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON SENATE RESOLUTION 208

The Legislative Reorganization Act of 1946 permits the Post Office and Civil Service Committee to employ not in excess of four professional staff members and six clerical assistants.

After the act was passed, it was found that the six clerical assistants were not sufficient to carry out the normal routine work on the committee, and since the 82d Congress it has been necessary to employ one additional clerical assistant. This was done when the Republicans were in control of Congress and it has been done when the Democrats are in control. It is not in any way a partisan question. It is simply a question of having sufficient clerical employees to perform the necessary routine work of the committee.

This year, as in previous years, it is necessary to continue the employment of this assistant.

I, therefore, ask for passage of the resolution.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 208) was agreed to, as follows:

Resolved, That the Committee on Post Office and Civil Service is authorized, from February 1, 1960, through January 31, 1961, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

INVESTIGATION OF POSTAL SERVICE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1096, Senate Resolution 209.

The ACTING PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 209) authorizing an investigation of the postal service.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, as I understand, there has been a decrease in the amount requested by the chairman of the committee.

Mr. JOHNSTON of South Carolina. We have returned $30,000 from the unexpended funds of last year.

Mr. ELLENDER. In other words, is the Senator asking for $60,000?

Mr. JOHNSTON of South Carolina. Instead of the $90,000 for which we asked last year, we have cut the request to $30,000. We will have $30,000 that can be used.

Mr. ELLENDER. May I ask the Senator the same question I asked concerning a previous resolution? How long does the Senator believe this study will be necessary?

Mr. JOHNSTON of South Carolina. I cannot say as to this particular resolution for this reason: We have examined into life insurance and into health and hospitalization insurance. The health and hospitalization insurance will go into effect on July 1. We are keeping in close touch with the Department to try to work out all the problems with regard to that insurance. That insurance will cover about 5 million people, so the Senator can imagine what problems will confront us during this year and perhaps next year.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the justification of the committee, showing how it is proposed the money be used.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Special counsel	1	$6,840	$12,083.02	$1,090.25	$13,083.02
Investigator	1	5,820	11,415.48	951.29	11,415.48
Editorial and research: Staff member	1	5,520	10,925.02	910.41	10,925.02
Administrative and clerical:					
Chief clerk	1	3,000	6,308.12	525.67	6,308.12
Assistant clerk	1	2,760	5,855.97	487.99	5,855.97
Stenographer	3	2,400	5,177.73	431.47	15,533.19
Total	8				63,120.80
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					266.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					4,102.85
Contribution to Federal employees group life insurance					220.32
Travel (inclusive of field investigations)					2,000.00
Hearings (inclusive of reporters' fees)					2,000.00
Witness fees, expenses					100.00
Stationery, office supplies					400.00
Communications (telephone, telegraph)					500.00
Contingent fund					2,290.03
Subtotal					11,879.20
Total					75,000.00

Funds requested, S. Res. 209, $75,000.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement relative to Senate Resolution 209.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT RELATIVE TO SENATE RESOLUTION 209

Senate Resolution 209 authorizes the committee to continue to employ additional staff members and clerical employees for the purpose of studying matters within its jurisdiction.

The resolution provides $75,000 for 12 months beginning February 1, 1960.

The committee plans to retain the same number of employees provided for in a similar resolution enacted last year although the amount requested is $15,000 less than that approved last year. Economy in committee operations will permit the committee to retain its present staff and to return to the Senate approximately $30,000 of the $90,000 approved in Senate Resolution 8 during the first session.

This resolution would authorize the continuance or undertaking of studies and investigations relating to—

(1) The administration of the postal service, particularly with respect to (a) research and development, (b) quality and frequency of mail service rendered the public, and (c) postal policy;

(2) The effect of postage rate increases on business enterprises and on the national economy generally; and

(3) The administration and operation of the Federal employees' retirement, group life insurance, and health benefits programs.

A study and investigation of the postal service has been carried forward by stages since it was first undertaken during the 83d Congress. Portions of the study have been completed. In these instances, legislation has resulted or changes in administrative practices and procedures have been put into effect.

In other areas, the studies are not yet complete and must be continued in order to realize full or even partial benefits from the work that already has been done.

By the same token, certain continuing studies are necessary in connection with the administration and operation of Federal employee benefit programs. These programs are large and complex.

For example, last year alone Federal employees contributed just over $700 million of their own money to the civil service retirement system. The Government put in a like amount. Thus, over 2 million employees and the Government itself have a joint interest in how this gigantic program is being administered.

The life insurance program is the largest of its kind in the world. Coverage amounts to several billion dollars, the life insurance fund itself has a reserve of just under $200 million. Here again Federal employees and the Government have a joint interest in how the program is being administered.

The committee intends to continue certain studies already under way in connection with these existing programs.

Additionally, a new program starts in July of this year. I have reference to the health benefits program, which for the first time brings the Government and its employees together providing group health benefits under a joint contributory program. Many of us here will participate in the program.

Whether we participate or not, certainly Congress has a responsibility to keep close watch on the program during its formative stage.

Mr. President, I think the committee request is extremely modest when compared with the magnitude of the programs to be studied.

Mr. JOHNSTON of South Carolina. I should like to call attention to what we sometimes find in such investigations, and I should like to give an example of what we are able to save.

Mr. President, until 1955 employees who handled Federal funds were required by law or administrative regulation to obtain individual surety bonds, at a cost of from a few dollars to several hundred dollars a year. Additionally, the cost to the Government of policing in excess of a million and a half such bonds was tremendous.

As a result of committee studies, Public Law 323 of the 84th Congress was enacted on August 9, 1959. It provided for the purchase of a blanket bond by the Government, at no expense to the individual employees.

I have in my hand a report from the Secretary of the Treasury, dated October 1, 1959; it shows that the annual saving in administrative expense to the Government is just short of half a million dollars, and that the saving to Federal employees is in excess of this amount each year.

This law is the result of one study by the committee. Other studies have had equally remarkable results.

That study began after I questioned an employee of one of the Departments who appeared before the committee. I asked him to submit the exact figures for the record.

It will be recalled that in January of this year a report was submitted, and was printed in the CONGRESSIONAL RECORD. It shows how much was saved both the Government and the employees.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 209) was agreed to, as follows:

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by Rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the administration of the postal service, particularly with respect to (a) research and development, (b) quality and frequency of mail service rendered the public, and (c) postal policy;

(2) the effect of postage rate increases on business enterprises and on the national economy generally; and

(3) the administration and operation of the Federal employees' retirement, group life insurance and health benefits programs.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that this is gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION BY COMMITTEE ON BANKING AND CURRENCY OF CERTAIN MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1086, Senate Resolution 221, which relates to the investigation by the Committee on Banking and Currency of certain matters pertaining to public and private housing.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by the chairman of the Housing Subcommittee, the Senator from Alabama [Mr. SPARKMAN], which I endorse. The committee was unanimous in recommending for this year the amount allowed for this purpose last year and the year before.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPARKMAN

As chairman of the Housing Subcommittee of the Committee on Banking and Currency, I should like to request favorable action on Senate Resolution 221. This resolution would authorize $100,000 with which to continue the work of the subcommittee through January 31, 1961.

I can state without reservation that these funds are necessary and will be used prudently. In my opinion, there is no domestic problem more critical than finding ways and means to house adequately the people of America. The responsibility for housing legislation places a heavy and continuing workload upon the Banking and Currency Committee and its Housing Subcommittee. To give an idea of the scope of the subcommittee's work, let me list the nature and scope of some of the housing programs under our jurisdiction:

1. The Federal Housing Administration system of insurance for privately financed homes, with authorized revolving insurance funds of over $30 billion.

2. The program of loans and grants for renewing and rehabilitating urban areas, with authorized funds of $1.35 billion.

3. The program of Federal assistance to provide decent housing for low-income families, with approximately 500,000 units in use.

4. The activities of the Federal National Mortgage Association, now operating with investment authorizations totaling over $5 billion.

5. The program of loans for college dormitories and service facilities, with an investment authorization of almost $1 billion.

6. The program of home loans for veterans, with an investment authorization of approximately $1.1 billion.

These and other programs such as military housing, farm housing research, and insurance of home-improvement loans, present a constant legislative workload. In addition, the subcommittee staff functions as a necessary channel of communication between Members of the Senate, Government agencies, the housing and mortgage industries, and the public generally.

During the last session of the Congress, the subcommittee continued its comprehensive examination of the question, "Does the decade 1961–70 pose problems in private housing and mortgage markets which require Federal legislation?" A report on this work will be completed this year.

It is generally agreed that during the next 10 years our economy will expand far beyond today's level. The rate of home construction, which has been at a constant level for the past several years, must increase to meet the needs of a growing population with a rising standard of living. Net new family formation resulting from the births of the forties, the replacement of units to be demolished in order to carry out the national housing policy of a decent home for every American family, the increased mobility of American families, and the higher standard of living toward which we strive will require more and better housing facilities in the future. Mortgage credit is the principal resource problem.

This work is being done in addition to the workload required by normal legislative activity. We also plan to begin consideration of the housing problems of migratory farm families.

I recommend the continuation of this important work of the Senate.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the justification for the subcommittee's request be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Proposed budget—Personal services

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
Administrative and clerical:					
Staff director	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Staff assistant	1	6,000	11,709.76	975.81	11,709.76
Assistant clerk (secretary to director)	1	3,060	6,421.16	535.09	6,421.16

Proposed budget—Personal services—Continued

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
Legal and investigative:					
Counsel	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Counsel	1	6,000	11,709.76	975.81	11,709.76
Research director	1	6,000	11,709.76	975.81	11,709.76
Investigator	1	3,660	7,551.53	627.62	7,551.53
Assistant clerk (secretary)	1	2,940	6,195.07	516.25	6,195.07
Subtotal, staff expense	8				85,255.94
ADMINISTRATIVE					
Contributions to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					200.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					5,541.64
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					300.00
Travel (inclusive of field investigations)					3,000.00
Hearings (inclusive of reporters' fees)					3,000.00
Witness fees, expenses					1,500.00
Stationery, office supplies					200.00
Communications (telephone, telegraph)					300.00
Newspapers, magazines, documents, miscellaneous					200.00
Contingent fund					502.42
Subtotal, administrative expenses					14,744.06
Total fund requested, S. Res. 221					100,000.00

Mr. ELLENDER. I have learned that this subcommittee is more or less a permanent one which studies housing from year to year.

Mr. ROBERTSON. That is correct. Housing is now the largest single industry in the Nation—larger than the manufacture of automobiles or the manufacture of any other single product.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 221) was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by Rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and for other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON BANKING AND CURRENCY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1087, Senate Resolution 220, to provide additional funds for the Committee on Banking and Currency.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ROBERTSON. Mr. President, as the distinguished Senator from Louisiana has pointed out, the housing subcommittee is not only a permanent one, but it is engaged in a very large operation. By means of Senate Resolution 221, the Senate has just voted the Housing Subcommittee $100,000. The pending resolution—Senate Resolution 220—for the full Banking and Currency Committee, is for $70,000—the same as last year and the year before.

We did not spend all of that amount last year, and we may not spend all of it this year. But we have been called upon to make several studies, and we believe we should have the same amount as that allowed the committee last year.

Mr. ELLENDER. I presume that that work could not be handled by the regular staff.

Mr. ROBERTSON. This resolution is for the regular staff work of the committee.

Mr. ELLENDER. But the committee augments the regular staff by employing two lawyers, an economist, a staff member, and additional clerical help.

Mr. ROBERTSON. At the present time we employ only four persons, in addition to the regular staff. We needed the economist we had, who was very fine; but he left.

This resolution calls for the same allowance we have had during the past 2 years; and we need these employees. We could not function without them.

Mr. ELLENDER. In other words, these are in addition to the present complement of employees who work for the standing committee, are they?

Mr. ROBERTSON. These are employees, in addition to those who are employed under the Reorganization Act, who work for the standing committee.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the justification for the Banking and Currency Committee.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Counsel	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Assistant counsel	2	5,040	10,113.73	842.81	20,227.46
Editorial and research:					
Economist	1	7,440	14,063.92	1,171.99	14,063.92
Staff member	1	4,680	9,466.33	788.86	9,466.33
Administrative and clerical: Assistant clerk (record)	1	2,460	5,290.76	440.89	5,290.76
Total	6				64,027.92
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					240.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					4,161.81
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					220.32
Hearings (inclusive of reporters' fees)					500.00
Witness fees, expenses					300.00
Stationery, office supplies					100.00
Communications (telephone, telegraph)					80.00
Newspapers, magazines, documents					75.00
Contingent fund					294.95
Total					5,972.08
Grand total					70,000.00

Funds requested, S. Res. 220, $70,000.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 220) was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities; rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $70,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXAMINATION OF ADMINISTRATION OF PATENT OFFICE AND REVIEW OF STATUTES RELATING TO PATENTS, TRADEMARKS, AND COPYRIGHTS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1092, Senate Resolution 240, which relates to examination of the administration of the Patent Office and review of statutes relating to patents, trademarks, and copyrights.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSTON of South Carolina. Mr. President, this resolution relates to the Patents Subcommittee of the Committee on the Judiciary. The resolution has been reported from our committee.

It happens that the Senator from Wyoming [Mr. O'MAHONEY], the chairman of the subcommittee, could not be present today; therefore, he has asked me to handle this matter for him.

It will be noted that he is really trying to do something in the patent field. Anyone who is familiar with the Patent Office at the present time knows that it is really most difficult to process a patent. We are trying to dig into that situation, to see what can be done to help in it.

It will also be noted that approximately $37,675 of the funds which were received last year were returned.

Mr. ELLENDER. According to my tabulation, the Patents Subcommittee only spent $100,000, although it was authorized $145,000.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. ELLENDER. Why did not the subcommittee request $100,000 then, instead of $135,000?

Mr. JOHNSTON of South Carolina. I am the next ranking member on the subcommittee, directly behind the chairman. I know what that situation is. This request is made because when we got into the investigation, we found conditions much more complicated than we had thought. Furthermore, last year we had difficulty obtaining men qualified to conduct the investigation.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the subcommittee's justification showing how these funds are to be used.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget—Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary for the period Feb. 1, 1960, through Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for budget period (gross)
STAFF					
Legal and administrative:					
Chief counsel	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Associate counsel	1	8,040	15,044.83	1,253.73	15,044.83
Assistant counsel	1	5,700	11,219.30	934.94	11,219.30
Do	1	5,160	10,329.53	860.79	10,329.53
Investigator	1	2,820	5,968.98	497.41	5,968.98
Consultant (w.a.e.) when actually employed	2	8,820	[1] 45.2777	[2] 1,358.33	8,149.98
Administrative and clerical:					
Chief clerk	1	5,880	11,513.56	959.46	11,513.56
Secretary	1	3,120	6,534.19	544.51	6,534.19
Do	1	3,000	6,308.12	525.67	6,308.12
Secretary-typist	1	2,460	5,290.76	440.89	5,290.76
Clerk	1	2,460	5,290.76	440.89	5,290.76
Do	1	2,160	4,725.56	393.79	4,725.56
Total	13				105,420.40
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					573.75
Contribution to civil service retirement fund (6½ percent of total salaries)					6,852.33
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					346.20
Reimbursable payments to agencies					3,000.00
Travel (inclusive of field investigations)					6,000.00
Hearings (inclusive of reporters fees)					6,500.00
Witness fees expenses					2,700.00
Stationery, office supplies					750.00
Communications (telephone and telegraph)					500.00
Newspapers, magazines, and documents					750.00
Contingent fund					1,607.32
Total					29,579.60
Grand total					135,000.00

[1] Per day.
[2] Based on 30-day month but not to exceed 3 months.

Funds requested, S. Res. 240, $135,000.

Mr. ELLENDER. I also ask unanimous consent to have printed at this point in the RECORD a statement, appearing on pages 5 and 6 of the report on the resolution, which indicates that of the entire amount appropriated last year, $37,675.80 is being returned to the Treasury.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Report of the expenditures of the Subcommittee on Patents, Trademarks, and Copyrights for the period Feb. 1, 1959, to Jan. 31, 1960

Appropriation under authority of S. Res 53 agreed to Feb. 2, 1959	$145,000.00

Report of the expenditures of the Subcommittee on Patents, Trademarks, and Copyrights for the period Feb. 1, 1959, to Jan. 31, 1960—Continued

Expenditures:	
Salaries (including agency contributions to insurance and retirement):	
February	$7,392.79
March	7,422.12
April	8,040.22
May	7,361.06
June	7,724.62
July	7,385.11
August	7,611.50
September	8,199.99
October	8,376.36
November	8,464.16
December	8,464.16
Total	86,442.09

Report of the expenditures of the Subcommittee on Patents, Trademarks, and Copyrights for the period Feb. 1, 1959, to Jan. 31, 1960—Continued

Expenditures—Continued	
Travel:	
February	$90.16
March	----------
April	----------
May	257.21
June	134.00
July	61.28
August	191.70
September	77.55
October	415.51
November	----------
December	189.60
Total	1,417.01
Reimbursable payments to agencies:	
Feb. 2 to Mar. 30	2,368.00
Mar. 31 to Apr. 25	296.00
Apr. 9 to May 2	414.40
May 3 to May 27	296.00
Total	3,374.40
Hearings (inclusive of reporters fees):	
April	18.00
June	13.62
July	90.31
Total	121.93
Stationery:	
February	35.31
March	35.43
April	1.68
May	9.70
June	30.46
July	46.03
August	23.96
September	13.40
October	9.79
November	14.60
December	22.04
Total	242.40
Communications:	
February	79.85
March	78.81
April	79.66
May	82.71
June	97.14
July	83.57
August	----------
September	8.35
October	----------
November	----------
December	9.00
Total	519.09
Miscellaneous:	
February, books	17.50
March:	
Books	206.40
Periodicals	3.00
Interdepartmental transportation	24.00
Total	233.40
May, interdepartmental transportation	14.15
June:	
Conference fees	75.00
Interdepartmental transportation	19.50
Total	94.50

Report of the expenditures of the Subcommittee on Patents, Trademarks, and Copyrights for the period Feb. 1, 1959, to Jan. 31, 1960—Continued

Expenditures—Continued	
Miscellaneous—Continued	
July, interdepartmental transportation	$21.55
September:	
Conference fees	4.00
Interdepartmental transportation	9.05
Total	13.05
December:	
Books	190.00
Interdepartmental transportation	24.00
Total	214.00
Total	608.15
Petty cash and postage:	
February–April	21.53
April–July	4.01
July–September	47.28
September–January	24.27
Total	97.09
Funds obligated:	
Study of patent litigation	5,463.00
Contractual agreement: 1. Study of patent policies in HEW	1,500.00
Total	6,963.00
Grand total	99,785.16
Unexpended balance as of Dec. 31, 1959	45,214.84
Estimated expenditures, staff and administrative, for January 1960	7,539.04
Estimated balance as of Jan. 31, 1960	37,675.80

Mr. CURTIS. Will this undertaking have a termination date, or is this a standing subcommittee which handles legislation?

Mr. JOHNSTON of South Carolina. I cannot speak for the chairman, except to say that I hope we will reach a solution and will really do something in this field, so as to be able to end the work.

Mr. CURTIS. Is it handled by the standing Subcommittee on Patents, Trademarks, and Copyrights?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. MANSFIELD. I would say, Mr. President, that this is a very technical and difficult subject, and I am sorry to say that very few Members have the requisite knowledge to delve into the many facets of this situation.

It is my understanding that as of the present time this work is not being done by a standing subcommittee, but is being done by a special committee established for this specific purpose.

Mr. JOHNSTON of South Carolina. I should like to say that we have run into the following situation, since the war: Patent rights have been sought by almost every Tom, Dick, and Harry, and even by other nations. We have had conferences with representatives of other nations, to discuss the problems in this field, which are very complicated. The results have been very worth while.

Mr. CURTIS. The investigation is made by the standing Subcommittee on Patents, Trademarks, and Copyrights, is it?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CURTIS. As I understand, in the 1st session of the 86th Congress, the subcommittee had 10 bills referred to it, according to the report given me by the Judiciary Committee.

Mr. JOHNSTON of South Carolina. I think that is correct.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 240) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1093, Senate Resolution 241.

The PRESIDING OFFICER (Mr. MCGEE in the chair). The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 241) authorizing a study of matters pertaining to the revision and codification of the statutes of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. JOHNSTON of South Carolina. Mr. President, the Committee on the Judiciary, on January 13, 1960, reported Senate Resolution 241 to the Senate. The resolution was referred to the Committee on Rules and Administration, and on January 29, 1960, that committee, through its chairman [Mr. HENNINGS], reported the resolution favorably to the Senate.

In the 1st session of the 86th Congress there was an authorization in a similar amount, $25,000, for the work of the Subcommittee on Revision and Codification of the Committee on the Judiciary. Due to the great press of business at that time, a staff for the subcommittee was not organized, so that the amount then appropriated was returned to the contingent fund of the Senate.

As my colleagues know, various titles of the United States Code have been codified in previous Congresses. An examination of the titles in the code will reveal the great importance of these compilations. The titles of the code thus far codified have been titles 1, 3, 4, 6, 9, 10, 14, 17, 18, 28, 32, and 35. Such important titles as the Civil and Criminal Code and the laws relating to the armed services are included among these titles.

Codification is a long and arduous undertaking. Groundwork, in order to even justify the introduction of a bill, often requires years of research, compilation, and study before such a bill can be worked up. Most of these bills originate in the House of Representatives, where the Subcommittee on Revision of the Laws of the Committee on the Judiciary processes these pieces of legislation, with the help of lawbook-publishing companies. A project of this type also usually carries a cutoff date for the enactment of an introduced bill, so that subsequent enactments involving that title must, of course, be introduced in the nature of a cleanup bill. Also, in the very nature of things, errors sometimes creep up in an original codification, so that subsequent amendments are necessary to restore it to the original statement of the law.

After the House has acted on this type of legislation, keeping the cutoff date in mind, it is almost axiomatic that the Senate must act upon this legislation during the Congress in which it is received from the House. Otherwise, the work has to be redone, and the laws which were not included by the cutoff must be considered before enactment. Therefore, it becomes necessary that action be taken by the Senate on these bills within a reasonable period of time. To do otherwise causes a great deal of waste in time and expense.

I should like to say that the foregoing only emphasizes the fact that in order to keep abreast of this important legislation, it is absolutely necessary that a staff be appointed to take care of the many details involved in codification proceedings, and to have a continuing knowledge of the codifications, so that subsequent cleanup laws and correction of errors can be resolved with dispatch.

When all of this is realized, which I am sure my colleagues do, it becomes apparent why it is necessary to have a staff for this subcommittee to take care of this most important legislative function. I, therefore, ask that the resolution as reported by the Committee on the Judiciary, and by the Committee on Rules and Administration be agreed to.

Mr. President, we are merely asking that the committee be allowed to use the fund which was returned and make the investigation. It is a necessary investigation, but the committee did not have time to make it.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the justification for the expenditure of the sum requested be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget—Senate Judiciary Subcommittee on Revision and Codification, Feb. 1, 1960, to Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal: Chief counsel	1	$8,040.00	$15,044.83	$1,253.73	$15,044.83
Clerical: Secretary	1	3,180.00	6,647.23	553.93	6,647.23
Total					21,692.06
ADMINISTRATIVE					
Contribution to civil service retirement fund (6½ percent of total salaries)					1,409.98
Hearings (inclusive of reporters' fees)					1,200.00
Witness fees, expenses					200.00
Stationery, office supplies					200.00
Communications (telephone, telegraph, and postage)					100.00
Newspapers, periodicals, etc.					50.00
Contingent fund					147.96
Total					3,307.94
Grand total					25,000.00

Funds requested, S. Res. 241, $25,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 241) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That, if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF THE NATIONAL SECURITY LAWS AND MATTERS RELATING TO ESPIONAGE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1094, Senate Resolution 242.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 242) authorizing an investigation of the administration of the national security laws and matters relating to espionage.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the subcommittee's justification of this request be incorporated in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD.

Proposed budget—Internal Security Subcommittee, 1960

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative: [1]					
Chief counsel	1	$8,820	$16,300.00	$1,358.33	$16,300.00
Chief investigator	1	7,080	13,475.38	1,122.94	13,475.38
Investigator	1	4,020	8,229.76	685.81	8,229.76
Editorial and research: [2]					
Editorial director	1	5,640	11,121.20	926.76	11,121.20
Assistant director	1	5,640	11,121.20	926.76	11,121.20
Research director	1	7,320	13,867.75	1,155.64	13,867.75
Research assistant	1	5,400	10,728.85	894.07	10,728.85
Do	1	3,300	6,873.30	572.77	6,873.30
Investigations analyst	2	7,080	13,475.38	1,122.94	26,950.76
Administrative and clerical: [3]					
Records manager	1	5,100	10,221.62	851.80	10,221.62
Confidential secretary	1	3,720	7,664.56	638.71	7,664.56
Secretary	3	2,880	6,082.04	506.83	18,246.12
Clerk	1	2,700	5,742.93	478.57	5,742.93
Secretary	2	2,580	5,516.84	459.73	11,033.68
Do	1	2,280	4,951.65	412.63	4,951.65
Clerk	1	2,460	5,290.76	440.89	5,290.76
Total	20				181,819.52
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960) [4]					867.00
Contribution to civil service retirement fund (6½ percent of total salaries paid)					11,811.77
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage) [4]					586.92
Travel (inclusive of field investigations) [5]					15,000.00
Hearings (inclusive of reporters' fees) [5]					10,000.00
Witness fees, expenses [5]					10,000.00
Stationery, office supplies					2,000.00
Communications (telephone, telegraph)					5,500.00
Newspapers, magazines, documents, postage					1,000.00
Contingent fund [6]					414.79
Total					57,180.48
Grand total					239,000.00

[1] The subcommittee had 2 investigator positions in their budget last year which were not filled, and have been eliminated. The subcommittee found it necessary to hire additional clerical help which absorbed these funds.

[2] There is an increase in this category due to a raise given one of our research assistants who has been with the subcommittee for 4 years, plus the hiring of an additional employee to assist the vice chairman.

[3] Additional clerical help accounts for the increase in the total number of employees.

[4] These are items which the subcommittee has not had to cover before in its budget.

[5] The subcommittee plans to turn back approximately $40,000 out of the $239,000 which was appropriated last year. Partially accountable for this is the fact that the subcommittee was unable to hold hearings throughout the country which were contemplated due to the inability of Senators to attend. Therefore, there was a substantial saving on these items. However, the subcommittee hopes to be able to hold these hearings this year.

[6] The contingent fund is considerably lower than last year. However, the subcommittee has always endeavored to keep this amount intact, and will continue to operate as economically as possible.

Funds requested, S. Res. 242, $239,000.00.

Mr. ELLENDER. As I understand, the amount requested is the same as last year.

Mr. McCLELLAN. Mr. President, if the Senator will yield, the amount requested for this year is the same as last year. There is being returned from last year's funds about $40,000.

I call to the Senate's attention the fact that when the subcommittee was first established in the 84th Congress it spent $512,000. In the 85th Congress it spent about $461,000. In the 86th Congress it will expend about $400,000. This is one subcommittee in connection with whose work there has been a steady reduction in cost. However, I do not think the importance of the subcommittee's work has diminished. It has done a great deal of work. The nature of its work is such that all of it cannot be publicized, as the Senator well knows.

Mr. ELLENDER. Does the Senator know if the subcommittee is having continuous hearings?

Mr. McCLELLAN. I would not say continuous, but it handles a great volume of work. As the Senator knows, the chairman of the subcommittee is ill.

Mr. ELLENDER. I merely seek information; I am not opposing the work of the subcommittee, because I know it is a very important body. It has done good work.

Mr. McCLELLAN. I thank the Senator.

Mr. ELLENDER. The Senator from Mississippi [Mr. EASTLAND] has been an ardent supporter of the resolution. I have no reason to oppose it.

Are the documents which the Senator from Arkansas holds in his hand the report of hearings held this year?

Mr. McCLELLAND. Yes. Of course, there are many hearings held, as the Senator knows, which are not published, and which should not be published.

Mr. President, I ask unanimous consent to have published as a part of my remarks a brief statement on the work of the subcommittee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MCCLELLAN

In addition to its legislative duties, the Internal Security Subcommittee has continued its practice of taking testimony, either in public or in private, concerning current Communist activities which affect or threaten to affect the internal security of the United States. Thus, in four hearings thus far, it has provided the Senate with a careful appraisal of some aspects of the Cuban revolution which menace the United States economically or otherwise and which would seem to be primarily due to Communist influences within the Castro organization. In the same manner, the subcommittee brought out the effect of the Red Chinese Communes on American labor and trade.

The subcommittee also has produced and printed during the past year a number of studies on subjects within its field. It has two major study projects well under way and a third presently in its initial stages.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 242) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee hereunder, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employment upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $239,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1089, Senate Resolution 237.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 237) to investigate matters pertaining to immigration and naturalization.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, I ask unanimous consent that there may be placed in the RECORD at this point the subcommittee's justification as to how this money is to be expended.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Proposed budget—Standing Immigration and Naturalization Subcommittee, Senate Committee on the Judiciary, Feb. 1, 1960, through Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Staff director	1	$8,040	$15,044.83	$1,253.73	$15,044.83
Professional staff member	1	8,040	15,044.83	1,253.73	15,044.83
Investigator	1	6,540	12,592.56	1,049.38	12,592.56
Do	1	4,920	9,897.93	824.82	9,897.93
Research:					
Research director	1	6,000	11,709.76	975.81	11,709.76
Research assistant	1	4,920	9,897.93	824.82	9,897.93
Do	1	3,480	7,212.41	601.03	7,212.41
Clerical:					
Secretary to staff director	1	3,480	7,212.41	601.03	7,212.41
File and record clerk	1	3,480	7,212.41	601.03	7,212.41
Stenographer	2	2,520	5,403.79	450.31	10,807.58
Total	11				106,632.65
ADMINISTRATIVE					
Contribution to civil service retirement fund (6½ percent of total salaries paid)					5,000.00
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					250.00
Contribution to Federal employees group life insurance					350.00
Travel (inclusive of field investigations)					2,350.00
Hearings (inclusive of reporters' fees)					750.00
Stationery, office supplies					200.00
Communications (telephone, telegraph)					200.00
Contingent fund					267.35
Total					9,367.35
Grand total					116,000.00

Funds requested, S. Res. 237, $116,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 237) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $116,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INAUGURAL ADDRESS OF HON. WILLIAM V. S. TUBMAN, PRESIDENT OF LIBERIA

Mr. SYMINGTON. Mr. President, last December I visited a number of countries in Africa to see firsthand how and in what direction this very important area was progressing.

One of the countries I visited was Liberia, and one of the statesmen with whom I was highly impressed was that nation's President, the Honorable William V. S. Tubman.

On January 4 President Tubman delivered his inaugural address, as he entered upon his fourth successive term of office. I urge my colleagues to read his thoughtful words.

I ask unanimous consent that President Tubman's inaugural address of January 4 be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FOURTH INAUGURAL ADDRESS OF WILLIAM V. S. TUBMAN, PRESIDENT OF LIBERIA, JANUARY 4, 1960

Fellow citizens, it is my distinguished, rare, and unprecedented privilege and honor to respond to your free, voluntary, and spontaneous call to serve you for a fourth term in the high and responsible position of President after three successive tenures of 8, 4, and 4 years, respectively, aggregating 16 years. This expression of your abiding confidence, faith, trust, satisfaction, and affection exercised by you under the provisions of the organic and statutory laws of the country is beyond my ability to comprehend, especially so when there are so many others of my fellow countrymen equally and perhaps more qualified presidential timber than I am available, ready, anxious, and willing to serve. I make no attempt, however, at trying to ascertain the reasons and causes that have actuated your action but leave it to you who are the custodians of your own liberties and who, under the Constitution, have a right to decide and make your own choosing.

It is therefore incumbent upon me at this time, without reservations or evasions of any kind, to declare my complete surrender and devotion of myself to the cause of your welfare, well-being, and progress and to defend and protect your liberties and that of the Government under the provisions of the Constitution to the best of my ability, thereby fulfilling the solemn obligation implicit in the constitutional oath of office to which I have just subscribed in your presence.

This great distinction and honor bestowed upon me by you greatly humbles me and in great humility, with a deep and abiding consciousness of my unworthiness, I acknowledge, with gratitude and thankfulness, this sublime gift from you freely and spontaneously given and I give myself body, mind, strength, and spirit, to the service of our common country and you its people.

In 1944 when we first appeared before you to be inaugurated for the same office we enunciated in detail the policies that we designed and intended to pursue and demonstrate. How far we have suceeded in pursuance of those policies, you are the best judges. It is now our determination to continue in pursuance and demonstration of the general principles of those identical policies in the new administration with necessary alterations and changes as internal and external conditions and situations require. Some of the changes in the execution of these policies will be revolutionary in character, but we intend to pursue them as far as possible by evolutionary processes and to the extent that the people will approve and follow should they deem them in the interest of the state and themselves; for we believe in the fundamental principles of democracy and the administration of the affairs of state in such a manner that the will of the people prevails.

Our earthy reliance is upon the united hearts of you the people whose high resolve animates and actuates us to higher endeavors. Looking back through the past 16 years and recognizing the tender mercies which God has extended unto us, with implicit faith in Him for the future, I should renew my belief in these words of the Holy Writ: "Paul may sow, Apollos may water. but the increase comes from God." Therefore as it has been my practice on each previous occasion that I have appeared for induction into office, and more necessarily now than ever, it is my obligation and inescapable duty to utter a fervent prayer of thanksgiving and intercession for the many great gifts and blessings received and for the miracle wrought in our behalf; for continued gifts and blessings of peace, prosperity, and solidarity at home; for friendship abroad and for guidance, direction, wisdom, understanding, and the abiding presence of the Holy Spirit. Consequently, I ask those of you who have no scruples against it to join with me in exercising our religious freedom in prayer and those of you who may entertain scruples to exercise your freedom by abstaining as you may choose:

"God, the All Terrible, Thou who ordainest, look down upon us, the children of Thy creation; show forth Thy pity on high where Thou reignest, give unto us peace, O Lord. God, the All Merciful, earth hath forsaken Thy ways of holiness, slighted Thy word, let not Thy wrath in its terror awaken. Give us peace in our time, O Lord.

"We confess our sins; we acknowledge our inequities but through the mercies of Thy Son Jesus Christ, we have intercession to Thy throne of grace; forgive us our sins we humbly beseech Thee and we prostrate ourselves in the dust of humility before Thee as nothing, unworthy of the life that we live, of the breath that we breathe, of the good things of nature and of the world which Thou hast freely and bountifully created and permitted us to enjoy. We thank Thee that Thou didst found this nation one hundred and twelve years ago and wast with our forefathers in the days gone by, when the odds preponderated, when great uncertainties attended their efforts at making this nation and maintaining it; for Thy mercies and blessings unto us since our incumbency; for guidance, protection and deliverance.

"As in the past, O Lord, we earnestly and fervently pray the continuation of Thy loving kindness, tender mercies, blessings, protection, guidance and guarding of the nation and of each and all of us. We pray Thy blessings upon all nations and peoples of the earth; those here assembled and those who are absent. Give us clean and upright hearts; help us to love each other as we ought to love, as individuals and as nations. Remove all bitterness and hatred, suspicion and guilt from the hearts of men and of nations and assist us in establishing a reign of peace on earth with good will toward all mankind. Amen.

EXTERNAL AFFAIRS

Current trends in world affairs lead us to the hopeful conclusion that the prospects for peace are better now than at any period since World War II. The behavior and attitudes of nations, in the United Nations where the course of peace is charted, seem to be undergoing reasonable transformation and from the standpoint of Liberia's relationship with member states of the United Nations, we advocate better understanding, unity in essentials for human welfare, peace and harmony between all men and all nations by the application in word and deed of freedom, justice and independence for all men of all lands as an inherent right We believe in the doctrine of the Golden Rule, "Do unto others as you would that they should do unto you."

We are deeply concerned for a just and lasting peace in the world and shall always endeavor to contribute to the fullest extent of our ability toward this end. We shall commit no acts nor engage in any activities or contrivance that will make world conditions worse and more complicated and thereby endanger peace; nor shall we exploit rifts and misunderstanding between nations for personal, material or individual gain.

We consider as one of the most important and burning issues of the world today, the achievement of self-determination and independence for all of the peoples of Africa and of the world and this should be conceded and stimulated by all world leaders and nations as a sine qua non for peace. We implore those that are strong to utilize their strength to relieve all men of the unjust and heavy burdens of oppression and repression which they bear and assist in restoring and placing them on the high plane of free men enjoying the benefits and privileges of human dignity, self-determination and independence. This is the legitimate aim of all men.

At Ghana, Sanniquellie, Monrovia, and Guinea the three African states proposed a Community of Independent African States in an attempt to avoid the pitfalls of the old nationalism; to avoid the fatal luxury of racial bigotry, class hatred and disregard for the natural rights of others; to apply their resources to the good of all with ill will, malice or prejudice toward none.

As a means of cultivating stronger ties of friendship between Africans, we envisage an accelerated program of cultural and economic exchange between African states as a basis of lasting and fruitful cooperation. We now advance the proposals of regional economic and trade councils with a view to, (1) Negotiating and concluding treaties and instruments of friendship, commerce and navigation; (2) opening doors for multinational investment in enterprises which require greater funds, greater markets, greater resources than would be available in any one state; (3) investigating and presenting proposals for regional marketing programs of products of regional importance on the assumption that even the largest and strongest unit would benefit from additional size and strength through association with its neighbors; (4) studying, adapting, rejecting or adopting experience in regional economic cooperation amassed elsewhere; and (5) training a sufficient number of persons and even more to man governments, businesses, schools and hospitals as well as other enterprises in Africa as there is no need in Africa at the present time as great, pressing and important as the need for trained people. With a need so great African nations could use the greatest imagination, show the greatest flexibility in finding ways to fill this void.

We propose a detailed survey of the resources for education, training and research which exist in African states and we suggest the pooling of those resources so that each nation might have access to existing institutions of education and training and contribute to their support, enlargement and improvement in proportion to its size and ability to use such an institution. For example, Nigeria has the medical school at Ibadan; Ghana, the new business administration course at its university; Liberia, the new forestry school and Guinea, the Mali Federation and other African states with such specialized institutions as they may have. Without committing any unit to refrain from establishing such schools for themselves later (the need will increase with time for more and more schools, so this seems inevitable), the purpose would be to enlarge and make widely available the facilities which now exist.

If acceptable, we could launch an appeal to friends and all interested in Africa to support such a cooperative program by:

1. Asking the United Nations and its specialized agencies to concentrate their efforts on those fields which the African states select for emphasis.

2. Asking those interested or becoming interested in Africa to center their assistance on such projects as:

(a) Helping obtain professors, teachers, etc., for this expanded educational program.

(b) Providing scholarships for African students to study in Africa as well as overseas.

(c) Helping obtain the equipment, buildings, libraries, and study materials involved in such a program.

3. Suggesting to the foreign businesses operating in Africa that they work with the regional organization to plan their participation in this effort by—

(a) Establishing or endowing chairs for teaching and research in fields of regional importance.

(b) Esteblishing scholarship programs in Africa and abroad in some cases.

(c) Helping with equipment, books, etc.

As Africans, we face grim imperatives. Africa is not a world unto itself, but an integral part of our one world. We have to make a new Africa in which all races of men may live and work together in the great task of reconstruction.

INTERNAL AFFAIRS

In the prosecution of the internal policies begun in 1944 we still place great emphasis on the open-door and unification policies, and we again register our solemn pledge of regarding commitments, whether they be concession agreements, treaties, and even oral pledges or assurances as sacred and inviolable.

The unification policy has worked marvelously and the whole nation is now united as one people.

The open-door policy has brought a virtual transformation of the country in many respects and all parties concerned—concessionaires, government, and the people—have been the recipients of the benefits that have accrued from this bold policy.

A PLAN FOR ECONOMIC AND SOCIAL DEVELOPMENT

The security, safety, and preservation of the state is the first duty of any government. Consistent with this, the highest purpose of any economic or fiscal policy is the securing and providing of equal opportunity for all alike, and the promotion of the happiness and prosperity of the citizens of the country in an atmosphere of peace and tranquillity.

But economic security, prosperity, and happiness can never be only the result of casual reaction or sensitivity to the developmental measures of government. In a country such as ours which has had to devote all of its energies to the supreme struggle for survival against encroachments, intrigues, and other basic assaults on the sovereignty of the nation from its inception for almost a hundred years, progress is a most pressing demand if we are to catch up with the advanced nations of the world. Consequently, the action of government in initiating, sponsoring, and promoting economic and social developments must not only depend upon spontaneous actions of individuals but also upon clear leadership spearheaded by a deliberate development process.

In the historical view, the presence of natural resources has been considered the fundamental prerequisite to any development activity. Our forefathers and our fathers have spoken about the natural richness of this land. However, not until recently, by careful, expensive, scientific investigations have we been able to ascertain the actual extent to which this country is naturally endowed by the presence of minerals, timber, water resources, and of soil most suited to the production of certain types of plant life. In this regard it is perhaps one of the great acts of providence that many of the rich deposits of iron ore which we are now in the process of exploiting were not discovered before now or else they might not have been within the present territory of Liberia.

To exploit this natural resource we embarked, 9 years ago, upon a program, first, to map and survey what we had; next we planned a road and harbor construction, telecommunication and electrical power development program.

In the tenure of office today commenced, this administration will endeavor to carry out a development plan by which it will:

1. Seek additional revenue by enforcing the collection of all taxes due Government. It will see that taxes are not evaded or avoided. They must be fully paid and on time.

2. Expand and improve the arterial road system by establishing a network of secondary roads that will connect all important points in the country with the central arteries which presently run from north to south and east to west.

To facilitate this development it is proposed to create a Rural Road Administration to be responsible for the implementation of this project. This is not to be just another permanent body. It should be a commission consisting of a representative of the Public Works, Interior, Agriculture, and Commerce Departments, and the National Production Council. It should have a life of 4 years and a set objective for each year;

that is, to see that a fixed number of miles of road are actually built each year or responsibility directly placed for the lack of accomplishment and those responsible disciplined.

The Government will provide a pool of heavy equipment and be responsible for the construction of large bridges or carry out large excavations necessary. Government will also give the necessary small tools. But the rural towns working through their tribal authorities should bear primary responsibility for construction. Within the next 4 years every important town in the country should be connected to the national highway system.

3. To further expedite transportation and travel, the schedule of our national airline should be extended to provide for stops at most major towns where it is profitable or safe to do so. Further, within the next year, an expansion program must be inaugurated to include international flights for passengers and freight to other parts of Africa, Europe and possibly America. This international program should be undertaken in cooperation with any other airline or on a basis which would invite private, foreign or domestic capital.

4. Negotiations have been commenced to facilitate the creation of national shipping company. This venture will be executed in cooperation with foreign capital and the extent of the lines to be undertaken and the number of ships to be put into service will depend upon the size of contracts for conveyance of iron ore and rubber.

The shipping line would provide not only the means of connecting our harbors and seaports at road terminals but would insure Liberia's exports and imports against discriminatory freight rates. It would further provide training and employment for many of our citizens long recognized as naturally adept in the arts of seamanship.

Although the power capacity of the country has more than doubled in the last few years and will further increase as soon as the new electrical units in process of construction in the counties are completed, it is now evident that unless our water resources are exploited we will experience serious retardation in the economic growth of our country. If it is possible we should not permit this to happen. The Government will undertake to see how this needed cheap hydroelectrical power can be introduced within the next 4 years.

For many years there have been many attempts to get Government involved directly in the pricing and sale of certain commodities such as coffee, palm oil, palm kernels and plassava. We have resisted in the interest of free trade. There is to be no basic change in this policy.

However, to facilitate uniform processing and pricing as well as the assuring of a year-round market to our farmers, Government in cooperation with the chamber of commerce, will seek long-term contracts for the sale of our domestic commodities. And through the national production council in the next 4 years, coffee and palm oil processing mills must be located at strategic points in the country; and an organized market for the pricing, sale and support of these commodities created so that farmers no matter where they are, can know the real prices being offered and can be sure of getting a sale of their produce the year around.

Although the presence of natural resources in an appreciable quantity has for over three centuries been considered the sine qua non of economic development, since the beginning of this century it has been recognized that capital is also a requirement, sometimes of even greater importance.

In the absence of sufficient domestic savings, it has been necessary for Government to induce foreign capital to come in to assist in our development program as a result of measures which assure it freedom of action and through the provision of tax incentives and other encouragement.

Direct Government loans have also been made to build roads and other public utilities and guarantees have been made to foreign-owned financial institutions to facilitate the lending of capital to citizens of the country to enable them to purchase machinery, equipment and other things necessary to promote private agricultural, industrial, commercial and trade activities. In addition to this an Agricultural Credit Corporation with a modest capitalization has been organized as a Government agency to assist Liberian agriculture and industry. But these are not enough.

If our development activity is to move forward at a more rapid pace more capital must be made available. New sources must be tapped. All available savings should be marshalled for the titanic effort which must be made to lift ourselves.

Government will therefore in the foreseeable future request help from the World Bank or other sources to assist in the creation, systematic organization and detailed operation of a development bank. We believe that such an institution should guarantee various types of agricultural, industrial, commercial and other loans made to Liberians by foreign or domestic banks. It should discount the notes of the Agricultural Credit Corporation and in general underwrite sound financial institutions of this type. Under certain special circumstances it should also be able itself to invest in the exploitation of some of our natural resources.

The capital of the Bank, facilities and earnings should be free from taxes for a number of years.

To insure adequate capital for the Bank's operation a fixed percentage of Government's royalties from, or participation in, iron ore concessions should be invested in the capital stock of the Bank each year for a period of 20 years.

The cooperation of foreign capital in the exploitation of our natural resources has proved mutually beneficial and has enabled us to avoid the pitfalls of extremist nationalist policies. Under the open-door policy many concessions for various purposes have been granted. Most of these have operated very successfully. But it is now evident that if maximum benefits are to be derived from all, the labor supply of the country must be increased.

Of course, the various health programs which will include maternity and child care should in the long run increase the total population. In the meantime certain steps must be taken immediately to alleviate this situation. Among these:

1. Work hours of Government as well as private industries and businesses must be increased.

2. To decrease absenteeism due to illness, all foreign or domestic agricultural or industrial employers employing more than 50 laborers should by law be required to install a small clinic, if none is available in that area, for use of their labor.

3. In cases where the children of employees are twenty or more under the age of 15 living in the camps, they must give elementary school instruction for them, provided a public school is not within a radius of three miles.

4. New vagrancy statutes must be enacted and enforced vigorously by the police constabulary and the interior department. This country can no longer afford the luxury of ablebodied men loafing from one center to another and living off their brothers who are gainfully employed. We shall strictly enforce the proposition that he who is able to work and can find work but will not work, should not eat.

5. Consistent with their primary and God-given duty of producing and caring for children in a family, the women population of the country should be encouraged to do such farm, domestic or industrial work that is not considered injurious to their health. This is the case elsewhere in the world and especially in the rubber producing areas of the Far East. Our women should not be kept back from earning a living and contributing to the welfare of their country where they can.

The labor laws should be revised to give them the necessary protection against exploitation, including equal pay for equal work, adequate maternity leaves, insurance against harsh and injurious treatment; and they should be admitted into all labor unions on an equal footing with men.

Whereas exploitable nature resources and adequate capital are necessary for any development program there is another factor which is now considered of equal importance if the people of any country are to participate fully in their own development and receive the maximum benefit therefrom. There must be available a sufficient number of trained technicians, scientists, engineers, doctors, and skilled workers to evolve, execute, and carry on the development activity. These in turn must come from a well-trained, literate, and educated public.

This factor in development is often the most difficult because it is certainly the most time consuming and cannot be easily telescoped. One cannot train a scientist in a year neither can one educate engineers and doctors in a question of months. Furthermore, they must be a part of a total education system which prepares them for advanced training.

We shall seek to overcome this handicap to our rapid development by engaging upon a threefold educational and health program.

1. We shall create in the University of Liberia an Institute of Technical Studies which shall be responsible for training our physicists, chemists, geophysicists, and other advanced technologists.

2. We shall undertake a nationwide vocational education training program adapted to training in the agricultural, mechanical, and other industrial arts.

A survey team of specialists has been requested to develop a master plan for the Booker Washington Institute which should become the national center of vocational education in the country.

3. Higher education whether it be vocational, classical, or technical rests squarely and ultimately upon a base of elementary education. Therefore we shall embark upon a national program of mass public elementary education, literacy, and health. Our aim is to wipe away forever the blight of ignorance and illiteracy from the children of this land.

Within a bold framework, the following steps shall be taken to implement this program:

(a) Through multilateral or bilateral arrangements a corps of teacher-training specialists will be invited to Liberia to organize at once at least three additional rural teacher-training centers.

(b) A low-cost but durable elementary school building will be designed and constructed in cooperation with local labor in every major town or village in the country.

Until the teacher-training schools have graduated sufficient rural teachers contract employees will be brought in to man some of these schools after construction is completed.

(c) The department of public instruction will be required to develop suitable curriculums consonant with modern worldwide trends yet related to the historical tradition of the people and needs of our country.

(d) As an inducement to qualified persons to pursue the educational profession as a career the salary scale and retirement scheme of teachers will be revised and improved.

FINANCING THE SCHEME

Despite the fact that the local towns and communities to benefit from these programs will be requested to provide material and manual help to assist in the construction end of the program, its total magnitude is such that a tremendous outlay will be required beyond the practical limits of Government to finance from its normal current revenues.

It is consequently proposed that an educational and health fund be created.

The fund would be subscribed to on a voluntary basis by civil servants but supported as a matter of public and party policy by all persons holding political appointments or elected by popular vote.

In an underdeveloped country permissive or casual action in the field of development often proves ineffective in inducing growth; in some cases more compulsive sequences are necessary through active leadership.

Persons subscribing to this fund would every quarter receive bonds which would mature 10 years from the date of their issuance and the income and earnings from these bonds would be exempted from income and other taxes.

A fixed proportion of the fund would be invested in the capital of the development bank so as to facilitate the easy retirement of the bonds as they become due.

Parallel and in conjunction with the education program a broad health program must be undertaken to assure maximum health of the public. This should be financed from the education and health fund and should include a rural health training program, the location of clinics in the new school buildings in major towns and the organization of a nationwide itinerant maternity and nursing service.

From experience it has been discovered that given the necessary exploitable natural resources, adequate capital, trained technicians and an educated and healthy population, there is still a fourth and final prerequisite to dynamic economic development.

This fourth factor is the will of the people to progress, their determination to raise themselves up through hard work, sacrifice and cooperative self-help. It is inconspicuous and invisible but powerful and has no substitute.

A man or a woman want a thing in an instant but to will it requires the insight and understanding to plan for it, the stamina to work for it, the courage to fight for it and the endurance to see it through to materialization. It commands our own efforts and solicits the assistance of our friends who in the past have cooperated with us under the open door policy in so many fields. Foreign merchants and businessmen resident in Liberia will, we hope, be willing to steam out of the harbor of over-the-counter sales and into the channels of unexploited opportunities which beckon from every stage or posture of our economic development.

The will to move forward must be the cement which binds us together in mutuality.

In the final analysis, fellow citizens, if we are to build a great country, we must believe in it in our hearts and in our minds. We must be unshakably determined to work out the scheme of our salvation. Our determination to progress must be commensurate with the blessings which God has so bountifully bestowed upon us.

PUBLIC ADMINISTRATION

It is obvious that with the meteoric growth of our economy and of Government's activities which have expanded rapidly, some waste and inefficiency would inevitably occur and these should be corrected. Therefore the following means should be applied as correctives:

1. Discover where waste and inefficiency actually exist.

2. Suggest specific programs to eliminate these.

3. This to be done without disrupting Government, dampening the enthusiasm of the people or embarking on utopian or quixotic projects but with a program which shall be practicable, realizable, and genuinely effected in view of funds and trained personnel available.

4. Such improvements to be accomplished in the light of new demands which will result from expansion of our economy due when Mano, Nimba, and other industrial enterprises come into production.

Procedure

1. We shall seek to establish a special commission on Government's operations: (a) To consist of 7 men with experience both in and out of Government; and (b) the chairman will be a man of recognized ability, experienced and intelligent who is known to have a somewhat critical attitude and who will be willing to work hard and risk being unpopular.

2. It is but natural that heads of branches of Government and departments as well as their immediate staffs will defend the status quo; the commission must therefore be stacked with critical minds without too great a risk of undue, radical action.

3. The commission and chairman will speak and act only in the name of the President who will have final authority to approve all actions proposed and submit them to the legislature.

Other members will reflect a variety of views some critical, some not, and of background, some technical and some legal.

4. The commission will be charged with: (a) Investigating the programs, practice, and procedures of every department and agency of Government; and (b) investigating the use of funds, personnel, and equipment. It would have access to all records; be empowered to discuss with all persons, public or private, affected in the various branches of Government. It should review all past proposals and policies to ascertain what current regulations are being enforced and whether useful ideas have been discarded or ignored.

We shall establish specific programs for dealing with any shortcomings, failures revealed by the investigation. In this and in investigations the Commission will have available to it all specialized and technical personnel necessary from Government and we will seek assistance from ICA and U.N. agencies.

5. We shall establish procedures for regular, systematic policing of the implementation of its recommendations. A watchdog committee will be set up for each department or agency and should survey, at least three times per year, the manner in which suggestions are enforced, when they are successful, and change them if not successful.

6. We shall direct the Commission to begin its work in the executive mansion.

The foregoing programs are far reaching, bold, and ambitious, and will require strong, able, selfless, honest, devoted, honorable, and patriotic men to execute and translate into realities.

They will require men whose burning desire it is to have their country grow, develop, and prosper; they will require men whose zeal for their country to take an outstanding place in the comity of nations has eaten them up, not men who will devote their principal time and energies toward developing their own resources.

OUR ACCREDITED HONORED GUESTS

It is exhilarating to look into the faces of the honorable representatives of so many friendly governments accredited to these ceremonies by their respective sovereigns and chiefs of states. Each of their presence here in Africa do honor and pay respect to this Government, its representative citizen, and the vice president of the oldest republic in Africa who have now been inducted into office, betokens what a wonderful transformation is taking place in our time.

Here are met together representatives of nations from all of the continents of the earth and some of the isles of the sea. Their presence unquestionably establishes the fact that there is a strong desire to develop good relations and fraternity among all nations and we associate ourselves unreservedly with them. To us it inspires new hope that as we thus meet and are associating together, interchanging courtesies, a new day has dawned in international relations which we think could make the nucleus for better understanding between ourselves and insure the universally just and lasting reign of peace on earth for which we have all been striving and seeking.

The warmth of the welcome we extend to you emanates from hearts overflowing with love and good will and carries with it a yearning for peace, independence, good will and brotherhood among all nations and peoples of the earth which we feel can only be attained by developing in each of us a new spirit of tolerance in things nonessential and unity in things essential.

I note with joy the presence of the President of the Republic of Guinea who has come to associate with the Liberian Government and people in these festivities. He is a great nationalist and his presence is an indication of the closest ties of friendship, fraternity, and oneness subsisting between our two states.

It is also invigorating to observe attending at these ceremonies representatives of so many African states, a situation hitherto unknown. As we view this grand array of African personalities, and expect other African territories to come into nationhood within the foreseeable future, we are overwhelmed and over-awed by the sight and by the implications which it connotes for the future. May each and all of us resolve here and now that we shall lend our best effort to see that men everywhere become free and be permitted, without molestation or hindrance, to organize themselves into political communities and nations under such forms and frames of government as they may choose; this we know to be a fundamental right to which all men are entitled.

As we view the changes that are rapidly taking place on our planet we are lifted to a higher plane in ecstasy and praise and express the magnitude of this feeling by reciting the lines of Julia Ward Howe:

"Mine eyes have seen the glory of the coming of the Lord;
He is trampling out the vintage where the grapes of wrath are stored;
He hath loosed the fateful lightning of His terrible swift sword;
His truth is marching on.

"In the beauty of the lilies, Christ was born across the sea,
With a glory in His bosom that transfigures you and me;
As He died to make men holy, let us die to make men free,
While God is marching on."

We ask that you be kind enough to convey to your respective sovereigns and chiefs of states the felicitations and gratitude of the Government, people of Liberia, and myself for this high recognition and distinction extended to us, our Government and people; we assure them of the encouragement which it gives to us for greater efforts on our part to work and strive with might and main for the development and strengthening of our own country meanwhile wishing for their respective nations, governments, and peoples internal peace, happiness, prosperity, and solidarity.

We have the pleasant privilege of noting the presence of numerous of our invited guests from abroad—men and women who

have been particularly and genuinely helpful to the country in its struggle for development. Many of them are men who have vested interests here in concessions and other business—men who, in the early years of the present administration seeing our struggles to get started, rendered us assistance and advice, and even extended us endowments, gifts, and grants in different fields of endeavor. We welcome them and hope their stay will be most pleasant and enjoyable.

Coming home, we have the good fortune of being blessed with the extremely rare privilege of having one of our former Presidents, an octogenarian, one of those who weathered the storms that attended the nation in the perilous years when there was no United Nations.

We give thanks to God for sparing his life and sustaining him with a reasonable portion of health and strength to be with us in these days of reconstruction to give counsel, advice and encouragement.

May his years continue to accumulate and as his years shall be so may be his strength.

Now to you, my fellow countrymen, let us with united hearts, minds, and strength press vigorously and persistently forward to raise our nation to a higher and yet higher stratum of nationhood.

May God keep, prosper, and save the state.

NEW HOPE FOR FARM LEGISLATION

Mr. SYMINGTON. Mr. President, while the President's farm message is general, and the acid test of accomplishment will come later, it would appear the administration has shifted from its uncompromising attitude with regard to farm legislation.

If this apparent shift in the administration's policy is fulfilled, it should remove the blockade, and open the way for sound farm legislation in this Congress.

Based on the President's latest statements, a comprehensive farm bill along the lines of S. 2862, the bill I introduced last month, would seem to have a good chance of being passed by the Congress and approved by the President.

My bill would appear to meet the conditions set up by the President.

It would halt the costly buildup of surplus stocks.

It would reduce the cost of the program by several billion dollars.

Most important, it would give our Nation's farm families an opportunity to earn a fair return on their labor and investment.

It must be kept in mind, however, that this farm message is in very general terms.

Furthermore, the President holds to the preference for the no-controls low-price program advocated by his Secretary of Agriculture for over 7 years.

This is the program which, according to an official Department of Agriculture report, would result in 85-cent wheat, 70-cent corn, and 20-cent cotton; and which would result in even larger surpluses of wheat, rice, cotton, and other products.

If the President's statements, however, do indicate a shift from the administration's previous position, it can mean that my bill or other similar sound programs will be approved; and if that happens, the family farms of America can look to an end of the farm depression they have known in recent years.

EXCHANGE OF FNMA MORTGAGES FOR BONDS

Mr. GORE. Mr. President, the Wall Street Journal of today carries an article which states that $200 million of home mortgages owned by the Federal National Mortgage Association are now being offered to holders of nonmarketable 2¾-percent bonds. This is the second step by the Eisenhower administration in its determined effort to give away a large block of assets owned by the Government of the people of the United States. This questionable maneuver has been condemned by the Senate by an overwhelming vote. Nevertheless, the administration continues to show its utter contempt of this body and its opinions, and a disregard for the general welfare, in proceeding to give away these valuable assets.

The Wall Street Journal describes this giveaway plan as a "budget-balancing device." It is that kind of a device, Mr. President, but it is much more. In addition to being an outright giveaway of assets which belong to the American people, it is also an act of outright favoritism to the banks and insurance companies which hold these particular nonmarketable bonds. The administration is solicitous of their welfare and is evidently attempting to bail them out, at a cost to the general public. It is a pity the same regard is not shown for the ordinary citizen who holds a small amount of savings bonds.

The administration is evidently hastening this transaction to avoid its being absolutely prohibited by the Congress. I think it is most strange that the administration, which professes to be so concerned about the management of the public debt, should wish to retire bonds paying 2¾ percent interest and to issue new bonds bearing interest rates in excess of 4¼ percent.

Mr. President, Mr. Gardiner C. Means, an eminent economist, has written a letter to the editor of the Washington Post and Times Herald concerning the interest rate ceiling on Government bonds.

There are, in my opinion, many cogent reasons for not removing or raising the existing 4¼-percent ceiling. Mr. Means has emphasized one of them, namely, that it would be most unwise to saddle the public with 30 or 40 years of unnecessarily high interest charges. I agree wholeheartedly with the position taken by Mr. Means in this letter.

An administration which constantly talks about the need for more businesslike administration of our Government is insisting upon acting in this unbusinesslike way. I know of no major, private, well-managed corporation which would seek to convert its short-term debt to longtime debt in a period when interest rates were at historic highs. The businesslike procedure would be to do the opposite, yet that is exactly what the administration proposes to do.

Mr. President, this is well pointed out in the letter by Mr. Gardiner C. Means, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTEREST RATE ISSUES

Your January 31 editorial on Government interest rates troubles me. It seems to imply that because long terms could now be sold at a lower current interest rate than short terms, their interest cost to the American public would be less. This would be a very shortsighted view.

In historical perspective, interest rates, are now high and we can reasonably expect prosperous periods in the future when interest rates will be much lower. To issue long terms at 4½ percent or more can commit the public to high rates for 30 or 40 years. The temporary payment of a somewhat higher short-term rate will allow refunding to wait until long term rates are lower.

At no time in the last 40 years has the Government paid more than 4 percent on its long term issues. It has not even used the power to pay 4¼ percent.

I cannot imagine a competent financial counselor advising a big, solvent corporation to refund its short debt into long terms at the present time in the light of the high current rates, the long history of lower rates and the known policy of tight money.

It seems to me that the 4½-percent limit is a sound and needed protection of the public interest. There is always the danger that an administration, whether Republican or Democratic, will, through poor judgment or through too close association with the financial community, saddle the public with 30 or 40 years of unnecessarily high interest charges. It would seem to be a legitimate exercise of congressional responsibility and wisdom to guard against this danger by setting a limit so that refunding into long terms can only be done when long-term rates are below 4½ percent.

That the danger is real is suggested by the history of the last few years. The present administration came into office with the announced intention of (1) bringing about higher rates and (2) refunding the Government debt into longer terms. Both objectives made some sense at the time, particularly the latter because of the intention to bring about higher interest rates.

However, the administration worked on the first and not the second, so that today interest rates are high while the average duration of the public debt is shorter than 7 years ago The sudden urge to be active in refunding the debt for a long period to come, at high rates, can hardly help but raise the question of why, in the light of the inaction during the last 7 years.

GARDINER C. MEANS.

Mr. SYMINGTON. Mr. President, will the distinguished Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. SYMINGTON. The Senator from Tennessee is an expert in this field. I wish to ask the Senator what the increase in the annual cost of the national debt is, roughly, as the result of the policies of this administration.

Mr. GORE. I thank the Senator for referring to me as an expert, though I must disclaim the title. I am only a layman who has labored to understand the ins and outs of this problem, which so adversely affects the public interest in the way it has been handled.

To answer the Senator's question, the cost of carrying the interest charge on the public debt has increased approximately 50 percent since 1952.

Mr. SYMINGTON. Mr. President, I thank the Senator. He is an expert to me, because he is always very logical on this subject.

Mr. GORE. I thank the Senator from Missouri.

ANNOUNCEMENT OF DEMOCRATIC CONFERENCE MONDAY, FEBRUARY 15, 1960

Mr. MANSFIELD. Mr. President, I wish to make the announcement to the Senate that there will be a Democratic conference on Monday morning, February 15, at 9:30, at which time we will discuss the President's budget, the joint economic report, and the matter of interest rates. This will serve as a notice to the Democrats that a meeting will be held at that time on that date to cover these particular subjects.

Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

STUDY OF U.S. FOREIGN POLICY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1081, Senate Resolution 250.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 250) authorizing a study of U.S. foreign policy by the Committee on Foreign Relations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an excerpt from the report of the Committee on Rules and Administration covering this matter, and a copy of a letter to the chairman of the Committee on Rules and Administration from the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations.

There being no objection, the excerpt and letter were ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred the resolution (S. Res. 250) authorizing the Committee on Foreign Relations to make a study of U.S. foreign policy, and providing additional funds therefor, having considered the same, report favorably thereon without amendment, and recommend that the resolution be agreed to by the Senate.

This resolution would authorize the expenditure of $185,000 by the Committee on Foreign Relations, or any duly authorized subcommittee thereof, from February 1, 1960, through January 31, 1961—"To make a complete study of any and all matters pertaining to the conduct of U.S. foreign policy, with special reference to Latin America and the problems of world disarmament."

The purposes of the study are stated fully by the Committee on Foreign Relations in its report to the Senate on Senate Resolution 250 (S. Rept. 1027, 86th Cong., 2d sess.). Additional information on the contemplated inquiry is contained in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator J. W. FULBRIGHT, chairman of the Committee on Foreign Relations:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
January 22, 1960.

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: I am writing to call your attention to Senate Resolution 250, authorizing a study of U.S. foreign policy by the Committee on Foreign Relations. The resolution was reported from the Committee on Foreign Relations on January 18, and was referred to the Committee on Rules and Administration.

In brief, the resolution authorizes expenditures by the Committee on Foreign Relations of a total of $185,000 during the next year to continue inquiries being conducted by the committee into foreign policies of the United States, with special reference to Latin America and the problems of world disarmament. In text and purpose this resolution is similar to Senate Resolution 31, agreed to February 2, 1959, which authorized the expenditure of not to exceed $500,000. This resolution, therefore, is $315,000 less than the amount authorized last session and $202,466 less than the estimated expenditure last year.

The committees' activities of last year, which will be continued this session on a reduced scale, are described in the report (No. 1027) which accompanied the resolution to the floor. The report also contains the committee's budget for the requested $185,000.

I hope the Committee on Rules and Administration will be able to give prompt and favorable consideration to this matter.

Very truly yours,

J. W. FULBRIGHT, *Chairman.*

Mr. MANSFIELD. Mr. President, I also ask unanimous consent to have printed in the RECORD the budget for the proposed inquiry in connection with the resolution.

There being no objection, the budget was ordered to be printed in the RECORD, as follows:

Feb. 1, 1960, to Jan. 31, 1961

Position	Number	Base salary (per annum)	Gross salary (per annum)
STAFF			
Legal and investigative: Staff member	1	$8,040	$15,044
Editorial and research:			
Staff assistant	1	5,580	11,023
Do	1	5,040	10,113
Staff member	1	3,480	7,212
Do	1	2,880	6,082
Administrative and clerical:			
Assistant clerk	1	2,640	5,629
Do	1	2,460	5,290
Do	1	2,460	5,290
Do	1	780	2,363
Do	1	780	2,363
Total	10		70,409
ADMINISTRATIVE			
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)			465
Contribution to civil service retirement fund (6½ percent of total salaries paid)			4,576
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)			210
Reimbursable payments to agencies			25,000
Travel (inclusive of field investigations)			25,000
Hearings (inclusive of reporters' fees)			45,000
Witness fees, expenses			5,000
Stationery, office supplies			2,000
Communications (telephone, telegraph)			2,000
Newspapers, magazines, and documents			1,000
Contingent fund			4,340
Total			114,591
Grand total			185,000

Funds requested, S. Res. 250, $185,000.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. As I understand the situation, the resolution is of the same nature as the one offered last year for the investigation of our foreign policy with particular reference to South and Central America.

Mr. MANSFIELD. It has to do with the study of foreign policy in general, with Latin American studies, and with disarmament studies primarily.

Mr. ELLENDER. Is this the subcommitted headed by the Senator from Oregon [Mr. MORSE]?

Mr. MANSFIELD. Yes, indeed.

Mr. ELLENDER. I understand that thus far, nothing has been done in this field.

I further understand that the amount requested by the committee has been reduced by $315,000.

Mr. MANSFIELD. That is correct.

I point out that of the amount requested, $50,000 of the $185,000 is for the special studies on Latin America. I point out further that to date a number of policy studies have been issued by that committee.

Mr. ELLENDER. I placed in the RECORD yesterday a statement to the effect that, in addition to its regular staff, the Foreign Relations Committee has authority, through passage of special resolutions, to employ an additional three professional staff members, two of them to be permanent, and the third to be temporary. Is that correct?

Mr. MANSFIELD. I do not know, except that under the heading of "Other Administrative" is the figure $7,000, which, to my mind, would not be enough for even one staff expert.

Mr. ELLENDER. I mean through passage of special resolutions. I notice that the Committee on Foreign Relations does have additional professional staff members besides those regularly provided.

Mr. MANSFIELD. Oh, yes; and that is in the budget request, because it shows, for example, a staff member to work on legal and investigative matters, and also an editorial and research staff member. Then, of course, there will be two other staff members, plus clerical help, for all these studies.

Mr. ELLENDER. Then, in other words, what the Committee on Foreign Relations has done, so to speak, is to do away with subcommittees. The committee has added more professional staff members, so that the full committee does the work which would ordinarily be done by subcommittees, or special committees.

Mr. MANSFIELD. No. This work is only on a temporary basis, so far as the committee is concerned. The permanent staff still consists of only four experts, and the others are on temporary assignment, in line with these studies.

Mr. ELLENDER subsequently said: Mr. President, a while ago I stated that the Committee on Foreign Relations had, in addition to its regular staff of 10, 3 additional professional staff members. What I should have pointed out was that the complete staff of the Foreign Relations Committee, in addition to its regular staff of 10, includes 2 permanent professional staff members, 1 temporary professional staff member and 3 permanent clerical assistants.

Mr. MANSFIELD. I am delighted that the Senator has cleared up the record. I have checked the facts, and I find that he is correct in the statement he has just made. I am glad that in this instance the record is entirely clear.

Mr. ELLENDER. As I stated a moment ago, although the Foreign Relations Committee is not asking for the creation of more subcommittees, yet it has increased the number of its professional, as well as clerical, staff members, so that a good deal of the work formerly done by subcommittees is done by the staff of the committee.

Mr. MANSFIELD. The work of the Foreign Relations Committee is increasing in view of the worldwide responsibilities this Government has assumed and the delicate questions which must be faced. The result is that we have had to farm out much of our work. Perhaps in this way eventually we shall be able to do more in the committee.

The PRESIDING OFFICER (Mr. GRUENING in the chair). The question is on agreeing to the resolution.

The resolution (S. Res. 250) was agreed to, as follows:

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the conduct of United States foreign policy, with special reference to Latin America, and the problems of world disarmament.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (4) to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) to take such testimony; and (6) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as it deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $185,000, for the period ending January 31, 1961, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ASSISTANCE TO MEMBERS OF THE SENATE IN CONNECTION WITH VISITS TO THE UNITED STATES BY FOREIGN DIGNITARIES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1084, Senate Resolution 245.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 245) providing assistance to Members of the Senate in the discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point excerpts from the report of the committee accompanying Senate Resolution 245; a letter to the Senator from Missouri [Mr. HENNINGS] from the chairman of the Committee on Foreign Relations; and the regulations dealing with the reception of foreign dignitaries and members of parliaments pursuant to Senate Resolution 259.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This resolution (S. Res. 245) would authorize the Committee on Foreign Relations to employ from February 1, 1960, through January 31, 1961, one additional professional staff member to assist the Senate properly to discharge its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments.

Also authorized would be the expenditure of $5,000 for expenses of members in this connection.

The purposes of Senate Resolution 245 are more fully stated by the Committee on Foreign Relations in its accompanying report to the Senate (S. Rept. 1024, 86th Cong., 2d sess.). Additional information is contained in a letter to Senator THOMAS C. HENNINGS, Jr., chairman of the Committee on Rules and Administration, from Senator J. W. FULBRIGHT, chairman of the Committee on Foreign Relations, which letter is as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
January 18, 1960.

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: Senate Resolution 245 has been referred to the Committee on Rules and Administration. That resolution would authorize assistance to Members of the Senate in the discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes.

This resolution, reported unanimously from the Committee on Foreign Relations, is an extension of Senate Resolution 32 of identical title, agreed to during the 1st session of the 86th Congress, and continues a practice initiated in 1958 by Senate Resolution 259 of the 85th Congress. It authorizes the Committee on Foreign Relations to expend not more than $5,000 between February 1, 1960, and January 31, 1961, for the reception of foreign visitors. It also authorizes the employment of one professional staff member to assist members in the reception of such guests and to help in aranging for U.S. participation in interparliamentary activities.

As you know, many Senators have participated in conferences abroad with representatives of other parliamentary bodies. These conferences, and the visits of foreign parliamentarians to this country, have served to promote the democratic process in the world.

During the past year, Senate Resolution 32 enabled Members of the Senate to receive approximately 150 members of foreign parliaments and leaders of foreign governments. The total cost for the reception of these visiting dignitaries and the reimbursement of the minor expenses which Members incurred totaled $2,470.44. As required by Senate Resolution 32, disbursements have been from the contingent fund of the Senate upon vouchers certified by the Senator incurring such expenses and approved by the chairman of the Committee on Foreign Relations. In addition, expenditures have been subject to regulations promulgated by the chairman of the Committee on Foreign Relations, a copy of which may be found in Senate Report 1024 to accompany Senate Resolution 245.

I hope very much that the Committee on Rules and Administration will approve Senate Resolution 245.

Very truly yours,

J. W. FULBRIGHT,
Chairman.

Regulations promulgated last session by the Committee on Foreign Relations for the expenditure of funds under Senate Resolution 32, which would be continued this session under Senate Resolution 245, are as follows:

REGULATIONS

Reception of foreign dignitaries and members of parliaments pursuant to Senate Resolution 259

1. No expenditure shall be made from the sum provided by Senate Resolution 259 (85th Cong., 1st sess.), agreed to March 7, 1958, except for actual and necessary expenses, and unless approved in writing in advance by the chairman of the Committee on Foreign Relations.

2. Disbursements and reimbursements for expenses, from the sum contained in such resolution, shall be generally for the assistance and reception of foreign officials visiting the United States, including members of foreign legislative bodies, or in connection with parliamentary meetings and similar gatherings.

3. Authorization of expenditures from the fund created by Senate Resolution 259, of reimbursement therefrom, shall be limited to Members of the Senate and to such members of the staff of the Committee on Foreign Relations as the chairman of the Senate Foreign Relations Committee may designate.

4. The staff member employed by authority of said resolution shall, under the direction of the chairman of the Senate Committee on Foreign Relations and the chief of staff thereof, make such arrangements as may be necessary to assure compliance with the terms of the resolution, including the obtaining of advance authorizations required for payment of actual and necessary expenses, and the keeping of appropriate records. All records of receipts, reimbursements, and other matters concerning the use of the sum under the resolution shall be maintained in the administrative files of the committee.

Mr. ELLENDER. Mr. President, for the information of the Senate, I wonder whether there might be placed in the RECORD a statement indicating whether or not the entire $5,000 was spent last year.

Mr. MANSFIELD. No; the entire $5,000 was not spent. It is my understanding that the total spent was $2,470.44.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 245) was agreed to, as follows:

Resolved, That in order to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments, the Committee on Foreign Relations is authorized from February 1, 1960, through January 31, 1961, to employ one additional professional staff member to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of section 202(e) of the Legislative Reorganization Act of 1946, as amended.

SEC. 2. The Secretary of the Senate is authorized and directed to pay the actual and necessary expenses incurred in connection with activities authorized by this resolution and approved in advance by the chairman of the Committee on Foreign Relations, which shall not exceed $5,000 from February 1, 1960, through January 31, 1961, from the contingent fund of the Senate upon vouchers certified by the Senator incurring such expenses and approved by the chairman.

AUTHORIZATION FOR THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO INVESTIGATE CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1085, Senate Resolution 230.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 230), authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, my distinguished senior colleague, the chairman of the Committee on Interior and Insular Affairs [Mr. MURRAY] is away from Washington on official business.

In the hope that his absence will not delay consideration of Senate Resolution 230 at this time, he has asked that the following statement bearing on this resolution be read at this point:

Senate Resolution 230 was reported from the Committee on Interior and Insular Affairs with only one dissenting vote. The member of the committee who dissented was of the belief that the resolution should provide for $175,000 rather than $200,000.

The amount sought under the resolution is the same amount received by the committee during the past 2 years by special resolution for the purpose of retaining additional personnel and for administrative purposes. Although the budgeting of the funds sought under Senate Resolution 230 provides for the retention of 15 staff members as opposed to 14 staff members provided for last year, adjustment in other budget items obviates the need for obtaining funds in excess of those obtained last year. Senate Resolution 230 reflects the judgment of the majority of the members of the Interior Committee as the committee's need for funds to retain additional personnel.

Mr. President, I ask unanimous consent that the report of the committee on Senate Resolution 230, and a letter from the chairman of the committee to the chairman of the Committee on Rules and Administration, be printed at this point in the RECORD. I also ask unanimous consent that the budget of the committee be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This resolution (S. Res. 230) would authorize the expenditure of $200,000 by the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, from February 1, 1960, through January 31, 1961, to examine, investigate, and make a complete study of any and all matters pertaining to (1) minerals, materials, and fuels; (2) irrigation, reclamation, and power development; (3) public lands; (4) Indians; and (5) territories and insular affairs.

The purposes of the resolution are more fully explained in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator JAMES E. MURRAY, chairman of the Committee on Interior and Insular Affairs, which letter (with accompanying budget) is as follows:

U.S. SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 22, 1960.

HON. THOMAS C. HENNINGS, JR.,
Chairman, Senate Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pending before your committee is Senate Resolution 230 which authorizes the Committee on Interior and Insular Affairs to retain additional staff personnel, and to make expenditures in the amount of $200,000 for this and other purposes. I am submitting herewith a budget in accordance with which expenditures will be made by the committee under the resolution.

Our proposed expenditure of funds for staff and administrative purposes during the coming year is being maintained at the same level which prevailed during the past 2 years. One additional employee will be retained, a research assistant, bringing the staff level to 15 employees. By making adjustments in other budget items, the additional employee can be retained without increasing our proposed expenditures beyond the level of the past 2 years.

When Senate Resolution 230 is scheduled for consideration by your committee, I shall be glad to appear in behalf of the resolution.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

Committee on Interior and Insular Affairs (budget Feb. 1, 1960–Jan. 31, 1961)

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget
Technical:					
Technical staff members	1	$8,000	$14,979.45	$1,248.28	$14,979.45
Do	1	7,800	14,652.48	1,221.04	14,652.48
Do	1	7,680	14,456.29	1,204.69	14,456.29
Do	2	7,260	13,769.66	1,147.47	27,539.32
Do	1	7,020	13,377.29	1,114.77	13,377.29
Do	1	6,180	12,004.02	1,000.33	12,004.02
Do	1	5,820	11,415.48	951.29	11,415.48
Clerical:					
Stenographer	1	2,940	6,195.07	516.25	6,195.07
Do	4	2,820	5,968.98	497.41	23,875.92
Do	1	2,520	5,403.79	450.31	5,403.79

Committee on Interior and Insular Affairs (budget Feb. 1, 1960–Jan. 31, 1961)—Con.

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
Research Assistant	1	$2,820	$5,968.98	$497.41	$5,968.98
Consultants, agency reimbursements					15,000.00
Total	15				164,868.09
ADMINISTRATIVE					
Civil service retirement fund contributions					7,000.00
Travel (field investigations included)					15,000.00
Hearings (reporters' fees included)					10,000.00
Communications (telephone, telegraph)					2,000.00
Office supplies					200.00
Publications					300.00
Contingent fund					631.91
Total administrative expense					35,131.91
Grand total					200,000.00

Funds requested, S. Res. 230, $200,000.

Mr. ELLENDER. Mr. President, can the Senator inform us whether or not this committee has any extra help by way of additional professional staff members and clerical assistants?

Mr. MANSFIELD. My understanding is that there is not.

Mr. ELLENDER. So that in addition to the 10 regular staff members, the committee would now have 15 staff members under this resolution. Is that correct?

Mr. MANSFIELD. Fifteen; yes. That is, altogether.

Mr. ELLENDER. And of those 15, 8 would be technicians. Is that correct?

Mr. MANSFIELD. Yes.

Mr. ELLENDER. These eight receive salaries ranging from $11,415.48 to $14,779.45. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CURTIS. Does this number include all of those who serve on a per diem or contractual basis for that committee?

Mr. MANSFIELD. So far as I know, it would not include those who serve on that basis. As of now I know of no consultants who are to be hired except as enunciated in the budget under the title "Consultants, Agency Reimbursements," for which the sum of $15,000 is allocated.

Mr. CURTIS. How many employees does the committee have, and how many does the subcommittee have?

Mr. MANSFIELD. It is a matter of 10 who are permanent staff members, plus 15 who are hired under this resolution. After all, we must keep in mind that this committee is far-ranging in its responsibilities, and it has to do with much that is inherent in the development of the resources of this country.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 230) was agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) minerals, materials, and fuels;

(2) irrigation, reclamation, and power development;

(3) public lands;

(4) Indians;

(5) territories and insular affairs.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution which shall not exceed $200,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1097, Senate Resolution 225.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 225) providing additional funds for the Select Committee on Small Business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, I have before me a brief statement explaining the purposes of Senate Resolution 225, providing additional funds for the Select Committee on Small Business. The statement was prepared by the junior Senator from Alabama [Mr. SPARKMAN]. I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPARKMAN

With one exception, the resolution now before us follows closely those submitted during the past 3 years by the committee. In each of these years, we have received authorization to employ 10 staff members to assist the committee in its work on behalf of small business.

Senate Resolution 225 embodies a request for one additional man. We have reluctantly concluded that this is necessary, since our casework has increased to the extent that we require another staff member who will devote a major share of his time to assisting businessmen referred to us by the Members of the Senate. During the past year, as in previous years, almost two-thirds of all Senators had occasion to direct one or more of their constituents to the staff of the committee. While this is time-consuming work, it is extremely valuable, not only to the businessman assisted, but also to the committee in determining the major problem areas deserving full committee attention.

Senators will note that, as in past years, our resolution does not contain the Curtis amendment. As I have explained before, the minority has nominated members of the staff who have served the entire membership of the committee and have been paid in line with their experience and background. During the past year, the staff member recommended by Senator SALTONSTALL has been receiving the top salary on resolution payroll.

In my letter to the chairman of the Rules Committee, I pointed with some degree of pride to the record of accomplishments on the part of the Small Business Committee during 1959. All of us plan to be equally active and, we trust, equally successful in our efforts to assist the 4,500,000 American small businesses during the coming 12 months.

Every Member of the Senate has received a copy of the committee's 10th annual report. For all 10 years, our annual reports have received unanimous endorsement by the committee members.

Furthermore, the report shows that the committee held 22 days of hearings during 1959, and that it issued nine reports during the year.

While ours is not a legislative committee, I feel that it has compiled an enviable record of legislative achievement. During 1959, our committee initiated the hearings on multi-State taxation of income derived exclusively from interstate commerce. As a result of those hearings, the committee sponsored a joint resolution, our chairman appeared before the Finance Committee to urge its favorable report, he and other Members supported the legislation on the floor of the Senate and Public Law 86–272 removed a serious threat hanging over the heads of hundreds of thousands of small businesses.

In the antitrust field, the committee's recommendation on more effective enforcement of the Clayton Act finally was enacted into law.

We also sponsored and supported amendments to the important Small Business Investment Act of 1958. One of these recommendations became law in Public Law 86–376 and others were embodied in the Senate-passed S. 2611. We are continuing our active work in this area.

An amendment to the Small Business Tax Adjustment Act of 1958 was also made a part of the Internal Revenue Code during 1959 as a result of our committee's work.

I am sure all Members of the Senate will agree that ours has been a productive committee and one which has been operating in a field of vital significance to the United States. All 17 members of the committee pledge their continued efforts to the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point excerpts from the report of the Committee on Rules and Administration; a letter addressed to the chairman of that committee by the chairman of the Select Committee on Small Business; and the budget of the select committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This resolution (S. Res. 225) would authorize the expenditure of $125,000 by the Select Committee on Small Business from February 1, 1960, through January 31, 1961—"to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate."

The purposes of the resolution are more fully detailed in a letter to Senator THOMAS C. HENNINGS, Jr., chairman of the Committee on Rules and Administration, from Senator JOHN SPARKMAN, chairman of the Select Committee on Small Business, which letter (with accompanying budget) is as follows:

U.S. SENATE,
SELECT COMMITTEE
ON SMALL BUSINESS,
January 14, 1960.

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: The 10th annual report of the Select Committee on Small Business will be filed within the next few days. A glance at the table of contents of this report indicates the wide scope of the committee's activities during 1959 on behalf of the Nation's more than 4½ million small business concerns. During the 1st session of the 86th Congress, the committee held, in the aggregate, more than 3 weeks of public hearings on a broad range of small business problem areas, including, but not limited to, taxation, Government procurement, antitrust, the activities of the Small Business Administration, and competitive practices in the distributive trades.

In addition, although the committee is, as you know, without legislative authority, it was the prime mover in the enactment of Public Law 86–107, which made it possible for the Federal Trade Commission to expedite compliance with its orders. The committee also took the lead in fostering a bill which became the basis of Public Law 86–272, an act which cushioned the impact on small firms of interstate taxation.

I feel that the committee and its staff have performed significantly helpful service in behalf of maintaining a free competitive economy and of promoting individual enterprise. Moreover, I am convinced that continued congressional vigilance is required, as our larger business units become increasingly powerful, to keep the national marketplace open to small businessmen of initiative and ability.

For these reasons, I have introduced Senate Resolution 225, requesting additional funds in order to maintain the effectiveness of the committee at its present level. A careful analysis of small business problems and of the planned program of the committee during the present session indicates that our committee will require the full amount of the resolution for its activities during the coming year.

I shall welcome an opportunity to discuss this resolution with you and with other members of the Rules Committee at your convenience.

With best wishes and warmest personal regards.

Sincerely yours,

JOHN SPARKMAN,
Chairman.

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative					
Chief counsel	2	$6,480	$12,494		$24,988
Special counsel	1	5,460	10,826		10,826
Assistant counsel	1	4,920	9,897		9,897
Do	1	4,500	9,134		9,134
Chief investigator	1	6,480	12,494		12,494
Investigator	1	4,920	9,897		9,897
Editorial and research: Assistant director	1	5,460	10,826		10,826
Administrative and clerical:					
Assistant clerk (secretary to Director)	1	1,380	3,343		3,343
Assistant clerk (hearing)	1	2,160	4,725		4,725
Stenographer	1	1,500	3,523		3,523
Total	11				99,653
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					(1)
Contribution to civil service retirement fund (6½ percent of total salaries paid)					6,467
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					324
Reimbursable payments to agencies					
Travel (inclusive of field investigations)					4,500
Hearings (inclusive of reporters' fees)					3,500
Witness fees, expenses					1,000
Stationery, office supplies					1,200
Communications (telephone, telegraph)					1,200
Newspapers, magazines, documents					1,200
Contingent fund					5,956
Total					25,347
Grand total					125,000

[1] Included in contingent.

Funds requested, S. Res. 225, $125,000.

Mr. SALTONSTALL. May I just add to the statement of the Senator from Alabama [Mr. SPARKMAN], as senior Republican on the committee——

Mr. MANSFIELD. The Senator from Alabama is not the senior Republican on the committee.

Mr. SALTONSTALL. As senior Republican member of the Select Committee——

Mr. MANSFIELD. We are delighted to hear from the senior Republican on the committee.

Mr. SALTONSTALL. What did I say?

Mr. MANSFIELD. I thought the Senator was referring to the Senator from Alabama as the senior Republican on the committee.

Mr. SALTONSTALL. Well, I am sure, this being an objective committee, whether the Senator from Alabama were the senior Republican or the senior Democrat would make little difference. However, I should like to add that the budget is a good budget, and that the committee is doing excellent work. I hope the resolution will be agreed to.

Mr. ELLENDER. I wonder why it is that the amount requested by this committee was raised from $110,000 it received last year to $125,000. Is the additional money needed to employ a minority counsel?

Mr. MANSFIELD. The Senator from Alabama in his statement states:

Senate Resolution 225 embodies a request for one additional man. We have reluctantly concluded that this is necessary, since our casework has increased to the extent that we require another staff member who will devote a major share of his time to assisting businessmen referred to us by the Members of the Senate. During the past year, as in previous years, almost two-thirds of all Senators had occasion to direct one or more of their consistuents to the staff of the committee. While this is time-consuming work, it is extremely valuable, not only to the businessman assisted, but also to the committee in determining the major problem areas deserving full committee attention.

Mr. ELLENDER. I notice that that will mean 12 people. That is one more than they had last year. That will make a total of 21, including the full committtee.

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. The size of these committees keep on creeping upward, Mr. President. Last year the committee asked for $110,000. Now they are requesting $125,000. There seems to be no effort made to reduce these expenses.

Mr. MANSFIELD. I will say that that is not due to lack of effort on the part of the distinguished Senator from Louisiana.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 225) was agreed to, as follows:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to

May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1960, to January 31, 1961, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE SELECT COMMITTEE ON NATIONAL WATER RESOURCES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1098, Senate Resolution 210.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 210) providing additional funds for the Select Committee on National Water Resources.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be included in the RECORD at this point an excerpt from the report accompanying Senate Resolution 210; a statement entitled "Expenditures to February 1, 1960"; a statement by the Senator from Oklahoma [Mr. KERR]; a list of the hearings held by the committee; its disposition of saline water and other programs; a letter from the chairman of the Committee on Interior and Insular Affairs to the chairman of the Committee on Rules and Administration; a letter from the chairman of the select committee to the chairman of the Committee on Interior and Insular Affairs; and the proposed budget of the Select Committee on Natural Water Resources.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The Select Committee on National Water Resources was created by Senate Resolution 48, 86th Congress, 1st session, agreed to April 20, 1959. Under the provisions of that resolution the select committee will continue in existence through January 31, 1961. Senate Resolution 210 would authorize the special committee to expend not in excess of $150,000 from February 1, 1960, through January 31, 1961.

Additional information relative to the purposes of Senate Resolution 210 is contained in the report of the Committee on Interior and Insular Affairs thereon (S. Rept. 1029, 86th Cong., 2d sess.), pertinent excerpts from which are as follows:

"EXPENDITURES TO FEBRUARY 1, 1960

"By January 31, 1960, the select committee will have expended only $43,000 of the original allowance of $175,000 authorized by Senate Resolution 48, 86th Congress, 1st session. The unexpended balance remains in the contingent fund of the Senate.

"The amount of $150,000 sought under Senate Resolution 210 should be adequate to finance the tremendously important activities the Senate has assigned to the select committee.

"Twelve public hearings were held in strategic areas concerned with water resources. In the course of these activities, members of the select committee traveled a total of 22,500 miles.

"STATEMENT BY SENATOR KERR

"The committee heard with interest an informative statement by the chairman of the Select Committee on National Water Resources, Mr. KERR, of Oklahoma, in explanation of the attached letter to the chairman of the Committee on Interior and Insular Affairs, Hon. JAMES E. MURRAY, under date of January 18, 1960.

"The committee is of the unanimous opinion that the Select Committee on National Water Resources has tackled vigorously and effectively a monumental task of vast importance to the future economic well-being of the entire Nation. It is impressed with the thoroughness with which the members of the select group have planned the examination of the existing programs for the development of national water resources and for looking into the future requirements. It especially commends the chairman for the manner in which he has laid out the work of the body and his leadership in this field.

"The hearings held by the select committee in various sections of the country have attracted national attention and have focused the interests of State and local officials and the citizenry in general who are concerned with the protection of existing water resources and of ways and means of preparing the Nation for the increasing demands for water in the foreseeable future. Programs by which the human and other economic requirements in the future shall be protected are a vital consideration on which attention is focused.

"LIST OF HEARINGS

"A list of the points at which hearings have been held is as follows:

"Select Committee on National Water Resources, final field hearing schedule, November 4, 1959

"First Leg

"October 7, Bismarck, N. Dak.
"October 8, Laramie, Wyo.
"October 9, Billings, Mont.
"October 12, Missoula, Mont.
"October 13, Boise, Idaho.
"October 15, Sacramento, Calif.
"October 16, Los Angeles, Calif.

"Second Leg

"October 27, Huron, S. Dak.
"October 28, Sioux Falls, S. Dak.
"October 29, Detroit, Mich.
"October 30, Philadelphia, Pa.

"Third Leg

"November 18, Topeka, Kans.
"November 19, Des Moines, Iowa.
"November 20, Denver, Colo.
"November 23, Albuquerque, N. Mex.
"November 24, Salt Lake City, Utah.

"Fourth Leg

"November 28, Fort Smith, Ark.
"November 30, Oklahoma City, Okla.
"December 1, Alexandria, La.
"December 3, Jacksonville, Fla.
"December 7, Augusta, Maine.
"December 8, Boston, Mass.

"SALINE WATER AND OTHER PROGRAMS

"The Committee on Interior and Insular Affairs, which has sponsored the saline water program in the Department of the Interior, expresses the hope that the select committee will look thoroughly into all possible sources of present and prospective water supplies. The progress that is being made by the Department of the Interior with respect to the various phases of the saline water program should be reviewed objectively and recommendations made looking to activation of any program looking to new sources of potable water for beneficial consumptive uses should be examined thoroughly."

Additional information on the activities of the select committee is contained in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator JAMES E. MURRAY, chairman, Committee on Interior and Insular Affairs, and a letter to Senator MURRAY from Senator ROBERT S. KERR, chairman, Select Committee on National Water Resources, which letters (with accompanying budget) are as follows:

U.S. SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
January 22, 1960.

Hon. THOMAS C. HENNINGS, Jr.
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR: On January 19 this committee reported favorably Senate Resolution 210, which provides $150,000 to be expended by the Select Committee on Water Resources. The resolution has since been referred to your committee. Our committee's action on the resolution was unanimous.

Full information on the select committee's activities during the past year, as well as information on the proposed operating budget for the coming year, is contained in Senate Report 1029.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

U.S. SENATE,
SELECT COMMITTEE ON
NATIONAL WATER RESOURCES,
January 18, 1960.

Hon. JAMES E. MURRAY,
Chairman, Interior and Insular Affairs Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, Senate Resolution 48, creating the Select Committee on National Water Resources, was reported from the Interior and Insular Affairs Committee on March 24, 1959, with an authorization for an expenditure for the period ending January 31, 1960, of not more than $175,000. This sum was granted approval by the Rules and Administration Committee in a report dated April 15, 1959. The Senate agreed to Senate Resolution 48 on April 20, 1959.

During its first 8 months, the Select Committee on National Water Resources has performed the first phases of its mission with marked efficiency and at the lowest expenditure reasonably possible.

Much of this economy is attributable to the fact that the select committee has been able to utilize, without cost, personnel, facilities, and services of many governmental agencies and of approximately seven individuals who are staff members of the four parent committees from which comes the membership of the select committee. In addition, staff personnel of committee members have provided valuable assistance during field hearings conducted while the Senate was in adjournment.

The select committee has employed only a very limited number for its regular staff. As a staff director and to direct the study,

an employee of the Library of Congress was secured on a reimbursable basis. Five consultants were retained on a "when actually employed" arrangement. Administrative duties have been performed without cost by a member of the public works staff.

Of the five consultants, one has drawn fees for 2 days, one for 5 days, and one for 15 days. Still another has received no pay. The remaining consultant, a retired water authority of the Department of the Interior, serves virtually as a regular staff member at a rate—due to retirement benefits—which approximates half the regular daily fee. All have contributed many hours of assistance without compensation.

Contracts totaling $7,000 have been entered into with two organizations for specific studies. An arrangement with a Ford Foundation affiliate for another study will entail only minor expenses.

Two editorial technicians recently have been added to handle the mass of field hearing material and to prepare for the printer a score of additional committee prints.

Despite mountainous accumulations of objective material for its study, and in spite of one of the most ambitious field hearing schedules in Senate history, expenditures to January 31 will approximate $43,000 out of an allotment of $175,000.

Expenditures during the initial 8 months cannot, however, serve as an accurate comparison for the remaining 12 months of the committee's existence. This cumulative and organizational period in the committee's study cannot reflect the expenditures necessary to complete the analyzing, summarizing, and appraising segments that are now beginning. Cost of preparing the final report with recommendations for use of the Senate is not known, since neither the form nor the nature of the report has been determined. It has been established, however, that the results of this study will be made available to the Senate in a complete, concise, and understandable manner.

More than one-third of the material sought by the committee has been received from the 50 States, from 33 Federal agencies, and from the research and technical organizations that have been asked to contribute information. Important studies now are arriving daily and in quantity.

Need for services and facilities of governmental agencies will diminish as their findings are received. Use of personnel from other staffs will be restricted as legislative activities in their particular offices increase. The complex task of sifting and assembling these studies must be assumed and performed by the select committee staff. Interpretative analysis must be done by contract with appropriate technical organizations.

To meet the timetable established by the Senate for the work of the committee, full use of consultants and of private research institutions must be made. Additional staff and clerical assistance will be needed as reports are received and acknowledged. Additional hearings in the field will be necessary, and extended hearings in Washington are contemplated. A substantial increased use of supplies is expected.

In order to meet the contemplated necessary cost of its operations in the year ahead, the Senate Select Committee on National Water Resources is requesting the amount of $150,000 from the contingent fund of the Senate. A proposed budget is attached.

The Committees on Interior and Insular Affairs and Rules and Administration may be assured that only expenditures deemed necessary will be made in completing the assignments given by the Senate to your committee.

Yours very truly,

(S) ROBERT S. KERR,
Chairman.

Proposed budget for the Senate Select Committee on National Water Resources

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for period of budget (gross)
STAFF					
Legal and investigative:					
Staff director	1	$8,880	$16,300.00	$1,358.33	$16,300.00
(See Reimbursements below.)					
Consultants (per day when actually employed)	5	25	45.00		16,000.00
Editorial and research: Research director	1	8,000	14,979.46	1,248.28	14,979.46
Administrative and clerical:					
Assistant clerk (secretary to director)	1	2,520	5,403.79	450.31	5,403.79
Assistant clerk (file)	1	2,520	5,403.79	450.31	5,403.79
Assistant clerk (record)	1	2,340	4,951.65	422.05	4,951.65
Assistant clerk (hearing)	1	2,823	5,985.00	505.83	5,985.00
Total	11				69,023.69
ADMINISTRATIVE					
Contribution to civil service retirement fund (6½ percent of total salaries paid)					4,486.54
Contribution to employees health benefit programs (Public Law 85-382, effective July 1, 1960)					550.00
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					45.00
Reimbursable payments to agencies					3,000.00
Travel (inclusive of field investigations)					8,500.00
Hearings (inclusive of reporters' fees)					5,500.00
Stationery, office supplies					2,000.00
Communications (telephone, telegraph)					600.00
Newspapers, magazines, and documents					250.00
Contingent fund					6,044.77
Contracts for research and analysis					50,000.00
Total					80,976.31
Grand total					150,000.00

Funds requested, S. Res. 210, $150,000.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I have the honor to be the vice chairman of this committee. I participated in its hearings all across the country. I can think of no greater assignment for a special or a select committee of the Senate than that being undertaken and, if I may say so, being quite ably performed by the bipartisan Select Committee on Water Resources. I simply wish, in the few minutes I am here, to venture to suggest that of the many proposals to which the Senate is having its attention turned today, this one stands out as one of the most meritorious of all.

Mr. ELLENDER. Mr. President, I, too, am a member of this special committee.

Mr. KUCHEL. The Senator from Louisiana is a very able member of the committee.

Mr. ELLENDER. If the Senator will strike out "able" it will be all right. I note a decrease of $25,000 in the request for this committee. I express the hope that these hearings can be concluded and that a report will be made soon which will be of benefit to the country.

Mr. KUCHEL. This is a temporary committee. Its work will be concluded on the basis of a temporary existence. I rather imagine that in less than 12 months from now we will have made our recommendations.

Mr. ELLENDER. That is my understanding. I hope the distinguished vice chairman of the subcommittee will work to the end that we may conclude the hearings and file a written report promptly.

Mr. KUCHEL. Mr. President, I do not want to strike out "distinguished," so I ask unanimous consent that we not strike out "able" in my reference to our friend from Louisiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, even though I am not a member of the committee, as are the distinguished acting minority leader and the distinguished chairman of the Committee on Agriculture and Forestry, I take justifiable pride in the work which has been done. I look upon the committee as one of the really worthwhile committees. I am delighted that the full amount requested will be granted this year, even though one-half the amount of money requested last year was returned to the Treasury.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 210) was agreed to, as follows:

Resolved, That the Select Committee on National Water Resources, in carrying out the duties imposed upon it by S. Res. 48, Eighty-sixth Congress, agreed to April 20, 1959, is authorized to expend not in excess of $150,000 from the contingent fund of the Senate for the period from February 1, 1960, to January 31, 1961, both inclusive.

EXTENSION OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1099, Senate Concurrent Resolution 82.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 82) extending the Joint Committee on Metropolitan Problems.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that excerpts from the report accompanying Senate Concurrent Resolution 82, including a letter from the distinguished chairman of the Committee on the District of Columbia [Mr. BIBLE], directed to the chairman of the Committee on Rules and Administration, the distinguished Senator from Missouri [Mr. HENNINGS], together with the estimated budget, be printed at this point in the RECORD.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

This concurrent resolution (S. Con. Res. 82) would authorize the continuance through September 30, 1960, of the Joint Committee on Washington Metropolitan Problems, which was created by House Concurrent Resolution 172, agreed to August 29, 1957. In addition, the concurrent resolution would authorize the expenditure by the joint committee of an amount not to exceed $25,000, from February 1, 1960, through September 30, 1960.

The accomplishments of the joint committee and the purposes for its continuance are more fully detailed in the report of the joint committee on Senate Concurrent Resolution 82 (S. Rept. 1035, 86th Cong., 2d sess.) and in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator ALAN BIBLE, chairman of the Joint Committee on Washington Metropolitan Problems, which letter (with accompanying budget) is as follows:

JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS,
January 18, 1960.

HON. THOMAS C. HENNINGS, JR.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: I am submitting herewith a proposed budget for the Joint Committee on Washington Metropolitan Problems for the period from February 1, 1960, up to and including September 30, 1960.

This committee was originally created in order to study the growth and expansion of the Washington metropolitan area, the problems created by that growth and expansion and how they were dealt with by existing governmental bodies, and the impact of growth and expansion upon the District of Columbia. This we did through consulting various officials of both Government and private organizations, through research, and through numerous hearings.

On August 14, 1959, our committee asked for and was granted an extension until January 31, 1960, in order that we might further consider transportation problems and, specifically, analyze and hold hearings on the Washington mass transportation survey plan which had just been released on July 10, 1959. This we have done, holding hearings in November for 6 consecutive days and hearing almost 100 witnesses, as well as receiving large numbers of additional statements.

The completion of the committee's studies, based on these hearings, and the development of legislative recommendations is now the primary order of business. To undertake the foregoing, the committee unanimously agreed last June 19, 1959, to seek its extension beyond January 31, 1960, and determined unanimously at its meeting January 12, 1960, that the committee's existence would be required until September 30, 1960.

One of the suggestions made in the mass transportation survey report was that a Federal corporation be created to deal with the problems of metropolitan transportation. As a result of this recommendation, our committee, through the legislative drafting research fund of Columbia University for the Institute of Public Administration, prepared a draft (for study purposes only) of legislation to create this authority. Subsequently, the Bureau of the Budget has further developed this legislation creating such an authority. There is also the need to formulate in greater detail the ultimate transportation agency to be created by interstate compact. It is the committee's desire, through its accumulated information on the subject of transportation, to assist and facilitate those Members of Congress who plan to initiate such legislation, and to provide data for any other related legislation that they may wish to introduce. This should be done in terms of earlier recommendations of the committee in Senate Report No. 38, 86th Congress, and by regarding the transportation issue in the context of our studies of the growth and expansion of the Washington metropolitan area. There is no other committee now in Congress which is in the position that this committee is to provide authoritative information in this connection.

This committee has worked diligently and tirelessly in search of solutions to these problems and we feel that a large part of our work would be wasted if we were not permitted to stay in existence until the proper legislation has been introduced to provide relief for the mass transportation difficulties facing the Nation's Capital.

Our committee has been extremely active throughout its existence. It has published 18 staff studies during the short period of its life; has prepared a number of unpublished studies; has now in preparation a number of very informative committee reports which we hope to publish within the next few months should our time be extended; has held hearings in 1958 on water problems, economic problems, and transportation; and again held hearings in 1959.

Our committee as of this date, since its inception has spent approximately $106,888.10. We have a balance of approximately $2,000. We are asking for $25,000. We shall continue to operate economically.

I shall be glad to appear before your committee should it desire further information.

Thanking you and your committee for your consideration of our request, and with kind regards.

Cordially,

ALAN BIBLE,
Chairman, Joint Committee on Washington Metropolitan Problems.

Joint Committee on Washington metropolitan problems

ESTIMATED BUDGET: ESTIMATED EXPENSES, FEB. 1, 1960, TO SEPT. 30, 1960

Position	Base salary per annum	Gross salary per annum	Monthly salary (gross)	Total for period of budget
SALARIES				
Secretary	$3,780	$7,777.61	$648.13	$5,185.04
Stenographer	3,420	7,099.37	591.61	4,732.88
Contracts and consultants at $45.2777 per day				11,413.50
Total				21,331.42
ADMINISTRATIVE				
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)				108.00
Contributions to civil service retirement fund				644.66
Contribution to Federal employees group life insurance				25.92
Travel				240.00
Reporters' fees				250.00
Stationery				150.00
Communications				250.00
Contingent fund				2,000.00
Total				25,000.00

Funds requested, S. Con. Res. 82, $25,000.

Mr. ELLENDER. Mr. President, as I understand, this committee will cease to function after it has expended this amount of money.

Mr. MANSFIELD. That is my understanding.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 82) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Washington Metropolitan Problems created by House Concurrent Resolution 172, agreed to August 29, 1957, is hereby continued through September 30, 1960.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1960, through September 30, 1960, which shall not exceed $25,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

CONTINUATION OF THE COMMITTEE ON UNEMPLOYMENT PROBLEMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1100, Senate Resolution 252.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 252) to continue the Committee on Unemployment Problems until June 30, 1960.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution which had been reported from the Committee on Rules and Administration with an amendment, on page 1, line 1, after the word "Resolved," to strike out:

That the committee on unemployment problems established and authorized pur-

suant to S. Res. 196, adopted September 22, 1959, is hereby continued through June 30, 1960.

SEC. 2. Expenses of the committee under this resolution for the period February 1, 1960, through June 30, 1960, which shall not exceed $24,682.61, shall be paid from the contingent fund of the Senate upon voucher approved by the chairman of the committee.

And in lieu thereof to insert:

That the Special Committee on Unemployment Problems, established and authorized pursuant to S. Res. 196, Eighty-sixth Congress, first session, adopted September 12, 1959, is hereby continued through June 30, 1960.

SEC. 2. Expenses of the special committee under this resolution for the period February 1, 1960, through June 30, 1960, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

Mr. ELLENDER. Mr. President, as I understand, this committee will conclude its operation with the expenditure of this authorization.

Mr. MANSFIELD. That is correct.

Mr. CURTIS. How much money is being sought?

Mr. ELLENDER. Twenty-five thousand dollars.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from the report continuing this committee, including the justification which appears on page 2 of this report.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

This resolution (S. Res. 252), as amended, would authorize the continuance through June 30, 1960, of the Special Committee on Unemployment Problems, established by Senate Resolution 196, agreed to September 12, 1959. In addition, the special committee would be authorized to expend not to exceed $25,000 from February 1, 1960, through June 30, 1960.

At the request of Senator EUGENE J. MCCARTHY, chairman of the Special Committee on Unemployment Problems, the Committee on Rules and Administration has amended Senate Resolution 252 by increasing the funds authorized from $24,682.61 to the round figure $25,000 (an increase of $317.39). To accommodate in addition several minor pro forma changes, the committee is reporting the resolution with an amendment in the nature of a substitute.

Additional information relative to the need for the continuance of the special committee is contained in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator EUGENE J. MCCARTHY, chairman of the Special Committee on Unemployment Problems, which letter (with accompanying budget) is as follows:

U.S. SENATE,
SPECIAL COMMITTEE ON
UNEMPLOYMENT PROBLEMS,
January 19, 1960.

HON. THOMAS C. HENNINGS, JR.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: I have introduced a resolution on the floor of the Senate asking for the continuation of the Special Committee on Unemployment Problems for the period February 1, 1960, through June 30, 1960. Attached is a copy of the proposed committee budget for this period.

On January 31, the committee will turn back to the Senate approximately $16,000 of the $100,000 originally appropriated for the committee. In requesting $24,682.61 to cover the expenses of the committee during the next 5 months, I am, in effect, asking for $8,682.61 more than the original appropriation.

As you know, Senate Resolution 196 established the committee for only a 4-month period. The committee has conducted 27 days of hearings in 12 States and the District of Columbia during this period. Three of the committee's publications have already been printed. However, the final report, the volume of selected readings on unemployment, the compendium of articles dealing with unemployment problems, and 10 field hearings are currently being prepared for submission to the Government Printing Office.

Additional time is required, beyond January 31, to complete the final work on these publications. The committee staff will also need time to distribute these publications and to do the work necessary when the committee is terminated. It is for these reasons that I am requesting an extension of the time in which the committee is to operate.

Sincerely yours,

EUGENE J. MCCARTHY,
Chairman.

Budget

Position	Number	Base salary (per annum)	Gross salary (per annum)	Monthly salary (gross)	Total for 5-months' period (gross)
STAFF					
Legal and investigative:					
Staff director	1	$8,820	$16,300.00	$1,358.33	$6,791.65
Assistant to the general counsel	1	3,900	8,003.68	[1] 155.11	155.11
Editorial and research:					
Consultant	1	2,880	6,082.04	500.00	500.00
Assistant research director	1	3,120	6,534.19	544.51	2,722.55
Administrative and clerical:					
Clerical assistant	2	2,460	5,290.76	440.89	4,408.90
Do	1	2,580	5,516.84	459.73	2,298.65
Secretary-researcher	1	2,880	6,082.04	506.83	2,534.15
Total	8				19,411.01
ADMINISTRATIVE					
Contribution to employees health benefit programs (Public Law 86-382, effective July 1, 1960)					266.60
Contribution to civil service retirement fund (6½ percent of total salaries paid)					1,832.50
Contribution to employees Federal employees group life insurance (27 cents per month per $1,000 coverage)					72.50
Stationery, office supplies					500.00
Communications (telephone, telegraph)					500.00
Newspapers, magazines, documents					100.00
Contingent fund					2,000.00
Total					5,271.60
Grand total					24,682.61

[1] 1 week.

Funds requested, S. Res. 196, $24,682.61.
Funds authorized by the Committee on Rules and Administration, $25,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

PRINTING AS HOUSE DOCUMENT THE PUBLICATION "FACTS ON COMMUNISM—VOLUME I"

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1102, House Concurrent Resolution 449.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 449) to print as a House document the publication "Facts on Communism—Volume I."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 449) was considered and agreed to.

PRINTING AS HOUSE DOCUMENT A PUBLICATION RELATING TO NOMINATION AND ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1103, House Concurrent Resolution 457.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 457) to authorize printing as a House document a publication relating to nomination and election of President and Vice President.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 457) was agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON SATELLITE AND MISSILE PROGRAMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1064, Senate Concurrent Resolution 80.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 80) authorizing the printing of additional copies of part 1 of the hearings on an inquiry into the satellite and missile programs.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 80) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Armed Services one thousand additional copies of part 1 of the hearings held by that committee on an inquiry into the satellite and missile programs.

PRINTING OF COPIES OF CERTAIN COMMITTEE PRINTS FOR USE OF COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1065, Senate Resolution 227.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 227) to print for the use of the Committee on Foreign Relations copies of certain committee prints relating to development in military technology and foreign policy in Africa.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 227) was agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Foreign Relations three thousand additional copies of the committee print "Developments in Military Technology and Their Impact on United States Strategy and Foreign Policy," and three thousand additional copies of the committee print United States Foreign Policy "Africa," issued by the Committee on Foreign Relations during the Eigthy-sixth Congress, first session.

PRINTING OF COPIES OF CERTAIN COMMITTEE PRINTS RELATING TO FOREIGN POLICY ON ASIA AND WESTERN EUROPE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1066, Senate Resolution 228.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 228) to print for the use of the Committee on Foreign Relations copies of certain committee prints relating to foreign policy on Asia and Western Europe.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 228) was agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Foreign Relations three thousand additional copies of the committee print, United States Foreign Policy, "Asia", and one thousand additional copies of the committee print, United States Foreign Policy, "Western Europe", issued by the Committee on Foreign Relations during the Eighty-sixth Congress, first session.

PRINTING OF COPIES OF CERTAIN COMMITTEE PRINTS RELATING TO FOREIGN POLICY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1067, Senate Resolution 229.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 229) to print for the use of the Committee on Foreign Relations copies of certain committee prints relative to foreign policy.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 229) was agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Foreign Relations three thousand additional copies of the committee print "Worldwide and Domestic Economic Problems and Their Impact on the Foreign Policy of the United States", two thousand additional copies of the committee print "Possible Nonmilitary Scientific Developments and Their Potential Impact on Foreign Policy Problems of the United States", and two thousand additional copies of the committee print "Basic Aims of United States Foreign Policy", all issued by the Committee on Foreign Relations during the Eighty-sixth Congress, first session.

RAIL TRANSIT CROSSING ACROSS THE BAY OF SAN FRANCISCO

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1107, H.R. 8171.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8171) amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the Bay of San Francisco.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, this proposed legislation was requested by the Governor, the legislature, and the effective local, city, and county officials of the State from which I come. It is also found to be unobjectionable by the Federal agencies which have been requested to give their opinion concerning it.

The bill provides for no cost to the Federal Treasury. Its purpose, as set forth in the report which I have before me, is to amend the act of February 20, 1931, as amended, so as to permit the use of tolls collected on the San Francisco-Oakland Bay Bridge and other authorized highway crossings for the construction, maintenance, and operation of a rail transit crossing, together with bridges across the Bay of San Francisco.

Mr. President, I ask unanimous consent that the general statement in the report accompanying the bill from the Committee on Public Works be printed at this point in the RECORD.

There being no objection, the general statement was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The act of February 20, 1931 (46 Stat. 1192), authorized the State of California to construct, maintain, and operate a bridge across the Bay of San Francisco from the Rincon Hill district in San Francisco by way of Goat Island to Oakland.

The act of July 27, 1953 (67 Stat. 202), amended the 1931 act to authorize the State to continue to fix, charge, and collect tolls for transit over the bridge constructed under the provisions of the original act; to construct, maintain, and operate not to exceed two additional crossings across the bay, and charge tolls for their use; and to unite or group all these bridges into a single project for financing purposes; provided, that after the cost of the bridges in any such project shall have been amortized the bridges would be maintained and operated free of tolls or the tolls adjusted so as to provide a fund adequate for proper maintenance, repair, and operation.

H.R. 8171 would amend subsection 2(b) of the act of July 27, 1953, to authorize the collection of tolls to pay the cost of one rail transit crossing across San Francisco Bay, in addition to the original bridge and the additional highway crossings. The bill would also provide that there shall be no impairment of the authority of the State of California to provide for the charging of fares in connection with the use of the rail transit crossing.

The bridge authorized by the original act was completed and placed in operation in 1936. The traffic using the crossing far exceeded the estimates, and by 1953 the bridge was essentially debt free. The need for additional crossings over the bay of San Francisco had long been recognized. Because of the size of any bridges across the bay and the large amount of funds involved in their construction, it was evident that they must be financed by the use of tolls.

Under existing law, it is not necessary for the State to secure Federal legislation to construct additional toll bridges across San Francisco Bay, but when the existing bridge was built Federal legislation was required, and the law contained no provision with respect to the construction or financing with tolls of any additional future crossings. The amendment of 1953 changed the toll provisions of section 2 to permit the State to

proceed with planning and construction of the two additional crossings. They have not been constructed, however.

The original plans for the San Francisco-Oakland Bay Bridge contemplated the use of the bridge as a rail transit crossing as well as a highway crossing. The rail section of the bridge has been used for streetcar operation and it was intended that eventually the system would be replaced by rail rapid transit. The increasing volume of highway traffic in the area has resulted in the change of the original plan to permit highway traffic to replace the space now occupied by rail traffic. In so doing it will be necessary to provide another means for the rail rapid transit system. At the present time it is contemplated that this will be accomplished by construction of a tunnel, thereby permitting the bay bridge to be used entirely for highway traffic.

The Federal-aid highway system is predicated upon a toll-free system of highways. However, in the establishment of the primary, secondary, and urban extension highway systems, and also in the establishment of the Interstate System, toll roads, bridges, and tunnels were included as part of the system where it was obvious that their use would form an integral part of the system. The San Francisco-Oakland Bay Bridge was constructed entirely from revenue bonds and no Federal funds are involved. The bridge is, however, now a part of the National System of Interstate and Defense Highways.

The committee believes that the proposed expansion of the facilities for the bay crossing to serve the needs of the growing metropolitan community is essential to provide for the increasing demand and is needed to round out the present system. The cost of the rail transit system would be covered by the combined revenues of all the crossings while the State of California would retain full power and authority to provide for the use of the rail transit crossing and the fixing, charging and collection of fares, and charges in connection with the transportation of goods or passengers. The bill does not specifically provide for the collection of tolls on the rail crossing. The bill involves no Federal funds, is not in conflict with Federal-aid highway legislation, and supplements the transportation arteries which are the goal of the highway program.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 8171) was ordered to a third reading, read the third time, and passed.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF ACT RELATING TO THE COMMISSION OF FINE ARTS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1057, S. 2778, and that the bill be made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2778) to amend the act relating to the Commission of Fine Arts.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Rules and Administration.

NOTICE OF DEMOCRATIC CONFERENCE ON MONDAY, FEBRUARY 15, 1960

Mr. MANSFIELD. Mr. President, I once again give notice that there will be a conference of Democratic Senators on Monday, February 15, at 9:30 in the morning. The agenda to be discussed will be the President's budget, the Joint Economic Report, and the matter of interest rates.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER (Mr. McGEE in the chair). Does the Senator from Montana yield to the Senator from California?

Mr. MANSFIELD. Yes, indeed.

Mr. KUCHEL. I simply venture to suggest that all will be peace and harmony in the forthcoming meeting of the members of the majority party, and that we on this side of the aisle may hopefully look forward to complete unanimity of thought in regard to the President's budget on the matter of interest rates. [Laughter.]

Mr. MANSFIELD. Let me say that when we Democrats meet, we are always unanimous; there are no Kilkenny cats among us. We meet several times every year, and we discuss in a dignified way any differences; and we always come up with a conclusion. I only hope the same may be said of the members of the other party.

Mr. KUCHEL. All I ask is, Why are the Members on the other side of the aisle "frisked" when they come to their meetings? [Laughter.]

Mr. MANSFIELD. At any rate, we do not use geiger counters.

FORESTRY: THE ADMINISTRATION SLASHES OUR NEEDS DRASTICALLY AT HOME BUT SPENDS LAVISHLY ABROAD

Mr. GRUENING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GRUENING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, yesterday the junior Senator from Mississippi [Mr. STENNIS], our able colleague, presented a forceful and eloquent plea for a comprehensive American forestry program. It was a program for forest and range management research, a program for forest protection research, a program for forest products utilization, a program for forest resources research. It is a sorely needed program for the conservation, amplification, and fuller utilization of one of the Nation's most basic and vital resources, namely, our timber and wood products.

Our able colleague, the Senator from Mississippi [Mr. STENNIS] went into illuminating detail on the vital reasons for this overdue program, a program nationwide in scope and nationwide in its benefits. I do not propose to repeat the telling reasons which he gave for this imperative national need, but I recommend his speech to our colleagues and to the Nation generally.

Now, it should be pointed out that it is not primarily Senator STENNIS' program, although he has presented it with the endorsement of his wide experience in this important field, and with his keen concern for proper conservation and extension of the wise use of this great, and potentially greater, national forestry resource. The fact is that this program originated in the Federal agency, the Forest Service, and was submitted by the Cabinet member who heads the Department of Agriculture, which includes the Forest Service.

Secretary Ezra Taft Benson officially sponsored this fine program and gave it the endorsement and backing which his position as the head of the Department of Agriculture connotes.

For the application of this program, for the construction and equipment of research facilities in North Carolina, in Oregon, in California, in Arizona, in New Hampshire, in North Dakota, in Michigan, in Mississippi, and in Alaska—widely scattered and diverse forestry areas—and for their operation and staffing, $6 million was requested by the Department of Agriculture for fiscal year 1961—the year starting next July 1.

It is not a large sum. Indeed, it is a modest amount, considering the tangible beneficial results that will accrue. It should be considered not an expenditure, but an investment. It is an investment that will be returned to the Nation many times, and over and over again. It will increase the supply of wood products, it will widen their use, it will move toward meeting the multiple needs of our exploding population. It will tend to lessen the steadily mounting costs of one of the essential materials used in construction, in furnishings, and in a hundred synthetic products derived from wood.

Mr. President, what happened to that program? What happened to the request of the head of one of this administration's major departments, the Department of Agriculture?

I will tell the Senators. The request of the President's Secretary of Agriculture for $6 million was cut down in the President's budget to $1,780,400. It was cut to less than one-third of the amount requested and needed.

Now let us consider this interesting conflict within the body and bosom of this administration. The head of one of its major departments presents an essential, wise, and indeed long overdue program for conservation and development of a basic natural resource, a renewable resource if wisely administered,

an expandable resource, if the necessary research is supplied under the proposed program.

But another branch of the same administration, the dominating branch as we are increasingly discovering, the Bureau of the Budget, slashes the program by 70.33 percent or to only 29.67 percent of amount requested.

Mr. President, it becomes my duty to point out again in this field, as I have in other fields, the striking disparity and contrast between the President's attitude toward programs and projects for the American people and his attitude toward the same kinds of programs and projects in foreign countries for the benefit of the people of those foreign nations.

On last Wednesday during the course of the debate on the bill to aid education in the United States, and again on Thursday, the day following, I asked the minority leader, who so ably represents the administration's point of view, and on this occasion so emphatically represented it in opposition to Federal aid to teachers' salaries, whether he would also oppose Federal aid for teachers' salaries in the foreign aid program. I did not get an answer, although I asked the question three times. Obviously, it could have been embarrassing for the able junior Senator from Illinois, the minority leader, to admit the patent and to me shocking fact that this administration, from President Eisenhower down, and including, of course, the Vice President, who cast the deciding vote against the Clark amendment for Federal aid for teachers' salaries, is taking the position that while we must cut drastically at home, we must spend lavishly abroad. The Eisenhower-Nixon administration, Mr. President, will go down in history as the first administration that put the interest of the foreign nation ahead of the interest of our own.

For, Mr. President, we have, again and again, under this administration, in every field of human endeavor, seen the slash in domestic programs either by veto or threat of veto or by the vote of the Republican Members, coupled with the injunction that we must not cut a nickel from foreign aid.

We have heard it again and again. We have seen it again and again. We now see it and shall see it in the field of foresty. The administration's budgeteers have cut the administration's own forest program by more than two-thirds. If it is to be restored, it will have to be done by the Democratic Congress.

Now let us contrast what the Eisenhower administration has asked in the field of forestry, for foreign countries. That we have been told must not be cut. Of course, we do not yet know what the administration will ask for foreign countries in forestry for fiscal 1961. But we can judge what we will be asked to approve by looking at what this administration has asked and secured in the past—with, I repeat, the injunction that it must not be cut.

Let us start with fiscal year 1955 projects, agriculture, and natural resources. I shall read down the line. There are 30 items in foreign countries:

FAR EAST

China: Logging operations improvement, $355,000.

Laos: Development of lumber industry, $134,000.

Philippines: Forest management and forest products laboratory, $325,000.

Vietnam: Reforestation and erosion control, $92,500.

Regional: Study of U.S. mechanical extraction of timber by J. O. Egerton, of Malaya, $3,160.

NEAR EAST, AFRICA, AND SOUTH ASIA

India: Tropical forestry training, Puerto Rico, $15,000.

Iran: Forestry and conservation, $81,238.

Jordan: Afforestation and watershed protection, $500,000.

Lebanon: Range management and forestry, $36,000.

Liberia: Forest conservation, $69,500.

Libya: Forestry, Tripolitania, $13,875; forestry, Cyrenaica, $33,905.

Pakistan: East Pakistan Forest Research Laboratory, $78,600; Chittagong Hill Tracts timber extraction, $254,660.

Turkey: Forest range and watershed management, $1,500; forestry, $30,800.

OVERSEAS TERRITORIES

United Kingdom: Forestry program, $63,500.

The United Kingdom seems to be fairly prosperous, but we are endowing its forestry program to the extent of $63,500.

EUROPE

Spain: Organization and methods for the prevention and control of forest fires and forest pests, $4,032; forestry-range management, $4,032; use of mechanical equipment in forestry, $4,032; forest utilization and products, $4,032.

YUGOSLAVIA

Third country training—Forestry practices and policies, $4,800.

Yugoslavia is not quite behind the Iron Curtain, but for that country, managed by a dictator, we are inculcating forestry practices and policies to the extent of $4,800.

LATIN AMERICA

Chile: Reforestation, soil and water conservation in the area development program, lands and colonization, $19,500.

Colombia: National forestry experiment station, $13,378.

Costa Rica: Forestry development and conservation, $13,881.

Guatemala: Tropical forestry training course—this is a modest amount—only $629.

Haiti: Technical assistance in forestry, $8,900.

Mexico: Tropical forestry course, $2,175.

Paraguay: Forestry, $14,324.

Peru: Agriculture and natural resources, $2,480.

So in the fiscal year 1955 we expended for 30 items in foreign countries a total of $2,184,427; in other words, substantially more than this administration is willing to give our own great nationwide program in this year.

Now let us talk about the fiscal year 1956.

FAR EAST

China (Taiwan): Forestry, JCRR, $63,000; RETSER forestry, $60,000; forest policies and management plans, JCRR, $25,000.

Korea: Forestry development, $112,000.

Laos: Development of lumber industry, $200,000.

Philippines: Forest management and Forest Products Laboratory, $155,000.

Vietnam: Reforestation and erosion control, $76,130.

NEAR EAST AND SOUTH ASIA

Greece: Training in forestry, $10,290.

Iran: Forestry and conservation, $53,068.

Jordan: Forest management, $40,000; afforestation and watershed protection, $37,000.

Lebanon: Range management and forestry, $17,000.

Pakistan: Chittagong hill tracts timber extraction project, $169,630.

Turkey: Forestry development, $36,650.

AFRICA

Liberia: Forest conservation, $78,980.

Libya: Forestry, Cyrenaica, $145,400; forestry, Tripolitania, $104,400.

EUROPE

Spain: Forest utilization and products, $3,000; forestry, $24,840; forestry range management specialists, $12,900; reforestation mechanization specialist, $4,000.

Yugoslavia: Forestry, $27,076.

LATIN AMERICA

Chile: Chilean-American Agreement for a Program of Silviculture Assistance, Corfo, $33,500; reforestation, soil and water conservation in the area development program, lands and colonization, $25,000; reforestation, soil and water conservation in the area development program, lands and colonization, $21,950.

Colombia: National forestry experiment station, $17,600.

Guatemala: Fifth international tropical forestry course in Costa Rica, $490.

Haiti: Technical assistance in forestry, $12,851.

Paraguay: Forestry, $24,812.

OVERSEA TERRITORIES

Miscellaneous dots: Tropical forestry training in Puerto Rico, $5,500.

Regional total: Regional forestry specialist, Panama, $15,900.

Total, 1956, $1,612,967.

This is a trifle less than we are willing to give the United States for its program this year.

FAR EAST

Cambodia: Forest resources development, $20,000.

China: TA Shu Shan logging operations, $481,000; forestry, $82,000; forest policies and management plans, $18,000; forestation and tree gum, $40,000.

Korea: Forestry development, $168.000.

Laos: Conservation and development of forest resources, $44,000.

Philippines: Forest management and Forest Products Laboratory, $46,000.

Vietnam: Reforestation and erosion control, $13,000.

NEAR EAST AND SOUTH ASIA

Iran: Range and forest management, $56,000; project for contributing to the completion of forest surveys in Iran, $151,000.

Pakistan: East Pakistan Forest Research Laboratory, $165,000; Chittagong Hill Tracts timber extraction project, $270,000.

Turkey: Forestry development, $355,000.

AFRICA

Liberia: Forest conservation, $59,000.

Libya: Forestry, $23,000; forestry, $196,000.

Under the heading "Oversea Territories" we find Somalia. Somalia is a little former Italian colony that is about to become independent. It is still not entirely free from the apron strings of its mother country, but Uncle Sam feels it is incumbent upon him to help this little nation. I wonder why the mother country cannot take care of it meanwhile.

OVERSEA TERRITORIES

Somalia: Forestry development, $3,000.

United Kingdom: U.S. dry-zone silviculturist to Nyasaland, $27,000.

Nyasaland is also still a British colony. Why the mother country cannot take care of its children before it cuts them loose, and why Uncle Sam has to rush in, I fail to understand.

EUROPE

Spain: Forestry demonstrations, $41,000; reforestation mechanical specialists, $4,000; forage and range management demonstration, $16,000.

Yugoslavia: Forestry, $38,000.

LATIN AMERICA

Chile: Reforestation, soil and water conservation in the area development program, $13,000; reforestation, soil and water conservation in the area development program, $22,000.

Haiti: Technical advisory assistance to Societe Haitiano-Americanne de Developpement Agricole, $12,000.

Paraguay: Forestry, $15,000.

OVERSEA TERRITORIES

British Guiana: Preliminary forest survey project, $2,000.

Total, 1957, $2,380,000.

So, for the third time, we are spending more in 1 year for forestry programs in foreign countries than this administration is willing to grant our own country.

In the Far East we have a new candidate, Burma, which for a long time refused our aid, but has now weakened, under the insistence of the United States that aid be extended to that country.

Fiscal year 1958 projects:

FAR EAST

Burma: Forestry, timber extraction, $690,000.

Cambodia: Forestry resources development, $135,000.

China (Taiwan): TA Shu Shan logging operations, $256,000; forestry development (JCRR), $81,000.

Laos: Conservation and development of forest resources, $12,000.

Philippines: Forest management (including college of forestry), $132,000.

NEAR EAST AND SOUTH ASIA

Iran: Range and forest management, $38,000.

Jordan: Afforestation watershed protection, $100,000.

Pakistan: East Pakistan Forest Research Laboratory, $41,000; Chittagong hill tracts, timber extraction, $300,000.

Turkey: Forestry development, $65,000.

AFRICA

Liberia: Forest conservation, $54,000.

Libya: Forestry, $335,000.

OVERSEA TERRITORIES

Somalia: Forestry, $17,000.

EUROPE

Spain: Forestry demonstrations, $46,000; organization and development of a forestry grazing service, $4,000.

Yugoslavia: Forestry, $55,000.

LATIN AMERICA

Chile: Forest development, $45,000.

Colombia: National forest resource development, $45,000.

Costa Rica: Forestry, $15,000.

Haiti: Technical advisory assistance to Societe Haitiano-Americaine de Development Agricole, $22,000.

Paraguay: Forestry, $21,000.

OVERSEA TERRITORY

British Guiana: Check cruise of forest survey in Bartica area, $1,000.

British Guiana is another British colony. The total for the year 1958 is $2,510,000. Again we spent substantially more for forestry in foreign countries in 1958 than the administration is willing to give our own country for 1961.

Fiscal year 1959 projects:

FAR EAST

Cambodia: Forest resources development, $80,000.

China: Forestry development (JCRR), $79,000.

Laos: Conservation and development of forest resources, $28,000.

Philippines: Forest management, $224,000.

NEAR EAST AND SOUTH ASIA

Iran: Range and forest management, $115,000.

Jordan: Afforestation and watershed protection, $38,000.

Pakistan: East Pakistan Forest Research Laboratory, $26,000.

AFRICA

Liberia: Forest conservation, $230,000.

Libya: Forestry, $359,000.

OVERSEA TERRITORY

Somalia: Forestry, $3,000.

EUROPE

Spain: Forestry demonstrations, $57,000.

Yugoslavia: Forestry, $192,000.

LATIN AMERICA

Colombia: Forest resources development, $48,000.

Guatemala: Forestry school, $21,000.

Paraguay: Forestry, $6,000.

Peru: Forestry resources development program, $19,000.

Total, 1959, $1,525,000.

Total foreign aid expenditures on forestry programs, fiscal years 1955 through 1959, $10,212,394.

Mr. President, for one measure of the fantastic disproportion that exists between the Eisenhower-Nixon policies of lavish expenditure in foreign countries and the reverse at home, let us look at one of the many foreign countries which has been the object of this administration's solicitudinous and lavish expenditure. I refer to the little island of Taiwan, or, as it is more widely known, Formosa.

In the 5 years from 1955 to 1959, inclusive, the United States has expended on the forestry projects of that little island alone the sum of $1,540,000. This expenditure in forestry in Formosa is only a minute fraction of the total amount that has been spent out of the U.S. Treasury in almost every enterprise conceivable by the mind of man in Formosa. But I am today dealing only with the forestry program and contrasting what the Eisenhower-Nixon administration is now doing or not doing in this important field in the United States, and what it has done and is doing in foreign countries.

Now, as I have said, we have expended on Formosa $1,540,000 in the last 5 years. Formosa is one-two hundred and fourteenth the size of the United States prior to the admission of Alaska and Hawaii. The relative size of our two countries may not be an exact indication of their relative needs or desires in any given field, yet in the field of forestry, it may serve as an approximate yardstick of the Eisenhower-Nixon generosity abroad and its parsimoniousness at home.

Yet in the field of forestry, which may serve as an approximate yardstick of the Eisenhower-Nixon generosity abroad, $1,540,000 was granted for forestry purposes to Formosa, an area one two-hundred-and-fourteenth the size of the United States, which is only a little less than the $1,780,400 granted this year for our own great Nation's forestry program. If we divide the Formosa program into years, it averages $308,000 a year. However, if we relate Formosa's size to that of the United States before the admission of Alaska and Hawaii, it will be seen that the Eisenhower-Nixon administration has been 32 times more generous to this small island than to our own Nation.

Mr. President, I could elaborate on this subject to demonstrate conclusively, by chapter and verse, the striking contrast between the attitude of this administration, the Eisenhower-Nixon administration, toward the needs of our own country and to those abroad. Forestry is merely one more example.

I repeat, the Eisenhower-Nixon administration will go down as the first administration in American history to put the

interest of the foreign nation ahead of the interest of our own Nation.

I yield the floor.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRUENING in the chair). Without objection, it is so ordered.

VIETNAM

Mr. McGEE. Mr. President, I rise to speak about a nation very much in the news today. It has been in the news throughout the past decade, and will continue to be in the news in the decade ahead. That is the little country in Southeast Asia, Vietnam. Because of the critical location of this tiny land in relation to the Communist Chinese to the north, and because of its resources and its key position in the vast continent of Asia, it continues to cause a critical concern in the minds of all free men. For this reason people in our country of all professions and of all faiths have been concerned about what we are doing there and how our program may be going in that portion of the globe.

Due to this concern, we have had investigations, we have held hearings, and we have heard charges and countercharges, all of which have helped to clear the air and to get at the truth.

In seeking the truth, however, we may sometimes lift the case quite out of its significant context and, in so doing, make it appear that Vietnam is a mess.

It was my privilege to travel with the distinguished Senator from Tennessee [Mr. GORE] on a joint mission to the area, so that we might have a firsthand look at things in that part of the globe. I would be the last to pretend that we were there long enough to become experts. In fact, it might be asserted that we were there so briefly that the facts did not get in our way.

But we did come out with the impressions, and I think they are important impressions, which, as all Senators will testify, one can glean from a firsthand experience in any part of the world. There is something in a personal experience that one cannot recover from a report, that one cannot recapture in a book, and that eludes one in masses of statistics. For that reason, it seemed to me it might be appropriate if I were to share my general impressions of this little land called Vietnam. What I am about to say follows by 1 day the official release of the transcript of the hearings in which the Senator from Tennessee and I participated in Vietnam. The hearings themselves were held in Saigon. In the course of the hearings we made field trips to the north, into the high plateau country and jungles of that region.

I think it well, in trying to put this question in its perspective, that we recall for our own purposes the circumstances under which this little land was conceived. What was the temper of the time that brought it into being? I would remind the Senate that it was a critical moment, when round by round our allies were surrendering ground to the onslaught of the Communists to the north.

The country was also torn in the midst of torturing civil war. This newborn country, which most experts gave very little chance for survival, lying in the midst of a troubled area, nonetheless got under way. It goes under way saddled by an influx of a million immigrants, refugees, from the divided land to the north. It got under way literally surrounded from without and infiltrated from within by Communists and other enemies of the new state. It got under way without any heritage of native government; without any experienced reservoir of civil servants from which to draw the necessary experience for new leadership. It got under way with only a plantation economy as the heritage from its colonial past. It had no economic base sufficient to warrant a government fiscal program which could measure up to the responsibilities which would tax its abilities in independence. It got under way in a state of geographical isolation, far removed from the ordinary avenues of world traffic and far removed from its friends. It still lay geographically next door to its enemies. This was the difficult beginning of South Vietnam.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. GORE. I believe the Senator from Wyoming will agree that he omitted the severance of South Vietnam from its traditional economic ties, trade, and interchange with what is now North Vietnam, which was the industrial part.

Mr. McGEE. Yes. I thank the Senator from Tennessee for the reminder that in the separation or division of Vietnam, the industrial part of the country generally lay in the northern sector, which was to remain under the control of the Communists; and only the agricultural sections lay to the south of the 17th parallel, which still divides the two areas.

South Vietnam has made achievements in crisis, and they are well to recount. I say "achievements in crisis" because the fact is that Vietnam is still in existence, although it was born but 4 years ago. Thus it is a babe, among the newly independent countries of the world. Most of them became independent in the wake of World War II. This land is 4 years old. It is here. It has defied most of the expectations for its longevity. It is a going concern. It has emerged, through the leadership of President Diem, as a stable nation where internal order has been brought about. It has created a military force small in number, but effective in striking capacity, which has been successful to date in restraining the large forces to the north, and in holding the unstable borders elsewhere around its periphery.

South Vietnam has begun the expansion of its economic base through the diversification and intensification of the use of its resources.

Finally, it has instituted, largely through its own initiative, a program of economic resettlement and redevelopment which captures the imagination of the free world. In a program engineered almost personally by the President of Vietnam, and technically over the protests of our own advisers there, there has been launched a resettlement in the high plateau jungle country to the north of the capital city of Saigon. There one finds thousands of Vietnamese moved into the formerly unoccupied hinterland who once were in congested areas along the coastline and concentrated in the rice-growing regions in the far south. This program is working. It has caught the imagination of the Vietnamese people who, in the experiences of the last war, had their eyes opened and their expectations excited by their contacts with large groups from other parts of the globe. It is these rising popular expectations which have produced impatience in some areas and created the materials for dangerous explosions. Some of those expectations are being met by the kind of program which we saw in the resettlement of the jungle areas in the central highlands of Vietnam.

But to mention these achievements in time of crisis is not to obscure the fact that there have been mistakes and lags which one questions in terms of the best interests of the country.

For example, we in America have been impatient about the type of government which Mr. Diem has created in South Vietnam. It is far from a democratic undertaking. It is not really representative government by our terms. I submit, however, that the element of time and the toll of experience must be allowed sufficient play to permit the growing up of democracy in Vietnam. We should remember our own experience in America, when we achieved our independence in 1776; yes, in fact, when we adopted our Constitution in 1789, some 13 years later, but one American male in eight had the right to vote. We started very cautiously. Our democracy was in truth, meager. It was a hope and a theory, rather than a fact. I may say that we have been working at the business of achieving more and more democracy for almost two centuries during all of which we have called ourselves a democratic government.

I only say this as a reminder to us that these people started from the jungle, as almost serfs in a colonial state. They did not have the heritage of an experience and a background in Western Europe, as our fathers did. They can hardly be expected to achieve a knowledge or a know-how or a capacity for performance which could make democracy work as ours does.

Furthermore, democracy is not the kind of thing which we can announce and impose upon any area. Democracy must take root from within and grow from within, rather than from without.

For that reason, I am prepared to indulge the transition in Vietnam from a completely backward political experience—almost no political experience—toward a more responsible kind of political participation, which we trust the future may hold for them.

We find concern in Vietnam—and properly so—for the way in which funds

being expended there are accounted for. And we have an understandable interest in seeing them put in efficient American business corporation auditing systems or the systems of check and countercheck which are available in our own Government over the expenditure of public funds. Let me say to my colleagues that in my judgment these systems will come in due time, and that we may be premature in expecting them in a mere matter of 4 years.

Again, if I may be permitted to speak in historical parallels, when our country was given a considerable sum of money by the French, to aid in her independence movement against the British, I wonder what would have been the reaction of the Founding Fathers of our Republic if the French Government, in loaning us in excess of $5 million, had demanded an audit of what we did with that amount of money. I think our own Founding Fathers would have had to tell the truth: first, that they had no audit, they had no machinery for an audit, they had no experience with audits; second, that, in addition, we were independent, and it was not any business of the French.

The latter is an understandable reflection of national pride, particularly of new national pride, and I suspect it should be multiplied several times when being equated with the national response of any Asian people, for Asians have lived through centuries of colonialism and long been subject to the rule of the white man. If one makes that allowance, I believe he can evaluate in its proper setting the question of the kind of accounting we can reasonably expect from the Vietnamese Government.

We were particularly concerned, while we were there, over the fact that, so far, there has been no auditing of a small percentage of our counterpart funds. Let me say here, by way of explanation, that the bulk of our counterpart funds have a built-in auditing system, by virtue of the fact that we supply the goods that go into them, and thus we can determine a substantial segment of the counterpart moneys. But because in Vietnam there is no tax base for income for the government, it derives a certain portion of its income from an import tax on our goods. This import tax ranges from 8 percent to perhaps 15 percent. The proceeds of this import tax go into the counterpart funds. There has been no audit of that, although from the standpoint of good business procedure I believe all of us agree that there should be an audit.

We received assurance from one of the ablest men we met anywhere in Vietnam, Mr. Vu-Van-Thai, that such an audit had been delayed, first of all, for physical reasons; they did not have the physical means or the trained personnel to make such an audit. They were reluctant—and for reasons which we, in view of our history, can understand—to expose their sovereign area to internal inspection by a foreign source. I believe that even though we find this difficult to appreciate, we should try to understand it.

But, thanks to Mr. Vu-Van-Thai, they have installed a rather impressive battery of IBM machines in their Bureau of the Budget; and they gave us to believe that within the foreseeable future—perhaps in 8 months, but possibly longer—there would be both the physical equipment and the necessary trained personnel with which to provide such an audit.

At no time while we were there did we receive information from any person or source, either friendly or hostile to the government, that there was any abuse of this section of the funds going into counterpart. So far as could be determined, as I recall, the government was under no terms open to indictment for dishonesty, or abuse of the funds going into that category. I think that this is a substantial credit, in view of the newness of the country, the massiveness of the crash program which was instituted there, and the area of the world involved. The standards of judgment and the equations of honesty and good accounting there sometimes vary from our own.

I would make a particular plea that we try to understand that progress can and must be made in the direction of responsible accounting, but that we also try to understand its absence up to this time.

The third misgiving which many of us had in the area—and it is an understandable misgiving—had to do with the cost of some of the programs in that part of the world—for instance, the cost of the highway program and the cost of the resettlement program, to which I referred earlier in my remarks. The costs seem considerably out of proportion with similar costs in our own country. Upon careful interrogation, we found that some of the extra costs were due to errors in judgment and miscalculations in fact, the responsibilities for most of which stemmed, not from judgment in the field and on the spot, but from miscalculations or mistakes made all the way back here in Washington. We had constructive suggestions to make—I trust they were constructive—in proposing a tightening up of some of the contract-letting procedures in connection with the construction projects in that part of the world.

In terms of the resettlement program in the north country, if one tried to evaluate the cost per acre of clearing the jungle and of moving the peoples many hundreds of miles from the coastline, of building them homes, and of getting under production a new crop with which they could sustain themselves, in terms of what it costs to bring in a reclamation unit in Wyoming, then I believe we would be missing the point entirely. We would be missing the point by even more if we tried to equate that cost with what it costs to bring in an acre of land in some of our more fertile areas in the United States. It seems to me that cost is a secondary or a tertiary consideration, because the resettlement program had other goals; it was meeting other targets; it had acquired a much bigger significance than a bargain-basement deal.

The resettlement program was, first of all, important strategically, because one of the problems of security and defense in Vietnam arises from the vast area—hundreds of miles—of jungle lands which lie along the borders of Cambodia and Laos, on the north Vietnamese frontier, which are almost impossible of defense, because there is no one there. The task of military forces in patrolling and policing them is well nigh impossible. So I think there is real, sound basis for the judgment of President Diem and for that of our own military advisers that if people can be moved into that region, they will become one of the best intelligence, defense, and security systems that can possibly be built into such an area.

In the second place, the resettlement is important economically, because in the newly developed regions which are being cleared out of the jungle, the people are developing products and raw materials complementary to the nation's needs. They are not duplicating the abundance of the agricultural production in the south. In that high jungle plateau ramie is being developed in the new settlements, a fiber from which their own cloth can be woven. But for this ramie, they would have to import, to their own disadvantage, millions of dollars' worth of woven goods. By supplying their own fiber, they meet their own needs and strengthen their own economy.

Similarly, they grow another fiber called kenaf in great abundance in that region, from which bags and rope are made. Again, but for this production at the present time, it would be necessary to import approximately $2 million to $3 million worth of fibers.

By avoiding the need of that import, once again they broaden their economic base and strengthen their own economic capacity to "go it alone" someday. So out of this problem of resettlement in the north, one finds not only a strategic gain, but an economic gain in the new republic.

A third gain is psychological—psychological because it proves to the Vietnamese people, who up to now have been almost literally chained to the coastline, where there is not enough land for a man to claim his own acreage, where there is not enough in the way of economic sustenance to allow him to seek his own economic independence, that they can have a new lease on life. This is not unlike what happened in our own land resettlement history here in the United States, when if a man could not find economic independence in our own more congested regions of the East, the Government gave him a new start in life in the public land territories of the West.

This parallel ought to excite Americans because of our own historic experience. It ought also to give us some measure of pride that our example has provided the inspiration for this experiment in Vietnam.

These are evaluations which, in my judgment, we should apply with some caution, understanding, moderation, and perspective, in trying to pass on the meaning and significance of our program in this key part of the world.

Capping it all should be the reminder that the Government of Vietnam is 4 years old. Our inclination is to compare what has been achieved in that country with recovery in Western Europe or recovery in other parts of the world

where programs for assistance have been under way for a dozen to 14 years, instead of only 4 years.

Keeping those facts in mind, I should like to state, in conclusion, two or three simple suggestions which I think we might follow as a Nation in strengthening our program in that part of the world and, further, in insuring its greater success.

The first suggestion would be that we blueprint our goals, our objectives, our expectations, in that part of the world. In my judgment, we are operating almost in reverse. We determine the kind of work we do there or the kind of help we give there in terms of what the budget allows, and not of the need which is demonstrated. Because of the nature of the continuing crisis, the presence of hundreds of thousands of Communist troops to the north, guerrillas in the west and parts of the south, we insist we have to continue to pour millions of dollars into the military effort of the country. As a result, we have tended to freeze our policy concepts and to think of our goals strictly in the military context.

This idea has jeopardized our long-range effort, and through its further pursuit we may sacrifice the ultimate goals toward which we aspire.

So my first suggestion is a soul-searching study of our goals, intents, purposes, targets, and hopes in southeast Asia. Let us spell them out for the next decade, if you will, Mr. President, so we shall know where we are going and how we intend to get there.

Secondly, in view of the need that one recognizes there, it is important, in my judgment, that we double or triple our nonmilitary programs in Vietnam. This is a considerable undertaking, but let me remind my colleagues in rather harsh language, that because of the military requirements of the moment, very few of the millions of dollars that we are putting into that country actually reach the level of productive economic growth. As a consequence, there is reason to doubt that we are increasing the economic base of productivity in that country at the present level of expenditures.

The increase of population imposes new demands on us, and at the same time the demands of need, inexperience, and the low level of the beginning efforts in this new republic encroach upon the possibility for achieving a successful and self-sustaining independent government.

From the conversations that we had, it seems quite clear that a stepped-up nonmilitary economic assistance program of 4 to 6 years' duration, which would be based on an effort to get ahead of the encroachments of the moment, would be in order. After 3 or 4 or 5 years one could see the downhill slope and could begin to think specifically about phasing out American economic assistance to that country.

May I add, Mr. President, that everywhere we visited, with almost whomever we spoke, we came away impressed with the sincerity of the leaders of the Government of this Asian country and of their own desire to get out from under economic dependence upon our country. They have only recently gotten out from under colonial dependence on another great power of the West, and they are not about to welcome a new colonialism, under whatever guise. But they are also realistic enough to recognize that they will have to submit to something worse unless they can develop their economy at a new and faster rate. That is the reason for my plea that the program should be sufficient to solve the problem, instead of squeezing it to conform to a budget calculation.

In the long pull, there is much at stake. There will be no long pull, however, if we do not solve the immediate problems. This is the critical state of our economic program, or lack of it, in this part of the world right now.

Finally, Mr. President, my last suggestion by way of our program in Vietnam is that we could well take American dollars and with them bring thousands of people from other developing areas of the world, from other Asian lands, from Africa, from Latin America, to Vietnam in order to study at first hand a program that they would be able to understand, a program that to them would take on real meaning, a program that is achieving goals they would have reason to believe they could achieve.

I used to suggest that our showcase might be Puerto Rico in our own hemisphere. Indeed, that is an exciting place. We have brought people there from around the world. Puerto Rico, however, has some built-in advantages as a dependency of the United States.

For that reason, I think we would have much to gain by setting up Vietnam as a showcase, and using it to promote economic understanding and for psychological warfare, as a real living case in point of what it is possible for a large power to do without stealing the sovereignty of or encroaching upon the independence of a small, newly independent republic.

These three suggestions are not all-inclusive. They are mere suggestions. But in my judgment they constitute a constructive approach toward the better utilization of one of the most exciting and hopeful programs I saw anywhere in the world. I believe that we have a chance to progress by telling the American people the truth as to the needs. Only thus will their willingness to try to rise to the burden of those needs become evident.

This leads me, in my concluding moment, to refer to the preceding remarks by my distinguished colleague, the Senator from Alaska, the present Presiding Officer [Mr. GRUENING] and to applaud him for pointing out a major discrepancy at the present moment. We see the need for something more than guns abroad, the need for resources development, but we have been blind to the problem in our own homeland.

I know that my distinguished colleague did not mean to suggest, or would not suggest, that because we are not spending for our resources at home we should withdraw such support overseas, because we all quickly recognize we cannot right one wrong by committing another. We learn from a mistake. We learn from successes.

We have the resources and we have the wealth, if only we can discipline ourselves to the priorities of using our wealth instead of wasting it. The time has come not only to define our objectives in south Asia, but also to assign to ourselves our goals and our objectives as a nation. This is what is lacking. This is what 1960 and the decade ahead cry for.

In Vietnam we have a case study, a living example and opportunity for implementing the American spirit.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McGEE. I yield to my colleague from Tennessee.

Mr. GORE. First I wish to compliment the Senator upon his eloquent and articulate address.

Next I wish to express my deep appreciation for the profit and pleasure I have gained from the association I enjoyed with my colleague in this undertaking. He has a scholarly and inquisitive mind, a pleasant personality, and a determination to ferret the facts, which made for me this joint undertaking one of joy and profit.

I thank my colleague for the opportunity he afforded me for such pleasant and happy asociations, and I trust fruitful work.

Mr. McGEE. I thank my colleague from Tennessee for those very warm remarks.

I will say to my colleague, I have gone to school a great many years in my life, before teaching at the other end of the line. I can say in all honesty and sincerity that I have never had such an exhilarating learning experience at the feet of such a master professor in the art of understanding peoples of the world as I had in enjoying the experience and profiting from the experience of traveling with my colleague, the Senator from Tennessee.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGEE. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to commend the Senator from Wyoming and also the Senator from Tennessee for the wise understanding and tolerant attitude they have both taken toward the Government of Vietnam. I know that both of these outstanding Senators are aware of the difficulties which this young government, under the leadership of an untried politician by the name of Ngo Dinh Diem, has had to face up to in the period following Dien bien phu, the Geneva Conference of 1955, and the French withdrawal.

The remarkable thing is what this nation, under the leadership of this man, was able to accomplish over that particular period of time. I would say that the hope of southeast Asia lies in the continued success of President Ngo Dinh Diem, and that the example which he has set in his own country, young though it is, offers a beacon light to other areas in that part of the world in the years ahead.

So I commend both the distinguished Senator from Wyoming, a former college professor, and the distinguished Senator from Tennessee, who has had long experience both in the House of Repre-

sentatives and in the Senate, for their recognition of the facts as they are and for the contribution they have made in their report to a better understanding between these two countries, a better understanding which I hope will endure not simply for many years but for many decades to come.

Mr. McGEE. I thank my colleague from Montana for his warming remarks.

Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT UNTIL THURSDAY AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment to meet at 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM THURSDAY TO 12 O'CLOCK NOON THE FOLLOWING MONDAY

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that when the Senate concludes its deliberations on Thursday it stand in adjournment to meet at 12 o'clock noon on the following Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

A LOOK AT THE 86TH CONGRESS

Mr. KEATING. Mr. President, the 2d session of the 86th Congress is now a little over 1 month old. We started with a burst of activity and we seem to be moving along at a rapid rate. Much remains to be done; and, of course, barring a session in November or December, there are only 4 or 5 months remaining before we close the doors and close the record on the 86th Congress.

I think this week of relative calm in the activities of the Congress is an appropriate time to think about the road ahead of us and about the basic issues which underlie and guide everything that we do. I am glad that we have this opportunity; for the pace of the next few months will be hectic and exhaustive, and this brief respite will allow a little time for reflection and a look ahead.

I wish to make it clear that I and my colleagues on the minority side appreciate the cooperation and kindness of the majority leadership in granting us this brief reprieve to mend our Republican fences and to commemorate what is traditionally a very important occasion for Republicans, namely the celebration of the anniversary of the birth of Abraham Lincoln. It is somewhat ironic that this kindness could contribute to their undoing. We intend to use every single minute of this brief recess to mend our fences and point to what we feel to be the holes in theirs.

Mr. President, I wish to address myself to what I believe to be the basic difference in viewpoint which divides our two parties in the Congress and which I believe will shape the future course of our Nation's history. In doing so, I shall discuss briefly the major issues which face the Congress in an attempt to place them in the perspective of the progress and future growth of our Nation.

The United States is entering a new era. The great and tragic world war which ripped the world asunder ended some 15 years ago. The long and difficult period during which the nations of the world went through the arduous process of economic and political recovery is nearing a close, and the world is again divided into two spheres of influence and power. All of us are well aware of the essential differences in ideology which now delineate East and West, and which shape and affect everything that we think and do.

Gradually, almost grudgingly, the fields in which these two colossal systems are to compete are being defined. The thrust into outer space, the technological and scientific drive for preeminence, economic endeavors to increase domestic well-being, and concommitantly to raise living standards in the less developed nations in the world will in all probability be the battlefields of the future.

How well will our Nation respond? What must we do to mobilize and orient our system to the great challenges that confront the free world?

There are in America two distinct and separate points of view as to how best to face the future. The first, that which in the "shorthand of ideas" is referred to as the viewpoint of the "spenders," says that to meet these varied and great challenges we must fortify and concentrate greater economic and political power in Washington. In sum, the Federal Government should in this view be vested with far greater responsibility for the workings of our domestic economy, for the well being of our citizens, and for our economic and international programs.

The second viewpoint—and that too is referred to in terms of "shorthand of ideas"—would be that of the so-called savers, places primary reliance on the vitality and capability of our free economic and political institutions to meet the challenges of the future while at the same time maintaining our governmental operations and structure in very much the same form in which it now exists.

Neither of these concepts of America are as simple as I have made them sound. Admittedly, it is not a matter of black and white. There are subtle degrees of difference in the points of view, and there are constant changes in the thinking of the men on each side of this controversy. In addition, there is much divergence of opinion within each of our parties.

I like to think of this basic difference of opinion which underlies both our deliberations in the Congress and the activities of the Government as being a difference as to the size and scope of the Federal Government in the years that lie ahead. I want to place my emphasis on the phrase, a difference as to the size and scope of our Federal Government.

Mr. President, I firmly believe that the future greatness of our Nation depends very largely upon the preservation of individual initiative and incentive, which are so much a part of and so dependent upon our Nation's free and competitive economy. Concentration of too many activities and of too much power in Washington tends to drain so huge a lump of every man's income away in taxes, that his energies and initiative are depleted and eventually are diminished altogether.

This is not to say that the Federal Government should do nothing. Not for a minute. Stop and think for a moment about the countless activities in which the Government is presently engaged and which touch every day upon the lives of every American. Today, Uncle Sam builds and controls our defense system, provides us with an income for retirement years, regulates economic power throughout our land, insures the mortgages on our homes, supports the farmer, regulates the railroads and airlines, builds highways, provides loans and assistance for small businesses, delivers the mail, collects the census, and performs a great many other functions of importance to all of us. I do not for a moment suggest that this is wrong. I am very definitely in favor of expanding the role of the Government in certain specific fields in which it is found to be absolutely necessary and of strengthening some of our existing Government programs where there is a clear need to do so.

I am not, however, willing to endorse a full-scale expansion of Government activity into every field in which we feel that those responsible could and should be doing a better job. This approach would, I believe, lead us into real trouble. It violates the basic premises upon which our Nation was founded and upon which our Government has operated throughout its history.

Let me outline some of my thoughts on the way in which the structure and organization of our Federal Government can be improved and made more effective. There are a few clearcut cases in which informed persons agree that Government services should be curtailed. The money thus saved would then be put to use to finance new activities and programs which, as I have indicated, only the Federal Government can satisfactorily and properly perform.

The best example is our agricultural program, on which we have today received the President's toughminded appraisal of the farm mess.

Within broad guidelines, he has properly asked that Congress act to get the Government off the back of the farmer and bring the farm laws up to date. He has sensibly emphasized that legislation should be enacted which is sound and economically sane—not legislation formulated for partisan advantage.

The ball is now in Congress' hands, where it should be. The present plight of our farmers is largely traceable to the unwillingness of Congress to face up to the facts of life in the farm picture.

High, rigid price supports, unrelated to reality, must be regulated to the scrap heap. Only in this way can the dangerous and inflationary direction in which

we are now moving be arrested. Reduction of regimentation, increase in freedom for the farmer, and enactment of honest, realistic legislation by Congress are musts. That is what the President has asked for. The next move is up to Congress.

Certainly our Federal farm program is ridiculous. It must be completely overhauled. A realistic farm program for America would cost only a fraction of present agricultural expenditures. A net saving of billions of dollars would be realized in this way.

Much needed reforms to make the administrative and adjudicative machinery of the executive branch operate more efficiently and more smoothly would bring about additional savings.

There is another and a very important way in which additional money will in the near future be channeled into the operation of our Federal Government without increasing taxes and without drastically and unwisely expanding Washington's bureaucratic machinery of State. Our population is increasing at a rapid rate. As it rises, tax revenues, levied at approximately existing rates, rise proportionately, permitting both the expansion of certain existing Government activities and the initiation of important and needed new programs. In relative terms, the cost and the size and scope of our Federal Government would not be significantly changed—and yet, there is little doubt that the impact of Government upon our society and economy can in this way be extended and altered to conform more closely with the needs of the future.

The combination of these three factors: First, the elimination and reduction of unnecessary Government programs; second, increased Government efficiency; and third, the rise in Federal revenues as population and living standards go up, will, I believe, lead to a dynamic and yet, at the same time, sensible rate of change in the structure and operations of our Government. Such a rate of change is in conformance with the exigencies of our time, and is not so drastic as to throw the political and economic structure of society completely out of whack.

I wish to make it clear that I am not today addressing myself to defense needs and programs. I shall do that later. I feel that they must be framed and evaluated upon other bases than on our domestic governmental services.

In my mind, there is no question that we cannot and must not allow our defense system to become obsolescent or inadequate. In this regard, I was encouraged by the remarks of Representative MAHON of Texas, chairman of the Defense Appropriations Subcommittee of the House Appropriations Committee, when he said on a national telecast on Sunday of this week that he did not feel that we presently need billions of dollars more for defense. Certainly, not an official spokesman for the Eisenhower administration, Mr. MAHON cited the United States as the strongest nation in the world, militarily. At the same time, he also called for a somewhat different structure of our defense efforts along with some millions—not billions—of dollars in additional defense expenditures.

I have dwelt at some length on what I believe to be the underlying issues and viewpoints which will influence the deliberations of the 86th Congress throughout the 4 or 5 months which remain of its life. In doing so, I have stated my own position on the size and scope of the Federal Government which I believe to be the fundamental and most significant issue before the Congress.

Mr. President, this issue has been very much a part of our work since January of 1 year ago. The outcome thus far has been a disappointment to those who favor dramatic and immediate increases in the activities and responsibilities of the executive branch of our Government. However, Mr. President, there is before us today a "cookie jar of opportunity" which invites the exponents of sweping governmental expansion to satisfy their appetites. I refer to the proposed $4.2 billions surplus in the President's budget for fiscal 1961.

In practical terms, I believe that what happens to this proposed surplus is the real test of the 2d session of the 86th Congress. The President's $4.2 billion surplus is a sort of thermometer of the fever of the Congress for greater expenditure of Federal revenues on the activities and operations of the Federal Government. I want to make it perfectly clear that, like a thermometer, we cannot become obsessed with every one-tenth of a degree. If a man's temperature is 99.5, he need not call an ambulance to take him to the hospital.

Mr. President, the Senate has already dipped into this surplus in voting for Federal grants for education. In doing so, there is no question that the Senate was voting either for more taxes or more inflation and increased Federal control of our society. We certainly need more and better schools. We need to pay better salaries to our teachers. Although I believe education is and should be primarily the responsibility of State and local governments, I did vote for and support the plan proposed by the Senator from Kentucky [Mr. COOPER] and my colleague the Senator from New York [Mr. JAVITS], which would have provided loans for this purpose from the Federal Treasury under appropriate circumstances. In the long run, I believe that this approach would involve less expenditure of Federal revenues and would very definitely not have involved as much redtape and Federal control as will the plan which the Senate has not approved.

Mr. President, it is my hope that the final education bill which Congress sends to the White House will not closely resemble the Senate-passed bill. I hope the conference report will be one for which I can conscientiously vote. What is more, unless the two bodies of the Congress agree on a more sensible bill and one which is more clearly geared to the overall needs of our Nation, I am confident that the President will not approve this legislation. If I am correct, at that time, I am hopeful that Congress will recognize the merit of the Cooper-Javits loan bill rejected last week and will frame new legislation along these lines in order that we may have a sound education measure, not simply a political issue.

Mr. President, the appropriations process is now just getting under way in the House. Congress as a whole is working up steam for the hectic 4 or 5 months ahead of us. I sincerely hope that the actions which we take in these important months will in general reflect the principles I have set forth.

ADJOURNMENT TO THURSDAY

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand adjourned until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 3 o'clock and 55 minutes p.m.) the Senate adjourned, under the order previously entered, until Thursday, February 11, 1960, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 9, 1960:

U.S. ADVISORY COMMISSION ON INFORMATION

Sigurd S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years expiring January 27, 1963, and until his successor has been appointed and qualified. (Reappointment.)

DEPARTMENT OF STATE

Theodore C. Achilles, of the District of Columbia, to be Counselor of the Department of State, vice G. Frederick Reinhardt.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captains

Junius T. Jarman
William F. Deane
Edgar F. Hicks, Jr.
John C. Bull

To be commanders

Harry D. Reed, Jr.
Emerson E. Jones
Gerald L. Short
John O. Phillips

To be lieutenant commanders

Donald L. Campbell
Robert C. Munson
Gerard E. Haraden

To be lieutenants

James C. Sainsbury
Philip J. Taetz
K. William Jeffers
James K. Richards
Verle B. Miller

To be lieutenants (junior grade)

George F. Wirth, effective February 12, 1960
Anders E. Beyer, effective February 17, 1960
Bernard R. Berson
Harold E. McCall
Wesley V. Hull
Wayne L. Mobley
J. Dunston Wingfield, Jr.
William N. Grabler
Phillip W. Ward
Glenn DeGroot
David I. Wolsk
Arthur C. Korn
Edward L. Talbot
Martin T. Egan
Charles A. Burroughs
Richard E. Alderman
David Cummings
James B. Allen
Jude T. Flynn

To be ensigns

Karl W. Allgeier
Robert M. Hagan
Elwyn Holtrop
Bruce L. Williams

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 9, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, offered the following prayer:

I Chronicles 16: 11: *Seek the Lord and His strength, seek His face continually.*

O Thou God of all grace and goodness, may we discover anew, during this day, Thy will for us and dedicate ourselves to it with a wholehearted devotion.

Forgive us for those moods of rebellion and resentment when we are tempted to think that our human existence is meaningless and that we are the victims of a conspiracy of evil circumstances.

May we be delivered from cynicism and sullenness and all those tempers of mind which make us feel that life has not been just or fair to us.

Help us to find those ways and means which will bring blessedness and good cheer to all mankind and constrain men and nations to live together in the spirit of brotherhood and peace.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

THE U.S. GOVERNMENT VERSUS STATE OF OHIO

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, it has come to my attention this week that the State of Ohio is being sued by the Federal Government for the sum of $28,000 for growing too much wheat on farms and eight mental and penal institutions operated by the State. The wheat raised on these institutional farms is not sold to the public but is used exclusively for making flour and other commodities for the institutions.

The tragedy of this shameful and politically inspired litigation is that Ohio welfare institutions are being fined and penalized for spending money and energy raising grain which the Federal Government refines and offers free of charge as a surplus commodity.

This litigation is unique and raises an important issue between the Federal and State Governments. The constitutional questions involved could become very grave.

This litigation is perhaps the first instance in the history of the United States in which a sovereign State is being sued for refusing a Federal gift.

SUBCOMMITTEE ON FEDERAL AID HIGHWAY PROGRAM

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the special subcommittee of the House Committee on Public Works, considering the Federal aid highway program, may have permission to sit during general debate in the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AGRICULTURE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 330)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I urgently call attention, once again, to a most vexing domestic problem—the low net income of many of our farmers and excessive production of certain farm products, largely due to economic distortions induced by years of Federal interference.

We are most fortunate that our problem in agriculture is overabundance rather than a shortage of food. But it defies commonsense to continue to encourage, at the cost of many millions of tax dollars, the building of ever larger excess supplies of products that, as they accumulate, depress farm prices and endanger the future of our farmers.

The wheat situation is particularly acute. Federal funds tied up in wheat approximate $3½ billion. Although this means that well over 30 percent of the total funds invested in inventories and loans of the Commodity Credit Corporation goes for wheat, this crop provides only 6 percent of the cash receipts from sales of farm products. The Government sustains a net cost of more than $1,000 a minute—$1,500,000 every day—the year around, to stabilize wheat prices and income.

Day by day this program further distorts wheat markets and supplies. Its only future is ever higher cost. Inexorably it generates ever larger surpluses which must be expensively stored. Ultimately, if our Government does not act quickly and constructively, the danger is very real that this entire program will collapse under the pressure of public indignation, and thousands of our farming people will be hurt.

I think the American people have every right to expect the Congress to move promptly to solve situations of this kind. Sound legislation is imperatively needed. We must quickly and sensibly revise the present program to avoid visiting havoc upon the very people this program is intended to help. Every additional day of delay makes a sound solution more difficult.

I have repeatedly expressed my preference for programs that will ultimately free the farmer rather than subject him to increasing governmental restraints. I am convinced that most farmers hold the same view. But whatever the legislative approach, whether toward greater freedom or more regimentation, it must be sensible and economically sound and not a political poultice. And it must be enacted promptly. I will approve any constructive solution that the Congress wishes to develop, by "constructive" meaning this:

First. That price-support levels be realistically related to whatever policy the Congress chooses in respect to production control, it being recognized that the higher the support the more regimented must be the farmer.

Second. That price-support levels not be so high so as to stimulate still more excessive production, reduce domestic markets, and increase the subsidies required to hold world outlets.

Third. For reasons long expressed by the administration, that we avoid direct subsidy payment programs for crops in surplus; likewise, we must avoid programs which would invite harmful countermeasures by our friends abroad, or which, while seeking to assist one group of farmers, would badly hurt other farmers.

Within these three guidelines, I am constantly ready to approve any one or a combination of constructive proposals. I will approve legislation which will eliminate production controls, or make them really effective, or allow the farmers themselves to choose between realistic alternatives. I am willing to gear supports to market prices of previous years, or to establish supports in accordance with general rather than specific provisions of law, or to relate price supports to parity.

I recognize that these observations are general in nature. They are intentionally so in order to leave the Congress room for alternative constructive approaches to this problem. If the Congress should so act, I urge an orderly expansion of the conservation reserve program up to 60 million acres, with authority granted the Secretary of Agriculture to direct the major expansion of this program to areas of greatest need.

In connection with the expansion of the conservation reserve, the Department of Agriculture stands ready to assist, if desired, with the development of sound legislative criteria governing the administration of this program in the light of its experience gained through its operations of the past 4 years.

As part of the conservation reserve program, I would be willing to accept an authorization, with proper safeguards, to the Secretary of Agriculture to make payments in kind in whole or in part for the reduction of acreage devoted to crops in surplus and retirement of this acreage from cultivation, provided measures are included to keep production below total consumption while the payment-in-kind procedure is being used. Lacking such safeguards, a payment-in-kind procedure would overload the free market and thereby depress prices.

My views as regards the price support program for wheat are clear. I prefer the following approach:

Acreage allotments and marketing quotas for wheat should be eliminated beginning with the 1961 crop—thus freeing the wheat farmers—and thereupon price-support levels should be set as a percentage of the average price of wheat during the three preceding calendar years. The Secretary of Agriculture will furnish the Congress the details of this approach.

Here I wish to comment somewhat more specifically on corn, a crop tremendously important to many thousands of our farmers.

Just over a year ago, by a referendum margin of almost 3 to 1, our corn farmers decided upon a new program that liberalizes corn acreage and adjusts corn price supports. This program is still new and I believe it would be wise to give it a chance to demonstrate what it can do. In order to help the producers adjust to this new program, it is intended to use the expanded conservation reserve program to provide a voluntary means of removing substantial acreage of corn and other feed grains from production.

On the administrative side, I want briefly to mention three programs highly important to agriculture.

The food for peace program, initiated pursuant to my recommendations of last year, has been vigorously advanced. On my recent trip abroad, I saw many constructive results from these efforts and the need and opportunity for even greater use of this humanitarian program. Clearly we should continue to do our utmost to use our abundance constructively in the worldwide battle against hunger. The law we enacted in 1954, known as Public Law 480 of the 83d Congress, has been especially helpful to us in waging this battle.

Next, an aggressive utilization research program is under way to develop new markets and new uses for farm products. The 1961 budget now before Congress recommends additional appropriations for utilization research, and additional local currencies being acquired under Public Law 480 transactions will be devoted to this purpose.

A coordinator for utilization research will shortly be named by the Secretary of Agriculture with the sole mission of concentrating on finding and promoting productive new uses for farm products.

The rural development program, to assist rural people in low income areas to achieve a better living, is also being accelerated.

This program, initiated in my 1954 message, is now well beyond the demonstration stage and is going steadily forward in 30 States and Puerto Rico. Other States are now starting this important work. I have also recommended more funds for this program in the pending budget.

Finally, I repeat my conviction that the public, and farmers particularly, are entitled to sound legislative action on the problems I have mentioned. The Congress can act within a broad latitude of proposals and still comply with the recommendations I have made.

If the Congress wishes to propose a plan as an alternative to the course here recommended, so long as that plan is constructive, as I have indicated herein, I will approve it. The Department of Agriculture will cooperate fully with congressional committees and with individual Members of Congress in helping to prepare such alternative programs as they may wish to have considered.

The important thing for farmers, and for all other Americans, is for us to act sensibly and to act swiftly.

I urge the Congress so to act in order that the farmers and public generally may plan accordingly.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 9, 1960.*

THE PRESIDENT'S FARM MESSAGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I cannot understand for the life of me why the President continues to make the wheat farmer the whipping boy of American agriculture. In his message to Congress, he said, in pertinent part:

> The wheat situation is particularly acute. Federal funds tied up in wheat approximate $3½ billion. Although this means that well over 30 percent of the total funds invested in inventories and loans of the Commodity Credit Corporation goes for wheat, this crop provides only 6 percent of the cash receipts from sales of farm products.

There is no question but what we need a wheat bill which will bring production in line with demand. Congress tried to give the farmers such a bill last year, but was frustrated by a Presidential veto. The thing I cannot understand is why wheat is singled out while the President simultaneously recommends against doing anything about the corn program when the overall feed-grain situation is worse than that of wheat. As of November 30, 1959, there was in Commodity Credit Corporation hands in inventory and loans 1.4 billion bushels of wheat as compared to 2.2 billion bushels of feed grain. The expected increase in carryover is 90 million bushels of wheat and five times that much, or 450 million bushels, of feed grain.

The President's recommendations were, in his own language, general in nature. Do they mean that the President will sign a wheat bill of the type passed by Congress last year? Does it mean that he will sign the bill which the National Wheat Growers' Association and at least two farm organizations have been talking about? I think Congress is entitled to specific recommendations from the Secretary on these and other bills.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS

Mr. BLATNIK. Mr. Speaker, I call up the conference report on the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1243)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 7.

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 6, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$450,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$90,000,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$900,000,000"; and the Senate agree to the same.

JOHN A. BLATNIK,
GEORGE H. FALLON,
FRANK SMITH,
RUSSELL V. MACK,
WILLIAM C. CRAMER,
Managers on the Part of the House.

DENNIS CHAVEZ,
ROBERT S. KERR,
PAT MCNAMARA,
THOS. E. MARTIN,
JOHN SHERMAN COOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Section 6 of the Federal Water Pollution Control Act provides that no grant shall be made for a project in an amount exceeding 30 percent of the estimated reasonable cost or in an amount exceeding $250,000, whichever is the smaller. The House bill increased the $250,000 figure to $500,000. Senate amendment No. 1 decreased the figure from $500,000 to $400,000. The House recedes with an amendment which would decrease the figure from $500,000 to $450,000.

Amendment No. 2: Senate amendment No. 2 increased from 12 months to 18 months the period during which a State must obligate funds allocated to it to prevent them from being reallocated to other States. The House recedes.

Amendment No. 3: Subsection (d) of section 6 of the Federal Water Pollution Control Act authorizes the appropriation of $50,000,000 for each fiscal year. The House bill increased that amount to $100,000,000. Senate amendment No. 3 decreased the $100,000,000 figure to $80,000,000. The House recedes with an amendment decreasing the $100,000,000 figure to $90,000,000.

Amendment No. 4: Subsection (d) of section 6 of the Federal Water Pollution Control Act provides that the aggregate of sums appropriated for that Act shall not exceed $500,000,000. The House bill increased that amount to $1,000,000,000. Senate amendment No. 4 decreased that $1,000,000,000 figure to $800,000,000. The House recedes with an amendment decreasing the $1,000,000,000 figure to $900,000,000.

Amendments Nos. 5 and 7: Senate amendment No. 5 struck out the subsection being added to section 6 of the Federal Water Pollution Control Act by the House bill which would make projects for which grants are made under that section subject to the Act known as the "Davis-Bacon Act." Senate amendment No. 7 proposed to add to the Federal Water Pollution Control Act the identical amendment stricken by Senate amendment No. 5. The Senate recedes from amendment Nos. 5 and 7. This results in the House bill remaining unchanged in this respect.

Amendment No. 6: The House bill contained a section 2 requiring that a written report be submitted to Congress on activities and future plans of the Federal water pollution control program. Senate amendment No. 6 struck out this section. The House recedes.

JOHN A. BLATNIK,
GEORGE H. FALLON,
FRANK SMITH,
RUSSELL V. MACK,
WILLIAM C. CRAMER,
Managers on the Part of the House.

Mr. BLATNIK. Mr. Speaker, I should like to summarize the three major amendments on which the other body and the House differed originally and then on which we arrived at an agreement.

To summarize, the annual authorization for grants to municipalities was approved by the House in the amount of $100 million per year. The Senate version provided $80 million. We came to an agreement on $90 million per year. On the total authorization, the House bill provided for $1 billion and the Senate authorization was $800 million. The conferees agreed on $900 million.

The last and only major item in disagreement was the maximum grant limitation, which under present law is $250,000. The House raised that to $500,000. The other body set the figure at $400,000 and the conferees agreed on $450,000.

These were the major provisions involving Federal funds in the conference report, Mr. Speaker.

H.R. 3610, Mr. Speaker, is designed to accelerate the construction of local waste treatment facilities throughout the country. When I originally introduced the bill authorizing Federal waste treatment plant construction grants, back in 1956, I recommended a Federal grant program of $100 million a year for 10 years. We estimated then that such an amount was necessary to stimulate local construction that was needed if we were to catch up with the backlog of treatment plant needs and at the same time provide for replacement of obsolete plants and new population demands. By the time the bill passed Congress the amount was cut from $100 million to $50 million annually.

This program has proven remarkably successful. In 1957, its first full year of operation, sewage treatment plant construction increased 58 percent over the previous 5-year average. In 1958, construction was up 75 percent. This past year saw a slight drop due to the steel strike and a general drop in public construction but the level of construction was still 60 percent over the previous 5-year average.

Despite this gain the Public Health Service and the State sanitary engineers report that we are still falling behind in the fight against wasteful pollution. In order to clean up the backlog and provide for plant obsolescense and new population demands by 1966, our original target date, we should be spending in the area of $600 million annually. That includes Federal, local, and State funds. To attain this level of construction it will be necessary for the Federal Government to double its present grant program.

This is the purpose of H.R. 3610—to double present Federal aid to communities for waste treatment plant construction. Although existing law authorizes $50 million a year, actually $45 million is being appropriated. H.R. 3610, as approved by the conferees, doubles that figure and provides $90 million a year in Federal grants to municipalities for waste treatment plant construction. A grand total of $900 million is authorized in the conference bill—a $400 million increase over existing law.

H.R. 3610 also increases the maximum amount of each grant. Under existing law no community can receive more than 30 percent of the cost of their plant or $250,000, whichever is smaller. For practical purposes, then, plants having a total cost of more than $850,000 are restricted to the maximum grants. Larger plants are largely left out of consideration. H.R. 3610 increases the maximum grant from $250,000 to $450,000, or, as in present law, 30 percent of the cost of the plant whichever is smaller. This amendment will encourage larger communities to participate in the program to a larger degree than at present. At the same time safeguards in existing law are retained to assure that sufficient funds will be available to smaller communities. This is done by providing that at least half the money authorized will be used in communities of under 125,000 population and that no grant of over $250,000 will be approved until all previously filed qualified applications from that State for grants not exceeding $250,000 have first been approved.

Finally, H.R. 3610 will permit two or more communities to band together and construct a joint project without being limited to the $450,000 maximum in the bill. These joint projects are expensive, although much more economical than if each community, which could be served by a joint plant, were to build its own. Under existing law when these communities band together they are limited to a grant of $250,000. This isn't much help when they are trying to build a $10 million joint project. The new bill will permit the Surgeon General to determine each community's pro rata share of the cost of the plant and approve a grant on that basis. The total grant for the entire project will be a total of each community's share if separate plants had been built. As an example, a $10 million joint plant today would be eligible for a grant of $250,000. Let us assume that this plant will serve five communities equally. In other words, each community discharges the same amount of waste into the particular stream this plant will help keep clean. Under H.R. 3610 this joint plant would be eligible for a Federal grant of $2,250,000 or about 22½ percent of the total cost rather than 2½ percent which it would receive under present law. The purpose of this section is to encourage communities within metropolitan areas to join together in the construction of these joint plants. They are much more economical and in the long run cheaper than single, individual plants.

Other major features of H.R. 3610 permit the Surgeon General to reallocate unused funds after 18 months from the date of allocation, and make the provisions of the Davis-Bacon Prevailing Wage Rate Act applicable to projects participating under the program.

This bill, Mr. Speaker, has the support of the President's Water Pollution Control Advisory Board, which recently adopted the following resolution:

RESOLUTION 1

The Water Pollution Control Advisory Board, after careful analysis of the construction-grant program for municipal waste-treatment works to control water pollution, as authorized by section 6 of the Federal Water Pollution Control Act, believes that these grants have significantly stimulated and increased construction of needed facilities. At the same time there has been no slowdown in the rate of construction of such treatment works financed entirely by non-Federal funds.

The Board further believes, to safeguard public health and other legitimate water uses, that additional incentives are needed to meet the backlog of municipal waste-treatment facility construction.

In view of the fact that both the Senate and House of Representatives of the Congress of the United States have passed bills authorizing the increase of such construction-grant funds and in view of the possibility that a bill to accomplish this result may soon be passed by the Congress and sent to the President for signature, the Board urges the Secretary of Health, Education, and Welfare to support approval of the bill.

The bill also has the strong support of State sanitary engineers, the American Municipal Association, every major conservation group, the League of Women Voters, county officials, and other civic organizations interested in clean water. Unfortunately, the President has seemingly ignored this almost universal support and the recommendations of the experts in the field whom

he has chosen to advise him on matters involving water pollution. Not only does the President oppose H.R. 3610 but he recommends a cutback in the present program as well. His budget for fiscal 1961 calls for only $20 million for grants instead of the $50 million authorized or the $45 million which has been appropriated the past 3 years. The following tabulation, Mr. Speaker, shows comparable State allotments under the President's budget, existing law, and H.R. 3610.

State allotments for grants for construction of waste treatment works, fiscal year 1961

	President's budget	Existing law	H.R. 3610
Total	$20,000,000	$50,000,000	$90,000,000
Alabama	448,890	1,122,225	2,020,005
Alaska	170,650	426,625	767,925
Arizona	223,870	559,675	1,007,415
Arkansas	403,070	1,007,675	1,813,815
California	819,460	2,048,650	3,687,570
Colorado	252,000	630,000	1,134,000
Connecticut	247,770	619,425	1,114,965
Delaware	137,270	343,175	617,715
District of Columbia	180,260	450,650	811,170
Florida	360,140	900,350	1,620,630
Georgia	450,780	1,126,950	2,028,510
Hawaii	213,090	532,725	958,905
Idaho	235,570	588,925	1,060,065
Illinois	702,280	1,755,700	3,160,260
Indiana	419,530	1,048,825	1,887,885
Iowa	354,570	886,425	1,595,565
Kansas	301,030	752,575	1,354,635
Kentucky	431,260	1,078,150	1,940,670
Louisiana	387,160	967,900	1,742,220
Maine	255,560	638,900	1,150,020
Maryland	303,800	759,500	1,367,100
Massachusetts	446,650	1,116,625	2,009,925
Michigan	567,000	1,417,500	2,551,500
Minnesota	372,130	930,325	1,674,585
Mississippi	469,500	1,173,750	2,112,750
Missouri	423,910	1,059,775	1,907,595
Montana	211,440	528,600	951,480
Nebraska	271,030	677,575	1,219,635
Nevada	143,290	358,225	644,805
New Hampshire	213,110	532,775	958,995
New Jersey	446,630	1,116,575	2,009,835
New Mexico	235,520	588,800	1,059,840
New York	1,096,190	2,740,475	4,932,855
North Carolina	507,560	1,268,900	2,284,020
North Dakota	255,410	638,525	1,149,345
Ohio	665,960	1,664,900	2,996,820
Oklahoma	342,560	856,400	1,541,520
Oregon	265,110	662,775	1,192,995
Pennsylvania	839,650	2,099,125	3,778,425
Rhode Island	217,790	544,475	980,055
South Carolina	413,770	1,034,425	1,861,965
South Dakota	258,560	646,400	1,163,520
Tennessee	448,750	1,121,875	2,019,375
Texas	687,170	1,717,925	3,092,265
Utah	236,910	592,275	1,066,095
Vermont	218,010	545,025	981,045
Virginia	414,180	1,035,450	1,863,810
Washington	310,130	775,325	1,395,585
West Virginia	347,070	867,675	1,561,815
Wisconsin	394,890	987,225	1,777,005
Wyoming	181,190	452,975	815,355
Puerto Rico	471,570	1,178,925	2,122,065
Virgin Islands	329,350	823,375	1,482,075

The President considers his appropriation request of $20 million the "maximum amount which I believe is warranted for a construction program which is and should remain primarily a State and local responsibility."

There is no doubt, Mr. Speaker, but that the construction of waste treatment facilities is and should remain primarily a State and local responsibility. No one disputes that fact. The act which authorizes these grants specifically declares it to be the policy of Congress to "recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution." The program itself is limited in character and is designed merely to aid the municipalities in carrying out their local responsibilities. The existence of Federal grants does not usurp State or local responsibility. The States, if they wish, can enact grant programs of their own to assist their communities and the local communities certainly cannot be accused of turning to Uncle Sam for a dole or handout under this program when they are matching every Federal dollar with $4.70 of their own funds.

The Federal Government, Mr. Speaker, also has responsibilities in the field of water pollution control. Just as the Federal Government assists States and communities in the construction of highways, airports, hospitals, and other public projects so must it help financially hard pressed localities in the construction of waste treatment facilities upon which depends the future quality and quantity of the Nation's usable water supply. To control pollution is to conserve water. That is the real purpose of H.R. 3610. We cannot afford further delay.

Mr. Speaker, I yield such time as he may require to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, the fact that we, the minority conferees, signed this conference report does not mean we favor this legislation. We are still opposed to it in its present form. The realities of the situation which confronted the conferees was that the House had passed a bill authorizing the spending of $100 million of Federal funds annually as grants-in-aid to municipalities for building sewage treatment plants. The Senate had passed a bill providing for $80 million a year for the same purpose. The problem of the conferees was to approve the figure of the Senate of $80 million or the House figure of $100 million, or compromise between the two cost figures. The conferees agreed on $90 million.

This was a logical solution of the problem before the conferees. Approval of this conference report will send the bill to the White House for the approval or veto of the President. If approved by the President, the bill becomes law. If vetoed the Congress then must determine whether to seek to override the veto or sustain it.

This legislation increases the spending authorization for Federal grants to municipalities for the construction of sewage treatment plants, now $50 million a year, to $90 million a year. This is a $40 million increase over the present level. Since the legislation is to remain in effect for 8 years under terms of the bill, this means a $320 million Federal increase for Federal grants-in-aid to municipalities for sewage disposal plants during the next 8 years.

It is significant that the first action this year on a major spending proposal by Congress makes so huge an increase in Federal spending. If this and other huge new and increased spending proposals now pending become law it is self-evident that the budget again can and probably will be thrown out of balance and the Nation harrassed by further inflation with devastating effect on the Nation's consumers.

Everyone is in favor of the objective of water pollution abatement. This bill, however, goes far beyond just pollution abatement. The $90 million a year or $720 million during the next 8 years in this bill is made available to every community in the Nation, towns, and villages in the middle of deserts and arid regions that are great distances from any river, stream, creek or brook—to communities not near any surface running water at all. Spending of Federal sums in such areas for sewage treatment plants will not provide water pollution abatement. Federal funds spent in such places are merely grants-in-aid for community facilities.

The first bill, of $50 million a year to municipalities for Federal grants for sewage treatment plants passed in 1956, did not inaugurate the movement for building sewage treatment plants. In the 5 years preceding 1956, and some of these were Korean war years when expenditures for construction were being curtailed, American municipalities without any grants-in-aid from the Federal Government spent an average of $222 million a year of their own money, without any Federal financial help, to construct sewage treatment plants.

A large part of the $50 million a year originally provided by the sewage treatment plant bill of 1956 therefore went to municipalities to help pay for projects these communities would have built themselves without financial help from the Federal Government.

One of the shortcomings of this legislation in our opinion is that it requires no State contribution whatever. Obtaining Federal grants for towns within its borders now costs a State nothing. Under such an arrangement the States for political reasons are certain to approve any and all requests of municipalities for Federal grants. Strict control by the States of huge Federal spending of taxpayers' money is lost and loose and extravagant spending of taxpayers' money thereby encouraged.

It is the feeling of the minority conferees that if Federal grants are to be made by the Federal Government for sewage treatment plants that States should be required to match Federal funds provided for that purpose. If the Federal Government provides 30 percent of the cost of such projects, we feel the States also should supply 30 percent of the cost, leaving the municipalities to provide only 40 percent. If the Federal Government supplies 25 percent of the cost the States should, in our opinion, supply 25 percent, leaving the municipalities the responsibility of providing 50 percent. Such a program would encourage more efficient and effective controls against loose spending of taxpayers' money.

I read recently where a Government official said Federal grants to States and municipalities now aggregate more than $7 billion a year. This figure is still increasing. Unless closely watched and reasonably checked, these Federal grants-in-aid to States and municipalities may become one of the principal contributors to habitually unbalanced budgets and a perpetual rising national debt, the two main causes of continued inflation.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks on this conference report at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DONOHUE. Mr. Speaker, I earnestly hope that this House will accept and approve this conference report without undue delay and extended debate.

The very title of the bill, the Federal Water Pollution Control Act, is indicative of its whole purpose to protect the lives and safety of American citizens and assist our various American communities in constructing the necessary sewage treatment projects. Certainly any program that has to do with the prevention of wholesale dangers to the lives of our citizens is of substantial economic worth.

The amount of money this bill would annually provide for the objectives that are outlined is within reason, and the objectives are of vital importance to the communities concerned.

Mr. DADDARIO. Mr. Chairman, when the House first considered this legislation to augment the national program to control and fight water pollution, I discussed why I believed it was good and necessary. I also outlined a specific instance in which it would aid the towns of New Britain, Berlin, Cromwell, and Middletown to support a project needed to control pollution on the Mattabesett River. Where population is growing as fast as in urban New England, these measures cross not only town lines but county lines.

I note that Connecticut would qualify for $1,114,965 in the coming year under this bill, compared to $619,425 authorized under the present law and only $247,770 recommended in the 1961 budget. Few domestic programs are as important as the fight to conserve our natural resources and protect the water supply on which human life and the economy depend. I would hope that this measure soon becomes law.

A year ago in Connecticut, a survey showed that no new treatment plans were put into effect that did not involve a Federal contribution. Preservation of our water resources and cleaning up our streams to provide adequate water for industrial expansion, the growth of the economy and the needs of an increasing population for a better supply to cope with a rising standard of living insist upon action now in this regard.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. PRESTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10234) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, to be equally divided and controlled by the gentleman from Ohio [Mr. Bow] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10234, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. PRESTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the committee has brought a bill to the floor of the House today on which we are in unanimous agreement. We have undertaken to look into the budget requests for the Department of Commerce and related agencies with a view toward trying to effect as much economy as possible and yet not impair any of the essential programs of the Government.

In approaching this matter I have had the full cooperation of the minority members of the committee as well as the majority members, and I want to express my appreciation to the members of the subcommittee who have worked faithfully and devotedly on this bill to enable us to keep the schedule to bring this bill to the floor of the House at an early date in order to facilitate an early adjournment of Congress.

May I call to your attention the net effect of the action of the committee.

There is a reduction in this bill of $39,092,765 in the President's request. There is also a reduction in the request for new positions in the Department of Commerce. The President's budget proposed 1070 additional permanent positions for the Department in the fiscal year 1961. The committee has specifically denied 809 of those requested, which allows an increase of 261 new positions over the current fiscal year.

We undertook to apply the rule, in making decisions on these requests for additional funds and new positions, of allowing only those items that are absolutely essential and to deny those that may be desirable but not completely necessary during the coming fiscal year. Some of the programs sought to be funded are desirable, but in view of our financial situation and the mounting national debt the committee concluded it was unwise to approve some of the new undertakings recommended in the budget.

We have in no place, in my opinion, done any violence to the existing programs. We have undertaken to keep most of the agencies in this bill on the present operating level during the coming year, 1961.

I shall not discuss each item in the bill. The report is available. It is a very short report and one can readily see the action of the committee. There are one or two items which I think should be brought to the attention of the House.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I gladly yield to the gentleman from New York.

Mr. KEOGH. There was called to my attention, but too late to bring it to the attention of the subcommittee before this bill was marked up, a problem which confronts the U.S. Maritime Academy at Kings Point, N.Y. Under the authority of the bill which we passed a number of years ago, the officials of the Academy have obtained from private, charitable and other sources a sufficient amount of money to erect an interdenominational chapel on the grounds of the Academy at Kings Point. The chapel, I believe, will be finished within a few months, construction having already begun. But, unfortunately, the rising cost of construction will exceed the available fund and there is no fund for the furnishings required for the use of the chapel. I wonder if your subcommittee has had that matter called to your attention and, if so, is the gentleman in a position to give me any advice as to what might be done to correct the situation?

Mr. PRESTON. It was not brought to the attention of the subcommittee. There was nothing in the justifications or in the budget request pertaining to this matter. Unfortunately, we received the letter of the gentleman from New York [Mr. KEOGH] after the committee had taken action on the bill, and we, of course, were unable to do anything about it. Now, we would like to follow the normal procedures in dealing with matters of this sort, which would be for the Bureau of the Budget to send a request to us for sufficient funds to buy the equipment for the chapel. I have every reason to believe, I may say, the committee will look with favor on providing the funds to purchase the necessary equipment, but we would certainly prefer to have a budget request for the necessary funds and have a hearing on the matter.

Mr. KEOGH. Will the gentleman yield further?

Mr. PRESTON. I yield.

Mr. KEOGH. That poses one of the difficulties that confronts us in this situation. I am informed by the interested public-minded groups who are devoting their time and attention to the maintenance and support of the Academy that in the absence of any willingness on the part of the Maritime Administration or the department to request a budget estimate, no budget estimate is ever sent up. I wonder if the gentleman from Georgia would give consideration to my offering an amendment to provide $150,000 for these furnishings.

Mr. PRESTON. Because of my great affection for the gentleman from New York, I would be prompted to answer that question in the affirmative, but in view of the long established policy of the committee, I must be reasonably consistent and insist upon a hearing on a budget request rather than coming to

the floor and arbitrarily putting $150,000 in the bill. It would be a bad precedent for the committee to adopt.

Mr. KEOGH. It is not without precedent, however; is it?

Mr. PRESTON. Oh, no, the House, of course, can work its will on these bills regardless of whether there is a budget request or not. But I think, generally speaking, we all like to follow the established budgetary procedure rather than trying to write appropriation bills on the floor of the House.

Mr. KEOGH. I am inclined to agree with the gentleman. I, too, am one who is devoted to pursuing the regular order. But, this seems to me to be a type of unusual situation that might call for unusual consideration. I trust that further thought will be given to this matter, and I appreciate the gentleman yielding to me at this time.

Mr. PRESTON. May I inquire of the gentleman from New York whether the management or the administration of the Academy has asked the Maritime Administration to request funds?

Mr. KEOGH. I do not know specifically. My guess is, however, that that has been done, but the request, apparently, got lost somewhere along the line to the Bureau of the Budget and to the gentleman's subcommittee. I will try to find out about that also.

Mr. PRESTON. I think that is a very essential fact to establish, whether or not a request has been made.

Mr. KEOGH. I would point out to the gentleman that these public subscriptions, and mind you these are contributions by civic-minded groups in and around the local community as well as from other interested groups all over the country—these subscriptions, I am told, amount to about $660,000 that have been contributed for the completion of this interdenominational chapel. They are going to be in the rather unique and embarrassing position of having the building finished, and furnishings not provided. We cannot go back to the public for further help, and it would seem to me that the least Congress could do would be to provide the furnishings needed to operate the interdenominational chapel.

Mr. PRESTON. May I suggest that the more orderly way to approach this problem would be for the gentleman to establish all the pertinent information and present it to the Senate subcommittee which will be holding hearings shortly.

Mr. KEOGH. And I assume that if the other body does give consideration to the item that you, too, will give fair and favorable consideration to it?

Mr. PRESTON. Well, we will give fair consideration to it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Iowa.

Mr. GROSS. I think the committee has done a good job on this bill.

Mr. PRESTON. I thank the gentleman.

Mr. GROSS. However, in permitting the expansion of 261 employees I wonder if the committee was not a little liberal in that respect. I know you turned them down in their request for 1,070 employees, but 261 is still a pretty good expansion.

Mr. PRESTON. Well, 181 are for the Small Business Administration and they are directed to be placed in the financial assistance field.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. PRESTON] has expired.

Mr. PRESTON. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, the Small Business Administration is having difficulty in making loans. We have been aware that there was an insufficiency of staff in the various regional offices in the financial assistance section. Those positions are modest grades and will be divided between the financial assistance offices and the loan offices and the secretarial help that is required to write these reports. We felt that this should be strengthened.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Ohio.

Mr. BOW. In order to keep the record straight, will the gentleman agree with me that our reduction of 1,070 to 261 was in the Department of Commerce, and then in the Small Business Administration where there was a request for 543 new employees, we reduced that to 181? So there is a difference between the Small Business and the regular bill for the Commerce Department. We did allow the Commerce Department 261, and then the 181 went into the Small Business Administration.

Mr. PRESTON. The gentleman is correct about that. The 181 did come from the 543 requested for the Small Business Administration.

Let me make one further comment to the gentleman from Iowa. We took a very hard look at this bill, and we have cut it right down to the bone, and we think it should not be cut any lower. We think we have done a good job, and hope that other appropriation bills that are brought to the floor too will have a comparable reduction in new jobs. If this is accomplished we will have a total reduction of over $2 billion.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. WILLIAMS. The gentleman knows I am not one to regularly suggest increases in appropriations, and I am not in this case. However, I notice the committee in this case has cut out a major portion of the request for new Aviation Weather Services. In the report the committee states:

> Due to the many aspects of the rapidly expanding aviation program that have yet to be resolved the committee has not included funds for the Aviation Weather Services at this time.

Then, further in the report the committee states:

> As the committee has not had an opportunity to consider all aspects of the entire aviation weather program, it is not in a position to recommend appropriations at this time.

I know the gentleman is aware of the great contribution these new weather services make toward safety in aviation, and I am wondering if the committee intends to imply by its language in the report that possibly a case has not been made at the moment, but that the committee intends to go into this matter and give it further study. In other words, can the gentleman tell me whether the door is completely closed in this respect?

Mr. PRESTON. The door is not completely closed, nor would I say it is even partially closed. Unfortunately, in this matter three separate agencies are involved—the Air Force, the Federal Aviation Agency, and the Weather Bureau. We on the subcommittee have no way of knowing what other committees will do with their portion of the request. It is a combined research project and it is a service that will be used by both military and civilian aircraft. Since it is involved in three bills we decided we would defer doing anything about it for the moment.

Mr. WILLIAMS. I am very happy to hear the gentleman say the committee has not closed the door, but the committee has simply deferred action until it can go into the matter more thoroughly.

Mr. PRESTON. That is true.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. PRESTON. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman is recognized.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. MONAGAN. Will the gentleman state how this bill compares with the 1960 bill with reference to administration of the highway trust fund and the highway program?

Mr. PRESTON. Yes. There is a reduction, of course, and that is brought about by virtue of the fact that the trust fund is not as well off as it was originally anticipated it would be. The appropriation for the fiscal year 1960 was $3,028 million. The allowance for 1961 is $2,687,383,000.

Mr. MONAGAN. What is the reason for that?

Mr. PRESTON. The trust fund, by virtue of the 1958 Highway Act, has been impaired, and there is less money with which to reimburse the States, and with the prohibition written into the 1960 appropriation bill that it should be on a pay-as-you-go basis, they may not pay out more than the trust fund will support, or they may not obligate more than the trust fund will support. So there had to be a readjustment of the whole program, and it has been accomplished through the device of establishing what the Bureau of Public Roads terms "reimbursement planning."

I intend to put in the RECORD at this point a portion of the testimony before the committee on this subject, giving the status of this program by States, showing how the reimbursable planning proposition is progressing, the condition of the trust fund, and the effect of the

1958 Highway Act and what effect it had on the trust fund, and so forth. In other words, there will be a complete picture of the entire highway program inserted in the RECORD at this point so that Members wishing to make inquiries concerning it may have complete information:

EXCERPT FROM HEARINGS BEFORE HOUSE SUBCOMMITTEE ON APPROPRIATIONS ON DEPARTMENT OF COMMERCE AND RELATED AGENCIES

FEDERAL-AID HIGHWAYS—OUTLINE OF PROGRESS SINCE 1956 ACT

Mr. TALLAMY. I think it might be helpful to you and the committee if I gave you a brief outline of the progress we have made since the development of the 1956 act, because that is basic to any consideration of appropriations we need to carry on our programs.

I might say that we have been able to keep pace with the program up to date with the apportionments that have been made available. At the present time we have obligated funds since July 1, 1956, for the development of the interstate highway program for actual construction, engineering, and the purchase of rights-of-way to the extent of $7 billion total cost. For the ABC program, including the special program which was advanced in 1958, a total of $6.4 billion has been obligated, for a grand total cost for construction, rights-of-way, and engineering of $13.4 billion.

The Federal funds that are involved in this amount to $6 billion for the Interstate System and $3.4 billion for the ABC, for a total of $9.4 billion. The work that has been placed under obligation in regard to this relates to 9,000 project miles for the Interstate Highway System. So you will know what the reference to project miles means; it means in some cases we advance grading and drainage and structure work and at a later date on the same project place the pavement upon it. If that were the case, then the system mileage, or the mileage you actually ride over, would be about half, but we have accomplished 9,000 project miles for the interstate program and 89,000 miles for the ABC program, for a grand total of 98,000 miles of construction of one nature or the other. In addition, there has been the purchase of rights-of-way and the development of detailed engineering plans for construction during that 3½-year period.

The work that has been completed during that period has a total value of $7.9 billion, $2.3 billion of which relates to the Interstate System and $5.6 billion to the ABC program, including the D program. The Federal funds involved are $2 billion for the Interstate System, $3 billion for the ABC program, for a total of $5 billion. The actual accomplishments in construction during that period are 5,793 miles for the Interstate System and 94,493 miles for the ABC program, for a total of just a little over 100,000 miles of highways completed in 3½ years.

It is really a terrific undertaking that has been accomplished, both in planning, the awarding of contracts and completion by the State highway departments and the Bureau in such a limited period of time. I do not believe that any peacetime construction project has equaled its magnitude. It is one that I am certain is going to redound to the great benefit of the United States, the traveling public and the economy and social progress, and I want to sincerely present that to you so that at least you will know that I feel this legislation that was passed in 1956 was a wonderful thing for the country. This is something all of us can be greatly proud of.

The 1956 act was developed in such a manner that it established the trust fund, as you know, and then stated that we had to control obligations against that trust fund in such a manner that we would not create obligations in excess of the ability of the trust fund to liquidate. In fiscal 1958 that provision would have required us to reduce the construction program from an authorized level for the Interstate System of $2.2 billion to $1.6 billion. That same year, 1958, we were confronted with what appeared possibly to be a recession. So in order to develop a program of public works which would act as a retardant force to a possible recession; and to continue the Interstate System on schedule, regardless of the fact we would otherwise have to cut it back to $1.6 billion, the 1958 act increased the authorized level for interstate work from $2.2 billion to $2.5 billion for the fiscal year 1960. It also increased the interstate authorization for the 1959 fiscal year from $2 billion to $2.2 billion. The act also increased the authorization for fiscal 1961 another $300 million, and provided a special fund of $400 million in the form of Federal aid for projects on the ABC program, and stipulated they had to be placed under contract by December 1 of 1958, about 7½ months following passage of the legislation.

In other words, because of the reasons I cited these additional authorizations were made with a still further statement in the legislation directing that these apportionments be made without regard to the provisions in the 1956 act which stated that we should not create obligations which would cause a deficit in the trust fund.

Mr. THOMAS. That only applied to the fiscal year 1961.

Mr. TALLAMY. That applied to the fiscal year 1960, 1961, and also applied to the additional $200 million which was authorized for 1959. It was excepted for just those years. That directive created a financing problem because we made the additional funds available to the States and awarded contracts. Incidentally, we were able to award the $400 million special authorization for ABC work for improvement of 12,000 miles of highway in that very limited time with work to be completed by December 1 of last year. In accordance with the act we also advanced a loan to the extent of a little over $100 million to be repaid by the States out of future authorizations. In other words, a little over $500 million of special authorizations was obligated in about 8 months' time.

That was, as I say, all accomplished, but it did create beginning last year, and continuing this year, an overdraft of the trust fund. As a result of the 1958 act the amount of money which was placed under obligation in excess of the ability of the trust fund to support was $1.6 billion. Obviously, when that $1.6 billion worth of contracts began to come to fruition and result in requests for reimbursements on the part of the States, we had to have the money to pay for it.

Last year, then, to take care of that situation, and to permit the program to go along at a substantial rate, though not the full rate, the 1959 act was passed.

The administration's request was for a cent and a half gasoline tax which would have permitted the program to go forward at the authorized level. The actual tax authorized was 1 cent additional tax to go into the trust fund for a 20-month period beginning October 1, 1959, and then starting in the fiscal year 1962, 50 percent of the existing excise tax on automobiles and five-eighths of the total amount now collected on parts and accessories was to be transferred to the trust fund.

This additional revenue to be placed in the trust fund permitted us to continue the program. If it had not been for the 1959 act we would not have been able to make any apportionment whatsoever for the Interstate System last year, the 1959 calendar year. We would have been able to make only a $500 million apportionment this year. The 1959 act has enabled us then to go ahead with a substantial program to the extent of $1.8 billion for the Interstate Highway System.

The 1959 act reduced the authorized level of the Interstate apportionment for fiscal year 1961, which had been established by the 1958 act at $2.5 billion from $2.5 billion to $2 billion, and of the $2 billion authorization we were able to apportion for the fiscal year 1961, $1.8 billion. We also established new procedures to control the rate of contracts to be awarded under this new apportionment and to some extent with prior apportionments which have not yet been obligated, to the extent of $1.8 billion for the Interstate System and $900 million for the ABC program, and do so without creating a deficit at the end of the year in the trust fund.

REIMBURSEMENT PLANNING

In order to accomplish this, we developed a procedure which we call reimbursement planning, and you gentlemen will hear a great deal of that, no doubt, during the course of the year. That is why I am leading up to it, because it is a very important phase of our operation.

Mr. PRESTON. Reimbursement planning?

Mr. TALLAMY. Yes, sir; reimbursement planning.

Mr. PRESTON. And this is something new that you have inaugurated?

Mr. TALLAMY. Yes, sir.

Mr. PRESTON. It has not been put into effect yet?

Mr. TALLAMY. It was put into effect just a few months ago, and the necessity for it is that the 1959 act requires us to again live within the revenues of the trust fund; and in order for us to be sure we can live within the revenues of the trust fund, we obviously have to make sure that the obligations we create will not result in expenditures next year, or in the following years, in an amount that the trust fund cannot meet. In doing that we have to take into consideration the obligations made last year and the year before, because now they are coming due. To accomplish this we developed reimbursement planning, meaning we are establishing a rate at which a State may proceed with construction and be sure of our reimbursing them when they submit their bills for reimbursement. The total amount of work we can do under the plan for this year is $1.8 billion for the Interstate System and $900 million for the ABC program.

The progress of the States in utilizing their funds has not been uniform, and there are some States which did not keep pace with their construction rate with the funds that they had available. Therefore, all of the States, but some to a greater extent than others, now have money which was formerly apportioned to them which has not yet been obligated.

Mr. PRESTON. Under Interstate or ABC?

Mr. TALLAMY. Both. They cannot now obligate that money under reimbursement planning because it would exceed the $1.8 billion of contracts we can make this year for the Interstate System and the $900 million we can make for ABC.

Mr. PRESTON. You are getting into something now that is going to cause us a lot of concern.

Mr. TALLAMY. That is right, and that is why I am emphasizing it.

Mr. PRESTON. And we are going to be asked questions about it. Will you furnish us a list of those States?

Mr. TALLAMY. I will be glad to.

Mr. PRESTON. Put the tabulation in the record at this point showing the States that fell behind in obligating money that you had allocated them.

Mr. TALLAMY. Yes.

(The requested tabulation follows:)

Federal-aid highway funds available and reimbursable obligations for fiscal year 1960

[Millions of dollars]

State	Available for obligation June 30, 1959 ($2,771.7)	Apportionment for fiscal year 1961 ($2,725.0)	Total available ($5,496.7)	Reimbursable obligations fiscal year 1960 ($2,700.0)
Alabama	68.5	51.9	120.4	52.2
Alaska	18.3	36.8	55.1	36.0
Arizona	36.0	35.0	71.0	34.7
Arkansas	55.0	29.7	84.7	30.0
California	138.1	227.7	365.8	227.0
Colorado	36.5	27.3	63.8	27.5
Connecticut	29.8	29.7	59.5	29.8
Delaware	26.5	9.9	36.4	10.6
Florida	27.5	60.0	87.5	60.1
Georgia	94.1	62.2	156.3	62.5
Hawaii	5.4	3.9	9.3	4.1
Idaho	44.1	20.3	64.4	20.3
Illinois	91.7	128.9	220.6	129.3
Indiana	114.1	71.6	185.7	72.0
Iowa	19.5	34.6	54.1	35.2
Kansas	44.6	32.6	77.2	33.2
Kentucky	45.5	46.1	91.6	46.4
Louisiana	40.6	60.1	100.7	60.1
Maine	24.1	15.2	39.3	15.4
Maryland	66.8	49.3	116.1	49.3
Massachusetts	48.2	65.3	113.5	65.5
Michigan	85.8	100.6	186.4	99.1
Minnesota	52.9	54.9	107.8	54.1
Mississippi	47.6	33.6	81.2	33.0
Missouri	60.9	73.5	134.4	74.0
Montana	71.2	33.0	104.2	33.2
Nebraska	56.5	24.3	80.8	29.2
Nevada	33.6	17.1	50.7	16.9
New Hampshire	10.3	13.9	24.2	13.7
New Jersey	106.4	74.0	180.4	74.0
New Mexico	21.4	32.6	54.0	32.6
New York	96.7	142.0	238.7	143.4
North Carolina	80.0	29.7	109.7	40.1
North Dakota	20.8	16.9	37.7	17.2
Ohio	30.8	149.6	180.4	149.7
Oklahoma	39.9	32.0	71.9	32.6
Oregon	25.0	43.3	68.3	43.2
Pennsylvania	175.5	113.5	289.0	114.5
Rhode Island	17.7	13.0	30.7	13.2
South Carolina	25.2	26.3	51.5	25.8
South Dakota	45.5	17.4	62.9	23.2
Tennessee	76.3	70.1	146.4	70.3
Texas	115.6	129.6	245.2	131.0
Utah	23.2	25.3	48.5	24.9
Vermont	24.6	20.3	44.9	20.3
Virginia	124.4	91.5	215.9	91.4
Washington	35.3	45.9	81.2	45.9
West Virginia	46.0	31.3	77.3	31.5
Wisconsin	66.4	37.7	104.1	38.3
Wyoming	26.1	26.7	52.8	26.6
District of Columbia	43.8	22.7	66.5	22.7
Puerto Rico	11.4	6.0	17.4	6.2

Mr. PRESTON. And you will not be able to obligate that money; is that right?

Mr. TALLAMY. We will make available to them countrywide this year $1.8 billion for the Interstate System. Countrywide there was unobligated $2 billion of prior apportionments for the Interstate System.

Mr. PRESTON. That States had fallen behind on?

Mr. TALLAMY. $2 billion. They had not used it. I do not want placed in the record "falling behind."

Mr. PRESTON. They had not obligated it. I used the wrong term.

Mr. TALLAMY. They had not obligated it. They cannot obligate that $2 billion, plus the $1.8 billion this year if they want to be certain of being reimbursed at the time they submit their vouchers to us. We do however have a provision in this reimbursement planning schedule which provides that a State may proceed with contracts against that $2 billion of unobligated funds provided they enter into an understanding with us that they will not expect reimbursement as a result of such obligations until there is money enough in the trust fund to meet it. So if they wish to gamble on the future condition of the trust fund, they can, of course, enter into such contracts.

All our reimbursement planning really does is to show the States that the condition of the trust fund is such it will not support more than $1.8 billion this year for the Interstate System. If they want to go beyond that and take a gamble on what the trust fund will be 2 years from now in excess of what we presently estimate it to be, they can do so.

Mr. PRESTON. Is this a device to enable you to say that the program is current?

Mr. TALLAMY. No, sir.

Mr. PRESTON. It seems to me there is some inequity in saying to State X who failed to obligate all their money—we must leave you now, forget you, we are going to keep this thing current on a $1.8 billion basis and we will come back to you in later years if we can.

Mr. TALLAMY. No, sir. Actually, what this reimbursement planning does is to hold every State in its present position until 1961, or until other actions of the Congress may take place which will change the revenue in the trust fund. It holds the status quo at the present time. But it does not place any State in jeopardy of losing any money that has been apportioned to the State.

Mr. PRESTON. It defers it?

Mr. TALLAMY. It just defers the actual construction obligation against that apportionment. It does not place in jeopardy any funds that have been apportioned to any State.

Mr. PRESTON. That is important.

Mr. TALLAMY. Yes. I am glad that you brought the point out because that is definite. It does not do that.

Mr. PRESTON. Have these funds that we are speaking of now been used in some other State?

Mr. TALLAMY. Some States have practically fully used everything that has been apportioned to them for the interstate program. If it were not for reimbursement planning then those States would have a zero program this year.

DEFICIT IN THE TRUST FUND

Mr. PRESTON. The thing that concerns Mr. Bow and myself is this: Is this condition brought about whereby you are putting reimbursement planning into effect because of the deficit in the trust fund?

Mr. TALLAMY. Because there would be a deficit in the trust fund if we did not do it.

Mr. PRESTON. If everybody had to be reimbursed at once, based on past allocations, there would be a greater deficit than we have now?

Mr. TALLAMY. I will show you later there will be no deficit at the end of this year in the trust fund, but if we did not have reimbursement planning there certainly would be a deficit in the trust fund.

Mr. PRESTON. There would be a deficit if this program is not put into effect?

Mr. TALLAMY. That is right.

Mr. PRESTON. This situation was brought about by the lack of revenue, was it?

Mr. TALLAMY. Yes.

Mr. PRESTON. Was it because receipts did not meet expectations?

Mr. TALLAMY. No, sir.

Mr. PRESTON. Or was it because excess allocations were made beyond what the trust fund would accommodate?

Mr. TALLAMY. That is right; that is it. That was done because of the 1958 act. The 1958 act directed us to apportion $1.6 billion more than the trust fund would support. And then last year the increased revenues provided for the trust fund were not enough to equal the obligations that were made as a result of the 1958 act. They partially overcame them but not wholly.

Mr. PRESTON. The 1-cent gasoline tax and so forth?

Mr. TALLAMY. That is right.

ASSUMPTION OF PRIOR LIABILITY BY TRUST FUND

Mr. PRESTON. Would you, for my benefit—and so that others may understand—tell me if I am correct on this. When the trust fund was created originally, I am told, there were some funds converted into the general funds of the Treasury by the executive branch of the Government.

Mr. TALLAMY. I am not quite sure that I understand you.

Mr. JAMES ALLEN. Perhaps I do. When the trust fund was created on July 1, 1956, it assumed all the existing unpaid-for prior year allocations.

Mr. PRESTON. That was about $2 billion.

Mr. JAMES ALLEN. That was close to $2 billion.

Mr. PRESTON. So the trust fund started off with a liability of about $2 billion, did it not?

Mr. JAMES ALLEN. That is correct.

Mr. PRESTON. Would we have gotten into the trouble over the 1958 act had it not been for the liability the trust fund started with? It would not have been necessary to have had the 1959 act?

Mr. TALLAMY. It would not have been necessary to have had it to make up the deficit resulting from the provisions of the 1958 act.

Mr. PRESTON. Our troubles stem originally from assuming the obligations of the Government prior to the creation of the trust fund; is that true?

Mr. TALLAMY. If we assumed $2 billion in the 1956 act which was not contemplated by that, that would be true. I think, however, this liability was recognized when the 1956 act was under consideration.

Mr. JAMES ALLEN. Of course, Mr. Chairman, there was also some revenue from the 2-cent gasoline tax and other revenues going into the general fund and transferred to the trust fund when the trust fund assumed these liabilities, for example, some revenue was taken from the general fund and given to the trust fund at the same time the trust fund assumed the new liabilities.

Mr. PRESTON. How much?

Mr. JAMES ALLEN. The gasoline tax—I do not have the dollar figure.

Mr. PRESTON. The dollar figure is a figure that should be available. I have heard this thing talked about in so many quarters, and the reason we are in trouble with the trust fund.

Mr. JAMES ALLEN. I do not have the dollar amount.

Mr. PRESTON. Obviously we started out with $2 billion of debt that the Government owed for reimbursement to States under the regular highway program, less the income from the taxes that you referred to. During that period of time that we were not paying anything out on the interstate program while it was getting organized and there was a definite liability this fund had to carry.

Mr. JAMES ALLEN. That is true, sir.

REVENUES AVAILABLE FOR HIGHWAYS, FISCAL YEAR 1957

Mr. PRESTON. Could you give us the figure reasonably soon on how much income from taxes should be credited against the $2 billion liability that the trust fund started out with?

Mr. JAMES ALLEN. Yes. I will develop it for you.

Mr. PRESTON. It is in the neighborhood of $900 million.

Mr. JAMES ALLEN. The gasoline tax is a little less than $900 million, and the others would not be too much. You are not too far off.

(The requested information follows:)

HIGHWAY TRUST FUND

Net revenues available for highways, fiscal year 1957

	Taxes prior to 1956 act	Increases provided by 1956 act	Total	Estimated distribution of fiscal year 1957 revenues derived from taxes		
				Prior to 1956 act	1956 act	Total
Gasoline	2 cents	1 cent	3 cents	861	434	1,295
Special fuels	do	do	do	22	9	31
Trucks, buses, and trailers.[1]	8 percent of manufacturers sales price.	2 percent	10 percent		34	34
Tires [2]	5 cents per pound	3 cents per pound	8 cents per pound		82	82
Tubes [2]	9 cents per pound		9 cents per pound			
Tread rubber		3 cents per pound	3 cents per pound		11	11
Motor vehicle use tax		$1.50 per 1,000 pounds over 26,000 pounds annual tax.	$1.50 per 1,000 pounds over 26,000 pounds annual tax.		26	26
Subtotal				883	596	1,479
Interest						3
Total revenues						1,482

[1] 20 percent of tax collected deposited in highway trust fund during fiscal year 1957, and 50 percent thereafter.
[2] Only 0.03 per pound for highway tires was deposited in highway trust fund in fiscal 1957. After June 30, 1957, all tire tax was deposited in trust fund.
[3] Revenue not deposited in highway trust fund until July 1, 1957.

REIMBURSEMENT PLANNING

Mr. PRESTON. Now back to reimbursement planning.

Mr. TALLAMY. Reimbursement planning will guarantee the States that there will be money in the trust fund to meet the obligations that they make under the schedule for reimbursement planning.

Mr. PRESTON. Have you established that schedule for all States?

Mr. TALLAMY. Yes, sir; for all States. All States know about it, and this was done in cooperation with the States. We have a table that shows the amount for each State.

(Discussion off the record.)

Mr. TALLAMY. It is important that I might point out that in regard to reimbursement planning a State may use the funds available to it under the reimbursement planning proposal in either the ABC or the interstate program. We are concerned with the total obligation. If a State is, for example, desirous of proceeding with the ABC program at a rate faster than the scheduled amount for reimbursement planning this year would indicate, they can do so provided the total for the ABC program and the interstate program does not exceed the total available to the State because we are planning merely the expenditure of funds from the trust fund and we do not care whether we are spending it for the Interstate System or for the ABC program, so long as we do not create a deficit. If a State has a backlog of unobligated apportioned funds and they wish to proceed faster with urban work, or faster on ABC work of any character, or on Interstate System work, they can do so and use up that backlog just so long as they do not exceed the total amount for both the ABC and interstate.

Again, I wish to emphasize that the States can utilize all of their unobligated apportioned funds if they will recognize they do so at a risk that the trust fund will not be increased so as to be able to pay them back promptly.

FUNDS AVAILABLE FOR OBLIGATION UNDER REIMBURSEMENT PLANNING

Mr. PRESTON. Let us put in the record at this point this chart so we will know just what the situation is. I submit for the record table 2, schedule of reimbursement obligations, fiscal year 1960. This chart represents the funds that the States may obligate under the reimbursement planning program that you have recently inaugurated in order to prevent a deficit in the trust fund.

TABLE 2.—*Schedule of reimbursable obligations, fiscal year 1960*

[Thousands of dollars]

State	Distribution of ABC funds ($900,000)	Distribution of interstate funds ($1,800,000)	Total ($2,700,000)
Alabama	17,479	34,742	52,221
Alaska	35,961		35,961
Arizona	10,659	24,065	34,724
Arkansas	12,553	17,494	30,047
California	47,035	179,030	226,965
Colorado	13,865	13,654	27,519
Connecticut	8,302	21,493	29,795
Delaware	3,801	6,772	10,573
Florida	14,428	45,648	60,076
Georgia	20,015	42,512	62,527
Hawaii	4,095		4,095
Idaho	8,155	12,156	20,311
Illinois	38,906	90,343	129,249
Indiana	21,143	50,809	71,952
Iowa	18,463	16,719	35,182
Kansas	17,445	15,768	33,213
Kentucky	15,424	30,972	46,396
Louisiana	13,614	46,528	60,142
Maine	6,313	9,056	15,369
Maryland	9,614	39,692	49,306
Massachusetts	16,411	49,065	65,476
Michigan	29,843	69,238	99,081
Minnesota	20,883	33,209	54,092
Mississippi	13,609	19,344	33,043
Missouri	23,686	50,263	73,949
Montana	13,161	20,031	33,192
Nebraska	13,901	15,324	29,225
Nevada	7,721	9,214	16,935
New Hampshire	4,005	9,690	13,695
New Jersey	17,021	57,011	74,032
New Mexico	11,497	21,106	32,603
New York	56,175	87,260	143,435
North Carolina	20,894	19,158	40,052
North Dakota	9,418	7,804	17,222
Ohio	34,954	114,761	149,715
Oklahoma	16,568	16,014	32,582
Oregon	12,648	30,531	43,179
Pennsylvania	42,604	71,845	114,449
Rhode Island	4,943	8,210	13,153
South Carolina	11,259	14,517	25,776
South Dakota	10,125	13,076	23,201
Tennessee	18,043	52,254	70,297
Texas	51,400	79,597	130,997
Utah	8,413	16,473	24,886
Vermont	3,690	16,613	20,303
Virginia	16,742	74,645	91,387
Washington	14,043	31,905	45,948
West Virginia	9,460	22,074	31,534
Wisconsin	19,764	18,551	38,315
Wyoming	8,333	18,305	26,638
District of Columbia	5,277	17,459	22,736
Puerto Rico	6,249		6,249

Mr. TALLAMY. I might also point out if a State does desire to go ahead at a rate faster than we can assure them of prompt reimbursement, according to the present revenues which are going into the trust fund, we anticipate that by fiscal 1963 those States could be paid without additional revenue into the trust fund. They would have to wait about 3 years for reimbursement.

I might also include in the record for you the rate at which they have created obligations in the past so that a comparison can be made between those rates and what they can do under reimbursement planning. The obligation in 1957 was $2.2 billion. In fiscal 1958 it was $2.7 billion. In fiscal 1959 it was $3.2 billion. In fiscal 1960 it will be $2.7 billion. You see, while it goes down from what it was in 1959, which was the year we had the apparent recession forming, it is equivalent to the rate at which we incurred obligations in 1958. It is not a great, drastic change nationwide.

REPAYABLE ADVANCE

One other factor which is particularly important to you, I am sure, is that while I said a bit ago we would not have a deficit at the end of this fiscal year, at least we do not anticipate it, there is a deficit during this fiscal year. That has been accommodated by a temporary advance or loan from the general fund to the trust fund of $359 million. It was made available in the Mutual Security Appropriation Act of the last session of Congress.

The intent, as we understand the act, was that the advance of $359 million would be made this year with the understanding that it would be paid back by the end of this fiscal year with interest which amounts to about $6 million, and without default of existing obligations with the States.

The reason that during the course of a fiscal year a deficit can be created and still not have one at the end of the year is that during the first half of the fiscal year we have very heavy payments to the States as a result of the work they have done all summer. These payments exceed the rate at which the revenue is coming in to the trust fund, so there is a deficit created. During the remainder of the winter and early spring the contract rate of expenditure decreases and the revenue in the trust fund is still maintained, so that we build up a surplus of revenue versus expenditure and that will be used to pay back the $359 million.

STATUS OF HIGHWAY TRUST FUND

Mr. PRESTON. May we insert in the record at this point a chart showing the status of the trust fund, since you are speaking of it at the moment.

(The chart referred to is placed at the top of p. 2344.)

CHANGING RATE OF ENTERING OBLIGATIONS

Mr. TALLAMY. In order to be sure or at least do everything we can to be sure that there will be no deficit at the end of this fiscal year and to have a reasonable reimbursement planning schedule next year, we have an unequal rate during the course of the year of entering into contracts. By illustration, suppose it were physically possible to place all of the $1,800 million for Interstate System under contract the first couple of months of a fiscal year. That would mean during the latter part of the same fiscal year many of these contracts would be at the stage where the States would be paying contractors for the work that year rather than in the next fiscal year which would be the case if the contracts were spread out over the year. This reimbursement planning schedule proposes and includes a changing rate of entering obligations during a fiscal year.

For the first 6 months of this fiscal year, the rate at which the States could enter into

TABLE 3.—*Status of highway trust fund, fiscal years 1957–61*

[Millions of dollars]

Period	Revenues			Expenditures	Trust fund balance end of period
	Tax revenues	General fund advances	Total		
Fiscal year:					
1957	1,482	----------	1,482	966	516
1958	2,044	----------	2,044	1,511	1,049
1959	2,088	----------	2,088	2,613	524
1960:					
July–December	1,210	359	1,569	2,003	90
January–June [1]	1,303	−359	944	1,025	9
Total [1]	2,513	----------	2,513	3,028	9
Fiscal year 1961:					
July–December [1]	1,486	200	1,686	1,681	14
January–June [1]	1,388	−200	1,138	1,047	105
Total [1]	2,824	----------	2,824	2,728	105

[1] Estimated.

obligation was $900 million for the Interstate System and the ABC. The third quarter of this fiscal year it is $900 million. In the fourth quarter it will be $900 million, making our total of $2.7 billion for the year.

The contracts entered into in the third quarter of the year will result in very little payment of funds from the trust fund this fiscal year, and those in the last quarter practically none. So as a result of that we will be able, we believe, to repay the general fund the $359 million and we will have a surplus at the end of the year of $9 million.

Next year, fiscal year 1961, we will be able to apportion, with existing revenues, $2 billion for Interstate and the full amount authorized for ABC, which is $874 million. I would like to explain that figure.

The $874 million is the authorized $925 million for the ABC program, less $51 million, which is half of the loan which we made under the "D" program. This repayment has to come out of the $925 million. In other words in fiscal 1961 we will be able to apportion all new available funds for the ABC program and $2 billion for the Interstate System compared to fiscal year authorization for the Interstate System of $2.2 billion.

We will have to continue reimbursement planning next year again in order not to create a deficit. It is expected that even with reimbursement planning we will require an advance from the general fund of $200 million during the course of the year, which will be repaid with interest during the fiscal year, the same as we anticipate for this year. The interest is estimated to be $3 million. The loan would begin in July, starting with about $25 million and advance during the next 6 months to about $200 million.

I might end our discussion of the program itself by saying that we are on schedule with all funds that are available on a national basis. Some States are below, others are ahead, but the average for the Nation has placed us on schedule with the available funds.

Mr. MONAGAN. I thank the gentleman. I think that would be very helpful.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Arkansas.

Mr. MILLS. Does this material also include the actual amounts which will be spent from the Highway Trust Fund within the States, and not just the new contractual authority, but the actual amount of dollars that will be available to spend for these various programs within the States?

Mr. PRESTON. It will show for each State the amount of money it may expect reimbursement for.

Mr. MILLS. Within fiscal year 1961.

Mr. PRESTON. The charts deal with fiscal year 1960.

Mr. MILLS. Does the gentleman have that information for 1961?

Mr. PRESTON. The tables I have do not carry out 1961 because we cannot actually establish what it will be at this point.

Mr. MILLS. They have an estimate, do they not?

Mr. PRESTON. They have an estimate, yes, but this is an accurate, definite amount that each State can expect to receive in dollars for work done for which reimbursement is needed during the fiscal year 1960.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Referring to the earlier colloquy on reduction in funds for Aviation Weather Services, I recently introduced legislation which required the airlines to post a map at all ticket offices to advise passengers of what weather conditions they are going to encounter during the duration of their flight. Since I introduced this legislation I have been told by airline dispatchers that because of the shortage of facilities and information, they are in some instances now sending commercial airliners out on flights without any advance information as to what weather conditions are going to be encountered during flight. How is this reduction going to help in that situation?

Mr. PRESTON. In the first place, it is unthinkable to me that any aircraft would take off without weather briefing in advance. I cannot picture any pilot taking an airplane off the ground without this information.

Mr. PUCINSKI. I agree with the gentleman.

Mr. PRESTON. In my opinion, it is a violation of regulations, and the pilot could have his license lifted immediately. I do not know where the gentleman got his information, but it sounds improbable to me.

Mr. PUCINSKI. I had a delegation of dispatchers visit me after I introduced this legislation, and they told me that in some instances information on weather is so skimpy or scant that they are actually letting airplanes go out where the pilot does not have a complete picture of the weather conditions he is going to encounter during the duration of his flight.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BOW. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this bill comes to the floor of the House today with the unanimous approval of the entire subcommittee, both majority and minority members. We believe it is a good bill. It reduces the overall by some $39 million or about 5 percent. This is one 5-percenter club I am willing to join when we can reduce budgets by 5 percent. If all other subcommittees do as well, we will save another $4 billion approximately below the budget, which will go into surplus, and that will be of benefit to this great country of ours.

There is one thing I should like to call attention to, which may take me somewhat out of character. I refer to the fact that in the maritime section of the bill we are going further behind in our contractual obligations each year due to the fact the budget has not requested the full amount necessary for us to comply with our contracts. It seems to me that so long as we have actual contracts under which this country is obligated for ship construction, we should follow them and go ahead and build the ships or we should have Congress repeal the authorization so that we will not have the obligation. But when the country is obligated, when we have a contractual obligation with other people, we should fulfill that obligation rather than defer it year in and year out until some day we will find ourselves with a terrific amount which we will have to appropriate. I think it is better to do this on a leveling-out basis than on a crash program later on. I call that to the attention of the House because we are going to have to meet these obligations or else we are going to be faced with a crash program sometime later on.

Referring to the National Bureau of Standards, it will be noticed that we have here a beginning of the new Bureau of Standards in the Gaithersburg area. This move is necessary to keep up with our scientific development in the country.

RELOCATION OF THE NATIONAL BUREAU OF STANDARDS AT GAITHERSBURG, MD.

General background: The proposal to relocate the National Bureau of Standards was first presented to the Committee on Appropriations in 1956 in connection with consideration of the budget requests for fiscal year 1957. At that time the Congress appropriated $930,000 to permit the acquisition of a new site for the Bureau and to finance preliminary planning for the new facilities. Officials of the National Bureau of Standards and the Department of Commerce subsequently discussed their plans with the committee in 1957 and in 1958, at which time $3 million was appropriated in the supplemental appropriation bill for 1959 to finance the costs of de-

tailed architectural plans for the new facilities. The committee has again reviewed these plans with these officials in connection with the recent hearings on the 1961 appropriation bill.

These discussions have brought out several factors that are particularly pertinent to the Bureau's planning of its new facilities:

First. The Bureau's present facilities are outmoded and inadequate for the modern research programs that the Bureau undertakes in support of our military and industrial technology.

Second. The Bureau needs a rural location so that its important precision measurements will not be affected by urban activities and so that it may undertake modern scientific programs without the restrictions of the present urban residential neighborhood.

Third. The Bureau must be readily accessible to the scientific community that it serves and to the important national programs that look to it for assistance in measurement technology and basic research.

Fourth. The Bureau must take care to preserve its most important asset—its highly skilled scientists and engineers.

Location near Washington: The National Bureau of Standards is in many respects a technical service agency to the rest of Government as shown by the fact that approximately half of its funds come to it as transfers from other Government agencies. Because of the intimate relationship of the Bureau's program to that of the other major scientific and technical agencies of the Government a location remote from the seat of Government would present numerous operating difficulties.

The most critical reason for retaining a location near Washington involves the need for continuity in the Bureau's specialized staff. A location which would cause a majority of senior staff members to change places of residence would very probably result in numerous resignations and irreparable loss of experienced and skilled personnel. This judgment is partially based on experience early in the 1950's in moving the Bureau's radio laboratories to Boulder, Colo. More than half of the top staff was lost during this move.

The Bureau's senior staff members are under more or less continual pressure to accept more lucrative positions in industrial laboratories and a major disruption to their home life would reduce the opportunity to withstand the pressures to accept other positions. A major factor in the selection of the present site was to secure a location which would be reasonably accessible by car to the present homes of a majority of senior staff members. Most of these now live in Montgomery County where the new laboratories will be located.

Taking these factors into consideration, the Bureau believes that it can best hope to serve the future needs of the Nation's scientific community and of the industrial, military, and space technology through the establishment of modern research facilities at a rural location outside the Washington suburbs but readily accessible from Washington by interstate Route 70. This site is not so far removed from the present homes of the Bureau's staff as to result in large-scale personnel upheaval. At the same time it meets a primary requirement that it be near enough to a center of research activity to facilitate the Bureau's efforts to attract and retain skilled scientists.

Although dispersal from a primary target area was not a basic consideration in the selection of the new site, the 20-mile distance from the center of Washington does provide some safety from missile warfare. Bureau officials believe that a more isolated location, in addition to causing serious disruption at the time of the move, would seriously interfere with the Bureau's performance of its important mission.

Reactor location at Gaithersburg: The primary consideration concerning the location of the proposed nuclear research reactor for the National Bureau of Standards is that it must be near the other laboratories of the Bureau in order to provide maximum benefit to the Bureau's research programs. At the present stage of planning, the location of the reactor on the Bureau's new site near Gaithersburg, Md., appears to be quite appropriate and safe.

Before the construction of the reactor can begin, it will have to be licensed by the Atomic Energy Commission in accordance with responsibility assigned to the Commission by the Congress. Although a license has not yet been requested, the NBS plans have been discussed with AEC officials and a tentative location on the Bureau's new site has been selected on the basis of AEC recommendations. During the preliminary discussions with the Commission no obstacles were encountered which from a safety point of view would preclude the location of the NBS reactor at the Gaithersburg site. In addition to reviewing and approving the location of the reactor, the AEC will also require that adequate safety measures be taken in the design, construction and operation of the reactor.

Safety criteria for the selection of reactor sites have not been specifically defined, but the Atomic Energy Commission has invited comment on certain safety factors that might be the basis for site selection criteria—see Federal Register, volume 24, No. 101, pages 4184 to 4185, May 23, 1959.

Among other factors, these tentative criteria indicate that a reactor should be several miles distant from the nearest city and that large reactors—200 megawatts and up—should be 10 to 20 miles from large cities.

The NBS reactor, with a power level of 10 to 20 megawatts, will be located several miles from Rockville and Gaithersburg, Md., and about 20 miles from the center of Washington. This provides a significantly larger safety factor than is proposed in the tentative criteria and larger than found in many existing reactor installations, such as: The 10-megawatt reactor at Fort Belvoir, Va., is about 15 miles from the center of Washington; the 1-megawatt reactor at Massachusetts Institute of Technology is located in Cambridge, Mass., within metropolitan Boston; and a 500-megawatt reactor is under construction at Indian Point, N.Y., about 24 miles north of New York City.

In addition, the location of the NBS reactor in Gaithersburg, Montgomery County, Md., is being indorsed by other agencies in the county such as the National Institutes of Health and the Naval Ordnance Laboratory because of the opportunity they will have to share the important research facility.

Going to the matter of the Weather Bureau and the question of aviation weather forecasting, I join completely with the chairman of the committee in that matter. The fact that the money is not in this bill is not because the subcommittee does not recognize the importance of adequate weather forecasting, but inasmuch as a portion is in another bill, this committee was not in position to do very much about it until the other hearings come along. It is unfortunate, in my opinion, that the FAA bill is separated from this bill where the entire picture could be determined.

In the past this bill carried the CAA, which is now the FAA. But, I assure the committee that this committee certainly is interested, and the proof of the pudding is the fact that in the past this committee, when it handled the CAA bill, always made an effort to see that adequate funds were provided for new equipment and the manning of the new equipment after it was once in being.

I am very much interested in the development of the new WSR–57 radar which promises to improve weather forecasting beyond anything we have had heretofore. I am only sorry that one of these installations is not now in use nor presently contemplated for installation in my own section of the country.

The Weather Bureau's maps indicate that most of the Nation will have rather complete coverage, but not so the northeastern corner of Ohio or western Pennsylvania.

I intend to follow this matter through and find out why this small but heavily populated area of the Nation is being neglected. Some areas will have duplication or overlapping service, while in northeast Ohio we are without service.

In my own district last year flood damage exceeded $22 million, and in just one area of western Pennsylvania the January 1959 floods caused more than $27 million damage. This damage might have been appreciably less had we had the earlier warning made possible by the new weather.

Medium-range radar at Cleveland, Columbus, Pittsburgh, and Canton have limited forecasting possibilities when compared with the new WSR–57.

What I say today should not be considered as criticism of the present Weather Bureau forecasters in our area. They do an excellent job with the equipment they have. I want them to have better tools to do a better job. For example, the present equipment has an effective practical range of only about 100 miles, while the new WSR–57 is effective for 250 miles and scans 250,000

square miles in each full revolution. It can be set to make from 2 to 4½ revolutions per minute.

Accurate measurement of precipitation in storms many miles away is an important assistance to weather forecasting. The composite picture of a 250,000-square-mile area that we will get from a WSR–57 may permit storm and flood warnings as much as 3 to 4 hours earlier.

Mr. Chairman, as I say, this bill has the unanimous approval of both sides of the aisle. We appreciate very much the courtesies that have been extended to us by the chairman of the committee. It has been an interesting hearing. The minority and the majority have worked together to try to bring forth an adequate bill for this department.

Mr. PRESTON. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, I want to join in complimenting the committee on the fine job they have done in this field, but I did want to call attention to one matter which I think is regrettable. In the budget for the Bureau of Foreign Commerce I understand that the request for the 94 new positions has been reduced. I would like to call the attention of the Committee that since 1947 the appropriation for this Bureau has been reduced from 438 to 200 positions; and that today, because of the marked decline of U.S. exports, this Bureau should be given some consideration, and I hope that at some future time the Committee will consider some additional services, at a time and during a period when I believe those services are needed most.

Mr. BOW. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, on this question of the Bureau of Foreign Commerce, I am sure, Mr. Chairman, that this Committee is very much interested in the development of foreign trade, that is, trade from the United States to where foreign nations purchase from us. But, during the period of time the gentleman has referred to, there has been a change. We have lost the balance of trade in certain areas. We have found that this Bureau at times has been more interested in the development of markets in this country for foreign manufacturers than it has been for the development of markets abroad for the products manufactured in the United States. We feel that it is most important that this development be for markets abroad of American products, so that we do not continually export American jobs to foreign countries for the purpose of flooding our markets with this type of material. Now, I may say that the Assistant Secretary in charge of this particular Bureau spent 136 days last year traveling abroad, away from his office in Washington. Whether he was attempting to get these markets for us or not I do not know; perhaps he was. But, all the 136 days that he was traveling abroad we were still losing our balance of trade. Now, it seems to me that we have given them exactly what they had in 1960. Some of the travel expense could be used at home, but I do not believe, Mr. Chairman, that the Committee will go along unless an effort is being made to provide markets for American goods abroad, and when there is some protection for American industry. Then, perhaps, we can go along, but at the time there was nothing in the evidence before us that this was anything but an increase in the Department to carry on in the same manner in which they have been operating in the past.

Mr. MACHROWICZ. As a matter of fact, this increase that was requested was for 94 new positions of which 89 were to be fact-gathering and information-disseminating within the Bureau. That is the very information the gentleman would like to have.

Mr. BOW. That is correct; but what kind of facts? Look at the record. If the gentleman will take the time that this subcommittee has taken to look at the facts he will see the kind of material that has been gotten together and I think the gentleman then will agree that in this instance we are right, that the material that was gotten together was not in the interest of American industry but in the interest of industries abroad who are trying to find markets in this country. I think it is time we began to defend and to protect the American market and to see if we cannot find sources abroad for our products.

I will say to the gentleman that very shortly there will be a bill from the State Department with reference to this same type of activity under an Assistant Secretary by the name of Adair in the office of Under Secretary Dillon which has been set up to do exactly the same thing. We have this kind of duplication, but what we ought to have now is results and once they bring in results this Committee will go along and give them whatever is necessary to build up the economy of the United States.

Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask a question or two concerning operating differentials subsidies and the $150 million appropriation for the Maritime Commission for that purpose. My question is why 2,400 voyages were authorized when the budget called for 2,190 voyages? There is a great deal of money involved, I may say, in a difference of 210 voyages.

Mr. PRESTON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I am happy to yield to my friend from Georgia.

Mr. PRESTON. We raised the figure to 2,400, because that is the number that will be used in the current fiscal year.

Mr. GROSS. According to the testimony of Mr. Morse, if I recall it correctly, he did not anticipate using that many. He said, I believe, they could use that many.

Mr. PRESTON. They have a case pending right now for determination involving one of the largest steamship companies in the Nation having operating differential subsidy contracts during this fiscal year. When the year closes they will be up to approximately 2,400 voyages. I might point out also that this voyage number is an arbitrary number selected by the Bureau of the Budget. First of all the Maritime Administration asked for 2,720. The request of the Department of Commerce was for 2,400, and the Bureau of the Budget cut it back to 2,190. We put it back to the Department of Commerce level, because they knew that they were going to use 2,400 voyages during 1960.

Mr. GROSS. On what basis is it anticipated? Is it anticipated that they will use 2,400 voyages in view of the decline in exports?

Mr. PRESTON. I do not think there is any doubt about it, that they will use 2,400 voyages. As a matter of fact, the Maritime Administration thought that they could and should use 2,700. We did not think so.

Mr. GROSS. How many voyages did they use last year?

Mr. PRESTON. Is the gentleman talking about the fiscal year 1959?

Mr. GROSS. Yes. The point that I am making is this. The budget says that these voyages projected over a 20-year period, the period for which the contracts are entered into, amount to $2.8 million. On the basis of 210 voyages you have a bill of $588 million projected over the life of the contract. That is a lot of money to be going out of the back door of the Treasury, I will say to the gentleman.

Mr. PRESTON. This is hardly a back-door proposition when we consider the maritime policy established by the Congress, which the Maritime Administration was directed to put into effect. This is the only means by which we can keep the American merchant marine on the high seas.

Mr. GROSS. That may be. I am not quarreling with an appropriation for the operating differentials. What I am quarreling with is appropriating or spending more money than is necessary for this purpose.

Mr. PRESTON. May I say to the gentleman that we want to keep a certain number of ships in operating condition for our national security. That number is approximately 300 vessels. Whatever it takes to do that, that is what we want the Maritime Board to do. We want it to enter into a sufficient number of contracts to allow us to have 300 good, first-class ships on the high seas. If it will take 2,400 voyages to do this, then that is what must be approved to carry out the intention of Congress, the declared policy of the Defense Department, and the declared policy of the administration. It is one of those unfortunate things the Government has to engage in, but if we did not do it, there would be no American-flag shipping on the oceans today.

Mr. GROSS. How many voyages did you have last year?

Mr. PRESTON. The latest figure we had for 1960, was 1,975. But, mind you, half of the fiscal year is gone. We still have the remainder of the fiscal year, and there are applications pending from shipping companies that have been processed up to the point that the hearing examiners' findings have been reported and they are ready for Board action. We

expect voyages to be up to that 2,400 in a few months.

Mr. GROSS. That is one of the main features of this bill that I complain against. I think the committee went overboard, quite a little overboard, in the matter of authorizing 2,400 voyages in this bill.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. BOW. May I point out to the gentleman that Mr. Morse, the Chairman of the Maritime Board, testified that it is their belief that 2,700 voyages could be approved during the fiscal year. The figure we have here of 2,400 takes care of those who have gone forward under the proceedings before the Board prepared to operate their ships. The figure in the budget is the figure someone down at the Budget Bureau picked out, not one by those who are familiar with the proceedings of the Maritime Board.

Mr. PRESTON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I take these few minutes to comment on the section of this bill which deals with the Government of the Panama Canal and also with the Panama Canal Company. However, what I say will deal almost entirely with the Panama Canal Government.

Mr. Chairman, I went on this subcommittee in 1945, and every year we consider as a chapter in this bill of the Department of Commerce and Related Agencies this question of the administration of the Canal Zone Government. In those days the subcommittee was known as the Subcommittee on State, Justice, and Commerce. Then it was changed in the realinement of subcommittees to be the Subcommittee on the Department of Commerce and Related Agencies. This is one of the related agencies.

I say, Mr. Chairman, that the efficiency of the administration of the Zone Government under the present Governor, General Potter, is exemplary, and to be commended as an example to the Federal Government itself or any other government anyplace.

He has done an extraordinarily good job under the most fantastically difficult circumstances. I do not use this time on this bill to recite the turbulent political atmosphere in Panama specifically and in the Caribbean area generally. Recently, this House in debate on a resolution from the distinguished Committee on Foreign Affairs with reference to the Panama Canal and its administration on the question of sovereignty vis-a-vis the Republic of Panama at length developed the political and sovereignty question.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Of course, I yield to my colleague.

Mr. GROSS. I would like to join with the gentleman in his commendation of Governor Potter who administers the Canal Zone and say to the gentleman from Pennsylvania, as I suspect he already knows, that Governor Potter is the kind of an administrator who was out on the line during the Panamanian violence and rioting of November 3. He was out on the line with U.S. troops and his police. He was not sitting in the Governor's mansion when the Panamanian mobs were trying to storm their way into the Canal Zone.

Mr. FLOOD. Yes, and pretty much on his own, as far as Washington was concerned. He just kept his fingers crossed. He had a lot of guts and he did a great job. It is to be regretted that his term is now expiring. I would hope the President under all the circumstances, whether Potter likes it or not, would reappoint him to another term as Governor. He is the right man in the right place at the right time. The situation is explosive.

Mr. Chairman, I yield back the balance of my time.

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I have asked for this time in order to discuss with members of the committee some of the items contained in the bill, and especially in the report on page 4, for the Bureau of the Census. As I understand the report and the bill, the committee has reduced somewhat the amount of money furnished to the Bureau for the fiscal year 1961 from the amount requested by it—which is a good thing. I am especially interested, however, in the paragraph which starts: "1958 Censuses of Business, Manufacturers, and Mineral Industries."

I appreciate fully that a great many large business concerns are very much interested in obtaining every bit of detailed information they can about every human activity in America, and everything that is done by small business concerns, by farmers, small manufacturers, and small retailers. I have received some of these information requests from the Bureau of the Census myself. I have had many of them sent to me by small businessmen in Ohio and elsewhere. They complain of these accordion-pleated sheets which run from here to the front door and back again, asking for all kinds of details. They complain that there is nobody in America who could possibly fill out all of these requests for information, and possibly deliver all the information; and especially so in the case of small manufacturing concerns or for small business operations. Somebody who has no visible judgment and little, if any, knowledge of the business or industry affected, probably prepares these blanks, with hundreds and hundreds of little spaces to fill out, asking for information on every type of material used, even if you only use a dollar's worth or so in a year, and all this and that; and then if you do not give all the information, you receive threatening letters about the penalties if you do not give all the information that is asked. I realize and appreciate the fact that the Congress authorized some of these census actions—foolishly in my opinion—foolishly, I repeat—but even though we were foolish, there is no reason why the Bureau of the Census should be more foolish than the Congress—if that is possible—by putting out the requests for information they do, where it is impossible to answer the questions that are asked.

I want to express the hope this committee, and the proper legislative committee of the House, will take a look at the whole operation of taking censuses of business: manufacturers, minerals, industries that they now take every so often—and I know the gentleman from California knows what I am talking about—and see if we cannot simplify and eliminate about 75 percent of the paper work that is so unnecessary. By the time the Census Bureau gets through with taking such a business census, it is 5 or 6 years old, and not worth a dime to anyone. It does not reflect the true situation. I think it is time some of this asininity and stupidity be stopped.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HOLIFIELD. I want to commend the gentleman on the proposition that he is putting forth. It is not only small manufacturers but the small retailer and the hardware people and the clothing people and the drugstores. It is almost impossible to answer these questions. I had a complete set of these questions sent to me by my accountant. He said he could not fill them out and wanted me to do it. I could not fill it out.

Mr. BROWN of Ohio. To get the information they want would cost more than many a little business takes in altogether in gross income during the year. Still they insist upon it, and they send them back the forms and write threatening letters. I think some of us in Congress have the right to resent it and to object to it, because this Government was not set up for the purpose of having a Bureau of the Census alone, but for other reasons and some other purposes.

Then I would like to ask the committee, and I would appreciate any comment from the committee on what I have just said—I would like to ask what this 1962 census of governments is. What governments are we taking a census of? Every State has a complete report on every branch of government that comes within such State.

Mr. PRESTON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. Yes, I yield.

Mr. PRESTON. That is the State and local governments.

Mr. BROWN of Ohio. All you have to do is to write to the State auditor or to the secretary of state and you can get all the facts and detailed information, without spending all this money.

Mr. PRESTON. It is not just that simple, I may say to the gentleman. We think it is very essential. I believe you will find a published report from the Government. It provides most useful information. But I will say, while I am on my feet, that I made the same complaint to the Census Bureau that the gentleman has made regarding these long forms, and I also reviewed some of them and found them quite perplexing. I think that they should be shortened, and I have so urged.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BOW. Mr. Chairman, I yield the gentleman 2 additional minutes.

I would like to say to the gentleman that I raised the same question in the committee the other day. The census reports are so lengthy the small businessman has to furnish that it is impossible to make them out. There is no question about it. As a matter of fact, because of the size of them I am convinced that bad information is given. A man will just sit down and fill them out as best he can from memory, so you are not actually getting the real facts in many cases.

As far as the census of governments is concerned, I think the gentleman has made an excellent presentation, which should have been made at the time the bill was before the House directing the Census Bureau to take this census. This was an act of Congress to take this census. It is a requirement. We are only complying with a congressional mandate.

Mr. BROWN of Ohio. Will the gentleman yield me 1 more minute?

Mr. BOW. I yield to the gentleman 1 further minute.

Mr. BROWN of Ohio. The gentleman has had considerable experience in State government himself, in our own home State of Ohio. I believe the gentleman will agree that the officials of the State of Ohio have, in statistical form, all of this information and probably a great deal more, already published, already put together, already in book form, better than any Census Bureau can possibly get, as to the activities of the various branches and types of government within the State of Ohio, from the State level down to the smallest township.

Mr. BOW. Mr. Chairman, if the gentleman will yield further, I am hopeful the Census Bureau will accept that viewpoint of the mandate of Congress that they must take a census of governments and get that information from the States themselves and cut down on the cost.

Mr. PRESTON. Mr. Chairman, I have no further requests for time.

Mr. BOW. We have no further requests for time on this side.

The Clerk read as follows:

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, and publishing current census statistics provided for by law, including enumerators at rates to be fixed without regard to the Classification Act of 1949, as amended, $8,947,500.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I notice on page 21 of this bill $100 per diem for consultants, individuals being employed by some bureau or agency; on page 23 of the bill $75 per diem; and on pages 12 and 15, $50 per diem. I think the chairman of the subcommittee knows that on yesterday I raised the question of this business of employing consultants throughout the Government and at varying rates of from $50 to $100 a day.

My interest in this matter was further stimuated earlier this year by the employment by the International Cooperation Administration of a consultant at $42 per day. He also got $12 a day for expenses; in other words, $54 a day. He was employed for 3 months and then it was discovered—and the man himself admitted—that in this period of 3 months he had done virtually nothing but loaf. Yet the ICA gave him another month on the payroll while they verified their report and his admission that he had been loafing for 3 months—1 more month at the rate of $54 a day.

Almost at the same time a gentleman by the name of Ferris was employed by the ICA to determine the feasibility of establishing a stock exchange on the Island of Formosa. He is being paid $75 per day plus expenses, including a trip to the Far East.

Is there anyone in this House Chamber who can give me a good reason why the American taxpayers should pay a man $75 a day plus expenses to determine the feasibility of establishing a stock exchange for Chiang Kai-shek on the Island of Formosa? These are only a couple of examples of the way the foreign giveaway program is being run. Pardon me, I should not use that expression. I will say to my good friend from Michigan [Mr. HOFFMAN], that neither he nor I in the future should use the word "giveaway"; and I will tell him why.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. In just a minute.

President Eisenhower in a recent speech to a meeting of real estate brokers is quoted as saying that anyone who called the foreign aid program a giveaway is suffering from "abysmal ignorance."

Mr. HOFFMAN of Michigan. I plead guilty to that, but I do not know why you are worrying about it; it is going to be several generations before they get down to paying it, so why are you worrying about it?

Mr. GROSS. Can the gentleman relieve my "abysmal ignorance" by telling me why we should pay a man $54 a day to loaf for 4 months and why we should pay another man $75 a day plus expenses to decide whether Chiang Kai-shek should establish a stock exchange on the Island of Formosa?

Mr. HOFFMAN of Michigan. I am trying to tell the gentleman, he and I do not have to pay it. It will be the future generations that have to pay. Why is the gentleman worrying about it?

Mr. GROSS. I would like to have some help with my "abysmal ignorance."

Mr. HOFFMAN of Michigan. If the gentleman is ignorant and I am ignorant also, we are in a bad state.

Mr. GROSS. Can the gentleman give me any help on this business of $100 a day for consultants as it appears at one place in the bill and $50 a day for consultants elsewhere in the bill, and when the House of Representatives is going to stop this business of hiring consultants to do jobs which people already on the payrolls of the Government ought to be doing?

Mr. PRESTON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. PRESTON. Let me make it clear, first, that these two glaring examples the gentleman has pointed out are not involved in this bill. We raised the consultant's fee for the St. Lawrence Seaway to $100 a day for the reason they testified they could not obtain consultants at a less price. We tried to keep it at that figure and we were for a long time successful in keeping it at the $50 level. We have not raised that level except where it was shown that consultants could not be found at that price.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Clerk read as follows:

FOREST HIGHWAYS (TRUST FUND) (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $36,000,000, to be derived from the "Highway trust fund"; which sum is composed of $2,250,000, the remainder of the amount authorized to be appropriated for the fiscal year 1959, and $33,000,000, the amount authorized to be appropriated for the fiscal year 1960, and $750,000, a part of the amount authorized to be appropriated for the fiscal year 1961: *Provided*, That the unexpended balance as of June 30, 1960, of appropriations heretofore granted under the head "Forest highways (liquidation of contract authorization)" is hereby rescinded: *Provided further*, That this appropriation shall be available for the rental, purchase, construction, or alterations of buildings and sites necessary for the storage and repair of equipment and supplies used for road construction and maintenance but the total cost of any such item under this authorization shall not exceed $15,000.

Mr. MILLS. Mr. Chairman, I rise to make a point of order against the language appearing in the bill on page 13, line 16, through line 11 on page 14.

The language therein contained is, in my opinion, subject to a point of order on the ground that there is no authorization for this action by the Appropriations Committee. The language is legislation in an appropriation bill.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard on the point of order?

Mr. PRESTON. Yes, Mr. Chairman.

I would like to say that the language carried in the bill is as it was presented to the committee by the Bureau of Roads. The language was carried in the bill last year, and a point of order was made against it, and we conceded the point of order, which we do in this instance, because it clearly is subject to a point of order. But it is a continuing difficulty that we have to deal with later on.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk will read.

The Clerk read as follows:

PUBLIC LANDS HIGHWAYS (TRUST FUND) (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23,

United States Code, section 203, to remain available until expended, $3,000,000, to be derived from the "Highway trust fund"; which sum is the amount authorized for the fiscal year 1961: *Provided*, That the unexpended balance as of June 30, 1960, of appropriations heretofore granted under the head "Public lands highways (liquidation of contract authorization)" is hereby rescinded.

Mr. MILLS. Mr. Chairman, I make the point of order against the language of the bill on page 14, beginning with line 12 through line 23 on the ground that it is legislation on an appropriation bill.

Mr. PRESTON. We take the same position on this point of order as the previous one. We have no control over this situation. It is subject to a point of order, and we concede it.

Mr. TABER. Mr. Chairman, the point of order comes too late.

The CHAIRMAN. The Chair cannot entertain that. The point of order did not come too late. The point of order was very timely. The chairman of the committee has conceded the point of order, and the Chair sustains the point of order.

The Clerk read as follows:

ESTABLISHMENT OF METEOROLOGICAL FACILITIES

For an additional amount for the acquisition, establishment, and relocation of operational facilities and related equipment, including the alteration and modernization of existing facilities; $3,500,000, to remain available until June 30, 1963: *Provided*, That the appropriations heretofore granted under this head shall be merged with this appropriation.

Mr. METCALF. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Chairman, I appreciate the consideration given by the committee to the Weather Bureau's severe storm warning network.

One of the units in this network, and the first mountain location, will be at Point Six near Missoula, Mont.

This installation will fill many needs in addition to being an integral part of the warning network. It will provide information on hydrology and accumulated snow cover of importance to regional, State, and private interests. And it will have special importance in the Forest Service's forest fire research program.

It will trace the development and movement of lightning storms, which cause some 70 percent of the forest fires in the Rocky Mountain States, over a range of some 300 miles or out to the Cascade Mountains of western Washington.

This will immediately improve the reliability of fire weather forecasting services and will permit earlier warning of the approach of dry lightning storms responsible both for the huge annual loss of public resources and heavy fire-fighting expenditures.

Through a "slave" radarscope to be installed in the new forest fire research laboratory near Missoula, the installation also will be a valuable research tool, as scientists keep a long-range electronic eye on the whole life cycle of storms.

Because the installation requires remote control and microwave transmission and a powerline to the site, it will cost $200,000 more than similar installations in flat country.

The Forest Service has reserved a plot of ground on the mountain for the transmitter building and the antenna and is now building a road to the site.

An investment of $200,000 here will return manyfold in savings in fire control costs and reduction of damage to essential and valuable natural resources.

Mr. HECHLER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Chairman, it is with mixed emotions that I support this appropriation bill for the Department of Commerce and related agencies.

Mr. Chairman, do you know how many employees of the Department of Commerce are stationed in my State of West Virginia? I am ashamed to report that there are only 37 Commerce Department employees in West Virginia.

In proportion to population, West Virginia ranks absolutely last among the States—50th—in the number of Department of Commerce employees. Mr. Chairman, the Department of Commerce has some 25,000 employees. Almost two-thirds of them are located outside of the District of Columbia and in the 50 States of the Union out in the field. Yet out of these thousands of employees distributed among the States, there are only 37 in the State of West Virginia.

Why should West Virginia earn the right to petition for an equal share of employees? I submit that this is not only an issue of fair treatment among the States, but it is in the interests of the national economic health of the entire country that West Virginia not be short-changed as she has been in so many ways by the Federal Government. For the rate of unemployment in our State is the highest in the Nation, and the Department of Commerce is concerned with helping industrial development. Surely it would cut our unemployment rate, for the benefit of the entire Nation, if greater strides were made in industrial development.

Yet the Business and Defense Services Administration, with field offices in 33 States, does not even have a field office in West Virginia. Huntington, W. Va., with a population of 86,353 according to the 1950 census, would be an ideal location for such a field office.

Some may say that these 33 field offices have been located in various cities because the cities are larger than Huntington. If this be the case, then why have field offices of the Business and Defense Services Administration been located at the following points, where the 1950 census figures indicate the population is smaller than Huntington?

City:	*1950 population*
Charleston, S.C.	70,174
Greensboro, N.C.	74,389
Cheyenne, Wyo.	31,935
Reno, Nev.	32,497

I cannot figure out why the Department of Commerce devotes its main emphasis to making the rich States richer, and ignores States like West Virginia where the unemployment rate is high but the potential for industrial development is great.

Mr. Chairman, a recent article in the Saturday Evening Post quoted someone as saying that West Virginia is not the Switzerland of America but is the Afghanistan of the United States. I bitterly resent such comments as this, written up by an itinerant writer who has failed to understand the nature of our State and its great future. Yet, if West Virginia were Afghanistan, then my State would immediately be eligible for the foreign aid it cannot now get through area redevelopment and other legislation which would help us.

In conclusion, I would like the RECORD to show that West Virginia has contributed vast natural resources to the development of our entire continent. She has given not only her treasure but of her blood, for a higher percentage of West Virginians fought in the Korean conflict than from any other State, and a higher percentage of West Virginians were killed and wounded in that conflict than from any other State.

Can you blame us, then, for only asking for an even break?

The Clerk read as follows:

GENERAL PROVISION—THE PANAMA CANAL

SEC. 201. The Governor of the Canal Zone is authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), in an amount not exceeding $30,000: *Provided*, That the rates for individuals shall not exceed $100 per diem.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 20, line 22, strike the period, insert a colon, and add the following: "*Provided further*, That no part of any appropriation contained in title II of this Act shall be used to construct a flagpole, platform, or any other device for the purpose of displaying the flag of Panama in the Canal Zone, the sovereign control of which is vested in the United States Government by virtue of long standing treaty."

Mr. GROSS. Mr. Chairman, I do not believe this amendment needs further explanation. I will reread it. The amendment simply provides that—

No part of any appropriation contained in title II of this act shall be used to construct a flag pole, platform, or any other device for the purpose of displaying the flag of Panama in the Canal Zone, the sovereign control of which is vested in the U.S. Government by virtue of longstanding treaty.

I am unalterably opposed to the flag of Panama being flown in the sovereign territory of the United States of America; and I am opposed to any money being expended for the purpose.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am happy to yield.

Mr. FLOOD. I am for the gentleman's amendment, period.

Mr. GROSS. I thank the gentleman.

Mr. PRESTON. Mr. Chairman, I rise to comment on the amendment.

The gentleman from Iowa [Mr. GROSS] is rather unpredictable. He is great on amendments and he has an uncanny facility for offering amendments that you somehow have to adopt. I cannot in good conscience oppose an amendment like this because I feel too deeply about the sacredness of the treaty under which we occupy the Canal Zone in the Republic of Panama.

I think it is tragic indeed that the State Department has not been as stanch and as stout as it might in its determination to help us maintain our sovereignty in the Canal Zone. I suspect that Governor Potter has operated down there under considerable difficulty in this regard. It is lamentable that we do not have a unified approach in the Canal Zone to maintain our sovereignty. The State Department has been vacillating and has shown evidence of weakness on this matter, all to the harm and injury of our country and its position in trying to maintain this very vital canal.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I am glad to yield briefly to the gentleman.

Mr. RIVERS of South Carolina. Mr. Chairman, I think those of us who heard the speech made by the gentleman from Pennsylvania [Mr. FLOOD] on this very subject cannot, also in good conscience, oppose an amendment of this character.

Mr. PRESTON. I thank the gentleman for his observation.

Mr. Chairman, this amendment is not subject to a point of order. It appears to be germane although, in effect, it further enunciates a policy in the last two lines of the amendment. It appears to be a limitation. How it should be dealt with, we will have to determine later on in conference. Personally, I can see no good and valid reason why this language should not be added to the bill. If we believe as we do about this flag business in Panama, let us use every means at our command to maintain our position and keep the Panamanian flag out of the Canal Zone.

Everybody who knows anything about the Canal Zone knows that, once they plant their flag there, our police will never be able to control those who insist on rioting and damaging our property, burning railroad coaches and throwing rocks at our policemen—they will never be able to keep them out without serious bloodshed. So I do not think we ought to yield. We ought to remain adamant, firm, and stiffen the back of the State Department, and do everything we can on this point. Therefore, I cannot oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. BAILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I inquire regarding the item for the operation of the St. Lawrence Seaway, do we understand that that expense will be covered by tolls? What is the purpose of this?

Mr. PRESTON. This is for the administrative expenses of the Seaway. It is a limitation for administrative expenses only.

Mr. BAILEY. The gentleman means the administrative expense is not going to be paid out of revenues, out of tolls?

Mr. PRESTON. Yes. The cost to the Government will be repaid presumably, and we hope, from revenues, but this is a limitation on the administrative expense of operating the St. Lawrence Seaway.

Mr. BAILEY. It does not mean you are going to spend all of that money, it is merely a limitation?

Mr. PRESTON. This is a limitation.

Mr. BAILEY. It is not an authorization?

Mr. PRESTON. It is a limitation.

Mr. BAILEY. I thank the gentleman.

Mr. SMITH of Mississippi. Mr. Chairman, I want to take this opportunity to thank the Commerce Subcommittee for its action in directing the Weather Bureau to extend to the entire alluvial plain of the Mississippi Valley the pilot agricultural weather service that has been operating in the Mississippi Delta for the past year or so.

I first recommended this program in 1958, and I share the pride and gratitude of the farmers, the Weather Bureau, and the committee in its success. This experimental program in specialized agricultural forecasting has included not only broader coverage in type of information made available to the farmers of the area, but research into the types of additional information that are needed for various crops.

Local organizations and radio stations have cooperated to get this new and vital information to the farmers. As one example of what has been accomplished, the county agents in my area tell me that the specific information on soil temperatures and special forecasts that the farmers have received from this experimental service has saved the replanting of an estimated 200,000 acres. At an estimated $5 per acre replanting cost, you can readily see what this kind of service means to the farmers in just one of its aspects.

The committee has now recommended that the Weather Bureau extend this service throughout the alluvial plain, covering parts of Arkansas, Louisiana, Mississippi, Missouri, and Tennessee, and I am confident that when the program has been enlarged under this plan it will point the way to agricultural weather services that should be made available to every similar agricultural area of the country where crop production, soil and rainfall, and similar weather conditions make each of those areas a single agricultural community.

The Weather Bureau is to be commended for its work on this program, and the committee has approved an enlargement which I am proud to have recommended that should ultimately be of great economic benefit to our farmers all over the country.

Mr. MONAGAN. Mr. Chairman, I am happy to support the 1961 Commerce appropriations bill.

The first reason for gratification in connection with this bill is the fact that it reduces the President's budget request by $39 million and lowers from 1,070 to 261 the increases in positions asked for by the President. If this sort of action can be continued in the rest of the 1961 budget, it will certainly help our overall financial picture.

I am happy to vote for the bill for another reason. That is the provision of $2.6 billion for the highway trust fund. Although this appropriation represents a reduction of $340 million from last year, it must be realized that spending from this fund had been increased due to the depression of 1957–58. With this reduction, next year will see a return to a fairly constant level of spending.

From the point of view of the Fifth District of Connecticut, the important thing about the provision of these moneys is the realization that Federal funds will be available to the State of Connecticut to render their vital assistance to our badly needed highway construction program.

Mr. PRESTON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that Committee, having had under consideration the bill (H.R. 10234) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. PRESTON. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PRESTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

STABILIZATION OF TOBACCO PRICES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 440 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9664) to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and now yield myself such time as I may consume.

Mr. Speaker, House Resolution 440 makes in order the consideration of H.R. 9664, to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost. The resolution provides for an open rule with 1 hour general debate.

The purpose of this bill is to prevent the operation of the present parity formula from pushing the support price of tobacco beyond limits which the tobacco industry believes to be reasonable at present general price levels. The bill will tie the parity price of tobacco directly to the cost of things farmers buy rather than to the 10-year moving average of farm prices, and it will reduce the price support obligation of the Commodity Credit Corporation and put American tobacco in a more competitive position in future years in both domestic and foreign markets.

Under the terms of the bill, the tobacco support level for 1960 will be the same as in 1959 and in subsequent years the support price will be adjusted from the 1959 level in direct proportion to changes in the parity index, using the previous 3-year moving average as a base.

Hearings on this bill were held on January 14 and 26, 1960, at which time representatives of every segment of the tobacco producing, distribution, and utilization industry were represented and testified in favor of the bill. There were no witnesses in opposition to the measure.

More significantly, the proposal resulting in H.R. 9664 was developed by tobacco producers and distributors themselves in a series of meetings extending over several months and embracing every portion of the tobacco-producing area of the United States. So far as is known, there is no organization of tobacco producers or distributors which is opposed to this measure, nor are there any individuals who have expressed their opposition to the committee.

There will be no additional administrative cost as the result of enactment of H.R. 9664 and the provisions of the bill itself will substantially reduce the potential obligations of the Commodity Credit Corporation for price support purposes.

I urge the adoption of the rule.

Mr. BROWN of Ohio. Mr. Speaker, I join in the statement made by the distinguished gentleman from Arkansas. This resolution making the consideration of this bill in order was reported unanimously by the Committee on Rules after hearing testimony which indicated that the Committee on Agriculture, which reported the proposed legislation, did so by a unanimous vote. Everyone seemingly supports this legislation.

Mr. Speaker, I have no requests for time. I ask the adoption of the rule and yield back the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9664) to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 9664, with Mr. EDMONDSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. DAGUE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Virginia [Mr. ABBITT], the author of the bill and chairman of the Subcommittee on Tobacco of the House Committee on Agriculture.

Mr. ABBITT. Mr. Chairman, I desire to make a brief explanation of this legislation. I am delighted that support for the measure is unanimous. The purpose of the bill is to stabilize the price of tobacco so as to prevent its continued spiraling due to the modernized parity formula. We have had a splendid tobacco program. It has operated magnificently and at no appreciable cost to the Government. But, due to the modernized parity and the fact that tobacco prices have maintained a steady and reasonable return to the producers, it has forced the support level up until we are fearful that it might price our tobacco out of the world markets. It would have no appreciable effect on the domestic market, but we are in keen competition with other countries whose labor receives a very small rate of pay, and it is therefore hard for us to compete with them with our tobacco support prices being continually forced upward. In an endeavor to get this matter worked out satisfactorily, the producers and other segments of the tobacco industry have spent long hours trying to work out a formula acceptable to all segments of the industry. This bill is the result of the efforts of all of those interested in the entire industry including the Members of Congress both in the House and in the other body representing the tobacco producing areas. The language of the bill was prepared in conjunction with and in collaboration with the technicians in the Department of Agriculture. I am happy to report that we have received a report from the Department, and they have expressed the belief that this legislation is a long step in the right direction, and that it will prevent the continuing spiraling of support prices. The Secretary, I am happy to report, has no objection to the enactment of this legislation.

Mr. Chairman, I would like to quote at this point the names of the organizations which are supporting this legislation. These can be found on page 3 of the report.

Interstate organizations: American Farm Bureau Federation, Burley & Dark Leaf Tobacco Export Association, Burley Auction Warehouse Association, Bright Belt Warehouse Association, Tobacco Associates, Flue-Cured Tobacco Cooperative Stabilization Corp., National Grange, National Farmers Union, Burley Leaf Tobacco Dealers Association, Leaf Tobacco Exporters Association, Plant Food Institute of North Carolina and Virginia, Association of Dark Tobacco Dealers & Exporters, Conn-Mass Tobacco Cooperative, Inc., National Cigar Leaf Tobacco Association.

Kentucky: Kentucky Farm Bureau, Burley Tobacco Growers Cooperative Association, Western Dark-Fire-Cured Tobacco Growers Association, Stemming District Tobacco Association.

Tennessee: Burley Stabilization Cooperative, Eastern Dark-Fire-Cured Tobacco Growers Association.

South Carolina: South Carolina Farm Bureau, South Carolina Grange, South Carolina Tobacco Warehouse Association.

Georgia: Georgia Farm Bureau.

Virginia: Virginia Farm Bureau, Virginia Farmers Union, Virginia Burley Tobacco Growers Association.

North Carolina: Farmers Federation Cooperative, North Carolina Grange, North Carolina Farm Bureau.

Wisconsin: Northern Wisconsin Cooperative Tobacco Pool, Inc., Wisconsin Tobacco Growers Association.

Ohio: Cigar Tobacco Cooperative.

Maryland: Maryland Tobacco Cooperative, Maryland Farm Bureau.

New York: Leaf Tobacco Board of Trade, New York City.

Briefly, this bill provides that the support price for tobacco in 1960 shall be the same as in 1959, and in subsequent years the support price will be adjusted from the 1959 level in direct proportion to changes in the parity index as defined

in section 301(a)(1)(C) of the Agricultural Adjustment Act of 1938, as amended, using the previous 3-year moving average as a base.

I hope that this bill will have the unanimous support of the Members of this House.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield.

Mr. MATTHEWS. I would like to associate myself with the views of the gentleman from Virginia, and I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Chairman, I am delighted to join with my colleagues of the Committee on Agriculture in supporting this important tobacco legislation which we are now discussing. Just yesterday, our Committee on Agriculture presented a bill extending the special milk program which was overwhelmingly approved by the House, and I was glad to support this important measure. I am hopeful that sometime during this present year our Committee on Agriculture can look into the school lunch program because in Florida I have found that our people who administer this great program feel that there are a number of opportunities to improve it.

I predict that this measure today will be overwhelmingly approved by the House and that our Committee on Agriculture will be off to a much better start insofar as a unity of feeling is concerned than we have had during the past several years.

The purpose of this tobacco legislation is to stabilize the price of tobacco so that we can maintain our export markets. The measure is important to the people in my district because just about all of the flue-cured tobacco in Florida is produced in the Eighth District. Last year, for example, Florida produced 19,390,000 pounds of flue-cured tobacco. The return to our farmers was over $10 million. There are about 6,000 flue-cured tobacco farmers in the Eighth District of Florida and they have a tremendous stake in the future of our tobacco program.

I want to take this opportunity to compliment the tobacco producers of America, and in fact, the whole tobacco industry. I think the tobacco program has served as a splendid example as to what can be accomplished if the producers are willing to accept the disciplines of the program. Now, our tobacco farmers, of course, would like to have much more in the way of an acreage allotment. If I had my way about it, I would insist that every flue-cured tobacco farmer have a minimum of 3 acres. It is necessary to have this minimum in order to have enough production for the barn and other equipment that is necessary for the production of flue-cured tobacco. However, our farmers realize that in order to have a price-support program which guarantees them a fair return on what they produce, it is necessary to accept disciplines that are even harsh.

At the present time, I have pending before our Committee on Agriculture, H.R. 8819, a measure which would permit the lease and transfer of tobacco acreage allotments. I am hopeful that we can get favorable action on this important legislation this year, because I believe it would be of tremendous help to our small farmer. If this measure were passed, it would mean that a farmer with 1 acre of Flue-cured tobacco could—on a year-to-year basis with the approval of his county committee—lease acreage on another farm within the same county that might be a number of miles away. Thus, it is conceivable that he could have 2 or 3 acres of Flue-cured tobacco which would make a profitable operation. In my bill, there is protection against the possibility of more production and at a hearing in my district in Live Oak, Fla., this past year, the measure met with almost 100-percent approval.

The measure that we are now considering is identical to my bill, H.R. 9738. I say again that I am for it, and I hope and believe that it will enable us to keep our export markets in tobacco. Our farmers are meeting with tougher competition every day from overseas. Because of our foreign policy, we have sent technicians throughout the world teaching our friends the most modern methods of production in agriculture. The products of their fields have often come back to haunt us; and yet we find that in the quality of our tobacco that we still are superior. Those in the export market tell us that they can sell our quality tobacco, provided the price is not too high. I feel that in the Eighth District of Florida that we produce, year after year, a type of Flue-cured tobacco, the quality of which is not surpassed anywhere in the world. It is interesting to note this past year, according to the information I have, that less than 1 percent of the production of the Flue-cured tobacco in the Eighth District of Florida went into the hands of the Stabilization Committee. This means, of course, that 99 percent of our tobacco found an immediate market.

I want to thank the members of our committee on both sides of the aisle, the Department of Agriculture, and all phases of the tobacco industry for their cooperation in making it possible for us to present this united support on this measure today. I hope this bill will be passed by an overwhelming vote.

Mr. DAGUE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as a member of the Committee on Agriculture for more than 13 years, I have consistently opposed the rigid high support 90 percent of parity price-fixing concept. The farmers from the district which I have the privilege to represent have also expressed their antipathy toward the tobacco program by overwhelming margins on many occasions. I am supporting H.R. 9664, the bill now before us, because it is a step away from rigid 90 percent of parity price supports for tobacco, a program many of us have considered unwise for some time.

Before getting into the operations of this bill, Mr. Chairman, I would at the outset of my remarks briefly like to review a few of the more important actions that this administration has taken to enhance the efficiency of the present tobacco program. These include steps under which:

First. Compliance checking has been strengthened.

Second. The penalty for excess production has been increased to 75 percent of the previous year's average price.

Third. Credit has been eliminated for overplanting.

Fourth. During recent years of abnormal supply adjustment the full authority of the Secretary in increasing marketing quotas to avoid undue restrictions of marketing has been used.

Fifth. Increased administrative expenses have substantially strengthened the overall program.

Sixth. Certain varieties of Flue-cured tobacco that produce a large proportion of undesirable leaf are being discouraged by heavy discounts under the price-support program.

Seventh. A direct attack has been made on the surplus problem by an expedited sales program including Public Law 480 and by means of barter. There have moved about 250 million pounds of tobacco through title I of the Public Law 480 program and some 20 million pounds by barter.

Eighth. The soil bank acreage reserve was used as a temporary emergency program, and it aided substantially in the reduction of surplus tobacco.

Ninth. To help dispose of old stocks of dark tobacco, some of the grower associations in recent years made sales of old stocks on a competitive bid basis. This action not only helped dispose of these burdensome stocks but also made it possible to increase the movement of tobacco into those world markets that can afford to purchase tobacco only at relatively low prices.

Tenth. Foreign currencies resulting from Public Law 480 sales have been used to promote and develop new markets abroad for U.S. tobacco through market development projects. These projects are carried out cooperatively with U.S. and foreign trade groups. Promotional programs have helped advertise and expand consumption of tobacco products containing U.S. leaf. Some of the more important accomplishments under these projects are as follows: (a) Several countries including the United Kingdom were enabled to build up stocks of U.S. leaf to more normal levels; (b) several countries including Thailand, Japan, and Finland have been able to introduce new brands of cigarettes containing U.S. tobacco; and (c) consumption of U.S. leaf in Japan has been substantially increased.

Eleventh. Department of Agriculture tobacco experts have been sent abroad to study and evaluate firsthand the foreign tobacco situation for recommendations on U.S. tobacco programs and international trade.

In spite of these constructive activities, the rigid 90 percent of parity price-sup-

port program based on the modernized parity formula has not worked in a satisfactory manner.

H.R. 9664 provides that the level of price support for each kind of tobacco for which marketing quotas are not disapproved by producers will be as follows:

First. For the 1960 crop, the support level will be the level at which the 1959 crop was supported or would have been supported if marketing quotas had been in effect—in other words, a 1-year freeze.

Second. For the 1961 crop and each subsequent crop, the level of support will be determined by adjusting the 1959 crop support level, or the level at which the 1959 crop would have been supported if marketing quotas had been in effect, upward or downward in proportion to the ratio of (i) the average for the 3 preceding calendar years of the index of prices paid by farmers, including wage rates, interest, and taxes to (ii) the 1959 calendar year average of such index.

Under the modernized parity formula now in effect the price-support levels for the major kinds of tobacco are expected to increase substantially during the years just ahead. For example, the Department of Agriculture estimates that for the next few crop years the price-support level for Flue-cured tobacco will increase from 1.5 to 3 cents per pound each year and for burley tobacco such increase will be about 2.5 cents or more per pound each year. These projected price increases would critically aggravate an already difficult situation and most likely would cause further substantial loss of our export markets for U.S. tobacco.

As Assistant Secretary Marvin McLain pointed out in his testimony before our committee:

> While this bill does not go as far as we would like, it does represent a step in the right direction.

The Department of Agriculture is not opposed to the passage of the bill for the following specific reasons:

> 1. Our primary interest is the 800,000 farm families that look to tobacco for a major portion of their farm income. The present tobacco program with its built-in formula of ever-increasing levels of price support is speeding homogenization at home and rapidly shrinking our market to domestic requirements.
>
> 2. This legislation does eliminate two factors that are pyramiding the level of support. These are the increasing 10-year average price received for tobacco and the moving 10-year average index of prices received for all agricultural commodities. The use of the average of the last 3 years' index of prices paid by farmers as provided in this bill offers substantial stabilizing effects.
>
> 3. Tobacco leaders, farm organization leaders, association officials and their representatives in Congress have demonstrated in 1959 and again in 1960 their willingness to accept realistic quotas as provided by law. The Department has received such complete cooperation from the tobacco industry in the disposition of CCC loan stocks that since January 1, 1959, 30 percent of all loan holdings of CCC have been absorbed by the industry, and it is expected that another 30 percent will be absorbed in 1960.
>
> 4. Under this legislation it is expected that the Commodity Credit Corporation will have substantially less funds invested in the tobacco price-support operations than would otherwise be invested.
>
> 5. Stabilized prices will tend to prevent further loss of markets at home and abroad.
>
> 6. This legislation is supported by all farm organizations, warehouses and processing groups, export dealers, and the domestic industry of the United States.

In summary, Mr. Chairman, I am supporting this bill because it is a step toward the President's program. It is my hope that at a later date the President's entire tobacco program will be adopted.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Chairman, the district I have the honor to represent, the Sixth District of Kentucky, produces more burley tobacco than any other district in the United States. The continuing success of the tobacco program is therefore of very great importance to the people of my district, of Kentucky, of the other 21 tobacco producing States, and of the entire country. The bill, H.R. 9664, before us for consideration today is a good bill—it is in the interest of the tobacco growers and all other sectors of the tobacco industry and in the interest of our national economy. It is identical with H.R. 9671 which I introduced on January 18. It has the support of all sectors of the tobacco industry and deserves, and I am sure will receive, the support of the Members of Congress from the non-tobacco-producing areas as well as from the tobacco growing areas.

Mr. Chairman, this piece of tobacco legislation originated at the grassroots, among the people who grow tobacco. As far as I have been able to learn, there is not a bit of opposition from any segment of the tobacco industry; the farmers, the warehousemen, the dealers, the growers, and their association all are united. Also there has been a unison of minds among not only these groups but the farm organizations of this country, the American Farm Bureau, the Grange, and the Farmers Union. The bill also has the approval of the Department of Agriculture.

My good friend, WATT ABBITT, the distinguished chairman of the Tobacco Subcommittee of the House Agriculture Committee, and other colleagues have pointed out why this bill is needed and what its purposes are. I would like very briefly to mention two significant reasons for applauding the fact that this bill is here before us for consideration today. First, it would have been easy for the tobacco people to allow price-support levels to continue to spiral upward in view of the fact that the measure which would have accomplished substantially the same result as the present bill, H.R. 9664, was vetoed last year. But the 20-year record of successful operation of a sound tobacco program was not built by people who folded up in the face of adversity. Instead of quitting, the tobacco people continued to work toward the accomplishment of their objective. The fact that this bill is before us reflects the success of their efforts. It reaches substantially the same result as the bill passed last year and, from the standpoint of technique, is in my opinion, a better bill.

The second significant aspect of the present tobacco situation can be illustrated by about four figures. The total U.S. supply of tobacco has been reduced in 4 years from 6,370 million pounds ot 5,801 million pounds. Stocks held under the price support loan program have been reduced from over a billion pounds 3 years ago to about 700 million pounds today and the tobacco price support program is still operating in the black. This remarkable record of adjusting the actual supply to the desirable supply level is the result of facing squarely the fact that a production control and price support program can only be successful when production is effectively controlled.

I am proud of the part Public Law 21, which I sponsored in the House in 1955, has played in firming up the twin pillars upon which the success of the tobacco program is based. These pillars are, first, a balance between supply and demand and, second, fair prices.

Mr. Chairman, this is another step in the efforts that the tobacco growers have made to provide for themselves a sound tobacco program, one that has functioned well, and, that up to this good day, is a support program which has not cost the taxpayers of this country a single dime, and has operated better than any that has been put out by the Federal Government.

Mr. Chairman, I would be completely out of line and remiss in my duties if I did not take this opportunity to evidence my appreciation of the untiring and exhaustive efforts put forth in behalf of this measure by my Kentucky colleagues. Their unison of effort in this instance is only carrying out that which they have always given to measures affecting the tobacco growers of Kentucky and the Nation.

Particularly do I wish to commend the splendid cooperation and the excellent spadework that has been done by my neighboring district colleague, the Honorable FRANK CHELF, of Lebanon. His district, next to mine, is the largest burley producing tobacco district in Kentucky. FRANK, as usual, has been extremely helpful in marshaling the forces; in explaining the purpose and objective of the measure; the need for it and its effect. His versatility in parliamentary procedures, his knowledge of our tobacco program and the needs of the grower and every segment of the industry has come about not only through his own industry, but through the experience that can only be gained by continuity of service in this great legislative body.

Mr. Chairman, this is a good bill and ought to be passed. I am sure it will be.

Mr. LANKFORD. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Maryland.

Mr. LANKFORD. Mr. Chairman, I take this opportunity to join my colleagues in support of this bill. It is something that is badly needed by the tobacco growers. We in Maryland are 100 percent in support of it, and we

feel it will go a long way toward broadening our markets abroad on which we are so dependent.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Chairman, I want to commend the Committee on Agriculture, particularly its distinguished chairman, the gentleman from North Carolina [Mr. COOLEY], and the Subcommittee on Tobacco, particularly its chairman, the distinguished gentleman from Virginia [Mr. ABBITT], for the fine work they have done in bringing this bill to the floor for consideration.

I would like to associate with them and to say I strongly support it.

I rise in support of the bill (H.R. 9664) to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost.

This proposal has been very carefully considered by our colleagues on the Committee on Agriculture and I hope the bill will pass as reported by that great committee.

A list of the organizations supporting this legislation is contained in House Report No. 1242. Those groups and organizations unanimously adopted a resolution recommending that tobacco legislation be enacted to maintain a continuing program in tobacco and to stabilize the price support of tobacco to prevent its spiraling due to a decline in prices of other agricultural commodities. They recommended that the tobacco support level in 1960 be the same as in 1959 and that in subsequent years the support price be adjusted from the 1959 level in direct proportion to changes in prices paid by farmers for commodities purchased, using the previous 3-year moving average as a base.

This bill spells out a plan which provides that supports will remain this year at the 1959 level and in succeeding years will go up or down in relation to a 3-year average of the price index for commodities which the farmers must buy.

The bill has the support of all segments of the tobacco industry and I believe I voice the overwhelming sentiment among the tobacco growers of my district when I say that they desire the legislation here proposed.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, our tobacco program is not one of governmental regimentation, but is a program which permits the farmer to play the leading part in keeping supply in line with demand.

We have price supports of 90 percent of parity on tobacco today due to the fact that the tobacco program has never operated at a loss to the Government and tobacco has always paid its way. Tobacco pays in more ways than one. For instance, the local taxing communities, States, and Federal Government receive some $2½ billion per annum in taxes alone from tobacco products.

The tobacco producers of Kentucky are united in their support of the tobacco marketing quota price supports and inspection program. In order to maintain price supports at 90 percent, you must have acreage controls.

When tobacco is in trouble, Kentucky is in trouble. Approximately 46 percent of the total farm income from agricultural commodities in Kentucky is received from tobacco.

In order to protect tobacco, we must continue our fight for freer world trade. Over 60 countries have raised the import duties on tobacco and tobacco products. We also find restrictive practices freely employed. Last year one country suddenly increased its import duty on unmanufactured tobacco from 100 to 200 percent. This same country was ready and willing to continue accepting mutual assistance funds from us and at the same time closing the door on American tobacco. At the proper time objections were made and finally the 100 percent increase was removed. Some countries have provisions that tobacco can be imported only on the basis of certification of a deficiency in domestic production.

Mr. Chairman, it is imperative that our domestic and foreign tobacco markets be maintained, and the only way we will ever obtain freer trade in tobacco is to adopt a policy of protection which will not only be agreed upon, but enforced by our Department of State and our Department of Agriculture.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the distinguished gentleman from Kentucky [Mr. CHELF]. And may I congratulate him for his interest in this legislation and his help to us in all matters pertaining to the welfare of the tobacco farmer.

Mr. CHELF. Mr. Chairman, I sincerely trust that the House will support this legislation today because it is not only needed but it is a fair, honest bill that has the unanimous support of the entire tobacco industry. Believe it or not—Secretary Benson is even in agreement, because in a letter to Hon. HAROLD COOLEY on February 2, 1960, Mr. Benson says:

> This Department is not opposed to the passage of this legislation.

Now that is really something.

The Fourth Congressional District of Kentucky—that I have the honor to represent here—is second in burley tobacco production only to the Sixth District of Kentucky so ably and conscientiously represented by my good friend and colleague, JOHN WATTS. In our two districts, we produce approximately 74 percent of all burley tobacco grown in Kentucky which, in turn, markets about 65 percent of the total burley crop raised in the world.

I am strongly in favor of H.R. 9664, introduced by my colleague, the Honorable WATT ABBITT, of Virginia. He has been most kind, understanding, and gracious to all of us who represent tobacco farmers. Although many of us are on other committees of the House, WATT ABBITT, who is the chairman of the Subcommittee on Tobacco of the House Committee on Agriculture, always allows us to come and sit with his committee on every piece of legislation that affects our farmers. We are not only permitted to sit with his committee, we are allowed the privilege of questioning the witnesses and to testify if we so desire. Truly then, due to the kindness of Chairman ABBITT, we are ex officio or unofficial members of his Tobacco Subcommittee, and I want him to know that my people are grateful to him and to Chairman HAROLD COOLEY for this consideration. While it is true that my Kentucky colleagues, JOHN WATTS, CARL PERKINS, FRANK STUBBLEFIELD, and myself have identical bills on this same subject matter, we wholeheartedly join Chairman ABBITT and urge all of our friends here in the House today to support his bill H.R. 9664.

My friends, this bill means the continuation of the financial lifeline of my people because burley tobacco is not only our cash crop but it is our very lifeblood. We have always had a fine tobacco program. Those of us who represent our tobacco farmers have worked diligently and tirelessly over the years to create and maintain it. We have come before you from time to time and have asked voluntarily that our acreage quotas be cut. We did this not because we wanted to do it—but because we wanted to preserve and to protect our market and our price. Our people were willing to sacrifice in order to maintain our hard-won gains. This legislation—which has already been fully explained to you—will help us to keep our program on solid ground and also help those of us who hail from the tobacco areas from costing the Federal Treasury any money. At present, our tobacco program stands on its own bottom financially—let us keep it that way. I urge your support of H.R. 9664.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I am, of course, supporting the passage of H.R. 9664 introduced by the gentleman from Virginia [Mr. ABBITT]. As a matter of fact, I introduced a companion bill, H.R. 9667.

Last year it was my privilege to introduce a bill that had as its objective the stabilization of price support levels for our tobacco. A bill similar to the one I sponsored was passed by both the House and the Senate, but unfortunately it was vetoed when it reached the President.

The 9th District of Virginia, which I represent, is a burley tobacco producing area. I am pleased that the Virginia Burley Tobacco Growers Association has always been behind this and other constructive legislation. It is one of the groups that is now supporting this bill to take the place of the vetoed measure.

The purpose of the bill is, as stated, to stabilize the price of our tobacco. It will not cost the producer; it will not cost the consumer; in effect, it will aid both the producer and the manufacturer in stabilizing tobacco prices and expanding domestic and foreign tobacco markets.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Virginia.

Mr. GARY. I want to say to my distinguished colleague that I come from the largest cigarette manufacturing cen-

ter in the entire world. My native city of Richmond manufactures more cigarettes than any other community in the world. I want to associate myself with the views of my colleague from Virginia [Mr. JENNINGS], and also associate myself with the patron of this legislation, the gentleman from Virginia [Mr. ABBITT], in the support of his bill.

Mr. JENNINGS. I thank the gentleman for his kind remarks. I regret that the Department of Agriculture, and certain organizations on a national level opposed the bill last year, which, in effect, led to the veto and caused it to wait for 1 year. So, I do urge the passage of this bill, because it is in the best interests of all concerned.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman say that this is not going to increase the cost of my smoking tobacco?

Mr. JENNINGS. The gentleman from Iowa can rest assured it will not cost him anything. I am glad, indeed, that he is one of those who enjoys the pleasure of the tobacco industry in smoking.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I rise in support of the legislation.

As I understand, this legislation provides that the support price for burley tobacco in 1960 remain at the 1959 level and thereafter be tied to the prices paid for labor and other commodities.

The burley tobacco program perhaps has been the most successful of all the farm programs and is operating at little or no cost to the Government. The burley tobacco farmer continues to show a willingness to cooperate with a sound price support acreage control program. He should not be penalized for the failure of Congress to recognize this attitude which would allow the tobacco program to be emasculated because of the failure of one or two other farm programs.

In the district that I represent, I have some 20,000 small growers and I want to state that they are, in general, satisfied with the present tobacco program. The small grower cannot stand any further reduction in acreage. Personally, I feel the rigid price support program, insofar as burley tobacco is concerned, has worked well. In fact, the support price has only risen 8 cents over the past 6 years, that is from 47 to 55 cents. I want to further state that I am not alarmed by statements that we need flexible price supports.

With respect to the desirability of preventing further increases in tobacco support prices in the immediate future, there is general agreement that unless the support price is stabilized at or near present levels, exports in all probability will decrease. This perhaps could be most serious for the producers of Flue-cured and other types of tobacco where as much as 40 percent of the crop is exported. Its influence could spread to the producers of burley and for this reason I introduced a companion bill and am supporting the legislation.

The tobacco farmer in the counties that I represent cannot absorb additional acreage reductions in the face of current economic conditions.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Kentucky [Mr. STUBBLEFIELD].

Mr. STUBBLEFIELD. Mr. Chairman, I wish to record my complete support for H.R. 9664. The tobacco producer and trade organizations and our national farm organizations are to be commended for bringing to the Tobacco Subcommittee of the House Agriculture Committee the proposal which led to the bill before us here today.

I would like to especially commend the two cochairmen of the group representing the 35 organizations supporting this bill. They are Burl St. Clair, president of the Kentucky Farm Bureau Federation, and Fred Royster, of Henderson, N.C., managing director of the Bright Belt Auction Warehouse Association. Our tobacco leaders showed wisdom in selecting these two able and distinguished gentlemen to head up this operation. They have done an oustanding job.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to indicate my opposition to the continuance of either tobacco or peanuts as basic crops within the program of agricultural supports. Neither crop can qualify as an essential basic food.

However, if the proponents of this legislation are correct in saying that it will reduce Federal contributions to the tobacco support program while increasing gains to the producer, the manufacturer, and the consumer, it will be performing the marvel of recent times in agricultural legislation. The effect of this legislation and its application to other products of American agriculture should be carefully watched.

I want to take this time, Mr. Chairman, to call attention of the members of the Committee on Agriculture who are on the floor today to the fact that the State of Ohio is being sued this week by the Federal Government for the sum of $28,000 for growing too much wheat on farms in eight mental and penal institutions operated by the State. The wheat raised on these institutional farms is not sold to the public but is used exclusively for making flour and other commodities for these institutions.

The tragedy of this shameful and politically inspired litigation is that Ohio welfare institutions are being fined and penalized for spending money and energy raising grain which the Federal Government refines and offers free of charge as a surplus commodity.

This litigation is unique and raises an important issue between the Federal and State Governments. The constitutional questions involved could become very grave.

This litigation is perhaps the first instance in the history of the United States in which a sovereign State is being sued for refusing a Federal gift.

I hope that your committee will very quickly look into the problem created by the Ohio situation and take such steps as are necessary to eliminate this type of ridiculous litigation between the Federal Government and the several States.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, some six or seven of the counties in southwestern West Virginia grow the same type of burley tobacco that is grown in the adjoining area of the great State of Kentucky. The Representatives in the House from Kentucky are unanimous in that this is the proper approach to the legislation, and it is a pleasure for West Virginia to join them in support of this legislation. The distinguished gentleman from Kentucky [Mr. WATTS] said it was a program which was not costing the taxpayers anything. If that be the case, I see no reason why it should not have the unanimous endorsement of the Congress.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Chairman, the production of Flue-cured tobacco in the Seventh Congressional District of North Carolina is not only our line, it is our way of life. We have in that particular congressional district nine communities that have auction markets.

I certainly am happy to support this legislation because it eliminates factors that have heretofore been geared to the price-support level of Flue-cured tobacco. In this bill price support is geared only to the question of the cost of production and nothing else. The growers of North Carolina and the Nation believe in this type of legislation.

I commend the gentleman from Tennessee [Mr. BASS] on putting his finger on the troubles we are having with our surplus programs, the unwillingness of our growers to come to the Congress and ask that their acres be reduced when surpluses accumulate. That has made a success of the tobacco program in this country, the willingness of the growers when the time came to come to the Congress and accept the necessary cuts in acreage in order to keep supplies in line with demands.

This program has never cost the taxpayers of this country one dime. On the contrary, it has brought into the coffers of the Treasury of the United States through the Federal tax on tobacco somewhere in the neighborhood of $2 billion, and there is another billion that goes into the treasuries of the several States and communities of the country.

I urge the passage of this important and vital legislation.

Mr. DAGUE. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa [Mr. HOEVEN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOEVEN. Mr. Chairman, I rise in support of the bill as introduced by the distinguished gentleman from Virginia and reported unanimously by our Committee on Agriculture. This bill in fact has virtually unanimous support from the entire tobacco industry and from all interested farm organizations. It is not opposed by the Department of Agriculture. I know of no one in the agricultural community who is opposed to it.

I would like to make the record crystal clear as to just what this bill does and why it does it.

In order to understand exactly what this bill does, one must review the operation of the present parity formula.

Prior to 1950 the parity price of all agricultural commodities was computed by multiplying the price received from each commodity during some previous normal period by an index number called the parity index reflecting the increase since that base period in the price of things farmers buy. The effect of this computation was to establish a parity price for each commodity designed to give a unit of that commodity the same relative purchasing power it had in the base period. This computation was called "old parity."

In the Agricultural Acts of 1948 and 1949, Congress adopted a new parity formula which basically did two things: First, it substituted a price based on the most recent 10-year average of prices received for each agricultural commodity for the previously fixed price base period; and second, it added a totally new intercommodity relationship factor in that it provided that the parity index should be applied to agricultural prices as a whole to determine the parity price for all agricultural commodities, in order that the parity level of each individual commodity would reflect the relative price of each commodity to the total on the basis of the most recent 10-year market average for each commodity in relation to the 10-year market average for all commodities. This calculation is called "modernized parity." All but five commodities are under this modernized parity formula. These five are under what is called "transitional parity" or a statistical program of transferring from old to modernized parity in an orderly manner.

The bill before us provides that the level of price support for each kind of tobacco for which farmers approve marketing quotas will be as follows:

(a) For the 1960 crop the level of support in dollars and cents will be the same as in 1959. This is a 1-year freeze or a ceiling price. It will prevent the price support of tobacco from going any higher in 1960 than it was in 1959.

(b) In 1961 and subsequent years, the year 1959 will be used as a base period and the calculations will be similar, but not identical to, the old parity formula. The level of support in 1959 will be multiplied by the ratio of the moving 3-year parity index to the 1959 parity index. In other words, the bill removes from the modernized formula the 10-year moving average of prices received for all agricultural commodities and changes adjustment of the parity index from a 1-year to a moving 3-year average. In addition, the bill deletes the statistical adjustment of the moving 10-year average of prices received for all commodities.

The following is an example of this calculation on Flue-cured tobacco prepared by the Department of Agriculture:

Flue-cured tobacco: Example of calculation of support level by proposed legislation

1. 1960 support level same as 1959 (55.5 cents per pound).
2. For 1961, the support level will be determined as follows:
   1958 annual index of prices paid [1] 293
   1959 annual index of prices paid 298
   1960 [2] annual index of prices paid 303
3. 1958–60 average, annual index of prices paid 298
4. $\frac{\text{1958–60 average of prices paid}}{\text{1959 index of prices paid}} = \frac{298}{298} = 100$ percent.
5. 55.5 cents per pound × 100 percent = 55.5 cents per pound.
6. For 1962, the 3 years annual index of prices paid used will be 1959, 1960, and 1961, and the average of these 3 will be divided by 298 (the 1959 index).

[1] Prices paid by farmers, including wage rates, interest, and taxes.

[2] Not an estimate, but used for explanatory purposes only.

In brief, Mr. Chairman, this bill abandons 90 percent of modernized parity and establishes a new and unique type of parity formula for tobacco for the 1961 and subsequent crops. In 1960 there is a plain and simple freeze based on the dollars-and-cents level of support. This is pretty close to my amendment offered to last year's tobacco bill which would have called for a 2-year freeze of tobacco supports until a new formula could be worked out. This bill for all practical purposes is a 2-year freeze on tobacco price supports.

The reasons why we have this bill before us are simply that our American tobacco has been losing many of its export markets because of the statistical abbreviations of the modernized parity formula for tobacco with price supports pegged by law at 90 percent of that formula. Another reason is the fact that unless some action is taken further acreage allotment cuts would be necessary.

In conclusion, Mr. Chairman, this bill stands as recognition of the fact that 90 percent of modernized parity for tobacco is unsound and should be corrected; it will keep tobacco price supports from going above the 1959 level for at least 2 years; it will help us regain some of our oversea markets lost to vigorous foreign competition; it will prevent further acreage allotment cuts for tobacco farmers whose average burley allotment now is only 1.02 acres per farm; and, finally, it will decrease the costs of the tobacco program.

Mr. DAGUE. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I would like to take a moment to extend my sincere congratulations to the tobacco industry on its awareness of and proposed solution to the competitive market problems facing that commodity.

This great industry should be congratulated first for recognizing the weaknesses in the present price support system employed for tobacco. The admission that price supports based on 90 percent of the modernized formula may be a bitter pill to swallow for many groups and individuals within the industry, but taking this medicine is a clear tribute to their courage and intelligence. H.R. 9664 which freezes price supports in 1960 and then removes the 10-year moving average of prices received for both tobacco and for all agricultural commodities while using a 3-year moving average parity index related to a 1959 base period, is indeed a drastic change in the parity formula.

The tobacco industry is to be commended for adopting such a drastic measure which will actually prevent prices from rising for 1 year definitely and for 2 years most probably. It is not often that a commodity group seeks lower prices. Most often it is the reverse.

The industry is to be complimented on its awareness of the effect of foreign competition in the world markets. The industry's action in supporting this legislation serves notice on the world that the American tobacco industry is going to meet competition and that the U.S. Government is not going to hold a price umbrella over continually expanding foreign competitors.

And, finally, Mr. Chairman, the industry should be congratulated for realizing the effect that continually rising support prices have on tobacco growers. It has been pointed out on various occasions by the distinguished gentleman from Kentucky [Mr. WATTS] that his burley producers have had acreage cuts of from 45 to 50 percent. This legislation which is designed to prevent any further acreage cuts by moving more tobacco into markets, is sound. H.R. 9664 should be enacted and I give my support to its passage by the House today.

In closing may I commend the gentleman from Virginia [Mr. ABBITT] for sponsoring this legislation.

Mr. DAGUE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, as a member of the subcommittee which considered this legislation I should like to express my pleasure at being able to work with our distinguished chairman, the gentleman from Virginia, in bringing to this House constructive legislation which is designed to permit the tobacco industry to hold its position in foreign competition. We believe this measure is constructive, and we are glad it comes before the House with the type of support it is now accorded.

Mr. DAGUE. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, may I ask the chairman of the committee if I understand correctly that in altering the formula we are in effect raising the price support on tobacco?

Mr. COOLEY. No; it is exactly the opposite.

Mr. MICHEL. Then we are lowering it?

Mr. COOLEY. It is preventing an increase which would occur unless this legislation is passed.

Mr. MICHEL. What would the price-support level be, approximately?

Mr. COOLEY. It depends on the different types of tobacco.

Mr. MICHEL. Are we embracing, then, the Secretary of Agriculture's pol-

icy of returning to more flexible price supports if we support this kind of legislation?

Mr. COOLEY. No; we are not adopting Secretary Benson's policy. We are not embracing flexible price supports. We are merely preventing an unusual or undue increase in the price support levels because of the decline in prices of other commodities.

Mr. MICHEL. I appreciate——

Mr. COOLEY. No; you will never be able to make me say I am embracing Mr. Benson.

Mr. MICHEL. I appreciate the chairman's comments. I have just been a little bit confused, but I have been enjoying it because this is the first time I can remember in recent years where an agricultural bill came on the floor of the House in which there has been so much agreement and good feeling, and even our Secretary of Agriculture now apparently is being commended indirectly by Members from the tobacco growing regions as to the good sense he is exercising.

Mr. COOLEY. I am perfectly willing to commend the Secretary for embracing the bill prepared by the tobacco industry and presented by the gentleman from Virginia [Mr. ABBITT].

Mr. MICHEL. Does the chairman think there is a possibility of this kind of amicable agreement being reached on any of the other so-called basic crops?

Mr. COOLEY. I am glad the gentleman asked the question. I think if other programs with reference to basic commodities had been administered as effectively as the tobacco program has been administered, they would not be in the difficulties that they are now in. In other words, they did not reduce their production at the time when they should have reduced it. The tobacco farmers have, as indicated in the Secretary's letter, been willing to embrace realistic controls and quotas.

Mr. MICHEL. When was the time that they should have reduced their production?

Mr. COOLEY. Well, I will tell you when that time was. I think in the middle of 1953 when there was the cessation of hostilities on the fighting front in Korea and we had large crops of all commodities planted, the following year they should have drastically reduced the acreage. That is what we did in tobacco. Tobacco growers have taken as high as a 27-percent reduction in 1 year. The last reduction was 20 percent. We have tried to keep our acreage in line with the demands of the trade.

Mr. MICHEL. With that much of a reduction in acreage, what has been the result so far as the loss in net income?

Mr. COOLEY. We have had stability of prices straight through year after year. Naturally, the farmer has sustained some loss in his overall volume so far as his income is concerned, but he has been willing to do that and to hold on to this program while the producers of other commodities have not been willing to do that.

Mr. MICHEL. I appreciate the chairman's replies to my questions. I am glad to see the tobacco farmer doing so well and wish we could say the same for the rest of agriculture. There is no question in my mind that the root of our problem stems from the fact that the Congress did not face up to its responsibility at the close of World War II. There was absolutely no justification whatsoever in continuing to encourage the marginal and submarginal producer with high rigid price supports after the end of hostilities. We should have returned immediately to prewar conditions, but it just proves again how reluctant the Congress has been to face up to reality, and the longer we delay, the rougher it becomes to take the sugar-coated candy away from the baby.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. HEMPHILL], such time as he may desire.

Mr. HEMPHILL. Mr. Chairman, I rise in support of this legislation. I commend the Committee on Agriculture for bringing this bill out. We, in the State of South Carolina, have needed this sort of legislation for a long time, and while very little tobacco is grown in my district, we in our State try to support our statewide industries.

In cooperation with Mr. ABBITT, I introduced an identical bill. I did not ask to be heard before the committee in the interest of having time which would speed this legislation to this floor for debate and passage.

Tobacco is a great crop, and while I use it only sparingly, its impact on the economy of this Nation is a part of our history. I salute the skillful farmers and their fellow workers of the tobacco industry of South Carolina and their country.

I hope this legislation will pass and the President will sign it. It is good for the country as a whole.

My thanks to Mr. ABBITT, of Virginia, chairman COOLEY, of North Carolina, my own colleague from South Carolina, Mr. MCMILLAN, and others, for their fine work on this bill.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. SPENCE] such time as he may desire.

Mr. SPENCE. Mr. Chairman, I am heartily in favor of this legislation and hope it passes unanimously.

Mr. DAGUE. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I appreciate the wisdom of the southern tobacco farmers in voluntarily reducing their crops. I would like to point out, however, Mr. Chairman, that when they reduce their crops, we, in Iowa, cannot plant burley tobacco, but should our farmers in Iowa voluntarily reduce their acreage, crops of corn could be produced and have been produced in almost all of the Southern States and that differentiation, Mr. Chairman, I think, is something we should bear in mind.

Mr. HECHLER. Mr. Chairman, if ever there was a diamond in the rough, it is the Nation's tobacco program, which glitters as a model of efficiency in an otherwise confused, unfair, and inefficient farm program.

The Nation's tobacco farmers can be justly proud of their record of self-discipline and voluntary crop controls. They also can point out that the cost of storage of burley tobacco has not been borne by the Government.

In my district live more than nine-tenths of the tobacco farmers of West Virginia. I have tried to represent their interests whenever I could. Since they are all small farmers, with tiny allotments, I have urged that quotas be increased for the smaller farmers. I am realistic, however, and I know that this cannot be done without increasing the sale of burley tobacco.

Therefore, I was happy last year to support a tobacco bill aimed at protecting the Nation's tobacco export markets without destroying the principle of the support program which has served so well.

I joined other tobacco State representatives in deploring the fact that this sensible bill was vetoed by the President.

Now a new bill has been brought before us. The major tobacco-growing and marketing organizations, individual farmers, and Members of Congress from the great tobacco-growing districts all have indicated their support and acceptance of this new bill.

The 1960 bill contains changes which are technical in nature without altering the substance of the 1959 measure. The new 3-year average parity index seems as acceptable as the earlier formula for fixing the price supports to the parity index for a single year—and actually produces a slightly higher figure.

Therefore, with the fervent hope that this new bill will be signed into law to preserve and protect one of the few things that's right about our present farm program, I support and urge passage of this legislation.

Mr. COOLEY. Mr. Chairman, I have no further requests for time.

Mr. DAGUE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the Agricultural Act of 1949, as amended, is hereby further amended by adding at the end thereof a new section 106, as follows:

"SEC. 106. Notwithstanding any of the provisions of section 101 of this Act: (a) For the 1960 crop of any kind of tobacco for which marketing quotas are in effect, or for which marketing quotas are not disapproved by producers, the support level in cents per pound shall be the level at which the 1959 crop of such kind of tobacco was supported, or if marketing quotas were disapproved for the 1959 crop of such kind of tobacco, the level at which the 1959 crop of such kind of tobacco would have been supported if marketing quotas had been in effect. (b) For the 1961 crop and each subsequent crop of any kind of tobacco for which marketing quotas are in effect, or for which marketing quotas are not disapproved by producers, the support level in cents per pound shall be determined by adjusting the support level for the 1959 crop of such kind of tobacco, or if marketing quotas were disapproved for the 1959 crop of such kind of tobacco, the level at which the 1959 crop of such kind of tobacco would have been supported if marketing quotas had been in effect, by multiplying such support level for the 1959 crop

by the ratio of (i) the average of the index of prices paid by farmers, including wage rates, interest, and taxes, as defined in section 301(a)(1)(C) of the Agricultural Adjustment Act of 1938, as amended, for the three calendar years immediately preceding the calendar year in which the marketing year begins for the crop for which the support level is being determined to (ii) the average index of such prices paid by farmers, including wage rates, interest, and taxes for the calendar year 1959."

SEC. 2. Section 101(e) of the Agricultural Adjustment Act of 1949 (63 Stat. 1051; 7 U.S.C. 1441(e)) and section 2 of the Act of July 28, 1945, as amended (59 Stat. 506; 7 U.S.C. 1312 note) are hereby deleted.

The CHAIRMAN. Under the rule the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. EDMONDSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9664) to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost, pursuant to House Resolution 440, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. DAGUE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HOEVEN], may extend his remarks at the proper place in the RECORD during the consideration of the bill in Committee of the Whole, and to include extraneous matter.

The SPEAKER. Is there objection?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

DEVELOPING THE NATION'S WATER RESOURCES

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the most important matters facing this Nation in the years ahead is the conservation, development, and wise use of our limited water resources. With the objective of achieving maximum usefulness of such resources, I introduced last year an important and far-reaching water policy bill, H.R. 3704. This legislation has been under study and review for a year by the Federal departments and agencies involved, the States, and other interested groups. I hope that it will be ready for congressional consideration in the near future. I would like to briefly explain what is involved in this bill.

The purpose of H.R. 3704 is to establish congressional policy to the effect that the conservation, development, and utilization of the water resources of the United States shall be administered on a comprehensive, multiple-purpose, basin-wide basis so as to achieve maximum usefulness of such resources, and to set up the mechanism or means for carrying out this policy. The establishment of river basin water resources commissions would be authorized to coordinate the planning of water resources developments. The bill also prescribes uniform methods to be followed by all Federal agencies in evaluating projects. The bill is limited to the planning phase of water resources development and does not involve the question of who constructs the works recommended in the basin-wide plan. It is anticipated that a plan would be evolved for each major basin into which all projects, whether they are constructed by the Federal Government or by a State, a local agency or a private corporation, could fit. The legislation does not involve the matter of reimbursability or nonreimbursability of the usual major items of irrigation, flood control, hydroelectric power, and so forth, except that recreational development in connection with multiple-purpose projects would be authorized on a nonreimbursable basis. Otherwise repayment requirements would remain for the most part as presently set out in existing law.

The river basin commission would serve as the principal agency for coordinating Federal, State, and local plans for water resources development in a river basin or a group of related river basins. It would be the mechanism through which Federal agencies, States, and local agencies and interests would prepare and publish joint plans for water resources development. The commission would keep up to date comprehensive joint plans for water resources development in the basin and would recommend a schedule of priorities for the collection and analysis of basic data and for investigations and project planning. The commission would have authority to make such studies and investigations as it determined necessary to carry out its responsibility for an overall basin plan.

Each river basin commission would be composed of a full-time chairman, one member from each Federal department or agency having a substantial interest, one member from each affected State, and one member from any interstate compact commission having jurisdiction extending to the waters of the basin. The President could not create a commission in any basin where an existing commission, created by Congress or by compact, was already doing an adequate job of coordinating water resources planning.

We have been talking multiple-purpose, basin-wide development for 30 years but to date no such policy has been established by law. Probably the greatest single weakness in the Federal Government's activities in the field of water resources development is the lack of cooperation and coordination of the Federal agencies with each other and with the States and local interests. This has been occasioned by the fact that the Federal interests in water resources development have been expressed in different laws empowering different agencies to pursue different programs for different purposes without requiring close cooperation and cordination. In other words, Congress has not provided a single, uniform policy or even uniform criteria for planning water projects.

The problems of developing the resources of a basin involve particular needs and uses of water, which uses at times vary widely. The problems involve different groups and agencies pressing for development for particular purposes. One group will be seeking flood control, another navigation, another group will be asking for assistance in irrigation development while others will be seeking hydroelectric power development, fish and wildlife and recreational development, and so forth. The need for some entity to coordinate all the various proposals in a basin and fit them into an overall plan for getting maximum usefulness from our water resources has long been recognized. This bill proposes that this coordination be done by a river basin water resources commission.

Proposals for establishing river basin commissions or some similar organization have been proposed from time to time since the multiple-purpose concept was first evolved. In August 1926 Secretary of Commerce Herbert Hoover, in an address in Seattle, proposed that a commission be established to coordinate development in each important river basin in which each of the States concerned, each of the major Federal agencies involved, and representatives of private development agencies be included. In 1949, the first Commission on Organization of the Executive Branch, headed by former President Hoover, recommended such a basin setup in its report to Congress. The second Hoover Commission, reporting to Congress in 1955, repeated the recommendation for basin commissions "representing fairly the Federal, State, and private interests." The President's Water Resources Policy Commission, sometimes referred to as the Truman Commission, in reporting to the President in December 1950, included this recommendation:

To insure the preparation of sound basin programs * * * the Commission believes that * * * Congress should set up separate river basin commissions for each of the major river basins. These commissions, set up on a representative basis, should be authorized to coordinate the surveys, construction activities, and operations of the Federal agencies in the several basins, under the guidance of independent chairmen appointed by the President and with the participation of State agencies in the planning process.

More recently, President Eisenhower's Advisory Committee on Water Resources Policy, reporting to the Congress in January of 1956, recommended "that planning for water resources and related developments be conducted on a cooperative basis with representatives of all Federal, State, and local agencies involved" and proposed an organization plan which included "regional or river basin water resources committees with a permanent nonvoting chairman appointed by the President and with membership composed of representatives of all Federal departments and States involved."

All agencies and departments working in the water resources field recognize the need for some organization to coordinate planning activities. For instance, General Itschner, Chief of Engineers, recently stated in a speech discussing our water resources development:

> We should have a degree of coordination not hitherto achieved, despite the excellent work of the several river basin coordinating committees. A step in the right direction would be the establishment of a nationwide coordinating effort, comprised of integrated local, State, and Federal activities, that would reach from grassroots to the highest Federal level, in all of our river basins. We should look to such an organization to formulate overall water resources development policy and insure enactment of appropriate enabling legislation to carry out the policy in an orderly and timely program.

Commissioner of Reclamation Dominy, in referring to the river basin study commission established in Texas, made this statement:

> We have the basis and the materials for the job of formulating an enduring Texas water program. Lacking until recent months (until establishment of a study commission) have been the mechanics of how to integrate the bewildering variety of findings, aspirations, aims, agencies, policies, and procedures into a single common integrated program. A vehicle of some nature was needed to serve as a common meeting ground, to provide a continuing forum, for needed cooperation, collaboration, interchange of ideas, and refashioning of concepts for a unified water program. Thus, the study commission for Texas evolved from the needs of a given moment in Texas history to fill that function. I wish to make it a matter of record that we have confidence in the commission.

The other principal matter involved in the legislation relates to the use of uniform methods in evaluating water resources projects. All Federal agencies would be required to use the same criteria and the same procedures in formulating project plans, determining benefits and allocating costs. Guidance from Congress in this field is long overdue. The lack of any such guidance has resulted in the establishment of policies in the executive branch by Executive direction. Budget Circular A47 is the result of the lack of any uniform congressional policy in evaluating water resources projects. No attempt is made in H.R. 3704 to set out the details of evaluation procedures but only the principles which are to be followed. Generally speaking, the criteria and principles set out in section 6 would establish a more liberal policy than is set out in Budget Circular A47; yet, these principles are sound from the economic standpoint.

Section 1(b) of H.R. 3704 states that the evaluation of all projects shall be conducted on a uniform basis and that the methods and procedures set out in section 6 shall be applicable to all Federal agencies. Section 6(a) provides for the consideration of all purposes and functions for inclusion in the project. In other words, the project should be planned on a truly comprehensive, multiple-purpose basis, with the benefits attributable to each purpose determined and an appropriate share of the cost allocated thereto. Of course, the inclusion of each purpose would have to be justified as provided in the subsections.

Subsection (b) relates to the formulation of a project and requires that the project be planned in such a way as to maximize the net benefits. This means that no project or unit or separable segment of a project could be developed beyond the point where the costs of further extension would exceed the benefits. Each purpose would have to stand on its own in that the benefits attributable to it would have to at least equal the costs of including such purpose.

Subsection (c) establishes the period over which the project is analyzed for determining economic justification at 100 years or the economic life of the project, whichever period is less. The economic life of a project is normally determined by the life of the major feature; the analysis would have to include replacement costs for works having a shorter life. Subsection (c) also provides for the inclusion in the economic analysis of both primary and secondary benefits and permits the consideration of intangible benefits as an additional project justification. Each project, unit or separable segment of a project would have to show benefits equal to or exceeding the costs. Also, no project, unit, or separable segment could be more expensive than the alternative means actually available in the locality for accomplishing the same purpose or purposes.

Subsection (d) states the principle to be followed in allocating costs. All purposes would share equitably in the savings resulting from multiple-purpose development. There could be exceptions, however, to this principle. No purpose or feature would be eliminated or left out of a project plan so long as that purpose or feature is economically justified on the basis of the separable cost of including it and, if it is a reimbursable purpose, project revenues would be sufficient to repay the separable cost of including it. Let us take an example where a project is being planned for irrigation, flood control, and power. It is determined that the project is economically feasible and justified for irrigation and flood control, and would be recommended for construction regardless of whether power is included. It is further determined that power development is justified and feasible on the basis of the separable cost of including it but that the allocation of a part of the joint cost to power would make the power development infeasible. In these circumstances, under the language in subsection (d), the allocation to power could be limited to the separable cost of including it.

Subsection (e) relates to reimbursability. There is no change in existing law with respect to the reimbursability or nonreimbursability of allocations to irrigation, municipal, and industrial water, commercial power, flood control, navigation, watershed management, and fish and wildlife. Allocations to recreation, not covered in existing law, are treated as nonreimbursable under the language of this subsection. The language of this subsection also provides that a determination be made as to what portion of the costs allocated to other purposes, such as salinity control, pollution abatement, and so forth, should be treated as nonreimbursable.

DETERIORATION OF THE RAILROADS—WILL THE BELL TOLL?

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, during July and August of the 1st session of the 86th Congress, a special subcommittee of the House Committee on Armed Services, under the chairmanship of the Honorable PAUL J. KILDAY, conducted hearings into the adequacy of transportation systems in support of the national defense effort in event of mobilization. At this time I ask unanimous consent that excerpts from the report of that subcommittee, dated October 10, 1959, be printed in the RECORD at the conclusion of my remarks.

The widespread concern in Government and civilian life over the present status of our transportation systems is evidenced by the many statements relative there to which appeared in the CONGRESSIONAL RECORD in the session just concluded. That there is need for concern is unquestioned.

The continued physical and economic good health of the transportation industry is of paramount importance. Unless we have adequate transportation in all modes to sustain both our military activities and our civilian economy, in event of an emergency, we will be like unto a living body with a ruptured aorta—our life blood slowly but surely running out. Indeed, the bell will be tolling for us.

Since I had the privilege of serving as ranking minority member of that subcommittee, I am acutely aware of the material presented there reflecting the situation that confronts us. I must say that I am profoundly disturbed at the picture that emerged during these hearings. It was distinctly sobering to learn that, despite our tremendous advances in all fields of industrial endeavor, we would assuredly experience vital shortages in transportation if confronted with other than a very limited military engagement. In the event of nuclear attack, "we would make do with what we have left."

Mr. Speaker, while we have concentrated on providing ourselves with the niceties of pleasant living, we have disregarded the hard core of our transportation existence—the railroads.

It is all to the good to be able to fly from New York to San Francisco between mealtimes, but this capability cannot supply the wheat and corn for our tables, the ore for our steel mills, or the coal for our industrial processes. Even the trucking industry, which has made such great and admirable strides in those fields formerly almost exclusively served by the railroads, will be at a distinct disadvantage in time of emergency because of its far greater dependence on fuel, manpower, and rubber.

The private automobile, which now accounts for approximately 90 percent of intercity passenger miles in the United States, has become like a third leg to the people of this country because of the flight to suburbia. But what is to become of those workers when tires and gasoline are in short supply? How will they get to their jobs in the mills, the factories, the food-processing plants, and the offices? Without them, our military machine and the flow of our bread of life grind to a halt. The bell will have begun to toll.

No one will allege, least of all those directly concerned with the operation of the railroads, that each mode of transportation does not have a place in the scheme of things. In peacetime each can be counted upon to serve in that field where its special talents can fill a special need. But in time of emergency when vital materials for operation can be expected to be in short supply, we will necessarily have to look to that mode of transportation which can best do the overall job in the most economical and efficient manner.

Past experience has taught us that we have historically looked to the railroads to handle the increased load. During World War II, railroads shouldered the burden of war-swollen traffic, transporting over 90 percent of all military freight traffic and 97 percent of all organized military passenger movements. Our wartime experiences in the field of combat, both in World War II and in Korea, vividly pointed up the astonishing durability and recuperability of a rail line; its resistance to disabling damage or destruction, and its ability to make a quick comeback to volume operation.

Although we have been blessed by not having to cope with war or war damage within the continental United States, in the memory of living man, the recent developments in weapons delivery capacity make this a not unreasonable likelihood.

It behooves us, therefore, to know just where we stand on this most vital question. What is the present physical and economic health of the railroads? Will the railroad industry be able to accomplish the mission it will be called upon to accomplish and, if not, why not? The following excerpts from the aforementioned report provide answers reflecting a situation which, if allowed to continue, must, assuredly, be viewed as a prelude to the tolling of the bell:

EXCERPTS FROM THE REPORT OF THE SPECIAL SUBCOMMITTEE OF THE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, ON THE ADEQUACY OF TRANSPORTATION SYSTEMS IN SUPPORT OF THE NATIONAL DEFENSE EFFORT IN EVENT OF MOBILIZATION, OCTOBER 10, 1959

Transportation is one of the tools required by civilized man to bring order out of chaos. It reaches into every phase and facet of our existence. Viewed from every standpoint, economic, political, and military, it is unquestionably the most important industry in the world. You can no more operate a grocery store or a brewery than you can win a war without transportation. The more complex life becomes, the more indispensable are the things that make up our transportation systems.

The history of transportation is the history of adjustment to new situations that are constantly arising in a dynamic economy. Knowing its importance, one would expect that this great industry would be striding forward with giant steps to keep pace with all of the incredible achievements of our times. On the contrary, the picture that emerged from our hearings was one of a plethora of outdated and outmoded equipment, deferred maintenance, inadequate highways, depressed earnings, claims of unfair tax regulations, favored treatment of one mode over the other by subsidization, and the like, all of which reflected an unenviable state of suspended animation, detrimental to the economy and dangerous to the defense of the country.

Each mode of transportation had its complaints, both against competing modes and regulatory practices, and none presented the dynamic outlook and hope for the future that should prevail in this era of fantastic progress. The representatives of each of the modes of transportation devoted much time to indicating why theirs was the best, fastest, most economical in the use of fuel and manpower, and like reasons for indicating that each was the indispensable mode.

Despite the complete reliance of or economy and defense on all modes of transportation in varying degrees, no one deemed it necessary or desirable to concern himself with suggestions that might work to the benefit of all, economic and defensewise, through the cooperative actions of each mode, one with the other.

We do not wish to leave the impression that the fault is all with representatives of transportation. On the contrary, the Government bodies most concerned with the health and economic well-being of transportation showed all too little regard for this situation. They tended, rather, to view the present condition of transportation as adequate to perform the task it may be called upon to accomplish, with some possible soft spots. There was no indication of any new thinking in this field but rather an obvious dependence on past experiences for guidance.

All in all, it was a picture of obsolete equipment, 19th century economics and laws and antiquated thinking.

The railroad industry which at one time enjoyed a virtual monopoly in intercity commercial passenger transportation, has seen its position deteriorate in the past two decades from 67.8 percent in 1939 to about 31 percent in 1958 of the total for-hire transportation in this field.

As might be realized with a decline in the amount of passenger transportation there has been a similar decline in the means of such transportation; that is, pullmans, coaches, and those items of railroad equipment necessary to a successful and efficient operation of long- and short-haul passenger service.

Total ownership by class I railroads and the Pullman Co. of passenger carrying cars declined from 30,052 (seating capacity 2,163,744) in 1939 to 18,577 (seating capacity 1,226,082) in 1958. Durnig this period there has been a similar decline in the appurtenances of passenger traffic, such as dining, lounge, club and baggage cars and the like. Despite increases in such items as cars per train, passengers per car and train, miles per active locomotive day, passenger train speed, car-miles per train hour, and car- and passenger-miles per train hour, all of which would be expected to induce an increase in the use of this mode of travel, nevertheless the decline has been steady and continuous. In the field of commutation traffic, however, the number of passengers in 1958 was slightly more than in 1939.

No consideration of the capability of the railroads to transport passengers would be complete without a review of the condition of its equipment. Poor condition thereof would, admittedly, limit its capability.

According to data supplied to the committee, the average age of passengers cars, owned or leased by class I railroads and the Pullman Co. as of January 1, 1958, was 28½ years; more than 53 percent are over 30 years of age and only about 15 percent were purchased within the past 10 years.

With the retirement of passenger cars greatly exceeding installations of new equipment in ever increasing numbers and the total in need of repairs decreasing only slightly (from 9 percent of cars owned in 1939 to 8.1 percent in 1958), the ability of railroads to handle a substantial number of additional passengers is highly questionable.

As in the passenger field, the railroad industry portion of the total intercity ton-miles in the United States has declined from 62.4 percent in 1939 to slightly over 45 percent in 1958. This loss has been accounted for by an increase in the percentage, of the total ton-miles, of the motor trucks and oil pipelines, which in the same period have almost doubled their aggregate percentage participation.

Despite this decline in railroad freight ton-mile haulage, the total number of freight cars of all class I railroads has not varied drastically in the past two decades. In fact, there has been a general upward trend, especially since 1950, in aggregate and average tonnage capacities. The retirement of old cars, the rebuilding and modernization of old cars, and installations of new ones, while it has varied from year to year due to changes in traffic and earnings, has not materially affected the total number of cars on hand. The percentage of cars in need of repairs, which as of December 31, 1958, was 7.1 percent, while higher than in any other year since the beginning of World War II, is considerably lower than the 12.8 percent which were in need of repair in 1939. The average of all freight cars is 18.9 years.

Due to the fact that shipments by rail of many commodities are seasonal, there exists during the year periods of surplus and shortages in cars. Here again, there has been a great variance from year to year but the amount of variance, in recent years, has been much less than existed at the start of World War II.

All of the above factors are considered vital to the existence of a transportation system in being which will be able to support the demands placed upon it.

From a system that was almost wholly operated by steampower, the railroads have, in the past two decades, converted almost 100 percent to diesel engines. From a total of 42,511 units of motive power in 1939, there has been a decline to 29,560 in 1958. However, the greater efficiency of this new type of power is reflected in the fact that

the active freight locomotive average daily mileage increased from 104 miles per day in 1939 to 141.6 miles per day in 1958. In addition, the net ton-miles per train hour, one measure of efficiency of railroad haulage, has increased slightly more than 100 percent since 1939.

According to statistics furnished the committee by the Pennsylvania Railroad, the past two decades has witnessed a decline in miles of road and miles of track as well as the number of train-miles operated per mile of track. This is accounted for by a program of road abandonment, undertaken by the railroads to ease their financial plight, which, in the period since World War II, has averaged about 600 miles of road abandoned per year.

Utilization of main-line track in recent normal years has averaged about 75 percent of the peak utilization in 1944 and on some rail lines is considerably less.

The hidden factor, as in the case of rolling stock, is that of deferred maintenance, a program which exists on the railroads because of their undesirable financial condition. If a program is initiated promptly to reduce this factor and to keep it current, road facilities will be adequate to handle an expanded amount of traffic.

Since World War II the railroads have increased the basic capacity of their line and terminals in a number of ways. They have increased the average weight of rails and the other elements which allow the carriage of heavier loads. They have installed additional miles of centralized traffic control and other systems which enable trains to move more frequently and with less interruption over a given line. They have built or modernized classification and terminal yards, permitting trains to be assembled and classified in greater volume and at faster rates. All of these basic improvements allow for heavier and longer trains which can run, if necessary, at more frequent intervals. The result has been a large increase in basic plant capacity over that of World War II or any previous period.

However, the railroad industry has not shared proportionately in the Nation's general economic growth and prosperity during the postwar years.

The railroad share of the total of public and private intercity ton-miles has declined steadily year by year, dropping from 67 percent in 1945 to 45 percent in 1958. Throughout the period, earnings have been uneven and relatively low.

Because of these low earnings, the railroads now are in a position quite different from that in which they found themselves in 1940. At that time, the railroad industry owned substantially more cars than they needed to cover prewar requirements. With that surplus and their unique ability to expand their capability without a proportionate increase in fuel, manpower, and equipment, the railroads were able to amass the record set by them in World War II. Today, the railroad industry does not have the reserve equipment necessary for such expansion despite new capital expenditures totaling more than $14 billion since the end of World War II.

CONCLUSIONS AND RECOMMENDATIONS

Recommendation No. 3

According to testimony received by the committee, the main reason for such shortages is financial. Many suggestions were offered for relief of this situation which should be given serious consideration. The main suggestions were as follows.

"(c) fully self-liquidating Federal equipment plan to lease rolling stock to the railroads; (d) change in law regarding agricultural commodities' exemption (either eliminate the law or make all carriers subject thereto); (e) change in depreciation allowance for rolling stock, equipment, and fixed facilities of the railroads; (f) establish provisions for a construction reserve; * * * (h) tax relief—Federal, State, and local."

Concerning these suggestions, the following recommendations are made:

"(c) This is in line with the provisions of H.R. 1365, introduced on January 7, 1959, which was referred to the Committee on Ways and Means. It is the recommendation of this committee that the Committee on Ways and Means give early consideration to H.R. 1365, acquaint itself with this report and the data developed in these hearings.

"(d), (e), (f) It is the recommendation of this committee that since these suggestions are within the jurisdiction of the House Committee on Interstate and Foreign Commerce, the committee and the Interstate Commerce Commission, within the scope of the latter's authority, should give serious consideration thereto in line with the declaration of the national transportation plan of providing "* * * for fair and impartial regulation of all modes of transportation * * * to the end of developing, coordinating, and preserving a national transportation system by water, highway, and rail * * * adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense. * * *

"(h) This suggestion has considerable merit and potential for immediate financial relief within the transportation industry. This is particularly true in the case of the railroads, for that segment of the industry, except for the pipelines, is alone in providing and maintaining its own rights-of-way. The railroads also provide their own terminals and other fixed facilities as do some other segments of the transportation industry."

In all, these fertile areas for taxation by governments, Federal, State, and local, are taxed to the extent that the levies placed thereon have become an oppressive burden operating to the detriment of the railroad industry in particular and to the economy in general.

In hearings by the ICC beginning in March 1956 relative to the railroad passenger deficit, the matter of such taxation, as it affected the whole of the railroad industry, was fully explored. On May 25, 1959, a report was released by the ICC which contained in addition to others, the following recommendations:

"(1) That Federal tax laws be amended to encourage local and State tax relief, at least to the extent of disregarding State- and local-provided pretax net income for Federal tax purposes.

"(2) That State and local governments take such steps as may be required to effect a greater degree of equity in respect to tax burden on railroad property in relation to taxpayers generally and consistent with the desire of their communities for retention of commuter and other passenger train service."

The committee is in agreement with these suggestions and recommends prompt action by those having responsibility therefor.

Recommendation No. 5

It is obvious from the testimony received in these hearings that the policies of the Federal and State Governments in providing roads, air terminals, waterways developments, and other means of assistance to transportation, have operated to the advantage of those forms of transportation, which advantages are not available to the railroads.

It is noted that the House Committee on Interstate and Foreign Commerce has, by reason of its jurisdiction, a continuing interest in the national transportation situation. The contents of this report and data set forth in these hearings are recommended to the consideration of the House committee.

PRESIDENT'S PROPOSAL TO TRANSFER NUCLEAR WEAPONS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, on February 3, 1960, a story appeared in the New York Times, under the by-line of Mr. John Finney, regarding a possible desire on the part of the executive branch of the Government to transfer atomic or hydrogen weapons to our allies.

On February 4, 1960, the subject of sharing atomic weapons or atomic weapons information with our allies was discussed at the White House press conference between Mrs. May Craig—Press Herald, Portland, Maine—and President Eisenhower. The verbatim interchange of question and answer follows:

Mrs. MAY CRAIG. Mr. President, there is concern in the Capitol for fear you may feel it necessary to give atomic information, or even actual custody of atomic weapons, to those countries where we're going to have bases for nuclear weapons.

Do you want to do that and, if so, inasmuch as we took our bases out of France on that quarrel with de Gaulle, would that mean you want to put nuclear bases back into France?

The PRESIDENT. Well, you've got about a three-barreled question there.

But, Mrs. Craig, the law itself says what information the Executive can give to particular nations, and it completely—and it defines rather accurately the nations to whom you can give this information.

As far as giving away the bombs, this cannot be done under existing law.

Now, I do believe this, that where we are allied with other nations and we are trying to arm ourselves in such a way as to make certain of our defense we should try to arm them in such methods and ways as will make that defense stronger and more secure.

I would not ever give any invitation even if the law permitted—give away information that was still in our opinion withheld from the Soviets themselves. But when the Soviets have the information and know-how to do things it's pretty hard for me to understand why we don't do something with our allies, as long as they themselves stand with us firmly in defending against the probable aggressive intent of communism.

I believe the President stated, in essence, the correct position of the Chief Executive in peacetime. I repeat the two pertinent paragraphs:

But, Mrs. Craig, the law itself says what information the Executive can give to particular nations, and it completely—and it defines rather accurately the nations to whom you can give this information.

As far as giving away the bombs, this cannot be done under existing law.

As this is a grave and most important matter, a matter which concerns the failure or success of disarmament, the failure or success of the forthcoming summit meeting between the President, Mr. Khrushchev, Mr. MacMillan, and possibly others; and possibly the chances of having a nuclear World War, it seems wise to restate the law or procedure by which completed nuclear weapons could be transferred from U.S. custody and control to an ally.

Let us remember that we are discussing this problem in the context of a peacetime period.

We use all the key words, such as "peacetime," "transfer," "custody," "control," and "hostilities," in their common traditional accepted sense of meaning, such as:

Peacetime—a time when we are not engaged in a shooting war with another power.

Transfer—the actual act of releasing the physical possession of a nuclear weapon from the United States to a foreign government so as to constitute an actual change of physical possession, custody and control; or to deliver to or make available such a weapon.

Custody—the actual possession and control of a nuclear weapon.

Control—the actual possession of a nuclear weapon which would allow the possessor the capability of preserving or using the weapon.

Hostilities—the description of a period of time after an enemy power has committed an overt act of war—after the first shot has been fired.

Unless these key words are accepted under the foregoing common traditional meanings, we can become lost in the maze of semantics.

In peacetime the President can initiate a proposal to transfer completed nuclear weapons in two ways:

(A) By treaty, requiring approval by the Senate.

(B) By international agreement, requiring a concurrent resolution of approval by both the Senate and the House of Representatives.

In peacetime the President can initiate a proposal to transfer the nonnuclear parts of a nuclear type weapon; the nuclear material to manufacture the nuclear component of a nuclear weapon and the design information which would enable an ally to fabricate the nontransferable nuclear part of the completed weapon. While this would accomplish the objective of placing a nuclear weapon in the hands of an ally without actual transfer of a completed weapon from the United States to an ally, it nevertheless involves a most important procedure. Before this "do it yourself" nuclear weapon and design information kit can be made available to an ally, the President must:

(A) Consummate a bilateral agreement for cooperation under the provisions of the Atomic Energy Act, as presently amended.

(B) Make a determination that the nation named in the bilateral agreement has a high standard of security—to prevent disclosure of classified information to unauthorized persons.

(C) Certify that the nation named in the bilateral has already made substantial progress in the development of atomic weapons.

At this point, Mr. Speaker, I will insert the pertinent part of the Joint Committee report which defines the meaning of the phrase "substantial progress." At this time, it is my opinion that this language restricts the application of the act to Great Britain.

With regard to the words "substantial progress" in the second proviso of subsection 91(c)(4) it is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons. It is intended that the cooperating nation must have achieved a capability on its own of fabricating a variety of atomic weapons, and constructed and operated the necessary facilities, including weapons research and development laboratories, weapon manufacturing facilities, a weapon-testing station, and trained personnel to operate each of these facilities. It is intended that full information shall be provided the Joint Committee as to the basis of any such determination. In reaching the conclusion as to the intended meaning of "substantial progress," and the types of material and the conditions established under subsection 91c, the Joint Committee relied heavily upon the good faith of the executive branch in its assertion in the January 27, 1958, letter forwarding the proposed amendments that "It is not intended that manufactured nuclear components of weapons could be transferred under this amendment nor that we promote the entry of additional nations into the field of production of nuclear weapons" (S. Rept. No. 1654, H. Rept. No. 1849, 85th Cong., 2d sess., p. 12).

In addition, the President must make, in each case, a report to the Congress that the contemplated transfer will strengthen the collective military strength of the United States and its ally and that it will not constitute a hazard to our military security.

When these described steps in procedure have been carefully followed, the bilateral agreement must lie before the Congress and the Joint Committee on Atomic Energy for consideration for 60 days.

This 60-day period of time provides ample time for congressional investigation, debate, and favorable or unfavorable action, through the use of a concurrent resolution of disapproval or approval, or automatic acceptance through failure of the Congress to take action of disapproval.

Congress, in passing legislation providing for this deliberate and careful procedure, exercised its legislative function after a calm and thorough use of every step in the legislative process. It considered with great care all phases of national and international needs and conditions. It denied the President certain broad powers which were requested and carefully prescribed procedures, standards, and conditions for presidential and congressional action.

A careful study of the testimony of executive witnesses during the congressional public and executive hearings reveal the intent and understanding of the legislation. The language of the legislation itself is clear and the accompanying committee report explains and clarifies each section of the amendment—1958. The debate on the floor of the House and the Senate contains clear and detailed statements by both Republican and Democratic members of the Joint Committee on Atomic Energy. These statements were harmonious in explaining the intent of the legislative language. The members of the Joint Committee on Atomic Energy were asked numerous questions and they gave answers and assurances to their colleagues on the vital points of the legislation. Frequent assurances from several members in both the House and the Senate were given on the procedures and safeguards relating to transfer of nonnuclear weapon parts, nuclear material, and classified weapon design information.

The Members of both legislative bodies were repeatedly assured that complete nuclear weapons could not be transferred under the language of the 1954 act or the 1958 amendment in peacetime.

I was therefore pleased to read the President's statement that he recognized the legislative prohibition against the transfer of completed nuclear weapons in peacetime.

I admit I was concerned about the last two paragraphs—Washington Post transcript—of his concluding remarks to Mrs. Craig and, later, by his remarks in answer to the question of Mr. Garnett D. Horner of the Washington Evening Star. The transcript of Mr. Horner's question and the President's answer follows:

Mr. GARNETT D. HORNER. Mr. President, a while ago sir, while you were talking about the atomic weapons and information to allies, I got the impression that you might lean toward favoring changing the law so that you could provide allies with custody of weapons that Russia has or knows how to make. Was that correct or wrong impression?

The PRESIDENT. Well, from the very beginning from what I knew about allied cooperation, and so on, I have always been of the belief that we should not deny to our allies what the enemies, what your potential enemy already has.

We do want allies to be treated as partners and allies, and not as junior members of a firm who are to be seen but not heard.

So I would think that it would be better, for the interests of the United States, to make our law more liberal, as long as we classify our countries as those that are—we are confident, by our treaties and everything else, are confident they'd stand by us and stand by us in time of trouble.

If I correctly interpret the President's remarks, they indicate a dissatisfaction with existing law. They indicate a desire for legislation which would permit the transfer of nuclear weapons to countries classified as trustworthy. I find it difficult to reconcile his statement against having allies who are treated as junior members "to be seen and not heard" and the exercise of classification between allies who would "stand by us in time of trouble" and others who might not. The act of classification would, of course, automatically create junior members.

I also know that no responsible individual in the executive branch, including the President, would expect that nuclear weapons would be transferred to every ally in the free world with which we have a mutual military security alliance. So I hope there is no more talk about junior members among our allies.

The fact has long been recognized that collective security in a major military alliance, such as NATO, is not based

on equality of weapons, manpower, finances, industrial production, or any other national capacity to contribute to the overall purpose of the alliance. Nor have military missions been assigned on the basis of equal capacity or responsibility. Each nation has been assigned duties and responsibilities on the basis of pertinent national conditions and resources.

Another point the President makes is that he sees no reason why an ally cannot receive information, or supposedly, nuclear weapons, on the basis that the Soviets have the same information or weapons. Of course, this is not the only reason for refusing to allocate nuclear weapons and information to an ally. It is only one consideration. There are several other points to consider and I will only mention one—stability of the existing ally government.

Many of our allies are, unfortunately, possessed of weak governments, some of them are based on the strength of a strong, but aged or egotistical leader. These governments could change over night because of the death of a strong leader. Other governments could change as the result of a new alliance of splinter parties and others could become more unstable through the growth of Communist or rightist forces which, at present, are of minority strength.

So, we see the problem is not simple and therefore is not susceptible to simple answers based on the Soviet level of knowledge, equality of treatment, or distaste for junior members among our allies.

Congressional legislation relating to transfer of nuclear weapons, has therefore recognized this complexity and has tried to make possible the use of our nuclear strength in the collective alliance, without risking the security of our assets in weak or irresponsible hands.

It is only natural for our military leaders to desire complete freedom in the use and distribution of nuclear weapons. It is only natural that there has been a constant struggle since the May-Johnson military-inspired bill, which placed all atomic development under military control, was defeated, to gain military control of atomic weapons and destroy the principle of any type of civilian interference with absolute military custody and use of nuclear weapons.

There has been a constant campaign to obtain acceptance of the fiction that "after all a nuclear weapon is just another weapon." "The nuclear weapon is a conventional weapon now." I regret to say that there has been an erosion of civilian control. Part of this erosion is due to a gradual step-by-step surrender to the steady pressure of our strong and entrenched military bloc. Part of it is due to the multiplication of nuclear weapon types and quantities in inventory.

A great deal of the erosion has occurred because of the elimination of time and space factors by new scientific developments. An important part of this erosion of civilian custody and control is based on the reduced warning time and the necessity for instant readiness to repel an enemy attack capability.

An incoming bomber fleet might give us 2 or 3 hours warning time on our continent. It might be as short as an hour on one or more of our allies in NATO.

If the enemy attack is by IRBM or ICBM, it might be less than a half hour. Under these conditions, there are new military problems to be considered which are vital to our destiny.

These problems will not go away nor will they be solved by our refusal to recognize that technological change has made obsolete the old and cumbersome procedures.

My plea is that we do not try to solve them through subterfuge or a calculated program of deceit. Let us lay the problem on the table and talk sense to the American people and our allies. Unless we can bear the burden of new challenges, through the exercise of our historic democratic processes of discussion, debate, and publicly arrived at decisions, then our way of life is doomed.

We cannot retain our liberties if we hide in fear of the peoples' verdict. We cannot trust the fateful decisions to any individual or group acting in secret, whether it be the President, the Joint Chiefs of Staff, the Security Council, or a limited group in the Congress.

I wish to clarify the term "limited group in the Congress." I speak of the Joint Committee on Atomic Energy. I have had the honor of serving on this committee since it was established in 1946. It has been a challenging and sometimes awesome experience. I have made the study of atomic problems and the participation in the duties and responsibilities of this committee my major congressional interest for 14 years.

I am very much aware of the trust and confidence the Members of the House and the Senate place in their respective members on this committee. Much legislation has been approved by both bodies, without requiring detailed public explanations, particularly in sensitive areas pertaining to weapons data. I believe this trust and confidence has been fully justified. It must continue for the security of the Nation.

In order to justify the continuance of trust and confidence, the joint committee must, at all times, be aware of its "watch dog" function. It must never take the easy road of accepting security classification of areas by the executive department because it is convenient or politically expedient. This is particularly true in the areas of international policy.

In this area the committee must, in my opinion, realize we are established and function as a result of congressional legislative action. We draw our authority from the Congress. We owe our primary allegiance to the Congress. We act as their agent and are not authorized to place our committee in the position of usurping any prerogative placed by statute in the Congress as a whole.

I believe all the members of our committee are most zealous in supporting these principles and I have no fear of our committee failing in the future to live up to its high legislative function.

The transfer of completed or uncompleted nuclear weapons is a matter of the greatest international importance. The peace of the world might well rest on this problem and the manner in which it is solved.

I do not intend, at this time, to elaborate on the reasons for making these statements. I will do so in due time.

At this time, I will state as my basic premise that:

The transfer or delivery of completed or uncompleted nuclear weapons to a foreign nation cannot be accomplished legitimately in peacetime, without the concurrent knowledge and approval of Congress.

If the President, for reasons which seem to be justified in his judgment, does not want to use the two methods now available to him—treaty or international agreement—to transfer completed nuclear weapons, and if the President does not want to use the third method set forth in the Atomic Energy Act of 1954 as amended, to accomplish the end result of placing nuclear weapons in the hands of a qualified ally, then, in my humble opinion, he must present a proposal to the Congress for the accomplishment of his objective. If he does this, I am sure that such a proposal will receive the most serious consideration by the Joint Committee on Atomic Energy. The committee will, in due time, bring the matter before the Congress as it did on a similar proposal in 1958. This problem is too serious to attempt to solve in news conferences. It cannot be solved by public statements which may whip up editorials or sentiment from those who do not understand the complexity or the fateful nature of the problem.

If we need to arm our allies with these terrible weapons, which may become common as to quantity but never can become conventional in the traditional meaning of the word, then let the Congress debate the issue so that the American people may learn the dire portent of the step we take.

If this step is necessary to strengthen NATO, then let us have a reevaluation of the purpose and present status of NATO, not as it was planned in 1949 as a military shield of strength reaching from Norway to Turkey.

Let us ask questions about NATO.

Has the purpose of NATO to form an effective military alliance materialized?

Have the NATO allies fulfilled their military commitments?

Is there a spreading spirit of neutralism in Europe which is nullifying our original purpose?

Has the revolutionary change in military technology—I speak particularly of intermediate and long-range missiles mated with nuclear warheads—made of the concept of NATO an ideological maginot line?

How many of the NATO nations are politically stable enough to have allocated into their sovereign possession mass-destruction nuclear weapons?

Would the allocation of nuclear weapons be to all of our NATO allies or would we classify some of them as dependable in time of trouble and others junior members?

If we transfer nuclear weapons to all of our NATO allies, are we placing nuclear weapons in sovereign hands which, if transient or irresponsible, might enlarge the likelihood of accidental war?

If we transfer nuclear weapons to a classified few, do we not thereby plant the seeds of jealousy, resentment, and suspicion in those nations relegated to the position of junior members?

What would be the response of Khrushchev to our policy of transferring nuclear weapons and thereby creating *n*th in the nuclear club?

Would he then announce his intentions to transfer Soviet nuclear weapons to Chou En-lai in Asia and Soviet satellite governments in Europe?

Where would we stand in the propaganda war for the minds of the uncommitted nations, if we can be accused of initiating the spread of nuclear weapons?

Last but not least, there are still millions of people in the world who want peace more than any other condition. These people are hoping for a cessation of nuclear bomb testing—they are hoping for disarmament—they are hoping for a successful summit meeting this year between the representatives of the nuclear powers and others.

I do not know whether their hopes will be realized this year or in many years ahead of us in the future.

I do know that the creation of many nuclear weapon nations—the spreading of these terrible weapons in more and more hands will increase the mathematical chances of a nuclear war.

I do know that this step is a long step away from the negotiating tables for peace and disarmament.

CHARLES JAMES LANDRY

Mr. LANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, I am proud that a young man from my district represented Massachusetts when the National Council of Scouting made its report to the Nation.

At the golden anniversary breakfast held at the Hotel Statler, Washington, yesterday, I was happy to sit beside Charles James Landry, of Revere, Mass., who was chosen to represent my home State.

Charles is an Eagle Scout, and a senior at Revere High School. He has applied himself well to his school studies and to his extracurricular activities. He comes highly recommended by an educator and a commissioner of Scouts for many years who advised me that "You will find him to be the typical American boy, reflecting credit on those who have placed their confidence in him." Wholesome, intelligent, courageous, he exemplifies the best in American youth, upon whom the future of our Nation and the future of freedom depend.

Because of his love for our country, Charles is thrilled by his trip to Washington; his meeting with the President; his visits to Valley Forge; to the home of the Boy Scouts in New Brunswick, N.J.; to the West Point Academy Chapel; to the Schiff Scout Reservation in Mendham, N.J.; and to the international luncheon in New York.

I think that he may be sitting in the visitors' gallery at this very moment, impressed by his closeness to the heartbeat of a great Nation, where history comes alive and blends with the decisions to explore new frontiers.

For this is a moving experience that shall inspire him through all the years of his life.

During Boy Scout Week the Congress is privileged to pay tribute to the Boy Scouts of America, and to the 50 years of service by this fine organization which guides our youth with this ideal: "For God and country."

One hundred and thirty thousand scouting units with a membership of over 5 million boys and adults are participating in the special programs of this anniversary year.

Charles James Landry is one of the 50 Boy Scouts and Explorers who have been chosen to represent them.

It is a high honor which he and his 49 companions measure up to in every way.

NATION FIGHTS INTOLERANCE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, the entire Nation feels a deep sense of outrage because of the unspeakable desecration of religious shrines and places that has recently occurred.

There is certainly no rational explanation for these detestable and abhorrent acts.

In some instances, they have been accompanied by malicious outbursts of antiracism and hatred directed against some of our finest and most loyal fellow citizens.

These incidents have cynically challenged the moral integrity, as well as the public order, of the communities in which they have taken place.

It may well be, as it has been suggested, that these grievous offenses against the time-honored American principle of religious toleration were the work of pranksters or other thoughtless, irresponsible individuals, obsessed by a perverted sense of humor.

It is also possible that these incidents may have been inspired by Communists or other subversives seeking to engender and promote racial hatreds and create misunderstanding and division between various segments of the American people.

Whatever the source of these outrages, they are absolutely intolerable in this land of freedom and justice. A very grave responsibility rests upon every agency of government in the Nation and upon every good American to exert every effort to punish the perpetrators and put down these truly unconscionable violations of common decency.

It is of considerable satisfaction that the Congress has already acted to tighten the criminal laws relating to offenses of this character by passing legislation last week to check the desecration of places of worship.

But this is not enough. While this action is commendable and moves in the right direction, stronger action is vitally necessary by government at every level to punish and check the work of pranksters, fanatics, and crackpots which is bringing so much sorrow, insult, and distress, as well as physical damage and loss, to members of highly respected religious congregations.

The heart of every true American goes out in deepest sympathy to those who are the helpless victims of these abominable misdeeds, and the whole Nation is stirred with profound indignation and firm resolve to apply speedy, effective, remedial measures.

I am requesting the FBI to investigate, try to apprehend, and bring to the bar of justice the despicable malefactors, whether Communists or otherwise, who have been responsible for this un-American and profane conduct.

I urge our appropriate congressional committees to explore further the feasibility of additional preventive laws and also hope that the legislatures of the several States will take similar action forthwith.

The American spirit of toleration and fair play is at stake. We must not and will not tolerate these monstrous assaults upon constitutional freedom and human rights.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 30 minutes, today.

Mr. COLLIER, for 20 minutes, on February 17.

Mr. LEVERING, for 10 minutes, on tomorrow.

Mr. HOFFMAN of Michigan, for 30 minutes, on Wednesday, February 17.

Mr. MEYER, for 60 minutes, on Wednesday, February 17.

Mr. POWELL (at the request of Mr. BURKE of Kentucky), for 30 minutes, on Tuesday, February 16, and Wednesday, February 17.

Mr. WOLF (at the request of Mr. BURKE of Kentucky), to transfer his special order for 90 minutes on February 11 to 90 minutes on Thursday, February 18.

Mr. CONTE (at the request of Mr. MICHEL), for 15 minutes, on Tuesday, February 16; for 45 minutes, on February 17; and for 30 minutes, on February 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VINSON and to include an address by Hon. PAUL J. KILDAY at the christening of the U.S.S. *John King* at Bath, Maine.

Mr. COLLIER and include extraneous matter.

Mr. MACK of Washington in two instances and to include extraneous matter.

Mr. PRESTON and to include extraneous matter in the remarks he made in the Committee of the Whole.

Mr. MILLER of New York (at the request of Mr. MICHEL).

Mr. CELLER.

Mr. WILSON (at the request of Mr. MICHEL).

Mr. CHENOWETH and to include extraneous matter.

(At the request of Mr. BURKE of Kentucky, the following Members were granted permission to extend their remarks in the CONGRESSIONAL RECORD and to include therein extraneous matter:)

Mr. BURDICK.

Mr. PUCINSKI.

Mr. DENT in two instances.

Mr. ROOSEVELT.

ADJOURNMENT

Mr. BURKE of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 47 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 10, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1812. A letter from the Assistant Secretary of Agriculture, transmitting a report for the past 6 months relating to the cooperative program of the United States and Mexico for the prevention of foot-and-mouth disease, pursuant to Public Law 8, 80th Congress; to the Committee on Agriculture.

1813. A letter from the Acting Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to make permanent the authority for flight instruction for members of Reserve Officers' Training Corps, and for other purposes"; to the Committee on Armed Services.

1814. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 51,646 pounds of opium poppy seeds now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811), as amended (50 U.S.C. 98b(e)); to the Committee on Armed Services.

1815. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 17,426 pounds of guayule seeds now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811), as amended (50 U.S.C. 98b(e)); to the Committee on Armed Services.

1816. A letter from the Acting Secretary of Defense, transmitting a report on the positions in the Department of Defense which were allocated or placed in the grades GS-16, GS-17, and GS-18 during the calendar year 1959, pursuant to Public Law 86-377, Public Law 163, 84th Congress, Public Law 86-36, and Public Law 85-322; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 3676. A bill to direct the Secretary of the Interior to convey certain lands to the city of Tillamook, Oreg.; with amendment (Rept. No. 1257). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Interim report on investigation of regulatory commissions and agencies; without amendment (Rept. No. 1258). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DINGELL:

H.R. 10296. A bill to prohibit agencies of the United States from imposing contractual provisions boycotting vessels trading with Israel; to the Committee on Merchant Marine and Fisheries.

By Mr. HAGEN:

H.R. 10297. A bill designating the first Sunday of May in each year as World Friendship Day; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 10298. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McDOWELL:

H.R. 10299. A bill to extend the veterans' home loan program to February 1, 1965; to provide for direct loans to veterans in areas where housing credit is otherwise not generally available; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORGAN:

H.R. 10300. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. STAGGERS:

H.R. 10301. A bill proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 10302. A bill to amend title 38, United States Code, with respect to the reduction in the special aid and attendance allowance paid to seriously disabled veterans during periods of hospitalization at Government expense; to the Committee on Veterans' Affairs.

H.R. 10303. A bill to amend section 512 of title 38, United States Code, to provide for the payment of pension to veterans of the Spanish-American War who served for 40 days or more; to the Committee on Veterans' Affairs.

By Mr. WAINRIGHT:

H.R. 10304. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income of up to $4,000 per family for tuition expenses paid by or on behalf of the taxpayer, his spouse, or a dependent for education at a nondenominational secondary school, college, or university; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 10305. A bill to extend to fishermen the same treatment accorded farmers in relation to estimated income tax; to the Committee on Ways and Means.

H.R. 10306. A bill to amend the Tariff Act of 1930 to increase from $10 to $30 the maximum amount of administrative exemption from customs duties (on articles for personal or household use) which is available to individuals who return from visits to foreign countries before they can qualify for the regular statutory exemption; to the Committee on Ways and Means.

By Mr. BECKER:

H.R. 10307. A bill to amend the Rural Electrification Act of 1936 with respect to the rate of interest payable on loans made by the Secretary of the Treasury to the Administrator of the Rural Electrification Administration and on loans made by the Administrator of the Rural Electrification Administration; to the Committee on Agriculture.

By Mr. BECKWORTH:

H.R. 10308. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BROCK:

H.R. 10309. A bill to amend the Natural Gas Act to prohibit a rate increase from becoming effective, subject to bond, before a pending rate increase proceeding has been finally determined; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H. R. 10310. A bill to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives; to the Committee on Agriculture.

By Mr. KILGORE:

H.R. 10311. A bill providing that certain provisions of Public Law 335 dated October 7, 1949 (63 Stat. 724), shall apply to the Mercedes division of the lower Rio Grande rehabilitation project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. KING of Utah:

H.R. 10312. A bill to provide for a national cemetery at or near Fort Douglas, Salt Lake City, Utah; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 10313. A bill authorizing bank protection and channel maintenance of the Sacramento River, Calif., in the interest of flood control, and for other purposes; to the Committee on Public Roads.

By Mr. RIVERS of Alaska:

H.R. 10314. A bill to amend section 44 of Public Law 86-70, approved June 25, 1959; to the Committee on Public Works.

H.R. 10315. A bill to authorize the exchange of certain war-built vessels for more modern and efficient war-built vessels owned by the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. ROBERTS:

H.R. 10316. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of individuals for benefits from the Veterans' Administration; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON:

H.R. 10317. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 10318. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 605. Joint resolution for the preparation and completion of plans for a

comprehensive observance of the 175th anniversary of the formation of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.J. Res. 606. Joint resolution to establish a National Advisory Committee on Rail Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. Con. Res. 586. Concurrent resolution authorizing the printing of additional copies of the hearings on civil rights; to the Committee on House Administration.

By Mr. DINGELL:

H. Con. Res. 587. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BASS of New Hampshire:

H.R. 10319. A bill for the relief of Samir Anabtawi; to the Committee on the Judiciary.

By Mr. BENTLEY:

H.R. 10320. A bill for the relief of Monique M. Gibbs; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 10321. A bill for the relief of Esther Boghos Oflazian; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 10322. A bill for the relief of Georgia J. Makris; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 10323. A bill for the relief of Ana Santos Nogueira; to the Committee on the Judiciary.

By Mr. TABER:

H.R. 10324. A bill for the relief of Mui Kim Chen Liang; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

336. The SPEAKER presented a petition of the borough secretary, Northampton, Pa., requesting passage of the bills H.R. 4488 and S. 1046, relating to increasing the minimum wage and extending protection to nearly 8 million additional workers, which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

Plywood Imports on the Increase

EXTENSION OF REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. MACK of Washington. Mr. Speaker, recently the management of the Harbor Plywood Mill at Aberdeen, Wash., which employs several hundred workers, announced to its employees that the plant was closing down for 1 week.

Reason given for the closure was that "the industrywide order file for plywood is generally at its lowest point in several years."

A number of other plywood plants in Oregon and Washington have announced similar closedowns. Some plants have closed for an entire week. Others have gone to a 3- and 4-day-a-week operation.

About the same time that the management of plywood plants were announcing curtailment of production due to inadequate orders the Secretary of Commerce reported that plywood imports from low-wage-, low-living-cost foreign nations into the United States increased by a whopping 49 percent during the first 11 months of 1959 over the same period of the previous year.

As more plywood imports have poured into our country from low-wage foreign nations, American mills have been compelled to curtail production and lay off employees thereby reducing the income of these workers.

The Commerce Department reports that 1,200,000,000 feet of plywood were imported into the United States in the first 11 months of 1959. These huge imports have curtailed the income of plywood workers and of the loggers and other suppliers who provide logs and other materials to plywood mills. This also has reduced the profits of plywood mill operators. It has resulted in the loss of individual and corporation income tax revenues to the Federal Government.

The growing menace of growing plywood imports from low-wage nations should suggest to Congress that some restriction on plywood imports through quota limits is urgently needed. The situation in 1960, unless speedily corrected, is likely to be worse for the plywood industry and its workers. The national domestic prosperity should not be permitted to erode because of too heavy uncontrolled imports.

Expansion of Promotion of Private Commercial Exports Can Reduce Future Budget Outlays

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MILLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. MILLER of New York. Mr. Speaker, I believe that economy in Government operations is absolutely essential and I know that our Appropriations Committee has done an outstanding job in eliminating unnecessary expenditures. However, there are times when a very slight increase in appropriations can yield returns to the Nation of much greater magnitude. I am referring to the budget for the Bureau of Foreign Commerce of the Department of Commerce. The budget recommended by the President and the Bureau of the Budget would permit a modest expansion in the BFC's program to promote private commercial exports. An increase in exports at this time is absolutely essential if our country is to be successful in eliminating the deficit in our balance of payments—that is, increase our income from foreign transactions so that it will equal our outgo. A deficit in our balance of payments is every bit as serious as a deficit in our budget. As a matter of fact, if commercial exports are not increased so as to eliminate our deficit in our balance of payments, we can surely foresee that the consequences will be felt in our national budget. Timely attention to the promotion of private exports will result in elimination of many future demands for budget outlays for foreign spending. I believe that the Bureau of Foreign Commerce should have the resources which it believes, and the President believes, are necessary to provide trade promotional services to increase exports.

Address by Hon. Paul J. Kilday at the Launching of the U.S.S. "John King"

EXTENSION OF REMARKS
OF
HON. CARL VINSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. VINSON. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include an address by the Honorable PAUL J. KILDAY, Member of Congress, 20th District of Texas, at the launching of the U.S.S. *John King* at Bath, Maine, on January 30, 1960. Mrs. Paul Kilday, the very charming and gracious wife of our distinguished colleague, christened this new guided-missile destroyer.

I know of no Member of Congress held in greater esteem by his colleagues than PAUL KILDAY. Because of his outstanding ability and unusual foresight, I believe every Member of Congress will benefit by reading this short address delivered by Mr. Kilday at the launching of the U.S.S. *John King*.

ADDRESS OF PAUL J. KILDAY, MEMBER OF CONGRESS, 20TH DISTRICT OF TEXAS, AT LAUNCHING OF U.S.S. "JOHN KING"

Our Military Establishment is in a period of transition. The development and introduction into our Armed Forces of rockets, missiles, and nuclear power creates a new war potential.

Transition from convential weapons to new weapons is not new in our Military Establishment. Inevitably, the new weapon is spectacular when compared to older concepts. They capture the imagination of the people. Our people have always been willing to translate the effect of such new weapons into wishful thinking. Each new weapon pro-

duces the hope that any future war will be most destructive of our enemy and practically bloodless for our own forces. Of course, such a day will never come.

In each transition the service carrying it on has faced the necessity of continued operation and maintenance of the conventional while developing and procuring the new. This is always most costly. It is, therefore, necessary to resist the clamor to do away with the conventional, even before the new weapon is on hand and operational.

The advent of nuclear weapons and their delivery by unmanned intercontinental ballistic missiles (ICBM) and intermediate range ballistic missiles (ICBM) differs from prior transitions in two respects. First, they are more spectacular than anything which the mind could previously conceive; and, second, they are fantastically expensive.

Some military men, in pointing out the necessity for and the devastating effect of these ballistic missiles in an all-out nuclear war, have, unfortunately, led the people to believe that all conventional weapons are obsolete. Sometimes I fear that, in their enthusiasm, they have convinced themselves that such is the case.

Such an atmosphere has made the maintenance of a force in being more difficult. Talk of 20-minute war has tended to obscure the more likely eventuality of a limited as distinguished from all-out nuclear war. Not a limited war which could ignore all of the progress which has been made in rockets, missiles, and atomic weapons, but a war utilizing all of these developments—a war in which rockets, missiles, and atomic weapons of limited destructive force and of tactical application would be used.

Today a new destroyer will be launched and in due time will be commissioned and become a part of our naval fleets. Such a launching is always a significant occasion and one in which ancient traditions are observed. However, the real significance of this day lies in the fact that the *John King* is a guided missile destroyer. It utilizes conventional guns and torpedoes, but also combines the use of missiles with tremendous surface-to-air range and rockets effective against submarines.

The *John King* is, therefore, the realistic balance of the old and the new. It is the realistic application of the family of weapons. It is another strong link in the chain of defense against assault from the air or the very real submarine menace.

The *John King* is evidence of sound planning for present and future potential dangers. We launch her with every best wish for a fair breeze on all the seas she may sail. We shall feel more secure because she rides the waves with her guns, torpedoes, rockets, missiles, and sonar, ever ready. Through her life our prayers go with her that none of her weapons will ever be fired in anger. We are confident, too, that her existence renders that possibility more remote.

Small Business Would Be Helped by Preventing Below-Cost Sales

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. ROOSEVELT. Mr. Speaker, the gentleman from Texas [Mr. PATMAN] is to be heartily congratulated on the introduction of his bill, H.R. 10235, about which he spoke yesterday. It is a privilege to be able to join in this cause by introducing a companion measure.

At the outset it should be made clear that this bill is in no way a fair trade bill, but is designed primarily to halt a practice known as loss-leader sales.

Annual Legislative Questionnaire

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. WILSON. Mr. Speaker, last December I mailed 100,000 annual legislative questionnaires to registered voters in the 30th Congressional District of California. My staff of volunteers in San Diego has just completed a careful compilation of the thousands of replies we have received to date. Returns are approaching the 20,000 mark, which means we have obtained opinions of a substantial cross section of registered voters.

As a means of adding interest to the legislative questionnaire, I added a presidential preference poll. The related standings of Vice President NIXON at the top and Gov. Pat Brown at the bottom of voter preferences in the Democrat column is most significant.

Under unanimous consent, I include the legislative questionnaire as a portion of my remarks:

QUESTIONNAIRE

Do you believe—

1. The Eisenhower-Nixon-Khrushchev meetings have started a thaw in the cold war? Yes, 68 percent; no, 32 percent.

2. Our foreign aid (mutual security program) should be continued in its present form? Yes, 39 percent; no, 61 percent.

3. Foreign aid (mutual security program) should be increased? Yes, 17 percent; no, 83 percent.

4. Foreign aid (mutual security program) should be decreased? Yes, 64 percent; no, 36 percent.

5. The House of Representatives should continue the Un-American Activities Committee? Yes, 83 percent; no, 17 percent.

Do you favor—

6. Continuing foreign economic and technical aid to friendly underdeveloped countries? Yes, 85 percent; no, 15 percent.

7. The United States diplomatically recognizing Red China? Yes, 23 percent; no, 77 percent.

8. An income tax reduction at the risk of defense cuts? Yes, 18 percent; no, 82 percent.

9. Allowing parents to deduct from their income tax tuition paid on behalf of their children to institutions of higher learning? Yes, 59 percent; no, 41 percent.

10. Enactment of Federal legislation to tighten taxation of cooperatives? Yes, 79 percent; no, 21 percent.

Do you believe—

11. The Landrum-Griffin Labor Reform Act is just and fair to the rank and file? Yes, 79 percent; no, 21 percent.

12. The $1 Federal minimum hourly wage should be raised? Yes, 52 percent; no, 48 percent.

13. More federally administered programs should be turned back to the States? Yes, 73 percent; no, 27 percent.

14. That agricultural price supports should be reduced? Yes, 85 percent; no, 15 percent.

15. That agricultural price supports should be eliminated? Yes, 63 percent; no, 37 percent.

16. That postal rates should be increased again to allow the Post Office Department to operate in the black? Yes, 53 percent; no, 47 percent.

17. The limitation of $1,200 outside earnings a year for those receiving social security benefits should be raised? Yes, 78 percent; no, 22 percent.

Should we—

18. Give the President the right to veto or accept specific items in appropriation bills? (Now he has to accept all or nothing.) Yes, 87 percent; no, 13 percent.

19. Try to put a man in space before Russia, regardless of the cost? Yes, 19 percent; no, 81 percent.

20. Spend more money on defense? Yes, 47 percent; no, 53 percent.

Do you favor—

21. Federal aid to education rather than local taxation and administration? Yes, 35 percent; no, 65 percent.

22. Emergency Federal aid to schools in areas hit by impact of defense activity? Yes, 83 percent; no, 17 percent.

23. A national fair trade law? Yes, 52 percent; no, 48 percent.

24. Medical care for social security beneficiaries, to be financed by increased social security taxes? Yes, 56 percent; no, 44 percent.

25. GI educational benefits program for peacetime veterans? Yes, 32 percent; no, 68 percent.

If the 1960 presidential election were held today, whom would you vote for?

[Percent]

	Republican	Democrat	Independent
Richard Nixon	89.5	31	55.5
Nelson Rockefeller	6.0	8	22.0
Hubert Humphrey	----------	5	1.0
Lyndon Johnson	1.0	7	1.0
John Kennedy	1.5	20	10.0
Adlai Stevenson	1.0	18	9.5
Stuart Symington	1.0	7	1.0
Pat Brown	----------	4	----------

Address Broadcast by Hon. Alexander Wiley Over Station WIND, Chicago

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, February 9, 1960

Mr. WILEY. Mr. President, today the Nation is faced with complex challenges and divided opinions on how to meet the two major issues confronting us:

First, world peace; and, second, of promoting an ever stronger economy to provide better living for the people of this country.

In the face of conflicting viewpoints, both on the economic as well as the peace situation, the Congress has the particularly difficult task and grave responsibility of finding a correct course in these troubled times to provide for progress and promote security.

Recently I was privileged to comment over radio station WIND, Chicago, on the factors involved in these problems, as well as to humbly suggest some recommendations which I felt would make a

contribution to providing better programs in these fields.

I ask unanimous consent to have the text of this address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS BY HON. ALEXANDER WILEY OVER RADIO STATION WIND, CHICAGO, ILL., JANUARY 31, 1960

Friends, today I would like to discuss with you two major challenges confronting our country: First, maintaining the peace; and, second, assuring progress in our domestic economy.

Although normally less closely related, world conditions now have actually created a real interdependence between these two challenges.

Why?

First, the strength of the economy may well determine our ability (1) to block the multipronged expansionist efforts by the world conspiracy of communism, and (2) to promote peace.

INTERNATIONAL "CLIMATE" EFFECTS ON DOMESTIC ECONOMY

Conversely, the temperature of the cold war, now undergoing a temporary thaw, may well determine, to a substantial degree—

The cost of national security programs, estimated at $45.6 million in the 1961 budget;

The volume of manpower and resources required for national defense;

The amount of money available for consumer goods, homes, schools, business expansion, enjoyment of leisure time, and other domestic outlets for spending;

The burden on the American taxpayer and the outlook for national debt reduction and ultimate lessening of the taxload; and

The inflationary pressure, due, among other things, to high competition in the money market by Uncle Sam with private interests for funds to carry on defense and other programs.

ROLE OF UNCLE SAM IN ECONOMY

Briefly, this illustrates only a few of the ways in which peace and economic progress are closely intertwined. Now, what is the role of Uncle Sam in the economy?

In recent years the size of the Federal budget—and whether it will be balanced or unbalanced—has become more or less a symbol of stabilized or inflationary trends in monetary policy. The task of keeping outgo in line with income, however, is becoming increasingly difficult.

Why?

Harnessed by a vast volume of past obligations, the Federal budget has disproportionately little elbowroom for adoption of new programs and meeting of new responsibilities required by our modern advancing times.

According to Budget Director Maurice H. Stans, for example, Uncle Sam has now accrued future obligations adding up to almost $750 billion. These include future c.o.d.'s for highways, housing, civil public works, shipbuilding subsidies, and others, amounting to about $98 billion; retirement benefits for military personnel and civil Government employees; costs of veterans' pensions or compensation programs; a public debt of $290 billion; $350 billion of future obligations for past services. If, however, no new programs are added in the next Congress, spending is expected to go up because of built-in increases in existing programs.

This gigantic mortgage—a portion of which comes due annually—will make it increasingly difficult to balance the budget in 1960, and in the years ahead.

Federal outlays, however, are not a complete loss to the taxpayer. According to estimates for fiscal year 1960, the money—for the most part—will flow back into the economy to purchase Government services, equipment, payrolls, and other expenditures.

Nevertheless, the real wealth of the Nation—i.e., the major portion of the gross national product—still, as it should, depends upon private enterprise to produce the vast volume of goods and services required for our nearly 180 million people and to supply markets abroad.

WILL UNCLE SAM PAY BILLS AND REDUCE DEBT?

Now the question arises: Will the Nation be able to do as the President recommends—that is, pay its bills and reduce the national debt?

As you know, the spending budget for 1961 amounts to an estimated $79.8 billion. To meet expenditures, the Bureau of the Budget estimated an inflow of revenue of about $84 billion—resulting in a predicted surplus of about $4 billion.

However, there are serious questions—a great many "ifs"—involved in whether or not there will be a surplus. These include:

1. Can expenditures be held down to the essentials?

2. Will the inflow of revenues meet the expected $84 billion mark?

3. Will Congress increase taxes on highway and aviation fuels, and raise postal rates, as requested by the President?

4. Will it take the initiative in plugging tax loopholes, or conversely, take action that would open new ones.

5. In management of the public debt, too, the costs to Uncle Sam will be affected by whether or not Congress—as I believe it should—adjusts the interest ceiling on long-term U.S. bonds. The purpose would be to allow the Treasury to compete more favorably in the money market, thus getting longer-range loans at less cost rather than having to continue to raise money on a short-term basis at a higher interest rate.

For myself, I feel that Congress, which handles the purse strings, should attempt to put the Nation on a pay-as-you-go basis.

At this high tide in our economy—with production, employment, and income at record levels—we should, I believe, make every effort to put its economic house in order.

SIX-POINT PROGRAM FOR ECONOMY

In attempting to carry out an economically sound program, Uncle Sam, I believe, could well adhere to the six following steps:

1. Establish a priority system for approving programs supported by Federal funds—to assure outlays only for essential purposes;

2. Eliminate programs no longer necessary;

3. If a new spending appears to be essential, then attempt to find new ways of financing;

4. Reexamine our distribution of responsibility on the National, as well as State and local levels—to carry out a redistribution of such obligations, if this is possible;

5. Better correlate Government procurement—particularly in the military services—so that Federal agencies or the Armed Forces do not (a) compete with each other in the market and thus drive up prices; and (b) pay different costs for the same articles; and

6. Further streamline Government operations, eliminate unnecessary costs, waste, and duplication, and otherwise improve Government operations in order to lessen the burden on the American taxpayer. In other ways too, we must reduce costs, including putting into action additional meritorius recommendations by the Hoover Commission—which have already saved American taxpayers an estimated $10 billion.

NEEDED: ECONOMIC WATCHDOG ON MILITARY SPENDING

Particularly, we need to keep close tabs on spending for military purposes. Today, the outlays for national security programs amount to over one-half the Federal budget. In view of such high costs, the Defense Department has a particular responsibility to work toward careful stewardship of our citizens' investment in security. Among other things, this includes eliminating wasteful interservice rivalries that are costly, time consuming, in a critical era in which we do not have time to waste—and that are tremendously expensive.

Uncle Sam, too, must make a special effort toward unifying the procurement operations of the military services.

Currently, our Defense Establishment has about $150 billion invested in property, including real estate, buildings, weapons, and supplies. At the same time, the Department reportedly has about $26.7 billion in excess stocks.

In view of the fact that Uncle Sam recovers about only 2 percent of the cost on the $6-to-$10 billion worth of excess stocks disposed of annually, it is particularly important that efforts be made to keep stockpiling down to essentials.

RISE IN COSTS OF DEFENSE

Unfortunately, the international threat of communism promises greater, rather than less, defense costs for the future.

The changing patterns for defense itself—particularly for high-cost missiles, rockets, space vehicles with military potential, and expanding research—also will be costly. This is likely to result in higher—rather than lower—outlays for a missile-atomic-space defense.

In view of these factors, further efforts to unify the services to provide the Nation with a better coordinated, nonduplicating system are absolutely essential. This can be accomplished, I believe, for the overall good of our security program—without sacrificing the significant contribution which each of the respective services is now making.

The American citizen—I am confident—is willing to pay whatever costs are necessary to provide us with an adequate defense. However, the taxpayer must get his money's worth in defense.

The Defense Department must make an effort to spend its appropriations wisely. If this is not done, Congress will find it necessary to set up an "economic watchdog" to do the job.

BATTLE AGAINST INFLATION

Unfortunately, the specter of inflation, also, still hovers over the economy—threatening to further reduce the purchasing power of our incomes as well as to devaluate savings, investment in bonds and insurance policies, and otherwise undermine the economy.

What can be done about it?

Uncle Sam, I believe, should lead the anti-inflation fight by adopting sound economic principles in determining the scope of Federal programs and designing spending policies. Management and labor—as well as the general public—must also discipline themselves to policies that will prevent—not support—inflationary pressures.

In a free society, government, I believe, can make its best contribution to economic growth by fostering conditions—as the President has pointed out—that encourage and reinforce the efforts of individuals and private groups to improve their circumstances, and promote progress.

This includes: preserving a free, competitive climate; maintaining a stable currency; attempting to minimize fluctuations in employment; developing human and natural resources; enhancing personal security of our people; providing for a sound national defense.

At the same time, States and local communities should reevaluate, and as possible, enlarge their roles in sharing the obligations for public interest and public service programs.

CONCLUSION

This, then, is a brief look at some of the major factors affecting our domestic progress

and security, as well as our ability to cope with problems on the international front.

Again, I stress: The Nation must maintain a sound, forward-moving economy—if we are to cope successfully, not only with our problems at home, but with the threat of international communism.

However, I am confident that—as has been traditionally true—our citizens stand ready and willing to dedicate the necessary resources and manpower to promote progress and insure our security.

At the same time, we in Congress recognize our responsibility to you—as citizens and taxpayers—as well as to the future of our country—to do all possible to: assure a strong defense; maintain a sound, forward-moving economy; and promote peace in the world—without which all efforts to improve the domestic life of our citizens would, in the event of a missile-nuclear war—be in vain.

Now, I want to express my gratitude for the opportunity to discuss these aspects of the challenges confronting us with you.

Thank you very much.

February 12: Birthday of Lincoln and Kosciuszko

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. PUCINSKI. Mr. Speaker, under leave to extend my remarks, I should like to join in paying tribute on February 12 to two outstanding figures in American history. There is an interesting significance in the fact that on this particular day we honor one of America's greatest Presidents, Abraham Lincoln, on the 151st anniversary of his birthday, and, at the same time, honor Gen. Thaddeus Kosciuszko, hero of the American Revolution, on the 214th anniversary of his birthday.

The significance lies in the fact that even though each of these heroes lived in an entirely different era, they had the same unyielding respect for the dignity of man and the value of human freedom.

Every American knows the inspiring history of Abraham Lincoln and how he virtually gave his life in the great struggle for equality of man. His brave decision to end slavery in America has been a symbol to people who respect freedom throughout the world.

It is perhaps ironic that the glorious contributions of General Kosciuszko to American history have, unfortunately, been obscured by time and have not found as great a recognition in this country as they should. General Kosciuszko was born February 12, 1746, at Siechnowicze, Poland. He was a brilliant son of a prominent but impoverished family. After briefly attending college, young Kosciuszko entered the Polish Corps of Cadets and completed his military training with the rank of captain. The King of Poland, impressed with Kosciuszko's natural ability for engineering, sent him to France to pursue further studies. Kosciuszko returned to Poland 7 years later, in 1774.

He demonstrated his deep dedication to freedom when, realizing that there was little opportunity for his engineering talents in his native land after the first partition of Poland, this young soldier decided to come to America, determined to help our Nation in its struggle for independence. He arrived in this country in 1776 at his own expense and volunteered his services to General Washington. On October 18, 1776, he was commissioned by an act of Congress as an engineer in the Continental Service with the rank of colonel.

Kosciuszko's unique engineering ability gained recognition in 1777, when he joined the northern army and participated in the campaign against Burgoyne. Perhaps his greatest contribution was in the victory at Saratoga, a victory which won for America not only a campaign, but France's recognition of her independence.

In the course of the running battle for American independence, Kosciuszko was selected to build the fortifications at West Point. We can all take pride in the fact that it was his suggestion that the Nation build a national military school at the spot which he first helped develop as West Point.

Perhaps one aspect of Kosciuszko's deep dedication and respect for human dignity which places his own beliefs in close parallel with those of President Lincoln, is demonstrated by his concern for the American Negro. Kosciuszko first recognized the plight of the American Negro when, at the request of General Gates, General Washington transferred the Polish hero to the South. Kosciuszko was stationed in Virginia and, while awaiting further orders, he saw the Negroes at close quarters and was brought face to face with Negro slavery. It was this experience, coupled with Kosciuszko's deep resentment against every form of human suffering, that developed in him a profound sympathy for the American Negro, which 17 years later was to dictate his parting testament to the New World.

By 1784 Kosciuszko had written a brilliant record of bravery in the American Revolution, when a wave of patriotic ardor swept over Poland after the second partition of that nation in 1792. Convinced that his efforts in America were no longer needed, the Polish hero of the American Revolution returned to his native land. Upon his arrival in Poland, General Kosciuszko immediately proceeded to Krakow, where he summoned the people to arms and proclaimed new decrees in favor of the Polish peasants. He attacked the Russians at Raclawice. Infuriated, Catherine of Russia sent a large army to fight Kosciuszko and his poorly equipped army in the south of Poland. The battle can best be described as devastating. The two forces met, and after suffering heavy wounds himself, Kosciuszko was taken prisoner. With him fell the independence of Poland. Kosciuszko was taken to Peterburg as a prisoner, and only after Catherine's death, her successor, Paul I, liberated the Polish hero.

In December 1796, Kosciuszko returned to America, arriving in Philadelphia. His great contribution to American independence had not been forgotten, and he was warmly received by Thomas Jefferson. By this time, grants of American land and American money awarded to Kosciuszko by a grateful Congress were very considerable, and these he turned over to Jefferson, with the stipulation that the gifts be used to establish a Negro school and to buy and free Negro slaves.

Thus, in 1826, the legacy went to found the Negro school at Newark, the first educational institution for Negroes in the United States and which bore Kosciuszko's name.

Kosciuszko returned to Europe in 1798 and began negotiating with the French Government for her help in restoration of Polish independence. In 1806, Napoleon summoned Kosciuszko to assume leadership of the Poles, who were in revolt. Kosciuszko had little faith in the promises of the Emperor, and believing the offer to be a trap, he remained in Paris.

Kosciuszko died on October 15, 1817, in Switzerland, and to the very end his courage and determination for a free Poland served as a symbol to his countrymen.

From the tribute which we pay to these two great heroes on February 12, modern Americans can learn a great lesson. As we engage in the great debate over civil rights in America today, it is wise to reflect what great sacrifices have been made by our forefathers to restore men—all men—to their proper place of dignity and freedom. We should also learn that there can be no lasting peace so long as people are subjugated, whether it is in the United States, or in Poland, or any other corner of the world.

Both Lincoln and Kosciuszko have carved for us a great challenge; but it is we, as Americans, who today must dedicate ourselves to the fulfillment of those principles for which both these inspiring heroes fought and died.

Our recognition of respect, equality, and dignity for all Americans by passage of appropriate legislation can indeed be an inspiration to people throughout the world that the principles of Lincoln and Kosciuszko have not been forgotten. Perhaps through our forthright action in the field of civil rights in this country, we can look with greater confidence for the restoration of total freedom from Communist oppression in Poland and the other captive nations throughout the world.

Fishermen's Paradise

EXTENSION OF REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. MACK of Washington. Mr. Speaker, I often have heard it said that more Americans participate in the sport of fishing than engage in any other sport. If you are one of those who do,

come to Washington State and get the biggest fishing thrill of all—that of hooking and landing a big Pacific coast salmon.

The Washington State fisheries director recently reported that 821,814 salmon were landed by hook and line by sports fishermen last year. The salmon landed by sportsmen weighed an average of about 20 pounds each—more than 1,600,000 pounds—800 tons.

There are big salmon lurking in the waters of Washington State for you to hook. Come and get yours this year.

Election Year Politics Offers a Threat to a Sound and Sensible Approach to 1960 Legislative Activities of the 86th Congress

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. COLLIER. Mr. Speaker, few sessions of Congress in recent history have opened in an atmosphere of louder political overtones than prevails in this election year of 1960. Unfortunate it is, too, because the demand for common sense in the conduct of the Nation's business has never been greater in the past half century.

I believe it is the keen desire of every citizen to see this Congress rise above partisan politics in dealing with the basic functions of government where it concerns our fiscal stability, national defense, and foreign policy. All are, however, to no small degree related in a world of unrest and changing philosophies which marks the social, economic, and political scene both at home and abroad.

Programs designed purely and simply to vote baiting will undoubtedly be dangled before this Congress and accordingly before the American public with neither a hand on the fiscal throttle nor the safety brake of our Treasury mechanism. Potshot criticism of nearly every program from national defense to education and welfare must be expected with so many eyes on the November elections. An intelligent voting public must and can, I am sure, determine where this criticism ends as constructive and begins as political campaigning. This is the one hope of keeping the 1960 legislative program on Capitol Hill in the proper perspective.

NATIONAL DEFENSE

From 1947 until 1952, the United States fell sadly behind Russia in research and development of missiles. As a matter of fact, from 1945 through 1952 we obligated a total of $3.6 million for research, development, and procurement of both intercontinental and intermediate range ballistic missiles. Is there any wonder, then, that we now lag behind the Soviet Union in this field by an estimated 2½ to 3 years? Notwithstanding this lag, which is being closed as rapidly as dollars and the human brain permit, our overall defense and striking ability is, according to experts and not some politicians, superior to that of the Soviet Union. Secretary of Defense Thomas Gates and Chief of Staff General Twining have both testified to this appraisal before the Armed Services Committee. Gates pointed out that our seapower is clearly superior to that of the U.S.S.R. with advance nuclear powered surface ships and nuclear powered carriers and cruisers scheduled to join the fleet next year.

With respect to ground forces, the Soviet Union outnumbers the United States, but a comparison of the ground forces of the Sino-Soviet bloc with those of the free world allies including the United States is more favorable. General Twining pointed out that if the United States downgrades itself by its own hands, it may mislead the Soviets into plunging the world into war.

General Power, Strategic Air Command Chief, testified that the Soviets know well that SAC could "clobber" them right now but he warned that by 1962 Russia may have sufficient supermissiles to destroy our nuclear bases within 30 minutes. The conclusion can only be that we must remain militarily strong and keep our striking power of such strength that it will serve as a deterrent to war until the day comes when leaders of all nations can agree on mutual disarmament as the only means of insuring the very survival of humanity. A world in which free men can live without the shadow of nuclear destruction and devastation offers, of course, the only hope for this and future generations.

THE INTERNATIONAL SITUATION

The 86th Congress reconvened while the world remains in turmoil, restlessness, and discontent.

Just 90 miles off of the coast of Florida, Cuba is apparently falling into the hands of Communist infiltrators, while in other Latin American countries crises seem to be sprouting. Subversion creeps through Central and South America and as close as the Panama Canal Zone. China, at least for our generation, seems to be in the throes of the human slavery of communism and dissension punctuates the social, political, and economic lives of Algeria, Kenya, and Ghana. Unfortunately, there is no type of guarantee one nation can offer to another toward its solution of these problems. And, even so, as one writer puts it, "International conferences seeking humane objectives proceed with external piety and inward distrust."

ON THE DOMESTIC HORIZON

Recovery from the cost of two wars in less than two decades has left its mark upon the fiscal complexion of this Nation despite its great economic and productive strength.

As we seek to assist in solving the problems of our less fortunate neighbors abroad, we find ourselves saddled with a national debt which exceeds $290 billion and upon which we must divert $9 billion annually to the payment of interest. We must not ignore the need for not only a determined prevention of any further deficit spending but the further need to reduce the present incumbrance of the Treasury. This will take the courage of self-discipline and fiscal responsibility above political expediency. During the great depression of the thirties the floodgates of the National Treasury were thrown open. There have been only weak efforts to close them—such weak efforts that even under the present burden of heavy taxes, we have yielded to the pressures of spending beyond our means as a nation.

Some segments of the American public, acquainted with the weakness of statesmanship and the deep desire for reelection of legislators, time their new demands to campaign years. Those receiving Government subsidies generally pick an election year to get Congress to increase these subsidies—and those trying to get their foot in the door use the same psychology for their purpose.

As Congress deals objectively with many legislative problems this year, we must remember that any new or increased benefits which must be paid for from the Federal Treasury can come but from one source—the pocket of the taxpayer. Until someone discovers a pump from which these dollars flow, other than the means provided by taxes, we must exercise prudence in dealing with the many demands that will exceed in cost the funds available for Uncle Sam to furnish them.

Fargo: All-America City

EXTENSION OF REMARKS
OF
HON. QUENTIN BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. BURDICK. Mr. Speaker, the citizens of Fargo, N. Dak., which I am proud to say is the city of my residence, are sharing in one of the finest honors that can come to any community dedicated to civic progress. Fargo was named last Thursday to the "all-America city" team in a nationwide competition sponsored by the National Municipal League and Look magazine.

The basis for the selection, as quoted in the forthcoming issue of Look which carries the stories of the winning cities, is "energetic, purposeful, intelligent citizen effort in attaining specific civic improvements in the public interest."

Fargo faced some tough problems a few years back. Through concerted citizen effort and good leadership, these problems are being solved efficiently and with unusual speed. A sizable residential section was turning into a slum—it is now the site of a growing new civic center. Already completed is a fine city hall, replacing one outmoded and outgrown by a rapidly expanding population. A new city auditorium has been constructed. An urban renewal program is nearing completion and families who had lived in the depressed area are being successfully relocated. Other pub-

lic buildings are going up and community projects, many supported by volunteer contributions and workers, are under way or in the planning stages.

To single out individuals who have contributed the most to Fargo's accomplishments would be impossible. I would like to compliment especially though, the Fargo City Commission, the City of Fargo Renewal Agency, the chamber of commerce, the citizens city hall-auditorium committee, and the citizens for city planning organization.

Fargo, in short, is streamlining and modernizing itself. This is an expensive proposition and requires devoted participation from each citizen. The people have responded with spirit and determination to carry out a job that is never really finished.

Is it any wonder that Fargo made the team?

Hon. Adam Clayton Powell

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. DENT. Mr. Speaker, I have received some inquiries from my district concerning a matter that seems to have become controversial and yet I can find no reason for the controversy to exist. It appears that there has been a widespread mass of misinformation given to the general public on the qualifications of ADAM CLAYTON POWELL to be the chairman of the House Committee on Labor and Education.

After a thorough and exhaustive search and after making inquiries, I find there is no such thing as standards for qualification as chairman of any committee of the House or Senate. The only thing that a man has to do to be chairman of any committee of this House is to live long enough and be elected more times than any other member of the committee. This is the time-honored system employed in the naming of chairmen and regardless of what may be said about a person—good, bad, or indifferent—there is no instance on record of any member being denied the chairmanship when he met these very simple and somewhat ridiculous standards. So, the question of qualification for the position is one that cannot be argued by any person, whether he wants to help or wants to hurt Representative POWELL. I believe, however, at this time as a fellow member of the Committee on Education and Labor, that I must in all fairness state that insofar as Congressman POWELL'S position on that committee on the various pieces of legislation that have come before us, he has always given his support for legislation that would do the greatest good for the greatest number of our citizens.

It is noteworthy to chronicle here that during the hectic and ofttimes bitter debate and through the mountainous piles of newspaper clippings, editorials, letters, petitions, and telegrams that were sent in while the argument raged on the proposal of the labor legislation originally introduced by Senator KENNEDY and finally passed under the cosponsorship of Representatives LANDRUM and GRIFFIN, Representative POWELL never deviated from what he believed to be the proper and honorable course to follow. He fought shoulder to shoulder with those on the committee who felt that this was an attack upon the legitimate and honest labor unions, their officers, and their members and as an eyewitness to his activities, I can say that he was a stalwart in the fight for the rights of the little peoples. Further than this, I appeared before the Subcommittee on Mines and Mining of which he is chairman and received the most courteous and considerate treatment when I appeared in behalf of the bill to create a Coal Research Commission.

In passing, it is noteworthy to note that Congressman POWELL reported this bill to the full committee and that it has been passed by the House and although it was vetoed by the President, Congressman POWELL has again reported the bill out of his committee and it is now awaiting action by the House of Representatives. I am particularly astounded at the bitterness of the attack on Mr. POWELL by certain writers. It appears that while condemning Mr. POWELL for his publicly known position of fighting for equality of rights for all citizens, these same writers show a tendency to bigotry and prejudices that are the main reasons for Mr. POWELL'S forthright fight for equal and inalienable rights for all Americans. It is interesting to note that Mr. POWELL has been awarded much recognition for his outstanding services in various fields of endeavor and I would like to record for the RECORD the following awards that have been tendered to him:

In 1953: Citation of honor for outstanding service in the advancement of civil liberties and human rights. The Bronx division of the American Jewish Congress.

In 1955: House Resolution 236. Resolution submitted by Mr. DINGELL. For statesmanship, patriotism, and forthright courage displayed at the recent Afro-Asian Conference at Bandung.

In 1955: House Resolution 239. Resolution submitted by Mr. KEOGH. For statesmanship, patriotism, and forthright courage displayed at the recent Afro-Asian Conference at Bandung.

In 1956: For loyalty to the cause of civil rights in the Congress of the United States. Maryland State conference, NAACP.

In 1956: Outstanding man of the year—Veterans of Foreign Wars of the United States.

In 1956: The Rheingold award for meritorious services in the cause of unity and progress. I.B.P.O.E. of W. department of economics and Liebmann Breweries, Brooklyn, N.Y.

I know nothing about Congressman POWELL'S home district, and know very little about his all-time record in Congress, but I do speak from personal knowledge of his performance as a member of the Committee on Education and Labor which, in the final analysis, appears to be the bone of contention. I would not hesitate to give my full degree of support and to the best of my knowledge I know of no member of the committee who has expressed any opposition whatsoever.

Maritime Inquiry

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an address I made before the Maritime Associates, New York City, on Monday evening, February 8, 1960. The text of my address follows:

I want to talk to you briefly today about the investigation of antitrust problems in the ocean shipping industry in which the House Antitrust Subcommittee, of which I am chairman, is currently engaged. This investigation is both a continuation of a long-range investigative program and a response to immediate legislative problems. Let me explain.

In February 1956, I announced that the Antitrust Subcommittee would undertake a series of investigations of monopoly problems in industries subject to Federal regulation. Since that time the subcommittee has held extensive hearings and issued comprehensive reports on antitrust problems in the airlines, television broadcasting, oil pipelines transportation, and telephone communications industries. In each case, the object of the subcommittee was to ascertain whether the principles of free enterprise competition embodied in our antitrust laws were being carried out to the maximum extent consistent with the regulatory statute, the powers entrusted to the regulatory agency, and the responsibilities reposed in the Department of Justice. The present investigation of the carriage of ocean freight in the foreign commerce of the United States is part of this series.

Enactment by Congress in 1958 of so-called interim legislation which legitimized for 2 years the continued use in ocean shipping of dual rate systems served to stimulate the initiation of our ocean freight inquiry. In dual rate systems, as you know, so-called steamship conferences establish a rate differential for the carriage of cargo. Shippers who agree to use vessels of conference members exclusively pay the lower rate; all others pay the higher.

You will recall that the Supreme Court had held, on May 19, 1958, in *Federal Maritime Board* v. *Isbrandtsen Company*, 356 U.S. 481, that the dual rate system proposed in that case, whose purpose the Maritime Board had found to be that of stifling outside competition, was unlawful under the Shipping Act. Concerned lest this decision might have the effect of outlawing all dual rate systems, the shipping industry urged the adoption of validating legislation. In response, the interim enactment was passed in the closing days of the 85th Congress. It provides that all dual rate systems in use on the day of the Supreme Court decision, whether or not approved by the Maritime Board and whether or not discriminatory,

or detrimental to the commerce of the United States or violative of the antitrust laws, shall be valid for 2 years. During the debates in the House on this legislation, I made clear that the Antitrust Subcommittee of the House Committee on the Judiciary would be interested in the proposed suspension of our antitrust laws and would undertake a thorough inquiry into the operation of dual rate shipping conferences in their impact on those laws.

In our ensuing investigation, the main focus of the subcommittee has been upon the interrelationship between the principles of fair and free competition inherent in the antitrust laws on the one hand, and the antitrust exemption of the Shipping Act of 1916 on the other. In this context, section 15 of the Shipping Act is one of the most important provisions of the statute. It exempts from the operations of the antitrust laws any agreement restraining competition entered into between or among persons subject to the act, provided such agreement has been filed with, and approved by, the Federal Maritime Board. In the absence of Board approval the antitrust laws are fully applicable.

Other important sections in the statutory scheme are sections 14, 16, and 17, which make unlawful certain unfair trade practices and certain discriminations by carriers between shippers, carriers, or ports. Section 20 of the act forbids the solicitation, giving, or receiving by any person subject to the act, or his agent or employee, of any information concerning the shipment of goods that might be detrimental to any shipper or carrier. These, in their relationship to the policies of the Sherman and Clayton Acts are the provisions of law with which we are most concerned and whose interpretation, enforcement, and shortcomings we are examining.

In preparation for public hearings the subcommittee staff examined the files of the Federal Maritime Board, 53 steamship conferences, and 9 American and 4 foreign steamship companies in an effort to study as many of the restrictive agreements and practices employed by the industry as time would permit. The most important—and by far the most voluminous—of the restrictive agreements filed with, and approved by, the Board under the antitrust exemption provision of section 15 are those providing for the formation of steamship conferences. These are associations of competitive steamship lines furnishing regular scheduled service on a given trade route. They are formed for the purpose of fixing uniform rates and establishing other uniform conditions of freight or passenger carriage that are binding upon all members. Conferences are of varying degrees of formality and size. Some conferences have as few as 2 members; others have as many as 55. Some have central offices and chairmen in this country while some have them abroad.

In general, the subcommittee is seeking to learn what standards the Board follows in approving conference agreements, what functions steamship conferences perform, what their procedures are, what their agreements provide, how those agreements are enforced, what action conferences take against independent operators, and what their economic impact might be upon other steamship operators, shippers, consignees, and the consuming public.

In addition, of course, the subcommittee is studying the conference's most favored tying device—the dual rate system. We are examining the provisions of existing dual rate contracts between the various conferences and their shipper customers, how these contracts are enforced, and what their economic impact is upon carriers, shippers, and consumers.

Of especial interest, too, are interconference agreements whereby antitrust exemption is granted to a conference that wishes to set rates jointly with another conference. For example, one conference of steamship lines operating from the east coast of the United States is permitted in effect, under such an agreement, to regulate the rates charged by a conference of lines operating from the west coast. Such power could easily affect the well-being of other industries and ports as well as the parties to the agreement themselves. Consequently, it is a power that must be closely supervised.

During October and November 1959, the subcommittee held 12 days of public hearings in New York, taking testimony from officials of the Federal Maritime Board and 19 representatives of 10 private corporations. Further hearings will be held next month.

The subcommittee's record to date discloses that the shipping lines frequently have conducted their operations without regard for the requirements of Federal law. There have been numerous examples of predatory actions against other shipping lines. The subcommittee's examination of the files of this industry has uncovered many instances where shippers have been victimized.

Efforts of the Federal Maritime Board to secure compliance with the requirements of Federal law is one of incredible failure. Neglect by Federal officials of their administrative responsibilities over a period that commenced before World War II is manifest in the subcommittee's record. The shipping industry's disregard for the requirements of the Shipping Act, coupled with the inadequacy of the Federal Maritime Board, undoubtedly has injured our foreign commerce, has caused American consumers to pay more for imported goods and has been detrimental to U.S. manufacturers and American exporters.

Among the problems revealed in course of the subcommittee's hearings are the following:

(1) Unfiled agreements: In studying the existing statutory provisions it is necessary, of course, to consider the conditions in the trade which gave rise to the Shipping Act and to weigh the purposes for which it was enacted. The 1916 act was an outgrowth of the extensive study of steamship agreements and affiliations made between 1912 and 1914 by the House Committee on Merchant Marine and Fisheries under the leadership of its distinguished chairman, Joshua W. Alexander, of Missouri. It was that committee's conclusion that steamship lines operating in the foreign commerce of the United States had made so many anticompetitive agreements among themselves that were detrimental to the commerce of the United States that such agreements, if not outlawed completely, should be permitted to continue only under close governmental supervision and regulation.

The Alexander committee's report on this subject declares:

"While admitting their many advantages, the committee is not disposed to recognize steamship agreements and conferences, unless the same are brought under some form of effective Government supervision. To permit such agreements without Government supervision would mean giving the parties thereto unrestricted right of action.

"The committee believes that the disadvantages and abuses connected with steamship agreements and conferences as now conducted are inherent, and can only be eliminated by effective Government control; and it is such control that the committee recommends as the means of preserving to American exporters and importers the advantages enumerated, and of preventing the abuses complained of."

It is thus clear that the Alexander committee believed that conferences and other anticompetitive agreements among steamship lines should be permitted only under strict Government supervision, in order to insure the greatest amount of competition possible.

Our subcommittee's hearings to date reveal that the abuses detailed in the Alexander committee's report have continued unabated and unallayed. Many steamship lines and conferences have entered into numerous so-called gentlemen's agreements, restrictive arrangements, and collusive practices without notifying the Board or obtaining its approval. Since these agreements often affect independent operators, shippers, and ports, and since without Board approval there can be no antitrust exemption, it may be that some of these agreements violate the antitrust laws, as well as the provisions of section 15 of the Shipping Act. It should be noted, too, that section 15 prescribes a civil penalty of $1,000 a day for each day of violation. Over 50 possible violations of the antitrust laws and over 100 possible violations of section 15 were demonstrated. Yet there has been no single instance of prosecution by either the Department of Justice or the Federal Maritime Board.

(2) Discriminatory practices: The hearings indicate that, notwithstanding the provisions of the Shipping Act, some lines discriminate in favor of valued shippers by making erroneous measurements or classifications of cargo, changing shipping schedules, reserving shipping space, reducing or eliminating passenger fares on freighter cruises, bestowing lavish entertainment, and similar practices. Over 140 instances of such rebates and discriminations, which may constitute violations of sections 14, 16, and 17 of the Shipping Act were disclosed at the hearings.

(3) Conference membership practices: Although it has long been the policy of the Federal Maritime Board and its predecessors to insist upon free and open membership in steamship conferences, the hearings reveal that this principle is not always followed. On occasion, applicants have been made to wait weeks or months for admission, during which period much revenue has been lost through inability to compete for carriage of goods shipped by contract signatories.

(4) Exchange of information: Among the many kinds of information exchanged among conferences and lines is data regarding shipments made via competitors, particularly on independent competitors. This practice could involve violations of section 20 of the Shipping Act which forbids soliciting, giving, or receiving such information where it may be detrimental to any shipper or carrier. In one significant case before the Board, allegations were made by a party of violations of this section by one of the conference chairmen. However, the Board took no formal action on these allegations, and the inquiry was permitted to lapse even though the conference chairman refused to answer the Board's questions concerning these alleged violations on the ground of possible self-incrimination.

(5) Conference malpractices: According to documents and testimony received at the hearings, a considerable number of conference members engage in rate cutting, rebating, use of unfiled rates, and other deviations from conference tariffs, rules, and regulations.

These and many other problems affecting the industry were aired before the subcommittee. When the hearings were recessed the subcommittee promptly referred all the revealed instances of possible violations of law to the Attorney General and to the Federal Maritime Board for appropriate action.

What has been the response of the Department of Justice and the Federal Maritime Commission to the revelations of our

subcommittee's initial public hearings? For one thing, the Attorney General, on the basis of the subcommittee's hearings record to date, has embarked upon a grand jury investigation of steamship industry practices, impaneling juries in San Francisco and Washington. Preliminary litigation involving a challenge to the grand jury subpenas is even now pending.

Further, in January 1960, the Federal Maritime Board instituted a full scale investigation of abuses and law violations reflected in the public testimony so far received by the subcommittee. To this end, the Board has opened four rulemaking and seven investigatory dockets and has in addition issued three orders to show cause why certain agreements having Board approval should not be canceled.

It would, of course, be premature to say how satisfactorily these enforcement steps of the Department of Justice and regulatory and investigative steps of the Maritime Board will have dealt with unlawful anticompetitive practices of the industry. When the Antitrust Subcommittee resumes its hearings toward the middle of March, the Department of Justice and the Federal Maritime Board will be asked to report on their activities. After the hearings have been completed, the subcommittee will submit its report and detailed recommendations. Our efforts will not stop there. We do not issue reports merely to file them. The agencies and enterprises which are the subject of subcommittee recommendations will be queried periodically concerning what they have done toward the solution of the problems involved. If their actions inadequately correct revealed abuses, remedial legislation will be considered. But in any event, the subcommittee will persistently follow up its investigative recommendations. This is a slow process, but, in my experience as chairman of an investigating committee, the continuing and patient attention to problems of enforcement is the only technique that brings results.

Costa Rican Survey

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 9, 1960

Mr. DENT. Mr. Speaker, I would like to submit a brief report for the Congress.

Recently five Members of Congress made a hurried, yet rather extensive, trip to the Republic of Costa Rica.

These men were from various areas of the United States and represented appropriations, labor and education, agriculture, as well as the broad subject of foreign affairs, by their committee activities in the House of Representatives. The Members were JOHNSON, California; HAGEN, California; MONTOYA, New Mexico; CONTE, Massachusetts; and DENT, Pennsylvania.

Accompanying this group were two newspapermen, Bernard Yudain, Time-Life, and Syd Yudain, Roll Call.

This trip was not at the expense of the American taxpayer but was sponsored by Costa Rican public and private interests.

For a quick rundown the following pertinent facts may help to place this small but important Republic in proper perspective.

Costa Rica has a total area of 194,700 square miles, which is slightly larger than Vermont and New Hampshire combined. Eighty percent of the total area is in forest, approximately 15 percent is in pastures and range, and about 5 percent is cultivated.

Total population on January 1, 1960, was 1,148,441, of which more than three-fourths is rural. The population is increasing annually at the rate of almost 4.5 percent. There are 408,104 private property owners listed in the public register. An officially estimated 54.72 percent of the total population is engaged in agriculture for a livelihood.

Agriculture exports, principally coffee and bananas, account for 98 percent of foreign earnings. As the volume of coffee authorized for export is now and will probably continue to be limited by agreement with other producing countries, and as banana production continues to be restricted by Panama disease and other factors, the announced policy of the Government is to expand and diversify the production of other agricultural commodities.

Costa Rica is essentially a country of family-size farms. According to the 1955 census, total number of farms was 47,286. Ninety percent of the farms had an annual gross income of less than 25,000 colones—US$3,771. In 1955 there were 13,384 farms producing sugarcane which is 28 percent of the total number of farms reported. Fifty-three percent of the sugar farms had less than 20 manzanas—34 acres—and 90 percent had less than 100 monzanas—170 acres. The Sugar Chamber reports that there are now 27,000 sugarcane farmers, over 2,000 small sugar trapiches, and 30 small sugar mills. Counting the families of sugarcane farmers and employed laborers, it is estimated that at least one-tenth of the population depends on sugar for a livelihood.

Costa Rican centrifugal sugar production in the 1959–60 crop year will be a record 60,000 short tons. Growing conditions have been favorable to date this season and the area in sugarcane has been increased by about 2.5 percent over the 40,000 manzanas—69,200 acres—harvested the previous crop year.

The increase in both sugarcane area and number of mills in operation during recent years has resulted in an output of centrifugal sugar that far exceeds domestic needs and export quotas. Domestic consumption in 1959–60 will probably total about 40,000 tons. Costa Rica has an export quota of 3,616 tons to the United States and 5,000 tons to other world markets. This will leave a stock of about 12,000 tons at the end of the season which can be neither consumed domestically nor exported.

Last December 14, the Costa Rican Government officially requested an increase in her United States sugar quota to 12,000 tons in 1960 and 14,000 tons in 1961. The note pointed out that although Costa Rica produces more than twice the volume of sugar produced in Panama the U.S. import quotas for both countries are the same. Nicaragua has a U.S. quota of 14,000 tons but produces approximately the same volume as Costa Rica. Government officials frequently stress that as such a large segment of the population is engaged in sugar production it is of vital concern to keep the small producers economically healthy if Costa Rico is to maintain the principles of democratic government.

After reading the foregoing you begin to get a picture of a country that has more than any other so-called republic captured the spirit as well as the title of a democratic republic. Democracy in action has become a mere slogan in most parts of the world, but one can find it actually operating in this small, but responsible nation.

For instance, the Republic has covered its peoples with social security in job security, protection against dismissal from a job without cause; health and welfare security is extended to all persons. Because of the agrarian character of its economy pensions are not the problem they are in our industrial economy.

The ownership of property is one of the outstanding achievements of this country. Approximately one-third of the population are owners of land. Less than 10 percent own more than 200 acres and the largest sugar and coffee plantation is only 3,000 acres. Compare this with an American owned Cuban plantation of over 275,000 acres and you start to realize the basic difference between this kind of a republic and Castro's Cuba.

Another thing that I am sure impressed my colleagues as well as it did me, was the cleanliness of both the peoples as well as the homes, public buildings, streets, highways, and the country itself.

You were not pushed and pulled around by the usual beggars that appear to be a normal feature of so many other countries.

I was shocked to find that this nation has no army. Its only uniformed group is a combination police-fireman constabulary of 1,000 men, neat, clean, and courteous.

This gave me a thought which I expressed and received a good hearing from all who heard it.

I suggested that it would cost the United States less, create a greater atmosphere for freedom, build peace, and certainly turn more of their economy into welfare, education, and peaceful pursuits if this Nation of ours would assume in reality the hemispheric defense of our Latin American countries and would not give foreign aid unless our friends disbanded their armies.

I asked one question which I would like to pose to our membership of Congress, "Who can they lick in a fight, except themselves?"

Why should we give economic aid to Santo Domingo, Panama, Cuba, or any other Latin American country when they spend one-half or better of their national economy on armies and military installations, and so forth.

It makes about as much sense as me giving my children money for shoes and they go out and buy cap pistols and

switchblade knives. They cannot hurt anybody but themselves and each other while suffering in their bare feet.

These countries cannot buy guns and schools both. In the final analysis, if they get into a squabble with a power nation, their cap pistols would not be much good against missiles and A-bombs and the United States would have to move in anyway.

I doubt if any deterrent would be more effective on Russia than a hemispheric defense controlled, manned, planned, and financed by the United States with our NATO connections in the European theater.

In fact, does anyone kid himself into believing that we are not financing whatever effective defense there is in this hemisphere right now?

Another point that should worry us is the insistence by our State Department upon changing agrarian economies into industrial economies.

Let me present here a purely agrarian economy and the danger involved to the Nation's people if we insist upon building an industrial economy in this country in the name of "raising the people's standards." You will note that we are their biggest customers as well as their biggest suppliers in imports.

If we follow the State Department's formula we will put production facilities in that will force mechanization of their farm production and also put them into the market to ship their manufactured products into our market, cutting our own employment and creating a serious employment problem for them.

I asked a planter and sugar mill owner who employs 1,500 workers why he did not mechanize his farm and he gave a simple, but sincere answer:

"What do I do with the people who are thrown out of work?" I could only tell him what our formula appears to be.

We would help them build factories to put these people to work and, of course, we would buy their products so that they could have dollar credits to buy more machinery to put more people out of work and to build more factories to sell more goods to the United States and the rest of the world and to put more people out of work and on and on and on.

He replied that he thought they would be better satisfied in getting a just share of the American sugar quota which would allow them to pick up the slack in their economy because of the tremendous growth rate of 5 percent annually in their population.

They are asking for an increase in sugar quotas, and when you realize that Cuba gets 3 million tons as against their less than 4,000 tons per year, you cannot argue too much, for this nation declared war the very next day after the United States.

They showed their faith in our friendship as well as giving them a chance to expropriate enemy land and commercial interests. They are a pretty smart people.

They have problems, that is true, but I think they are minor compared to what they will have if they listen to some of our advisers that seem bent upon changing everybody's way of life.

The following chart shows a thumbnail format of their economic operation:

Costa Rican population, 1,148,441, Jan. 1, 1960

	Million
Gross national income 1957 (latest available)	$338
Gross national product 1958 (estimated)	442
1958 ordinary revenues	57
1958 ordinary expenditures	57
Public debt June 30, 1959:	
Internal	42
External	25
Total	67
1959 debt service:	
Internal	6
External	3
Total	9
International monetary reserves (September 1959):	
Official	20
Free	2

MAJOR EXPORTS, 1953–58

[Percent]

	Coffee	Banana	Cacao	Abaca	Beef	Millions
1953	42	45	5	2	-------	$80
1954	41	42	10	2	-------	85
1955	54	41	7	1	1	81
1956	50	38	4	2	2	67
1957	39	39	5	1	3	83
1958	52	33	6	1	1	97

MAJOR TRADING PARTNERS, 1957 AND 1958

[Percent]

	Imports		Exports	
	1957	1958	1957	1958
United States	55	51	52	51
Germany	9	10	24	26
England	5	5	1	1
Holland	4	4	3	2
Canada	3	3	9	7
Japan	3	5	1	2

At this point I want to pay my respects and gratitude to the American Embassy staff and particularly to our Ambassador Whiting Willauer.

I am sure I speak for all of us when I say that his grasp of the situation in Costa Rica, his devotion to duties, his personal contact and friendship which was reciprocated by all Costa Ricans, planters, business and governmental officials was shockingly refreshing to this group.

I cannot praise Ambassador Willauer too highly for giving us a thorough and instructive briefing which taught us more in a few short days than we would have learned in months of probing.

The Ambassador talked plainly, factually and without the usual window-dressing. His knowledge of this country, its peoples and its problems both internally and externally is short of phenomenal.

The kind of representation and statesmanship practiced by Ambassador Willauer will do more to promote good will, sound friendships, trust and faith in our purposes and above all—will not lead our Latin neighbors down the blind alley of unfilled promises, exorbitant goals and unachievable aspirations.

Although in general I am a critic of our State Department's diplomacy, I take my hat off to Ambassador Whiting Willauer and his staff.

In passing I want to extend my personal thanks to Bill Rodman, agricultural attaché, who traveled with me from morning till night giving me his unvarnished, practical facts on the country and its peoples as he saw it from his vantage point of daily contacts with the problems of their economy.

I learned that the only other request they have made, besides a legitimate sugar quota increase, is for a loan of $10 million for increased experimentations and research to better their agricultural economy and to save it from the ravages of natural enemies, diseases, plant insects, and so forth.

To show you how the days were spent on our quick tour, I would like to present our itinerary as well as some of the officials—United States and Costa Rican—who took time out to make this trip worthwhile:

THURSDAY, FEBRUARY 11

11:50: Arrive El Coco. Lacsa flight 621. Met by representatives of the Camara de Azucareros and William Rodman, American Embassy. Reservations at Hotel Costa Rica.

13:00: Informal luncheon, Hotel Costa Rica.

15:30: Depart Hotel Costa Rica for residence of Ambassador Willauer.

16:00: Briefing, American Embassy. Ambassador Whiting Willauer; Roy I. Kimmel, counsellor of Embassy; William L. Rodman, agricultural attaché; Wyman R. Stone, Director, USOM; James R. Johnston, head, Economic Section.

19:00: Reception in the Legislative Assembly, Alvero Montero Padilla, President of Assembly. Speech by Congressman MONTOYA, of New Mexico.

20:00: Reception at the Costa Rica Country Club.

FRIDAY, FEBRUARY 12 (TRIP TO THE ZONE OF GRECIA)

8:30: Depart from Hotel Costa Rica for the Costa Rica sugar mill.

9:45: Depart for La Hacienda La Eva.

11:00: Short visit to the sugarcane field of the La Argentina mill.

12:30: Luncheon at the Cataluna sugar mill.

14:30: Coffee plantation visit tour.

19:00: Reception at the Presidential Palace, President Senor Don Mario Enchande Jimenez.

21:00: Reception at the home of Senor Don Alejandro Pirie.

SATURDAY, FEBRUARY 13 (TRIP TO THE ZONE OF TURRIALBA)

8:30: Depart from Hotel Costa Rica for the Instituto Interamericano de Ciencias Agricolas de Turrialba.

12:30: Luncheon at the Juan Vinas sugar mill.

SUNDAY, FEBRUARY 14

11:30: Depart Hotel Costa Rica for El Coco airport.

1:30: Depart El Coco on Lacsa flight 620 for United States.

You will note that we attended a special session of the Legislative Assembly. All were pleasantly surprised to hear one of our Members, the Honorable JOSEPH MONTOYA, New Mexico, Democrat, make a short address in response in clear and perfect Costa Rican. The speech follows:

Senor Presidente de la Asamblea Legislativa, Senores Diputados, posiblemente al hecho de conocer yo la lengua que se habla

en este bello y hospitalario pais debo el honor, muy grande por cierto, de dirigirme a ustedes para agradecer en nombre de mis companeros congresistas y, desde luego en el mio propio, la forma tan gentil en que hemos sido recibidos por Uds. en este respetable recinto en el cual se debaten con ejemplar espiritu democratico los problemas de la Patria de los costarricenses.

Hace apenas unas pocas horas que pusimos pie en el suelo de Costa Rica y ya hemos podido darnos cuenta de que asiste sobrada razon a los muchos que, mas afortunados que nosotros, han permanecido aqui por largo tiempo y que proclaman las muchas cosas bellas que el viajero encuentra en Costa Rica, tanto en el campo espiritual como en el material. Y seguros estamos de que mientras permanezcamos en esta tierra de maestros, de patriotas y de belles mujeres, cada minuto nos deparara nuevas y agradables sorpresas que viviran eternamente en neustros corazones.

Ustedes y nosotros, todos, sabemos que a la gran staisfaccion de legislar para la Patria, estan estrechamente unidas grandes responsabilidades. Nos toca hacer la ley y la ley por lo general no satisface a todos. Unos nos llenan de elogios y ostros de vituperio; pero ustedes como nosotros, legisladores que somos de dos paises que son ejemplo de Democracia y de respeto a la voluntad de las mayorias, tenemos que sentirnos muy orgullosos de hacer leyes para neustras respectivas Patrias. A veces tendremos la razon y otras veces estaremos equivocados; pero siempre estaremos poniendo nuestro grano de arena en la nobilisima tarea de hacer Democracia y de hacer que neustras Patrias sean trasunto de ese modo hasta ahora insuperado de vivir. Es por ello que mis companeros y yo nos sentimos hoy genuinamente orgullosos de ser recibidos por la Honorable Asamblea Legislativa de la Republica de Costa Rica.

Muchas gracias senores.

These are a few of the organizations and men we are grateful to for their kind and courteous attention to the details while were were in San Jose, the capital city:

Reception committee: Julian Mateo, Ramon Herrero, Gregorio Rojas, Calixto Fabrega, Jorge Dobles Sanchez, Alejandro Pirie.

Junta Directiva de la Camara de Azucareros: Presidente Manuel Jimenez de la Guardia—Licenciado, Vice Presidente Otto Eduardo Kopper Vega, Secretario Arturo Garcia Solano, Tesorero Miguel Monge Echandi.

Junta Directiva de la Junta da la Cana: Randall Garcia Golcher, Camara del Atlantico; Alberto Vega Meroto, Camara del Pacifico; Francisco Amrhein Pinto; Juan Guillermo Brenes Castillo, Asambles Legislativa.

Being a member of the Labor and Education Committee of the House, I was particularly anxious to find out what I could about labor and education programs. I submit a report as I gathered it from information provided by Ambassador Willauer and Costa Rican officials.

Comparatively speaking and in generalized terms, Costa Rican labor is superior to that of the other Central American Republics. This is due to a number of factors, among which there might be mentioned (a) a far greater percentage of literacy, (b) a comparatively unmixed inheritance from Spain of habits of industry and frugality, and (c) a long tradition of self-reliance and independence. On the other hand, on the debit side of the ledger there should be mentioned (a) complete absence of any program of apprenticeship training and (b) a tendency to perform work without adequate advance planning and preparation, and in an empiric manner pride in standards of workmanship is beginning to appear; however, there is convincing evidence that with proper training and under adequate supervision, the average Costa Rican can be developed into a skilled artisan, able to perform work which compares favorably with standards maintained in more advanced countries. As an example there might be cited the hundreds of employees of the Inter-American Highway and of the aircraft overhaul shops who have been developed into first-class craftsmen in their various trades and vocations.

In general, there is no shortage of labor, nor is there much surplus. During the coffee harvesting season, there occasionally exists a shortage of labor, but this is as a rule tided over by the employment of women and children. There does exist, however, a constant pressure for social improvement, causing a steady movement from the lower echelons of labor toward better paid jobs. Similarly there is a constant movement from the farm to the city, causing overcrowding and substandard housing conditions in most of the towns and cities.

Traditionally, coffee picking is not considered bemeaning labor in any way. For this reason, many people from above the lowest social strata pitch in to pick the crimson berries which produce a major part of the country's foreign exchange.

By far the largest agricultural operation within the country is that of the United Fruit Co.—banana, cacao, palm oil, et cetera. In round figures the company employs an average of 12,000 persons, a majority of whom are of the agricultural peon class. Within memory, the company has never been confronted with any major labor shortage.

Wages in Costa Rica, compared to the United States, are low. But since productivity of the average worker also is low, the cheapness of the labor is only relative. In general, all wages are based upon the minimum legal rates for agricultural labor on the Central Plateau. Under the law, a National Wage Council revises the minimum wages rates every 2 years, recommending change to the Executive, who as a rule accepts the recommendations of the Council and promulgates them effective October 1 of even years. The current—1957—figures for agricultural labor on the Central Plateau is $6.80—$1.2—going up to $7.50—$1.125—July 1, 1957, daily, while that for common agricultural labor in the Pacific banana belt is $14 daily. Naturally, in the skilled and semiskilled trades they are higher, running from approximately $2 daily for semiskilled workers to $4.50 daily for skilled artisans. All these are the legal minimum rates and in many instances higher wages than the minimum are being paid.

The 1943 labor code, with appropriate amendments, governs in general the relations between employer and employee. It consists of 10 sections, subdivided into a total of 38 chapters and 614 articles. It is all-inclusive and, at the time of its enactment was generally considered as too advanced for a small country which never before in its history had any labor legislation. Briefly, it covers labor contracts, collective contracts, working hours and wages, holidays, vacations, protection of workers, insurance and compensation, labor organizations, cooperatives, labor conflicts, special labor jurisdiction, organization and jurisdiction of labor courts, procedure for settlement of labor conflicts, public employee sanctions and responsibilities. In theory it is designed to protect labor. In practice loopholes have been found by unscrupulous employers to circumvent its provisions. Among other things the code provides for advance notice and severance pay which is quite liberal. The cumulative effects of these provisions have occasionally proved a heavy burden, especially to smaller employers.

While both employer and employee today recognize that the code is not perfect, practical experience over a dozen years since its enactment has gradually made it workable. It is still not accented in toto by the more reactionary employers.

Labor has been comparatively slow in organizing in Costa Rica, largely because the labor code regulates labor relations in such detail, and the National Wage Council regulates minimum wages, so there is little apparent incentive for organizing. Out of a total regular labor force of about 150,000 persons, it is estimated that only about 15,000 are organized.

Besides a number of unaffiliated unions, there are three labor centrals—called confederations—in Costa Rica. The most important and largest of these is the Confederacion Costarriconse de Trabaiadores Rerum Novarum—short name CCT, or Rerum Novarum—which is affiliated with the Latin American regional organization ORIT and through it with the ICFTV. It also maintains intimate fraternal contact with U.S. labor organizations—AFL-CIO and the United Mine Workers. Originally the confederation was organized in 1943 under the auspices of the Catholic Church for the specific purpose of neutralizing the inroads which the Communists were then making in labor. Since that time, however, it has become completely independent from church influence and the name of Rerum Novarum is maintained merely for sentimental reasons.

Second in strength and importance is the Communist-controlled General Confederation of Costa Rican Workers—CGTC—which, besides a few of the old line unions in San Jose—shoemakers, printing trades, and so forth—through its affiliate federation FODA controls most of the organized banana workers in the Pacific banana zone. Most of these agricultural workers are not enthusiastic about organizing and only about 20 are organized. Since the Communists, as a political party, have been outlawed in Costa Rica, CGTC has been leading a rather precarious existence. Unlike

Rerum Novarum, which has been making slow but steady progress, the CGTC has lost ground steadily during the past several years.

Third and least important is the National Workers Confederation—CNT—formerly affiliated with the Argentine Atlas labor group. Its importance, except in two or three unions in San Jose, is minimal.

Vocational education was started in October 1955 with a survey of the operating vocational institutions which consisted of three private vocational schools but no national vocational schools except a few small woodworking shops in high schools.

A study of 7,444 industrial workers in the central plateau area revealed 55 percent untrained, 37 percent semitrained, and only 8 percent trained, 119 had some secondary education, 20 percent of those graduating from grade school did not enter high school, and 80 percent of those entering high school did not finish.

A Department of Vocational Education was established in the Ministry of Education and at the present time two U.S. technicians, a chief vocational education adviser and a teacher trainer, are providing U.S. consultation in this department.

Two private schools, Heredia, now operating with 70 students equally divided between carpentry, bench mechanics, electrical shop, and sheet metal and welding, and Desamparados, with 130 students in 9 trades, have been converted to national schools and are being expanded with new buildings and equipment. A new school at Golfito with 80 students has just been opened. A 7-year planned program includes combination vocational—trades—and vocational agriculture schools at San Isidro del General, Liberia, Limon, Puntarenas, and Alajuela.

Fourteen teachers have been trained at the Vocational Normal School at Chosica, Peru, and are now teaching at Heredia, Desamparados, and Golfito. Twelve additional teachers have been recruited and trained here. The directors of all these schools have each had 1 year of training in the United States.

All buildings and all but a minimum of demonstration equipment have been provided by the Costa Rican Government.

Space does not permit a more detailed analysis and report, however, I recommend as a beginner in learning more about our Latin neighbors a more exhaustive reading of the political, technical, agricultural, and civic activities of this small, energetic, and respected neighbor and friend in Central America—Costa Rica.

Lamar, Colo., an All-America City

EXTENSION OF REMARKS
OF
HON. J. EDGAR CHENOWETH
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 9, 1960

Mr. CHENOWETH. Mr. Speaker, I was very pleased that the city of Lamar, Colo., was selected as an All-America City, and will receive one of the annual awards presented under the joint sponsorship of the National Municipal League and Look magazine.

I want to congratulate Mayor Bowman, the members of the city council, the officers and members of the chamber of commerce, and all of the civic and community leaders in Lamar who made it possible for Lamar to receive this recognition, which is so richly deserved.

I am sure that Lamar will continue to grow and prosper, and I extend best wishes for the years ahead.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 10, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Kings 8: 57: *The Lord our God be with us, as He was with our fathers.*

Almighty God, who art the source and inspiration of all that is true and good and beautiful, daily we turn to Thee for wisdom and strength to discharge our duties.

Give us the power of insight and awaken within our minds and hearts the faith and the courage to champion every noble cause that will bring Thy kingdom of righteousness and justice upon earth.

May we be more fully conscious of our own individual responsibility to safeguard and protect those liberties and lofty traditions which have been bequeathed unto us by the sufferings and sacrifices of our forefathers.

Bless our President, our Speaker, and all our legislators with a vivid and vital sense of Thy sustaining presence and may they be eager to promote and preserve those ideals and principles which will make them worthy of receiving Thine approval as good and faithful servants.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the bay of San Francisco;

H. Con. Res. 449. Concurrent resolution to print as a House document the publication "Facts on Communism—Volume 1, The Communist Ideology" and to provide for the printing of additional copies; and

H. Con. Res. 457. Concurrent resolution to authorize printing as a House document a publication relating to the nomination and election of President and Vice President, including the manner of selecting delegates to national political conventions.

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 80. Concurrent resolution authorizing the printing of additional copies of part 1 of the hearings on an inquiry into the satellite and missile programs; and

S. Con. Res. 82. Concurrent resolution extending the Joint Committee on Washington Metropolitan Problems.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY 10, 1960.

Honorable SAM RAYBURN,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I wish to offer my resignation as a member of the District of Columbia Committee of the House of Representatives.

Respectfully yours,
THOMAS G. MORRIS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 444) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Science and Astronautics: THOMAS G. MORRIS, New Mexico.

Committee on House Administration: NEWELL A. GEORGE, Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

VETERANS OF FOREIGN WARS DISTINGUISHED CITIZENSHIP GOLD MEDAL AWARD TO HON. CARL VINSON

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include certain material.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, our esteemed and beloved colleague, the Honorable CARL VINSON, chairman of the House Armed Services Committee, received the Veterans of Foreign Wars distinguished citizenship gold medal award

last evening at the annual congressional dinner sponsored by the VFW.

In announcing the award, VFW National Commander Louis G. Feldmann stated:

Representative VINSON was selected from many outstanding nominees who have put service to their country above personal gain. In his position as chairman of the former Naval Affairs Committee and more recently as chairman of the House Armed Services Committee, Chairman VINSON has made historic contributions to the betterment of our national security.

I rejoice with my fellow Georgian in this high honor which he so richly deserves.

In accepting the award, Mr. VINSON made a forceful argument, stressing the need for a strong national defense at all times, which held his listeners spellbound. I wish to insert his speech at this point and I urge every Member to read it.

ADDRESS OF HON. CARL VINSON, CHAIRMAN, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, BEFORE VETERANS OF FOREIGN WARS

National Commander Feldmann, distinguished Veterans of Foreign Wars, my honored colleagues of the Congress, distinguished guests, ladies and gentlemen, it is difficult for me to find words to express the deep feeling of gratitude I have for the great honor you have conferred on me tonight.

Nor can I tell you, adequately, the profound humility I feel on being honored with your Distinguished Citizenship Award.

To the last days of my life I will cherish this citation, for it comes from an organization of veterans who have met the enemy in foreign lands, on the seven seas, and in the uncharted blue of alien skies.

The heroic, courageous, and unselfish service you have rendered, in the hours of our country's peril, is the greatest legacy that you can leave to your children and to your children's children.

Whatever service I may have rendered to the Nation has been in the Congress of the United States dealing with problems of national defense.

On two occasions my conscience and my sense of duty, caused me to vote for declarations of war; and I also sat at the council table, with some of my colleagues, when the decision was reached to resist aggression in Korea.

Therefore, I hope that you will indulge me while I discuss with you some of the problems which face us in the challenge for survival in the years ahead.

There may be some reason to believe that a ray of hope for world peace is beginning to appear on the international horizon.

This is a welcome sign—no matter how faint—but—it could become our deadliest enemy.

Because of our genuine and overwhelming hope for peace, we could easily succumb to the fatal disease of complacency.

We must vaccinate ourselves against this deadly disease, regardless of the velvet glove that the leaders of the Kremlin have now pulled over their mailed fists; regardless of the assurance of good will that are aimed at us by the masterminds of the Communist conspiracy, our voice in world affairs must be firmly based upon our assured ability to resist aggression wherever and however it may be commenced.

I do not decry in any way any effort to bring about world understanding; I welcome, as do all Americans, any gesture that even suggests the possibility of world peace.

Certainly I would like to think that the world is about to enter into an era of peace and good will toward men, but let me warn you that a friendly smile does not necessarily imply the beginning of an everlasting friendship.

And let me say to you that we cannot negotiate for world peace from a position of weakness.

If world peace is to be possible, it will come from our ability to make peace inevitable.

If ever there was a time in the history of America when we are compelled by the hard facts of international life to be eternally vigilant—it is now.

My study of the history of our people, my experience over the years, prove to me beyond the shadow of a doubt that the American people want—yes, demand—a defense establishment that guarantees them every reasonable assurance of survival, and the preservation of our way of life.

This Nation must, therefore, at this very time, make up its mind what those defense requirements are from a strictly military standpoint.

Once the American people are made fully aware of these requirements, I am confident they will not shrink from its cost.

Fiscal solvency is not the sole interest and final concern of the American people. The safety of our homes and our liberty and freedom are far more important to all Americans.

When the defense of our home and freedom calls for an additional burden, our history and every past experience tells us that our people will not fail.

Once the facts are known—the real, hard, clear facts—concerning the additional military items we need to provide for an adequate national defense program to insure our survival and way of life, once the Nation has been informed, the decision will be prompt. The people will demand increased defense efforts.

Our trouble today can be easily identified.

It is because for the last decade we have measured our military requirements in dollars and not in missiles, rockets, submarines, armor, planes, and men. We have worried about dollars when we should have worried about a more adequate defense.

Missiles on the launching pads, modern firearms, ships and submarines at sea, planes in the air, and a sufficient number of men equipped and trained to handle them—these and these alone can deter and, if need be, repel, a sudden thrust of an aggressor.

An adequate defense must exist in this Nation at all times regardless of the cost in dollars. And the people will willingly bear whatever additional expense adequate defense demands.

We must never forget that the paramount duty of government is self-preservation.

Our naval shipbuilding program is a classic example of the seriousness of the defects in our overall military planning. We aren't replacing ships as fast as they are becoming obsolete. By 1963, more than 310 ships in our active fleet will be over age.

At a time when our worldwide naval commitments are increasing, at a time when Soviet naval power is continuing to grow and increase its combat effectiveness, at a time when more than 400 Soviet submarines—many of them ultramodern—roam the seven seas, our Navy is getting smaller, older, and overcommitted in spite of the most clear-cut strategic lessons of recent times.

In the past few years of East-West conflict, communism has scored two successes: The conquest of Tibet, and the subjugation of Hungary.

Yet during this period the United States and the free world have stood firm and turned back Communist aggression in three crucial areas: Korea, the Formosa Straits, and Lebanon.

The lesson is clear—Tibet and Hungary were remote from the sea; the Formosan Straits, Korea, and Lebanon were areas where our sea power could be brought to bear.

In spite of this clear demonstration of the importance of sea power in these troubled times, our overall naval power is on the decline; but Soviet sea power is on the rise.

The modernization of our Navy must not be sidetracked by military thinking preoccupied solely with nuclear conflict.

In our military planning, we must avoid the one-track thinking that the only war possible is a nuclear war.

That is exactly what the Soviet Union wants us to think. Once we have placed ourselves in the position where we possess only the ability to wage a nuclear war, then we have openly invited further aggression in those areas of the world where our present ability to extinguish a small war with conventional weapons makes aggression unlikely.

We must build a defense that is capable of meeting any kind of aggression that is thrust upon us.

We may well be entering into a long era of nuclear stalemate.

But no one in his right mind can be certain or even openly optimistic that we are entering into a long era of genuine peace, for we all know that the Soviet Union's objective of world domination has not changed.

In spite of this, we have reduced the size of our Army and, at the same time, have failed to modernize the Army with the number of weapons necessary to perform the functions that are assigned to it.

It is common knowledge that the Soviet Union is far ahead of us in the scientific exploration of outer space.

Yet the military aspects of outer space are such as to make anyone shudder when one thinks of the possibilities that may result if a space platform, or a manned satellite, circles the earth, keeping it under constant surveillance and relaying this information to a nation that does not have the free world's interests at heart.

Likewise, there will be a missile gap. It now appears clear that we will not attain Soviet missile capability in the immediate years ahead unless we are willing to make drastic sacrifices now.

There was some consolation in the thought that we were producing a 2,000-mile-per-hour bomber, the B–70.

We were told that the characteristics of the B–70 under development were such that no bomber known to man could match its capabilities.

But in an effort to save dollars, the B–70 program, for practical purposes, has been reduced to a prototype item which means it will probably never be produced, and certainly not in sufficient quantity to become an effective part of our arsenal.

There can be no doubt that by cutting back the B–70 program, we have increased the threat to our own survival by sidetracking a weapons system that would have given us a definite superiority in manned aircraft capability.

There was some comfort in the thought that we were going to produce a bomber that could fly at an altitude in excess of 70,000 feet and at a speed in excess of 2,000 miles per hour, with men on board directing the flight.

But my comfort is gone.

Congress joined the Air Force and the B–70 program together but the Bureau of the Budget tore them asunder.

Congress appropriated funds for a Marine Corps of 200,000 men but the executive branch declined to increase the Marine Corps from 175,000 men; Congress appropriated $35 million for the long-leadtime items for a second nuclear-powered carrier, but those funds have been withheld by the Bureau of the Budget.

Perhaps it is time that Congress paraphrased the marriage vows to say that "what Congress joins together, let no executive department put asunder."

When the Congress appropriates funds for specific military purposes, the Congress intends that those funds be expended for that purpose.

But for more than a decade, I am sorry to say, we have seen appropriated military funds withheld by Executive order.

If the executive can withhold the military funds provided in an appropriation act passed by the Congress and signed by the President, then he has in fact the power of an item veto.

Neither the Constitution nor Congress has given the power of an item veto to the executive branch of the Government. Yet it is, in effect, being exercised by the withholding of funds earmarked for specific military purposes.

In fact, during the past decade there has been an increasing disregard of the desires of the people, as expressed by their Representatives in Congress, in certain appropriated items for national defense.

If this trend is not reversed now, then I say to you that the time will have arrived when the Congress must insist upon exercising its constitutional rights by establishing manpower floors on the size of the Armed Forces; enacting into law the composition of those forces; and insisting, by appropriate language, on the maintenance of those forces.

Following World War II drastic cuts plunged our military manpower to 1,460,000 men.

Thus our decreasing military strength encouraged Communist aggression in Korea.

Under the lash of necessity we laboriously and expensively rebuilt our forces to a strength of 3,635,000 men.

Following Korea, we have once again—in spite of continuing Communist aggression—followed a policy of manpower reduction.

Since the end of World War II, we have followed every will-o'-the-wisp that seemed to offer a more painless and bloodless means of defending ourselves.

The atomic bombs were to replace divisions and eliminate the so-called old-fashioned fighting man with a rifle.

And then came Korea.

When those battles ended, our casualties were high in riflemen on whom fell the main burden of the conflict.

And then our policy was dominated by the slogan of massive retaliation.

Again our manpower was reduced. We were told that our ability to totally destroy a large portion of the world eliminated, or drastically reduced, the need for conventional forces.

But I trust that the actions in the Formosa Straits and Lebanon have written a permanent obituary to the unilateral doctrine of massive retaliation.

I am firmly convinced that if we are to stand fast, from now and in the long years of the East-West conflict that may lie ahead, we must have a stabilized military manpower policy.

We must get our military forces off the roller coaster which has taken them from necessity's peak to the budgeteer's valley.

We must have stability in the strength of our military establishment.

We must maintain our Armed Forces, throughout the years ahead, at a strength that doesn't vary from year to year.

And just as we need stability in our military manpower, we also need stability in the Defense Establishment itself.

We created the Department of Defense in 1947, and reorganized it in 1949. We reorganized the Department of Defense in 1953, and again in 1958. And now the atmosphere is full of rumors and the legislative hopper is full of plans to again reorganize the Department of Defense.

One of the greatest services to the strengthening of our Nation, would be to stop tinkering with the statutory organization of our Defense Department.

Ever since we won World War II, we have been constantly urged to junk our war-proven Joint Chiefs of Staff system, and replace it with the superhigh command which our enemies used, and which, because of its inflexibility, actually contributed to their own defeat.

Every additional step that we take toward a single general staff is a move closer to military and political disaster.

Commander Feldmann, I am always heartened to know that the Veterans of Foreign Wars stand for a strong Army, Navy, Air Force, and Marine Corps.

You veterans stand for unrelenting resistance to communism at home and abroad.

You veterans stand for those things that will keep America strong, and thus keep America free.

And so, Commander, in accepting this award from you this evening, I do so with a deep sense of humility and sincere appreciation.

But I also accept it with some regret.

I regret that our Nation has no award of sufficiently great magnitude to bestow upon the Veterans of Foreign Wars for the great and continuing service which your organization has rendered to the cause of keeping America strong and keeping America free.

INTERPARLIAMENTARY UNION MEETING

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, I take this time to make two announcements: First, the Interparliamentary Union will meet in the old Supreme Court Chamber on next Tuesday at 9 a.m. All Members are invited.

THE FARMERS' BILL OF RIGHTS

Secondly, Mr. Speaker, I wish to announce that a number of Members of the House have this afternoon introduced what we might call a farmers' bill of rights to provide a farm program which will achieve all of the goals the President outlined in his message of yesterday, and achieve them at a minimum of expense to the taxpayers and with the maximum benefit to the farmers and consumers of this Nation. This bill allows farmers to work with the Department of Agriculture in shaping new farm programs for each commodity where the Secretary foresees a surplus. It requires such programs to adjust production to the needed volume. It allows the use of any tools except Government acquisition, by either loan or purchase, of the commodities. In this way the bill brings a stop to further accumulation of surplus commodities in the hands of the Government. As I see it this accumulation of surpluses is the most inexcusable portion of our present farm program. Today the storage of these surpluses is costing the Government more in 20 months than the entire farm program cost during its first 20 years. This bill would merit public support if it did nothing other than eliminate the surplus evil.

However, it goes much further. It requires the balancing of production with demand; it provides that the Secretary shall approve no program that would involve a cost in excess of 5 percent of the estimated value of the cost. This is far less than the amounts now being spent on most crops, but it would put all of the money spent by the Government into the hands of producers rather than to pay export subsidies to foreign purchasers or to pay storage bills to domestic warehouses. The bill recognizes the desirability of withdrawing some of our cultivated land from production at this time but rather than extending a soil bank program which has admittedly been subject to much abuse and which would probably be still further abused in an election year, it requires cooperators to contribute 10 percent of their tilled acres to a reserve as a condition to receiving the benefits of the program. It allows a further contribution up to a total of 40 percent with payment in kind for the additional acres. The President has commended the payment-in-kind program although he vetoed it when it was submitted to him last year and the Department opposed it when it was first presented by our committee in the corn and feed grain bill. I hope the President and the Department will now support this effort to enable farmers to work out a constructive program for each commodity which needs it.

On Thursday the 18th, 1 week from tomorrow, the Secretary of Agriculture is again scheduled to appear before the Committee on Agriculture. It is the intention of many Members to discuss those programs on this floor immediately after his appearance in extensions of remarks and during the special order program that afternoon. We invite all Members to be on the floor at that time.

FAMILY FARM INCOME ACT OF 1960

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, I am today introducing comprehensive legislation designed to raise family farm income while at the same time drastically reducing the cost to taxpayers of the existing ineffective farm program. This legislation, designated as the Family Farm Income Act of 1960, is being introduced by a number of Congressmen from agricultural States, including the distinguished vice chairman of the Committee on Agriculture, the gentleman from Texas [Mr. POAGE].

Yesterday, the President challenged the Congress to move promptly to solve the mounting crisis in American agriculture. The administration offers no solution to the problems of farmers and, in fact, constructive action by the Congress in the past to stabilize the agricultural economy has met with Presidential vetoes. A recent case in point was the White House veto last year of a common

sense wheat bill passed by the Congress which would have halted the buildup of surplus wheat stocks, cut farm program costs half a billion dollars, and protected wheat farmers from ruinous prices. The measure also contained a provision for reimbursing farmers by means of payments in the form of surplus Government wheat rather than cash. It was a good piece of legislation designed with the public interest in mind, but it was vetoed at the insistence of Secretary of Agriculture Benson.

If one reads between the lines of the President's farm message yesterday, he must conclude that the administration is admitting the failure of its own farm policies in recent years. That failure is painfully highlighted by the following developments during the 7-year period covered by Mr. Benson's administration of our farm programs:

Net farm income has dropped from $15.3 billion in 1952 to $10.3 billion in 1959.

Even in 1952, farm per capita income was only half that of city residents, but during the past 7 years, the income gap between city and town has increased from $887 in 1952 to $1,000 today.

The parity ratio, which is the relationship of farm prices to other prices, has declined from 100 percent in 1952 to 77 percent today.

The farmers' share of the consumers food dollar has dropped from 47 cents to 37 cents in the same period.

While the average of all farm prices is down 16 percent from the 1952 level, farm costs have gone up 11 percent. This is the tragic cost-price squeeze with which every farm family is familiar.

Farm indebtedness has mounted from $14 billion in 1952 to $20.8 billion today.

Interest charges paid by farmers per acre have increased 80 percent since 1952.

Farm population has dropped from 24.3 million in 1952 to 20.8 million today, while the number of farm units has declined from 5.4 million to 4.6 million.

Given these disturbing facts, it is not surprising that farm families are in trouble. But the farm problem is more than a farm problem—it is a serious challenge to the entire Nation.

Farm families are good customers of industry and business. For example, the farms of America consume more steel each year than is used in the entire annual output of the automobile industry. When farm purchasing power drops by one-third, as it has since 1952, every thoughtful merchant, factory worker, and industrialist in the country ought to realize that this is a dagger aimed at his economic well-being. Furthermore, the 3½ million farm people who have left agriculture in the last 7 years are competing with city residents for scarce employment opportunities.

Mr. Benson's soil bank has been ineffective in meeting the problems of agriculture. Only about 125,000 of the Nation's 4.6 million farm families are participating in the program. In many cases it has made it impossible for farmers who want to farm to secure additional land at reasonable prices. In numerous instances the soil bank has hampered rural communities in maintaining their economic and social life.

Certainly the taxpayers have not benefited from the Benson policies. During the past 7 years the public's investment in surpluses held by the Commodity Credit Corporation has climbed from $2.4 billion on January 1, 1953, to $9.5 billion today. The present Secretary has spent more money in his department in 7 years than was spent in 90 years by the combined total of all other Secretaries of Agriculture.

It is not enough, however, for us to recognize the disastrous failure of the administration farm policies. Congress must continue to legislate strong farm programs regardless of the veto threat.

This is the spirit in which a group of Democratic Members of Congress have been meeting since the opening of Congress. We have worked long hours on a comprehensive agricultural program which we believe will restore family farming as a satisfying and profitable way of life. We believe that the program we introduce today will strongly appeal not only to farmers, but to taxpayers and city consumers.

The bill authorizes each commodity group—wheat producers, corngrowers, poultry and egg producers, and so forth—to work out nationwide marketing quotas designed to limit farm marketing to that volume where demand will assure the farm operator a fair price. Under this legislation farmer-elected committees would devise their own program which would then be submitted to a referendum of all producers of the particular commodity. If two-thirds of the producers voting favored the program it would go into effect.

Quotas shall be set at a level low enough to discharge 10 percent of the surplus stocks each year that are currently held by the Government. No future acquisition of farm commodities is permitted except for distribution and a national reserve.

The program provides for the use of direct compensatory payments up to a maximum of $5,000 to any one producer if such payments are needed to assure producers a fair return on their marketing quota. It is anticipated that compensatory payments will not be needed if marketing quotas are set properly.

The bill also requires each farm operator to place at least 10 percent of his tillable acres in a soil-building base. An additional 30 percent may be placed in the soil-conserving base for which farmers will be compensated in payments of surplus Government-held feed grains instead of the cash payments now used with the soil bank.

The total estimated cost of the program is limited to a maximum of 5 percent of the annual market value of each of the commodities participating in the program. We estimate that the entire program would not involve costs of more than half a billion dollars in contrast to the $5.3 billion now being devoted to farm income stabilization.

The above program, combined with vigorous and imaginative efforts to make greater use of our food abundance to feed the hungry both at home and abroad, will reverse the depressed condition of American agriculture. The farm problem is not insoluble. A nation that can devise complicated weapons of the space age can also devise formulas that will enable young Americans to enter family farming as a way of life.

There follows a brief analysis of the Family Farm Income Act of 1960.

Title I, a general enabling act providing comprehensive farm price and income stabilization and market supply adjustment. Tobacco, sugar beets, sugarcane, and wool, which now have workable programs, are exempt from the bill. Part I of title I extends the marketing order provisions of the Agricultural Marketing Act of 1937 to additional marketing functions and commodities. Part II of title I provides for, first, each commodity group to vote for quotas or adjustment measures on production and marketing of their commodity provided: (a) the national quota shall not be more than neded to supply domestic and foreign consumption and leave a reasonable carryover, (b) the price supports shall not be in excess of a fair price, (c) until excess supplies are reduced to normal, quotas on any commodity shall be low enough to reduce carryover by 10 percent per year and thereby provide a market for some of the Government surplus, and (d) total estimated cost of the program shall not exceed 5 percent of the value of that crop in the preceding year; second, the methods, limitations, and standards to which the commodity program must conform; and third, a referendum for each commodity which desires a quota program to be conducted with a two-thirds affirmative vote necessary to institute the adjustment program for that commodity. In no instance shall any farm operator receive total Government payments of more than $5,000 in any marketing year.

Title II provides for increased distribution of high protein foods under the school lunch and needy direct distribution programs now in operation. It provides a method for marketing a quantity of feed grain held by the Commodity Credit Corporation in excess of normal carryover for an equivalent quantity of high protein foods that are bought by the Government and distributed to noncommercial consumers. The Library of Congress has estimated that 1 bushel of feed grain will convert into $2 worth of high protein food, and therefore, each $2 spent for such foods represents a new market for 1 bushel of feed grain. The $500 million per year provided in this bill for protein products would provide a market each year for 10 percent of the amount of feed grain held by CCC. This provides a method to convert excess feed grain in storage into food for needy people in this country and help pay for it.

Title III would enact a new title II to the Soil Conservation and Domestic Allotment Act providing for an expansion of the ACP program established under section 7 of the act. The proposed new title II activates the soil-building base and requires that each producer enter at least 10 percent of his tillable land in such base. Each producer may enter an

additional maximum of 30 percent into the reserve for which he may be paid in kind.

Any producer would be eligible for usual ACP practice cost-sharing on all land placed in the soil-building base, but he would receive rental payments only on that part of his entered acreage above the first 10 percent. The first 10 percent would be called the producer's contributed acres. The acreage above the contributed 10 percent would be called Government rental acres, with the farm operator being remunerated in payments in kind rather than cash.

Title IV is merely a legislative finding to meet the legal requirements to establish the jurisdiction of Congress necessary to pass this act. There are no substantive provisions in title IV.

FOREIGN COMPETITION CLOSES VENEER PLANT IN SOUTH CAROLINA

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a news article.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I take this time to call the attention of the House of Representatives and the Congress as a whole to another incident which has happened in the State of South Carolina where good Americans, some of whom served in the Armed Forces, have been put out of work. I refer specifically to the closing of the J. L. Anderson Co. veneer plant which has been in existence since 1910.

Through the closing of this plant due mainly to the pressure of foreign competition, the town of Cheraw, S.C., has suffered the loss of a $10,000 a week payroll. One hundred and thirty people are out of work. Some of these people are past the age of 50 and cannot find other employment.

I wish to read a portion of a letter I received from the secretary, Cheraw Chamber of Commerce, Mr. L. A. Meikeljohn:

> The J. L. Anderson Co., who have operated a veneer and plywood plant here since 1910 has announced that they are shutting down the plant and propose to sell the machinery. They are currently employing about 150 people who will all be thrown out of work, and the town suffers a loss of about $10,000 per week payroll.
>
> I had a long talk with Mr. W. G. Anderson, the owner, yesterday and he tells me that the chief factor in their decision to close has been their inability to compete with foreign imports, principally from Japan, and that repeated demands on Congress to give the plywood people some relief have been denied. Another veneer plant here owned by James E. Powe is having trouble in meeting competion from Japan and they showed me one item they are making for which they have to get $75 per thousand to make any money and that Japan is quoting the same item delivered here for $62.50 per thousand.

I invite your attention also to the following news article:

> OLD CHERAW FIRM ENDS OPERATIONS
>
> CHERAW.—The J. L. Anderson Co., known in Cheraw since 1911 as the Veneer Mill, will cease operation within the next 2 weeks, according to a statement by W. G. Anderson, one of the owners of the mill.
>
> The plant's 130 employees, many of whom have been with the mill from 5 to 25 years, will receive their last pay checks when the orders on hand have been filled.
>
> The decision to close the plant and to put it up for sale was made after an extensive survey of the possibilities of the plywood industry, says Anderson.
>
> Scarcity and high price of raw materials, and competition from foreign markets were the determining factors in closing the plant. Operation of the plant has been unsatisfactory for several years, Anderson stated.
>
> The management hopes to sell the mill as a unit to be reopened and operated here, if possible, but indicated that the equipment and machinery would be liquidated if this was impossible.
>
> The company was formed in 1911 by Anderson's father, J. L. Anderson. He purchased the plant, which was originally the Clement-Ross Manufacturing Co., and operated it as an individual company for many years.
>
> The plant manufactured hardwood plywood boxes from 1918 until the end of the Korean conflict, when many of the company's customers switched to lower-cost paper boxes. The plant then manufactured hardwood plywood for the lower-grade furniture business for several years.

This timely article from the Cheraw Chronicle, and the letter I have quoted from, do not tell all the story. They do not tell of the disappointment of employer and employee at the termination of a useful industry. They do not tell of the worry and concern of employees facing the necessity of obtaining other employment, a most difficult task for anyone over 50 years of age.

I wonder what people, American taxpayers, must think of a government that ignores their loss. I shall not ignore them. I am here talking today, because I hope by telling their story we can incite this administration, this Congress, to a recognition that governmental policies which offer unfair competition in lieu of protection are not for the best interest of American industry. We need a revision of these policies now. It is too late for many industries now, but it will be too late for many more if this Nation does not soon awake to what is happening. Once an industry closes its doors, the organization, the assets, are generally lost forever.

We see the invasion of these and other imports putting Americans out of work, discouraging capital investment, affecting the economic growth and sustenance of our cities. Americans and American industry deserve better treatment. I hope my remarks will incite such interest, concern, and sympathy as will result in action to prevent such sad happenings as the closing of this fine plant. We do not want it to happen again.

TERMS OF MEMBERS OF HOUSE OF REPRESENTATIVES

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN of South Carolina. Mr. Speaker, I disagree with the President's statement of February 3 in which he advocated a 4-year term for Members of the National House of Representatives. The most direct and accessible contact the people have with the Federal Government is through their Representatives elected every 2 years. It is virtually impossible for our citizens to see the President due to his busy schedule. Many cannot come to Washington and appear before agencies of the Federal Government. They can see or contact their Representative when he is required to come before them for election every 2 years.

The Founding Fathers, when writing the Constitution, insisted that the House be kept close to the people. When the question arose in the Constitutional Convention, delegates from South Carolina, Virginia, and other southern States voted for a 2-year term rather than a 3-year term or a 1-year term.

I believe, Mr. Speaker, these southern States and men like George Mason from Virginia had in mind keeping the reins of Government always in the hands of the people. I find, personally, Mr. Speaker, that going back every fall to meet with and talk with the men and women who pay the taxes is time well spent. There is no better preparation for legislation than to talk and mingle with the citizens of our country at the grassroots.

Mr. Speaker, I have heard you a number of times advocate a 2-year term. I agree with you and hope nothing will be done to remove the House of Representatives another step from the people who send us here. If we are going to have representative government, let us keep it truly representative.

THE CASE OF BILL YIM, UPI REPORTER JAILED BY CHINESE COMMUNISTS

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DADDARIO. Mr. Speaker, I should like to call the attention of the House to a newspaper story which appeared in the press last weekend regarding the imprisonment by the Chinese Communists of United Press International Reporter Bill Yim on charges of spying activities.

Mr. Yim was a Chinese national who had entered China with the full understanding after talks with a Communist official that he would be allowed to cover a story. This is one of the risks that will occur, both as a result of no American correspondents being allowed by the Chinese to cover events in Red China, behind the Bamboo Curtain, and as a result of Chinese attitudes toward keeping their word. These expose foreign nationals to danger.

The Chinese Communists continue to use the cover—spying activities—to sentence and to jail people.

Bill Yim is the victim of this Communist attitude toward the legitimate work of newsmen in searching out and reporting the facts so that world opinion may be formulated on truth.

While our newspapermen have indicated they will take risks in trying to meet their objective of keeping the American people informed, it is a fact that Communist China has yet to grant visas to 32 designated representatives of organizations authorized to travel into Red China for that purpose.

The world is divided today by a barrier through which the truth has difficulty penetrating. We must constantly seek to break down the barriers, to let newspapermen travel where they will so they may report to the world. The historical tradition of free journalism demands no less. At the same time, the actions of the Chinese Communists are a grim warning of the difficulties that lie in wait.

It is necessary to point out these difficulties from time to time. Our British friends have cause to remember H.M.S. *Amethyst* and the difficulties inflicted despite international law. We are fully aware of the more recent problems with prisoners in Korea. And it can never slip from our minds that the Chinese hold Americans in Communist prisons despite their pledged word to release all Americans prevented from leaving.

We should take steps to protest the imprisonment of a foreign national who was engaged in legitimate newsgathering for an American wire service. We should also insist on every effort to break down the news barriers and allow American reporters to travel where they will. It should be noted that the State Department has even amended passport language to make that possible. And, above all, we must keep trying to see that the Chinese Reds live up to their word and release their American prisoners so they may rejoin their families.

The Chinese can contribute greatly to the relaxation of world tensions by these simple actions.

UPI REPORTER JAILED FOR YEAR AS SPY IN CHINA

HONG KONG, February 6.—The Chinese Communists have sentenced United Press International Reporter Bill Yim to a year in prison on charges of conducting spy activities, according to the Red Chinese newspaper Ta Kung Pao.

Yim, a member of the UP Hong Kong bureau, had been missing inside Communist China since last July when he was sent on an assignment to Canton. His trip was arranged by a Communist official, and Yim set out with a full understanding that he was a working newsman.

Yim, 25, was a Chinese national who was born in Shanghai but had lived in Hong Kong since an early age.

THE SATURDAY EVENING POST ARTICLE ON WEST VIRGINIA

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have asked for this time in order to acquaint my colleagues with the fact that West Virginia has come in for some more unfavorable publicity during the past week. The situation grew out of an article by staff writer Mr. Tunley, which appeared in last week's issue of the Saturday Evening Post.

This was immediately pounced upon by the Russian news agency Tass for the basis of an attack on our free enterprise system and capitalistic system of government.

I would like to remind the officials of the Russian Government that if they would pay the United States the $11 billion of lend-lease they owe us, we could improve some of these soft spots in our economy.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman might not have to work if they paid back part of what they owe us.

Mr. BAILEY. I agree with the gentleman.

Mr. HOFFMAN of Michigan. Then he and I could go fishing.

Mr. BAILEY. I thank the gentleman.

I want to pay my respects to Mr. Tunley. I agree with him on some of his basic findings as a result of a lengthy survey of economic conditions in West Virginia.

I am at a loss to understand why he would bring into an article dealing with the State's economic plight, questions of morality or immorality by calling attention to the fact that the percentage of illegitimate white children in the State was the highest in the Nation.

Without any thought, Mr. Speaker, of being facetious, I would remind the sponsor of this article that when Noah landed his ark on Mount Ararat, and before he and his extensive family went forth to reoccupy the devastated lands, the Lord gave Noah some advice by telling him to go forth and multiply and replenish the earth. We are ardent Bible readers in West Virginia.

I would also remind Mr. Tunley, in reply to his rattlesnake story, that we folks in West Virginia eat rattlesnake meat and consider it a delicacy.

INTERPARLIAMENTARY UNION MEETING

Mr. GROSS. Mr. Speaker, I ask unanimous consent to adress the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the gentleman from Texas [Mr. POAGE] has graciously invited the Members of the House to attend the Interparliamentary Union meeting to be held next Tuesday morning.

If the Members of the House want to see how a first-class junketing organization is perpetuated, I would suggest that they be there.

NATIONAL DEFENSE

Mr. HOFFMAN of Michigan. Mr Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is somewhat difficult to find the correct answer to the question as to whether we do or do not have an adequate national defense—a defense sufficient to protect us from Russia or any other nation or nations which may seek to destroy us.

If my understanding of the local press is correct, the President, answering those who said that our national defense was not sufficient to protect us, stated that they were "abysmally ignorant."

At the very delightful dinner of the Veterans of Foreign Wars held last night, our beloved colleague, the gentleman from Georgia [Mr. VINSON], who has been a Member of the House for some 46 years, and who, for many years, has been chairman of the Armed Services Committee, told us in effect that the administration was saving dollars which should be used to purchase the security demanded by all branches of the armed services, and that the cost of that saving or refusal to appropriate what they demanded would result in national disaster.

My understanding of the gentleman's talk was that the President and the administration were trying to balance the budget in a manner and to an extent that not only endangered, but would destroy, our ability to maintain our independence—that if we did not appropriate the money demanded by the Army, the Navy, the Air Force, and other defense agencies, we were opening the door to a military attack which ultimately would instantly destroy us.

In effect, the gentleman from Georgia [Mr. VINSON] again, if my understanding is correct, told us that if we did not provide the billions for bombs, missiles, defense measures of other kinds, we laid ourselves open to an attack which could and might wipe us out as a nation. Our colleague seemed to hurl back the charge that those who expressed confidence in our ability to defend ourselves were not only lacking in knowledge of what was necessary for our protection but that they preferred a balanced budget, a sound economy, to security.

So, to me, with no knowledge of what is or is not absolutely necessary in the way of appropriations for the armed services, comes the question of whom I should follow. Should I go along with the gentleman from Georgia and vote to appropriate whatever the armed services ask, or shall my vote as to what is, or is not, necessary follow the advice of the President and his advisers.

The top military men, the experts, do not agree as to whether we have or do not have sufficient of whatever is needed to make us secure.

Shall my voting record follow the gentleman from Georgia, the Senators, the Members of the House, the military men,

who from day to day recommend the appropriation of additional billions to bring about the situation desired by them, or shall I follow the suggestions of the President, himself the Commander in Chief of those who fought and won the victory in World War II.

I see the gentleman from Pennsylvania [Mr. FLOOD], who, a week or so ago, gave us some excellent advice on foreign policy. Perhaps he knows the answer and some of the risks involved in a wrong decision.

Shall I follow the President and those whose advice he accepts or shall I go along with those who seem to approve of unlimited spending in order to bring about the situation demanded by some military men, some Senators, some Congressmen?

Individuals in each group characterize the other as being ignorant—not knowing what they are advocating.

Having insufficient information of my own as to what and how much is needed, I will go along with the President, who was Commander in Chief when World War II was won.

THE DELPHIAN ORACLE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, of course the gentleman from Michigan must know that the search of the philosophers since the beginning of time has been dedicated to the proposition of finding in one place on this earth the fountainhead of all knowledge.

I am advised that the discovery has now been made, with particular reference to military genius, and we have substituted for the Executive the Delphian Oracle.

LEGISLATIVE PROGRAM

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, I take this time to inquire of the majority leader if he can give us any information as to the program for next week.

Mr. McCORMACK. As far as next week is concerned, I will announce the program tomorrow, at which time I will be in a better position to do so. I have a very good idea as to what it will be, but I want to withhold until tomorrow in case there might be some suspensions the Speaker may want to recognize a Member on. I do not know about any now.

For the balance of this week there is no legislative business and Members may govern themselves accordingly. There will be no legislative business tomorrow.

ADJOURNMENT FROM THURSDAY UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns on tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

A PRECARIOUS PEACE: THE NEED FOR CONCRETE AND POSITIVE PLANS

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 30 minutes.

Mr. PORTER. Mr. Speaker, world peace in these days of tension and nuclear weapons is precarious as never before, but the administration is doing practically nothing to help the situation.

Last week in London I conferred in the eight-century-old Palace of Westminster with parliamentarians from 15 other nations including the Soviet Union. The subject was disarmament. Before I left for London I did my best to brief myself on our recent and current actions in this area. Senator HUMPHREY's Subcommittee on Disarmament, the Library of Congress, the Department of State, and various individuals helped me get a picture of the present situation. It is a dark picture.

Noble words about the need for the rule of law in the world and in favor of controlled and comprehensive disarmament—this is what the American people hear repeatedly from their President and their Vice President. Mr. NIXON speaks smugly of 7 years without a war. Both he and the President commendably go all out for the repeal of the Connally amendment, a vital but relatively minor step forward toward the rule of law in the world.

In this Chamber a few weeks ago the President uttered these eloquent and accurate words:

> With both sides of this divided world in possession of unbelievably destructive weapons, mankind approaches a state where mutual annihilation becomes a possibility. No other fact of today's world equals this in importance—it colors everything we say or do.

It may color much of what is said, I grant, but, as I shall spell out in these remarks, it has had very little actual effect on our actions.

The President next pointed out that the Soviets have not made clear "the plans they may have, if any, for mutual inspection and verification—the essential condition for any extensive measure of disarmament."

What the President did not say was that we do not have any such plans either and that the prospects for our having any in the near future are extremely dim.

There were conferences of experts from several Western nations here in Washington last month. According to Thomas J. Hamilton, in his signed story in last Sunday's New York Times, these talks "go nowhere, largely because the United States had no position."

On the front page of this morning's New York Times is a story datelined Washington which begins with this paragraph:

> Western officials expressed concern today over the slowness with which the United States have evolved a new disarmament plan to meet Premier Khrushchev's proposal for total disarmament.

I shall include the entire article at the conclusion of these remarks.

In preparation for my trip to London last week the State Department sent one of their men up to brief me on the status of our disarmament plans. He told me the same thing: No plans exist.

This, then, is the indictment: Plenty of words about the urgent need for controlled disarmament and the rule of law, but no positive and concrete plans for making the peace less precarious.

The great debate in Washington today, unhappily, concerns only how we can increase our weapons. Of course we must remain strong until we can safely disarm. No one denies that. But we ought to be developing positive and concrete disarmament plans through study, research and debates—including great debates.

The unofficial disarmament conference in London last week was opened by Philip Noel-Baker, winner of the Nobel Peace Prize in 1959, Member of Parliament, and outstanding authority on disarmament. Hugh Dalton, former Chancellor of the Exchequer, was chairman on the first day, Lord Boyd-Orr on the second, and Mr. Noel-Baker on the third.

On the second day I circulated a proposed consensus, a copy of which will follow these remarks. It was drafted by me with the help of Dr. Jay Orear, nuclear physics professor at Cornell. We discussed the contents informally with Mr. Noel-Baker and the Soviet representatives, Mr. Alexander Korneitchuk and Mr. Ilya Ehrenburg, both of whom are members of the Supreme Soviet.

On the third day the Soviet representatives distributed a working paper embodying their ideas. A copy is appended to these remarks. The British came up with three other proposals. Mr. Noel-Baker appointed me; Mr. Ehrenburg; Senator R. Lombardy, of Italy—head of the Socialist Party; Pierre Cot of France—former Minister of Aviation, former Member of the Chamber of Deputies; Konni Zilliacus, of Great Britain, M.P.; and Sydney Silverman, of Great Britain, M.P., who served as chairman.

After two hours of intensive discussion we agreed on a consensus, which is as follows:

CONSENSUS OF THIRD EAST-WEST ROUNDTABLE CONFERENCE, PALACE OF WESTMINSTER, FEBRUARY 2–4, 1960

Participants in this conference of 16 nations, including for the first time members of the legislatures of both the United States of America and the U.S.S.R., met for unofficial East-West talks and as a result of 3-day discussion of various problems connected to disarmament agreed that the world public opinion be informed as to the following:

We agree:

1. That our civilization cannot survive another major war.

2. The only way to prevent a world nuclear catastrophe is to insure comprehensive, general and controlled disarmament and that the early abolition of nuclear weapons and of other weapons of mass destruction, including existing stocks, is imperative.

3. That there is very little time left to prevent the spreading of nuclear weapons to nations which do not already possess them, and that it is urgent to prevent their spreading.

4. That the division of the world into rival military alliances arming against each other puts peace at the mercy of an incident and subjects mankind to constant peril.

5. That the economic readjustment brought on by universal disarmament is not an insuperable problem for either Socialist or free enterprise economies.

6. Although it is impossible to conceive of disarmament without control or of control without disarmament, it is nevertheless true that the risks of a system of control not quite perfect are certainly less great than those of allowing the arms race to continue.

Therefore we urge:

1. That all the proposals for disarmament and effective control should be considered as soon as possible by the committee of 10 appointed by the United Nations, by the summit conference and by an international conference including China. The work of the committee of 10 meeting in March at Geneva should begin immediately and be continued without a break until it is finished; its minutes should be published regularly and without delay.

2. That as soon as a general agreement on disarmament has been concluded an effective system of control should be enforced by all necessary means required to ensure by international inspection and verification that the disarmament agreed upon whether by stages or otherwise has been and is being effectively implemented.

3. That the United States, United Kingdom, and Union of Soviet Socialist Republics negotiators at Geneva quickly agree to a treaty banning all nuclear tests with adequate inspection. We urge meanwhile that all countries refrain from nuclear testing. In an effort to break the present deadlock and answer the United States objection that small underground tests could go undetected under the present monitoring system, we recommend that the negotiators consider the addition of small auxiliary seismic stations which, if necessary, could be unmanned, on the lines recommended in the Berkner report of March 31, 1959.

4. That the task of world opinion in the coming crucial months should be to facilitate the negotiations, to remove all the obstacles in the way of agreement, and to dispel the atmosphere of mistrust created by the cold war.

5. That the enormous accumulation of outstanding and urgent international problems requires a continuous series of conferences, negotiations and discussions at all levels, from regular meetings of heads of governments, down to unofficial round-table gatherings such as the present meeting.

We recognize:

1. That disengagement—that is the establishment of zones free from nuclear weapons, from which foreign forces would be progressively withdrawn and conventional arms reduced and controlled—accompanied by provisions for East-West cooperation in implementing these obligations and maintaining international order could be an important and early stage in general disarmament.

2. That military alliances are the political organization of the arms race, and that the progressive subordination of such alliances to, and their ultimate supersession by, the collective security system of the United Nations, should be an integral part of the process of general and complete disarmament by stages.

3. That the development of international economic, technical, and cultural cooperation, aid to underdeveloped countries, and similar measures, using the machinery of the United Nations for the purpose, would serve not only to take up the economic slack resulting from disarmament but also increase the welfare of all peoples and create a network of common ties and interests between all states, rich or poor, whatever their social or economic system, that would establish a firm foundation for their living in peace.

We, members of the East-West roundtable meeting held at the Palace of Westminister, urge world public opinion to do everything possible to help inaugurate a new era in international affairs.

This statement was adopted without change by the conference unanimously except that a De Gaullist Senator, Leo Hamon, felt obliged to abstain with respect to paragraph 3 under "We agree."

Is the statement largely composed of generalities? Yes; I suppose so. Will it have any good effects? I do not know. It is too early to tell. It is an example of an agreement on a course of action to make the peace less precarious. And it was agreed to by persons from both the East and the West.

I think that most Americans agree with the statement although I know many Americans have not yet fully realized the implications of these facts. Or if they have, many have adopted fatalistic or Micawberish attitudes, in which cases I say, "It does not have to happen" and "Something will not turn up unless we exert ourselves as never before."

It was not long ago when some of our leaders were saying that we did not have to negotiate with the Soviet Union because we were so much stronger. Now we have leaders who say we cannot negotiate with the Soviet Union until we achieve equality of strength. The fact is that we cannot allow further delay.

Negotiation will not be easy. It will have its risks, small ones, however, compared to the risks of our continuing to mouth noble words but not presenting any plans of our own.

The Soviet Union rejected the Baruch plan for international control of atomic energy as proposed by the United States. It went ahead to build its own nuclear weapons and so touched off the nuclear arms race. Now all of us have the problem of finding an adequate method for inspecting and controlling stocks of nuclear weapons, an almost impossible task.

The Soviet Union has at long last announced figures for its armed forces but no means now exist to verify them. Reductions can mean little unless verified and unless it is known where the freed resources then are assigned in the economy.

It is true that we have dragged our feet on the road to real disarmament but the Soviet Union has certainly not been as eager to cooperate as its leaders and propaganda would have the world believe. The path of accommodation and coexistence through negotiation is not an easy one, but there is no other that leads to an acceptable place.

Another example of Soviet noncooperation is their failure to respond constructively to our proposal to prevent surprise attack. We did make concrete proposals for air and ground inspection to warn of attack. The Soviet Union apparently approved the purposes but when we wanted to consider specific details their representatives became evasive.

Still another instance of Soviet Union obstruction occurred in the fall of 1957 when the Soviet Union proposed that all 82 members of the United Nations be made members of the Disarmament Commission. They refused to compromise for 25 members and refused to participate for an entire year until the Assembly finally agreed to the Soviet demand. The cause of general disarmament was held back for at least a year and the resulting committee is unwieldy.

I recite these Soviet shortcomings because they are part of our problem, not because I believe recriminations are in order. We have our own house to set in order before we can be effectively critical of Soviet faults.

Where do we need positive and concrete plans for action if we are to attain this controlled disarmament we must have and this world rule of law so necessary for the existence of the human race? It seems to me there are seven principal categories. In all seven of them it is plain that our present administration leadership offers us at present little hope for progress toward a less precarious peace.

First. The nuclear weapons test cessation talks in Geneva. They are bogged down because we are not satisfied that the inspection procedures for the smaller explosions are adequate, yet we have not brought up the proposal for the addition of auxiliary automatic seismic stations, precisely what our Berkner report mainly urged almost a year ago. It looks as though the military and Dr. Teller have better chances every day of winning the resumption of nuclear weapons testing.

Is it too much to hope that the other body would ratify a treaty providing for complete test cessation and for joint studies of inspection problems not now completely solved? One would think that the treaty would provide for constant improvement of inspection and verification procedures, measures which would be mutually advantageous.

Second. The 10-nation Disarmament Conference at Geneva, March 15, 1960, is almost certain to be a dud. We have no

plan, as I said before, and no good prospect of having a plan by then. Mr. Charles A. Coolidge of Boston, the President's special assistant on disarmament, submitted a report at the end of last year. Apparently it was not to the liking of the Department of Defense for many reasons. Its contents have been kept secret.

Mr. Frederick Eaton of New York, the President's representative at this 10-nation conference, told me recently that he did not intend to study disarmament policies. He says his job is to negotiate on the basis of the instructions given to him by the President. It now appears that those instructions may not be much help to Mr. Eaton, to the United States or to the world.

What should be done is obvious. With the help of our best minds we should contrive a plan, complete with legal, political, and technical safeguards. We should publicize this plan throughout the world. For a change, the initiative here should be ours. We should negotiate in Geneva starting March 15, 1960, at the 10-nation conference on the basis of our plan and whatever the Soviet bloc proposes.

We should, but will we? I doubt it. The odds seem to be against it.

Third. The long-awaited, much-heralded summit meeting starts on May 15, 1960. If the 10-nation conference did, by some miracle, agree on a particular plan, it could be ratified at the summit. However, as matters stand, the summit meeting will, at best, produce more noble words and toothy smiles but little else.

Fourth. Disarmament has to come within a framework of the world rule of law. Otherwise there can be none of the safeguards we rightly demand. The United Nations Charter was written in 1945. Since then much has happened technologically, especially in weapons development and transportation, and politically, especially among the former colonies.

Senator CLARK, joined by 24 other Senators, recently filed a resolution providing for high level charter review studies and for the urging of a United Nations Charter Revision Conference before the end of 1962. The same resolution, which also recommends U.S. presentation of concrete disarmament plans, was filed in the House by myself and 23 other Members of Congress.

This is an up-to-date version of a resolution twice presented in the first session of this Congress. Both times the State Department's report said, "Not now." We hope that its report on this resolution might turn out to be favorable but we can hardly believe that it will be.

Fifth. China so far has been outside all disarmament talks in which we have engaged. Mr. Herter recently stated that China would be asked to take part in any agreement for disarmament. That is to say, the request to China would come after other nations had drafted a treaty and agreed to it. This does not make much sense if we believe China's participation essential, which it is.

China is the nation today most dangerous to the peace of the world. China is most likely to be guilty of the rash act that would touch off world war omega. Her recent conduct demonstrates this. It is clear that without further delay we must undertake to increase our communication with China, not of course by way of appeasement and certainly not of forgiveness, but rather for reasons of self-preservation. The Conlon report, presented to the Senate Foreign Affairs Committee last November, explains why and points the way our policies should be advanced.

Sixth. The transfer of nuclear weapons is now forbidden by law without congressional approval, which fact the President was constrained to confirm in his recent press conference. Extending the availability of these doom weapons may make military sense but in any other context such a course is madness.

No Member of Congress knows more about these policies than able CHET HOLIFIELD, of California, ranking House member of the Joint Committee on Atomic Energy. Yesterday he told the House that:

> There are still millions of people in the world who want peace more than any other condition. These people are hoping for a cessation of nuclear bomb testing. They are hoping for disarmament. They are hoping for a successful summit meeting this year between the representatives of the nuclear powers and others.
>
> I don't know whether their hopes will be realized this year or in many years ahead of us in the future.
>
> I do know that the creation of many nuclear weapon nations—the spreading of these terrible weapons in more and more hands—will increase the mathematical chances of a nuclear war.
>
> I do know that this step is a long step away from the negotiating tables for peace and disarmament.

Finally, the most urgent problem is real or fancied surprise attack. This could come intentionally, but I deem that unlikely. It may probably only seem to be a surprise attack because of an accidental or unauthorized nuclear explosion, but millions of people will be just as dead whatever the truth may be.

We have thousands of nuclear warheads, most of them ready for instant dispatch and detonation. So do the Russians and the British. All are in the hands of fallible error-prone human beings. There is no other kind of human being. An accidental or unauthorized explosion is not only probable but inevitable. How to keep the ensuing alert conditions in both the East and West from developing into the massive and fateful nuclear exchange is a problem we have not yet begun to solve.

In the event of such an explosion, we shall send our planes aloft headed for targets in the Soviet Union and we shall start the countdowns on our missiles. The Soviet Union of course will do the same thing. How do we unwind? Do we dare tell our planes to turn back when we know the Soviet planes are heading toward us? They have the identical problem of interpretation and, more than that, mindreading.

A crash program of mutual inspection would seem to be the only answer, coupled with joint manning of early warning systems and other measures so that reliable reassurances could be given when a nuclear explosion does occur by accident or an unauthorized act.

What are we doing about this? Once we pressed forward on the surprise attack problem but at present we are doing nothing. The official attitude of both the Department of Defense and the Atomic Energy Commission is that accidental or unauthorized explosions are only remotely possible, hardly worth talking about at all.

These are dismal and disgraceful facts. They show a distressing lack of real leadership.

Leadership has three parts. Goals must be established; plans made, and the charted path followed to the goals. We know the goals, we have the capacity to make the plans and the will to follow the path in spite of anticipated and unanticipated obstacles, but our leaders have failed in their duty to designate plans and to set foot on the path.

I conclude with the words of Cyrus Eaton, a wise and practical man, chairman of the board of the Chesapeake & Ohio Railway Co. and an outstanding capitalist who has a deep concern for the survival of both the free enterprise system and humanity itself. In a recent speech Mr. Eaton said:

> The paramount issue of our times is war or peace. The longer we delay an accommodation with the Communists, the greater the likelihood of war, and if war is miraculously averted, the more costly and painful the eventual settlement will be. In any case, compromises will have to be made on both sides, and although the settlement reached will not be entirely satisfactory to either side, it will be preferable to the complete extinction of mankind and all his works.

As a part of my remarks I am including the following:

[From the New York Times, Feb. 10, 1960]

ARMS PLAN LAG BY UNITED STATES IRKS WEST—AIDS ARRIVING FOR TALKS ARE CONCERNED OVER DELAY IN COUNTERING KHRUSHCHEV

(By Dana Adams Schmidt)

WASHINGTON, February 10.—Western officials expressed concern today over the slowness with which the United States have evolved a new disarmament plan to meet Premier Khrushchev's proposal for total disarmament.

The officials are here for an intensive five-nation effort to prepare for a meeting at Geneva, beginning March 15, with five Soviet-bloc nations.

Leading disarmament authorities of Britain, France, and Italy have arrived here to take charge of delegates that have been meeting here for 2 weeks.

David Ormsby-Gore, British Minister of State of Foreign Affairs, arrived yesterday. Jules Moch, French disarmament expert at the United Nations, Dr. Gaetano Martino, former Italian Foreign Minister, arrived today.

The U.S. delegation is headed by Frederick Eaton, a New York lawyer, and the Canadian delegation by Maj. Gen. E. L. M. Burns.

HERTER SHARES CONCERN

State Department officials asserted today that Secretary of State Christian A. Herter shared his allies' concern over delay in working out the American position and had been devoting a great amount of time to the subject during the last month.

The delay, it was said, results from disagreements with ideas expressed in the so-called Coolidge report.

This was a study made by Charles A. Coolidge, a Boston lawyer, whom President Eisenhower appointed last July 29 to head a study of "comprehensive and partial measures of arms control and reduction which, if internationally agreed, would contribute to the achievement of U.S. national security objectives."

Completed early in January, the report, which has not been published, suggested general lines of approach and principles but no fully worked out program.

According to reliable informants, the report suggested that the United States base its approach on reduction of conventional forces—where the Soviet Union has the lead—and on prevention of surprise attack.

This stirred immediate misgivings in the Defense Department on the ground that the United States has already made all the manpower reductions that are possible.

In the State Department it was felt that the surprise attack approach had already been tried with poor results, in a Geneva conference.

ZONE IDEA HELD REVIVED

According to some informants, the report also recommended consideration of a zone of controlled disarmament in Europe.

Revival of this idea has aroused concern among both French and West German diplomats. They fear that a small zone of this kind centered on Germany would revive neutralist sentiment there. A larger zone extending from the Atlantic to the Urals would never be accepted by the Soviet Union, they believe.

State and Defense Department officials, therefore, have started from scratch in working out a new program.

A highly placed State Department official said today that the program was almost ready to be submitted to President Eisenhower for approval. Meanwhile, he asserted, Mr. Eaton would have "plenty to talk about" to the disarmament conference.

The official predicted a "fresh approach" that would retain the central principles of past Western programs—balanced reduction of conventional and nuclear armaments and international control.

The British program remains as outlined by Foreign Secretary Selwyn Lloyd at the United Nations last September. He offered a three-stage plan beginning with a ban on nuclear tests and a technical conference on the feasibility of controlling a ban on the use of fissionable material to make weapons. These steps would be combined with an effort to set limits to conventional armaments.

The French are meanwhile emphasizing the importance of controlling production and the "means of delivery" of nuclear weapons. As their experts see it, no amount of international control will ever suffice to keep tabs on stockpiles of nuclear weapons because they can be too easily hidden. But missile-launching platforms cannot be so easily hidden, nor can factories making fissionable materials and weapons, the French believe.

Efforts to reduce conventional armaments are less urgent, as the French see it, because both Eastern and Western powers are in fact making such reductions.

GENEVA TALK STILL SNAGGED

GENEVA, February 9.—The three-power conference for a ban on nuclear weapons tests grounded today on the issue of special flights by control aircraft.

The United States and Britain agree with the Soviet Union that the flights ordered by the projected control organization to sample the air for suspected radioactivity should be plotted in advance. The disagreement is over how far in advance.

Semyon K. Tsarapkin, the Soviet delegate, said that "in advance" meant that the routes should be laid down once and for all with no deviations permitted.

THE UNOFFICIAL, PARLIAMENTARY-LEVEL EAST-WEST ROUNDTABLE MEETING FROM FEBRUARY 2 TO 4, INCLUSIVE, AT WESTMINSTER PALACE, IN ONE OF THE COMMITTEE ROOMS OF THE HOUSE OF COMMONS

This East-West roundtable meeting, or "foothills conference," is the third of a series. The first, which was exploratory and experimental, was held in Brussels last April; the second, also in the Palace of Westminster, last July.

The initiative in convening these meetings was taken by two veteran Social Democrats: Senator G. Branting, of Sweden; and Senator H. Rolin, of Belgium. But their initiative coincided with a similar initiative taken by a group of British Labour Members of Parliament culminating in the visit to Britain and joint discussions with their hosts of a group of Soviet Members of Parliament headed by A. M. Suslov.

PURPOSE

The purpose of these gatherings is to bring together, on an unofficial but responsible level, public personalities, mostly members or ex-members of the legislatures of their countries, from NATO, uncommitted, and Warsaw Alliance states, including the Soviet Union, the United States, and Britain, but predominantly from the European Continent, to discuss the burning topics of disarmament and the organization of peace, with the related issues of political settlements and economic cooperation. Everyone present, however, will be coming in a personal capacity and uttering his personal opinions, with no claim to represent anything or anyone else.

The last roundtable meeting was of opinion that "it would be highly desirable to hold a further meeting with a wider, more politically representative participation to continue the discussion on East-West relations."

ATTENDANCE

The following list will show how far the preparatory committee has been able to give effect to this desire for more widely based participation. It is not yet complete and final. But all those whose names are on it have either confirmed that they are coming, or have been invited because we were informed they would accept an invitation, but have not yet replied.

United States: Mr. Stewart Meacham, Director of the International Affairs Bureau of the American Friends' Service Committee; U.S. Congressman, the Honorable Charles O. Porter, Representative at large of the State of Oregon; Prof. J. Orear, head of the Laboratory of Nuclear Studies, Cornell University; Mr. George Kirstein, publisher of The Nation; Mrs. Janet Kirstein, social worker and writer; and Miss Betty Royon, director of the Pugwash Secretariat.

U.S.S.R.: Dr. A. Arzumanian, director of the Institute for World Economy and International Relations, member of the Supreme Soviet, and of the Central Committee of the party; Mr. Ilya Ehrenburg, member of the Supreme Soviet; Mr. Alexander Korneichuk, playwright and member of the Supreme Soviet; Dr. Modest Rubenstein, economist.

Canada: Right Hon. Milton F. Gregg, VC, CBE, Liberal ex-Cabinet Minister.

Great Britain: See the 11 members of the reception committee, below. We are endeavoring to secure the presence of some Conservatives and at least one Liberal.

France: Ex-Minister Paul Anxionnaz (PSA); ex-War Minister General Billotte (Gaullist); Claude Bourdet (PSA), Paris Councillor and Editor of France Observateur; ex-Minister Pierre Cot (leftwing Socialist); Senator Leo Hamon (Gaullist); ex-Minister Jules Moch (SFIO); J. J. Servan-Schreiber, editor of the Radical Weekly Express; ex-Minister D'Astier de la Vigerie (leftwing Socialist).

Italy: R. Lombardi (PSI), Chairman of the Committee for International Relations of the PSI; P. Vittorelli, Secretary of the Committee for International Relations of the PSI; U. Bartesaghi, a leftwing Catholic independent deputy; in addition, two Christian Democrats, one a Senator and the other the mayor of a large city, have been invited.

German Federal Republic: Social Democrats: Philip Wehr, deputy; two other deputies, high up in the party, have been invited. Free Democrats and CDU: One deputy each from these parties has been invited. Independents: Pastor Heinz Kloppenburg and Pastor Mochalski, two Evangelical clergymen, active and courageous and nationally known in the fight against militarism, nazism, and the cold war, and for peace and international understanding. Count of Westphalia and Manfred Pahl-Rugenstein, respectively publisher and editor of the liberal foreign affairs review Blaetter fuer Deutsche und Internationale Politik.

German Democratic Republic: Adolf Deter, deputy; Mrs. Milly Haahl, deputy; Prof. Joseph Schliefstein, deputy, and deputy dean of Leipz'g University.

Belgium: Senator Henri Rolin; at least two others.

Bulgaria: George Karaslavoff, member of the Presidium of National Assembly, secretary of Writers' Union.

Czechoslovakia: Dr. Plojhar, deputy, Minister of Health; Mr. Hoffmeister, deputy, writer.

Denmark: We are hoping for a well-known Danish Liberal deputy.

Greece: Ex-Minister Leon Maccas (retired Venezelist).

Hungary: Laszlo Guy, Director of the Economic Institute at the Academy of Science in Budapest.

Norway: Mr. Finn Moe, Chairman of the Foreign Affairs Commission of the Norwegian Parliament (Norwegian Labor Party).

Rumania: Mr. J. Pass, president of Radio Committee, member of National Council of Peace; Mr. George Ivascu, university professor, chief editor of Contemporandul, vice president of Union of Journalists.

Poland: Prof. Oskar Lange, deputy chairman of the council of state of the Polish People's Republic; Prof. Dr. Stanislav Kulczynski, deputy chairman of the council of state of the Polish People's Republic.

Sweden: Senator Georg Branting (SD); Senator Bengtsson (Agrarian Party).

Yugoslavia: Mladen Ivekovic, president of the federal assembly; Milan Vitorovic, secretary of the League for Peace, Freedom, and National Independence; Janez Stanovnik, deputy director of the Yugoslav Institute for World Economy and Foreign Policy.

ORGANIZATION

(a) Expenses: The expenses of the conference are being shared 50–50 between the Western and Eastern organizers of the meeting. Most of the Western money is being raised in Britain, some of it in the States, and some of it by those attending, in the sense that they undertake to pay their own tickets and/or hotel expenses.

In exceptional cases the invitation may cover only the latter and not fares. But except where otherwise specified an invitation to the conference comprises return tickets and hotel bills. The Conference fund will pay for entertainment and secretarial services. These services and the entertainment will be organized by the British Reception Committee.

(c) Timetable: The conference will begin at 11 a.m. on Tuesday, February 2, and sit until 12:45 in one of the committee rooms of the House of Commons. It will resume at 3 p.m. and sit until 6 p.m.

On Wednesday and Thursday, the sittings will be from 10:30 to 12:30 in the morning and from 3 p.m. to 6 p.m. in the afternoon. There may be a meeting Friday morning of

at least some of the members of the conference to put the finishing touches to a report for publication of its proceedings, or even to hold a press conference (see below).

(e) Agenda: The theme of the conference is disarmament, including its economic and political aspects. The British United Nations Association's report on "A Policy for Disarmament" (of which the Right Honorable Philip Noel-Baker, Member of Parliament, was the principal author) is being sent to all those attending the conference and will be the basis of discussion on the first day, which will be devoted to "Disarmament—Technical and General." Mr. P. J. Noel-Baker will himself lead this discussion.

On the second day the conference will discuss "Disarmament—Its Economic Consequences and How To Meet Them by International Action."

This discussion will be led by Dr. A. A. Arzumanian and a summary of his report will be circulated as long in advance as possible to all those attending the conference. The British Council for the Promotion of International Trade, which specializes in East-West trade and of which the president is Lord Boyd-Orr, former president of the World Food and Agricultural Organization of the United Nations, has promised to send a well qualified person from among its members to take part in this discussion.

The third day will be devoted to "The Political Corollary to Disarmament," that is, East-West cooperation in operating controls and supervising disarmament and disengagement agreements; an all-European collective security treaty; the creation of a nuclear weapon-free and foreign troop-free zone in Europe; German unification, Berlin, and a German peace treaty; the relation of these arrangements to the rival alliances and to the Charter of the United Nations. Mr. Finn Moe (see below) will lead the discussion on this topic. A group of British Labor Members of Parliament may embody their views on this subject in a memorandum circulated to all those attending the conference.

(f) The preparatory committee: The preparatory committee, appointed by the last roundtable meeting (and most of them also by the first), in whose name Senator Branting is issuing the invitations, are:

M. Paul Anxionnaz, French, ex-Minister, PSA.

Senator G. Branting, Swedish, ex-Minister, SD.

M. Pierre Cot, French, ex-Minister, left-wing Socialist.

Mr. Ilya Ehrenburg, Soviet author and journalist, member of the Supreme Soviet.

Mr. Ian Mikardo, British, ex-Member of Parliament and former member of the NEC of the Labor Party.

Mr. Finn Moe, Norwegian Labor Party, ex-Minister, chairman of the Foreign Affairs Commission of the Norwegian Parliament.

Senator Henri Rolin, Belgian, ex-Minister.

Mr. K. Zilliacus, British, Labor Member of Parliament.

(g) Reception committee: The British reception committee, all of whose members will take part in the conference, consists of the following 11 members:

Mr. T. Driberg, Member of Parliament, member of the NEC of the Labor Party and of the foreign affairs group of the Parliamentary Labor Party.

Lord Faringdon, Labor member of the LCC.

Mr. W. Griffiths, Member of Parliament, member of the foreign affairs group of the Parliamentary Labor Party.

Mr. Fred Lee, Member of Parliament, member of the Parliamentary Committee, vice chairman of the trade union group and member of the foreign affairs group of the Parliamentary Labor Party.

Mr. Ian Mikardo, former member of the NEC of the Labor Party and ex-Member of Parliament.

Rt. Hon. P. J. Noel-Baker, Member of Parliament, ex-Minister, former member of the NEC and parliamentary committee, member of the foreign affairs group of the Parliamentary Labor Party, laureate of the Nobel Peace Prize.

Sir Leslie Plummer, Member of Parliament, member of the foreign affairs group of the Parliamentary Labor Party.

Sydney Silverman, Member of Parliament, former member of the NEC of the Labor Party, member of the foreign affairs group of the Parliamentary Labor Party.

Dr. Barnet Stross, Member of Parliament, chairman of the arts and amenities group, and member of the foreign affairs group of the Parliamentary Labor Party.

Stephen Swingler, Member of Parliament, member of the defense and foreign affairs groups of the Parliamentary Labor Party.

Konni Zilliacus, Member of Parliament, member of the defense and foreign affairs groups of the Parliamentary Labor Party.

(h) Chairmen and secretariat: The names of the chairmen for the first and third days will be announced later. Lord Boyd Orr will chair the second day's proceedings.

The secretary of the conference will again be Miss Jo Richardson. The secretariat will work at 15 Palace Chambers, Bridge Street, Westminster—3 minutes' walk from the House. There will be at least one shorthand typist and one trilingual (English, French, and Russian) interpreter. We are trying to get an English-German interpreter as well.

(i) Publicity and minutes: Senator Branting's letter of invitation, approved by the preparatory committee, contains the following passage:

"The February meeting will be of the same character as its two predecessors. That is, those attending it will be there in a purely personal and individual capacity, expressing their own opinions. The proceedings will be private, although there will be a preliminary statement to the press, as there was last time, announcing that the meeting is taking place, what is its nature and purpose, and who is taking part in it. At the end of the meeting those taking part, again as was the case last time, will decide whether they wish to make a press statement giving an account of what took place, indicating the subjects discussed and the main currents of opinion expressed in relation to these subjects."

With the agenda and timetable of the February meeting, the participants may be asked at the outset to consider whether there should not be a press handout on the lines suggested in the passage quoted above, or even a small press conference, at the end of the first, second, and third day's proceedings, together with the texts of the documents discussed, followed on the Friday by a full summary of the ground covered during the whole conference, showing the area of agreement, the differing views put forward where there was disagreement, and any proposals advanced as a possible way to bridge the differences. This, too, should preferably be issued at a press conference.

In view of the number of people taking part this time, and because there will be no resolutions, it will be difficult to summarize the proceedings accurately in day-to-day communiques and/or in a final report, unless minutes are kept. The best way to do this is a technical problem. It may well be that the first meeting of the conference should devote some time to a discussion of the question of publicity and the keeping of minutes.

The impact of the conference on public opinion and so, ultimately, on the policies of governments depends on the political caliber and numbers of those taking part, the subjects discussed and the quality of the discussions, the publicity given to its proceedings, and the background of international events and public interest.

On the first two points the discussions promise to be more thorough and better organized, with more well-known public personalities taking part than in the previous two conferences. The topics are the burning issues of the day, on which public attention is being concentrated in anticipation of the summit conference.

The Western participants are drawn mostly from the broad section of progressive, non-Communist opinion in their countries, which is more or less critical of what it regards as the rigidity and narrowness of government policies, impatient of the prolonged deadlock, and anxious to find a way out of the cold war and the dangers of the nuclear weapons race. The February meeting is likely to confirm the experience of the previous two; namely, that the discussions will reveal a very substantial measure of agreement between solutions which a wide section of opinion in the West would regard as reasonable, and positions the Soviet Union and her associates might be prepared to accept by way of compromise. For the Eastern participants, of course, would not depart from the basic policies of their governments. But as they were there in an unofficial capacity, expressing only their own opinions, the line they took would indicate how flexible and conciliatory their governments might reasonably be expected to become, given the prospect of a real response from the West.

Provided the conference is bold about taking the risks of publicity, its proceedings could, therefore, arouse considerable interest and receive wide news coverage and editorial attention in the press.

With the Western governments lining up on policies that almost guarantee deadlock at the summit conference in May, the revelation that there are hopeful and feasible alternative policies that enjoy widespread support in both East and West and would almost certainly lead to agreement, could do something appreciable to influence public opinion and strengthen the hands of those determined to take a real first step to disarmament and peace in 1960.

BRIEF BIOGRAPHICAL BACKGROUND DATA ON SOME OF THE INDIVIDUALS PARTICIPATING IN A ROUNDTABLE

UNITED STATES OF AMERICA

George Garland Kirstein: A publisher born in Rochester, N.Y., on December 10, 1909. Executive Secretary of the National War Labor Board, 1941–43; director of Management-Employee Relations, Inc., 1946–50; executive vice president of the Health Insurance Plan of Greater New York, 1950–55; publisher of the Nation since 1955.

Jay Orear: A nuclear physicist born in Chicago, Ill., on November 6, 1925. Research associate, Institute of Nuclear Studies, Chicago, 1953–54; instructor at Columbia University, 1954–56; associate professor, Cornell, since 1957.

Stewart Meacham: Former Methodist minister, did missionary work in Africa. Worked in educational aspects of American labor movement. Peace education directed toward labor movement for American Friends Service Committee. Presently director of international centers program, American Friends Service Committee.

RUSSIA

Alexander Korneichuk: A writer and dramatist born in 1905 in Ukraine. Ukainian Minister for Foreign Affairs in 1944; Deputy People's Commissar for Foreign Affairs to 1954; active in Pan-Slav Movement and the Union of Soviet Writers; member of Central Committee of the Comunirst Party; Deputy of the Supreme Soviet; holder of five Stalin Prizes for Literature and three Orders of Lenin.

Anuchaban Arzumanian: Director of the Institute of World Economies and Interna-

tional Relations and editor of the house organ since 1956; contributor to World Marxist Review; active in groups interested in African and Asian economic problems; corresponding member of the Commission for Cultural Affairs and Cultural Cooperation.

Ilya Ehrenburg: A Russian writer born in Moscow in 1891. Member of the Presidium of the U.S.S.R. Union of Soviet Writers; holder of three Stalin Prizes and the Order of Lenin. Among his works are "The Dream Factory" (1923), "The Fall of Paris" (1941), "The Storm" (1947), and "The Thaw" (1954).

CANADA

Milton Fowler Gregg: Born in New Brunswick, Canada, on April 10, 1892. Served with the Canadian Army in World War I and II; Minister of Fisheries, Canada, 1947–48; Minister of Veteran Affairs, 1948–50; Minister of Labour, 1950–57.

BELGIUM

Henri Rolin: Born in Ghent on May 3, 1891. Secretary of Ministry of Foreign Affairs, 1919; Belgium's representative to Locarno Conference (1925), Hague Conference for the Codification of International Law (1930), San Francisco Conference (1945); member of Belgium's delegation to the U.N., 1948; member of delegation to the General Assembly of the Council of Europe since 1948; president of the Commission of Juridical Affairs of the Council of Europe; president of Belgium Commission of Justice; Senator since 1932; president of the Senate, 1947–49.

FRANCE

Paul Anxionnaz: Born 1902, an engineer and former officer in French Air Force. A deputy in the Chamber of Deputies and chairman of the National Defense Committee in the period 1946–51. Members of Radical-Socialist Party (Middle-Left). In 1956 was a Secretary of State for the Armed Forces.

Emmanuel, Bar d'Astier de la Vigerie: Born 1900. Prominent in the French resistance during World War II. A deputy 1946, 1951, 1956–58. Sometimes called a "fellow traveler." Founder and editor of the daily Liberation, a "progressive" paper, sympathetic to communism but not officially Communist. A winner of the Lenin Prize for Peace in 1957.

Pierre Billotte: Born 1906. A career army officer with rank of general. Resigned in 1950. Served under General de Gaulle in World War II. Deputy, 1951–55. Minister of National Defense in 1955–56. Gaullist in political sentiment.

Claude Bourdet: Born 1909. Member of Resistance. Director of the newspaper Combat (1947–50). Founder of l'Observateur, later France-Observateur, a Leftist paper usually opposed to De Gaulle. Participant in Left-Socialist political groups.

Pierre Cot: Born 1895. Before World War II a long career as deputy and Minister for Air. After war a deputy, 1946–51 and 1956–58. A Left-Wing Progressiste.

Leo Hamon: Born 1908. In Resistance. Formerly a public official in Paris. Member of French Senate, 1946–58. Lately a professor of law. Left in political sympathy.

Jean-Jacques Servan Schreiber: Born 1924. Well-known journalist, at one time on Le Monde. Codirector of weekly L'Express since 1953.

ITALY

Ugo Barbesaghi: Communist Party deputy from Milan.

Riccardo Lombardi: An engineer born in Sicily in 1901. Prefect of Milan, 1944–45; Minister of Transport, 1945–1946; P.S.I. deputy since 1946.

SWEDEN

George Branting: A lawyer born in 1887 in Stockholm. Member of Stockholm City Council, 1927–38; member of the Labor Party board in Stockholm; member of the Swedish Refugee Commission; presently member of the Social Democratic Party; Senator since 1931.

Torsten Bengtson: Born in 1914; active in the Agrarian Party since 1936; executive secretary of the Agrarian Party, 1951–53; editor of Agrarian Party newspaper; Senator since 1950; member of the Swedish delegation to the U.N. since 1952.

YUGOSLAVIA

Janez Stanovnik: Director of Yugoslav Institute of International Relations and World Economy, Yugoslav delegate to the United Nations; member of the Foreign Ministry under old regime; has been in United States several times.

Dr. Mladen Ivekovic: Chairman of the Federal Chamber of Parliament; former Ambassador to Italy and West Germany; former Ambassador to the United Nations; doctor of law.

Milan Vitorovic: Formerly journalist in London and Paris. Presently chief editor of Borba; president of League for Peace and Equality Among All People.

Mr. Kastu Bulaic (Boo-lie-itch): Former Yugoslav Ambassador to Burma; chief editor of the journal Socialism; active in Yugoslav political organization called Socialist Alliance of Working People of Yugoslavia.

POLAND

Mr. Kulczynski: Deputy chairman of the Polish Sejm or Parliament. Professor of law; chairman of the Democratic Party, one of the non-Communist parties in the governing coalition. Member of the Polish Academy of Science and the Polish State Council.

Oscar Lange: Economist, trained in Poland. Taught economics at University of Chicago for many years before becoming Polish Ambassador to the United States and the United Nations shortly after World War II. Returned to Poland after the Communist takeover. Presently, chief of the Government Planning Commission, an advisory body concerned with economic planning.

WEST GERMANY

Kloppenburg, Heinrich Ferdinand Otto: D.D., High Consistory, commissioner for catechistic and sociological questions of the Evangelical Church in Dortmund, since 1953. Born May 10, 1903. 1945–53: High Consistory of the Evangelical Lutheran Church, Oldenburg. 1947–50: German secretary of the Refugee Commission of the World Council of Churches, Geneva. Member of World Church Conference, Amsterdam, 1948, Evanston 1950. Chairman of the German branch of the International Reconciliation Federation. Special interests: Ecumenical questions, sociology, refugee questions.

PROPOSED CONSENSUS OF THIRD EAST-WEST ROUNDTABLE CONFERENCE, PALACE OF WESTMINSTER, FEBRUARY 2–4, 1960

(CHARLES O. PORTER and Jay Orear)

We agree:

1. That our civilization cannot survive another major war.

2. That drastic reductions in arms and armed forces are immediately necessary to prevent war.

3. That the early abolition of nuclear weapons is imperative.

Therefore, we urge:

1. That immediate and widely publicized specific plans for these reductions and abolition, with dependable inspection and verification, be launched by the 10-Nation Disarmament Committee in March in Geneva; and that minutes be widely and immediately disseminated; and that these plans and necessary technical studies be presented for amendment and enactment as feasible at the summit conference in May in Paris after consultation through the United Nations with all other nations, including China.

2. That without delay, following the execution of this treaty, United Nations inspectors be permitted unimpeded access at all times in all places except for certain designated restricted areas less than 100 square kilometers each, which areas will be open to inspection later according to an agreed schedule.

3. That all nations promote intensive studies and public discussions of proposals to revise the United Nations Charter; and that they agree to the convening of a charter review conference before the end of 1962.

4. That the Geneva nuclear test cessation conference be requested to direct their scientific committee to help break the present East-West deadlock by considering at once whether or not reliable detection of small underground nuclear tests can be adequately achieved by adding a number of small auxiliary seismic stations which, if necessary, could be unmanned.

A WORKING PAPER

(By Alexander Korneitchuk and Ilya Ehrenburg)

Representatives of the public opinion of 14 nations met for unofficial East-West talks and as a result of 3-day discussion of various problems connected to disarmament agreed that the world public opinion be informed as to the following:

1. The only way to prevent a nuclear catastrophe is to insure comprehensive, general, and controlled disarmament.

2. The 10-nation Disarmament Committee, the Summit Conference, the United Nations Organization, as well as an all-in international conference, including China, should immediately get down to discussing the various constructive proposals for different stages of general, total, and controlled disarmament.

3. To insure a successful outcome of the present negotiations, to bring about a favorable atmosphere for disarmament talks, and to prevent further poisoning of the world with new nuclear explosions, the members of the meeting deem it absolutely imperative that the Geneva negotiations, without further delay, come to an agreement on the banning of all kinds of nuclear weapons tests, bearing in mind that scientific authorities in all countries testify to the feasibility of an effective control of such an agreement.

4. The reconversion of the war economy on civilian lines as a result of disarmament can be assisted by international economic cooperation, and the expansion of commerce between East and West, and large-scale aid to the underdeveloped areas of the world.

5. The task of world opinion in the coming crucial months should be to facilitate the negotiations, to remove all the obstacles in the way of agreement, and to dispel the atmosphere to mistrust created by the cold war.

6. The enormous accumulation of outstanding and urgent international problems requires a continuous series of negotiations on all levels, from regular meetings of heads of government, down to regular gatherings of representatives of public opinion.

We, members of the East-West roundtable meeting held at the Palace of Westminster, urge world public opinion to do everything possible to help inaugurate a new era in international affairs.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from West Virginia.

Mr. BAILEY. On the basis of the gentleman's remarks and the discussion made, I ask the gentleman if he is in favor of admitting Red China to the United Nations.

Mr. PORTER. I have been in favor of China taking China's place in the United Nations ever since 1954. I believe the United Nations should be a forum where

all nations get together, good or bad, to try to settle their differences.

Mr. BAILEY. Will the gentleman yield further?

Mr. PORTER. Yes; I yield.

Mr. BAILEY. Does the gentleman think the admission to the United Nations would change their present thinking and present activity?

Mr. PORTER. I do not think so; no, sir.

Mr. BAILEY. Do you not think they would be troublemakers within the United Nations?

Mr. PORTER. They are troublemakers today. The United Nations ought to include all nations of the world, especially the ones that have the most people. If we are going to have peace, we have got to deal with China. The report presented to the Foreign Relations Committee sets that out.

Mr. BAILEY. I would like to say to the distinguished gentleman they will never be admitted to the United Nations on the vote of the gentleman from the Third District of West Virginia.

Mr. PORTER. I know there is great dispute on this issue. I hope we will have a chance to debate the matter further.

Mr. Speaker, I yield back the remainder of my time.

THE FARM PROBLEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, the American people are fed up with the present outmoded agricultural price support programs. Dissatisfaction with their ineffectiveness and huge cost is growing. Both the farmers and likewise those who live in cities cannot understand why Congress does not show some courage and come to grips with the problems.

Some so-called experts say the solution is to raise the level of supports; others say the opposite. But I believe, and I am convinced the vast majority of citizens agree, the only real solution lies in discontinuing Government acreage and price controls entirely and returning the management of agriculture to the farmers themselves. To me, continuing farm prosperity cannot exist in defiance of the laws of supply and demand.

The present program is the costliest failure in history and under it no one has benefited. Net farm income is down; Government-held surpluses continue to grow; and meanwhile the taxpayers of the Nation, including the farmers, have been contributing billions and billions of dollars a year to continue a wartime emergency plan that over and over again has proved itself unsound, uneconomical, and progressively a flop.

Congress, Mr. Speaker, should face up to reality and boldly terminate this sorry business. The economy of the farm families of America is too important to the city dwellers for Congress to jeopardize agriculture and allow the Federal bureaucrats to make all the decisions that the individual self-reliant farmer could do far better for himself.

The domestic and world market prices of surplus commodities will remain depressed as long as a huge surplus hangs over the market. Therefore, the surpluses held by the Commodity Credit Corporation are the key to the problem. I mention this, Mr. Speaker, because I have introduced legislation to provide for the disposition of the Commodity Credit Corporation inventory under a plan so as not to disrupt normal marketing. Under my bill I provide for complete repeal of price support subsidies but cushion the effect on prices of edible products by removing the surplus from the domestic market through authorization of a greatly expanded "food for peace" program of donations to hungry people. My plan is to donate food to any nation which has a nutrition deficiency in its per capita consumption. However, in order not to disrupt world markets I provide that recipient nations must give assurance not to reduce their normal expenditures for such food commodities.

I would donate all our surpluses and pay the cost of freight under a means that would assure that the food gets to hungry people without individual or government profiteering. My bill would continue existing domestic relief donations and also authorize loans or grants to relocate any small or substandard farmers who could not continue farming in the absence of a price support program.

Mr. Speaker, the situation is like a man who has a bear by the tail—we have not dared let go.

Here is a dynamic and bold plan which will serve a double purpose. As conditions are today in the world it is difficult to justify overabundance to the point where food spoils in one country while elsewhere on the earth there is starvation. This massive charitable gesture in a cold-war world could make us friends. But even if it did not make friends, my proposal would terminate the farm program and restore our own Nation to a sound basis of free enterprise economics. It would end the annual cost and storage charges to the U.S. consumer and taxpayer of $5 billion per annum.

Congress must act. The people of America want an end of the farm mess. I invite the distinguished chairman of the House Committee on Agriculture to schedule hearings on my bill to end farm subsidies and restore a free economy to the farmers of America.

The surplus farm commodities in Government inventory or under loan exceed $9 billion. The cost of storage, handling, and interest on these stocks exceeds a billion dollars a year. Let us bring this fiasco to an end.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from New York.

Mr. BECKER. I certainly subscribe to the statement of my colleague in respect to eliminating this program as rapidly as possible. I also concur in his hope that the Committee on Agriculture will hold hearings on the bill as soon as possible.

Does not the gentleman agree with me that one of the great damaging effects of the existing farm program is that it has grown to the extent that it now requires the payment of $6 billion a year storage to take care of the surplus? Not only that, but, at the same time, it also causes the poorer people of this country to pay more for the very things they need to put on their tables to eat. Is not that true?

Mr. PELLY. I agree with the gentleman from New York. I have introduced legislation that I hope will solve this problem. I certainly would yield to many in their knowledge of agriculture, and I would want anyone with such knowledge to contribute through hearings and testimony on my bill, but I would like to have it considered.

Mr. BECKER. Is it not also a fact that there is not a Member of the House who wants to legislate against the farm communities of the country in any way, shape or manner, and that we wish to do those things that will help them, but they must be realistic in their nature?

Mr. PELLY. I am glad to say to the gentleman I believe those who do not live on the farms now recognize their dependence on the prosperity of the farmers for their own welfare, and I believe that the people in the cities have just as much a stake in helping the farmer as the farmer does himself.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Illinois.

Mr. MICHEL. I certainly want to commend the gentleman for his proposal as embodied in the bill he has introduced.

It might be of interest to the gentleman to know that in my own congressional district in Illinois, which incidentally is half rural and half urban, last fall in meetings with various county farmer organizations we kicked around a number of proposals, one of which was a variation of what the gentleman proposes to do. It was surprising to learn when asking the farmers forthrightly what kind of a program they would like, to have support in my district for this kind of proposal. If the bulk of the Commodity Credit Corporation surplus now were sealed off, we asked them, would you be willing, Mr. Farmer, to go back to the free system you once enjoyed? With but few exceptions throughout my district the answer was yes, we would like to take a crack at it because up to this time in all the things the Congress has been trying to tell us what we should or should not do we have just gotten ourselves further mired down into surpluses from which we cannot fight our way out of any more.

Mr. PELLY. I think a lot of us recognize the deep interest in problems of the farmers of the gentleman from Illinois.

Mr. MICHEL. I appreciate the gentleman's remarks.

Furthermore, we are going to have another big farm meeting in my district within another week or so in which the combined groups will get together. We will then explore more fully this proposal, and I will be glad to bring up the bill that the gentleman has introduced and see what sentiment there is among this group for his legislation which I think has a great deal of merit.

Mr. PELLY. I would like to say to the gentleman from Illinois that I have been very sympathetic toward the program of the Secretary of Agriculture of moving away from acreage and price controls. I cannot see where the Congress is willing to give the Secretary what he wants. My bill would terminate subsidies, yet keep the Commodity Credit Corporation surplus out of the domestic or foreign markets, in order to protect that which would remain in the way of a farm program where the farmer would be managing it himself.

Mr. MICHEL. The cost of storage runs anywhere from $300 to $400 million a year.

Mr. PELLY. I think it would be more than that. I believe the cost is about a million and a half dollars a day.

Mr. MICHEL. That is true. Still if we were to seal it off and continue to spend that amount for storage, it would be considerably less than the $3.9 billion which is required to support the prices under the present program. It would be a good bargain in the end.

Mr. PELLY. I may say to the gentleman many of us in the House would like to see these farm subsidies discontinued. Many of us would be willing to see the surplus food that exists go to other peoples around the earth to keep them from starving, in lieu of some of the foreign aid programs which we have heard about and which do not seem to have been very effective. We have had many examples of foreign aid where there has been strong criticism. If the Secretary of Agriculture can work out a plan to give away our surpluses and do so under such a plan which would provide that the nations who are recipients would not discontinue their present purchases, then, of course, the world market could not be hurt and our friends in Canada and other nations who grow wheat and other commodities would not be hurt.

I thank the gentleman for his comments.

CIVIL WAR COMMEMORATIVE STAMPS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. LEVERING] is recognized for 10 minutes.

Mr. LEVERING. Mr. Speaker, today we again prepare to pay homage to the memory of President Abraham Lincoln, the Great Emancipator, on the 151st anniversary of his birth. On this occasion last year Carl Sandburg, the great writer and humanitarian, addressed the joint session and held us spellbound. The Army Band and the Merchant Marine Chorus provided the musical selections and outstanding was the strain "Dixie."

Mr. Speaker, I take this occasion to remind my colleagues that "Dixie" was written just 100 years ago last spring, and that its beloved author, Uncle Dan Emmett, was born and died in my district.

Uncle Dan was well known to thousands in his native Mount Vernon. He is remembered affectionately in the hearts of countless other thousands throughout the entire United States and the world for his stirring composition, "Dixie."

Not many people are aware, I am sure, that "Dixie" was one of the Great Emancipator's favorite tunes. Abraham Lincoln considered this one of the great songs ever to be composed.

It was typical of Lincoln that he should be above partisanship in his expressed appreciation of this great marching song of the Confederacy, even in the darkest years of our Nation's history.

I like to feel that Lincoln's enthusiasm for "Dixie" transcended its immediate connotation, and that he recognized it for what it was—an American ballad, by an American composer, for all Americans, and for all time.

The mail I received last year in response to my efforts to have issued a commemorative stamp honoring "Dixie" fully bears out my theory on Lincoln's thoughts on the song.

Hundreds of individuals, patriotic organizations, and civic groups applauded the suggestion of a commemorative stamp. The letters came not only from southerners, as might be expected, but from northerners, easterners, and westerners as well.

I still have hope that the Post Office Department Citizen's Stamp Advisory Committee, as we approach the centennial of the great conflict between the States, will include "Dixie" among the commemorative stamps.

Mr. Speaker, the Civil War Centennial Commission has proposed for the centennial years of 1961–65 commemorative stamps covering 30 of the major Civil War battles. They are to be commended for their selections.

Mr. Speaker, for the closing chapter of the history of the Civil War, I again offer "Dixie" as a commemorative stamp, the symbol of peace and brotherhood throughout our Union for all time.

BILL TO PLUG TAX LOOPHOLES

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. DINGELL. Mr. Speaker, today I am introducing five bills to plug tax loopholes.

The first outlaws payment of oil and gas depletion allowance on gas and oil drawn from the ground outside of the United States.

If the United States needs to stimulate domestic production as we are told, and this is the excuse for the continuance of the gas and oil depletion allowance, then there is no reason why this loophole should continue to be applied to gas and oil produced outside of the United States. Enactment of this bill would save the United States hundreds of millions of dollars and just how much is impossible to estimate exactly according to the Joint Committee on Internal Revenue Taxation.

The second bill would reduce the depletion allowance on oil and gas, the most outrageous tax loophole of all.

To show how the gas and oil depletion allowance operates, the oil operator, after having met all expenses and having written off 75 percent to 90 percent of the capital investment for the first year, is permitted under this loophole to deduct 27½ percent of gross revenue up to 50 percent of net income for the life of the producing well. The biggest inequity is in the fact that the 27½ percent depletion allowance lasts not just for the period required to recover capital investment but for the entire life of the producing oil or gas well.

The average oil company under this pays only one-third the tax rate of other companies earning the same amount of gross income in the manufacturing or retail field or other industry.

In one instance a gas and oil operator with an income of some $13 million over a period of 5 years paid only a total of $80,000 in income taxes, or two-thirds of 1 percent of his income.

The bill will not affect the depletion allowance for individuals and companies which have a gross income of less than $1 million a year. This is to protect small royalty owners, farmers who get royalty rights for their land, and other operators earning less than $1 million a year.

Concerns which do between $1 million and $5 million worth of business a year will have their depletion allowance reduced from 27½ percent to 21 percent, a very modest reduction in the excessive tax benefits under this loophole.

Those who do more than $5 million a year business will find, under my bill, their depletion allowance reduced to 15 percent.

The third bill I introduced provides for elimination of the so-called dividend credit deduction, a loophole placed in the tax laws by the Eisenhower administration in 1954. Under this provision the first $50 received from dividends is tax free and then an additional 4 percent of dividends received is deducted from the actual tax owed by the recipient of dividends.

This is a form of rank preferential treatment to those who receive income without effort and is discriminatory in the extreme against the wage earner and the salaried worker. Thus a man who earns $10,000 a year from wages will pay 20 percent more taxes than the man who receives the same income from dividends without working.

Repealing this particular loophole would increase the Government income by some $400 million per year.

The next bill requires withholding at the source for dividends and interest, the same treatment as is presently required for wages and salaries.

Conservatively, the Government should receive under this proposal some $750 million per year now evaded.

The last proposal would eliminate extravagant deductions for entertainment that corporations now make. Such deductions include tickets to the theater, hunting lodges, upkeep of yachts, trips

abroad, and expensive nightclub and other entertainment.

This should net the Treasury some $800 million a year.

The total saving to the taxpayers would be upward of $2.25 billion if these bills become law.

The proceeds of this sort of a program could provide tax relief to those in the low-income brackets by raising the individual exemption from $600 to $700 or $800, a tax cut which would benefit the lower and middle income groups.

The money could also be devoted to reducing the national debt and so save the taxpayers a large amount of the almost $9 billion we propose to pay in interest; or the money could be devoted to aid to depressed areas, medical research, urban renewal, hospitals, classrooms, and better roads, things badly needed by our people.

DOUBLETALK OR CONFUSION OR BOTH

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MULTER. Mr. Speaker, election time is almost upon us and as the campaign gets under way we will find the Republican Party taking both sides of every issue.

The latest example: New York State Governor Rockefeller is urging the U.S. Congress to reject President Eisenhower's suggestion to continue the tax on telephones which is due to expire on July 1, 1960. Governor Rockefeller does not urge that we reject the tax on a national level because it is a bad tax, or an unfair tax, or an unnecessary tax, which is all true. It was a nuisance tax imposed as a war emergency measure with the promise that it would be repealed at the earliest possible time. It has now been repealed but our President says we should reimpose it. The Republican Governor of New York urges that we reject the tax on the national level for the sole and selfish purpose he has in mind of permitting him to impose the same tax on the people of New York. He can give no sound or logical reason for that recommendation.

Strange as it may seem, we find the New York Republican State chairman, L. Judson Morhouse, taking what appears to be a position diametrically opposed to his Governor, the titular leader of the Republican Party in the State of New York.

At a Lincoln Day dinner of the Schoharie County Republicans, Mr. Morhouse said that another increase in State taxes would be "financially imprudent and politically impossible." I agree with him.

THE FARM PROGRAM

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. BREEDING] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BREEDING. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to call the attention of my distinguished colleagues to a resolution dealing with the farm program adopted by the Highland Farmers Union Local, meeting at Haven, Kans., on January 13, 1960.

The resolution reads as follows:

"Whereas the present situation and outlook for agriculture is getting serious for the Nation's farmers; and

"Whereas importation of meats in this country is breaking the livestock men; and

"Whereas farmers must have lower interest rates to enable them to hold onto their farms: Therefore be it

"Resolved, That we the members of the Highland Farmers Union Local, Reno County, this 6th of February 1960, do petition that Congress give serious consideration and enact emergency legislation to pull farm prices up to not less than 100 percent full parity price supports;

"Resolved, That farm policies should be directed to preservation of the family-size farm and price supports be maintained on farm commodities;

"Resolved, That high interest rates be reduced to save the farmers from putting more of their shrinking income into high interest charges."

The foregoing resolution was adopted by unanimous vote of members attending our Highland Farmers Union Local meeting at Haven on January 31, 1960.

WALTER BACK,
President.

MOUNT HOPE, KANS.

Mrs. ARTHUR BLACK,
Secretary.

HAVEN, KANS.

HON. FRANCIS E. WALTER AWARDED GOLD MEDAL OF MERIT BY VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FLOOD. Mr. Speaker, it gives me a great deal of personal pleasure and satisfaction to bring to the attention of the House the latest in a long series of honors that have been bestowed upon our distinguished colleague from the great State of Pennsylvania, the Honorable FRANCIS E. WALTER. This latest citation was presented to the gentleman from Pennsylvania [Mr. WALTER] by the Veterans of Foreign Wars of the United States, its coveted gold medal of merit, for his long and distinguished service in behalf of national security, for his coauthorship of the Walter-McCarran Act, for his outstanding performance as chairman of the Committee on Un-American Activities, and, finally, for his introduction of the measure which gave the Veterans of Foreign Wars its congressional charter. I wish to warmly congratulate Chairman WALTER for this outstanding honor and recognition given to him by the great Veterans of Foreign Wars.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following citation:

VETERANS OF FOREIGN WARS OF THE UNITED STATES

Gold medal of merit and this citation awarded to Hon. FRANCIS E. WALTER, Member, House of Representatives, U.S. Congress, for the 15th Congressional District, State of Pennsylvania, for his many outstanding services in behalf of national security as a Member of Congress since 1933, also as coauthor of the Walter-McCarran Act and chairman of the Committee on Un-American Activities, and for his introduction of the measure which gave the Veterans of Foreign Wars its congressional charter.

In witness whereof we have hereunto set our hands and the official seal of the Veterans of Foreign Wars of the United States, this 8th day of February 1960. Approved by the Veterans of Foreign Wars National Council of Administration.

LOUIS G. FELDMANN,
Commander in Chief.
JULIAN DICKENSON,
Adjutant General.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. POWELL (at the request of Mr. BAILEY), for 30 minutes on February 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. OLIVER and to include extraneous matter.

Mr. DULSKI in two instances, in each to include extraneous matter.

Mr. HOGAN and include extraneous matter.

Mr. BRADEMAS in three instances, in each to include extraneous matter.

Mr. VAN ZANDT.

(At the request of Mr. BAILEY, and to include extraneous matter, the following:)

Mr. TOLL.

Mr. FASCELL.

Mr. BREEDING.

Mr. GALLAGHER.

Mr. ROSTENKOWSKI.

SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 80. Concurrent resolution authorizing the printing of additional copies of part 1 of the hearings on an inquiry into the satellite and missile programs; to the Committee on House Administration.

S. Con. Res. 82. Concurrent resolution extending the Joint Committee on Washington Metropolitan Problems; to the Committee on Rules.

ADJOURNMENT

Mr. BAILEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Thursday, February 11, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1817. A letter from the Acting Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of November 30, 1959, pursuant to the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

1818. A letter from the Chairman, Federal Power Commission, transmitting a copy each of the following: map, "Major Natural Gas Pipelines in the United States, June 30, 1959"; map, "Principal Electric Facilities, 1958"; volumes 14, 17, and 18 of FPC reports, "Typical Electric Bills, 1959"; "Statistics of Natural Gas Companies, 1958"; "Steam-Electric Plant Construction Cost and Annual Production Expenses, 1958"; "Statistics of Electric Utilities, 1958, Privately Owned;" "Hydroelectric Plant Construction Cost and Annual Production Expenses, 1958"; Statistics of Electric Utilities, 1958, Publicly Owned"; to the Committee on Interstate and Foreign Commerce.

1819. A letter from the Public Printer, U.S. Government Printing Office, transmitting a report covering eight tort claims totaling $698.87 paid by the U.S. Government Printing Office during the fiscal year 1959, pursuant to the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

1820. A letter from the Secretary of Commerce, relative to a letter dated June 2, 1959, which submitted to the Congress a draft of proposed legislation entitled "a bill to amend section 209(f)(1) of the Highway Revenue Act of 1956 in order to provide for the financing of forest highways and public lands highways from the highway trust fund"; to the Committee on Ways and Means.

1821. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 7279. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; with amendment (Rept. No. 1259). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. House Concurrent Resolution 582. Concurrent resolution providing under section 3(e) of the Strategic and Critical Materials Stock Piling Act, the express approval of the Congress for the disposal from the national stockpile of approximately 470,000 long tons of natural rubber; without amendment (Rept. No. 1260). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10325. A bill to prohibit agencies of the United States from imposing contractual provisions boycotting vessels trading with Israel; to the Committee on Merchant Marine and Fisheries.

H.R. 10326. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer, spouse, or dependent who is physically handicapped; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 10327. A bill to amend the Civil Rights Act of 1957 by providing for court appointment of U.S. voting referees, and for other purposes; to the Committee on the Judiciary.

H.R. 10328. A bill to assure that citizens of the United States will not be denied the right to register and vote in Federal elections because of their race, color, religion, or national origin, and for other purposes; to the Committee on House Administration.

By Mr. CELLER:

H.R. 10329. A bill to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C., secs. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, National, or foreign laws (18 U.S.C., sec. 43), and for other purposes; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 10330. A bill to amend the Internal Revenue Code of 1954 to prohibit the deduction of certain expenditures as trade or business expenses; to the Committee on Ways and Means.

H.R. 10331. A bill to amend the Internal Revenue Code of 1954 to provide for withholding of tax at source on interest and dividends; to the Committee on Ways and Means.

H.R. 10332. A bill to amend the Internal Revenue Code of 1954 to provide graduated rates of percentage depletion for oil and gas wells; to the Committee on Ways and Means.

H.R. 10333. A bill to amend the Internal Revenue Code of 1954 to provide for additional information on certain returns; to the Committee on Ways and Means.

H.R. 10334. A bill to amend the Internal Revenue Code of 1954 to repeal provisions allowing credit against tax and exclusion from gross income for dividends received by individuals; to the Committee on Ways and Means.

By Mr. DIXON:

H.R. 10335. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

H.R. 10336. A bill to clarify the right of States to select certain public lands subject to any outstanding mineral lease or permit; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 10337. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10338. A bill to permit the State of New York to extend old-age, survivors, and disability insurance coverage, under its State agreement entered into pursuant to section 218 of the Social Security Act, to certain State and local employees who retired before acquiring the number of quarters of such coverage needed for entitlement to benefits; to the Committee on Ways and Means.

By Mr. FLYNN:

H.R. 10339. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H.R. 10340. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. HARRIS:

H.R. 10341. A bill to amend the Public Health Service Act to authorize grants-in-aid to universities, hospitals, laboratories, and other public or nonprofit institutions to strengthen their programs of research and research training in sciences related to health; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER:

H.R. 10342. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. IRWIN:

H.R. 10343. A bill to establish a body corporate within the Department of Commerce to extend financial assistance to State and local governments or public authorities operating or providing transit and commuter service in our major metropolitan areas; to the Committee on Banking and Currency.

By Mr. LANE:

H.R. 10344. A bill to amend title II of the Social Security Act to provide that an individual may earn up to $1,200 a year without losing his entitlement to disability insurance benefits or the disability freeze; to the Committee on Ways and Means.

By Mr. LANGEN (by request):

H.R. 10345. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H.R. 10346. A bill to amend the District of Columbia Sales Tax Act so as to increase the rate of tax imposed on gross receipts from certain sales, and for other purposes; to the Committee on the District of Columbia.

By Mr. McSWEEN:

H.R. 10347. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees' Health Benefits Act of 1959; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H.R. 10348. A bill to amend the National Cultural Center Act to provide for a National Ballet School and a National Ballet Company; to the Committee on Public Works.

By Mr. MULTER:

H.R. 10349. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. PELLY:

H.R. 10350. A bill to repeal price-support subsidies and to provide for the disposition of the Commodity Credit Corporation inventory without disrupting normal marketings; to the Committee on Agriculture.

By Mr. REUSS:

H.R. 10351. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

By Mr. RUTHERFORD:

H.R. 10352. A bill authorizing the establishment of a national historic site at Old Fort Davis, near the town of Fort Davis, Jeff Davis County, Tex.; to the Committee on Interior and Insular Affairs.

By Mr. TELLER:

H.R. 10353. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H.R. 10354. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POAGE:

H.R. 10355. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. ALBERT:

H.R. 10356. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H.R. 10357. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. BURDICK:

H.R. 10358. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. COAD:

H.R. 10359. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. HOGAN:

H.R. 10360. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Wisconsin:

H.R. 10361. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. LEVERING:

H.R. 10362. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand as a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. McGOVERN:

H.R 10363. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand as a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mrs. PFOST:

H.R. 10364. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. SISK:

H.R. 10365. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Iowa:

H.R. 10366. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. ULLMAN:

H.R. 10367. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Colorado:

H.R. 10368. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. CLEM MILLER:

H.R. 10369. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. WOLF:

H.R. 10370. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of California:

H. Con. Res. 588. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 589. Concurrent resolution expressing the sense of the Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 10371. A bill for the relief of Helena Burzec; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 10372. A bill for the relief of David Kletter; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 10373. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

By Mr. LIBONATI:

H.R. 10374. A bill for the relief of Zbigniew Bujno; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 10375. A bill for the relief of Wing Sien Fong; to the Committee on the Judiciary.

H.R. 10376. A bill for the relief of Adolf B. Jochnick; to the Committee on the Judiciary.

By Mr. METCALF:

H.R. 10377. A bill directing the Secretary of the Army to convey to the Western Montana Youth Guidance Center, Inc., Missoula, Mont., certain property comprising a part of Fort Missoula, Missoula, Mont.; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

Boy Scouts of America

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. FASCELL. Mr. Speaker, as we all know, this is Boy Scout Week. It also marks the 50th anniversary of the Boy Scouts of America. It is therefore fitting that we Americans join in paying tribute to Boy Scouts everywhere, and to the men and women who have so selflessly dedicated themselves toward the advancement and betterment of America's youth by serving as scoutmasters, den mothers, unit leaders, and committee members.

The Boy Scout organization has come a long way since its inception 50 years ago when it was incorporated February 8, 1910, under the laws of the District of Columbia. To mark the immediate recognition of the importance of this bold concept, that same year President Taft accepted the office of honorary president, and Theodore Roosevelt honorary vice president. During the following year the membership grew to 61,495 Scouts and Scouters.

The Scouts can well look back in pride on its work in behalf of our country during times of stress. In 1917 the Scouts rendered nationwide first aid service in the influenza epidemic. Exceptional service was rendered by the Boy Scouts in 1927 in the Mississippi and Vermont flood disasters and the St. Louis tornado. In 1934, during the worst depression the world has ever known, in response to the request of President Roosevelt in a radio address, Boy Scouts performed a national good turn, collecting clothing, household furnishings, foodstuffs, and supplies for the distressed and needy.

In 1941 the Government requested Boy Scout service in such ways as distribution of defense bonds and stamp posters; collection of aluminum, wastepaper collection, defense housing surveys; victory gardens; distribution of air-raid posters; cooperation with the Red Cross; and by joint agreement with the Office of Civilian Defense, Scouts served as messengers, assisted emergency medical units, and acted as fire watchers.

The following year the Scouts continued in their war service. At the request of the Government, the Boy Scouts collected 30 million pounds of rubber salvage in a 2-week whirlwind drive. The Scouts' service continued throughout the remainder of the war.

Since that time the Boy Scouts' usual cooperation with public authorities in flood, earthquake, hurricane, and other disaster relief has been widely reported and acclaimed.

Among other noteworthy Boy Scout efforts was their get-out-the-vote campaign in 1952. That year the Scouts distributed more than 1 million posters and 30 million Liberty Bell doorknob posters. It is interesting to observe that there was a recordbreaking 60 million turnout of votes that November.

As evidence of the widespread acceptance of the Boy Scout organization as an integral part of our community is the fact that over 70,000 of America's greatest institutions actively support it. Churches, civic, and veterans groups, management and labor, and educational and fraternal organizations contribute to the spiritual and cultural growth of the organization.

Equally attesting to the influence and the high esteem in which the Boy Scouts are held is their tremendous growth during the past half century. In 1920 for instance, only 10 years after its conception, the Boy Scouts already had a membership of 478,528. By 1958 there was a total of 4,950,885 active adult leaders and Boy Scout members.

The goals and achievements of the Boy Scouts are unquestionably of invaluable worth to the future welfare of America. Of utmost importance to all of us is the Boy Scouts' goal aimed at furthering international friendships. Certainly, international cooperation is uppermost in all our minds in our relations with other countries. It is therefore gratifying to know that these youngsters, at ages from eight through their teens, are actively working toward this goal.

The Boy Scouts' overall basic principles, their motto "For God and My Country," are indeed commendable. May their ranks continue to grow and may they continue in their successful development of America's future leaders.

Acts of Desecration of Synagogues and Other Places of Worship

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. BRADEMAS. Mr. Speaker, I am deeply gratified that on February 2, 1960, the House of Representatives unanimously passed, by a vote of 392 to 0, a resolution expressing the profound sense of indignation and shock felt by Congress at the recent acts of desecration of synagogues and other places of worship.

I am proud to have joined with a number of my colleagues in the introduction of this resolution. On February 1, 1960, I expressed the reasons for my strong support of action by Congress to condemn these ugly acts of desecration.

We in America must demonstrate to the peoples of the world by word and deed our profound belief in religious liberty and our profound hostility to religious bigotry.

Birthday of Thaddeus Kosciusko

EXTENSION OF REMARKS
OF
HON. DANIEL D. ROSTENKOWSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. ROSTENKOWSKI. Mr. Speaker, on Friday, February 12, we observe the anniversary of the birth of Thaddeus Kosciusko, an outstanding hero whose belief of liberty and justice for all mankind carried him to two continents to fight for these rights. He played an important part in creating our right to stand in these Chambers and express the will of the people of our great country in deciding our own fate and future.

Our country is made up of people of every conceivable nationality who have united for one purpose—life, liberty and the pursuit of happiness. We, of Polish descent, are proud of Kosciusko for he played an important part in our war of independence. He borrowed money to come to America to offer his services to the struggling Colonies. As a student of engineering and artillery, his choice of battlefields and erection of fortifications contributed greatly to the brilliant victory of our forces at Saratoga. He was among the first of the Continentals to enter Charleston after its evacuation by the British. His success as a leader of men earned him the rank of brigadier general in 1783.

Having served our country brilliantly in gaining our independence, he was not content to relax and enjoy the fruits of victory. This burning desire for freedom of all men carried him back to his native Poland to carry on the fight for freedom there. For more than 20 years he continued his valiant but unsuccessful

efforts for the independence of Poland. He died in exile in Switzerland in 1817.

His name will live forever and will remain a symbol for the oppressed people of Poland today. It is fitting that today, Americans of all rank and creed solemnly observe the anniversary of his birth and do homage to his memory.

The Buffalo Post Office Project

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. DULSKI. Mr. Speaker, I want to call to the attention of the House the high-handed procedure that a member of the President's Cabinet is following in attempting to railroad through this Congress his request for funds in the 1961 budget. I refer to the Post Office Department's request for $80 million for post office modernization in fiscal 1961.

Here is a little background: About 3 years ago the Post Office Department decided to proceed promptly with plans for a new working post office at Buffalo, N.Y. There were two false starts, but finally the Department acquired an acceptable site near Central Terminal.

The next step is to obtain architectural and engineering plans. Despite repeated inquiries, the Department gives little satisfaction as to the schedule for this Buffalo project.

Now, we are learning why the Department has been so indefinite. Indeed, Buffalo stands to suffer a great disappointment in a few days—the revelation that there will be no funds in the 1961 budget for equipping the proposed Buffalo post office. And if there is no money to equip it, it is logical to expect that the construction schedule will be delayed accordingly.

Two weeks ago, I publicly stated that the Postmaster General was playing politics with the Buffalo Post Office project. Now the proof is out.

In submitting his budget to the House Appropriations Committee, the Postmaster General has juggled the positions of projects in each section of the country in the hope of insuring that not one penny will be cut from his request for equipment and modernization funds.

Whereas recently Buffalo was ranked fifth in priority, now the Postmaster has placed Buffalo second from the bottom of the list—17th among 19 projects.

By juggling the positions and knowing that one of the Congressmen from our area is a member of the powerful Subcommittee on Post Office Appropriations, the Postmaster General has placed Buffalo in the lowest priority category to accomplish his deal. This maneuvering on his part has led me to the opinion that Mr. Summerfield is blackmailing the committee.

No one has done more than Congressman PILLION in getting the ball rolling for the eventual construction of a new post office in our city. Since coming to Washington, I have cooperated and done everything possible to be of assistance. It is my true feeling that this should be a nonpartisan project for it will benefit all the people in Buffalo and the surrounding area.

One of our principal postal facilities in Buffalo is being rented at a high rental cost. The landlord will not renovate or repair the building. If the health inspectors made a thorough inspection, they would find it should be condemned. The amount spent here for rent could be saved and used for new equipment.

In a letter to me, dated as late as December 21, 1959, the Deputy Assistant Postmaster General, Mr. Rollin D. Barnard, wrote as follows:

> We appreciate your expressions concerning the need for improved facilities in that city [Buffalo]. The Department has been aware of this need for some time.

In several letters to the Postmaster General, I pointed out to him the dilapidated condition of the present facilities and the outmoded and antiquated equipment. I repeat that if Benjamin Franklin could return and take a walk through our post office, he would see some of his very own inventions.

Congressman PILLION, who is highly regarded among his colleagues on the Appropriations Committee, has been outspoken in his efforts to obtain economy in government, and I am sure the Postmaster General is well aware of this fact. With this in mind, the Postmaster General is playing the game of cat and mouse, and is saying, in effect, if you want to see a post office constructed in Buffalo, then do not cut any of our appropriation requests for post office equipment and modernization.

I wish to state now that if funds are not included in the Department's appropriation bill for our post office, as appears inevitable, I will ask the cooperation of the committee for an amendment to the bill which would earmark at least $3 million for equipping the new post office in Buffalo.

Family Farm Income Act of 1960

EXTENSION OF REMARKS
OF
HON. EARL HOGAN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. HOGAN. Mr. Speaker, the beginning and foundation of free enterprise in this country, and indeed of the whole concept of democratic representative government in America, was the family farm system of agriculture. Family farming has continued throughout our history to be one of the major bulwarks of democratic government and our American way of life. The basic ideals of freedom, liberty, and self-reliance that characterize the warp and woof of our social values and our competitive free enterprise system had their roots in the American family farm system. Many observers feel that if the trends of the past 7 years continue, the family farm will disappear, a victim of industrial-controlled vertical integration, factory farming or some other form of rationalized or collectivized agricultural production.

Yesterday, the Congress received a farm message from the executive branch. This message was in two parts: Part 1 was a reiteration of the recommendations made by Secretary Benson, which experience has proven to be wrong, and which repeated hearings before our Committee on Agriculture have shown to be completely devoid of any constructive solution of the major aspects of the farm income problem. The proposals which were yesterday reiterated have already been found in practice to have adverse results and the reports prepared for the Senate Committee on Agriculture and Forestry by the Department of Agriculture in Senate Document No. 77 say these would be the results of future application of such policies: continued increase in farm production; continued piling up of surpluses in Government ownership; continued fall in farmers' income, and a continued increase in the middleman's share of the consumers' food dollar.

The second part of the farm message from the executive branch was more reasonable. The second part of the message indicated a willingness on the part of the Executive to work with Congress to bring about an acceptable solution to these problems. The message said that the timeworn recommendations were preferred, but that alternative courses would be considered and not turned down out of hand.

In the spirit of this second and more reasonable part of the farm message, I am today, in company with a large number of colleagues, on and off the Committee on Agriculture, proposing for consideration, an alternative course, that will in our opinion raise not lower farm income, reduce not increase the Government cost of the farm program, and reduce not increase the quantity of farm commodities in Commodity Credit Corporation inventories.

The bill we are introducing today meets the President halfway on his proposed alternative course. It provides means whereby farmers can make realistic choices commodity by commodity whether they wish to adopt the no-controls-low-supports approach favored by the executive branch or whether they wish somewhat more nearly adequate income stabilization levels and are willing to accept the self-discipline required to balance supply with demand at such stabilization levels.

Title I of the bill, "Balancing Supply With Demand at a Fair Price" gives producers of each different commodity a choice, first whether they wish to solve the problems of their commodity by means of nationwide marketing orders similar to the orders in successful use now for many commodities, or alternatively they want to make use of some other type of commodity market stabilization procedure for their commodity.

Part I, "Nationwide Marketing Orders," amends, as did the bill I introduced last spring, the Agricultural Marketing Act of 1937 in several ways to increase the commodity coverage of the

act and to improve its authorizations in other ways. Eligibility to make use of marketing orders would be extended to the producers of all commodities and thus they would take this load completely off the Government and carry out the complete program for their commodity on a self-help basis through an administrative board elected by producers to operate the order. This part of the bill would authorize national, as well as regional, marketing orders.

Part II of the bill, "National Commodity Stabilization Program" provides for the orderly termination of all of the price support and acreage allotment legislation now on the books, except for tobacco, sugar beets, sugarcane, and wool. In the place of existing programs, the Secretary of Agriculture would be directed to work with producer-elected committees of producers of the different commodities to develop workable programs at considerably less cost to the Government than existing programs.

Section 151 of the bill directs the Secretary to initiate the use of a fair-price concept based upon the definition in the Agricultural Adustment Act of 1938.

Section 152 requires the Secretary of Agriculture to establish a farm commodity program development committee for each commodity of importance where the supply exceeds the demand at a fair price, if the commodity is not already serviced by a nationwide marketing order under part I of the bill. This committee would be made up only of producers of the particular commodity and would be elected by secret ballot by the producers of that commodity.

The bill requires that the committee be set up in a manner that will give appropriate regional representation to all production areas of the commodity, with one commodity committee member from each production area of equal size in terms of production and sales of the commodity.

Section 153 provides that each such commodity committee shall, with such help as the Secretary shall provide, develop a workable income and supply stabilization program for that commodity in accordance with the standards specified in the following sections of the bill. When the committee has developed a program for the commodity involved, they are required to recommend it for adoption to the Secretary of Agriculture.

Whenever one of the commodity committees recommend such a program to the Secretary he is authorized and directed to study it carefully to determine if the recommended program is consistent with the standards and yardsticks set up in the bill and if it is a feasible application of such standards and yardsticks. If he determines that these requirements are met, the Secretary shall then submit the proposed program to a referendum of the producers of the commodity. All commercial producers of the commodity with annual sales above $500 would be eligible to vote in the referendum.

If two-thirds of the producers voting in the referendum do not favor the proposed program, the existing program under existing law stays in effect.

However, if two-thirds of the producers who vote favor the proposed new program, it shall be placed into operation by the Secretary, except that if it calls for expenditures from the Federal Treasury of more than $20 million per year, the program must be submitted, through the President, to Congress for review. The proposed program would be submitted to the Vice President, who would refer it to the Committee on Agriculture and Forestry of the Senate, and to the Speaker of the House of Representatives, who would refer it to the Committee on Agriculture.

If either such committee rejected the proposed program by resolution within 90 days, it would not be placed into effect.

Sections 155 and 156 established the standards or yardsticks by which the producer commodity committees, the Secretary of Agriculture, and the Agriculture Committees of Congress must be guided in the development and approval of proposed programs.

The standards or yardsticks are:

First. Each such program must provide for a means to balance market supply with demand at a fair price, while bringing about a reduction of at least 10 percent of the Government inventory of the commodity each year. The needs of each commodity for special domestic welfare food utilization programs and special exports would be included, as well as regular commercial dollar demand requirements;

Second. Establish means for adjusting such quotas or goals among States, counties, and individual farms;

Third. Utilize as necessary a diversified kit of income stabilization tools in workable combinations to meet the fair price objective. However, no method of income stabilization could be used that would result in the acquisition or storage by Government of any agricultural commodities. Each such program must be designed to operate at an annual net cost to the Government of not more than 5 percent of the gross sales of the commodity. This would place a very strict limit upon Government costs, much lower than has been expended on many commodities in each of the past 7 years. Moreover, any payments or benefits under the act would be limited to not more than $5,000 to any one farm family in any one year.

Section 157 of the bill requires that groups of closely related commodities, such as feed grains, be combined into a single program and considered as an individual commodity.

The Commodity Credit Corporation resale price would be set at the equivalent of the fair price rather than at 5 percent above the support price as provided in existing law.

All provisions of the bill, if enacted, would terminate on December 31, 1965.

Title II of the bill would institute a new welfare type food distribution program, aimed specifically at the high protein foods such as meat, milk, and eggs. The Secretary would be directed to take from stocks of Comodity Credit Corporation or to buy on the open market $500 million per year of such foods for distribution to schools, public institutions, and needy people. For each approximately $2 value of such high protein foods so distributed, the Secretary would be authorized to sell $1 in value of Commodity Credit Corporation stocks of feed grains.

Title III of the bill, and again, this is substantially the same proposal which I submitted to the Congress last May 18, would carry out the recommendation in the farm message of the executive branch to take out of surplus commercial production up to 60 million acres of farmland and devote it to soil building practices. The provisions of this title would allow the discredited Soil Bank Act to remain expired, as it did on December 31, 1959, and would not bring it to life or extend it.

Instead, the bill that is being introduced today would expand and implement the soil conservation program established under the Soil Conservation and Domestic Allotment Act of 1937. The new program would be a part of, and an expansion of, the time proven ACP program approved and utilized by almost every farmer in the land over the past 23 years.

Under the program proposed in the bill, each participating farmer would contribute, without rental payments, not less than 10 percent of his tillable acres to a "producers' contributed acreage" of the national soil building base.

In addition to the producers contributed acreage, each producer could place an additional acreage up to not more than 30 percent of his tillable land into the soil building base and receive payments in kind equal to two-thirds of the annual production as rental.

This proposal would meet the major recommendations in the farm message but would avoid some of the major defects that have shown up in the soil bank program. With producers making a partial contribution to the program in acres the cost should be greatly reduced; by not allowing any farmer to put more than a total of 40 percent of his land into the soil building base, the adverse situations developing from the so-called whole farm approach would be avoided.

Title IV of the bill outlines the legislative findings that orderly nationwide market stabilization and supply control measures are required to maintain orderly conditions of interstate commerce in agricultural commodities.

Cancer: Enemy on the Run

EXTENSION OF REMARKS

OF

HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 10, 1960

Mr. TOLL. Mr. Speaker, it was my privilege to speak before the Cancer League of Philadelphia last Thursday evening, February 4, 1960, in the Phillip Scherr Auditorium of the Albert Einstein Medical Center, northern division. The Cancer League is doing a tremendous

job in fighting cancer in the city of Philadelphia. The work which it has done in supplying Philadelphia hospitals with equipment for the detection and treatment of cancer has been a significant contribution in the fight against this enemy. My remarks before the league were as follows:

CANCER: ENEMY ON THE RUN

"Progress in Fight on Cancer Is Reported by Institute Here," "Researcher Suggests Anticancer Tactics," "Significant Changes in Cells Detected in Cancer Patients." Nearly every day reports like these, appearing in newspapers, magazines, and medical journals, revitalize our efforts in the fight against cancer. We sense we are on the brink of a wonderful discovery, and that with a little time, a little more money, and a little more hard work, we will achieve success.

I feel this challenge deeply, as I know you do, and it is for this reason that I am delighted to be here today. I believe that the annual campaign fund rally of the Cancer League of Philadelphia, is a major event on the cancer calendar. It is this type of community effort which makes the hope of finding a cure for cancer a real one.

I need not tell you that the vital statistics on this disease are grim. Each year in the United States, cancer takes the lives of about a quarter of a million persons. Since 1900 it has overtaken tuberculosis, pneumonia, diarrhea and enteritis, nephritis, and accidents to become, since 1938, second leading cause of death in this country. One can point to the cost of hospital care for cancer patients which runs to approximately $300 million a year, or to the loss in goods and services due to this disease, which has been estimated conservatively at $12 billion each year. But these figures are meaningless symbols in comparison to the personal tragedy experienced by families for whom cancer is not a number but a desperate reality.

The monster is powerful, but fortunately his adversaries grow in strength each year. The blossoming of the research effort against this disease has been one of the medical wonders of this decade. You are all aware, I am sure, of the very exciting projects being carried on at the National Cancer Institute, the oldest of the National Institutes of Health in Bethesda, Md. I know of no better example of the difficult, determined, sometimes discouraging medical research being carried on today. You may be interested in some of the work currently being carried on in their laboratories or being supported through their research grant funds.

One striking example of the growth in the Federal effort against cancer is the increase in the annual appropriations for the National Cancer Institute. The figure has climbed from $18,900,000 in fiscal 1950, to $21,737,000 in fiscal 1955, to a staggering $91,257,000 in fiscal 1960. These sums are an indication of the importance attached by Congress to research against cancer. The House Committee on Appropriations in its report on labor, health, education, and welfare appropriations stated in 1958, and repeated again last year:

"Considering the rate at which medical science has advanced over the past 10 years, it is plausible to believe that in the decade ahead simple, accurate tests for cancer, such as a blood test, may make the early detection of cancer simple and be usable as a routine tool of the physician and public health worker."

The National Cancer Institute is an active outfit. Approximately 600 scientists, technicians, and laboratory assistants have about 325 research projects under way at all times. Scientists work in the laboratory with experimental animals and these studies are coordinated with the studies of human cancer in the 14-story clinical center. Studies in biochemistry, chemical pharmacology, endocrinology, pathology, environmental cancer, radiation therapy, clinical cancer, and biostatistics are being carried on simultaneously—all with one aim: to vanquish this disease enemy.

Perhaps you will be as interested as I was to learn that more than twice as much money is spent on grants to scientists in non-Federal institutions, with no direction, supervision, or interference on the part of the Institute, as is spent on National Cancer Institute research. Surely this is in keeping with our belief in the importance of the intellectual freedom of the scientist. It is also an incentive for institutions throughout the country to expand their research activities, and to look into hidden corners previously neglected by research sleuths.

One of the most impressive crash programs being carried out at the Institute is the cancer chemotherapy program. This research and development program is a cooperative enterprise of national scope. It is jointly sponsored by the National Cancer Institute, the American Cancer Society, the Damon Runyon Memorial Fund for Cancer Research, the Veterans' Administration, the Atomic Energy Commission, and the Food and Drug Administration. The program involves three phases: The initial testing of chemicals, hormonal substances, and other materials on mice with cancer; the testing of materials which appear to have promise on larger animals to determine those safe for human use; and finally the conduct of extensive clinical studies with patients in cooperating hospitals. No final answers have been arrived at. But lives have been prolonged, the course of the disease has been checked, and pain has been alleviated with certain chemical agents. Supporters believe that this may be the road to the development of drugs effective against many different types of cancer.

In addition to the program I have mentioned, the Institute makes grants for professional training, cooperates with voluntary groups in cancer education programs, carries on field projects, makes grants to State agencies for their programs, and even lends radium to qualified persons and institutions for radium therapy.

The rationale for all this activity is summed up in the words of the Surgeon General Burney, who stated: "We do not know from what corner of the research firmament will come the next burst of light that will guide us closer to our goal—the conquest of cancer. But we can be sure that light will come and the goal will be reached.

You must be proud to know that you participate in this giant effort. We are all aware that the work of a scientist in his laboratory must be financed, that his discoveries must be communicated to the public, that the public must be kept aware of the precautions against cancer. Voluntary groups like yours have performed an invaluable task in cooperating with the Federal Government in the support of research and in waging effective public education campaigns. As we seem to approach the goal, the need for this kind of activity becomes more urgent.

Recently two public figures have brought home to all of us the immediacy of the danger. I speak of Senator NEUBERGER and Dr. Tom Dooley who have both recently undergone bouts with cancer. Both of these men have been operated on for cancer. Both are determined to see that the effort to conquer this and other dread diseases is increased. Both men have led useful public lives, and their incapacitation even for a time, was a severe public loss.

Senator NEUBERGER'S illness has convinced him that our Nation must build a crash program to beat cancer—perhaps something like the Manhattan project of 1940. He believes, as do most of us, that we can increase our efforts still further. We still spend more on cigarettes, liquor, radio and television repairs, and even chewing gum, than we do on cancer.

Senator NEUBERGER'S description of his reactions to his disease are moving indeed. He states: "I can tell you that the cancer victim is frequently the loneliest person in the world. He feels that nothing can help him. Friends, family, doctors, associates, all seem without power to check the malignant growth that perils his life. He wishes, desperately and profoundly, for some miraculous cure which will bring a reprieve."

He continues with words which can serve as a campaign cry for all of us: "As a cancer patient, I want to help others who have suffered or who may suffer this disease. I want to encourage them and their families as I was encouraged and supported by cancer progress. I want more: I want to see us lick this disease the way we've licked the infectious diseases. I sincerely believe the world would be more electrified by a breakthrough in cancer than it was by a rocket landing on the moon. As a U.S. Senator, I'm more convinced than ever that we should economize in any other sphere of government than funds for the research program of the National Cancer Institute, because economy at the expense of human life is the worst extravagance of all."

Dr. Dooley has recently returned, as you know, deep from the jungles of Indochina to be operated on for cancer. He returned from his work in Medico, a nonprofit nonsectarian, organization founded by him to gather money, equipment, and personnel for hospitals in Asia, Africa, and South America. Tom Dooley has been described as a "splendid American" who can combat the recent talk about the "ugly American." Before entering the operating room he sent a message to many leaders in Congress which included the following remarks: "I am being operated on tomorrow for cancer. As soon as I recover, I intend to go back to Laos to continue this fight against communism with the tools of health."

These two cancer victims have made an impassioned case for more cancer research. Dr. Howard Rusk, the medical editor of the New York Times, takes up their plea: "When will the scientific breakthrough come to solve the riddle of cancer? No one knows. What we know, however, is that the more scientists who are at work on the problem in laboratories all over the world, the greater are the odds for solution and the quicker that solution will come."

These words stir our souls and reinforce our desires to do something about this enemy. I have little to add to their plea. May I close with a word of congratulation for the fine work you have done in the past and with a hope that this campaign will be better than ever before. Your efforts will one day be rewarded in the conquest of cancer.

Farm Program

EXTENSION OF REMARKS

OF

HON. J. FLOYD BREEDING

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 10, 1960

Mr. BREEDING. Mr. Speaker, there were two significant aspects to the President's special farm message which the Congress received yesterday:

First. For the first time in several years the President indicated a willingness to compromise on this issue with Congress.

Second. Apparently Secretary Benson's domination of farm policy in the administration has been ended, if only temporarily.

These two factors present this House with an opportunity to pass urgently needed wheat legislation.

The present situation is serious. Producers realize this. They are not happy with a program that piles up a tremendous surplus in warehouses at a cost of almost a billion dollars a year.

Consumers are certainly fed up. They are demanding a change.

As long as the President followed Mr. Benson, there was no hope for achieving any constructive wheat legislation. Mr. Benson has made it crystal clear on many occasions that the only wheat legislation he will approve would bring about ruinously low prices for producers.

In his message, the President outlined guidelines and said he would sign any wheat legislation which fell within the framework of this broad policy.

For several weeks representatives of a number of farm organizations have been working on new wheat legislation. The only task remaining is to translate the program into legislative language.

The National Association of Wheat Growers, the National Grange, and the National Farmers Union are among the great farm organizations which have worked together in coming up with a plan which, I am firmly convinced, meets the criteria spelled out by the President.

This new program is supported by the National Farmers Organization, Missouri Farmers Association, National Corn Growers Association, American Soybean Association, the Grain Sorghums Producers Association, and several State wheat producing groups.

While I am not in any position to present the proposed wheat marketing program in detail at this time, I can say it will materially reduce the wheat surplus and the cost of the program.

It would stabilize the price of wheat near the parity level by requiring the Secretary to set an annual marketing quota to meet total domestic and export requirements, then subtracting 150 million bushels before breaking down the quota to an individual farm basis.

This provision would force the grain trade to go to the Commodity Credit Corporation for 150 million bushels of wheat each year. Inasmuch as CCC would be barred from selling wheat below parity, this would result in a price to the farmer at or near full parity.

No wheat could be sold for milling or other primary uses without a certificate based on individual marketing quotas expressed in bushels rather than acres. To be eligible, a producer would have to retire at least 20 percent of his wheat base acreage to noncommercial use.

I wish to emphasize that this proposal has the enthusiastic support of a large majority of wheat producers. They see this proposal as an opportunity to achieve positive results and make a start on clearing up what has developed into a serious situation.

I plan to introduce this bill as soon as a draft is completed. I will request the House Committee on Agriculture to hold hearings in the immediate future.

We need action on wheat legislation. This is an economic, not a political problem.

But we have to make sure that the wheat producers' income is maintained. It would be better to retain the present system, imperfect as it is, than to give in to pressures and pass legislation that would bankrupt wheat producers.

We also have to remember that a prosperous agriculture is the key to a sound economic situation for many businessmen in the farm areas. The merchants along Main Street of our small towns depend upon the farmer. When the farmer is hard pressed, the sales of merchants suffer and the entire economy suffers.

This new proposal would maintain the income of the farmer and farm areas. It would reduce the surplus of wheat and it would materially reduce the cost of the program to the taxpayers.

Inasmuch as it meets the requirements set forth by the President, I cannot see any reason why we cannot pass an acceptable bill at this session.

I am going to dedicate my efforts to this end in the coming weeks.

Abraham Lincoln and Thaddeus Kosciusko

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. BRADEMAS. Mr. Speaker, on February 12 we commemorate not only the 151st anniversary of the birth of Abraham Lincoln, but we also mark the 214th anniversary of the birth of Thaddeus Kosciusko, the great Polish statesman, military engineer, patriot of two continents.

I should like to indicate in what ways these two leaders have much in common, but before making such a comparison, let me speak briefly of the life of Kosciusko.

His birthright was Polish. The natural splendors of the New World were unseen by his young eyes and the democratic culture of the American Colonies was alien to his noble background. Yet from halfway around the world he came to share his own vision of liberty and justice with the Founding Fathers of our country. A true son of Poland, he gave of himself, wholly and freely, to the cause of the American Revolution, distinguishing himself both in combat and in the erection of military fortifications. A grateful Congress bestowed upon him the rank of brigadier general, and the appreciative people of his adopted land offered him honors and citizenship. But the success of the American Revolution had intensified his fervent desire to see his own homeland free and he returned to Poland.

In his native country he was to know few successes in his mission to see Poland throw off foreign domination. Once, for but a moment, he sat at the head of a free Poland and instituted the guarantees of constitutional government for which he had worked with such dedication. Although Poland's freedom was then to be shortlived, Kosciusko had ignited the spark of liberty in the hearts of his fellow countrymen. Never again, though their nation was to be conquered by forces from the East and the West, was that flame to be snuffed out.

SPIRIT OF KOSCIUSKO ALIVE TODAY IN POLAND

Mr. Speaker, the spirit of Kosciusko is alive today in Poland. It is as enduring as the spirit of Washington and Lincoln which is so much a part of the American people that it can never be separated from us. This common spirit, in Poland and in America, will live forever and it will, in time, triumph over all tyranny.

It is natural that most Americans think of February 12 primarily as the birthday of Abraham Lincoln. Yet there are more similarities than their date of birth between Kosciusko and Lincoln. Both were men of peace, yet compelled to employ the tools of war. Both dedicated most of their lives to the unity of their respective nations, yet their example has had great impact among peoples all over the world. Both were vigorous participants in the events of their own day, yet they will have an enduring influence upon the histories of their respective countries.

Mr. Speaker, it is fitting that on the anniversary of the birth of Lincoln and Kosciusko, the citizens of Poland and the United States, now so sorely tried by despotism, should rededicate themselves to their heritage of freedom. This spirit of freedom, so integrally a part of the traditions of both Poland and America, is a bond between our peoples that can never be broken.

Kosciuszko: A Tribute

EXTENSION OF REMARKS
OF
HON. CORNELIUS E. GALLAGHER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. GALLAGHER. Mr. Speaker, every year we pay tribute to the life and works of Tadeusz Kosciuszko, the Polish nobleman and American revolutionary hero. It is fitting that we do so, for were it not for the services of men with such distinguished qualities in leadership as Kosciuszko, we would have been hard pressed in our war for independence.

The career of Kosciuszko can be instructive for Americans today. The ideas that motivated this great leader were twofold: Love of freedom and an appreciation for the role of power in winning and maintaining freedom once it has been won. In Kosciuszko one finds a classic example of the excellent combination of idealism and realism

that assures the greatest political effectiveness.

Kosciuszko proclaimed his devotion to the abstract principle of liberty and democracy. He was inspired by the theories of Locke and Rousseau, theories that provided the ideological basis for the American and French revolutions. To this extent Kosciuszko was among the greatest of idealists.

But Kosciuszko's devotion to democracy was not a passive one, not at all an attitude of detached emotionalism. Kosciuszko wedded his idealism to reality. He had the inner compulsion to translate theory into practical action. This explains his enormous contribution to the American revolutionary effort.

Yet there is another aspect of Kosciuszko's activism and realism. It was his ability to see the unequivocally clear and unambiguous relationship between the need for power and strength if freedom is to be won and maintained. In brief, Kosciuszko would argue that a patriot may have an abstract notion of liberty, but to achieve this liberty he must fight, and to maintain his liberty, he must be strong.

We Americans could well apply Kosciuszko's concepts in our conduct of foreign relations today. It is well for a nation to proclaim to the world the virtues of democracy. It is also a heartwarming experience to feel the inner emotional upsurge that comes with an outward appeal to the highest idealistic instincts of man. But it would be disastrous were we as a people to fail to support our idealism with a hard calculated apraisal of the role of power and strength in international politics. We as a people must be strong. We must maintain our strength and power, today more than ever before as we face the Soviet challenge. We dare not commit ourselves to a life of luxury and repose, for here lay the seeds of national decline.

As we pay tribute to Kosciuszko, let us, therefore, rededicate ourselves to the principles of idealism which he proclaimed, but let us also rededicate ourselves to the realistic principle of strength and power and national resolve as Kosciuszko had done in his fight for American liberty and the freedom of his native Poland.

Birthday Anniversary of Two Great Men

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. DULSKI. Mr. Speaker, tomorrow, February 12, is the anniversary of the birth of two great men who have played important roles in the history of our Nation—Abraham Lincoln and Gen. Thaddeus Kosciusko. Although they lived in different periods, they shared the same respect for man's dignity and they both loved liberty.

Every school boy and girl in America learns about the great champion of freedom, Abraham Lincoln, and how he has inspired men of good will everywhere.

General Kosciusko is the hero of two continents. He fought for freedom in our American Revolution and then returned to Poland where he led a revolt to bring freedom to his own people. He was the first foreign patriot who did not hesitate to cross the ocean to fight for the principles in which he firmly believed. He was a great military leader and his engineering genius contributed a great deal to the American cause.

Kosciusko dedicated his life to the universal struggle for freedom, and his courage, bravery, and sacrifice should be an inspiration to us all. This struggle continues, never ceasing, and while Poland is oppressed today under communism the love of liberty has not diminished. As long as the spirit of Thaddeus Kosciusko lives in the hearts of the Polish people, their outlook for the sacred cause is bright.

We all join together in paying tribute to the memory of these two great men.

America's Critical Challenge Evaluated by Hon. Carl Vinson, National Defense's Foremost Exponent

EXTENSION OF REMARKS
OF
HON. JAMES C. OLIVER
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. OLIVER. Mr. Speaker, it was my privilege last night to attend, along with yourself and other Members of Congress, the annual dinner of the Veterans of Foreign Wars, here in Washington.

These assemblies of veterans are always most pleasing and inspiring. But, this 1960 dinner was the most outstanding of any that I have attended because of the alert to the critical challenge to our physical survival which was sounded. Certainly, no group of American citizens is any more conscious of this urgent and emergent challenge than the veterans of the several armed conflicts in which America has been involved.

It was entirely appropriate and timely, therefore, that our able and distinguished colleague, Hon. CARL VINSON should be the principal speaker. There is no citizen of this Nation, in my opinion, who has had the close relationship with our defense problems, over these many years of our military emergencies, as has this great chairman of the House Armed Forces Committee. The people of America know him and continue to have implicit confidence in his ability, his integrity, his knowledge and his judgment regarding the overwhelming problems of adequate defense for this Nation not only in the emergencies of the past, but as well as in the greatest of all emergencies, this one of the present and the near future.

Therefore, his statement of last night commands the attention of all thinking men and women of America; and, in fact, of the entire free world. It is my opinion, Mr. Speaker, that any objective analysis of the principal points which he made as to our military deficiencies will support, in detail, the conclusion that we are, and will continue to be, unless we snap ourselves out of our current complacency, in a most vulnerable position of defense.

It is unfortunate that this running argument concerning our defense posture comes during a political year. It is also, unfortunate and even partakes of the vicious that those of us, who criticize constructively what we consider to be the deficiencies in our Military Establishment, are being labeled as partisan politicians, by those with whom we are in disagreement. Certainly, if we did not try to alert our people, to the inadequacies as we understand them to exist, we would be derelict in our responsibilities, and, in a sense, even un-American.

At this point, Mr. Speaker, I include in these remarks a letter of constructive criticism recently sent by me to Secretary of the Army Brucker, which speaks for itself:

JANUARY 30, 1960.

Hon. WILBER M. BRUCKER,
Secretary, Department of the Army,
Washington, D.C.

DEAR MR. SECRETARY: As a citizen, as the father of an officer in the Regular Army, and as a Member of Congress with official responsibilities, I am deeply disturbed because of what seems to me to be a dangerous downgrading of the Army, both through insufficient funding for modernized combat equipment, as well as through inadequate funding for the manpower which our worldwide commitments require, even for limited wars.

The recently published book, "The Uncertain Trumpet," written by Gen. Maxwell D. Taylor (Retired) persuades me, further, that the Army has been, and is being, critically crippled in its effectiveness to do the job upon which it may be, and probably will be, called upon to do.

Your public statements which indicate a posture of the Army's readiness to meet any challenge, requiring quick response do not reassure me. For example, in December, in an issue of the Christian Science Monitor, you were quoted to the effect that the STRAC units of the Army are equipped, trained, and ready to go, presumably to any spot in the world, when, as and if called upon. Yet, there is no information available to me which points toward immediate availability of air transport for the necessary lift to get there. Then again if such a demand should be made for emergent action by STRAC units during the May–August training period for Reserve and National Guard units, when STRAC personnel and equipment are committed to such training programs, dangerous delay in getting to the area of action, even if the airlift were available and ready to go, could result in failure of the mission.

It has, also, been called to my attention that vehicles for mobility are sadly lacking. Certainly, motor vehicles which have had over 100,000 miles of usage and which, because of budgetary limitations, are being patched up at a repair cost of $200 or more per vehicle, do not suggest combat readiness. No businessman would conduct his own business on this pennywise, pound-foolish basis.

General Taylor calls for a modernized, relatively small, but well-protected balanced retaliatory force as his concept of a U.S. Army ready for limited wars or incidents in any area of the world.

In this connection, is there any present indication that the Army is to get, in the reasonably near future, the volume of pro-

curement in planes, tanks, guns, rifles, and other combat equipment on a modernized basis which is so obviously and urgently required to do the kind of a combat job, envisioned by General Taylor and other dedicated, experienced, and able Army officers?

Certainly, the $137 millions of dollars of the $300 million appropriated for modernization of the Army in the 1960 budget, which I enthusiastically supported, and which is now, according to my understanding, impounded by the Bureau of the Budget does nothing for the reassurance of those of us who question the present combat readiness of an Army, composed of enlisted men and officers who personally and collectively are ready to go, but who are, in too many instances, inadequately equipped to do the combat job which will be expected of them.

I know that you will agree with me that any overstress of budgetary requirements at the expense of modernized arms and equipment to carry out the missions of the Army in this nuclear age, is ill advised, to say the least, in the kind of a world in which we live today. You, apparently, do not agree that budgetary limitations have been overstressed and have become the prevailing guideline of our defense expenditures at the expense of effective readiness so far as the Army is concerned.

If you can find the time to advise me if I am unfair in this evaluation of the present combat posture of the Army, I shall appreciate and value your contribution most highly. It will be especially encouraging for me to learn that these impounded appropriated funds will become available in the near future for a greater volume of modernized weapons and equipment for the Army.

Thanking you for your courtesies of the past and any pertinent information in order that I may reassure my constituents, I am,

Sincerely yours,

JAMES C. OLIVER,
Member of Congress.

Mr. Speaker, I am not a military expert, but I respect the judgment of those with whom I have discussed this issue of our military preparedness. It is my firm conviction that we are not prepared for any eventuality and that we are even losing ground because of our complacency and our obsession that dollars are more important than the threat to our physical survival.

I respect, as does every American citizen, the President of the United States, who is the commander in chief of our military forces. He has had a lifetime of military service and a most distinguished career. But, I do not agree with him that all is well and that we can leave these terribly hard decisions to his judgment, alone, regardless of our evaluation of conditions as we may individually, or collectively as a majority of the Congress, see them. Others in this great country of ours feel, similarly, as witness this comment of Chalmers M. Roberts, a respected and competent news analyst and columnist, in a recent issue of the Washington Post:

A BLEAK FORECAST OF STORMS AHEAD

(By Chalmers M. Roberts)

In the midst of the agony of France and the confusion of Cuba it is dangerous to take one's eyes off the main show. The East-West summit conference opens 16 weeks from Monday in Paris, assuming that De Gaulle will survive his great moment of testing.

Already there are signs, new signs, of the troubles ahead.

Whether or not Nikita Khrushchev intends to alter the game of peaceful coexistence he has been playing these past months is impossible to say. Whether or not he does will be important not only to international relations but also to the presidential campaign here at home.

The candidates on both sides are nervous, naturally enough, lest some Khrushchev move put one or another of them in a bad light for having been too receptive or too hostile to the Soviet peace offensive.

What has recently been occurring—in Washington, in Geneva, in Berlin, and in Moscow—at a mimimum demonstrate that Khrushchev is preparing for some hard bargaining. This much, of course, is not unexpected. No one in his right mind on the Western side could expect anything else.

In Washington the Russians have refused to settle the lend-lease account without deriving some form of dollar credits at the same time. In Geneva they have argued long and bargained hard on the nuclear test ban. In Berlin—in Communist East Berlin, that is—the Communist puppets of East Germany have begun a new pressure campaign against West Germany. In Moscow Khrushchev has been talking tougher publicly and rattling his missiles privately to American Ambassador Thompson.

But Khrushchev still talks of the "Spirit of Camp David." His recent speech to the Supreme Soviet condemned American efforts to negotiate from strength, as President Eisenhower put it Wednesday night, while making it clear he, Khrushchev, intends to do just that at the summit.

Berlin remains the focus of the East-West problem. The great question is whether Khrushchev will agree at the summit and later when he talks with the President this June in Moscow to let the present situation continue, whatever the formula, or whether he will force a change.

In the 14 months since Khrushchev first raised the Berlin issue nothing has altered the basic facts: West Berlin is still a thinly defended free world island in the Communist sea. Khrushchev has postponed his threat to sign a separate peace treaty with his East German puppets but the threat remains and he constantly repeats it.

Against this backdrop of troubles ahead the Eisenhower administration is living out its final months in a defensive fashion. Under attack both politically and nonpolitically for its military preparedness posture, the administration has bogged down in a semantic argument over what is a missile gap or a deterrent gap. All the Cabinet members save Secretary of State Herter are sent to the political rostrums to defend the record in one way or another.

At the State Department there is no sign of new thinking or of imaginative measures to cope with the coming diplomatic negotiations. The Berlin argument will begin where it left off at last summer's Geneva Conference of Foreign Ministers.

The Coolidge report on disarmament has disappointed many inside the administration. Some effort is being made, it appears, to pump some new short-term ideas into the arms control field beyond the limited and mostly long-term proposals by Coolidge and his staff. But even here there is as yet no indication of any success.

On every hand one hears the remark that the next President will face the flock of chickens come home to roost, in both military and diplomatic terms. Some of the candidates themselves are saying this out loud; the others all seem to acknowledge it implicitly.

A gloss is being applied by the President's trips, the recent one to three continents, the next one to South America, the following one to the Soviet Union and Japan. All indeed have a value. But they cannot cover up the underlying situation to which only the word "deteriorating" can be applied.

We can, Mr. Speaker, meet the challege of these times. But we cannot, and will not, do the job which so obviously must be done unless and until we evaluate basic military and economic needs in terms of those needs rather than in restrictive dollar terms which inhibit us on the basis that we cannot afford to take the steps necessary to meet these needs. Our approach necessarily must be that we cannot afford this continuing failure of ours to meet the challenging needs of this, the last half of the 20th century.

Mr. Speaker, leaders in the Soviet Kremlin are moving relentlessly, step by step, toward their objective. We must not think for one minute that their pressures will not increase. This is already clearly evidenced. We must act, and act fast, to meet these pressures.

The words of dedicated responsibility of CARL VINSON, whom Veterans of Foreign Wars have honored with the VFW Citizenship Gold Medal award and citation, have been of the utmost significance to the future survival of America.

We must heed them, Mr. Speaker, and act upon them now.

Annual Recognition Dinner, Blair-Bedford Council, Boy Scouts of America, Altoona Pa., February 4, 1960

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 10, 1960

Mr. VAN ZANDT. Mr. Speaker, on February 4 at the Juniata Pavilion, Altoona, Pa., the Blair-Bedford Council, Boy Scouts of America, staged its annual recognition dinner with some 300 leaders of Scouting present for the occasion. Numerous awards were given for outstanding leadership in the field of Scouting.

It was my privilege to deliver the principal address which follows:

SPEECH BY JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE ANNUAL MEETING, BLAIR-BEDFORD COUNCIL OF BOY SCOUTS, JUNIATA PAVILION, ALTOONA, PA., ON FEBRUARY 4, 1960

It is a pleasure to participate in the program of this annual Scout recognition dinner for the Blair-Bedford Council, Boy Scouts of America.

It is fitting and proper that the fine leadership and the time and effort donated by Scout leaders should be publicly acclaimed.

It is common knowledge that the history of Scouting had its beginning in England.

Its first impression on Americans was during the year 1909 when a courteous unidentified boy offered his hand to guide William D. Boyce, Chicago publisher, to his destination through London's fog.

The lad had thus performed his "good turn" for the day and refused a tip from the grateful American.

He was a British Boy Scout.

So impressed was publisher Boyce by this kindly deed that he acquired all available information on the British Boy Scouts Association and returned to the United States with a firm conviction that America needed a similar youth program.

On February 8, 1910, the Boy Scouts of America were officially incorporated in Washington, D.C., and today "Scouting" is a familiar word in American homes throughout the length and breadth of our land.

From its humble beginning in 1910, the Scout alumni in the United States now exceed 30 million.

During Boy Scout Week this year—February 7 to February 13—more than 5 million boys and leaders of the Boy Scouts of America will begin the observance of the 50th anniversary of scouting in the United States.

In addition to the observance of the 50th anniversary, the year 1960 marks the triumphant conclusion of the 4-year program of the Boy Scouts of America, "Onward for God and my country."

Like each of the successive special programs of the Boy Scouts in the past, this program has had a close relationship to the continuing ideals and constant effort of scouting, expressed in the motto, "Be Prepared."

In this special program, the emphasis has been on the spiritual aspect of scouting—on the strengthening of religious faith—and the increasing of religious activities in each individual Scout and in each troop sponsored by a religious organization.

By this program, which owes its success to cubmasters, scoutmasters, post advisers, and den mothers, the Boy Scout has been inspired to be prepared to do his duty to God, as revealed to him through his own religion.

Ministers, priests, and rabbis have in this program been aided in the spiritual direction and teaching of the youth of their congregations, by the support this program has given to their endeavors.

Scout troops have been inspired to new ambition and vigor by chaplains and other religious leaders cooperating with the Scout officials in this program.

It has been brought home to the boys—emphatically and in many ways throughout these 4 years—that service to God is the chief purpose in life of every man—and the ultimate aim of every worthwhile activity.

The joining of "God and my country" in one slogan reflects the religious development in the United States—demonstrated by many factors—that have been particularly strong during the past decade.

Our people have become more strongly religious, as is plain from statistics of church membership, church attendance, and church giving.

The result is that as they have become more strongly religious, they have become more sure that our country itself must be dedicated to the service of God, subjected to his will, and placed under his protection.

It is significant that during this past decade the Congress has established a prayer room, where Members may retire for private prayer and meditation.

In addition, legislative action has been taken to add the phrase "under God" to the pledge of allegiance, to establish "In God we trust" as our official national motto, and to place those four words on all our future issues of currency.

The relation of religious belief to ethics and particularly to political morality has been frequently and earnestly discussed in Congress and in the newspapers and magazines.

This concern of our people generally, with the relation between God and our country is suitably reflected in the Boy Scout program, "Onward for God and my country."

Patriotism and the preparation of our youth for the service of the country have been given prime emphasis by scouting from the beginning.

You leaders in the Scout movement know that scouting—in this country as elsewhere in the world—has successfully resisted powerful efforts to make it a military or semimilitary activity.

However, no one would deny that whatever tends to increase in the youth of our country, the love of country and the value of physical and mental fitness, tends to make of our youth a formidable defense force in war, as well as a stabilizing force in peace.

The love of our country, under God, is the greatest quality any activity could aim to develop in our young people, and the 4-year program emphasizing this ideal is a splendid service to the country by the Boy Scouts of America.

As we swing into this fourth and final year of the great nationwide program, "Onward for God and Country," let us all continue to work together, Scouts and adults alike, to make the year a memorable one in the history of scouting, and in the lives of every one of us.

We must work to realize this ideal in our own lives, as well as to develop it in the lives of the boys in whose interest we are serving.

Each of us, as well as each of them, must be: "Prepared in body; prepared in skill; prepared in spirit; prepared in will; prepared as a member of a team."

This is a suitable occasion for reviewing the past achievements of scouting in America, rejoicing over successes, resolving to repair shortcomings, and determining to drive forward with renewed vigor toward our goals.

Much is being said currently of the prevalence of juvenile delinquency.

Though scouting is not generally a remedial measure directed at reclaiming the delinquent—who often expresses his scorn of the ideals of scouting—I should like to emphasize on this occasion that scouting is much more and better than a cure for delinquency.

It is a preventive of delinquency in the individual boy and in the group of boys, and it is a valuable aid for a neighborhood and for neighborhood organizations in combating the conditions that foster delinquency.

New York's chief magistrate, John M. Murtagh, a man in a position to know the facts about juvenile delinquency and a man whose nature and experience alike would prevent his indulging in easy optimism or polite compliments on such a subject, has publicly expressed his opinion that an increase in Boy Scouts means a decrease in delinquency:

"I can't think of better insurance against boys appearing in youth court than scouting," said Mr. Murtagh.

He continued: "Boys who have really healthy homes never will be delinquent, and I believe scouting brings boys closer to their families and communities as well as providing leadership training."

Mayor Wagner enthusiastically seconded this opinion and added that he believed if the 500,000 boys of New York City who are eligible for membership were absorbed into the Scout movement, New York City would make great strides toward overcoming juvenile delinquency.

But though the primary purpose of scouting is to take good, healthy, well-intentioned boys and help them mold themselves into strong, able, virtuous men, scouting can be and has been used with spectacular success in the rehabilitation of crime-ridden areas and the restoration to good conduct of rebellious and stubborn boys.

The Boy Scout movement in Washington, D.C., for example, is now engaged in the second of two major efforts to establish scouting in an area of maximum delinquency.

Back around 1954, Rudy Carson—known as "trouble shooter" for the National Capital area council—directed concentrated Boy Scout efforts toward organizing the boys in the second precinct, then considered the "wickedest precinct" in the city.

The project resulted in the formation of 50 Scout troops and cub packs in the area, and recruited 1,000 boys.

Since the establishment of these troops and packs and the organization of Scout activities, conditions in the second precinct have improved, and the crime rate has been considerably reduced.

As always, Scout leaders undertook this project in cooperation with police and other municipal authorities and welfare agencies, and no claim is made that scouting alone accomplished these happy results.

But Scout leaders are convinced that the success of the Scout program in the area is at once a cause and an evidence of a major contribution to the improvement of the neighborhood conditions.

These are emergency measures, and certainly constitute working under difficulties.

The ideal situation is more like what we have here in Blair and Bedford Counties where many adults—such as you—have already been through the discipline, learned the skills, and absorbed the ideals of scouting.

Here—instead of an enormous effort to achieve a barely measurable result—you have seized the opportunity and by a sincere effort have achieved enormous good.

What is needed for continued success is a community devoted to the Scout ideals—a community in which the children grow up in scouting and in which boys too old to be Boy Scouts join the Explorer Scouts.

There is also the compelling need that those who have gained this experience and earned this prestige continue to use their knowledge and their influence, gained through scouting, for the benefit of younger boys.

This can be done effectively by giving all possible time and effort to the assistance of cub packs and Scout troops in their neighborhoods.

In return, the community as a whole has its obligation to scouting.

We need public and frequent recognition of the glories, as well as of the fun, of scouting.

While the individual Scout needs no thanks or recognition for his good deeds—nevertheless, the cub pack or the Scout troop should be given public praise and recognition for its ideals, as well as for each specific contribution it may make to the well-being of the neighborhood.

In this way we shall both encourage the Scouts to live up to the high ideals their organization has placed before them, and by such good examples encourage other boys to take part in their activities and adopt their ideals.

With the aid of such incentives, we shall build scouting and in so doing lead our people onward for God and my country.

I would like to mention another aspect of scouting and that is: The high caliber of you men and women who have dedicated your lives to the scouting movement for it is through your skills; your deep understanding of a boy's needs; and your inspired leadership that boys are attracted to scouting.

You volunteers, who now number well over 500,000, are well trained in courses arranged by the national council. However, it is not simply technical ability, it is your patience and your willingness to give so generously of your time and energy that makes invaluable leaders in the Boy Scout movement. Then, too, by the example you set in your personal lives you create enthusiasm for the ideals of scouting in the young man.

We are fortunate here in the Bedford and Blair council in having men who recognize the vital importance of instilling in our youngsters the ideal of (a) honesty, (b) patriotism, (c) service, and (d) Godliness.

To you leaders I offer my gratitude for the wonderful work you are doing with the youth

of our community. I salute you and the Boy Scouts of America on the celebration of the golden jubilee of scouting and extend best wishes for continued success.

The strength of America depends on the strength of the rising generation, and in this connection the Boy Scouts of America are in the forefront of organizations devoted to preparing our youth to meet the challenge of tomorrow with stout hearts and sound principles.

Senator Vance Hartke Discusses the Unemployment Problem on "The American Forum of the Air"

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 10, 1960

Mr. BRADEMAS. Mr. Speaker, during the first week of December 1959, the U.S. Senate Special Committee on Unemployment Problems conducted hearings in four Indiana cities. One of these was the city of La Porte in my own congressional district. The La Porte community has suffered substantial and persistent unemployment in recent years.

The chairman of the Senate committee hearings in Indiana was the distinguished junior Senator from our State, the Honorable R. VANCE HARTKE, who has himself shown a deep interest in attacking the problem of unemployment. Senator HARTKE's able and informed questioning of the many witnesses who testified at this grassroots hearing in La Porte made the visit of the Senate committee to La Porte County unusually valuable and productive.

I am pleased, Mr. Speaker, to include in the CONGRESSIONAL RECORD the transcript of "The American Forum of the Air" broadcast of December 1, 1959, on the topic, "How Serious Is the Unemployment Problem?"

Both Senator HARTKE and Dr. Clarence Long, professor of economics at Johns Hopkins University, participated in the discussion. The proceedings follow:

HOW SERIOUS IS THE UNEMPLOYMENT PROBLEM?

(Senator VANCE HARTKE, Democrat, of Indiana, and Dr. Clarence Long, professor of economics, Johns Hopkins University; Jim Snyder, moderator)

Mr. SNYDER. This is the "American Forum of the Air," produced by the Westinghouse Broadcasting Co. in association with Theodore Granik.

Our guests are Senator VANCE HARTKE, Democrat, of Indiana, and Dr. Clarence Long, professor of economics at Johns Hopkins University.

They will discuss "The Unemployment Problem."

When Labor Secretary James Mitchell "ate his hat" a few weeks ago it was one more indication that despite the booming American economy over 3 million people are unemployed. Opinions vary widely on the seriousness of the problem and how it can be solved.

We are pleased to have as our guests on the "American Forum" Senator VANCE HARTKE, of Indiana, who is a member of the Senate Special Committee on Unemployment Problems, and Dr. Clarence Long, professor of economics at Johns Hopkins University.

Senator HARTKE, let's begin by discussing the causes of unemployment.

Now Dr. Long has testified before your committee that unemployment is caused by excessive labor turnover, poor business management, lack of community organizations in depressed areas, and stubborn and shortsighted labor leadership. Do you agree with Dr. Long?

Senator HARTKE. Well, those are some pretty general terms. We have to come back to some specifics. I think possibly we have to take this in the context in which Dr. Long was talking about.

The important thing to me about unemployment is that this is something which deals with human beings. It is something that cannot be dealt with in statistics alone. When you have a man out of work and he has a family to support it is a problem, and when we have this situation multiplied better than 3 million times in the United States, it is more than a problem. And the important thing to the public is that they have to pay in one way or another for these people. They have to pay for them either in unemployment compensation checks, they have to pay for them in welfare assistance or they will have to pay for them in local relief or in charitable donation or otherwise they pay for them in the way which is most inhuman of all, and that is suffering, and this to me is why we must seek the solutions to some of these problems.

Mr. SNYDER. Well, what about the causes of unemployment?

Senator HARTKE. There are a number of causes, of course, but the biggest thing is that you must have an economy which is capable of absorbing a number of potential individual situations. One of them is the supply of labor which is available. This means that it must be qualified and capable of doing the jobs which are required. It doesn't do any good to have a typist apply for a job doing welding. The typist can't weld. Nor can the welder type, and this presents one problem. The other situation, another one of the situations is the case where you have people at work in factory levels, or in the production of goods, and this number of people is not increasing in the Nation's overall economy. It is really at about the same level numerically as it was in about 1919, so we have to find another area where people can go to work.

So to find an answer to this means really finding an answer to our overall economic problem. Involved in this is the one big one which is coming to the front now, and is nothing more than what we have had before, what we call automation. This is the increased productivity of a human being as a result of using intelligent machines or intelligent methods of doing things.

Mr. SNYDER. Dr. Long, do you agree with the Senator on this or do you still feel as you did before you testified before his committee?

Dr. LONG. Well, I certainly agree with a great many things that the Senator has said. I think that one of the interesting things about the behavior of our employment and unemployment problem over the last 13 years is that it presents us with something of a paradox. On the one hand the economy has shown that it has amazing ability to create jobs for enormous numbers of people. We have actually now employed about 8 million more people than about 13 years ago, and all during that time there have been enormous releases of people because of increases in efficiency, so we have absorbed a great increase in the labor force and offset this great increase in technological technology.

At the same time throughout this period we have always continued to have something like about 4 percent of our labor force unemployed. Only briefly, and that was during the Korean war, has it gone below 4 percent. That means somewhere around 3 million unemployed, and I think we have to ask ourselves what is the nature of our unemployment problem, is it a recession unemployment problem or is it a typical or normal peacetime unemployment problem?

And when you examine the total contribution of recession unemployment to the total unemployment problem we have had over those years, you will find that five-sixths of all of our unemployment has been the kind of unemployment that persists even during what we think of as prosperity.

Senator HARTKE. I think that is right, Dr. Long, and this is the problem because now we are talking about so-called increased prosperity in the event that the steel strike is settled, and we don't know about that. If it isn't, of course, this is going to be multiplied and be upon us much quicker than before. Many economists, as you well know, predict a recession in 1961, and this is nothing new, but the point that worries me is when you add to this normal drop of 3-million-plus, these people in recession times, we have something which could be a potential threat not alone to our economic future but to our political future as well. The point that really worries me, and I find in many of these cases we talk about are our educational facilities—you come from an educational institution—I find people who are not educated to do a job.

I was in the hearings with West Virginia and an old man 33 years of age told me, he said, "I'm too old to get a job, but I am too young to claim my old age pension and all I know is coal mining and I don't know anything else."

Dr. LONG. Well, I agree with you. If you take a look at the unemployed you will find they have certain characteristics. One, they are apt to be rather young. There is an awful lot of unemployment among the young people. There is an awful lot of unemployment among colored people. There is a lot of unemployment among the older people. Actually the older people tend to be unemployed for longer periods. There is a good deal of unemployment among people in certain localities and in the case of your unskilled labor, your manual worker, the people in manufacturing and mining and construction, in these industries, you have heavy concentrations of unemployment. And following Senator HARTKE's statement, you have your greatest problem of unemployment among the uneducated people.

Mr. SNYDER. Where does your charge of shortsighted labor leadership apply to these problems?

Dr. LONG. Well, that is only one factor involved here. I wouldn't think that shortsighted labor leadership was the principal factor involved here. I only mention it as one. I think certainly the type of leadership that overprices labor, insists on getting a wage which is greater than what the market can absorb at any particular time, the type of leadership which insists on inflicting outmoded methods of production in the shortsighted effort to preserve a job for a certain period, this raises the costs of labor so high that in many cases people can't afford to buy it, and the workers stay unemployed.

Senator HARTKE. Dr. Long, let me interrupt you for a moment. I don't want to disagree with you, but I would like to pose a question to you in this regard: We talk about shortsighted labor leaders in these regards. Now primarily their responsibility is to their membership as I understand the concept of American economics, and their job is to provide two things for them as far as they are concerned. That is an adequate wage under good working conditions, and if they do this of course then they are serving a useful function in society.

However, whenever you talk about overpricing the labor in a community, how can they overprice themselves whenever they have to deal on a competitive basis with industry?

Dr. LONG. The overpricing consists of adhering to a certain stubborn wage policy which makes it very difficult for the businessman to hire that labor, to cover the costs in the price he charges and sell enough of it to employ all the workers.

I agree with you the labor leader's job is to represent his workers, but he doesn't represent them if he tries to get such a high price or tries to inflict such practices that the workers don't get jobs. I mean only insofar as the worker has a job does his higher wage help him. If the higher wage prices him out of the market, then the worker is not helped, he is hurt by it.

Senator HARTKE. I agree with that. It doesn't make any difference what his pay per hour is, if he doesn't work any hours, that is what you are saying.

Dr. LONG. Yes.

Senator HARTKE. In the coal mining industry, and I was born in the heart of the coal mining area of southern Indiana, we have a situation which makes me wonder, though, about this type of situation. Here are labor leaders who according to industry and labor alike, and even the economists, have contended that they have not stopped automation which of course is the normal process of reducing the labor force. They do have a high labor-wage-scale. They have improved their working conditions tremendously. And yet today in this particular industry they are able to take this coal, mine it in the United States, ship it overseas and deliver it on the banks of the Rhine cheaper and less expensively and at less money than the Germans can mine their own coal and at less price in spite of the fact that the miners in Germany are receiving less money than our people.

Now this is one of the hard hit groups of people in the United States today, and this makes me wonder whether there can be any real charge as to whether it can be laid at the doorstep of so-called labor leaders.

Dr. LONG. I hope I didn't give the impression that I lay this whole problem, Senator HARTKE, at the doorstep of labor leaders.

Senator HARTKE. No, I don't think you did, I honestly don't. I understand that.

Dr. LONG. I started out by saying that it is only one contributing factor. There are a great many other factors. As I say one of the major factors is the nature of the unemployed person himself. In many cases—I think in a bulk of the cases, he doesn't have enough to offer the employer to justify his employment. Consequently, he either doesn't get a job or if he gets it, he loses it and if he loses it, he has a hard time getting another job.

You will find that something like half of all the unemployed suffer something like 85 to 90 percent of all the unemployment in the sense that unemployment keeps coming back to this group all the time.

Senator HARTKE. And we recognize that. Like you mentioned before, certain categories suffer worse than others, and of course with the Negro, he suffers in this. In other words, his problem is not a question maybe so much of civil rights as it is a question of economic rights for the Negro and maybe he would have his civil rights.

Dr. LONG. Precisely.

Now when I say it lies within the worker himself, I don't mean it is always the worker's fault. Obviously if a colored man can't get a job, it is not his fault that he is colored, and we can't change this situation, but what we have to do here is to eliminate the obstacles to the employment of colored people.

Senator HARTKE. The prejudice.

Dr. LONG. Yes, and the prejudice against the employment of older people.

Mr. SNYDER. How large a factor do you think prejudice against the Negro is in employment policies?

Dr. LONG. I think it is quite an important factor in this respect, that the great expansions in the demand for labor are occurring in white collar and service occupations. You will find most colored people are employed in manual occupations—in factory occupations. These are the areas which, as Senator HARTKE points out, are not expanding. Consequently, if there is prejudice against employing a colored person in an office, at a typewriter or doing clerical work or supervisory work, then he is cut off from an important type of demand for his services.

Senator HARTKE. I think that is right.

Let me ask you this, though, in regard to that: Do you feel there is anything being done on an educational level to help in this regard? To me, I think one of the biggest solutions is a real bona fide educational basis, and I am not talking about the three R's now, although I believe in them and have children of my own who are concerned with that, but I am talking about educating people so that they can find their places in society, their little niche in society.

Do you feel that our educational system is geared to do that today?

Dr. LONG. Do you mean are we talking about the colored person now, or are we talking about the larger problem——

Senator HARTKE. I think it will apply to both, but I am particularly interested in the Negroes and whether or not there is any attempt being made to bring them to the place where they will be more acceptable as far as this type of work is concerned.

Dr. LONG. Well, I certainly see efforts, because I see and I think you see colored people doing jobs that 10 or 20 years ago would have been unthinkable. There are all sorts of occupations that have been opening up, but we all know that the pace is very slow and sometimes the problem lies with the fellow workers. Often the employer is willing to hire them, but he finds a great deal of friction in the office so it really gets down to the problem of the prejudices of the individual person and that is of course not easy to deal with.

Senator HARTKE. Dr. Long, this is something that bothers me along the same line. Do you have any particular answer—and I haven't gotten an answer to this—as to why unemployment is so much lower in—take Western Germany and England and France and Belgium and in Sweden, percentagewise, than it is in the United States?

Dr. LONG. Well, I think there are a number of reasons. One thing of course, America is a great continent with very large turnover population. People are moving all the time, changing jobs. A far more dynamic country, and the sheer amount of turnover unemployment I think is greater in this country.

Senator HARTKE. May I stop you for a moment there?

Dr. LONG. Yes.

Senator HARTKE. This bothers me. This dynamic society which is constantly moving around and then at the same time is ending up in second place. This is what gets my goat lately. Here we are, we are in second place as far as missiles are concerned, we are in second place now as far as exporting automobiles—Western Germany has gone ahead of us in the exporting of automobiles—here we have come from a nation which was—this dynamic, mobile labor population—and constantly instead of moving ahead and progressing as we should be, we are progressing and getting a better way of life, but not with the rapidity at which a lot of people would like to see us go.

Dr. LONG. Of course we are a very proud people and we want to be first in everything. It is not very likely that one country is going to be first in everything. Of course in the case of our automobiles, we have produced an automobile which is geared to the American market, and the American price of gasoline, and it is not easy to produce the kind of automobile which the rest of the world wants, which happens to be a very small car, so to some extent we are bound to fall behind in that respect.

So far as missiles are concerned, I suspect that we don't lack the intelligence or the ability to produce missiles. It is simply a matter of budgeting. The people who are in charge of budgeting sums of money and planning this a number of years ago didn't think it was important enough.

Mr. SNYDER. I think Senator HARTKE is moving into the area of his disagreement with the Eisenhower administration on certain things.

Dr. LONG. I agree with him profoundly on that one.

Mr. SNYDER. One thing that comes to mind is the problem in depressed areas. What is your feeling on depressed areas, Senator? What do you think should be done about these pockets of unemployment around the country?

Senator HARTKE. Well, we all know they exist, and to recognize they exist and admit it is very important.

The second thing that is very important to me is the fact that right today as yet there is no place in which there is a labor shortage. In other words, there is no metropolitan area which really has an excess of demand for labor over what they can give. They can in certain fields. But in these certain areas where you have for long terms of years a large number of people unemployed, you have seen a changing economy with no one giving enough thought and enough planning on a national level in my opinion as to how you are going to move these people over into a productive way of life and once you have a family which has its roots into a community, you don't move them. You don't say, "Look, you go over to Los Angeles and get a job."

Maybe he doesn't want to go to Los Angeles. He likes it where he is. This presents a sociological as well as economic problem. So it means that you have to have national planning.

I think most local communities in my opinion do not have the finances nor do they have enough of the planning experts and I am talking about people who can really think these problems through—I don't think they have them. Now they may be proud enough to say, "We do," but I think if they will examine their own problems just as we did in one place in Pennsylvania, they will finally come up with the stark realization that they don't have enough money to hire the type of people who can come up with the correct solutions of using these people once they have been taken away from their regular source of employment.

Mr. SNYDER. Well, now in the last session of Congress the Eisenhower administration was willing to appropriate $53 million, I believe, was the figure, for depressed areas aid. The Douglas-Clark bill, the Democratic bill, wanted over $300 million. I assume you were in favor of the larger figure.

Senator HARTKE. As far as I am concerned, $300 million, if you could solve the depressed areas problem by spending $300 million in Federal money—now I don't say it would solve it, but if you could solve it for that amount of money, the money that the Federal Government would get back in taxes from these people being put to work would come back, I would say, a thousandfold. I mean this is the shortsightedness of spending money. Sometimes you know you can be penny wise and pound foolish in some of these programs. I don't say this would get

an answer, but it is high time we get an answer because the depressed area continues to be a blight not only on the area in which it is located but upon the Nation.

Mr. SNYDER. Dr. Long, as a man who didn't have to vote on these depressed areas bills, do you agree with Senator HARTKE on that? Do you think this kind of Federal spending is the answer to the depressed areas problem?

Dr. LONG. I agree if you could solve the problem for even that large sum of money, it would be a real bargain.

I think there is great difficulty in understanding the problem of the depressed area. So many people say, "Well, the way to solve the problem is to get these people out of the depressed areas." I think the Senator is quite right in saying that that is no solution at all.

You know Adam Smith, who is the first eminent economist, who wrote "The Wealth of Nations," once said that of all baggage to move, the human baggage is the most expensive. People don't want to leave these communities. They have their roots there, and as a matter of fact when people leave that even makes the situation of the community worse, because it means stores are left without customers, and the community, to some extent, unless you move everybody out, just moving some people out makes the situation worse rather than better.

The easier thing to do—it is not easy—is to move capital and managerial ability into these areas. What they are lacking to some extent is community leadership and that is why I have said before that one of the problems here is lack of community leadership.

Mr. SNYDER. Senator HARTKE, your Special Committee on Unemployment Problems will make recommendations to the Congress when it convenes in January. Now could you give us a preview of some of the things your committee has come up with to solve the unemployment problem?

Senator HARTKE. Up to this time, Jim, I don't think that would be possible in view of the fact that frankly we will have to have meetings of the committee. Up to this time we have had the hearings in Washington, where we have been accumulating information, accumulating data. We have had some conversations and some general theories. I don't think they are all going to agree. We are going out into the field, conducting hearings in many States, right in the areas themselves, so there is the human element and the local community approach to these things. Some local communities say they don't need any help, that they can do it all by themselves. Some local communities will tell you just the opposite and then you will have disagreement. Some of them are in between.

I think this: I think the overall problem of standardization of unemployment benefits, which doesn't answer the problem but does answer the temporary problem of the unemployed, is probably going to be one element which is going to be raised.

The question also as to what to do in the line of Federal legislation in the field of depressed areas, whether it is similar to the one we had before, or others, will probably come up; but I want one thing to be very clear, and that is that this particular committee is not a legislative committee. It is not supposed to propose any suggested legislation.

The idea is: It is supposed to lay out the problem, to point out what the difficulties are, and what some possible means of solution may be, and one of them quite easily recognized I think by any member of the committee is the question of education for these people.

SENATE

THURSDAY, FEBRUARY 11, 1960

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Robert G. Balnicky, pastor, McCutchen Memorial Presbyterian Church, Union, S.C., offered the following prayer:

O Lord, our Heavenly Father, high and mighty king of kings and lord of lords, who dost from Thy throne behold all the dwellers on earth, and reignest with power supreme and uncontrolled over all the kingdoms, empires, and governments: We would thank Thee for Thy continued guidance throughout the years. We confess our need of Thee. Without Thee we can do nothing; with Thee, in Christ Jesus, all things are possible.

In the midst of the difficult situations of life and the unsolved problems of the world, deliver these, Thy servants, from any sense of futility. Let them feel the support of the prayers of the faithful patriots throughout this, our God-blessed land. Above all, may Thy presence be manifested in their lives.

Bless all communities of men who love Thee, who are seeking toward the right, and feeling after Thee if happily they may find Thee; and all who are negligent of Thee and rebellious against Thee, do Thou bend and bow their wills and bring them to the peace of submission.

We pray for the President of the United States, the members of the Cabinet, the representatives of the people, the judges of the land, and all those in authority. Incline them to the eternal truths Thou hast revealed in Thy written word, the Bible, and in the living word, Thy son, Jesus Christ, our Lord.

May Thy holy spirit work among us to lead us into all truth. Through our Lord, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 9, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF INTERAGENCY COMMITTEE ON AGRICULTURAL SURPLUS DISPOSAL—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 335)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying memorandum, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am transmitting herewith the 11th semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period July 1 through December 31, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 11, 1960.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 9664. An act to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost; and

H.R. 10234. An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 9664. An act to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost; placed on the calendar.

H.R. 10234. An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes; to the Committee on Appropriations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee To Investigate Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during the session of the Senate today, with hearings to be held in Miami, Fla.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MANAGEMENT OF NATIONAL FORESTS

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that there have been no significant developments to report for the past 6 months relating to the cooperative program of the United States and Mexico for the prevention of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, a report relating to an overobligation of the appropriation "Military personnel, Air Force, 1959" (with an accompanying report); to the Committee on Appropriations.

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Farm Credit Administration for "Administrative expenses" for the fiscal year 1960 had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1960 had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO FLIGHT INSTRUCTION FOR MEMBERS OF RESERVE OFFICERS' TRAINING CORPS

A letter from the Acting Secretary of Defense, transmiting a draft of proposed legislation to amend title 10, United States Code, to make permanent the authority for flight instruction for members of Reserve Officers' Training Corps, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF CAREER COMPENSATION ACT OF 1949, RELATING TO INCREASING PER DIEM RATES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 303(a) of the Career Compensation Act of 1949 by increasing per diem rates and to provide reimbursement under certain circumstances for actual expenses incident to travel (with an accompanying paper); to the Committee on Armed Services.

REPORTS ON AWARDS OF PRIME CONTRACTS TO SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, reports on Army, Navy, and Air Force prime contracts to small and other business firms, for the month of November 1959 (with accompanying papers); to the Committee on Banking and Currency.

REPORT ON EXAMINATION OF AIR FORCE CONTRACTS WITH NORTHROP CORP.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the negotiation of additional fees for contractor financing expenses under Department of the Air Force Contracts AF 33(600)-32944, AF 33(600)-34952, and AF 33(600)-33168 with Northrop Corp., Hawthorne, Calif., dated January 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF ADMINISTRATION OF OFFSHORE PROCUREMENT PROGRAM IN EUROPE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of administration of tax exemption privileges under the offshore procurement program in Europe, dated January 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON COMPENSATORY ROYALTY AGREEMENTS UNDER MINERAL LEASING ACT

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on compensatory royalty agreements entered into through the Department of the Interior's Bureau of Land Management, during the calendar year 1959; to the Committee on Interior and Insular Affairs.

WITHDRAWAL OF CERTAIN PUBLIC LANDS AT NELLIS AIR FORCE RANGE, NEV.

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to provide for withdrawal and reservation by the Department of the Air Force of certain public lands of the United States at Nellis Air Force Range, Nev., for defense purposes, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Acting Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of November 30, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on tort claims paid by that Department, during the period January 1, 1959, to December 31, 1959 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY GOVERNMENT PRINTING OFFICE

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Office, during the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON SCIENTIFIC OR PROFESSIONAL POSITIONS, DEPARTMENT OF DEFENSE

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, a report on scientific or professional positions within that Department, for the calendar year ended December 31, 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

REPORTS ON POSITIONS FILLED IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, in the General Accounting Office, during the calendar year 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on positions filled in that Agency, under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, during the calendar year 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, as of December 31, 1959 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grade GS-17, in that Office, during the calendar year 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Appropriations:

"HOUSE CONCURRENT RESOLUTION 7

"Concurrent resolution memorializing the Congress of the United States to appropriate sufficient funds for a continuation of Federal-State brucellosis eradication program

"Whereas in 1954, an accelerated brucellosis eradication program was encouraged by Federal authorities and by action of the Congress of the United States through allocation of $24 million for such purpose followed by comparable allocation in succeeding fiscal years and setting a tentative goal for completion in 1960; and

"Whereas there was an unexpected curtailment of Federal funds in fiscal year 1959 and another curtailment of up to 25 percent for fiscal year 1960, although the urgency of the problem has not diminished; and

"Whereas with over half the States already certified, many of them at heavy expense to the Federal Government, it appears that with their reduced budget they are spending considerable of these funds to maintain certification where already accomplished; and

"Whereas this leaves States in the process of certification with greatly reduced Federal

assistance, and it is felt by many that Congress should furnish sufficient funds to complete this national job, and that the remaining States deserve as much help as the other States have already had; and

"Whereas the brucellosis eradication program planned for appreciable accomplishment during the current fiscal year must now be delayed in many counties in several States wherein the essential preliminary steps had been initiated; and

"Whereas the postponement of adequate Federal participation will promote loss of confidence and increase maintenance costs over a longer period; and

"Whereas curtailment of the eradication program will create a hardship on owners of cattle who move their animals interstate: Now, therefore, be it

"Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That we urgently request the Congress of the United States to appropriate such funds as may be necessary, to provide for a continuation of the brucellosis eradication program on an active and progressive basis in keeping with the assurances of Federal cooperation when the program was offered to the States; and be it further

"Resolved, That the secretary of state be directed to transmit a copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each member of the Kansas delegation in the U.S. House of Representatives and the U.S. Senate.

"Adopted by the house January 20, 1960.

"JESS TAYLOR,
"Speaker of the House.
"A. E. ANDERSON,
"Chief Clerk of the House.

"Adopted by the senate January 29, 1960.

"JOSEPH W. HENKLE, SR.,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Kentucky; to the Committee on Finance:

"HOUSE RESOLUTION 10

"Concurrent resolution urging the Congress to remove present limits on matching State funds for old-age assistance

"Whereas the Federal Government, in providing funds to the States for old-age assistance, limits its participation to individual payments not in excess of sixty dollars; and

"Whereas the present plan of matching funds does not take into account the differences in the economic position, income, and the relative extent of the problem to be met in the various States; and

"Whereas the imposition of such ceiling and the inability of many States to carry their share of the cost poses a nationwide problem; Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky (the Senate concurring therein):

"SECTION 1. That the Congress of the United States is urged to remove the present ceiling of sixty dollars in matching State funds for old-age assistance.

"SEC. 2. That variance in needs, economic conditions, and ability to pay among the States be considered in determining the basis of matching of funds.

"SEC. 3. That the clerk of the Senate of the Commonwealth of Kentucky cause copies of this resolution to be sent to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, to each of the Senators and Representatives now serving in the Congress from the Commonwealth of Kentucky, and to the Secretary of the Department of Health, Education, and Welfare."

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Finance:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION GRANTING TO VETERANS OF WORLD WAR I PENSIONS COMPARABLE TO GRANTS TO VETERANS OF AMERICAN WARS PRIOR TO WORLD WAR I

"Whereas it has been the national policy of the United States to grant assistance to its war veterans in their declining years by a pension, all in consideration of their military services in defense of our country; and

"Whereas there has been no general pension granted to veterans of World War I by the United States; and

"Whereas the United States has been and is aiding many foreign countries in restoring their economy: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to enact legislation granting a pension to veterans of World War I comparable to grants to veterans of American wars prior to World War I; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the Presiding Officer of each branch of Congress, to the Members thereof from this Commonwealth, and to the members of the Veterans' Affairs Committee in the House of Representatives of the United States.

"Adopted by house of representatives, January 15, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"Adopted by senate, in concurrence, January 28, 1960.

"IRVING N. HAYDEN,
"Clerk.

"Attest:

"JOSEPH D. WARD,
"Secretary of the Commonwealth."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION 13

"Concurrent resolution memorializing the Congress of the United States, the U.S. Department of Agriculture and the U.S. Tariff Commission to reduce and control the importation of beef and other red meats from foreign countries and to establish smaller quotas and other controls on such imports

"Whereas the expanding imports of beef and other red meats on the hoof and in the frozen or processed form pose a very serious threat to the domestic cattle and livestock industries of this country; and

"Whereas such imports into this country of beef and other red meats are currently expanding at a rate which is altogether out of proportion to any justifiable need and at the present time such imports constitute at least 10 percent of our domestic consumption of beef and other red meats; and

"Whereas the domestic livestock producers of this country have for some time been expending their own funds to expand the national market for beef and other red meats and if imports of these commodities are not further restricted any expansion in said national market will result only in providing foreign competitors with a most attractive market at the expense of the American producers; and

"Whereas the feeding of grain to cattle and livestock by the domestic cattle and livestock industries provides the principal means of solving the burdensome feed-grain surplus now depressing the total agricultural market; and

"Whereas a reasonable restriction on imports of beef and other red meats would provide a means of reducing this feed-grain surplus, as then Americans would consume American fed beef and livestock rather than that fed in foreign countries; and

"Whereas the further prosperity and strength of this country is in a large measure dependent upon a prosperous and growing domestic agricultural economy: Now, therefore, be it

"Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That we respectfully urge and request the Congress of the United States, U.S. Tariff Commission, and the U.S. Department of Agriculture to do everything within their respective powers to bring about a reduction and stricter control of the importation of beef and other red meats in any form from any foreign country and to establish smaller quotas for the importation of the same, such quotas to be predetermined on an annual basis, thus providing American beef and livestock producers with the needed protection and vital encouragement necessary for the maintenance and welfare of their own industry, and helping insure the future prosperity and strength of this country; and be it further

"Resolved, That the secretary of state be directed to transmit an enrolled copy of this resolution to the President and Vice President and Secretary of Agriculture of the United States, to each member of the Kansas delegation in the Congress of the United States, and to the Chairman of the U.S. Tariff Commission.

"Adopted by the house, February 2, 1960.

"JESS TAYLOR,
"Speaker of the House.
"A. E. ANDERSON,
"Chief Clerk of the House.

"Adopted by the senate, February 4, 1960.

"PAUL R. WUNSCH,
"President pro tempore of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ESTABLISH A NATIONAL CEMETERY IN THE NEW ENGLAND AREA

"Whereas the Secretary of the Army has taken the position that it is the responsibility of the Congress to decide as a matter of public policy whether or not new cemeteries shall be established; and

"Whereas New England, one of the most densely populated areas in the country, has no national cemetery; and

"Whereas there are 34 States and possessions which have within their boundaries at least one national cemetery with grave space available; and

"Whereas there has not been any new national cemetery established since 1951; and

"Whereas the veteran deserves honor and recognition not only in life but also in a final resting place: Therefore be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to take such action as may be necessary to establish a national cemetery in the New England area; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, the Presiding Officer of each branch of the Congress, and to the Members thereof from this Commonwealth and the New England States.

"Adopted by the senate January 18, 1960.

"IRVING N. HAYDEN,
"Clerk.

"Adopted by house of representatives, in concurrence, January 25, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"Attest:

"JOSEPH D. WARD,
"Secretary of the Commonwealth."

A concurrent resolution of the General Assembly of the State of Georgia; to the Committee on the Judiciary:

"SENATE RESOLUTION 87

"Resolution requesting Congress to pass a proposed amendment to the U.S. Constitution relative to balancing the Federal budget; and for other purposes

"Whereas Senate Joint Resolution 99 has been introduced in the Congress of the United States; and

"Whereas Senate Joint Resolution 99 proposes to add a new article to the U.S. Constitution, as follows:

" 'SECTION 1. On or before the 15th day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimate of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimate of the receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimate of receipts, it shall not adjourn for more than 3 days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress, by a vote of three-fourths of all the Members of each House, may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding 1 year each.

" 'SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress;' and

"Whereas it would be advantageous to the State of Georgia and to the entire United States if such an article were added to the Constitution: Now, therefore, be it

"Resolved by the General Assembly of Georgia, That this body respectively urges and memorializes the Congress of the United States to propose to the States an amendment to the Constitution of the United States as provided by said Constitution, which amendment should be the same as provided in Senate Joint Resolution 99 quoted hereinbefore; and be it further

"Resolved, That the secretary of state is hereby instructed to transmit a certified copy of this resolution to the Presiding Officers of the U.S. Senate and the U.S. House of Representatives and to each member of the Georgia congressional delegation.

"GARLAND T. BYRD,
"President of the Senate.
"GEORGE D. STEWART,
"Secretary of the Senate.
"GEO. L. SMITH II,
"Speaker of the House.
"GLENN W. EWARD,
"Clerk of the House."

A resolution adopted by the board of supervisors, of Kauai County, Hawaii, relating to the protection of local industries in the State of Hawaii; to the Committee on Finance.

The petition of Jessie Ball, of Newton Centre, Mass., relating to the establishment, by the Communists, of a new youth organization in the United States; to the Committee on the Judiciary.

A resolution adopted by the students of the University of Minnesota, Minneapolis, Minn., relating to the loyalty oath for student loans; to the Committee on Labor and Public Welfare.

A resolution adopted by the legislature of the associated students of Stanford University, California, relating to the loyalty oath for student loans; to the Committee on Labor and Public Welfare.

FARM INCOME—RESOLUTION OF LAKE FARMERS UNION, SEDGWICK, KANS.

Mr. CARLSON. Mr. President, there has been a general decline in farm income during the past decade, while at the same time farm costs have increased at a rapid pace.

At a meeting of the Lake Farmers Union at Sedgwick, Kans., resolutions were adopted urging that consideration be given to the Farmers Union program in order to alleviate the situation.

I ask unanimous consent that the resolution and the names of those who signed it be made a part of these remarks and that it be referred to the appropriate committee.

There being no objection, the resolution, with the names attached, was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

"Whereas we learn from reports of the U.S. Department of Agriculture and the President's Council of Economic Advisers that net farm income has fallen 37 percent since 1951; gross farm income 7 percent while farm production costs has risen 17 percent. These economic indicators point to bankruptcy of greater number of farmers and the continuing hardship in agriculture is bound to sap the balance of the Nation's economy; and

"Whereas we recognize that it is the continuing 5-percent excess production output that forces the downtrend in farm prices: Therefore be it

"Resolved, That you give serious consideration to the adoption of the Farmers Union program which asks that our agricultural output be curbed to the limits of the Nation's need for food and fiber, and that farmers be granted the authority to revitalize the committeeman system to democratically attack the problem we urge immediate action; and be it further

"Resolved, That a copy of this resolution be sent to Congressman ED REES and Senators CARLSON and SCHOEPPEL."

The foregoing resolution was adopted by unanimous vote of members attending our Lake Farmers Union local meeting on January 25, 1960.

Lake Farmers Local Union: Edith Wolf, Secretary; A. W. Baumann, Harold Berger, Howard Blubaugh, Henry Boese, Howard Bridgeman, Irwin Buller, Paul Caffrey, Ernest Clark, Orlando Clark, Harold Collins, Gail Cox, Eugene Cutting, Marvin Ediger, James Fein, Everett Fryar, John Goering, B. D. Haiber, Kermit Hanna, Fred Hansen, H. D. Hege, Chas. Hill, Edgar Hirschler, Don Hoskinson, Robert Johnson, Ted Jones, Sam Koehn, Earl Krehbiel, B. H. Baumann, Maurice Berger, J. D. Blubaugh, Adolph Brandenberger, Harold Buller, Frederick Bumm, Earl Campbell, Geo Clerk, Vic Coffman, D. D. and O. D. Cox, L. C. Culberson, Edgar Deem, Oscar Erdman, Jim Fountain, Edgar Geist, John Gray, Edwin Hahn, Guy Hayes, Harold Hansen, Bob Hill, Vernon Hill, L. M. Hitch, Ralph Howard, Fay Janes, Ben Koehn, August Krauss, E. S. Larsen, Everett McCormick, Sam McGinn, Delton Miles, F. M. Miles, Bruce Mock, A. P. Mueller, Adam Nightengale, Albert Ortman, Walter Overman, Glen Randall, Charles Reed, LeRoy Regier, Reuben Regier, Robert Rife, T. E. Rupp, Leo Schwarz, Eldon Smith, Clifford Swank, Ollen Swann, Cecil Thompson, Paul Vaughn, Ralph Ward, Orville Wear, Thomas Wendling, Charles Wilson, Fred Wolf, Ira Wolfe, John Young, Clarence Zarnowski, I. C. McIlwain, W. M. Masters, Dewey Miles, Linford Miller, Howard K. Moore, J. H. Mueller, Harry Nitengale, J. M. Osborne, Everett Owens, Homer Redinger, Edwin Regier, Richard Regier, Frank Rife, Theo Rothe, Fred Schlender, James Siemens, John Stutzman, Donovan Swank, James Terhune, Fred Unruh, Frank Vierthaler, John Warkentine, Leo Wendling, V. J. Wendling, Frederick Wilson, Eugene Wolf, J. C. Young, Mary Young.

ACCOMPLISHMENTS UNDER LIBRARY SERVICES ACT—LETTER

Mr. FULBRIGHT. Mr. President, as cosponsor of the original Library Services Act, I take pride in the accomplishments which have been achieved under its provisions. Each year since its enactment I have urged that the full amount of the authorized appropriation, $7,500,000 yearly, be appropriated. Unfortunately, we have fallen short of this goal.

As an example of the benefits of this program, I ask unanimous consent that a letter which I have received from Miss Freddy Schader, administrative assistant of the Arkansas Library Commission, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ARKANSAS LIBRARY COMMISSION,
Little Rock, Ark., February 4, 1960.

The Honorable J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Is the Library Services Act working? Half a million voices from eight Federal library projects in Arkansas answer, "Yes, this is a wonderful service." The eight Federal projects, made up of eight regional libraries composed of units ranging from two to six counties cooperating together, have been made possible through funds from the Library Services Act.

Eight bookmobiles, each loaded with 1,500 books, are running on regular schedule throughout the rural areas of 29 counties. On each bookmobile there is a driver and a bookmobile librarian to help serve the people with books for information or recreation. Back at the headquarters library in each area there are more books to fill in the spots on the shelves made vacant when the books are borrowed by the people.

Is this type of library service just a passing fad? No—witness the fact that the circulation figures continue to grow. During the last 3 months, 49,133 books were borrowed from the 8 bookmobiles, and 146,632 were borrowed from branch libraries and deposits in stores and filling stations. And yet the circulation from the headquarters library and the Arkansas Library Commission has continued to increase.

How have the books reached the eight projects in such a hurry? Through the purchase of additional machinery at the Arkansas Library Commission for centralized ordering and centralized processing of the books. Now all orders for books selected by the local librarians are sent to the Arkansas Library Commission, listed for ordering by machinery, and routed to the proper publisher or jobber. By machinery, book cards, pockets, and catalog cards are duplicated from one initial plate carrying the wanted information. The books leave the Arkansas Library Commission ready to go on the shelves of the library or the bookmobile. This January 4,900 books were processed at the Arkansas Library Commission.

Part time jobs have been provided for 12 college and business school students to help expedite the work in the centralized processing department. In addition to providing books, the bookmobiles have provided jobs (two people on each bookmobile) to people living in low income areas of our State. The salaries of the bookmobile staffs have been paid from the Federal aid.

Do the people really want the service? On a weekend in early summer a bookmobile was loaded with books at the Arkansas Library Commission, driven to the southern part of the State, and parked in front of the bookmobile librarian's rural home, ready to start the first run through the county on Monday morning. The bookmobile stops had been publicized through the local newspapers and through the radio stations, with the first stop scheduled for 8 a.m. in front of a churchhouse in a small community.

At 7:30 a.m. on Monday morning came a frantic knocking on the librarian's front door, and a teen-aged boy's voice calling, "Come quick, Miss Onetta, with the bookmobile. There's so many folks and cars at the churchhouse waiting, it looks like there's gonna' be a funeral."

On another bookmobile run in central Arkansas a lady borrowed three books to help with a missionary study program. In several days, back came the books by mail to the headquarters library with a note saying that the books were just perfect for that study and she did not want to wait for the return bookmobile trip because it might deprive some other borrower from using those books.

At the midwinter meeting of the American Library Association in Chicago last week, we learned with much pleasure that identical bills have already been introduced in the Senate and the House to extend the Library Services Act for 5 years. We thank you for cosponsoring the Senate bill, and for all your support in the past. We hope you will vote for the maximum appropriation of $7,500,000.

A trip through the areas served by the eight library projects will convince you that the Federal Library Services Act has been a great boon to Arkansas. The local 1 mill library tax (legal limit) and the State appropriation cannot provide adequate library service to our people. As one county judge said, "Don't take the bookmobile away from us."

Yours sincerely,

FREDDY SCHADER,
Miss Freddy Schader,
Administrative Assistant.

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REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with an amendment:

H.J. Res. 283. Joint resolution to authorize participation by the United States in parliamentary conferences with Mexico (S. Rept. No. 1082).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John J. Grady, of Illinois, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

By Mr. MORSE, from the Committee on Foreign Relations:

Executive A, 82d Congress, 1st session, The North American Regional Broadcasting Agreement, signed at Washington on November 15, 1950, and Executive G, 85th Congress, 1st session, the Agreement between the United States of America and the United Mexican States Concerning Radio Broadcasting (Ex. Rept. No. 2).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 3009. A bill for the relief of James E. Moree, Sr., and Ruby Hellen Moree; to the Committee on the Judiciary.

S. 3010. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of individuals for benefits from the Veterans' Administration; to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 3011. A bill to amend the act entitled "An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens," approved September 22, 1959; to the Committee on the Judiciary.

By Mr. MOSS (for himself and Mr. BENNETT):

S. 3012. A bill for the relief of the Smith Canning Co.; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 3013. A bill to amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BENNETT:

S. 3014. A bill to amend the Mutual Security Act of 1954, as amended, so as to require that at least 50 per centum of the coal purchased for delivery to Korea under such act be purchased from independent coal producers in the United States; to the Committee on Foreign Relations.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 3015. A bill to relieve certain veterans who relied upon erroneous information from repayment of subsistence allowances paid to them under the Servicemen's Readjustment Act of 1944, as amended; to the Committee on the Judiciary.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 3016. A bill for the relief of Walter F. Beecroft; to the Committee on the Judiciary.

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 3017. A bill to authorize the Secretary of the Navy to convey certain real estate to the Oxnard Harbor District, Port Hueneme, Calif., and for other purposes; to the Committee on Armed Services.

By Mr. MAGNUSON (by request):

S. 3018. A bill to authorize the Maritime Administration to make advances on Government-insured ship mortgages; and

S. 3019. A bill to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself, Mr. MORSE, Mr. MURRAY, Mr. DOUGLAS, Mr. AIKEN, Mr. KUCHEL, Mr. MOSS, Mr. PROUTY, Mr. MCNAMARA, Mr. NEUBERGER, Mr. MANSFIELD, Mr. ENGLE, Mr. HART, Mr. RANDOLPH, Mr. HARTKE, Mr. YARBOROUGH, Mr. MCCARTHY, Mr. CHURCH, Mr. MUSKIE, Mr. CASE of New Jersey, Mr. BARTLETT, Mr. COOPER, Mr. WILLIAMS of New Jersey, Mr. HUMPHREY, Mr. YOUNG of North Dakota, Mr. PROXMIRE, Mr. JAVITS, and Mr. JACKSON):

S. 3020. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 3021. A bill to amend section 309(a)(1) of the Tariff Act of 1930, as amended; to the Committee on Finance.

By Mr. HICKENLOOPER:

S. 3022. A bill for the relief of Mohamad Moussa; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 3023. A bill for the relief of Peggy Lorne Morrison; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. KUCHEL):

S.J. Res. 159. Joint resolution to authorize the U.S. Maritime Commission to loan the *Leilani*, a passenger liner, or other suitable ships, to the University of the Seven Seas, Inc., for educational purposes; to the Committee on Interstate and Foreign Commerce.

RELIEF OF CERTAIN VETERANS FROM REPAYMENT OF SUBSISTENCE ALLOWANCES

Mr. BARTLETT. Mr. President, on behalf of myself and my colleague, the junior Senator from Alaska [Mr. GRUENING], I introduce, for appropriate reference, a bill to relieve veterans in Alaska who received subsistence allowances under the Servicemen's Readjustment Act of 1944 from repayment of the allowances so received. Having made as detailed a study as available records permit, I am convinced that these allowances were received in reliance upon erroneous information which the veterans obtained from

their instructors in the on-the-farm training program.

After World War II, Alaska was favored with many young men and their families, who sought to develop Alaska's infant agriculture. The land they homesteaded required clearing and the basic, hard, costly pioneering farm work which is always necessary in areas where the land has never been plowed or furrowed.

To improve their agricultural techniques, these young men enrolled in the on-the-farm training program. The instructors for the program were provided by the University of Alaska, which had a contract for this purpose with the Veterans' Administration.

According to reliable information furnished me, instructors in the on-the-farm training program advised students that their eligibility for subsistence allowances would not be affected adversely by reason of off-the-farm employment. It was said that the Government knew of the off-the-farm employment engaged in by the students enrolled in the training program, that in most cases it was the Federal Government itself which employed such students off the farm, that the long summer hours of daylight in Alaska made off-the-farm employment and on-the-farm training reconcilable, and that Alaska farmers converting virgin, forested lands into paying farms faced economic problems which made impracticable prohibition of off-the-farm employment in Alaska. These were the reasons given to the students for the information transmitted to them by the instructors.

Subsequently, the Veterans' Administration found that trainees receiving off-the-farm employment were, in fact, not eligible for subsistence allowances under the act of 1944. At first, the VA assessed the University of Alaska. Later, the VA assessed the veterans themselves.

The bill I introduce today would promote substantial justice because the Alaska veterans acted in reasonable reliance upon the statements of instructors in the program and received subsistence allowances under a pardonable misapprehension as to the law. Under the bill, veterans who have not paid the amount assessed against them would be relieved of liability. Veterans who have paid would receive refunds.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3015) to relieve certain veterans who relied upon erroneous information from repayment of subsistence allowances paid to them under the Servicemen's Readjustment Act of 1944, as amended, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on the Judiciary.

ADVANCES ON GOVERNMENT-INSURED SHIP MORTGAGES BY MARITIME ADMINISTRATION

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the Maritime Administration to make advances on Government-insured ship mortgages. I ask unanimous consent that a statement prepared by me relating to the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3018) to authorize the Maritime Administration to make advances on Government-insured ship mortgages, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

This bill would authorize the Maritime Administration to advance moneys for the payment of principal and interest on ship mortgages guaranteed by the United States under title XI of the Merchant Marine Act, 1936. Its purpose is to change existing law, which authorizes the Maritime Administration to pay the full amount of such guaranteed mortgages, so as to permit the Maritime Administration to make partial payments as well. The basic effect would be to give the Maritime Administration the authority to advance part of its guarantee rather than being required to pay the total amount.

In order to encourage construction of American-flag ships, the Maritime Administration is authorized to guarantee mortgage loans upon such ships. This program is basically similar to the FHA program for housing. In cases of default on any mortgage, the Maritime Administration is authorized to obtain funds from the Treasury, to pay off the mortgage and to take title of the ship for sale, operation, or such other disposal as it deems advisable. While the present law authorizes the Maritime Administrator to call upon the Treasury for funds to pay the full amount of the mortgage guarantee upon default, a technicality does not permit him to call for lesser amounts to meet current payments and hence avoid being called upon to pay the full guarantee after default. This bill would grant such authority.

The Maritime Administration has the authority today, and the General Accounting Office has so ruled, to make these advances for current mortgage payments. In doing so, however, it is limited to the small amount in its insurance premium fund. As previously mentioned, the existing legislation making possible the full payment of the guaranteed mortgage on default does not permit the Administrator to obtain funds in amounts which would be required to meet current payments. The existing legislation must, therefore, be amended so as to provide the Maritime Administrator with authority to make advances to delay or prevent default rather than having to pay the full amount after default.

Under the mortgage-insurance program, the Maritime Administration has guaranteed mortgage loans on tankers in an amount approaching $200 million. Due to poor market conditions, lack of help from the Government agencies in obtaining cargoes, and no provision for these tankers to carry any of our country's imported oils, it is presently impossible for these ships to operate profitably. Many of these tankers will thus not be able to meet their mortgage principal and interest payments as they become current in the next few months. Pending a resolution of the tankers' economic problem, it is necessary that steps be taken to prevent default on these mortgages. For as soon as such defaults occur, the Government will be called upon to pay the full amount of the mortgages. Under the provisions of this bill, the Government will be able to advance principal and interest payments and thus to prevent the mortgage default and avoid the Government's obligations to pay thereunder. It is contemplated that these advances will carry these vessels over the present temporary market condition into a period where they can earn their mortgage payments and also repay the advances made by the Government.

The proposed legislation should not increase the total liability of the Government over its present guarantee obligations. As it is believed that the financial situation of the tanker companies is temporary, the advances made for payments of mortgage obligations will be repaid to the Government. Moreover, the Government is fully liable today under its mortgage guarantee for the full amount of principal and interest. Hence, any advance made that reduces the outstanding balance of such principal and interest equally reduces the amount of the Government's outstanding guarantee obligation. The only possible increased cost would be the interest payments which would be advanced by the Government. Even there, however, such extra obligations for interest would be offset by the interest savings to the Government by the Government not being required to obtain moneys to pay off the full amount of the defaulted mortgages. It is believed that this program permitting advances to meet current mortgage requirements will ultimately save the Government from paying large amounts on its already existing guarantees. Unless authorization to make these advances is granted, it is likely that temporary tanker market conditions will require the Government to pay out almost $200 million on its existing tanker mortgage guarantee obligations. Approval of this program to make advances would substantially lessen the possibility of such huge payments being required.

PILOTAGE REQUIREMENTS IN NAVIGATION OF U.S. WATERS OF THE GREAT LAKES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes, and for other purposes. I ask unanimous consent that a letter from the Assistant Secretary of State, requesting the proposed legislation, together with an analysis of the bill, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and analysis will be printed in the RECORD.

The bill (S. 3019) to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and analysis presented by Mr. MAGNUSON are as follows:

DEPARTMENT OF STATE,
Washington, February 11, 1960.

The Honorable WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate.

DEAR SENATOR MAGNUSON: Pursuant to the Department's letter of January 18, 1960, there are transmitted herewith a draft and analysis of a proposed bill to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes and for other purposes.

This draft bill has been prepared jointly by the Departments of State and Commerce and the Coast Guard, with advice from the Bureau of the Budget.

The primary purposes of the proposed bill are to establish pilotage requirements in U.S. waters of the Great Lakes and St. Lawrence River for U.S. and foreign-flag vessels operating on ocean routes into the Great Lakes and to provide the basis for a regulated system of pilotage to meet those requirements. Provision is made for coordination of this system with a pilotage system regulated by Canada in Canadian waters of the Great Lakes.

The requirements provided for in the proposed bill would not be applicable to any vessel of the United States which is required by any other act to have in its service and on board pilots or other navigating officers licensed by the United States for navigation in the Great Lakes.

The proposed bill would not discriminate against foreign-flag ships and need not conflict with treaties to which the United States is a party.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary.

ANALYSIS OF DRAFT OF PROPOSED BILL TO PROVIDE FOR CERTAIN PILOTAGE REQUIREMENTS IN THE NAVIGATION OF U.S. WATERS OF THE GREAT LAKES, AND FOR OTHER PURPOSES

The general purposes and chief effects of the proposed bill would be (a) to establish pilotage requirements for vessels operating on ocean routes into the Great Lakes when navigating U.S. waters of the Great Lakes and St. Lawrence River; (b) to provide a basis for a regulated pilotage system for meeting the above-mentioned requirements; (c) to provide a basis for coordination with Canada in pilotage arrangements on the Great Lakes and St. Lawrence River as far east as St. Regis, as well as for the reciprocal and equitable participation by United States and Canadian nationals in the pilotage of vessels to which the proposed bill is applicable in the above-indicated waters of both countries as far east as St. Regis.

Section 1 provides for the citation of the proposed act as the "Great Lakes Pilotage Act of 1960."

Section 2 defines the terms "Great Lakes," "Secretary," "U.S. registered pilot," "Canadian registered pilot," and "other officer" as they are used in the act.

Section 3(a) provides for the designation by the President of the waters in which U.S. registered vessels and such foreign vessels as are designated by him shall be required to have registered United States or Canadian pilots in their service for the direction of navigation, subject to the customary authority of the master. Both designations are to be made with due regard to the public interest, the effective utilization of navigable waters, marine safety, and the foreign relations of the United States.

Paragraph (b) of section 3 provides that in waters not designated by the President under the provisions of paragraph (a) there shall be on board such U.S.-registered vessels and foreign vessels, a registered pilot or an officer of the vessel concerned who is qualified for the navigation of these undesignated waters. This registered pilot or officer shall be available to direct the navigation of the vessel in such waters at the discretion of and subject to the authority of the master. The provisions of this paragraph would have the effect of permitting a vessel to proceed in the undesignated waters of the Great Lakes without having on board a registered pilot if an officer of the regular complement of the vessel concerned were qualified for the navigation of such waters and either licensed by the Coast Guard or certificated by the appropriate agency of Canada.

Paragraph (c) provides that the authority of Canadian registered pilots, or other officers certificated by Canada, to serve in U.S. waters of the Great Lakes will be in effect only so long as similar authority is extended to U.S. pilots, or licensed officers, in Canadian waters of the Great Lakes.

Section 4(a) provides for registration of U.S. pilots by the Secretary of Commerce under such regulations as to qualifications, terms, and conditions as will assure adequate and efficient pilotage service, provide for equitable participation of United States pilots with Canadian pilots in the pilotage of vessels, and provide fair and reasonable opportunity for registration. Certain conditions for registration are specified, including the requirement that an applicant must be the holder of an appropriate master's license.

Paragraph (b) of this section provides that the Secretary of Commerce shall issue documentary evidence of registration to U.S. registered pilots, which shall be in their possession at all times when in the service of a vessel. This evidence of registration shall describe the part or parts of the Great Lakes within which the holder is authorized to perform pilotage, and such description shall not be inconsistent with the terms of the license issued by the Coast Guard.

Paragraph (c) of this section contains provisions in regard to the period of validity of registration and the basis for the revocation and suspension of registration.

Paragraph (d) authorizes the Secretary of Commerce to enter into arrangements with Canada for participation by United States and Canadian registered pilots on an equitable basis, and for limitations on the number of pilots to be registered by each country.

Paragraph (e) provides that the Secretary of Commerce may authorize the formation of pools by voluntary associations of pilots to provide the facilities and arrangements necessary for rendering pilotage services required by the bill. The Secretary is authorized to establish rules and regulations for the operation of pools and for the reciprocal coordination of pooling with arrangements in Canada, and the limitation of the number of pools. The auditing and inspection of pool operations and administration, and the prescribing of uniform systems of pool accounts, are also authorized.

Section 5(a) authorizes and directs the Secretary of Commerce to establish the rates, charges, and any other terms for services performed by registered pilots.

Paragraph (b) authorizes the Secretary of Commerce to arrange with Canada for the establishment of joint or identical rates, charges, and other terms, for services by registered pilots in the Great Lakes.

Paragraph (c) provides that the rates, charges, and other terms for pilotage services must be fair and equitable, giving due consideration to the public interest and the reasonable cost of providing such services.

Section 6 provides that any written arrangements between the Secretary of Commerce and the appropriate agency of Canada under the provisions of the act shall be subject to the concurrence of the Secretary of State.

Section 7(a) provides for the imposition of a civil penalty, not in excess of $500, on any owner, master, or person permitting the navigation of a vessel in violation of the provisions of section 3(a) and 3(b) of the act, or regulations issued pursuant thereto. The vessel is made liable for the penalty. The head of the department in which the Coast Guard is operating is given authority to enforce the provisions of this paragraph.

Paragraph (b) is also to be enforced by the head of the department in which the Coast Guard is operating. This paragraph provides that any person who is not a registered pilot shall be subject to a civil penalty not exceeding $500 for each day he directs the navigation of a vessel in violation of the provisions of section 3(a) or regulations issued pursuant thereto.

Paragraph (c) provides that a person violating any regulations issued pursuant to sections 4 and 5 shall be liable in a civil penalty of $500 for each violation. The Secretary of Commerce is charged with enforcement of the provisions of this paragraph and may, upon application therefor, remit or mitigate the penalty provided for in this section upon such terms as he, in his discretion, shall think proper. (Secs. 4 and 5 specify matters in which the Secretary of Commerce has jurisdiction, and is authorized to take action or to regulate in coordination with the appropriate agency of Canada.)

Section 8 provides that notwithstanding any other provisions of the act, a vessel may be navigated in U.S. waters of the Great Lakes without a registered pilot when the Secretary of Commerce, with the concurrence of the head of the department in which the Coast Guard is operating, notifies the master that a registered pilot is not available, or when the vessel or its cargo is in distress or jeopardy.

Section 9 provides in paragraph (a) that no State, municipal, or other local authority shall have any power to require pilots or regulate pilotage on the Great Lakes.

Paragraph (b) provides that the provisions of the act shall not apply to any U.S. vessel which is required by any other act to have in its service pilots or other navigating officers licensed by the United States for the navigation of the Great Lakes. The effect of this paragraph is to exclude U.S. vessels of the "laker" category from the provisions of the act.

Paragraph (c) of section 9 would have the effect of permitting Canadian vessels of the "laker" and St. Lawrence "canaler" categories to be navigated in U.S. waters of the Great Lakes by their officers without a registered pilot so long as Canada permits enrolled vessels of the United States to be navigated in Canadian waters of the Great Lakes by their officers. The officers of such Canadian vessels would have to be appropriately licensed by Canada while the officers of the enrolled U.S. vessels would have to hold licenses for the Great Lakes issued by the Coast Guard.

Section 10(a) authorizes the Secretary of Commerce to appoint an advisory committee of three members who have had practical experience in maritime operations. The members of the committee may be appointed or reappointed for terms not in excess of 5 years.

Paragraph (b) provides that the advisory committee shall meet at the call of the Secretary of Commerce, and make such recommendations as are deemed appropriate with respect to pilotage regulations and policies.

Paragraph (c) provides for compensation to the members of the advisory committee, at a rate not exceeding $75 per day, when engaged in the performance of their duties, together with necessary travel expenses.

Section 11(a) authorizes the Secretary of Commerce to use, with their consent, the available services, equipment, personnel and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis when appropriate.

Paragraph (b) authorizes the Secretary of Commerce in carrying out the functions vested in him by the act, to place not to exceed two positions in grades 16, 17, or 18 of the general schedule established by the Classification Act of 1949, such positions to be in addition to those authorized for such grades under such act.

Section 12 provides that if any provision of the act is held to be invalid, the remainder shall still be valid.

Section 13 provides that the act shall become effective upon the date of enactment but the pilotage provisions shall not become effective until the 1st day of the 4th month following the issuance of regulations pursuant thereto. The effect of this section would be that of permitting hearings and other preparations for the implementation of the act to commence immediately upon the enactment of the proposed bill. The regulations and arrangements necessary to carry out the provisions of the bill could then be developed and given effect on the 1st day of the 4th month following the issuance of regulations.

Mr. MAGNUSON. Mr. President, the Merchant Marine and Fisheries Subcommittee of the Committee on Interstate and Foreign Commerce will hold a public hearing on this proposed legislation on February 23 at 10 a.m., in room 5110, New Senate Office Building.

AMENDMENT OF INTERSTATE COMMERCE ACT, TO STRENGTHEN THE NATIONAL TRANSPORTATION SYSTEM

Mr. MAGNUSON. Mr. President, on behalf of myself and Senators MORSE, MURRAY, DOUGLAS, AIKEN, KUCHEL, MOSS, PROUTY, MCNAMARA, NEUBERGER, MANSFIELD, ENGLE, HART, RANDOLPH, HARTKE, YARBOROUGH, MCCARTHY, CHURCH, MUSKIE, CASE of New Jersey, BARTLETT, COOPER, WILLIAMS of New Jersey, HUMPHREY, YOUNG of North Dakota, PROXMIRE, JAVITS, and JACKSON, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes.

This bill is intended to supersede S. 2935 which we introduced on January 29. The bills are identical save for a few clerical changes and perfecting changes in language.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3020) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

ESTABLISHMENT OF NATIONAL WILDLIFE DISEASE LABORATORY—AMENDMENT

Mr. BENNETT submitted an amendment, intended to be proposed by him, to the bill (S. 2086) to provide for the establishment of a National Wildlife Disease Laboratory, which was ordered to lie on the table and be printed.

REPORT OF SENATE DELEGATION TO FIFTH NATO PARLIAMENTARIANS' CONFERENCE (S. DOC. NO. 82)

Mr. FULBRIGHT. Mr. President, as chairman of the Senate delegation to the Fifth NATO Parliamentarians' Conference, which met in Washington in November 1959, I submit the report of the Senate delegation to that conference.

The other Members of the Senate delegation, appointed by the Vice President, were Senators KEFAUVER, JACKSON, BIBLE, HARTKE, WILEY, AIKEN, and JAVITS. Participation of the United States in this annual conference is authorized by Public Law 689, 84th Congress.

Mr. President, I ask unanimous consent that the report of the Senate delegation be printed as a Senate document.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. MANSFIELD. Mr. President, the following nominations have been referred to the Committee on the Judiciary, and are now pending before it:

Albert A. DiMeolo, of Pennsylvania, to be U.S. marshal, western district of Pennsylvania, for a term of 4 years—reappointment;

Gerald F. Bracken, of Maryland, to be U.S. marshal, district of Maryland, for a term of 4 years—reappointment;

Jean L. Auxier, of Kentucky, to be U.S. attorney, eastern district of Kentucky, for a term of 4 years, vice Henry J. Cook, resigned;

Oliver Gasch, of the District of Columbia, to be U.S. attorney, District of Columbia, for a term of 4 years—reappointment; and

Neil R. Farmelo, of New York, to be U.S. attorney, western district of New York, for a term of 4 years, vice John O. Henderson, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, February 18, 1960, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF THOMAS C. MANN TO BE THE REPRESENTATIVE TO THE 16TH SESSION OF THE ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate today received the nomination of Thomas C. Mann, of Texas, to be the representative of the United States of America to the 16th session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

In accordance with the committee rule, the pending nomination may not be considered prior to the expiration of 6 days.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KUCHEL:

Statement by Senator KEATING relative to 50th anniversary of the Boy Scouts of America.

SETTLEMENT OF THE MONTANA COPPER STRIKE

Mr. MANSFIELD. Mr. President, after 177 days the copper strike in Montana is ended. An agreement was reached between the Anaconda Co. and the unions at 6 o'clock this morning, Montana time. After 19½ hours of around-the-clock negotiations, the unions and the company got together; and this strike—the longest metal strike in the history of the State of Montana, and perhaps the longest in the history of the country—was finally brought to a conclusion satisfactory to both the Anaconda Co. and the unions involved.

All I can say is, thank God that after this long period of time, this strike, which has had such a deleterious effect on the economy of my State, has been brought to an end. I am very much pleased that the company and the union have arrived at a mutually satisfactory agreement.

I would say that in addition to the representatives on both sides, for the company and for the union, full credit should go for the key efforts made by Director Joseph Finnegan, of the Federal Mediation and Conciliation Service, and his associate, Robert Moore, and the three-man mediation team composed of Messrs. McClelland, Hildenbrand, and Edwards, who worked so long and so hard to bring the negotiations to a successful conclusion. I am especially proud of the courageous and continuous efforts of Montana's western district Congressman, Representative LEE METCALF, and Montana's senior Senator, my distinguished colleague, JAMES E. MURRAY, both of whom have worked unceasingly, vigorously, and courageously over the past 2 months to bring the two parties together.

Mr. MURRAY. Mr. President, I am happy to be able to tell my colleagues that in the early hours of today the copper strike in Montana was settled.

This long-drawn-out strike has seriously affected not only the economy of Butte, Great Falls, East Helena, Anaconda, and other places where the Anaconda Copper Co. operates, but also the economy of the entire State of Montana. In addition, it has seriously affected the lives of the workers and their families.

The bells are ringing and the whistles are blowing throughout Montana today, and I congratulate both management and the union for having signed a contract that will insure labor peace in the copper towns for the next 3 years.

I would be remiss, however, if at this time I did not also pay tribute to my colleague, Senator MANSFIELD, and our colleague in the House of Representatives,

Congressman LEE METCALF, for the contribution they made toward bringing about a settlement.

When a stalemate in the negotiations developed, Senator MANSFIELD and Representative METCALF joined in bringing the union and the company back to the negotiating table.

I also wish to pay tribute to the part played by the U.S. Mediation and Conciliation Service in keeping the resumed negotiations going and in helping to bring them to a successful conclusion.

Yes, we of Montana are happy today. The miners are going back to work.

Mr. MANSFIELD. Mr. President, I am delighted that the senior Senator from Montana [Mr. MURRAY] has made his statement, because he was the one who started the ball rolling; and it was a pleasure for Representative METCALF and me to join with him in an attempt to bring about settlement of this long-drawn-out strike.

The end of the strike is good news for the people of Great Falls, Helena, Butte, and other centers of the State, because early this week approximately 20,000 of our people were drawing compensation benefits and were on relief. They represented 14.3 percent of the available beneficiaries; and I am sorry to say that placed our State second, behind Alaska, in the number of people who were drawing such benefits.

Now that the strike is settled, I expect that figure to decline considerably, and a sounder economy to return to the State of Montana as a whole.

WILDLIFE AND THE FAMILY FARM

Mr. MURRAY. Mr. President, my attention has been called to a significant article pointing out the interest of sportsmen in preservation of family farms. I ask unanimous consent to have printed in the RECORD at this point the article to which I refer, which was written by Leonard Hall, and was published in the St. Louis Post-Dispatch.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Feb. 2, 1960]

WILDLIFE AND THE FAMILY FARM

(By Leonard Hall)

We were interested in a recent statement by the head of a large farm organization that farm issues would play no part in the forthcoming election because there are no longer enough farmers to count politically. This may well be true; yet there are other groups who have a real stake in the survival of the family farm without realizing it.

Among these are sportsmen and amateur observers of nature, including bird watchers and botanists and countless others. It is an interesting commentary on our way of life that, with the steady advance in urban prosperity and leisure plus the trend toward bigger farms, these groups already outnumber farmers by perhaps 10 to 1.

The reason family farms are important to sportsmen and nature lovers is that we depend on agricultural lands to provide homes for practically all of our small game as well as countless nongame species. And the conditions on family farms are generally favorable for these many forms of wildlife, while conditions on the big factory-type and one-crop land operations are not. Moreover, with the use of larger machinery, more concentration on money crops, the use of virulent poisons for cultivation and insect control, and other big farm methods, all wild values will suffer more and more.

Small game species which live primarily on privately owned agricultural lands include rabbits and squirrels, raccoons, possums, skunks, foxes, and fur-bearers like the muskrat, as well as nongame species, such as the chipmunk and woodchuck that undoubtedly play their necessary part in the pyramid of life. Game birds include quail, mourning dove, and pheasant; and there is no doubt that privately owned farmlands provide some of the important migratory waterfowl nesting and wintering grounds and feeding areas along the flyways. Equally important all across America in maintaining nature's balances are the resident and migratory songbirds that use the fields, fencerows, woodlots, and stream banks—rather than the deep forest.

We have been thoroughly sold on the idea that all soil conservation is automatically good for wildlife; yet this theory is easy to shoot full of holes. Among agricultural agencies, the Soil Conservation Service has perhaps made the greatest effort to work with the wildlife people, but even here we find stumbling blocks. The very nature of the land classification used by SCS has a tendency to relegate all wildlife to the wasteland which, because of its low life carrying capacity, is almost as ill-suited for this purpose as for growing crops or supporting livestock. All one need do is drive through the richest farmlands in America where each county boasts a soil conservation district to see that no room whatever is left for, and no consideration given to, the needs of either game or nongame wild creatures.

Drainage of wet lands constantly advocated by SCS to bring more land into production—generally of parity supported surplus crops—is one part of its program exceedingly inimical to wildlife. But industrialized farming generally points in the same direction. The leveling of land for irrigation, the elimination of farm woodlots as a productive part of the family farm, the removal of fencerows and hedges to make larger fields; all these change the wildlife pattern and, generally speaking, lower the wildlife carrying capacity of the land. In some places where strip cropping, the planting of hedge fences and the use of permanent vegetation are standard recommendations, wildlife may fare better.

Another trend in industrialized farming that bodes ill for wildlife is the vastly increased and almost totally careless use of agricultural poisons. Many of these applied for insect, disease, and rodent control belong to a group known as chlorinated hydrocarbons and become steadily more toxic as the species they are designed to control become more and more tolerant of them. Few are widely tested before coming into general use, many are applied by farmers with utterly no safety controls. Even when applied by official agencies, application rates often run to many times the safe tolerances which as frequently as not are as little understood by the applying agency as by the public.

With the use of these materials, spectacular kills of valuable wildlife species have occurred and the toxic effects remain in the soil for years. The poisons are cumulative in the bodies of warmblooded creatures including man, with results not yet fully realized. Considerably less is known about the poisonous effect of herbicides used for weed and brush spraying, although their result in destroying wildlife habitat is obvious to anyone who has ever experienced having his fencerows sprayed by accident.

LINCOLN

Mr. WILEY. Mr. President, inasmuch as this is Lincoln Week, I ask unanimous consent that I may speak for 7 minutes on the subject of Lincoln.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered; and the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, this week we celebrate the birth of Abraham Lincoln. How best can this be done? The answer is: By applying his wisdom to this age in which we live—by getting acquainted with his ideas and using them; making them a part of ourselves.

Listen, my friends, Lincoln speaks: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right." This is, indeed, a guide for us. The words which stick out are "malice toward none, charity for all, and firmness in the right as God gives us to see the right." He lived in troublesome times—like those in which we are living. Can we have that same faith he had? Lincoln, as someone said, put living the Bible above that of confessing it—and, as a result, he was never alone. He outstripped the minds of those who were against him.

Listen, Lincoln speaks: "This Government must be preserved in spite of the acts of any man, or set of men." That is the challenge, my friends, that we have before us today—preserving this Government. It calls for the kind of a mind Lincoln had. He found strength in utilizing humor. And he said that when he had no other place to go, he went to his knees for guidance.

In this age of challenge by communism, and the attack upon the dollar—in other words, inflation—we have got to see to it that the lopsided thinking of pseudoeconomists, and of those who will not see the challenge of communism, do not threaten this country.

Lincoln speaks: "The struggle for today is not altogether for today. It is for a vast future, also." How wise he was. And do we, who live today, realize that our acts are going to determine what our children and our grandchildren are going to inherit? We remember that another bit of wisdom was: We cannot lift the wage earner by pulling down the wage payer; and we cannot bring prosperity by discouraging thrift. Also, we cannot strengthen the weak by weakening the strong.

Let us also remember that he said: "There is no grievance that is a fit object of redress by mob rule." Mob rule, of course, is due to a lack of balance in our thinking—and we have got to watch out for that. Right now, with the swastika showing up in other lands, and in our own, we see evidence of upset minds which do not think straight, as Lincoln would have had us do.

Lincoln speaks: "I do not impugn the motives of anyone opposed to me." In the days up ahead, in the political campaign, if the candidates would argue the facts, instead of seek to impugn the motives or indulge in personalities, what a contribution that would be to the day in which we live. He knew—this first

great leader of the Republican Party—that "the country with its institutions belongs to the people who inhabit it"—the common people whom, he said, "God must have loved, he made so many of them."

Lincoln speaks: "We cannot escape history." He spoke of revolutions by the ballot box. He spoke of keeping faith with friend and foe, and said he would not willingly "plant a thorn in any man's bosom." While we cannot escape history, let us not forget that we cannot escape making history. We will make the outline of the future; and it is for us, the living, to make sure that that outline results in the preservation of the country and the institutions Lincoln loved.

Lincoln speaks: "You cannot build character and courage by taking away man's initiative and independence." How true that statement is. Take away a man's initiative and independence, and we make him a slave. We take away from him the challenge to become somebody—to grow nearer to the image of his Maker. The responsibility of us who are living today is tremendous, in that respect. We cannot breed a nation of "learners" or "chiselers" or "dependents." I am not talking simply in terms of economics. I am talking about the challenges, in this kindergarten school of life, to breed a citizenry that will be competent in mind, as well as in physique, to meet the challenges of today. That is why Lincoln's words are so important today.

Lincoln speaks: "Let the people know the facts, and the country will be saved." Yes, we need the facts—we do not need a lot of guessers. We need newspapers that will publish the facts, and editorial writers who, when they write their editorials, will state the facts and then draw their conclusions from them. I suppose there was no man in American history who was maligned as much as Abraham Lincoln was. And yet he did not let the malignity corrode his soul. He had a faith that gave him direction and guidance—and he said: "Let no man falter who thinks he is right."

I conclude with the words of Margaret Sangster:

Met were the man and the hour—man who was strong for the shock.
Fierce were the lightnings unleashed—in the midst he stood like a rock.
Comrade he was, and commander he who was meant for the time.
Iron in counsel and action—simple, aloof, and sublime.

Yes, Lincoln was the man for that hour. His ideas are for all time.

UNFAIR COMPETITION FROM FOREIGN INSURANCE COMPANIES

Mr. WILEY. Mr. President, among the various hearings the Senate Antitrust and Monopoly Subcommittee held last year, there were some devoted to the topic of insurance. The purpose of the hearings was to gage the effectiveness of State regulation of insurance, in light of the McCarran Act, which exempted insurance from the Federal antitrust laws to the extent that such business was regulated by the States.

About a week ago the subcommittee prepared for printing a report of its activities for last year. I thought it advisable to add to this report some of my individual views, because I felt that the report, like so many human undertakings, was colored by differences of opinion and interpretation as to what had actually transpired. Commenting on the insurance hearings, I had this to say:

> The report fails, however, to stress another important question—the problem of unfair competition from foreign insurance companies—which often are not subject to the same regulations and requirements as are our own insurance companies. This, I believe, is one of the most important developments to come out of this investigation.
>
> It is imperative that the subcommittee go into this subject much further, to determine why these unfair practices by little supervised foreign corporations have not been adequately controlled in the past.

I should like also to add that, upon my instructions, the subcommittee requested some of the witnesses who appeared before it to submit further information to explain the lack of success in controlling these foreign corporations.

That this was not merely an idle request and concern is demonstrated by recent information about some of the practices and failures of foreign insurance companies.

A recent editorial in the American Medical Association News, under the heading "Shocking Discovery," states that many U.S. physicians may be forced to use their life savings to satisfy malpractice claims because of the failure of a British insurance company. These M.D.'s purchased malpractice insurance which they believed was covered 100 percent by Lloyd's of London, stalwart giant of the world insurance fraternities. Recently, they were shocked to learn that the policies were underwritten by a group of participating British companies, both small and large, and that Lloyd's had only a partial interest in this. One of the underwriters was the British Commercial Insurance Co., which closed its doors in September. In some cases British Commercial held as much as 80 percent of the coverage.

Some brokers handling the sale of British insurance in this country gave the impression that Lloyd's was the sole underwriter. And, apparently, nothing was done to correct that impression.

The impact of this shocking discovery was felt recently by an American surgeon who had to pay $10,000 out of his own savings in settling a malpractice action. Over the Nation, some 11,000 physicians are known to have carried such policies from 1953 to 1956.

American physicians purchased the insurance in good faith. Since Lloyd's did not indicate publicly that part of this insurance was being covered by other companies, it has a responsibility to those who put faith in the Lloyd's label.

The American Medical Association News editorial suggests that Lloyd's and other British insurance companies absorb the assets and liabilities of British Commercial. "The cost," they say, "would be infinitesimal compared to the loss of prestige and faith which is bound to occur if the British insurance carriers do nothing."

But whether Lloyd's undertake such action or not, it is our duty as legislators to look beyond the facts of this one case. This one development alone demonstrates the need for further State and Federal action to better protect the interests of the American insurance purchaser.

PROPOSED BANNING OF NUCLEAR WEAPONS TESTS

Mr. CHURCH. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a statement just issued by the Department of State on the new proposal the United States has submitted to the Geneva test ban talks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CHURCH. This proposal, in essence, suggests that an agreement be signed banning all nuclear weapons tests in the atmosphere, in outer space to great distances, and under water, together with underground tests above a prescribed magnitude. The proposal states the limit for underground tests, not in terms of the size of an explosion, but in terms of a specific size of the seismic signal registered at the various control posts. I believe our experts estimate the size signal, 4.75, that is being proposed as a threshold, would be equal to an explosion of about 19 or 20 kilotons detonated in the same strata in which our other tests have occurred.

The new U.S. proposal also includes provision for a joint research program designed to improve our detection capabilities so that the threshold can be lowered to ban smaller explosions.

Mr. President, a month ago I recommended to the Secretary of State that proposals be made at Geneva virtually identical to the ones outlined in the State Department release. Then I proposed that we seek agreement to end further nuclear weapons tests in the atmosphere, in space, and in the oceans, subject to an adequate control system. I pointed out that, as to these tests, control methods already had been generally agreed upon.

I suggested additionally, however, that the three nuclear powers concurrently agree to jointly conduct a series of underground tests to perfect a mutually acceptable detection and inspection system. It is in the area of detecting underground tests that the conference had reached a deadlock, particularly in the control methods necessary to distinguish smaller underground tests from earthquakes.

I am highly gratified that the United States has made this new proposal. If accepted it would remove the hazard of radioactive fallout which so concerns the peoples of the world. It would also be an agreement that can be entered into immediately because it seeks to ban those tests that are readily detectable. And by providing a joint research program, it would pave the way to extending the test ban to eventually cover all nuclear weapons tests.

I believe this proposal demonstrates the sincerity of the United States in trying to reach agreement with the Soviet

Union. I hope that the Soviet Union will not reject it. I hope that the leaders in the Kremlin will give it careful consideration, because it represents a real possibility that progress toward arms control can now be made.

EXHIBIT 1

DEPARTMENT OF STATE STATEMENT ON NUCLEAR TEST SUSPENSION

The U.S. representative at the Geneva Conference on the Discontinuance of Nuclear Weapons Tests is presenting today a proposal for the ending of nuclear weapons tests in all the environments that can now be effectively controlled.

The new U.S. proposal would ban all tests above ground up to the greatest heights to which effective controls can now be agreed, all tests in the oceans, and all underground tests above the present limit (or "threshold") of detection and identification.

At the same time the proposal includes provision for a program of joint research and experimentation by the United Kingdom, the U.S.S.R., and the United States to improve the detection of small tests underground and thus permit the extension of the ban to such tests. Extensive research and experimentation is already under way in the United States to improve detection instruments and techniques.

The new approach, if agreed to, should allay worldwide concern over possible increases in levels of radioactivity since it discontinues all tests which can release radioactivity into the atmosphere.

As for underground tests the proposal represents an effort to find ways around the significant disagreements that remained unresolved in the technical working group which reported to the conference in December. The proposal would ban these tests which cause seismic magnitude readings of 4.75 or more. This is the level that can now be adequately monitored. We propose to express the level in terms of signal strength since Soviet and Western scientists are in substantial agreement as to the measurement of signals but not on the equivalent kiloton yields of seismic disturbances.

The United States, since the inception of the Geneva Conference on the Discontinuance of Nuclear Weapons Tests, has persistently sought a lasting, safeguarded agreement banning all nuclear weapons tests. We have, at the same time, indicated willingness, as in our proposal of May 5, 1959, to move immediately to consolidate in a first step agreement, the broadest existing area of agreement while remaining difficulties are being worked out.

With the failure to reach agreement after the technical conference which ended on December 19, 1959, it became clear that a controlled, comprehensive agreement could not, at this time, be achieved without great improvement in instrumentation or a degree of on-site inspection which would be impractical to attempt. Lack of agreement at this conference has left unresolved major technical difficulties in detecting underground explosions as well as the procedures that must be established if onsite inspections are to be satisfactorily initiated and carried out.

In this situation, the United States is determined to make all possible progress toward the ultimate objective of the negotiations. We believe that the proposal placed before the conference today, if entered into in good faith by the parties concerned, will lead toward eventual prohibition of all nuclear weapons tests under the practical and adequate safeguards that we deem as indispensable prerequisites.

If accepted, the proposal will end forthwith, under assured controls, (1) all nuclear weapons tests in the atmosphere; (2) all nuclear weapons tests in the oceans; (3) all nuclear weapons tests in those regions in space where effective controls can now be agreed, and (4) all controllable nuclear weapons tests beneath the surface of the earth.

However, it will permit, through a joint program of research and experimentation, the ban to be systematically extended to remaining areas under ground, where adequate control measures are not now possible to incorporate.

These are initial, far-reaching, but readily attainable steps. They are steps which offer an opportunity to consolidate the important progress made in the negotiations thus far. These steps will also allay worldwide concern over possible increases in levels of radioactivity. More importantly, they will greatly enhance the prospects for future international arms limitation and control agreements.

It is our hope that the Soviet Union, in the light of a reasoned and objective appraisal of the facts, will join with us in this constructive beginning. Such an agreement could be a milestone toward the securing of a just and enduring peace.

Mr. President——

The VICE PRESIDENT. The Senator from Idaho.

DE GAULLE'S PROGRAM

Mr. CHURCH. Mr. President, as France struggles with the problem of Algeria, it becomes more clear each day that President de Gaulle alone may stand between France and fascism.

The realities of this matter are placed in intelligent perspective in the New York Times editorial of last Tuesday.

The whole world should consider the reasonableness of the De Gaulle position. Americans in particular should note that his formula for Algerian self-determination is foursquare with traditional American policy. We have always stood for self-determination; we first stated the principle in 1776.

If the French President's resolve is successfully carried through, much credit will be due him, and much credit will be due the French people and their tradition of liberty and democracy.

I ask unanimous consent that the New York Times editorial of February 9 be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DE GAULLE'S PROGRAM

As often in the past, France has surmounted another crisis by establishing an authoritarian government under its latest man of destiny—President de Gaulle. Parliament, which held supreme power, survives, but has abdicated that power for at least 1 year, and as Premier Debré rightly said in adaptation of a famous dictum, "the French State is, before anything else at present, the President of the Republic." This places a tremendous responsibility on his shoulders, and the manner in which he discharges that responsibility will go far in determining the future of France, of free Europe and in fact of the whole West.

Fortunately, President de Gaulle is no Hitler or Mussolini who fought his way to power with his own private army. On the contrary, he came to power without any power apparatus of his own, without even a real political party, and it is reassuring for French liberty and democracy that his faith embraces two basic tenets. One is that the legitimacy of any rule, including his own, must rest on a mandate from the people. The other is that government must be by consent of the governed, not only in France but throughout the former French Empire.

Within this framework he is determined to restore France as a world power. To that end he uses the vision of France's grandeur to rally the French people behind him, and with their support to win from his Anglo-Saxon allies recognition of France's equality as member of a triumvirate for global strategy.

This calls for a strong government which will not be either a plaything of parties or politicians or a pawn of a disgruntled army, as in the past. He has that kind of government now; whether he can establish the necessary institutions to perpetuate it remains to be seen.

It calls, furthermore, for an end to the Algerian war that is sapping France's strength, and for a political settlement for which he has advanced the formula of Algerian self-determination. He rejects "integration," the battle cry of the rebellious French colons, but it is his hope that self-determination, bolstered by pacification and political, economic, and social transformation will lead to an Algerian federation of the various communities—French, Arab, Kabyle, Mozabite—closely linked with France, a structure that will do justice to the Algerian Moslems without abandoning the colons—with Algerian partition into French and independent areas as the only alternative.

Less clear are his programs for France's role in the North Atlantic Alliance and in European unification, in regard to which he pursues a "France first" policy while espousing both. What he seems to be searching for, at the price of weakening both, is a new formula midway between either political or military integration and a mere coalition, with the aim of making France the leader of the European Continent in both the Alliance and Economic Community.

All this will undoubtedly continue to make Gaullist France a difficult ally. But a strong France is a better ally than a weak one, and President de Gaulle is too much of a realist to drive things to the point of isolating France or wrecking the Western Alliance system.

THE JEFFERSON NATIONAL EXPANSION MEMORIAL

Mr. SYMINGTON. Mr. President, work on the Jefferson National Expansion Memorial, on the Mississippi River at St. Louis, is now well under way. Completion of the project has been scheduled for 1964, and if the work can proceed on an orderly, economic basis, this schedule can be met.

However, the administration request for the project in the coming fiscal year is very inadequate, and would result in costly delays in construction.

Yesterday's lead editorial in the St. Louis Post-Dispatch contained an excellent discussion of the present situation. It recounts some of the background of the project and points to the need for assuring that necessary funds are made available.

Positive action must be taken at this session if the Jefferson National Expansion Memorial is to be completed on schedule.

Mr. President, I ask unanimous consent that the editorial from the St. Louis Post-Dispatch of February 10, 1960, entitled "One or the Other" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONE OR THE OTHER

After a quarter century of delay, procrastination and equivocation, the riverfront national park seemed to have the congressional green light. But now there are signs that Washington foot dragging may break out all over again. What a reflection that would be on the Government's good faith.

Representative MICHAEL J. KIRWAN, chairman of the subcommittee considering the next appropriation for the project, is quoted as saying that he has "serious reservations." That was hardly the impression he gave after hearing Representative CLARENCE CANNON, chairman of the Appropriations Committee, and Mayor Tucker explain the need for more money than the $1,650,000 recommended for the work in the administration's budget.

While Conrad L. Wirth, Director of the National Park Service, told the subcommittee that $8,565,000 would be needed in fiscal 1962 if the national memorial is to be completed by 1964—in time for the bicentenary of St. Louis—he now says that he never gave any assurance that it would be completed by that date. This sounds strange—very strange, indeed—to those in St. Louis who heard him announce 1964 as "the target date." As a bureaucrat, Mr. Wirth may want to keep everybody happy, especially his bosses in Washington. But such talk will not make anybody in St. Louis happy.

As Representative CANNON told the subcommittee, this is not a local pork-barrel grab. The riverfront park is a Federal undertaking, a monument to a most significant fact in our history: the Louisiana Purchase and the subsequent westward expansion of the Nation, the fact that made the United States a continental country stretching from the Atlantic to the Pacific instead of being hemmed in and perhaps dominated by France, Spain, and Great Britain. If anybody has forgotten how real the danger was, let him read Henry Adams' history of the days in which a few bands of frontier fighters almost were faced by the veterans and the generals who had conquered all Europe for Napoleon. This calls for a monument, a noble monument.

St. Louis has a very special interest not only because of the location of the memorial, but because it also participated in the financing of what might well have been an exclusively Federal project. Not only did the city vote a bond issue in 1936 to Washington but it also promptly took 40 blocks of property off its taxbooks to clear the site. So far, all it has received is an eyesore in its front yard. Representative KIRWAN says that "somewhere along the line there must be an end to this." He is right. The end must be the carrying out of the design—the design which came out of the $250,000 architectural competition financed by St. Louis citizens—which was accepted by Congress, and the construction of which was authorized by Congress.

St. Louis has been remarkably patient. But St. Louis had—and still has—faith in the Government. It has gone ahead with various plans to enhance areas adjacent to the national memorial. The latest is the stadium redevelopment into which $89 million of private funds will go. Surely Congress will vote the much smaller sum necessary to keep the riverfront work from grinding to a standstill once more. We believe that Representative CANNON, who hardly can be called a waster and a spender, and the members of the St. Louis delegation in the House and in the Senate will see to this.

The only excuse Washington might offer for breaking its word is the unworthy one that the country no longer is great enough to afford a splendid monument. Small-minded and unimaginative penny pinching could build a monument, too. It would be an unfinished memorial, a reminder of lost boldness and of disinterest in what helped to make the United States the first power in the world. It is up to Congress to create one monument or the other.

ORDER OF BUSINESS

Mr. AIKEN. Mr. President, is the morning hour sufficiently advanced so that I may speak for about 7 minutes?

The VICE PRESIDENT. Is there further morning business?

Mr. KUCHEL. Mr. President, I have further morning business, but I ask unanimous consent that the able Senator from Vermont may be permitted to proceed for not more than 10 minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from California? The Chair hears none, and the Senator from Vermont is recognized for 10 minutes.

PENNY WISDOM AND POUND FOOLISHNESS IN THE BRUCELLOSIS ERADICATION PROGRAM

Mr. AIKEN. Mr. President, I wish to speak this morning briefly about a matter which concerns the shortsightedness of some of our Government operations. I refer specifically to the program for the eradication of brucellosis. We have in this instance a striking example of penny wisdom and pound foolishness.

Cutbacks in the 1960 fiscal year operations in the brucellosis eradication program because of decreased Federal and State funds are being felt.

Deceleration of the program this year, following the requested reductions in Federal funds by the USDA for the 1960 fiscal year, is being reflected in a slowdown of progress and a decrease in momentum.

If permitted to continue, this decreased level of eradication activity will not only postpone the day when the Nation could be free of brucellosis, but will require the expenditure of much larger sums of money, Federal and State, than would be necessary under an accelerated eradication program at the 1959 fiscal year level of support.

In March 1959, the U.S. Department of Agriculture reported to the subcommittee of the Committee on Appropriations, House of Representatives—page 830, in part 2 of the hearings—that:

If the present rate of progress in eliminating brucellosis from cattle is maintained, all States and territories should be qualified as modified certified brucellosis areas in 5 years. This designation means that animal infection does not exceed 1 percent and herd infection does not exceed 5 percent. In those States where the modified certified status has been attained, efforts are being directed toward the elimination of remaining centers of infection. The rapidity with which complete eradication of brucellosis can be accomplished will depend upon the energy put into the program. By continuing the eradication effort at its present level and maintaining current progress in reducing the number of infected animals, it is reasonable to believe that bovine brucellosis can be eradicated from the United States in 10 years.

In this same report, the USDA reported that the agency within the Department—Agricultural Research Service—responsible for program administration, had requested $20,556,800 for fiscal year 1960 as the amount necessary to maintain the program at a level to accomplish eradication by 1969–70.

The Department's budget, which later came before the Appropriations Committees, called for $15 million. This cutback, I am sure, was made under the direction of the Bureau of the Budget.

The Senate Appropriations Committee did not believe the $15 million would be adequate, and made the appropriation $17½ million. In conference with the House the figure was cut to $16.25 million. Within 30 days after Congress adjourned it appeared that the Department of Agriculture would be short at least $5 million for carrying on the brucellosis eradication program.

At the same time that the representatives of the Department testified before the House of Representatives, they also testified on the effects of a level of financial support lower than that in 1959, and the U.S. Department of Agriculture stated:

Over the past 5 years, the program has developed considerable momentum as a result of strong industry support. With current State and Federal financing, it has been possible to conduct program activities at a level which has nearly equaled the demands of the industry. Good progress has been made in reducing the incidence of the disease in most States to a relatively low point. This has resulted in several States and many counties qualifying as modified certified brucellosis areas. In these areas, work is now being directed toward final eradication of brucellosis. Additional States and areas are rapidly approaching the modified certified status. A reduced level of financial assistance either State or Federal, would necessarily slow the rate of progress being made in reaching the immediate goal of modified certification and delay the achievement of complete eradication.

On the basis of the Department's statements projecting the time required for attaining a modified free status nationwide and a complete eradication status nationwide, we can estimate in dollars the total cost of an accelerated program at the 1959 level and the total cost of a program under the presently decelerated rate.

On the question of the effect a slowup would have on total cost of eradication, the Department had this to say:

It is a generally accepted fact that when a program has been launched to eradicate a disease or pest, the most rapid progress that can be made will generally reduce the total cost of the program for eradication.

From these statements, it is clear that had we been able to maintain the level of support for this program at the 1959 level, we would achieve eradication sooner and at a lower overall cost than if we follow the present course of lower support, which the Department of Agriculture evidently was required to recommend.

On the basis of the Department's statements projecting the time required for attaining a modified free status nationwide and a complete eradication status nationwide, we can estimate in dollars the total cost of an accelerated

program at the 1959 level and the total cost of a program under the presently decelerated rate.

Had we proceeded with the program under the projected estimated cost at the 1959 level of Federal and State support, it would have required the following:

To achieve modified certified status—6 years (1965), $223,768,866.

To achieve complete eradication—5 years after 1965 (1970), $149,179,245.

The total cost would have been $372,948,111 to completely eradicate from the United States by 1970 bovine tuberculosis, or undulant fever, as it is known in humans. But we cut back this program. And now the projected estimated cost, at the rate at which we are proceeding at present, is as follows:

Projected estimated cost at 1960 level of Federal and State support

To achieve modified certified status, 15 years instead of 5 years (1975)	$454,525,470
To achieve complete eradication, 6 years, after 1975 (1981)	181,810,188
Total cost to achieve eradication by 1981	636,335,658

From these projections, it can be concluded that it will cost 103 percent more to achieve a modified certified free status in the United States at the current slowed-down rate than if we continued the program at the accelerated level of 1959.

Similarly, there would be a 70 percent additional cost to eradicate completely if we continue at the current rate than if we returned to and continued at the 1959 level.

In summary, unless operations under the accelerated brucellosis eradication program can be restored to the 1959 level, it will cost an additional 71 percent to accomplish the objectives of the program.

In addition to this argument in support of the premise that it will be less costly to eradicate brucellosis in the United States by restoring the 1959 level of support, there are the following considerations:

First. The sooner this disease is eradicated, the sooner will producers be free of the annual financial loss due to this disease—approximately $25 million per year.

Second. Early eradication is in the interest of public health.

Mr. President, I think this has been one of the prize examples which we have had of penny wisdom and pound foolishness, because in order to save $5 million a year over the next 5 years we are going to have an additional total cost of the difference between $636 million and $372 million. If that is not an example of poor planning and wasteful use of public funds, then I do not know what is.

I hope that the Appropriations Committees of the House and Senate will insist that this program go forward at a speed which will save our country between $200 million and $300 million in eradicating this disease.

AN EXAMINATION OF PUBLIC OPINION POLLS AND POLLING METHODS

Mr. GORE. Mr. President, inasmuch as nothing of world shaking importance is scheduled for Senate action today, I wish to express my concern with the important part which public-opinion polls have come to play in our national politics. I think they have an influence which is entirely unjustified and in some instances may be a disservice to the public.

On December 23, 1959, I addressed to Mr. Elmo Roper, Dr. George H. Gallup, and Mr. Sam Lubell the following letter:

LETTER TO POLLSTERS

DECEMBER 23, 1959.

Recognizing the role which public opinion polls have come to play in national politics, I am interested in obtaining certain information relative to the conduct and content of such polls.

I would appreciate having such pertinent general information as you may possess concerning polls you have conducted, or are presently conducting, on the subject of potential presidential candidates. In addition, I would appreciate having your response to the following questions:

(1) How large is the sample?

(2) How is the sample selected?

(3) How often is the poll conducted and is the same or different sample used each time?

(4) By what means is the response solicited (personal contact, mail, etc.)?

(5) Is the individual's intention of voting and qualifications for voting first established before he is included in the sample?

(6) In posing a question or questions, are names of potential candidates indicated or is the individual free to make known his choice without benefit of suggested names?

(7) In case a list of names of potential candidates is used how are the names selected? By whom, and on what basis? Which name is mentioned first, and how is it determined? Are names systematically rotated from first to last in order of mention?

(8) Is the individual polled asked how or for whom he would vote under certain circumstances? If so, under what circumstances?

(9) Do you consider polls on presidential candidates a measure of popular support? Or in your opinion is it a reflection of familiarity with a name or names, or is it a favorable or unfavorable reaction to a name or names?

(10) What do you consider a normal margin of error?

(11) How do you account for the apparent wide inaccuracies occurring in polls from time to time, such as in the 1948 presidential election and the recent British election?

(12) Distinguished from the objective of reflecting public opinion, to what degree do you think the published results of polls also actually influence public opinion?

Your prompt attention to this request will be appreciated. I am sure that your comments, along with those of others in the field, will prove beneficial to me in my study of this matter.

Sincerely,

ALBERT GORE.

From Mr. Roper, I received the following reply:

ELMO ROPER & ASSOCIATES,
New York, N.Y., January 7, 1960.

The Honorable ALBERT GORE,
U.S. Senate, Washington, D.C.

DEAR SENATOR GORE: Thank you for your letter of December 23, asking for certain information as well as my views on polls on the subject of potential presidential candidates.

We have conducted no polls during 1959, and this is a matter of principle with us. I have always felt that the publishing of the fact that some really good man was far down on the list in the public's esteem might have nipped some very promising candidacies in the bud, and the one thing I don't want this measuring rod to do is to influence the thing it is intended to measure.

If Senator X or Governor Y, sometimes a full year ahead of the election, gets a 2- or 3-percent vote, this does not, in my opinion, mean that he might not win an election. In many cases it means that the rank and file of the public has never heard of them.

It's always amazing to people who have not been intimately involved in public opinion research to find out what a large number of citizens have never heard of people that some of us "sophisticates" would have thought were household words.

We do not customarily start doing any research having to do with any aspect of the election until sometime during the year in which the election is to be held, and then we put more effort on trying to find out what might be described as the "general mood" of the people than we do on the "popularity contest" aspect of it—although naturally, in order to get any newspapers or television networks to sponsor us, we have to pay some attention to that.

We are committed to CBS television for 1960 insofar as our research is concerned, although I may later decide to write a newspaper column, since I'm being pressed to do so. I'm not at all sure of this, however, because I find that my blood pressure gets pretty high when some violently rightwing Republican newspaper leaves out all of the paragraphs they don't like in our release, so that the end result, while not bad enough to call it downright dishonesty, does leave either an erroneous or fuzzy impression. I have not had that experience with CBS television or radio.

I assume that your questions are directed more to the matter of nationwide surveys—such as Gallup and our firm are rather well-known for—than they are to private polls for candidates, although this latter is developing into quite a flourishing business both at the National and State level.

We usually use a sample of 3,000 for such a study, although there have been times when we wanted an unusually large number of breakdowns (in order to look at certain subgroups critically) when we have gone somewhat higher than that. Our sample is what is called a modified probability sample. That simply means that in the first step in the selection process each of the 3,070 counties in the United States has an equal chance to get in the sample—that is, equal proportionate to population (it is a statistical process which duplicates picking slips out of a hat at random. A county with a million population might have its name in the hat 10 times, whereas a county with 100,000 population would only have its name in once.)

Then, within the selected counties, interviewing points are drawn at random in the same way—an interviewing point can be a city, an election district, or a rural area. This process is continued right down to the selection by purely random methods of certain blocks, or in the case of rural areas, certain sections. We then tell the interviewer that she should start at the nth house on the corner of this specified block and, working clockwise, make a specific number of interviews in that block. If she finds that a certain designated home has no one there, she is permitted to make substitutions—but only from either side of that house—not from another neighborhood.

We will probably do four nationwide studies during the year, although we may

well do five. You ask if the same or different sample is used. The same methods are used, but we will designate different blocks each time, so that the same people are not reinterviewed. All of our interviews are done by personal contact and none of them by mail or telephone.

In answer to your fifth question, we do learn the individual's intention of voting and his qualifications for voting, and the tabulations are based on those eligible to vote. The intention to vote is a bit more difficult, since many more people claim they are going to vote than actually do vote. In fact, this is one of the chief problems we face, and we have a rather elaborate battery of questions out of which we hope to gain a fairly accurate impression of who is likely to vote and who is likely not to vote even though they contend vigorously that they will.

We use both systems in the early days of the interviewing as regards naming the candidate or asking the looser question, "If you could have anyone you wanted as your party's candidate for President, who would be your first choice? Second choice?" As we get closer to the convention time, however, and the potential candidates are pretty well known, we're apt to ask for preferences from a list, and the order of asking is usually rotated.

In answer to your question 8, we often do, particularly in the early months, bring up the question of circumstances. For example, in 1944 we asked about Roosevelt and Dewey in two ways—for whom would you vote if the war is over by election day, and for whom would you vote if the war is not over by election day.

I think I have in a sense already answered your ninth question. It is certainly much more a reflection of familiarity with names than anything else—until after the campaign itself has started.

We have come to regard a normal margin of error as 2 percent. I suspect this will bring up visions of 1948, and that leads directly to your next question. I think the reason the polls went wrong in 1948 was due to the bad judgment of the pollsters and not due to the tool itself. We ourselves made two monumental mistakes—I don't want to speak for the others. The first was that we had come to the conclusion that people didn't change their minds very much in the closing few weeks of a campaign, and we quit interviewing in early September. We had come to that opinion because during the life of public opinion research on the present scientific basis, we'd had one constant—Roosevelt. He was known, and people were either voting for or against him. As a result, we seldom had as much as 2 percent variation between the first poll we took on him and the last one—and all of ours had been rather phenomenally accurate, you may recall (nothing more than 1.02 percent off). We assumed this meant that opinions didn't change, and even when we saw Truman waging a vigorous campaign and Dewey waging a "do nothing" campaign, we didn't have the good sense to realize that this might indeed make a difference. Personally, I don't think our polls were very far off—as of the time they were taken. I think many opinions changed in the last 4 or 5 weeks of the campaign.

The second bad mistake we made was in the naive assumption that the people who said they were going to vote for Wallace or Thurmond would do so. We certainly should have known that as it got closer to election and the Thurmond or Wallace supporters realized the hopelessness of their cause, they would look about for what they regarded as "the lesser of two evils," and there is no doubt but what the "lesser of two evils" to a Thurmond or a Wallace supporter was more apt to be Truman than Dewey. Consequently, the vote that finally went to Thurmond and Wallace was less than half of the predicted vote, and in my opinion, almost all of it went to Truman.

I can't explain the British poll from firsthand knowledge, but I can offer you a theory. Mrs. Roper and I were in England and Scotland during the spring of 1950, and as I always do, I made a point of talking with a good many people, particularly with workmen in pubs, since we like to drive by car and stay in small towns. I found that the workmen were particularly impressed with the prosperity they were enjoying and had no intention of voting out the present administration. I suspect that as the Labor Party got into action and started campaigning and appealing to the workingman on the basis of party solidarity to support their candidate, that many workmen "clammed up" and didn't confess their intentions of voting Conservative for fear of disapproval of the more ardent party members. This is, incidentally, somewhat substantiated by the fact that they had a remarkable increase in the number of "don't know" votes as the campaign progressed instead of—as usually happens here—a steady decrease among the "don't knows." This, however, is only theory, since we do no polling in Britain.

I don't think there is much evidence that the polls directly influence the voters' preferences. If there were a "bandwagon effect," it seems to me that polls would always underpredict the margin of victory, since the whole theory of bandwagon is that more and more people jump on it and there just has to be a week between the last poll and election day. As a matter of fact, surveys have underpredicted the margin of the winner at least as much as they have overpredicted it.

I do think, however, that polls can have an indirect effect on the outcome. I think they have an effect on the delegates to the national convention, and I think this is an unfortunate byproduct of our work. I think they also might have an effect on the candidate. For example, I am convinced that it was the Gallup poll and ours that were more responsible than anything else for the do-nothing campaign that Dewey waged in 1948. I also think the polls lulled many Dewey supporters into complacency and caused them to play golf on election day. I am unhappy to admit this, and at times I have considered getting totally out of the public opinion research business insofar as it involves elections. I have not done so because it gives us such a wonderful opportunity to calibrate the instrument we are trying to help perfect. This business of trying to evolve a battery of questions which will separate the actual voters from the claimed voters is pretty damned intriguing to a research mind. The question of trying to find out why it is that the voters are about to do whatever it is they are about to do is even more intriguing. Here we are in a world in which rival political ideologies are clashing everywhere and people in various places are doing what seem like strange things. Perhaps these things wouldn't seem so strange if we understood more about what makes mankind tick, and it seems to me that any contribution to the whole process of learning why mankind behaves as he does is a worthwhile one, even though it may have some unfortunate side effects.

I hope my long letter hasn't bored you, but if you are interested and would like to discuss this further, I often come to Washington, and I would be happy to come to your office and see you. As you have probably guessed from the above, I feel the tool with which we're working is a potentially very valuable one, but like many other thoughtful people, I have misgivings about its possible misuse.

Sincerely yours,

ELMO ROPER.

Dr. George Gallup wrote me as follows:

AMERICAN INSTITUTE OF PUBLIC OPINION,
Princeton, N.J., January 3, 1960.

Senator ALBERT GORE,
U.S. Senate,
Committee on Foreign Relations,
Washington, D.C.

DEAR SENATOR GORE: I have your request for information about the conduct of our polls, and I am happy to comply. I am listing your questions below together with my answers.

(1) How large is the sample?

Our national sampling unit is made up of 1,500 adults. Since we interview different persons in each survey successive surveys can be combined in any number, depending upon the statistical breakdowns required.

The laws of probability govern strictly the size of a sample required for a given degree of reliability. The standard error for a pure random sample of 500 cases—where opinion divides 60 percent to 40 percent—is only 2 percentage points.

The public has a great propensity to associate accuracy with large numbers. Actually I have never heard of a published poll which went wrong because the number of persons in the sample were too small. Ironically, the poll that registered the greatest error in the history of polling—an error of 19 percentage points—was based upon a final return of 2,375,000 mail ballots. I refer to the 1936 Literary Digest poll.

I have written many articles, a couple of books, and I have made hundreds of speeches on polling procedures, but the misconception still persists that great numbers somehow spell accuracy.

Because of the increasing use of survey data, based upon sampling methods, by governments, educators, businessmen, scientists, and others I have long advocated the teaching of the principles of the laws of probability in high school mathematics courses.

(2) How is the sample selected?

I am enclosing a technical description of the manner in which our sample is drawn. In brief, may I say that sample areas are selected by a method which is known technically as a probability sample design.

Interviewing areas (consisting of groups or clusters of blocks in urban areas and delineated segments of territory in rural areas) are selected in a manner to preserve the random character of the sample and to rule out judgment factors. Each such area has been drawn with the probability of its selection proportional to its size in terms of the number of persons in the area. The detail of the steps involved is covered in items 1 through 11 in the enclosed brochure.

The perfect random sample of the adult population would be one in which every adult in the Nation has an equal chance of being selected. That is the goal of probability sampling.

(3) How often is a poll conducted, and is the same or different sample used each time?

Polls are conducted with time intervals ranging from 1 month to a few days, depending upon news developments and other needs. The Gallup poll, I might add, has polled the American public once a month or oftener since October 1935.

Different persons, as stated earlier, are included in each sample unit. By combining units the number of cases can be increased accordingly.

(4) By what means is the response solicited (personal contact, mail, etc.?)

On political questions involving the views of rank-and-file voters we use personal contact through our nationwide staff of field interviewers, now numbering approximately 900. From time to time when we poll special groups, such as county chairmen, persons listed in "Who's Who," etc., we use

mail ballots. (I am enclosing the report of a recent poll of Democratic county chairmen.)

(5) Is the individual's intention of voting and qualifications for voting first established before he is included in the sample?

During election campaigns, when registration lists are closed, it is of great importance to eliminate from the total sample those who are not eligible and those who do not intend to vote. A series of questions is used to do this. In the period between campaigns it would be manifestly unfair to follow too rigorous a procedure, because many voters have recently moved from one locality to another and because intent to vote has little meaning until candidates are known and platforms written.

To prove a realistic basis for our regular reports on congressional party strength and voter preference for presidential candidates, we base these measurements on those who say they voted in the previous presidential election, plus those who have come of age in the period since that election. But seldom does this make more than one percentage point of difference from the results obtained by using the entire sample of adults.

(6) In posing a question or questions, are names of potential candidates indicated or is the individual free to make known his choice without benefit of suggested names?

We have followed both practices in the past. In recent years we have found that a list is preferable with a specific question added which seeks to find out if the respondent would prefer any one not listed.

(7) In case a list of names of potential candidates is used, how are the names selected? By whom, and on what basis? Which name is mentioned first, and how is it determined? Are names systematically rotated from first to last in order of mention?

The names of possible candidates are based upon the reports of Washington political writers, and on the names mentioned by Democratic and Republican county chairmen in our periodic polls of these groups. Our practice has been to keep active on the list the name of any man for whom more than 2 or 3 percent of the voters express a preference. And, of course, we would include on the list the name of any person who became an avowed candidate.

We have followed both the practice of rotating names, and of listing them alphabetically. Experience of recent years indicates that it makes no statistically significant difference and our present practice is to list them alphabetically and to reverse the list for each half the sample.

(8) Is the individual polled asked how or for whom he would vote under certain circumstances? If so, under what circumstances?

No attempt is made to go beyond the respondent's simple preference. The actual wording of the question put to voters in the sample is as follows:

"21a. Here is a list of men (hand respondent card A) who have been mentioned as possible presidential candidates for the Democratic party in 1960. Which one would you like to see nominated as the Democratic candidate for President in 1960? Just read off the number of the man you pick. (Write number of man below.)

"(b) And who would be your second choice?

No. of Man

"(c) Is there any man not on the list whom you would like to see as the Democratic candidate in 1960?

☐ Yes, who?---------- ☐ No"

On occasion we measure the degree of enthusiasm for each candidate among those who know him by means of a device called the Stapel scale. Results of such a test were reported this week and deal with NIXON and KENNEDY.

(9) Do you consider polls on presidential candidates a measure of popular support? Or, in your opinion, is it a reflection of familiarity with a name or names, or is it a favorable or unfavorable reaction to a name or names?

Based upon past experience I should say that the figures reported for each candidate constitute a good measure of the candidate's popular support.

Primary elections would be a good test of this theory, particularly if all candidates entered each primary and if most voters took the trouble to vote in these tests. If these conditions were met, which, unfortunately is seldom the case, poll results would generally agree with primary results.

Or to say this in still another way. If there were a national primary held on a single day and with all candidates participating, then poll results should accurately reflect the outcome of such a primary.

(10) What do you consider a normal margin of error?

I know of no better way to arrive at a normal margin of error than to take a poll's own history of election predictions. Since 1948—when many basic changes in polling procedures were instituted—the average deviation from absolute accuracy of the Gallup poll in 5 national elections—1950, 1952, 1954, 1956, and 1958—has been 1.7 percentage points, as the following table shows:

Popular vote in elections	Gallup poll	Election returns	Deviation of poll (percentage points)
National:			
1950 congressional	51 percent Democratic	50.3 percent Democratic	0.7
1952 presidential	51 percent Eisenhower	55.4 percent Eisenhower	4.4
1954 congressional	51.5 percent Democratic	52.7 percent Democratic	1.2
1956 presidential	59.5 percent Eisenhower	57.8 percent Eisenhower	1.7
1958 congressional	57 percent Democratic	56.5 percent Democratic	.5
Outside the South:			
1950 congressional	48.5 percent Democratic	47.3 percent Democratic	1.2
1954 congressional	48.5 percent Democratic	49.5 percent Democratic	1.0
1958 congressional	54 percent Democratic	53.9 percent Democratic	.1
Average deviation for 5 national elections			1.7
Average deviation for 3 estimates, outside the South.			.8

Note that the Gallup poll estimate was more Democratic than the vote in three elections—1950, 1952, and 1958; more Republican in two elections—1954, and 1956.

In the seven national elections up to and including 1948 the average error was 3.9 percentage points.

If you take all 12 national elections—every election since we started in 1936—the average deviation would be 3 percentage points.

In close elections even a small margin of error could obviously put a poll on the wrong side.

(11) How do you account for the apparent wide inaccuracies occuring in polls from time to time, such as in the 1948 Presidential election, and the recent British election?

The 1948 election was the only time in 12 national elections that we had the wrong party or candidate winning—and our deviation in this election was actually less than in the 1936 election. In 1942 we were on the wrong side in the total popular vote but we had the right party winning. In 1948 the deviation was 4.5 percent; in 1936 it was 6.8 percentage points.

A whole book was written on the 1948 election, based upon the postmortem conducted by the Social Research Council. Chiefly the error was due to the failure to poll up to the end of the election. The drop in farm prices a few days before the election switched enough doubtful voters to the Truman column to bring him victory.

Polling procedures are improving year by year as the record cited above shows. That doesn't mean that we have all the problems solved. Jet planes are vastly superior to the airplanes of 25 years ago, but that doesn't mean that from time to time they won't crash to earth.

British polls do not follow our procedures, nor have they had the experience that we have. Even so, their record in the recent election was far better than was reported in the press. The organization affiliated with us, the British Institute of Public Opinion, provided a full and detailed report the day before the election in the London News Chronicle which either escaped the attention of correspondents or was ignored. It showed the Conservatives winning by a good margin, and with the doubtful voters turning to the right.

But we have come to expect pretty rough treatment from the press. When we are right we are ignored; when we are slightly off the beam we are castigated.

(12) Distinguished from the objective of reflecting public opinion, to what degree do you think the published results of polls also actually influence public opinion?

There is a mountain of evidence to show that polls do not influence public opinion. The New York Times, after the 1948 election, concluded that one casualty of that election was the so-called bandwagon theory. Every poll, every Washington correspondent said that Dewey would win. If the desire to be with the winner had operated, then Dewey would have won by the greatest majority of this century.

In primaries the same is true. Dewey was miles ahead of Willkie in the polls for the GOP nomination in 1940 right up to convention time. The convention picked Willkie. The same is true of the Democratic Convention in 1952. Kefauver won most of the primaries and was ahead in the polls up to convention time.

From the time the Gallup poll started in 1935, we have always regarded ourselves as factfinders—or, in a sense, as scorekeepers. We have no interest in parties, candidates, or legislation apart from reporting the public's views on these political matters.

We note that more and more candidates and groups within the major parties are making use of sampling survey methods. Some of the best polling in America is being done at the State level in such States as Minnesota, California, Iowa, etc., and by the newspapers in these States. The same basic sampling survey methods which we use are now being employed on a regular basis in every major democracy of the world.

Naturally, I am a prejudiced witness, but no less a person than Prof. Sam Stouffer of Harvard has stated that modern polling constitutes the "most useful instrument of democracy ever devised."

Sincerely,

GEORGE GALLUP.

I have not yet heard from Mr. Sam Lubell.

From my limited study, one of the basic problems with polls arises from the

nature of the sample. It will be noted that Dr. Gallup says:

Our national sampling unit is made up of 1,500 adults.

Percentagewise, this is only thirteen ten-thousandths of 1 percent of the adult citizens of the United States. To look at it another way, this is equivalent to selecting at random approximately one person in every third county in Tennessee. Yet by this method Dr. Gallup proposes to tell us what prospective candidate is favored by the women voters, the men voters, the young voters, the old voters, the social security recipients, the drys and wets.

Moreover, Dr. Gallup, in his booklet entitled "The Story Behind the Gallup Poll," claims to have missed one landmark in American elections—the historic Truman vote in 1948—by only 5.4 percent. Even that great an error would render the poll valueless, but I wish to point out that President Truman received 49.9 percent of the popular vote instead of the 44.5 percent Dr. Gallup had predicted. Percentagewise, the margin of error on the Truman vote was actually 12 percent—5.4 divided by 44.5.

In the next national election, in 1952, Dr. Gallup predicted 51 percent for Dwight D. Eisenhower. Since Eisenhower received 55.4 percent of the vote, Dr. Gallup calls this a 4.4-percent error. Even that would be a glaring error, but it is actually an 8.6-percent error—4.4 divided by 51. Returning once again to the 1948 election, a 40-percent error on the prediction in connection with the Wallace vote was turned into an error by the Gallup computation method of only 1.6 percent by subtracting the actual 2.4 percent from the predicted 4 percent. Actually, as I have said, it was a 40-percent error.

After the elections in Great Britain last fall, political observers there raised questions concerning public opinion polls. Many people in our country are raising questions about so-called public opinion polls. Immediately before election day, most British polls gave the Conservatives only the slimmest of leads. The result, however, was an impressive Conservative victory over the Labor and Liberal Parties, pointing to a wide margin of error in the forecasts.

During the last 20 years, beginning with Willkie in 1940, no major losing candidate has received less than 40 percent of the popular vote. Thus, by crowding the 50-percent mark—a habit with pollsters as election time approaches—a poll can never, according to Dr. Gallup's method of percentage point calculation, be wrong by more than 10 percent—but the rest of the world can be 100 percent wrong.

Let me repeat the ninth question in my letter:

(9) Do you consider polls on presidential candidates a measure of popular support? Or in your opinion is it a reflection of familiarity with a name or names, or is it a favorable or unfavorable reaction to a name or names?

In reply to this Mr. Roper says:

It is certainly much more a reflection of a familiarity with names than anything else—until after the campaign itself has started.

In an effort to test polls and polling methods, five people from my staff gave a Saturday of their time and conducted a poll of the city of Washington, using an exact duplicate of Dr. Gallup's poll card except that we supplied the names of the persons on the card. They followed as best they could a scientific method, except that on the basis of Dr. Gallup's standard sample, they polled about 18 times as many as Dr. Gallup would have normally allotted to an area with the population of the District of Columbia. We chose Saturday because this was a time when it could be expected that men as well as women would be at their homes.

Those polled were given a choice of cards marked either Republican or Democratic, and if a respondent were an independent, he was given a Democratic card to mark. In a total sample of 182 participants, 120 took Democratic cards and 62 selected Republican cards.

For the purposes of this experiment, the Democratic card contained the following names, in the order listed:

1. Allen Dulles.
2. John D. Eisenhower.
3. Hubert Humphrey.
4. Lyndon Johnson.
5. Thomas Jefferson Jones.
6. John F. Kennedy.
7. Franklin D. Roosevelt, Jr.
8. Adlai Stevenson.
9. Stuart Symington.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KUCHEL. Was that in the order of preference which the Senator has read?

Mr. GORE. In the order of whose preference?

Mr. KUCHEL. The preference of those who might have so indicated.

Mr. GORE. I shall give the results of the poll in just a moment. I appreciate the Senator's attention. I will give the results in just a moment.

Mr. KUCHEL. I appreciate that. I imagine that the other part is ours for the asking at some subsequent time.

Mr. GORE. I shall refer to that in a moment, too.

All four major geographic divisions of Washington were polled, generally on the basis of their proportionate population. Of those taking a Democratic card, 25 percent listed either Franklin D. Roosevelt, Jr., or John D. Eisenhower as their preference for either first or second place. That was on the Democratic ticket.

The results in Southwest Washington—the first area polled—were even more striking. Since this is the smallest geographical division, the sample used there was the smallest taken. Here John D. Eisenhower ran second for the Democratic presidential nomination, being nosed out of a tie by only one ballot. Of the 22 persons responding to the Democratic card 6, or 27 percent chose the familiar Eisenhower name as either their first or second choice. The son, Franklin D. Roosevelt, Jr., of a former famous President, however, topped him in total first and second place selections by getting 9 votes, or 41 percent.

Since names of several of my colleagues were included, I will not go further in announcing the results of this trial heat in the interest of comity in the Senate. Moreover, I would not want to risk the possibility of influencing anyone by revealing the results at this time.

In the August 9, 1959, issue of the New York Times there appeared an article written by Mr. Homer Bigart concerning a poll that was conducted by a columnist for the Los Angeles Mirror-News. I ask unanimous consent that a portion of the article may be printed in the RECORD at this point.

There being no objection, the excerpt from the article was ordered to be printed in the RECORD, as follows:

Setting himself up as a Los Angeles Survey Institute, Mr. Coates called 150 names at random from the telephone book and asked: "Do you think the Mann Act deters or helps the cause of organized labor—and if you feel it deters would you vote for its repeal?"

Most of Mr. Coates' respondents were women. Only 12 percent of them identified the Mann Act for what it is: The Federal white slave traffic law that forbids transporting women across a State line for immoral purposes.

Thirty-eight percent of the housewives favored repeal of the Mann Act. Ten percent opposed.

"We're strictly against that act in our family," one lady said.

"It certainly shouldn't be repealed," said another. "Hoffa gets away with too much as it is."

Governor Rockefeller, should he despair of the nonrational behavior of Americans, as reflected in the November polls, might recall Lord Bryce's dictum that public opinion is "a congeries of all sorts of discrepant notions, beliefs, fancies, prejudices, aspirations. It is confused, incoherent, amorphous, varying from day to day and week to week."

Mr. GORE. Mr. President, I have misgivings about certain other aspects of political polls, as indicated in my letter, but I shall not take the time necessary to cover them now. My purpose today is to call to the attention of my colleagues, and others throughout the country who may read the CONGRESSIONAL RECORD, the fact that polls may be grossly misleading and that their value, if any, is dubious, indeed. As I have stated, I feel that in some instances the influence of polls may render a disservice to the public, and I intend to look further into the matter.

I have as much confidence in my own guess of the outcome of the 1960 presidential election as I have in Dr. Gallup's so-called scientific estimate. Indeed, my own guess has been better than his estimate in several of our recent elections.

To demonstrate my sincerity, I am prepared to deposit with the Secretary of the Senate at the time Dr. Gallup publishes his last poll or prediction preceding the election a sealed envelope containing my own guess of the percentage of votes that each of the major candidates will receive in the 1960 presidential contest. I have written Dr. Gallup that if my guess is not as accurate as his percentage figure estimate, I will give him a naturally polled registered Angus calf, male or female, as he might choose, provided he will conduct in the near future one of his trial runs for President

with his select 1,500, using the following names in this order: First, Franklin D. Roosevelt, Jr.; second, Richard M. Nixon; third, John D. Eisenhower; and publish the results thereof.

ALASKA SHIP FREIGHT RATE INCREASE

Mr. BARTLETT. Mr. President, several times in the past month both my distinguished colleague from Alaska [Mr. GRUENING] and I have protested the action of the Federal Maritime Board in regard to its arbitrary granting of a freight rate increase to ship carriers to Alaska.

This action was taken by the Federal Maritime Board over strong protests by the Alaska congressional delegation, the Governor of Alaska, chambers of commerce, labor organizations, and individuals.

But, Mr. President, our pleas reached deaf ears. It is true that a hearing on the rate increase will be held; it is likewise true that if the Board rules against the maritime carriers there is no way in the world by which compensation may be paid the ultimate consumers. The increase, held now in escrow, will go to the shippers, not to those who have paid all or most of the added bill. That is a principal reason why, Mr. President, we so strongly urged the members of the Board to suspend the rate increase.

The Federal Maritime Board is well aware of this, Mr. President. It is my opinion that the will of the people should come first and the wishes of industry second. I wish to call attention of the Senate to an opinion of the U.S. Court of Appeals for the District of Columbia which testifies to that very thought.

Mr. President, last Thursday the three learned justices of the court of appeals in handing down a decision vacating the judgment of the Federal Maritime Board stated positively what Senator GRUENING and I have been contending for several weeks—that the Federal Maritime Board takes arbitrary action favoring the major established shipping lines.

The case I am referring to is one that the Maritime Board decided in favor of a major shipping line to Hawaii, the Matson Navigation Co. The Board in their decision decided that Matson, who carries approximately 98 percent of the cargo on the California-Hawaii run could continue its monopoly and that another smaller competitor, Pacific Far East Line, Inc., could not enter into the lucrative trade because the smaller company would offer unfair competition to the giant of the trade.

This I offer as a typical example of the reasoning of the Federal Maritime Board. Further evidence is in the opinion of the court of appeals which said in part:

> The Board practically equated unfair competition with effective competition. But what is bad for Matson is not necessarily bad for the country.

In addition the court of appeals made this following suggestion to the Maritime Board, "The Board should, at least, make the basis of its action reasonably clear."

In ruling against the Board, the court of appeals ordered that the judgment be vacated, and ordered the case to be remanded for further proceedings by the Board limited to the question whether Pacific Far East Line, Inc., entry into the trade would be "prejudicial to the objects and policy of the act." The act referred to, Mr. President, is the Merchant Marine Act of 1936.

This, Mr. President, is the very basis for our differences with the Federal Maritime Board. The reason for the Board's action in granting that freight rate increase to the Alaska Steamship Co. and other Alaska carriers is not, and has not been made reasonably clear to us. The Board only justified its position by stating, "It wouldn't be fair to the steamship companies not to grant the increase." But I am more interested in the fairness to the people of Alaska than to industry.

We are aware that the Federal Maritime Board will grant us a hearing, which in effect will be "our day in court," but is it justice to have a day in court after the knot has been tied around one's neck and the trapdoor sprung? The little man in our State will be subjected to strangling by this yoke of injustice before the hearing is held, which, in all fairness, should have come before the freight rate increase was granted.

NATIONAL DEFENSE SECURITY PROGRAM

Mr. DODD. Mr. President, legislation to restore the effectiveness and define the status of the national defense security program is urgently needed. For this reason, I hope the Senate Internal Security Subcommittee will act promptly on Representative WALTER'S bill, H.R. 8121, which passed the House of Representatives recently. I shall personally do what I can to speed up such action, and to secure prompt action by the full Committee on the Judiciary and by the Senate itself.

This bill seeks to accomplish what the Supreme Court of the United States said Congress had failed to do; that is, to authorize a security program among national defense contractors and subcontractors and their employees, involving proper protection for security information.

The Supreme Court decision in the Greene case, in June 1959, had the effect of invalidating the whole industrial security program of the Department of Defense, on the broad ground that neither the President nor the Congress had authorized the program and the procedures involved.

In the months intervening since the Greene decision was handed down by the Supreme Court, the President has not taken action along the lines suggested by the Supreme Court. It is, therefore, more than ever imperative that the Congress should do so.

As Mr. Justice Clark pointed out in his dissenting opinion in the Greene case:

> Surely one does not have a constitutional right to have access to the Government's military secrets.

As Mr. Justice Clark further declared:

> If access to its secrets is granted by the Government it is entirely permissive and may be revoked at any time.

The opinion of the majority of the Court in the Greene case did not negative this view, but turned on what the Court found to be a lack of either Presidential or congressional authority for the program and the procedures it involved.

For more than 6 months there has been no effective or enforceable industrial security program. Recent indications that the administration was considering the issuance of an Executive order on this subject provoked a storm of protests from those who feel that security programs are neither necessary nor desirable; and it seems clear that if anything effective is to be done about this matter, Congress will have to do it.

I do not mean by this statement to endorse specifically the exact language of Representative WALTER'S bill, although the bill appears upon first examination to be well drafted. It may be that the Senate committee will wish to recommend somewhat different language. I want to see enacted the best language possible, consistent with both the right of the Nation to protect its defense secrets, and the desirability of protecting national defense contractors and their employees to the absolute maximum consistent with this national right. What is important is not particular phraseology, but that action should be taken by both Houses of Congress to send to the President speedily, legislation which will provide for an effective industrial security program. Mr. President I ask unanimous consent that the text of the Walter bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Subversive Activities Control Act of 1950 (64 Stat. 987) is amended by inserting immediately after section 5 the following new section:

"Industrial Personnel Security Review

"SEC. 5A. The Secretary of Defense is authorized to prescribe uniform standards and criteria for determining the eligibility for access to classified defense information of (1) any person who has a contract with a military department, (2) any person who has a subcontract of such contract, and (3) any employee of any such person. The Secretary shall prescribe the administrative procedures governing the disposition of all cases in which eligibility for access to classified defense information has been denied, suspended, or revoked. Any administrative procedures prescribed by the Secretary under this section shall be designed to protect from disclosure all information which, in the opinion of the Secretary, would affect the national security, safety, or public interest, or would tend to compromise investigative sources or investigative methods."

LINCOLN'S INNER SPIRIT WAS HIS STRENGTH

Mr. KUCHEL. Mr. President, this week Americans celebrate the birthday

of Abraham Lincoln, savior of the American Union, emancipator of a race of people. His birthday coincides with the centennial of his nomination and election as our Nation's President.

Born of a poor and lowly family, his was a life of hardship and struggle, and of his triumphs over them to become, at last, our country's Chief Executive, and then to live eternally in history as an inspiration for all who love freedom and who pray for its survival for all mankind.

"His life," says William Henry Chamberlin, in the Wall Street Journal of February 9, 1960, "remains one of the most inspiring evidences that the inner man, the individual spirit, is far more important than the environment, which may break a weaker character while it spurs on a stronger to ever greater achievement."

Mr. President, I ask unanimous consent that the entire article by Mr. Chamberlin, entitled "Mr. Lincoln—Inner Spirit Was His Strength," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. LINCOLN—INNER SPIRIT WAS HIS STRENGTH

(By William Henry Chamberlin)

Lincoln's birthday this year coincides with the centenary of his nomination and election as President after one of the bitterest and most important campaigns in American political history. It is almost exactly 100 years since Lincoln, then a candidate for the Republican nomination, in his Cooper Union speech offered this prescient commentary on what his later Secretary of State, William Seward, described as the irrepressible conflict:

"All they [the southerners] ask, we could readily grant, if we thought slavery right; all we ask, they could as readily grant, if they thought it wrong. Their thinking it right and our thinking it wrong is the precise fact upon which depends the whole controversy."

Here, in brief summary, was the rock on which all efforts for compromise and accommodation foundered. Not that Lincoln, if his hand had not been forced by secession, would have tried to abolish slavery in the States where it was legally established. For this, as he repeatedly stated, there would have been no warrant in the Constitution.

Even after the war was well under way he discouraged radical abolitionists like John C. Fremont and on one occasion, to the chagrin and disappointment of root-and-branch and antislavery crusaders, he declared that his primary objective was to save the Union, that, for this objective, he was willing to free all the slaves, none of the slaves, or part of the slaves.

THE DEMOCRATIC SPLIT

But, like the young Republican Party which chose him as its standard bearer at its Chicago convention in May 1860 he was committed to the containment of slavery within the area where it prevailed. The more extreme spokesmen of the South, on the other hand, were prepared to quit the Union unless the protection of slavery was assured for the territories which were still in the early stages of settlement.

Lincoln might not have been elected and the course of U.S. history might have been different if the rift that ultimately cleft the Nation for a time into two warring camps had not split the Democratic Party in 1860. For more than a generation the Democrats had been the majority party. Since the time of Andrew Jackson, the more conservative opponents of the Democrats, the Whigs, had won only two presidential elections, both times with a military figure.

But two Democratic tickets, a northern headed by Douglas, a southern headed by Breckenridge, were presented to the voters in 1860; there was still a fourth group, the Constitutional Union, in the field, which won the electoral votes of Virginia, Kentucky, and Tennessee. Helped by this divided opposition, Lincoln's Republican Party, which had absorbed most of the old Whig voters, along with the more strongly antislavery Democrats, made almost a clean sweep of the Northern States and gained a majority in the electoral college, although Lincoln won only about 40 percent of the popular vote.

So Abraham Lincoln, son of an illiterate frontiersman, not so long ago an obscure county lawyer, became the Chief Executive charged to see the American Republic through the one great internal crisis of its career, a crisis that was not ended until the weaker side, after fighting to the last limit of possible resistance, was crushed at a fearful cost in blood and treasure, of broken lives and devastated areas. Lincoln's full stature has grown in America and abroad during the century that elapsed since his election. And this is partly a reflection of the fact that Lincoln unmistakably grew in heart and mind under the pressure of the challenges which he faced.

FACT AND FOLKLORE

As with every national hero, there is an element of folklore about Lincoln. Yet the simple truth of his career needs no gilding.

That Lincoln emerged from this rough frontier cabin life, with most rudimentary schooling, to become, first, a local political figure and successful lawyer, then one of America's greatest Presidents, is a striking proof of the possibilities of "government of the people, by the people, for the people." Lincoln will always be one of the noblest vindications of the positive side of democratic philosophy—that none is barred by initial hardship and poverty from filling with honor the highest office in the land.

Without visual aids or the supposed benefits of modern pedagogy, Lincoln, by the simple process of hard reading of a few great masterpieces, achieved a literary style that in dignity and pathos and measured cadence surpassed that of the men of his time who were trained in American and foreign colleges and universities.

His life remains one of the most inspiring evidences that the inner man, the individual spirit, is far more important than the environment, which may break a weaker character while it spurs on a stronger to ever greater achievement.

STABILIZATION OF PRICE SUPPORT OF TOBACCO

Mr. MANSFIELD. Mr. President, is the morning business concluded?

The PRESIDING OFFICER (Mr. DODD in the chair). Is there further morning business? If not, morning business is concluded.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside, and that the Senate proceed to the consideration of Calendar No. 1110, Senate bill 2845, and that that bill be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2845) to stabilize the price support of tobacco.

The PRESIDING OFFICER. Without objection, the request of the Senator from Montana is agreed to.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT TO 11 A.M. MONDAY, FEBRUARY 15

Mr. MANSFIELD. Mr. President, it is the tentative conclusion of the leadership that the first order of business following the morning hour on Monday will be the pending bill, S. 2845, to stabilize the price support of tobacco. It is hoped that it might be possible to take action on the pollution control conference report, which is, of course, a privileged matter.

It is expected that sometime shortly thereafter the Senate will be in a position to begin the discussion of proposed legislation affecting civil rights.

Mr. President, I ask unanimous consent that when the Senate concludes its business today it adjourn until 11 o'clock a.m. on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTROL OF NUCLEAR TESTS

Mr. MANSFIELD. Mr. President, I have just learned of the President's new plan for curbing dangerous nuclear tests. His plan, which reflects the advance thinking of the distinguished Senator from Tennessee [Mr. GORE] and the brilliant young Senator from Idaho [Mr. CHURCH] on this problem, is one which should bring a warm and instantaneous response from the peoples of the world. I commend the President for recognizing the universal fears of radioactive death which certain nuclear tests have aroused, and for setting forth a reasonable plan for putting them to rest.

The junior Senator from Idaho [Mr. CHURCH] has applied himself diligently from the time he came to the Senate to the grave problem of meaningful disarmament in the world today. He has recognized the critical importance of the negotiations at Geneva as a first step on that long, hard road.

Last year, when the negotiations at Geneva appeared to have been at a stalemate, he wrote to the then Acting Secretary of State Herter outlining a proposal for an atmospheric test ban which could take the negotiations off dead center and lead to some progress.

This letter, written on February 27, 1959, was revealed by him on the Senate floor on March 2, in an eloquent speech on how much a controlled cessation of nuclear tests would affect the troubled people of the world.

On April 13, the substance of the Church proposal was adopted as the official U.S. position by the President in a letter to Chairman Khrushchev.

Mr. President, as this year opened, the negotiations at Geneva, after heartening progress last year, were again near stalemate. Again the distinguished Senator from Idaho applied himself to the problem and made another recommendation to the Secretary of State, based upon the developments in 1959.

On January 8, 1960, he outlined his recommendations in a letter to Secretary of State Herter, and on January 11 detailed his proposal in a speech on the floor of the Senate.

Mr. President, in the light of the State Department's release today of the new proposals made at Geneva, I think the RECORD should carry Senator CHURCH'S statement of January 11, so that it may clearly be seen how closely the new State Department's proposals resemble the recommendations of the distinguished Senator from Idaho. I ask unanimous consent, therefore, that the remarks of Senator CHURCH, made on the floor of the Senate on January 11, be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW PROPOSAL TO PREVENT A DEADLOCK IN THE GENEVA NEGOTIATIONS

Mr. CHURCH. Mr. President, tomorrow, in Geneva, Switzerland, representatives of the United States, the United Kingdom, and the Soviet Union will resume their negotiations for a treaty covering the controlled cessation of nuclear weapons tests. These negotiations have been going on with brief recesses for some 14 months. A treaty has not been signed but significant advances toward a treaty have been achieved.

My purpose in speaking today is to assess the possibilities for a test ban agreement. I also wish to inform the Senate of a proposal I have made to the Secretary of State regarding a possible way to prevent a deadlock in the negotiations.

We must recall, before discussing the details of the nuclear test ban negotiations, what is their purpose? Why have we been laboring so long and so patiently for an agreement?

First and foremost, I believe it is because of the desire of the United States to make concrete progress toward the goal of controlling and reducing the world's armaments. We know that another world war would be fought with weapons of hideous destructiveness. The possibility is extremely slim that any nation could survive a nuclear war without large portions of its population dead, maimed, or otherwise afflicted with the scourge resulting from high doses of radioactivity.

Knowing what another war would be like, the major nations of the world, nevertheless, continue to invest something over $100 billion each year in producing, developing, designing, and testing weapons of war. They continue to produce these weapons because the world is divided into rival blocs separated by distrust, suspicion, and fear. No nation wishes to reduce its arms unless it is convinced that its rivals are also reducing theirs. The test ban negotiations, therefore, represent an effort to make a significant start toward the eventual but cherished goal that man may live in peace relieved from the burden of expending vast sums and devoting enormous energies upon massive and unproductive armaments.

Another vitally important reason exists why negotiations continue for an agreement to end tests of nuclear weapons. This is apart from the need to progress toward effective arms control measures. As all of us are well aware, nuclear weapons tests produce radioactive fallout which can result in a serious health hazard. We know, at the very least, that past tests have already inflicted genetic damage upon a part of the living. Morally we have no right to bequeath disfigurement upon future generations, if this can be avoided. Moreover, the hazard from fallout will grow as newcomers, like France, add their part to the spread of nuclear tests.

The Geneva test ban negotiations, in short, have a dual function. If successful, they start the world a first step along the road toward reducing the burdens and the dangers of heavy armaments, while at the same time they free the world from the health hazard posed by further contamination from radioactive fallout.

STATUS OF THE GENEVA TALKS

The extent of progress in the Geneva test ban negotiations may be measured by looking at what has been accomplished and what remains undone. Where are the points of agreement and where are the points of difference?

The three nuclear powers have agreed to 18 parts of a treaty. Many of these are purely procedural. Others, however, represent solid substantive accomplishment toward the drafting of a successful and adequate treaty.

But we must frankly admit that the issues that remain constitute the toughest obstacles to the completion of a treaty. These issues are primarily political although some important ones are technical.

Last February, in my letter to the Secretary of State, I listed the three main roadblocks the Soviets were then placing in the path of a treaty:

1. They were demanding a veto power over the operations of the proposed international control commission.

2. They were insisting that the requisite control posts be self-operated, that is, dominated by nationals of the countries within which the posts were located.

3. They were calling for complicated procedures that would easily frustrate prompt action by the commission in dispatching inspection teams to make necessary on-the-spot investigations of subterranean disturbances suspected of being nuclear in nature, or of preventing these essential at-site investigations from occurring at all.

It is gratifying that the Soviets have come a long way since that time toward removing the first two of these roadblocks. On a number of items, they have receded from their demands for a veto; on others, they have made contingent offers to withdraw the veto demand.

On the question of staffing the control posts, the Soviets have offered to accept our proposal, in the main, provided that we accept their offer on the budget and the composition of the control commission.

On the third roadblock, that of the need for a certain amount of on-site inspection, little progress has been made. It was in this area of the negotiations that the hope for rapid progress toward the drafting of a comprehensive treaty, that is a treaty covering the cessation of tests in all environments, received a setback last month. A technical working group of scientists from the U.S.S.R., United States, and United Kingdom, which met to discuss the question of the detection and identification of underground tests, failed to reach agreement on all the items on its agenda. The purpose of the technical working groups was threefold:

1. To review all new data regarding the detection and identification of underground events;

2. To consider possible improvements in techniques and instrumentation in the control system; and

3. To determine the criteria by which an unidentified event might be selected by the control commission for on-site inspection.

Although the scientists did reach agreement on possible improvements in techniques and instrumentation, they did not reach agreement on the other important questions. The scientists, for example, could not agree on the criteria to distinguish earthquakes from explosions for the purpose of eliminating the former as being subject to inspection. Without such criteria it is difficult to see how an agreement with respect to on-site inspections can be reached.

Unfortunately, it was not only the lack of technical agreement that hurt the prospects for a treaty. The Soviet scientists accused their American colleagues of bad faith and questioned their integrity. These unwarranted accusations have added to the difficulty of reaching reasonable solutions to these vexing problems.

PROPOSALS FOR CONSIDERATION

If the scientists and the diplomats of the three nuclear powers fail to reach agreement on the question of inspection for possible underground nuclear tests, what course should the negotiations then follow?

Of one thing I am sure. The United States cannot pack up its bags and go home without first exhausting all possibilities for agreement. We must be certain that if failure comes the guilt must rest with the Soviet Union.

Accordingly, I have written to the Secretary of State, outlining my views as to the course the United States might follow if the failure to reach agreement on the problem of inspection produces a deadlock.

Last February, when it looked as though the conference was deadlocked, I urged the United States to attempt to salvage something of value from the negotiations by calling for a suspension of all further nuclear tests in the earth's atmosphere, enforced through an international control system sufficient to detect any violations.

Such a ban, I then said, would curtail further poisoning of the air, while we continued to seek acceptable ways to police a ban on tests in other environments.

Moreover, I wrote to Mr. Herter, who was then Acting Secretary, that the commencement of an international control system to detect atmospheric nuclear explosions is the sine qua non of man's progress toward any feasible disarmament. This is so, even though a control system for such tests is much less complicated than a control system for a comprehensive ban.

On April 13, the President, by letter to Chairman Khrushchev, said that the United States was prepared to consider a ban on atmospheric tests. He said:

"Could we not, Mr. Chairman, put the agreement into effect in phases beginning with a prohibition of nuclear weapons tests in the atmosphere? A simplified control system for atmospheric tests up to 50 kilometers could be readily derived from the Geneva experts' report, and would not require the automatic on-site inspection which has created the major stumbling block in the negotiations so far."

This, of course, was essentially the proposal I had made in February. I was gratified that this was so, and, although the Soviets rejected the proposal, that they reacted to it by making the important concessions I have previously mentioned.

Notwithstanding that progress was made in the remaining months of 1959, we find the conference again in a position very similar to that which existed 11 months ago. Once more, the prospect is for failure or stalemate at Geneva, unless something is done.

The same concern which caused me to make the proposal I did in February, has moved me to write once again to the Secretary of State. In a letter which I sent to him Friday, January 8, I broadened my proposal for a staged test ban agreement. I added two important modifications which I felt were dictated by the present status of the negotiations.

We must continue, I told the Secretary in my letter, to strive for an agreement which would end all nuclear weapons tests, not only those in the air, in the water, and above the air, but those underground as well.

However, should it develop, upon the resumption of the conference, that this objective cannot now be achieved, owing to continued Russian refusal to accept our new criteria for a control and inspection system upon which all might safely rely for the detection of underground tests, and the conference is deadlocked thereby, I urged that the United States make the following two-part proposal:

1. That the three powers agree to a suspension of all further nuclear weapons tests in the air, in space, and in the water, to be enforced by an international control system sufficient to detect and report any violation; and

2. That the three powers concurrently agree to jointly conduct a series of underground nuclear explosions, which will add no further contamination to the air, but which may form the basis for fashioning a mutually acceptable detection and inspection system with which to police a subsequent ban on underground nuclear weapons tests.

I suggested that such joint underground tests might well be conducted under the auspices of the United Nations, and that qualified observers from all interested countries might be invited to participate.

As I wrote the Secretary, I think such a proposal would have great advantage for the United States and the world. First and foremost, by immediately banning the tests which poison the air and the water, we would erase a grave anxiety.

Additionally, we would establish the first international control apparatus for the enforcement of the suspension agreement. Although the system would be simpler than that required to detect underground tests, and the on-site inspections to which the Russians object so strongly would not be necessary, nevertheless we would have, as to the air, space, and water ban, a functioning harness within which to bind not only the present members of the "nuclear club," but also the oncoming nations developing atomic technologies of their own. In this, the negotiating parties would seem to share a common interest.

I believe, moreover, that the series of joint underground tests could represent the best hope for solid progress in achieving a ban on underground nuclear weapons tests, with a workable international control system to enforce it. The proposal for a ban limited to air, water, and space tests, while this joint exploration of the nature of underground test detection proceeds, could prove to be a mutually acceptable forward step toward our goal.

My suggestion for joint tests stems from the realization that in the science of seismology, areas of uncertainty exist. The tests to be jointly conducted would advance the general knowledge about the problems of identification and detection of underground tests. I cannot help but feel that the lack of ample data concerning underground tests might well be the underlying reason for the inability of the scientists to reach agreement now upon the requirements for a reliable detection system. We have conducted only four or five underground nuclear tests, and the Soviets have never indicated that they have conducted any. A heavily instrumented series of underground tests, in the Soviet Union and in the United States, and at other points on the globe, would certainly yield resulting data of significant importance.

It may be that the Russian negotiators will rebuff the suggestion for joint underground tests. But it is well to remember that the Russians were a suspicious people long before the Communists came to power. The czars maintained their own Iron Curtain. The distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas, rightly said, following my mention of this fact to the Senate last March, that an understanding of this puts the matter in perspective and gives us more hope for the future than if we attribute all difficulties simply to the present regime. We cannot know that the Soviets would rebuff the proposal unless we make it.

The United States has always been dedicated to the cause of peace. We are answerable to our own trust. We ought not anticipate failure as a reason for abandonment of new proposals, even before making them.

My proposal, I repeat, is an alternative to stalemate and deadlock. Perhaps some unexpected move by the Soviets will change the situation. But there is little that can change the fundamentals of the situation—the need to make a start toward disarmament, to end the threat of further contamination by fallout, and the desirability of extending knowledge in the matter of identifying underground disturbances.

Mr. President, good conscience commands that we do our utmost here.

JANUARY 8, 1960.

Hon. CHRISTIAN HERTER,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: On Tuesday next, January 12, the Geneva negotiations for a treaty to end nuclear weapons tests will resume. Although the resumption is not auspicious, and prospects for success seem gloomy indeed, there is cause for hope in the progress already made, and more reason than ever for not permitting impatience or frustration to jeopardize continued efforts toward agreement.

The unresolved issue remains inspection. The inability of the recent technical conference of scientists from our country, the United Kingdom, and the Soviet Union to reach agreement on such matters as the significance of the Hardtack data for the detection of underground nuclear tests, and the criteria to determine when the source of a signal registered at a control post can be investigated by a mobile inspection team, is, of course, a formidable obstacle to successful negotiations.

Last February, I wrote to you urging that the United States, without slackening its efforts for an end to all nuclear tests, seek a limited ban on atmospheric tests to stop pollution of the air.

Such a proposal was made to the conference at Geneva following the Easter recess. Although the suggestion was rejected, the Soviet Union made significant new concessions which enabled the conference to continue to move forward.

I still believe that the United States must do everything in its power to prevent the test ban negotiations from ending in a stalemate. They are not only important in themselves. Their outcome has significance for the entire future of disarmament. If the United States and the Soviet Union cannot agree to end their tests of nuclear weapons under effective inspection safeguards, then upon what can they agree? Surely almost any other disarmament proposal would have even less likelihood of acceptance than a ban on tests of nuclear weapons.

Therefore, it seems to me that we must continue to strive for an agreement which would end all nuclear weapons tests, not only those in the air, in the water, and above the air, but those underground as well.

However, should it develop, upon the resumption of the conference, that this objective cannot now be achieved, owing to continued Russian refusal to accept our new criteria for a control and inspection system upon which all might safely rely for the detection of underground tests, and the conference is deadlocked thereby, I would urge that the United States make the following two-part proposal:

1. That the three powers agree to a suspension of all further nuclear weapons tests in the air, in space, and in the water, to be enforced by an international control system sufficient to detect and report any violation; and

2. That the three powers concurrently agree to jointly conduct a series of underground nuclear explosions, which will add no further contamination to the air, but which may form the basis for fashioning a mutually acceptable detection and inspection system with which to police a subsequent ban on underground nuclear weapons tests.

I think such a proposal would have great advantage for the United States and the world. First and foremost, by immediately banning the tests which poison the air and the water, we would erase a grave anxiety.

Additionally, we would establish the first international control apparatus for the enforcement of the suspension agreement. Although the system would be simpler than that required to detect underground tests, and the on-site inspections to which the Russians object so strongly would not be necessary, nevertheless we would have, as to the air, space, and water ban, a functioning harness within which to bind not only the present members of the "nuclear club," but also the oncoming nations developing atomic technologies of their own. In this, the negotiating parties would seem to share a common interest.

I believe, however, that the series of joint underground tests, which might well be conducted under the auspices of the United Nations, and to which qualified observers from all interested countries might be invited, could represent the best hope for solid progress in achieving a ban on underground nuclear weapons tests, with a workable international control system to enforce it. The proposal for a ban limited to air, water, and space tests, while this joint exploration of the nature of underground test detection proceeds, could prove to be a mutually acceptable forward step toward our goal.

I cannot help but feel that the lack of ample data concerning underground tests might well be the underlying reason for the inability of the scientists to reach agreement now upon the requirements for a reliable detection system. We have conducted only four or five underground nuclear tests, and the Soviets have never indicated that they have conducted any. A heavily instrumented series of underground tests, in the Soviet Union and in the United States, and at other points on the globe, would certainly yield resulting data of significant importance.

I respectfully submit these suggestions to you, Mr. Secretary, as a possible proposal to present to the Russian negotiators. I do so with the conviction that we must continue to demonstrate to the world that if the test ban talks fail, the Soviet Union must bear the guilt.

Sincerely,

FRANK CHURCH.

Mr. MANSFIELD. Mr. President, to me, this is a good way to display bipartisanship, with recommendations and suggestions coming from the Senate, and they in turn being taken up by the administration.

What the President proposes in his latest plan is a practical beginning on the road to the universal control of armament. He would have the world's nations end forthwith all nuclear-test explosions in the atmosphere, on the oceans, and in space, and beneath the surface to the extent that they can be properly monitored. That is all to the good. The acceptance of his plan will reduce international tensions. It will end the radioactive menace of certain tests. It will eliminate the unwarranted interference of testing nations with the right

of other nations to the equal usage of the high seas.

In connection with the high seas, I hope that the President will regard his plan as a beginning. I hope that he will turn his attention promptly to the related problem of dangerous missile testing, as well as nuclear testing, on the high seas. Missile tests on the high seas also can heighten world tensions, as the recent Russian tests in the Pacific served to do. Missile tests on the high seas also can be a menace to innocent shipping and air transport. Missile tests on the high seas also can constitute an unwarranted interference by one nation with the equal rights of all nations to the usage of the oceans.

I reiterate what I have said many times before on this point: An equitable international agreement is becoming increasingly necessary to regulate missile tests, no less than nuclear tests, on the high seas. An equitable agreement is necessary if the high seas are to be used, not abused, as a site for the testing of scientific and other missiles. An agreement is necessary if the high seas are to remain mare omnium for all the nations of the world, and not a collection of blocked off maria nostra as a result of uncontrolled, unregulated, uninational tests of missiles on the oceans, under the guise of scientific progress or whatever.

BURRIS JACKSON, COTTON'S MAN OF THE YEAR FOR 1959

Mr. MANSFIELD. Mr. President, one of Texas' distinguished sons, Mr. Burris Jackson, has been named "Cotton's Man of the Year for 1959" by his colleagues in the cotton industry. Mr. Jackson is well known in congressional circles for his efforts in promoting good will between the cotton industry and public groups. He was paid deserving tribute in a recent issue of the Cotton Digest. I ask unanimous consent that the article published in that magazine on January 30, 1960, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BURRIS C. JACKSON: COTTON'S MAN OF THE YEAR

For his outstanding and unselfish work for the cotton industry during the past quarter century, and especially for his work in Washington throughout the past year, Burris C. Jackson, of Hillsboro, has been named "Cotton's Man of the Year for 1959."

His friends say that he has no hobbies except cotton. He is utterly devoted to his wife, Frances, who herself is widely known and popular with cotton people. His loyalty to his friends has become legend. He has been known to spend days trying to be of help to some friend.

A long-time family friend, who has known Burris all his life, said of him, "You can sum up Burris Jackson by saying he is a living example of ability and loyalty, and not only his many friends but the cotton industry has profited greatly by his unselfish work through the years."

Burris C. Jackson was born in Hillsboro, Tex., on January 27, 1905, and has resided in that city all of his life.

He attended grade and high school in Hillsboro, Hillsboro College, and Texas A. & M. College.

He entered the firm of Jackson & Co. in 1926, a widely known firm founded by his late father, Gen. Will E. Jackson, a prominent cotton leader and military figure, until his death in 1940.

General Jackson founded his cotton firm in 1904 as a cotton merchandising business. Upon the entrance of his son into the firm, the business expanded into farming and other enterprises. In 1930, Burris Jackson became managing partner of the firm.

Col. Burris Jackson served as president of the Hillsboro Lions Club, governor of Texas Lions Clubs, and is now serving as international counsellor. He has held many civic honors in Texas.

He is at present a member of the Civil War Centennial Commission, and an advisory member of the Texas Industrial Commission.

He served in the U.S. Army from November 1942, entering as a captain, and was discharged in March 1946, with the rank of colonel. During 2 years of his Army service he was a liaison officer for the War Department with Congress.

He has served on the official board of the First Methodist Church of Hillsboro for more than 30 years, and for 25 years has served as chairman or member of the finance commission of the church.

Burris married Frances Robertson, of Hillsboro, in 1934. Her father was president of the Hill County Cotton Oil Co., and Union Oil Mills, and president of the Rio Grande Valley Oil Co. Mr. Robertson was one of the most widely known cottonseed oil men in the South.

Burris has grown up in the cotton industry. He has engaged in no other business during his lifetime and he has in recent years devoted a major portion of his time to the cause of cotton, without compensation.

It is doubtful if there has been a man who has given more freely of his time during the past quarter century to the American cotton industry than Burris Jackson. He has many responsibilities the cotton industry gives to a really top leader, and he has become recognized as a very potent spokesman for the industry.

The mere enumeration of the positions that he presently holds will give an idea of his outstanding service and influence. He is chairman of the American Cotton Congress and has been its active head for 20 years. It has become a great force for cotton.

He organized the Statewide Cotton Committee of Texas in 1936, which is still functioning effectively. The committee includes all elements of the cotton industry and was a model for the National Cotton Council, which came later, in 1938.

Colonel Jackson helped Oscar Johnston organize the National Cotton Council and has served on the board of directors every year since. He is also a member of the foreign trade committee of the council and is regarded as one of the real leaders in the council's effective work, particularly in cotton research.

He is chairman of the national affairs committee of the American Cotton Shippers Association, and also serves as chairman of the production and consumption committee for that organization.

He is a past president of the Texas Cotton Association and is presently chairman of the legislative committee, and chairman of the cotton improvement committee, for that association.

He is a chairman of the Texas Cotton Research Advisory Committee, created by the Texas Legislature.

He is chairman of the public relations and legislative committee of the Texas Cotton Ginners' Association.

Colonel Jackson is widely known in congressional circles and commands the respect of many leaders in Congress, and his service to the cotton industry has been of untold benefit over the years because of his expert know-how in dealing with legislation.

A top leader in Congress recently said: "We trust Burris Jackson. He is well informed, and you can rely upon him. His loyalty is a thing to cherish."

In 1959, Colonel Jackson put in some of his hardest work with Congress. He attended many meetings and arranged many conferences for various cotton groups, and both congressmen and senators said that he has built a reservoir of good will for the cotton industry.

In 1959, he presided over the 20th annual session of the American Cotton Congress held in Waco, Tex., the place where he and his associates founded the congress 20 years ago. The 1959 congress sessions were said by many to be the most important cotton meetings held in many years. The congress, with Mr. Jackson's active leadership, furnishes a forum for unrestricted discussion of cotton's problems. It attracts widespread attention.

In 1959, the Statewide Cotton Committee of Texas, under his chairmanship, stepped up its already widespread program to assist quality improvement, foreign markets, and expanded research activity.

Cotton research has been one of his main interests. He helped fight through the Texas legislature the act under which the cotton research program in Texas is carried on. He was one of the principal advocates and active supporters of the effort that resulted in the Agricultural Research Act of 1946 as enacted by Congress.

It is hard to define Colonel Jackson strictly as a grower, ginner, or merchant. Both he and his family have oil mill holdings. He identifies himself as a merchant and has said, "That's where I started, and that's where I will end up," but he can better be referred to as an all-round cotton leader, and one who never takes a selfish view, but whose acts have been motivated solely by what is best for cotton.

In 1959, he made dozens of speeches to civic clubs, chambers of commerce, and farm groups discussing cotton's problems. His speeches resulted in many favorable editorials and he is in demand as a speaker.

In 1959, when plans were started for the 1960 annual meeting of the National Cotton Council, Colonel Jackson was requested to serve as chairman of the general arrangements committee. He had served in a similar capacity when the council met in Texas in 1953, and Texas cotton leaders said, "When we want a job done well we call upon our friend from Hillsboro to do it." The excellent planning of his committee will make the council meeting in Dallas February 8 and 9 one of the best in its history.

At the age of 55, with a wide experience of over 30 years in cotton, serving without pay and with no ax to grind, Cotton's Man of the Year has become a senior cotton statesman.

ADJOURNMENT TO MONDAY, AT 11 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that, in accordance with the order previously entered, the Senate do now adjourn to Monday next at 11 o'clock a.m.

The motion was agreed to; and (at 1 o'clock and 1 minute p.m.) the Senate adjourned, under the previous order, until Monday, February 15, 1960, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 11, 1960:

UNITED NATIONS

Thomas C. Mann, of Texas, a Foreign Service officer of class 1, and Assistant

Secretary of State for Economic Affairs, to be the Representative of the United States of America to the 16th session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

The following-named persons to the positions indicated:

U.S. DISTRICT JUDGE

Clemente Ruiz Nazario, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico for a term of 8 years. (Reappointment.)

DISTRICT ATTORNEY FOR THE CANAL ZONE

Rowland K. Hazard, of Rhode Island, to be district attorney for the Canal Zone for a term of 8 years. (Reappointment.)

U.S. MARSHALS

Robert C. McFadden, of Indiana, to be U.S. marshal for the southern district of Indiana for a term of 4 years. (Reappointment.)

Ralph W. Gray, of Massachusetts, to be U.S. marshal for the district of Massachusetts for a term of 4 years. (Reappointment.)

James W. McCarty, of Texas, to be U.S. marshal for the southern district of Texas for a term of 4 years. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ALASKA

William H. Lamme, Kodiak, Alaska, in place of M. L. Briggs, retired.

Roberta L. Chronister, Whittier, Alaska, in place of J. E. Hutchinson, resigned.

CALIFORNIA

Elizabeth A. Waite, Cambria, Calif., in place of E. M. Cook, retired.

Raymond Johnson, Etna, Calif., in place of H. D. Ashby, retired.

CONNECTICUT

Erwin Schultz, Terryville, Conn., in place of D. P. Hurley, retired.

FLORIDA

Benjamin C. Grunig, Callahan, Fla., in place of J. R. Hartsfield, resigned.

GEORGIA

Hal D. Carlisle, Camilla, Ga., in place of J. L. C. Hoggard, deceased.

John P. Hunt, Jackson, Ga., in place of V. H. Carmichael, retired.

ILLINOIS

John S. Fair, Belvidere, Ill., in place of P. I. O'Brien, retired.

IOWA

George W. Munns, Okoboji, Iowa, in place of Tom Olson, retired.

KANSAS

Frank W. Peterson, Home, Kans., in place of Marie Oehm, retired.

William C. Rice, Larned, Kans., in place of A. W. Fox, deceased.

Elmer E. McAferty, McLouth, Kans., in place of E. W. McHenry, retired.

Aubrey N. McAtee, Waterville, Kans., in place of R. E. Berner, retired.

KENTUCKY

Katherine Kirkland, Gravel Switch, Ky., in place of J. M. Lane, removed.

LOUISIANA

T. James Russell, Logansport, La., in place of V. A. Caraway, retired.

MASSACHUSETTS

John A. Champ, Rockland, Mass., in place of L. G. Capen, deceased.

Henry J. LaFrance, Tyngsboro, Mass., in place of C. A. Bell, retired.

Wallace C. Liberty, West Yarmouth, Mass., in place of A. B. Chase, retired.

MICHIGAN

Elmer Conley, Charlotte, Mich., in place of H. E. C. Rogers, retired.

Dixie R. Steadman, New Lothrop, Mich., in place of L. F. Flynn, retired.

MINNESOTA

Carlton L. Anderson, Ironton, Minn., in place of R. J. Mayheu, retired.

Charles A. Lindstrom, Lake Park, Minn., in place of H. G. Torgerson, retired.

Gladys M. Sorenson, Murdock, Minn., in place of L. H. Egerstrom, transferred.

Edward W. Malone, Wabasha, Minn., in place of S. E. Drury, retired.

MISSISSIPPI

James R. Bonds, Booneville, Miss., in place of F. J. Fugitt, retired.

Harold T. Lomenick, Iuka, Miss., in place of I. M. Jackson, retired.

Robert E. Payne, Lauderdale, Miss., in place of D. W. Miller, retired.

NEW JERSEY

Margaret M. Warden, Lakehurst, N.J., in place of H. J. Fuccile, removed.

NEW MEXICO

Margaret P. Epps, Columbus, N. Mex., in place of F. T. Matthews, retired.

Donald A. McGhee, Lordsburg, N. Mex., in place of Eugene Montague, retired.

NORTH CAROLINA

Clyde T. Shaw, Asheboro, N.C., in place of W. C. Craven, removed.

OHIO

Arthur K. Siefer, Higginsport, Ohio, in place of L. L. Seyler, retired.

Warren J. Gardner, Montpelier, Ohio, in place of H. H. Wisman, retired.

Matthew E. Gibson, New Philadelphia, Ohio, in place of E. L. Finney, deceased.

OKLAHOMA

Claude D. Van Kirk, Mountain View, Okla., in place of Blanche Zoellner, retired.

PENNSYLVANIA

Doris M. Harvey, Grindstone, Pa., in place of A. W. Kovach, resigned.

Julia M. Arrowood, Mehoopany, Pa., in place of D. R. Sheehan, retired.

Robert Laird, Jr., Reynoldsville, Pa., in place of Reese Williams, retired.

Wilson D. Puhl, Sanatoga, Pa., in place of K. H. Drumheller, resigned.

Albert L. Bloss, Union City, Pa., in place of E. V. Miller, retired.

Lester R. Gordon, Warrington, Pa., in place of C. E. Mayer, deceased.

E. Luella McCormack, Wysox, Pa., in place of M. A. Fitzgerald, retired.

SOUTH CAROLINA

Angeline R. Cobb, Hodges, S.C., in place of S. C. Depass, retired.

TENNESSEE

M. Terrel Bynum, Jr., Flintville, Tenn., in place of J. E. Vann, transferred.

Arthur T. Million, Limestone, Tenn., in place of E. S. Mitchell, transferred.

Harry A. Waddington, Luttrell, Tenn., in place of J. C. Davis, retired.

TEXAS

Dorothy L. Lewis, Spicewood, Tex., in place of J. M. Clark, resigned.

UTAH

Hugh J. Percival, Myton, Utah, in place of A. M. Todd, retired.

VIRGINIA

Francis J. Riley, Portsmouth, Va., in place of S. F. Kirby, retired.

Harold Ross, Roanoke, Va., in place of R. L. Via, retired.

Carl F. Eppard, Stanardsville, Va., in place of E. L. Southard, retired.

Otho L. Taylor, Temperanceville, Va., in place of W. T. Brittingham, retired.

WASHINGTON

John W. Rice, Valley, Wash., in place of A. J. Diedrich, retired.

WEST VIRGINIA

William J. Blackburn, Ravenswood, W. Va., in place of W. S. Myers, resigned.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 11, 1960

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

FEBRUARY 11, 1960.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Corinthians 1: 24: *For by faith ye stand.*

Almighty God, unto whom all hearts are open and all desires known, we are daily bringing unto Thee our deep and disturbed concern for the future and its manifold problems.

Thou knowest how greatly we need the virtues of faith and tranquillity, of patience and endurance, for we are often like "children in the night, children crying for the light, and with no language but a cry."

We thank Thee for these days when we are privileged to call to mind and pay tribute to the memory of Abraham Lincoln, that great patriot, in whose heart the fires of faith burned brightly, and who placed his supreme confidence in Thee and in the sanctity and abiding reality of the moral and spiritual order.

May our Speaker and all the Members of Congress be men and women of strong faith and continue to be in the vanguard of those noble and valiant spirits who believe assuredly that nothing can ever hinder or impede the progress of the kingdom of righteousness.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1961

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the Committee

on Appropriations have until midnight tomorrow night to file a privileged report on the Department of the Interior and related agencies appropriations bill, 1961.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENSEN reserved all points of order on the bill.

SURPLUS FARM PRODUCTION

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an address which I made to the National Limestone Institute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, as you know, I have worked with the problems of agriculture for many years as chairman of the Agriculture Appropriations Subcommittee. It has been my duty to sponsor the repayment of billions of dollars which shortsightedness has caused the American people to attribute to the farmer. Speaking for myself, I am tired of being put in the position of having to sponsor such repayment after the fact, when in my judgment the expenditure of these billions of dollars is so unnecessary, and hurts the farmer as much as the Nation.

Mr. Speaker, the surplus production which American farmers are producing is costing the Government unnecessary billions of dollars. What is overlooked is that it is costing the American farmer untold billions of dollars, as well, in unnecessary expenditures in producing such surplus. He has had to produce them because his costs were up and his price was down.

In recent years the Department of Agriculture and the Congress have mistakenly tried to meet this problem, first, the Secretary of Agriculture by reducing prices, with which the Congress has reluctantly gone along; second, by Public Law 480 where surpluses are in effect given to foreign countries where they perhaps do some good at a cost to the American people of $4,880 million for the years 1956 through 1960, with that much more authorized; third, by the soil bank, at a cost of $4 billion with little or no effect on overproduction, which with other costs incident thereto, make a total of $10 billion.

Mr. Speaker, if the Congress would make changes in the law so that the farmer would get his income for producing what is really needed, instead of reducing price so that he has to grow more units trying to meet his financial obligations, and if the Congress would provide that these surpluses which we have heretofore produced were given to the farmer on his agreement to cut his production, this would enable the farmer to hold his income up during the period of adjustment. We could reduce storage costs to the Government. Such commodities would cost the Government nothing, for the commodities given to the farmer in consideration of his reducing production would otherwise be given to foreign countries under Public Law 480.

Now if through this means we brought supply and demand in balance, we could then write a proper farm law which would secure for the farmer a fair income from producing and selling what is needed and he could get it at the marketplace with savings to everyone.

Mr. Speaker, Congressman MARSHALL, of Minnesota, and I prepared a bill which would do this. Our bills cover the area of wheat and feed grains, the area in which our greatest problem now exists. These companion bills are H.R. 9946 and H.R. 9947. They are now pending before the legislative Committee on Agriculture of the House. Copies have been supplied to the chairman of the Agriculture Committee of the Senate. We are hopeful that the principle involved in these bills will be included in any legislation which is reported. From the President's farm message, I believe he would sign such a bill.

I hope that those who read my remarks, and particularly that part about our proposed farm legislation, will write my friends and colleagues, Hon. HAROLD COOLEY, chairman of the Agriculture Committee of the House, and Senator ALLEN ELLENDER, chairman of the Agriculture Committee of the Senate, advising them of their reaction.

Mr. Speaker, I include a speech which I made to the National Limestone Association on January 21, in which the details of these bills were spelled out.

WE CAN SOLVE THE FARM PROBLEM WITHOUT REAL COST

(Address by Congressman JAMIE L. WHITTEN at the 15th annual convention of the National Limestone Institute, January 21, 1960, Statler Hilton Hotel, Washington, D.C.)

Thank you for the kind references, particularly with regard to my State of Mississippi.

I am proud to be a Democrat from Mississippi. However, I am not going to make a party speech. You know, I told the American Milk Producers Association at their national convention a few years ago that I was a Mississippi Democrat. I said that is a Democrat who will differ with whoever you elect President. We'll differ on principle and if you'll listen to us we are apt to prove we're right on the principle.

I am pleased that I was able to come to your convention and to work with you folks who are sincerely interested in the welfare and the future of America's soil. Before I get too serious, I would like to tell you a story I heard when I was down home in Mississippi, which I think is appropriate.

IT'S TIME TO TALK SENSE

Our State insane asylum, called Whitfield, was named for a fine Governor. The name is known all over the State. The story goes that two old maid sisters with little to do were driving for pleasure when they rode down to the State capital. While there, they were observing the beautiful buildings and grounds of the State insane asylum, Whitfield. There behind the bars was a woman walking up and down repeating to herself, "I want to get married. I want a man. I want to get married. I want a man."

One old maid sister turned to the other sister and said, "You know, that woman might have been crazy when they put her in here but she's talking sense now."

Whether you are a Mississippi Democrat or a Republican or a rightwing or a leftwing Republican or a northern Democrat or a southern Democrat; whether you are a farmer or just incidentally interested in farming, it's time we all began to talk sense.

NATIONAL INTEREST IN SOIL CONSERVATION

I would like to discuss with you some practical, commonsense proposals. First let me say here, in spite of all the speeches I made in Congress and throughout the country in the interest of the agricultural conservation program, I have never felt we owed it to a single farmer to give him a single dime to take care of his own land. It is not the obligation of the rest of us to give anything. I do say, however, that we owe it to ourselves to see that the farmer's share of the income dollar is sufficient so he can do it. And, I say that when only 12 percent of the American people either own or live on a farm, the other 88 percent of us had better see to it that one way or the other the farmer takes care of the soil from which the food supply for the other 88 percent of us, as well as for our children, must come.

Did any of you ever realize or stop to think why China or India are in the fix they are in today? Why is it that their fertile lands are gone, washed away, and their rivers run yellow with soil? It is largely because throughout the centuries, consumers demanded food and products below the cost of production. There simply wasn't enough left to put back in the land.

WHY I SUPPORT THE AGRICULTURAL CONSERVATION PROGRAM

Now I have certainly been as vocal as anybody you know in Congress in support of the ACP, but it has not been on the basis of giving anybody anything, it has been because of national self-interest in seeing that the job is done for future generations. In spite of our combined efforts, the topsoil of 40 acres of good land flows down the Mississippi River by Memphis, Tenn., every day of the year. We talk about what a wonderful job we do in conservation in the United States, and we have made progress since 1933; but up until that time the people in the United States wasted more soil and more natural resources than any nation ever did in history for a like period of time.

Now we drifted into that situation because we had the resources to spare. We had the timber, we had the land. That day is long since past. We no longer have the resources to waste. I repeat, we have a national interest, we all have, in protecting the basic source of our very life's blood—the land.

What should we do to protect the soil? First we must see that the farmer's share of the national income is sufficient so he can live decently and have enough left over to look after his own land. If you do that, you'll get 10 times or a hundred times more conservation than we can get by any Federal program, including the ACP or any other. If you'll just see to it, that in the writing of the laws, which in turn affect the distribution of the national income, the farmer gets his fair share, he'll do 100 times more with his own money than any program we can have. Time has proven, however, that even when he was getting that, many of the small farmers did not do the job. Thus we had to have some special effort through national legislation.

I recall a statement which perhaps you heard me make when I spoke to your organization a few years ago—this is repetitious—but somebody has said that all anyone wants is a fair advantage—a fair advantage; and the best way to have an advantage declared fair is to pass a law saying it is fair.

If you will think about that, it is the history of every session of Congress. Each session has been made up of efforts to declare certain advantages fair by law. Congress has said it is fair for labor to organize

and to strike. Labor has been granted minimum wages by law. Congress has said it is fair for industry to add its percentage of profits on top of its costs, and both pass these increasing amounts forward to the consumer as part of the retail price.

Now since you have a limited number of consumer dollars, every time we pass laws which enable those groups to take more of the consumer dollar it has left less and less for the farmer.

PRICE SUPPORTS—WHY THEY FAILED

This we tried to guard against with price supports. However, for price supports to have ever worked, production above domestic needs had to move in world trade. The law authorized and contemplated sales in world trade at competitive prices. As I pointed out to you before, for years this Government refused to sell competitively, holding U.S. production off world markets, building up billions of dollars' worth here at home. These supplies depressed domestic markets and increased foreign production. It is true that we finally got the Department to offer competitively, and the quantities sold have been tremendous. The Department, which refused so long, is now proud of its sale program.

For our farm laws to work it was necessary for production to be held in line. Our laws providing for production controls, too, broke down. When we set out to control production by limiting acreage, it worked very well in horse and mule and nitrate of soda days. Today, however, I firmly believe that efforts to control by limiting acreage is a big incentive to overproduction. The farmer, faced with ever-increasing costs of land, machinery and everything else, plus limited acreage, has tried to produce and has succeeded in producing more and more units to sell.

Then under the Secretary's policy of reducing prices, the farmer had further pressure to increase total units.

The Secretary insisted that if Congress reduced price supports, the farmer would reduce production. The record for 7 years shows the Secretary was 100 percent wrong. With farm income down, the farmer was forced to increase production to make up for the lower price.

I can understand the Secretary mistakenly having his views to start with, though I differed with him from the first. But what I can't understand is that after 7 years of being completely wrong, he insists just as strongly as ever that reduced price brings decreased production.

The Secretary says throw off controls. Last year I told him that if he were to take all the controls off of corn and keep support he would have corn coming out of his ears. Well, now, I was wrong. He has the corn. However, he's got his ears closed so tight you can't even get the sound of your voice through them, much less corn.

THE RESULTS

Now let us look at the Department's records for the period 1952–58 as shown by our committee report last year:

	Reduction in price support (percent)	Increase in CCC holdings (millions)
Wheat ..... bushel	90 to 75	1,957.4
Corn ..... do	90 to 77	1,804.2
Cotton [1] ..... bale	90 to 81	496.6
Rice ..... hundredweight	90 to 75	41.8
Barley ..... bushel	80 to 70	96.9
Oats ..... do	do	25.8
Flaxseed ..... do	80 to 65	9.5
Rye ..... do	80 to 70	8.4
Sorghums ..... hundredweight	do	404.0
Soybeans ..... bushel	90 to 70	90.5

[1] Held off world markets at competitive prices in violation of law. This, together with other commodities not listed, represents an average reduction in price support levels of about 20 percent.

SOIL BANK IS NO ANSWER

Since 1956, the soil bank has cost the Federal Government $2½ billion. As pointed out previously, it has had little, if any, effect toward reducing production. The acreage reserve, costing $1.7 billions, was junked this year (1959) on the recommendation of the Secretary and the President.

The conservation reserve section of the soil bank reaches relatively few farmers—only 125,000 in 1957–58—and has committed the Federal Government to some $700 million to date; and we are obligated to honor some contracts for 10 to 15 years longer. This program has had no real effect on production. In addition, the hearings disclose many examples of lax handling and wasteful practices.

The Secretary recommends continuing and increasing the size and scope of the soil bank. As the committee has pointed out, the acreage reserve, where highly productive acreage was rented, has been abolished because the President, the Secretary, the Department, and the Congress, after spending $1.7 billion, have all agreed it was no answer.

In view of that experience, it is hard to understand how anyone could believe that renting second-rate land under the conservation reserve could make any real dent in production. Actually if the law authorized the rental of all the 275 million acres of the 2.6 million small farms, which represent 56 percent of the total farms of the Nation, to be put in the soil bank, this would retire only 9.1 percent of total commercial production. And that would be contingent upon the larger producers not increasing their production. If such lands were rented at $10 per acre, this would cost $2.75 billion annually.

If on the other hand whole farms were not rented, but only part of each farm was retired, under present conditions the individual farmer could take his rent money, buy more fertilizer and better seed and increase his total production. I haven't had time to bring these figures down to date; however, the situation has gotten worse.

NINETEEN HUNDRED AND FIFTY-SIX ELECTION YEAR—NINETEEN HUNDRED AND SIXTY ANOTHER

Now, remember this soil bank was sponsored in 1956—some of you might remember that was election year—the election was coming off in November and farm income after 4 years of following our Secretary's policies was way down. The Department of Agriculture recommended $1,200 million for a soil bank. Listen now, they recommended that sum be paid out to farmers just before the election in 1956—on what the farmers promised to do the next year. Now the Congress did not buy the prepayment idea but did provide for payment the next year which was almost as bad. My little daughter Beverly would figure there might be some relationship between those facts and the election. Now we have another election year and we find we are offered more of the same soil bank.

THE AGRICULTURAL CONSERVATION PROGRAM

My friends, this is a serious problem. As I said, it's time to talk sense; it's too late for politics—Democrats, southern Democrats, northern, everyone. When you are dealing with the future of our children, when you are dealing with America, we must keep it strong. We have to think as to how to do it. Now I haven't given so much time here today discussing with you the ACP because you are familiar with it. Why the Department wants to cut that program and increase the soil bank where we have spent about $4 billion with practically nothing to show for it, I can't conceive, unless it be that farm net income is worse than in 1956, and an election is again coming up.

In the ACP we provide about $250 million a year. The farmers select their practice in every community in the county; and if they use a poor practice the farmer selected it and put up about an equal amount of money, plus his own time. There are one and one-quarter million participants among farmers here putting up their labor and their money, improving their land to save it for posterity, for your children and mine. And then against that we now hear plans to increase the soil bank program with only about 140,000 participants, a program where the money paid out has not held down production but actually many times has been used to increase production. According to the Comptroller General, 23 percent of the lands rented under the soil bank at an eventual cost of $270 million was not even in production. I have not explained this to my little daughter, but again, if I told her what they did in 1956 before the election, and what they recommend this election year, I believe she would see some similarity.

WHAT WE SHOULD DO

Now it's my idea that if we are going to make it possible for farmers to regain a fair income, by far the most effective means to provide conservation, we will never do it by just getting rid of so-called surpluses. We have spent billions through Public Law 480. The situation gets worse. If we are to correct the situation, I truly believe we must go back to the cause of producing surpluses, which are as expensive to the farmer to produce as to the Government to handle. We must eliminate efforts to control by acreage, which is itself an incentive to increased production. But, first we must bring supply and demand closer together and we must protect farm income from further decline while we do that.

Congressman FRED MARSHALL, of my subcommittee, and I have worked out a plan to do this for wheat and feed grains, the area of our greatest problem. We have prepared companion bills which we believe will work. These bills will be numbered H.R. 9946 and H.R. 9947.

This measure would provide for reducing production immediately, would reduce Government investment and storage costs, would protect farm income and within 3 years should bring production and supply in balance.

By creating a commission in advance, firm plans for a permanent program for the years following 1962, when production, supply and demand should be in balance, would be ready for the Congress by January 1, 1962, giving the Congress a year in which to provide a permanent farm program for the year 1963 and thereafter.

Our proposal would direct the Secretary of Agriculture to work out a proper relationship in feed units between wheat, corn, grain sorghum, and other feed grains.

It would direct the Secretary of Agriculture to transfer to any producer of such commodities feed units from Government stocks equivalent to the reduction that such producer might make in his average production for the preceding 5 years, not to exceed 33⅓ percent in any one year. The bill would be effective for the calendar years 1960, 1961, and 1962.

It would cost nothing. The commodities we would pay the farmer to reduce his production would otherwise be given to foreign countries and, too, the Government would save storage costs.

The bill further provides for the creation of a commission, three-fifths of which must be bona fide producers of such commodities, with the Secretary of Agriculture as an ex-officio member. Such commission would be directed to formulate and recommend to the Congress permanent legislation on or before January 1, 1962, which would provide (1) a fair and reasonable price for such commodities at the marketplace; (2) set up production goals which would keep annual production in line with needs of domestic and

foreign markets plus reasonable reserves, and after 1962, make price protection dependent upon producers holding actual production in line with production goals; (3) prices would be based on feed units so as to maintain a proper relationship between wheat, corn, grain sorghum, and other feed grains.

I quote here the provisions of our bills:

"A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a proper relationship between wheat, corn, grain sorghum, and other feeds on a proper feed unit basis, to bring supply and demand into balance, and to assist American agriculture in essential adjustment during the years 1960, 1961, and 1962, and to provide for a permanent farm program thereafter

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, be further amended by adding a new section, as follows:

" 'SEC. — 1. The Secretary of Agriculture is hereby authorized and directed to work out a proper relationship between wheat, corn, grain sorghum, and other feed grains in terms of feed units giving proper weight to present prices and relative feed values of such grains.

" '2. The Secretary of Agriculture is further authorized and directed to enter into agreements with any producer of any of the feed commodities described above, or any combination thereof, whereby in each of the calendar years 1960, 1961, and 1962 the Department of Agriculture will agree to transfer to such farmer feed units from Government stocks in any of the said grains requested by the farmer in feed units equivalent to the reduction that such farmer may make in the overall production of such crops in such years, not to exceed 33⅓ per centum on any one year, from the average production of such farmer for the five preceding years. To obtain such Government stocks each farmer shall (1) file notice with the county committee that he expects to avail himself of such offer, (2) agree in writing to reduce his production of feed units for the years 1960, 1961, and 1962 and (3) submit a statement of his production of all of said crops for the five preceding years.

" '3. The Secretary of Agriculture is authorized to issue such rules and regulations as may be essential to carry out the provisions of the Act.

" '4. The Secretary of Agriculture is further authorized and directed to appoint a Commission of not more than twenty-five members, not less than fifteen of whom shall be bona fide producers of one or more of said commodities. The Secretary of Agriculture shall be ex officio a member of such Commission. Such members shall be selected from nominations submitted by the Committee on Agriculture of the House and the Committee of Agriculture and Forestry of the Senate.

" 'In making such appointments the Secretary shall give due consideration to small producers as well as large producers, and to a fair geographical distribution throughout the major agricultural areas of the United States.

" '5. Such Commission shall have authority to conduct studies, hold hearings, and make recommendations. Such Commission is directed to submit recommendations on or before January 1, 1962, for a permanent farm program for said commodities for the year 1963 and thereafter which will provide—

" '(1) a fair and reasonable price for said commodities at the marketplace. Such price shall take into consideration the actual costs of production, including increasing labor costs and a fair return on investment. It shall be at a level not less than that essential to maintain net farm income at levels comparable to industry profits and labor income.

" '(2) production goals which will keep annual production in line with the needs of the domestic and foreign markets, plus reasonable reserves. Price protection shall be made available to producers of such commodities, only if such producers agree to keep actual production in line with such production goals.

" '(3) prices which are based on feed units so as to maintain a proper relationship between wheat, corn, grain sorghum, and other feed grains.'

"This act shall take effect from and after its passage."

Will the Secretary approve it? Will the farm organizations adopt it? Will the Congress pass it? Will the President sign it? I don't know. We firmly believe all should and further I have reason to believe the President would sign such a bill.

NOW BACK TO CONSERVATION OF OUR COUNTRY

A few years ago, the head of the National Production Authority, which had the job of increasing our overall production capacity to meet the allout threat of Russia—about the time of Korea—while we were walking back to the office told me, "Jim, if I was Joe Stalin (it was in his day), and wanted to wreck the economy of the United States, I'd declare 5 years of peace." With all our desire for peace you can imagine the shock. He said, "If we bring all those boys back from overseas and get them out of the service, if we cancel all these military contracts, depriving all these folks of the money they are making in these defense plants, it would wreck our economy."

Knowing that Americans had the highest material standard of living any nation ever had, more automobiles, more television, more air conditioning, two cars in every garage—except we started putting the garage money in cars—everything better than we ever had before, yet I could see that what he said might have something. Then I thought one step further. I said it can't be that it takes war and preparation for war to bring prosperity. There's bound to be something else and as you think through it, there is. It's not war and preparation for war which brings this material prosperity, it is the extra effort you make. And yet, my friends, when you stop and think about it in war and preparation for war your gasoline is burned up and the metal is used up and the timber is gone and your resources are depleted. If we had sense enough to put that same effort to things to improve our country—the same effort into harnessing our streams, refertilizing our land, in building projects, schools and roads, then we'd have a richer, stronger country and would truly provide for our children and our children's children.

My friends, I have no apologies for the fights I have made in Congress for ACP. Believe it or not, while I have been speaking on ACP, or might have been offering motions to restore the ACP, it was because that just happened to be the best instrument I knew to carry out my strong belief in the necessity for conservation and I'll match that approach against the soil bank and it would compare favorably 1,000 to 1. The ACP compares favorably with any other program. In fact, it is a necessary adjunct to Extension and SCS. This is a serious subject with me, one in which I have a deep and strong belief. It is not just the ACP, but here we must join shoulder to shoulder to see that the farmers' group in this country gets a fair share of the national income so that they can take care of their land, because there are nine times more of us dependent on the land than there are farmers, and they will get that income quicker if we make it to their interest to put production in line with demand. Then we have to go out and be sure that through our voices and through our organizations and our associations, we stand for what is sound. Don't believe what I have said here merely because I said it, but I dare you to think about it and see if you don't come up with the same belief.

A STRONG COUNTRY, FOUNDATION FOR EVERYTHING

In the last session of Congress the President vetoed the public works appropriation bill because we could not afford, he said, the future costs of these domestic public improvements in view of other governmental expenditures. Congress failed to override his veto. When I could get no one else to do so, I offered the motion to send the bill back to the President with the new starts included.

After a bitter fight in the Appropriations Committee, my motion carried 19 to 17. It swept by the House and Senate. Then when the President vetoed the bill the second time, we overrode his veto. This is the first time this ever happened in history. I am proud of my part in that action. However, I am even more happy that the overwhelming majority of the Congress approved my argument which I repeat here:

"Mr. Chairman, as a member of the Committee on Appropriations, I offered this motion to reduce each item 2½ percent and to retain the 67 new projects, after it became apparent that it would not be offered otherwise. I am not a member of the Public Works Subcommittee. I have no projects in this bill, present, past or future. I offered that motion because I think, and I thought then, that it is high time we took care of our own country.

"If the President and a majority of the Congress are going to have a foreign aid program of billions of dollars annually; if we are going to raise travel allowances for Federal employees, Federal pay; if we are going to increase benefits to veterans, and provide more inflated dollars to almost everything, if we are going to have all these other things, if we continue using appropriations to put money in the hands of people and thereby increase the national debt, I think that we owe it to our future and to our children to protect our own country, its soil and its natural resources. The President's veto would have us do all these other things at the expense of our own country.

"These facts are argument, not against domestic public works but for them. May I say to you that the argument made as to how much we owe, and about the deficit, and all of that, is the strongest argument for giving attention to our own country that I can bring you. May I tell you that the strength of the dollars that we have, the ability to pay debts that we owe, for whatever it is worth, is dependent upon the country that stands behind it.

"If I could run the Appropriations Committee, the first bill on this floor each and every year would be public works. It is not bacon, not pork, but I would protect the base from which all these other things must be supported.

"Mr. Chairman, money spent improving the Nation, preventing floods that cause damage of hundreds of millions of dollars—and preventing drought damage, improving harbors, is sound. Yes; I would look out for my country first, recognizing that it is the basis for everything. Then after we have looked after the factory and the home, I would see what else we were able to do."

I am glad I won out in that fight; I am glad the President's budget this year yielded on this issue.

We must keep a strong nation for today and for the future. The ACP is a fine instrument in that direction.

I appreciate your invitation and your help in our efforts.

SEMIANNUAL REPORT ON ACTIVITIES UNDER PUBLIC LAW 480, 83D CONGRESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 335)

The SPEAKER pro tempore (Mr. McCORMACK) laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the 11th semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period July 1 through December 31, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 11, 1960.*

LEGISLATIVE PROGRAM

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, I have asked for this time in order to ask the acting majority leader, the gentleman from Oklahoma [Mr. ALBERT], as to the program for next week.

Mr. ALBERT. In reply to the gentleman's inquiry, the program for the House of Representatives for the week of February 15, 1960, is as follows:

Monday, Consent Calendar. Suspensions, three bills, first H.R. 725, Wilson's Creek Battlefield Park; second, House Concurrent Resolution 7, closing of Indian hospitals; third, H.R. 3375, coal research and development of industry.

Tuesday, Lithuanian Day. Private Calendar. House Administration Committee—sundry resolutions. Interior Department and related agencies appropriation bill, 1961.

Wednesday, H.R. 3151, taxes, withholding city income taxes on compensation of Federal employees.

Thursday and the balance of the week, undetermined.

The program announced is subject to the usual reservation that any further program will be announced later. Conference reports may be brought up at any time.

Mr. OSTERTAG. I thank the gentleman.

THE DECENT DOMINICANS WILL SOON TAKE OVER

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, the decent Dominicans will soon take over the Government of the Dominican Republic. They will need help. For a generation their country has been in the greedy and bloody hands of a fascistic dictator. Many decent Dominicans are refugees. Many other decent Dominicans understandably could not or would not leave their country.

Trujillo and his indecent gang are not representative of the Dominican people. They are gentle, God-fearing men and women who deserve at last a government not based on terror and corruption.

Recently the Catholic church leaders in the Dominican Republic spoke out courageously in a pastoral letter deploring Trujillo's cruelties. It is hard to dismiss this action as Communist inspired but the desperate Trujillo so asserts.

Thirty thousand decent Dominicans are now imprisoned by Trujillo. Homes are being turned into jails. Many decent Dominicans in the armed forces are certain that the time is near when they can help end their disgrace. They need assurance that we do not categorically condemn them. Many certainly are not of Trujillo's stripe.

The decent Dominicans will soon take over. They are inexperienced in the operation of democratic government. The other decent citizens of the hemisphere must now take action to provide help for them.

HEROIC MEASURES

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the distinguished gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, in my remarks I include an article, "Heroic Measures" commenting on the warnings of Gen. Maxwell D. Taylor, and appearing in the Boston Traveler of February 8, 1960.

As the editorial well said:

When men like Taylor speak in that vein, they should not be taken lightly. Right or wrong, Taylor is sincere, and he bases his estimate on knowledge gained through an outstanding military career.

And this also applies to General Gavin and others who have warned our country.

HEROIC MEASURES

The Washington arguments about our military potential have brought sharp warnings from Gen. Maxwell D. Taylor, former Army Chief of Staff.

From 1961 on, he says, "the tide will run against us unless we take heroic measures now." And he adds that when it comes to military strength, "there is no living with communism as an inferior."

When men like Taylor speak in that vein, they should not be taken lightly. Right or wrong, Taylor is sincere. And he bases his estimate on knowledge gained through an outstanding military career.

The Washington discussions are of great value in bringing out all aspects of our military posture. We should hear more from both sides—those who say we're strong and those who say we're heading for weakness.

ANACONDA STRIKE SETTLEMENT

Mr. METCALF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, this morning about 4 o'clock the Anaconda Co. and the joint negotiating committee of International Union of Mine, Mill, and Smelter Workers arrived at a mutually satisfactory agreement settling the strike in the copper mines of Butte and the smelters of Great Falls and East Helena.

This brings to an end the longest strike in recent Montana history that has crippled the economy of Montana since August 8. The Federal Mediation and Conciliation Service merits high praise for its part in this settlement. Mr. Robert McClelland has been unceasing in his efforts to keep negotiations open and prevent a breakdown of bargaining. But the catalyst that brought these negotiations to a successful conclusion was unquestionably Director Joseph F. Finnegan. At Senator MURRAY's, Senator MANSFIELD's, and my request, Mr. Finnegan personally went to Butte and with his deputy director, Robert H. Moore, and Arthur Viat, regional director, held meetings with officials of the Anaconda Co. and the representatives of the union. After they left, the team of McClelland, George Hillenbrand, and Dan Edwards, worked around the clock and kept up the momentum that Director Finnegan's visit had started.

Almost 2 months ago, after negotiations apparently had broken down, Senator MURRAY, Senator MANSFIELD, and I, at the request of both the union and the company, intervened to have bargaining renewed. These new negotiations, spurred on by activities of the Federal Mediation and Conciliation Service, have resulted in the culminating settlement. The collective bargaining process has again worked. Special credit should be given Senator MANSFIELD who traveled to New York to interview officers of the Anaconda Co. and who directed the activities of the congressional delegation.

The important thing, however, is that men are going back to work in the mines and smelters of Montana. Men who have not had a payday for 6 months will be back producing and refining copper, and the economy of Montana, so dependent upon our mining industry, will soon return to normal.

BIRTHDAY OF ABRAHAM LINCOLN

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, each of the 13 previous birthdays of this great American citizen, Abraham Lincoln, it has

been my high privilege to make public expression to my increasing respect and admiration for his life and for the imprint of his character on the thinking of the American people and the destiny thereof.

As result of the very splendid work in research by the sesquicentennial commission commemorating the 150th anniversary of the birthday of Abraham Lincoln on February 12, 1959, by a joint session of the U.S. Senate and the House of Representatives, and also since that historic occasion, there has been disseminated more accurate and pertinent material showing the grandeur of Abraham Lincoln than during all the previous years subsequent to his death. This splendid public service has been the result of the effort of the Lincoln Sesquicentennial Commission.

But there is one particular statement by Abraham Lincoln, which was made on August 12, 1861, in a proclamation by him which I herewith quote:

> And whereas it is fit and becoming in all people, at all times to acknowledge and revere the Supreme Government of God; to bow in humble submission to His chastisements; to confess and deplore their sins and transgressions in the full conviction that the fear of the Lord is the beginning of wisdom; and to pray, with all fervency and contrition, for the pardon of their past offenses, and for a blessing upon their present and prospective action: * * * it is peculiarly fit for us to recognize the hand of God in this terrible visitation, and in sorrowful remembrances of our own faults and crimes as a nation and as individuals, to humble ourselves before Him and to pray for His mercy—to pray that * * * the inestimable boon of civil and religious liberty, earned under His guidance and blessing, by the labors and sufferings of our fathers, may be restored in all its original excellence.

I call particular attention to this proclamation by President of the United States Abraham Lincoln, because as far as I have been able to ascertain, nowhere in any statement by him or writing by him, did he so frequently include and embody a specific reference to his acknowledgment and recognition of the important place of God in the experience of the Nation. As I count it, he made this express reference seven times in the proclamation of August 12, 1961, hereinabove quoted.

I respectfully again suggest to any and all Members of this great Congress that one of the greatest inspirations that can come to a congressional Member, would be to follow the Lincoln Trail through the States of Kentucky, Indiana, and Illinois; and then to Washington, D.C., where, as you know, Mr. Speaker, Abraham Lincoln was a Member of the House of Representatives of which you and I are Members, during the 30th Congress, 2d session, from December 4, 1848, to March 3, 1849. Mrs. Doyle and I had that enriching experience several years ago at the adjournment of Congress en route to our home in Los Angeles County, Calif. We traveled and tarried along this historic Lincoln Trail on the marked roads and bypaths; on the riverbanks; at the camp and cabin sites; in the towns and buildings in those towns; in the courthouses and law offices; in the log cabins and stores used at Salem, Ill., by Lincoln and his neighbors. And finally, here at our Nation's Capital, at Ford Theater, where he was tragically assassinated by Booth, and across the street in the very house and room where upon his death it was so truly said, "Now he belongs to the ages."

THE MAYFLOWER HOTEL

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, last week I commented to the House about an unfortunate experience I had in the lobby of the Mayflower Hotel. I received nationwide publicity, which I, frankly, sir, was not seeking; and today I earnestly hope that I do not get any more publicity about this matter. But the rules of fairplay prompt me to make this statement.

Here on the floor of the House we have a forum where we can stand up and express our opinions and, so often, those about whom we talk are not given a similar opportunity.

I would like to say that last week the manager of the Mayflower Hotel, Mr. C. J. Mack, came to my office to see me, and I found him a most pleasant, cooperative gentleman. He assured me that Congressmen would not be excluded from the lobby of the Mayflower Hotel in the future, that the unfortunate incident in which I was involved last week was due to an employee who probably did not know too much about procedures.

Mr. Speaker, he also assured me that the rules of safety would be complied with insofar as keeping the lobby open is concerned.

To prove that the rapport is now 100 percent, I would like to say that this next Thursday I plan, as usual, to attend along with many of my colleagues, the annual Congressional Prayer Breakfast in the Mayflower. I hope very much that Mr. Mack will be at my table.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Why do you want to go there?

Mr. MATTHEWS. Well, sir, many constituents from my district—I have wonderful constituents, as I know the gentleman does—come to see me, and they stay at the Mayflower. It is more convenient for them for me to face the traffic and to go there to meet them and talk with them about the business of the district.

Mr. HOFFMAN of Michigan. Why do you not go over to the Shoreham?

Mr. MATTHEWS. Well, sir, I have a high regard for that fine hotel; and, certainly, if my constituents go there I shall, if necessary, brave the snow, the rain, and the sleet in order to meet them.

Mr. HOFFMAN of Michigan. You are discriminating.

Mr. MATTHEWS. No, sir; coming from where I do I cannot be discriminatory. That is one thing that worried me last week. I thought it was discrimination against our people from the South.

I thank you very much.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

JOHN EDGAR HOOVER

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a copy of a resolution providing for the striking of a gold medal and the proper presentation of same at an appropriate ceremony to John Edgar Hoover.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, this year marks the beginning of the 44th year of dedicated service rendered to the United States by a truly great American.

Thirty-six of those years have been spent in a position of high trust and great responsibility. That this man assumed this challenge and acquitted himself with honor and dignity cannot be doubted.

His notable achievements in his chosen field of public service are legion.

The accolades which have come his way are many and varied and need not be repeated at this time or place.

The impact of his contribution on the moral, spiritual, and political welfare and safety of America is great and will not diminish with the mere passage of years.

It is too often the case that words of tribute for a loyal public servant are preceded either by his death or the passage of time. In either event, words so spoken often ring with a lack of timeliness.

I am glad to say that neither Providence nor time has deprived America of the stewardship of John Edgar Hoover, a fact which I sincerely hope holds true for many, many more years.

Today, I offer a resolution which does more than pay tribute in words to John Edgar Hoover. It provides him with a tangible expression of the continuing confidence and respect of the American people through their elected representatives.

Mr. Speaker, under unanimous consent I include this resolution in the body of my remarks at this point which provides for the striking of a gold medal and the presentation of same at an appropriate ceremony.

The resolution follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in recognition of 43 years of dedicated service rendered to the United States by John Edgar Hoover, Director of the Federal Bureau of Investigation, in building a law enforcement agency of unparalleled efficiency and integrity, one which is constantly on the alert in order to safeguard our national security, and for promoting and engendering a closer spirit of cooperation between law enforcement agencies at all levels of government, the Speaker of the House of Representatives of the United

States, on behalf of the Congress, is authorized to present to John Edgar Hoover, Director of the Federal Bureau of Investigation, an appropriate gold medal for such purpose, the Secretary of the Treasury is authorized to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary and the Speaker. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used for carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

Mr. Speaker, I hope that the Congress will act with dispatch in giving this proposal favorable consideration.

GEN. JAMES H. DOOLITTLE RECEIVES SILVER QUILL AWARD PRESENTED BY NATIONAL BUSINESS PUBLICATIONS, INC.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, on January 21 the National Business Publications Association held its annual state of the Nation dinner at the Sheraton-Park Hotel in Washington, D.C. At this meeting the Chief of Naval Operations, Adm. Arleigh A. Burke, presented the 1959 Silver Quill Award of National Business Publications, highest tribute of the Specialized Business Press, to Gen. James H. Doolittle, world-renowned flier of World Wars I and II and currently board chairman of Space Technology Laboratories, Inc., for "distinguished worldwide aeronautical progress through unequaled business, government, military, and scientific leadership."

This annual Washington dinner features a question-and-answer period in which Cabinet officers, other Government leaders, industry leaders, and, this year, the Ambassador of India, gage the state of the Nation by discussing the prospects of the economy for the year ahead in their respective echelons of enterprise.

National Business Publications is the international association of publishers of over 200 technical, professional, industrial, scientific, merchandising, and marketing magazines in this country and Canada—all independently owned, audited, and published. Among the association's principles of practice, all-important is the one which pledges active allegiance to the American economic system of free competition. Therein lies the reason for the state of the Nation dinner.

Sound business decisions are essential to continued prosperity in this enlightened economy. Business Publications are dedicated to the proposition of providing a continuing flow of knowledge specific to such determinations. Reason enough why National Business Publications seeks each year to present the Silver Quill Award to that person who has best epitomized those principles for which it stands and through which it serves. The silver quill—like the organization which awards it—is synonymous with consecrated service to business and industry and to the government which guarantees our freedom of enterprise and its interpretation.

The excerpts from the dinner program follow:

INTRODUCTORY REMARKS BY MASTER OF CEREMONIES P. M. FAHRENDORF, VICE PRESIDENT, CHILTON CO., AND CHAIRMAN OF THE BOARD, NATIONAL BUSINESS PUBLICATIONS, INC.

As always, it is our hope that the state of the Nation dinner will continue its prophecy of ever better times to come. Here at our head table are leaders from the free world of government and industry. They have graciously consented to answer one specific question related to our dinner theme—"Making friends for freedom." All have agreed to abide by our custom of a tight 2-minute rule. We are also privileged tonight by the presence at our podium of a world-famous news analyst, commentator, and correspondent. He is to be our moderator, asking the program questions. It is my extreme pleasure to present to you Mr. Charles von Fremd.

REMARKS BY CHARLES VON FREMD, NEWS COMMENTATOR, COLUMBIA BROADCASTING SYSTEM

Mr. Speaker, General Doolittle, Admiral Burke, and other members of this distinguished company and, if I may, as a member of the Washington press corps, extend my own appreciation to our good, longtime friend up on the Hill, JOE MARTIN. I am indeed honored to be a part of this highly respected occasion. And I am indebted to your president, Bob Harper, for making my appearance here possible. Answers to our questions follow in the order listed in your program. I will initiate each question by simply announcing the name of the speaker. Now, then, in keeping with our theme, "Making friends for freedom," we'll begin with Secretary Douglas.

NINETEEN HUNDRED AND SIXTY STATE OF NATION DINNER—QUESTIONS AND ANSWERS

JAMES H. DOUGLAS, UNDER SECRETARY OF DEFENSE

Question. Mr. Secretary Douglas, if our missile program does lack a sense of purpose, authority, and urgency, then it is not convincing evidence of a strong economy. If the strategic missile, with nuclear warhead, is the decisive weapon of the next decade; if military and civilian application of space and missilery are no more separable than military and political power—then what are the answers to our problem besides more knowledge and more money?

Answer. The three provocative "ifs" in the question I think clearly call for a true or false evaluation. At the risk of oversimplifying, I score them in order—false, true, false.

First, our missile program does not lack purpose, authority, or urgency. Its purpose is to provide land-based and sea-based retaliatory striking power that—together with manned bombers and other forces—will convince any possible aggressor that aggression could not be profitable.

Atlas, Thor, and Jupiter programs have been oustandingly successful in producing effective weapons of extraordinary accuracy in less than 5 years—certainly, a shorter development period than required for the Soviet ICBM. Titan, Polaris, and Minuteman bear the mark or urgency of the highest national priority. Our progress in all these weapons is a credit to our strong economy.

Second, there will continue to be many important weapons. But, the strategic missile, with nuclear warhead, could be the decisive weapon of the next decade and we will be strong in such weapons. A numbers advantage for the Soviets which is likely to be greatest in 1962, will not produce a gap in our deterrent power.

Third, military and civilian use of space and missiles do lend themselves to separate development programs. Unlike NASA, the Department of Defense is not interested in space flight and exploration as ends in themselves, but will use space when the defense mission can be more effectively performed there.

As to what we need besides knowledge and money, I don't feel we're short of knowledge or money for military missiles and I believe the challenge of space will be met with a strong determination to lead in research and testing and exploration.

FRANK PACE, JR., CHAIRMAN OF THE BOARD, GENERAL DYNAMICS CORP.

Question. Mr. Pace, the exciting experience of your organization with nuclear power and underwater craft prompts us to ask you what the future holds for us in the way of nuclear engines for conventional ships, undersea weapon systems, and more know-how about the ocean and its phenomena.

Answer. America has always sought new worlds to conquer. It is for that reason that we—a questing, restless people—established this as the land of opportunity. It is for that reason that the world of space has fascinated us.

But what has always seemed strange to me is that, with three-fourths of our world yet really undiscovered, we have never fully realized the potential that lies beneath the waters of this particular planet of ours.

I see the sea is coming to the rescue of an exploding population in a world. I see laboratories built at the bottom of the sea. Strangely enough, it seems to me, that probably a man will go into space and maybe land on the moon before we plumb the lowest depths of the ocean. And yet, possibly in our time, and certainly in our thought, there lies the possibilities of submarines that will move beneath the oceans at a 100 knots; nuclear tankers that will tow their cargo flotilla behind them under the ocean's waters.

It is not unreasonable to believe that the ocean may one day become the great source of food to solve the problems of hunger. And I, for one, am a dreamer that believes that, one day, nuclear energy will find a means of economically extracting salt from the sea, so that the arid portions of the world can flower and produce the requirements of mankind.

Truly the sea, which was the mother of men, can become the provider of the future.

FREDERICK R. KAPPEL, PRESIDENT, AMERICAN TELEPHONE & TELEGRAPH CO.

Question. Mr. Kappel, if industry is to perform its function properly—as partner to a strong economy—in making friends for freedom, won't we be compelled to remove some of the shackles which bind our private enterprise, so that business may breathe easier and expand with more freedom and confidence?

Answer. Well, I don't think the question is precisely one of removing shackles, as you say, so that industry can breathe easier. Most of us in industry are still able to breathe. In my mind two things are most important:

The first is that our Government set an example of sound fiscal policy that will build confidence not only among business managers, but among people everywhere—in this country, and likewise in all the free countries of the world that look to us for leadership.

Second, we need an economic climate that really encourages and stimulates enterprise.

What I am thinking about is something more than what is called "business confidence." I think we need the urge, the drive, the positive determination and the means to outdo ourselves and accomplish more than ever before. We need to be a buoyant, lifting force. But business can rise to this challenge only in an atmosphere of understanding and encouragement.

The other side of this, of course, is that business must work to deserve this confidence and encouragement. There is no question about that, and I would equally urge this necessity.

I shall conclude my answer with this comment. Many American political leaders are convinced that it is vital for this country to help build up the economies of underdeveloped nations. I do not disagree with this. I do say that I hope they will look at their home economy through the same glasses and give American industry, not financial aid, but real freedom and positive encouragement to prosper and grow. For this is the foundation of all our strength.

ARTHUR E. SUMMERFIELD, THE POSTMASTER GENERAL

Question. Mr. Postmaster General, if the strength of this economy is to be counted on to truly bolster the free world, then its channels of communication must undergo drastic change, so that the concepts of freedom may enjoy immediate exchange and translation. Is it not conceivable, therefore, that your agency of Government may very well utilize an entire new framework of methods and machines to deliver the business and political messages of free peoples everywhere?

Answer. The answer to your question is a very definite, yes. One of the greatest deterrents to war is the development of better understanding among the peoples of the world. The postal services of the world are contributing immeasurably to this better understanding by reason of new methods and machines to expedite the movement of mail.

Our own Post Office Department, with the cooperation of industry, has been in the forefront in developing new methods and machines. These have enabled us within the past few years to improve the postal service in 60 metropolitan areas benefiting 129 million people. Progress is being made to provide more rapid transportation of mail between these metropolitan areas and all the cities of the world.

Particularly is this true in the case of electronic transmission. Using the facilities and equipment of industry and government, we have successfully sent intra-agency mail by way of coaxial cable and microwave relays between Washington, D.C., Detroit, and Battle Creek, Mich., as well as between Washington, D.C., and San Francisco, Calif. At the present stage of development, we can transmit and receive letter-sized mail up to 180 pages per minute.

Presently we are adapting equipment to the special requirements of the postal service. A further experimental test is planned for this fall which we hope will prove the feasibility, the practicability, and the economics of facsimile transmission. It may not be long before we can deliver a letter, its sanctity insured, anywhere in the country within a matter of minutes.

RUSSELL DE YOUNG, PRESIDENT, GOODYEAR TIRE & RUBBER CO.

Question. Mr. De Young, since your company has just yesterday announced a great new expansion program in the land of the freedom loving peoples of India, you should very well be able to tell us about the potentials that exist for the free world through such evidence of economic strength.

Answer. As a businessman whose business depends on peaceful trade, I feel that anything that helps the cause of peace also helps the cause of business.

Strength breeds strength and it also breeds confidence.

Our building a plant in India makes that country, and Goodyear, stronger. India becomes stronger because of the obvious benefits of the addition to its economic life of an important industrial facility.

Goodyear becomes stronger because it is in a better competitive position to do business in India.

This is a good deal both ways.

As a result, the United States gains because one business, and a friendly nation, grow together.

In sum total, the strength of the free world is therefore increased.

This, of course, takes place slowly, and to no great extent by a single case. It can hardly be seen or felt. Still, the effect is there.

And, looked at in terms of one brick being put on top of another—of one company after another doing the same thing—the potential result is of great benefit to the free world.

These positive actions reduce the will of an aggressor, if only by strengthening the will of a possible target of aggression—such as India.

Increased strength also reduces the chance of aggression, or subversion, meeting success.

At the very least, it gives pause to the irresponsible, even though they be strong.

This is a competitive world. We compete on many levels. We compete as individuals, as companies, as nations. We compete for profits and for goodwill. We compete for belief in the sincerity and rightness of what we say, what we do, and the causes and principles we represent.

Potential may be measured in many ways. Although not as sensational as a nuclear bomb, evidence of economic strength throughout the free world may turn out to be the most potent weapon in our arsenal—and certainly will have more convincing and lasting effects upon peoples everywhere.

MAHOMEDALI C. CHAGLA, AMBASSADOR OF INDIA

Question. Mr. Ambassador Chagla, if nations of the free world are to build a bulwark together against enemies of freedom, then our mutual strength depends on economic exchange as well as ideas. Toward that end—perhaps you will favor us with some sound advice on how we may improve our business relations with your country.

Answer. A bulwark of freedom can only be built if the people are free from fear of want—and that is the worst fear of all. That is what we are trying to achieve in India while maintaining democratic institutions. What we need is capital and machinery. We want your businessmen to come in with us to fight poverty and hunger by contributing your capital and your technical know-how and build up industries in India in partnership with us. We have received considerable economic assistance from your Government but I am more interested in seeing cooperation between our two countries on a people-to-people basis and that can only be done if American businessmen and American capital here realize what great potentialities there are in India for investment of American capital. Business relations can only be improved if the people here more and more visit our country and see for themselves how we are building up our economy and what great opportunities there are for private enterprise.

It is also necessary that trade between our two countries should expand. We have been buying from you machinery worth millions of dollars. We want you to respond by supporting our Indian economy by importing from India goods and articles which are not available here. Apart from jute and tea which you buy from us, you can give a great impetus to our cottage and handicraft industries. We produce beautiful hand-made cloth and ivory, silver and brass articles which would adorn the sitting room of any American. Every American who buys such an article will have the consciousness that he has helped the employment of hundreds and thousands of poor people in the villages.

EZRA TAFT BENSON, SECRETARY OF AGRICULTURE

Question. Mr. Secretary Benson, in an overall program of sustaining the vitality of the free world—remembering that our own population is mounting by leaps and bounds—is the American agricultural economy capable of fulfilling the inevitable food requirements both at home and abroad?

Answer. I believe the answer is "Yes." But it will not happen automatically. It will require research—pursued vigorously and steadily by both public and private agencies in an atmosphere of freedom.

In the Department of Agriculture we have examined this question for two target dates—1975 and 2010. We have considered both domestic needs and allowances for normal exports. We believe requirements in 1975 can be met by developing practical applications for the basic knowledge now known to our scientists.

In 2010—50 years from now—we will need twice as much food and other farm products as we are consuming today. We shall have to produce it on essentially the same number of acres as we are now farming. We will have to increase efficiency throughout agriculture.

Farmers will have to do a better job of conserving and using soils and water. They will need higher yielding strains of crops and livestock. They must have more economical and effective methods of controlling diseases, insects, weeds, and weather. They will need better fertilizer practices, machines, and other production tools.

Furthermore, agricultural efficiency does not stop at the farm gate. The quality of products must be maintained after they leave the farm. Handling, processing, and distribution must be efficient and economical. We must use all agricultural commodities efficiently—whether as industrial raw materials or as consumer end products.

We have big problems ahead of us. But I am confident that we can solve them with God's blessing and a resolute determination on our part as individuals and as a nation.

DR. FRANK H. SPARKS, PRESIDENT, COUNCIL FOR FINANCIAL AID TO EDUCATION

Question. Dr. Sparks, it would seem to be the inevitable responsibility of our educational system to prepare young people for the demands of free world leadership. What do you have to say about the manner in which this is being done?

Answer. Most of what we hear about education these days has to do with its problems and needs. I want to shift the emphasis from problems to opportunities and from needs to accomplishments.

Enrollment is at an alltime high. Forty-six million—one-fourth of our total population—are enrolled either full time or part time in some course of study.

As a result, we are spending more money for education than ever before—a total of $19 billion during 1959. This is double what was spent 10 years ago.

About three-fourths of this $19 billion goes to pay for precollege education and one-fourth for college and advanced study.

This money comes from taxes, tuition, and gifts. The amazing fact is that more than one-fifth of all the money spent on higher education last year came from gifts—gifts from corporations, gifts from foundations, and gifts from individuals.

This is indisputable evidence of the sincere concern of our citizens for more and better education and their willingness to pay for it.

Many imaginative innovations are being tried. Telecasting from an airplane is an illustration, reaching 13,000 schools and 5 million students in a single broadcast.

Never have we known so well how to turn the money invested in education to such good account.

Never have we had so many eager and able young men and young women ready to improve their usefulness by the educational process.

Never in the history of America have so many alert citizens recognized the power of education in maintaining our free world leadership.

MAURICE H. STANS, DIRECTOR, BUREAU OF THE BUDGET

Question. Mr. Stans, last year, the country watched the progress of the battle of the budget with great interest. Now, the President gives us some good news, with a $4.2 billon surplus as the goal for next year. Even so, budget spending is still around $80 billion and interest on the debt is taking 11 cents out of every dollar of taxes. Where are we headed in future budgets—toward even bigger spending and correspondingly high taxes?

Answer. There are two ways of looking at this problem, one pessimistic, one optimistic.

On the pessimistic side, there isn't any doubt but that population increases alone will cause some rise in spending for our going programs. And the pressures will continue to mount for the Federal Government to take over local government's problems. Public demands from pressure groups for more spending will grow on many fronts. The common fallacy that "if the money comes from Washington, someone else pays for it" will always be with us. If we yield to these temptations, we can soon have $90 billion or $100 billion budgets, higher taxes, and cheapening of our money.

For the long term, the real answer to reducing the Government's high level of spending lies in what happens in the world. If we can succeed in removing tensions from international relations and get agreements on disarmament with proper safeguards, it won't be necessary to spend 54 cents of every tax dollar on national security. That would provide room to improve domestic programs for the general welfare and to make significant tax reductions.

On the optimistic side, in the meantime, the budget for 1961 sets hopeful factors in motion. The President's proposals for the country are sound and are attainable. To a large extent, what happens to it will depend on how strongly the public believes in and insists on fiscal responsibility. If we hold to that budget, with its $4.2 billion surplus, it will set the stage to give the next administration and the next Congress a happy choice—it can apply some of the increasing annual revenues produced by our growing economy to debt reduction, or it can initiate desirable orderly tax relief, or both. If this is what we want to happen, the 1961 budget is crucial.

HARRY F. BYRD, CHAIRMAN, SENATE COMMITTEE ON FINANCE

Question. Senator BYRD, the capacity of the taxpayer to live up to the obligations to which he is committed by this Government—in making friends for freedom—is directly related to the ability of the economy to pay off the requirements of our stake in a free world. Do you feel that we could go so far in such efforts as to tax ourselves completely out of the realm of future financial security?

Answer. In answering this question, I would say that through this fiscal year the United States will have spent $73 billion in foreign aid since the end of World War II, and this does not include the cost of the Korean war, our military expenditures abroad, or our expenditures for NATO and other organizations for protection of the free world. All of this foreign aid expenditure has been added to the public debt for future generations to pay.

To date, most of our so-called foreign aid has gone to what may be generally regarded as developed nations. The emphasis is now being shifted to underdeveloped and less developed nations. These nations in the free world contain more than a billion people, and their needs for money are bottomless.

Obviously, there is a limit beyond which the American taxpayer cannot be taken. There are already areas where taxation is reaching the point of diminishing returns. Our Federal debt is nearly $300 billion. Total debt in this country, public and private, is nearly a trillion dollars, and the value of the dollar is now 47.2 cents on the 1939 index.

Our balance of payments with foreign countries has been in serious decline, and our gold reserves have been dwindling. If the strength and integrity of the American dollar is not maintained, we shall not meet our commitments at home or abroad.

Excessive taxation and debt resulting from excessive public expenditures are certainly basic elements in fiscal insecurity, and they are heavy factors in inflation. These, combined with increaseed labor costs not justified by increased production, such as we recently experienced, accelerate financial insecurity.

The fall of the American dollar in international exchange would be a world tragedy to free people everywhere and a great victory for Soviet Russia. We owe it to our friends abroad and to ourselves not to let this happen.

In brief, I would say that we cannot continue to carry a good part of the world on our backs. It is full time that the nations who received our aid in their distress and are now prosperous should assume their fair share of this burden.

FREDERICK H. MUELLER, SECRETARY OF COMMERCE

Question. Mr. Secretary Mueller, you are quoted as urging businessmen to become more active in behalf of sound government. You encourage them to speak up more frequently on vital issues, making their opinions known through letters, speeches, and institutional advertising. Since that last mentioned is one of the most effective public contracts available to the businessman, isn't his use of institutional advertising as much his right to freedom as for those who compete with his political views?

Answer. It certainly is. Businessmen have both the right and the duty of enlightening the public about our business system. Institutional advertising stems from the constitutional rights of free press and free speech. Regular advertising aims directly at selling goods. Institutional advertising is a method of selling the institution that makes successful sale of goods possible.

Private competitive enterprise right now is creating the highest level of prosperity in our history. In 1959, the gross national product was $480 billion, an increase of 7 percent in real terms or volume over 1958. It climbed to around $482 billion at an annual rate in the fourth quarter. It can rise much higher in 1960, if government, business, and labor encourage private initiative and oppose inflation.

If the Nation supports the President's budget and Congress does likewise, one threat to inflation will be removed.

I believe it is the patriotic duty of businessmen to use every proper means to inform the public of the value of a sound economy and a balanced budget. For inflation is injurious to our free market economy from which Americans derive their living. It is harmful to healthy economic growth which creates our children's livelihood. It is deadly to a strong industrial defense, the foundation of our national security.

Businessmen will serve the entire country whenever they openly champion a sound economy. The enemies of our free-market system are very talkative; it's time for its friends to speak up, too.

ROBERT E. GROSS, CHAIRMAN OF THE BOARD, LOCKHEED AIRCRAFT CORP.

Question. Mr. Gross, your industry excites us with such promises as aircraft carrying passengers and freight as speeds above 2,000 miles per hour—spanning our continent in less than an hour; the ocean in less than 2—bringing peoples and their ideas ever closer together. But—will you tell us what we may expect in the way of jet-propelled helicopters and convertiplanes for both interurban and commutation uses?

Answer. To answer your question directly, 3 to 4 years can bring real advances in the interurban area—probably 5 to 7 years in what I think you mean by commuter service.

Now for reasons:

Why can't it be done tomorrow? Or, why wasn't it done 5 years ago?

In all forms of transport, the problems that get solved first are the easiest ones—then the hard ones come last. This is just plain human nature. So it is in air transport design.

The easiest problem was the moderate range vehicle—500- to 1,000-mile range. The harder one was to make an airplane go very, very far—like 5,000 miles—with good payloads, and probably the hardest of all, strange as it may seem, is to make one that can operate profitably and efficiently on very short range, like 25 to 50 miles, say, Stamford, Conn., to New York City.

Such being the case, the greatest amount of aviation engineering went into the development of the fixed wing, conventional type airplane because it was the easiest.

If the same amount of engineering that went into the airplane had gone into the helicopter, the situation might have been reversed, and we might now be having helicopter traffic jams instead of automobile and bus jams. What makes it hard to design the efficient helicopter or convertiplane is the simple fact that trying to lift people straight up and have them stand still in the air, and then let them straight down again, just takes three to four times as much power per passenger as is needed for the regular airplane.

So, the very quality that makes the helicopter attractive also makes it complicated, expensive, heavy, and very, very good. The operating cost per passenger mile of the average helicopter is anywhere from 25 to 40 cents compared with 2 to 4 cents for the transport airplane.

I can see real quick expansion of helicopter service as a sort of belt line or peripheral type operation—Philadelphia, Trenton, Newark, Poughkeepsie, Armonk, Newark, and then all over again.

You know there are already three services getting started; one in New York, one in Chicago, and one in Los Angeles. I see this really blooming out in 3 to 5 years, especially with the 12- to 30-passenger models coming up. In other words, as a belt line linking communities and as an adjunct to our present air transport system, the vertical rising helicopter is already getting started and it and the convertiplane will do very well.

But this is not a commuter service. I think it will be much longer before a significant number of commuters are going to ride the 7:45 morning helicopter from Stamford to New York, do a day's work and catch the 5:25 commutercopter back to Stamford. The machines will have to be much larger, the city ordinances will have to be changed, and really convenient locations that actually save the passenger time will have to be available.

In spite of all this, and in spite of talk about other kinds of designs, I have never

seen anything that can beat the helicopter for its mission, and I confidently predict a steady growth and a great future for it.

EARL W. KINTNER, CHAIRMAN, FEDERAL TRADE COMMISSION

Question. Mr. Kintner, we should like to ask you a question about the morality of a strong economy and believability in it by the free world. No matter how much the strength of this economy is transfused into the veins of freedom—what will it profit, if the integrity of its business community is impeached by amoral elements?

Answer. I gather from your question that what you really want to know is how much damage to our international influence can be caused by shady dealing in American business.

My answer is that far more damage can be caused than the facts warrant. Our detractors make skillful use of the propaganda trumpet. With a squeaky fact in one end they can produce a triumphant blast out of the other. It is a blast that can be heard by credulous ears. Our detractors ignore the self-discipline of a thousand law-abiding businessmen while they herald the chicanery of one. And this one, our detractors shout, is free-enterprise in action.

Unjust? Of course it is. We become indignant that our competitive system should be so misrepresented. The very strength of our economy should be a refutation that immorality built it. But, in typical American fashion, our indignation searches for a comforting explanation—preferably one that avoids personal involvement in any corrective action. With a shrug, we tell ourselves that business since the days of the Phoenicians has never been without its larcenous few and never will be.

To some, this philosophy may be comforting, but not to me—particularly at a time when individual freedom and state slavery are locked in battle for the minds of men. We cannot afford to shrug away our weaknesses—minor though they be in fact and in proportion to our virtues. They are not minor through the trumpets of our enemies. And the whole world is listening.

You ask if the integrity of our business community is impeached by amoral elements. Yes, it is. But the impeachment can be lifted if business will exercise those great privileges of freedom—self-discipline and acceptance of law. I might add that the Federal Trade Commission is ready and able to assist any reluctant angels.

ADDITIONAL REMARKS OF MASTER OF CEREMONIES P. M. FAHRENDORF

Just before coming to our climax, let me read a telegram that has just been handed to me:

"It is a pleasure to send my greetings to those attending the ninth annual state of the Nation dinner of the Business Press and my congratulations to their guest of honor, Gen. James H. Doolittle. As recipient of the Silver Quill Award. General Doolittle more than fulfills the qualifications for distinguished service to business and industry in war and peace. He has advanced our knowledge of the art and science of aeronautics and promoted the welfare of his countrymen. Please give him my warm regards. On this occasion, I wish to pay tribute also to our Nation's business publishers who, by giving force and direction to public opinion to specialized studies of our business system, provide information basic to the progress of enlightened free enterprise. Best wishes to all.

"DWIGHT D. EISENHOWER."

And now we come to the climax of our evening and that ever proud moment for the Business Press—the presentation of its Silver Quill Award. You may be sure that there were numerous candidates recommended to the Selection Committee, all outstanding, all deserving. However, none sparkled with such brilliance as the great man chosen to receive our highest tribute tonight. We are greatly favored by the presence of another military man of far-reaching leadership throughout the free world. A statesman of no small stature, he is serving his third unprecedented 2-year term as Chief of Naval Operations. Admiral Burke, the Business Press of America is, and always will be, honored by its association with you and your momentous endeavor. We are delighted to have you here as the head man of our operating Navy to present the Silver Quill Award for 1959.

REMARKS OF ADM. ARLEIGH A. BURKE, CHIEF OF NAVAL OPERATIONS, IN PRESENTING THE 1959 SILVER QUILL AWARD OF NATIONAL BUSINESS PUBLICATIONS TO GEN. JAMES H. DOOLITTLE, CHAIRMAN OF THE BOARD, SPACE TECHNOLOGY LABORATORIES

Mr. Speaker, General Doolittle, honored guests, Mr. Chairman, ladies and gentlemen, we are gathered here tonight to honor a truly great American "for distinguished service to worldwide aeronautical progress through business, government, military, and scientific leadership."

Perhaps no other American of our times has so widely captured the imagination and admiration of his people; has so capably proved himself to be more than just a good soldier; so much more than just a good flyer and infinitely more than just an outstanding citizen.

I remember very clearly the many wonderful things my wartime commander, Adm. Marc Mitscher, told about General Doolittle. The admiral spoke only with the highest praise of this man—of the terrific job he did, of his courage, his perseverance, his strength of purpose, his leadership. The admiral would remark—how very fortunate the Navy was to be able to help to get the carrier *Hornet* out there to work with such a man.

Some naval aviators were just a little doubtful about getting those Army planes off *Hornet's* deck—but this gentleman listened, heard them all, and then proved he could do it. When Admiral Mitscher said all these fine things—he had had the tremendous good fortune of seeing General Doolittle in his true element—in action. Because I remember these remarks so well, I feel very humble, and very honored, to be your spokesman.

I have been privileged to be present at many of these dramatic dinners. I have witnessed the wonderful presentation of the past awards—including those to the Speaker here, Mr. RAYBURN, and to the former Speaker, Mr. MARTIN in dual ceremonies last January.

There is no other annual occurrence that so admirably suits its purposes as the state of the Nation dinner. There is no other award as appropriate as the Silver Quill has been in all past occasions. It would be difficult to find a comparable event which has been graced by such award recipients as Paul Wooton. Ben Duffy, Vice President Nixon, President Hoover, Charles Kettering, Harry Byrd, Ben Fairless, Speaker Rayburn, and Speaker Martin.

It is the reason behind the dinner—and the purpose of the award—which makes this affair one of the most significant during any Washington year. Here is a particular, and all too rare opportunity, where we of Government can exchange views with you of business and industry. All of us who are the guests of the Business Press of America tonight appreciate what you do here and what you do all year long in your excellent publications for our wonderful country.

The honors, achievements, and decorations of the award recipient tonight are legion. He is the holder of doctorate degrees in science, laws, engineering, and military science. He was first to fly across the United States in less than 24 hours; first to fly an outside loop, first to take off, fly a set course, and land without seeing the ground.

He is winner of the Schneider, Bendix, and Thompson trophy races. He established transcontinental and world land plane records. He has received the Mackay, Harmon, Guggenheim, and Wright Brothers Awards.

His decorations include the Congressional Medal of Honor, Distinguished Service Medal, Silver Star, Distinguished Flying Cross, Bronze Star, Air Medal. For brevity, I have omitted the many Oak Leaf Clusters that go with these.

His foreign awards are equally impressive—Knight Commander, Order of the Bath, Grand Officer of the French Legion of Honor and Croix de Guerre with Palm, Grand Officer of the Belgian Crown with Palm, and Croix de Guerre with Palm.

He is honorary fellow of the Institute of Aeronautical Sciences, fellow of the Royal Aeronautical Society, a member of the engineering advisory council of the University of California, and a life member of the Massachusetts Institute of Technology Corp.

He is a director of Shell Oil Co. and the board chairman of Space Technology Laboratories. And I've only begun to sketch the book that should be written about him.

We here tonight, by our very presence, pay tribute to this outstanding record of an officer, a businessman, a patriot. On behalf of all present—on behalf of the Business Press of America—I read this citation.

General Doolittle, "for distinguished service to worldwide aeronautical progress through unequaled business, government, military, and scientific leadership," I am proud and pleased to be the one to present to you the Silver Quill Award for 1959.

PRIORITIES FOR THE SPACE AGE

(Remarks of Gen. James H. Doolittle, chairman of the board, Space Technology Laboratories, Inc., in receiving the 1959 Silver Quill Award of National Business Publications, Inc., January 21, 1959, Washington, D.C.)

Mr. Chairman, Admiral Burke, distinguished guests, ladies and gentlemen, I am proud and grateful to be the 1959 recipient of the Silver Quill Award. I especially appreciate the generous words that have been addressed to me in presenting it. Being a young man, as you can see, I cherish the hope that I may yet merit them in the rigorous life of private business. I can assure you that your business publications will continue to be a big help in realizing that hope.

Seriously, these publications have contributed much to the advancement of our national knowledge. You who plan and publish them are educators of a high order. The professional man does not complete his education in the university. To excel he must continue to study for the rest of his active life. Your publications provide regular refresher courses to keep busy executives, farmers, lawyers, and doctors abreast of the rapidly changing times. For the scientists and engineers your technical periodicals are "must" reading. They do indeed help, to use your phrase, to "power the progress of our technology."

I have followed the discussion tonight with keen interest. It has given timely recognition to the new developments in the struggle between communism and freedom. The panel has emphasized that the American economy must be strong and our leadership enlightened and firm.

In my mind, there are six fundamental factors which must be considered if we are to deal intelligently with the Soviets:

First. There is no sound indication that they have abandoned or indeed altered their basic objective of world communization and world domination.

Second. Our military might has to date deterred them from quickly achieving their objective by force of arms.

Third. They will continue to endeavor to advance the cause of communism by propaganda, infiltration, subversion, and if permitted, by limited warfare.

Fourth. Over the long haul, economic warfare may well offer the best means of achieving their objective.

Fifth. The present Soviet peace offensive must be considered in the light of their desire to reduce military expenditures, strengthen their economy and improve their present low standard of living.

Sixth. Peaceful coexistence, to the Soviets, means the eventual imposition of communism by means other than all-out war.

Against this background, I want to talk with you about national priorities—important not only in the present struggle but to our future.

May I begin by drawing your attention to a striking fact: the Soviet economy is, in effect, a space economy now while ours is largely a consumer economy. They are concentrating on the space race as much of their scientific, technological, and economic resources as they think necessary to win it.

I'm sure they don't expect to win converts to communism on the Moon or Mars. They are using their space "firsts" in an effort to win converts here on earth—in the Middle East, Asia, Africa, Europe, and the Americas.

When we probe space, we insist—and rightly—on getting a high yield in scientific information for our investment. And we weigh such investments against alternatives that might produce bigger dividends in national security and national welfare. By contrast, the Soviets measure the value of their space ventures, regardless of any other results, primarily in terms of waging and winning the cold war.

During my visit to the Soviet Union last summer, I found that their priorities differ greatly from ours. Education, science, heavy industry, power, and transportation—these are key words which identify their top priorities, with military strength as the overriding objective. Consumer goods have a very restricted claim on their allocation of resources.

I do not cite this comparison to suggest that we scrap our consumer economy. For the standard of life it has given us has been historically our sputnik, drawing world attention and, if not admiration, at least envy. The question now is whether we can hold to that standard and at the same time meet the priorities of the space age. I believe we can. But we must understand that in a butter-and-eggs, high-fat economy, it is necessary to work hard—produce much—to match a Spartan, all-out-for-space economy.

It is quite obvious that the Soviets can outdo us in selected fields by investing more of their resources in a particular activity than we are willing to do. There is, however, no doubt in my mind that we can still outdo them in any field of endeavor if we choose to concentrate enough of our human and material resources on a specific goal.

I believe we have to make some hard choices in the next decade concerning what we as free people want to do with our talents, our technology, and our time. That means selecting and giving attention to certain priorities.

Walter Lippmann recently wrote, "The critical weakness of our society is that our people do not have great purposes which they are united to achieve * * * the public mood is defensive, to hold on and to conserve, not to push forward and create." The danger implied prompts me to plea the case for setting our sights on five points which are essential, in my judgment, to clarifying and then achieving our national purposes.

Of first priority is an appreciation of moral values and a commitment to live in accordance with them. This is the sound foundation on which our ideology must rest.

There are many differences between our system and communism but the basic moral difference can best be expressed by the difference between the Golden Rule, "Do unto others as you would that they do unto you," and the law of expediency, "The end justifies the means."

The one leads to improvement of the human species—to making man more nearly approach the image of his Maker. The other degrades man. Our morality gives us our greatest, long-range advantage over communism. We must explain this to our own people and to the peoples of the world—to many of whom Russian communism and American capitalism appear to be only competing materialisms.

A second priority is the improvement of our educational system. Any individual or nation will profit and progress in direct proportion to what they know and to what they do with what they know. Knowledge and effort spell success.

I have nothing against cosmetics and horse racing but we can no longer afford—if we ever could—to spend more on such luxuries than on our schools. The low esteem in which education has been held for years is evident from the dollar value we have attached to its support. The consequence is a serious shortage of classrooms, of teachers, and of highly trained people—particularly in science and technology; in research and development.

The average teacher's salary of $5,000 falls some 60 percent below the average income prevailing in 17 other comparable professions. It is a wonder that we face only a teacher shortage, not a teacher famine. This is explained, in large part, by the motivation and dedication of our teachers.

Yet the gap between what we have and what we must achieve in education cannot be closed by dollars alone.

Parents have a responsibility to help close that gap by sending their children to school disciplined, eager to learn and unafraid of the difficult.

The basic differences between Soviet education and our own is that they better understand the importance of education and the Soviet child is more disciplined and studies harder.

No group has a bigger stake in better education—from elementary through graduate schools—than business management. I feel I am putting this proposition to the right audience:

Let's take the lead in supporting a revival of learning. Let's insist that the scholar get at least the accolades accorded the athlete. Let's call a halt to the march toward mediocrity. Let's make our school courses difficult enough so the average student has to study hard—so even the gifted does not find it so easy that laziness is encouraged.

Let's help all who are willing to learn and let's provide extra faculty guidance and stimulation for the gifted as well as for the retarded. We must find, encourage, develop, and utilize genius.

Our success in every major endeavor, whether in social and political life, or in technological advance, depends largely upon what we do now to elevate American education.

A third priority is the need to step up the pace of science and technology to serve better both human needs and national security. Science must increase our stockpile of basic knowledge and technology must apply that knowledge for human welfare.

We could lose all by allowing an adversary to gain technical advantage in space weapons. We almost did when we allowed Stalin a nearly uncontested 8-year head start on rocket and missile development. It took us 6 years of all-out effort to catch up—technologically. In this connection I would like to say that our last 15 Atlas ICBM firings have been successful and the accuracy, CEP—circular error probable—has exceeded our most optimistic expectations.

But to win the world for freedom takes much more than weaponry. It calls for the application of science and technology to human needs—making the deserts bloom with desalinized sea water, converting solar energy to power, unlocking the secrets of the living cell to achieve a longer, healthier life span, and eventually through the life sciences and social science, developing better understanding and cooperation between peoples.

A fourth priority is a sound and expanding economy. In this connection I would like to refer you to two excellent addresses on this subject, before this august group, by two distinguished former recipients of the Silver Quill Award: Senator HARRY F. BYRD, and Mr. Benjamin F. Fairless.

Almost everything we do, from helping to keep the free world united to deterring aggression, depends upon a thriving, ever-expanding U.S. economy. In my opinion, this is so all-important that we simply cannot be content with a mere 3 percent annual increase in our gross national product. We must raise that to a 5 percent rate of economic expansion just to maintain our present lead over so determined a competitor as the Soviet Union.

The Soviet economic objective is outlined on a billboard I saw in Crimea. "By 1965 the Communist bloc will account for more than half of the world's production"—will produce more than all the rest of world put together. To stimulate their people to greater effort they promise them that: "Within 10 years the Soviet citizen will be the most contented in the world"—that is to say will have a higher standard of living than the American. To counter this we must produce more. We must employ improved methods. We must work harder.

More than this, our economy must be constantly refreshed by the entrance of new business enterprises. We need to encourage competent young men to strike out on their own in business, to introduce new ideas, to challenge convention and tradition.

If big business itself is not to become a stepping stone to socialism, it must take the initiative in giving the new free enterprisers a fair and fighting chance to survive and grow. Keeping the door open at the bottom is crucial to preventing stultification at the top.

Some of the most significant contributions to the missile and space programs are coming from small, young companies. Indeed, it is my privilege to be associated with one of these smaller corporations, one of a number that started business 6 or 7 years ago.

Since 1954 Space Technology Laboratories has served the Air Force as a management partner, responsible for the systems engineering and technical direction of the ballistic missile and related space programs. Working with the Air Force in applying the management concept of concurrency to weapon systems, our scientists and engineers have played a major role in compressing the time required to achieve operational capability for the IRBM Thor and the ICBM Atlas as well as pushing forward the research and development of Titan and Minuteman. Moreover, they have contributed importantly to the success of such space efforts as "the talking Atlas"—Project Score—and "Paddlewheel," a model of which you may have seen outside these doors.

I would like to point out that littleness is not necessarily good nor bigness, per se, necessarily evil. Given opportunity for the small beginning, there must also be responsibility for the continued adaptation and growth of large enterprise. As never before, our country needs big capacity to grapple with vast undertakings.

A final, overriding, fifth priority is national security itself. Weakness, on our

part, would encourage aggression—would lead to war. Only adequate military strength can deter war. Furthermore, it is vital in the present global contest for all of us to keep in mind that a weaker economy can overwhelm and defeat a stronger one by giving the military demands a higher priority than civilian needs. I would point out that while the Soviet steel production is only half of ours their rate of increase in steel production is twice ours and almost all of it goes into heavy industry and the military. Very little goes into consumer goods—where most of ours goes. While in Russia I was impressed by the almost complete absence of steel in their new housing construction program.

The problems of national security take on new dimensions in the space age. For one thing, deterrent power that really deters has to exist in a state of split-second readiness. It has to be safeguarded against a surprise first strike with nuclear weapons. Civilian indoctrination and protection, especially against fallout, is vital to the ability to sustain and recover from a nuclear attack.

The importance of the race for space comes into sharper focus when we consider the need for perfecting satellites for reconnaissance, communications, and early warning systems. We are already at work on second and thinking about third and even fourth generation space vehicles for a wide variety of military missions. Adaptations of these space vehicles can also serve the national security by providing reliable methods for inspection of arms control agreements. Such vehicles can be used to patrol peace as well as to deter war.

Perhaps we can better understand the role of national security if we think of it as the roof over the whole structure of American life.

These, then, are the high national priorities as I see them:

1. Commitment to moral values.
2. Support for education.
3. Concentration on science and technology.
4. A sound and growing economy.
5. Dedication to national security.

These priorities are interrelated and interdependent. Our principles, our knowledge, and our effort are foundations for what we do in using science and technology to expand our economy and provide for the national security.

We must establish and support these priorities if we are to maintain our way of life, preserve our freedom, and meet our obligations to the free world.

Mr. Chairman, may I conclude by again expressing my heartfelt appreciation for the honor bestowed upon me tonight and also for the privilege of sharing my thoughts with this distinguished company.

THE MAYFLOWER HOTEL

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I was pleased to hear that my distinguished, lovable, capable, estimable, indestructible, irresistible, and irreplaceable friend from Florida [Mr. MATTHEWS] had some very fine words to say about the Mayflower Hotel and its famous manager, my very dear friend and neighbor from back home in Wilkes-Barre, Pa., Mr. Neal Mack.

Mr. Speaker, the Mayflower Hotel is a great hostelry, a little plush for some of the brothers once in a while, but, generally speaking, it is one of the best hotels in the world. If there is any doubt about that, there can be no doubt about the fact it is managed by the best hotel manager in the world.

Now I hold no brief for General Motors. Far be it from me. I do not think they need any brief, certainly of mine, in a contretemps which may have occurred there between our distinguished colleague from Florida and the hotel, which of course did not take place with the personnel of the hotel. It happened to be one of the many, many minions of that great corporate octopus, not from Washington, not one of the hotel people.

I am glad to see that there is a great friendship again between the gentleman from Florida, Mr. Mack, and myself and, of course, the Mayflower Hotel, famous in song and story all over the world.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, I want to thank the distinguished gentleman. In my remarks a while ago I wanted to add that I certainly like the General Motors people in my district. I have no criticism against the automobile industry in this particular instance. As the gentleman and I know, the mistake was made because of an inexperienced employee, and I say to him I have no ill will toward him, and incidentally have so expressed myself to Mr. Mack. Let me say again what a fine gentleman I think Mr. Mack is.

Mr. FLOOD. All I can say is hallelujah! hallelujah!

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I am sure there is no payola involved in all this.

Mr. FLOOD. I do not think so, although motor car sales, I understand, are down a little bit, but the Mayflower Hotel is going full blast as always since the day years ago when it opened its doors.

SETTLEMENT OF THE CURRENT MEATCUTTERS' STRIKE IN WASHINGTON

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is my hope that all of the Members of the House, including the Speaker, join the two gentlemen in expressing in some way if we can, adroitly of course, that they get a reduced rate from the Mayflower Hotel and in the purchase of cars from the General Motors Co. Frankly, I have not the money to go to those wonderful hotels like the Mayflower and many others here in Washington.

What I would like to see is the settlement of the strike in the more than 100 food stores here in Washington so that we all can go out and buy a loaf of bread and maybe a little bit of meat or at least something to eat. Of course management will add the cost of the strike and any increase in cost to what we buy.

But, if we can find some way of limiting the power of these great unions, which are so necessary, and which, on occasion, when the spirit moves them, cut off our ability to buy food, this strike may be helpful.

AIR POLLUTION CONTROL

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, we all realize the importance of early action to control air pollution. For some time attention has been centered on the Los Angeles smog but we all know that the problem is national in scope. Other localities have been hit by smog conditions. Unless something is done, and soon, we could have a similar situation right here in Washington.

Recent research indicates that the problem of air pollution is much larger than the disruption of transportation and the irritation resulting from smog conditions.

Scientists have presented findings which indicate that air pollution is a very serious menace to health. I quote from a statement by Dr. Thomas F. Mancuso, chief, division of industrial hygiene, Ohio State Department of Health, who has said:

> I believe that air pollution represents a highly probable and important factor in the excess of lung cancer in urban areas, acting directly and augmenting the occupational exposures of men so that carcinogenic and cocarcinogenic agents of both environments may be involved.

In 1955, Congress recognized that air pollution is a national problem by enacting Public Law 159 to provide research and technical assistance relating to air pollution control. This authorized appropriations of $5 million a year for 5 years to the U.S. Public Health Services to study the problem.

Last session we extended this program for 4 additional years.

Much progress has been made since the enactment of Public Law 159 of the 84th Congress. It is not my purpose now to give a detailed report on that. More detailed information on that progress will be found in House Report No. 960 which I filed August 20, 1959, for the Committee on Interstate and Foreign Commerce last session recommending extension of the program.

I am glad to be able to tell you now that significant progress has been made since the committee filed that report.

It is generally agreed now that motor vehicle exhausts are the major source of air pollution in the Los Angeles area. A great deal of attention is being given this problem.

Recently a method has been found to eliminate a significant amount of the un-

burned hydrocarbons resulting from the operation of motor vehicles.

This is a device that transfers fumes from the crankcase to the cylinders, where the fumes are burned.

Supervisor Warren M. Dorn, chairman of the Air Pollution Control Committee of the Board of Supervisors, Los Angeles County, informs me "that recent research by the Air Pollution Control District has confirmed an announcement by the Automobile Manufacturers Association that crankcase blow by was responsible for about one-third of the total hydrocarbon emissions."

Supervisor Dorn says that a control device can be bought for as little as 99 cents. Los Angeles County plans to install a control device on the county fleet of 3,700 motor vehicles.

I understand that the automobile manufacturing industry plans to install these devices on 1961 models sold in California.

I trust that this is a mistake, and that the industry will make this device standard equipment on all 1961 models.

If the device is as efficient and inexpensive as claimed, I can see no reason why it cannot be made standard equipment on all 1961 models.

As chairman of the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce I plan to call a hearing to review the progress being made by the U.S. Public Health Service in air pollution control. We are especially interested in "blow by" method of eliminating crankcase fumes.

No date has been set for this hearing but I have asked Dr. Leroy Burney, the Surgeon General, to prepare a report for the subcommittee. I also have notified the Automobile Manufacturers Association, so that the industry can present a report on the progress being made in controlling this problem of automobile exhaust emissions and tell us more about this "blow by" device to eliminate crankcase fumes.

The committee has been interested in this problem for several years. In 1956, the Special Subcommittee on Traffic Safety, of which I was chairman, made a study of noxious, toxic, and harmful motor vehicle exhaust fumes. Testimony was taken on research activities of the industry and studies were made on visits to manufacturing plants.

The danger to drivers and occupants exposed to exhaust fumes, especially in heavy traffic, was called forcefully to the attention of the subcommittee at that time by Dr. Robert E. Zipf, president of the Ohio State Coroners' Association, who urged immediate research into this problem.

After consideration of the data gathered in the subcommittee study, our colleague the gentleman from Ohio [Mr. SCHENCK], a member of the subcommittee, introduced legislation in the 85th Congress to prohibit the use in commerce of any motor vehicle which discharged unburned hydrocarbons in an amount found by the Surgeon General to be dangerous to human health.

Early in the 86th Congress, he introduced similar legislation, which was favorably reported by the subcommittee. The full committee adopted a substitute amendment to provide for a study and report by the Surgeon General. This legislation, H.R. 8238, as amended, was passed by the House on August 17, 1959.

THE CONGRESSIONAL HOTEL

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I was deeply moved when my beloved friend from Florida [Mr. MATTHEWS] told us of the trials and tribulations of a Member of Congress wandering around in the large hotels in Washington. I do not wish to project myself into that controversy, but I do wish to say to the fine gentleman from Florida—and I never knew a finer gentleman—that there is a welcome waiting for him over at the Congressional Hotel. If he will come over there I know that DAN FLOOD, the distinguished statesman from Pennsylvania, will be the head of a welcoming committee. I am sure that the distinguished former Governor of Virginia, one of the great Members of this body, Governor TUCK, will be there to give him the glad hand. I know that Congresswomen FLORENCE P. DWYER and GRACIE PFOST will be there to give to the red carpet a rich coloring of beauty and charm, and, BILL MEYER and BILL MURPHY, and, of course, ROY WIER, who has been so long wedded to the hotel, hostess Ava Anderson calls him "Mr. Congressional Hotel." Oh, there are so many good people at the Congressional Hotel, I cannot understand why these boys from Florida go to the Mayflower and these other hotels when they have the Congressional right across the street. Congressman SIKES, a mighty loyal son of Florida, and a gentleman of surpassing taste, can give his colleague from the Sunshine State some good advice and Washington hotel directions. Congressman Pilcher of Georgia; Passman, of Louisiana; Anfuso, of New York; Breeding, of Kansas; Everett, Frazier, and Carlton, of Tennessee; and Wallhauser, of New Jersey, all will be on hand, I know, to welcome our colleague from Alachua County in Florida and in the cheer of the Congressional Hotel to make amends to him for whatever vicissitudes may have befallen him in his wanderings in strange hostelries.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am glad to yield to my colleague.

Mr. PUCINSKI. Mr. Speaker, I certainly would like to associate myself with my distinguished colleague from Chicago in the remarks he has made. But I think that in this whole discussion, my dear colleague from Chicago will agree with me that whether it is the Shoreham or the Mayflower or the Congressional, there are no finer hotels in the world than the hotels we have in Chicago which have given our city the reputation of the host city of the world.

Mr. O'HARA of Illinois. There is no doubt about that. My friend and colleague is absolutely right. He has stated a fact that is universally recognized by persons who have been privileged to try out all the great, magnificent and famous hotels of the world, and who have learned from experience that of the hotels in the world none begin to compare with those of Chicago. There is no place in the world like Chicago and under our dynamic and matchless Mayor Daley of Chicago is going forward with such dazzling strides that it is impossible sufficiently to visualize the brilliance of our future.

BIRTHDAY ANNIVERSARY OF ABRAHAM LINCOLN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, in view of the fact that under an order previously entered into the House will adjourn today over until Monday. I think I express the sentiments of every Member on this side of the aisle and I am sure also on the Republican side when I say that this is an appropriate time to say a word about one of the greatest men of all time, Abraham Lincoln, whose birthday comes tomorrow.

Abraham Lincoln, of course, served as President of the United States in one of the most critical periods of our country's history. The character of his service has come down to us through the years since his death as indispensable to the direction which this Republic and free government throughout the world have taken since that time.

There is something about the office of the Presidency of the United States which measures the highest qualities of men. Abraham Lincoln met that measure in every particular. The story of his life has long been an inspiration to young people, particularly young people born without great opportunity, boys and girls from log cabins and from the little houses across the tracks.

Abraham Lincoln, in coming up from a cabin in Kentucky to the White House, demonstrated his great qualities of honesty, integrity, and rare intellectual ability. This story has been told repeatedly by biographers and historians, and we marvel in it. But, Mr. Speaker, in my opinion, the greatest thing in Lincoln's story is not these rare qualities. To me the greatest thing in the story of Lincoln is that it shows what a member of the human family, blessed with such qualities of honesty, integrity, and ability, can do in a land governed of, by, and for the people.

NO DOUBT ABOUT WHAT LINCOLN WOULD DO

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to

revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, we pause today to pay tribute to a great American, a man who belongs to the ages.

My first public speech, in a grade-school program just 34 years ago, was a recital of those famous words of the second inaugural:

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Mr. Speaker, all America needs this counsel today even as in 1865. Here in the United States communities are still racked in bitter division which reflects malice toward some and a tragic absence of charity. No community is free from shame on this score. Each of us should examine his own conscience; none of us can point the finger of scorn. We need the spirit of the Great Emancipator in the development and adoption of techniques of reconciliation of man to man and race to race throughout our land.

And, Mr. Speaker, we have yet to achieve and cherish a just and lasting peace with all nations. We are tempted to ride the horse of hatred and bitterness in tilting against nations with whom we have deep and profound differences. In international affairs we have malice toward some. Our charity is frequently considered bribery rather than Christian love.

The humanity and true meekness of Lincoln is still needed in the councils of government, or we may perish. But we also need Lincoln's sense of humor. A sense of humor is really a sense of perspective. Lincoln's legacy of humor and tragedy as reviewed a year ago by the Denver Post in its editorial columns follows:

LINCOLN'S LEGACY—HUMOR AND TRAGEDY

Lincoln was said to be the first true humorist to inhabit the White House. He may well be the last, too.

If we make too much of Lincoln's joke-telling ability, it may be because present-day politics are too doggone solemn.

Too often our politicians (and even our few statesmen) tend to be humorless and pompous, perhaps in a desperate effort to impress on their listeners the gravity, feigned or real, of the situation they are discussing.

Lincoln lived in a time so intimately grave no one needed to be convinced of it.

Unlike the space crisis or the worldwide struggle against communism, the dilemma that faced every American needed no dramatizing—it was right there in his backyard.

Lincoln's humor, at least when used in official circles, was often injected because the gravity of the current event—especially in the early days of the war when the Union's commanding generals were successively getting their ears pinned back—was so terrifying that many of his subordinates were losing their sense of balance.

There was, for example, the case of the critic of Ulysses S. Grant, who complained of Grant's drinking.

Lincoln, relieved that at last a general had been found who knew when and where to fight, suggested to the complainer that he inquire what brand of whisky Grant drank, so that the President might send some of the same to other, more timid generals.

This typified Lincoln's manner of telling people, in a way they would remember, what was truly important and what was only desirable, of casting aside the trivial and getting to the heart of the matter.

He was a moody man, painfully aware of his tremendous burden and the inability of any man to order the chaos of war.

He needed his sense of humor, not only as an instrument of personal relations, but within himself.

A sense of humor—which in its best form is the rough equivalent of a sense of history, or of human perspective, or of the ludicrous—is essential to the inner balance of the great man in public life, whether or not it is ever expressed outwardly.

Without it, arrogance is just around the corner.

The same sense of man's place in the world that gave rise to Lincoln's jests also enabled him to make some of the noblest and most inspiring statements in all history.

An important part of Lincoln's legacy is a view of human existence in which laughter and tears are barely separable.

If Lincoln were again a Member of this House I am certain he would feel no embarrassment about signing the discharge petition to bring to the floor legislation to make effective a constitutional amendment adopted almost a century ago. I hope that the oratory this anniversary weekend will strengthen our resolve "to finish the work we are in, and to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

THE COMMERCIAL BANKS ACQUIRE TAX-EXEMPT BONDS OF THE STATES AND POLITICAL SUBDIVISIONS ON CREATED MONEY—TABLE SHOWING EQUIVALENT RETURNS ON TAXABLE BONDS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, when a commercial bank makes a loan or an investment, it simply creates the money on the books of the bank with which to make the loan or the investment. This is true when a commercial bank acquires a security of a State or a political subdivision no less than when a commercial bank makes any other kind of investment. It seems very doubtful to me that this is a proper policy to be tolerated. When the commercial banks acquire debt obligations of the States and political subdivisions, they are, it must be recalled, acquiring tax-exempt securities.

THE FEDERAL GOVERNMENT SHOULD HELP PROVIDE ANOTHER TYPE OF MARKET

A good argument could be made, I think, for the proposition that the Federal Government should adopt some other kind of arrangement to provide a market for bonds issued by the States and the cities and other political subdivisions, such as school districts and road districts. This could be done so that these bonds would pay a very low rate of interest—say not over 1 percent and possibly much lower.

At present interest rates local taxpayers are compelled to pay for two schoolhouses in order to get one schoolhouse. And if our Federal money managers keep pushing interest rates up, it will soon be that the citizens of the local school districts will have to pay the cost of three schoolhouses in order to get one schoolhouse. I could add that the homeowners who are paying for these schoolhouses are also paying, at present interest rates, for two homes in order to have one home. And if the Federal authorities keep pushing interest rates up—a matter which is really the responsibility of Congress—home buyers will soon be paying the price of three homes in order to have one home. The money lenders and money creators will, of course, be receiving, in interest charges, an amount equivalent to the cost of the two homes which will not be built.

COMMERCIAL BANKS HOLD 30 PERCENT OF ALL TAX-EXEMPT SECURITIES

It is assumed that the commercial banks function, in a way, as clearinghouses for tax-exempt securities. In other words, they purchase them only to resell them to their customers, their stockholders, and so on. But the banks themselves continuously hold tremendous amounts of these securities and collect the interest on them—tax exempt. In fact, the commercial banks are now holding approximately 30 percent of all the outstanding tax-exempt securities which have been issued by all the States and all the political subdivisions.

On June 10 last year only 16 banks in New York held approximately $2 billion of these obligations. Only 14 banks in Chicago held in excess of one-half billion dollars in these obligations.

According to the Federal Reserve Bulletin, which is issued by the Board of Governors of the Federal Reserve System, all commercial banks in the country held, by last June, $16,984 million in tax-exempt securities of the States and local subdivisions. This amount represented an increase of more than $3 billion within 2 years. Actually, the commercial banks' acquisition of these tax-exempt securities—on created money—has grown and grown until the matter has become a source of embarrassment to some of the bankers themselves.

The amounts of such securities held by the various classes of banks has been a regular monthly feature of the Federal Reserve Bulletins for many years, beginning with its issue for January of this year, however, the Federal Reserve Board adopts a new procedure which now consolidates the information on this subject with other types of bank investments, and the new procedure thus camouflages the amount of the bonds of the States and political subdivisions

which the commercial banks are holding. I hope, however, that this will not be the case in the future issues of the Federal Reserve Bulletin. I have brought the matter to the attention of Chairman Martin and asked him if he cannot see his way clear to resume reporting this information separately in future issues of the Federal Reserve Bulletin.

PEOPLE ARE PAYING TAXES ON WHAT THEY OWE—NOT WHAT THEY OWN

Now this is a point we should consider in connection with the question whether the commercial banks should be allowed to use the money-creating powers which the Government delegates to them, to acquire and hold tax-exempt securities of the States and political subdivisions: Local taxes imposed to pay for school buildings, highways, and so on, are usually ad valorem taxes—that is, they are property taxes based upon the value of the tangible property being taxed. Many people—probably a great majority of the people—being taxed on the value of their homes or farmlands not actually own this property, or own only a small equity in it. These people are paying taxes not only on what they own, but also on what they owe. And they are frequently paying more taxes on what they owe than on what they own. In other words, this is an oppresive form of tax which the local citizens have to pay in order to meet the interest and principal payments on these bonds of the States and political subdivisions. It is difficult to understand why we do not have a better arrangement for carrying these bonds than the arrangement whereby the commercial banks purchase them on created money, without a penny of cost to themselves, benefit from the tax exemptions, and still charge the people tremendously high interest rates for carrying the bonds.

BANKING BUSINESS SHOULD BE PROFITABLE, BUT ESCAPES FROM PROVIDING BANKING SERVICES LESS PROFITABLE

I do not object to the banks making profits and making adequate profits. On the contrary, only banks making satisfactory earnings can adequately provide the banking services which the people must have. I believe, to repeat, in a profitable banking system, and I would propose nothing to prevent the banks making satisfactory profits on the normal banking business, which contemplates serving the local people in the area where the bank is franchised to operate. I do feel, however, that a great many banks have largely retired from the banking business and are using the money-creating powers entrusted to them merely to acquire and hold U.S. Government securities and tax-exempt obligations of the States and local political subdivisions, and they are not adequately serving the need of the local people. The commercial banks generally are loaded with these Government securities and they are finding them so profitable—at the present high interest rates—that there is a general tendency to withdraw from the normal banking business. So I do not think that the policies which encourage this are actually benefiting the local people. I hope that the Members will agree with me that the Congress should take steps to reverse this trend.

Normally we might assume that the tax-exempt feature of the securities of States and political subdivisions would create a sufficient market for these securities, among high-income individual investors, without any need for a commercial bank market—which is a market on created money—or any other kind of market. Yet this appears not to be the case. To illustrate, a tax-exempt bond paying an interest yield of 4¼ percent gives a return to an individual in the $200,000 income bracket equal to that of a taxable bond paying an interest yield of 47.22 percent.

The Financial World, a 57-year-old investment and business weekly, in its issue of February 10, 1960, makes this observation concerning tax-exempt bonds:

> Particularly attractive to the investor in the higher tax brackets, these obligations can offer almost as much shelter from creeping inflation as can conservative equity issues. And when tax-exempt issues can be had at bargain levels, their relative attraction is even greater than usual.

Following this observation, the Financial World provides a table showing equivalent interest yields of tax-exempt bonds for individuals in the various income tax brackets. These effective yields, for individuals in the higher income brackets, are most astonishing. I will insert the table in the RECORD for those Members who may wish to compare returns on taxable and tax-exempt bonds for the various income tax brackets.

The table is as follows:

Tax exempt versus taxable yields

Taxable income	Tax rate	If yield from tax-exempt bond is—						
		3 percent	3.25 percent	3.50 percent	3.75 percent	4 percent	4.25 percent	4.50 percent
		To provide an equivalent return a taxable bond must yield—						
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
0 to $2,000	20	3.75	4.06	4.38	4.69	5.00	5.31	56.3
$2,000 to $4,000	22	3.85	4.17	4.49	4.81	5.13	5.45	5.78
$4,000 to $6,000	26	4.05	4.39	4.73	5.07	5.41	5.74	6.09
$6,000 to $8,000	30	4.29	4.64	5.00	5.36	5.71	6.07	6.43
$8,000 to $10,000	34	4.55	4.92	5.30	5.68	6.06	6.43	6.83
$10,000 to $12,000	38	4.84	5.24	5.65	6.05	6.45	6.85	7.26
$12,000 to $14,000	43	5.26	5.70	6.14	6.58	7.02	7.45	7.90
$14,000 to $16,000	47	5.66	6.13	6.60	7.08	7.55	8.03	8.50
$16,000 to $18,000	50	6.00	6.50	7.00	7.50	8.00	8.50	9.00
$18,000 to $20,000	53	6.38	6.91	7.45	7.98	8.51	9.05	9.59
$20,000 to $22,000	56	6.82	7.39	7.95	8.52	9.09	9.68	10.23
$22,000 to $26,000	59	7.32	7.93	8.54	9.15	9.76	10.37	10.98
$26,000 to $32,000	62	7.89	8.55	9.21	9.87	10.53	11.19	11.85
$32,000 to $38,000	65	8.57	9.29	10.00	10.71	11.43	12.15	12.86
$38,000 to $44,000	69	9.68	10.48	11.29	12.10	12.90	13.70	14.51
$44,000 to $50,000	72	10.71	11.61	12.50	13.39	14.29	15.19	16.08
$50,000 to $60,000	75	12.00	13.00	14.00	15.00	16.00	17.00	18.00
$60,000 to $70,000	78	13.64	14.77	15.91	17.05	18.18	19.33	20.46
$70,000 to $80,000	81	15.79	17.11	18.42	19.74	21.05	22.38	23.68
$80,000 to $90,000	84	18.75	20.31	21.88	23.44	25.00	26.56	28.13
$90,000 to $100,000	87	23.10	25.00	26.92	28.85	30.77	32.62	34.62
$100,000 to $150,000	89	27.27	29.55	31.82	34.09	36.46	38.60	40.92
$150,000 to $200,000	90	30.00	32.50	35.00	37.50	40.00	42.50	45.00
$200,000	91	33.33	36.11	38.89	41.67	44.44	47.22	50.00

NOTE.—Rates shown are applicable to taxpayers filing separate returns; married taxpayers filing joint returns may find equivalent yields by dividing taxable income by two and using the income bracket applicable to the amount obtained.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. BAILEY, for 20 minutes, on Tuesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

(At the request of Mr. ALBERT, and to include extraneous matter, the following:)

Mr. ROUSH in two instances.
Mr. MULTER.
Mr. BOGGS.
Mr. RODINO.
Mr. FLOOD.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Monday, February 15, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1822. A letter from the Assistant Secretary of the Interior, relative to stating that an adequate soil survey and land classification of the lands in the Cedar Bluff unit, Smoky Hill division, Missouri River Basin project, has been completed as a part of the investigations required in the formulation of a defi-

nite plan for project development, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1823. A letter from the Secretary of the Army, transmitting a report on the progress of the Army Reserve Officers' Training Corps flight training program covering the period August 1, 1956, to December 31, 1959, pursuant to Public Law 879, 84th Congress; to the Committee on Armed Services.

1824. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation entitled "A bill to amend section 307 of the National Aeronautics and Space Act of 1958, as amended, and for other purposes"; to the Committee on Science and Astronautics.

1825. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 11, 1959, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of Wessagussett Beach, Weymouth, Mass., prepared under the provisions of section 2 of the River and Harbor Act, approved July 3, 1930, as amended and supplemented (H. Doc. No. 334); to the Committee on Public Works and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPENCE: Committee on Banking and Currency. S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas; without amendment (Rept. No. 1261). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency S. 2454. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the Pony Express; without amendment (Rept. No. 1262). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H.R. 5040. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 10378. A bill to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees; to the Committee on Education and Labor.

H.R. 10379. A bill to provide grants for adult education for migrant agricultural employees; to the Committee on Education and Labor.

By Mr. ASPINALL:

H.R. 10380. A bill to amend the act of June 13, 1930; to the Committee on Veterans' Affairs.

By Mr. DORN of South Carolina:

H.R. 10381. A bill to extend the veterans' home loan program to February 1, 1965; to provide for direct loans to veterans in areas where housing credit is otherwise not generally available, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 10382. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of Colorado:

H.R. 10383. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

By Mr. KARSTEN:

H.R. 10384. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mrs. KELLY:

H.R. 10385. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

H.R. 10386. A bill to direct the Secretary of the Interior to convey certain lands and personal property to the State of Washington; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 10387. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. POFF:

H.R. 10388. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. POWELL:

H.R. 10389. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 10390. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. RILEY:

H.R. 10391. A bill to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by providing for payment of the widows of the individuals entitled to benefits thereunder, and for other purposes; to the Committee on Armed Services.

By Mr. WIER:

H.R. 10392. A bill to amend section 9(b)(3) of the National Labor Relations Act so as to eliminate the provision thereof prohibiting the certification, as bargaining representative of persons employed as guards, of a labor organization which admits to membership, or is affiliated with an organization which admits to membership, employees other than guards; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.J. Res. 607. Joint resolution to proclaim the first week in May as National Horse Week; to the Committee on the Judiciary.

By Mr. COHELAN:

H. Con. Res. 590. Concurrent resolution expressing the sense of Congress that the U.S. moratorium on the testing of nuclear weapons shall be continued; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred, as follows:

By the SPEAKER: Memorial of the Legislature of the State of Georgia, memorializing the President and the Congress of the United States relative to requesting the necessary funds available for the construction of a new 750-bed Veterans' Administration hospital in the Atlanta area; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Georgia, memorializing the President and the Congress of the United States to extend education benefits to veterans of the Armed Forces who entered or who enter the service subsequent to February 1, 1955; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 10393. A bill for the relief of Mrs. Maud Rowe; to the Committee on the Judiciary.

By Mr. BALDWIN:

H.R. 10394. A bill for the relief of Adelaida Madayag; to the Committee on the Judiciary.

By Mr. IKARD:

H.R. 10395. A bill to provide for a review of certain representations made by the Bureau of Land Management in offering for sale a parcel of land in Natchitoches Parish, La.; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 10396. A bill for the relief of the Smith Canning Co.; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 10397. A bill for the relief of Mar Moo Jing and Gee Sai Yen; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10398. A bill for the relief of Roy Thelander; to the Committee on the Judiciary.

By Mr. THOMAS:

H.R. 10399. A bill for the relief of Dr. Cemal Ergene; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 10400. A bill for the relief of Nikolaos George Sarris; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 608. Joint resolution to authorize the Speaker of the House of Representatives to confer a medal on John Edgar Hoover, Director of the Federal Bureau of Investigation; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.J. Res. 609. Joint resolution for the relief of the Burnham Chemical Co., a Nevada corporation; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

337. Mr. WALTER presented a petition of Wesley Pulli and others of Easton, Pa., urging support of legislation increasing the minimum wage to $1.25 an hour and to broaden the coverage of the Fair Labor Standards Act, which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

A Report on an Investigation of Federal Civilian Personnel Problems in the Far East

EXTENSION OF REMARKS
OF

HON. CHARLES O. PORTER
OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 11, 1960

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter of submittal and the text of my report to the chairman of the House Committee on Post Office and Civil Service, the Honorable TOM MURRAY, on Federal civilian personnel activities in the Far East, with its appendix. I think it will prove interesting to many of my colleagues and to a large portion of the other readers of the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,
POST OFFICE AND CIVIL SERVICE COMMITTEE,
February 9, 1960.

Hon. TOM MURRAY,
Chairman, Post Office and Civil Service Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: There is submitted herewith a report of my investigation of Federal civilian personnel matters in Japan, Okinawa, and Taiwan during the period November 5 to November 15, 1959, inclusive, in accordance with your letter to the Secretary of Defense dated September 4, 1959. The report contains recommendations and findings developed during the course of the investigation.

Except for deep concern about the form of the rotation policy which employees have been hearing about in the Far East and with respect to housing, no general employee complaints were heard. Morale and conditions of work seemed excellent. It is my impression that, on the whole, civilian personnel in these areas are doing a first-rate job and are enjoying their work overseas. Most of them appeared to be fully aware of the importance of their roles in maintaining our strength in the face of the threatening challenges of international communism.

It is my hope that our committee will take such steps as are necessary to provide a continuing forum, as a matter of policy, for these oversea employees, as well as employees here in the United States, so that the committee may be more fully informed with respect to oversea personnel administration and the employees may be assured of all due and appropriate consideration for their problems.

Thank you very much, Mr. Chairman, for this opportunity to learn more about personnel problems of the Federal Government. This experience has given me a new and deep appreciation of the general responsibilities resting on you, as our chairman, and on each member of our great committee.

With best wishes.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

FEDERAL CIVILIAN PERSONNEL ACTIVITIES IN THE FAR EAST

This report sets forth, in summary form, recommendations for strengthening Federal civilian personnel administration in the Far East and findings developed in an investigation of personnel matters in Japan, Okinawa, and Taiwan, conducted by Representative CHARLES O. PORTER, a member of the Committee on Post Office and Civil Service of the House of Representatives, during the period November 5 to November 15, 1959, inclusive, under authority of a letter from the chairman of the committee to the Secretary of Defense dated September 4, 1959. Mr. PORTER is the first member of the committee personally to investigate personnel matters in the Far East.

RECOMMENDATIONS

1. Reemployment legislation: That prompt and favorable consideration be given by the committee to the official request of the Department of Defense for legislation to grant reemployment rights to employees of that Department who are assigned overseas.

2. Housing: That the appropriate executive agencies investigate oversea housing policies and conditions for Federal civilian employees and make recommendations for appropriate changes in policy and legislation including, but not restricted to, the following:

(a) Cutting off further shipments of household goods overseas and having basic needs furnished by Government.

(b) Establishing a program to purchase housing for civilian employees off as well as on bases.

(c) Coordination and reviews of existing restrictions by commanding officers overseas with respect to areas and price range.

(d) Giving civilian employees housing allowances under a system identical to those given their military counterparts.

3. Competitive status: That the U.S. Civil Service Commission and the Department of Defense join in devising improved procedures so that certain nonstatus employees in oversea areas may have better opportunities for achieving competitive status.

4. Coordination: That regulations having to do with identical activities be issued by the Department of Defense rather than in three somewhat different versions by the Army, the Navy, and the Air Force, as in the case of the recent teacher pay adjustment legislation.

5. Duty limit on gifts: That section 321 of the Tariff Act of 1930, as amended, be amended to increase the limit on duty-free goods from $10 to $50 but only with respect to Federal civilian employees assigned overseas.

DISCUSSION OF RECOMMENDATIONS

1. Reemployment legislation: Over one-half of the U.S. civilian employees now in Japan have been out of the United States for more than 5 years. Almost one-half have spent more than 5 years in Japan. Here are the figures:

Department	Total in Japan	More than 5 years in Japan
Air Force	1,774	524
Army	1,465	850
Navy	752	306
Total	3,991	1,680

Rotation of personnel is, of course, the rule for military and Foreign Service personnel. It should also be the rule for other Federal civilian personnel. A person overseas too long tends to get stale. Most of them want to come home. Some who do not want to come home should be required to do so.

Oversea employees are roughly divided into three groups approximately equal in number: schoolteachers, clerical and junior administrative personnel, and senior administrative and technical personnel. The need for rotation is almost entirely with respect to the last category.

Reemployment legislation by itself will not accomplish rotation. It will make assignment of our best personnel to oversea posts easier. The resultant vacancies will help make places here in the United States for those overseas now.

The chief difficulty now is that an employee overseas has no assurance that he can find a comparable job if he decides to go home. The Army operates an interchange service. It lists employment information about persons who want assignments in the United States. The system has been a failure. Commanding officers prefer to transfer or promote from their own personnel rather than take a chance on someone from overseas and having to wait for him.

Reemployment of oversea employees who do not now have reemployment rights will have to be accomplished by executive, not legislative, action. We cannot create jobs, nor should we attempt to require by legislative action the arbitrary return of oversea employees for stateside employment. We can and should urge that the Department of Defense take stern measures to see that qualified employees from oversea assignments are permitted to fill vacancies here in the United States.

Administrative action can be effective. For example, the Air Materiel Command of the Air Force is now in the process of returning upward of 50 high-grade (GS-9 to 14) employees who have been overseas for more than 5 years to positions in the States at not less than their current grades. This is purely a voluntary program and is being conducted successfully because the command headquarters here in the States has put itself actively behind the program and is taking immediate and direct interest by requiring stateside field installations to place qualified oversea employees in appropriate vacancies.

It is believed that the proposed reemployment legislation is a far better approach to the rotation problem than, for example, action taken by the Army recently to restrict promotion opportunities for employees with 5 or more years of continuous service overseas. The Air Force was considering a similar policy but has since rejected it. The Army has also eliminated it. It is plain that the military departments are deeply concerned with what is known by some persons overseas as the "homesteader" or "rice paddy daddy" problem.

This problem was discussed, during the investigation, with commanding officers, personnel specialists, and more than 300 civilian employees. The overwhelming concensus is in favor of the proposed legislation and policies to establish a system of rotation. They believe such a system would benefit both the employees themselves and the Government. The greatest fear of the employees is that arbitrary action may be taken against them simply because they have been overseas for a long time.

The legislation in question is part of the Department of Defense legislative program for 1959. The proposed bill was discussed with a member of the committee staff and Department of Defense personnel officers in December 1959. According to the staff member's estimate, technical work on its provisions could be completed in one staff session. It is hoped that such a session can be arranged at an early time and that the committee chairman may consider introducing the bill as revised.

On the basis of the facts developed in this investigation, it is important that hearings on this bill, when introduced, be scheduled as soon as possible. It is essential that both oversea and stateside employees understand the intention of the legislation and that they have ample occasion to express themselves as to details. Morale is particularly important and precarious in oversea areas.

Additional information in more detail with respect to length of service overseas is appended and further data will be furnished from Japan shortly for committee consideration.

2. Housing: The amount and quality of housing were constantly deplored in interviews with employees. Apparently military personnel feel the same way. In the Tokyo area there is a shortage of available privately owned housing. What is available and adequate is costly.

Under existing regulations most of the available Government family type housing is allotted to military personnel, which means that civilian employees must largely turn to the local economy. Various regulations govern the cost and quality of the housing they can rent. It is felt that the Department of Defense could, after a proper study, do a better job of administration with respect to civilian housing.

For example, under current policies within the Tokyo area each military installation is assigned a particular geographic area in the vicinity. Employees must have the rent they pay approved within the areas assigned to the installations in which they live. It was learned that in some areas housing was going begging and in other areas there were serious shortages. An overall joint military committee or other board should be established to set standards and to coordinate housing policies for the entire Tokyo section.

Of course it is realized that the rollback of our forces in Japan has been relatively recent and drastic. The concentration of forces in the Tokyo area has caused these problems. They should be studied and met as promptly as possible.

The shipment of household goods is expensive and, it appears, unnecessary, particularly if a rotation program goes into effect. Plenty of good basic furniture is available overseas. It is suggested that storage costs in the United States for a period of 3 years would normally be considerably less than shipping charges figured for one round trip.

Purchase of housing for civilians, and perhaps also construction of new housing for purchase, may well save a substantial amount of money. This would also give a stability to the housing arrangements not present with some rentals.

It may be that a more satisfactory way all around for providing housing would be to give civilians a set amount for housing just as is done for the military where Government housing is not available. The Air Force officially favors this change of policy. It would save the headaches of keeping complex accounts and of trying to evaluate living quarters. Any savings on quality would mean extra cost to the recipient. It is understood, however, that in many cases, particularly in those areas where there is a large concentration of employees, current allowances for private rental housing are not sufficient to meet actual costs.

This is by no means a comprehensive study of the housing situation in Japan, Okinawa, and Taiwan. No such project was attempted. Certainly enough was said about the situation to warrant the conclusion that the appropriate agencies should conduct a thorough investigation and include exploration of the suggestions listed herein.

These figures, supplied by the American Embassy in Tokyo on November 10, 1959, will provide an idea of the magnitude of the expenditures for housing.

Fiscal year	Number of families	Quarters allowances
1958	14,645	$18,452,700
1959	13,428	16,919,280
1960	12,127	15,317,820

3. Competitive status: The competitive service was extended to oversea areas in 1955. Since that time, in a number of instances, employees in certain jobs have been converted from appropriate civil service registers to competitive status. In other instances, some of which were brought to light during the investigation, no such conversion was possible. The reason for this was either that under current procedures they had not as yet come within the reach of civil service registers or that there were no appropriate civil service registers under which they could apply for examinations. Such a situation should be corrected. The result now is that individuals feel they are being treated unfairly and the Government often fails to make the best use of abilities and training.

4. Coordination: A plea for coordination would seem to have a basis in fact where the activity is not affected by functional differences. Teachers who are teaching service families' children should not be under different regulations depending on their departments. Many teachers were interviewed during the investigation. Their chief concern was with the interpretations to be made of the Pay Adjustment Act (Public Law 86–91). Teachers are in close touch with their colleagues working in other installations. They see no reason why the governing regulations for all teachers overseas should not be identical. Their view seems justified.

5. Duty limit on gifts: In 1942 Congress enacted a law allowing servicemen to send home duty-free gifts worth less than $50. Several civilian employees expressed the opinion that this is discriminatory inasmuch as their limit, as for other nonservice citizens abroad, is $10. It would appear that the same reasons which prompted Congress to increase the limit for servicemen abroad apply with equal force for Federal civilian employees assigned overseas.

PROCEDURES AND COMMENTS

Circumstances prevented Hon. Robert J. Corbett, of the committee, from participating in the investigation as planned and as authorized by the chairman. The Department of Defense, upon request, assigned Mr. Joseph P. Hochreiter, Deputy Director for Civilian Personnel, Air Force, who recently returned to Washington after 2 years as Director of Air Force Civilian Personnel in Europe, to assist in the investigation. Mr. Hochreiter attended briefings with commanding officers, personnel officer interviews, and meetings with civilian employees. His assistance was extremely valuable. He was able to settle many problems on the spot.

Ten separate installations were visited, eight of which were in Japan and two in Okinawa. On Taiwan, because of a shortage of time and because is was Sunday, arrangement were made to meet the personnel officers and civilian employees at the hotel headquarters for the investigation.

Schedules for visits to all installations were arranged in advance, including an announcement to be made to all civilian employees at each installation that any complaints or comments could be presented in personal interviews. This procedure was most constructive. About 150 employees were interviewed and conferences were held with at least 150 other employees at general meetings, luncheons, and one dinner. Also, a final interview session was arranged at a civilian-noncommissioned officers' Club in Tokyo for those employees who were missed earlier in the week.

Both military and civilian cooperation was of a very high order. Without it the very heavy investigative schedule never could have been fulfilled. Mr. John T. McConathy, director of civilian personnel, Fifth Air Force (Japan), acted as the theater coordinator and was extremely helpful. Although by mutual agreement he did not sit in on the interviews, he was always nearby for consultation. In many instances, problems brought out by the investigation were settled immediately with his assistance.

Because of traffic conditions in the Tokyo area, helicopters were used for travel whenever the weather permitted, thus saving considerable time. The usual procedure, in accordance with committee policy, was to pay respects to the installation commander, ask him and his personnel officer about civilian employee morale and related problems, and then proceed to interview the employees who had gathered in response to the advance announcement. When there was time, civilian employees were visited on their jobs and a number of informal conversations were held with employees.

APPENDIX

LENGTH OF CONTINUOUS SERVICE AND OTHER STATISTICS FOR U.S. CITIZEN CIVILIAN EMPLOYEES OF U.S. AIR FORCE IN JAPAN AND KOREA, AT GRADES GS–7 AND ABOVE (DECEMBER 1959)

1. Length of service: Total number of employees, 503. Of total, number of employees with continuous service of: up to 5 years, 132 (26 percent of total); 5 to 10 years, 182 (36 percent of total); over 10 years, 189 (38 percent of total).

Over-10-year category, includes 6 with over 14 years' continuous service; 74 with over 13 years of continuous service; 49 with over 12 years of continuous service; 36 with over 11 years' continuous service; and 24 with our 10 years of continuous service.

2. Reemployment rights to positions in United States: Of total of 503 employees, 23, or 5 percent, have reemployment rights to positions in the United States.

3. Tour in United States since first oversea assignment: Of total of 503 employees, 19, or 4 percent, have served in a civilian position in the United States since their first assignments overseas.

4. Marital status: Of total of 503 employees, 361, or 72 percent, are married.

5. Occupancy of Government family type quarters: Of total of 503 employees, 97, or 19 percent, occupy Government quarters; in actuality this means 97, or 30 percent, out of 381 (married) occupy such quarters, since only married employees are eligibile for family-type quarters. In addition, these 97 employees would be those among the GS–12 and higher category, since under current policy civilians below GS–12 are not eligible for family-type quarters.

NOTE.—While the above covers only Air Force employment, it is considered that Army and Navy statistics covering the same factors would be quite comparable.

Tadeusz Kosciuszko—1746–1817

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 11, 1960

Mr. FLOOD. Mr. Speaker, Poland has been a great reservoir of soldiers of freedom. And whenever her brave and courageous sons have found it impossible to

serve the cause of their unhappy and unfortunate kinsmen, they have had no difficulty in findings fields of activity where they have rendered immense services for the cause of human freedom. Gen. Tadeusz Kosciuszko, who served in our War of Independence from 1776 to the end of that war, was one of those gallant fighters whose deeds on battlefields and his ingenious methods of devising our defenses and fortifications, have endeared him to all Americans.

Tadeusz Kosciuszko was a rare character in his days. He showed remarkable aptitude as a student of the military art and was offered the best military education in his native Poland. But for this energetic, ambitious, and idealistic youth of fighting spirit, that was not sufficient. He went to France and there at the famous Mezieres Military School specialized in artillery and engineering. Thus he was thoroughly prepared for the tasks he undertook while in the service of the Continental Army. For his distinguished services Congress made him a brigadier general in 1783, and with that proud rank he returned to Poland hoping to serve his country's cause. Unfortunately that was not to be; after more than 20 years' struggle, he died in exile in Switzerland at the age of 71. Today in paying homage to his blessed memory we once more acknowledge our gratitude to this brave and patriotic son of Poland.

Boy Scouts of America

EXTENSION OF REMARKS
OF
HON. J. EDWARD ROUSH
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 11, 1960

Mr. ROUSH. Mr. Speaker, this week over 5 million members of the Boy Scouts of America will celebrate their 50th anniversary. The Boy Scouts were first incorporated in the District of Columbia on February 8, 1910. On this occasion I wish to pay tribute to this organization and its members for the outstanding contribution they have made to our country and people.

The Scout, through his training and adherence to the Scout oath and law, represents the qualities of our American youth. Scouting has played a major role in the activities of our country in every kind of emergency. During both World Wars, they responded to the call of duty with the obedience of a well trained soldier. In World War I they raised nearly one half billion dollars in Liberty Loans and distributed over 30 million pieces of Government literature. During World War II, in the year 1942 alone, the Scouts collected 250 million pounds of wastepaper, over 73 million pounds of rubber, over 293 pounds of scrap metal and nearly 10 million pounds of tin cans. There are so many accomplishments the Scouts made during these two wars it is impossible to list them all in these brief remarks.

Disasters during peacetime found the Scouts responding to the urgent pleas of help. In 1925 they rendered service in the Illinois tornado, California earthquake, and the fire at Shreveport, La.; 1927 found the Scouts assisting in the Mississippi floods, St. Louis tornado, and the New England floods. They collected 1,812,284 items of clothing, foodstuff, household furnishings, and supplies for the needy and distressed in the year 1934.

Today, reviewing the past 50 years of the Scout movement, I hope the next 50 years will be as fruitful and rewarding. The Scouts in their devotion to God and country, will continue to lead our youth in the building of spiritual values, high moral character, and strong bodies. In these days of danger of communistic oppression and atheistic ideology, we should heed the words of our late President Roosevelt in a speech to the Boy Scouts on February 8, 1941:

> The Boy Scouts of today are approaching manhood at a grave hour in the world's history. Recent events have threatened the security of free men everywhere, and the democratic way of life is being challenged in many parts of the world. The United States must be strong if our free way of life is to be maintained, and for our national policy we, as a nation, have adopted the motto of the Boy Scout organization—"Be Prepared."

During these days of uncertainty, I feel that we as a nation should heed these words and again use the motto "Be Prepared."

Tadeusz Kosciuszko, 1746–1817

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 11, 1960

Mr. MULTER. Mr. Speaker, great men dedicated to great causes sometimes find themselves hopelessly frenzied and sadly frustrated. Often circumstances and the course of events interpose insuperable difficulties, and thus prevent such men from serving the cause to which they are dedicated. The life of Tadeusz Kosciuszko, of Poland, illustrates this point quite clearly.

This brave son of Poland was dedicated to the cause of his unfortunate kinsmen. By the time he grew up and was ready to serve that cause, he learned that, because of political conditions, his services were of no avail to his beloved country. Fortunately for our great Republic, he devoted himself to serving an equally good cause in fighting for our independence. What was Poland's loss, turned out to be America's gain, and tomorrow, February 12, on the 214th anniversary of his birth we honor the memory of this great soldier of freedom for the signal, invaluable services he rendered to this country as a courageous soldier and as a resourceful planner of our defenses in our War of Independence.

Tribute to Kosciuszko

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 11, 1960

Mr. RODINO. Mr. Speaker, on February 12 we celebrate not only the birth of one of our greatest Presidents but also the birthday of another hero, who, like Lincoln, dedicated his life to the principles of human dignity and freedom.

This man was Tadeusz Kosciuszko, hero of the American Revolution. He was one of a host of foreigners who helped our Founding Fathers in their fight for independence. Our country owes a great debt of gratitude to these gallant fighters, who zealously devoted themselves to the cause of liberty.

Tadeusz Kosciuszko was born into a poor family in Siechnowicze, Poland. He was a gifted and brilliant person, who succeeded in obtaining not only the best military education which Poland could then offer, but also obtained his degree from the famous Mezzieres military school in France, where he specialized in artillery and engineering.

Then in 1776, on hearing of the War of Independence, Kosciuszko borrowed money for passage and sailed for America. He offered his services to Washington and was subsequently commissioned a colonel in the Continental Army. His engineering abilities were recognized and one of his first tasks was to draw up the plans for the fortifications to be built on the Delaware River. He subsequently participated in many battles, and established a brilliant record for bravery, ability and courage. In recognition of his outstanding services Congress made him a brigadier general in 1783.

Having completed a brilliant contribution to the cause of liberty here in America, Kosciuszko then turned to the needs of his native land, which was in the throes of an incipient rebellion against the Russian occupation. General Kosciuszko immediately proceeded to Krakow, there to take up once again the battle for liberty. His attack on the Russians brought devastating reprisal, and the fight for Polish independence was lost as Kosciuszko's army was defeated. The general was sent to Russia as a prisoner.

Upon his release, in 1796, Kosciuszko returned to America. His great contribution had not been forgotten, and he was given numerous awards and gifts by a grateful Congress. An interesting sidelight to Kosciuszko's career is that he asked that these gifts be used to alleviate the lot of the Negro. Subsequently, in 1826, his legacy was used to set up a Negro school in Newark—the first school for Negroes in the United States.

We owe a great debt to General Kosciuszko not only for his valiant contribution to the War of Independence, but for his lifelong dedication to the cause of dignity and freedom. Freedom-loving peoples everywhere take inspira-

tion from his example. His sacrifice moves all of us to rededicate our own lives to the end that one day people everywhere will be free, and no man required to suffer oppression or slavery.

Censorship by Taxation

EXTENSION OF REMARKS
OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1960

Mr. BOGGS. Mr. Speaker, the right of the people to petition the Congress of the United States is as old as the Constitution itself.

Today the scope and pace of our activity in Congress and other legislative bodies is such that infinite care must be exercised to prevent our being insulated from public opinion as we legislate for the good of all of our people.

To hamper by any means, insidious or unintentional, the open and candid expression of opinion by our people at the forums provided by the Constitution would undermine the Democratic processes by which we remain free.

The economic system under which we live today is shaped by political action through legislation.

A union member, a business owner, a stockholder, a customer, each in his or her own economic capacity has a vital interest in our activity as Members of Congress.

Therefore, Mr. Speaker, on May 14, 1959, I introduced H.R. 7123, a bill to amend section 162, the "ordinary and necessary," business expense section of the Internal Revenue Code of 1954.

My bill, H.R. 7123, would amend section 162 of the Internal Revenue Code, which permits tax deductions for "Ordinary and Necessary" business expenses, by adding this short paragraph, which reads:

> Expenses lawfully incurred in supporting or opposing or otherwise influencing legislation in the Congress or in a State legislature or in the legislative body of a county or other local governmental agencies or in any submission of proposed legislation to the voters, shall be allowed as proper deductions from gross income.

The reason for this legislation is quite simple and the urgent need for it arises from the fact that present Internal Revenue Service regulations very likely may prevent such tax deductions to the great detriment of our democratic process. This regulation provides that expenditures related to a business or the production of income are nonallowable for tax purposes if for "lobbying purposes, for the promotion or defeat of legislation, including the support of or opposition to any candidate for public office, or for carrying on propaganda including advertising, related to any of the foregoing purposes."

Within the Government itself is a huge and highly active body of protagonists for one cause or another, for one legislative act or another.

Silenced by restrictions, no facet of our economy can carry on a trade or business on a basis of equality with those working the other side of the street.

The Internal Revenue Service regulation at issue, unless clarified by congressional action, very likely may prevent tax deductions of such expenditures related to a business, or payments to a union organization, or business association.

Carried to its ultimate conclusion, a purchaser of advertising in a newspaper or magazine, a local chamber of commerce, a trade association, national, State, or local educational and civic or voters groups all may be denied the right of professional and political activity or expression of views which is and must remain the sinews of our democratic way of life.

Mr. Speaker, no tax law, or administrative interpretation should be permitted to stand that would impair the ability to communicate freely to all sections of the public or elected representatives, views on legislation affecting the economic lives of our citizens, either through advertising, membership in an organization, distribution of literature or any other form of lawful communication.

If we dilute the right of our citizens to petition for good laws by punitive taxation we deny them the right of self-protection from damaging and destructive legislative action.

We cannot legislate in a vacuum.

Individuals, unions, companies, and associations should have their legal rights protected in communicating with the Government or the public without being labeled "propagandists."

We cannot, Mr. Speaker, compel in justice our taxpayers to defray the whole cost of governmental pressures for legislation without a compensating business tax deduction to offset the costs which they must incur in their own defense against policies with which they disagree, or may affect their rights to do business or stay in business.

It is all very well for some to say tax sanctions imposed on communicating with Members of Congress, either directly or indirectly, do not abridge first amendment rights, but simply make the cost of such activities non-deductible for tax purposes. However, those who hold these views, if they be practical men, realize that the imposition of punitive taxes is one of the most effective deterrents to the exercise of the constitutional rights of every citizen to freely express his views. The free expression of views can hardly be deemed as against public policy.

This same conclusion was reached by the U.S. Supreme Court in *Speiser* v. *Randall*, decided in 1958 and found at 357 U.S. 513. In this case the Court said in part as follows:

> It is settled that speech can be effectively limited by the exercise of the taxing power * * * the denial of a tax exemption for engaging in certain speech necessarily will have the effect of coercing the claimants to refrain from the prescribed speech.

On December 29, 1959, the Internal Revenue Service, after full notice and 2 days of public hearings, in which there was wide participation, issued these final regulations governing the deductibility of ordinary and necessary business expenses, incurred in activities connected with the promotion or defeat of legislation, directly or indirectly. This, regardless of whether the activity takes place in Congress, a State legislature, a town council, or whether the issue has by referendum or initiative petition been put squarely up to the people to legislate. In addition, this regulation would make non-deductible, in part at least, dues paid to a labor organization or a trade association if such organization or association engages in any of the named but undefined activities.

Lastly, the regulation would make suspect as "propaganda" any advertisement or similar public expression of views which an Internal Revenue agent may decide is in some way connected with the promotion or defeat of legislation. To be suspect, an advertisement would not have to mention a specific bill, or even deal with any specific matter then pending before the Congress or a State or local legislative body. Similarly, any editorial expression by a newspaper or other public communications media relating to affairs of Government could be deemed "propaganda" with resulting tax consequences.

Still another anomalous situation has arisen in connection with a representative of a business, business association, or a labor organization voluntarily appearing before a committee of the Congress or other legislative body. Under the Federal Regulation of Lobbying Act, passed by Congress in 1946, mere appearances before a congressional committee are exempted from the registration and reporting provisions of the act. However, under the new IRS regulation the expenditures incurred in such appearance may not be a proper tax deduction even though the company or organization paying the expenses of such witness has a direct and vital economic interest in the subject being considered by the committee. This could inhibit and dry up express viewpoints and put out of action legitimate organizations contributing much to our economic and moral well-being.

At hearings before the Internal Revenue Service, some 45 organizations, including the three major labor organizations, appeared to protest the regulation. In addition, more than 150 other groups filed statements objecting to this invasion of their right to petition and express their views on matters governmental.

The Internal Revenue Service tried to do a thorough and conscientious job in issuing this regulation. Without the benefit of precise guidelines laid down by the Congress in this field, they have been very seriously handicapped in arriving at a fair and equitable solution.

Concern over this problem has been brought about by the ever-increasing involvement of all levels of government in the daily activities of each and every citizen, of each and every State, of each and every county, school district, town, and city in our great country. Because of this growing governmental involvement, every citizen feels it more and more necessary to petition his Government and his Representatives in connection with many of his business or livelihood problems. To add to his already almost overwhelming problems by denying him some modicum of tax relief for expenditures he has made in attempting to gain help in the solution of these problems or the economic survival of his business is manifestly unfair, undemocratic, and punitive.

So that my colleagues will have no misunderstanding, the application of this Internal Revenue Service regulation is of little or no significance as a revenue-raising device. This has been acknowledged by high officials of both the Internal Revenue Service and the Treasury Department. What is involved is punitive taxation on certain activities which are highly necessary to our sound democratic processes. When the right of free and continuous access of all of the people to their elected Representatives is hindered or stopped because of punitive and unintended tax regulations controlling business expenditures, then legislative clarification is imperative.

Without precise and definite guidelines laid down by Congress, the Treasury Department will find it impossible to achieve a fair, non-discriminatory, permanent administrative solution to this vexing and growing problem.

The purpose of the revenue laws is to derive money to support the Government and pay for required public services. Tax laws should not be utilized for penalizing any taxpayer who lawfully wishes to express his views on legislative problems.

It is for these reasons that I introduced H.R. 7123 and urge my colleagues in Congress to give this bill their urgent support and sponsorship on a thoroughly non-partisan basis.

Fiftieth Anniversary of the Boy Scouts of America

EXTENSION OF REMARKS

OF

HON. THOMAS H. KUCHEL

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, February 11, 1960

Mr. KUCHEL. Mr. President, on behalf of the able junior Senator from New York [Mr. KEATING], who is necessarily absent, I ask unanimous consent that a statement he has prepared relative to the 50th anniversary of the Boy Scouts of America be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

During this week the Boy Scouts of America are celebrating their 50th anniversary. It has been 50 years this week since the Boy Scouts of America were chartered by Congress. In that period several million young boys have received the spiritual and outdoor training of this splendid organization, to the benefit of themselves and the Nation. Today there are Boy Scouts in practically every country of the free world, who are dedicated to the principles of tolerance, good will, and friendliness.

The Scouts themselves are proud of their organization; of its happy, wholesome program of activities; and its contributions to the making of a finer America.

I was reminded of this when Eagle Scout Tom Richards of Tayhouse Troop 19 in Rochester, N.Y., visited me in my Senate office recently. He had been chosen as the Boy Scout representative from New York State to participate in a special ceremony at the White House. Eagle Scout Richards is a fine boy indeed, and representative of the millions of self-reliant young boys who have learned courtesy and the principles of good citizenship from those dedicated men who serve so selflessly as scoutmasters.

The Boy Scouts have lived up to their objective: "Onward for God and Country." In doing so, they have gained the gratitude of the Nation, and I tender the heartiest of congratulations to Boy Scouts everywhere on this significant anniversary.

SENATE

MONDAY, FEBRUARY 15, 1960

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who art love divine, all loves excelling:

Grant us the transforming vision that only as we love can we really know Thee and our fellow man.

In Thy light we see clearly that only the potent power of love can redeem and heal all the faults and flaws that spoil life's perfect melody.

In prayer we would listen to the saints and sages of the long years who tell us that love is of Thee.

Give us to see that harbored hate and bitterness always rob life of its joy and beauty, and that as we surrender to them they shrink our very souls.

As in the vesture of love we take our full part in the desperate battle of contending ideas which darkens our day, in all our striving keep us from personal animosities and unworthy attitudes which dim the luster that gives life its true glory.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, February 11, 1960, was approved, and its reading was dispensed with.

LEASING OF PORTION OF FORT CROWDER, MO.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 924, House bill 8315.

The PRESIDENT pro tempore. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

The PRESIDENT pro tempore. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

REPORT ON JOINT RESOLUTION TO PROMOTE PEACE AND STABILITY IN THE MIDDLE EAST—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 342)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the fourth report to the Congress covering activities through June 30, 1959, in furtherance of the purposes of the Joint Resolution To Promote Peace and Stability in the Middle East. This report supplements earlier reports forwarded to the Congress.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the

usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CIVIL RIGHTS LEGISLATION

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that under the present plans of the leadership it is virtually certain that debate on civil rights legislation will commence today. I do not believe that any Member of the Senate or anyone else can with certainty predict the outcome. Many proposals will come before the Senate. They will be debated at length and we may be sure that they will be explored to the point of exhaustion.

I have a great deal of confidence in the Senate. I think our procedures are adequate to produce meaningful legislation that will fully protect the constitutional rights of every citizen of the land, will strengthen the right of all of our citizens to vote, and will help our people to work together in mutual understanding.

Mr. President, no conceivable bill can satisfy everyone. But I want it understood here and now by my colleagues in both the majority and the minority that it is not the objective of the majority leader to satisfy everyone. My objective heretofore, now, and in the future, is to achieve a bill which the Senate's collective conscience and judgment tell us is right; and this I believe we can do.

Mr. President, I have great confidence in the Senate; and we are going to do what is right in this matter, even though we do not satisfy the extremists on either side, because if we attempted to satisfy them, some people would be completely out of business.

Mr. DIRKSEN. Mr. President, I can completely and unequivocally endorse the sentiment which has just now been expressed by the majority leader. The very fact that 41 bills on the subject of civil rights have been introduced does indicate the divergence of opinion in the Senate, and that divergence of opinion obtains on both sides of the aisle. There are Members on our side who would go farther than I would go; and there are some who would not go quite so far.

So, Mr. President, as the majority leader on occasions has said, it is a case of having reasonable men try to get together on something that is at once constructive and useful and goes to the purposes we have in mind.

I did introduce the administration package proposal; I felt that was on the moderate side. I may say that delegations consisting of the leaders of a great many organizations were in Washington a week or 10 days ago; and they called on me, they called on the majority leader, they called on the Speaker of the House, they called on the minority leader of the House, and they called on the national chairmen of both parties, and made their representations. I told them that I would go so far, but no farther.

But in view of the divergence of opinion, I, too, am confident that the Senate, by orderly procedure, can finally contrive a very constructive result, and that it should not take overly long to do so.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 307, NATIONAL AERONAUTICS AND SPACE ACT OF 1958

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 307 of the National Aeronautics and Space Act of 1958, as amended, and for other purposes (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

REPORT ON ARMY RESERVE OFFICERS' TRAINING CORPS FLIGHT TRAINING PROGRAM

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the progress of the Army Reserve Officers' Training Corps flight training program, covering the period August 1, 1956, to December 31, 1959 (with an accompanying report); to the Committee on Armed Services.

NOTICE OF PROPOSED DISPOSITION OF CERTAIN GUAYULE SEEDS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 17,426 pounds of guayule seeds now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

NOTICE OF PROPOSED DISPOSITION OF CERTAIN OPIUM POPPY SEEDS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting. pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 51,646 pounds of opium poppy seeds now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

PROPOSED FINANCING OF FOREST HIGHWAYS AND PUBLIC LANDS HIGHWAYS FROM HIGHWAY TRUST FUND

A letter from the Secretary of Commerce, relating to his submission, on June 2, 1959, of proposed legislation to amend section 209(f)(1) of the Highway Revenue Act of 1956 in order to provide for the financing of forest highways and public lands highways from the Highway Trust Fund, and urging early consideration of this proposed legislation; to the Committee on Finance.

CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND CLASSIFICATION, CEDAR BLUFF UNIT, SMOKY HILL DIVISION, MISSOURI RIVER BASIN PROJECT, KANSAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Cedar Bluff unit, Smoky Hill division, Missouri River Basin project, Kansas, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

HAWAII OMNIBUS ACT

A letter from the Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF NATIONAL SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the National Society of the Daughters of the American Revolution, for the year ended April 1, 1958 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two joint resolutions of the Legislature of the State of Alaska; to the Committee on Labor and Public Welfare:

"HOUSE JOINT MEMORIAL 29

"To the Honorable DWIGHT D. EISENHOWER, PRESIDENT OF THE UNITED STATES; THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES; THE HONORABLE RICHARD NIXON, PRESIDENT OF THE SENATE; THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING, SENATORS FROM ALASKA; AND THE HONORABLE RALPH RIVERS, REPRESENTATIVE FROM ALASKA:

"Your memorialist, the Legislature of the State of Alaska in first legislature, second session assembled, respectfully submits that:

"Whereas the assumption of State ownership of certain previously federally owned properties has caused an immediate loss of revenue to both the State and its local school districts; and

"Whereas the State and its local school districts will need time to find and utilize new sources of revenue; and

"Whereas such a sudden and momentarily irreplaceable loss in revenue will have a most unfortunate impact on education in this State;

"Now, therefore, your memorialist urges that the Congress provide in Public Laws 815 and 874 a period of grace for this State and its local school districts in order that the transition to statehood may be made without undue crisis and in order that the children of this State may receive an education worthy of them.

"Passed by the house January 28, 1960.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House.

"Passed by the senate February 5, 1960.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate."

"HOUSE JOINT MEMORIAL 30

"To the Honorable DWIGHT D. EISENHOWER, PRESIDENT OF THE UNITED STATES; THE HONORABLE ARTHUR S. FLEMMING, SECRETARY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE; THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES; THE HONORABLE RICHARD NIXON, PRESIDENT OF THE SENATE; THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING, SENATORS FROM ALASKA; AND THE HONORABLE RALPH RIVERS, REPRESENTATIVE FROM ALASKA:

"Your memorialist, the Legislature of the State of Alaska, in first legislature, second session assembled, respectfully submits that:

"Whereas the population of this State and of all the States is growing at an unprecedented rate, especially in the school-age group; and

"Whereas the States and the local school districts have nearly exhausted their resources and are physically incapable of meeting the enormous and unprecedented demand for school construction and for school teachers; and

"Whereas each State must be the final judge of its own needs and its own capacities for school construction and for recruitment of teachers;

"Now, therefore, your memorialist urges that the Congress speedily enact the Murray-Metcalf bill (S. 2 and H.R. 22) in order that the educational needs of this State and of all the States may be reasonably and honorably met.

"Passed by the House January 28, 1960.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House.

"Passed by the Senate February 2, 1960.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate."

Memorials signed by G. J. Coxe, and sundry other citizens of the State of Wisconsin, remonstrating against the adoption of the resolution (S. Res. 94) relating to the recognition of the jurisdiction of the International Court of Justice in certain disputes hereafter arising; to the Committee on Foreign Relations.

A petition signed by Edward D. Clarkson, and sundry other citizens of the State of California, relating to world peace; to the Committee on Foreign Relations.

A resolution adopted by the chiefs and representatives of the Indian tribes of Oklahoma, at Oklahoma City, Okla., relating to the television industry; to the Committee on Interstate and Foreign Commerce.

The petition of Mrs. Robert Pinckney Tucker, of Charleston, S.C., relating to membership of the Supreme Court of the United States; to the Committee on the Judiciary.

The petition of Lewis W. Hunt, of Covina, Calif., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the Borough Council of the Borough of Northampton, Pa., favoring the enactment of legislation which would increase the minimum wage, and extend protection to nearly 8 million additional workers; to the Committee on Labor and Public Welfare.

By Mr. RUSSELL:

A resolution of the General Assembly of the State of Georgia; to the Committee on Appropriations:

"H.R. 314

"Resolution requesting Congress to make funds available for the construction of a Veterans Hospital in the Atlanta area; and for other purposes

"Whereas the Veterans Administration hospital located on Peachtree Road in Atlanta, contains only 300 beds and was originally constructed to take care of veterans of World War I; and

"Whereas since that time the United States has engaged in World War II and the Korean conflict thereby adding thousands of veterans to those of World War I; and

"Whereas there are approximately 150,000 veterans living within a 50-mile radius of Atlanta, and the present hospital is woefully inadequate for this number of veterans; and

"Whereas the General Assembly of Georgia at the 1959 Session unanimously adopted a resolution urging and requesting the Veterans Administration to construct a new hospital in the Atlanta area; and

"Whereas since that time the Veterans Administration has recognized this pressing need and has stated that a new 750-bed hospital should be erected in the Atlanta area and will be erected if funds are made available for such purposes: Now, therefore, be it

"Resolved by the General Assembly of Georgia, That the U.S. Congress is urgently and respectfully requested to make the necessary funds available for the construction of a new 750-bed Veterans Administration hospital in the Atlanta area; and be it further

"Resolved, That the clerk of the house is hereby instructed to transmit a copy of this resolution to each member of the Georgia congressional delegation, to the Presiding Officers of the Senate and the House of Representatives of the U.S. Congress, and to the proper officials of the Veterans Administration.

"Read and adopted in Senate February 2, 1960.

"GEORGE D. STEWART,
"Secretary.

"Read and adopted in house January 29, 1960.

"GLENN W. EWARD,
"Clerk."

A resolution of the General Assembly of the State of Georgia; to the Committee on the Judiciary:

"Senate Resolution 87

"Resolution requesting Congress to pass a proposed amendment to the U.S. Constitution relative to balancing the Federal budget; and for other purposes

"Whereas Senate Joint Resolution 99 has been introduced in the Congress of the United States; and

"Whereas Senate Joint Resolution 99 proposes to add a new article to the U.S. Constitution as follows:

" 'SECTION 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimate of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimate of the receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimate of receipts, it shall not adjourn for more than three days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three-fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding one year each.

" 'SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress"; and

"Whereas, it would be advantageous to the State of Georgia and to the entire United States if such an article were added to the Constitution: Now, therefore, be it

"Resolved by the General Assembly of Georgia, That this body respectfully urges and memorializes the Congress of the United States to propose to the States an amendment to the Constitution of the United States as provided by said Constitution, which amendment should be the same as provided in Senate Joint Resolution 99 quoted hereinbefore; and be it further

"Resolved, That the Secretary of State is hereby instructed to transmit a certified copy of this resolution to the presiding officers of the United States Senate and the United States House of Representatives and to each Member of the Georgia congressional delegation.

"GARLAND T. BYRD,
"President of the Senate.
"GEORGE D. STEWART,
"Secretary of the Senate.
"GEO. L. SMITH II,
"Speaker of the House.
"GLENN W. EWARD,
"Clerk of the House."

A joint resolution of the Legislature of the State of Georgia; to the Committee on Labor and Public Welfare:

"H.R. 313

"Resolution memorializing the Congress of the United States to extend education benefits to veterans of the Armed Forces who entered or who enter the service subsequent to February 1, 1955

"Whereas many veterans of World War II and of the Korean conflict have been educated under the provisions of the veterans education program established by the Federal Government; and

"Whereas many veterans were able to obtain further education through the benefits of the veterans education program which would not otherwise have been possible; and

"Whereas the education of millions of veterans has contributed to an increase in the educational level of this country and has produced a major national asset which has contributed much to the economy of this country; and

"Whereas reliable statistics have proved that increased income to veterans arising out of their higher education level will more than reimburse the National Treasury of the entire cost of the GI training program by 1970; and

"Whereas the President of the United States, by Executive order on January 31, 1955, stopped the educational benefits for persons serving in the Armed Forces of the United States after February 1, 1955; and

"Whereas it is believed that as long as the draft is continued that all persons serving in the Armed Forces should be extended the educational opportunities enjoyed by veterans serving prior to February 1, 1955; and

"Whereas it has been demonstrated that the investment in the education of such veterans will be more than repaid to the Public Treasury through increased taxes resulting from higher incomes of such veterans: Now, therefore, be it

"Resolved by the house of representatives, (the senate concurring):

"SECTION 1. The General Assembly of Georgia does hereby memorialize the Congress of the United States to extend GI educational benefits to all veterans who entered, or who enter, military services from and after February 1, 1955, and that such educational benefits be extended so long as the provisions of the draft law exist.

"SEC. 2. Upon adoption of this resolution, a copy thereof shall be mailed to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Congress from the State of Georgia.

"SEC. 3. This resolution shall become effective upon its adoption.

"Read and adopted in senate Februrary 2, 1960.

"GEORGE D. STEWART,
"Secretary.

"Read and adopted in house, January 29, 1960.

"GLENN W. EWARD,
"Clerk."

A resolution of the Senate of the State of Georgia; to the Committee on Finance:

"SENATE RESOLUTION 75

"Resolution petitioning the Congress of the United States to give favorable consideration to legislation providing benefits for veterans of World War I; and for other purposes

"Whereas many hundreds of thousands of our Nation's finest citizens served the cause of democracy during the period of World War I; and

"Whereas a large number of these veterans have now reached the age and circumstances in which they are no longer self-supporting, as well as suffering illnesses and infirmities aggravated by this honorable service to their country; and

"Whereas through no fault of their own, they have largely become a class of forgotten men, many of whom are close to the grave: N-w, therefore, be it

"Resolved by the senate, That this body recognizes the predicament of these veterans of World War I, and petitions the Congress of the United States to give favorable consideration to legislation providing benefits to the aged, ill, and disabled veterans of this great war in the form of pensions or any other means which will provide relief so vitally needed; and be it further

"Resolved, That a copy of this resolution be forwarded to the President of the United States, to the Director of the Veterans' Administration, to the Director of the U.S. Bureau of the Budget, to the chairman of the House Committee on Veterans Affairs, and to each member of the Georgia delegation in the Congress.

"Read and adopted in senate January 13, 1960.

"GARLAND T. BYRD,
"President of Senate.
"GEORGE D. STEWART,
"Secretary of Senate."

A resolution of the House of Representatives of the State of Georgia; to the Committee on Finance:

"H.R. 297

"Resolution petitioning the Congress of the United States to give favorable consideration to legislation providing benefits for veterans of World War I; and for other purposes

"Whereas many hundreds of thousands of our Nation's finest citizens served the cause of democracy during the period of World War I; and

"Whereas a large number of these veterans have now reached the age and circumstances in which they are no long self-supporting, as well as suffering illnesses and infirmities aggravated by this honorable service to their country; and

"Whereas through no fault of their own, they have largely become a class of forgotten men, many of whom are close to the grave: Now, therefore, be it

"Resolved by the house of representatives, That this body recognizes the predicament of these veterans of World War I, and petition the Congress of the United States to give favorable consideration to legislation providing benefits to the aged, ill, and disabled veterans of this great war in the form of pensions or any other means which will provide relief so vitally needed; and be it further

"Resolved, That a copy of this resolution be forwarded to the President of the United States, to the Director of the Veterans' Administration, to the Director of the U.S. Bureau of the Budget, to the chairman of the House Committee on Veterans' Affairs, and to each member of the Georgia delegation in Congress.

"Read and adopted in house January 29, 1960.

"GLENN W. EWARD,
"Clerk."

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. SCHOEPPEL. Mr. President, I present, for appropriate reference, a concurrent resolution of the Legislature of the State of Kansas, relating to the establishment of the Fort Scott National Historic Site at Fort Scott, Kans. I ask unanimous consent that the concurrent resolution be printed in the RECORD.

There being no objection, the concurrent resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

"SENATE CONCURRENT RESOLUTION 6

"Concurrent resolution memorializing the Congress of the United States to enact pending legislation which would establish the Fort Scott National Historic Site at Fort Scott, Kans.

"Whereas there are now pending in the Congress of the United States two bills, H.R. 6656 and S. 1568, which, if enacted into law, would establish the Fort Scott National Historic Site at Fort Scott, Kans., which would include the old Federal fort in that city; and

"Whereas if action such as is contemplated by the bills pending in Congress is not taken at an early date it may become impossible to properly preserve the remains of the old Federal fort at Fort Scott; and

"Whereas in 1961 Kansas will be celebrating its centennial, and it would be extremely fitting and proper if the restoration of the fort in Fort Scott could be completed prior to that date: Now, therefore, be it

"Resolved by the Senate of the State of Kansas (the House of Representatives concurring therein), That we respectfully urge and request the Congress of the United States to speedily enact either H.R. 6656 or S. 1568, which are now pending in the Congress, and which, if enacted, would establish a national historic site at Fort Scott, Kans.; and be it further

"Resolved, That the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the Vice President of the United States, and each Member of the Kansas delegation in the House of Representatives and the Senate of the United States."

I hereby certify that the above concurrent resolution originated in the senate, and was adopted by that body February 8, 1960.

JOSEPH W. HENBLE, Jr.,
President of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

Adopted by the House February 10, 1960.

JESS TAYLOR,
Speaker of the House.
A. E. ANDERSON,
Chief Clerk of the House.

INCREASED MINIMUM WAGE—RESOLUTION

Mr. CLARK. Mr. President, I present, for appropriate reference, a resolution adopted by the Borough Council of the Borough of Northampton, Pa., relating to an increased minimum wage, and extension of protection to 8 million additional workers. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

RESOLUTION PETITIONING THE 86TH CONGRESS OF THE UNITED STATES TO ENACT THE KENNEDY-MORSE-ROOSEVELT BILL (S. 1046 AND H.R. 4488), A BILL WHICH WOULD INCREASE THE MINIMUM WAGE AND EXTEND PROTECTION TO NEARLY 8 MILLION ADDITIONAL WORKERS

Whereas the present Federal minimum wage of $1 an hour is inadequate to provide a bare subsistence in the United States today; and

Whereas more than 20 million Americans lack the guarantee of even this inadequate figure and are without any legal limitation on their hours of work; and

Whereas these shocking facts constitute a grave threat to our national economy, a challenge to our moral standards as a people, and a peril to our reputation as democracy's showcase throughout the world; and

Whereas the existence of underpaid and overworked wage earners is a particular danger to the well-being of the people of the Borough of Northhampton; unless a national minimum wage standard is established by Federal law, Northamption industries which pay a decent wage scale will suffer unfair economic competition from those in other communities, especially in the South, which pay their employees low, substandard wages and are thus able to undersell our industries; and

Whereas there is now before Congress the Kennedy-Morse-Roosevelt bill (S. 1046 and H.R. 4488), which would greatly ameliorate this problem by raising the Federal minimum wage to $1.25 an hour and include nearly 8 million additional workers under the protection of the Fair Labor Standards Act: Now, therefore

Resolved by the Borough Council of the Borough of Northampton, That we hereby petition the Members of the 86th Congress of the United States, including Representative FRANCIS E. WALTER, to enact S. 1046 and H.R. 4488, a bill which would increase the minimum wage and extend protection to nearly 8 million additional workers; and further

Resolved, That certified copies of this resolution be forwarded to the Speaker of the House of Representatives, the President pro tempore of the Senate, Representative WALTER and the U.S. Senators representing Pennsylvania.

MARTIN M. BUKOVINA,
President of Borough Council.

Attest:

STANLEY A. SKROCKI,
Borough Secretary.

Approved the 4th day of February 1960.

RAY F. WAHL,
Burgess.

RESOLUTIONS OF ORGANIZATIONS IN STATE OF NEW YORK

Mr. JAVITS. Mr. President, I present, for appropriate reference, three resolutions adopted by organizations in the State of New York. I ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"RESOLUTION 20

"Resolution protesting closing of Veterans' Administration office

"Whereas the Administrator of Veterans' Affairs, Sumner G. Whittier, has announced

the closing of the local office located at 505 State Street, Schenectady, N.Y., effective March 4, 1960; and

"Whereas veterans organizations and civic leaders throughout the county agree that the closing of said office, and the transfer of its functions to Watervliet, N.Y., will bring untold difficulties and hardships to the 20,000 veterans and their families now served by said agency; and

"Whereas with new legislation being enacted covering pensions and other benefits for veterans, the volume of work in servicing veterans will increase rather than diminish in the immediate future: Now, therefore, be it

"*Resolved*, That the Schenectady County Board of Supervisors register its strong objection to the closing of the Veterans' office as not being in the best interest of the veterans and community at large; and be it further

"*Resolved*, That copies of this resolution be transmitted to Sumner G. Whittier, Administrator of Veterans Affairs, Congressman Samuel S. Stratton, and U. S. Senators Kenneth B. Keating and Jacob K. Javits."

"RESOLUTION 6866

"Whereas the Council of the City of Schenectady was shocked to learn that Sumner G. Whittier, Administrator of Veterans' Affairs, announced that the Schenectady Veterans' Administration office will close effective March 4, 1960; and

"Whereas the local office serves an estimated 20,000 veterans and their dependents, many of them of advanced age and on whom the curtailment of the services rendered would work an extreme hardship; and

"Whereas in addition to offering services in the city of Schenectady, the local office also assists veterans from the entire county of Schenectady, portions of Albany and Saratoga Counties and the entire counties of Fulton, Montgomery, and Schoharie; and

"Whereas the Schenectady Veterans' Administration offices provides outside contact service, as required, at hospitals in the area including Ellis Hospital, Glenridge Hospital, St. Clare's Hospital, and the county home; and

"Whereas the closing of the local office would prove a hardship to such people as elderly widows of World War I veterans, many without transportation, inasmuch as the closest office would be Watervliet involving the changing of buses three times each way; and

"Whereas effective July 1, 1960, the new pension law will go into effect thereby creating an increased workload for veterans' offices because of widows and veterans who will be seeking advice; and

"Whereas in gratitude to those who sacrificed their lives, health, time, money, and suffered great hardship in behalf of their country, Congress saw fit to adopt laws to partially compensate veterans and their dependents for their deprivations; and

"Whereas in order to implement such laws, it is necessary to maintain proper office facilities to accommodate the recipients of veterans' benefits; and

"Whereas the closing of the local Veterans' Administration office is certainly not commensurate with the spirit of Congress and the people whom in time of crisis felt they owed so much to those who risked their lives in the defense of our country: Now, therefore, be it

"*Resolved*, That the Council of the City of Schenectady, grateful to those who helped to preserve our democracy, strongly urges Sumner G. Whittier, Administrator of Veterans' Affairs, to reconsider the closing of the Schenectady Veterans' Administration office on March 4, 1960; and be it further

"*Resolved*, That the city of Schenectady which has suffered economic reversals much more than other areas throughout the country should be aided by the Federal Government in its rehabilitation and economic health rather than thwarted by the deprivation of services especially to needy and worthy veterans, their widows and dependents; and be it further

"*Resolved*, That this resolution be spread upon the minutes of the Council of the City of Schenectady and copies thereof be mailed forthwith by the clerk of the city of Schenectady to Sumner G. Whittier, Administrator of Veterans' Affairs; Congressman Samuel S. Stratton; Senators Kenneth B. Keating and Jacob K. Javits; and Lewis Harris of GUTS, Inc."

To the Committee on Labor and Public Welfare:

"RESOLUTION BY HAMILTON COLLEGE, CLINTON, N.Y.

"*Resolved*, That this board go on record as favoring the passage of pending bills which would repeal that provision of the National Defense Education Act which now requires students securing loans to sign an affidavit disclaiming membership in Communist or Communist-affiliated organizations; and be it further

"*Resolved*, That copies of this resolution be sent to the Senators and Congressmen from New York State.

"HARLAN F. CALKINS,
"Clerk of the Board."

RESOLUTIONS OF AGRICULTURAL COOPERATIVE COUNCIL OF OREGON

Mr. MORSE. Mr. President, the Agricultural Cooperative Council of Oregon has brought to my attention two resolutions adopted in its 38th annual session at Portland, Oreg., December 8, 1959.

The position of the Agricultural Cooperative Council upon the question of taxation of farm cooperatives is set forth very clearly in the resolutions.

Mr. President, the subject is one which in the past has generated much controversy and it is one which can be expected for the future to continue to do so. The matter is one which will receive a legislative resolution, I trust, in the not too distant future, and in order that the views of the Agricultural Cooperative Council of Oregon may be brought to the attention of interested Senators, I ask unanimous consent that the resolutions be printed at this point in my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION A

Resolution adopted by Agricultural Cooperative Council of Oregon in 38th annual session at Portland, Oreg., December 8, 1959

Whereas Secretary of the Treasury Robert B. Anderson, on January 19, 1959, recommended to U.S. Congress that cooperative organizations be taxed—

1. All margins from a cooperative's operations are required to be included by the cooperative as gross income.

2. Permit cooperatives to deduct from gross income amounts paid to the patron during the taxable year only if paid (1) in cash or (2) in the form of qualified patronage certificates.

3. Qualified patronage certificates must meet all three of the following requirements:

I. Bear interest at a rate of at least 4 percent;

II. By their terms be redeemable in cash within 3 years after the close of the year in which issued;

III. In fact be redeemed in cash and the required interest thereon actually be paid in cash within the 3-year period.

If not so redeemed and the required interest not actually paid the Treasury apparently intends the imposition of a corporate tax against the cooperative for the aggregate amount of such certificates for the year in which issued.

4. The patron would be required to include in his income only the cash amounts received, either as current cash distributions or on redemption of qualified or nonqualified certificates.

5. The cooperative would be required to report as its current income and pay a corporate tax on the amount of distributions in the form of nonqualified certificates. Additionally, at the end of 3 years the cooperative would be required to pay a corporate tax on amounts represented by qualified certificates not actually redeemed in cash within the 3-year period or on which the required interest had not been paid.

It is our considered opinion that this or any similar system of taxation on cooperative retains would be arbitrary, discriminating and inequitable: Therefore be it

Resolved, That the Agricultural Cooperative Council of Oregon in annual meeting assembled December 8, 1959, is opposed to any legislation which embodies this or any similar taxation on farmer cooperatives; and be it

Resolved, That copies of this resolution be furnished to the Finance Committee of the U.S. Senate, the Ways and Means Committee of the House, and to all members of the Oregon congressional delegation.

RESOLUTION B

Resolved, That the Agricultural Cooperative Council of Oregon requests the National Council of Farmer Cooperatives to assist cooperatives of the Nation in obtaining a definite decision as to the income tax liability of cooperative patrons for capital retains, preferably that they be taxable in the year in which capital retains are made, by whatever means may be necessary, including recommendation to the Congress of appropriate legislation to clearly define such liability.

RESOLUTIONS OF OREGON STATE BOARD OF AGRICULTURE

Mr. MORSE. Mr. President, I am happy to bring to the attention of the Senate two resolutions adopted by the Oregon State Board of Agriculture, on January 14, 1960, concerning chemical residues in agricultural products, and animal quarantine station for Pacific area.

Mr. President, I ask unanimous consent that the resolutions to which I have alluded be printed at this point in my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

CHEMICAL RESIDUES IN AGRICULTURAL PRODUCTS—RESOLUTION BY THE OREGON STATE BOARD OF AGRICULTURE

Whereas effective pesticides are necessary for the control of agricultural pests in order that high-quality commodities may be produced free from pest contamination; and

Whereas a large percentage of Oregon products enter into interstate commerce and are therefore subject to Federal requirements concerning chemical residues; and

Whereas certain allowed tolerances announced for many pesticide chemicals on many crops with a zero tolerance, for some pesticides on other crops, and crops treated with other pesticides have been cleared for market without restriction on the belief

that no residues remain in the product at the time of marketing; and

Whereas no chemical method shows the complete absence of any residue which is necessary to meet a zero tolerance; and

Whereas in the administration of the spray residue section of the Agricultural Code, the Department of Agriculture has the responsibility of determining if produce is legal under the meaning of the Federal tolerances; Now, therefore, be it

Resolved by the Oregon State Board of Agriculture, meeting in Salem, Oreg., on January 14, 1960, That the Federal Food and Drug Administration be requested to announce the analytical methods and their sensitivities on which any zero tolerance is based and on which any "no residue" usage has been officially accepted; and be it further

Resolved, If further data on pharmacology or analytical methods cause reevaluation by the Federal Food and Drug Administration, prompt announcement shall be made regarding the new status of the pesticide chemical.

ANIMAL QUARANTINE STATION FOR PACIFIC AREA—RESOLUTION BY THE OREGON STATE BOARD OF AGRICULTURE

Whereas the Western States have experienced several costly and severe outbreaks of animal diseases brought in directly or indirectly from foreign sources; and

Whereas large numbers of foreign animals and birds are being imported into this country by oceangoing vessels and airplanes through Pacific coast ports; and

Whereas it is imperative that animal diseases new to or not generally distributed in this country be excluded and not be permitted to become established in the Western States; and

Whereas there are no satisfactory Federal quarantine facilities in the Pacific area for holding and examining foreign animals such as have been provided on the Atlantic seaboard: Now, therefore, be it

Resolved by the Oregon State Board of Agriculture, meeting at Salem, Oreg., on January 14, 1960, That this serious situation be recognized by the Congress and that necessary funds be provided at the earliest opportunity for the establishment and maintenance of an animal quarantine station to serve the Pacific area; and be it further

Resolved, That copies of this resolution be furnished to the U.S. Senators and Members of the U.S. House of Representatives from Oregon, to members of the Senate Committee on Agriculture and Forestry, to the House Committee on Agriculture. to the Honorable Mark O. Hatfield, Governor of Oregon, to Ezra Taft Benson, Secretary of Agriculture and to the director of agriculture for the States of Washington and California.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 7947. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association (Rept. No. 1083).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of nominations was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Dale C. Cameron, John R. McGibony, and Douglas H. K. Lee, candidates for personnel action in the Regular Corps of the Public Health Service.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. KENNEDY:

S. 3024. A bill for the relief of Giuseppe Scaccia; to the Committee on the Judiciary.

By Mr. HILL:

S. 3025. A bill to amend title II of the Vocational Education Act of 1946, relating to practical nurse training, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. CLARK:

S. 3026. A bill to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor; to the Committee on Finance.

By Mr. COTTON:

S. 3027. A bill for the relief of Samir Anabtawi; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 3028. A bill to amend the act of September 2, 1958; to the Committee on the Judiciary.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 3029. A bill relating to the effective date of the qualification of the Iron Workers' Mid-America Pension Trust as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on Finance.

By Mr. GOLDWATER:

S. 3030. A bill for the relief of Michiko (Hirai) Christopher; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 3031. A bill to regulate the retail installment sales of motor vehicles in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. BUTLER when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY:

S. 3032. A bill for the relief of Samuel Pisar; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 3033. A bill to amend subparagraph (c), paragraph I, part I, of Veterans Regulation No. 1(a), as amended, to establish a presumption of service-connection for chronic and tropical diseases becoming manifest within 3 years from separation from service; to the Committee on Finance.

By Mr. SMATHERS:

S. 3034. A bill for the relief of Byron K. Efthimiadis; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 3035. A bill to impose additional duties on excess imports of certain live animals, meats, and meat products; to the Committee on Finance.

S. 3036. A bill to authorize the distribution of copies of the CONGRESSIONAL RECORD to former Members of Congress requesting such copies; to the Committee on Rules and Administration.

By Mr. THURMOND (for himself and Mr. BENNETT):

S. 3037. A bill to prevent certain political contributions and expenditures by national banks, corporations, and labor organizations; to the Committee on the Judiciary.

By Mr. SCOTT:

S.J. Res. 160. Joint resolution to provide for a conference consisting of Federal, State, and local officials, and members of public and private groups or organizations to consider and propose methods of, and to coordinate action for, combating the traffic in obscene matters and materials; to the Committee on Government Operations.

(See the remarks of Mr. SCOTT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. COOPER (for himself, Mr. CAPEHART, Mr. CHURCH, Mr. DIRKSEN, Mr. DOUGLAS, and Mr. YARBOROUGH):

S.J. Res. 161. Joint resolution to extend the time for filing of the final report of the Lincoln Sesquicentennial Commission; to the Committee on the Judiciary.

RESOLUTIONS

INVESTIGATION OF CERTAIN NEWSPAPER EMPLOYERS INVOLVED IN LABOR DISPUTES

Mr. MORSE submitted a resolution (S. Res. 271) to investigate the activities of newspaper employers involved in labor disputes with their employees, in employing professional strikebreakers, and its effect on collective bargaining, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

UNITED BUILDERS, INC.—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. MORSE submitted the following resolution (S. Res. 272), which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 1953) entitled "A bill for the relief of the United Builders, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the Court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

RELIEF OF CERTAIN ALIENS IN THE AZORES ISLANDS

Mr. PASTORE. Mr. President, I introduce, for appropriate reference, a bill to amend the act of September 2, 1958, which, as stated in this bill, is 72 Statute 1712.

For further identification, it was known as S. 3942 when it was on the floor of this Senate in August 1958 and on September 2, 1958, under the President's signature it became Public Law 85-892.

This rendered possible the nonquota admission into the United States of 1,500 refugees—their spouses and children in addition—all victims of the tragic earthquake and volcanic eruptions in Fayal Island in the Azores.

The figure of 1,500 was arrived at by the best possible methods and information at the time.

It is clear now that in the natural confusion attending the calamity our estimates fell short of tragic truth.

With the praiseworthy expedition of the State Department, the cooperation of the Government of Portugal and the

untiring efforts of American organizations dedicated to relieving the plight of the distressed, the quota has been filled.

Through December 1959 visas had already been issued to 1,320 refugees with 1,752 spouses and children—a total of 3,072.

To our dismay there are still some 500 families who meet the disaster qualifications for admittance. They have started the steps necessary. They stand in line eager for the chance of a new life in America. They are being turned away with the tragic sentence—the quota is filled.

Turned away to what? They are turned away to the very conditions which qualify them for admission here.

These conditions are spelled out in the original bill. They mean that they "are out of their usual place of abode in such islands and unable to return thereto and are in urgent need of assistance for the essentials of life."

I recite these facts merely to refresh the memory of the Members of the Senate. There is no need to appeal to your sympathetic and sound judgment. You pronounced that judgment in the passage of the original bill. In the language of observers it was symbolic of the high and noble traditions of the Congress.

This has been a case of honest miscalculation resulting in a misfortune that we did not intend.

The remedy lies in this amendment to accept the 500 together with their spouses and their unmarried children with the same strict qualifications of distress and within an adequate period of time.

I strongly recommend its passage.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3028) to amend the act of September 2, 1958, introduced by Mr. PASTORE, was received, read twice by its title, and referred to the Committee on the Judiciary.

REGULATION OF RETAIL INSTALLMENT SALES OF MOTOR VEHICLES IN DISTRICT OF COLUMBIA

Mr. BUTLER. Mr. President, since November when the Evening Star began running its "Buyer Beware" series, we have all read of the unscrupulous and fraudulent activities of a limited number of unethical used car dealers and finance companies here in the Capital City of Washington, D.C. We have all been amazed to learn that high finance charges, sometimes amounting to as much as 50 percent of the loan, in addition to exorbitant insurance overcharges, have been exacted with impunity from unsuspecting, trusting people, many with limited education. Chief among the complainants have been officials from our nearby military establishments. Officers from the bases have indicated that they have received complaints from all over the world by men formerly stationed at the bases who have been victimized by these few unscrupulous car dealers and finance companies. I think there is probably unanimity of agreement that corrective legislation is needed.

With that in mind, a bill, S. 2895, supported by the District of Columbia Commissioners, was introduced by the senior Senator from Nevada [Mr. BIBLE] on January 25, 1960.

Since that time I have had the opportunity to study the bill and, while I feel that it is a step in the right direction, it is not a big enough step. It leaves entirely too much to the discretion of the District Commissioners in a field that needs positive statutory law.

S. 2895 purports to set maximum finance charges for certain categories of automobiles, but the very same section of the act gives the Commissioners the power to change the amount of those finance charges after holding appropriate hearings. The finance charges should be established by statute, subject to change only by congressional directive as has been the case with other interest-regulating laws in the District of Columbia.

S. 2895 then proceeds and rather than specifically legislating in those areas where the abuses are flagrant, it gives the Commissioners the authority to promulgate regulations.

Now, let me make it absolutely clear I have complete confidence that the Commissioners would make every effort within the scope of S. 2895 to stamp out the fraudulent practices. But I do not feel the way to do it is by promulgating regulations. I am informed on reliable authority that there are in existence regulations in various areas that either are not being enforced, or cannot be enforced. Recent testimony by Mr. C. T. Nottingham, Superintendent, Licenses and Permit Division of the District of Columbia Department of Licenses and Inspections, has shown that of 500 complaints received in the past 2 years, 100 were presented to the Corporation Counsel's office at the municipal court. Of the 100 presented there was not one prosecution and only a handful of fine forfeitures. Whatever the reason behind the failure to prosecute those 100 cases, it seems clear that regulations are not the answer to the problem.

For that reason then, I desire to introduce a bill at this time which, in my opinion, covers by specific enactment every area of abuse brought to light so far. If any others are discovered they should, and could, be taken care of by specific legislative enactment as well.

I might add that I have a good deal of interest in this legislation because it has come to my attention that large numbers of Maryland citizens have been duped by the local cheats. Such a situation does not exist in Maryland because we have a strict retail installment sales law which prevents it.

The bill I am introducing here today is patterned after that law and in many respects closely parallels it. I think this is advisable because the Maryland law has proven most successful since its inception. In addition, it provides for uniformity in the area of automobile financing between the sister jurisdictions of Maryland and the District of Columbia. The citizens of the two jurisdictions could expect, and would have, comparatively equal protection regardless of whether they purchased their automobile in Maryland or the District of Columbia.

My bill strictly regulates the form and content of installment sales agreements; the amount to be charged for automobile insurance; calls for complete identification of the kind and amount of such insurance; and regulates the amount of finance charges. It gives the buyer the right to receive a pro rata refund in the case of prepayment of his loan. Further, the buyer is given the right of redemption in the case his automobile is repossessed as well as the right to have the repossessed automobile sold at public auction. Other provisions protect the buyer from misleading advertising and prevent the buyer from waiving the protection afforded by the act. It provides criminal and civil penalties for violation of the provisions of the act.

Mr. President, I strongly urge that the abuses so prominently called to the attention of the citizens of the District of Columbia area by the Evening Star be corrected by positive legislation and not by regulation.

I introduce the bill, and ask that it be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3031) to regulate the retail installment sales of motor vehicles in the District of Columbia; and for other purposes, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on the District of Columbia.

PRESIDENTIAL CONFERENCE TO STUDY MEANS FOR CONTROLLING DISTRIBUTION OF OBSCENE MATTER AND MATERIALS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a joint resolution, authorizing and directing the President to call a conference of Federal, State, and local officials, and members of public and private organizations, for the purpose of coordinating action to combat the traffic in obscene books, pictures, and other materials which are a blight upon the United States.

I remember last year when some of the Members of this body spoke with vehemence and disgust on the floor of the Senate, after viewing the chamber of horrors in obscene literature, pictures, and materials, which had been collected by the Postmaster General.

We were all revolted by the fact that such merchandise is carried, often to innocent victims, through the Federal mails.

The Post Office Department has authority to confiscate such materials and to prosecute offenders, if they can be found.

I would be in favor of giving the Postmaster General stronger legislation and more effective penalties to accomplish this purpose.

However, Mr. President, this would not control the production and distribution of such materials at the local community level.

The Federal Government cannot clamp down except at the point of interstate transmission.

The peddler in filth would still be free to print his wares in a basement, pin up his pictures and induce a susceptible element to buy.

Over the past 2 weeks, my office has received more than 18,000 carefully handwritten letters from seventh and eighth grade students, their parents and teachers, who are participating in a campaign to bring this situation to the attention of their Federal representatives.

The campaign started in the city of Philadelphia, but has since spread throughout the eastern part of the State. It shows no signs of lessening at this point.

We may well say, Mr. President, that it is the responsibility of the parent, the church, and the school to turn to their municipal authorities and demand censorship through local law enforcement.

This has been tried in some communities, but it has been sporadic and lacked coordination.

At this point, it is cold comfort to try to explain to the young, or even to their parents, that there is no way their Federal Government can intervene except through the interception of interstate mail.

It has become increasingly clear to me that these thousands of citizens of Pennsylvania look to their Federal Government for guidance, direction and inspiration to cope with the menace.

We must do more than "view with alarm."

For this reason, the joint resolution which I introduce would bring together, by means of a Presidential conference, Federal, State, and local officials, private and public organizations to explore methods of combating the traffic in obscene matters and materials at the various levels of governmental responsibility; provide for improved coordination between Federal, State, and local officials in the suppression of such traffic; consider the ways and means of informing the public and obtaining maximum public support; secure the cooperation of all legitimate forms of informational media to accomplish this purpose; and formulate recommendations for legislative, administrative, and other forms of action to combat this threat to the minds and morals of our young people.

Mr. President, I would welcome the active assistance and cosponsorship of Members who might wish to join me in this effort. I ask unanimous consent for the joint resolution to lie on the table until Friday, February 19, so that other Senators who so desire may add their names.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The joint resolution (S. J. Res. 160) to provide for a conference consisting of Federal, State, and local officials, and members of public and private groups or organizations to consider and propose methods of, and to coordinate action for, combating the traffic in obscene matters and materials, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Government Operations.

PERMANENCY OF PROVISIONS OF SUGAR ACT OF 1948—AMENDMENT

Mr. MAGNUSON (for himself and Mr. JACKSON) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 187) to make permanent the provisions of the Sugar Act of 1948, which was referred to the Committee on Finance, and ordered to be printed.

LEASING OF PORTION OF FORT CROWDER, MO.—AMENDMENT

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, which was ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 8, 1960, the names of Mr. NEUBERGER and Mr. GRUENING were added as additional cosponsors of the bill (S. 2992) to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes, introduced by Mr. MCCARTHY (for himself and Mr. HUMPHREY) on February 8, 1960.

ANTARCTIC TREATY, AND INTERNATIONAL CONVENTION FOR PREVENTION OF POLLUTION OF THE SEA BY OIL—REMOVAL OF INJUNCTION OF SECRECY

Mr. JOHNSON of Texas. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive B, 86th Congress, 2d session, the Antarctic Treaty, signed at Washington on December 1, 1959, and Executive C, 86th Congress, 2d session, the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, transmitted to the Senate today by the President of the United States, and that the treaty and convention, together with the President's messages, be referred to the Committee on Foreign Relations, and that the President's messages be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed, and the treaty and convention will be referred to the Committee on Foreign Relations, and the messages from the President will be printed in the RECORD. The Chair hears no objection.

The messages from the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Antarctic Treaty signed at Washington on December 1, 1959, by plenipotentiaries of the United States of America and 11 other countries.

This is a unique and historic treaty. It provides that a large area of the world—an area equal in size to Europe and the United States combined—will be used for peaceful purposes only. It contains a broad, unrestricted inspection system to insure that the nonmilitarization provisions will be carried out.

The purposes and provisions of the treaty are explained in the report of the Secretary of State which is transmitted herewith.

I transmit also, for the information of the Senate, a certified copy of the Final Act of the Conference on Antarctica, held at Washington October 15 to December 1, 1959, at which the treaty was formulated. The Final Act does not require ratification.

I am gratified to recall that it was at the initiative of the United States that the Conference on Antarctica was convened. On May 2, 1958, the United States extended to the 11 other countries which participated in the Antarctic program of the International Geophysical Year an invitation to participation in a conference to consider the conclusion of a treaty on Antarctica for certain stated purposes. The invitation was accepted by all 11 countries: Argentina, Australia, Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland.

The spirit of cooperation and mutual understanding with which representatives of the 12 countries drafted the Antarctica Treaty and signed it for their respective governments is an inspiring example of what can be accomplished by international cooperation in the field of science and in the pursuit of peace.

I believe that the Antarctica Treaty is a significant advance toward the goal of a peaceful world with justice. In the hope that the United States, which initiated the idea of the Antarctica Treaty, may be one of the first to ratify it, I recommend that the Senate give it early and favorable consideration.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

(Enclosures: 1. Report of the Secretary of State. 2. The Antarctic Treaty (certified copy). 3. U.S. Government note of May 2, 1958. 4. Final Act of the Conference on Antarctica (certified copy).

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith a certified copy of

the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, in the English and French languages, which was signed at London on May 12, 1954, in behalf of certain states, but not the United States of America.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the Convention, together with the enclosures thereto.

In the event that the Senate advises and consents to acceptance of the Convention, it is requested that it do so subject to the understanding and reservations and with the recommendation set forth in the report of the Secretary of State.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

(Enclosures: 1. Report of the Secretary of State. 2. Commentary. 3. Copy of part IV of the Report of the U.S. National Committee for the Prevention of Pollution of the Seas by Oil. 4. Copy of the Final Act of the International Conference on Pollution of the Sea by Oil. 5. Certified copy of the International Convention for the Prevention of Pollution of the Sea by Oil, signed at London, May 12, 1954.)

NOTICE OF MEETING OF CONGRESSIONAL INTERPARLIAMENTARY UNION GROUP

Mr. MONRONEY. Mr. President, the Congressional Interparliamentary Union Group will meet next Tuesday, February 16, at 9 o'clock a.m. in the Old Supreme Court Chamber.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD as follows:

By Mr. McCARTHY:

Editorial entitled "Leaving the Questions Unanswered," published in the Rural Electrification magazine for February 1960; and address entitled "The Farm Challenge," delivered by Senator HUMPHREY at the annual meeting of Pierce-Pepin Electric Cooperative, Ellsworth, Wis., on June 13, 1959.

By Mr. GREEN:

Statement prepared by him, relating to educational program instituted in Rhode Island for retired military personnel in the Narragansett Bay area.

By Mr. STENNIS:

Excerpts from remarks of the Honorable RICHARD B. RUSSELL before a joint session of the General Assembly of Georgia at the State capitol, Atlanta, February 8, 1960.

ORDER OF BUSINESS

Mr. RUSSELL. Mr. President, has the morning hour concluded?

The PRESIDENT pro tempore. No. Is there further morning business?

CIVIL RIGHTS LEGISLATION

Mr. McNAMARA. Mr. President, the Senate is about to begin what I believe will be one of the most important debates of its history—a debate which will culminate, I am sure, in a further strengthening of our civil rights legislation.

During recent months we have been made aware of the blind prejudice which still grips a small minority of our people. The desecration of religious and public buildings which has recently occurred has shocked all of us.

I believe that the fear and ignorance which motivated these actions—actions which mostly took the form of swastika painting and cross burning—are present in only a few of our citizens.

Yet this fear and ignorance is fed and fortified by defects in the legislative protection we have provided for civil rights and liberties.

So long as this Government tolerates in any form second-class citizenship for some of its people, then, just so long will these other outrages occur.

I believe that tribute is due to the officials at the local level who quickly moved to stamp out these abuses in their States and communities.

Their performance demonstrates the basic tolerance and adherence to democracy which is the heart of our system.

Yet the absence of adequate guarantees of freedom in our Federal legislation fosters the behavior we have recently witnessed.

Admonishing words from Washington cannot ring true if we fail to demonstrate our own belief in the right of every citizen to equal protection of the law and enjoyment of the privileges the Nation extends.

The recent defacement of churches and synagogues is appalling. It was a grim reminder of the worldwide agony which the Nazi dictator inflicted.

But there is a difference only in degree, not kind, between the beliefs that motivated this type of behavior and the beliefs which prevent the exercise of voting rights, or prevent the enjoyment of equal educational opportunity, or restrict that ability to live in decent surroundings.

We have always known that freedom, in all its forms, is hard work. It is never easy to establish it, and it is never easily maintained or expanded.

The coming weeks will be hard ones for all of us, no matter what State we represent or what beliefs we hold.

But if the hard job we do is successful, if it does expand freedom, we will have performed the most worthy of duties—duties owed not only to our present citizenry but to all the generations of the past and future.

Mr. JAVITS. Mr. President, I know that this morning both the minority leader and the majority leader have made statements on the impending civil rights debate. I was unfortunately detained in the Committee on Labor and Public Welfare, where we were considering the minimum wage bill. Hence I hope that the leaders will listen to my own statement and, if there is anything in it which is inconsistent with the positions taken by them earlier, I hope they will so inform me.

Mr. President, this is a historic day in the Senate. It is February 15 when the Senate has been assured by the majority leader, with the minority leader concurring, that:

> I serve notice on all Members that on or about 12 o'clock on February 15, I anticipate that some Senator will rise in his place and make a motion with regard to the general civil rights question.

I am quoting from a colloquy with me on the floor of the Senate on September 14 last.

The country has been awaiting this day, for civil rights are now recognized to be not only an issue of elementary justice under the Constitution but a material part of the foreign policy of the United States in that it will condition the attitude toward us of the over 1 billion people in the free world, most of them newly coming to nationhood whose skins are yellow, black, or brown.

In the absence of a committee bill which is not before us, for reasons which are all so very familiar, there will be many proposals before us. It is my fervent hope that the Senate will be clear sighted in the way that it has shown on so many occasions which has earned for it the title of the most significant legislative body in the world.

Mr. President, I think this should be the order of priorities:

First, we should repair difficulties and shortcomings in those civil rights which we have undertaken to implement with the active authority of the Federal Government. These include voting rights, desegregation of the public schools and assurances that Government contractors shall offer equal opportunities for employment for all. Under the voting rights, I include also the consideration of an anti-poll-tax bill, should that seem opportune.

It will be noted that I have referred to public school desegregation notwithstanding the present emphasis in this debate on legislation to secure voting rights. Equality of opportunity in education as has been found by a coequal branch of our Government to require particularized attention in order to produce equal opportunity. It is high time that the Congress back this up by appropriate legislation. It is entitled, I believe, to equal priority with the voting right. In addition, there are miscellaneous measures against lynching and hate bombing and dealing with elemental aspects of public order which demand our attention. As an individual Senator, I intend to propose additional amendments respecting intervention by the U.S. Attorney General in civil suits to secure civil rights by individuals, a combined Federal voting registrar-Federal voting referee proposal developed under law school auspices, and I may also present again an anti-poll-tax amendment. I shall be joining with others in anti-lynching and anti-hate bombing and school desegregation implementation legislation.

I am deeply gratified and so should be the country that we have before us responsible package bills, one from the administration backed by the President to be presented by the minority leader and one by the majority leader. They are obviously entitled to first consideration. I therefore anticipate that either the ma-

jority or minority leader will make the necessary motion today.

Our country has always shown a genius for measuring up to a crisis. There is a crisis in the civil rights assurance—in the relations of the citizen to the state in our country. I have great faith Congress will measure up to meeting this historic opportunity in this historic debate.

TRIBUTE TO BENJAMIN H. BUTCHER, OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I wish to pay tribute to a distinguished West Virginian who many years ago served in the West Virginia House of Delegates. He was first a member of the house of delegates in 1870, just 7 years after West Virginia became a State. Sixty years later he served again in the same body and continued his service there until his death on February 12, 1937. His name was Benjamin H. Butcher, and he served as a delegate from the county of Wood.

I, of course, never personally knew Mr. Butcher, but I am very pleased to have received a bit of verse composed by this man, and I would like to read it on this bright February morning just 90 years after his first year of service in the West Virginia Legislature and 23 years and 3 days following his death in office. I am indebted to Mr. William Kidd, of Sutton in Braxton County, for his kindness in having supplied me with these poetic lines.

The title of Mr. Butcher's poem is "The Rainbow and the Gold," and I commend it to the attention of my colleagues. Living in a day of peril, as we are, and in a materialistic age, I think it well that we take a few moments to meditate upon things we are so prone to forget. After all, the things which really count most during our short sojourn on earth seems to be the things to which we give the least attention and thought. In adulthood we generally lose sight of the thoughts and experiences of our youth, and spiritual things become shut out more and more as we grow older and become engrossed in matters pertaining to business, politics and pleasure. Perhaps Ben Butcher's poem will make us think for a little while about the beauty of life and the sweet promise of its hereafter.

THE RAINBOW AND THE GOLD

(By Hon. Ben H. Butcher, Wood County)

When I was a child, with fancies wild,
And a rainbow engrossed my mind,
I was told if I'd go to the end of the bow,
A pot of gold I would find.

So I chased away, where the meadow lay,
Where the end of the bow touched the ground,
But when I got there and looked everywhere,
No pot of gold could be found.

The beautiful bow, with its colors aglow,
That held the promise for me,
Had moved to the woods, where the old oaks stood,
Its end at the foot of a tree.

Then again I raced and the bow I chased,
My hands on the gold to lay,
But a cloud crossed the sun, as the race was run,
And the rainbow faded away.

And so through the years, of hopes and of fears,
When rainbows hung in my sky,
I chased them in vain, and time and again,
But I never the gold came nigh.

The Golden Rule was hung up in the school,
And the teacher impressed it on me,
The rule of old in the sermon told,
On the Mount in Galilee.

The creed of brothers—Do unto others,
As you'd have them do to you:
I hold to that creed, in word and in deed,
At least, I try so to do.

And I've faith that on High, in the sweet by and by,
Where rainbows hang all around,
When I've made the last race, and have finished the chase,
My pot of gold will be found.

MISS DORIS E. BROOME SPEAKS FOR DEMOCRACY

Mr. PASTORE. Mr. President, with the approach of Washington's birthday each year, this Capital City which bears Washington's name plays host to a distinctive group of American students. These students represent our 50 States and each is the winner within his or her State in a theme-writing contest on the subject "I Speak for Democracy."

I congratulate the Veterans of Foreign Wars, the National Association of Broadcasters, and the Electronic Industries Association for their cooperative efforts which make this contest and this miniature convention possible.

In the case of Rhode Island, little and beloved, it seems fitting that its representative should be one of the youngest of the contestants. Miss Doris E. Broome is but 15 years of age and of the sophomore class of Warren High School, Warren, R.I. Doris is president of her homeroom class and a member of the student council. Her hobbies are sports and music—more particularly, playing the piano. Her life plan is to teach music and English at the high school level. Her home life could well be the inspiration for all this, for her mother has been a schoolteacher and her father is a major in the U.S. Marine Corps. Maj. Norris C. Broome, USMC, and his family live at 86 Douglas Avenue, Portsmouth, R.I.

Within the compass of her theme, Miss Broome traces democracy from its Athenian beginnings to its flowering in America. I am certain that we will all derive instruction and inspiration from her oration, pithy and powerful "I Speak for Democracy."

Mr. President, I ask unanimous consent that the oration be printed in the body of the RECORD.

There being no objection, the oration was ordered to be printed in the RECORD, as follows:

I SPEAK FOR DEMOCRACY

Democracy is a general term for a government controlled by the people. Democracy had its ancient beginnings in Athens, Greece. The Athenian democracy was not a true one, for there were many flaws. The first of these being that only citizens could vote, and the citizens were the native, free males. This, of course, excluded the women and slaves from a great freedom, the freedom to vote. Since they were not considered citizens they were also deprived of freedom of speech and therefore had no voice in their government. These lacks of freedom, and traitors holding public office, led to the decline of Athens and resulted in a failure of these first efforts toward democracy.

It was not until the 18th century that democracy was revived. This revival took place because people wanted to escape from the rule of the monarchy system where the rights of the individual depended upon the position to which he was born. They sought a new land where they could worship, speak, read, and have other entertainments and interests, when they wished and as they wished. These people sought and found an untamed land across the sea. These—the rich, the poor, the debtors, and the slaves—although unaware of it, founded a great nation which has stood for democracy over 200 years, the United States of America.

Times were hard for these first settlers, for there were many hardships which they had to overcome, the main one being survival. But because they longed for democracy so greatly, they were able to survive and flourish. These early settlers formed 13 small Colonies and so as to become stronger they united. These 13 small Colonies have developed into 50 united States. These States have a strong central government that is of, by, and for the people.

America is now at the height of her power. She is made up of many different races, religious creeds, political, economic, and social beliefs. Occasionally these forces are in conflict within our own Nation. This brings us to the question, can America survive, or must she give in to these forces? I say yes, America can survive because despite all these differences of the people, they are bound together by a common bond, that being their love for individual freedom. For in America there is a respect for the individual and an assurance that his voice will be heard in all governmental affairs.

Therefore unlike the unfortunate Athenians, Americans can live in confidence that our democratic way of life will survive the test of time. That is why I speak for democracy.

SUFFOCATION IN THE COURTS

Mr. WILEY. Mr. President, I read in the Washington Post this morning an editorial entitled "Suffocation in the Courts," which involves a subject which is most important. We have passed a bill through the Senate on this subject. Congress is being asked by the organized bench and bar to create some 48 additional Federal judgeships, to rescue the courts from a losing battle against an avalanche of cases. The situation is very serious.

I know of nothing in domestic policy that would contribute more toward cleaning up the situation than enacting the bill referred to. As I understand, the bill is being held up in the other House.

I ask unanimous consent that the editorial to which I have referred be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUFFOCATION IN THE COURTS

Congress is being asked by the organized bench and bar to create 43 additional Federal judgeships to rescue the courts from a losing battle against an avalanche of cases. Department of Justice figures show that only 4 of the 86 Federal judicial districts are current in their dockets, meaning that cases can be disposed of in 6 months or less. In the eastern district of New York, litigants have to wait an average of 4 years to have their disputes settled; in the New York

southern district, 26 months. What is more discouraging is the fact that the Federal courts are being buried deeper and deeper under a suffocating backlog of cases.

The basic difficulty is that the creation of judgeships has not kept pace with the growth of the country and its business operations out of which litigation grows. Here is the picture in capsule form: Between 1941 and 1959 population increased 36 percent; gross national product, 376 percent; per capita income, 258 percent; motor vehicle accidents, 500 percent; and civil cases filed in the Federal district courts, about 50 percent. In the same period, however, the number of judges on the Federal bench increased only 26 percent.

It is easy to see from these figures why the courts have been overwhelmed. Judges have speeded up their work, and a recent survey shows that the average judge is handling 40 percent more cases than he did in 1941. Yet the demands upon them have been so great that the backlog of cases awaiting action has mounted to shocking proportions. Today the backlog is 117 percent greater than it was in 1941. The total number of cases waiting to be heard is not far short of 75,000. This in itself throws a further burden on the courts, for stalled cases invite a multiplicity of motions and legal maneuverings that would be impossible if speedy trials could be had.

Fortunately, there are some indications that Congress is becoming alert to this critical problem. Last September the Senate Judiciary Committee reported out a bill to create 25 additional judgeships. Chairman CELLER of the House Judiciary Committee, obviously alarmed by the near breakdown of Federal justice in two districts of his home State of New York, is asking for immediate action on his bill to create 45 new judgeships. The project ought to have bipartisan support, for the time is especially propitious for giving the courts the judges they need without favoring either political party. President Eisenhower has pledged himself to divide the new judgeships equally between the two parties if the bill is passed.

Action will have to be taken promptly, however, if this promise is to be meaningful. It takes time to recruit able lawyers for the bench and to get their nominations confirmed, and nominations would have to be confirmed before the present session of Congress adjourns. No lawyer of judicial stature would likely accept a recess appointment from a President who is going out of office. In the light of this situation there ought to be a general mobilization of the bar, the bench and the informed public behind this bill.

CUBA-SOVIET TRADE AGREEMENT

Mr. WILEY. Mr. President, the renewed efforts by the Communists to penetrate the Western Hemisphere are of deep concern to the free world, and particularly to the security of the United States.

The Communist offensive is diverse and tricky—but, nevertheless, relentless and undeviating in its ultimate objective of spreading Communist influence and control. The major direct effort at penetration in Latin America is along the trade route. In addition, however, the Communists are invading by so-called educational and cultural missions—actually fronts for planting the seeds of the Communist ideology.

The recent agreements between Cuba and the Soviet Union are a prime example of the trade tactics put into operation.

As I understand it, there are strings attached to the Soviet agreements, requiring purchase of Russian-made goods. This can hardly be called free trade.

Moreover, when the Cuban people become aware of the differences between the U.S.-Cuba sugar trade—which pays them a substantially higher price—and the agreements concluded with the Soviets, they may wish they had taken a second look at the situation.

Also, the Soviet offer to send war planes into an area already rife with tension is, I believe, contrary to the interests of peace, and definitely provocative.

Recently, we recall the Organization of American States took special steps to reduce tensions in the Western Hemisphere. Soviet efforts to increase the war potential by shipping military planes to Cuba would be contrary to the action of O.A.S. Certainly, it would not be in keeping with the recent talks between President Eisenhower and Premier Khrushchev; nor would it contribute to a better climate for the upcoming summit meeting scheduled for later this year.

In addition, Mikoyan's effort to encourage expropriation of property, without compensation to the United States and other investors—by pointing to the Communist example in Russia—is an underhanded way of trying to stir up trouble, as well as to encourage violation of international law.

In view of the stepped-up efforts at penetration of Latin America by the Communists, I believe that Congress should reevaluate the situation and come up with constructive steps for—

First. Stopping the Communist drive to expand influence in our next-door neighbors.

Second. Make recommendations for further improving U.S.-Latin American relations.

Third. See what can be done—in a concrete way—to help these countries improve their economies, and thus eliminate, to a large degree, the breeding places of communism.

MONTANA'S WONDERFUL WEATHER

Mr. MURRAY. Mr. President, a Montana author, Mark Boesch, of Hamilton, tells how two unselfish Montanans conceived the national park movement around a campfire one night in August, 1870. Here is his account:

The national park movement was born around a campfire in late August of 1870, when the expedition of that year, led by Surveyor-General H. D. Washburn, of Montana, was on the way home after seeking for themselves the wonders they had been told existed in this wonderland. Around the fire that particular night they fell to debating what portion of the park, which of the wonders, they would most like to own and lay claim to. Finally, Cornelius Hedges, another Montanan to be sure, upbraided his fellows for indulging in such selfish thinking. To Hedges, all of this great wonderland should be owned by all of the people for all time. It should be made into a great national park for that purpose. Langford related in his journal that he put in a sleepless night because of that proposition which Hedges had made.

Soon after the expedition had returned to Montana, Langford went east to begin his crusade for the establishment of America's first national park. He lectured, he wrote articles for magazines, and he even lobbied in Congress. More than anyone else he was responsible for the signing into law by President Grant, on March 1, 1872, the act which created Yellowstone National Park. It was most fitting that Langford should be named as first superintendent of the park.

I am sure that the Montanans' August 1870 campfire which brought about the great national parks was lit for cooking purposes, not for warmth. Montana's climate is sometimes crisp and invigorating, to be sure. But the Treasure State does not deserve some of the singular attention given it on winter mornings. West Yellowstone and Cut Bank, Mont., occasionally record the lowest temperature in the Nation, and this fact is broadcast to millions of listeners all over the country.

Typically, Montanans have risen to the occasion and corrected the misimpressions which these weather reports leave. The Montana Standard, published in my hometown of Butte, points out that good weather—which most of Montana enjoys most of the time—simply is not news. I hope the Senators from Washington will not take too much offense if I report that, according to my friend Eugene Graf, Sr., of Bozeman, the local chamber of commerce states that the average temperature in Montana is "8 degrees higher than in Seattle." Out of deference to my two distinguished colleagues from Washington I will let the comparison stand there and not make any comments about comparative humidity and drizzle.

And I would point out too that West Yellowstone, Mont., is 6,662 feet in elevation. There may be a blizzard on the mountaintops, but balmy sunshine in the valley below.

Several times during recent weeks, when Washingtonians shivered in the 20's, Montanans basked in the 50's. When, on occasion, snow falls and temperature drops in my State, Montanans put on their chains or knobby tires, their long underwear, and go about their business.

And what happens when a few inches of snow covers the Washington area, as occurred last weekend? Semiparalysis is the best description. Schools close, accidents occur, and the roads are clogged with stalled drivers who were not fortunate enough to live a portion of their lives in high, wide, handsome, and—most of the time—temperate Montana.

And so, Mr. President, in the unselfish spirit which prompted two Montanans to give the Nation the national park system, may I leave the thought that from Glacier Park, wholly within Montana, to Yellowstone Park, a portion of which drops down into Wyoming, Montana offers fine weather along with unparalleled beauty and hospitality.

THE PLIGHT OF THE AMERICAN FARMER

Mr. TALMADGE. Mr. President, the desperate plight of the American farm-

er is graphically illustrated by the story and accompanying charts carried in the February 8, 1960, issue of U.S. News & World Report under the title, "Where Modern Efficiency Does Not Pay Off."

Comparing the farmer and the industrial worker, the article shows that while the farmer's output per man-hour is up 65 percent since 1950, his income is down 1 percent. The industrial worker, on the other hand, has increased his productivity only 21 percent but has realized in turn a 58 percent increase in income.

As for prices of farm produce, U.S. News points out that even though the cost to the housewife is up 9 percent since 1950 and the middleman has increased his charges by 28 percent, the farmer's part of the food-basket dollar is down 12 percent.

Mr. President, the farmer is looking to Congress for help. President Eisenhower has challenged Congress to come up with a better answer than the unthinkable proposals of his Secretary of Agriculture, Ezra T. Benson.

Mr. President, I, for one, want to see Congress accept the President's challenge. And I am convinced that the answer to it lies in an approach along the lines which I outlined in a speech before a joint session of the Georgia, Alabama, Florida, and North and South Carolina Cotton Ginners Associations in Atlanta on February 6.

Mr. President, I ask unanimous consent that the text of the news release on that speech along with the article and accompanying tables from U.S. News & World Report to which I referred be printed herewith in the body of the RECORD as a portion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONSUMPTION PLAN ONLY FARM ANSWER, TALMADGE DECLARES

ATLANTA.—A new national farm plan geared to consumption rather than production is the only answer to America's worsening agricultural crisis, U.S. Senator HERMAN E. TALMADGE declared here Saturday.

Addressing a joint session of the Georgia, Alabama, Florida, and North and South Carolina Cotton Ginners Associations at the Biltmore Hotel, Georgia's junior Senator maintained that farm programs which emphasize the farmer's ability to produce rather than his capacity to sell what he produces are self-defeating because there is no form of production control which can hold ever-increasing crop yields in line with market requirements.

That is why, he said, he is sponsoring a bill to abolish the present system of burdensome and unworkable production controls which has been "a colossal, $9-billion failure" and to substitute in its stead a program of free-enterprise farming bolstered by compensatory payments on domestically-consumed basic commodities. Such an approach, he elaborated, would remove the emphasis from production and put it on marketing where it belongs, thereby making the farmer once again responsible for selling what he grows and taking the Federal Government out of the business of buying, selling, transporting, and storing farm commodities.

TALMADGE said his plan to give each farmer a supported share of the domestic market not only would end further accumulation of agricultural surpluses by the Government but also would afford a vehicle whereby existing surpluses could be utilized without further cost to the American taxpayers. It would accomplish the latter, he explained, by allowing farmers agreeing to put their land into conservation practices without compensation to receive from surplus stocks to sell on the open markets amounts of commodities equal to their individual shares of the domestic market.

"The American people have a tremendous investment in the mountains of surpluses which the Federal Government has bought," he stated. "I can think of no better way for the taxpayers to get their money back than for the Government to use those commodities to help put the farmers who grew them back on their feet."

The former Georgia Governor referred to the fact that he often is asked why the country must have any kind of a farm program—why the farmer cannot be freed instanter of all forms of Government support and left to work out his own destiny. He said he replies in this way:

"I am enough of a Jeffersonian Democrat to believe that we would all be better off if our entire economy were freed and allowed to seek its own level. However, by the same token, I am enough of a realist to know that with virtually every other segment of the Nation's economy protected by law, the farmer cannot be left as the only person without a legislative guarantee of his proportionate share of the national income.

"If the farmer is to share in the general prosperity of the rest of the country—if he is to own an automobile, send his children to school, and enjoy a reasonable standard of living—it is essential that a new farm program be devised which will give him that assurance. The farmer has the right to expect from the Federal Government protection equivalent to that received by labor through the minimum wage and industry through the tariff and subsidies."

He noted that a recent study done by U.S. News & World Report showed that repeal of all farm laws would result in 21-cent cotton, 10-cent hogs, 11½-cent beef, 13-cent chickens, 74-cent wheat, and 66-cent corn. He asked his audience: "How many farmers do you know who could survive an economic shock like that?"

While promising to continue his vigorous efforts in seeking enactment of the Talmadge Farm Plan at the current session of Congress, TALMADGE said he was not optimistic about the chances of enacting any meaningful new farm legislation "so long as Secretary Benson and the Eisenhower administration are in office."

Monday, the Georgia Senator will address a joint session of the General Assembly of Georgia.

WHERE MODERN EFFICIENCY DOESN'T PAY OFF

Farmers once again are caught in a squeeze between rising costs and declining income. The squeeze is expected to grow tighter as pay raises for city workers, sparked by the raise in steel, are passed on to farmers in the form of higher prices on the things they buy.

What the farmer sees when he looks at the facts is shown by the accompanying chart. He sees, for one thing, that efficiency hasn't paid off for him.

The American farmer, on the average, has increased his efficiency by 65 percent in the past 10 years. He has done this by investing his own money, or borrowed money, in new machinery and improved methods. This improved efficiency has been accompanied by a drop of 7 percent in farm prices.

By contrast, the city worker in office and factory has had raises far greater than his increase in efficiency. While efficiency in offices and factories has gone up by 21 percent in the past 10 years, pay has risen by 58 percent. The increase in efficiency by city workers was due largely to investment by employers in new equipment and methods.

BARGAIN FOOD? NO

Consumers, however, have not enjoyed lower food prices as a result of declining farm prices.

The food from U.S. farms that goes into the marketbasket of the average housewife now returns the farmer 12 percent less than it did 10 years ago. The housewife, however, has to pay 9 percent more than she paid 10 years ago. Increases in middleman costs have more than offset the farmer's loss.

Farmers, as a result, get a smaller percentage of the consumer's food dollar than at any time since 1939.

Another comparison watched by the farmer is the parity ratio, official measure of his buying power. It has dropped nearly 20 percent since 1950, to the lowest since 1940. In simple terms, this means that a bushel of corn, a bale of cotton, a slaughter hog will buy less than 10 years ago.

All this has put the farmer on a treadmill. He has increased efficiency, enlarged his farm, sold more products. But his income for a year's work remained virtually the same in 1959 as in 1950—about $2,500 for the average U.S. farm. Those dollars, today, are worth 18 percent less than in 1950.

That is today's farm problem as seen by farmers.

Higher output means gains for everybody but the farmer

SINCE 1950

	Percent
Workers' output, in factories and offices, per man-hour	up 21
Workers' wages per hour	up 58
Farmers' output, per man-hour	up 65
Farmers' income, from products they grow	down 1

Result: Farmers ended the 1950's, a "decade of progress," with income dropping, despite increased efficiency.

Food prices rise but farmers get less of the money

SINCE 1950

	Percent
Housewife's cost, for a market basket of food	up 9
Middlemen's charges, for processing and selling the food	up 28
Farmer's prices, for the food in the basket	down 12

Result: Farmers get 38 percent of the housewife's food dollar, their smallest share since 1939.

Farm buying power lowest in 20 years

	Percent of the 1910–14 level
Parity ratio, the official measure of purchasing power of farm products:	
10 years ago	96
Now	77

Result: Buying power of farmers' products is at the lowest level since August 1940.

Basic data: U.S. Department of Agriculture; U.S. Department of Labor.

CIVIL RIGHTS LEGISLATION

Mr. RUSSELL. Mr. President, one of the most effective Senators in defense of the South's position on so-called civil rights is the junior Senator from Alabama, JOHN SPARKMAN. He has long recognized the great harm such proposals would cause both to race relations and to the traditional concept of the respective powers of the State and Federal Governments.

A most recent and sound statement by Senator SPARKMAN relates to the dangerous proposals that Federal registrars or Federal referees be appointed to spy on

and to control voting matters heretofore left to the respective States.

I ask unanimous consent that the statement be printed in the CONGRESSIONAL RECORD, along with that part of S. 3001 that provides for the appointment of Federal referees.

There being no objection, the statement and excerpt from the bill were ordered to be printed in the RECORD, as follows:

FEDERAL REGISTRARS ARE UNCONSTITUTIONAL

(Statement by Senator JOHN SPARKMAN, Democrat of Alabama, before Senate Rules Committee, January 29, 1960)

Mr. Chairman, I welcome the opportunity to appear before this committee, and I am grateful to you and the other members for having continued these proceedings so that those of us so directly concerned would be able to study the proposals and testify regarding them. As you know, certain officials of the State of Alabama will also appear and give you the benefit of their views.

The proposals before this committee to authorize the President of the United States to appoint Federal registrars for the purpose of administering State laws do violence, in my judgment, to our traditional concept of the respective powers of the State and Federal governments.

The power of the State governments over suffrage has been clearly defined by the U.S. Supreme Court as one "which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments would rest would be without support and both the authority of the Nation and the State would fall to the ground."

These are meaningful and ominous words, and we would do well to weigh them carefully.

In the main, the proposals pending before this committee seek to provide (upon a claim and finding of discrimination as to race, color, or creed) for the appointment of Federal registrars who shall have the authority to register as voters persons whom the registrar finds qualified to vote under existing laws of the State and Federal Governments.

The persons so registered would be entitled to vote in all primary and general elections held for the purpose of selecting:

1. President and Vice President of the United States; and electors for the offices wherever such electors are selected by popular election; and

2. Members of the U.S. Senate and House of Representatives.

I strongly oppose these proposals for I believe them to be unconstitutional and against the public interest.

CONSTITUTIONALITY OF PROPOSALS RELATING TO THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

In one decision after another, the U.S. Supreme Court has preserved the selection of presidential electors to the exclusive control of the State. This is not surprising in view of the clear language of section 1, article II, of the Constitution. The provision defines the respective powers of the States and the Congress in respect of the selection of the electors.

As to the States it is provided:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress."

As to the Congress, it is provided:

"The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States."

In *McPherson* v. *Blacker* (146 U.S. 1 (1892)), the Supreme Court reviewed the methods adopted by the States for the selection of presidential elections and concluded that: "In short, the appointment of electors belongs exclusively to the States under the Constitution. * * * Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States, but otherwise the power and jurisdiction of the States is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded."

The Supreme Court has in other cases and similar language proclaimed the exclusive control of the States over appointment of electors and the conduction of their election. *In re Green* (134 U.S. 377); *Ray* v. *Blair* (343 U.S. 214, 232 (1952)).

While proponents of the pending bills might contend that the case of *Burrough* v. *U.S.* (220 U.S. 534, 545 (1934)) lends substance to the constitutionality of the proposals, the argument is fallacious.

In that case the contention was made that the provisions of the Corrupt Practices Act were unconstitutional as they relate to presidential electors. In sustaining the power of Congress to protect the election of President and Vice President from corruption, the court was careful to point out that the means of doing so "neither in purpose nor in effect * * * interfere(d) with the power of a State to appoint electors or the manner in which their appointment shall be made."

Continuing, the court explained that the act was designed to deal with political activities of national committees in several States or with their branches and specifically excluded State or local committees. "Its operation, therefore, is confined to situations which if not beyond the power of the State to deal with at all, are beyond its power to deal with adequately. It in no sense invades any exclusive State power."

This extension by the court of the power of Congress is carefully limited to those irregularities or misconduct which endanger the electoral process, with which the States are not able adequately to deal, and in no sense invade the exclusive State power over the general conduct of the appointment of the State's electors.

To appoint Federal registrars answerable in no way to the State government and empowered with the authority to register any person as a voter for elector whom the Federal registrar found qualified would so drastically supplement the State's function so as to render its power almost meaningless so long as it continued to appoint its electors by way of a general election.

It has been uniformly held that presidential electors are State officers and not Federal officers. In a recent decision by the 8th Circuit Court of Appeals, *Walker* v. *U.S.* (93 F. (2d) 383 (8th Cir. 1937), cert. denied, 303 U.S. 644 (1938)), the court held that "manifestly, the right to vote for presidential electors depends directly and exclusively on State legislation."

For this reason, I am of the firm opinion that these proposals as they relate to presidential electors would be unconstitutional.

CONSTITUTIONALITY OF PROPOSALS RELATING TO NATIONAL ELECTIONS OF MEMBERS OF CONGRESS

Proponents of the pending legislation rely generally upon two provisions of the Constitution to sustain the constitutionality of the proposals: Section 4, article I and the 15th amendment.

Section 4, article I, provides that the time, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

It is this provision of the Constitution upon which the proponents rely most heavily.

Accordingly, I have examined carefully the decisions of the U.S. Supreme Court in regard to this provision.

While there is no uniformity among the decisions as to whether the right to vote for a Member of Congress has a State or U.S. source, one of the most recent decisions held as follows:

"Privilege of voting is not derived from the United States but is conferred by the State, and save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate." *Breedlove* v. *Suttles* (302 U.S. 277 (1937)).

In any event, even in those cases which hold that the right to vote for Members of the Congress has its foundation in the Constitution, the power of the States in respect of the right is recognized as a concurrent authority with that of the Central Government. *Ex parte Siebold* (100 U.S. 371 (1879)).

It is without question that the broadest scope of power with respect to elections is bestowed upon Congress by the first article of the Constitution. Accordingly, if Congress does not have the power to authorize the appointment of Federal registrars, it follows that if this activity is not specifically prohibited to the States by other provisions of the Constitution, the States would have this power.

Accordingly, if Congress has the power to authorize the appointment of Federal registrars, it must be found in section 4, article I of the Constitution, which provides:

"The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing."

What is meant by the term "manner of holding elections"? Does it include the duties of an official operating under State law in determining whether a person is to be registered as a voter? I do not believe that such interpretation was ever intended.

The Supreme Court has upheld the power of Congress "to pass laws for regulating and superintending said elections (Members of the House of Representatives), and for securing the purity thereof, and the rights of citizens to vote thereat peaceably and without molestation." *Ex parte Siebold* (100 U.S. 371 (1879)). However, registration procedures were not involved. The Court did not rule on whether Congress had the power to regulate registration procedures but whether it could authorize Federal courts to appoint supervisors to oversee an election of a Congressman.

In fact, the Supreme Court has not ruled on this question. However, the issue has been presented to several State courts, and the view is strong that the power to regulate the time and manner of holding elections does not include the power to legislate in respect of qualifications or registration.

In *Coffin* v. *Electric Commissioners* (97 Michigan 188, 56 N.W. 567), it was held that:

"The authority to direct the time and manner in which judicial officers shall be elected, and the other officers elected or appointed, does not involve the power to determine who shall constitute the electorate. The word 'manner' it is true is one of large signification, but it is clear that it cannot exceed the subject to which it belongs. It relates to the word 'elected'."

In addition, the Oregon Supreme Court held in *Livesly* v. *Litchfield* (83 P. 142) that:

"Time and manner does not include the power to determine what shall constitute a legal voter."

The same principle was enunciated by the Supreme Court of Illinois in *People* v. *English* (139 Ill. 622, 29 N.E. 678):

"The word 'manner' is usually defined as meaning way of performing or executing. * * * (It) indicates merely that the legislature may provide by law the usual, ordinary or necessary details required for the holding of the election."

In two cases where the State constitution provided for qualifications of voters yet were silent with regard to registration, although specifically providing that the legislature may enact laws to regulate the time and manner of holding elections, the courts held that registration laws were a part of qualifications. Accordingly, the Supreme Court held that laws enacted by the legislature purporting to implement the provisions regulating the holding of elections by providing for registration were unconstitutional.

The cases are as follows:

As the Supreme Court of Oregon stated it:

"As we construe the Constitution, every law which requires previous registry as a prerequisite to the right to vote is ipso facto void. The legislature would have the power by implication, had it not been expressly conferred to prescribe the manner of regulating and conducting elections; but the right to vote itself has been placed beyond their interference or control." (*White* v. *Multnomah County*, 10 P. 484, 130r, 317 (1886)).

To the same effect is *Dells* v. *Kennedy* (49 Wis. 555, 6 N.W. 246), in which the court stated:

"For the orderly exercise of the right resulting from these qualifications (for voting prescribed in the Constitution) it is admitted that the legislature must prescribe necessary regulations as to the places, mode and manner, and whatever else may be required to insure its full and free exercise;" and then proceeded to hold invalid a statute which required registration.

With such guidelines, one is compelled to the conclusion that the duties of registration are not included in the term "manner of holding elections." Indeed, since the function of registration in so many States is closely akin to the qualification of electors, it would be inappropriate to legislate regarding this for the purpose of regulating the manner of holding elections unless pursuant to the power to determine the qualifications of electors. In many States, especially those requiring literacy tests, the function of the registration officials is quasi-judicial in character and is as fundamental to the sovereign power of the State to determine qualifications as is the function of the legislature in prescribing those qualifications.

While Congress may have the power to enact laws to prohibit discrimination by race, color, or previous conditions of servitude in respect of the State's administration of literacy laws, for Congress to enact laws to appoint Federal officials to administer such literacy laws would be to usurp the sovereign rights of the State and to assume powers not bestowed upon it by the Constitution.

For these reasons, it would not be necessary and proper for the Congress to undertake legislation in respect of the registration of persons as voters in congressional elections, no more so than would it be necessary and proper for the Congress to undertake to prescribe requisite qualifications of persons as voters in congressional elections.

Since section 4, article I, does not bestow upon Congress the powers to authorize the appointment of Federal registrars, it follows that the more restrictive grant of power included in the 15th amendment to the Constitution would not include such authority.

For these reasons, I am of the strong opinion that the proposals would be unconstitutional.

FEDERAL REGISTRAR PROPOSALS ARE AGAINST THE PUBLIC INTEREST

I have endeavored here to show on what grounds I consider the proposals to be unconstitutional. As in the case of any such discussion, judgments of objective and reasonable men disagree. While I would consider a decision upholding the constitutionality of these proposals as destructive of the States' power over suffrage and a complete deterioration of State sovereignty in this area, I have long since learned that the U.S. Supreme Court as presently constituted does not share my deep convictions in respect of the fundamental importance to our Republic of the sovereign rights of the State. Be this as it may I continue in the hope that the Supreme Court will exercise the restraint appropriate of it and recommended to it by several illustrious groups. In addition I will continue with all my energy to influence the Congress to a course fully respectful of the States and their sovereign powers.

Accordingly, aside from the constitutional questions I would like to discuss some of the dangers to our system of self-government implicit in what is proposed here.

Implicit in the registration of voters is the judgment as to whether the person offering to be registered is qualified to vote. Since the Constitution is explicit in reserving to the States the exclusive right to determine voter qualifications, registration officials must of necessity administer State laws.

It is unthinkable that Federal officials should be empowered to administer these State laws for such time and duration as befits the whim of the executive or judicial branch of the Federal Government. While proponents argue about discrimination, an examination of the proposals now pending before this committee reveals that the Federal registrar is in business—100 percent—once he is appointed without regard to whether a discrimination prohibited by the 15th amendment has in fact taken place.

While some of the bills do require the applicant to make a claim of discrimination, as a condition to filing the application, the Federal registrar makes no investigation as to the truth of the claim. Indeed it need not be sworn to or verified. This becomes then a mere facade and opens the law to indiscriminate abuse. However, not even this window dressing is required in S. 2814.

The truth of the matter is that the Federal registrar simply takes over the business of registration, the business of administering the laws of the State in respect to national election voting lists.

Those of us in the business of making laws know what can be done to laws by administration. A law's whole purpose can be thwarted, and this is precisely what will happen if the Congress should transfer the administration of voter qualification laws from the State capital to Washington.

The 17th amendment to the U.S. Constitution provides that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." And under the pending bills who would decide whether the proposed elector had the requisite qualifications as set by the State? Not a State official, duly elected or appointed as State law prescribes, but a Federal official, who, himself may or may not have the requisite qualifications, and who may or may not even be a citizen of the State or familiar with conditions in the State.

The simple fact is that there are a great number of people who are not qualified to vote under State law and all kinds of wishful thinking and lofty purpose will not change this. The wisdom of these laws is not a matter of legislative concern to the Congress. Citizens of States are entitled through their representatives in State legislatures to determine for themselves what these qualifications shall be. They are entitled to a faithful administration of those laws by State officials whose term of office or appointment arises from them and who are directly answerable to them.

If you have these emissaries of the National Government appointed to register voters in New Jersey, New York, Pennsylvania, Missouri, or any other State of the Union, to whom will they answer? What restraints are imposed upon them to insure a faithful compliance with the laws of a State with which they have no official connection?

If a Federal registrar, who may or may not have the requisite qualifications himself, decides to open the doors, to invite all comers, what is the body politic to do?

Is it to sit quietly by while one of the fundamental powers of the State, secured by the provisions of the United States Constitution is destroyed?

If not, what is it to do? Why, it can appeal, of course, to the Central Government in Washington for some relief. And it can expect little sympathy at the hands of the very authority who appointed the officer, an authority far removed from the scene with little or no understanding of the factors involved.

I say to you that this Frankenstein which is proposed would transcend the purpose for which it would be created. I urge this committee to think long and carefully upon what is proposed. Do not be misled by the term "temporary Federal registrar." Long ago I became suspect of "temporary" positions. It has been my observation that the most permanent thing in Washington is something created to be temporary.

Already one witness has testified before this committee "that the registrars must have adequate staff and financing. * * * If the thing is to succeed, it must be run as a full-time operation with adequate staff." The child, while not yet born, has already begun to grow.

Another witness before this committee, and to this extent I agree with him, testified: "Now, Mr. Chairman, I would like to point out that we are arguing here very big stakes." These are indeed, Mr. Chairman, very big stakes as they relate to the sovereignty of the States, and the purity of their laws become crystal clear when we examine the rest of his statement: "If in 1960 the figures for Negro registration could be raised to equal the national percent of eligible citizens who did vote in 1956, 60 percent, which was the national percentage, then more than 3 million Negroes in the South would be registered to vote in the presidential elections 10 months from now. That figure is more than double the 1,200,000 Negroes registered in the South in 1956."

Apparently, Mr. Chairman, the witness does not seem to be concerned with the question as to how many of these proposed voters meet the qualifications as provided by the States.

I would suggest that if the sole purpose of this bill is to double Negro registration in the South overnight—and according to some testimony before you that seems to be the idea—there is little guarantee of success even with the aid of these proposals.

Perhaps the committee is familiar with a report of the Southern Regional Council, which by the way is not known for its segregationists views which found that the Negro's lack of political consciousness remains the greatest barrier to voting. It also pointed out that leaders of both races do not expect a great rush to the polls until Negroes have been able to raise their economic and educational levels (and) their leadership has been broadened.

Indeed, Mr. Chairman, this is the crux of the matter. We from the South who have years of experience in the conduct of affairs between the races and who are sincerely interested in restoring harmony in racial

relations recognize that education and economics are the keys to the ultimate solution of most of our racial problems (including the sensitive ones involving the races and the maximum participation of all our people, both white and colored, in the electoral process).

It is for this reason that we of the South are gravely concerned with the threat to our public educational system resulting from the powers of the Central Government arrayed against us—the courts, the executive and some leaders in Congress. At a time when the education of all our people, our adults and our children, of all races has become so urgent in so many respects it is a tragedy that our public school system in many places is threatened to be sacrificed upon an altar of social experimentation.

In closing, Mr. Chairman, I want to talk briefly about the proposals which have been made by the Attorney General in respect of voting rights. As you know, this proposal was made before a press conference by the Attorney General just this week. In fact, it was just yesterday that I was able to obtain a draft copy of the proposed legislation. Obviously, I have not had an opportunity to study as carefully as I intend to the provisions of this legislation to determine the constitutionality of them. However, I have read the legislation and I have followed closely the comments which have appeared regarding it in the press.

Apparently, the bill would seek to authorize the appointment by the district courts of Federal officials authorized to register voters whom they find qualified under State law not only in respect of Federal elections but also State elections, both primary and general, to supervise and generally to control the holding of such elections.

In addition, it would seek to do by legislation what the Civil Rights Division of the Justice Department has sought to do in the courts in my home State of Alabama.

The Justice Department has suggested in the suit now pending against the State of Alabama, which is on appeal to the United States Supreme Court, that the Federal Government should rule the States by decree and injunction in respect of elections. It is suggested that the district court would have the power to issue an order to a sovereign State and upon a seeming violation of this order by any State official, that official would be hauled into the court to show cause why he should not be cited for contempt of an order about which he had no actual notice at all.

This is the kind of power that the Attorney General asks this Congress to bestow upon the National Government. As I see it, it would so subjugate the States to the National Government as to make the whole concept of State sovereignty meaningless.

I will oppose, just as strongly as I can, the enactment of any kind of legislation such as this which would make it possible for the U.S. district courts to become virtual dictators, insofar as voting is concerned, over the area. This is so foreign to my concept of constitutional government and the sovereign rights of the people that I am shocked that it would be seriously proposed.

Mr. Chairman, I hope that should this bill become the pending business on the floor of the Senate or should it be suggested that it become the pending business, it will be discussed sufficiently to assure that the people of America will understand the kind of power that is proposed to be taken from them.

Mr. Chairman, the proposal of the Attorney General is not new. It has been patterned after a reconstruction bill passed in 1871 and repealed in 1893. Our country has had experience with respect to it.

Hear what the Committee on Privileges and Elections, House of Representatives, 53d Congress, had to say about such a proposal when recommending that it be repealed:

"But again, the States for a hundred years and more have provided election laws, appointed officers for their proper execution, and provided the machinery of election. They have prescribed duties for such officers, and have imposed penalties for the failure to discharge these duties. This machinery and these officers, without distinction as to the character of the election, whether it be State or Federal, have the same duties imposed upon them in all essential qualities. With this state of things we find these statutes which are sought to be repealed create officers whose duties it shall be to supervise, scrutinize, and watch every act of the officers of the States. This of itself must create friction, and the history of the country since the enactment of these laws, has demonstrated their unwisdom in this respect. The power to guard, scrutinize, and inspect implies the power to correct or prevent that which is scrutinized. The power to supervise implies the power to compel the doing or to prevent the doing of the thing which is the subject of the supervision. How then can the United States, by its supervisors and deputy marshals, supervise an election under a law which it has not enacted or scrutinize the registration (a condition of suffrage in many of the States) when the right of suffrage emanates from the State itself and the State alone can determine it?

"Many of these statutes also impose penalties upon the election officers of the States, in the conduct of elections, for a violation of the State laws. Was ever a more monstrous proposition written on the statute books of a free country? The power to make laws is a sovereign power. It carries with it the power to punish for the violation of such laws, but the two powers must be coordinate. The power that creates the law can inflict punishment for its violation, but no power can inflict punishment rightfully for the violation of a law which it never made. To attempt it, as has been done in the past, has resulted only in irritation, contention, and criticism of the government that has proposed it.

"Let every trace of the reconstruction measures be wiped from the statute books.

"Finally, these statutes should be speedily repealed because they mix State and Federal authority and power in the control and regulation of popular elections, thereby causing jealousy and friction between the two governments; because they have been used and will be used in the future as a part of the machinery of a political party to reward friends and destroy enemies; because under the practical operations of them the personal rights of citizens have been taken from them and justice and freedom denied them; because their enactment shows a distrust of the States and their inability or indisposition to properly guard the elections, which, if ever true, has now happily passed away; and, last but not least, because their repeal will eliminate the judiciary from the political arena and restore somewhat, we trust, the confidence of the people in the integrity and impartiality of the Federal tribunals."

I urge every member of this committee to read this report in its entirety. We should take heed of the experience regarding this which those before us have had.

When considering what this committee had to say about this Reconstruction bill of 1871, it is important to remember that this bill was far more limited in its scope than the proposals of the Attorney General. The Reconstruction bill of 1871 was limited to national elections. The Reconstruction bill of 1960, as proposed by the Attorney General, would be applicable to all general and primary elections, Federal, State, and local. In other words, we are to have the Federal Government running and controlling the elections of offices from the White House to the town hall. How foreign is this to what our Founding Fathers intended.

We continue to hope that the people of other sections of the country will realize that racial problems will not be solved by legislative fiat, that proposals such as this and so-called civil-rights legislation serve but to aggravate the emotions of people and to feed fires of racial discord.

We yearn for the day that the American people will demand of their representatives a moratorium of legislation aimed at a great section of this country so that we from the South may devote our full time to the real business at hand—providing better schools and training for all our people so as to equip them to engage in the competition of our great free-enterprise system. It is in this way that all of us shall profit and the standards of living of all our people shall be increased.

SEC. 7. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), is amended as follows:

(a) Add the following as subsection (e) and designate the present subsection (e) subsection "(f)":

"(e) In any proceeding instituted pursuant to subsection (c) of this section, in the event the court finds that under color of law or by State action any person or persons have been deprived on account of race or color of any right or privilege secured by subsection (a) or (b) of this section, and that such deprivation was or is pursuant to a pattern or practice, the court may appoint one or more persons (to be known as voting referees) to receive applications from any person claiming such deprivation as to the right to register or otherwise to qualify to vote at any election and to take evidence and report to the court findings as to whether such applicants or any of them (1) are qualified to vote at any election, and (2) have been (a) deprived of the opportunity to register to vote or otherwise to qualify to vote at any election, or (b) found by State election officials not qualified to register to vote or to vote at any election.

"Any report of any person or persons appointed pursuant to this subsection shall be reviewed by the court and the court shall accept the findings contained in such report unless clearly erroneous. The court shall issue a supplementary decree which shall specify which person or persons named in the report are qualified and entitled to vote at any election within such period as would be applicable if such person or persons had been registered or otherwise qualified under State law. The Attorney General shall cause to be transmitted certified copies of the original decree and any supplementary decree to the appropriate election officials of the State, and any such official who, with notice of such original or supplementary decree, refuses to permit any person, named as qualified to vote in such original or supplementary decree, to vote at any election covered thereby, or to have the vote of any such person counted, may be proceeded against for contempt.

"The court may authorize such person or persons appointed pursuant to this subsection to issue to each person named in the original decree or any supplementary decree as qualified and entitled to vote at an election, a certificate identifying the holder thereof as a person qualified and entitled, pursuant to the court's original decree or supplementary decree, to vote at any such election.

"The court may authorize such person or persons appointed pursuant to this subsection (or may appoint any other person or persons) (1) to attend at any time and place

for holding any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any such person has been denied the right to vote, and (2) to attend at any time and place for counting the votes cast at any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any vote cast by any such person has not been properly counted.

"Any person or persons appointed by the court pursuant to this subsection shall have all the powers conferred upon a master by rule 53(c) of the Federal Rules of Civil Procedure. The compensation to be allowed to any person or persons appointed by the court pursuant to this subsection shall be fixed by the court and shall be payable by the United States.

"The court shall have authority to take any other actions, consistent with the provisions of this subsection, reasonably appropriate or necessary to enforce its decrees."

(b) Add the following sentence at the end of subsection (c):

"When any official of a State or subdivision thereof has resigned or has been relieved of his office and no successor has assumed such office, any act or practice of such official constituting a deprivation of any right or privilege secured by subsection (a) or (b) hereof shall be deemed that of the State and the proceeding may be instituted or continued against the State as party defendant."

DEATH OF CARDINAL STEPINAC

Mr. DODD. Mr. President, the papers last Thursday carried news of the death of Aloysius Cardinal Stepinac, Catholic primate of Yugoslavia.

Cardinal Stepinac will be recognized by history as one of the truly great spirits of our time. His courage, his faith, his unbending spirit made him an international symbol of resistance to Communist tyranny.

It was not surprising that Cardinal Stepinac—then Archbishop Stepinac—was singled out for special persecution by the Communist regime of Marshal Tito. In line with time-honored Communist techniques, they arrested him in 1946 on trumped-up charges of war crimes. Among other things, their international campaign of character assassination sought to convey the impression that the cardinal was responsible for the massacre of some 600,000 Serbs and Jews in wartime Yugoslavia.

More often than not, Communist show trials have featured "confessions" by the accused. Even strong men had been broken to the point where they confessed to crimes they could not possibly have committed. But Archbishop Stepinac the Communists were not able to break. He defied the court, and denied all the charges against him. "My conscience is clear," he said.

But facts and protestations of innocence were of no concern to the Communist court. The interests of the Communist state demanded that the cardinal be convicted. The court, accordingly, sentenced him to 16 years in prison.

Imprisonment only strengthened the spirit of this extraordinary man. In November 1950, after 4 years in prison, he was interviewed by Mr. C. L. Sulzberger, of the New York Times. This is the personal message he conveyed to the world through Mr. Sulzberger: "Whether I go to a monastery, or whether I remain here, or whatever should happen to me, I am utterly indifferent." By this, the archbishop meant that he would not deviate from his course or compromise his position, no matter what the regime did to him.

Embarrassed by the international reaction to the continued imprisonment of the archbishop, the Yugoslav regime in 1951 paroled him from prison. By the order of the regime, however, he was confined to the village of Krasic, about 40 miles from Zagreb.

In 1952 he was made a cardinal by Pope Pius XII.

In July 1953, 18 months after his release from prison, Cardinal Stepinac was stricken by a rare blood disease. It was recommended that he receive treatment from specialists in other countries. But the regime took the stand that before he could leave Yugoslavia he would have to ask for special permission. Cardinal Stepinac felt that such a request would be tantamount to an admission of guilt. "This I will never do," he said, "because I do not consider myself guilty before the Communists." Finally, two American physicians were permitted to fly to Yugoslavia to attend the prelate.

By his faith and courage, Cardinal Stepinac provided an example not merely to his countrymen but to the entire free world.

Cardinal Stepinac is dead. But his spirit lives on—and the Communists will find this spirit an even more formidable adversary than Cardinal Stepinac the man. His body they could imprison and restrict. For the spirit of man which survives his body, the Communists will never be able to devise a prison.

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

LEASING OF PORTION OF FORT CROWDER, MO.

The PRESIDENT pro tempore. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, which had been reported from the Committee on Armed Services, with an amendment, on page 1, line 4, after the word "a", to strike out "five-year" and insert "two-year".

Mr. JOHNSON of Texas. Mr. President, has the morning hour been concluded?

The PRESIDENT pro tempore. Morning business is concluded. The pending business is before the Senate.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. Did I correctly understand that some measure was laid before the Senate as the pending business?

The PRESIDENT pro tempore. Calendar No. 924, House bill 8315, to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., is the pending business.

Mr. RUSSELL. I had read in the RECORD that some bill relating to tobacco had been made the unfinished business.

The PRESIDENT pro tempore. House bill 8315 was taken up today by unanimous consent.

Mr. JOHNSON of Texas. Mr. President, has the morning business been concluded?

The PRESIDENT pro tempore. Morning business is concluded.

QUESTIONS ON THE NATION'S DEFENSE POSTURE

Mr. MANSFIELD. Mr. President, as long as the distinguished minority leader is on the floor, if I am able to obtain permission of the Senate, I should like to ask some questions; and therefore I ask unanimous consent to be allowed to proceed at this time for 10 minutes.

The PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, I do not desire to object, but I am very much interested in the discussion that has been had here this morning. Is the Senator from Montana going to deal with the question of alleged civil rights legislation?

Mr. MANSFIELD. No; something entirely different.

Mr. RUSSELL. Very well.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I am in receipt of a letter, from Montana, which included an editorial from the Wall Street Journal and a news story which appeared in that publication, both of which implied that when the question of defense was raised by Democrats, it was raised for the purpose of politics.

Mr. President, there has been a good deal of talk, but little Senate debate, on our defense posture at the present time and its relation to next year's budget. Some of my colleagues have been accused of playing politics with defense. Others have been accused of seeking headlines, rather than headway. Collectively they are being referred to in some publications as the resistance.

In particular, the majority leader, the senior Senator from Texas [Mr. JOHNSON], and the exceedingly able Senator from Missouri [Mr. SYMINGTON] have, in this respect, been made targets by the Republican National Committee.

President Eisenhower has referred to generals "who talk too much" and as having "parochial" views on defense.

The President has stated on at least one occasion, and perhaps on others, that he knows more about defense than does almost any other man in Government. Perhaps he is right. I am not criticizing President Eisenhower, because I know the great responsibilities that are his. By the same token, I am not criticizing the distinguished majority leader, the Senator from Texas [Mr. JOHNSON],

the able Senator from Missouri [Mr. SYMINGTON], or any others, because I know that they, too, have great responsibilities, and they take those responsibilities seriously. I respect all those in official life who are on one side or the other on the question of defense, and I know in my heart that all of them are saying what they are saying because of honest beliefs and because of their interest in the security and the welfare of our country.

In respect to the question of defense, the President has stated that he is not seeking any office—which implies, to me, that he is suggesting that certain Democrats, such as the Senator from Texas [Mr. JOHNSON], who heads the Space Committee and is chairman of the Preparedness Subcommittee, and the Senator from Missouri [Mr. SYMINGTON], a former Secretary of the Air Force and a man who has made a deep study of defense, are playing politics.

With this thesis, if I am correct in my assumption, I wholly and completely disagree. I hold with the late great Senator Robert A. Taft that it is the duty of the opposition to oppose; but I would add to that and say that it is the duty of the opposition to oppose constructively. If they cannot do so in that manner, then I think they would be better off remaining silent.

I have had doubts about our defense posture, as have many of my colleagues who know more about the subject than I do.

In an effort to avoid the confusion which now exists in the field of our preparedness today and tomorrow, and with absolutely no political purpose in mind, I should like to ask a series of questions which will be simply put, and, I hope, briefly and simply answered.

I do this because, with a full respect for security requirements—and may I say what information I have or will disclose is from the public prints—I feel deeply that a full and honest discussion of the available, open, and public facts is needed.

Now, if I may ask my questions of my friend the distinguished minority leader: At the moment is the United States the strongest nation, in a military sense, on earth?

Mr. DIRKSEN. Mr. President, first I must qualify myself as no expert in the field.

Mr. MANSFIELD. Nor am I.

Mr. DIRKSEN. The question would connote, of course, a wide knowledge of all the things we have as a part of our defensive arsenal; but I would go infinitely further and say it would imply a knowledge, I think, of what other nations have in order to make a comparison. Frankly, I think that question properly has to be referred to the people who are trained and schooled in the military field and who have had long experience in it.

On the basis of what has been represented from time to time, on the basis of what General Twining not so long ago said to the committee; namely, that on balance—and that means everything in the arsenal of weaponry—we probably are the strongest country in that field.

Mr. MANSFIELD. At the moment.

Mr. DIRKSEN. At the moment.

Mr. MANSFIELD. I would agree with the distinguished minority leader.

My second question: Can the minority leader differentiate between the words "capability" and "intent," both of which seem to have a part in our understanding of our defense posture vis-a-vis the Soviet Union at the present time?

Mr. DIRKSEN. Mr. President, I recall that this matter was thoroughly labored before the investigating committee and also in the press. I am afraid a good deal of the jargon of the day in the field of weapons, about capability and intent, what their relative values are, and their relative impact upon the kind of progress we should make in this field, is a little over my head. I suppose that both of them must be taken into account.

Mr. MANSFIELD. I would agree with the minority leader in that respect; but as I understand the use of the words, "capability" refers to the actual physical equipment the enemy or the potential enemy has in relation to what we have in our arsenal; and "intent" to me seems to indicate an estimate, not so much to read the enemy's mind, but to anticipate what he might do under certain given circumstances.

Mr. DIRKSEN. Oh, I think that is probably a fair estimate of the matter; but I do emphasize that when we speak about capability, we must have in mind, of course, all the weapons of defense, all the bases which we may have available, as our final deterrent power. In that field would come into play the question of intent, as to whether a potential enemy is going to launch a limited conflict or an overall conflict. I suppose that is a component factor which must be taken into account as to their relative values. That, of course, is not for me, as a layman, to say.

Mr. MANSFIELD. I understand.

On the basis of public information, could the distinguished minority leader give us a comparison now as to how we stand in relation to the Soviet Union in ICBM's?

Mr. DIRKSEN. Well, my knowledge must necessarily extend to whatever testimony I have heard, to whatever statements have been made by our military leaders, and such matter as is developed in the press from time to time. I think there has been some general belief, and it probably is well founded, that, certainly in one field or another of ICBM missiles, probably the Soviet Union may have surpassed this country. To what extent it has done so, frankly I would not know.

I think at this moment there is another matter that is worthy of emphasis. I have wondered somewhat to what extent our estimates of Soviet Union strength are accurate. I know the tight security the Soviet Union has. It is probably the tightest on earth. I had some occasion, away back in the early days, when I was in Berlin, sometime in 1949, to visit our own security officers in Potsdam. From them I learned how difficult it was to secure accurate information on Soviet Union strength in the defense field. So I think it is difficult to get an accurate estimate of Soviet strength.

Mr. MANSFIELD. May I say there is a great deal of validity in what the minority leader has said, because, as I understand from the public prints, there are varying estimates by our various intelligence agencies as to just what the strength of the Soviet Union is. It is my understanding, however, again from the public prints, that there is at the present time probably a 3-to-1 lead by the Soviet Union in the field of ICBM's, which lead would not apply to the field of the IRBM's.

If my information is correct, it is anticipated that the Soviet Union will increase its capacity in the field of missiles, so that, on a proportionate basis, while the increase may or may not be furthered, certainly on the basis of quantity that increase will be noticeable.

Mr. President, the news story from the Wall Street Journal, to which I referred at the opening of my remarks, I think should be read to the Senate at this point. The heading of the article is "Democrats Fasten on the Defense Issue as Their Best Bet for Now."

The article reads as follows:

They aim to dramatize the missile gap as risking imminent national destruction. Democrats delight in signs of administration splits on defense. They aim to keep the issue burning. House space hearings will continue 3 more months. Lawmakers pressure every administration witness on comparisons with Russia. They pound the theme in speeches, newsletters to the folks back home.

But Democrats see little sign yet that the issue catches on with the public. There's deep doubt that defense worries make much impression on the voters in a time of seeming cold-war thaw. Eisenhower's confidence in preparedness commands obvious public respect. Democrats will quickly switch from defense if they find a better issue.

Lawmakers vow an outcry if the administration tries to silence Strategic Air Chief Power, or ease him out. They insist he has a right to disagree publicly with Eisenhower policy, without reprisal.

I also have before me a copy of the editorial from the Wall Street Journal referred to at the opening of my remarks, which I ask to have inserted at this point in my remarks:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 5, 1960]

THE HEART OF THE STRUGGLE

The condition confronting the United States in the world is both philosophical and practical—a question of survival of values and a question of just plain survival. To both questions President Eisenhower the other day addressed himself.

Queried at his press conference about rapid Russian progress in missiles and space rockets, he recalled the early days of World War II, how we were almost overawed by Hitler's blitzkrieg successes. "Why, of course, we talked about this great efficiency.

"This is dictatorship. If you take our country and make it an armed camp and regiment it, why for a while you can—you might do it with great morale, too, if you would get people steamed up like you did in wars * * * you might do this thing * * * in very greater tempo than we now are doing it."

And—make no mistake about it—turning America into a garrison state is what a great many people are really talking about today even if they rarely put it that way. They would spend without stint on all kinds of arms; but more than that, they would drastically change the priorities of national life and make the Government the governor of those priorities so as to match the totalitarian efficiency of the Soviet system.

They are right if what is wanted is to match and surpass that kind of efficiency, for that kind of efficiency must be centrally regimented and reach down into every aspect of life—just as the Soviets, in the President's words, pick a potential athlete and make it a national responsibility to make him the best in the world if they can.

The price, to be sure, is the loss of precisely those human values which distinguish our society from Communist society (and which distinguish man from the beasts of the field).

So the philosopher might ask, What does it profit a nation to survive and lose its free soul? The pragmatist can retort, What does it profit a nation if it doesn't survive to enjoy its freedom?

But those are not the real questions. First, as to the alleged virtues of the garrison state, we all know what happened to Hitler's vaunted totalitarian efficiency when the West took countermeasures.

Are we today, then, doing enough in the way of practical military countermeasures? To answer that it is necessary to ask what it is we are trying to do. We are not trying to mobilize a military force with which to conquer the Communist world (we, not the Communists, are the true believers in peaceful coexistence in the sense of live and let live). We are trying to keep in being and constantly improve a military force so powerful that the Soviets will not push the button for fear of the devastation it would bring upon themselves in retaliation.

What is needed to deter the enemy is not the same as what is needed to launch a total attack on him. Mr. Eisenhower put it cogently: "What you want is enough, a thing that is adequate. A deterrent has no added power, once it has become completely adequate, for compelling the respect of any potential opponent for your deterrent and, therefore, to make him act prudently."

Obviously the deterrent cannot remain static; for continuing adequacy its technology must constantly improve. If it should be improving now at a faster rate, the remedy is not to be found merely in more money. Noting appropriations of nearly $7 billion a year for missiles alone, the President said this "is getting close to the point where money itself will not bring * * * any quicker development." In any case, no one denies that the technology of the deterrent is constantly improving.

When vocal politicians and commentators glibly say the national priority should be on survival instead of tail fins, they are missing the point that the free society is able to provide the people with both the means of survival and material abundance. But they are missing the further point that free consumer choice is merely an expression of political liberty.

And that is the point of the cold war. To turn to a garrison state is too high a price and, as a practical matter, an unnecessary price. It is to give the Soviets victory without a shot being fired or an effort made to preserve the philosophical values which are the heart of the struggle.

Mr. MANSFIELD. Mr. President, this seems to me to create a wholly false impression. I point out that, just as the President of the United States has responsibilities, so has every Senator, both Democrats and Republicans.

The purpose of the questions today is to try to bring a little clarity into the confused picture which has been presented not only to us, but to the American public, and, I am afraid, the American press as a whole. It is my hope that out of this discussion can come some better understanding, some reason, and some clarity, and that it will end any political intent which may be behind this issue, to the betterment of the interests of the country as a whole.

I have asked the distinguished minority leader about a comparison with the Soviet Union at the present time in the field of the ICBM's. He has answered and I have stated that it is my belief that in the next several years that lead, quantitatively, at least, will increase.

My next question is, How do we compare now with the Soviet Union in the field of the IRBM's?

Mr. DIRKSEN. Before I answer that question, I think my distinguished friend from Montana should permit me at least one comment with respect to the political implications or the effort to make a political issue.

Mr. MANSFIELD. Certainly.

Mr. DIRKSEN. I wonder whether, to a considerable extent, this situation is not the result of headlines which appear in the press. A week ago Sunday there appeared in the Washington Star, in the usual editorial section, an article under the title "Debate Over Defense Gap Primarily a Political Matter."

That was the headline. I believe that the entire article, if it has not heretofore been inserted in the RECORD, probably should be inserted in the RECORD.

In that connection I believe I should make one comment about what the President said when he talked about certain "parochial views," and so forth.

I cannot conceive that the President of the United States, who has devoted 41 years or more of his life to the defense and security of his country, would undertake to make a political football out of the defense preparedness and security issue. I believe he is doing what he has always done, namely, trying to keep this issue in proper perspective and in proper balance. Political implications may be read into what he says, but I, for one, cannot believe that the Commander in Chief, who was at one time the Grand Captain of the greatest military offensive the world has ever seen, would try to convert this question into a political issue.

Will my friend indulge me for one further comment?

Mr. MANSFIELD. Mr. President, before the distinguished minority leader makes a further comment, let me say that I hope that the same graciousness and the same feeling of understanding he has extended to the President will be extended to our distinguished majority leader, the Senator from Texas [Mr. JOHNSON], to the able junior Senator from Missouri [Mr. SYMINGTON], who has also spoken on this subject from a background, I believe, of a certain degree of knowledge based upon committee hearings; and also the distinguished chairman of the Armed Services Committee [Mr. RUSSELL], and others in the Congress, including his counterpart, the chairman of the House Armed Services Committee [Mr. VINSON], who have made their feelings known, not for the purpose of achieving political gain, but for the purpose of expressing views which they honestly feel.

Mr. DIRKSEN. I say to my distinguished friend from Montana that I emphatically endorse that sentiment. I disagree with the viewpoint expressed by my collaegues; but security is too important a matter to convert into a political football.

Mr. MANSFIELD. Exactly.

Mr. DIRKSEN. And for that reason I shall not do so.

I should add this postscript: I try to keep up with the daily reports in the press as best I can, both here and at home. Only within the past 3 weeks my senior colleague from Illinois [Mr. DOUGLAS] was making an address at home. The heading of the article relating to the address, which I believe I placed in my files, was "Defense Missile Gap * * * Will Be an Issue in the 1960 Campaign."

An "issue" is a political issue. I do not ascribe that motive to others, but I must say that my colleague is definitely identified with the Democrat Party, and he has said to the people in Illinois that the defense missile gap will be an issue in 1960.

I do not ask him to disclaim or to explain. That is not a part of my business. But I do say that this question has been raised by certain Members on the other side. So it is not strange that this debate takes on some political color as the subject is dressed up in the newspapers from day to day.

Mr. MANSFIELD. Does the Senator from Illinois care to make a statement vis-a-vis the Soviet Union, as to how we compare in the field of the IRBM's at the present time?

Mr. DIRKSEN. I can answer that question very simply. I do not know.

Mr. MANSFIELD. Could the Senator from Massachusetts [Mr. SALTONSTALL] answer that question? I want it understood that I do not want an answer to any question which may in the slightest degree involve security. I do not want to be told about it.

Mr. SALTONSTALL. Mr. President, in answer to that question, I will say that I have never heard, in open session in the Senate, a breakdown between IRBM's and ICBM's in the hands of the Soviets. They are referred to as missiles. We assume that they have missiles that would travel the distance an IRBM would travel, namely, 1,000 or 1,200 miles, or perhaps missiles such as they recently fired into the Pacific, which have a longer range.

Mr. MANSFIELD. Is it not true that figures have appeared in the public prints showing a comparison between our missiles and the missiles which the Soviet Union has; is it not also true that according to these statements which have appeared in the public prints the Soviet Union has an IRBM base at Kapustin Yar, south of Stalingrad in the Soviet Union, and also has an ICBM base at Tyura Tam, close to the Aral

Sea, and that it was that ICBM base from which the Soviet Union looped its 7,900-mile shot into the Pacific? Is that correct?

Mr. SALTONSTALL. It is my understanding that there is an ICBM base in the Soviet Union. I do not know the name of the Russian city which the Senator has given. I do not know the specific city. I would assume that if the Senator says that is the site, that that would be correct. I do not think there is any question that the missile was fired from the Soviet Union. With respect to the IRBM bases, there are undoubtedly some in the Soviet Union. I would not wish to say more than that on the floor of the Senate.

Mr. MANSFIELD. It has been brought out that in the field of ICBM missiles there is a lead of sorts held by the Soviet Union at the present time, and the opinion seems to be that in the next several years that lead may be increased quantitatively. It is also my understanding, however, that in the field of the IRBM we are in a better position than the Soviet Union and may be superior to them, and will very likely continue to be superior to them. Is that a fair statement?

Mr. SALTONSTALL. In broad general language, I would agree with the Senator from Montana.

Mr. MANSFIELD. Inasmuch as we are in the field of missiles, I should like to ask the Senator a further question.

A few days ago I read an article in the newspapers to the effect that in a missile plant in California there were more Atlas missiles in the plant ready to be shipped than there were pads available to receive them. It is my further understanding that the one pad we have for the ICBM missile at the present time is at Vandenberg Air Force Base in California. I should like to ask the Senator whether it is true that we do have ATLAS missiles in certain number on the line ready to be shipped, but there are no pads available to receive them.

Mr. SALTONSTALL. What the Senator has said with respect to the Vandenberg Base in California is correct, according to my understanding. I would add that recently the Appropriations Committees of the Senate and the House—within the last 2 weeks or so—approved a reprograming and the appropriation of certain funds which would permit an acceleration under which we would have more ballistic bases. I would not wish to say more than that on the floor of the Senate. I am told that there are these ATLAS missiles being built in California and that they have operational capacity. How many there are, I do not know.

Mr. MANSFIELD. I should like to inquire with respect to our position in comparison with that of the Soviet Union in the field of space. Wernher von Braun, in my opinion our foremost missile man, made the statement, when Lunik was successfully fired to the moon, and when the Soviet Union planted its flag on the moon, that if the Soviet Union were to stop its work right then it would take actually from 3 to 5 years for us to catch up. General Medaris, late Chief of the Army's Redstone missile base in Alabama, said practically the same thing. Are those correct statements, according to the Senator's information?

Mr. SALTONSTALL. I believe that to be a correct statement. The Russians are ahead of us today in power thrust.

The Russians started ahead of us after the end of World War II to develop very high thrust rocket engines. We started in 1954. I am not making any political comparison when I say this.

Mr. MANSFIELD. I am sure the Senator is not.

Mr. SALTONSTALL. We started up with the thrust after we had gone into the problem of reducing the size of the nuclear warhead. The Russians went ahead with the power thrust first. So far as scientific instruments, and so forth are concerned, I would hope that we are equal with the Russians. There is no question that the Russians can put a much heavier capsule into the atmosphere than we can.

Mr. MANSFIELD. Would the Senator agree that there is a military relationship or connection between the field of space and missiles?

Mr. SALTONSTALL. Yes.

Mr. MANSFIELD. In the Senator's opinion, would he wish to say that the Strategic Air Command is our Sunday punch?

Mr. SALTONSTALL. If I understand the Senator from Montana, the SAC bomber force today is our Sunday punch in the retaliatory field, and will be for some time to come.

Mr. MANSFIELD. But with an airborne alert of sorts.

Mr. SALTONSTALL. May I answer the Senator's question indirectly?

Mr. MANSFIELD. Yes.

Mr. SALTONSTALL. There is in the budget this year for the Air Force $90 million for an on-the-shelf air alert.

Mr. MANSFIELD. On the shelf means ready to go, but not in the air. Is that correct?

Mr. SALTONSTALL. It means that we are building up extra engines and extra gadgets and other equipment that go into the planes, and also that we are training personnel. When the planes wear out, we will be able to supplant them or to build them up as well as provide properly trained crews. We have just had an open hearing on the Air Force budget, and provision is being made for a continuation of sections 612 (a) and (b), which will permit the Air Force to request the President that he use the powers he has to spend funds if he believes an actual airborne alert is necessary. He can spend that money, and then come back to Congress and ask for more. General Power who is the commander of the SAC Force, has stated that he would like to have in the budget $600 million instead of $90 million in 1961 and, for 1962 and 1963, a billion dollars a year for an active air alert.

In the questioning of Secretary Sharp and General White, they indicated they wanted a congressional interpretation of what an airborne alert as an allowable expense might be. The Senator from New Mexico, the chairman of the committee, as well as I and Senator YOUNG, indicated clearly that, in our opinion, the President under these powers in sections 612 (a) and (b) could order a full airborne alert, if he considered it necessary, and then come back and ask Congress for additional appropriations.

Mr. MANSFIELD. Is my understanding correct that what General Power has advocated is a 500-plane alert at all times?

Mr. SALTONSTALL. I do not think that that is quite a correct interpretation of General Power's statement. I do not know whether it entails security information or not, so I will not comment further. However, I believe the answer to that question is that he believes a certain proportion of the SAC bombers should be kept in the air at all times. What that proportion is, I would not want to say at the moment.

Mr. MANSFIELD. If General Power wanted a certain number of planes to fly an alert this year and got them, would it not be safe to assume that, having the interest in SAC which he has, next year he would want more, and the following year still more?

Mr. SALTONSTALL. I do not believe that assumption is quite correct. To provide for an airborne alert now is as much as General Power wants for what is called the defense plan or preparation. The planes could not go into the air at once, presumably. They might go into the air sooner than they would under the President's budget request. The alert would not, in any event, be as many as 500 planes.

Mr. MANSFIELD. Is SAC a deterrent in the missile gap as of now?

Mr. SALTONSTALL. Not alone. There is the SAC Air Force, which has the primary deterrent ability. Then there are the aircraft carriers, with the strategic planes which they carry. In other words, the aircraft carriers are capable of launching strategic attacks themselves. Also, there are our IRBM bases deployed overseas.

Then, we will have this year 2 Polaris submarines operational with missiles, and more will come in the next few years fairly fast, up to 15 ultimately, under the 1961 budget. The Polaris submarine, in my opinion as a layman, having listened to the testimony year after year, is one of our best new weapons which are now coming along.

Mr. MANSFIELD. I would agree with the Senator. In the Senator's opinion, will manned planes decrease in effectiveness as the ICBM becomes more numerous and more operational?

Mr. SALTONSTALL. I do not think it is possible to compare the two weapons in just that light. I think the strategic bomber, the B–52, with its improvements, will be very effective for some time to come, particularly with the Hounddog and the Quail missiles, which are being produced for the SAC airplanes to carry. The ICBM will be, of course, ultimately, more destructive when its accuracy is determined and when its numbers have been increased.

Mr. MANSFIELD. Would the Senator care to state how the United States

compares with the Soviet Union in the field of conventional forces?

Mr. SALTONSTALL. I cannot speak accurately from memory, but the Soviet Union recently announced it is reducing the size of its army. How much in proportion, of course, is a question of intelligence, and we have to take Mr. Khrushchev's statement for that. From the testimony we have received, I believe that today the Russians, as to conventional weapons presumably operated by the army, have more modern equipment than we do in some respects.

Last year Congress provided an increased amount of $380 million for new procurement in the Army. Not all of that sum was spent; a disappointingly small amount was spent. That is one of the issues before this session of Congress.

Mr. MANSFIELD. Yes; I have that figure here somewhere, and I may get to it later. But it is my information that the U.S. Army has 14 divisions, not all of them combat ready, plus 3 Marine divisions, as compared with the Soviet Union's 175 divisions.

Mr. SALTONSTALL. That is correct. But, of course, in considering the 175 divisions, we must take into account the number of men in a division.

Mr. MANSFIELD. Would the Senator say the U.S. Navy is stronger than the combined navies of the rest of the entire world in the field of naval surface vessels?

Mr. SALTONSTALL. Unquestionably we are superior. The U.S. Navy is second to none.

Mr. MANSFIELD. Would the Senator care to state, on the basis of public testimony, how the United States rates vis-a-vis the Soviet Union in the field of submarines?

Mr. SALTONSTALL. The United States has quite a small number of submarines compared with the number of Russian submarines, but we believe our submarines are superior because of the nuclear power which some of them have, and, at the present time, through their ability to fire missiles like the Regulus from the surface, and, soon, from under water, like the Polaris. I think we can say, in open session, that we do not believe the Russians have any such equipment. They do have a greater number of submarines.

Mr. MANSFIELD. I should like to pursue the question of the Polaris further, but I shall not. However, I will say, on the basis of a speech made by Adm. Arleigh Burke sometime last year, that I believe he gave specific figures as to the comparative submarine strength of the Soviet Union and the United States. If my memory serves me correctly, the ratio was at least 3, and possibly 3½ or 4, to 1 in favor of the Soviet Union, in numbers.

Mr. SALTONSTALL. I do not question the Senator's accuracy on that. I think the ratio is possibly even a little higher, but that is only a numerical, not a qualitative, comparison.

Mr. MANSFIELD. The Senator anticipated my next question. Did the Bureau of the Budget refuse to release most of the $386 million to provide new equipment to modernize our Army? The answer is "Yes"?

Mr. SALTONSTALL. May I qualify my answer?

Mr. MANSFIELD. Yes.

Mr. SALTONSTALL. I believe of that $383 million, approximately $207 million was turned over to the Army. The amount of $137 million for the Nike-Zeus was not obligated. Of the $207 million, $164 million was used to straighten out some bookkeeping transactions concerning past appropriations. The balance of $38 million is being held for use against the 1961 Army procurement program.

Mr. MANSFIELD. I thank the Senator. Did the Bureau of the Budget, on two other occasions, refuse to release funds for the strengthening of the Marine Corps, in accordance with the intent of Congress?

Mr. SALTONSTALL. The strength of the Marine Corps was not increased from 175,000 to 200,000. In the conference committee, it was agreed the Marine Corps personnel increase was not a "shall" but a "may," and the authorized increase in personnel was not carried through. For the National Guard it was a "shall," and so far as I know it was done.

Mr. MANSFIELD. In relation to the Marine Corps, several years ago, on the basis of the Symington amendment, $40 million was appropriated by Congress, but the Bureau of the Budget refused to appropriate it for the purpose which Congress intended. I am certain the Senator recalls that.

Mr. SYMINGTON. I do not remember the exact amount, but the Senator's statement is correct in principle.

Mr. MANSFIELD. Is the Bureau of the Budget, the bureaucracy, rather than the President and Congress, who are politically responsible, dictating our defense status?

Mr. SALTONSTALL. I would absolutely deny that.

Mr. MANSFIELD. By what authority under the Constitution does the Bureau of the Budget exercise the power it has?

Mr. SALTONSTALL. The Bureau of the Budget is the financial adviser to the President. If the Senator will permit me to answer his question a little more fully, it is my understanding that the original budgets are made up by the Chiefs of Staff of the various services along about June or July. They reach the Secretaries of the respective services in the early autumn. They go from there to the Secretary of Defense, from the Secretary of Defense to the Bureau of the Budget, and then to the President. The final decision is the President's.

The President has stated emphatically that the Nation's security, he believes, is covered by the present budget appropriations, and that they are adequate. His is the final decision.

Mr. MANSFIELD. I am certain the President has good intentions and that he is just as much interested as anyone could be in the welfare and security of our country, but I do believe——

Mr. SALTONSTALL. I agree with the Senator from Montana.

Mr. MANSFIELD. But I believe one of the factors in a discussion of this sort is perhaps a clarifying of the picture so that all can understand the situation better. Admiral Burke said to a Senate committee:

> In the next 4 or 5 years the danger of limited war will be much greater than the threat of all-out nuclear war.

Does that statement agree with the previous statements made by Generals Ridgway, Taylor, and Lemnitzer?

Mr. SALTONSTALL. I cannot quote those gentlemen accurately; I believe they have all said approximately the same thing.

Mr. MANSFIELD. Does the Soviet Union have a better knowledge of our defense posture than we have of theirs?

Mr. SALTONSTALL. My answer to that question is "Yes," and it is based upon my own personal judgment.

Mr. MANSFIELD. Have our military leaders publicly used "numbers" to indicate differences between the armed forces of the Soviet Union and the United States?

Mr. SALTONSTALL. I think they have with relation to the Army and with relation to submarines; but never has Admiral Burke, so far as I have heard him testify, stated that our submarine capacity is inadequate for our purposes as compared with the Russian capabilities for their purposes.

Mr. MANSFIELD. Is our concern with the inadequacies—and I use that term advisedly—in our defense now or 2 or 3 years from now?

Mr. SALTONSTALL. The critics of the present budget and the present recommendations of the President are not referring to the situation this year. Every chief of staff, every expert in uniform, and every civilian expert in the Department or in the Pentagon has stated that, today, our defenses are adequate to prevent any country from daring to attack us, because of our ability to retaliate.

The problem comes in regard to the lead times for 1961, 1962, and 1963, as to which there is a difference of opinion.

Mr. MANSFIELD. I am encouraged by what the Senator from Massachusetts has said. It raises the question, Why should not the Soviet Union know about it, so as to prevent any miscalculation on their part, if we have the degree of strength which the Senator has stated we have, and as to which I agree.

Mr. SALTONSTALL. Of course everything said here is stated in public; and I think it can likewise be stated in public that there is no present evidence of a Soviet all-out attack on the United States; in other words, there is no evidence of any preparation for an all-out attack.

Mr. MANSFIELD. Is the raising of responsible questions by those who are doubtful about our defense now and in the future to be considered destructive?

Mr. SALTONSTALL. I do not think it can be considered destructive if the Senator from Montana and the Senator from Massachusetts, who have responsibility in connection with the overall problem, look at it as an overall problem.

I stated to General Power, I believe, in open session, and certainly in private conversation, that in his position, he has to look at it from the point of view of

the worst situation which would confront him as the leader of the SAC. I told him privately and, I think, publicly, that I had no criticism of his making the statements, provided that he made it clear that he was speaking as head of the SAC not as one who had the overall responsibility.

Mr. MANSFIELD. Would the Senator consider it disloyal for us to question our defense status, in connection with carrying out our duties?

Mr. SALTONSTALL. No, because that is our duty under the Constitution.

Mr. MANSFIELD. What is wrong with responsible public comment and discussion?

Mr. SALTONSTALL. I believe public comment and discussion—provided they are based on accurate information, not on hearsay—are helpful. I think the great difficulty is that the average person is misled by, we shall say, general information from commentators and people who perhaps are attempting to make a point in a slightly exaggerated way and are not basing their statements on facts.

Mr. MANSFIELD. Then the Senator does not believe that people should be stigmatized because they honestly differ with the administration's defense thesis?

Mr. SALTONSTALL. It is my opinion—and I know the Senator from Montana agrees with me—that in this body, in which we sit as responsible legislators, we should not engage in personalities, but should respect the opinion of any Member who speaks, even though we may disagree 100 percent with what he says.

I hasten to add that I never entirely disagree with the Senator from Montana.

Mr. DIRKSEN. Mr. President, may I interpose at this point?

Mr. MANSFIELD. Certainly.

Mr. DIRKSEN. Of course, it is a two-way street—stigmatizing those who may criticize the views of the administration, but, on the other hand, political castigation of the administration and those who are active in the military field—which also takes place.

On February 4, the distinguished Senator from Missouri [Mr. SYMINGTON] made an address in New York. It was recorded in the Washington Post on February 5. The article bears a February 4 dateline, and has a rather interesting headline, "Old Guard Rules GOP."

Then the Senator from Missouri is quoted as having said of these Republicans:

> They are more interested in higher interest rates than in higher education. They would rather take pot shots at labor than space shots at the moon. They place greater emphasis on public relations than on human relations.

And then:

> He charged that the Old Guard Republicans of the administration were willing to give a false view of the Nation's military power by "juggling the intelligence books to balance the budget books." He did not elaborate.

When we talk about the political aspects of this issue, obviously that matter is a two-way street.

I have before me five or six different references which we have been keeping, which indicate that this matter was taking on a political cast.

I think I could mention other names, as well, perhaps. But because good taste would not permit me to do so, I shall not do it.

But I think this is somewhat in line with the observations I made earlier.

So we are not undertaking to project a political issue; but it has been projected, and obviously there must be an appropriate response.

Mr. MANSFIELD. If the Senator will yield further, let me say that the purpose of this series of questions is to try—I repeat—to clarify the atmosphere and, if possible, to remove any politics from the question of defense, because I personally think that subject is too vital to become a political football.

I should like to ask the minority leader this question: Does he think there have been any leaks of defense information to Members of Congress or to the press?

Mr. SALTONSTALL. Mr. President, that question is not quite accurately stated, is it? Will the Senator from Montana state it again? He said "to Members of Congress or to the press."

Mr. MANSFIELD. Yes. Does the Senator from Illinois think there have been leaks of vital defense information to Members of Congress or to the press?

Mr. SALTONSTALL. In response to the question about "to Members of Congress," let me say that if I had any such information I would not consider it improper in private conversation to tell the Senator from Montana what I knew.

I do think that some statements, either indirectly or directly, unfortunately have been made outside and have come back in the press in the form of statements—and I will not say whose they are—which are inaccurate and give inaccurate impressions, to judge from certain testimony which I have heard.

Mr. DIRKSEN. Mr. President, may I amplify the answer a little?

Mr. MANSFIELD. Certainly.

Mr. DIRKSEN. Last week I inserted in the RECORD an article, written by Joseph Alsop, in respect to this matter. In the first paragraph of the article, as I now construct it, he said, "We can now say on 'undoubted' authority what Allen Dulles said to the committee."

Mr. Dulles is the head of our Central Intelligence Agency. My understanding is that he appeared there in closed session. It is also my understanding that a closed session is an executive session, and that the information there disclosed is not to be revealed.

So I ask this simple question: How could Mr. Alsop—not being a member of the committee, not being a member of the committee staff, and not being a member of the CIA staff—say that he has information on "undoubted" authority, as to what Mr. Dulles said? That raises a rather interesting question. I raised the question at the time, because I agree with the distinguished Senator from Montana that security is too vital and too important to the country for anyone to trifle with it or with any of its implications, or to undertake to make a "scoop" of some kind, just to be "out in front."

Mr. SALTONSTALL. Let me add that I was extremely disturbed by that statement, because I knew of the reaction which was caused in our Central Intelligence Agency and its efforts not only for us, but also for international intelligence efforts on the part of friendly countries.

Mr. MANSFIELD. As I understand the matter, military leaders have to agree with the President when a final decision is reached on the budget. I think that is correct; that is their job; for they serve under the Commander in Chief.

Mr. SALTONSTALL. General White, Admiral Burke, and General Lemnitzer have said in open session and in closed session that although each asked for more, each of them supported the President's budget.

Mr. MANSFIELD. If they disagree with the President, what should their position be when they appear before a congressional committee?

Mr. SALTONSTALL. I think they should stand by the budget requests. If they are asked questions, I would expect the answer to any question asked by a member of the Defense Appropriations Subcommittee to be given honestly.

Mr. DIRKSEN. May I make a comment?

Mr. MANSFIELD. Certainly.

Mr. DIRKSEN. After all, the pursuit of the security of the country is a team effort, and all of the services—the Army, the Navy, the Marine Corps, the Air Force, and those who guide the policies of the various services—are on the team. When they get around the table with their Commander in Chief and the whole subject is thrashed out, then, of course, there is a joint responsibility to play with the team. I have no doubt that, always and always, individuals running certain functions and certain agencies in Government will ask for a good deal more than they get. That is nothing unusual about the Defense Department. I think that has been a rather common practice in Government. I say that from 18 years of experience on the Appropriations Committees of the House and the Senate. When a witness has been asked, "The wraps are off. No matter what the Budget Bureau said to you, how much did you ask for?", uniformly they have all asked for more. However, when all the heads got together and fashioned the estimate, the figure which appeared in the budget was it. I regard this as a team effort, and the figure should be regarded in that way, in the budget that is finally contrived.

Mr. SALTONSTALL. I must add that, in my experience, over the years, on defense appropriations, Congress in the end has appropriated approximately what the President has asked for. Sometimes it has been a little less, and sometimes it has been a little more, percentagewise. But Congress has generally appropriated about what the President has asked for.

Mr. MANSFIELD. In the field of missiles, I do not think it is a matter of money. The all too easy solution to all too many of our people for every prob-

lem is to appropriate more money. Does the Senator not think it would be much better to consider the elimination, as much as possible, of both rivalry and competition among the services and a consolidation of manpower and money into a single agency? Has the administration given any thought to a Manhattan-type project in this field, on that basis?

Mr. SALTONSTALL. I cannot answer the last question specifically. I had not heard that it had been raised. I can answer the first question the Senator has asked. I agree that it is not more money that is needed, but an effort to make that money be spent more efficiently and effectively.

In several sessions recently the Congress has amended the Armed Services Unification Act to give greater power to the Secretary of Defense and also to effect greater consolidation of certain of the services. I am not ready, as one member of the Armed Services Committee, to have one Chief of Staff or one service. I do not think we can go ahead that fast at this time, and maybe never; but I think there has been greater efficiency. I think one of the finest steps was taken recently by Secretary of Defense Gates when he said he wanted to know at once when there was a difference of opinion between the Chiefs of Staff so he could settle the matter without having them dig in behind trenches and getting it before the public.

Mr. MANSFIELD. I commend him for it. It was long overdue.

Is it not true that Admiral Rickover said that if we could get rid of 20 or 30 percent of the overhead brass in the Pentagon, we could use the money to build more Polaris submarines and build them more efficiently?

Mr. SALTONSTALL. I think Admiral Rickover may have said that. I want to point out—and I know the Admiral in a very friendly way and also in a business way in connection with the committees—that there are not many Admiral Rickovers. When I asked him the question if he had any aides for publicity, he said, "No." I asked him if he had any aides in his office. He said, "No." He answers the telephone himself, after a girl answers. There are not many Admiral Rickovers.

In the Navy, Admiral Raborn has done very well in developing the Polaris submarines. I believe we are ahead of schedule today.

The Senator and I know there is a certain amount of wastage in the Pentagon or in any big service. But Admiral Rickover is an individualist.

Mr. MANSFIELD. I am only sorry we do not have more Admiral Rickovers. I would look forward with great anticipation if Admiral Rickover would become Secretary of Defense and have control over the Pentagon and all that entails. I am quite sure there would be some interesting innovations.

Mr. SALTONSTALL. May I point out that to make Admiral Rickover Secretary of Defense would require an act of Congress.

Mr. MANSFIELD. Of course.

Mr. DIRKSEN. Mr. President, if the Senator will yield, if he were still in uniform, that would mean turning control of our Defense Establishment from the civil to the military.

Mr. MANSFIELD. I agree, but I recall when General Marshall was made Secretary of Defense. He had to unclothe himself and put on a civilian suit. I believe the Senate unanimously agreed to the confirmation of his nomination. I think it was a good step.

Mr. SALTONSTALL. He had been Secretary of State before he became Secretary of Defense.

Mr. MANSFIELD. Yes, but before that he had to don civilian clothes.

Mr. DIRKSEN. Mr. President, if the Senator will yield, I think the kind of remark that was ascribed to Admiral Rickover, if it was said by him, that we ought to dump some of the brass in the Pentagon and use some of the money on missiles, was in bad taste. Frankly, I would not say that about a brother officer. I might think it. I might go to the Commander in Chief and file a protest. I might relay it to Members of the Congress. But I do not think that I would brag about the fact that we ought to dump those officers, because he might be one who would be dumped. There are some who do not hold Admiral Rickover in the high esteem that he does.

Mr. MANSFIELD. That is true; but, as I recall, he was almost "dumped" once and had a difficult time being promoted from captain to rear admiral. I believe the country has benefited because of the many contributions this outstanding man has made.

Mr. SALTONSTALL. Mr. President, will the Senator yield at that point?

Mr. MANSFIELD. Yes.

Mr. SALTONSTALL. Rickover was made an admiral in the 83d Congress, when the Republicans were in the majority.

Mr. MANSFIELD. And I give the Republicans credit for that, as, almost always, they show good judgment.

Is it not true that the basic question before us is not so much the question of additional funds, but the use of present funds more effectively?

Mr. SALTONSTALL. I would not admit the present funds were being used so ineffectively that more funds for certain purposes could not be used. I would say the President and the Secretary of Defense and all the Secretaries of the services, including men in uniform, and the Chiefs of Staff, want to use their appropriations as economically and as efficiently as they know how. Of course, in a $41 billion expenditure, there is bound to be some waste and inefficiency.

Mr. MANSFIELD. I want to thank the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] for their very frank answers. I hope that collectively, on a nonpartisan basis, we have made some contribution, small though it may be, to a better understanding of the defense picture. There are honest differences of opinion, both within the administration and within the Congress itself, and I would like to call to the attention of my colleagues that views in this field have been expressed by Representative CARL VINSON, chairman of the House Armed Services Committee; by Representative CLARENCE CANNON, chairman of the House Appropriations Committee; by Speaker RAYBURN; by Senator GOLDWATER, on the B–70; by Senator COTTON, about the need for more Polaris missiles; by Admiral Burke on the Polaris submarine; General Lemnitzer; General Ridgway; General Taylor; as well as Marine Generals Pate and Shoup on conventional forces, and Generals White and Power on the B–70's and airborne alerts.

The most recent indication which came to my attention was in yesterday morning's paper, when Dr. George Kistiakowsky, who is the President's scientific and technical adviser, said in a speech in New York, I believe, that in the science technology race with the Soviet Union today, which takes in defense, as my colleagues can well understand, involves our national prestige and, tomorrow perhaps, our very survival.

With this thought in mind I wrote these questions down at home over the weekend. I went to the public prints. I have divulged no information of vital security to our country, nor have I asked for any. My one purpose today was to try to get the defense picture in perspective and to keep it, if at all possible, from becoming involved in the field of politics.

Mr. SALTONSTALL and Mr. GORE addressed the Chair.

Mr. MANSFIELD. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. While the information has been printed in the RECORD before, at some time in the past, I believe, I should like to ask unanimous consent to have printed in the RECORD figures given by the Department of Defense on the obligational program for missile systems, fiscal years 1946 to 1960. This information was gathered by Representative LESLIE C. ARENDS, of Illinois. I ask unanimous consent to have the information printed in the RECORD at the place where the Senator from Montana thinks it would be most appropriate.

Mr. MANSFIELD. Mr. President, I would not object. The information has already been printed in the RECORD. I should like to see it printed again.

I would hope that we would not go back to the 1940's to explain the missile situation of today, because if we do that then we are playing politics. What we ought to do is face up to today and plan for tomorrow, forgetting the past, because we cannot recall it and we cannot do anything about it.

In this field, as in the field of foreign policy, we are all involved, whether we are Democrats or Republicans. If anything happens to us nobody is going to ask us our political designation.

Mr. GORE. Mr. President——

Mr. SALTONSTALL. Mr. President, was my request acted upon?

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection to the request of the Senator

from Massachusetts? The Chair hears none, and it is so ordered.

Mr. SALTONSTALL. The recommendation is that the Senator from Montana have the information printed in the RECORD at the point he believes would be most fitting.

The information ordered to be printed in the RECORD is as follows:

Department of Defense obligational program for missile systems, fiscal years 1946–60

[Millions of dollars]

Fiscal year	IR/ICBM programs	Other surface-to-surface missile programs	All other missile programs	Grand total, all missile programs
1946 and prior	[1] 1	19	51	70
1947	[1] 1	20	38	58
1948	[1] 1	36	45	81
1949	[1] 1	45	53	98
1950	[1] 1	65	69	134
1951	.5	185	598	784
1952	.8	239	818	1,058
1953	3	403	760	1,166
1954	14	336	717	1,067
1955	161	398	911	1,470
1956	515	387	1,368	2,270
1957	1,365	603	2,502	4,470
1958	2,077	639	2,391	5,107
1959	2,959	685	3,269	6,913
1960	2,952	509	3,173	6,634

[1] Excludes $2.3 million programed in fiscal years 1946–49 for the Air Force MX-774 ballistic missile research program which was a precursor to the Atlas ICBM.

NOTES.—Estimates are subject to minor revision due to program adjustments.

Mr. GORE rose.

The PRESIDING OFFICER. Does the Senator from Montana yield further?

Mr. MANSFIELD. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, without any reference to partisanship whatever, please permit me to observe that I know of no question which more vitally affects the security of the United States and of the free world than our falling behind the Russians in missiles, rocketry, military power, technology, education, and real economic growth. Because it does so vitally affect the security of their country and freedom itself, this question is and will be close to the hearts of the American people. Candidates for President would surely wish to discuss a matter of such great importance to our country and to the free world.

Mr. MANSFIELD. I will say, Mr. President, I hope that together we will try to make up any deficiencies which may exist, so that together we can go forward in the difficult era in which we live.

Mr. WILEY subsequently said: Mr. President, I was sorry I did not get to the Chamber in time to listen to all the questions and answers, but those I did hear indicated clearly to me there was one feature of our defense which was not brought out.

I think it is clearly understood by all the military men who testified in open session and in closed session that there are two deterrents to war.

First, there is the deterrent called the military. In respect to the missiles, the ICBM's, as has been stated, there is no question that we lag. The reason for the lag is that we did not get started in time. That was no fault of the present administration. I am not going to go into that phase of the matter, but I am simply saying that every military man—every one, I repeat—said there were other deterrents besides the military. They were questioned as to what they meant, and I think I can clearly indicate what they said.

First, there are 200 million Russians, common people, who do not want war any more than we do. It was clearly indicated the other day by an article written by Roscoe Drummond that when Khrushchev came into power after Stalin's death, the reason Stalin was given such an awful run, was that at that time the Russian people were ready to revolt.

Second, these 200 million Russians, are not satisfied with their lot.

Third, there are the captive nations. Khrushchev knows that the captive nations, Poland, Czechoslovakia, Bulgaria, Rumania, and the Baltic States, are not slaves. They are living under conditions under which, if war should come, revolt would follow.

Fourth, Khrushchev knows that if war should come, he would get as much as could be handed to us at the present time. That is because of the strategic bombers we have.

Fifth, we cannot discount the moral antiwar force.

There are other deterrents included in the military deterrents, which were not brought out. We have allies; and if we add the strength of our allies to our own strength, we have a tremendous deterrent force, navy, air, and land. We have missile bases in Turkey, in Greece, in northern Italy, and in Britain. We also have other defenses that we cannot discuss at this time.

Among such defenses we have certain missiles—not the ICBM—which can travel up to 1,500 miles. They represent a part of the military deterrent.

The reason I make this point at this time is that the tendency is to think that, by a crash program, we could spend ourselves into a position, relative to the ICBM's, in which we could catch up all at once with the Kremlin. Time is an important element.

As a matter of fact, according to the record, which is open, with our strategic bombers, with our fleet, on which we could put the Polaris, we are in a position to offer an adequate deterrent, militarily and otherwise, which I think should satisfy the American people that war is not around the corner; in other words, that Khrushchev is not ready, willing, and able to let the "balloon" go up.

There is a further deterrent, which is not military. There are 650 million Chinese. There will soon be 1 billion. Recent records indicate that Mao Tse Tung does not like to have Khrushchev visiting India. Khrushchev knows that there is nowhere else for the Chinese to go except north. The pressure of population is such that it also operates as a deterrent.

We might go on and enumerate other deterrents. It was stated by one of the military leaders, as I remember, that the nonmilitary deterrent is far greater than the military deterrent—not that we do not have a military deterrent.

The reason I bring up these points is that when I entered the Chamber I heard certain questions and answers. I trust that the American people will get all the facts—not merely the military facts, but the facts of life, which are so important. We know that if we were to get into an all-out war, it would mean the destruction of both nations. We now also know that France has the atomic bomb, and says that it will have missiles. I do not know whether that will add to the deterrent strength or not. However, there are NATO, SEATO, and other groups of nations to which we belong, which are all a part of the deterrent in this world picture.

We must realize that the Russian people are feeling the ferment of wanting to have more to do and more to say about their own government. We realize that that is an added deterrent to keep Khrushchev from letting the balloon go up.

It is up to us to see that adequate deterrents, military and others, are kept sound. Also we must see to it that our economy is kept healthy.

But overall we have to keep our heads and not let fear and doubt take over.

ORDER TO DISPLACE UNFINISHED BUSINESS IF NOT DISPOSED OF BY 1 O'CLOCK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to consider S. 2845, the tobacco bill; and I ask unanimous consent that at 1 o'clock, when the morning hour concludes, if the unfinished business, S. 2845, has not been disposed of, that it be displaced as the unfinished business by the present pending business, H.R. 8315.

Mr. ERVIN. Mr. President, reserving the right to object, I should like to ask the able and distinguished majority leader to what the second bill relates.

Mr. JOHNSON of Texas. It is the House bill which is the pending business, Calendar No. 924.

Mr. ERVIN. To what does the bill relate?

Mr. JOHNSON of Texas. The bill would authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

STABILIZATION OF PRICE SUPPORT OF TOBACCO

The Senate resumed the consideration of the bill (S. 2845) to stabilize the price support of tobacco.

Mr. JORDAN. Mr. President, I hope the Senate will approve S. 2845, a bill introduced by me and Senators COOPER, ERVIN, MORTON, KEFAUVER, ROBERTSON, THURMOND, and JOHNSTON of South Carolina to stabilize the price supports of tobacco.

This bill, I am glad to say, Mr. President, has the unanimous support of all interested farm organizations, tobacco warehousemen, dealers, and exporters.

I am also glad to say that the Department of Agriculture is not opposed to the passage of this legislation.

In every sense of the word, it is a bipartisan effort to improve the tobacco program, which has a truly outstanding record.

The situation in regard to domestic sale of tobacco is good, but we do have increasing problems in the export sale of tobacco. In recent years, we have lost a good many foreign markets for tobacco due to the upward price spiral.

This legislation would slow down that upward spiral and enable us not only to preserve our present foreign markets, but regain many of those which we have lost.

The legislation would do this by: First, setting the price support levels for tobacco for the 1960 crop at the same dollars-and-cents level as the 1959 levels, and second, after 1960, the support price will be adjusted from the 1959 level in direct relation to changes in the parity index as defined in section 301 (a) (1) (C) of the Agriculture Adjustment Act of 1938, as amended, using the previous 3-year moving average as a base.

The bill, Mr. President, would allow fluctuations in the prices of tobacco based on changes in the costs farmers must bear in producing tobacco.

The Tobacco Subcommittee of the House Agriculture Committee has held two hearings on H.R. 9664, an identical bill to S. 2845. There was no opposition whatever expressed to the proposal during these hearings.

Last week, the House passed H.R. 9664 without dissent, and I hope the Senate will do likewise today.

I ask unanimous consent, Mr. President, that the report of the Department of Agriculture on S. 2845 be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, February 2, 1960.

Hon. ALLEN J. ELLENDER,
Chairman, Agriculture and Forestry Committee, U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to your request for a report on S. 2845, a bill to stabilize the price support of tobacco.

This Department is not opposed to the passage of this legislation.

Our primary concern is the U.S. tobacco producer. In view of this basic concern, we have for some time been analyzing the effects of the current tobacco program. Also, Members of Congress, tobacco leaders, and other allied interests have been studying the operations of the tobacco program. Out of these studies has come general recognition that we are losing markets at home and abroad. The primary reason for this loss is that year after year the use of 90 percent of parity under the modernized parity formula resulted in raising the tobacco support prices.

The U.S. Department of Agriculture for the past 2 years has conducted an aggressive educational campaign among tobacco farmers, farm organizations, tobacco congressional leaders, and other allied tobacco interests. The basic facts needed for a realistic tobacco program designed to discourage homogenization in the domestic industry and expand rather than continuously contract our export trade have been made available. Although the United States can produce, competitively, tobacco with a flavor and aroma that cannot be duplicated anywhere else in the world, we are losing our percentage of the export markets at a time when tobacco consumption worldwide is annually increasing at the rate of 5 percent.

Although during the past 7 years farmers have received record average prices and record incomes from the production of tobacco, the Department feels that if we had kept our fair share of the world market at slightly lower prices, our increased production would have given our tobacco farmers an even greater net farm income.

This bill is primarily a recognition by all industry leaders of the deleterious effects on the tobacco producers of the constant increases in support prices under the operation of the present program. While this bill does not go as far as we would like, it is a step in the right direction. Basically, we feel that the tobacco legislation which we recommended in 1959 more nearly meets the problems of the entire tobacco industry. We are not opposed to passage of this legislation because of the following:

1. Our primary interest is the 800,000 farm families that look to tobacco for a major portion of their farm income. The present tobacco program with its built-in formula of ever-increasing levels of price support is speeding homogenization at home and rapidly shrinking our domestic market. Continuation of the present program for another 5 years would critically aggravate the economy of the American tobacco farmer.

2. This legislation eliminates two factors, not related to the cost of production, that are pyramiding the level of support. The use of the average of the last 3 years' index of prices paid by farmers as provided in this bill offers a substantial measure of stabilization.

3. Tobacco leaders, farm organization leaders, association officials, and their representatives in Congress have demonstrated in 1959 and again in 1960 their willingness to accept realistic quotas as provided by law. The Department has received complete cooperation from the tobacco industry in the disposition of CCC loan stocks. Since January 1, 1959, when loan stocks exceeded 1 billion pounds, 30 percent of these holdings by Commodity Credit Corporation have been absorbed by the industry, and it is expected that another 30 percent will be absorbed in 1960.

4. Under this legislation it is expected that the Commodity Credit Corporation will have substantially less funds invested in the tobacco support price operations than would otherwise be invested.

5. Stabilized prices will tend to prevent further loss of markets at home and abroad.

6. This legislation is supported by all farm organizations; warehouses and processing groups; export dealers; and the domestic industry of the United States.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. T. BENSON,
Secretary.

Mr. JORDAN. Mr. President, the Senator from Kentucky [Mr. COOPER], the coauthor of the bill, who has worked very hard on it, is delayed by the weather. I understand his plane is over Washington, but cannot land. I am deeply regretful that that is the situation. However, he has prepared a statement on the bill, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I was glad to sponsor with the Senator from North Carolina [Mr. JORDAN] Senate bill 2845, to stabilize and protect the price support level for tobacco. This bill has the support of all the tobacco grower organizations, all farm groups in the tobacco States, and, in fact, I know of no opposition whatsoever to the bill. It is a nonpartisan measure, which was also introduced in the House on January 18, the same day that Senator JORDAN and I introduced S. 2845 in the Senate.

This measure makes a technical change in the computation of the price support formula for tobacco. It provides that the support level for the 1960 crop of tobacco shall be the same as for the 1959 crop. For 1961 and subsequent crops of tobacco, the support level would change only to reflect changes in farmer's costs.

Last year the Senator from North Carolina and I introduced a bill with a similar objective, S. 1901, which passed the Senate, and was then passed by the House, but was vetoed. The bill before the Senate today is designed to accomplish the same purposes, but has not met with any objection.

This bill does not change the basic tobacco program, which has been the most successful of the price support programs. It does not abandon the parity concept; in fact it relates the price support level of tobacco even more directly to farmer's costs. It does not in any way move toward flexible or discretionary price supports for tobacco.

This bill will maintain the present tobacco program. It will insure continued good prices for tobacco growers—which in recent years have been the best on record. By stabilizing the level of price support it will give buyers of our tobacco, both abroad and in this country, assurance of dependable prices so that they can make their plans. All who have studied the problem agree that in this way it will stimulate exports, and encourage larger markets for American leaf.

The need for this legislation was caused by the operation of two technical features in the computation of the modernized parity formula, which was not designed for tobacco, but primarily for crops under flexible price support plans. The first of these features is the moving 10-year average market price of the commodity. In the case of tobacco, which has had a successful program with good prices, this meant an automatic increase each year in price support levels—which in future years could have gone to a point which would have discouraged export sales of tobacco. The second feature of the modernized parity formula was a connection with the price of other commodities, which resulted in an increase in the price support for tobacco because farm prices generally declined. By eliminating these two unexpected results of the modernized parity formula, this bill will keep the tobacco program based on its own parity—which is what the tobacco growers want.

I sponsored the amendment in 1948, in which Senator Barkley later joined, which first established permanently in law the price support program for tobacco. I have fought for the tobacco program every year that I have been in the Congress. I am proud that it continues to be the most successful price support program, that it has not resulted in any substantial loss to the Government or cost to the taxpayers, and that it has resulted in fair prices for the farmers.

I am glad to have had part in sponsoring this legislation, and also that of last year—which I am sure prepared the way for approval of the measure the Senate will pass today.

The bill H.R. 9664, which was passed by the House last Tuesday, is identical to the bill introduced by Senator JORDAN and myself on January 18, and which I reported from the Committee on Agriculture on behalf of the junior Senator from North Carolina [Mr. JORDAN] last Monday, February 8. I am glad that the House was able to act quickly on the bill introduced by the chairman of the Tobacco Subcommittee, Congressman WATKINS M. ABBITT.

Now that the House has passed the companion bill to S. 2845, the parliamentary situation is that the most expeditious way of getting the tobacco bill before the President, and enacted into law, is for the Senate to substitute the measure passed by the House for our bill.

I urge that it be passed by the Senate without objection.

I want to pay my especial tribute to the distinguished junior Senator from North Carolina [Mr. JORDAN]. He has worked unceasingly to secure the passage of this legislation to aid all tobacco growers, and to strengthen the tobacco program. He is a true friend and supporter of—and an effective legislator for—the farmers of North Carolina and tobacco farmers everywhere. I am glad to work with him.

I also wish to call attention to the work of my colleague from Kentucky, Senator MORTON, who is a cosponsor of S. 2845, and who has supported this legislation before the executive branch of the Government as well as in the Senate.

Senator MORTON and I discussed this measure with the White House, the Bureau of the Budget, and the Department of Agriculture before the official executive branch report on it was sent to the Senate and House Committees on Agriculture. After the Senate has passed the bill, we will ask the President to give it his full consideration, and to approve it.

I believe this bill will be approved by the President, and will become law.

Mr. JORDAN. Mr. President, I ask unanimous consent that the bill, S. 2845, be laid aside and that the Senate proceed to the consideration of H.R. 9664, which has been passed by the House. It is identical with S. 2845.

The PRESIDING OFFICER. The Chair is informed that there is an identical House bill. The clerk will report the House bill.

The LEGISLATIVE CLERK. H.R. 9664, to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustments in such levels in relation to farm cost.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the House bill.

The bill (H.R. 9664) is before the Senate, and open to amendment.

Mr. TALMADGE. Mr. President, I rise to support the pending bill, which has been passed by the House. A similar bill was also reported unanimously by the Senate Committee on Agriculture. The tobacco industry is one industry which is unified in its proposed legislation. The pending bill is designed to give the American tobacco producers a greater share of the world market, which they have been losing to an alarming degree in recent years.

The Department of Agriculture is not opposed to the bill. A similar bill was passed last year by Congress, but because of the opposition of the Secretary of Agriculture, that bill was vetoed.

The proposed legislation this year has been changed somewhat since that time, and I have high hopes that it will receive the support of the White House.

I would not wish to take my seat without commending the distinguished junior Senator from North Carolina [Mr. JORDAN], who has worked so diligently to secure the passage of the pending bill. All the tobacco farmers and the tobacco industry in all areas of the country support the bill. Passage of the bill will be helpful to our industry, and I hope the Senate will give it unanimous approval.

Mr. RUSSELL. Mr. President, I wish to associate myself with the remarks of my distinguished colleague in paying tribute to the distinguished junior Senator from North Carolina [Mr. JORDAN]. Certainly he deserves a large share of the credit for his tireless promotion of the proposed legislation, which, if passed, will be of great benefit to our tobacco producers, particularly the producers of Flue-cured tobacco.

Mr. TALMADGE. My able senior colleague is entirely accurate in his appraisal of the great efforts of the Senator from North Carolina [Mr. JORDAN].

Mr. JOHNSON of Texas. I should like to associate myself with the statement of the two able Senators from Georgia, particularly the statement of the senior Senator from Georgia [Mr. RUSSELL], with respect to the diligent efforts and the effective work done by the very able Senator from North Carolina [Mr. JORDAN].

I know of no Member of the Senate who is more trusted and who is more respected or who more effectively discharges his duties as a Senator than the distinguished junior Senator from North Carolina [Mr. JORDAN]. He deserves a great deal of credit.

Mr. JORDAN. I thank the two distinguished Senators from Georgia and the Senator from Texas for their very kind remarks.

Mr. ERVIN. Mr. President, the pending bill is a very meritorious measure. The fight for its enactment has in a very large measure been carried on by my colleague from North Carolina, Senator JORDAN. I wish to commend him on the great fight he has led to give economic stability to the growers of tobacco in our State. He deserves the thanks of our people for his fine service in this respect.

Mr. JORDAN. I thank my distinguished senior colleague.

Mr. AIKEN. Mr. President, I think we all know that the distinguished Senator from Kentucky [Mr. COOPER] has been a very ardent supporter of tobacco growers during the many years he has been a Member of the Senate. He had planned to make some remarks about the bill on the floor this morning, but I understand he is caught in an air traffic jam over the Washington Airport. His plane has not been able to land in time for him to come here before the passage of the bill, which I believe will be very soon.

The Senator from Kentucky [Mr. COOPER], together with the Senator from North Carolina [Mr. JORDAN], has been very instrumental in getting the bill as far as it has gone, up to the point of ultimate passage. I think the national interest will be served by the enactment of the bill. I compliment the sponsors of the bill, the Senator from Kentucky and the Senator from North Carolina, for piloting it so far.

Mr. President, I wish I could say that another bill, which passed the House last week, could also be acted on at this time, but we have not seemed to have the same good fortune with it. That is the school milk bill, which was passed by the House the day before the tobacco bill. It would provide funds for continuing the school milk program for the rest of this fiscal year at the proper level, and also for the next fiscal year.

Because of a shortage of funds, it was necessary to order a reduction in Federal payments per pint under the special school milk program. This was to be effective March 1 but has been extended to April 1. The House has passed the bill. It provides adequate funds and authority to continue the program for the next 2 years, although it is not entirely the same as the Senate bill which is under consideration by the Senate committee.

I hope the Senate may see fit to pass the school milk bill at a very early date, so that it will not be necessary to cut back the program for very long.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

Mr. DIRKSEN. Mr. President, I think it is generally recognized that this bill represents a modest step in the right direction and deals with a very difficult problem. The loss of our export markets, which has been a progressive occurrence, and continues, as it has continued over a long period of time, has obviously warranted some action in this field.

I feel certain that the sponsors of the bill would want to go much further, if they could, but the bill before the Senate has acceptability, so far as the administration is concerned. I hope, therefore, that it can be enacted and signed by the President at the earliest possible date.

Mr. KEATING. Mr. President, I wish to add a word to what the distinguished Senator from Vermont [Mr. AIKEN] has said about the Senators from Kentucky [Mr. COOPER and Mr. MORTON], concerning their great interest in the tobacco bill. I was with them in Louisville last Saturday night. I can testify of my own knowledge to the stormy conditions in that area. I know that both the Senators from Kentucky are keenly interested in passage of the tobacco bill. I also am deeply interested in it, and I commend both of them upon the fine efforts they have made together with our colleagues from North Carolina.

Mr. DIRKSEN. Mr. President, I, too, commend both sponsors in absentia, especially the distinguished senior Senator from Kentucky [Mr. COOPER], who has labored so long and earnestly with the distinguished Senator from North Carolina [Mr. JORDAN] on this measure.

Mr. JAVITS. Mr. President, will the distinguished Senator from Vermont yield for a question?

Mr. AIKEN. I yield.

Mr. JAVITS. I notice the bill is based upon the concept both of parity and the cost of things farmers buy. Does this portend any fundamental outlook upon farm price policy, to which we shall have to address ourselves at this session, or is the measure specially tailored to this particular situation, in which, as the Senator from Vermont has so eloquently said, the Senator from Kentucky [Mr. COOPER] and the Senator from North Carolina [Mr. JORDAN] have been so deeply interested?

Mr. AIKEN. I am not one of the sponsors of the bill, coming, as I do, from a State which has an allotment of only 7 acres of tobacco for the entire State. I believe the bill is tailored to meet the tobacco situation. The Senator from North Carolina [Mr. JORDAN], who together with the Senator from Kentucky [Mr. COOPER] has sponsored the bill, is undoubtedly better qualified to explain the details of the measure.

Mr. JORDAN. I did not hear the Senator's question.

Mr. JAVITS. My reason for addressing the Senator from Vermont is that he is known, upon this side of the aisle, anyhow, as being a great expert in farm legislation. I was really not so much concerned about the tobacco price-support situation as I was about any general principle which will apply to farm legislation, in which I believe representatives of States like my own, having large numbers of consumers, have to take a real interest.

Mr. AIKEN. I may say to the Senator from New York that the bill is based on the cost of production; it is not based on the parity price or support level as a percentage thereof.

Mr. JAVITS. May I ask the same question of the Senator from North Carolina? Is the measure tailored specifically to the problem of tobacco, or does it portend some fundamental decision on how we will handle farm-price supports for majority commodities?

Mr. JORDAN. The bill deals only with tobacco; it does not deal with any other product.

Mr. JAVITS. I understand; but also, I should like the legislative record to show that there is no intention here to set a precedent of policy concerning how other major commodities will be dealt with. Is that correct?

Mr. JORDAN. That is correct.

Mr. JAVITS. I thank the Senator.

Mr. KEFAUVER subsequently said: Mr. President, I ask unanimous consent to have printed immediately prior to the vote on the passage of the bill a statement I have prepared on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

I joined in sponsoring this bill because I am convinced that stabilization of tobacco prices is in the best interests of the Nation's 800,000 tobacco growers.

The most remarkable feature of this bill is the use of a 3-year moving average in the computation of support prices. Until now, the level of support has been pyramiding and this pyramiding has resulted in the loss of markets. The use of the average of the last 3 years' index of prices paid by farmers as provided in this bill offers a substantial measure of stabilization which would tend to prevent the further loss of markets at home and abroad.

Leaders of the tobacco industry are unanimous in their support of this measure; in my conversations with tobacco growers I have been impressed by this unanimity. The Burley Stabilization Cooperative and the Eastern Dark-Fire-Cured Tobacco Growers Association of Tennessee have joined with other growers' groups representing all tobacco-growing areas of the country in supporting this bill.

I urge its passage.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 9664) was passed.

Mr. JORDAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Senate bill 2845 is indefinitely postponed.

Mr. COOPER subsequently said: Mr. President, earlier today the Senate passed a bill to protect and stabilize the level of price support for tobacco which was introduced in the Senate by the junior Senator from North Carolina [Mr. JORDAN] and myself, my colleague from Kentucky [Mr. MORTON], the senior Senator from North Carolina [Mr. ERVIN], the Senators from South Carolina [Mr. JOHNSTON and Mr. THURMOND], the senior Senator from Tennessee [Mr. KEFAUVER], and the junior Senator from Virginia [Mr. ROBERTSON]. The House bill, an identical bill, H.R. 9664, introduced by Congressman ABBITT, of Virginia, was substituted and passed the Senate.

This morning my colleague, Senator MORTON, and I left Louisville for Washington by airplane in order to be in the Senate when Senate bill 2845 would be called up for passage. Our plane arrived over the Washington National Airport on time, at 12 noon, but could not land until 1 hour later. Only one runway was clear of snow and ice and planes were required to circle the airport until safe landing could be assured.

The Senate Committee on Agriculture and Forestry reported the tobacco bill, S. 2845, last Monday without dissent. The bill was then cleared by the leadership of both parties, and there was no objection to its passage. Senator MORTON and I had conferred with officials of the Department of Agriculture, the Bureau of the Budget, and the White House, and there was no objection to the bill from the executive branch of the Government.

But as the civil-rights debate was scheduled to begin at 1 o'clock today, it was necessary that S. 2845 and the House bill be passed before that time. With this in mind, I had sent word to Senator JORDAN before I left Louisville not to postpone consideration of S. 2845.

I appreciate the courtesy of Senator JORDAN in placing my statement on the tobacco bill in the RECORD during the discussion supporting the bill. I have worked closely with him on this legislation, both last year and this year, and it has been a pleasure to join with him in working for the interests of our tobacco growers, as well as with the other cosponsors of S. 2845, my colleague, Senator MORTON, and Senators ERVIN, JOHNSTON, THURMOND, KEFAUVER, and ROBERTSON.

My colleague, Senator MORTON, a joint author of the bill, supported it strongly before the executive branch of the Government as well as in the Senate. He deserves great credit for his effective work for enactment of this important tobacco legislation.

I am glad that this bill, which represents months of steady work by tobacco growers and their representatives and by the congressional delegations of both parties from the tobacco States, has now passed both the House and the Senate and is on its way to the President for his approval.

I believe that it will be approved and will be signed into law.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 623. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California;

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; and

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8171) amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the Bay of San Francisco, and it was signed by the President pro tempore.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEASING OF PORTION OF FORT CROWDER, MO.

The PRESIDING OFFICER. Under the unanimous-consent agreement, House bill 8315 is laid before the Senate.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion

of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. JOHNSON of Texas. Mr. President, the unfinished business now before the Senate, H.R. 8315, relates to the leasing of a portion of Camp Crowder to a school district in Missouri.

Because there is, as yet, no civil rights legislation on the Senate Calendar, this bill has been selected as the one on which, in fulfillment of the Senate's pledge of last year, to begin the discussion of civil rights proposal in this Chamber.

The bill is open to amendment. I hope all interested Senators will offer, in a spirit of constructive, responsible, and nonpartisan dedication to human rights, the proposals they believe will best serve the ends of protecting the constitutional rights of American citizens.

Although it has brought me some criticism from both sides, I still look with humble satisfaction on my participation in the passage of the Civil Rights Act of 1957. I believed then, and I believe now, that action on that measure represented the Congress in its best traditions.

We are again called upon to act in this difficult and important field. I have confidence in the Senate. I believe the Senate will, in due time, act constructively, and in accord with a collective desire to do what is right.

Mr. DIRKSEN. Mr. President, I submit an amendment to the pending bill.

The PRESIDING OFFICER. The Chair is advised that the committee amendment should be disposed of before any other amendment is considered.

The question is on agreeing to the committee amendment.

Mr. RUSSELL. Mr. President, the procedure here today is rather remarkable. Here we have a bill that relates to a school district in the State of Missouri and the leasing for a period of 2 years of some Army facilities to be used for a schoolhouse. The bill is a very minor and a modest one. But, Mr. President, I understand that this minor bill has been selected as the vehicle for the outpouring of every conceivable form of proposed legislation touching either directly or indirectly on the field which euphemistically is labeled "civil rights."

Mr. President, it so happens that I am honored to preside over the Senate Committee on Armed Services. This bill was reported by that committee. I wish to say that at the time when the committee deliberated on the bill, we had not the slightest inkling that this modest local bill, of interest to the good people of this small community in Missouri, would be used as the vehicle for bringing into this Chamber the burning, controversial question of civil rights. Nor do I believe, Mr. President, that when the people of Fort Crowder, Mo., launched this measure on the legislative seas, they had the slightest suspicion that their efforts to provide for the education of the young people of their community would be seized upon as an opportunity to provoke this discussion.

So, Mr. President, this is a most remarkable procedure.

I rise to protest action of this sort.

In connection with the pending bill it cannot correctly be said that the distinguished senior Senator from Mississippi [Mr. EASTLAND], who presides over the Judiciary Committee, had prevented the Senate from taking action. It is true that no bill on this subject had been reported by the Judiciary Committee; but there are on the Calendar bills which have come from the Senate Judiciary Committee. I prefer that one of those bills be used, rather than one reported from the committee over which I am privileged to preside.

But, in addition, the Committee on Rules and Administration, which is presided over by the Senator from Missouri [Mr. HENNINGS], concluded hearings on February 5 on the proposed Federal voting registrar and referee legislation which has been proposed to take over and administer the laws of the several States of the Union with respect to voting. That committee has not reported a bill; but certainly no one who is familiar with the record of the Senator from Missouri would charge him with being derelict in any way in giving the Senate a proper vehicle for discussing the so-called and euphemistically entitled "civil rights legislation."

Mr. President, we are engrossed in the present debate because last year the statement was made that on the 15th day of February, 1960—with or without any hearings, with or without any committee report, whether it conformed and comported with orderly procedure or not—the Senate would proceed to a discussion of what is called civil rights legislation.

Mr. President, in all of this controversy and discussion we have heard a great deal about minorities. The only minority in the Senate that is considered not to have any rights at all is the group of Southern Democrats that has been undertaking to protect its people and the rights of its States.

In this case we are not following orderly procedure. Instead, we are confronted with this tiny catchall basket and are told: "Flood it with all your civil rights amendments, whatever they may be."

This morning I heard a distinguished Senator say on this floor that we must do something about the bombings of edifices, and that such a measure would be in the category of civil rights legislation. Mr. President, I favor taking action in regard to the bombing of edifices, whether public or private; but I do not regard a measure to deal with that subject as having anything to do with civil rights legislation.

It has become popular in this country—and certain groups favor it—to lump together as "civil rights" all kind of legislation to invade the schoolhouses of the Southern States, to take over the voting privileges of the people of the Southern States, to bring all kinds of harassment against the 40 million people who happen to live in the South—all on the ground that this is "civil rights."

Mr. MORSE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. Yes, Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Am I to understand that House bill 8315, Calendar No. 924, the pending business, refers to a request for approval of a lease of a portion of Fort Crowder, Mo., for property to be used as a public school building in that area?

Mr. RUSSELL. That is correct. I assumed that perhaps the Morse formula was involved. I saw that the distinguished Senator from Oregon had the speaking stand on his desk and was well fortified with many papers. I had assumed that the bill conformed with the Morse formula. But I observe that the Senator from Oregon had information—which was not available to me—that the bill was to be used as a catchall for proposals dealing with the so-called question of civil rights.

Mr. MORSE. I believe the Senator from Georgia will be pleased and surprised to learn that for the first time I am becoming aware of the proposed procedure in the Senate. I had no idea that Calendar No. 924, House bill 8315, was to be used as a springboard prior to a long swim in the sea of civil rights.

I wish to understand clearly the proposed procedure, because if that is the situation, then I rise to protest it. I do not believe this little bill, which seeks to make available to a school district some school facilities which apparently are very much needed by that school district, should be used as the basis for a whole series of riders on civil rights.

Mr. RUSSELL. I am glad to find that the Senator's interest extends to the tiny part of the population in Fort Crowder, Mo., which is interested in the passage of this bill. I hope that his interest will also extend to the position of those of us who desire to know exactly what we are to be confronted with—whether it is proposed to boil us in oil, or to burn us at the stake, or to fricassee us on some new kind of rack or wheel, or simply to stick a bayonet into our bodies.

Mr. MORSE. If the Senator from Georgia will yield further, let me say that I favor the passage of House bill 8315, without any civil rights amendment or rider. I am opposed to legislation by rider. I believe that the people of this school district are entitled to have this bill voted either up or down by the Senate, without the raising of a civil rights issue in connection with it, unless someone can show me that a civil rights proposal is germane to the provisions of this bill. That has not been brought out yet. Then I am for the Senate of the United States bringing up a civil rights bill and proceeding to use a civil rights bill as the process for whatever amendment we need to adopt on the floor of the Senate to secure first-class citizenship for everybody in this country, regardless of race, color, or creed. But I do not like this kind of

procedure. I shall object, because I do not think it to be fair or proper procedure for the Senate to adopt.

Mr. RUSSELL. Mr. President, I rose in the interest of orderly procedure. I am grateful that the Senator from Oregon shares my belief that, whatever may be the issue, the Senate should not deviate from a course of orderly procedure in dealing with any legislative question.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes, I yield.

Mr. DIRKSEN. First of all, I am willing to admit that this is extraordinary procedure.

Mr. RUSSELL. The Senator does not have to admit it. It cries out so loudly that any person who has had any legislative experience at all, even in a city council, can hear it.

Mr. DIRKSEN. There were many Senators present on the Senate floor on September 14, 1959. There was a very extended colloquy between the distinguished majority leader and myself. We were trying to contrive a time when most Senators would be back from their speaking engagements. I read from the CONGRESSIONAL RECORD, volume 105, part 15, page 19567——

Mr. RUSSELL. I was present. If the Senator wishes to read from the RECORD for the benefit of the Senate, he can do so. I was here. I saw that the arms of the leadership were twisted and they made a commitment rather than pursue the subject at that time. If the Senator wants to make a speech, he has a right to do so. He can do it. He said he proposed to offer an amendment.

Mr. DIRKSEN. I just want to make this clear. It is only one paragraph. I read from the RECORD. This is the majority leader speaking:

> I serve notice on all Members that on or about 12 o'clock on February 15, I anticipate that some Senator will rise in his place and make a motion with regard to the general civil rights question. I presume several motions in that connection will be made. Any Senator might make such a motion before February 15.

A bill was brought up by motion today. I had hoped—and there is certainly no blame on the part of the majority leader for this—that we could call up Calendar No. 313, H.R. 4012, the land-grant college bill.

Mr. RUSSELL. The same objections would be made to it. The use of a bill providing for the celebration of the 100th anniversary of the establishment of the land-grant colleges as a vehicle for the so-called civil rights legislation would not, in my opinion, meet with the approval of the land-grant colleges. It might satisfy the views of some Senators with respect to this civil rights legislation, but I do not think a bill to provide for the celebration of the 100th anniversary of the establishment of land-grant colleges should be used in that manner.

Mr. DIRKSEN. My information was that the land-grant bill was not cleared by the majority policy committee.

Mr. RUSSELL. That is correct. I happen to be a member of the policy committee, and that bill has not been cleared; but the same objections would lie if the Senator offered such an amendment to that bill. The Senator knows about motions. He could move to discharge the Committee on Rules and Administration from consideration of the Federal registrars bill. He could move to discharge any other committee that has any legislation on this subject before it.

Mr. DIRKSEN. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. In the colloquy on September 14 there was absolutely no limitation proposed. No specific bill was mentioned. The majority leader said a motion would be made. So a motion is made this morning to bring up Calendar No. 924, H.R. 8315. That is the pending business. I have proposed to offer an amendment as soon as the committee amendment is disposed of. So in that respect I think it is proper procedure. I do submit, however, this subject matter is entirely different from normal. Ordinarily I do not pursue that course, but we had this arrangement made last September, and in all good faith, I pursue it, and I think the majority leader does likewise. Every Senator who was present on the floor, and the distinguished Senator from Georgia was present on the floor that day——

Mr. RUSSELL. I made a little statement that day.

Mr. DIRKSEN. That is right. The majority leader said that every Senator was on notice. Senators have had 4 or 5 months—whatever it is—so there is nothing extraordinary about this bill coming from the floor. I had wished, of course, that a civil rights bill might be on the floor or that we might have had one out of committee. I do not quarrel that it is not here. I respect the committee procedures. I say this is an issue with which we have to come to grips. So sometimes we have to pursue extraordinary procedure. In order to get the job done, I am willing to accept any castigation or blame for invoking an extraordinary procedure. But the Senator and every other Member has been on notice since the 14th of September 1959. So there is no surprise, there must be no shock that we are here with this proposal, and it is pending on the desk now, so that Senators may offer amendents, they can move to strike out, they can do what they wish, so that the will of the Senate is worked on the subject matter.

Mr. RUSSELL. Of course, I am never surprised or shocked by anything that occurs in connection with the misnamed civil rights question. I realize, of course, the popularity that is attached to making speeches about civil rights. When we get into this field of legislation, I am reminded somewhat of the story about the Mexican Army that had nothing but generals and in which none outranked the other. Every effort is to have a stronger bill and a bill that reaches further than the one offered previously. That effort is shown in the headlines of newspapers. Here is a headline from today's New York Times: "Rights Battle Opens Today; New Plan Pushed in Senate. Hennings Bill Combines Referee and Registrar Aids on Negro Vote."

There is a long article to the effect that the distinguished Senator from Missouri [Mr. HENNINGS], chairman of the Committee on Rules and Administration that is considering the registrar bills, now has a new proposal. Here it is proposed to use the irregular procedure of adding a civil rights package to a bill for the relief of the school district of Fort Crowder, Mo.

No, there is no rule, when we get into this particular field, against having a saturnalia of politics. That is what happens. Every Senator tries to outdo the other. Some Senators undoubtedly are holding back now, drawing up new amendments, to see how far they must go to have a more impressive and drastic bill than that offered by their colleagues.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes, I am glad to yield to the Senator from North Carolina.

Mr. ERVIN. I will ask the Senator from Georgia if he and other Senators interested in this subject are not totally ignorant as to what proposals are going to be presented here.

Mr. RUSSELL. That is what I just stated. We are the only minority that everybody else thinks should not have any rights at all. Here we are hopelessly outnumbered. We are not able to see what is being proposed; we are not able to see any reports of committees, so that we may understand the bill; we are not able to see copies of hearings which generally accompany measures presented to the Senate of the United States.

Mr. ERVIN. Mr. President, will the Senator yield further?

Mr. RUSSELL. So we are the only minority which is not supposed to have any rights whatsoever. We are just a bunch of infernal southern Democrats who have no right to talk.

Mr. ERVIN. Mr. President, as the Senator knows, the law says that a man cannot even be tried for "crap shooting" unless the charge has been made and he has an opportunity to find out what is the charge. Does the Senator think that at least we ought to have that prevail in situations of importance such as this?

Mr. RUSSELL. I think it should prevail. As I said a while ago, when we get into this saturnalia of politics all rights are off. Each one tries to outdo the others. The Senator from Missouri [Mr. HENNINGS] is not satisfied. The Senator from New York [Mr. KEATING] has introduced an anti-lynching bill. There are all kinds and varieties of bills. None of them have been printed. We cannot see any of them, yet it is proposed that they be thrown at us in respect to a bill to give the people at Fort Crowder, Mo., some land to be used for education of children.

Mr. ERVIN. Since the Senator has mentioned the point, is not this proposition, in short, a proposal to lynch the operations of the Senate as a deliberative and orderly legislative body?

Mr. RUSSELL. It is a lynching of orderly procedure in the Senate of the United States. In other words, the end justifies the means—"Let us at 'em, come the 15th day of February."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RUSSELL. It seems to me the distinguished Senator from Illinois would have known the bill was supposed to be considered today, on the 15th. Why did he not punch the Committee on Rules and Administration and get the bill out of the committee? Nobody could charge that committee with being stacked against proposed legislation of this type and character.

The distinguished Senator from Missouri, when we get into this field, could reach into his pocket, and if by mistake he sends to the desk an old promissory note instead of what he thought was an amendment, a majority of the Senate would vote for it and put it on the bill. That is how strongly the Senator is considered to be a leader in this area.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MORSE. I suppose when we reach the votes on the merits of specific proposals in regard to civil rights legislation in the Senate, the distinguished Senator from Georgia, whom I respect very highly, and the senior Senator from Oregon, will be voting in an opposite manner on many of the issues.

Mr. RUSSELL. The Senator is correct.

Mr. MORSE. I want the RECORD to show that I completely agree with the position the Senator from Georgia is taking on this procedural matter today. I think we ought to be proceeding with a civil rights bill, not with a little school district bill involving the leasing of some property in Missouri to a school, so that the property can be used for school purposes, on which we are asked to build a great legislative structure in the field of civil rights.

I should like to ask the Senator from Georgia a few questions. Would the Senator agree that apparently the reason we find ourselves in this parliamentary situation today is that our majority leader, and our minority leader, both in good faith and in front of all of us, toward the close of the last session of Congress pledged themselves—and I think that is the proper term, "pledged themselves"—to the effort of trying to see to it that the Senate considered proposed civil rights legislation on the floor of the Senate on February 15, 1960? Is that not true?

Mr. RUSSELL. Mr. President, I just stated that I was present and heard those comments made, and the Senator from Illinois read them into the RECORD. There is no secrecy about that. It has been emblazoned in the headlines of every periodical in this country that has a daily publication.

Mr. MORSE. Does not the RECORD show that the majority leader and the minority leader, in expressing that understanding or proposed understanding to the entire Senate, referred to the date as on or about February 15?

Mr. RUSSELL. I think that is correct.

Mr. MORSE. That is my recollection, but I may not be able to find those exact words. I would be very much surprised if very many in the Senate shared the point of view that there was such a commitment made by the majority leader and by the minority leader that if the Judiciary Committee had not reported to the Senate on February 15 we were bound then to take some little bill with regard to a school transfer proposal and attach to it a whole series of amendments or riders with regard to civil rights, at least until after we had gone through or exhausted other parliamentary remedies in the Senate, about which I wish now to examine the Senator from Georgia very briefly.

If we do not have a civil rights bill on the calendar at the present time, from the Senate Committee on the Judiciary, is it not true that it is within the parliamentary power of the Senate of the United States to bring one before us rather quickly by adopting a discharge motion discharging the Senate Committee on the Judiciary, if we think the facts justify it, in regard to a major civil rights bill pending before the committee?

Mr. RUSSELL. Mr. President, as I already stated, I had assumed that that would be the motion to be made. I, of course, would vigorously oppose such a motion, but I had assumed a motion would be made to discharge some committee which had under consideration a bill that at least bore the color of being a civil rights bill.

Mr. MORSE. There are some civil rights bills pending before the Committee on Rules and Administration, are there not?

Mr. RUSSELL. There are. Hearings were concluded on the 5th day of February, as I understand, with regard to that proposed legislation. We were told no witnesses would be heard after the 5th day of February.

Mr. MORSE. Is it the understanding of the Senator from Georgia that both the Committee on Rules and Administration and the Committee on the Judiciary are proceeding now with executive deliberations in regard to pending civil rights bills?

Mr. RUSSELL. I could not answer that question specifically. I did read in the press that the Senator from Missouri had stated that on the 17th day of February, I believe, on Wednesday of this week, his committee would proceed to undertake to mark up one of the registrar bills.

Mr. MORSE. I only wish to say to the Senator from Georgia that in my opinion we ought to proceed directly in this body on a major civil rights bill, and then proceed to modify that major bill by the addition of whatever amendments we decide to add to it in the Senate, and we should not use the pending bill as a vehicle for that purpose.

Therefore, I shall support a motion made at any time to postpone the consideration of the civil rights amendments to the pending bill, because I do not think they are germane to the bill. If that motion is agreed to, I serve notice that I shall then make a motion to discharge either the Committee on Rules and Administration or the Committee on the Judiciary of a major civil rights bill, if upon investigation I satisfy myself that the committee does not contemplate submitting a civil rights bill to the Senate within the next few days.

I do not think, Mr. President, that we are bound by the date of February 15 in regard to civil rights. I think we are bound to proceed forthwith to consider proposed civil rights legislation, but I think we ought to do it by having a civil rights bill before us, rather than being asked to proceed to legislate by way of riders.

Mr. RUSSELL. Mr. President, as the situation now stands, the members of this admitted minority group, who are undertaking to defend their States and their people against these attacks, face opponents in a number of different categories: some have no idea what the real facts are with which they are dealing; others are interested in the political implication of the measures; and some well-meaning people think they can reform the people overnight by legislation.

As I have just shown, the papers show that new ones are being "cooked up" hourly to be brought to the Senate, yet we are invited into a dark room. We are in the minority. We do not know whether we will be sandbagged or kicked or gagged or bound or what. We do not know how to prepare against all this proposed legislation. The bills have not even been printed yet. Some Senators have stated that they are still not satisfied that they have a drastic enough civil rights bill, and they are working to get themselves one which conforms to their ideas as to proper legislation, and which is going to be brought to the Senate later.

Mr. President, I think we are entitled to more information. Most of the time in the Senate people are entitled to have some general idea about what they will be confronted with in the way of proposed legislation.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. As a matter of testimonial, the Senator from Illinois said there has been 4 to 6 months of notice with reference to the subject matter. I point out to the Senator now, Mr. President, his own bill, which he mentioned on the floor about a week ago, as it appears today is considerably different from what the Senator outlined then. The Assistant Attorney General, Mr. Walsh, has also made the statement in the hearings in one place that there were changes to be made in the proposal they were working on then in the Attorney General's office. That illustrates graphically, in connection with this particular bill, that one who has been trying to determine the substance of these proposals is confronted with hourly changes, almost down to the time of the submission of an amendment to the pending bill.

Let me add, with all deference to the Senator from Illinois, that my impression

of him and his great regard for this body and for orderly procedures have been devastated by the offering of a bill of such wide magnitude and great interest as an amendment to a local private bill regarding a little piece of real estate. I hope he has some additional reasons than those which he has already given.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. The Senator from Georgia has the floor.

Mr. RUSSELL. I yield.

Mr. DIRKSEN. Let me say to my distinguished friend from Mississippi that six of the seven items in the amendment that is submitted were introduced on the 5th day of February 1959, 1 year and 10 days ago today. So there are no surprises. The only modification, of course, was the addition of the referee proposal.

This subject is pending in the Committee on Rules and Administration. It has been discussed pro and con. It has been discussed on the floor of the Senate. So actually there are no surprises.

The other comment which I think I should make is that I think we are within the rules of the Senate. I grew up under the House rules, in which there is a strict requirement of germaneness. Under the House rules nothing could be offered as an amendment to a bill unless it was germane to the subject matter. In the Senate there is no rule of germaneness. I thought it was understood, from the colloquy in September, that in an extraordinary situation we would try to bring this subject before the Senate in the best fashion we could.

If I may be permitted to comment on what the Senator from Oregon has said, if he will give me his attention, he was in the Chamber when the colloquy referred to took place last September, and he made the point which he has consistently made over a long period of time. He stated that he would vote against adjournment, because he thought then was the time to have civil rights legislation.

Then, after discussing certain measures on the Calendar, he said, in effect, "Let us proceed next January, in keeping with the rules of the Senate, to bring up civil rights legislation if and when we can get it before the Senate."

We are within the rules of the Senate. It is now more than a month after the beginning of January; and while, from the standpoint of germaneness, the proposal may be extraordinary, it is perfectly in order. We are following a perfectly orderly procedure.

Mr. RUSSELL. I deny that it is orderly procedure. Orderly procedure in the Senate depends upon a committee report, upon hearings, and upon committee action. Senators can no longer take refuge in the fact that the Committee on the Judiciary will not act. Proposed legislation is also pending before the Committee on Rules and Administration.

The Senator from Illinois says that the proposal he intends to offer does not involve any surprises. Only a little voting referee bill was added. There has never been any legislation, except the so-called civil rights bill that was presented in 1957, which was as sold to the country under the label that it was a very moderate piece of legislation.

The bill which the Senator introduced did not touch on voting, except to require that records be held for a period of 3 years. This is not really important, except that it wipes out a great body of State law, and therefore violates the rights of the States. The proposal declares, as a matter of policy by the Congress, that the Supreme Court decision in the school cases is the law of the land, and declares that it is the duty and responsibility of every trustee of every local school in the United States to encourage the mixing of the races in the schools. If that is not drastic legislation, I do not know where we would go to find it. The Senator says that it involves only a slight addition.

I am reminded of the man who ran for office down in my State, on the platform that he was a lawyer and a Baptist. His opponent said, "Yes; when you are with the lawyers, they talk about his being a Baptist, and when you are with the Baptists, they talk about his being a lawyer." [Laughter.]

This whole proposal is a hodgepodge. The Senator well knows, from the press reports, what the other legislative proposals are. We are entitled to see them, and not have them shoved at us on the floor of the Senate in typewritten form. We are entitled to have an opportunity to make our case. We are as badly outnumbered as any minority has ever been in this Chamber in undertaking to defend a cause in which we believe. We are entitled to more orderly procedure than is accorded to us in this situation.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. I am sure the Senator does not wish to have remain in the RECORD his reference to a proposal in typewritten form.

Mr. RUSSELL. I was referring to the other proposals that have been brought forward. The Senator will find that he is so far behind some of his colleagues in offering proposed legislation that some parts of his bill may seem to be moderate.

Mr. DIRKSEN. I am a moderate.

Mr. RUSSELL. But the Senator's bill is not moderate.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. Reference has been made to this subject having been before the Committee on Rules and Administration. The Senator knows that governors and attorneys general of various States have come from all parts of the Nation to testify on these proposals. The Committee on Rules and Administration has not even undertaken to act on the original bill introduced, or the proposal in connection with which the Attorney General appeared. Is that correct?

Mr. RUSSELL. I have heard that distinguished witnesses appeared before the Committee on Rules and Administration. What I am requesting is the common courtesy of being afforded an opportunity to read what was said, from the printed report of the committee hearing. I do not wish to be forced to defend in the dark against such far-reaching, momentous legislative proposals.

Mr. STENNIS. Is it not true that, so far as is generally known, only one member of the committee has been actively opposing the bills, showing that the majority is not stymied?

Mr. RUSSELL. I will pause and give any Senator who wishes to rise an opportunity to say whether or not the Committee on Rules and Administration is stacked against civil rights legislation. Everyone knows that that is far from the truth.

Mr. STENNIS. The committee can act, if it will. I assume that it will act. But there is no recommendation before us now.

If the Senator will further yield, in order to bring out the situation, the Senator referred to the Senator from Missouri [Mr. HENNINGS] and his recommendations as published in the newspapers. The Senator had to bring along a newspaper in order to take part in the debate. That is the only way to find out what has happened.

The picture of the Senator from Missouri is in the New York Times. In another newspaper the Keating bill is referred to. In still another newspaper the proposal of the senior Senator from New York [Mr. JAVITS] is referred to. I note his presence in the Chamber. I did not get to hear his television broadcast yesterday, but I understand that he stated on the television that he had not finished his own thinking on an amendment which he intends to offer.

We are now on the floor of the Senate, a deliberative body. I viewed with a great deal of concern yesterday a serious column in a national magazine, to the effect that the Senate was deteriorating in value, and was losing esteem in the sight of the people. That involves a very serious challenge.

With all deference to every Member of this body, I believe that this is an illustration of our abandonment of the concept of the Senate being a deliberative body.

We have had to bring along newspapers, as the Senator from Georgia has done, in order to learn what has happened. Then we had to refer to the television transcript of yesterday afternoon to find out what is intended to be proposed on the floor of the Senate in connection with certain far-reaching bills. It is a legislative stampede, if I may use that word, to get into the act and have something passed. As the Senator from Georgia has said, the Senator from Missouri could reach into his back pocket and pull out a memorandum he had written, and offer it on the floor of the Senate as an amendment, and it would probably receive a majority vote.

Mr. RUSSELL. This is a political carnival. The newspapers do not set forth the details of the bills. Everyone is opposed to lynching. I am opposed to it. Thank God, it has all but been eliminated. It has been many years since there has been a lynching in my State, and I am profoundly grateful for that.

One of these newspaper articles states that a new and tough antilynching bill is to be tossed in. There is a warning

from the Senator from New York [Mr. KEATING] that he plans to toss a new, tough antilynching bill into the already bitter fray:

Mr. KEATING, a sponsor of the administration's seven-point civil rights measure, said yesterday he would introduce an "additional package." Other Senators were also primed to push various proposals that have lain dormant since last year.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. RUSSELL. The Senator from Illinois stated that people ought to be on notice as to what would happen on the 15th of February. I might say that he could have undertaken to have the Senator from New York have the amendment ready before the 15th of February, not wait until the 16th.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KEATING. I merely wish to quiet the mind of the Senator from Georgia that there is anything unusual in this proposal.

Mr. RUSSELL. I have not seen it. Has it been printed?

Mr. KEATING. My proposal is one which has been made previously and which is designed to strengthen present civil rights legislation, which makes it a crime to deprive a person of his civil rights. It imposes a minor fine, but if death results, it then becomes a capital offense.

Mr. RUSSELL. I suppose that as a matter of orderly procedure we should now proceed to pass the Keating bill, as it has been outlined here.

Mr. KEATING. That is not my expectation. There will be many proposals offered which are similar to mine. There have been introduced and there are on file here a dozen antilynching bills. My bill is not the same as antilynching bills which have been printed and are now before the Senate. It is essentially an enlargement of existing law relating to the deprivation of civil rights. I am sure that in the course of the debate there will be ample time for the distinguished Senator from Georgia to study the proposal and to have it before him and to get all the advice he needs on the subject. I will say frankly to him that I expect to offer other amendments. This is certainly the common practice.

Mr. RUSSELL. I have no doubt about that. I am sure the Senator from New York will have a whole pocketful of amendments to offer. However, I should like to have a chance to see those amendments. We cannot be expected merely to let the Senator—able and distinguished though he is—outline his bill and then proceed to vote it through. I know a great many people think that it ought to be done that way. They say: "Let us get at them now. I will make a speech about what we are going to do to them, and then someone will move the previous question, and we will vote it through."

Mr. President, that is not the way the Senate operates. That is a political carnival.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I appreciate fully what the distinguished Senator from Georgia is saying. It occurs to me that there may be still one other thought which he may not have touched upon, and it is this. In the course of the hearings before the Committee on Rules and Administration, Senators were invited by the committee to arrange for their Governors and attorneys general, if they cared to do so, to give testimony before the committee on the various subjects which were pending before the committee, particularly on the bills which had to do with protection of the right to vote.

In pursuance of that invitation from the Committee on Rules and Administration, the Senator from Florida invited his distinguished Governor, who recently was chairman of the national Governors' conference, and his distinguished attorney general, who has recently been president of the conference of attorneys general, to come before the committee and testify. The attorney general assigned one of the ablest members of his staff to do so. He came, pursuant to that invitation, and testified. Other Senators have taken similar action with reference to their distinguished Governors and with reference to their distinguished attorneys general.

I should like to ask the distinguished Senator from Georgia if he believes there is any degree of decency, any degree of recognition of the efforts of these State officials to be helpful and to contribute to a sound solution, in proceeding without allowing the Rules Committee to conclude its work, which, according to notice which has appeared in the press, at least, the committee intends to do on the day after tomorrow, and to furnish us, along with its report, the printed record showing what the witnesses who were invited to come before the committee to testify—witnesses who carry heavy responsibilities in their States—have said by way of what they think needs to be done in this critical matter.

Mr. RUSSELL. If this proposed legislation was aimed at any section of the country other than the South, this procedure would not be tolerated for 15 minutes. Every Senator knows that to be a fact.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HOLLAND. If the Senator from Georgia will yield for one more moment, I should like to say that I do not believe that the Members of the Senate realize what they are asked to do when it is suggested that they pass upon a new measure covering this field, which is not understood, when their committee, acting for them, has requested the advice, assistance, and testimony of the responsible State officials in the States most affected by this proposal. I wish to say that I cannot conceive of responsible Members of the Senate taking a position which will not allow giving any import or any effect whatsoever to the testimony of these able State officials.

Mr. RUSSELL. I certainly hope that that will not be done.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MORSE. I wish to make a brief comment on the remarks of the able minority leader, the Senator from Illinois [Mr. DIRKSEN], who pointed out that in the closing days of the last session of Congress I took the position that we ought to stay in session and not adjourn, but handle civil rights legislation at that time.

I believe we should have handled civil rights legislation at that time. However, it was about at that time that the majority leader and the minority leader propounded, in the presence of many of us on the floor of the Senate, a sort of gentleman's understanding that on or about February 15 of this year, we would take up civil rights legislation.

I respectfully submit that it was not contemplated by the majority leader or by the minority leader at that time, or by anyone sitting here and listening to the proposal being made, that they were going to do it by the parliamentary route that is suggested this morning, namely, that we would call up a bill which has nothing whatever to do with civil rights and suggest that it be used as a vehicle to carry civil rights amendments.

The Senator from Illinois spoke about that procedure not being in violation of orderly process. It is not in violation of a parliamentary right or rule in the Senate. It can be done that way if the Senate wishes to do it that way, but that does not make it orderly.

Mr. RUSSELL. That is correct.

Mr. MORSE. Certainly not in the sense that I understand what is orderly procedure when the Senate is confronted with an issue which is of such major importance to the people of this country as is the issue of civil rights.

What I am worried about in regard to the parliamentary tactic which is being used is that the average person will say, "Well, that is not cricket. That is a kind of fast maneuver. That is not according to what we would call the rules of the playground."

At least we ought to be as fair as we expect our kids to be on the playgrounds.

When I say that, I do not criticize the majority leader and the minority leader. On the contrary, I wish to commend them for raising the issue. The Senator from Texas [Mr. JOHNSON] and the Senator from Illinois [Mr. DIRKSEN] are to be commended for raising the issue on the floor of the Senate on February 15. They have put the issue right up to us by raising it, and have given us a chance to say whether we wish to handle the subject in this way. If we do it this way we will deny to the American people the orderly procedure that ought to be followed, and we will not have the advantage of the information we ought to take advantage of. I shall talk about that information in just a moment. However, the majority leader and the minority leader have fulfilled their commitment. They have brought the subject up. Now it is up to us to take the parliamentary

action under the rules of procedure which are available to us and which will guarantee orderly procedure to the American people for the enactment of civil rights legislation.

I now propound the question I have in mind. I call the attention of the Senate to the fact that the rules are on the books. I serve notice now that I shall proceed to use those rules. Those rules permit the discharge of two committees from the consideration of proposed civil rights legislation on which they have held some hearings—the Committee on Rules and Administration and the Committee on the Judiciary. I have given instructions to have drafted—and I shall submit them promptly—motions to discharge the Committee on Rules and Administration and the Committee on the Judiciary from the consideration of specific pieces of major proposed civil rights legislation which have been in the jurisdiction of those two committees for some time, since the date, for example, when the Senator from Texas [Mr. JOHNSON] and the Senator from Illinois [Mr. DIRKSEN] proposed that the Senate begin to consider civil rights legislation on February 15.

Those committees are our agents. They are the servants of the Senate. They have had due notice, ever since an understanding was enterd into last year, that on or about February 15 civil rights measures would be called up on the floor of the Senate.

The motions I shall file in this connection—and under the rules they will have to lie on the table for a period of time—will propose that if by one week from today the Committee on the Judiciary and the Committee on Rules and Administration have not reported to the Senate proposed civil rights legislation, the Senate take up the motions to discharge those committees from the further consideration of such measures. That is orderly procedure.

The Senator from Florida [Mr. HOLLAND] has just pointed out to me that one week from today will be Washington's birthday. My motions, then, will make the date February 23 instead of February 22. That is orderly procedure and is clearly within the rules as written in the rule book of the Senate.

I shall follow those motions, I say to the Senator from Georgia [Mr. RUSSELL], with another motion which will request that the hearings which those committees have held be printed, and that the Senate have the benefit, as the Senator from Georgia and the Senator from Florida have pointed out, of the testimony, in printed form, that the expert, qualified witnesses have submitted to those two committees.

With that record before us, the Senate will be in a position to proceed in an orderly fashion with civil rights measures directly before us, and not with what I consider—and I speak most respectfully—some sort of indirect, somewhat clever subterfuge or parliamentary device to get this very important issue before the Senate. I think we ought to rise above that kind of procedure. Although the proposal before us is in order, I think we ought to rise above it and say to the American people that we are going to take up civil rights as civil rights on the record which the committees of the Senate have made to date.

I believe the Senators from the South are entitled to that consideration, and I shall fight for it, just as I would fight for the same kind of orderly procedure if it involved any other piece of proposed legislation affecting any other section of the country. When we pass legislation after following that kind of procedure, we will have the support and respect of the people of the country. We will not be charged with somehow trying to "pull a fast one" on the South by this sort of indirect approach to civil rights legislation.

Mr. RUSSELL. Mr. President, I appreciate the statement just made by the Senator from Oregon in support of orderly procedure in the Senate. I agree with him that, while what is proposed here is technically possible under the rules, it is not orderly procedure.

Sometimes in the Senate a point is reached when only two Senators are present, the Senator who is addressing himself to some subject and perhaps his colleague from his State, who might be in the chair of the Presiding Officer. Technically, under the rules, a Senator could rise and ask unanimous consent that some bill be taken from the calendar, considered to have gone through all the parliamentary stages, and be passed. That can be done. It is parliamentarily possible under the rules of the Senate to do that. But we do not follow that procedure here. The Senate would rise up and rebel against it. The Senate would rebel against such procedure if it were applied in ordinary cases.

Mr. President, there has been so much misrepresentation, throughout the country, of the southern people that feeling against the South has come to be almost a national disease. I weep because of it. My people are the peers of any in this country. I resent seeing them pilloried and misrepresented. We have enough failings in our part of the country without having them magnified and made into a political football to be kicked hither and fro at the will of the politicians.

What is here proposed clearly shows that we are considered to be second-class citizens by those who like to use that expression. We are rebuked and told that we ought not to appeal because we were told last year that something would be brought up on February 15. Yet it has been perfectly all right for those who generate these alleged civil rights bills with almost the speed of a multigraph machine to wait until after February 15 to have their measures brought before the Senate. Is that equal treatment? Is that fairness?

I submit it shows that one standard is expected from us. We are supposed to be quiet under any conditions and under any kind of procedure and simply "take it." On the other hand, those who seek to oppress and harass us are allowed the liberty of drawing their amendments and of bringing them before the Senate whenever they see fit—amendments of great moment, on which no hearings have ever been held. That demonstrates the attitude taken here against those who undertake to represent the South in the Senate of the United States.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. First, with respect to the discussion of bills pending in the Committee on Rules and Administration, I believe—I am pretty certain—that the Committee on Rules and Administration does not have jurisdiction, and no bill of this kind was referred to that committee. They are operating entirely on their committee print. Had the bill on which they are taking testimony been introduced in regular course, it would have been referred to the Committee on the Judiciary, which has jurisdiction.

Mr. RUSSELL. Oh, no; a bill has been introduced relating to Federal registrars. It is in the Committee on Rules and Administration.

Mr. DIRKSEN. But it was not introduced, as I recall.

Mr. RUSSELL. If it was not, why did the Senator from Illinois not introduce it? This is February 15. This is the day about which we were put on notice last year that the Senate would take up civil rights legislation. Why wait until now to bring it up? It has not even been introduced; yet the Senate was put on notice. But no, it has not been deemed necessary to follow the rules; it has not been considered necessary to introduce such a bill. With both political parties behind the matter, perhaps it is felt the Senate does not have to extend the consideration or the course of conduct which Senators have a right to expect in the case of any other proposed legislation. I resent the fact that I cannot get the regular order in this instance.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I simply want the RECORD to show how completely mistaken the minority leader has been in his recent statement.

Mr. DIRKSEN. Yes, I am mistaken. The bill relating to registrars was introduced and referred to the Committee on Rules and Administration, but no bill was introduced on the subject of referees.

Mr. HOLLAND. I am glad the Senator from Illinois admits his error. I hope he will apologize to the Senate for having made that mistake.

Mr. DIRKSEN. I will confess my sins in public any old time.

Mr. RUSSELL. Mr. President, I refuse to yield for that long a time, at any time. [Laughter].

Mr. HOLLAND. Mr. President, if the distinguished Senator from Georgia will further yield, I was about to suggest that the distinguished Senator from Illinois might have to indulge in what some would call a filibuster if he intended to make a general confession.

Mr. DIRKSEN. My confession would be limited solely to the junior Senator from Illinois.

Mr. HOLLAND. The point I make is that first bills were introduced relating to the protection of voting rights. They were referred to the Committee on Rules and Administration. That committee held hearings. Distinguished witnesses came from all sections of the country to be heard. Among those invited to appear were the Governor and the attorney general of my State. They sent statements to the committee, which were delivered by the distinguished assistant attorney general of my State.

I simply remind the Senate and my dear friend, the minority leader, that if he has any intention at all which is serious in connection with the proposed legislation, it has to have some effect—some remedial effect—upon the procedures in connection with voting which he believes have taken place in the southern part of this country.

It happens that my own State has the best record in that regard in the Southern States. I simply call attention to the fact that if there is any desire to have any feeling of respect on the part of citizens of Southern States toward any legislation which is passed by Congress, it will not be possible to gain such respect by denying to the Senate the chance to know what the Governors, the attorneys general, and other high law enforcement officials of those States have had to say concerning what they believe should be done, particularly the officials from my State, where the best record has been made.

I say that the very opposite would result from the arbitrary methods followed here today. There would be created in the minds of our people back home the idea that a majority of the Senate had decided to ram its objectives down their throats, without hearing their chief law-enforcement officers, without giving any consideration to what those law-enforcement officers had to say, despite the fact that they were invited to come here by a Senate committee, in the discharge of its duty, and have come here.

It seems to me that no Senator in the possession of his deliberate mind would want to begin with that sort of showing of contempt—which is what it would be—of the chief law-enforcement officers who preside over some 50 million people in the southern part of the Nation.

Mr. DIRKSEN. Mr. President, will the Senator from Georgia permit me to comment at this time?

Mr. JAVITS. Mr. President——

Mr. RUSSELL. Mr. President, I desire to approach my own parliamentary suggestion in connection with this matter. In a few moments I shall yield again. I have already been very generous in yielding.

Mr. President, I do not think we should proceed in this highly irregular fashion. Before I yield the floor, I intend to move that further consideration of the bill to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, be postponed until next Tuesday.

Mr. President, an invitation has been issued to Senators to offer civil rights amendments to this bill. I do not think we shall ever get through with such amendments. One of our colleagues has offered an amendment which goes further than any others thus far offered; but no doubt before we are finished with that subject he will encounter some hard competition from amendments which will go even further.

But, Mr. President, the agreement to postpone the further consideration of this matter or to take it up on February 15 would have indicated, I should have thought, that Senators who were sincere in promoting civil rights legislation would have introduced it in January, so there would have been an opportunity to have their proposed legislation considered and printed, and so the Senate would have had an opportunity to know what such Senators were proposing.

But now we have come to the day set aside for the consideration of civil rights legislation; and still Senators are in a frenzy drafting proposed legislation still to be introduced. Mr. President, I say this is a most unusual situation.

I yield now to the Senator from North Carolina; and next I shall yield to the Senator from Alabama [Mr. HILL].

Mr. ERVIN. Mr. President, I ask unanimous consent that the Senator from Georgia may be allowed to yield to me, to permit me to make a statement, without his losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. Mr. President, as a matter of fact, the Honorable John S. Battle, formerly the Governor of Virginia, and a member of the Civil Rights Commission, was invited by the Committee on Rules and Administration to make before it a presentation of his views. Pursuant to that invitation, he appeared before that committee and made a presentation of his views. He presented his views not only against the pending registrar bills, but also against the proposed referee bills.

At that time the chairman of the Committee on Rules and Administration, the able and distinguished Senator from Missouri [Mr. HENNINGS], stated that the Department of Justice had not yet reduced to writing the referee bill and had not yet presented a copy of the bill to the committee, but that, nevertheless, the committee would permit the former Governor of Virginia, a member of the Civil Rights Commission, to present his views on that matter—which he did at the hearing.

I have been informed by others that a day or two later the Attorney General of the United States, the Honorable William P. Rogers, appeared before the Committee on Rules and Administration and made an oral presentation of his views in regard to the proposed referee bill.

So the Committee on Rules and Administration has taken testimony on both sides of that question; and, according to my information, the committee has postponed until Wednesday of this week the time for its vote on such measures.

I make this statement in order to set the record straight.

Mr. RUSSELL. Mr. President, I thank the Senator for making perfectly clear for the record that the highest law enforcement officials of the State governments in this area, as well as those who have the greatest familiarity with the subject matter of this proposed legislation, have testified on these matters. Yet we are asked to proceed here before the committee has taken action on their testimony.

Mr. HILL. Mr. President——

Mr. RUSSELL. I yield now to the Senator from Alabama.

Mr. HILL. Mr. President, I wish to commend the Senator from Georgia for his very able and brilliant presentation of the matter now before the Senate.

The Senator from Georgia has been a Member of the Senate for many years. I have served here some 22 years; and the Senator from Georgia has been here longer than I have—in fact, for approximately a quarter of a century.

Is it not true that in all those many years, never before has such an effort been made to stampede and ramrod through a piece of legislation such as we see here today?

Mr. RUSSELL. Yes. Of course, this particular legislation seems to occupy the unusual and privileged position of not being subject to the application of any rule. All a Member has to do is get a big sign reading "Civil Rights," and tie it onto a bill—regardless of whatever may be the contents of the bill—and introduce it in the Senate; and immediately half the Members of the Senate will say, "Amen, amen; it is civil rights."

They do not even desire to read the bill, inasmuch as it has the magic touchstone of "civil rights," and thus is said to assure the victory for which the two major political parties are bidding.

Once such a label is attached to a bill, Members seem to say, "Why should we be disturbed about what is in the bill, or about what the Attorney General may have said about the bill, or about what Mr. Battle, a former Governor of Virginia, and a member of the Civil Rights Commission, may have said about the bill?" Just get out the old sign "Civil Rights," and repaint it. It does not seem to matter what the bill contains. In any case, the stampede to support the bill will commence.

And if some Member later offers a bill which goes a little further than that one, other Members will hasten to draft still another bill, and then will importune their colleagues to support it. That is what is being done today.

Mr. TALMADGE. Mr. President, will my colleague yield to me?

Mr. RUSSELL. I yield.

Mr. TALMADGE. I desire to commend my distinguished colleague, and to associate myself with his remarks and with the brilliant presentation he has made here today.

My colleague is recognized as being the ablest parliamentarian in the Senate. Is it not true that a host of civil rights bills are presently pending in the Judiciary Committee?

Mr. RUSSELL. There are some 30 or 40 there, I have been advised. In these

cases there often is a multiplicity of authorship; such bills will be brought down here by minority pressure groups, and more than one Member of Congress will offer them or introduce them. In some cases, 15 or 20 Members of the other body will sponsor the same bill.

Mr. TALMADGE. My colleague has referred to situations in which one or another of the pressure groups passes around a bill, and each Member tries to surpass his colleagues in his haste to introduce it.

Mr. RUSSELL. That will be the case in both bodies.

Mr. TALMADGE. Is it not true that at any time the Senate could discharge the Judiciary Committee from the further consideration of any civil-rights bill?

Mr. RUSSELL. Yes. Furthermore, the Committee on Rules and Administration could similarly be discharged.

Mr. TALMADGE. That could be done by simple majority vote, could it not?

Mr. RUSSELL. That is correct.

Mr. TALMADGE. If the Senate decides that at this time it must debate a civil-rights bill, would it not be much more orderly procedure to bring forth a real civil rights bill, rather than use the little Fort Crowder school bill as a vehicle for civil-rights legislation?

Mr. RUSSELL. Yes; and I have said that that would be the better procedure.

Mr. TALMADGE. Will my colleague yield further?

Mr. RUSSELL. Yes.

Mr. TALMADGE. Is it not true that in a suit for a debt of as little as $5, in the most inferior court in any State in this land, the defendant has a full right to know everything about what the debt is, so he can prepare his defense in time?

Mr. RUSSELL. Well, that is a general rule of law. I will say, however, if any civil rights label could be tagged on it, I apprehend the present Supreme Court would change that rule.

Mr. TALMADGE. Is it not further true that such a right extends to a citizen of New York, Oregon, California, or any other State; yet it is being proposed here to take over the duties of the general assembly, the executive branch of government, the Supreme Court, the election officials, local and State, throughout a great area of our country, and they want to bring it up and have us vote for it without knowing what it is about?

Mr. RUSSELL. Except from what the newspaper articles say about it or what Senators say on the floor about it.

Mr. TALMADGE. I thank the Senator. I share his alarm.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. JAVITS. I thank my friend. I am sure he will have occasion to have me yield to him during the course of this debate. I do not feel anything the Senator has said should put the Senate or any Member of it who advocates civil rights—and I am glad to be an advocate of them—on the defensive, on which the Senator puts himself.

May I call attention to the fact that the majority leader, on September 14, 1959, said specifically:

> I serve notice on all Members that on or about 12 o'clock on February 15, I anticipate that some Senator will rise in his place and make a motion with regard to the general civil rights question.

Mr. President, I want to clarify that, because I think the Senate should have all the facts. The majority leader said "February 15." The words "on or about" related only to "12 o'clock." Some Members of the Senate felt that the words "on or about" referred to the date of the 15th. That is not the fact. The statement said "on the 15th of February." This is the 15th of February.

Secondly, the Senator, as a good parliamentarian, knows there is a resolution on the calendar to discharge the Committee on the Judiciary. He has said very frankly that he would oppose such a motion with his last breath. I am sure he would. He is very eloquent in advocating his point of view. Such a resolution is on the calendar. It could be moved to take up that resolution. The Senator would oppose it as much as he opposes the procedure now proposed.

I say to the Senator from Georgia, and I would like to say this also to all my friends who espouse his position, that I fully respect the great sincerity with which they present their point of view. I know that every southern Senator, or any Senator from any other part of the United States, will have a complete opportunity not only to analyze amendments, but to see every bit of work that has been put into them by the Committee on Rules and Administration or the Committee on the Judiciary, before this debate is through. I know that if we did not make that information available, the Senator from Georgia would make an effort to see that it was made available. Although I do not agree with the point of view of the Senator from Georgia on this subject, I would support with my every breath the guarantee to Senators of that right.

I cannot feel that anything is being put over on the Senator from Georgia or any other Senator, or that the Senate or any individual Member needs to be on the defensive about the procedure being followed, which was clearly set forth on September 14 of last year. The statement was not that it would be on or about February 15, but that it would be on February 15.

Mr. RUSSELL. The distinguished minority leader read the same extract earlier in the day. He read it correctly. He made no error in his transmission of that statement to the Senate. I only wish to say that I am saddened by the knowledge that this mania has gone to such an extent with some of the persons desiring such legislation. They are the ones who provoked the date of February 15 and who set a definite date. There is on the calendar a motion to discharge the Committee on the Judiciary and yet they resort to this unusual procedure.

Mr. President, I do not think the Senate of the United States ought to set the precedent of bringing up what some Senators say is the most momentous question before the American people by appending it to a local bill. If we set that precedent, Senators may be sure it will return to plague them.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The statement was made to the effect that a motion would be made to bring up civil rights legislation. Can the Senator tell me to what particular civil rights bill it would pertain? It occurs to some of us that there are an enormous number of civil rights. There are also many civil rights bills. Were we told even what kind of a motion it would be?

Mr. RUSSELL. As I said earlier in the day, I apprehended that if this matter was to be brought up—if the firm commitment had gone out to pressure groups that camp on the doorsteps of Senators and threaten political parties in the press of the Nation—the procedure would be by a motion to discharge a committee. It never occurred to me that an effort would be undertaken to append such a proposal to a bill to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–1, Missouri.

Had I known of such an effort, as chairman of the Armed Services Committee, I would not have had that bill reported. I would have held it until after the 15th of February, and then undertaken to give some relief to the people of this school district.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. RUSSELL. Yes.

Mr. LONG of Louisiana. One example of a civil rights bill could be a bill which permitted a 12-year-old child to marry without the consent of his parents. That would be a civil right, would it not?

Mr. RUSSELL. I do not want to get into that field. I do not have a clear understanding of it. I was of the opinion that most of the civil rights of citizens of the country were spelled out specifically in the first nine amendments to the Constitution of the United States, and then the 14th and 15th amendments that followed. But we see that there have been some terrible crimes committed in the name of civil rights.

Mr. LONG of Louisiana. It seems to me the people of the country whom we represent have a right to know what this proposal is to be, before we are to have it rushed through.

Mr. RUSSELL. The Senator from Louisiana and the Senator from Georgia, as representatives of the people of their States, are entitled to know something about it instead of having the proposal made in a haphazard fashion on the floor.

Mr. MORSE and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from Oregon, and then I shall yield to the Senator from South Carolina.

Mr. MORSE. Before the Senator from New York [Mr. JAVITS] leaves the floor, I should like to say that I was surprised at the argument the Senator from New York made, because I have such a high

regard for the brilliancy of his mind that when it slips, I am always saddened.

The Senator from New York referred to the record made by the two leaders, the majority and minority leaders, at the time notice was served about the date of February 15, on or about 12 noon. The Senator was correct when he stated that the words "on or about" referred to the words "12 o'clock noon." I have checked the RECORD since my early remarks. The words "on or about" referred to the words "12 o'clock noon." However, I am sure the Senator from New York recognizes that, with respect to an attempt to bring up this question, no one here in the Senate contemplated that a Senator would bring it up by motion, except within the established rules of the Senate.

The Senator from New York ought to be joining with me, and I hope he will this afternoon, in my motion to discharge both the Committee on Rules and Administration and the Committee on the Judiciary from considering proposed civil rights legislation.

Certainly we cannot be charged with any contemplation that the matter was going to be brought up by way of a rider to a little school bill which has nothing whatsoever to do with civil rights. Certainly we can be charged with taking judicial notice that when this gentleman's understanding was entered into we took it for granted that when civil rights proposals came before us they would come before us with regularity, bringing with them committee reports and printed testimony of witnesses who had testified before the Committee on Rules and Administration and the Committee on the Judiciary.

Now, if we have the votes, I will say to the Senator from New York—and I think we have the votes—to pass some civil rights legislation, then we have the votes to discharge a committee and to bring the matter to the Senate in regular form, with committee reports or at least printed proceedings of the committee before us.

That is what the Senator from Oregon pleads for. It may be that the Senator from New York can reconcile himself to this procedure of bringing the matter before the Senate by way of a rider ungermane to the bill before us, but the Senator from Oregon cannot. I want to say to my friend from New York, most respectfully, that we will strengthen our case for civil rights in the Senate if we take the votes which I think we have and discharge the committees, get the committee records before us, and proceed to debate upon the basis of civil rights proposals, not on the basis of riders to a little school bill that seeks to transfer some land on a lease basis to a school.

Mr. RUSSELL. Mr. President, I say to the Senator from Oregon that the bill authorizes the Secretary of the Army to make a lease to the Stella Reorganized Schools, and this bill was on the calendar on September 3, 1959.

The Senator from New York had pending his motion to discharge the committee. We all knew it was available. I cannot understand why we had to wait until February 15 to discover that the Fort Crowder school bill would be used instead of the discharge motion as the vehicle to bring the issue to the floor.

Mr. President, I now yield to the Senator from South Carolina.

Mr. JAVITS. Mr. President, will the Senator yield to me so that I may reply?

Mr. RUSSELL. If the Senator will permit me, I am anxious to make a motion and to yield the floor. I will yield, first, to the Senator from South Carolina, very briefly.

Mr. JOHNSTON of South Carolina. To bring out where we stand at the present time, there are several bills in the Committee on the Judiciary. There are several bills in the Committee on Rules and Administration.

I do not think anyone could accuse the Committee on Rules and Administration of not being loaded, so far as the committee is concerned, in favor of civil rights. That being so, we find ourselves in the position of being asked to overrule the Committee on Rules and Administration, which is considering the matter, and which is probably ready to act at almost a moment's notice. We are asked to attach something to a bill which is far distant, as I see it, from the subject matter, having nothing to do with civil rights. We are asked to attach the civil rights to the bill and to try to pass it without letting the Senate know what is in the bill at the present time—that is, in the bill which has been drafted. It is proposed that we do this instead of permitting the committee to report.

Why do we not call upon the Committee on Rules and Administration to act by a given time? Then, if the committee does not act, we could follow the suggestion of the Senator from Oregon. The votes are available in the Senate. That is acknowledged. The bill could be withdrawn from the committee. It could be amended in the Senate as Senators saw fit for a bill of that type.

To my best recollection, the Senator from New York, the one who is hollering so loud now, has never made a motion in the Committee on the Judiciary to report the bill.

Mr. KEATING and Mr. JAVITS addressed the Chair.

Mr. JOHNSTON of South Carolina. I think that is correct, as well as I remember the proceedings in the Committee on the Judiciary. The Senator protests loudly on the floor of the Senate so that the people back in New York, I guess, can hear what he is saying. But what has the Senator done in regard to a motion to report the bill from the Committee on the Judiciary?

Mr. KEATING. Mr. President, will the Senator yield so that I may answer the statement?

Mr. RUSSELL. I yield to the Senator for that purpose.

Mr. KEATING. The Senator from New York has repeatedly sought recognition from the chairman when civil rights proposals were being discussed in the Committee on the Judiciary. When the matter was last being discussed the Senator from South Carolina had before him a speech about a foot high, which he was about to make, and that is the time when we adjourned the session. Obviously no one who favors civil rights in the committee has had an opportunity—neither the minority leader, who is in favor of civil rights legislation, nor the Senator from New York——

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. KEATING. No one has had an opportunity to make such a motion in the committee.

Mr. JOHNSTON of South Carolina. I observe the chairman of the committee is present in the Chamber. I want to yield to my chairman.

Mr. RUSSELL. Mr. President, I have the floor.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. EASTLAND. Was the distinguished junior Senator from New York recognized in the Committee on the Judiciary, to make a motion?

Mr. KEATING. In the Judiciary Committee?

Mr. EASTLAND. Yes.

Mr. KEATING. Yes; the Senator from New York was recognized but not for the purpose of moving to report a bill.

Mr. EASTLAND. And the Senator offered some amendments.

Mr. KEATING. That is correct.

Mr. EASTLAND. That is correct. The Senator should not come to the Senate and say he was not recognized, because the fact is he was recognized.

Mr. KEATING. Mr. President, let us put this matter in proper focus. The distinguished Senator from Mississippi knows, as does the Senator from South Carolina, that the Senator from New York or any other Senator who favors civil rights legislation was never recognized in that committee for the purpose of moving to report a bill. There were constant efforts to offer amendments and to debate the issue, but it is perfectly clear that at no time was it possible in the Committee on the Judiciary to bring the matter to a head.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. KEATING. Indeed, I know that the distinguished chairman of the committee, who has very strong views contrary to mine on this issue, adamantly and insistently would not permit the matter to come to a vote in the Committee on the Judiciary, because there are sufficient votes in that committee to report a bill, if such an opportunity were given.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Mississippi.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. RUSSELL. Mr. President, I yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, the distinguished Senator from New York is giving to the Senator from Mississippi power that the Senator from Mississippi does not have. The facts are that the Senator from New York was recognized to make any kind of a motion that he desired. He was recognized. I am having the minutes of the committee checked.

I do not want to leave the impression that the distinguished junior Senator from New York is not seriously interested in the question of civil rights, for he is seriously interested in it. The facts are, however, that the Senator was recognized for any purpose he desired, and he did offer amendments. I am not criticizing the Senator, but I wish to say he is absolutely incorrect when he says he was recognized for one specific purpose and that it was impossible to make a motion to report a bill. That motion is always in order. Whether the motion was made or not, frankly, I do not remember. The records are being checked.

Mr. KEATING. Mr. President——

Mr. EASTLAND. The records will speak for themselves. If the Senator desired to have the bill reported, he was recognized and he could have so moved.

Mr. RUSSELL. Mr. President——

Mr. KEATING. Mr. President, may I reply in a couple of sentences?

Mr. RUSSELL. Mr. President, I will yield briefly to the Senator from New York, and then I shall conclude my statement. I have been very generous in yielding. I have not talked one-third of the time I have had the floor. I have been yielding.

Mr. KEATING. Mr. President, I appreciate the generosity of the Senator from Georgia. I shall be very brief.

It is such common knowledge that it hardly needs to be repeated that in the Committee on the Judiciary extended debate, as it is euphemistically called, prevented any action in that committee. I think no useful purpose is served now by going into the details of the attempts to get legislation out of the committee. The fact remains that it was obviously impossible even to get to a vote on any bill in the Judiciary Committee which is the reason why the advocates of civil rights legislation were forced to resort to other avenues of relief.

Mr. JAVITS. Mr. President, will the Senator yield to me in order to allow me to make clear a point of fact? I shall require not more than 30 seconds.

Mr. RUSSELL. We are in an area where it is difficult to establish a fact. If the Senator will permit me to conclude, he can obtain the floor in his own right.

Mr. JAVITS. If the Senator will allow me to clarify something which the Senator from Oregon [Mr. MORSE] said, I shall take not more than 30 seconds.

Mr. RUSSELL. Very well. I do not know how much time the Senator from Oregon will wish.

Mr. JAVITS. On September 14, the Senator from Texas [Mr. JOHNSON] gave notice that we would do exactly what we are doing today. He said, as appears in volume 105, part 15, page 19567, of the CONGRESSIONAL RECORD:

> I stated this morning what I have said on other occasions, that when we return next year I have no doubt that a motion will be made in regard to considering a bill which has been passed by the House, if such a bill should be passed by the House; or a motion will be made to consider the resolution now on the calendar, which was offered by the Senator from New York; or a motion will be made to amend some House bill which has been passed and is on the calendar. That could be done at any time after we are reassembled in January.

Mr. RUSSELL. Mr. President, I wish to conclude. I feel that I have a right to speak for some minorities. It is claimed that the proposed legislation addresses itself to the aid and assistance of minorities.

In order to protect the smallest of all minorities involved in this issue, namely, the patrons of Stella Reorganized Schools R–I, Missouri—and to protect the rights of a few Senators who are entitled to their right to see the legislation that confronts them—I now move that further consideration of House bill 8315 be postponed until Tuesday, February 23.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KUCHEL. Does the Senator have in mind the possibility of voting on his motion later today? If so, has he in mind a yea-and-nay vote?

Mr. RUSSELL. I certainly shall wish a yea-and-nay vote. I do not know when the motion will be voted upon. The Senator is a member of the leadership. He asks me whether there will be a vote on this question today. I could not answer that question.

Mr. KUCHEL. I have no desire to debate the motion. I think it is self-evident and almost self-explanatory. I was wondering if the Senator had in mind any estimate as to the time when the motion might be voted upon.

Mr. RUSSELL. I have no idea whatever. I will say to the Senator that I have been playing this composition by ear. I do not know what procedure the leadership, or the hierarchy, of which the Senator is a member, had agreed upon to bring this proposal before the Senate. I did not know that the Stella school district bill would be used until the motion was made, and the leadership announced that this was the bill that had been selected. Why it was, I do not know. I judge that a few citizens who live near Fort Crowder, Mo., and whose children attend the Stella Reorganized School, will also be pondering the question as to why this particular bill was selected for this unusual procedure.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL].

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, provided the Senator from Connecticut does not lose his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill—H.R. 3610—to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of February 9, 1960, p. 2336, CONGRESSIONAL RECORD.)

Mr. MANSFIELD. Mr. President, I should like to ask the Senator from New Mexico that the conference report be not considered at this time because the leadership on the other side of the aisle has indicated that there are several Senators who would like to be heard on the subject. Last week assurance along this line was given.

Mr. CHAVEZ. Of course, I want the leadership to fulfill any promise it has made. However, the Senator from Ohio [Mr. LAUSCHE] desires to make a short statement on the conference report. If it meets with the approval of the Senator from West Virginia [Mr. RANDOLPH], of course, I would have no objection. The House has acted on the conference report. I see no reason why the Senate should not also act on it.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. If the suggestion made by the distinguished Senator from New Mexico is agreed to, would it be possible to hold up action on the conference report until agreement has been reached for its consideration between the leadership on both sides of the aisle?

Mr. CHAVEZ. I believe the parliamentary situation is this. The conference report is a privileged matter.

Mr. MANSFIELD. That is true.

Mr. CHAVEZ. I do not see any reason why it should not be considered now. There is no objection whatever to it. If Senators wish to talk on it, they can come and discuss it. I see on the floor the distinguished Senator from California [Mr. KUCHEL], the minority whip, and the Senator from Delaware [Mr. WILLIAMS].

Mr. MANSFIELD. Mr. President, I withdraw my parliamentary inquiry.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHAVEZ. Mr. President, I wish to briefly describe what the conference report provides.

Amendment No. 1: Section 6 of the Federal Water Pollution Control Act provides that no grant shall be made for a project in an amount exceeding 30 percent of the estimated reasonable cost or

in an amount exceeding $250,000, whichever is the smaller. The House bill increased the $250,000 figure to $500,000. Senate amendment No. 1 decreased the figure from $500,000 to $400,000. The House recedes with an amendment which would decrease the figure from $500,000 to $450,000.

Amendment No. 2: Senate amendment No. 2 increased from 12 months to 18 months the period during which a State must obligate funds allocated to it to prevent them from being reallocated to other States. The House recedes.

Amendment No. 3: Subsection (d) of section 6 of the Federal Water Pollution Control Act authorizes the appropriation of $50 million for each fiscal year. The House bill increased that amount to $100 million. Senate amendment No. 3 decreased the $100 million figure to $80 million. The House recedes with an amendment decreasing the $100 million figure to $90 million.

Amendment No. 4: Subsection (d) of section 6 of the Federal Water Pollution Control Act provides that the aggregate of sums appropriated for that act shall not exceed $500 million. The House bill increased that amount to $1 billion. Senate amendment No. 4 decreased that $1 billion figure to $800 million. The House recedes with an amendment decreasing the $1 billion figure to $900 million.

Amendments Nos. 5 and 7: Senate amendment No. 5 struck out the subsection being added to section 6 of the Federal Water Pollution Control Act by the House bill which would make projects for which grants are made under that section subject to the act known as the Davis-Bacon Act. Senate amendment No. 7 proposed to add to the Federal Water Pollution Control Act the identical amendment stricken by Senate amendment No. 5. The Senate recedes from amendments Nos. 5 and 7. This results in the House bill remaining unchanged in this respect.

Amendment No. 6: The House bill contained a section 2 requiring that a written report be submitted to Congress on activities and future plans of the Federal water pollution control program. Senate amendment No. 6 struck out this section. The House recedes.

That is all there is to it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LAUSCHE. Mr. President, when H.R. 3610 was before this body last year, I voted against it because I was of the opinion that the States and local governments are in a better financial position to finance such projects than the Federal Government. Moreover, I believed the President was right when he asked Congress to cut the payments to $20 million, and to turn the entire program back to the States in fiscal 1961.

For every dollar Ohio would receive under this bill, it would be paying to the Federal Government approximately a dollar and a half. According to the tabulation of what the individual States would receive under H.R. 3610, as printed on page 2338 of the CONGRESSIONAL RECORD of February 9, 1960, Ohio would be the recipient of $2,996,820, but in order to receive this sum, Ohio would pay to the Federal Government in Federal taxes $4,495,230. Actually, Ohio would pay into this program $1,498,410 more than it could possibly receive from the Federal Government.

Mr. President, I cannot help considering the fact that in every issue of the daily paper there appear articles pointing to the need for defense of our country. In one column we read the argument about the need for B–70 bombers. In another we read the argument for the need for submarines equipped with nuclear propulsion and missile-firing capability. In still another column we read about the weakness of our country as compared with the Soviet Union in relation to intercontinental ballistic missiles. Highlighted in newspaper articles is the alleged inadequacy of our national defense. As far as I am concerned I believe that the maintenance of an adequate military defense is our No. 1 responsibility. There is nothing of greater consequence to the people of our country. I believe that we should not be spending money in the direction of desirable projects which are not indispensable at this time.

I cannot help considering that in 24 out of the last 29 years, the Federal Government has operated on a deficit basis. Primarily for that reason, we have debased the purchasing power of the dollar from a level of 100 cents in 1941 to a new level of 47 cents in 1959. Presently the Federal Government is finding great difficulty in selling Federal bonds to the American investor and others. The gold reserves have flowed out of our country in the sum of approximately $4½ billion in the last decade.

I cannot feel at ease when I recognize that during the period of what was supposed to be unprecedented prosperity, since World War II instead of the Federal Government reducing its debt, it has increased it. Good husbandry would have required the reduction of our obligations so that we would have developed some reserves on which to draw in the case of a real emergency.

Mr. President, unfortunately, many of the citizens back home do not realize how frequently and constantly the Federal Government is being called upon to undertake the rendition of services that historically and traditionally have been performed by the States and local governments. The main reason local proponents frequently seek assistance from the Federal Government is because they have experienced difficulty in inducing legislative bodies to speedily proceed with the desired projects, and to accept their proposals.

The Federal Government has become a cumbersome giant. The bigness of its operation inescapably leads to the inefficient use of the taxpayers' money. When government is close to the eyes and ears of the people, as it is at home, you can expect far greater efficiency than when it is managed distantly removed from the citizenry.

Mr. President, for these reasons, I oppose the acceptance of the report of the conference committee on H.R. 3610. I will vote against it.

Mr. LONG of Louisiana. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. LONG of Louisiana. Would it not be true, so far as most States are concerned, that if they feel more money is necessary for education, they are certainly capable of raising the money for that purpose by having their citizens pay more taxes to the State government than to the Federal Government?

Mr. LAUSCHE. I agree with what the Senator from Louisiana has said, but I believe the problem is even graver than that. When the money is paid to the Federal Government and is administered by the Federal Government from Washington, and then some of it is sent back home, the States will get still less than they would have got if their citizens had paid their taxes back home directly to the State.

LEASING OF PORTION OF FORT CROWDER, MO.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

DENIAL OF THE RIGHT TO VOTE

Mr. DODD. Mr. President, this day, February 15, 1960, is a day that will be remembered, for it marks the opening of a crucial deliberation which will determine whether Congress shall reform through its action, or ratify through its inaction, the unconstitutional system which circumstance, fear, ignorance, and prejudice have erected in several States to deprive the Negro of basic, inalienable rights.

As we, representing the Nation, judge this issue so we ourselves and our country shall be judged—by our consciences, by our people, by the world, and by history.

At stake is the integrity of the Federal Constitution and our devotion to the ideals which it embodies.

At stake is our willingness to practice what we preach and, thus, our fitness to lead the cause of freedom in the world.

The issue now being joined cannot be resolved without either great injury or great good to our country.

The field of civil rights is broad and the denial of these rights is widespread, North and South, East and West. But one issue, above all others, strips the civil rights question down to its barest fundamental—the issue of voting rights.

The right to vote is our fundamental political right. It is the keystone of our freedom. It alone enables us to consummate our other political rights. It alone protects those rights from usurpation.

The right to vote is the guarantor of equal opportunity, of equal treatment before law, of equal participation in the privileges and advantages of American life.

It is the right to vote which, at the root, differentiates our existence from that of feudal serfs or Communist slaves.

Our personal lives are shaped by the free choices we make each day. These freedoms are so much a part of us that we would not be complete men and women without them. And the history of the past and the present shows us that without the right to vote, this precious fabric of free choice could be unraveled overnight.

Freedom and the right to vote are indivisible.

I believe most Americans would accept what I have said thus far. My words may even seem platitudinous and unnecessary. The sacredness of the voting right is in theory so noncontroversial that few could be found to dispute it publicly.

Yet, in reality, the right to vote is not universally accepted in America. On the contrary, this is perhaps the most controversial and divisive domestic issue of our time.

There is in operation a vast conspiracy, operating in a dozen ways to deny effectively the voting right to millions of our citizens.

This conspiracy has many faces. It works in part through the law, in part through abuse of the law, in part through defiance of the law. It operates through the subtleties of economic and social reprisal, and through the crudities of physical violence. It moves through the web of false tradition, induced apathy, and cultivated ignorance.

The many elements of this conspiracy have combined to produce a result so totally un-American that prompt and decisive Federal action is a necessity if we are to restore the full stature of our free institutions and redeem the soiled honor of the Nation.

In 1957, Congress responded to the insistent demand of the people by passing the first civil rights law since reconstruction days, having as its declared objective the protection of the voting right of every qualified citizen. But the test of time has revealed fundamental weaknesses which we seek to remedy this year.

One of the fruits of the Civil Rights Act was the creation of the U.S. Civil Rights Commission, which has made a serious and responsible investigation into the denial of voting rights, and issued a report which is a milestone in the struggle for civil liberties.

This report was not exhaustive. It could not be because of the failure of many States to keep registration figures, because of the many deliberate roadblocks placed in the path of the Commission, and because of the great size of the problem and the small size of the Commission. But the Commission report is adequate to spell out the general scope and pattern of the denial of voting rights. Here are some of the facts that emerged from this partial study, based on the most recent census and State registration figures:

In three counties of Florida with 3,000 Negroes of voting age there are no Negro voters.

In six counties of Georgia with 3,000 Negroes of voting age there are no Negro voters.

In four parishes of Louisiana with an adult Negro population of 20,000 there are no Negro voters.

In two counties of Alabama with an adult Negro population of 15,000 there are no Negro voters.

In 14 Mississippi counties with 52,000 adult Negroes there are no Negro voters.

In Haywood County, Tenn., no Negro has been permitted to vote for 50 years despite the fact that Negroes own more land and pay more taxes than white persons in that county.

In Gadsden County, Fla., only 7 out of 11,000 adult Negroes were registered in 1958.

In 46 of the 64 parishes of Louisiana, the number of registered Negroes has actually declined since 1956, in some cases by dramatic proportions. In Red River County, the number has dropped from 1,360 to 16; in St. Landry County from 13,060 to 7,821; in Webster County from 1,776 to 83.

In most of the 158 counties in 11 Southern States having a population 50 percent or more Negro, less than 5 percent of the Negroes are registered and voters.

I hope that no one will dispute these facts since they are given to us by competent authority and are easily verified.

How, then, do those who defend the status quo explain the fact that in wide areas of the South, containing large numbers of Negroes, there are no Negro voters?

Three conflicting explanations have been made.

It has been argued that the Negro race is inferior; that the Negro is intrinsically incapable of self-government and cannot meet reasonable qualifications for voting.

It has been argued that the Negro may be potentially capable, but in certain areas he is as yet too backward to satisfy voting qualifications.

It has been argued that whatever may be the state of his qualifications, the Negro is simply not interested in self-government; he is contented with his lot and does not seek to vote.

Those of us who reject these explanations add a fourth:

The Negroes are as capable, as qualified and as anxious to participate in self-government as any other group of Americans; they are being barred from the polls by unconstitutional discrimination.

I would like briefly to examine these arguments.

The charge that the Negro is inferior is inherently so proposterous that it reflects not upon the Negro, but upon those who make the charge. I mention it only because it has been seriously put forward by some, including Mr. William Shaw, counsel for the Joint Legislative Committee of the Louisiana Legislature, who has said that it was not the Negro's education but his native intelligence that was deficient.

To the religious man who believes that men and women of all races are created in the image of God and are destined for eternal life, this charge is an attack upon human dignity which is repugnant and, in my judgment, even sacrilegious.

To the scientist who has made exhaustive measurements of the capacities of the several races, this explanation is irrational.

To the historian, who has studied the course and the contribution of races and civilizations, it is absurd.

To the sociologist, whose records show that where there has been equal opportunity there has been equal achievement, it is ludicrous.

To the statesman, here and abroad, who has seen effective participation in self-government by men of all races, it is untenable.

The equality of all races in native mental endowment is beyond rational dispute. If ordinary men of one race are incapable of self-government, so too are ordinary men of all races.

Our Government was founded upon the proposition that men are capable of self-rule. The whole voting rights issue before us resolves down to a question of whether we will reaffirm that fundamental proposition or ignore it.

What of the second explanation—the assertion that almost all Negroes in large areas of the country are as yet too backward to qualify as voters? This is a strange argument to be made by those who vehemently maintain, that the segregated school system of the South is separate but equal.

Those who contend that Negro schools are equal to white schools cannot logically contend that the graduates of those schools and the teachers in those schools are unable to meet voting qualifications that white citizens easily pass.

Those who say that almost all Negroes in many areas are too ignorant to vote are really saying that the public institutions of those areas have failed in so striking a manner that Federal intervention in fields far broader than voting rights is justified.

The argument that almost all Negroes in scores of counties are simply not interested in voting also strikes at the heart of democracy.

If it is true that any group of men and women, living in a free nation, are unconcerned with self-government and totally uninterested in freedom, then it must also be said that there is no fundamental human desire for freedom and self-government, originating in God-given rights and endowments. But to believe this, we must write off the history of our own country and close our eyes to the great world revolution going on around us.

Those who honestly use this explanation to account for no Negro voters in dozens of counties where Negroes are in the majority are saying, really, that the institutions prevailing in these counties have so completely deadened the basic urge for self-government that the most numerous element of their society has no interest in it. This cannot be true, for it would represent a dread accomplishment that neither the Persian, the Roman, the Ottoman, the Nazi, nor the Communist has been able to achieve. My friends of the South may unthinkingly accept this savage indictment of their own institutions if they wish, but I

cannot. These arguments cannot stand the test of logic; and only the existence of unconstitutional discrimination in the field of voting rights remains to explain the statistics I have cited.

But we need not rely on the process of logical elimination. The Civil Rights Commission report has spelled out, in concrete terms that leave no room for doubt, the reasons for these figures.

Almost all of the 300 Negro schoolteachers in Gadsden County, Fla., are unregistered because, among other things, they fear losing their jobs. A few years ago some Negroes started a campaign to register voters there. They were beginning to show some modest success, when the leaders of the registration attempt were subjected to intimidation. One of these leaders was fired from a good job, and allegedly was threatened with physical violence. All of the leaders soon left the county. The registration figures dropped from 140 to 7, in a county with 11,000 adult Negroes.

The registration procedures in Bolivar County, Miss., help to explain why Negroes, who compose 45 percent of that State's population, account for less than 2 percent of the State's voters.

Negro applicants are required to write a section of the constitution of Mississippi and then to give a reasonable interpretation of the section they have written. Invariably, their interpretations are considered unreasonable and they are rejected.

One of those refused in Charleston, Miss., was a public school principal. After attempting to register, he was discharged from his post, and has since turned to farming.

Testimony before the Civil Rights Commission alleged that Negroes who register in Fayette County, Tenn., are soon discharged from their jobs and ordered out of their rented homes. There was testimony that they are arrested by the police, and that severe fines are imposed upon them for minor charges. They are unable to get credit. Their wages are garnisheed. Their applications for GI loans are turned down by local lenders.

There was testimony by some that they were frightened away from the polls, when approached by deputy sheriffs. Another was warned by his banker that there would be reprisal if he attempted to vote. Another, in the trucking business, was threatened with the loss of his customers and the arrest of his drivers.

In Macon County, Ala., William P. Mitchell, chairman of the Tuskegee Civic Association, was required to make three visits to the board of registrars, two appearances before a Federal trial court, two appeals to the Fifth Circuit Court, and one petition to the Supreme Court of the United States, before being admitted as a registered voter. The simple task of becoming a voter took this unquestionably qualified man 3 years to accomplish.

In the same county, Negroes have brought numerous court actions to become registered. After one such suit, in 1946, the board of registrars resigned, and ceased to function for 18 months. Then a new board was formed; but its existence and location were concealed from Negro applicants for about 4 months. On the date when the location of the new board became publicly known, 18 Negroes applied for registration. No action was taken on these applications, and the board again ceased to function publicly for 8 months. And, again, in 1956 it began a 16-month period of inoperation.

I shall not detain the Senate with a detailed account of the long and cumbersome procedure which each Negro applicant faces in Macon County, nor of the complicated voucher system requiring that each new voter be vouched for by another registered voter. Suffice it to say that even if the board were functioning continuously, it would take 203 years under current regulations to register all of the county's unregistered Negroes.

In Bullock County, Ala., it normally takes 3 hours for Negroes to fill out application forms, and they must wait for several hours before they are allowed to start filling out these forms.

In the past, some applicants have perservered in their registration attempts long enough to be formally rejected. This gives them an opportunity to take their cases to the Federal court. In cases where rejected voters have successfully applied to the Federal court, the board has ceased to operate for as long as a year and a half. When it starts functioning again, Negroes who have brought these unsuccessful court actions are still unregistered, and must start again the long and fruitless procedure.

In Wilcox County, Ala., a witness testified as follows:

> Over the past 5 years, we've had over 800 Negroes to go to the board of registrars to get registered * * * I know some who have applied 30 times and, to my best knowledge, we haven't had over 2 Negroes to qualify and receive their certificate of registration.

In Lowndes County, Ala., Negro retail merchants were refused service and deliveries by white wholesalers for attempting to register. This county has a population of 15,000 Negroes, without a single registered Negro voter.

The Civil Rights Commission lists the following reasons why no Negro has even attempted to register in Lowndes County for several years: fear of physical harm, fear of economic pressure, threats to call loans, failure to grant loans, and fear of loss of jobs—especially among schoolteachers.

In Bessemer, Ala., a Negro union leader named Asbury Howard, Sr., employed a white sign painter to make a sign urging Negroes to register and vote. Before the sign had left the shop, the police chief of Bessemer arrested Mr. Howard and the sign painter, and charged them with publication of libelous and obscene material. The sign painter pleaded guilty and Howard was found guilty. Both were sentenced to 6 months in jail and required to pay a fine of $100. Upon leaving the courtroom, Mr. Howard was assaulted by a group of between 40 and 50 white men carrying knives and blackjacks. This in the United States of America. He was badly beaten and taken to Bessemer General Hospital where his head cuts were closed with 10 stitches. His son, who attempted to defend him, was also beaten by the mob and was later charged with disorderly conduct and with resisting arrest. He was jailed and later released on $600 bond.

This is the story of democracy in several American counties.

The Civil Rights Act of 1957 and the subsequent investigation by the Commission posed for various State governments and for the Federal Government the necessity of making a basic decision.

If the States decided to respond in a manner sympathetic to the goals of the Civil Rights Act and of the clear intent of the U.S. Constitution, Congress could conceivably rest in the hope that the legislation of 1957 would prove adequate.

If the States resisted its mild correctives, strong and uncompromising Federal action would be necessary to preserve the integrity of our Constitution and to satisfy the just demands of our people.

What, then, was the reaction of the few State governments that were directly involved in the investigation of the Civil Rights Commission?

When the Commission attempted to get voting information in Macon County, Ala., then Attorney General Patterson, now Governor Patterson of that State, ordered that the records should not be made available to the Commission.

When the Commission sought to investigate complaints from Barbour County, Ala., Circuit Court Judge Wallace ordered the registration records impounded and made threats to jail Federal officials who came into his county seeking these records.

When the U.S. Department of Justice filed action in the U.S. district court to force registration of qualified Negroes in Macon County, the surviving members of the Macon County Board of Registrars resigned and the court dismissed the suit for lack of a "party defendant."

When the Commission succeeded in uncovering some of the facts, the Alabama Legislature passed, by unanimous vote in both houses, legislation permitting registrars to destroy within 30 days the applications and questionnaires of rejected applicants, thereby destroying the possibility of adequate investigations in the future.

When the Civil Rights Act of 1957 began to be operative, the joint legislative committee of the Louisiana Legislature initiated a campaign with the publicly announced goal of reducing Negro registration from 130,000 to 13,000.

When the Civil Rights Commission carried its investigation to Louisiana, it was prohibited by an interpretation of State law from examining the voting records in Caddo and Webster Parishes.

When the Commission sent a detailed questionnaire to registrars of the 19 Louisiana parishes involved in alleged voting discrimination, the Attorney General announced that no purpose would be served by the registrars answering the questionnaire.

When the Civil Rights Commission received complaints from unregistered voters in Claiborne Parish, the State of Louisiana, through its attorney general and through the counsel for the joint legislative committee of the Louisiana Legislature, demanded that the Commission disclose the names of the complainants in order that they might be presented to a grand jury on a charge of perjury.

When, in 1956 and 1957, the Department of Justice sought indictments concerning the purging of 1,400 qualified voters in 3 Louisiana parishes, the grand jury not only failed to return indictments, but also "chose not to hear the complete evidence respecting similar purging of approximately 4,700 qualified Negro voters in 3 additional parishes."

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. DODD. I should like to complete my statement. Then I will stay as long as any Senator desires to ask me questions.

The Civil Rights Commission report summarizes the plight of the Federal Government in the following sentence:

> Against the prejudice of registrars and jurors, the U.S. Government appears under present laws to be helpless to make good the guarantees of the U.S. Constitution.

The facts which I have cited reveal a yawning gulf between the declared principles of America and its everyday practices, a gulf so wide that it can be effectively bridged only by comprehensive Federal action.

Knowing that this situation exists, unable to ignore it, feeling the injustice of it, surely we will act now to blot it out.

Our national failure to act rightly in this matter has been a crucial moral failure, a failure whose vitiating effect spreads its poison through all the channels of our society.

It deadens our sense of decency and justice.

It mocks our traditional concepts of fairplay.

It repudiates our basic faith in the democratic system.

It retards our economic, scientific, and cultural growth as it retards the development and restricts the opportunities of millions of our people.

It undermines the moral stature of our Nation in international affairs and exposes us to the ridicule of friend and foe throughout the world.

And it stands as a personal affront to every man and woman who truly believes in the American tradition of freedom and in our Nation's historic mission to perfect that freedom and extend it throughout the earth.

What can the Federal Government constitutionally do to bring these abuses to an end?

It can do whatever it wills to do, for the Constitution gives it absolute control over the manner of conducting Federal elections and complete authority to prevent discrimination in the field of voting in any election because of race or color.

These sweeping grants of power are contained in section IV, article 1 of the Constitution which reads as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators.

And by the 15th amendment which declares:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

These constitutional provisions and the interpretation placed upon them by the Supreme Court in the Siebold decision make Federal supremacy in this field clear and indisputable.

The Federal Government can, if it chooses, take over the entire election machinery for Federal elections; or it can leave it in the hands of the States; or it can devise a combination of both Federal and State control.

The Federal Government can, if it chooses, man all the polling places in the country with Federal officials; or it can permit the job to be done by State and local officials; or it can impose minute regulations upon State and local officials which take precedence over State and local laws; or it can operate through both Federal and State officials and under the laws of both.

The Federal Government can, if it chooses, prepare and maintain all election records for Federal elections, from registration of voters to the counting and maintenance of ballots; or it can allow the States to perform this function; or it can require State and local governments to keep such records in such manner as it may dictate.

The power of this Congress, therefore, to work its will on the Federal election process is limited only by its consideration of what is necessary and what is prudent.

We can by refusing to act, or by acting in a meaningless manner, allow the Civil Rights Act of 1957 and the constitutional guarantees of voting rights to remain empty shells, symbols of futility.

We can stage a sham battle here for a few weeks and then under the pressure of urgent matters decide that we do not have time in this election year to persevere until the inevitable delaying action has been overcome.

Or we can ride out the delays and enact legislation which will enforce complete and ironclad Federal protection of the right to vote and set up the machinery to do the job.

Two things must be done if we are to paint out the ugly picture of racial discrimination and second-class citizenship in the area of voting rights.

First, we must strengthen the machinery for exposing and publicizing the extent of voting right abuses.

Second, we must provide the disenfranchised Negro citizens a means of bypassing the labyrinthine maze of State and local barriers by providing a swift and sure method of Federal registration and voting protection.

The Federal Civil Rights Act of 1960 should therefore include the following provisions:

It should require that registration and voting records be kept in all voting districts.

It should prohibit State or local governments from concealing or from destroying such records.

It should require that these records must be preserved in every voting district for a period of 5 years, during which they shall be available for public inspection.

It should impose upon individual members of registration boards, as it imposed upon union officials in last year's labor reform legislation, positive and affirmative responsibilities which not only forbid them to act improperly but require that they carry out their responsibilities and carry them out properly.

It should provide for a program of Federal registrars empowered to register all voters who meet State qualifications and it should establish procedures so simple and machinery so ample as to achieve, within a period of 2 years, the goal of registering every qualified citizen who seeks registration.

I think we can rightly view the history of our country as a definitive test of the value and the possibilities of self-government.

No other nation has had so fair an opportunity as ours, nor is it likely that any will have in the future.

No other nation was so endowed by divine providence with the blessings of leadership, of resources, of safety, and of good fortune.

Future historians will say that America had a fair chance to make self-government a reality for all its people. If we fail, is it likely that so promising an opportunity for freedom will again be offered?

Stretching back across the years to the beginnings of our country, we see the long line of those who have made their priceless contribution to the expansion of freedom, those who have fought for the extension of self-government, those who have sought to lift the horizons of man's possibilities.

Washington stood in that line, and Madison and Jefferson.

Jackson and Lincoln and La Follette and Roosevelt and Wilson—all in their turn—led the struggle to build upon the foundations of the Founding Fathers by extending the voting franchise and by improving the machinery of free government.

For each of these prophets of freedom, there were thousands of little known figures who stood with them and who made it possible for them to succeed.

All these our people honor and by their tribute they unconsciously reveal the animating spirit of American life.

Our system of self-government is as yet unperfected. Perhaps it shall ever remain so. But let us hope that the

search after this perfection shall always continue.

Circumstance has placed before the men and women of this Congress an opportunity to play their part in this quest. Our turn has come.

We can accept that opportunity or reject it. We can stand in that long line or we can stand in its way. The decision is now in our hands.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I compliment the Senator from Connecticut for his wonderful talk on the Constitution and Americanism.

Judging from the Senator's talk, I am convinced he knows about America, and I desire to ask him a question. Is there anything in the Constitution which says that one has to belong to any particular race, be of any particular national origin, or even belong to any particular faith, in order to be an American?

Mr. DODD. I know this is a purely rhetorical question. Of course there is nothing of that kind in our Constitution.

Mr. CHAVEZ. The Senator is correct.

I happen to be a follower of Isabella and Ferdinand. I do not have any Anglo-Saxon stock in me, or anything Nordic, but I am not making any apology for being an American.

Will the Senator answer this question: Why should not every person born of woman in this country be entitled to the protection of the Constitution?

Mr. DODD. My answer is again, I am sure, an answer to a rhetorical question. Of course every person is entitled to the protection of the Constitution, without regard to race, national, origin, economic status, or social standing. This is one of the great things about our Government. All men stand equal under the Constitution, under the law and before the law.

Mr. CHAVEZ. I have only one more question.

If a Negro is good enough to be killed in Australia, to be killed in Japan, to be killed in Germany, or to be killed in Italy or North Africa, why should he not be entitled to vote in the United States of America for the President of the United States?

Mr. DODD. There is not any reason, under God's sun. To deprive him of that right, in my judgment, is one of the great crimes of our times.

Mr. CHAVEZ. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. DODD. I am happy to yield.

Mr. LONG of Louisiana. The Senator made reference to the State of Louisiana, which I have the opportunity to represent in part. The Senator referred to an effort to purge Negro voters, with an objective of reducing the number from 130,000 to 13,000.

Mr. DODD. Yes.

Mr. LONG of Louisiana. Does the Senator know what success that effort was able to achieve?

Mr. DODD. I quoted from a report. I think the Senator refers to that part of what I had to say which dealt with the fact that in 46 of the 64 parishes of Louisiana, the number of registered voters who were Negroes actually declined since 1956. I do not think the Senator wishes me to read the report further.

Mr. LONG of Louisiana. The Senator said further in his speech that after the passage of the civil rights bill, an effort was made to purge the number of Negro registrants from 130,000 down to 13,000.

Does the Senator know what success that drive had?

Mr. DODD. No. I do not believe the report states what success it had.

Mr. LONG of Louisiana. Would the Senator be surprised to know that there are now more Negroes registered in the State than there were at the time that drive was undertaken?

Mr. DODD. I am glad to hear it. But the significant thing is that any such effort should be announced by people with any responsibility at all for government. The fact that it did not succeed is, of course, something we should be pleased about, but the more frightening fact is that any responsible person should suggest that it should succeed.

Mr. LONG of Louisiana. Would it surprise the Senator to know that that effort to reduce the number of Negro voters failed, not because of a Federal law, but because it did not have the support of the local whites?

Mr. DODD. I do not know that that is so, but I do not dispute the Senator's statement. My facts come from the report of the Commission. I have relied entirely on that report. I take it that this is a responsible commission of the U.S. Government, and I must believe that its statements of fact are accurate.

Mr. LONG of Louisiana. The Senator made the statement that the number of Negro voters in 46 Louisiana parishes has actually declined. Would the Senator be surprised to know that his statement is no longer timely? There are now more colored voters registered in the State than there were at the time to which the Senator refers.

Mr. DODD. The question is, Would I be surprised?

Mr. LONG of Louisiana. Yes.

Mr. DODD. Yes; I am surprised, and happily so.

Mr. LONG of Louisiana. It is my impression—and I will undertake to obtain the latest figures—that there are more colored voters in Louisiana now than there were at any previous period. One reason that situation exists is that when there is an election for Governor, or for important State positions, there is a tendency of the people to come out and register.

Does the Senator take the view that a State is not permitted to require that a person have at least a certain degree of intelligence, or that he be able to read and write in order to qualify as a voter?

Mr. DODD. I believe the Senator poses two questions. First of all, in answer to the first question, as I understand it, what I said was that in 46 out of 64 Louisiana parishes the number of Negro registered voters has actually declined since 1956. It may be that in some parts of that State the number has increased, but I cannot get away from the fact that in Red River Parish the number dropped from 1,360 to 16; in St. Landry Parish, from 13,060 to 7,821; and in Webster Parish from 1,776 to 83.

As reported by the Commission, these seem to me to be very significant facts, which is the reason why I cited them. I cannot dispute what the Senator tells me about a change since the Commission report was issued.

In answer to the Senator's second question, of course I believe the State should have reasonable qualifications, including literacy tests. There must be some measurement to determine whether or not a person is entitled, by qualification, to vote. I have never suggested that there should be no qualifications. However, I think it is going pretty far to require a man or woman in the State of Mississippi to write out a section of the Constitution and give his or her interpretation of it. I know many lawyers who might have a real task doing that. To require some individual, particularly a colored man or woman in Mississippi, who may be in every other respect literate and well informed, to write out a section of the Constitution first and then give an interpretation, seems to me completely unreasonable. It is an abuse of the right to test for qualifications.

Mr. LONG of Louisiana. The Senator does realize that there are often two edges to a cutting blade.

Mr. DODD. Yes.

Mr. LONG of Louisiana. One problem which has existed in a number of States—and Louisiana is no exception—is that in years gone by political machines, or some of the older established political organizations, had on the rolls names of people who did not even exist. In order to try to meet that sort of thing, it was permitted by law, if one thought that any person did not exist, or that he was improperly registered, that that person could challenge the right of the individual in question to vote.

The challenged person would then be mailed a notice to the effect that his qualifications had been challenged. The usual thing was that when the challenge was made it would be found that the person had been buried, and was no longer living, and that someone was holding a registration receipt and voting for the person who was deceased. Sometimes the outcome of the election would depend upon the ability of one side trying to oust the incumbent machine to prove that many people were not properly registered, and that a great number of registration receipts existed in the names of persons who had long since passed to their reward.

Laws of that sort are proper laws. They should be enforced. When a person has registered without giving a

proper address, or if he has registered without filling out his registration receipt in the normal fashion, it is subject to challenge.

In the recent elections in Louisiana a great number of persons had been registered for the first time. They had never been challenged by anyone on any previous occasion. The fact that a great number of them were not restored to the rolls is in some cases regrettable, but in a great number of cases it developed that the person involved could not have qualified in the first place if his qualifications had been questioned.

When the Senator cites figures about Louisiana problems, I hope he will attempt to obtain subsequent data, which, in many instances, show that when some of those abuses occurred, there was an explanation, or, if there was no reasonable basis for a challenge in the first instance, the persons involved were later restored to the rolls. Recently those who were challenged in Washington Parish were restored to the rolls on the theory that there had been discrimination in challenging those registrations.

Does the Senator know how many colored voters were registered in Louisiana 12 years ago?

Mr. DODD. No; I do not have those statistics.

Mr. LONG of Louisiana. At that time there were fewer than 10,000. Today there are approximately 140,000, according to the latest figures, which certainly shows a great increase. The number of colored voters, compared with the number of white voters, if we relate the figures to their proportions, shows that the colored voters have now achieved 50 percent of their numbers compared to their percentage of the population. They are well on their way toward achieving 100 percent of parity.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. DODD. I wish to make response to the Senator from Louisiana, if I may.

Let me say to the Senator from Louisiana—and I am very glad to have the opportunity to do so—that I do not single out Louisiana for any other reason than that a very large portion of the Commission's investigation was concerned with that State. I know the Senator from Louisiana. I have had an opportunity to observe his fine qualities and his enlightened leadership. I believe he is a fair and just man. I believe that if we had more leadership such as he exhibits, we could make the progress we should make in many fields. It is an unhappy task to recite these facts, but conscience requires that certain things be said publicly in the Senate. This report was issued some 5 months ago. I have asked a number of my friends and neighbors, "Have you read this report?" I have yet to meet a man where I come from who has read it or has any familiarity with it. So I think it is important that we talk about these things.

The Senator from Louisiana tells us that the situation is improving. This is very good news, but there is so much room for improvement that I wonder if the Senator would not agree with me that we need to do more, and need to do it in this Congress, and do it this year.

Mr. LONG of Louisiana. If I may refer to one point the Senator has raised, he said that in Louisiana, when the Commission went there, there was an effort to file perjury charges against certain persons who made allegations to the Commission.

Mr. DODD. Yes.

Mr. LONG of Louisiana. My understanding was that the attorney general of Louisiana took the Commission to court, on the basis that the Commission was undertaking to hear charges against persons without giving such persons the right to confront their accusers and to know why they were being accused; also without giving them the right to cross-examine adverse witnesses.

That issue is before the Supreme Court now. It is the same issue that has tried the conscience of the Senate in recent years. It is the question of a person's right to protect his reputation and his honor when he is damaged by the testimony of a witness without any opportunity to cross-examine the witness, and the use of adverse testimony without giving the person accused an opportunity to cross-examine and to confront his accuser.

That issue is before the Supreme Court. I would not be surprised if the Supreme Court were to hold that if testimony is taken which puts someone in a bad light, and recommendations for various and sundry actions against him are made for action against him by either the Attorney General or a law-enforcement agency, or by additional acts of Congress, the person who is the subject of all that adverse testimony should have the opportunity to confront his accuser or at least to examine the evidence.

I submit to the Senator from Connecticut that he will find a great many things in the report of the Civil Rights Commission which would not be in that report if the Commission itself had followed the procedure of permitting those against whom charges were being leveled to know what they were being accused of and given the opportunity to defend themselves and the opportunity to cross-examine the testimony.

Mr. DODD. All I can say on that point is that all the members of the Commission signed the report, and not one of them said the facts cited in the report were false. There were representatives of that part of the country we call the South who were on that Commission, and none of them has said that there are any falsified facts in the report. It is on that report that I base my statements.

Mr. LONG of Louisiana. With all deference to the Senator—and I know of his sincerity—he said that after the Commission went to Louisiana it found an effort was made to reduce the number of registered Negroes from 130,000 to 13,000. That would have been a very drastic cut indeed. The Commission put that in its report, and that would leave the Senator from Connecticut with the impression and, in turn, would cause the Senate to believe that a vast purge had resulted in a tremendous reduction of registered voters, when in fact that was not the case.

I submit that there are undoubtedly a great many other allegations similar to that in the report, resulting in a person being left with an impression which is contrary to the actual facts.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. KEATING. Mr. President, I wish to commend the distinguished Senator from Connecticut for his extremely able analysis of what we ought to do, at least in part, in the civil rights field at this session. I wish particularly to emphasize the importance of his statement that we must not stage a sham battle or say, because of other urgent matters, we must pass something that will go under the name of civil rights legislation, which will have that name hitched to it, and then make believe that we have done a good job, and go home and pat ourselves on the back.

I know the excellent work which the distinguished Senator from Connecticut has performed in the Committee on the Judiciary, and the efforts he has made to assist us in bringing out a meaningful measure relating to civil rights.

Knowing him as I do, I feel sure that he would agree with me that those of us who favor strengthening civil rights laws must try to stand together in this debate and endeavor to get together on legislation which will be effective and meaningful, and not be separated by incidental or detailed differences.

Mr. DODD. I agree with the Senator that I do so feel. I am grateful to him for his gracious remarks.

Mr. KEATING. In the specific and very well organized suggestions which the Senator has made with respect to the material which should be contained in a civil rights act, so far as the protection of voting rights is concerned, the Senator referred to a program for Federal registrars, with power to register all voters who meet State qualifications.

Mr. DODD. Yes.

Mr. KEATING. There are two differing viewpoints advanced in that regard. One is the Federal registrar plan, and the other is a plan for voting referees appointed by the court. As between the two plans, if we had a choice, I feel that the voting referee plan is preferable, because it gives protection up to the voting booth, including the voting and the counting of the vote. However, it seems to me that it is entirely possible to provide for a merger of those two plans into one, and to that end I made a proposal in the Committee on Rules and Administration which would permit a person who had been deprived of the right to vote something in the nature of an option to proceed either way. I take it that the Senator, in advancing the Federal registrar proposal did not mean to say that he was necessarily wedded solely to that, as opposed to the voting referee plan.

Mr. DODD. No; the Senator understood me correctly. I am not necessarily wedded to that plan. It seems to me that the registrar system would be better and more workable, less likely to detain the court, and more efficient. However, I do not have a closed mind on the matter. I hope that someone will suggest an even better plan than either the registrar or referee plan. I know the Senator's great interest in the subject and the great contribution he has made toward the solution of the problem.

Mr. KEATING. I appreciate the remarks of the Senator. I introduced the specific proposal in the hearings before the Rules Committee. I believe the record is now available. I would appreciate it, because of the high regard which the Senator knows I have for his sincerity and ability, if he would study that proposal and see whether he feels that it does furnish an answer to the problem.

We must avoid at all costs having the diehard Federal registrar people and the diehard Federal referee people stand pat and not willing to give a little in order to get a proposal which will be effective and meaningful and which will command a majority of the votes in the Senate.

Mr. DODD. I agree with the Senator. I think he is exactly right. I hope that will not happen.

Mr. MORSE. Mr. President, before I ask permission to yield to the Senator from Michigan [Mr. HART] without losing my right to the floor, to permit him to make a brief statement, I wish to commend the Senator from Connecticut [Mr. DODD] for the very able speech he has just made on the issue of civil rights.

I shall have more to say on that subject later this afternoon. However, I wish to associate myself with the speech of the Senator from Connecticut, because he put his finger on one of the issues we debated in 1957. There were those of us who took the position in 1957 that the civil rights bill of 1957 did not come to grips with this matter of voting privileges and voting rights. The CONGRESSIONAL RECORD will show that the Senator from Oregon in the debate said that in his opinion the bill that we were being asked to vote for in 1957 would not enable even one Negro citizen who then was not voting, to vote under the provisions of that bill.

When the Civil Rights Commission made its report last year, it verified what the Senator from Oregon had said in that debate. A study of the Civil Rights Commission report shows that the 1957 act had not brought the voting right to even one Negro person in the country.

The reason that I was the only northern Democrat who voted against the civil rights bill in 1957 was that in my opinion it was not effective and did not have in it any effective provision to come to grips with the civil rights problem that confronts the country. I shall always be proud that I voted against that bill, because in my judgment we should not pass a bill which is as weak as the civil rights bill of 1957.

Now we must come to grips with this problem once again. I am glad to join with the Senator from Connecticut [Mr. DODD] in a shoulder-to-shoulder fight to try to bring voting privileges to the colored people of the country. That ought to be done in accordance with orderly procedure in the Senate.

Mr. President, I have asked to have the senior Senator from New York [Mr. JAVITS] called to the floor of the Senate, because I wish to reply to some comments he made a few minutes ago concerning the procedure which may be followed under the so-called notice of the majority leader that this matter would be called up on February 15. I shall discuss that subject at some length later this afternoon, because, so far as I am concerned, I shall make the record here this afternoon as to the procedure I think ought to be followed, in fairness to the Negroes of this country, in getting some proposed civil rights legislation before the Senate.

Mr. DODD. Mr. President, I wish to thank the Senator from Oregon for his very kind and gracious remarks. I am very happy to have his approval of my statement.

Mr. MORSE. Mr. President, I ask unanimous consent that I may yield to the Senator from Michigan [Mr. HART], who desires to speak upon another matter, with the understanding that by yielding to him I do not lose my right to the floor.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield without losing my right to the floor.

Mr. MANSFIELD. Mr. President, may I ask, as a point of information, who has the floor?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MANSFIELD. Mr. President, may I ask the Senator from Oregon whether he would be agreeable, if we can get the minority leader and the Senator from Vermont [Mr. AIKEN] to come to the floor, to allowing them to proceed very briefly with the conference report on the water pollution bill, so that it may be disposed of?

The Senator from New Mexico [Mr. CHAVEZ], who is the chairman of the Committee on Public Works, has been waiting patiently for a long time to take up this matter.

Mr. MORSE. I think the Democratic whip knows that this is a position in which the Senator from Oregon finds himself with great frequency in the Senate. I have always cooperated in these matters. Although I have been waiting for about 4 hours to make the statement I wish to make, never let it be said that I do not cooperate with the leadership on any parliamentary request. However, I take judicial notice that the discussion on the water pollution conference report will not be nearly so brief as the Senator from Montana thinks it will be, but I will certainly yield to his wishes in the matter.

Mr. President, I will yield to the Senator from New Mexico after I have yielded to the Senator from Michigan, with the understanding that I do not lose my right to the floor, no matter how long the debate on the water pollution conference report may take.

ALLEGED SLANDER OF STATE OF MICHIGAN

Mr. HART. Mr. President, I appreciate the courtesy of the senior Senator from Oregon in yielding to me. I appreciate it doubly in view of the fact that the Senator from Arizona [Mr. GOLDWATER] is on the floor. My remarks relate to a subject matter which is, I am certain, of interest to him. A copy of these remarks was sent to his office as soon as I received them.

In the last few days one of the leading newspapers of Michigan, the Detroit News, has reported a most disturbing development which is of the utmost concern to the people of Michigan. The Detroit News has published detailed reports of a draft statement of "Separate Views" which it states are intended to be released later this afternoon by the Republican members of the Senate Select Committee on Improper Activities in Labor and Management Field.

My purpose in speaking at this moment is to give notice that if a charge such as is contained in the draft is made against Michigan and its people, I will ask a full investigation by the Senate of how a State can be slandered, and the character of its people defamed, by the use of the machinery of one of the committees of this body. If the so-called "Separate Views" should contain the statements reported in the Detroit News of February 11 and be released as a public document of the Senate, I believe a violation, at least in spirit, of Senate Rule 19 would occur. As all will recall, Senate Rule 19 provides:

> No Senator in debate shall refer offensively to any State of the Union.

By way of example, notice the quotation from the so-called second draft of "Separate Views" as reported in the Detroit News of last Thursday:

> The report lays particular stress on the establishment in the State of Michigan, through political subornation, of a privileged sanctuary for the protection of crimi-Labor Racket Committee.
>
> Reasonable people must conclude that the legal and political processes of the State of Michigan no longer are controlled by its citizens but rather are being used as instruments for the personal prestige and power of the United Auto Workers and its president, Walter P. Reuther.

As this newspaper editorially observed on last Saturday "If reasonable people are able to believe that, the Lord save us from the thoughts of the unreasonable."

I have stated why I rise. It is to guard, if at all possible, against a charge such as this being made in a document of a committee of this Senate. In discussing the document, the Detroit News describes as utter nonsense the crude attempt to equate the U.A.W. and Walter Reuther with the kinds of labor corruption widely publicized by the committee. This is a good description and I believe it will be shared by the people of Michigan who, whether in agreement or dis-

agreement, regard the U.A.W. and Walter Reuther as good citizens.

Incidentally, so far as I know, Walter Reuther is not running for office this year, although it appears there are those who would have him running for at least as many offices this year as they had him running for in 1958. This is another reason I would hope such charge would not be made, for until this kind of nonsense is not made the part of a political campaign, the Republican Party, at least in my State, will not be able to convince a majority of the electorate that it has abandoned appeals to nonsense. More eloquently than I can say, the Detroit News editorial expresses the concern of the people of Michigan, a concern which I share and place on the record.

Mr. President, I ask unanimous consent that excerpts from the editorials and news articles to which I have referred be printed at this point in my remarks. The excerpting has been made in order that a violation of Senate rules may not occur.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the Detroit News, Feb. 11, 1960]

REUTHER IS HIT BY SENATORS—KENNEDY SEEN AS REAL TARGET OF GOP ATTACK

(By Elie Abel)

WASHINGTON, February 11.—An election-year attack on Walter P. Reuther, linked to charges that Michigan has become a privileged sanctuary for criminals, is being prepared by Republican members of the Senate Labor Rackets Committee.

Their separate report, in the form of an 11-page photocopy marked "second revised draft" and "confidential," is in possession of the Detroit News Washington bureau.

Authenticity of the document was vouched for by Senator GOLDWATER, Republican, of Arizona, who said his Phoenix office inadvertently handed a copy to a reporter weeks ago. The Senator added that the "separate views" of the Republican members would be further revised and edited before publication.

INDIRECT TARGET

Reuther and Robert F. Kennedy, former chief counsel for the Senate committee which investigated the UAW and James R. Hoffa's Teamsters Union, are the direct targets of the Republican report.

But the highly political flavor of the document suggests that the intended victim is Senator JOHN F. KENNEDY, of Massachusetts—the committee counsel's elder brother—who is the front-running candidate for the Democratic presidential nomination. Senator KENNEDY is a member of the committee, which is headed by Senator MCCLELLAN, Democrat, of Arkansas.

The Republican report, after crediting the committee's staff under Robert Kennedy with a "vigorous and productive" investigation of the Teamsters Union, hints broadly of a political fix or coverup in the UAW case.

COUNSEL HIT

"We are dismayed that the chief counsel of this Senate select committee was not only reluctant, but actually refused in more than one instance, to probe into areas which would have fixed responsibility for the clear pattern of crime and violence which has characterized and has generally been associated with UAW strikes," the Republican draft said.

Kennedy, who is in Wisconsin helping to direct his brother's presidential primary campaign in that State, could not be reached for immediate comment.

But he deals at length with the get-Reuther movement among Republican members of the committee in his book "The Enemy Within," scheduled for February 24 publication.

Finding no parallel between Hoffa and Reuther, the Kennedy book describes the UAW president as a man who made mistakes but remains "an honest union official who attempts to run an honest union."

The book also confirms that the Senate committee was goaded into investigating the long and bitter UAW strike at the Kohler Co. in Sheboygan, Wis., by Republican insinuations that the Democrats, "especially the Kennedy brothers," were shielding Reuther.

In their draft report, the Republican Senators argue that, despite Robert Kennedy's alleged lack of investigative zeal, sufficient testimony was presented to establish a pattern of "illegal and intolerable" UAW practices in the Kohler and Perfect Circle strikes.

The report lays particular stress on the "establishment in the State of Michigan, through political subornation, of a privileged sanctuary for the protection of criminals against extradition and punishment."

GUNACA MENTIONED

Citing the case of John Gunaca, a UAW representative involved in the Kohler strike violence whose extradition to Wisconsin was held up 4 years by Governor Williams, the report says:

"Reasonable people must conclude that the legal and political processes of the State of Michigan no longer are controlled by its citizens but rather are being used as instruments for the personal prestige and power of the United Auto Workers and its president, Walter P. Reuther."

The Republican Senators also deny that the UAW got a clean bill after investigation by the Senate committee.

"We are unalterably convinced, based on information obtained during the investigation of Richard T. Gosser, senior vice president of the UAW and second in power only to Reuther, that corruption, misappropriation of funds, bribery, extortion, and collusion with the underworld exists within the UAW as they do in those other unions whose derelictions have been so widely publicized," the report said.

"It is strangely significant to us that when Mr. Gosser appeared to become a potential target for our investigation he was suddenly shorn of most of his authority by the other leaders of the UAW and relegated to an inactive status under the guise of illness."

The Republican draft goes on to charge that "the immunity which the UAW and Walter Reuther appear to enjoy seems to be based in large part on political intimidation."

Whether the final report will be issued in more or less this form remains to be decided. The full committee, with Senator MCCLELLAN in the chair, is tentatively scheduled to meet next Monday.

A separate Republican report is regarded as certain in view of the party split over the UAW investigation.

[From the Detroit News, Feb. 13, 1960]

IN "DEFENSE" OF REUTHER—WHOA, • • •

We do not exactly make a habit of leaping to the defense of Walter P. Reuther, but we find ourselves unable to swallow the accusations made in a planned report from Republican members of the Senate Labor Rackets Committee.

Our Washington correspondent who has an advance copy of the document sees it as an attack upon Senator JOHN F. KENNEDY, the front-running candidate for the Democratic presidential nomination. The trick is to get at KENNEDY by attacking Reuther and the candidate's brother, Robert F. Kennedy, former chief counsel of the rackets committee. Guilt by relationship, as it were.

As was to be expected, the GOP approach makes much of the long-delayed extradition of UAW muscleman John Gunaca to Wisconsin where he was wanted in connection with Kohler strike violence. We too complained about that bit of nonfeasance, attacking it as exemplified subservience by a Governor catering to UAW desires. But the new criticism goes far beyond that to call Michigan a privileged sanctuary for the protection of criminals against extradition and punishment and to assert that reasonable people must conclude that the legal and political processes of Michigan no longer are controlled by its citizens.

If reasonable people are able to believe that, the Lord save us from the thoughts of the unreasonable.

The report continues "• • • that corruption, misappropriation of funds, bribery, extortion, and collusion with the underworld exists within the UAW as they do in those other unions whose derelictions have been so widely publicized."

This statement is obvious nonsense.

We don't approve of Walter Reuther's insatiable desire for power. We don't like his social philosophy. We think his free pouring of union funds to control elections both violates the law and threatens our democratic system. Certainly we abhor the UAW assumption that violence is all right if that's what it takes to "persuade" workingmen that they had best follow UAW policy.

But the UAW is no Teamsters Union and Reuther is not a Jimmy Hoffa. We doubt if any major union has been more free of corruption and collusion with the underworld.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. DIRKSEN. Mr. President, I spoke with the distinguished chairman of the Committee on Public Works [Mr. CHAVEZ] and told him I had something to say about the conference report. I shall, however, be very brief. I thought I would summarize for the RECORD the action taken thus far on the water pollution bill.

In 1956, Congress amended the act of 1948. That was a rather restricted act, and when we finished, we had provided $500 million in capital grants over a period of 10 years to be made for the construction of sewage treatment plants. I think there was a provision in the 1956 act that so far as Federal funds were concerned, the Federal Government could not pay more than 30 percent of the construction costs.

But in January 1959, when the President sent his state of the Union message to Congress, he suggested that this matter be turned over to the States and made a State function. He suggested specifically that the amount be reduced to $20 million, and said that thereafter

he would recommend to Congress that the revenue derived from the phone-user taxes be turned over to the States for the purpose of constructing sewage plants.

On June 9, 1959, the House passed H.R. 3610. That is the proposal which is now before the Senate. It provides for $100 million a year for a period of 10 years, which is an increase of $500 million in the amount of grants from the Federal Treasury.

Some ceilings were inserted in the bill to the effect that not more than $500,000 could be provided for any individual project, and that the cost to the Federal Government would not exceed 30 percent, whichever was lower.

Then the bill authorized communities to pool their resources, if they deemed it practical, for the purpose of obtaining funds under the act.

When the bill came to the Senate, it was considered by the Committee on Public Works on August 11. At that time I think the proposal to set the amount at $60 million a year, for 10 years, prevailed.

But on August 28, the Public Works Committee reversed its earlier action, and provided for $80 million for 10 years.

Then, on September 9, the Senate passed the bill with a provision for $80 million for 10 years, and a ceiling of $400,000, or 30 percent.

So we have had the President's suggestion for $20 million and to turn over the matter to the States. We had the first Public Works Committee proposal of $60 million. Then came the $80 million provision for which the Senate voted; and then there was the House provision for $100 million.

So, Mr. President, when the conferees finally disposed of the matter, they settled on a compromise amount—namely, $90 million. It is a rather interesting compromise. The objection, which I have heretofore voiced, is, first, that no State matching of this program is provided for. I rather envision that no community will build a sewage treatment plant or a sewage disposal plant or anything in the related field if it thinks for a moment that Federal funds will be available.

I have been through this experience in my own community. We did not wait for Federal grants; we proceeded to build a sewage disposal plant, and took care of the responsibility and the obligation ourselves. I think other communities can do likewise.

So, Mr. President, when this matter was first before the Senate, I protested, first, because I thought the responsibility was a local one; and, second, because these programs have a way of snowballing, and their costs have a way of growing into fantastically large sums. This very measure is, in itself, eloquent testimony to that effect, for if we compare the 1948 act with the measure before us at this time, we reach the inescapable conclusion that this program will not tail off, finally, at $100 million or $90 million a year. As more applicants for Federal funds come forward, obviously there will be more takers and there will be proposals to increase the amount.

But this is the pattern of Federal grants: They never end; they do grow. Sometimes we wonder about the swelling Federal budget. Well, this proposal is for one of the interesting built-in increases. If this program involved $90 million a year for the fiscal year 1960 or for the fiscal year 1961, one could well understand it. But this is a projected program; it is for 10 years. And when the budget estimators study the matter every year, for 10 years—as they will have to do if this conference report is enacted into law—they will have to consider this item each year for that entire period.

If we embark upon comparable programs over a long period of time, I do not know the limits the Federal budget will reach. I have opposed this program before, and I am still opposed to it. But I shall not request that a record vote be taken.

The first time this proposal was before us, the vote was 61 to 27, as I recall. I presume that Senators who favored the bill at that time have not had any particular occasion to change their minds. So I am quite content to let this measure be handled by a voice vote; but I want the RECORD to show that I am opposed to it, and I rather think that officially the administration is opposed to it. When I say that, I do not attempt to indicate precisely what the President will do when the time comes. The matter must first be laid before him; and he will give it careful scrutiny, and then will come to a conclusion in regard to it.

But I know that, in the first instance, from the budget standpoint and from the standpoint of sending this matter back to the States, there was official opposition to the bill.

Mr. CHAVEZ. Mr. President, when the bill passed the Senate, the Senator from Illinois did not vote against it; at that time there was not one vote against this bill. So I do not see any reason why there should now be some opposition.

Mr. DIRKSEN. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield.

Mr. DIRKSEN. On September 9, 1959, as my record shows, the vote was 61 to 27.

Mr. CHAVEZ. Very well; but when the original bill was before us in 1955, there was not one vote in opposition.

But suppose the Senator from Illinois did vote against the bill: The same Budget Bureau to which he now refers is making some foreign aid recommendations which will take care of water pollution in other lands; but it is said that we do not dare make provision to stop water pollution in the State of Pennsylvania or in the State of New York or in the State of Illinois.

There has not been a more popular piece of legislation than the water-pollution bill, outside of the rural electrification bills.

Mr. AIKEN. Mr. President——

Mr. CHAVEZ. I yield to the Senator from Vermont whatever time he desires to have.

Mr. AIKEN. I request only 2 minutes.

Mr. CHAVEZ. Very well; I yield 2 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, this conference report is one of the most vital pieces of legislation that will come before us. It affects a most vital resource—water. We are trying to make that resource clean water over the Nation.

It has been said that clean water is a local matter and that the communities should bear the cost. Let me state briefly why it is not a local matter.

In my State, in the last 3 years, 13 communities have installed, or are in the process of installing, sewage-disposal plants. The Federal Government's share of the cost of those plants has been approximately $1,900,000, or 30 percent. The State pays 20 percent of the cost and the community pays 50 percent. Each one of the plants will benefit twice as many people outside the State as the number of people in the State of Vermont who will be benefited by it. Therefore, why should people living in Massachusetts and Connecticut expect the small towns in Vermont to bear the cost of cleaning up the rivers for them?

I am very sorry that the administration takes the position that it does. In a few weeks or a few months we shall be voting on a Department of Defense bill which will amount to more than $40 billion. Yet, Mr. President, pure water in the United States is more essential to the security and to the survival of the American people, or it is at least just as essential, as is the Department of Defense, because we could live longer without missiles than we could without clean water.

I expect to vote—along with all other Members of the Senate—for the Defense bill, when it comes before us. I have no doubt that all of us will vote for it; and that bill calls for the expenditure of more than $40 billion.

Yet some object to spending $90 million to protect the vital resource of pure water, without which we could not survive for a week.

Mr. CHAVEZ. Let me ask the Senator from Illinois a question. Only this morning the Secretary of the Air Force and General White testified before our Subcommittee on Defense Appropriations. Nineteen billion dollars is requested by them; but then some worry about the cost of purifying the water of the Delaware or the water of the Schuylkill or the water of the Ohio. The Ohio River is a mess between Pittsburgh and the Ohio regions and the Mississippi. There is great irony in this situation.

Mr. AIKEN. Mr. President, if the Senator from New Mexico will yield further to me——

Mr. CHAVEZ. I yield.

Mr. AIKEN. In addition to the 13 communities of my State which in the last 3 years have installed, or are in the process of installing, sewage-disposal plants, approximately 30 communities have such programs in the planning stage at this time. If the pending measure for this program is killed, their programs will be left high and dry.

I may say that my State of Vermont has used this program far more, in proportion to its population, than has any other State. But certainly it is a legitimate Federal program, because every stream in our State enters another State

or another country; and it is for their benefit, as well as for our own, that we in Vermont are undertaking to eliminate the pollution of the streams.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. DIRKSEN. Mr. President, I do not quarrel with the argument which has been made. I yield to no one in the desire to see that the streams of America, both the navigable streams and the nonnavigable streams, are made clean and wholesome. But it seems to me that, first, that is a State responsibility; and, second, the States are in a position to handle the matter.

In Illinois, we have a water-resources or water-survey board. It serves upon a community an order to the effect, "At the end of a given time, you will stop polluting the river." If other States will do likewise, this program will not be a burden upon the Federal Government, and the necessary accomplishment can be achieved.

I presume the streams in Illinois run into other water courses, and probably flow by the doors of people in other States. But we believe in doing the job back home where the cause of pollution is. The only way a stream is contaminated is by having people contaminate it. The contamination takes place by having either an operating industry or others refuse to build intercepter plants to pick up their own sewage and dispose of it. I cannot see that as an argument for putting a $1 billion burden upon the Federal Government over a 10-year period.

If that logic prevails, then we should spend $2 billion or $3 billion or $5 billion, or as much as can be practically expended over that period of time. Then we might go further. In everything that may touch the health or well being of the people, let us make it a Federal project and undertake a great proportion of the cost.

So, Mr. President, I end right where I began. I think the President was right when he said he thought it was a local responsibility. He was willing in his suggestion to give assistance by transferring funds taken from the phone user tax and make the burden easier for the respective States. I thought that suggestion was founded in good logic and that it should prevail.

I yield the floor.

Mr. LONG of Louisiana. Mr. President, it was a long time ago that another Republican President signed legislation to establish a flood control system on the Mississippi River. President Hoover, with his great humanitarian background, observed the 1927 flood on the Mississippi River, where property damage exceeded $1 billion, even by the very conservative value of the dollar of that time, and where there was substantial loss of life.

It was recognized at that time that flood control was a national problem because, while one community might build adequate levees to hold back floods, an upstream community might fail to build levees or levees strong enough to hold back floodwaters. As a result the community downstream would suffer just as badly as if it had not built any levees.

It is a comparable situation so far as sewage control is concerned. The cheapest way to get rid of a sewage is by dumping it in rivers. That is the cheapest possible way. But when that is done, every community downstream is confronted with the pollution problem. I can think of one situation in Louisiana where for a long time communities have been trying to get a small community, 100 miles upstream, to clean up its sewage disposal, because the pollution is contaminating drinking water and other water, right into the Gulf of Mexico, including the oysters in the area where that water discharges into the Gulf of Mexico. That makes it not only a local problem, but a health problem, and efforts must be made to see that persons do not use oysters that have been contaminated by that sewage.

The Senator from Illinois made a point of the fact that the pollution problem could be solved by having the people in the areas do it. Yet he knows that the Potomac pollution problem can never be completely solved unless people in West Virginia, the Shenandoah Valley, and perhaps areas in Pennsylvania or Maryland, take care of the pollution before it comes downstream.

The cheapest way is for the communities not to do anything about it, to dump their sewage into the rivers, and not do anything about their sewage disposal. However, the Federal Government should encourage and aid small communities upstream to provide necessary facilities to keep the streams clean.

I am pleased with the fine job the committee has done on the bill. I wish to associate myself with the overwhelming majority of the Senate which thinks it is necessary for the Federal Government to furnish this aid, and I wish to compliment the chairman of the committee.

Mr. MORSE. Mr. President, I shall take only a minute to comment on the report. I want to thank the Senator from New Mexico [Mr. CHAVEZ] and the Senate conferees for the report. Also I want again, as I have on other occasions in the past, to pay my compliments to a man on the House side who, over the years, has been a great leader in the antipollution drive. I refer to Representative BLATNIK, of Minnesota, because, once again his influence and leadership are being felt in the program we are about to pass on today.

I want to associate myself with the Senator from Vermont [Mr. AIKEN] with each and every view he has expressed in support of this conference report.

For the purposes of emphasis, I shall add this statement. I think the Federal Government has a great responsibility and interest in the matter of keeping the water of this Nation pure. I do not think we can justify, as a Federal Government, passing the buck to the States and saying this is entirely a State or local community matter. It is not, Mr. President. This is a matter which involves the welfare of all the people of this country and, therefore, involves a certain share of responsibility resting upon the Federal Government.

We should come to the assistance of the States and the local communities, particularly when we maintain the Federal tax program that we do maintain, which places such a hardship upon the States and local governments. So long as we are going to retain the taxing power we do retain in the Federal Government, it is up to us to contribute to the States and local communities what we consider to be a fair share of our contribution to such a joint Federal-State matter as antiwater pollution.

As the Senator from Vermont has said, under this bill the Federal Government will be contributing around 30 percent of the cost of a particular project. In Vermont, their experience is that the State contributes another 20 percent and the community contributes 50 percent. I can well imagine many fact situations in which that would be too small a contribution by the Federal Government in order to be perfectly fair; but at least this is a step in the right direction.

I think it is about time that we in the Congress felt that we should live up to our responsibility to protect the waters of America. If history is to be referred to, Mr. President, then I stand in no fear of successful rebuttal when I say that whenever a civilization fails to protect its water supply, that civilization marks the beginning of its decline. That happens to be the history of too many civilizations that once flourished and then went into decay.

Mr. President, I am no alarmist, but I once again warn the Senate that we are shirking our responsibility to future Americans in protecting our water supply.

There are parts of our country where the water table is going down; and the water table is going down in part because this Congress has not been willing to enact legislation to conserve our water and build the dams necessary, for example, to assist in maintaining the water table. There is no question about the fact that many rivers in our country are so polluted that they are unfit for many home uses, and we have to go to great expense for water treatment techniques in order to make the water usable, after treatment, for city water supplies. That is a terrible waste. It is an inexcusable waste.

I have been heard to say before, as a member of the District of Columbia Committee, but it is apropos to say it again this afternoon, that here in Washington, D.C., we have the filthiest river, for its size, in the whole world, running through the Capital City. Then the question is raised whether we ought to spend Federal money in antipollution drives. The Potomac River ought to be a river in which we swim. It ought to be a river in which we can catch a great variety of fish. It ought to be a river in which we can have healthful boating recreation. That cannot be, because the Congress, Virginia, and Maryland have not lived up to their social responsibilities to future generations of America by cleaning up the Potomac.

It so happens that last week I made a radio address to be broadcast to my State in which I discussed in part the

pending antipollution bill, prior to the conference report. I ask unanimous consent that the remarks I made in that radio address last week be printed at this point in my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Another piece of legislation I want to report on in this broadcast is the final congressional action on the addition to the Water Pollution Control Act. The League of Women Voters in Oregon is one of many organizations which has been very interested in this bill and in the whole issue of cleaning up our Nation's rivers, lakes, and streams. Conservationists have given great support to this bill, too. And there has been an increasing recognition on the part of industry that pollution of the Nation's water supply with industrial waste and city sewage is threatening the future expansion of industries which depend for their existence upon a clean water supply.

Last year, the House of Representatives passed a bill doubling the amount which the Federal Government may spend to aid the local communities in the construction of water treatment works. The present law authorizes $50 million a year for this purpose. Under that law, the Federal Government may contribute up to one-third of the cost of a sewage treatment plant, with the local community paying for two-thirds the cost. The priority within the State for the Federal assistance is determined by the State sanitary commissions.

In the last 2 years, however, the $50 million of Federal assistance did not begin to cover the many applications approved by the State commissions. In Oregon alone, the backlog of applications from our towns and cities justified a doubling of the Federal matching funds. In fact, Governor Hatfield and other State officials have urged the enactment of the increased authorization for Federal funds so that construction of these needed works may proceed.

When the bill came to the Senate, the funds authorized were reduced from the $100 million proposed by the House to $80 million. I supported and voted for that bill in the Senate, though I believed the $100 million was more than justified.

Last week, the difference between the two versions was split down the middle, and $90 million a year in Federal grants was approved by the Congress. The Federal Government still may not contribute more than one-third of the cost of any one project under the bill; but it will be able to contribute to more projects.

Now, as in the case of the education bill, a Presidential veto of the water pollution control bill is threatened. The President wants the Federal contribution for pollution control cut back to $20 million this year, and then eliminated altogether.

A more shortsighted view is hard to imagine. The American people are living in an age when personal income and wealth was never higher, yet our public services are overburdened and wretchedly underfinanced. We cannot continue that imbalance long without our personal wealth and income levels suffering from it. For example, the rivers, streams, and coastline of Oregon are the basis for our recreation industry, which is the second wealth-producing industry in the State. Our water and scenic resources are a tourist and recreation attraction for people all over the Nation, beside the recreation they provide for our own citizens.

Yet we read in the papers now that great stretches of the Willamette River have been declared unfit for swimming by the State health authorities. As a resident of the Willamette Valley, I am very sad that our river has been so abused as to be used as a sewer for industrial and municipal waste to the extent that to swim in it is to risk one's state of health. That is a shameful abuse of a great natural resource. It is a disgrace to the community and to the State. It is also a disgrace to a nation which has more wealth than much of the rest of the world combined, yet which is satisfied with filthy, contaminated rivers and streams.

It is quite true that control of water pollution is primarily a local responsibility; I believe it should remain a local responsibility. It would remain a local responsibility under our bill. But one-third of the cost would be paid by the Federal Government because it, too, has a vital interest in clean rivers and streams in America.

It may be that the President will go through with his threat to veto our bill. A veto would be in line with his budget-worshipping attitude not only toward the public services but toward needed defense expenditures. The time is coming when the American people must come to grips with these issues. I hope it will be soon, and I hope it will not be at the expense of more pollution of our rivers and neglect of our youth.

Mr. MORSE. Mr. President, in the course of that speech I talked about the pollution which is developing in the Willamette River in the State of Oregon, which is one of the most beautiful rivers in this whole Nation. It is one of the rivers which has been one of the great tourist attractions to my State, but it is a river which has become, according to warnings of some of our health authorities to the people of the State of Oregon, unfit for swimming in certain parts.

I said in the radio address to the people of my State, "This is a disgrace to our State," and it is. The State of Oregon simply cannot justify having the beautiful Willamette River become so polluted with industrial waste—from paper and pulp mills, lumber mills, and other commercial enterprises—as well as sewage from the cities and hamlets situated on its banks that the people can no longer use parts of it for swimming. We have to stop this waste. We cannot justify it from the standpoint of health. We cannot justify it from the standpoint of esthetics. We cannot justify it from the standpoint of cold dollars brought into my State from the tourist trade, for example. Economic selfishness should cause us to stop.

Mr. President, we cannot justify it from the standpoint of future history. Therefore, I am very proud to say these few words this afternoon in support of the conference report. I wish it went much further than it goes. I want to say, however, I repudiate completely the idea that this is a matter which ought to be left to the States and local communities. I think a much larger share of the responsibility ought to be assumed by the Federal Government than is possible even under the conference report. I well know the problems faced by the Senator from New Mexico. At least, this is a substantial improvement. I am very proud to vote in support of the conference report.

Mr. MOSS. Mr. President, I have prepared a statement concerning the conference report, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MOSS

We are to consider shortly in the Senate the conference report on H.R. 3610, the bill to amend the Federal Water Pollution Control Act to increase grants for the construction of sewage treatment works.

The conference report on this bill provides realistic amounts to carry forth this program; annual authorizations of $90 million for grants to municipalities, a $900 million total appropriation and a $450,000 maximum grant limitation.

Last year when this bill was first before the Senate Public Works Committee, of which I am a member, I was surprised when administration spokesmen appeared before the committee to oppose extension of the Federal grant program, and brushed off our massive pollution problem as one that could be handled by the State, if only they would impose telephone taxes.

An acceleration of the construction of waste treatment plants, either to replace obsolete plants or to provide first-time facilities, is so obviously a compelling need in this country that I did not see how we could take a chance on a great gap in the program that would result during a change-over to the States, with continuation on a spotty and problematical basis.

To me there can be no argument on this bill. Pollution in our streams is a national disgrace. With the population explosion a well-authenticated worry, with the pollution of the Nation's rivers and streams a mounting health hazard, and with the problem interstate in scope, I feel the major question in connection with this bill should be: "Can the Federal Government afford to do less? Are we to abandon the fight against hidden pollution in our streams to properly protect the health of our people?"

The program authorized in 1956 has already proved remarkably successful. In 1957, the first full year of its operation, sewage treatment plant construction increased 58 percent over the previous 5-year average. In 1958 construction was up 75 percent. The steel strike caused a slight drop last year, but construction was still up 60 percent over the previous 5-year average. We still have a long way to go, however. For 40 years we have been dumping more pollution in the surface waters of the Nation than we have been removing through sewage treatment. We must not lose the momentum we have gained in removing it.

There is a great interest in this measure in my State of Utah. I have had substantial mail on it—not just from State, county, and local officials charged with water pollution control and sanitation responsibilities, but from rank-and-file citizens. One reason may be that we have a special sewage problem in Utah.

For years some communities and industries have taken what seemed the cheapest and safest way out of their sanitation problems by using the Great Salt Lake, our vast unique inland sea, as the dumping ground for their municipal sewage and industrial wastes. It was thought that the high salt content of this water would sufficiently destroy the bacteria and other wastes to prevent contamination. But now the amount of sewage and waste has increased to the extent that, as predicted by forward-looking citizens for a number of years, the eastern shore of the lake has become a stinking and dangerous cesspool. As a result, this unusual body of water—one of the most unusual phenomenons in the world—is on the verge of being ruined for any scenic, scientific, or recreational purposes. I recently introduced a bill to establish a Great Salt Lake National Park in the hope that hear-

ings on the measure will provide a sounding board for local discussion of what must be done to solve the problems imbedded in the lake so that the area can be preserved for the delight and wonder of generations to come.

The allotment to the State of Utah for grants for the construction of waste treatment works for the fiscal year 1961 under the conference report on H.R. 3610 would be $1,066,095. We can use every penny of it. Under the existing law the annual appropriations have been $592,275. The President's 1961 budget request is for only $236,910.

I am confident that the conference report will pass this body, and I hope, when it reaches the White House that the President will sign it. The bill does not shift from the community its basic responsibility for cleaning up its own sewage wastes, but it does provide the incentive, and sometimes this spells the difference between getting the job done or not tackling it at all.

Mr. RANDOLPH subsequently said: Mr. President, the seriousness of the Nation's water pollution problem makes it imperative that the Federal Government move as rapidly as possible in solving what has become more than a local or State problem.

The streams of this country can and must be improved for public water supply, propagation of aquatic life, and other wildlife, for recreational, agricultural, industrial, and other legitimate uses—but primarily, of course, for the protection of the public health.

Thus, when we have before us for final action a measure such as the conference report on H.R. 3610, which has the purpose of further stimulating construction of needed municipal waste-treatment facilities to prevent the discharge of untreated or inadequately treated sewage or other waste into the waters of the Nation, I consider it a privilege, as well as a public duty, to support it with vigor.

One of the significant strides forward in this democracy came with the enactment of the Federal Water Pollution Control Act, and although the antipollution program under that act has been in operation only two full years, it has proved to be a real success. It has resulted in construction projects started or completed to clean up 14,000 miles of the Nation's streams for a multitude of water uses.

That the Federal Government, by providing grants for construction of sewage treatment works and for other related purposes, is in partnership with State and local units of government in the interest of both the public health and conservation is the assumption of a proper and historically correct position of responsibility.

LOCAL INITIATIVE BRINGS RESULTS

On July 17, 1959, in remarks at ground-breaking ceremonies for a new and modern sewage disposal plant in my home city of Elkins, I noted that the project was a patriotic response by the city of Elkins to Federal and State water pollution control laws and regulations promulgated in the interests of both the public health and water and wildlife conservation.

Although I did not deprecate in any manner the Federal program which, in fact, is the cornerstone of the total effort to rid our streams of pollution, I remarked that I was not present for the ceremony simply to glory in the fact that a $250,000 share of the project was awarded by the Federal Government. Rather, I preferred to praise the local initiative and perseverance which made possible the funds that enabled Elkins to qualify for the Federal monetary participation.

Those who argue against any Federal partnership in such matters and claim the problem to be totally State and local in nature—those who insist upon trying to pin fiscal responsibility entirely upon State and local instrumentalities—are not realistic. Too many State and local governments are hard pressed to meet the fiscal requirements to qualify for needed federally shared assistance. If so, how can they be expected to go it alone?

We have expert testimony in the public records which points up the fact that present construction levels must be raised another 50 percent if there is to be eliminated the huge backlog of construction needs and if provision is to be made for plant obsolescence and population growth.

CONFERENCE REPORT APPROVAL IS MERITED

It was my personal belief that the bill as it came to this body from the House of Representatives represented the minimum effort—the minimum goal of authorized Federal allotments to States for water pollution control activities. In the Committee on Public Works, when effort was made to reduce the House-passed $100 million item for annual grants to States for antipollution projects to only $60 million, I argued successfully for committee approval of my amendment for at least $80 million. The conference report calls for $90 million. It was on my motion, too, that the Committee on Public Works recommend to the Senate, and the Senate approved, an aggregate of $800 million as the amount to be authorized for all grants to States to be allowed under the Federal Water Pollution Control Act. Earlier effort had been made in the committee to set a limit of $600 million on the aggregate, whereas the House-passed measure had provided $1 billion. The conference report, more nearly approaching the House figure, is pleasing to me. It sets the limit at $900 million.

My support will be ever constant for programs such as this to provide pure water for community consumption through necessary sewage treatment, which thereby improves health conditions and provides better recreational advantages for our people. It is not a federally controlled activity. Rather, it is a cooperative effort through the use of local and Federal funds predicated upon local initiative.

Mr. CARROLL. Mr. President, I ask unanimous consent that my remarks may be printed in the RECORD prior to the vote on the conference report on the Water Pollution Control Act amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

Mr. CARROLL. Mr. President, from the viewpoint of the people of my State this measure is one of the most important items that will come before the Congress during 1960. In a larger sense, it is essential to the welfare of the entire Nation that we strengthen Federal aid for construction of sewage treatment plants.

Four major rivers rise in Colorado and supply water to farms and cities from the Mississippi Valley to the Pacific coast. They are the South Platte, the Arkansas, the Rio Grande, and the Colorado. A river basin presents an integral problem of pollution control. It is imperative that cities and towns treat their wastes to protect others downstream; in turn, their own drinking water should not be polluted by others farther upstream. For this reason it is folly to speak of stream pollution purely as a local or State problem. Our Colorado cities and towns, large and small, want to do the right thing but simply do not have all the money that is required.

Right now the Denver metropolitan area is attempting a significant venture in metropolitan cooperation. The city and county of Denver is under orders from the State health department to provide additional treatment facilities for the sewage it discharges into the South Platte, a river which flows through some of Colorado's finest farm country before it merges with the great Missouri River downstream.

Other fast-growing communities in the Denver area also must expand their treatment plants or build new ones. The bill before us today would allow them to pool their Federal eligibility within certain limits.

A single combined treatment system is very much less expensive and more effective than a group of small, uncoordinated systems. But under the law as it now exists, a joint plant, no matter how large and complex, would be entitled to a total of only $250,000 in Federal aid—a small fraction of the total cost. In effect, the present arrangement thus discourages the kind of cooperation that means long-range economy.

The bill as reported out of conference would correct this inequity by permitting such pooling, and would also raise the ceiling on any single treatment facility to $450,000. For a joint metropolitan plant the ceiling would be considerably higher. The present $250,000 ceiling is of little help to larger communities whose plants cost millions of dollars.

A number of smaller communties in Colorado also have a vital stake in this program. There is at present a backlog of $1,530,000 worth of Federal funds requested by 30 Colorado cities which have plans for new sewage-treatment plants. Against this is a present Colorado allotment of only $630,000 under existing law.

And the President's budget would cut this amount to only $252,000 in the coming fiscal year.

H.R. 3610 would raise the authorization for Colorado to the much more realistic figure of $1,134,000 in the coming fiscal year. While encouraging metropolitan pooling of resources and allocations, it would retain the safeguards

which now protect smaller communities in their efforts to obtain a fair share of Federal assistance.

The President's Water Pollution Control Advisory Board has recognized the need for this legislation. In a resolution it has said that "to safeguard public health and other legitimate water uses, additional incentives are needed to meet the backlog of municipal waste-treatment facility construction." Other supporters include the League of Women Voters, the American Municipal Association, conservation groups, and others.

At stake here is the health of our citizens, not to mention the effective use of our priceless water resources. This bill, providing authorization of $90 million a year, is a modest one when compared with Public Health Service estimates that we should be spending nearly $600 million annually to clean up the backlog and provide for obsolescence of existing plants and for new population demands by 1966. That was the original target date of the Water Pollution Control Act. We dare not do less than is provided in H.R. 3610.

Dr. Roy L. Cleere, executive director of the Coloroda State Health Department, and literally dozens of citizens in communities throughout Colorado have urged that we move forward on this program instead of allowing ourselves to slip further behind each year.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MANSFIELD. Mr. President, I commend the Senator from Oregon for his usual courtesy and graciousness in permitting the Senate to dispose of the conference report.

LEASING OF PORTION OF FORT CROWDER, MO.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

CIVIL RIGHTS LEGISLATION

Mr. MORSE. Mr. President, earlier this afternoon we discussed the procedure which should be followed in the Senate in connection with the consideration of proposed civil rights legislation.

I wish to refer to my very good friend, the Senator from New York [Mr. JAVITS]. I mean that not as a parliamentary courtesy, Mr. President, but as a statement from my heart, because it is a completely truthful statement; the Senator from New York and I have had a personal friendship for a good many years, and no difference of opinion which may ever develop over the merits of any issue on the floor of the Senate is going to lessen that friendship.

Because my very good friend from New York earlier this afternoon used as an argument for his support of the procedure the Senator from Texas has proposed today, and in justifying himself referred to the so-called understanding which was entered into in the Senate on September 14, 1959, I wish to return to that discussion, because I say that if the Senator from New York stands on the language from which he quoted from the CONGRESSIONAL RECORD, then I have to say I think he is straining on the literalness of the language rather than on what I think was certainly the spirit and intent of the Senate, when in the Senate with no printed proposal before us we listened to the colloquy on September 14 between the Senator from Texas and the Senator from Illinois as to what they suggested we do on February 15, 1960.

So I refer to CONGRESSIONAL RECORD, volume 105, part 15, page 19567, which states.

Mr. JOHNSON of Texas. Mr. President, I thought we had covered this matter several times in the last few days. We discussed it at some length this morning. I expressed my views then, and I will repeat them now.

Each Senator is within his rights to offer any motion he may desire to make to have the Senate proceed to consider proposed civil rights legislation, or any part of any civil rights bill, at any time he may choose to do so. I think it is pretty generally accepted that it is not desirable or wise to make such a motion at this time, because I do not think such a motion would be in the interest of passing any kind of a civil rights bill. I think most of the Members of the Senate are of that opinion.

I stated this morning what I have said on other occasions, that when we return next year I have no doubt that a motion will be made in regard to considering a bill which has been passed by the House, if such a bill should be passed by the House; or a motion will be made to consider the resolution now on the calendar, which was offered by the Senator from New York; or a motion will be made to amend some House bill which has been passed and is on the calendar. That could be done at any time after we are reassembled in January.

When would be the best time to do that to suit the convenience of a majority of the Members of the Senate? That is a question each Member can determine for himself.

I said earlier today that I did not think anyone interested in passing a civil rights bill would knowingly bring up the subject a week or 2 weeks before many Members of the Senate would leave the Senate to speak at the Jefferson-Jackson Day dinners in the latter part of January, during the period of President Roosevelt's birthday. If they did, we would discuss the subject for a week or 10 days, and a substantial number of Senators would leave for the Jackson-Jefferson Day dinners, to reassemble after they were concluded. In 3 or 4 days Senators would be leaving for the Lincoln Day dinners.

So I suggested that the minority leader tell us when his Senators would be back in the city following the Lincoln Day dinners. At that time we could give notice to Senators. We would bind no one by agreement, but we would inform every Senator that a motion would be made in regard to a civil rights bill, and that all Members could be present and be on notice that it would be made, so that they would have ample opportunity to debate it.

The minority leader tells me that that date would be February 15, and that date is agreeable to me.

I serve notice on all Members that on or about 12 o'clock on February 15, I anticipate that some Senator will rise in his place and make a motion with regard to the general civil rights question. I presume several motions in that connection will be made. Any Senator might make such a motion before February 15.

I should say that it would be the better part of wisdom to try to arrange to have an agreement that such a motion would be made on February 15, February 14, or February 16—whenever the minority leader's Members are back in the city following the Lincoln Day dinners. Then we could remain with the subject until some action was taken.

I hope that will satisfy the Senator from New York.

Mr. JAVITS. It does. I am very grateful to the majority leader.

I now ask my own leader whether the 15th of February may not be stated by him as being the date.

Mr. DIRKSEN. If the Lord is willing and I am alive.

Mr. JAVITS. Mr. President, I ask the indulgence of the Senate. This is a body whose Members are pretty rugged. I believe that if Members will consult one another quietly they will agree with me that what has just transpired is in the interest of the whole debate, and in the interest of fairness to the country, whatever may be one's views on the subject.

The junior Senator from New York, in support of the procedure suggested by the majority leader today, takes refuge now in the language contained in the remarks of the Senator from Texas on September 14, when he said: "or a motion will be made to amend some House bill which has been passed and is on the calendar."

I respectfully submit, however, that when we take the entire text of the debate on September 14, most of us, at least—and it was certainly true of the Senator from Oregon, and after consultation with many of my colleagues, enough of them have agreed with this point of view that I dare say it was the general point of view in the Senate on September 14—felt that, come February 15, 1960, there would be a motion, or a series of motions dealing with the problem of bringing to the Senate for debate and consideration, as the business of the Senate, not a little school bill involving the transfer of some military property to some little school district down in Missouri, but one or more of the major civil rights bills.

I am somewhat buttressed in my position, in my judgment, at least, because my very good friend from New York had pending on the very day of September 14, 1959, his own motion to discharge the committee from the further consideration of Senate bill 2391, which was one of the major civil rights bills before the Senate committee at that time.

Now this great lawyer from the State of New York knows procedure very well, and he is well versed in the difference between orderly procedure and what I call the disorderly procedure of trying to bring through the back door and attach as a rider a civil rights proposal to some little school bill which seeks to transfer certain military property to a school district in Missouri.

We can argue until doomsday as to motivations and intentions of the Senate on September 14. But I am willing to stand and be judged on what the RECORD clearly indicates, namely, that, come February 15, we would decide, by way of the offering of appropriate motions, how to bring civil rights legislation to the floor of the Senate, so that that would be the major piece of business, once whatever motion was made should be adopted.

The Senator from New York was quite right, I believe, in filing his motion to discharge the committee. His resolution is still pending on the calendar; and I respectfully suggest that, in the interest of orderly procedure, that is the motion which the Senator from New York ought to have been making today, rather than proposing that we go along with this rider approach, this sort of subterfuge procedural device, of getting civil rights legislation before the Senate.

What are we afraid of in a direct, open approach to the civil rights issue? We have the votes. I believe the Senator from New York will agree with me that we have the votes in this body to pass what we think is fair civil rights legislation; and I think we should do it directly, forthrightly, and not by way of a rider approach in connection with a piece of legislation which is not germane in one iota to the civil rights issue. That is what I wish the Senator from New York would join me in doing. I should like to join him in such an effort, because I am about to offer some motions to discharge certain committees. I think he should be calling up his own motion to discharge the committee.

If he will bear with me a minute longer, I wish to tell him why I think my point of view is preferable in connection with this matter.

Once again I am disturbed about what the procedure proposed today is doing to committee procedures in the Senate. Committee procedure in the Senate is pretty precious in the legislative process of the Senate. It will be recalled that in 1957 I made this argument when such a proposal was before the Senate, and the Senate agreed to it. I believe it made a great mistake in doing so. It was proposed in the Senate that we place on the Senate Calendar, by motion, a House bill on civil rights, without that House bill going to the Senate Judiciary Committee. The RECORD will show that I discussed the question in detail, and that I urged that the bill go to the Senate Judiciary Committee. I made such a motion, and I was defeated on the motion that the bill be referred to the Judiciary Committee with instructions that the Judiciary Committee report the bill back in 1 week, which was within the rules, but which would have given us at least the benefit of committee action. It would have given us the benefit of a committee report. It would have given us the benefit of any printed proceedings the committee may have had. It would have given us the benefit of those reports and proceedings, in keeping with the committee procedures of the Senate itself. No matter what civil rights legislation we may enact, that civil rights legislation will be tested over and over again, in every detail, in the courts of this country.

As I said in 1957 in opposition to placing that House bill on the Senate Calendar without referring it first to the Judiciary Committee for committee action, I repeat today, that such a procedure is not fair to the courts. The courts of this country will have to adjudicate case after case which will arise under any civil rights legislation we may enact. We should give the courts the benefit of committee action in the Senate. We should give them the benefit of the floor leadership of a committee member who is assigned to come to the floor of the Senate in connection with a civil rights bill and be the committee spokesman on the floor of the Senate.

If we can give the courts the benefit of such committee action—and I will comment on that problem in just a moment—we should have the benefit of a committee report. Why? Because when we turn ourselves into a Committee of the Whole on the floor of the Senate, when a court comes to pass judgment on legislative intent and purpose, what is said on the floor of the Senate does not carry nearly the weight, in court action subsequently in determining the meaning of legislation, as is the case when the court has before it a committee report that it can go to, and that it has the transcript of the record before the committee that it can go to. It can discuss that report and that transcript of the record, and the statements made by the spokesman for the committee on the floor of the Senate, in making the legislative history on a bill.

The cases are replete with rulings by our courts that the kind of legislative history I have just outlined is the kind of legislative history that is most helpful to the courts in determining legislative intent.

I made that plea in 1957, namely, that we follow the procedures available to us in the Senate, by sending the bill to the committee with instructions that the committee report back in 1 week. I proposed that the bill go to the Judiciary Committee—the final proposal was for 7 days—with instructions to report back. I made this argument as to the desirability of making that kind of legislative history on the bill. I repeat the same argument today.

Certainly we can add as a rider to this little school bill involving certain military property in Missouri the whole series of civil rights proposals. Certainly we can rely, as the Senator from New York is apparently willing to rely, upon the statement by the majority leader on September 14, that the bill could be brought up either by way of a motion to discharge the committee, or by way of amending a House bill, or by way of a bill reported from the committee. I think I am within the realm of understanding of most of my colleagues when I say that we took it for granted on September 14, 1959, that when the civil rights was brought up on the floor of the Senate on February 15 it would be brought up in terms of a civil rights bill, not in terms of a procedural opportunity to add, in catch-as-catch-can fashion, any kind of civil rights bill we desired to add to a bill with respect to which civil rights is in no sense germane.

I fully appreciate the position the Senator from New York can take on the language used by the leadership. I only wish to say most kindly and respectfully that if we follow the course of action he is suggesting, we will do the cause of civil rights in this country a great wrong.

I believe we have an opportunity now to follow a procedure here of discharging the Committee on the Judiciary, similar to the situation which existed when the Senator filed his resolution to discharge, which was then the pending motion during the colloquy that took place between the Senator from Illinois and the Senator from Texas and the Senator from New York on September 14. We can bring up that discharge resolution. I will be willing to join him in supporting that resolution, or we can go ahead with a different one and take action on a discharge motion. However, having made these references to the Senator from New York, I certainly want to give him an opportunity to say whatever he wishes to say.

Mr. JAVITS. Mr. President, if I rose for any reason, it would certainly be to express my friendship and respect and regard for the Senator from Oregon. I for one will not quarrel with him; nor will I criticize him, because I believe that his sincerity and respect for civil rights are fully equal to mine. I believe that long before the debate is over I will show that to be the case.

I wish only to state my reasons for assuming the position I take, so that they may constitute a part of the RECORD, together with a statement by the Senator from Oregon.

First, I did file the discharge motion. The Senator from Oregon may remember that we had some rather tense moments on the floor before actually getting the motion on the calendar, the procedure being a very delicate one, hanging on the hour of 2 o'clock. It finally did get on the calendar.

If I were running the show here, I would join with the Senator from Oregon in calling up my discharge motion; but I am not running the show. Furthermore, I say with all respect that neither is the Senator from Oregon. The Senate is running the show, and it is running it for the moment, until it votes various things up or down, through the majority leader and the minority leader.

If I thought that what is being done was seriously prejudicial to the rights of those who wish to address themselves in opposition to civil rights measures, or even to the hallowed traditions of the Senate, I would be as exercised as the Senator.

I select one word from what the Senator from Oregon said. Although I am a lawyer, I am not quite as gifted as the Senator from Oregon gives me credit for being.

The Senator said that the procedure he suggested was the preferable procedure, either by way of discharging the committee, or considering some bill reported from the committee. The minute we do that, we immediately have a choice of alternatives. To me the preferable procedure is to bring this proposal before us as early in the session as possible, this being February 15.

If I had been running the show, to repeat, I would have forced the discharge motion to action back in last September, and I, along with the Senator from Oregon, would have remained here as long as the other side was willing to debate the question, and would have felt that we were rendering a great service to the country.

Why do I say now that nothing will be prejudiced?

I greatly appreciate not only the sincerity of the Senator from Oregon, but also the fact that there is an argument on the other side. The Senator made it eloquently in 1957. He is making it eloquently now. I am honored by being the butt of it—and I do not use that word invidiously.

This debate will extend for 3 to 6 weeks, and perhaps even longer. Every shred of information which needs to be printed, in the way of hearings, will be printed. In the course of the debate we may even get a Senate bill out of the Judiciary Committee or the Committee on Rules and Administration. We may even get a House bill. Under the procedure in this body, if we have the votes—and the Senator from Oregon assures us that we have the votes—such a bill could always be modified to take into consideration the new eventualities, which would give us a more regularized practice. But the important thing, I say to my colleague, for me—and I do not press that opinion upon him—is to get this action started at such a time, namely, February 15, as when we can take 4 weeks, 6 weeks, 8 weeks, or 10 weeks, or as long as necessary, without the terrible pressure of passing appropriation bills, getting home, getting to conventions, and so forth. So the fact that the minority leader and the majority leader say they agree with us on the proposition of bringing up the measure now is to me the preferable point, over the fact that perhaps we are departing from the strict letter of procedure of the Senate.

The Senator knows, too, that in respect to these civil rights bills, the procedure of the Senate breaks down. A motion to discharge a committee must be brought up on motion. There is more than one opportunity to try to talk it to death. First, there is the motion to consider the motion to discharge. Then, if we were able to consider a bill reported from the Judiciary Committee, it might not meet the terms of a House bill, and hence there would be problems on the other side with the Rules Committee when the bill went to conference. That procedure is simplified by reason of the fact that the bill before us is a House bill, to which we are proposing an amendment.

I am making those points only to demonstrate that those like myself are not being willful. We are not trying to shut off the other side, and we are not improvident in our view that so long as this is the opportunity offered to us, we should pursue it.

Finally, I say to the Senator from Oregon that I know that he pursues the course he does when it is the hardest to pursue. I should like to say for him what he probably would not find it easy to say for himself. I hope that no advocate of civil rights will mistake in the slightest the Senator's advocacy of this position as representing in the least degree any lessening of his deep conviction on the civil rights issue. I know that the Senator is addressing himself to what he considers to be a procedure which one day may protect him or protect me in some minority position we may take.

If I were not convinced—and I am convinced—that the other side, whatever be its size, and even though relatively small, will have every opportunity to examine every proposal in detail, and to test it in full accordance with the rules, which will give full opportunity for exploration and debate, I would not be here discussing the question.

Mr. President, I have given the Senator the complete color of my thinking on this question. I thank him.

Mr. MORSE. Mr. President, I appreciate very much the views of the Senator from New York. I insisted on having him called to the floor to give him an opportunity to make a statement setting forth his point of view although it may differ from mine, and I thought he was entitled to have that opportunity. I disagree with the conclusions the Senator from New York has reached.

I appreciate the kind statement he made at the end of his remarks, that my position might be misunderstood by various groups. I never let that worry me, because I find that very often some of the very minority groups that need the protection which I seek to bring to them overlook the importance of their getting themselves in the position where it can be said that they want to follow a course of action for which they might be criticized. I happen to think that the Senate will be criticized if we should follow a procedure which would in effect circumvent both the Committee on Rules and Administration and the Judiciary Committee. I believe we would be criticized because many people would recognize that that kind of procedure would be a device of indirection, not of direction. I believe we would be criticized, because people would say, "Why didn't you at least try under rules of the Senate to exhaust all the remedies that are available to the Senate?"

I realize that one of the problems connected with our adopting a resolution which will discharge a committee as of a day certain, giving the committee ample opportunity to keep faith with the Senate as an agent of the Senate—and that is what a committee is—is that it can come forward with whatever report it wants to make on civil rights legislation. Let us assume that the committee does not make a favorable report. Quite frequently a committee fails to report favorably on a piece of legislation. What I am saying is that the procedure advanced by the leadership goes around two committees of the Senate, the Committee on the Judiciary and the Committee on Rules and Administration.

I do not think that is desirable. We have known for quite some time that this matter was coming up. I think we should have been ready for this situation by getting a discharge motion before the Senate. But I believe the Committee on the Juidicary and the Committee on Rules and Administration are entitled to an opportunity, for a period of at least a week, as will be provided in some motions I shall file in a moment, to make whatever reports they care to make to the parent body, at the request of the parent body. We have the right, as the parent body, to make requests of those committees for those reports. The committees will not ignore our request. No committee will do that.

So I say to the Senator from New York that I believe we should take such action as will afford those two committees an opportunity to file reports with the Senate within a week. If they do not, we can then move to discharge the committees, and that discharge motion can carry with it, also, the request that they file with the Senate all their documents pertaining to the bills. Those documents belong to the Senate, not to the committees. The committees are but the trustees of the documents. The motion should contain the request that the committees file with the Senate their testimony, their hearings, their memorandums bearing on the subject, and also any report which they may care to make. That, Mr. President, is orderly procedure. That is provided in the rules.

Let me say to the Negroes of the country: It is in your interest, in the long run, that you gain your civil rights legislation in the Senate by a strict compliance with the rules of the Senate, so that when the courts of America come to pass judgment on the rights of the Negroes of America as granted by any bill which we shall pass, there will be no doubt about the fact that the courts will have a true legislative history of the bill and can pass judgment upon the legislative intent in accordance with the procedures we have set up in the law for a determination of legislative intent.

I warn the Senate that we shall cause legal difficulties for the Negroes of America, when it comes to interpretations of legislation we pass, unless we go through the committee route first and follow the rules of the Senate for the discharge of committees.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Does the Senator from Oregon know how this particular bill, to which it is proposed that civil rights amendment be offered, came before this body today?

Mr. MORSE. No; I am not familiar with that.

Mr. LONG of Louisiana. Did the Senator know that the bill came before this body by a unanimous-consent request?

Mr. MORSE. No; I did not know that.

Mr. LONG of Louisiana. I can inform the Senator that that is correct, and that further by unanimous consent it was agreed that an additional bill might be acted upon, and that then, by unanimous consent, this bill might be placed before the Senate again.

The Senator knows that if one wishes to oppose a bill, particularly a bill which has not had the study of a committee or on which there is not a committee report, he certainly is entitled to be heard on the question whether that bill should come before the Senate at all, under such circumstances.

Certainly some Senator would have objected to a unanimous-consent request, or at least have insisted upon the right to discuss a unanimous-consent request, to bring before the Senate a bill which proposes to make the many broad, sweeping changes which have been suggested here, especially if that bill had not had the benefit of study and consideration by a committee, and the opportunity afforded those who are adversely affected by it, if there are some, to be heard on the bill.

Mr. MORSE. I thank the Senator from Louisiana for his contribution.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield, without losing my right to the floor.

Mr. GORE. The able senior Senator from New York [Mr. JAVITS] expressed the view that the debate upon the question of civil rights might very well extend to 6 weeks. I think he is unduly pessimistic. But if that be the case, would not that argue logically for orderly procedure? Would not that argue for the desirability and the necessity of debating before the Senate for 6 weeks proposed legislation which had been carefully considered by a committee of this body and submitted to the parent body, as the distinguished Senator from Oregon refers to the Senate, its recommendations, its report, and the hearings on such a measure?

Mr. MORSE. I completely agree with the Senator from Tennessee. That is orderly procedure.

I wish to make one additional argument before I propound a couple of parliamentary inquiries.

I do not buy the argument, I say to the Negroes of America, that the Senate ought to follow the procedure proposed here today of adding civil rights amendments to a bill which is not at all germane to civil rights, but is simply a bill which involves the transfer of a leasehold interest in some property to a school district. I do not buy the argument that we ought to proceed in this way because if we do not we will increase the chances of southern Senators filibustering a motion to discharge the committee. I say to the Negroes of America that on the subject matter of civil rights the possibilities of filibustering are without limit. I simply do not intend to let the record stand as indicating that if I do not go along with the rider procedure proposed by the leadership of the Senate, then I am in danger of a greater filibuster on the civil rights bill.

I say to the Negroes of America that, of course, a civil rights bill will probably have at least a thousand words in it, perhaps more. There will be an unlimited ceiling, so far as amendments to that bill are concerned. Commas can be changed; semicolons can be changed. "The" can be changed to "a." By changing one word in the nature of an amendment, the effect can be to filibuster, filibuster, filibuster, so long as southern Senators want to filibuster.

So I want the Negroes to know that I do not buy the argument that the senior Senator from Oregon is running a greater risk of having a filibuster by insisting that we act in accordance with the regular procedure and get a civil rights bill before the Senate on its merits, by way of discharging a committee, if a committee does not produce a bill in a week. Let me comment on that for a moment.

I have reason to believe that either the Committee on Rules and Administration or the Committee on the Judiciary, or possibly both committees, will report a bill in a week. I have been advised this afternoon that a vote on a civil rights bill is expected in the Committee on Rules and Administration within the next week. There is great hope within the Committee on the Judiciary that that committee will report a bill this week. But I also have been advised by members of both committees that there has been enough discussion of civil rights legislation in those committees to enable them to vote, if they wanted to vote, in a week. There is ample record on which to base a vote; therefore, no injustice would be done a committee if the Senate adopted a motion to discharge the committee at the end of a week.

Do Senators see what I am pleading for? I am pleading for fairness to our committees. I say we do not strengthen the operations of the Senate by circumventing the recognized, orderly procedures of the Senate, as set forth in the rule book. I say that, in my judgment, we do not have the right on February 15, on the floor of the Senate, to take this kind of slap at the Committee on the Judiciary and the Committee on Rules and Administration by turning ourselves into a Committee of the Whole because that is what we are doing. We are turning the whole Senate into a committee to consider proposed civil rights legislation, and are simply ignoring the Committee on the Judiciary and the Committee on Rules and Administration. The members of those committees have a right to resent such a course of action. Whether they do or not, the senior Senator from Oregon resents it, because I have been heard to say many times that, after all, the procedure which the Senate follows determines in the long run the kind of substantive legislative rights which can be made available to the American people. I respectfully say that we do not follow orderly procedure when we follow the procedure which has been proposed today.

I do not deny that under the rules such a procedure can be followed if the Senate wants to do it. For that matter, the Senate can ignore the rules it writes, if that is what the majority wants to do, except in those instances where there is a requirement of more than a majority vote.

The committee procedure has served the American people very well for decades and decades. I think the time to make the rules work is when we have before us a piece of proposed legislation of such great importance to the country as that which guarantees first-class citizenship to the Negroes of America. I do not believe we ought to follow a course of action of which it can be said that whatever we pass, we passed it only after we stooped to indirection, subterfuge, and sharp practices, procedurely wise, with respect to proposed civil rights legislation.

I fully expect that in the country there are Negro leaders who are enthusiastic about the idea of having the Senate follow the procedure which is being recommended today on the floor of the Senate. But I say to them in 1960, as I said to them in 1957, "You are dead wrong. In fact, by this kind of shortcut procedure, you are selling short the interests of the Negro people of this country."

We have an unanswerable case in regard to civil rights; we have a case which, in my judgment, is so strong that we can pass the bill within the rules of the Senate, as they are now on the rule book.

That is why I say we should proceed to notify the Judiciary Committee and the Committee on Rules and Administration that we want action taken by them on a date certain, and that if they do not report on the bill by that date, we shall then proceed to take action on this matter.

Mr. President, in order to get the record perfectly clear procedural-wise, I desire to propound a series of parliamentary inquiries:

First, Mr. President, is it in order for any Member of the Senate to submit a resolution to discharge a committee from the further consideration of a bill, as of a date certain, unless by that date the committee files with the Senate a report on the committee's action on the bill?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). At this stage of the proceedings, unanimous consent would be required, in order to submit such a resolution.

Mr. MORSE. Is that because we are not now proceeding in the morning hour?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. But if we were now proceeding in the morning hour, and if I were to submit such a resolution, would it be in order?

The PRESIDING OFFICER. It would then be in order.

Mr. MORSE. Let me say to my colleagues in the Senate that I shall not attempt to take advantage of any technicality. There will be another morning hour. So, Mr. President, if unanimous consent is not given, that will be all right with me; and then I will submit such a resolution in the morning hour.

By my series of questions, I am trying to outline a procedure which the Senate can follow under the rules, if the resolutions are submitted at appropriate times, in order to find a way to discharge the committee from the further consideration of the bill, as of a time certain, if in the meantime the committee does not file a report on the bill.

So, Mr. President, let me put the matter to the Chair and to the Parliamentarian in the following way: Assuming that at this time—at 5:05 p.m. on February 15—the Senate were proceeding in

the morning hour, would it be in order for me to submit and send to the desk, to lie on the desk, a resolution to the effect that unless the Judiciary Committee filed with the Senate a report on a certain civil-rights bill—and the resolution would specify the number of the particular bill—by February 23, the Senate would then proceed to discharge the committee from the further consideration of the bill?

The PRESIDING OFFICER. Such a resolution would then be in order.

It occurs to the Chair that perhaps it would be well to have the clerk read at this time the applicable portion of the book on Senate procedure—and, of course, without taking the Senator from Oregon off the floor.

Mr. MORSE. Certainly.

The PRESIDING OFFICER. If that is agreeable, the clerk will now read that part of the "Senate Procedure" book.

The legislative clerk read as follows:

DEBATE ON MOTION OR RESOLUTION TO DISCHARGE A COMMITTEE

A motion or resolution to discharge a committee from the further consideration of a matter referred to it, after it has gone over 1 legislative day, is automatically laid before the Senate in the morning hour immediately following the introduction of concurrent and other resolutions, and can be debated until disposed of or until the end of the morning hour, at which time it would be placed on the calendar. A motion to proceed to its consideration, made after 2 o'clock, would be debatable.

The PRESIDING OFFICER. If the resolution were submitted during the morning hour and if objection were made to its consideration, it would automatically go over until the next day.

Mr. MORSE. And then, the next day, when would the resolution be subject to consideration—only during the morning hour, or at any time during that day?

The PRESIDING OFFICER. The resolution would be laid before the Senate as part of the morning-hour business, provided that on the preceding day the Senate had adjourned, so that, under the rule, there would be, at the beginning of the following day, a morning hour.

Mr. MORSE. If a Senator submits such a resolution proposing to discharge the committee from the further consideration of the bill in 1 week's time, unless in the meantime it has reported the civil rights bill to the Senate, must the discharge resolution be acted upon at the very time when it is submitted and sent to the desk?

The PRESIDING OFFICER. It could be considered on the same day when it was submitted only by unanimous consent. Ordinarily it would lie over, under the rule.

Mr. MORSE. I thank the Chair and the Parliamentarian for the help I have just received.

In view of those rulings, I wish to serve notice at this time—because I am going to need some time to modify the discharge resolutions I have prepared—that tomorrow I shall submit discharge resolutions affecting both the Judiciary Committee and the Committee on Rules and Administration, which resolutions will, within the rules, as just enunciated by the Chair, on the advice of the Parliamentarian, seek to put the Senate in a position to direct the Committee on Rules and Administration to submit to the Senate its report on one or more civil-rights bills by February 23, or else be subject to being discharged on that date from the further consideration of the bills covered by the resolutions. I shall submit such resolutions tomorrow.

The PRESIDING OFFICER. Let the Chair state that it is the understanding of the Chair that there has already been entered an order that when the Senate concludes its session today, it take a recess until 11 a.m. tomorrow. In that situation, under the rule, there would not automatically be a morning hour.

Mr. MORSE. I so understand.

The PRESIDING OFFICER. However, if unanimous consent were then requested, and were obtained, for the transaction of morning business at that time, morning business would then be in order.

Mr. MORSE. I so understand. I understand that at the conclusion of the session tonight, the Senate will take a recess, rather than adjourn, and that a morning hour is automatically had only following an adjournment. But we shall be making the record. If we cannot obtain unanimous consent to submit a discharge resolution at that time, we shall make that record. But something tells me intuitively that no Member of this body will, in my judgment, in connection with a civil rights issue, object under those circumstances to the submission of a resolution to discharge the committee from the further consideration of the bill. I simply cannot believe that any Member of this body would deny that courtesy to any colleague.

However, if I am mistaken about that, I believe it very important that we find out.

The PRESIDING OFFICER. The Chair will say again that if general permission is given to transact morning business, then, of course, that will be in order.

Mr. MORSE. I have no doubt about my ability to get my resolution before the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Does the Senator know how many votes it takes to adjourn the Senate?

Mr. MORSE. Yes, I know.

Well, I am through on this point other than to say, Mr. President, that this procedural matter I think ought to be very carefully considered by the Senate before it decides to go ahead tomorrow to consider civil rights legislation as riders to a little school bill, when that legislation is completely lacking in germaneness to that bill, and thereby proceed to turn the Senate into a Committee of the Whole on civil rights legislation, when we do not have the benefit of a committee report, when we do not have the benefit of the leadership of the committee as floor leaders on the bill, when we do not have the benefit of all the safeguards that were intended by the Senate when the rules governing committees were set up in the first place.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I appreciate the Senator's courtesy in yielding to me.

I am informed the Senator has some additional remarks to make and that other Senators have speeches, one of at least 40 minutes' duration. I would hope that the Senate could run until some time between 6:30 and 7 this evening, in order to give every Member who desires to address the Senate an opportunity to do so; but I have been requested by my colleagues to inform them as to whether we shall have a vote on the motion this evening. In light of the fact that the Senator from Oregon has a statement which he has not completed, in view of the fact that the Senator from Tennessee has a 40-minute statement, I think it unlikely that we shall have a vote, and therefore I will inform the Senate that, so far as I can control it, there will be no yea-and-nay votes this evening. We will assemble at 11 o'clock tomorrow morning.

INVESTIGATION OF NEWSPAPER STRIKEBREAKING ACTIVITIES

Mr. MORSE. Mr. President, on January 20 of this year I called to the attention of my Senate colleagues the deplorable 19th century antiunion techniques employed by the Newhouse newspaper empire in the newspaper strike in Portland, Oreg. The Portland strike began early in November 1959 and is still continuing. The segment of the Newhouse empire involved in this dispute is the Portland Oregonian. The Oregonian's ally and subordinate in the prolonged strike is the Oregon Journal. Both papers are now printed as the hybrid the Oregonian-Journal.

Newhouse turned back the pages of labor history by importing strikebreakers into Portland. These strikebreaking services are used by backward-looking newspaper publishers who seek to crush the efforts of their employees to improve wages, hours, and working conditions.

Newspaper publishers such as Newhouse and other publishers who are willing and eager to pit traveling, irresponsible strikebreakers against hard-working, reliable newspaper workers should be called to a public accounting. Most of the newspaper strikers who are thrown out of jobs by imported strikebreakers are the heads of families and comprise an important segment of the respected people who make up our American homes and communities.

Newhouse and like-minded antilabor newspaper publishers wholly ignore the social consequences of their strikebreaking activities. They disregard the legitimate rights of the laboring man. They know that imported strikebreakers function as labor mercenaries. They know that strikebreaking mercenaries increase the danger of violence in a strike situation. Yet such newspaper publishers as Newhouse are willing to create a labor-

trouble situation which leaves scars on a community for a long time.

I am very sad to report that there has been some violence in recent days in the Portland newspaper strike. Although we must wait until the legal processes have run their course to determine to what extent, if any, strikers may be involved in this violence, I think it is perfectly clear that the strikers as a group have not been involved in it. There are allegations that one member of the strike negotiating committee may have been involved in the violence which has occurred, and which I deplore, and which I point out is absolutely unjustified. Violence brings labor into great disrepute, which I think is a very unfortunate development in the Portland newspaper strike. But, Mr. President, I simply say, Do not judge until this matter has run its legal course, so far as assuming to what degree, if any, any member of the strike negotiating committee may have any responsibility in this violence.

I am inclined to believe that the negotiating committee as a committee was in no way a party to the violence; but, in fairness, I ask unanimous consent that at the close of my remarks there be printed in the RECORD a story from the Oregonian-Journal dealing with the bombing of some trucks that were used to deliver newspapers during the period of the strike. In fairness to all, I ask that the full story be printed at the close of my remarks, Mr. President, the RECORD showing that I think this is a very unfortunate development.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, human frailties being what they are, when a newspaper publisher such as Mr. Newhouse resorts to importing mercenaries to scab on workers in a plant, too frequently violence does break out. That does not justify the violence.

It does, Mr. President, in part explain it, human beings being what they are.

There is no question about the fact that the vast majority of strikers deplore any violence.

Mr. President, I ask unanimous consent that there be published along with this newspaper story, at the conclusion of my remarks, an editorial from the Oregon Labor Press of January 29, 1960, entitled "Violence—True and False."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Mr. President, I have an article from the International Woodworker of February 10, 1960, which points out that the strike negotiating committee, after this violence occurred, posted a $1,000 reward to anybody who would help lead to the detection of who was responsible for the dynamiting of these trucks. The article reads, in part:

> The Portland Inter-Union Newspaper Committee, coordinating the activities of the eight unions engaged in the 14-week-old Portland newspaper strike, has posted a $1,000 reward for information leading to the apprehension and conviction of those persons responsible for the dynamiting.
>
> Robert L. Shults, Portland Newspaper Guild president and a member of the inter-union committee has said, "No responsible individual in any union would resort to dynamiting. It would turn public sympathy against us—and we need the public's understanding in this strike situation."
>
> A similar reward of $1,000 was voted by the Portland City Council as local law enforcement agencies launched an all-out investigation of the explosions. To date the newspaper publishers have not taken a similar position.

Mr. MORSE. Mr. President, I also ask unanimous consent that there may be printed at the same place in the RECORD following my speech comments from a newspaper setting forth the views of members of the union in opposition to resorting to any violence.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MORSE. Mr. President, so not condoning in any way—in fact, deploring—this incident of violence, I want to say, however, that when a strike becomes as bitter as this one has become, human frailties being what they are, there is always the danger that some hothead will lose his good judgment, that someone will do something that is inexcusable, which is exactly what happened in connection with this violence.

Mr. President, I ask unanimous consent that there also be published in the RECORD following my remarks a report on this strike from the Guild Reporter of February 12, 1960.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. MORSE. Mr. President, Newhouse and his kind are resourceful in their antilabor activities; they look not only backward, but forward in their disruptive activities. They have injected into the catalogs of antilabor activities a new item—that of strike insurance for the newspaper industry. The details of this insurance arrangement are carefully concealed but we do know that the Newhouse interests went up to Canada to make this strike insurance arrangement as a new type of program to break unions and destroy collective bargaining in the newspaper industry.

When I spoke on this subject in the Senate on January 20, I suggested that the tensions of the Portland newspaper strike might be relieved and that a new conciliatory attitude might be established if a factfinding board, consisting of deans and members of the faculties of several schools of journalism in this country, were appointed with authority to investigate and make recommendations for the settlement of the strike.

If such a factfinding board had been put to work on this case, I am very strongly of the opinion that their recommendations, if implemented by the pressure of public opinion, would have constituted the basis for a fair settlement of the strike. However, the Oregonian-Journal did not accede to this suggestion, thereby revealing that these newspapers are more interested in strikebreaking than in the settlement of the labor dispute.

There is mounting evidence, Mr. President, that the strikebreaking activities of the Newhouse empire is but one manifestation of a pattern that is being established by the newspaper industry in other parts of the country. The faces of the mercenaries hired by Newhouse are as familiar in the East and the South as they are in Portland. The pattern that is emerging is becoming more and more clear. If it persists—if it succeeds—antilabor employers in other segments of American industry will seize upon it as a method of destroying employee organizations. Its effects will extend far beyond the periphery of the newspaper industry.

It is not in the general public interest to turn back the clock and to reenter an era of labor-management strife that most Americans wish to forget.

Mr. President, this cancerous development which is spreading in the newspaper industry deserves immediate consideration by the Congress. To that end, I introduce for appropriate reference, a resolution to authorize the Senate Committee on Labor and Public Welfare to examine and investigate and make a complete study of this situation.

This study will be significant because it will reveal the extent to which newspaper employers who are involved in labor disputes with their employees have adopted the practice of utilizing the services of professional strikebreakers, employed locally and in interstate commerce, the extent to which these employers subscribe to so-called strike insurance as a means of coercing their employees and otherwise subverting the processes of collective bargaining, and the degree to which these practices have undermined the accepted principle that labor disputes be settled through the orderly processes of free collective bargaining.

Mr. President, in speaking about this alleged hiring of mercenaries and strikebreakers, there is no doubt that they have been hired and there is no doubt that these mercenaries who have been brought in to "scab" on these newspaper workers in Portland, Oreg., are mercenaries who have performed the same "scabbing" function in connection with other newspaper strikes in this country in recent years.

Mr. President, we need to find out whether these mercenaries were supplied the Portland Oregonian and the Journal by a business which is known as the Schleppey-Klein personnel establishment.

I discussed this matter, Mr. President, in my speech on January 20 in the Senate, and I now quote from an article I placed in the RECORD at that time:

> There has been no definite proof that Schleppey-Klein is directly involved in Portland. But there are numerous Schleppey-Klein alumni among the Portland strikebreakers. This may not be a Schleppey-Klein operation, but the methods used here are certainly copied from the Schleppey-Klein strikebreaking handbook.
>
> Bloor Schleppey of Zionsville, Ind., has been described by Time magazine as a man who has a role in American journalism as unusual as his name: he breaks strikes for pay.

Mr. President, I ask unanimous consent that the article from Time magazine of April 28, 1958, dealing with the

operations of the Schleppey-Klein strikebreaking organization be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE STRIKEBREAKER

At 70, he is plagued with eye cataracts, and his office is the cluttered corner of a Zionsville, Ind., farmhouse, which he claims was once used as a chicken roost. But restless, lank Bloor Schleppey has a role in American journalism as unusual as his name: he breaks strikes for pay.

For the past quarter century, ex-Newsman Schleppey's principal antagonist has been the tightly organized International Typographical Union. When publishers were hit with an I.T.U. strike, they called Schleppey. Within hours Schleppey was on hand, and his men were swarming into town by car, plane, and train: a gang of nonunion compositors and linotype operators who moved into the struck composing room, kept the paper going until new workers could be recruited locally and trained to replace the strikers. Says Schleppey: "It's a terrific job—you've got to have a rugged constitution. I've got one."

SCAB HERDER

Last week Schleppey's hired hands were getting out the daily editions for the I.T.U.-struck Haverhill (Mass.) Gazette and the Worcester (Mass.) Telegram. A Schleppey associate named Shirley Klein, who calls herself a legal consultant, is directing another combat team in the I.T.U. strike against the 11-paper Macy chain in New York's Westchester County.

"Scab herder" is the I.T.U.'s word for Schleppey. Schleppey himself, who prefers the term "publisher's counsel," admits he has fought 30 strikes over the years and lost only a few. But he likes to emphasize that he also acts as a labor consultant at the bargaining table, claims his interventions have headed off some 70 strikes. "I go into a strike to save the whole operation," explains Schleppey. "I'm saving maybe 200 or 300 jobs that the union doesn't care about."

To raise his strikebreakers, Schleppey needs only dial a phone. "I call up publishers who are clients and friends of clients who have nonunion composing rooms," says he. The publishers are happy to spare a man for the cause, Schleppey claims. But anti-Schleppeymen charge that his flying squads are mostly "drunks, misfits, social cripples, and are generally incompetent at their work." Within days of their arrival in Haverhill, several Schleppey recruits were arrested for drunkenness and disorderly conduct.

Behind Schleppey, charges the I.T.U., stands the American Newspaper Publishers Association, which has often scheduled him as a convention speaker. But while A.N.P.A. Labor Chief George Dale admits boosting Schleppey ("I don't mind saying I recommended him to the Worcester and Haverhill publishers"), he declares flatly: "We never paid Schleppey a cent."

RED INK

Just what he charges clients for breaking a strike, Schleppey refuses to say—"As a general rule, I make less than in my law practice." Schleppey insists that his workers get paid at union scale, but I.T.U. locals charge that they get up to three times as much. Schleppey and his workers get all expenses paid. Working overtime, often sleeping in cots in the plants, Schleppey's crews can make a killing; one linotype operator in Haverhill boasted to strikers that he earned $2,000 in little more than a month.

During a long strike, the bills for Schleppey's services have given some publisher's heavy deficits. It took Schleppey several months to break the back of the I.T.U. strike at the Grand Junction (Colo.) Sentinel, and an ex-bookkeeper for the paper recalls: "I used red ink for a long, long time." In the solidly unionized city of Haverhill, the I.T.U. is fighting back by urging subscribers and advertisers to boycott the Gazette; circulation (11,000) is down 45 percent, and ads are down 40 percent from prestrike levels. To make matters worse for the Gazette, Publisher William Loeb, of the Manchester (N.H.) Union Leader, has seized the opportunity to start a rival Haverhill paper.

UP FOR HIRE

Strikebreaker Bloor Schleppey (Bloor was his mother's maiden name[1]) was born in Crawfordsville, Ind., got a law degree from Indiana University in 1912, then broke into the newspaper business in 1916 on the short-lived Milwaukee Daily News (Schleppey claims he was managing editor; oldtimers remember him as a reporter). In the next years, Schleppey worked for the New York World and the New Orleans Times-Picayune, put in a term as a Washington reporter for the Hearst chain. In 1934 he went to work for the Indianapolis Publishers Association and started his career as a labor specialist.

Last year Schleppey tried to retire to his 150-acre farm, but the composing-room wars in Massachusetts brought him back on the job. This summer Schleppey will have a cataract removed from his left eye, afterwards wants to do nothing but paint pictures and write a book on modern art. But for the time being, Strikebreaker Schleppey is still up for hire. Says he: "I'll never let these publishers down as long as I'm active."

Mr. MORSE. Mr. President, I have received a wire today from a very good friend of mine in Portland, Oreg., who himself is a newspaperman, Mr. Jack Churchill, who says:

Newspaper strike bulletin of February 11 states: "Bloor Schleppey was arrested by Philadelphia police at dawn Thursday on a warrant charging violation of a 1937 Pennsylvania State statute prohibiting the importation of strikebreakers by persons not directly involved in a labor dispute."

There is some discussion of this matter in the Guild Reporter of February 12, 1960, Mr. President, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLICE SEEKING BLOOR SCHLEPPEY ON PENNSYLVANIA STRIKEBREAKING COUNT

BRISTOL, PA.—Bloor Schleppey, recruiter of strikebreakers for newspapers from coast to coast, is being hunted by police.

He is being sought on charges of violating Pennsylvania's antiracketeering law, which prohibits the recruiting of strikebreakers by persons not directly involved in the strike. Penalty for conviction is a year's imprisonment or a $1,000 fine, or both.

Schleppey's name has come to light most recently in connection with the Portland, Oreg., strike at the Oregonian and the Oregon Journal. The papers are publishing a combined edition with the use of scabs known to have worked for Schleppey in other disputes.

The warrant for the arrest of Schleppey, who brought in hordes of scab printers to the Bristol Daily Courier and the Levittown Times, was sworn by Joseph Radice, special representative of the International Typographical Union and president of the Trenton Typographical Union No. 71.

Two charges were filed before Justice of the Peace William Oettinger in Falls Township, Pa. Judge Oettinger turned the warrant over to the police for service. If Schleppey is not picked up in Pennsylvania, Radice said, it is planned to seek his extradition from Zionsville, Ind.

The 1937 Pennsylvania statute prohibits "* * * any person, firm, or corporation" not involved in a strike or lockout, from "recruiting or offering employment for strikebreaking purposes."

The State law thus differs from the Federal Byrnes Act, which bars traffic in strikebreakers across state lines to obstruct or interfere with peaceful picketing or with the right of employes to organize for collective bargaining. The Byrnes Act has been invoked infrequently.

The warrant for Schleppey's arrest followed fast two other events marking the 16-months-old strike of Bristol and Levittown printers. Three former strikebreakers charged Murray Hotchkiss, copublisher of one of the struck papers, with illegally withholding wages due them. They said Hotchkiss put a note in their pay envelopes stating that management was withholding the money—more than $200 in all—to compensate for "damages" they had done to machinery. The trio denied the allegation.

In another incident a Schleppey-imported scab, Roland O. Briant, was being held in Mount Holly, N.J., for bail jumping and passing worthless checks. Authorities said Briant, of La Marque Ring, Tex., has a record of several arrests. Pennsylvania officials have filed a detainer to pick up Briant when New Jersey is finished with him.

Mr. MORSE. Mr. President, I offer the resolution today, and I ask unanimous consent that it be printed in full at this point my remarks. I have sent it to the desk, and I ask that it be referred to the Senate Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD at this point.

The resolution (S. Res. 271) was referred to the Committee on Labor and Public Welfare, as follows:

Whereas it is vital to the public interest of the United States that labor disputes in the newspaper industry be resolved through the orderly process of free collective bargaining; and

Whereas in certain strikes which have recently occurred or are now in progress in the newspaper industry, it appears that the employers involved have repudiated the orderly process of free collective bargaining as a means for the settlement of labor disputes, and have instead resorted to the device of employing professional strikebreakers, many of whom are transported in interstate commerce, and who belong to well-established groups organized for the sole purpose of breaking newspaper strikes in the United States wherever they occur; and

Whereas it also appears that, in order to escape their duty of settling labor disputes by the process of free collective bargaining, certain newspaper employers, as a strikebreaking device, have subscribed to so-called strike insurance policies, some of which have been negotiated outside the United States; and

Whereas it further appears that the employment of such strikebreaking devices is becoming an established pattern among newspaper employers to circumvent the orderly process of free collective bargaining as a means for the settlement of labor disputes: Now, therefore, be it

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized

[1] No kin to the famed Communist agitator of the 1920's and 1930's, "Mother Bloor" (whose real name was Ella Reeve Omholt).

subcommittee thereof, is authorized and directed under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of the extent to which newspaper employers who are involved in labor disputes with their employees have adopted the practice of utilizing the services of professional strikebreakers, employed locally or in interstate commerce, and of subscribing to so-called strike insurance as a means of coercing their employees and otherwise subverting the processes of collective bargaining, and the extent to which the employment of these practices by such newspaper employers has undermined the accepted principle that labor disputes be settled through the orderly process of free collective bargaining.

SEC. 2. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical, clerical, and other assistants and consultants.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MORSE. Mr. President, I have offered the resolution because I do not want the proposed investigation by the Senate Committee on Labor and Public Welfare to be limited to the Portland situation. I am satisfied, as I indicate by the resolution, that the evidence is replete that these strikebreaking activities on the part of some newspaper publishers exist in other parts of the United States; for example, Michigan, New Hampshire, Missouri, and other parts of the United States. This justifies, in my judgment, the Senate Labor and Public Welfare Committee going into the whole subject matter.

EXHIBIT 1

[From the Oregonian Oregon-Journal, Feb. 12, 1960]

TRUCK BOMBINGS CONFESSED; HIRELING NAMES UNIONIST—FIVE TAKEN AFTER TIP TO SHERIFF

(Early Friday bail for Levi McDonald was raised from $10,000 to $20,000 in Multnomah County and an additional $10,000 in Clackamas County, the latter on a charge of being a fugitive from that count. Decision was also made to hold the wives of Eddie Snyder and Charles Snyder in Multnomah County for the rest of the night, without a charge.)

(By Gerry Pratt)

Five men were arrested Thursday night in connection with the bombing of 10 newspaper trucks January 31, according to Sheriff Francs Lambert of Multnomah County.

A full confession was obtained from one and admissions from three other men.

The confession by Gerald Allen Couzens, 20, of 4032 SE 28th Avenue, implicated four others, one of them a striking stereotyper for the Oregonian and a member of the Stereotypers Union negotiating committee.

Four of the men have made admissions of participation in the affair, according to Sheriff Lambert. A fifth man, the stereotyper, was in custody but had made no admission, the sheriff said.

The five men were held for malicious bombing, Sheriff Lambert said, but charges cannot be formally placed until court opens. Friday is a legal holiday (Lincoln's birthday), but District Attorney Charles Raymond said he would try to take the five before a magistrate that day. He set bail on each at $10,000.

LAST ARRESTED

The stereotyper negotiator named by Couzens was Levi Sarfield McDonald, 3560 SE Holgate Boulevard. Couzens said McDonald provided the $400 in payoff money and took part in the planning of the bombing and the transporting of the dynamite. McDonald was arrested last.

Making admissions were three brothers, Charles and William Snyder, of Boring, and Eddie Snyder, 15216 Southeast Division Street, said Lambert.

Charles Snyder and his wife, Ruth Alys, late Thursday took Multnomah County and Clackamas sheriff's officers to his father's home, Route 3, Boring, and led them to a garage back in the woods behind the house where there was a case of unused dynamite.

Charles Snyder said the dynamite had been bought by his brothers for blowing up the trucks.

Jane Snyder and her husband, Eddie, and police went to recover the crimping pliers used to set the caps. Chief Ard Pratt said the two women would be taken to Oregon City and lodged in Clackamas County Jail on the same charges facing their husbands and that bail would be set at $10,000 each.

HANDPICKED SQUAD

The tale of the plot to dynamite the newspaper trucks came after a day and a night of intensive investigation by Sheriff Lambert, Pratt, and a handpicked squad of 16 uniformed deputies Lambert chose to see the case through.

"It began late Wednesday night when we got some new information," said the sheriff, who Thursday night was showing signs of 2 days and a night without sleep.

It was noon Thursday before the sheriff's men had coupled their new information with facts they already had in hand and were prepared to move on the Snyder brothers and Couzens, said Lambert.

Couzens' story was told first to police, then recorded and then played for a room full of press, radio and television reporters while Couzens himself sat alongside the record and listened to his own story.

HANDS FOLDED

The blond, curly headed Couzens folded his hands in his lap and dropped his head as the recorder sounded: "I, Gerald Allen Couzens, 20 * * * make the following statement of my own free will and volition regarding the dynamiting of the above named trucks."

A detective's voice then asked: "You wish to make a full statement of the dynamiting, is that true?"

Couzens answered: "Yes."

He was asked when he first became acquainted with the plan and replied: "It was about 3 weeks before (the dynamiting)."

Question. "Who spoke to you about this?" And he replied, "Eddie Snyder."

The detective then established that he was referring to the Eddie Snyder police were questioning in another room and went on with, "What did he, Snyder, tell you?"

Couzens replied: "He told me it wasn't dynamiting at first and he asked me if I would like to go in on it. It would be $200 for each job and there would be three jobs. I told him I would think about it."

Couzens said he understood at first that the "job" would be fixing the trucks so they would not run and then listed the three places mentioned where the trucks were to be damaged as the Oregon Film Service, Northwest 22d Avenue and Upshur Street, Wymore Transfer Co., Oregon City, and Gallien's Garage, 2414 Northwest Raleigh Street. All of them haul for the Oregonian-Journal.

Couzens said he then later met with the three Snyders and "Lee McDonald who picked me up." He said they all then went to look at the places where they would set their bombs and then he and two of the Snyders returned to Eddie Snyder's house.

"We made the charges up that night in Eddie Snyder's garage, Eddie, myself, Charlie and Bill (William).

Question. "Was he, McDonald, there?"

Answer. "He had went back into Portland."

Question. "How much dynamite was in Eddie Snyder's garage?"

Answer. "There was one box."

Question. "What kind of dynamite?"

Answer. "It was about 6 inches long, 1 inch in diameter and it had a wax cover. The fuses were black."

Question. "Did they have a supply of caps?"

Answer. "Yes; about an inch long, red metal."

Question. "Did they look like a .22 caliber shell?"

Answer. "A little longer."

Question. "Where had the dynamite been secured?"

Answer. "In Eddie Snyder's garage."

PURCHASE TOLD

He then told the detectives he didn't know who carried the dynamite into the garage but said it was purchased at a store between Gresham and Sandy.

Question. "Who determined how long the fuses should be cut?"

Answer. "Bill Snyder and I for Bill and myself. Then Eddie and Charles decided how long they want theirs for Oregon City."

Question. "How long did you cut yours?"

Answer. "Seven feet."

Couzens said they had tested and timed a length of fuse to determine how much they would need to get away.

Question. "You worked as two teams, one to dynamite Oregon Film Service and Gallien's and the other to dynamite Wymore trucks at Oregon City?"

Answer. "Yes."

Question. "Who was in your team?"

Answer. "Bill Snyder and another man who drove for us, but I don't know his name."

Couzens said they rode to the bombing in a white, 1954 station wagon that belonged to the third man.

Question: "This station wagon belonged to a man you do not know?"

Answer: "Yes."

Question: "Would his first name be Bob?"

Answer: "I couldn't say. Lee McDonald sent him to help."

Question: "You have been referring to a Lee McDonald, what kind of a car did he drive?"

Answer: "An Olds, 2-door sedan."

Question: "Could this be the Levi McDonald who is connected with the papers here?"

Answer: "He does work for the papers, yes."

The detective then asked Couzens if he recalled the Lee McDonald who reported his car door had been hit by a bullet earlier in the strike and he replied, "yes, I have."

Question: "Who else was at the dynamite preparation?"

Answer: "Chick, Bill, Eddie, and myself."

Couzens then told how they wrapped the dynamite, three sticks in each package and one large bundle of four sticks and three sticks together.

"For the other job (Oregon City) there was one package for every truck, three sticks

wrapped in masking tape. We made out 7-foot fuses and put the fuses into the caps and took pliers and crimped the caps."

Question: "Was McDonald there while you were preparing the dynamite?"

Answer: "He got there just as we were finishing."

Question: "Did he help in the preparation of any of these bundles of dynamite?"

Answer: "No, he did not."

He then repeated the breakdown on how the two teams split up on the night of the bombing and that he and one of the Snyders drove from Ed Snyder's place with Lee McDonald. He said McDonald picked up the third man and that they got into the third man's station wagon. He said when they picked up the third man, McDonald parked his car "behind the union hall, not the Labor Temple but the one behind it."

Detectives asked how much money they were to get and Couzens said $200 per job.

Question: "Who was going to pay this amount?"

Answer: "Lee McDonald. I got mine from Bill Snyder."

TEN TRUCKS BLOWN UP WITHIN 4 MINUTES

Ten trucks used by contract carriers to haul newsprint and newspapers for the Oregonian-Oregon Journal were dynamited within a period of a few minutes about 11:30 p.m. Sunday, January 31. No one was injured.

Six of the trucks owned by the Wymore Transfer Co. were parked on the company's terminal a short distance from the city center of Oregon City. Three, which were swept by fire which followed the blasts, were a total loss. A fourth was extensively damaged and two more were heavily damaged. These three were repairable.

Four trucks parked on the terminal of the Oregon Film Service at Northwest 22d Avenue and Upshur Street were heavily damaged by explosions. The company operates the trucks on lease.

Investigating police at that time said probably 30 sticks of dynamite were used in the attempt to cripple the newspapers' delivery system. Some of the dynamite charges were placed on the gasoline tanks of the Wymore vehicles, which accounted for the fires following the blasts. The charges were placed in the cabs of the Oregon Film Service vehicles.

ONE BOMB FAILS

Two bundles of dynamite, one containing four sticks, the other seven, were found at 4 a.m. Monday at Southeast Seventh Avenue and Ankeny Street.

About 4 minutes separated the two dynamitings. The blasts at Oregon City were reported at approximately 11:26 p.m., those in northwest Portland at 11:30 p.m.

Damage to the 10 vehicles was estimated as high as $80,000. The contract carriers obtained replacement trucks and continued their service without interruption.

A massive investigation immediately got under way and a special coordinating committee was set up by Portland and Oregon City police, the sheriff's offices of Multnomah and Clackamas Counties, and the Oregon State Police. The law enforcement agencies isued a plea for public help in locating clues to the dynamiters. The real break came from the Multnomah County sheriff's office Thursday. It was based on an informant's tip.

Rewards offered for information leading to arrest and conviction of the persons responsible for the dynamitings total nearly $5,000. The Interunion Newspaper Strike Committee issued a statement condemning acts of violence and offered a reward of $1,000. The Portland City Council also offered $1,000.

The Oregonian and the Oregon Journal offered $1,000 each and Wednesday they announced a secret witness plan by which the identity of informants will not be revealed.

The cities of West Linn and Oregon City joined to add $500 to the reward total and a local campaign for contributions in Clackamas County has added $367 to date.

An official of the company which manufactures dynamite of the type used said the blasts did not appear to have been the work of top powder experts. Few useful clues were found at the scenes of the dynamitings. One clue announced by police was the discovery, following a heavy rain, of a section of fuse and bits of metal on the Wymore parking lot.

DEPUTIES LED TO DYNAMITE CACHE NEAR BORING BY ADMITTED BOMBER

(By Harold Hughes)

Charles Snyder, one of three young brothers who confessed they were hired by a newspaper union negotiating committee member to blow up newspaper trucks, led officers Thursday night to his father's home at Boring where a case of unused dynamite had been cached.

Multnomah County and Clackamas sheriff's officers were taken by Snyder and his 20-year-old wife, who is the mother of three children, to the Thomas L. Snyder family home on Route 3, Box 352A.

In a garage in the woods behind the house Snyder pointed out a case of dynamite which he said was bought by his brothers with money paid by Lee McDonald, stereotyper strike negotiating committee member. Another half case was mostly used in dynamiting the trucks, Snyder said.

Snyder said he was given $100 of the $400 paid to his brother by McDonald for blowing up 10 trucks in Portland and Oregon City January 31. The 23-year-old Snyder, his wife, and twin brother, Eddie, and his wife, were in the party that blew up the trucks at the Wymore Transfer Co. at Oregon City.

FIRST REFUSED

Charles said he and his brothers were originally offered $1,000 a truck and turned it down as being too dangerous and risky.

"Later, we all got short of money and settled for the $400. I wish someone had paid us not to blow the trucks up," Charles said, squeezing the hand of his tearful wife, who was also in custody.

Snyder said that McDonald did not tell him where he got the money for the dynamite job, but indicated it was paid by someone else to the strike negotiators.

Charles said he and his brothers were also offer $100 for each truck on the road we blew up. He said also, "we were offered $50 for each person we beat up." Charles is only about 5 feet 5 inches, weighs about 135 pounds.

"I wasn't a likely candidate for that job," he said.

He had told officers on the drive out to Boring that he had waited until a night policeman had left the truck lot before blowing the Wymore trucks.

"We didn't want to hurt anybody," he said.

EXPLAINS HOW

Asked how he expected to blow up a newspaper truck on the road without hurting anyone, he said, "The plan proposed to us was that we shoot out a tire, stop the truck and take the driver off, then blow it up."

Charles said he lit the fuses of all the dynamite bombs at the same time and placed them on the trucks. "By the time they went off we were across the river and in West Linn."

Some 15 minutes later, Charles' car was stopped by police, but released.

Snyder and his tearful wife late Thursday were taken by officers to Snyder's parents home, where he was met by his mother who had already learned the news from a neighbor. Mrs. Snyder had little to say to her son, except to tell police she had returned from visiting his father at the hospital the night of the explosions and had stopped by Eddie's home to give the boys some pizza pies.

LOOKED AT YARDS

Charles Snyder said the group met at Eddie's house in the afternoon and drove around to look at the truck yards. About 5 p.m. Charles said he wrapped up the sticks of dynamite into bombs.

Charles told officers during the drive to Boring that he had experience in blowing stumps on his father's country place at Boring. The father, however, is not a farmer, but a mechanic.

Both his father and mother have been operated on for cancer during the past few weeks.

The conversation Snyder had with the officers was in the presence of Clackamas Sheriff Joe Shobe and Clackamas Lt. Bill Brooks. Multnomah County Juvenile Officer Jim Sims accompanied the party with Snyder in another car.

Sheriff Shobe said the youths involved in the Oregon City bombing would be taken to the Oregon City jail and held on $10,000 bond each.

EXHIBIT 2

[From the Oregon Labor Press, Jan. 29, 1960]

VIOLENCE—TRUE AND FALSE

"We know of no facts that are being withheld except facts back of the sudden outburst of violence and 'goonianism' on the picket lines."

With this statement, the publishers of the Oregonian-Journal this week airly dismissed another request, this time from Senator MORSE, for impartial factfinding to settle the newspaper strike.

They labeled Senator MORSE's proposal a "dead horse" and then tried to flip the argument back to reports of violence, with which they regularly have decorated their front pages.

This week, the argument flipped back again, right into their faces.

On Tuesday, for at least the third time in 3 weeks, they slapped fat headlines on a "violence" story with strong implications that union men were responsible. This latest story involved Oklahoma strikebreaker Tommie Buckner, who told police he was beaten by two thugs who broke into his home. A day later, he confessed to police the story was phony and he was arrested for making a false police report and possibly also for perjury.

Buckner was jailed and then fired by the publishers, but the damage had been done in the screaming headlines. Just as in the case of Mrs. Keever, arrested for falsely reporting she had been kidnapped by union sympathizers, or the case of the throwing of acid that wasn't really acid, the Oregonian-Journal was able to vilify union violence—which wasn't union and wasn't violence.

The fact remains, however, that union men and union sympathizers have been involved in incidents of violence such as the free-for-all on the picket lines Saturday. And there have been reports that union men have made remarks reflecting religious prejudice.

Such outbursts—any outbursts—of force and hatred are inexcusable. They are wrong. They are stupid. They do nothing toward winning the strike. The men who committed them are hurting their own cause.

In the 12 weeks of this strike, the publishers have shown that their only moral code is the law of the jungle. No union man should allow himself to sink to their level.

EXHIBIT 3

UNION MEN COMMENT

The Portland Interunion Newspaper Committee Monday issued the following statement in connection with explosions which badly damaged 10 trucks used in hauling newsprint and newspapers at Oregon City and Portland:

"The Portland Interunion Newspaper Committee has repeatedly condemned acts of violence.

"Violence can only be harmful to our cause and possibly alienate some persons who are now sympathetic to the striking newspaper unions. We place a high value on public support in our labor dispute with the publishers.

"We deeply regret this senseless dynamiting of newspaper trucks because it gives an opportunity to some quarters to blame the unions through guilt by association.

"We urge the public to withhold judgment. We ask the public to recall that several previous alleged acts of violence have proven to be hoaxes. We are anxious that the real culprit in this act of wanton destruction be apprehended. We pledged to police authorities whatever assistance we can give them."

EXHIBIT 4

[From the American Newspaper Guild Reporter, Feb. 12, 1960]

PORTLAND UNIONS TEAM UP WITH INTERIM STRIKE PAPER

PORTLAND, OREG.—The first edition of the Portland Reporter, an interim strike weekly, was locked up as the Guild Reporter went to press. Some 50,000 copies were scheduled for distribution in a target residential area of the city.

The Reporter, an eight-page tabloid, is backed by the interunion newspaper strike committee. It is designed to bring newspaper readers local news and features they have missed since the stereotypers struck the Oregonian and the Oregon Journal last November 10 with the support of other unions.

The two papers have recruited strikebreakers to issue a hybrid daily during the strike under their combined flags. This makeshift operation, however, has neglected coverage of local events simply to get an edition on the streets. Moreover, an estimated 160,000 prestrike readers of the papers have canceled their subscriptions.

Announcement that the Reporter would appear as a weekly was greeted by the community with some disappointment. Considerable public support for a new daily has developed since the beginning of the strike.

"But strong young men grow up from infancy," Portland guild president, Bob Shults, observed. "And the Reporter is admittedly an infant at this stage."

President of the Portland Reporter, Inc., is Robert A. Lee, assistant news editor of the Oregonian.

Editorial work is being performed by guild members with close cooperation from the Typographical Union. Distribution and some ad sales are being handled by members of the craft unions.

The first edition originally was planned to contain no advertising. These plans collapsed, however, under pressure from merchants, and the paper will carry some 200 inches of display ads.

"We have everything a newspaper has," Lee told a rally of 900 union representatives at the labor temple last week. "Our news editor already is complaining that his 'news hole' isn't big enough and is demanding that we go up two pages. We have theater ads, a radio-TV section, good features, and comics. We have everything a newspaper has—except, of course, strike insurance."

On the bargaining front, informal meetings with Oregonian and Journal managements were held this week by the photoengravers, the paperhandlers, and the ITU mailers. No mediators were present.

Although the strike began as a dispute between the stereotypers and the companies, the contracts of all the craft unions at the papers since have expired. The guild's contracts run out next June 1.

AN ALTERNATIVE TO KINZUA DAM

Mr. MORSE. Mr. President, I invite attention to a letter to the editor which was published in the Washington Post and Times Herald of yesterday, February 14, written by Mr. Arthur E. Morgan, former Chairman of the Tennessee Valley Authority. The subject of the letter is "An Alternative to Kinzua Dam."

Mr. President, I offer this for the RECORD for the attention of the entire Senate, but I am calling it by correspondence to the specific attention of the members of the Senate Committee on Interior and Insular Affairs, because the points which Mr. Morgan makes in the letter deserve a thorough investigation, I think, by the Senate Committee on Interior and Insular Affairs, before we run the risk of wasting, as he says, over $100 million of the taxpayers' money for a plan in connection with Kinzua Dam, which is far from preferable to another plan which he believes will better serve the interests of the people of this area, and which will not violate the treaty we have had with the Seneca Indians for many decades with regard to their rights to property which would be flooded if Kinzua Dam proceeds under the plans of the Army Engineers as now contemplated.

Mr. President, I do not think there is too much time left to prevent both the waste of the money and the injustices which would flow, if Mr. Morgan is correct, by the building of Kinzua Dam as now proposed by the Army Engineers.

I offer this letter for the consideration of the Senate in the hope that a thorough investigation of it may be made, in order to prevent what Mr. Morgan, at least, says would be gross injustices if it were not stopped. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AN ALTERNATIVE TO KINZUA DAM

The struggle of the Seneca Nation of Indians to save their western New York reservation from the projected Kinzua Dam and Reservoir on the upper Allegheny River has received sympathetic publicity. The Indians' effort to preserve their homeland—secured to their "perpetual use and enjoyment" by our country's oldest treaty still in force—has overshadowed an equally important issue: the inadequacy and bad economy of the Kinzua project itself.

An engineering oversight of 30 years ago, unless it is corrected, will cause great and unnecessary loss to the Seneca Indians, to the cities of Pittsburgh and Warren, Pa., and to our country as a whole. There is still time to correct that oversight.

For 50 years the Army's Corps of Engineers opposed reservoirs for flood control. Then in 1928 there was a sudden policy change, and the corps began designing and building dams and reservoirs. The plan for Kinzua was one of the first of these; its site was fixed in 1928.

Since then much detail work has been done, but the basic design has never been reexamined, despite serious shortcomings. Located between the cities of Warren and Salamanca, the dam would have limited storage capacity which could not be increased without flooding one or both of these cities. The reservoir would eliminate the only water-level highway through the mountains in this region. And it would take nearly all the habitable part of the Seneca Indians' reservation, destroying their identity as a people.

Totally unaware that a superior alternative existed, the Pittsburgh office of the Corps of Engineers presented the Kinzua plan to the city's industrial and financial leaders, who accepted it at face value, promoted it enthusiastically, and on the strength of it borrowed $100 million to develop the Golden Triangle in the city's most heavily flooded area. Now these industrial and financial interests, as well as the Corps of Engineers, are thoroughly committed to the Kinzua plan, and have given no evidence of competent consideration to the alternative Conewango-Cattaraugus plan.

However, this alternative—with potentialities far greater than the Kinzua plan—does exist. The Seneca Indians asked me to look into the situation and find out whether the public interest required the building of Kinzua and the virtual destruction of their reservation.

My study disclosed a remarkable geological circumstance which had been entirely overlooked by the Army Engineers in their planning 30 years before. In prehistoric times the Allegheny River flowed northward into Lake Erie. The last glaciers, some 10,000 years ago, dug a great hole and pushed up a dike which turned the river southward into the Ohio. By simply cutting through that dike and using the hole—now a nearly useless swamp—for a reservoir, three times as much floodwater could be stored as by Kinzua.

This alternative, the Conewango-Cattaraugus plan, would benefit Pittsburgh, the Seneca Indians, the Conewango area, and the valley of the Ohio River. It would give complete protection from even the most disastrous possible upper Allegheny floods—for which Kinzua would be entirely inadequate—and, in addition, the stored water could be used to increase the critically low waterflow into the Ohio in late summer and fall.

Instead of destroying the Seneca's homeland, it would create a permanent 27-square-mile lake and turn the swampy Conewango region from an economically depressed area into a recreation spot—a transformation most of its inhabitants eagerly desire. Because of its much simpler construction, the Conewango project could probably be planned and built—even at this late date—in less time than would be needed to complete Kinzua. And all this could be done at a saving, in increased values and lower costs to the American taxpayer, of some $100 million over the cost of Kinzua.

When the writer drew attention to these facts in testimony before the House Appropriations Committee last June, the committee, and later the House, after considerable discussion, voted almost unanimously that an impartial study and comparison of the two plans, Conewango and Kinzua, be made before construction funds were released. But in the final hectic days of the session this provision was dropped, and as matters now stand the Corps of Engineers is free to begin construction of Kinzua. Only congressional action or initiative by the President can change the situation.

Even if the practical and economic considerations outlined above did not exist, our solemn agreement with the Seneca Indians should not be lightly set aside. No promise by our country ever was more solemnly made

than that to the Senecas in that long-honored treaty.

George Washington followed up that formal treaty with a personal letter giving unqualified assurance that his country's honor could be relied on. Can it be relied on? Or must the Senecas learn the bitter lesson that our world too is ruled by force, and that a treaty with the American Government is but a scrap of paper?

ARTHUR E. MORGAN.

YELLOW SPRINGS, OHIO.

(The author is a former Chairman of the Tennessee Valley Authority.)

PROPAGANDA BY PRIVATE POWER COMPANIES

Mr. MORSE. Mr. President, there is a proverb which, as I recall it, states: "Truth crushed to earth will rise again." Like so many of the proverbs this contains a valid description of a process that each of us upon occasion has had the opportunity to note.

I mention this proverb, Mr. President, because it seems to me a singularly apt one in connection with the misleading propaganda resurrected from time to time by the private power companies of the Pacific Northwest. Each time the scarecrow argument is raised, there are those who can confront the propagandists with a factual rebuttal of their misleading assertions.

In the February 1960 issue of the Northwest Ruralite on the editorial page there appears an article written by Robert B. Smith, who is the public relations director for Inland Power & Light, Spokane, Wash., which bears out my thesis. Mr. Smith has brilliantly exploded the fallacies in the false premises continually being advanced by private power propagandists.

Because of the importance of this subject to all parts of the Nation, Mr. President, I ask unanimous consent that the article to which I have alluded be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO PAYS TAXES ON WHOSE PROFITS?

(By Robert B. Smith)

In recent months the Washington Water Power Co. and other utilities have been putting strong emphasis in their advertising and publicity on the subject of taxation of the profit power companies as compared to the consumer-owned, nonprofit systems such as co-ops, the PUD's and the municipal systems. The essence of all their charges and statements is something like this:

"One out of five people in the country do not pay their fair share of taxes because they get their electricity from a nonprofit utility."

Their arguments to support this stand are cleverly designed, and must appear very convincing to the average person. However, they are based on at least three false premises, which should be understood by anyone attempting to form an opinion on the subject.

First false premise: That all taxes paid by a profit utility are a true cost of doing business.

The utility companies point with pride to the fact that 23 cents out of every dollar their consumers pay for electricity goes for taxes. They readily admit that the consumer pays this tax and that the company acts only as a tax collection agency. They say that these taxes are a part of the cost of doing business, and therefore are a part of the price of their product. Before accepting this statement it should be analyzed a little further.

Most taxes are a cost of doing business—in other words, they must be paid if the business is to function at all. Examples are: Taxes on property, business and occupation taxes based on gross sales, sales taxes on materials purchased, licenses, social security and unemployment taxes, and perhaps there are a few others. These are taxes which both our co-op and the private utilities pay. They are actually part of the cost of doing business. At our consumers utility, these taxes amount to about 10 cents of every dollar our consumers pay for electricity, and they constitute our total tax bill. While figures on the utility company's operations are not available, it is safe to assume that their consumers pay about the same percentage or less, because these taxes are applied to both types of operations on an equal basis.

If the utilities pay 23 cents per revenue dollar for their total tax bill, then 13 cents or more per dollar must then go for Federal income taxes. This is a tax on profits made from the operation. Since our co-op and others like us are actually doing business on a nonprofit basis and do not pay an income tax, it is not strictly correct to assume that a profit tax is a necessary cost of doing business.

When the utility companies complain that our consumers are not paying their fair share of taxes, in effect they are saying that we should add 13 percent to our electric bills and turn the money over to the Government so as to put our consumers on an even basis with the Washington Power Co. customers.

If this is good reasoning in the utility business, it should be good for other business, too. Let us apply it, for example, to the automobile business. Let us say that automobile manufacturer A has a good year, and after totaling up his profits, finds that he is paying 13 percent of gross sales in Federal income tax. Automobile manufacturer B, who also makes a good car, operates a little differently, and finds that he is paying 3 percent of gross sales in income taxes. According to the utility company's theory, then, all the people who purchased car B are not carrying their fair share of the tax burden, and should be charged 10 percent more so the company can make a bigger profit and pay the same percentage of income taxes as company A.

This, of course, would be ridiculous. The theory is equally ridiculous when applied to the utility business.

Second false premise: It is wrong for people to serve themselves with electricity when a profit power company is willing to do the job.

The power companies have sought to advance this concept in a variety of ways. They have attempted to hang the tag of socialism and even communism on the consumer-owned utility systems. They have distorted the meaning of free private enterprise to infer that a consumer-owned power system is contrary to American tradition. As pointed out above, they have used the label, "tax dodgers," to try to sell their concept. In these and other ways they have tried to make it appear that consumers of a publicly owned, or consumer owned electric system are sinful and unpatriotic.

This is an age of specialization. People are usually content to let someone else do a tough job for them, providing the other fellow will do the job well, and they can afford to hire his services. If the specialist's services are too costly, or he doesn't produce satisfaction, then we become do-it-yourselfers and find some way to accomplish the task ourselves.

The privilege of doing things for ourselves instead of hiring others to do them for us, indeed, is a great American tradition and an essential part of the personal freedom upon which our country is founded. We enjoy this privilege every day. For instance, if your house needs painting, you probably consider the alternatives. It's a big job and a lot of work. You don't particularly want to do it yourself so you get an estimate from a painter. After you find out his price you consider whether you can afford it and whether he will do the kind of job you want done. Perhaps you hire him to do the work, but no one considers you unpatriotic if you conclude that the price is too high or that you can do a better job than the painter can.

Probably it will never enter your mind that you will be depriving the Government of the income tax the painter would pay on the profit he would make on the job when you do it yourself.

When people join together to operate their own electric system they are exercising the same freedom of choice that you do when you decide to paint the house yourself instead of hiring a professional painter. If it is wrong to operate your own electric system, it is equally wrong to paint your own house.

Whenever you find a consumer-owned electric system you will find that the people have made the choice to "do it themselves" either because the price the professional utilities asked was too high, or because the job wasn't being done to the people's satisfaction.

Third false premise: The Federal Government is losing tax revenue because some consumer utilities do not pay income taxes.

If this premise is accepted as true, it, of course, helps to create a sense of guilt among co-op and municipal consumers, and perhaps makes them feel they are not carrying their fair share of the tax burden. It also helps to mold opinion against the co-ops and other consumer-owned systems in the minds of private power customers who comprise a majority of the population.

The truth is that the Government hasn't lost one penny of tax revenue, but in fact has gained millions.

Before the co-ops went into business there were practically no rural electrical lines in America. Rural people did not have electric wiring and appliances of any kind. Farm income was low and the standard of living on farms was correspondingly low. Farmers themselves paid little, if any, income tax.

When the co-ops brought electric service to the rural areas, all this was changed. Manufacturers of poles, conductors, wiring supplies and appliances had a new market for their products. Their profits went up and their income taxes increased. This new business created new jobs in the factories for people who paid income taxes on their increased incomes. The wholesalers and jobbers who handled the material, and the main street merchants, who sold it to the consumer, all paid greater income taxes on the increased volume of business as did the employees working for them. A recent NRECA survey shows that REA co-op members have spent $12 billion in wiring supplies and appliances alone. As these items proceeded from raw material to the finished product sold to the consumer, extra income taxes have been paid all along the way.

As electricity made the job of farming easier and more profitable, farm income increased and more farmers began to pay income taxes. As his income rose, his standard of living climbed higher and he became a customer for more and more products of all types. Out of every new dollar he earned, a part of it found its way to not only the income tax collector but to the treasurers of cities and counties all over the country.

With all this newly created tax wealth pouring into the Treasury—wealth that didn't exist until the co-ops created it—

the charge of tax loss is revealed to be insincere and misleading.

When a farmer purchases his electricity at a rate that does not include a profit tax on his supplier, it is jumping to conclusions to assume that at least some of his saving does not get to the Federal Treasury in the form of income taxes. The lower his cost of farm operations, the higher his net taxable income becomes; and the portion of his savings that do not go directly to the income tax collector is probably spent for goods and services that create taxable wealth in their production and distribution. So, all is not lost here, either.

In the strong light of critical analysis, the tax dodge criticism, like most of the other criticisms of our co-ops, does not stand up. There is reason to suspect that behind it all is the element of fear. Fear that the co-ops will show them up.

Mr. MORSE. Mr. President, in the same issue of Northwest Ruralite I note one other article written by Mr. Henry M. Hanzen entitled "The Old Fight."

In the course of this article, Mr. Hanzen makes reference to the brilliant maiden speech of the junior Senator from Idaho [Mr. CHURCH] for which I am most grateful and to which I listened with deep appreciation and careful attention.

It was, as those who had the privilege of hearing it know, a lucid and forceful exposition of the merits of Hells Canyon.

Senators will recall that portion quoted by Mr. Hanzen which shredded the argument that private dams should be preferred to public dams at Hells Canyon because the Idaho Power Co. is a taxpayer.

As the Senator from Idaho [Mr. CHURCH] said on that occasion—and we would do well to evermore keep it in mind—"Taxes are always actually borne by the ultimate consumer. Accurately speaking, the Idaho Power Co. is a tax collector. Why should such a status entitle it to special favor in the development of our public rivers?"

Many of us will agree wholeheartedly with the concluding paragraph of Mr. Hanzen's article in which he states:

Now that this much-heralded bogus tax argument of the power monopoly has been debunked in the greatest deliberative body in the world let us fervently hope that it will stay debunked for all time.

Mr. President, I wish I could share that sanguine hope, but I am realistic in matters such as these. I feel it will be necessary time after time after time to once more bring the truth to the people because the protagonists of private power, I gravely fear, will evermore reiterate their misleading allegations. When that time comes in the future, I am confident that there will arise men of integrity such as Mr. Smith and Mr. Hanzen who will ably and decisively set the record straight.

Mr. President, I ask unanimous consent that the article written by Mr. Hanzen be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE OLD FIGHT

(By Henry M. Hanzen)

A favorite argument of the national power monopoly in its warfare on public power is that the private power utilities pay taxes, but the public power utilities do not.

The falseness of this tax argument of the private power utilities was thoroughly exposed in the gubernatorial campaign of Julius L. Meier in the 1930 general election.

Meier ran as an independent candidate on the public power platform of his friend, Senator George W. Joseph.

After winning the GOP nomination for Governor in the primary Joseph was stricken with a fatal heart attack, and Meier picked up his falling public power torch and carried it to victory.

Running true to form the Oregonian ran a series of blistering editorials during the Meier campaign against public power.

In this series it echoed with approval the tax argument of the power monopoly that its subsidiary companies pay taxes.

Challenging the truth of the argument the Oregon Journal, through its editor, B. F. Irvine, said:

"Speaking for the eastern holding companies and the power barons the bellringers of the Portland power boys howl for private ownership, because they say private systems pay taxes.

"There never was a more specious bunk.

"The private power systems are not taxpayers.

"They are merely tax collectors.

"They don't pay one cent of taxes.

"The people pay their taxes.

"The utilities push the burden of taxes on the consumers."

The Portland Telegram, through its editor, Carl Brockhagan, editorially endorsed the stand of the Journal. Said Brockhagan:

"Certainly no human mind is so muddled that it does not perceive the fallacy of this silly argument.

"Let us look at it for a moment.

"We collect taxes from whom?

"From the utility companies.

"Where do the utility companies get the money?

"From fares, rates, and other charges paid by patrons.

"Who are the patrons?

"We are.

"Whose money then pays for taxes?

"Our money."

The Oregon Journal and Telegram editorials debunked the tax argument of the power monopoly for the balance of the Meier campaign.

But it didn't stay debunked.

In the intervening years the power moguls have proclaimed again and again this false tax argument as a profound truth.

During the debate in the U.S. Senate in 1958 on the Hells Canyon bill the argument was used against the measure.

In a brilliant speech for the bill U.S. Senator CHURCH, of Idaho, tore the ridiculous argument to shreds.

Said Senator CHURCH:

"Another tenet of these free enterprise arguments is that the private dams in Hells Canyon should be favored over a Government dam, because the Idaho Power Co. is a taxpayer and the Government is not.

"Again we are furnished an appealing package, but one empty of content when opened.

"The taxes paid by the Idaho Power Co. are really collected from its customers.

"Taxes are always actually borne by the ultimate consumer.

"In this case the ratepayers from which the company collects each month pay Idaho Power's taxes to local, State, and National Governments.

"Accurately speaking the Idaho Power Co. is a tax collector.

"Why should such a status entitle it to special favor in the development of our public rivers?"

The Senators espousing the Idaho Power Co. had no answer.

Now that this much-heralded bogus tax argument of the power monopoly has been debunked in the greatest deliberative body in the world let us fervently hope that it will stay debunked for all time.

HOUSING FOR THE ELDERLY

Mr. MORSE. Mr. President, the record will show that throughout my years in the Senate I have fought for decent, safe, practicable housing for the elderly at prices they can afford. I have long believed that we should make provisions for a public-housing program, through which older persons with sufficient income can be enabled to purchase or rent private housing, through which builders can be encouraged to construct private housing specifically designed for older people, and through which persons of advanced years with low incomes can be provided adequate quarters in public-housing facilities.

In this connection I wish to draw your attention to the tireless effort that Mr. Gene W. Rossman, executive director, Housing Authority of Portland, Oreg., has expended to improve the living conditions of some 3,750 elderly citizens on old-age assistance in Portland. In October of 1959 the Oregon Voter published an article to which Mr. Rossman took exception and I have in my possession his reply to that publication.

I ask unanimous consent that Mr. Rossman's letter be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSING AUTHORITY
OF PORTLAND, OREG.,
October 27, 1959.

Mr. RALPH T. MOORE,
Oregon Voter,
Portland, Oreg.

DEAR MR. MOORE: Your misquotations of a "spokesman for public housing authority," as published on pages 8 and 9 of the October 24 issue of the Oregon Voter, verge on libel and I intend to do something about it.

The "spokesman" to whom you refer can only be me as I am the only person who to my knowledge has made recent public statements regarding the need for decent, safe, and sanitary housing for elderly persons of low income and also regarding the fact that local church and fraternal organizations have so far done nothing to help meet this need.

All of my public utterances on this subject have been either in the form of prepared talks to local organizations or prepared press releases. I have copies of all such statements I have made.

In your opening sentence, you say that this "spokesman" has "deplored that present efforts of churches and fraternal organizations to establish what he terms 'glamorous and expensive golden years palaces for retired persons of means.'" Besides being grammatically ridiculous, your statement is patently untrue. I have never "deplored" the efforts of such groups to provide the kind of housing they are promoting for their well-to-do members. In fact, I have said—and will say again—this is all very fine for people who can afford it. I have said—and will say again—that the housing these groups are developing in no way meets the needs of the some 3,750 elderly people in Portland on old-age assistance who are presently housed in substandard dwellings. I have said—and will say again—that the critical housing problem of our community is not the housing of our elderly of means,

but the housing of those senior citizens who must rely solely upon old-age assistance and whose average gross income is less than $100 per month.

In paragraph 2, you speak of the "standards of living obviously contemplated by the speaker." By inference and innuendo, you would have your readers believe that I envision expensive, extravagantly appointed housing accommodations for the elderly of low income. In my talks, I have referred only to housing that is decent, safe, and sanitary, housing that complies with the codes; and I would venture to say that such housing can be achieved at a per unit cost far below that of the retirement home of which you are a director. The balance of your second paragraph is a masterpiece of unintelligible doubletalk. I defy anyone with any sense to make any sense out of it.

In paragraph 4, you state that the housing authority would dearly like to unload a goodly part of its burden on the private sources of church and fraternal enterprise. If you're as smart as you're supposed to be, you should know that local housing authorities are highly limited and restricted as to the number of low-rent, public-housing units they can acquire and as to the acquisition costs of such units. Are you really criticizing me for hoping that church, fraternal, and other nonprofit groups will assume some semblance of a benevolent and Christianlike attitude toward the problem of housing at least some of their own indigent, elderly members, and thus supplement the work of a housing authority that is meeting as much of the total need as it can?

In your fifth paragraph, I think you have exposed the kernel of the nut in admitting that you are a "director in one of the 'glamorous and expensive' palaces." No elaboration on this point is needed, and the invective you have incorporated into your article is explained.

Your suggestion, in your sixth paragraph, that we "suppress this talk of class consciousness" would seem to have certain fascistic implications. Do you mean that we should not call to the attention of the public the fact that some 3,750 elderly people on old-age assistance in Portland are presently housed in seriously substandard dwellings? When you say, "We should not select any one economic group for special favor," do you mean that the housing needs of a relatively few well-heeled oldsters represent as acute and important a community problem as the housing needs of the alarmingly increasing number of indigent senior citizens?

And you have the temerity to point up your article with the subheading "Housing Authority's Unsound Talk."

Thank God, others who represent equally responsible church groups have responded favorably to my talks and press releases and have indicated a sincere, Christianlike desire to supplement the work of the Housing Authority of Portland in helping to provide decent, safe, and sanitary housing for our elderly people who face old age with depleted savings and pitifully small incomes.

Yours truly,

GENE W. ROSSMAN,
Executive Director.

Mr. MORSE. Mr. President, with further reference to the problem of housing for the elderly in Portland, there appeared in the January 1960 issue of the Reader's Digest an excellent article on a cooperative housing project of which Portland and the entire State of Oregon take great pride—Willamette View Manor. This cooperative project provides retirement living under ideal circumstances for those who make the initial purchase of an apartment and who pay the regular monthly fee thereafter. Ideal as these facilities are, unfortunately they are not available to people of modest means. As stated in the Reader's Digest article:

An apartment costs from $7,500 to $20,000, varying with size. Those costing $8,000 or more have fully equipped kitchenettes. All have either scenic views of the Willamette River, green Oregon hills and snowcaps, or vistas of the manor's 22 landscaped acres. The monthly fee of $100 per person covers food, laundry, many medical services. Maids clean each apartment thoroughly every second week. Garage or carport space is $5 a month, but parking space is free, as is moorage at the manor's boat dock.

The caption of the Reader's Digest article, "No Housing Worry Here," is misleading in that it would give the casual observer the impression that there is nothing to worry about with respect to housing in the Portland area. Such an impression is wholly incorrect. I am worried about the problem of housing for the elderly in Oregon and elsewhere; I know that thousands of Oregonians as well as millions of persons across the Nation are worried about the housing problem confronting so many of the elderly.

Mr. Rossman, alert to the great potentiality for misunderstanding inherent in the caption of the Reader's Digest article, wrote to the editor of that magazine on January 8, 1960, endeavoring to set the record straight. His letter was accompanied by an excellent article relating stark facts concerning the housing plight of thousands of elderly persons in Oregon and other parts of the United States.

The Rossman letter and article are worth study and attention by all Members of Congress because they tell the story of an urgent public need. I ask unanimous consent that the letter of January 8 addressed by Mr. Rossman to the editor of the Reader's Digest and the accompanying article submitted by Mr. Rossman to the Reader's Digest be set forth in the RECORD at this point in my remarks.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *January 8, 1960.*

Mr. DEWITT WALLACE,
Editor, Reader's Digest,
Pleasantville, N.Y.

DEAR MR. WALLACE: Nothing could be further from the truth than the title of the story starting on page 193 of your January issue, "No Housing Worry Here."

From my vantage point as executive director of the Housing Authority of Portland, Oreg., I am in position to observe conditions, as they actually exist, that relate to the real problems on housing of a vast majority of our aging population in this area—and perhaps throughout the country.

Our recent physical survey of the private dwellings of Portland's more than 5,000 senior citizens who are recipients of old-age assistance alone revealed that over 75 percent of these oldsters are presently housed in critically substandard living quarters. The results of this survey were carried in the Nation's press and eventually were included in the CONGRESSIONAL RECORD, volume 105, part 13, pages 16175–16176.

Attached is the story as I see it. I hope you will publish it if only to keep the record straight. There is a housing worry here in Portland, Oreg.—a worry that has this responsible community really concerned.

This worry does not relate to the elderly who can afford to while away their golden years in beautiful, palatial retirement homes such as featured in your January issue. Our community's concern is that the less fortunate and by far greater proportion of our senior citizens may spend their declining days in dignity—housed in decent, safe, and sanitary dwellings.

Yes, Portland, Oreg., does have a housing worry—a problem that cannot be solved by such elaborate and expensive manors as the one you describe.

Sincerely,

GENE W. ROSSMAN,
Executive Director.

HOUSING IN PORTLAND, OREG.

You don't have to be old to be poor, but it helps. Every passing day marks the 65th birthday for more than a thousand Americans most of whom have seen their earning capacity sharply reduced by onrushing old age and their dwindling savings virtually wiped out by inflation, spiraling taxes, and the mounting cost of medical care.

In 1954, nearly half of the families headed by a person age 65 or older had a gross annual income of less than $2,000, and about two-thirds of all persons age 65 and living alone or with nonrelatives had an income of less than $1,000 a year. Subsequent surveys have indicated that the economic position of this country's aging population is progressively deteriorating.

"Fifteen million people in the United States are age 65 or over. Since 1900, the total population of the United States has doubled, but the number of persons 45 to 64 years of age has tripled, and the number age 65 and older has quadrupled"; these are statistics made public in January 1957 by the U.S. Senate Committee on Labor and Public Welfare in its "Fact Book on Aging." This report, although the latest of its kind, is now 3 years out of date, and nearly a million more people have since joined the ranks of the senior-citizen population of the United States.

While church and fraternal organizations are building utopian retirement homes with built-in medical care for their elderly members of at least moderate wealth, what's to be done about housing and caring for the needy aging—a vast number of whom are living in disease-ridden, rotting slums?

A recent survey conducted by the Housing Authority of Portland, Oreg., revealed that of some 5,000 elderly persons who are recipients of old-age assistance in that city, more than 75 percent are presently housed in seriously substandard dwellings. Average gross monthly income of these senior citizens was determined to be $99.44. Doesn't approximately this same situation exist in almost every part of the country? Reports of similar surveys from other areas would so indicate.

While the 1959 report of the Joint Economic Committee of the U.S. Congress plumps for larger unemployment benefits, more Federal aid for education, for medical research and scientific research, and while United Fund-Community Chest drives clamor for finances to aid youth movements and a variety of disease research programs—all worthy beneficiaries; who is really seeking a sound solution to the Nation's No. 1 internal, economic, and social problem; the housing and care of the indigent aged?

Our Nation's lawmakers are talking about generously expanded social security benefits in 1960—mainly of increasing the minimum pension from $33 per month to $40. What will this added $7 buy in terms of decent, safe, and sanitary shelter, in terms of adequate food and clothing and proper medical care for our indigent oldsters whose numbers are multiplying so fast that last year's statistics are today woefully obsolete?

The fact that the United States pays out more than $2 billion a year in matching State and local aid to the needy aged, the blind, the disabled, and dependent children, is of small personal satisfaction to our growing population of senior citizens who face their golden years without funds or hope. Their meager share of the total welfare outlay gives them little expectation of spending their declining years in dignity.

Some say that people who don't have the fortitude and perseverance to save successfully for their declining years during their productive years do not deserve very much in the way of consideration. Yet how many of these less fortunate old people are hapless victims of our times, former productive citizens of considerable character and substance who have contributed their share, and more, in taxes, in community effort through church, fraternal, and civic activity, in service to their country in time of war. In the name of humanity, can their problem be ignored?

Portland, Oreg., does not presume to ignore their problem. On the drawing boards of the local Housing Authority are plans for a 10-story apartment house to provide 120 units of decent, safe, and sanitary housing accommodations for senior citizens of low income. The building will be located in downtown Portland near the present living quarters of the largest concentration of elderly persons on old-age assistance in the city. Such luxuries as glass-paneled shower stalls, featured by many private retirement homes for the well-to-do aged, will not be incorporated into this planned structure. Every effort will be made, however, to provide the basic safety and sanitation factors that will permit the aged tenants to live in comparative comfort and security—within the budgetary limitations imposed by the Federal Government. A review of the rentals presently paid by the 96 elderly tenants living in cottage-type permanent units of the Housing Authority of Portland shows the average monthly gross rent to be $32.57. Average gross monthly income of these tenants is $134.54. To be financially feasible, it would appear that—even with its Federal subsidy—this new project must charge a minimum rental of $45 per month. This will leave a pitifully small monthly balance from which the average tenant may be expected to meet the expense of barest necessities—food, clothing, and medical care.

Portland's public housing project for the elderly in the downtown area is being patterned closely after the very few similar projects already in successful operation throughout the Nation, notably in Cleveland, Ohio, and in New York City. A small area in the project will be made available for community-service activities, such as visiting nurses headquarters, TV room, crafts area, small library; but under Federal regulations these facilities may not be equipped or staffed through public-housing funds, and the local housing authority must rely upon contributions from local private and public agencies.

When completed, this new project will accommodate barely 3 percent of Portland's elderly persons who are recipients of old-age assistance alone and who are known to be presently residing in critically substandard living quarters. What about the other 97 percent? And what about the additional thousands of low-income elderly in the local area who are miserably subsisting on small pensions and/or social security and who are living in rundown family homes or walkup, cold-water flats?

Significantly, public awareness of this situation is being brought into sharp focus as such public works as Federal and State highway construction and local urban renewal development are displacing our indigent elderly at a rapid pace.

But what good is public awareness, really, when for lack of adequate Federal funds nothing substantial can be done to relocate these displaced, indigent oldsters in decent, safe, and sanitary living quarters at a price they can afford to pay.

Reports from other local public housing authorities throughout the Nation indicate that Portland's problem is not peculiar to this specific area, but exists to lesser or greater degree in metropolitan and rural areas all over the country. The main point is that local communities are unable to cope with it. It is a Federal problem.

According to recent news reports, Nikita S. Khrushchev seems to be currently taking time out from his saber rattling to put his own house in order, to build economic security for his own people at home. Couldn't Uncle Sam take his hand off the holster for only a moment or two and divert just a few billions from aid to foreigners to aid to our own aged?

Mr. MORSE. What was the reply of the Reader's Digest to the request of this public-spirited Portland Housing Authority official for clarification of the record on this subject of the housing plight of so many of our elderly citizens? It was a typical shoulder-shrugging response of indifference to a great national problem. Mr. Rossman advised me that the Reader's Digest response included this language:

You speak with authority about housing needs for the elderly, yet to be met, and we've read your paper with interest. But, unfortunately, it is not quite in line with the editorial requirements of the Reader's Digest.

Such apathy, Mr. President, is as deplorable as downright opposition to a program designed to meet the housing needs of the elderly. We cannot afford to let great problems drag along with indifference such as that manifested by the Reader's Digest in this instance. I am thankful that we have people like Mr. Rossman who are constantly alert and who are trying to do something about the needs of our elderly citizens.

DRESS REHEARSAL FOR HOME RULE IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I ask unanimous consent that an article appearing upon the editorial page of the Washington Post of February 11, 1960, under the byline of Mr. Ben W. Gilbert, city editor, entitled "A Useful Lexicon for the Voteless," be inserted in the CONGRESSIONAL RECORD at this point in my remarks together with a copy of a letter I addressed to the Washington Post dated February 11, 1960, commenting upon the article.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald, Feb. 11, 1960]

A USEFUL LEXICON FOR THE VOTELESS

(By Ben W. Gilbert)

In prolonged political debates, words often get worn out to the point where they cease to carry much meaning. This has happened to the word "suffrage" in the debate over District voting.

Nearly everyone is for suffrage. The real answer comes only when you ask the suffragist what kind of voting he favors.

The following guide is designed to clarify discussion of the problem.

Home rule: This is synonymous with self-government. Opponents of home rule will insist, however, that it is not, thereby revealing a type of semantic inversion which has entered the home rule debate. Proponents frequently use the term as a short form description of the Senate-passed measure now pending in the House. It provides a territorial government for the District: an elected legislature with a Presidentially appointed governor.

Other versions: Varying degrees of home rule are provided in versions of self-government measures which have been proposed in the past. Much discussed was one calling for election of a mayor and city council.

Real home rule: This is a seldom defined form of home rule advocated by opponents who say they are against a measure because it does not provide real home rule. Some may call national representation real home rule.

"National representation" (defined below) unlike home rule requires an amendment to the Constitution—a two-thirds vote of both Houses of Congress and approval by three-fourths of the State legislatures. Home rule requires a simple majority vote of both Houses, approved by the President, and District voters.

National representation: The right to vote for presidential electors and for Members of the House and Senate. A constitutional amendment providing the presidential voting privilege and the right to elect Delegates to the House has been approved by the Senate.

Vote for Delegates: Both the Senate-passed home rule and national representation measures provide for the election of Delegates to the House, but not to the Senate. Presumably these Delegates would have the right to speak, but not vote. To the annoyance of House Members, measures which originate in the Senate often provide for Delegates to the House, but not the Senate.

School board election: The territorial legislature would decide whether the school board would be elected or appointed under the home rule bill. Vote advocates tend to divide on this question.

Primary vote: This is the only suffrage right which District of Columbia residents now enjoy. They may vote for delegates to the national conventions and for members of the city committees of the two political parties. They also may, under certain circumstances, express their presidential preferences in this primary election which was held for the first time in 1956.

The real home-rule argument against the pending home-rule argument has been mentioned. Other arguments used against home rule:

"The city will become debt-ridden and eventually become bankrupt just as it did under Gov. Alexander R. Shepherd in the 1870's."

The pending bill contains restrictions on the power of the city to go into debt which did not prevail in "Boss" Shepherd's time. When pushed on this front, worriers about debt generally admit that they are really concerned about the taxes which might be levied to provide municipal services.

"There are too many unstable elements in the population to permit the District to govern itself."

This is a reference to the racial composition of the Capital.

"I'm for home rule in principle, but after all, it is a Federal City."

This argument persists even though the Federal interest would be protected in the Presidential appointment of the Governor, in the reserved power of Congress to legislate for the District, and in a special Presidential veto power.

"The Founding Fathers never wanted the District to govern itself."

The facts are, however, that Washington was governed under variations of the mayor and council and territorial forms until 1874. So was the independent city of Georgetown and the city of Alexandria until it was receded to Virginia in 1846.

"We should get national representation first."

This is a gambit of some suffrage opponents who assume that it will be difficult to amend the Constitution in behalf of the District. Proponents of home rule generally favor both self-government and national representation and would advocate securing these rights in any practicable order.

"I don't know what you mean by home rule."

One can assume that the speaker probably does not want home rule.

FEBRUARY 11, 1960.

Mr. J. RUSSELL WIGGINS,
Executive Editor, Washington Post and Times Herald, Washington, D.C.

DEAR MR. WIGGINS: The most charitable interpretation which can be placed upon the paragraph headed "Home Rule" in the editorial page article entitled: "A Useful Lexicon for the Voteless," which appeared in the February 11, 1960, issue of your publication under the byline of Mr. Ben W. Gilbert, city editor, is that he wrote the passage with tongue in cheek, hoping to generate controversy. The passage to which I refer is as follows:

"Proponents frequently use the term as a short-form description of the Senate-passed measure now pending in the House. It provides a territorial government for the District: an elected legislature with a Presidentially appointed Governor."

It is true that in the 85th Congress an administration measure providing for an appointed Governor, was, mistakenly in my judgment, adopted by the Senate. That measure died with the 85th Congress. On July 15, 1959, the Senate passed S. 1681, providing for an elected major, an elected city council, and the precious democratic procedural rights of the initiative, referendum and recall. This latest Senate measure follows the basic form of the Senate bill of the 84th Congress which was adopted under the leadership of the late great Matt Neely.

S. 1681 is the bill, passed by the Senate this Congress, which is pending before the House District Committee. There is also pending before that committee a House measure incorporating the administration approach. It is to this latter measure that the device of the discharge petition pulmotor is being applied. The Senate Committee on the District of Columbia considered last session a similar territorial proposal but rejected it in favor of S. 1681.

I feel sure, given the wealth of material upon home rule available to Mr. Gilbert, and based upon what I have heard of the pride taken by the Washington Post and Times Herald in the accuracy of its news and editorial comment, that Mr. Gilbert's words were the result of art rather than of oversight.

Having long been an ardent supporter and wholehearted proponent of municipal home rule for the Nation's Capital I am very pleased that Mr. Gilbert has provided me with this opportunity to set the record straight. Public education in the District upon home rule needs to be carried on continually if victory is to be achieved. Mr. Gilbert's efforts will no doubt be appreciated by all of those who are engaged in this endeavor.

However, as a political realist there are a few points which in my judgment need to be understood by those concerned with this vitally important subject. These points have to do with the legislative variables facing home rule legislation. They include: (1) The efficacy of the discharge route in the House to bring to the floor the Eisenhower territorial proposal; (2) the action on the House floor, assuming success of the discharge petition, to substitute for the discharged bill the Senate passed bill; (3) if the substitution of the Senate language is not made, the fate of some rule legislation in conference between the Senate and House over which version should prevail; and (4) the fate of a conference report, under the rules governing debate in the Senate.

In my view the fastest route for early enactment of municipal home rule for Washington would be the adoption by the House of the already-passed Senate measure. It would then need only Presidential signature to become law. Alternatives to this, face, I fear, time consuming processes which could become critical in the event of an early adjournment. It must be recognized that should no final action be taken prior to adjournment then it will be necessary in the 87th Congress to start from scratch.

It is said that the wish is father to the thought but in order to assess probabilities, facts must be faced. Mr. Gilbert's greatest contribution in his lexicon is that he has enabled us to take once more a good look at the facts of the matter.

Sincerely,

WAYNE MORSE.

Mr. MORSE. Mr. President, I have asked that the foregoing material be placed in the RECORD for three reasons. First, it is vitally important in a democratic community for the facts to be placed before citizens if sound decisions are to be reached. Second, I believe with complete conviction, that in a democracy there is no substitute for the ballot box by which those who administer the affairs of the community can be chosen and held accountable for their stewardship. Third, by placing the home rule situation before the Senate in this manner, it becomes possible to relate home rule and the electoral process in a manner which I hope will be meaningful and significant to the responsible citizens of the District who have a deep and continuing concern for our Capital City.

It is to the third point that I wish to address myself briefly at this time. In past years the charge has been made that the rank and file of the Washington community do not wish to have a change in the present Commissioner form of government. The proponents of this point of view—and it is a mistaken viewpoint in my judgment—have cited the electoral lethargy which they alleged characterized the voting behavior of the community in 1956 under the first use of the District Primary Act. The comparatively small number of those citizens who did register and vote in that election lends some slight support, unfortunately, to that allegation.

The community, however, in the forthcoming primary is in a position to lay that scarecrow argument to rest for good, provided, and only provided, there is a tremendous increase in registration and in election day turnout. By a massive demonstration of interest through participation, the citizens of Washington can arm their friends in the Congress with a devastating argument for elective municipal home rule.

Mr. President, since the Commissioners of the District of Columbia have asked the Congress to abolish themselves in favor of a successor government containing some small elective elements in the way of an elected, though circumscribed, territorial legislature, and since the Senate of the United States in this 86th Congress has passed a bill containing a broad delegation of municipal authority to an elected mayor, an elected city council, and to the people themselves through initiative, referendum, and recall, I would think that every organ of the District government would seek to cooperate wholeheartedly in providing opportunities to enable District citizens to register and vote with a minimum of inconvenience.

The board of elections can render a fine service to the citizens by utilizing wisely the powers exercised by them. I would hope that they will extend every effort to make sure that every citizen can become registered.

In a way, Mr. President, the District primary election will be a dress rehearsal for home rule. The board has an opportunity to demonstrate in the District primary that it possesses the breadth of vision and capacity to function under home rule.

The citizens of the District of Columbia have an opportunity to demonstrate that they really want home rule. I cannot stress with too much emphasis to these people of the District of Columbia, "You must exercise your duty by seeing to it that you get yourself registered to vote in the primary." I am very much disappointed that there are a few in positions of authority in the District of Columbia who are discouraging the adoption of a more lenient and liberal program, proceduralwise, for guaranteeing a larger registration. I understand that there are some who think that because the contest in the primary will be principally a contest among Democrats, and because there will be very little contest, if any, among Republicans, that the contest may result in more Democrats registering than Republicans.

I hope that such narrow partisanship will be laid aside by those who have the authority to liberalize the procedures in the District of Columbia for the registration of voters. I hope they will adopt the procedure which in effect takes the registration books to the voters, or at least takes the registration books to meetings and to community areas where there are large congregations of voters assembled from time to time, and thus give them an opportunity at these meetings to register.

I think that the board could with profit adopt many of the devices used successfully elsewhere to enlist the support and help of the community in accomplishing its mission. In this connection I should like to pay high tribute to the devoted public service that is performed in every State by the tens of thousands of volunteer workers in political campaigns. My own experience is duplicated, I am certain, in the experience of every one of us sitting in this Chamber. Volunteer political workers do not receive the honor and the glory that is deserved and earned by selfless service. To them we owe a debt of gratitude that is inestimable. Political parties are the life blood of our

system and political parties are made up, on the whole, by men and women who give their time freely and cheerfully that our system of democracy can work. In campaigns I have undertaken, the volunteer services of men and women of both parties who worked together in the registration of voters, and who got out the vote on election day, supplemented the official election machinery and allowed the collective will of the citizenry to be wrought.

In my judgment, the city of Washington has as great a proportion of dedicated men and women interested in the democratic process as can be found anywhere in this country. I think that they are ready, willing, and able to help the board, given the opportunity. The willingness of the volunteers to assist in the counting of ballots last time is an indication of this.

Is it not the part of wisdom for the civic enthusiasm of these laudable, patriotic, and dedicated citizens to be channeled into the registration process by the board of elections? The power exists to deputize responsible citizens as registrars. Community and civic groups can, without partisanship, cooperate wholeheartedly by recruiting registrars and by making space arrangements for the simple tools a registrar needs to perform his function. After all, what is necessary? A card table set up where people congregate, a stack of forms, and the civic enthusiasm which motivates the registrar.

Given the chance, given the opportunity to participate, the dress rehearsal for home rule that is the District primary can produce eloquent testimony of the deep yearning in the hearts of most Washington residents for the opportunity to govern themselves.

Therefore, Mr. President, in closing these remarks, in this plea to the members of the election board of the District of Columbia, I sincerely hope that a majority of the members of the District election board—in fact, I hope it will be by unanimous vote—will decide to take the registration books to the people of the District of Columbia.

I suggest that they take note of the practices which exist in many States whereby those in charge of registering voters adopt a procedure of deputizing registrars and put in force at meetings where large numbers of people assemble the practice of setting up card tables, having registration forms available, and announcing that during the meeting or after the meeting people may register to vote.

These registration lists could be taken to the courthouse to be checked so as to assure that only those qualified to vote would go on the registered voter lists.

I am also suggesting to the board of elections that they change what I understand is the plan they have in mind up to date, of keeping the registration books open at the Government offices only on Mondays through Fridays, and not on Saturdays.

Mr. President, there are a great many people working during the week who find it inconvenient to register on Mondays through Fridays, but who would be willing to register on Saturdays.

In pleading for strengthening the chances of getting home rule for the District of Columbia, the senior Senator from Oregon urges the members of the board of elections to liberalize their program for registering voters in the District of Columbia, to see to it that registrations can occur on Saturdays.

The board should also give consideration to the deputizing of registrars, who could appear at meetings where many citizens in the District of Columbia assemble, and could give the citizens attending those meetings the opportunity to register in the presidential primary come May.

LEASING OF PORTION OF FORT CROWDER, MO.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

WE CANNOT EVADE RESPONSIBILITY

Mr. KUCHEL. Mr. President, we now undertake a debate in the Senate, the results of which will be of challenging importance to the future of our country. Indeed, they will markedly affect the future of the globe. At stake is whether the elegant-sounding maxims of the American system of self-government mean what they say or not. Here begins more than a debate on civil rights legislation. This is the start of a struggle for the Congress to determine—with the whole world looking on—whether citizens of the United States are equal before the law, or whether citizens of the United States are unequal before the law. Here is what you, Mr. President, and I are called upon to decide. And there can be, there must be, but one answer. I believe that the legislation which I have been honored to coauthor supplies the basis upon which Congress can render the right answer to all our countrymen as the world watches. At any rate, the issue is before us. It is our responsibility to resolve it.

We have before us a somewhat confused parliamentary situation. None here contends that it is an illegal situation which we face under the rules of the Senate. Each of us concedes that the confusion here deals entirely with procedures, all of them valid procedures, under the Senate rules, which have been followed and which have brought us to the point at hand. A bill is pending. It is apparently a bill of little, if any, controversy, and to that bill, an amendment will be offered which will represent the administration views on civil rights. I wish the 100 Members of the Senate to reach the point as soon as may be reasonably possible after reasonable debate when they may vote on the merits of civil rights legislation as that legislation has been recommended by the administration and also by many of my colleagues on their own.

A little over 100 years ago, Abraham Lincoln, speaking in Springfield, Ill., spoke on the meaning of equality in the Declaration of Independence; the occasion in June 1857 was Lincoln's reply to those who argued that "equality" was a term of limited meaning:

"I think the authors of that notable instrument," said Lincoln, speaking of the Declaration of Independence, "intended to include all men, but they did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined with tolerable distinctness in what respects they did consider all men created equal—equal with 'certain unalienable rights, among which are life, liberty, and the pursuit of happiness.' This they said, and this they meant. They did not mean to assert the obvious untruth that all were then actually enjoying that equality, nor yet that they were about to confer it immediately upon them. In fact, they had no power to confer such a boon. They meant simply to declare the right, so that enforcement of it might follow as fast as circumstances should permit."

Mr. President, our country as a whole has persistently sought to reach the standard set in the Declaration of Independence. It is a maxim of any free society, familiar to all, and as Lincoln said "constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people of all colors everywhere."

Lincoln had not yet to deal with that great convulsive shock that rocked the Republic in the spring of 1861 when he delivered his speech on "equality." Its first waves were still a few years off. But one of the great underlying issues that brought Lincoln to his rendezvous with destiny was the issue of slavery. In a broader sense, the issue was—and is—whether or not a heterogeneous, free people can bridge the gap between the ideal and practice of democracy. The compromise of that issue in the Constitution was left by the Founding Fathers to time and subsequent generations to work out. The importation of slaves was to end after a certain date, and with the ending of the supply of human chattels, the institution would, it was assumed, eventually wither and die out altogether. Article I, section 9, clause 1, of the Constitution of the United States reads:

> The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding $10 for each person.

That clause, which sanctioned the importation of slaves by the States for 20 years after the adoption of the Constitution, when considered with the section requiring escaped slaves to be returned to their masters (art. IV, 1, cl. 3), was held by Chief Justice Taney, in the famous Dred Scott decision, to hold that such persons and their descendants were not embraced within the term "citizen" as used in the Constitution.

Lincoln vigorously disagreed with this view and stated his view in one of the famed pronouncements of American

history. "A house divided against itself cannot stand," Lincoln had said, "this Government cannot endure, permanently half slave and half free." But it took 4 long years of bitter struggle in the greatest war of the 19th century and the bloodiest in all our history before that issue was finally settled. Never was any new Republic subjected to so prolonged a period of searching strain as ours during those tragic war years of 1861–65. The Nation has weathered many a painful crisis since. Yet the central issue that begat that crisis continues to plague us today.

It is anachronistic that despite all the startling achievements rendered possible by the application of the scientific methods to the physical universe, our progress in solving intergroup conflicts has been so painfully slow. While we manifest a steady growth in the direction of improving relationships between different groups, we cannot deny that there have been, and still are, widespread and persistent complaints that some American citizens in some parts of our Nation do not enjoy equal justice under law. Mr. President, the treatment of these fellow citizens serves to remind us how difficult it has been, how difficult it is to achieve the ideals to which we officially and traditionally aspire. We must believe that we must accord to all Americans of whatever racial origins the rights to which they are entitled simply as citizens of the Republic.

Mr. President, I am a coauthor of a reasonable and decent measure which will, if enacted, help all Americans to exercise their constitutional right to vote, something which is unconstitutionally denied to many of them today, to our great shame at home, and to our great detriment abroad. This legislation is long, long, overdue. It operates in several important civil rights fields. President Eisenhower has recommended:

First. Providing expressly that force or threats of force to obstruct court orders in school desegregation shall be a Federal offense.

Second. Giving the FBI additional investigative authority in crimes involving the destruction of schools or churches by making interstate flight to avoid detention or prosecution a Federal offense.

Third. Authorizing the Attorney General to inspect Federal election records and requiring that they be preserved for a "reasonable period of time so as to permit such inspection."

Fourth. Providing a temporary program of Federal assistance to State and local agencies to help solve problems directly occasioned by desegregation programs. This program would provide temporary technical assistance to State and local educational agencies in preparing and implementing desegregation programs.

Fifth. Providing temporarily for education of children of members of the Armed Forces when State-administered public schools are closed because of desegregation difficulties.

Sixth. Establishing a statutory Commission on Equal Job Opportunity Under Government Contracts, to replace the present one authorized by Presidential order, and over the years carried on in an effective manner.

Seventh. Amending the Civil Rights Act of 1957 to provide for court-appointed voting referees.

In 1957, I was glad to lend my support to civil rights legislation which the President had urged the 85th Congress to adopt. Part of that legislation was known as part III, the so-called enforcement section of the legislation. A motion was made, I think regrettably, but certainly successfully, to strike out part III. I was one of those who opposed the motion. I supported part III, not simply because the President had recommended it, but because, in my view, then and now, its provisions were necessary to give meaningful effect to the rest of the legislation.

Early in January of this year I stated my support of the recommendations of the Commission on Civil Rights including the Federal registrars plan. I think the Attorney General has improved, and strengthened the registrar recommendation in his proposal for judicially-appointed referees who could act, with the power of the courts, to assist Americans in having their precious right to vote in all elections.

I will discuss the different recommendations in detail in the comments which follow. But first of all must come the right to vote. When the Civil Rights Act was adopted in 1957, it required the Commission on Civil Rights to "investigate allegations in writing under oath or affirmation that certain citizens are being deprived of the right to vote by reason of their color, race, religion or national origin—section 104a 1.

As the President said in his state of the Union message, "the right to vote is one of the strongest pillars of a free society. Our first duty is to protect this right against all encroachment. With that statement all Americans must agree, and I hope and trust that Members of Congress in a convincing majority will likewise agree with it.

There can be no doubt that the effective exercise of the franchise is basic to all other rights of the individual in our constitutional system. In recognition of this fact, the President's Commission recommended the appointment of temporary Federal registrars to assist citizens to register to vote where that constitutional privilege was denied to them—a privilege which, I might say, the Commission found was denied to thousands—yes, tens of thousands—of our fellow citizens, lamentably, in some States across the Nation.

Briefly stated the Commission recommended that if the President of the United States were to receive at least nine sworn complaints from any political subdivision of a State, alleging denial of the right to register to vote because of race, color, religion, or national origin, he should refer them to the Commission on Civil Rights to evaluate their legal sufficiency. The Commission would then certify all valid complaints back to the President, who in turn would designate a local official to administer the State qualification laws and to register those applicants found qualified under those laws. All persons so registered would have their names transferred to the State register of eligible voters to enable them to participate in any Federal election to the extent of voting for President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives. Federal registrars would continue only so long as the President deemed necessary.

In two States, where the Commission determined to hold formal hearings, on charges of illegal denial of the right to register to vote, it met with open resistance by State officials. Nevertheless, on the basis of testimony of witnesses, the examination of voting records and field investigations, the Commission found that "a substantial number of Negroes are being denied their right to vote." Even if the number found by the Commission to be denied their franchise were not "substantial," it would still be too many under our system, and too black a mark on the American concept of freedom and equal justice under law.

The Commission further found that such infringement is usually accomplished through discriminatory application and administration of State registration laws. Discriminatory registration is by no means the sole problem, for where there is no registration board or none willing to function impartially, there can be no registration. It is frightening that in free America such a situation may obtain.

It is impossible to overemphasize the gravity of the Commission's findings of fact. The ruthless denial by local public officials of an American's right to vote anywhere, makes a mockery of our American constitutional system, particularly if the aggrieved citizen cannot somehow turn to someone, somewhere, for assistance.

The point is that he can. Under the Constitution, he may turn to the Congress. The 15th amendment to the Constitution reads:

SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

That proviso is the reason why the Congress is now face to face with this crucially important problem, and has a decent and reasonable means by which to solve it.

The Civil Rights Act of 1957 was the first major legislation enacted by Congress in 80 years to implement the plain mandate of the 15th amendment. What we did 3 years ago was helpful, but it was only a first step toward a sound solution.

In my judgment, the plan advanced by the Attorney General will be an important and simplified method for helping to assure one's right to vote. In the Attorney General's proposal, the Federal courts would be authorized in voting rights cases brought under the Civil Rights Act of 1957, or otherwise, to ap-

point officers to be known as voting referees, who would certify as qualified to vote at any election all persons found to be qualified under State law. The voting referee's certification would be made a part of the court's decree in the original proceeding, and the decree would provide that the persons named were entitled to vote. The decree would be sent to the appropriate State election officials, to put them on notice of the court's action.

The proposal of the Attorney General provides for setting up procedures under which the referees or other court officers would be permitted to attend elections and report to the courts any attempts to deny a ballot to a qualified voter. Those guilty of denying a vote to a qualified elector would be guilty of contempt of court.

When the Civil Rights Commission first offered its proposal for the appointment of Federal registrars, or shortly therafter, I said publicly that I would support it. The Attorney General, thereafter, testified that the registrar be, in effect, a referee, to be appointed by the Federal district court rather than by the President, as the Commission had recommended. It seems to me that the Attorney General has been able to refine, and perhaps to improve, the registrar plan by his proposal to clothe his referee with the enforcement authority of the court. If we may further strengthen the referee proposal as it exists in the administration bill, by adding any part of the Commission's original plan, I am prepared by my vote to do so by appropriate amendment. I take it that that will be one of the questions which will be before us in the days immediately ahead.

With reference to each of the other six sections of the administration bill, each section represents an important part of the civil-rights program we seek to enact this year.

Under section 1, Congress is asked to provide criminal sanctions against those who use force or threats of force to obstruct court orders in carrying out school desegregation. The need for this provision stems from the great difficulty encountered in some sections of the country in enforcing the Supreme Court's decision of May 17, 1954. The Supreme Court held that racial segregation in public schools is a denial of the equal protection of the laws under the 14th amendment to the U.S. Constitution, and of the due process of law required by the 5th amendment. It is monstrous that there is no effective remedy against those who threaten to obstruct the carrying out of a decision of our highest Court, no matter what the decision of the Court may be. To deal with this incipient anarchy, we need a law making it a crime to interfere with judicial procedures.

Ours is a government of laws. The Supreme Court's decision is the supreme law of the land. Its orders must be obeyed. The only alternative is anarchy. Those who would seek to obstruct the Court's order would destroy a vital segment of our tripartite system, and would undermine the structure of our Government.

The Attorney General has testified as to the necessity of this legislation, by pointing out that existing laws are inadequate to deal with situations where mob violence is involved. The Court's power to punish for contempt comes into play only when it has been found by the Court that the persons charged with contempt disobeyed or resisted the decree of the Court. Under Federal procedure, a person cannot ordinarily be held in contempt unless he was either a party against whom the decree was issued or was acting in active concert with the party.

This power of the Court is inadequate to deal with a situation where a mob assembles, as occurred in Little Rock, to prevent carrying out the Court's order. The persons incited to resist the orders of the Court concerning the operation of the school were not parties to the Court's decree, nor was there any proof that they acted in concert with those named in the decree. Under the present law, there was no prompt or practical means to break up the mob which threatened the safety of the children involved in the controversy. The law should be amended so as to permit the Federal Government to act quickly and effectively in dealing with those who use force or threats of force to obstruct the execution of the Court's orders.

As regards the bombing of schools and places of worship, the administration has recommended a Federal deterrent by providing stringent penalties for those who have perpetrated such outrageous and shocking acts and who then cross State lines to avoid prosecution. The bill, in the language of the Attorney General, would "make it a felony, punishable by fine of not more than $5,000 or imprisonment of not more than 5 years, or both, to move in interstate or foreign commerce to avoid local prosecution, custody, or confinement for willfully damaging or destroying or attempting to damage or destroy by fire or explosive any building, structure, facility or vehicle used primarily for religious purposes or for the purposes of public or private education. Flight to avoid testifying in criminal proceedings relating to such offenses would likewise be punishable."

Here again, Mr. President, the debate may indicate means by which this section of our bill might reasonably be strengthened.

Mr. President, incidents involving bombings are manifestations of racial and religious intolerance which are of extremely serious national and international concern.

As the Attorney General has stated, bombings confront local law enforcement officials with difficult investigation and detection problems. Bombings are regarded as one of the most difficult of all crimes to solve. Evidence and clues are usually destroyed by the blast. Such crimes are usually committed at night, and there are generally no eye witnesses. To collect, sift, and analyze whatever physical evidence may remain requires expert training, equipment, and experience. It is in this regard that the FBI can be of greatest assistance to local officials. It is to the credit of the great Director of the FBI, Mr. J. Edgar Hoover, that he has endorsed this part of the proposed legislation. The FBI has the laboratory facilities and equipment to be of a major help to local officials. Indeed, it has done so in the past with considerable success. But it can now intervene only at the request of the local authorities. The FBI needs a clear and solid jurisdictional basis for proceeding in these cases; and this section of the act, patterned after an earlier law—the Fugitive Felon Act, offers the best means for dealing with what has clearly become a national problem.

With reference to section 3 of the administration bill, the Attorney General should be given authority to inspect Federal election records and the authority to require that these records be preserved for a reasonable length of time. That is a question of fact. The experience of the Commission on Civil Rights in seeking to examine voting registration records in some States suggests the necessity for this provision. The Commission found itself engaged in a game of hide-and-seek with local officials, who transferred records from one jurisdiction to another, in order to cover up the brutal facts of wholesale discrimination where voting rights were involved. Careful preservation of records beyond a few months or weeks following an election is also essential if claims of denial of voting rights are to be validated and substantiated. State laws on this subject vary, and valid considerations of space and other factors need to be considered. Nonetheless, Congress, under its authority, in article I, section 4 of the Constitution and the 15th amendment can constitutionally authorize a uniform time for the preservation of these records. The Attorney General has recommended a period of 3 years as a time for the preservation of records.

Section 4, Mr. President, would provide Federal financial and technical assistance to State and local agencies, upon request, in making in their public school systems adjustments which may be required by the Supreme Court's decision of school desegregation. In making the transition to a desegregated public-school system in accordance with constitutional requirements, many States and communities may, and indeed have, experienced temporary but real administrative, financial, or educational burdens. Severe problems of organization, transportation, curriculum planning, and school community relations may arise. The transition from one system to the other may require very intensive effort.

The Department of Health, Education, and Welfare, as the Federal agency charged with national responsibilities in the field of education, is prepared to offer the kind of assistance which some States and local agencies need and will continue to need. Under the bill, the Federal Government would be authorized to make grants-in-aid to share half of the cost of additional and special educational services which school integration may require. These might involve professional and consultative services, local and regional conferences and

workshops, and the development of curriculum materials. Staff assistants could be supplied.

In any event, Mr. President, this section of the bill will enable the Department of Health, Education, and Welfare, and the Commission on Civil Rights, to render both financial and technical aid as the case may be, to ease the transition from segregation to desegregation on as painless a basis as possible. This program should be relatively short of duration, probably no more than 2 years.

Similarly, I believe that the children of members of our Armed Forces should not be penalized by reasons of the geographical areas in which their families and they live. It is unreasonable that we should expect to attract the best young men and women into the armed services if they must endure conditions detrimental to the welfare of their children. The Federal Government should be willing to establish adequate school facilities in those localities where the public schools have been closed by the State. The number of facilities needed is likely to be very small, especially as the States comply with the Supreme Court's 1954 decision. But until the order has been universally accepted by all the States of our Union, we should not impose an unreasonable and unfair burden upon those who are called upon to serve our country in areas where the States would rather abandon public education than obey the law of the land.

And lastly, Mr. President, the Congress should enact the section of the administration's bill which would establish a permanent Commission on Equal Job Opportunity Under Government Contracts. This Commission is a logical outgrowth of the highly successful committee now functioning in this field under the able leadership of the Vice President, who serves currently as chairman of the committee.

The Commission would be responsible in the same way that it has been responsible for eliminating discrimination because of race, creed, color, or national origin in the employment of persons where a Government contract is involved. The Commission's responsibilities, as the administration envisions them, would extend to other fields; for example, the development and distribution of pertinent information designed to serve as an educational means of breaking down barriers to employment founded on race or color.

Mr. President, our Government cannot be guilty of urging equal opportunity for all our citizens and, at the same time, permit private firms doing business with the Government to ignore the Government's announced policy. The Commission, working quietly and diligently, should be able eventually to destroy unreasonable restrictions to fair employment.

Mr. President, in Asia, in Africa, indeed in every part of the globe, the emissaries of Communist global strategy seek relentlessly to pull more peoples into their Red vortex. The siren call of Soviet propaganda is directed to the distressed, the hopeless, the downtrodden. Those who have heeded this call in the past have soon come to know the high price which must be paid for Soviet favors. It is our cherished hope, our earnest conviction, that nations will continue to rebel against the Soviet colonial empire not simply because it is Communist, but because it is alien to freedom and oppressive to liberty, because it is in truth slavery, and because it treats its subjects as unequal before the law.

We will do more than merely vindicate our American constitutional guarantees when—and if—we enact the civil rights legislation now before us into law. We will deal a heavy blow to Communist imperialism by uniting in our act of faith by which we strengthen the spirit of liberty, here and abroad.

Judge Learned Hand described liberty:

> What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty remembers that not even a sparrow falls to earth unheeded; the spirit of liberty is the spirit of Him who, nearly 2,000 years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. KUCHEL. I yield to the able Senator from New York.

Mr. KEATING. I commend my colleague from California for the excellent analysis which he has given of the bill which he favors, and for the most sincere and straightforward and warmhearted approach which he has evidenced to the proposed legislation before the Senate, and to the entire area of civil rights.

I know of his stanch support of a program in this field, and I am gratified that he, in his position of leadership, is joining with many of the others of us who feel that civil rights legislation is so necessary at this session of the Congress.

If the Senator will permit me, I want to add at this point, Mr. President, that, in the light of the colloquy which was held this afternoon with the chairman of the Senate Judiciary Committee, who challenged my statement that no opportunity had been given to me as a member of that committee to move to report a civil rights bill to the Senate, at tomorrow morning's meeting of the Judiciary Committee which has now been scheduled, I shall seek recognition for the purpose of moving that the committee report S. 3001, which is the administration's civil rights bill, and which our distinguished colleague from California has been discussing.

I hope that I will be recognized for that purpose, and that the committee will act favorably. We have had all kinds of hearings. There is no reason why we should not act. It is my hope we shall act. Certainly there should be no question of any failure to act being based on a failure to make a motion, because there are a good many of us in the Judiciary Committee—indeed, I believe, a majority—who desire to see a meaningful civil rights bill enacted, and will make every effort to see that it is done.

I appreciate my colleague's generosity in letting me make this statement a matter of record.

Mr. KUCHEL. I thank my able friend from New York for his comments. I am grateful for what he has said.

The able junior Senator from New York has been in the vanguard of civil rights legislation for all Americans during all his years in Congress. I wish him Godspeed in his forthcoming motion in the Judiciary Committee, which will indicate once again, if indication is necessary, precisely what the able Senator from New York has been endeavoring to accomplish all this year, all last year, and for years before. To that extent I hope the motion will be successful; but if it is not, I promise my friend we are in this fight which has now started until the time we are victorious. In one fashion or another, the Members of the Senate and of the House of Representatives ought this year to be required to stand up and register their position with respect to the problems the Senator from New York and I have been discussing.

Mr. KEATING. Mr. President, will my friend yield further?

Mr. KUCHEL. I yield.

Mr. KEATING. I share emphatically the views which the Senator has expressed, and I feel sure that many of us, including the distinguished Senator from California, are dedicated to see that this task is accomplished. I must say I, myself, rather regret that it was necessary to seek to amend a bill which came to us from the Committee on Armed Services.

I see the merit in the argument of those who indicate that this is not the best way to proceed. I personally also feel, I must say in all candor, that there are other bills on the calendar which would have been more appropriate vehicles for getting civil rights legislation. For instance, it could be a bill coming from the House Judiciary Committee, rather than from the House Armed Services Committee.

I feel we may find it an unhappy event that this particular piece of legislation was selected for this purpose. But we are here. That is the procedure before us. Certainly we should not further delay the consideration of this important matter. I think those of us who favor the legislation must do everything in our power to see that we get this procedure on the road, because the road may turn out to be a long one and a difficult one.

I thank my friend for yielding.

Mr. KUCHEL. I thank my friend.

Mr. President, it is sometimes difficult for Members of the Senate, and I know for citizens generally to understand the complete lack of a rule of relevance or germaneness in the rules of the Senate. Unless we agree, by unanimous consent, that all amendments must be germane to the subject matter of the pending question, the sky is the limit on what amendments may be offered.

I have a recollection of debate in 1953 or 1954 in which I was involved. The

pending question in the Senate was a bill to authorize the construction of a dam in the State from which I come. I was the author of the bill. Obviously, I wanted my brethren to approve the bill and send it on its way.

One of my colleagues offered an amendment to my bill, authorizing the construction of a dam; his amendment provided for an increase in the salaries of certain Government personnel. There was no relevancy between the two items. Germaneness was not present, yet under the rules of the Senate there was nothing to impede or to preclude a Member from offering that amendment or an amendment on any other subject.

I mention this, Mr. President, because I believe there is a clear bipartisan majority favorable to sound civil rights legislation in the Senate in 1960, but in order to have the majority mean anything there has to be a proposal for the Members to vote in favor of. If a majority of the committee happens to oppose what the will of the majority of the membership is disposed to do, then we are faced with a problem in practical procedures which has been met in the fashion we find it today. At any rate, I trust we can grapple with and overcome the procedural problems, and get along to the problem on the merits.

I yield the floor.

FEDERAL AID HIGHWAY PROGRAM

Mr. GORE. Mr. President, since 1916 the Federal Government, in cooperation with the States, has been engaged in a program for the construction of highways to meet local, State, and National transportation needs. This program, which has been in progress for more than 40 years, reflects recognition on the part of the Federal Government of the fact that provision of highway transportation facilities adequate for the needs of the Nation is a national problem. Participation in the cost of construction of those portions of our highway network designated as part of any of the Federal-aid systems has long been accepted as a proper function and responsibility of the Federal Government.

In 1956 the Congress passed and the President approved a bill providing a substantial acceleration of the Federal-aid highway program and the construction of a new national system of limited access interstate highways. Passage of the act of 1956 followed the submission to the Congress of a report by the President of the United States urging an intensified program of highway construction. The act of 1956 authorized a 13-year program, which was considered the minimum program consistent with the Nation's needs. This act provided for increased efforts to bring to a state of adequacy the primary, secondary, and urban Federal-aid highway systems. It also authorized the construction of a National System of Defense and Interstate Highways to be completed by 1972 to standards adequate to meet the traffic needs of 1975. Under the act of 1956, the Federal Government assumed maximum responsibility for defraying the cost of construction of the Interstate System.

The President recommended in his message to Congress that the new Interstate System be completed in a period of 10 years. The Congress felt, however, that a somewhat longer period would be required and provided for authorization of funds extending over a 13-year period with actual construction to be completed by 1972.

The highway program authorized by the act of 1956 is now in grave danger. By 1958 it was obvious that additional funds would be required if the Interstate System was to be completed in 1972, and it now appears that unless forthright action is taken by the administration and the Congress the system cannot be completed even by 1975. Unless it is completed at least by that date, this system of highways will be obsolete before it is finished.

The administration's answer to this problem has generally been one of slowdown and stretchout. I reject this approach. A stretchout of the program will make it more rather than less costly and will mean simply that we will continue to have inadequate highways with consequent economic loss, and with an ever-increasing toll in terms of human misery and suffering resulting from traffic accidents.

On the basis of the most recent cost estimates submitted by the administration, completion of construction of the Interstate System by 1975 will require annual apportionments of funds to the States averaging $2.5 billion. Interestingly enough, this is the average annual Federal expenditure recommended by the President of the United States when he called upon the Congress to enact such a program in 1955.

Last year only $1.8 billion was apportioned to the States for the Interstate System. Present plans call for the apportionment of $2 billion this year. The administration has projected that the apportionment to be made next year will drop to $1.6 billion and will continue at that level for 4 years, gradually increasing to reattain the level of $2 billion to be apportioned in 1968 for fiscal year 1970. Obviously, apportionments at this level will fall far short of the goal which the Congress and the President established.

Failure to make adequate provision for the minimum program contained in the act of 1956 would, in the opinion of the junior Senator from Tennessee, constitute an admission that the United States is either unable or unwilling to provide the transportation facilities which both the Congress and the President have declared to be necessary for our defense and necessary to support the type of economy we must have if we are to compete successfully in the cold war struggle. There is no way that highways can be built without the expenditure of funds. I do not suggest that sleight-of-hand methods should be employed to obscure the cost in a maze of statistics buried in budgetary tables. Time after time, I have endeavored to face this issue squarely and I shall continue to do so. Twice last year I undertook to persuade the Senate to take action, succeeding in the last effort to eliminate a recommended payback requirement that did not comport with the intent of the original act or meet the fiscal requirements of the program. Congress can and it must provide the funds to keep this essential program on schedule, but this will not suffice unless the program is administered effectively and efficiently.

Our deep and immediate concern is the action which has been taken by the executive department which, if unchallenged and uncorrected, threatens to undermine the relationship between the Federal and State governments which has existed since the inception of the Federal-aid highway program.

Highway construction constitutes perhaps the most successful example of Federal-State partnership in the performance of an essential Government function. Under the partnership as it has existed, the States have retained primary responsibility for construction of highways with Federal supervision limited to that necessary to insure construction of an integrated highway system adequate to meet prescribed engineering standards. Actual construction is paid for initially by the States with the Federal Government ultimately sharing the cost by reimbursing the States the pro rata share which the Federal Government has by law assumed.

Throughout the program, the Congress has authorized the expenditure of funds in advance of the year in which actual construction is expected to be accomplished. These funds are then apportioned to the States in accordance with a formula contained in the law. An apportionment of Federal funds has always been regarded as authorization to the States to proceed to obligate the full amount apportioned with assurance that vouchers for reimbursement would be honored promptly upon the completion of approved projects. The fact that the act of 1956 established a highway trust fund did not in any way alter this procedure nor did that act, or any other act, in any way modify or detract from the validity and force of an apportionment of highway funds.

Notwithstanding the precedent of more than 40 years and the clear provisions of applicable law, the administration has undertaken to restrict and limit the right of the States to use funds duly apportioned to them in accordance with law. This new administrative procedure is sometimes referred to as "contract controls" and sometimes as "reimbursement planning." By whatever name it may be called, it has no basis or endorsement whatever in the law governing the administration of the highway program. Counsel for the Bureau of Public Roads contends that the administration has inherent authority to withhold from the States a portion of the funds which the States have been authorized to obligate under law duly passed by the Congress and signed by President. This is tantamount to an assertion that the Executive has inherent authority to suspend or modify the operation of a law whenever he feels it desirable to do so. I do not understand the constitutional responsibility of the President to administer to law to include such a suspension or modification.

Some may ask why the several States accept this arbitrary restriction upon their right to use the funds apportioned to them by law. Unhappily, they have little choice. Under the law, proposals by the States to construct specific projects must be approved in advance by the Bureau of Public Roads. It is clear from the law that approval or disapproval is to be based upon engineering analysis and the criteria and standards for construction prescribed in the law and in the regulations. There is nothing in the law which gives the Bureau the authority to decline to approve the obligation of funds apportioned to a State on the grounds that the expenditure of those funds at a later date might unbalance the budget. Nevertheless, the administration has applied its policy of contract control by the simple process of declining to approve projects, unless the State shall agree that payment of the Federal Government's share may be indefinitely deferred.

This represents the first time in the history of the Federal-State highway program that the validity of an apportionment of funds, or the obligation on the part of the Federal Government created thereby, has ever been questioned. Heretofore, the several States have been in a position to plan their highway construction in accordance with their ability to do the work and their ability to provide their own portion of the cost, limited only by the amount of funds apportioned to them. Under the contract control procedure, funds apportioned to the States are not really available to the States at all except and to the extent they may be permitted to obligate them under the contract control procedure. This, I submit, is clearly contrary to the intent and meaning of the law.

The administration justifies its arbitrary action on the grounds that such is necessary to avoid a deficit in the highway trust fund. It refuses to make use of those provisions of law specifically designed to come into operation at any time when the demands upon the highway trust fund exceed the revenues earmarked to it. Section 209(d) of the Highway Revenue Act, which created the trust fund, authorizes an appropriation from the general fund to the trust fund as a repayable advance whenever the demands upon the trust fund arising from valid apportionments exceed available revenues in the fund. Section 209(f)(2) of the same law provides that such repayable advances shall be repaid to the general fund with interest whenever the Secretary of the Treasury determines that the money is available in the trust fund to make such repayment. So, this was clearly foreseen and appropriate procedure was provided in the act.

Last year the Congress appropriated as a repayable advance the sum of $359 million. The administration takes the position that this entire sum must be repaid to the general fund on or before June 30, 1960, despite the fact that language that it requested and which would have directed such repayment on or before June 30, 1960, was stricken from the appropriation bill. The appropriation was made and its payback is subject to the requirement and intent of the original act.

Apparently the administration takes the position that money is available in the trust fund to repay the general fund even if such repayment would necessitate a default on the part of the Federal Government in honoring valid vouchers for reimbursement submitted by the States. The Federal Highway Administrator testified candidly last year before the Senate Finance Committee that an anticipated deficit, estimated at that time to be $157 million, would be handled by the simple device of deferring payment to the States. Such a position reflects a willingness not only to condone but to plan a deliberate default on the obligations of the Federal Government, for the purpose of creating the appearance of a paper balance in the Federal budget.

Apparently, the Secretary of the Treasury still expects to make a determination that there is plenty of money in the highway trust fund to repay the general fund this entire sum of $359 million. It is difficult to find the basis upon which he can do so, however, in face of the fact that the budget submitted by the President contains a request for the appropriation of another repayable advance in the amount of $200 million to take care of deficits expected to arise in the trust fund between July 1 and December 31, 1960. In other words, the administration expects to pay money from the trust fund into the general fund on 1 day and then have Congress reappropriate it to the trust fund the next day, all for the purpose of making a completely phony claim that the budget has thus been balanced.

Mr. President, the chief executives of the several States are quite properly concerned about the future of the highway program and of their partnership with the Federal Government in its implementation. They are concerned about the fact that funds were apportioned last year for the Interstate System in an amount $700 million less than the amount made available the previous year. A cut of almost as much is in prospect for this year and even greater cuts are projected for the years ahead. The States are also concerned about the fact that they are not assured that even the reduced amounts apportioned will be fully available to them. Bureau of Public Roads officials indicate that the contract control procedures will be continued during the coming fiscal year. The States have not as yet been advised, however, at what level they will be permitted to obligate funds for the various portions of the fiscal year which begins July 1. Heretofore, the States could base their plans upon the amount of unobligated funds to their credit. This is no longer true. Even now they are unable to plan for the period which begins on July 1, just 4 months from now.

Several Governors have taken official cognizance of this threat to the highway program at various regional conferences held last fall. Several Governors are now in Washington for the purpose of conferring with Representatives and Senators, and, I presume, with President Eisenhower in the hope that they will receive assurances that the Federal Government will honor its commitments and uphold its share of the bargain outlined in the Highway Act of 1956. I trust that those with whom they confer will deal realistically with the matter and that appropriate action will be taken to restore the program to the level which must be maintained if the Interstate Highway System is to become a reality.

The problem is twofold in nature.

First. The validity of an apportionment of funds must be restored and the States must be assured that the Federal Government stands squarely behind its obligation to reimburse the States for highway construction to the extent and according to the terms by which funds have been legally apportioned. The appropriation of funds in whatever amount may be required for this purpose is clearly authorized by law. The $359 million appropriated by the Congress last year is, in my opinion, adequate to permit the program to go forward on the basis of apportionments that have been legally made, without resort to further slowdown procedures in the form of contract controls or otherwise. All that would be required to eliminate even the excuse for imposition of contract controls is a decision by the administration to abide by the law by permitting this sum to remain available as long as needed, as is clearly specified in the law.

Second. Adequate provision should be made to authorize future apportionments at a level which will maintain the construction schedule set forth in the 1956 act. More money than is now earmarked for the trust fund will be required. This issue should be faced squarely.

The need for more money does not arise from inflation, as some appear to believe. The original cost estimates submitted by the administration prior to passage of the 1956 act were simply unrealistic. Subsequently, the administration submitted realistic cost estimates based upon engineering surveys rather than upon mere guesses. Actually, highway construction costs as such have been remarkably stable since passage of the 1956 act and in some instances have even declined.

The administration has proposed still another increase of one-half cent per gallon in the gasoline tax. At the same time, the administration proposes to impose on the trust fund additional obligations of $39 million per year and to divert to the general fund another $34 million per year which now goes to the trust fund. In other words, the administration would take out of the trust fund about one-third of the revenue which would be raised if the additional tax should be levied.

The administration proposal is inadequate. Moreover, it is grossly unfair. Just last year, the Congress increased the gasoline tax by 1 cent per gallon. In opposing that increase, I pointed out that the combined Federal and State tax on gasoline already approximated 100 percent of the cost of the gasoline at the refinery. I know of no luxury, except possibly cigarettes and tobacco,

which is taxed so heavily as is gasoline, an essential commodity.

The administration insists upon further burdening the American motorist. Even if this theory were accepted as sound, highway users are already paying direct excise taxes substantially in excess of the amount devoted to highway construction. This year, approximately $1.6 billion of such revenue is being devoted to other purposes. It is simply unfair to pile yet more taxes on the motorist who is already paying in such taxes more than the cost of highway construction and who is, in addition, paying all taxes that are paid by taxpayers generally.

Highway user revenue now going to the general fund should be devoted to highway construction to the extent required. The loss of revenue in the general fund can be made up in a much more equitable manner than by resorting to a further increase in the gasoline tax levied upon a captive class of taxpayer. Last year during debate in the Senate, a number of such alternate solutions were suggested. I hope that the Congress will consider them realistically this year.

Mr. President, the highway program outlined in the act of 1956 is the minimum which must be undertaken in the national interest. To the Governors who seek assurances from the Federal Government in this vital undertaking, I pledge my continuing support.

The number of fatal accidents on the highway is shocking indeed. Many people are killed year by year. Moreover, highway transportation is necessary for an adequate growth of our national economy.

THE CASE FOR MORE FEDERAL JUDGES

Mr. KEATING. Mr. President, in one word the most critical problem facing the administration of justice today is "delay." The problem is largely the result of our refusal to staff the courts with the personnel needed to keep up with their tremendously increased caseload. The remedy for this situation, insofar as the Federal courts are concerned, lies with the Congress. Approval of new judgeship legislation should be a must part of this session's legislative program.

John D. Randall, Esq., the president of the American Bar Association, last week delivered an excellent address on this subject entitled "Justice in Need—Justice Delayed—Justice Denied." In his speech, he describes the care with which proposals were received by the judicial conference prior to its recommendation that 43 new judges were immediately needed.

I have given these recommendations my thorough study and do not believe they can be challenged by any objective person. I can advise the Senate particularly that action is imperative to relieve the serious situation in the U.S. District Courts for the Eastern and Southern District of New York and in the U.S. Court of Appeals for the Second Circuit in New York. In respect to these courts, my personal review of the conditions convinced me that the recommendations of the judicial conference for a total of 10 additional judges—2 temporary—are an absolute minimum.

Mr. President, the American Bar Association has taken the lead in efforts to improve the facilities of our Federal courts. Mr. Randall pleads this case eloquently in his address. I know this problem is of interest to many Members and I therefore request that the text of President Randall's remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

JUSTICE IN NEED—JUSTICE DELAYED—JUSTICE DENIED

(Address by John D. Randall, president, American Bar Association, before the Midwinter Trust Conference, American Bankers Association, February 10, 1960)

It is a distinct pleasure for me, as a representative of the American Bar Association, to address the midwinter trust conference of the American Bankers Association. Lawyers, by the very nature of their profession, are called upon often to work closely with the trust officers of banks. This has been my own personal experience, not only as a lawyer in practice, but also as an official of the American Bar Association. In this latter capacity, I have been privileged to serve with members of your organization on the National Conference of Lawyers and representatives of American Bankers Association, trust division. The discussions in which we engaged were fruitful and there is now a joint agreement between these two groups on the proper scope and nature of their activities. I am happy to have participated in the national conference and I am pleased to report that the conclusions of our conference have been honored in performance. During our conversations, I was impressed by the spirit of cooperation and willingness to work for the good of the community that motivated your delegates.

I come before you today to speak of another problem which I am certain will also appeal to your feeling for the good of the community. One of our prides as Americans is that we live in a Nation where the rule of law prevails, where courts are open to citizens and noncitizens to litigate their disagreements to the end that a solution, based on justice and equity, might prevail. Yet, alert citizens must recognize that this right to be heard by the courts is a sham if parties to the action have to wait 3, 4, or even 5 years to be heard. I should like to discuss with you one of the causes of delay in our courts, namely, insufficient judicial manpower. I earnestly hope that after you hear the case for the creation of new judgeships, you will join us in supporting the omnibus judgeship bill.

The shortage of judges which plagues our judicial system today, is the first link in the chain—justice in need, justice delayed, justice denied. We recognize that the denial of justice is the very antithesis of a system of justice. We know that often the delay of justice is the equivalent of the denial of justice. But some forget that by neglecting the physical needs of our system of justice we are contributing to these two evils. I hope to demonstrate that we have an immediate, and almost desperate, need for 43 new Federal judges.

Although my remarks will be directed to the shortage of Federal judges, I do not mean to suggest that there is no shortage in the State courts. All evidence points to the fact that such a problem does exist and, indeed, it is quite probable that many of you can testify as to the effects of such a shortage in the State courts. My remarks relate to the problem on the Federal scene for there is now an excellent possibility that the situation may be remedied during the next few months. It is our hope that once the Federal Government has acted, reform may come more quickly on the State level. We have seen this pattern in the past, in the reform of the rules of civil procedure, for example. For this reason, the Federal scene deserves the attention of all persons interested in justice, whether or not they have occasion to deal with the Federal court system.

It is, indeed, surprising but true that judicial facilities of the United States, expressly provided for in the Constitution, have expanded at a much slower rate than other services of our Government. In 1900, the overriding philosophy of government in the United States was one which restricted the activities of the Federal Government. The Fair Labor Standards Act was not part of our laws, nor was the Food and Drug Act. Appeals from decisions of Federal agencies were infrequent because at that time there were very few agencies in existence. Social security legislation was yet 30 years in the future and the income tax was not as yet a reality. This was the scene in 1900. Today, 3 score years later, while Government has been remodeled and redesigned to face the new requirements of our citizenry, we have neglected to develop the judicial facilities of our Nation to cope with the problems brought before it because of these legislative and social changes. Since 1900, the business of the Federal courts has almost quadrupled, while the number of Federal judges has little more than doubled. During the past 16 years, the number of civil cases filed has increased more than 50 percent and the number still pending at the end of the year has mounted by 117 percent.

What is the result of this neglect to provide for our judicial system? Quite bluntly, the result is that the judiciary is unable to cope with the current caseload and cases must be delayed rather than tried. Almost invariably this delay works a financial hardship on at least one of the parties. Often witnesses die, disappear, or their recollections become hazy after the passage of time. The result is the denial of justice. Let us turn for a moment to some of the areas which stand in especial need for assistance.

The U.S. District Court for Connecticut has, at present, two judgeships. The second judgeship was created over 30 years ago. Since that time, the State of Connecticut has become very highly industralized. Because of its geographic location, the roadways are crowded with out-of-State truck and automobile traffic. Accidents stemming from this intense traffic result in a steady stream of tort claims which must be disposed of by the Federal District Court of Connecticut. These changes have altered the judicial load of the court. During the last few years, the pending civil caseload has grown tremendously. On the 30th of June 1951, there were 355 civil cases marked undisposed. One year later, the figure was 486. On the 30th of June 1953, it was 635. On the 31st of March 1958, it was 779, which is an unusually high figure for 2 judges. The total of cases pending reached 783 on the 30th of September 1959.

The cases awaiting hearing were of an increased complexity. In 1959 there were 31 patent, antitrust, and other complicated cases pending which probably resulted in long trials.

The backlog of 783 cases undoubtedly would have been much higher but for the fact that in 1958, 4 judges were assigned to the court for a total of 79 days. Even with this additional assistance, which constituted a sacrifice by other members of the judiciary, litigants had to wait longer to be heard. In

the fiscal year ending the 30th of June 1959, the median time between issue and trial in civil cases was 19.9 months, or almost 14 months in excess of the figure set by the Judicial Conference of the United States as the maximum permissible delay.

Clearly, in the District Court of Connecticut, justice is in need. We know it is being delayed. Let us act before it is denied.

But the story of the District Court of Connecticut is not an isolated one in America. Let us turn for a moment to the eastern district of Louisiana. In the fiscal year 1959, there were a total of 1,616 cases filed in a court consisting of 2 judges. On the 1st of July 1959, there were a total of 2,789 cases pending before this court.

This means that as of the 1st of July last year, each judge faced the incredible backlog of 1,395 cases.

According to a report, entitled "Field Study of the Operation of U.S. Courts," sometimes referred to as the "Cotter Report," which was made to the Senate Appropriations Committee, the District Court for the Eastern District of Louisiana is efficiently organized and the judges are diligent in the performance of their duties. The court employs the most efficient methods of administration and emphasizes pretrial conferences. More civil cases—approximately 600—are terminated per judge per year in this court than in any other court of our Federal judiciary. However, in spite of this remarkable performance, if no other cases are filed, the judges in the eastern district of Louisiana will have to work for over 2 years to dispose of their backlog.

The same story can be told in many other districts throughout our Nation. Hardworking judges, using the most efficient methods of disposing of cases, are facing ever-increasing backlogs. The U.S. district courts are currently faced with a backlog of 66,000 civil cases and 8,500 criminal cases. The current backlog is sufficient to keep all of the district judges busy for a year even if new cases are not filed.

The members of the legal profession have not been oblivious to this crisis. Since 1955, a concerted effort has been underway, led by the Judicial Conference, to increase the number of Federal judges. In September of 1955, the Judicial Conference recommended the creation of 21 new judgeships. Today, over 4 years later, the recommendations of that Conference have not been adopted. I emphasize the fact that these proposals for the increase in the number of judges stem from the Judicial Conference and not from local or regional pressure groups.

The Judicial Conference, as you know, is a conference provided for by section 331 of title 28 of the United States Code; it meets at the call of the Chief Justice of the United States. The Conference is charged by statute to "make a comprehensive survey of the condition of business in the courts of the United States." The statute further provides that "the Chief Justice shall submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation." In 1955, the Judicial Conference, pursuant to this statute, recommended legislation calling for 21 new judgeships. There was no action in 1956 by Congress. The result is that by September 1956 the condition had worsened to such an extent that the Judicial Conference called for the creation of 37 additional judgeships. The Judicial Conference has now recommended the creation of 43 additional judgeships.

Let us turn for a moment to the procedure used by the conference to assess the need for additional judgeships. In other words, by what procedure did the conference arrive at the figure of 43 judgeships.

The judicial conference has two committees that deal with the question, first, the Committee on Judicial Statistics, and second, the Committee on Court Administration. The first committee, of which Chief Judge Clark is chairman, makes a study of the statistics of courts. In this, it works closely with the Division of Procedural Studies and Statistics of the Administrative Office of the U.S. Courts. As a result of its analysis, the committee then makes recommendations to the second committee, the Committee on Court Administration, of which Chief Judge Biggs is chairman. This second committee evaluates the recommendations in terms of the personalities of the judges, the distances traveled, the population concentration, and other human factors involved in the creation of new judgeships. The conclusions reached after the deliberations of these two committees are then reported to the Judicial Conference.

The conference then discusses the proposed judgeships, circuit by circuit, and district by district. The proposals are subject to the scrutiny of judges from the districts involved, or from neighboring districts; persons who know at first hand the conditions existing in the areas under study. It is only after the proposed judgeship has been approved at each step in this procedure that the judicial conference will recommend the creation of an additional judgeship. Now, as you can well imagine, this is a very deliberate process, one not subject to local pressures and one best designed to assure that a real need exists. The support of this group should, of itself, be proof that the Federal judiciary requires 43 additional judgeships.

The omnibus judgeship bill, which incorporates the recommendations of the judicial conference, has been endorsed by other groups as well. The house of delegates of the American Bar Association voted support of the measure, without a dissent. It is anticipated that at the Chicago meeting of the house of delegates, to be held in a few weeks, support for the omnibus judgeship bill will be reaffirmed.

This endorsement by the house of delegates of the American Bar Association is significant. The house of delegates is an elected assembly representing approximately 200,000 of the 260,000 lawyers in America. It has been the practice of the house of delegates to scrutinize carefully each recommendation for an increase in judges, district by district and circuit by circuit. The members of the house of delegates are familiar with the problems of each district. They have the right to recommend additions or deletions in the proposals. It is significant that none did so. This clearly indicates that the conference's recommendations were realistic. In addition, the National Conference of Bar Presidents unanimously endorsed the bill. The omnibus judgeship bill represents the thoughtful considerations of both the Federal judiciary and the practicing lawyers in America.

Legislative action is necessary in other areas as well, if our judiciary is to face its mounting problems. I believe that Congress should consider legislation which would provide for the mandatory retirement of all judges who have passed their 70th year. We must recognize the tremendous intellectual strain imposed on the members of our judiciary. They are called on to decide increasingly complicated cases that come before them in trials which may last several months, and involve litigation which may carry on for several years. The physical and mental strain of judicial duty, especially during these periods of crowded dockets, is growing constantly. Industry has recognized, as have many of our education institutions, that it is unreasonable to expect and to demand high performance from its employees after they have reached an advanced age. When one takes a realistic look at our Federal judiciary, he is impressed by the fact that in some districts, there is an inordinantly large number of days lost each court term. It is logical to conclude that these absences are not voluntary but result from the physical inability of the judge to preside over his court. The problem was well summed up in the report to the Senate Appropriations Committee, to which I have made reference, in the following words: "Judges are only human and subject to periods of illness, which, particularly in the smaller courts, unless judges are sent in on a temporary basis from other districts, result in the business piling up and the docket getting behind. In a few courts the age of the judges has contributed to increased ailments and a general slowing down, permitting a gradual rise in the number of pending cases and greater delays in the disposition of caseloads." In other words, in certain districts, a higher annual rate of disposition of cases could have been achieved through the use of younger personnel. This is a problem which deserves our attention, and I suggest that we consider the imposition of a mandatory retirement age of 70 years.

Of course, this would not mean that those retired judges who remain physically and intellectually able to serve would not be invited to return to duty on temporary assignment. These elder statesmen of the bench have been most generous in the past and we would be quite shortsighted if we did not avail ourselves of this reservoir of judicial talent in time of crisis.

Certain other improvements are necessary if we are to utilize fully our courts. One step, of course, is to relieve the judge of those administrative matters which do not require his attention.

A second step relates to the facilities of the courtroom. We think of air conditioning as being a modern American convenience readily available to industry and to many home owners. Yet, many of our courts continue to be unbearably hot during the summer months. This leads to the general feeling that summer sessions should be avoided at all costs. Now, certainly, the tradition of holding court terms only during the fall, winter, and spring months should not be permitted to prevail in a period when the reasons for the practice have disappeared. Some technical improvements have a place in the court as well as in industry.

I have spoken to you today on the subject "Justice in Need—Justice Delayed—Justice Denied," for, unfortunately, these terms describe the neglect which characterizes our judicial system.

In a Nation which prides itself on applying the rule of law, our claim is valid only in the measure that machinery exists to preserve and apply the law. It is a truth in the profession that one may have an excellent system of laws, but if they are unenforceable, they are of little value to the individual. All liberties are important only in the measure that our judicial system can protect them. Certainly, then, it is unthinkable to permit our judiciary to be understaffed, as it would be for a commander to permit his military establishment to be undermanned.

Fortunately, the long battle for the necessary increase in the number of judgeships is rapidly reaching a climax. Responsible leaders of both political parties have urged adoption of the omnibus judgeship bill. The present administration has promised that the new judges will be nominated equally from among the qualified persons of both political parties. Clearly the question is beyond politics.

The issue is now joined. Shortly the omnibus judgeship bill will be before both Houses of Congress for their approval. Now is the time for action. We must inform the Members of Congress through cards, letters, telegrams, and—yes—personal conversations that Americans deserve justice now—not 3 years later, that hardworking judges need help, and that the American people

will not tolerate further neglect of the judiciary. I urge you to join us in this campaign. We greatly need your support in every way possible.

It is important that an aroused citizenry make known its wishes in this regard to the Congress. This is a concern of every American, for, in the words of Daniel Webster, "Justice, sir, is the greatest interest of man on earth."

RECESS TO 11 A.M. TOMORROW

Mr. GORE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 30 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, February 16, 1960, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 15, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Nehemiah 2: 20: *The God of heaven, He will prosper us; therefore, we, His servants, will arise and build.*

Eternal God, whose divine providence surrounds our lives continually, make us more aware and responsive to Thy gracious promises as we enter upon the tasks of this new week.

Give us a clearer vision and a loftier appreciation of the many opportunities which each day affords us of leading and lifting needy humanity nearer to Thyself and to a larger measure of the more abundant life.

Show us how we may achieve those moral and spiritual qualities of character on which a nobler civilization may be built.

Grant that the Members of Congress may be the pioneers of a new and better era as they seek, through legislation, to make a constructive contribution to the solution of our many complex national and international problems.

Hear us in the name of the Captain of our salvation. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 11, 1960, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

UNITED STATES OF AMERICA v. PETER SEEGER

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I rise to a question of the privilege of the House.

Mr. Speaker, I have been subpenaed to appear before the U.S. District Court for the Southern District of New York, to testify in the case of the United States of America against Peter Seeger.

Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The Clerk read the subpena, as follows:

U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK—UNITED STATES OF AMERICA *v.* PETER SEEGER, DEFENDANT—NO. C152-240

To FRANCIS E. WALTER,
Chairman, House Committee on Un-American Activities, Washington, D.C.:

You are hereby commanded to appear in the U.S. District Court for the Southern District of New York at the District Courthouse, Foley Square, room 318, in the city of New York, on the 25th day of January 1960 at 10:30 o'clock a.m. to testify in the above-entitled case.

This subpena is issued on application of the defendant.

HERBERT A. CHARLSON,
Clerk.

By JOHN S. MANUELLO,
Deputy Clerk.

JANUARY 13, 1960.

WOLF, POPPER, ROSS, WOLF & JONES,
Attorneys for Defendant.

Mr. McCORMACK. Mr. Speaker, I offer a resolution—House Resolution 445—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas Representative FRANCIS E. WALTER, a Member of this House, has been served with a subpena to appear as a witness before the United States District Court for the Southern District of New York, to testify at New York, New York, on the twenty-fifth day of January 1960, in the case of the United States of America against Peter Seeger, criminal case No. C152-240; and

Whereas by the privilege of the House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative FRANCIS E. WALTER is authorized to appear in response to the subpena of the United States District Court for the Southern District of New York in the case of the United States of America against Peter Seeger; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena of the said court.

Mr. RABAUT. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. RABAUT. Mr. Speaker, would the gentleman from Pennsylvania explain what this is about?

Mr. WALTER. Mr. Speaker, this resolution, which I trust the House will adopt, is necessary because the subpena was served on me as chairman of the Committee on Un-American Activities to testify in behalf of the defendant in a contempt case in New York City.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

UNITED STATES OF AMERICA v. EDWARD YELLIN

Mr. WALTER. Mr. Speaker, I rise to a question of the privilege of the House. I have been subpenaed to appear in the U.S. District Court for the Northern District of Indiana to testify on the 7th day of March 1960, in the case of the United States of America against Edward Yellin. Under the precedents of the House I am unable to comply with the subpena without the consent of the House, the privileges of the House being involved.

I therefore submit the matter for the consideration of the House.

Mr. Speaker, I send to the desk the subpena.

The SPEAKER. The Clerk will read the subpena.

The Clerk read the subpena, as follows:

U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA—UNITED STATES OF AMERICA *v.* EDWARD YELLIN—No. 3023

To FRANCIS E. WALTER,
House Office Building,
Washington, D.C.:

You are hereby commanded to appear in the U.S. District Court for the Northern District of Indiana at Post Office Building in the city of Hammond, on the 7th day of March 1960 at 9:30 a.m. to testify in the above-entitled case.

This subpena is issued on application of the defendant.

KENNETH LACKEY,
Clerk.

By W. CARPENTER,
Deputy Clerk.

JANUARY 26, 1960

RABINOWITZ & WECHSLER,
Attorneys for Defendant.

RETURN

Received this subpena at _____ on _____ and on _____ at _____.

I served it on the within named _____ by delivering a copy to h__ and tendering to h__ the fee for 1 day's attendance and the mileage allowed by law.

_____

By _____

Service fees:

Travel _____ $____
Services _____ _____

Total _____ _____

1. Insert "United States," or "defendant," as the case may be.

2. Fees and mileage need not be tendered to the witness upon service of a subpena issued in behalf of the United States or an officer or agency thereof (28 U.S.C. 1825).

Mr. McCORMACK. Mr. Speaker, I offer a resolution—House Resolution 446—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas Representative FRANCIS E. WALTER, a Member of this House, has been served with a subpena to appear as a witness before the United States District Court for the Northern District of Indiana, to testify at Hammond, Ind., on the seventh day of March 1960, in the case of the United States of America against Edward Yellin, criminal case numbered 3023; and

Whereas by the privileges of the House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative FRANCIS E. WALTER is authorized to appear in response to

the subpena of the United States District Court for the Northern District of Indiana in the case of the United States of America against Edward Yellin; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena of the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE OF THE SMALL BUSINESS COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the subcommittee of the House Small Business Committee, presided over by the gentleman from Oklahoma [Mr. STEED], may sit while the House is in session, in Boston, Mass., this week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT OF THE COMMODITY CREDIT CORPORATION FOR 1960—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

PEACE AND STABILITY IN THE MIDDLE EAST—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 342)

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the fourth report to the Congress covering activities through June 30, 1959, in furtherance of the purposes of the joint resolution to promote peace and stability in the Middle East. This report supplements earlier reports forwarded to the Congress.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 15, 1960.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

The Clerk called the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

ESTABLISHMENT OF THE ARCTIC WILDLIFE RANGE, ALASKA

The Clerk called the bill (H.R. 7045) to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve, in the public interest, a magnificent wildlife and wilderness area in the State of Alaska, the Secretary of the Interior is hereby authorized to establish a particular area in the State as the "Arctic Wildlife Range," hereafter referred to as the "wildlife range."

SEC. 2. Establishment of the wildlife range shall be effective following the publication of an order of the Secretary of the Interior to the effect in the Federal Register, and any subsequent revisions in the boundary of such area, subject to the limitations hereafter prescribed, shall be accomplished in the same manner. However, the exterior boundaries of the area that may be set aside for the purposes of this Act are hereby delimited to the general area which is bounded on the north by the Arctic Ocean, on the east by the Canadian boundary, on the west by the Canning River, and which extends southward to include a portion of the south slope of the Brooks Range, State of Alaska, lying southeasterly from the headwaters of the Canning River across the East Fork of the Chandalar River, along Old Woman Creek to the confluence of Monument Creek and the Sheenjek River and easterly along Bilwaddy Creek to the Canadian border.

SEC. 3. (a) The Secretary of the Interior shall administer and manage the wildlife range in a manner that he finds to be in the public interest: *Provided, however*, That the conduct of any present or future national defense activities shall not be affected thereby, without the concurrence of the Secretary of Defense.

(b) All mineral deposits in the wildlife range, of the classes and kinds subject to location, entry, and patent under the mining laws and subject to leasing under the mineral leasing laws of the United States, shall be, exclusive of the land containing them, subject to disposal under such laws. However, a patent issued for such mineral deposits shall not convey any interest in the surface of the land containing such minerals other than the right of occupation and the use of so much of the surface of the land as may be required for purposes reasonably incident to the mining or removal of such minerals under such regulations as may be issued by the Secretary of the Interior, and appropriate reservations shall be inserted in any mineral patent that may be issued hereunder for the aforesaid purposes.

(c) The Secretary of the Interior is authorized to permit the hunting and the taking of game animals, birds, and fish in the wildlife range, or parts therof, as well as the trapping of fur animals. However, no person may hunt, trap, capture, kill, or willfully disturb any wild mammal, wild bird, or fish or take or destroy the eggs or nests of any such bird or fish within the wildlife range, except as may be prescribed by the Secretary.

(d) The Secretary is authorized to administer the wildlife range in accordance with this Act and such regulations as he may issue in the public interest relating to any of the purposes and provisions of this Act.

(e) Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this Act shall have power (1) without warrant, to arrest any person committing in the presence of such employee a violation of this Act or any regulation made pursuant thereto, and to take such person immediately for examination or trial before any officer or court of competent jurisdiction, and (2) to execute any warrant or other process issued by any officer or court of competent jurisdiction to enforce the provisions of this Act or regulations made pursuant thereto. Any judge of a court established under the laws of the United States, or any United States Commissioner may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Any wild mammals, wild birds, fish or other property within or relating to such wildlife range, when illegally taken or possessed shall, when found by such employee, or by any marshal or deputy marshal, be summarily seized by him, and upon conviction of the offender, such property shall be forfeited to the United States and disposed of as directed by the court having jurisdiction. Any person who violates or fails to comply with any provision of this Act or any regulation made pursuant thereto shall be fined not more than $500 or imprisoned not more than six months, or both.

SEC. 4. Nothing in this Act shall be construed to impair the authority of the President under section 10 of the Act of July 7, 1958 (72 Stat. 339, 345).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GREAT LAKE PILOTAGE

The Clerk called the bill (H.R. 57) to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PENALTIES FOR UNOFFICIAL USE OF GOVERNMENT VEHICLES

The Clerk called the bill (H.R. 766) to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, since this bill provides for the removal of the statutory minimum penalty for the misuse of motor vehicles, airplanes, and so on and so forth, operated by the various agencies of the Government, I would like to have

the assurance of the gentleman from Maryland [Mr. FRIEDEL] that taking away the minimum penalty will not in turn open up further abuse.

Mr. FRIEDEL. No; it will not. I have assurances that there have been many cases that were so minor they were not reported. With the removal of the minimum penalty, there being a maximum penalty fixed, the matter can be dealt with more effectively by reprimand or disciplinary action.

Mr. GROSS. The gentleman then is saying that the present law has been violated many times without infliction of penalty.

Mr. FRIEDEL. I understand it has been, but in many instances the infractions were so minor that it was not enforced because the agencies felt that a 30-day suspension was too drastic. Now it will be enforced in these minor cases, since this bill permits lesser penalties for minor offenses.

Mr. GROSS. I hope the House Administration Committee to which this bill was referred—is that correct?

Mr. FRIEDEL. No, this is the Government Operations Committee.

Mr. GROSS. But the gentleman appeared before the committee.

Mr. FRIEDEL. Because it is my bill.

Mr. GROSS. I trust the gentleman and the committee will keep close watch of this to see that it does not result in abuses with the removal of the minimum penalty.

Mr. FRIEDEL. I am sure it will be beneficial to both the agencies and the employees.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the next to the last sentence of paragraph (2) of subsection (c) of section 5 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposes", approved July 16, 1914 (5 U.S.C., sec. 78(c)(2)), is amended by striking out "shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant" and by inserting in lieu thereof the following: (A) for the first violation of the provisions of this paragraph, shall be severely reprimanded or suspended from duty without compensation for not more than one month, as the head of the department concerned may prescribe, and (B) for any violation which occurs subsequent to such first violation, shall be suspended from duty without compensation for not less than one month or, if circumstances warrant, summarily removed from office, as the head of the department concerned may prescribe".

SEC. 2. The amendment made by the first section of this Act shall apply only to violations of paragraph (2) of subsection (c) of section 5 of such Act of July 16, 1914, which occur on or after the date of enactment of this Act. No violation of the provisions of such paragraph (2) which occurred before the date of enactment of this Act shall be considered in determining whether any violation of such paragraph which occurs on or after such date is a first or subsequent violation for the purposes of such amendment.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the next to the last sentence of paragraph (2) of subsection (c) of section 5 of the Act entitled 'An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposes', approved July 16, 1914 (5 U.S.C. 78(c)(2)), is amended to read as follows:

"'Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned vehicle or aircraft, or of any vehicle or aircraft leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be subject to such disciplinary action as the head of the department concerned or his representative may prescribe, which disciplinary action may include removal from his position, if circumstances warrant'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE XI OF THE MERCHANT MARINE ACT OF 1936

The Clerk called the bill (S. 107) to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL ATTACHÉ ROTATION

The Clerk called the bill (H.R. 8074) to amend section 602 of the Agricultural Act of 1954.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WILSON'S CREEK BATTLEFIELD NATIONAL PARK, MO.

The Clerk called the bill (H.R. 725) to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) comprising the Wilson's Creek Battlefield site near Springfield, Missouri, and any other lands adjacent to such site which in his opinion are necessary or desirable to carry out the purposes of this Act.

SEC. 2. (a) The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek Battlefield National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

With the following committee amendment:

Page 2, line 13, strike out all of section 3, and insert in lieu thereof, the following:

"SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $120,000, as may be needed for the acquisition of lands and interests in lands and for development of the Wilson's Creek Battlefield National Park, of which not more than $20,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BROWN of Missouri. Mr. Speaker, this bill—H.R. 725—is a very clear and simple proposal: It would preserve and commemorate the site of the Battle of Wilson's Creek as a national memorial to one of the bloodiest and most significant engagements in the War Between the States.

It is a proposal that has been urged for some 75 years and has the strong support of historians and Civil War devotees as well as the united backing of public-spirited citizens—not only in Missouri—but all over America.

We feel very deeply that, in the national interest, more historical sites west of the Mississippi River should be properly preserved and marked for posterity.

And among the most significant sites in our western heritage is the Wilson's Creek Battlefield where, on August 10, 1861, the second battle of the War Between the States was fought.

Here, indeed, was a bloody engagement between 10,000 Confederates and 5,000 Federals which had a far-reaching impact on the history of this Nation.

Contemporaries respected its importance. Newspapers reported the battle in great detail. Congress took special notice of it. Upon receiving the news that General Nathaniel Lyon, the field commander of the Union forces, had been slain at Wilson's Creek, the Congress sent for his body with instructions that it lie in state in the rotunda of this Capitol for due homage.

Historians respect its importance. Bruce Catton, one of the most highly respected authorities in this field, says that there were two early Union Army defeats "out of which the people of the North drew shame, indignation, and the beginning of wisdom." They were the Battle of Bull Run in the East and the Battle of Wilson's Creek in the West.

But until now, despite valiant efforts of many dedicated citizens, no public effort has been made to preserve and commemorate the site of this important battle.

This past year, a great committee of this House, under the distinguished leadership of Chairman WAYNE ASPINALL and Subcommittee Chairman GRACIE PFOST, took steps to correct this oversight. Exhaustive hearings were held, not only here in Washington, but at and near the site of the battle. Executive department witnesses were heard. Historians and citizens expressed their views. And without a dissenting vote, the Committee on Interior and Insular Affairs has reported this measure to the House with the recommendation that it be enacted into law.

The committee is agreed that, first there is sound precedent for the commemoration and preservation of this site as a national memorial, because Congress has already memorialized its companion battle—Pea Ridge in Arkansas; second, Wilson's Creek was an important engagement of historic value, because—while the Confederacy won the battle—the victory was a bloody and exhausting one which prevented their mounting another offensive to win the foodstuffs and transportation facilities of Missouri, to say nothing of the vital arteries—the Missouri and Mississippi Rivers for the South; third, inasmuch as the Wilson's Creek Foundation has already purchased the most important 37 acres of the battlefield site and is donating the ground to the Federal Government, and in view of the fact that local citizens and local and State government agencies have agreed to furnish substantial assistance in the proper interpretation of the site, commemoration is financially feasible; and fourth, while present officials in the Department of Interior are currently on record as opposing this legislation, other officials of the Department in other years joined in recommending that the Wilson's Creek battlefield be preserved and commemorated, so their objection must be based more on budgetary considerations than on the importance of the site, so are not of overriding importance in this authorization bill.

For these and other reasons, this measure is recommended; and I take the floor today to urge its passage. We are approaching the Civil War centennial. The West justly feels that its importance in this tragic but historic conflict has been too long ignored. Scholars and citizens of Missouri and the West feel that Wilson's Creek battlefield must be preserved and marked now, or it will be lost to posterity.

In the name of the brave men who fought at Wilson's Creek and in the name of millions of Americans who will appreciate Americanism more if they see tangible monuments of our rich cultural heritage, I surge this House to pass this bill without objection.

PROMOTING PEACE THROUGH THE REDUCTION OF ARMAMENTS

The Clerk called House Concurrent Resolution 393.

The SPEAKER. Is there objection to the present consideration of House Concurrent Resolution 393?

Mr. GROSS. Mr. Speaker, reserving the right to object, I know of no one in this Chamber who is not in favor of disarmament and peace on an acceptable basis, but I read on page 2 of this concurrent resolution the following: "The Congress of the United States reaffirms that upon the achievement of an agreement on the reduction of armaments, which it fervently desires, the United States is prepared to join with other signatories of the agreement to devote a substantial portion of any resultant savings to expand its works of peace throughout the world."

In other words, if we save any money on disarmament, by the terms of this resolution, we would take that money and add it to the present foreign give-away program instead of applying it to a reduction of debt or taxes in this country.

I cannot support a resolution that plainly implies that if any money is to be saved through disarmament, the money so saved shall be spent elsewhere throughout the world. We are already wasting enough in that fashion.

Mr. Speaker, I ask unanimous consent that this House concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DECLARING THE SENSE OF CONGRESS ON THE CLOSING OF INDIAN HOSPITALS

The Clerk called House Concurrent Resolution 7.

Mr. PELLY. Mr. Speaker, on behalf of a Member who cannot be present today, I ask unanimous consent that this be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

REVISING THE BOUNDARIES OF THE ZION NATIONAL PARK, UTAH

The Clerk called the bill (S. 713) to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Zion National Park are hereby revised to include the following described lands:

SALT LAKE MERIDIAN

Township 39 south, range 10 west: Section 30, those portions of lots 1 to 7, inclusive, lying south of Kolob Creek and lots 8 to 32, inclusive; section 31, lots 1, 2, 3, 15, 16, 17, 18, 31 and 32.

Township 41 south, range 10 west: Section 28, northeast quarter, that portion of the northwest quarter lying east of the North Fork of the Virgin River and lot 9 of the O. D. Gifford survey, the ownership of which is recorded on page 247 of deed book U12 in Washington County, Utah; section 29, west half; section 31; section 32 (partly surveyed), northeast quarter northwest quarter and west half northwest quarter.

Township 39 south, range 11 west: Section 13, southeast quarter southeast quarter; section 32, north half and southeast quarter.

Township 40 south, range 11 west: Section 5, lots 1 and 2 and south half northeast quarter.

Township 38 south, range 12 west: Section 29, those portions of lot 2 and of the southwest quarter lying east of the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1(1), Washington County, Utah, said line being 150 feet from and parallel the centerline of such highway, as constructed.

SEC. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as a part of the Zion National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

SEC. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realinement and construction of United States Highway 91; *Provided,* That, in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1(1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LAND FOR A NATIONAL WILDLIFE REFUGE AT JACKSON LOCK AND DAM NAVIGATION PROJECT, ALABAMA

The Clerk called the bill (H.R. 8347) to authorize the acquisition of land for a national wildlife refuge at Jackson lock and dam navigation project, Alabama.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for Black Warrior, Warrior, and Tombigbee Rivers, Alabama, is hereby modified to provide for the acquisition of land, for wildlife purposes in connection with the Jackson lock and dam to permit the establishment of a wildlife refuge pursuant to the

Fish and Wildlife Coordination Act (16 U.S.C. 663). Lands so acquired shall be made available to the Secretary of the Interior for the Choctaw National Wildlife Refuge.

With the following committee amendment:

Page 1, line 5, after the word "land" insert a comma and the following: "estimated to cost $120,000 in addition to other project costs".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHEYENNE RIVER SIOUX TRIBE OF INDIANS (SOUTH DAKOTA)

The Clerk called the bill (H.R. 4786) to restore to Cheyenne River Sioux tribal ownership certain land located in Dewey County, S. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to restore to tribal ownership in trust for the use and benefit of the Cheyenne River Sioux Tribe of Indians of South Dakota the land, together with all improvements thereon, located in the county of Dewey and the State of South Dakota, to wit: A part of the southeast quarter of southeast quarter of section 26, township 14 north, range 28 east, more particularly described as follows:

Commencing at the southeast corner of the southeast quarter of southeast quarter of said section 26; thence north, on the section line, 476 feet to a point which is 150 feet, measured southerly at right angles, from the centerline of the main track of the Chicago, Milwaukee and Saint Paul Railway Company; thence westerly, parallel to said centerline of railway and 150 feet southerly therefrom, to the west line of the southeast quarter of southeast quarter of said section 26; thence south on said west line, 605 feet, more or less, to the south line of section 26; thence east, on said south line, to the place of beginning; containing 16.05 acres, more or less.

SEC. 2. Said land shall be subject to the same provisions of law and departmental rules and regulations that govern the Cheyenne River Sioux Reservation.

With the following committee amendment:

Page 1, strike out all of lines 3 through 7 and the words "South Dakota, to wit:" on line 8, and insert in lieu thereof the following: "That all of the right, title, and interest of the United States in the following described land in Dewey County, South Dakota, together with the improvements thereon, is hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe:".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill declaring certain lands to be held in trust for the Cheyenne River Sioux Tribe of Indians of South Dakota."

A motion to reconsider was laid on the table.

NEZ PERCE TRIBE OF IDAHO

The Clerk called the bill (H.R. 8234) to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following described land, formerly known as the Kamiah Day School Reserve, is hereby declared to be held by the United States of America in trust for the Nez Perce Tribe: South half east half north half, east half south half, east half west half south half of lot 11, section 7, township 33 north, range 4 east, Boise meridian, in Idaho County, Idaho, containing 11.25 acres.

With the following committee amendment:

Page 1, line 4, strike out the word "land," and insert in lieu thereof the words "land and improvements thereon."

The amendment was agreed to.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill S. 2379, an identical bill to the House bill as amended, be considered in lieu of H.R. 8234.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following-described land and improvements thereon, formerly known as the Kamiah Day School Reserve, is hereby declared to be held by the United States of America in trust for the Nez Perce Tribe: South half east half north half, east half south half, east half west half south half of lot 11, section 7, township 33 north, range 4 east, Boise meridian, in Idaho County, Idaho, containing 11.25 acres.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 8234) was laid on the table.

A motion to reconsider was laid on the table.

PROTECTING AND PRESERVING THE ANTIETAM BATTLEFIELD SITE IN THE STATE OF MARYLAND

The Clerk called the bill (H.R. 1805) to amend the act entitled "An act to authorize the Secretary of the Interior to acquire property for the Antietam battlefield site in the State of Maryland."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand this bill will cost $300,000; what is the cost?

Mr. FOLEY. In answer to the question asked by the gentleman from Iowa, Mr. Speaker, I wish to inform the Members of the House that originally a year ago it was contemplated that the 1,800 acres, constituting the whole of the battlefield site at Antietam, be purchased by the Secretary of the Interior. This has been reduced, as the bill shows, to approximately 600 acres, which will lower the estimated cost of investment by two-thirds, so the possible cost for the 600 acres will be in the neighborhood of between $75,000 and $100,000.

Mr. GROSS. What is it going to cost the taxpayers to take over the management of this area, as they do in most cases?

Mr. FOLEY. The battlefield, of course, has been administered by the Federal Government since 1890, so the cost of administration would not be any greater than it has been from the beginning. It is part of the National Park Service right now.

Mr. GROSS. There is not a great deal of interest in this project, is there, because the act of 1940 provided that such acquisition could only be made by donation or by the use of donated funds. This is another one of those bills such as the cultural center, the stadium and any number of bills of a like nature that are supposed to be financed by public subscription, and they just do not get financed that way; is that not correct?

Mr. FOLEY. Back in 1940 there were certain State organizations that wanted to donate to the Federal Government monuments that they had erected on the Antietam battlefield. A study of the Federal law disclosed that could not be done unless there was affirmative law on the books authorizing the Secretary of the Interior to take title by donation of these monuments. These monuments constituted 183 acres all together. When this bill in 1940 was placed on the books, language was so written, inadvertently, I believe, that the only way that the property could get into Federal possession was by donation. Since 1940, when the 183 acres were donated to the Federal Government, there have been no further offers of donations to the Federal Government. Consequently this bill made its appearance about 3 years ago in the Congress. Through the hearings the Interior Committee decided that the basic property, enriched by the history of this important battle, constituted 600 acres. This particular amendment to the 1940 act would authorize the Secretary of the Interior to take title in fee to these 600 acres. Now, this is a little bit different from the stadium bill and the cultural center bill, because this is an historical area standing on the same national historic level with Gettysburg battlefield. In addition, the Antietam Centennial coming up on September 17, 1962, and the Civil War celebrations that will be held in this area during the next half decade strongly justifies the passage of this bill by the Congress.

Mr. GROSS. The fact remains that you did not do very well in getting the people interested in this proposition.

Mr. FOLEY. There is a very great interest in it. The Antietam Battlefield Commission of which Dr. W. H. Shealy, of Sharpsburg, Md., is chairman, the Civil War Centennial Commission, of Maryland, the Historical Society of Washington County, the Civil War Roundtable of Hagerstown, of which Mr. Sam Pruett is president, and many other

groups are interested in it, but from the standpoint of public subscription no such drive has ever been carried on.

Mr. GROSS. If it was, it was not successful; is that not true?

Mr. FOLEY. I do not know if it was.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Colorado.

Mr. ASPINALL. There is a great deal of interest in this particular matter. It is not only local interest, but it is a national interest as well. The difficulty we have here is, as the gentleman from Iowa suggested, we do not have the private contributions which would permit the purchase of this land that is needed to firm up the needed part of the site. What is happening is that commercial enterprises are moving in and using vital areas, as far as historical values are concerned, for taverns and homes along the roads.

They are making ineffective for historical site purposes important parts of the area which presently draws great numbers of visitors, and in some instances present commercial activities make it impossible for people to effectively and reasonably get to the monuments that were donated to this area when it was taken over by the Federal Government.

Mr. GROSS. Mr. Speaker, I call the gentleman's attention to the fact that the State of Maryland, unlike many of the States in this Union, is showing a treasury surplus this year. At least that is what I read in the newspapers. I am wondering why the State of Maryland, if this is a minor deal, does not take over this historical site. The State of Maryland and the people in that community are going to get the big end of the benefit of it.

Mr. ASPINALL. If the gentleman will yield further, in a way my friend is right, of course. On the other hand, the people who visit this area and who get a correct understanding of its historical significance are the ones who get an advantage also. I believe that with a national facility such as this, that we should not call upon the State of Maryland to do as the gentleman suggests. On the other hand, I go along with my friend when he suggests that there should be local support. There has been a great deal of local support in the original establishment of this facility.

Mr. GROSS. Can the gentleman not come here with a bill that will provide a minimum of Federal participation and leave the bulk of the load to the State of Maryland where it belongs?

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield further, we have come in with a minimum bill. There are amendments which the chairman of the Committee on Interior and Insular Affairs has in his hand, which will tie this down to the 600 acres and will permit the acquirement of some easements so that we do not have these unsightly facilities in front of the monuments which are presently there. It is my understanding that certain work throughout that area, not at the monument itself, but throughout that area, has been undertaken to be carried on by the State of Maryland. So the State of Maryland is contributing to the worthwhileness of this program.

Mr. GROSS. With the understanding that the gentleman is going to offer amendments that will be protective, in behalf of the Federal Government, Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland, and for other purposes", approved May 14, 1940 (54 Stat. 212), is amended by striking out *"Provided,* That payment for such property or interest shall be made solely from donated funds.".

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior is authorized to acquire such lands and interests in land and to enter into such agreements with the owners of land on behalf of themselves, their heirs and assigns with respect to the use thereof as the Secretary finds necessary to preserve, protect, and improve the Antietam Battlefield in the State of Maryland and the property of the United States thereon, to assure the public a full and unimpeded view thereof, and to provide for the maintenance of the site (other than those portions thereof which are occupied by public buildings and monuments and the Antietam National Cemetery) in, or its restoration to, substantially the condition in which it was at the time of the battle of Antietam. Not more than 600 acres of land, however, shall be acquired in fee by purchase or condemnation, but neither this limitation nor any other provision of law shall preclude such acquisition of the fee title to other lands and its immediate reconveyance to the former owner with such covenants, restrictions, or conditions as will accomplish the purposes of this Act. Any acquisition authorized by this Act may be made without regard to the limitation set forth in the proviso contained in the Act of May 14, 1940 (54 Stat. 212). The Secretary shall report to the Congress at least once each year on any acquisition made or agreement entered into under this Act."

Mr. ASPINALL. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL of Colorado to the committee amendment: Page 2, line 4, after the word "Battlefield" insert the words "comprising approximately 1,800 acres"

Page 2, line 16, after the word "Act" change the period to a colon and add the following proviso: *"Provided,* That the cost to the Government of any such transaction shall not exceed the reasonable value of the covenants, restrictions, or conditions thereby imposed on the property."

The amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the protection and preservation of the Antietam battlefield site in the State of Maryland."

A motion to reconsider was laid on the table.

PUBLIC LAND ADMINISTRATION ACT

The Clerk called the bill (H.R. 7004) to facilitate the administration of the public lands, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be known as the "Public Land Administration Act".

SEC. 2. For the purposes of this Act the term "public lands" means all Federal lands administered by the Bureau of Land Management.

TITLE I—STUDIES, COOPERATIVE AGREEMENTS, AND CONTRIBUTIONS

SEC. 101. The Secretary of the Interior may conduct investigations, studies, and experiments, on his own initiative or in cooperation with others, involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction.

SEC. 102. The Secretary of the Interior may enter into cooperative agreements involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction. The provisions of this section shall apply only in those cases where the making of cooperative agreements for such purposes is neither expressly authorized nor expressly prohibited by other provisions of law.

SEC. 103. (a) The Secretary of the Interior may accept contributions or donations of money, services, and property, real, personal, or mixed, for the improvement, management, use, and protection of the public lands and their resources under his jurisdiction, including the acquisition of rights-of-way for such purposes. He may accept contributions for cadastral surveying performed on federally controlled or intermingled lands. Moneys received hereunder shall be covered into the Treasury and are hereby appropriated and made available until expended, as the Secretary may direct, for payment of expenses incident to the function toward the administration of which the contributions were made and for refunds to depositors of amounts contributed by them in specific instances where the contribution is in excess of their share of the cost.

(b) This section shall not in any manner limit or repeal any existing statutory authority empowering the Secretary of the Interior to accept contributions or donations.

TITLE II—SERVICE CHARGES AND EXCESS PAYMENTS

SEC. 201. Notwithstanding any other provision of law, the Secretary of the Interior may establish reasonable filing fees, service fees and charges, and commissions with respect to applications and other documents relating to public lands and their resources under his jurisdiction, and may change and abolish such fees, charges, and commissions. Before any action is taken under this section, the Secretary shall publish in the Federal Register notice of his intention to take such action, and shall afford interested parties a period of 30 days, or, if he shall find it advisable, more, within which to submit data, views, and arguments, either in writing or, if he shall deem it desirable, in open hearing.

SEC. 202. (a) All fees, charges, and commissions prescribed by existing law or regulation shall remain in effect until changed or abolished by the Secretary.

(b) Subject to the provisions of this section, any provision in statutes which fix fees, service fees or charges, or commissions for the purposes covered in this title, are hereby repealed, including, without limitation, the first proviso of the General Land Office appropriations in the Act of February 14, 1931 (46 Stat. 1115, 1118; 43 U.S.C. 23), section 2239 of the Revised Statutes (43 U.S.C. 84), and such provisions of the following Acts as are contained in section 82, title 43, United States Code:

Act	Citation
Revised Statutes	Sec. 2238.
May 14, 1880 (in sec. 2)	21 Stat. 140, 141.
Dec. 17, 1880	21 Stat. 311.
July 26, 1892	27 Stat. 270.
Mar. 22, 1904	33 Stat. 144.
May 29, 1908 (in sec. 14)	35 Stat. 465, 468.
Jan. 24, 1923	42 Stat. 1174, 1179.
June 5, 1924	43 Stat. 390, 395.
Mar. 3, 1925	43 Stat. 1141, 1145.

SEC. 203. This Act shall not be construed as affecting the provisions of the Act of August 24, 1912, as amended (5 U.S.C. 488), relating to the price of copies of records furnished by the Department of the Interior.

SEC. 204. (a) In any case where it shall appear to the satisfaction of the Secretary of the Interior that any person has made a payment under any statute relating to the sale, entry, lease, use, or other disposition of the public lands which is not required, or is in excess of the amount required, by applicable law and the regulations issued by the Secretary, the Secretary, upon application or otherwise, may cause a refund to be made from applicable funds.

(b) The act of March 26, 1908 (35 Stat. 48), as amended and supplemented by the act of December 11, 1919 (41 Stat. 366; 43 U.S.C. 95–98), and the act of June 27, 1930 (46 Stat. 822; 43 U.S.C. 98a), is hereby repealed.

TITLE III—DEPOSITS AND FORFEITURES

SEC. 301. Any moneys received by the United States as a result of the forfeiture of a bond or deposit by a timber purchaser or permittee who does not fulfill the requirements of his contract or permit or does not comply with the regulations of the Department, or as a result of a compromise or settlement of any claim whether sounding in tort or in contract involving present or potential damage to timberlands, shall be covered into the Treasury and are hereby appropriated and made available, until expended as the Secretary may direct, to cover the cost to the United States of any forest improvement, protection, or rehabilitation work, which has been rendered necessary by the action which has led to the forfeiture, compromise, or settlement.

SEC. 302. The Secretary may require the user of a road or trail under the jurisdiction of the Bureau of Land Management to deposit sufficient money to enable the Secretary to maintain it in a satisfactory condition. Such deposits shall be covered into the Treasury and are hereby appropriated and made available until expended, as the Secretary may direct, to cover the cost to the United States of the maintenance of any road or trail under the jurisdiction of the Bureau of Land Management.

SEC. 303. Any moneys collected under this act in connection with lands administered under the act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a, and the following), shall be expended for the benefit of such land only. If any portion of a deposit or amount forfeited under this act is found by the Secretary to be in excess of the cost of doing the work authorized under this act, the amount in excess shall be transferred to miscellaneous receipts.

With the following committee amendment:

Page 5, line 20, strike out the sentence "The Secretary may require the user of a road or trail under the jurisdiction of the Bureau of Land Management to deposit sufficient money to enable the Secretary to maintain it in a satisfactory condition." and insert in lieu thereof the following: "The Secretary may require the user of a road or trail under the jurisdiction of the Bureau of Land Mangement to maintain such roads or trails in a satisfactory condition, or if such maintenance cannot be so provided to deposit sufficient money to enable the Secretary to provide such maintenance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CONVEY CERTAIN LANDS TO COLORADO RIVER COMMISSION

The Clerk called the bill (H.R. 7359) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask if this is going to increase agricultural production? Is it going to bring any new land into production?

Mr. BARING. Mr. Speaker, if the gentleman will yield to me, I would like to explain that. The land involved is about 5,000 acres, and is about 70 miles south of Las Vegas, Nev. The ground is not good even for a jackrabbit right now. There are provisions here whereby we can get some of the water allotted to Nevada from the Colorado River for some irrigation, yes; but most of it will be recreation, home sites, and industry.

Mr. GROSS. But some of this land will do better than raise jackrabbits; is that not correct?

Mr. BARING. Truck farming.

Mr. GROSS. Yes.

Mr. BARING. There are some acres there.

Mr. GROSS. You will not be back to ask Congress for more money to provide water to put on the land?

Mr. BARING. No. The gentleman certainly knows that I do not go along with that program.

Mr. GROSS. I just want to be sure this is not a foot in the door, to start a new program and then ask Congress to provide more money to put water on the land.

Mr. BARING. No. I recall to the gentleman that we do have the water allotment already given to us, and it will come out of our allotment.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "Secretary" shall mean the Secretary of the Interior.

(b) The term "Commission" shall mean the Colorado River Commission of the State of Nevada.

(c) The term "State" shall mean the State of Nevada.

(d) The term "transfer area" shall mean all lands or interests in lands owned by the United States and located within the exterior boundaries of the area described in section 2 of this Act.

SEC. 2. The Secretary is hereby authorized and directed to segregate from all forms of entry under the public land laws of the United States, during a period of five years from and after the effective date of this Act, the following described lands, situated in the State of Nevada and comprising approximately 15,000 acres:

(1) All of sections 1, 12, and 13 and fractional sections 24 and 25, township 33 south, range 65 east.

(2) All of sections 6, 7, and 8, fractional sections 4, 5, 9, 10, and 15, all of section 16, fractional section 17, all of section 18, fractional sections 19, 20, 21, 22, and 30, township 33 south, range 66 east.

(3) East half section 20, all of sections 21, 22, and 23, fractional sections 24, 25, and 26, all of sections 27 and 28, east half section 29, southeast quarter section 31, fractional sections 32, 33, 34, and 35, township 32 south, range 66 east.

(4) The eastern boundary of the transfer area is to be the Arizona-Nevada State line, that is, the centerline of the Colorado River, and all range references contained in the foregoing refer to the Mount Diablo base and meridian.

SEC. 3. The Commission, acting on behalf of the State, is hereby given the option, after compliance with all of the provisions of this Act and any regulations promulgated hereunder, of having patented to the State by the Secretary all or portions of the lands within the transfer area. Such option may be exercised at any time during the five-year period of segregation established in section 2, but the filing of any application for the conveyance of title to any lands within the transfer area, if received by the Secretary from the Commission prior to the expiration of such period, shall have the effect of extending the period of segregation of such lands from all forms of entry under the public land laws until such application is finally disposed of by the Secretary.

SEC. 4. Prior to conveying any lands or interests in lands of the United States to the State, the Commission and the Secretary shall comply with the requirements set out following:

(a) The Commission, within three years after the effective date of this Act, shall submit to the Secretary a proposed plan of development for the entire transfer area, which plan shall include but need not be limited to the general terms and conditions under which individuals, governmental agencies or subdivisions, corporations, associations or other legal entities may acquire rights, title, or interests in and to lands within the transfer area.

(b) At any time after submission of a proposed plan for the entire transfer area, as required by the preceding subsection, the Commission may select for transfer from Federal to State ownership such land units within the transfer area as contain not less than three sections of land in reasonably compact tracts, taking into account the situation and potential uses of the land involved. All applications for transfer of title to any such land unit shall be made to the Secretary and shall be accompanied by a development and acquisition planning report containing such information relative to any proposed development and acquisition payment plan as may by regulation be required by the Secretary. No acquisition payment plan shall be

considered by the Secretary unless such plan provides for payment by the State into the Treasury of the United States, within five years of the delivery of patent to the Commission, of an amount equal to the appraised fair market value of the lands conveyed.

(c) At the earliest practicable date following the effective date of this Act, the Secretary shall cause an appraisal to be made of the fair market value of the lands within the entire transfer area, including mineral and material values, if any; such appraisal when completed shall constitute the only basis for determining the compensation to be paid to the United States by the Commission for the transfer of any or all of the lands to which this Act is applicable.

(d) As soon as a proposed unit development and acquisition planning report is found by the Secretary to comply with the provisions of this Act and with such regulations as the Secretary may prescribe as to the contents thereof, the Secretary is hereby authorized and directed to negotiate a contract of sale with the Commission and to prepare appropriate conveyancing instruments for the lands involved.

Thereafter, the Secretary shall submit to the Congress, for reference to the appropriate committees of the House of Representatives and the Senate, copies of the Commission application, proposed unit development and acquisition planning report, and proposed contract of sale and conveyancing instruments, together with his comments and recommendations, if any.

(e) No contract of sale or instrument of conveyance shall be executed by the Secretary with respect to any lands applied for by the Commission prior to sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) from the day on which the Secretary makes the submissions required by the preceding subsection, unless the Congress, prior to the expiration of said sixty days, approves the execution of such contract of sale and instrument of conveyance.

SEC. 5. The conveyance or conveyances authorized by this Act shall be made subject to any existing valid rights pertaining to the lands included within the transfer area.

SEC. 6. If the State selects and purchases under this Act any lands which are subject on the date the purchase by the State becomes effective to a lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (39 U.S.C. 181 and the following), the State shall be required to purchase all the lands subject to that lease, permit, license, or contract which are included within the boundaries of the transfer area. The purchase of lands subject to a lease, permit, license, or contract shall neither affect the validity nor modify the terms of the lease, permit, license, or contract in any way, or affect any rights thereunder, except that the State shall assume the position of the United States thereunder, including any right to rental, royalties, and other payments accruing on or after the date on which the purchase by the State becomes effective, and any right to modify the terms or conditions of such leases, permits, licenses, or contracts.

SEC. 7. The Secretary is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary or proper in carrying out the provisions of this Act. He shall give particular attention in so doing to including in any conveyancing instruments executed under the authority of this Act such provisions as will in his judgment protect existing or future uses by the United States of lands within the transfer area, including, but not limited to, provision for reversion of title therein to the United States upon failure of the State or its successors in interest to strictly comply with the terms and conditions of any such conveyancing instrument: *Provided*, That the Secretary, after consultation with the Commission, shall determine the amount and location of all lands within the transfer area which may be required for future use by the United States, and, he shall have until the filing by the Commission of the proposed plan of development provided by section 4(a), to define and describe all such lands.

With the following committee amendments:

Page 1, line 9, through page 2, line 2, strike out all of paragraph (d) and insert in lieu thereof the following:

"(d) The term 'transfer area' shall mean all of the lands and interests in land owned by the United States and described in section 2 of this Act, except (1) lands in which the Fort Mohave Indian Tribe holds an interest, (2) lands excluded at the request of the Commission because of conflict with a mining claim or claims, and (3) lands or interests in land reserved to the United States pursuant to section 7 of this act."

Page 2, strike out all of line 12 and insert in lieu thereof: "9, 10, and 15, east half, east half northwest quarter, and southwest quarter section 16, west half northeast quarter, west half, and southeast quarter fractional section 17, all of".

Page 2, line 13, strike out the figure "22,".

Page 2, line 16, strike out the figures "24, 25," and insert in lieu thereof the figure "24".

Page 2, line 18, strike out the figure "33,".

Page 2, line 19, strike out all of paragraph (4) and insert in lieu thereof:

"(4) Notwithstanding the specific land descriptions in items 1 through 3, the eastern boundary of the transfer area is the center line of the Colorado River as it exists on the date of approval of this Act, and all range references contained in the foregoing refer to the Mount Diablo base and meridian."

Page 3, line 2, strike out the words "or portions".

Page 3, line 5, strike out the word "any" and insert in lieu thereof the word "the".

Page 3, line 23, strike out everything through page 4, line 5, and insert in lieu thereof:

"(b) At any time after submission of a proposed plan, as required by the preceding subsection, the Commission, may select for transfer from Federal to State ownership the entire transfer area. The application for transfer of title to the transfer area shall be made to the Secretary".

Page 4, line 20, after the word "basis", insert a comma (,) and add the following: "except for such adjustment as may be required by virtue of the provisions of sections 1 and 6 of this Act.".

Page 4, line 22, strike out the words "any or all of".

Page 5, line 10, strike out the word "unit".

Page 6, line 1, strike out "The conveyance or conveyances" and insert in lieu thereof "Any conveyance".

Page 6, lines 4–21, strike out all of section 6 and insert in lieu thereof the following:

"SEC. 6. If any of the lands described in section 2 of this Act are subject to a lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (39 U.S.C. 181 and the following), the patenting of such lands to the States shall neither affect the validity nor modify the terms of such lease, permit, license, or contract in any way, or affect any rights thereunder, except that the patent, unless it contains a mineral reservation made pursuant to a request of the State, shall include the transfer to the State of all right, title, and interest of the United States in and to such lease, permit, license, or contract so far as it pertains to such lands, including any right to rents, royalties, and other payments accruing on or after the date on which the patent is issued, and any right to modify the terms or conditions of such lease, permit, license, or contract so far as it pertains to such lands."

Page 7, line 12, after the word "and" insert a comma and add the following: "except for such adjustment as may be required by virtue of the provisions of section 1 of this Act,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

A motion to reconsider was laid on the table.

CONEJOS WATER CONSERVANCY DISTRICT, COLORADO

The Clerk called the bill (H.R. 6516) to approve a contract with the Conejos Water Conservancy District, Colorado, to ratify its execution, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the contract between the United States and the Conejos Water Conservancy District, Colorado, dated June 3, 1958, which provides, among other things, for a variable repayment plan based upon the availability of water for use on project lands within the district, is approved and its execution on behalf of the United States by the representative of the Secretary of the Interior is hereby ratified. The Secretary may reduce the amount required in said contract to be maintained in the operation and maintenance reserve fund to not less than $20,000, in which event the amount of any necessary annual deposits to such fund shall not exceed $2,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DURUM WHEAT PRODUCTION IN TULELAKE AREA, CALIFORNIA

The Clerk called the bill (S. 623) to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Reserving the right to object, Mr. Speaker, I wonder if someone, either the author of the bill or a member of the committee, would indicate whether or not the passage of this measure would in any way increase the surplus of wheat that exists in the country today.

Mr. ALBERT. This bill will not have any effect on the surplus of wheat. It extends for 2 years a statutory provision allowing the Tulelake area in California an exemption in the amount of 8,000 acres to take care of a local market that has developed in California for Durum wheat. It is true that Commodity Credit Corporation has on hand some 11 million bushels of Durum wheat in the Minneapolis area, but this wheat has no claim on the California market. This Tulelake area developed this mar-

ket. It is their historic market, and it will be destroyed if this bill does not pass.

Representatives of the Department of Agriculture testified they had no objection to the bill, that they agreed that this market did belong to this area, and that a 2-year extension in their opinion was consistent with what was right and just under the circumstances.

Mr. SHORT. Mr. Speaker, will the gentleman yield for an observation?

Mr. PELLY. I yield to the gentleman from North Dakota.

Mr. SHORT. The North Dakota Durum growers have no objection to this legislation. As the gentleman knows, North Dakota produces more Durum wheat than any other State.

Mr. ALBERT. It is a purely local matter. If California wheat cannot reach the market, the market will be destroyed.

Mr. PELLY. As I understand, this does not increase the price support and does not increase the surplus of wheat, so there is no objection to it. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 334(1) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1334(1)), is amended by striking out "1958 and 1959" and inserting "1958 through 1961".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF TILLAMOOK, OREG.

The Clerk called the bill (H.R. 3676) to direct the Secretary of the Interior to convey certain lands to the city of Tillamook, Oreg.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I find the report accompanying this bill quite interesting, particularly on page 4 where the Department of the Interior states:

> We do not know what the city's intention in seeking this land is, although it has long shown an interest in obtaining title to it.

Was the Department of the Interior not informed as to why this land was wanted by the city?

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. NORBLAD. The city is planning to make a marine park and boat launching area there, and, I believe, the report shows that in another portion thereof.

Mr. GROSS. I would have thought the Department of the Interior would have been informed of the purpose for which the land was to be used.

Mr. NORBLAD. I am sure they have been informed. If the gentleman will notice, on the bottom of the first page, there is mention made of the development of a boat launching area and marine park.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is directed to convey all the right, title, and interest of the United States in and to lot 4, section 25, township 1 south, range 10 west, Willamette meridian, Oregon, embracing some 1.98 acres, to the city of Tillamook, Oregon, upon the payment of the fair market value of the land conveyed: *Provided,* That in the disposition, by sale, lease, or otherwise, or any tract of the land conveyed by this act which is occupied or developed for municipal, business, residential, or other beneficial purposes on the date of approval of this act, the city of Tillamook shall afford a preference right to the occupant thereof on the date of approval of this act, or his successor in interest. Where the tract is occupied by a person other than the owner of the improvements thereon, the owner of the improvements shall, for the purposes of this subsection, be considered the occupant of the tract.

With the following committee amendment:

Page 2, following line 7, add a new section to read:

"SEC. 2. The execution of the conveyance directed by section 1 of this Act shall not relieve any occupants of those lands of any liability, existing on the date of that conveyance, to the United States for unauthorized use of the conveyed lands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

READING OF WASHINGTON'S FAREWELL ADDRESS ON MONDAY, FEBRUARY 22

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Monday, February 22, 1960, Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Pursuant to the special order agreed to today, the Chair designates the gentleman from Missouri, Mr. BROWN, to read Washington's Farewell Address immediately following the reading of the Journal on February 22, 1960.

REFERENCE OF BILL, H.R. 10380, TO THE COMMITTEE ON THE JUDICIARY

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the bill H.R. 10380 be referred to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

OCEANOGRAPHIC SURVEYS

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE P. MILLER. Mr. Speaker, in the studies of oceanography of the Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries, one of the most important and pressing problems facing us is the need to develop effective ways and means to conduct oceanwide continuing surveys of the sea that we may know the boundaries of the sea, the properties of the water in the sea, and the biological life occurring in the seas of the world.

To the end that we shall establish a public policy with respect to oceanographic surveys and to provide for coordination of the efforts of Federal agencies with respect to oceanographic surveys without changing the individual responsibilities of those agencies, I am today introducing a bill which I believe will accomplish this purpose.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO SIT DURING GENERAL DEBATE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and/or any subcommittee thereof may have permission to sit during general debate during the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DECLARING THE SENSE OF CONGRESS ON THE CLOSING OF INDIAN HOSPITALS

Mr. HALEY. Mr. Speaker, I move to suspend the rules and agree to House Concurrent Resolution 7, declaring the sense of Congress on the closing of Indian hospitals, as amended.

The Clerk read as follows:

Whereas it is the policy of the United States, in keeping with treaties, understandings, and long-established customs, to provide certain necessary services and facilities to American Indians; and

Whereas it is essential that such necessary services and facilities be continued in those instances in which the Indians cannot otherwise provide or obtain such services and facilities; and

Whereas the medical and hospital facilities so provided the Indians meet one of their fundamental needs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of the Congress that no Indian hospital be closed or reduced in capacity or service unless and until the Surgeon General of the Public Health Service has given at least ninety days' notice to the Congress of the planned hospital closing or reduction in services, and has certified with such notice that the intended closing or reduction in services will not create a shortage of hospital facilities in the area served, or intensify an

existing shortage of hospital facilities in the area served, and has further certified that adequate facilities and services will be available to the Indians of the area.

It is further declared to be the sense of the Congress that public health programs to reduce Indian tuberculosis and infant mortality rates should not be curtailed in any area until the Indian rates are comparable to non-Indian rates in the area.

Mr. EDMONDSON. Mr. Speaker, I urgently request favorable action on this resolution, for which we have been fighting for 3 years.

Let me give you a few facts regarding health conditions among the Indian people of the United States. They are based upon the official reports of the U.S. Department of Health, Education, and Welfare and most of them can be found in the publication Indian Health Highlights dated September 1959.

Most of our Indian health problems are concentrated in the 24 Federal Indian reservation States where approximately 350,000 Indians receive health services through the program of the Division of Indian Health. There is also an active program in Alaska for approximately 37,500 Alaskan natives.

Twenty years ago 115 out of every 1,000 Indian babies did not survive the first year of life. By 1957 that figure had been reduced to 58 out of every 1,000, which is a tribute to the increasing effectiveness of medical and health programs which our Government has financed among Indians.

However, there can be no question of the need for continuation of this program, and for increasing its support and effectiveness wherever possible, in the light of these tragic statistics:

The death rate from tuberculosis among Indians in the 24 Federal Indian reservation States is 4 times as high as the tuberculosis death rate for the general population of the United States. Among Alaskan natives, the death rate from tuberculosis is 12 times higher than the non-Indian rate.

The death rate among these same Indians in 24 States from gastritis, enteritis, colitis, and duodenitis is 8 times as high as that of all citizens.

Among Indians in the 24 Indian reservation States the death rate from influenza and pneumonia is three times as high as the non-Indian rate. Among Alaskan natives the influenza and pneumonia death rate is five times as high as the non-Indian rate.

Even with the improvement of the last 20 years, the chance of an Indian baby to survive its first year of life is only one-half as good as that chance is for the non-Indian baby.

For the total Indian beneficiary population the average age at death is 40 years, which compares with an average rate for all races in the population of 62 years. While the high infant mortality rate among Indians is a big factor in this figure, the Indian health disadvantage is clearly demonstrated by considering statistics on average age at death of all who survive the 5th birthday. That average, among non-Indians, is 67 years. For the American Indian however, it is 57. For the Alaskan native, it is 53.

In short, the average Indian is paying a 22-year penalty in length of life for the unfortunate health standards and conditions which have prevailed for so many years in the reservation States.

Passage of House Concurrent Resolution 7, Mr. Speaker, will assure a continued all-out effort by our Government, with full congressional support, in the field of Indian health. I strongly urge passage of this resolution.

Mr. WIER. Mr. Speaker, as part of my remarks I include the following letter:

STATE OF MINNESOTA,
EXECUTIVE OFFICE,
St. Paul, February 10, 1960.

The Honorable ROY W. WIER,
U.S. House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WIER: From the minutes and resolutions of the Governor's Interstate Indian Council held at Sylvan Lake last year, I am deeply concerned that strong support is needed to give implementation to Resolutions 7 and 8 by our Minnesota congressional delegation.

As you know, Resolution 7 urges Congress to appropriate a minimum budget of $4 million for the fiscal year of 1961 to enable the Division of Indian Health, U.S. Public Health Service, to properly implement provisions of Public Law 86–121, and a $1 million supplement for fiscal year 1960 to permit an immediate approach to the problems as defined in Public Law 86–121.

Resolution 8 recognizes the urgent need of adequate appropriations to provide for an expansion of medical, hospital and public health facilities for Indians. If the Public Health Service shall carry out its present program in respect to Indian health and to raise the standard of Indian health up to a par with the general population, it is imperative that adequate support be given to a minimum budget of $10 million for the construction of planned staff quarters, hospitals and clinics in areas of desperate need.

It is my sincere conviction that your support of these resolutions will materially facilitate budgetary requests of the Public Health Service in securing those services so badly needed by the Indians of our State and country. May I solicit your earnest consideration and support of this request.

Sincerely yours,
ORVILLE L. FREEMAN,
Governor.

Mr. BERRY. Mr. Speaker, I wish to join with the gentleman from Oklahoma [Mr. EDMONDSON], in supporting the passage of this resolution, the basic purpose of which is to insure that no Indian hospital will be closed or reduced in capacity to the detriment of the health in the area which is served by such hospital. It also provides guide lines by which such determination may be made.

During the lengthy consideration of this resolution, in the House Subcommittee on Indian Affairs, the subcommittee attempted to place an amendment upon the resolution which would take care of another matter so very important to the Indians in States having laws similar to those in South Dakota and, I believe, a majority of the States of the Middle West.

The amendment which I offered and which was acceptable to the gentleman from Oklahoma, the chairman, and most of the members of the committee, but which we discovered became so involved it became necessary to withdraw it from this resolution, read as follows:

It is further declared to be the sense of Congress that hospital and medical care under Federal auspices should not be limited to Indians residing on trust or reservation land, notwithstanding the desirability that those who become members of other communities should be so regarded as a legal charge for all purposes, but that such care should continue to be available to Indians residing elsewhere at the place of their residence so long as, under the laws of the place in which they live, which laws are uniformly applied to them and to others, they are ineligible for similar care under State or local governmental auspices; and that, before final decision is made with respect to changes in services or eligibility requirements for hospital and medical services to Indians under Federal auspices, there should be full consultation with the tribal councils or other governing bodies of the Indians affected.

The purpose of this proposed amendment, the intent of which has now been incorporated into House Concurrent Resolution 454, is to put the Indian Department, administering an Indian reservation, in the same position as is a county in States having laws similar to those in South Dakota which requires liability on the part of the county from which an indigent person removes until such time as such an indigent person shall have gained residence in the new community into which he or she has removed.

If an indigent person, who has received relief in his home county, moves to another county in South Dakota and the county into which he removes serves a notice upon him that neither he or his family shall acquire legal settlement which involves the liability of such county to provide for relief, his assistance does not become the responsibility of such new county for an additional year, and the county can protect itself from such person becoming a charge upon that county by serving an additional notice within the succeeding year, and so forth.

In other words, the county into which a non-Indian moves can protect itself against a heavy liability for poor relief by permitting that person to live within the county, but preventing him from becoming a legal resident for relief purposes. As a matter of fact, the county can protect itself against such liability from a person from another State, and if relief is given, the county or State from which such individual originally came must compensate the county into which such person has moved and such county can enforce collection thereof through the court.

In the case of the Indian Department, however, the Department is immune from suit. An Indian can move into any county in the State. The county, however, will not assume liability but protects itself under the State law. The Indian Department refuses any liability when the Indian has been gone from the reservation for 1 year and the Indian finds himself trapped in a legal hassle with the Indian Department claiming it has washed its hands of the Indian and the county claiming it is not liable under the laws of the State of South Dakota.

There is nothing, Mr. Speaker, I repeat—nothing—that has caused the suffering among the Indian people that this regulation of the Department has caused. However, the Department has made up its stubborn mind and it will not budge, even if it forces every Indian, who goes off the reservation in an effort to integrate himself and his family in a new community—I repeat, even if it forces everyone of them back onto the reservation.

The Department, Mr. Speaker, should be forced to change its position and the only way it can be done is by Congress spelling it out in a law and then forcing the Department to live up to the law.

The situation as it exists today is intolerable. Hundreds of well-meaning Indian families have removed themselves from the reservation, have gone into non-Indian communities and have begun the long process of integration, then they are stricken with some problem of health. The county in which they have located refuses to accept the responsibility because had this family been non-Indian they would not have been the responsibility of that county. No one suffers except the Indian and his family. The Department sits on its throne and disclaims liability of any Indian for any purposes of relief, if he has been gone from the reservation for 1 year and 1 day.

Mr. Speaker, it is a shortsighted policy. It is forcing thousands of Indians back on the reservations. It is a deterring factor in Indians and their families leaving their reservations in the first place because they fear that if they should leave and some difficulty befalls them there will be no help for them either from the county into which they move or the reservation from which they leave.

Mr. Speaker, I am making a part of this statement sections 50.0101, 50.0102, 50.0104, and 50.0107 of the South Dakota Code of 1939:

TITLE 50, CHAPTER 50.01—POOR RELIEF

50.0101. Counties bound to support: Every county shall relieve and support all poor and indigent persons having a lawful poor relief settlement therein, as that term is herein defined, whenever they shall stand in need thereof, and the board of county commissioners may raise money by taxation for the support and employment of the poor. And may expend such moneys for the purpose of sponsoring Federal work projects now, or hereafter, established by the Works Progress Administration, or other like work relief agencies, United States, whether now existing or hereafter established by the United States, for the purpose of providing support and employment for poor and indigent persons and may enter into agreements therefor with such Federal agencies.

50.0102. Legal settlement:

(6) Every settlement, when once legally acquired, shall continue until it shall be lost or defeated by acquiring a new one in this State, or by willful absence for a period of 1 year from this State; and upon acquiring a new settlement, or upon the happening of such willful absence, all former settlements shall be defeated and lost; and the provisions of this section shall apply to cases of settlements begun to be acquired or lost or defeated, as well heretofore as after. Persons coming into this State or going from one county to another, who are likely to become public charges may be prevented from acquiring a legal settlement in a county, under the provisions of this title, by serving upon any such person, or persons, before such person or persons acquire a legal voting residence, a notice in writing by authority of the board of county commissioners, or the governing board of a township, city or town located therein, or any member thereof, warning such person, or persons that they will not be accepted by such county as being eligible for poor relief. Service of such notice upon the head of any family shall be deemed service upon each member of such family. Such notice must be signed by one or more members of a governing board above specified, and may be served by an elector of the county, and with affidavit or return of service attached may be filed in the office of the auditor of such county.

After serving such notice the person, or persons, served shall not acquire a legal settlement except by a continuous residence of 1 year in said county without further warning provided, however, such person or persons shall not then gain a legal settlement for poor relief purposes if such person or persons or any member of his family has been receiving from any source, public assistance, poor relief, or work upon Federal works projects or regular or emergency poor relief of any type.

(7) Any person who is receiving from any source, public assistance, poor relief, or work upon Federal works projects or regular or emergency poor relief of any type, shall have his legal settlement for relief purposes in the county from which he has been assigned to and/or received public assistance, poor relief, or work upon Federal public works or regular or emergency poor relief of any nature, and such person or persons shall not lose such poor relief settlement by moving to or residing in any other county for a period of 1 year after the cessation of the receiving of such poor relief by himself or members of his family. In the event any such person or persons shall move to another county the county in which such person or persons have established poor relief settlement shall be responsible for any poor relief as may be furnished by such other county.

50.0104. Temporary relief: Whenever any person entitled to temporary relief as a poor person shall be in any county in which he has not a legal settlement, the commissioners thereof may, if the same is deemed advisable, grant such relief by placing him temporarily in the county home for the poor of such county, if there be one; but if there be none then they shall provide the same relief as is customary in cases where a legal poor relief settlement has been obtained, and the county furnishing relief shall be entitled to reimbursements from the county in which said poor person has a legal settlement.

50.0107. Right of county to reimbursement: When any county shall furnish relief to any person under the provisions of this title, such county shall have a claim against the person so relieved for the value of such relief, which may be enforced against any property, not exempt from execution, which such person may have or later acquire, and when any county shall furnish relief to any person under the provisions of this title and is unable to collect the amount of the relief furnished from the person so relieved, and shall have given the notice to the person and the county auditor hereinbefore provided for the county furnishing such relief shall have a claim against the county in which such person has a legal poor relief settlement for the value of such relief furnished which may be enforced against said county as other claims and may be paid by the county against which such claim exists out of the poor relief funds of that county.

The SPEAKER. Is a second demanded?

If not, the question is on the motion to suspend the rules and agree to the resolution as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the concurrent resolution was agreed to.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks immediately prior to the passage of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WIER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. BERRY. The same request, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

PRODUCTION AND CONSERVATION OF COAL IN THE UNITED STATES THROUGH RESEARCH AND DEVELOPMENT

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3375) to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior, acting through the Bureau of Mines, to contract for coal research and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "research" means scientific, technical, and economic research and the practical application of that research.

SEC. 2. The Secretary shall—

(1) develop through research, new and more efficient methods of mining, preparing, and utilizing coal;

(2) contract for, sponsor, cosponsor, and promote the coordination of, research with recognized interested groups, including but not limited to, coal trade associations, coal research associations, educational institutions, and agencies of States and political subdivisions of States;

(3) establish technical advisory committees composed of recognized experts in various aspects of coal research to assist in the examination and evaluation of research progress and of all research proposals and contracts and to insure the avoidance of duplication of research; and

(4) cooperate to the fullest extent possible with other departments, agencies, and independent establishments of the Federal Government and with State governments, and with all other interested agencies, governmental and nongovernmental.

SEC. 3. Research authorized by this Act may be conducted wherever suitable personnel and facilities are available.

SEC. 4. No research shall be carried out, contracted for, sponsored, cosponsored, or authorized under authority of this Act, unless all information, uses, products, processes, patents, and other developments resulting from such research will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public. Whenever in the estimation of the Secretary the purposes of this Act would be

furthered through the use of patented processes or equipment, the Secretary is authorized to enter into such agreements as he deems necessary for the acquisition or use of such patents on reasonable terms and conditions.

SEC. 5. The Secretary shall submit to the President and the Congress, on or before February 15 of each year, beginning with the year 1961, a comprehensive report concerning activities under the authority of this Act, including information on all research projects conducted, sponsored, or cosponsored under the authority of this Act during the preceding year.

SEC. 6. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, not to exceed $2,000,000 to be used to carry out the purposes of this Act for the fiscal year beginning July 1, 1960.

(b) There are hereby authorized to be appropriated for each fiscal year beginning after June 30, 1961, such sums as may be necessary to carry out the purposes of this Act.

(c) Sums appropriated to carry out the purposes of this Act shall remain available until expended.

Amend the title so as to read: "A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior to contract for coal research, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, the legislation which now comes before the House has received the unanimous approval of the Committee on Interior and Insular Affairs, and, as far as I know, no group or organization has submitted any kind of objection. The legislation has the endorsement of the Department of the Interior, and the sum of at least $1 million to begin the first year of research has been assured by the administration.

I have previously informed the House of the clearly demonstrated need for legislation having this objective. The natural resource for which there is a research and development program contemplated in this legislation is one of the most valuable resources in our Nation and one upon which this Nation presently depends for much of its heat and its power and many of its necessary commercial items.

Now, some of the questions that will be asked about the legislation which is now before us will be based upon this kind of an argument: "Well, you are doing it for other industries, why can you not do it for coal?" Please keep in mind that this is an industry that we have had with us throughout our Nation's history, and even before we became an independent Nation, and a resource which we have been using at all times as economically to the consumer as it has been possible.

The question may be asked, "Why can't the coal companies provide their own research and development?" We are now in a period when the industry is in a sick and depressed condition and the industry itself is not able to pay from its own moneys the necessary expenses of effective research and development programs, especially so when it is in competition with other power- and energy-giving natural resources which are subsidized or protected by the Government. This is especially true of the small- and medium-sized companies.

This matter has been discussed and considered in our committee for three Congresses. My colleagues are familiar with the history of this legislation and know of the need for its enactment.

The committee has the assurance of the Secretary of the Interior that upon enactment of the legislation a new Office of Coal Research will be established within his Department. This will be a small office having the duty of planning and coordinating the research program. The detailed research work will be done primarily by contract with trade associations, educational institutions, and appropriate State agencies. On the suggestion of my colleague, the gentleman from New Mexico [Mr. MORRIS], the committee has recommended that priority be given to localities of unemployment in the coal industry.

Our committee appreciates the patience of the coal industry, coal workers and others interested in this legislation in bearing with the long delay that has occurred in gaining enactment. There are now no points of controversy in this measure of which I am aware, and I earnestly recommend it to you.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to commend the gentleman from Colorado for the leadership which he has given in the fight for this research program, and I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, passage of this long-sought bill will be cheered throughout the coal-producing areas of Oklahoma, where more than 60 billion tons of coal reserves are located.

Coal is perhaps our greatest national mineral resource of the future, and we in Oklahoma are confident it will play a big part in the dynamic future development of our State.

I am proud of the fact that one of the key hearings in consideration of this measure was held in Oklahoma, at the center of the great Henryetta coal area.

We have already applied to the Secretary of Interior for the first research project under this bill, once it has become law, and I have been much encouraged by the friendly response of Secretary Seaton to that request.

I urge the passage of the bill, and its speedy implementation into Government action.

Mr. ASPINALL. Permit the gentleman from Colorado in reply to say that the great initiatory work on this program was done by the gentleman from Oklahoma [Mr. EDMONDSON] when he was chairman of the select committee.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I commend my friend, the gentleman from Pennsylvania [Mr. SAYLOR]. He has carried the idea of a coal-research program over many difficult obstacles, and the finished product which we have before us here today is a tribute to his capability and hard work. I am very happy to have been associated with him in this long struggle.

I wonder if anyone has ever stopped to think about the economic advantages which we are going to receive from this program. In the first place, better mining methods will mean advances in conservation. We have come a long way in the past half century in this regard. Whereas at one time important loss of reserves resulted once a room had been worked, engineers have made it possible to get a considerably greater amount of coal through modern techniques.

Not that we are concerned about running out of coal. As has already been reported by the author of this bill, we have a thousand years' supply underground. Yet we want to utilize every means of extracting as much coal as possible from our operations, and research can still show us the way to further progress along this line.

How about increased efficiency in coal combustion? I read in a West Virginia paper just last week that the National Coal Association published a report showing that the cost of coal for electric power generation increased by only 0.4 percent over a 6-year period, while the cost of oil used for the same purpose rose 19.6 percent and gas 42.8 percent. Here is what Mr. Stephen F. Dunn, the association president, said about this study:

> These figures are positive proof of coal's price advantage in the utility market. The price disparity is expected to become even more pronounced in the years ahead as discovery and production costs of other fuels continue upward.
>
> In the case of coal, there are enough minable reserves to lasts hundreds of years.

One reason why coal has been able to hold its price at the mine is mechanization, which, after all, is a product of research. There is also the matter of coal preparation, whereby the fuel is cleaned and slate and other noncombustible materials are removed. We have preparation plants down in our State that cost upward of $2 million. These coal laundries were developed by engineering talent, and they have brought remarkable savings to the American fuel consumer.

The utilities, of course, have made outstanding advances in research. Through more efficient combusion the cost of electricity is kept to a minimum. These improvements, combined with a better quality of coal, have made it possible for a utility plant to bring down the amount of coal required to generate a kilowatthour from 3.20 pounds in 1919 to 1.38 pounds in 1939, and to less than 1 pound at the present time.

I heard the gentleman from South Carolina [Mr. HEMPHILL] tell the House the other day that a generating station

in his district is the most efficient in the world. I was proud to hear that statement and I call to the attention of my colleagues that the plant he described uses bituminous coal exclusively.

What has been done in the electric steamplants can be emulated in other fields of fuel consumption with the proper application of science and research.

From a selfish viewpoint, we in West Virginia believe that a sound research program can be of great importance to our economy. When it is recognized that so much employment in the United States today has been made possible by the development and manufacture of products that were unknown 10 or 15 years ago, we feel that the possibilities for coal are unlimited.

I have held onto a bulletin published by the U.S. Department of Agriculture last August. It is devoted to new uses for farm products. Here are some excerpts from that bulletin:

Science and technology have a key role in the efforts of the U.S. Department of Agriculture to increase present uses for farm products and find new profitable uses for them. These efforts are being concentrated on farm commodities that are in general or seasonal surplus. How well these efforts are succeeding is indicated in the research accomplishments pictured here. Some of the products and processes are already in commercial use, others are still in experimental or pilot-plant stages but with bright promise for the future.

The Department has four regional laboratories devoted to utilization research—northern at Peoria, Ill., southern at New Orleans, La., eastern at Wyndmoor, Pa., and western at Albany, Calif. These laboratories are headquarters for the four regional Research and Development Divisions of the Agricultural Research Service. Each Division does research on problems of national scope with special attention to farm products important in its region.

Scientists at these laboratories are placing their main emphasis on finding ways to convert farm commodities, especially those in general or seasonal oversupply, into raw materials for industrial use. In addition they are developing processed foods and treatments for natural fibers that provide the top quality with built-in convenience that today's consumers want.

The Department of Agriculture has contributed tremendously through its research program to the economy of farm regions. I do not expect this research legislation to accomplish miracles overnight, but I say to you that if you support it, in not too many years you will be reading about scores of new uses for coal that will benefit every human being in this country.

We in West Virginia are not going to stand by and wait for the results of research to increase coal demand. There are other matters which must be resolved by Congress or the executive department if the coal industry is going to have an opportunity to get back up to the production level where it belongs. Meanwhile, we need this legislation. Your endorsement will give a psychological boost to everyone dependent upon the coal industry for a livelihood, because we have come to think that we have been neglected for too long a time.

You and your constituents, too, regardless of what part of the country you represent, will in the not too distant future enjoy the consequences of a good research effort. I ask for your hearty approval of this legislation.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I would like to concur in the statements made by the chairman of the committee. I do this in behalf of the coal-producing areas of my State to thank him and all those who have worked so diligently for the passage of this legislation.

Mr. Speaker, the gentleman from Pennsylvania [Mr. SAYLOR] and I have discussed the proposed research bill many times since I came to the House two years ago. I am convinced that we have a good bill here. It may require some re-shaping if we do not get the action that we think is necessary in the immediate future, but at least it opens the opportunity for a long-needed scientific study into coal production, transportation and consumption.

My interest in coal research goes a long way back beyond my first year of service in the House. Anyone who has lived in a mining community could not help but be impressed with the amazing developments that have taken place in the coal industry in recent years. I have talked with men who were miners before World War II but who either stayed in the service or else began new careers without coming back to their old hometowns when the conflict was over. After a span of 10 years or so, if they have had occasion to visit a modern mine, they find it almost inconceivable that such a high degree of the actual workload had been taken over by machines. The miner who has been away from the industry for a long time cannot merely put on a pit lamp and take over his job again. So many changes have taken place that the men who mine the coal and get it out to the surface are actually trained technicians whose jobs require a very high degree of skill and proficiency.

The advances of mining techniques are the result of research. Improvements that have come about so far are but a mere indication of what can happen with the proper application of scientific and technological study.

My interest in coal research also extends back through two decades with the Pennsylvania State Legislature. As a representative of a mining area, and with my personal experience in mining camps, I felt it obligatory to encourage State participation in any program that would assist the coal industry, improve safety conditions, increase demand for both bituminous and anthracite coal, and give the fuel consumers the benefits of coal research and development.

I question whether the bill under consideration is adequate. When I see how much money is being invested in the atomic electrical power program—taxpayers' dollars funneled into a project to compete with traditional fuels in the generation of electricity—I wonder why we should not divert a good portion of those appropriations to learn something more about a source of energy that has already proved itself, and of which nature has given us so generously. Yet, I do not deny that I am very happy about our getting H.R. 3375 this far along, and about the prospects the rest of the way. The fact that Congress is sufficiently interested in coal research to enact a bill of this kind is going to do a lot for the coal industry. You will find equipment companies stepping up their own developmental work, and the coal companies themselves will do everything possible to cooperate in the new venture.

I think the results will be encouraging. If not, after the program has had ample time to become operational, then we must be ready to make any changes in the present plan that we find beneficial. We are embarking on an entirely new project. Only experience will let us know whether our approach is correct. In any event, the coal research program is going to work because it must work.

The New York Times of yesterday contained an interesting article regarding the anticipated research endeavor in the 1960's. It pointed out that the number of industrial laboratories has increased from 290 in 1920 to more than 5,000 today. In 1954 research and development expenditures were a little over $5 billion per annum; the current rate is in excess of $12 billion. Some forecasts for 1970 put the figure at $27 billion.

Mr. Speaker, in this age of research, a nation would be delinquent of purpose if it failed to engage in a developmental program designed to get coal out with the greatest economy and, at the same time, get the most out of coal.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, I want to join with my colleagues in complimenting the distinguished chairman of the Committee on Interior and Insular affairs Mr. ASPINALL, and the others who have worked so hard to bring this legislation to the floor of the House. As one who comes from a coal-producing area where we have a high rate of unemployment I can vouch for the fact that there is certainly need for additional coal research to establish new markets.

In three counties of my congressional district of southern Illinois, we have 7,000 less coal mining jobs today than we did 10 years ago. This had been brought about by mechanization and mine closures. Great hardship has been experienced by our people. Thousands have been forced to leave their homes and loved ones to seek employment elsewhere.

High freight rates and the foreign importation of residual oil have added to our loss of coal markets.

I had hoped that we could secure legislation setting up an independent coal research commission but the President would not approve, therefore the bill before us today seems to be our only chance of getting on with an important job that is long overdue. It is my sincere hope that the Department of the Interior realizes the very serious need for this program and will

exert every effort to implement it without delay. We need new coal markets. Mr. Speaker, we need new jobs. Let us hope this legislation will do both.

Mrs. PFOST. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentlewoman from Idaho.

Mrs. PFOST. Mr. Speaker, I wish to congratulate my able chairman of the full committee [Mr. ASPINALL] for the excellent job he has performed in furthering consideration of this worthy legislation. I certainly hope Members of the House will pass the measure without delay.

I have a resolution recently adopted by the board of directors of the Idaho Mining Association, and sent to me by Mr. A. J. Teske, secretary, which endorses the minerals policies adopted by the Conference of Western Governors at Sun Valley, Idaho, on September 25 and 26, 1959. I commend the material to the attention of my colleagues as information deserving their careful study. The documents follow:

RESOLUTION ON MINERALS POLICY ADOPTED BY THE CONFERENCE OF WESTERN GOVERNORS, SUN VALLEY, IDAHO, SEPTEMBER 25–26, 1959

V. MINERAL AND METAL MINING

Whereas mining has been and must continue to be part of the foundation of the Western States' economic life as a source of employment, as a source of taxes for the support of education, public protection, and other services of State and local governments, and as a source of marketing outlets for agricultural and manufactured products in mining areas; and

Whereas the new wealth of the Western States' mineral and metal production has financed the purchase of most of the manufactured products of eastern manufacturers in many of the Western States; and

Whereas western minerals and metals have traditionally served as the arsenal of defense in war emergencies; and

Whereas although there has been recognition by the President and the Congress of mining's deteriorating conditions, that recognition has been expressed principally in short-range programs and promises and never by an adequate long-range national minerals policy; and

Whereas the small mines, the "seed corn" of the mining industry, have closed in every segment of domestic mining which is involved in international trade, the middle-size, with few exceptions, are teetering on the edge of economic disaster, and those large mines which, over a period of many decades, have produced much of our domestic supply of minerals and metals are becoming the marginal mines of today; and

Whereas our strategic stockpiles are now filled, largely from foreign sources, thus having strengthened foreign productive capacity; and

Whereas bartering our surplus agricultural products has increased the stockpiles to an extent that defense authorities are considering dumping surplus on the domestic market: Now, therefore, be it

Resolved, That the maintenance of a healthy metal mining industry in the United States is of the utmost economic importance to the Western States, both for themselves and as major markets for Eastern States' manufacturers, and is, as well, of the utmost importance to the national security and that such a healthy industry may be maintained by joint action of the administration and the Congress by—

1. Adopting and implementing without delay an adequate national minerals policy which would assure the maintenance of a healthy domestic mining industry; and

2. Taking all steps which may be needed to assure to the domestic mining industry at least one-half of the domestic market, or the present proportion of the domestic market (whichever is higher) either by adequate tariffs, excise taxes, or quotas, or, for the minor metals, allocation of import receipts, or such combination of these as may be most suitable.

3. We ask that the Congress provide funds for the appropriate agency of the U.S. Department of the Interior to establish and accelerate an inventory of the mineral resources of the United States through a thorough mapping, exploration, and geologizing program.

4. We propose further that the Congress and the executive department of the Federal Government, through an appropriate agency, immediately initiate a joint and cooperative examination of the mineral resources of the free world with the other nations of the free world to the end that an inventory of those resources be commenced and policies recommended and adopted for their economic production, distribution, and marketing.

More specifically it is recommended:

As to Government stockpiles: No sale or other distribution of these shall be made until an adequate national minerals policy has been adopted, and thereafter no such disposal of stockpiles shall be made which would interfere with the maintenance of a healthy domestic mineral industry under such national minerals policy.

As to foreign aid: The Congress should specifically prohibit the making of loans and grants to develop foreign production of any minerals and metals which are being imported into the United States in surplus amounts.

As to copper: Adequate import taxes be established to be effective only if and when the average monthly price falls below a reasonable legislated peril point, thus providing a market free of duty for any imports so long as the average monthly price is at or above the peril point.

As to lead and zinc: Adequate import controls be established (either tariff or quotas or a combination of the two) to be effective only if and when unneeded imports depress the U.S. market prices below a reasonable legislated peril point level required for the maintenance of a healthy domestic industry.

As to silver: Inasmuch as present Government sales of Treasury-owned silver, if continued, will in the not too distant future, reduce Treasury stocks to a point where the Treasury will have to buy silver for its own coinage requirements at probable higher price, we urge that the sale of Government-owned silver be discontinued.

As to mercury, fluorspar, and cobalt: An annual quota (or tariff) be imposed on imports to preserve something over one-half of the domestic market for mercury and fluorspar producers, and something slightly less than one-half for domestic cobalt producers.

As to tungsten: A quota be placed on foreign imports so that the domestic industry may enjoy one-half of the domestic market, and that tariff receipts on such imports be allocated to domestic producers until such a level is reached providing, however, that no individual producer may receive more than one-fifth of the import tax allocations.

As to uranium: That no extensions of present foreign contracts be made; that the Atomic Energy Commission expedite the processing of domestic contracts for the 1962–66 period and, that all restrictions, except licensing requirements, on sale to consumers other than the Government, be removed to permit the orderly development of a free market.

As to potash: That the U.S. Treasury Department and the U.S. Tariff Commission be prepared to take adequate and speedy action under the Anti-Dumping Act should foreign potash be dumped within the United States.

As to antimony, chrome, and manganese: That small excise taxes (or tariffs) be imposed on foreign imports of these metals, the proceeds from which should be sufficient when distributed among U.S. producers to maintain a healthy nucleus of domestic production of these strategic metals.

As to columbium and tantalum: That import control (quota or tariffs) be imposed which will preserve the present level of domestic production.

As to thorium, monazite, and rare earths: That the Government abide by the terms of the Buy American Act in purchasing thorium and monazite, and that Federal assistance be given by research programs or purchase so that a healthy domestic rare earths industry can be developed.

As to coal: That the Federal Government be urged to adopt policies which will encourage the utilization of the vast deposits of coal in the western United States, and also to assist in the acquiring of foreign markets, and, as to U.S. Bureau of Mine's coal research and experimental stations, that no such stations now in operation be removed from the West.

As to asbestos: The long fiber strategic chrysotile asbestos produced from the Indian lands of Arizona presents one of the more difficult industrial problems, and is one which may well require small scale but sympathetic financial aid from the Federal Government during the time required to change from Federal to industrial markets.

As to Federal taxes: There should be no decrease in present depletion of depreciation rates which might further injure the already seriously weakened western mining industry and, further, additional exploration should be encouraged by removing the present limitation on tax deductible exploration.

As to the Buy American Act: This policy should be strictly followed on a National basis, and a similar policy is equally applicable on a statewide basis, and should be followed wherever possible, and the Government should immediately cease the use of barter of surplus agricultural products for the procurement of current Government agency requirements.

As to public lands: (1) Since the mineralized area of economic potential in public lands makes up but a small fraction of 1 percent of the total area, it is not to the advantage of the Western States or of the Nation as a whole that these mineralized areas be withdrawn for all time and locked up in wilderness systems or other Federal reserves; (2) an adequate study be made to determine if the true intent of the principle of multiple use of public lands is being properly carried out in all areas by all agencies of the Government; and (3) legislation be enacted to provide that all revenue from mineral leases on public lands received by the Federal Government which are in excess of the cost of administration revert to the State of origin.

As to research: (1) There should be increased cooperation between industry and Government in the research field to the end that an interchange of information will eliminate duplication of effort, wastefulness, and unnecessary expenditures; (2) Federal support for basic research in the mineral industries should be continued and accelerated where justifiable; and (3) increased appropriations by the States to State organizations which have proved their ability in conducting effective research for the welfare of the mineral industries should be favorably considered.

Mrs. PFOST. Mr. Speaker, I ask unanimous consent to extend my remarks and to include the resolution and statement referred to.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Speaker, I wish to associate myself with the distinguished chairman of the full Committee. I represent a district which is one of the largest bituminous coal producers anywhere in the world. I think the legislation is long overdue.

Mr. Speaker, as a representative from one of the largest coal-producing areas in the country, H.R. 3375, which provides for coal research and development of the coal industry, has my full support. The program authorized by this bill is an important one, and to those of us who represent coal-mining areas, it perhaps has greater meaning and importance.

Since the institution of coal mining, more than 8 billion tons of this essential mineral have been removed from the mines of Pennsylvania. Our reserves of coal, according to the estimates of the U.S. Geological Survey, are sufficient for many generations to come. The remaining recoverable reserves of coal in Pennsylvania are listed at 35 billion tons or 4½ times the amount of coal removed from our mines in the last two centuries. From this, you can understand how important to our economy is the welfare of the coal industry, and how necessary it is that we maintain a strong, healthy coal-mining industry. The Nation's coal industry is not healthy and strong, however. Instead our coal industry at large has long been economically ill and highly vulnerable to economic recessions and the inroads of competitive fuels, including imported residual oil. There is no doubt in my mind, however, that an aggressive research and development program will make an effective contribution toward bringing about a more stable coal-producing industry.

Production in the mines of our Nation has increased unbelievably over the past years, and through this progress in mechanization of the industry the consumer has benefited, in that the price of coal at the mine today is the same as it was some ten years ago. If the mining industry and the public are to continue to benefit from such advancement in production methods, we must look to research developments in order to keep stride with the accomplishments to date. I am sure that even greater technical accomplishments are within reach if scientific and research attention is applied to mining problems. On the human side of the ledger, while cooperative efforts of management and mine workers have produced gains in mine safety, I feel that a dedicated program of research would contribute much to an even further reduction in the number of lives lost in mine accidents.

The advocacy for a coal research program is not a new one. In February 1955 a presidentially appointed Commission on Energy Supplies and Resources Policy reported as follows on the subject of research:

> We recognize that coal is a great national asset and endorse a cooperative study to determine what research and development could be undertaken.

The conditions in the coal industry in 1954, which generated a national study into the coal problems, are being repeated today. Coal production last year was 405 million tons, only a few tons greater than the production in 1954. If the coal industry is to meet the demands which will be made upon it in times of future emergencies, then the production level must be raised and maintained at not less than 500 million tons annually.

I cannot emphasize too strongly the importance of a research program. I feel that such a program will aid in finding increased uses for coal, which could very well result in the stabilization of employment in the coal areas. I, therefore urge support of H.R. 3375, as a proposal that means much to the coal industry, and to the consuming public, but most of all to our national welfare and security.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, likewise, I, too, wish to compliment the distinguished gentleman from Colorado for bringing this much-needed legislation to the floor of the House for consideration. Personally, I feel the legislation is long overdue, and that this legislation should have passed the Congress many years ago.

Mr. Speaker, I am still of the opinion that it would have been much better for an independent commission to have headed this program, instead of placing the research program in the Department of the Interior. I fully recognize the committee's problems and responsibility in reaching a decision in this matter, and I certainly intend to support the legislation.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, the creation of a coal research and development program is needed for America's security, for the economy of our coal-producing regions, and for a guarantee that our national resources will be able to meet the demands of future generations.

One factor which should be considered in the case for establishment of a coal research program is the unpleasant reality that, should a national emergency result from present or future world crises, our country would be in immediate need of large, dependable energy supplies. A supreme effort would be required of America's fuel industries and the enactment of a coal research and development program now would help make certain that our Nation's coal industry would be ready for such a supreme effort.

One great need is for research and study in the field of more economical distribution of coal, be it by pipeline, conveyor belt, improved and less expensive car loading and unloading, and the cost of coal car construction improvements at less cost per unit; means and methods of reducing the transportation costs on foreign shipments of coal.

Such a commission could look into the means of improving the processes of thawing frozen coal, study the means of obtaining more equitable freight rates; research to increase the quantity of anthracite used in coke manufacturing and blast furnace production of steel; research to increase the industrial use of anthracite in steel production and in the metallurgical field; research is needed in the design and construction of coal-fueled gas turbined engines; further research could be made by such a commission into domestic and industrial coal-burning equipment and ash disposal methods; research into improved methods of producing electric power through the use of turbines; improved techniques of mining to reduce production costs.

Advancements made in the various fields which I have mentioned will aid immeasurably in improving the economy of the hard-hit coal industry, an industry that has served this country well in all past emergencies.

Mr. Speaker, there is a compelling need, from the standpoint of the coal industry's economy and the Nation's future fuel requirements, for a coal-research program. An economic stimulant is needed, and needed badly, to reduce unemployment in the coal areas. It is important to point out, also, that the coal reserves of the United States are the Nation's greatest mineral resource available for immediate development and use.

From the consumer's point of view, there are numerous other factors involved in a coal-research program. Coal is already the basis of countless chemical products. By capturing the gases and tars in metallurgical ovens, for example, the coke and chemical industries have been able to develop explosives, plastics, fertilizers, nylons, and a thousand and one other commodities. These are the things, Mr. Speaker, that can be done, and have been done, through the processes of research and the possibilities for greater discoveries and uses for coal are unlimited—but the means must be provided to do this job and through the establishment of a coal research and development program I am confident that impressive strides will be made in behalf of the coal industry and in the public welfare.

Congressional recognition of the need for improving conditions in coal areas through a vigorous research effort will be welcomed enthusiastically in all coal regions—such as the one I represent, Luzerne County, Pa., where thousands of men have been out of work for a long time because of the depressed state of the coal industry.

In conclusion, Mr. Speaker, the establishment of a coal research and development commission as proposed in this

bill, H.R. 3375, will serve to strengthen the coal industry, support our national defense program, and shore up the economy of the great number of coal areas in this country where the only salvation remaining is for the Federal Government to step in and assist these chronically distressed regions.

Mr. NATCHER. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Speaker, I rise in support of H.R. 3375.

The industrial revolution began over a century ago and it was powered by coal. Today, coal furnishes the largest share of the world's energy. As our requirements for energy increase, the demand for more coal will increase.

Our country has the world's largest recoverable coal reserves and, in addition, we have the capacity to produce it efficiently.

In the Green River Valley in Kentucky, we have some 13 billion tons of recoverable coal. We are moving about 6 million tons each year on Green River, and as the direct result of the development of our water resources, we now have one large steamplant in operation on Green River, and the largest one in the world now under construction on the same river. This section of Kentucky is now producing about 28 million tons each year. A coal contract—the largest ever executed in our country—was recently signed calling for 65 million tons of coal over the next 17 years.

Our coal industry generally is in trouble. Some of the major causes for the change in coal demand are loss of markets brought about through dieselization of railways, unrestricted importation of cheap residual fuel oil which has poured into this country from Venezuela, efficiency in use of coal in industry generally, loss of exports, competition from other fuels, and our failure to provide for more basic and applied research for our most abundant energy reserves.

Coal production is far below its postwar peak. Our losses are serious. We have gained much from research and development produced by our coal industry. The coal industry is limited in research and development due to low average margin of profits. Maintenance costs and an expensive mechanization program prevent the coal industry from developing the kind of research program necessary today.

We must have proper and adequate research and development which will discover new uses for our coal and stimulate the production and conservation of coal in this country. This can be accomplished under H.R. 3375.

It will be some time before atomic power will be competitive with electricity produced by conventional fuels. Our present nuclear powerplants now in operation and in the planning stage cannot be expected to supply more than a fraction of the total amount of electricity required for present-day use.

As our population increases and our energy needs double, more and more coal will be required. Coal and all other energy sources will be needed.

Steel production and steelmaking capacity is all important in this our age of the nuclear weapon and the age of outer space. It still takes 1 ton of coal to make 1 ton of steel.

Our people in the coal producing sections are suffering and most of these sections are chronic labor surplus areas. To witness the surplus food deliveries in certain of our coal sections would be quite an experience to some of the Members of this House. This condition exists in our country and it is time to do something about it. The bill under discussion will go a long way toward correcting this situation.

Mr. Speaker, in Kentucky we are experimenting with coal as a top surface for highways. We have two 1-mile test strips in the second district. Here is a new use for coal that may prove beneficial. There are many more uses which will be discovered through adequate and proper research.

Coal is deeply embedded in the American economy. It will become increasingly more essential in the years ahead. We must remember that although our coal markets have dwindled, coal is still the source of two-thirds of the Nation's steam-generated electricity.

We must keep in mind that 95 percent of all coal mined underground is now mined mechanically. Surface mining produces 25 percent of the Nation's coal and it is completely mechanized. We can produce the coal required for our country and for export. New uses, research and development, and the stimulation of production is essential at the present time.

Mr. Speaker, passage of H.R. 3375 will go a long way toward solving one of our most serious domestic problems.

Mr. SLACK. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. SLACK. Mr. Speaker, I arise to express my support of the bill now before the House to establish a strong program of coal research. Most of the facts bearing on the need for a national coal research effort were discussed thoroughly at the first session. I believe you have been made aware of the economic and social factors which have created a demand for the passage of this bill.

There are two points which I would like to bring to your attention, however. The first point is simply that, with this research program, we are certain of results. There is no guesswork about coal. We know we have it in vast quantities—enough to last a thousands years. We know where it is, and how to mine it. What we do not know is how to obtain the maximum utility out of the energies it contains. To get that answer we need only to supply money, divided by time, and then multiplied by American ingenuity. In essence that is the meat of the proposal before us today.

We may one day reach a point of diminishing returns in hydroelectric power. Our natural gas and petroleum reserves may also decline with intensified use. We may encounter long delays in developing the commercial applications of atomic energy. But our supply of coal is our national "ace in the hole," and it may one day be the trump card that insures national survival.

No doubt all of you have read recent official documents forecasting a population of some 200 million by 1975, and a working force of about 85 million, creating a gross national product of $750 billion annually, with an even higher standard of living than we enjoy today. Such a rate of national development will require vastly greater energy sources than we now possess, and by 1975 we may find that we cannot pursue the path to this destiny without the maximum use of our coal resources. Now is the time to begin our inquiries and to lay a pattern for the days of our future need.

The second point I would like to mention is that our national energy sources and their development must be considered not only in the light of our own probable requirements, but also within the framework of the international political contest that faces us today and tomorrow. Last week a group of 40 Soviet leaders, Presidents, and other top officials of the several Soviet Republics, visited my district while on a tour of seven States, in response to the trip made by a group of American Governors to the Soviet Union last year. Among other things, they visited a large coal mine, and studied its operations.

In the press interviews that followed, a spokesman for the Soviet group made a very significant statement. He said that he was very much surprised at the careless way the United States handles its natural resources, and made a telling comparison between our methods and the long-term plans for energy development in the Soviet Union. In the race to preserve our international leadership we cannot afford to continue a policy of careless, left-handed treatment of our greatest natural resource. The time may come all too soon when we will need every scrap of knowledge about every resource we possess.

A strong program of coal research is a step in the right direction no matter from which vantage point you consider our national objectives, and I hope all of you will support this bill to create a significant investment in the prospects for a stronger America.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Speaker, I wish to commend the chairman of the committee for his very able job in this matter.

Thousands of coal miners are unemployed in many areas—not only in my home State of West Virginia—but in several of our States, causing grievous hardships both to them and their families. Such continuing unemployment incurs tremendous financial and social costs for the communities and States concerned and also for the country as a whole. These deplorable difficulties are not new. They have existed for years. Particularly regrettable is the fact that such hardships are unnecessary, because adequate, practical, short-term coal research and development could discover new uses and new markets for coal,

which would create more jobs for coal miners and at the same time be of great benefit to all of the United States.

I strongly urge your support of H.R. 3375 which would authorize the Secretary of the Interior to contract for coal research and development work, and promote coal conservation. I frankly would have preferred an independent coal research commission, but the President vetoed that type of bill last year. I feel that an independent commission would have resulted in pursuing the research with greater vigor and urgency.

The executive departments and Congress are agreed that the objectives of H.R. 3375 are necessary and desirable. The need for this kind of legislation has existed for some time and is becoming more and more acute. It is imperative that we take action that will lead to reduced unemployment and it is significantly important to our Nation's future that we undertake to provide for the discovery and development of the great new industrial potentialities yet to be derived through the intensive utilization of coal and its byproducts.

Coal will be available long after petroleum and natural gas supplies are exhausted. It will be available to our expanded population of the future whose requirements for coal and derived products will greatly exceed those of today. It is urgent that we pass this bill and get coal research started on a short-term, practical basis, helpful to the more than 10,000 coal mines of the Nation.

The President has indicated he favors a bill similar to H.R. 3375, and, according to House Report 1241, 86th Congress, 2d session, his budget message of January 18, 1960, earmarked $1 million for 1961 to cover coal research obligations in the event suitable legislation is enacted. The Secretary of the Interior has also indicated his intention of asking for another $1 million for the first year of the program and of establishing an Office of Coal Research if H.R. 3375 is enacted. H.R. 3375, in addition to authorizing the expenditures of $2 million for the fiscal year beginning July 1, 1960, also authorizes the appropriation of the necessary funds to carry out the purposes of the act for each fiscal year after June 30, 1961.

Although coal already is used in many ways and produces numerous products, much is yet to be known about its origin, composition, properties, and chemical behavior. Coal is not a simple mineral. It is complex, consisting of varying amounts of liquid hydrocarbons, solid carbon, inert materials—ash, and deleterious elements such as sulfur. Great potential new uses are anticipated by experts in coal research.

Experiments are also particularly needed to help reduce air pollution from coal burning industrial plants and to minimize pollution of streams from chemicals in old coal mines. We must find safer, more efficient, and more economical methods of mining, transporting and utilization of coal and its products.

In 1956 the U.S. Bureau of Mines, in cooperation with Bituminous Coal Research, Inc., listed 209 research possibilities for coal in the Bureau of Mines Information Circular 7754.

A few of the items which were suggested for study and improvement are concerned with underground haulage, better ventilation, power, lights, dust control, efficient mining of narrow coal seams, coal cleaning, salvage and use of valuable waste products, better storing and handling, inventing improved coal-burning and handling equipment, elimination of sulfur dioxide from power-plant stack emission, underground gasification to produce synthetic gas, coal hydrogenation to produce pipeline gas, and other, as yet unknown, facts about coal's potentials.

It is obviously essential that we learn more about coal reserves, better methods of effecting coal production and distribution, new and expanded markets, and of the physical and chemical properties of coal.

There is no doubt that the proposed legislative action for coal research and development will produce many benefits available to all our people. H.R. 3375, as suggested by House Report No. 1241, would make the results of research available to the general public except that the Secretary of Interior could waive that requirement, if necessary, in the interest of national defense.

At the present time over 95 percent of our coal mines have no facilities and little or no money for coal research. Under H.R. 3375 the Secretary of the Interior would contract for and coordinate research to be done mainly by organizations other than the U.S. Bureau of Mines, such as industrial trade associations, educational institutions, State-operated research facilities, and other recognized research groups. The public availability of the practical, coordinated, future findings of such research organizations are very important to all of us and to future generations in terms of the expanded economic growth and defense of our country.

For the benefit not only of the people of West Virginia, but for the welfare of the entire Nation, I strongly urge the passage of H.R. 3375.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House stands ready to culminate an effort that had its inception in 1955 and to which each succeeding Congress has materially contributed. Here is a brief summation of the background of the coal research program proposed in H.R. 3375.

As you know, coal accounts for more than 90 percent of the mineral energy reserves in this country. Oil and natural gas constitute less than 1 percent and the remainder is attributable to the vast oil shale reserves of the Rocky Mountain area. We have enough coal to last for more than a thousand years at current rates of production. The present life indexes of oil and natural gas are short of a quarter century. We are going to find and produce more oil and more gas, there is no question about it; nevertheless, at some point along the path into the 21st century—as demand for all forms of energy increases with growing population and better standards of living—scarcity of the exhaustible fuels will begin to loom upon the horizon. The burden to provide a substitute form of energy will fall upon coal.

In the interim period, the abundance of coal reserves lightens the demand upon other fuel industries. Coal already generates twice as much electricity as oil and gas combined. With generating capacity spiraling upward at an astronomical rate, the need for fuel moves up at practically the same proportion. Hydroelectricity cannot be depended upon to assume a greater percentage of the work than it is already contributing. Whether atomic power will ever become an economical medium of producing electricity is still a matter of conjecture. In any event, there is little likelihood that it will be able to serve as a competing source of energy in electric power stations except in areas far removed from fields where the traditional fuels are produced. Coal will, therefore, assume an ever-increasing portion of the energy load for the utilities.

Heat and power, of course, are not the only services rendered by coal. Since science and research learned something about coal's chemical structure, this mineral substance has become a base for the production of explosives, nylons, sulfa drugs, plastics, fertilizers, and many other necessary materials.

In the coking process, each ton of coal yields about 1,400 pounds of coke, 10,000 cubic feet of fuel gas, 8 gallons of tar, almost 3 gallons of light oil, and about 20 pounds of sulphate of ammonia. From the light oils comes benzene, a solvent and basic raw material for many organic chemicals, and toluene for explosives. From the coal tar comes more than 200 compounds. There is naphthalene for moth repellants; phenol, or carbolic acid, for antiseptics; creosote for wood preservatives; and tar for road dressing.

In the past 40 years, research on producing coal chemicals through hydrogenization, as opposed to the baking process, has further demonstrated the magic components of coal. Many different chemicals have been isolated and identified, some of which are believed to have further interesting possibilities in medicines as well as in fabrics, paints, plastics, and insecticides.

As coal liquefies under mixing with hydrogen gas under high temperatures and pressures, the hydrogen breaks it down into various major components. These are treated to extract the various chemicals, and by fluctuating the temperatures and pressures it is possible to change the kinds of chemicals made or the proportions of each to be produced.

Both gas and gasoline can be produced by coal hydrogenization. The method was developed in 1913 by a German chemist. During the latter part of World War II most of the fuel for Germany's airpower came from coal produced by synthesis. Scientists tell us coal has almost infinite potential. At the present time experiments are being conducted whereby coal's power is extracted without actual mining. I understand that experimentation is taking place at Catholic University's engineering school on

a diesel engine which would use coal; as a matter of fact, Rudolph Diesel is said to have conducted tests of this kind in his own laboratory. There is also under way a research project on a coal-fired gas turbine locomotive.

I do not think that anyone would question the benefits to the general welfare that may very well accrue if an effective research program is launched. Those benefits would extend, eventually at least, to every sector of the Nation, and ultimately our friends abroad would find life better as a consequence of coal research.

There was, in addition, another factor that motivated me to introduce Joint Resolution 400, calling for a study into the feasibility of a coal research program in the 84th Congress. It is general knowledge that most of our coal regions have been undergoing great economic hardships in recent years. I do not see in this legislation a panacea whereby our problems will dissolve. I am convinced, however, that research will prove to be beneficial to every segment of the coal industry, of communities where coal is produced, and of railroads that carry our product from mine to market. The program as proposed herein will, in addition to finding new and improved uses for coal, seek to develop improved production methods and better safety conditions.

Thus its overall benefits will extend from the coal mine to our transportation systems to points of consumption. I need not remind you that everyone connected with coal and its allied industries is most enthusiastic about the prospects offered in this legislation.

In 1956 and 1957 a number of hearings on the coal resolution were held in Pennsylvania, Virginia, Oklahoma, Colorado, Montana, and here in Washington. I am going to ask that this portion of the findings be included in the RECORD at this point:

Almost without exception, witnesses have agreed on these fundamental facts:

1. The coal reserves of the United States are this Nation's greatest mineral resource available for immediate development and use.

2. The coal-mining industry, on a national scale, is a sick industry. Although a number of so-called captive mines and independent coal producers are doing well productionwise, due to various advantages which they enjoy and to the immediate past export situation, the overall picture is one of economic ills, widespread mine shutdowns, staggering unemployment among coal miners, and an uphill struggle for survival.

3. Research and development programs of the coal industry and of State-supported organizations, although genuine and continuing efforts, have been woefully inadequate. The Federal effort in this field has been relatively small and has not met the needs of the industry.

4. There is a compelling need, both from the standpoint of a great industry's health and this Nation's future, for a greatly expanded research and development program for the coal industry.

5. While some differences of opinion are present in the definition of Federal responsibility, there is almost unanimous agreement that enlarged Federal activity in coal research and development is necessary at this time.

It was recommended by the Coal Research Subcommittee of the House Committee on Interior and Insular Affairs that an independent Coal Research and Development Commission be established. The bill eventually reached the House in the closing days of the session in 1958, but did not come to the floor for a vote. Meanwhile, the Senate passed its version of the coal research bill that year.

You will recall the fate of the coal research bill at the first session of this Congress. Both Houses approved it, but it was vetoed by the White House because of the President's objection to the creation of an independent commission.

Mr. Speaker, under the able direction of the distinguished gentleman from Colorado [Mr. ASPINALL], the bill I introduced to provide for coal research and development was amended in committee, and I now am pleased to report that all segments of affected industries, the full committee membership, and the administration are agreed on this legislation.

Before yielding to my good friend the gentleman from West Virginia [Mr. BAILEY], who has faithfully supported every effort to enact coal research legislation since I first discussed the proposal with him more than 5 years ago, I want to express my deep appreciation to all the members of the Committee on Interior and Insular Affairs for the many patient hours which they contributed in a determined, unselfish, and bipartisan effort to make this legislation possible. With the enthusiastic understanding of my other colleagues, the bill should become law within a very short time. I feel that the results—both immediate and long-term—will stand as a monument to the Members of the 86th Congress.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Mr. Speaker, I rise in support of H.R. 3375, designed to establish a research program to stimulate the production and conservation of coal.

Early in the first session of this Congress, I introduced H.R. 1179, which has the same purpose as H.R. 3375 except in my bill, H.R. 1179, a Coal Research Commission would be established to administer the program, while under H.R. 3375 the Secretary of the Interior, through the Bureau of Mines, would administer the program.

As many will recall, a similar bill, H.R. 6596, was approved last year by both Houses of Congress and sent to the President but was vetoed, mainly because of the administration's opposition to the establishment of an independent agency to administer the program.

It is my understanding that H.R. 3375, which places the responsibility for the program in the hands of the Bureau of Mines, meets the wishes of the President.

Mr. Speaker, the legislation before us provides an opportunity for Congress to set a positive course in one important phase of the Nation's energy panorama.

Within a relatively short time a national fuels policy is going to be established. Of that I am confident. With population increasing rapidly and requirements for mechanical and electric power rising constantly, there can be no escaping the fuels issue.

Nature has provided us with several sources of energy. Those which we have utilized thus far are exhaustible. Eventually we may develop a source about whose sufficiency there need be absolutely no concern.

Between 1800 throught 1950, bituminous coal was a source of 46.1 percent of the heat and mechanical energy produced in the United States. Fuel wood was second with 18.6 percent, followed by crude petroleum at 16.6 percent, anthracite 18.8 percent, natural gas 6.3 percent, and waterpower 3.6 percent.

There have already been some shifts in the standings, and a new listing has been reserved for atomic power. The chances are that, at least through this century, bituminous coal's position will not be challenged, and only a sensational and unexpected development in the field of nuclear fission will threaten coal's leadership for many decades to come.

At a convention of the National Coal Association, it was stated that coal faces only negligible competition from nuclear fuel as a source of electric power in the next decade.

With reserves of bituminous coal amounting to more than 90 percent of our natural energy stockpile, as compared to less than 1 percent for oil and gas combined, it would be foolhardy to neglect a single opportunity to expand development of coal's productive processes and its uses.

To emphasize the enormity of coal reserves, I should like to point out that total production from our earliest records to the present time amounts to approximately 35 billion tons of anthracite and bituminous coal combined.

Despite this fact, there are almost a trillion tons of minable coal reserves remaining—or approximately 25 times all of the coal that we have extracted in the last two centuries.

It is of interest to state that our new State of Alaska contains 2 percent of the estimated world coal reserves, bringing to 38.1 percent the total U.S. share.

While I am confident that deeper drilling and new discoveries will continue to provide ample supplies of natural gas and oil for a long time to come, we must nevertheless recognize that there is a limit to what can be expected of these fuels.

Mr. W. M. Elmer, president of the Texas Gas Transmission Corp., was refreshingly frank in his address to the National Coal Association convention last year.

He said that the present 22-year life index for natural gas is no indication of future reserves available, but at the same time he was emphatic in observing that he did not want to leave the impression that we have an inexhaustible gas supply.

He spoke of the development of a synthetic industry in the oil shale region of Colorado, where supplies will originate and be distributed over the present natural gas lines.

As for petroleum, there is certainly no shortage in sight, yet it is true that we

are depending more and more upon foreign sources for this fuel.

There is no doubt that the time has come when we must look to coal to take care of a raising portion of future energy demands.

Oil companies have already indicated a very definite interest in the establishment of a commercial synthetic fuels industry in coal regions.

Thus coal as a base of gaseous and liquid fuels production is one important factor in a research program.

H.R. 3375 is designed to provide impetus and an overall direction to the research program. This legislation not only brightens the energy supply picture, but it also offers improved mining methods.

The coal industry has made remarkable strides in production through mechanization of its mines. At the same time there has been a noticeable improvement in industry's safety record. In neither case, however, should we be satisfied that further progress is not necessary.

By more intense application of science and engineering, additional achievements in coal production are inevitable. As for safety, there is considerable research that must be undertaken, beginning with geological problems.

A review of the testimony presented to the subcommittee studying the feasibility of research legislation reveals that industries allied with coal strongly advocate this program.

It is also supported by the electric utilities, coal's No. 1 customer. The electric power industry has a magnificent performance record, but the public stands to be the recipient of increased benefits by the extended use of electricity as a household servant.

Some utilities are in the midst of a project to make electric home heat available at reasonable cost in the many houses that will be constructed in the months and years ahead in various sections of the country.

In addition, an increasing number of families are finding it possible to install air-conditioning units in their homes. Coal will continue as the principal source of power behind electric power, and anything that can be accomplished in the way of increasing the efficiency of these two industries will accrue to the advantage of the general public.

Mr. Speaker, I need not dwell at length on coal's role in the mobilization base. In World War II America's production objectives could not have been realized without the coal industry's ability to accelerate production by 75 percent in a 6-year period.

Production of steel, aluminum, electric power, chemicals, and the finished materials of offense and defense will meet schedules in our present era of uncertainty only if fuel supply keeps pace with demand.

Coal is vital in peace and war. We must neglect it from a standpoint of production, transportation, or utilization. The research program envisioned in H.R. 3375 is necessary to the welfare of this Nation and to its individual components.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Mr. Speaker, I rise in support of this bill and I am very happy to see this legislation before the House today. This is a proposal in which I have been interested for a long time. I commend the gentleman from Pennsylvania for introducing the resolution which established the Special Committee on Coal Research of which I was a member. This bill is before the House today as a result of the recommendation and report of that committee. The gentleman from Pennsylvania deserves great credit for the work he has done in this field. I also want to commend the gentleman from Oklahoma [Mr. EDMONDSON], who was chairman of the special committee. He did an outstanding job and I greatly enjoyed working with him and the other members of the committee.

I also want to commend the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL] for bringing this bill to the floor today. It is legislation which is long overdue and it will be of great help to the coal industry.

I represent the largest coal producing area in Colorado. We have only two large coal mines left in Las Animas County, whereas at one time there were 10 times that number. The coal mining industry has declined over the years in Colorado, due largely to the importation of natural gas, which replaced coal as a fuel.

It is my opinion that many new uses can be found for coal if the necessary research work is done. I was impressed by the amount of research work now being done, both by the Bureau of Mines and by the industry. I believe that something like $17 million is being spent annually for coal research, of which the Federal Government spends about $7 million. The Bureau of Mines has been devoting most of its time to long-range projects, and I feel there is a need for short-range projects, where the result can be ascertained and put into practice without delay.

During the hearings conducted by the special committee I was impressed with the general optimism that prevails in the coal industry. There is a general feeling that coal is coming back, but that it will take several years for this to happen. The problem is to find a way for the coal producers to stay in business until the increased demand for coal arrives.

The Office of Coal Research, established by this bill, will be able to render a most valuable service to the coal industry. I am sure that production can be increased as a result of this research program and this will provide work for more coal miners.

I am indeed happy to give this bill my full support. It should receive the unanimous vote of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. This is a far different bill from the one we had last year, is it not?

Mr. SAYLOR. The only difference between this bill and the bill of last year is this: The bill last year established an independent commission. This bill will set up an office under the Secretary of the Interior in the Department of the Interior.

Mr. GROSS. This bill does not establish a new and a plush commission in Government. That is one of the big differences between the two bills?

Mr. SAYLOR. That was the reason the President vetoed it.

Mr. GROSS. And the reason the gentleman from Iowa opposed it last year and commends the President for his veto. I am glad the committee comes in with a reasonable bill this year.

Mr. SAYLOR. I am happy to have the gentleman support it.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from South Dakota.

Mr. BERRY. I want to join the other Members of the House who have offered their commendation to the gentleman from Pennsylvania [Mr. SAYLOR] and the gentleman from Colorado [Mr. ASPINALL], the chairman of the full Interior Committee, and to the other members of the committee who have spent a great deal of time in developing this research plan.

It is my hope, Mr. Speaker, that when the Commission is established that the research will not be confined entirely to the coal fields, but that an equal amount of study will be given to the lignite fields in the Western States.

There are vast lignite deposits in the States of North and South Dakota, Wyoming, and Montana. There is a vast potential energy in the millions, and probably billions, of tons of lignite, in most cases buried only a relatively few feet below the surface of the ground. The potential of these beds is almost unlimited. Research and scientific studies should be made as to their potential, and I am hopeful that this Commission will consider these beds with studies equal to those in the normal coal fields.

I thank the gentleman for yielding to me at this point.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE. Mr. Speaker, I strongly urge the passage of H.R. 3375, a wisely conceived measure pertaining to research in the coal industry, introduced and sponsored by the able gentleman from Pennsylvania [Mr. SAYLOR], which we are considering today.

I was keenly disappointed that the President saw fit to veto H.R. 6596 last September. In fact, I was so thoroughly convinced that such a measure was necessary that I had personally introduced an identical bill in the 85th Congress.

Mr. Speaker, the history of the coal industry since the end of World War I has been one of erratic production, declining and uncertain markets and at

least 35 years of either net losses or exceedingly low net income. The Congressional Subcommittee on Mines and Mining which favorably reported the measure presently before us has concluded that the future of coal and of the domestic coal mining industry as we know it today may depend primarily upon the progress that is made through coal and allied research and development.

The enactment of H.R. 3375 would be a modest beginning of a program to give this vital industry the research and development which it needs for the future—a program which I think will mean a great deal to literaly hundreds of communities across the Nation and at least 27 States, and a program which could mean a great deal in determining our capacity as a Nation to meet the challenge of the Soviet Union in the future.

Mr. Speaker, the enactment of this legislation is a must for my district for the very lifeblood of the people whom I have the privilege to serve here literally flows through veins of coal. Existence itself depends upon the growth and development of the industry, and I am convinced that my district and the State of West Virginia as a whole can prosper only through further research by the Government in this field. I consider this type of legislation long overdue and only through these means will this industry be revived and prosper.

I therefore respectfully request my colleagues to join with me today in supporting H.R. 3375 which will inure to the benefit of all our citizens and will give strength to the economy of our Nation as a whole.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Speaker, I, too, want to compliment the committee on its fine work and for its scientific treatment of the subject which means a lot to the State of Illinois to have this legislation approved.

Mr. Speaker, I thank you for the opportunity to discuss the need of this legislation in the State of Illinois.

The problem of coal in Illinois is primarily the result of an economic situation which dictated to the Illinois Assembly in 1943 to establish a coal commission. That coal commission expended close to one-half million dollars in State moneys to endeavor to ascertain whether the coal industry as such could be saved in Illinois.

The consensus of opinion was that the coal operators themselves can do very little to facilitate or stimulate the use of coal and in many ways were not able to engage in research to promote a derivation of fuels from coal, such as the liquefaction of coal, because of the cost of such a program.

Of course, the assembly was primarily interested in the unfortunate situation in the 16 southern counties of Illinois wherein inferior coal—sulfurous coal—is found, an area where 65 percent of employables were on relief, which added, naturally, to a terrific toll upon the relief funds of the State.

As was noted, the average person in this community, in the environs of Cairo and Carbondale, and in those areas only earned, because of the seasonal nature of the output of coal, from $900 to $1,100 a year. So the ultimate result was, because of the lack of coal orders for its use, the mines were closed.

I was very interested in the provisions in H.R. 6596 that established a three-man coal commission to carry out a research program. As to the Bureau of Mines, it was my understanding that the Bureau of Mines' sole purpose in the beginning was to determine in their research, to produce fuels in case of an emergency where oil supplies and fuel supplies were cut off; and to bring about the chemical development of processes to recover oil from other substances, for example, at Rifle, Colo., oil is sweated out of crushed shale.

Of course, the cost of such experiments, as you realize, could not be considered as an ultimate item of importance because of the fact that they were primarily interested in the recovery of oil for national defense in necessitous circumstances when the supply of oil was cut off, thus creating a national emergency.

So they developed various processes, as, for instance, in Louisiana, Missouri, where oil was recovered and processed costing 45 cents a gallon of gasoline. The Bureau of Mines seized upon the opportunity to help us in our program and did, which resulted in my trip to Rifle, Colo., where we borrowed from the Bureau $350,000 of machinery.

We erected a pilot plant, a 50-ton-a-day plant, for the liquefication of coal and desulfurization of coal. We were fortunate in having the Edison Co. join us in part of the program. They furnished us all the different coals necessary to carry out the tests in the research program.

They also put in a high line, at the cost of about $50,000, at their expense.

The plant was erected near Republic Steel Co., on land that had a very, very high water table, so as to save some $22,000 in estimates that the engineers determined would be necessary for the operation of the plant, built by Dr. Singh and Joseph Cronin, now deceased, well known to the Bureau.

They carried on the experiment for the period of 6 years. The result was that they succeeded in bringing about the liquefication of coal at low temperature, with a resultant of byproducts that could be used as primary fuels together with free sulfur amounting in a 5- to 7-percent sulfuric coal, to about 86 pounds per ton.

The recovery of kerosene was about 38 gallons per ton and light oils, 2½ gallons per ton. Also 1,200 pounds of smokeless coal, which the Republic Steel people afterward succeeded in developing into a good metallurgical coke presently used there.

In view of the fact that Pocahontas coal supply is exhausted, it had to be replaced by a similar type of coal for the making of coke so necessary to be used in the making of steel.

We also recovered 1,600 cubic feet of gas which tested at 750 British thermal units.

So it follows that research in this field can bring results through the recommendation and cooperation of the Bureau who know other fuels can be developed from coal.

Really, the public is partly responsible for the unfortunate circumstances engulfing the coal industry in refusing to use coal as a fuel.

The opposition of the oil industry to this legislation would be a natural one. It is a competitive business and they do not feel that public moneys should be used for the development of any competitive process which will result in coal being used as a fuel in the same liquefication state as oil.

In the Illinois experiment we found that the overall profit per ton was $1.05 at the plant. We recovered oil at 5 cents a gallon at the plant; comparatively, the oil industry develops oil at the foot of a well at 11 cents because of the many different costs involved in the production of oil.

Of course, in H.R. 3375 we must realize a greater advantage in that the Bureau of Mines undertakes the research and development program in all of these experiments for this reason: They can prevent duplication of effort and their experts can vigorously pursue and coordinate the existing program under both authorities. The Secretary of the Interior establishes the organizational pattern within the Department through the establishment of a new office within the Department. The $2 million appropriation will be sufficient to permit a basic study and a selective method of approach to the problem.

There is also a fundamental issue we are facing. First, you have the competitive nature of the oil companies and the gas companies, who feel you are invading their business field, by the improvement and acceptance of coal as a fuel similar to the use of their own product.

Secondly, you have the competitive nature of the States in the different types of coal—also the inferior coal. So that there must be a local problem to circumvent in order to raise the economy of a State or area by the perfection of a process which will bring about the stability of the economy of that area.

Thirdly, you have protected by separation in this legislation the Bureau of Mines who have their own processes and their own programs, which must not be interfered with or result in a duplication of effort.

I point out to you that the miners of Illinois numbered 220,000 and now number scarcely more than 18,000. So you can understand the direct effect of the pressure of this problem as well as recovery of the business of the individual householder and the plants in their selection of the type of fuel that will satisfy their needs with the least effort and expense in handling, and in carrying off the residue.

Coal must be modernized, and we must help the coal operators accomplish this.

I visited the Pittsburgh Coal Co. plant where they expended $6 million in experimentation and research on coal.

You have made a very thorough study of this legislation and eliminated pitfalls which would strangle this legislation in the offing.

Only through Government control can you securely protect the public moneys you pour into these programs, because much money can be wasted, especially in the selection of processes that have been untried and have, probably in an engineering or theoretical sense, the answer.

The passage of H.R. 6596 by both the House and Senate last year and which was pocket-vetoed by the President, because of favoring an "established interest" of the Interior Department has certainly created a more acute need for this legislation. Although the delay and frustration has prolonged the problem, yet certainly H.R. 3375, as recommended by your committee, will meet any objections that resulted in the veto of H.R. 6596.

You are to be congratulated on this fine work.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, I want to commend the Committee on Interior and Insular Affairs for bringing to the floor of the House H.R. 3375. I am the sponsor of a similar bill, H.R. 5495, which provides for research and development to stimulate the production and conservation of coal.

It was my privilege last year to support the legislation that the Congress approved to establish the Coal Research and Development Commission. I was extremely disappointed that President Eisenhower vetoed the bill.

Ever since I have been in Congress, I have supported and encouraged efforts to strengthen the coal industry. Alabama's Seventh Congressional District, which I represent in the Congress, produced about 3.2 million tons of coal in 1949. In 1958, our district produced about 3 million tons—and produced this coal with 3,554 less miners than it had in 1949. The impact of these losses in jobs and in decreased production, could have been lessened through a vigorous coal research and development program such as I have been advocating. Coal research and development could have helped to bring about new coal products, attracted new industries, and increased employment opportunities.

There are endless precedents for Federal stimulation of research. The Agriculture Research Administration, the National Science Foundation, and the Atomic Energy Commission all sponsor research activities. Research in the fields of medicine, education, and public health are also conducted on a fairly large scale by the Federal Government.

We can no longer afford to ignore the potential now locked in our coal reserves. The possibilities that research holds in this field are almost unlimited. First of all, we have a great abundance of coal. It has been estimated that the United States has nearly 1 trillion tons of recoverable coal.

Secondly, coal is perhaps the most versatile raw material on earth. The aspirin tablet you take for a headache, the rayon cord in automobile tires, the dyes which color your clothes—all these come partially from coal. I am convinced that many new and useful coal products are awaiting discovery through research.

I am told that the Soviet Union is not lagging behind in coal research. The Russian Institute of Bituminous Coal Research has about 400 scientists with the equivalent of Ph. D. degrees and about 4,000 research scientists with lesser college degrees in chemical and engineering sciences working on its coal research programs. They are assisted by 6,000 more less fully trained researchers. In addition, I am told that there are about 10 subsidiary coal research institutes in Russia.

There should be no place or opportunity in Government for delaying coal research. It is of vital importance to our Nation's defense, to our industrial development, and to the livelihood of millions of our people.

I support the bill now before the House and urge its approval without further delay.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I am in favor of H.R. 3375, to encourage and stimulate the production and conservation of coal in the United States, and I believe this can best be carried out by direction of the Bureau of Mines under the Department of the Interior, in view of its vast experience.

Kind providence has seen fit to supply America with an abundance of coal and coal reserves. Some experts estimate that, at the present rate of consumption, the presently known reserves of coal will last approximately 2,500 years. It certainly would be a lack of vision if we would not utilize this vast amount of of energy stored under the soil in our land.

To do less than pass the legislation at this time would indeed be a disservice, not only to ourselves and our generation, but for generations to come.

The great mountain State of West Virginia produces more bituminous coal than any other in the United States and has the largest known coal reserve. A large portion of the population of the Second District, which I represent, is directly dependent on the coal industry for a livelihood.

Coal certainly holds a high place in our national economy and it is more than equally important to West Virginia. It is used for heating, industrial power, metallurgical reduction, and chemical processes. I feel action must be taken to utilize the wealth of knowledge and conserve natural resources through more efficient use of the huge coal reserves available in West Virginia and the United States.

I believe President Eisenhower, by his veto of the bill passed during the last session of Congress, did a disservice to the people of America, and especially to the citizens of the State of West Virginia. I hope and pray that he will have the foresight now to see what this legislation could and would mean to the whole Nation, particularly in a national emergency.

I sincerely believe that every man and woman of the Congress can vote for this legislation, knowing and believing it to be pertinent and essential to the well-being and welfare of all of the people of our Nation. We must take every means—now—in the passage of the bill to provide for further development of coal research, utilization, and engineering.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, we have been fully cognizant of the depressed situation which has existed in the coal industry for some time. House Resolution 400 authorized a special subcommittee to study the possibilities of a coal research program. The Department of Mines' present research in this field has long-range objectives which are obviously needed. However, unless an immediate solution to the present industry problem is arrived at, it is conceivable that the small and middle-sized operators will soon be bankrupt and unable to benefit by the Department's long-range findings.

But this is more than just an area or an industry concern—it is the concern of the entire Nation because, as we well realize, coal is so vitally necessary for our national defense. A few large producers would not be able to carry the load in time of a major crisis and I need not dwell on what would have been our plight in World War II had this industry been previously decimated.

It is apparent that the $17 million for research for coal in 1955 was not sufficient help, whether considered on its own with its own results, or when compared with the $280 million for research expenditures in, for example, the textile industry. H.R. 3375 offers a road to a solution—a solution which could be reached in a relatively short period of time and make the expenditure of further moneys by the Federal Government unnecessary.

I, for one, wholeheartedly support this bill because of the dual needs—our defense and our economic well-being—which are herein dealt with. It is a small enough price to pay in seeking a solution to this very important problem.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LITHUANIAN INDEPENDENCE DAY

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, tomorrow marks the 42d anniversary of the proclamation of Lithuanian independence. Just a few months ago, Mr. Vaclovas Sidzikauskas, chairman of the Committee for a Free Lithuania and former Lithuanian diplomat, in a consultation with th Committee on Un-American Activities, described the persecution and atrocities inflicted on the people of his native land by Stalin and his successor, Khrushchev.

The occupation of Lithuania by Soviet troops in 1940, that country's forcible incorporation into the Soviet Empire, and the suffering its people have endured during the last 19 years as a captive Communist nation should not be—and never will be—forgotten by the American people who, to this day, have refused to grant diplomatic recognition to the Government of the so-called Lithuanian Soviet Socialist Republic.

Last year, both Houses of Congress unanimously adopted a resolution which was signed by the President, and on the basis of which he proclaimed the third week of July "Captive Nations Week."

This resolution stated that the enslavement of a substantial part of the world's population by communism "makes a mockery of the idea of peaceful coexistence." It also stated that the desire for liberty and independence on the part of the people of the captive nations was a powerful deterrent to war and that it was vital to our national security that this desire be kept alive. The enslaved people, it added, looked to the United States "as the citadel of human freedom, for leadership in bringing about their liberation and independence."

The resolution named Lithuania as one of the captive nations and declared that the people of the United States shared with the people of Lithuania "their aspirations for the recovery of their freedom and independence."

I think it is fitting that all of us, in honor of the brave and suffering Lithuanian people on this anniversary of the day on which they obtained at least temporary independence, should again dedicate ourselves to the principles and aspirations of the "Captive Nations Week" resolution which are also the principles of the Lithuanian people and of lovers of freedom everywhere. Let us look forward to, and work for, the day when the people of Lithuania, like us, will be able to enjoy the blessings of liberty.

JUDICIAL REVIEW OF ORDERS OF DEPORTATION

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. LINDSAY. Mr. Speaker, during the 1st session of the 86th Congress, the House passed H.R. 2807 providing for judicial review of orders of deportation. The purpose of the bill was to create a single separate statutory form of judicial review of administrative orders for the deportation and exclusion of aliens from the United States.

In the report of the Judiciary Committee I appended my own additional views on the bill, in which I pointed out that there was pressing need for legislation which would provide a single form of review, as it had been demonstrated that the existing legal structure permits repetitious appeals to the courts, testing over and over again the same subject matter.

I then stated, however, that I had one reservation about the bill and that was the provision allowing direct appeal to the courts of appeals, rather than judicial review in the first instance in the Federal district courts. The bill was deserving of support as it stood, however, and I suggested only that the Judicial Conference of the United States examine the new procedure and make available to the Congress its findings as to its administrative viability.

The Judicial Conference of the United States met in Washington on September 16 and 17, 1959. The Conference received a report of the Committees on Court Administration and Revision of the Laws. I am pleased to report that these two committees recommended the bill as it stood and the Conference gave it its full approval.

Mr. Speaker, this measure was drafted and submitted by the Commissioner of Immigration and Naturalization, Gen. Joseph M. Swing. Commissioner Swing was most careful to submit a judicial review program which would provide every safeguard of individual rights, and at the same time protect the public interest in the orderly administration of the law. This is another instance of the superb and humanitarian leadership that this distinguished public servant has given us in this area as he has in others in the past.

A REASONABLE NONPOLITICAL MIDDLE GROUND APPROACH TO THE CONFUSING DEBATE ON NATIONAL SECURITY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, many of our citizens, I have discovered, are sincerely confused by the present debate raging over the vital subject of our national defense. When even top officials of the Defense Department and top legislators charged with overseeing our national military programs disagree, then it is little wonder that private citizens, who are not privy to classified information and whose only sources are the newspapers, should also wonder just who is right and who is wrong and where indeed the truth really lies.

I appreciate that in an election year it is perhaps inevitable that even a subject as vital as national defense should be tinged with some measure of the kind of exaggeration that normally accompanies political campaign debate. But this is also unfortunate, Mr. Speaker, because national defense, while certainly a very proper matter for comment and criticism, should not be subject to the same kind of exaggeration that is a frequent part of political repartee.

Mr. Speaker, our people want to know the real facts about our national defense position, and I believe they have a right to know them. Where do we stand in military power in comparison with the Soviet Union? Are we indeed in great jeopardy? Is there anything we can and must do to improve our position?

In this connection I was greatly impressed yesterday with a sober and carefully reasoned article on this subject that appeared in the New York Times under the byline of the distinguished military editor of that great newspaper, Mr. Hanson W. Baldwin. This is the finest piece of analysis which I have seen and I believe it answers many of these important questions for the private citizen by putting them into proper and meaningful perspective.

Mr. Baldwin makes three main points which in my judgment are vital to a rational understanding of our defense position:

First. There is no such thing as 100 percent absolute security, no more in our national defense than in walking across a busy city street during the rush hour. In other words, any defense program is bound to involve some degree of calculated risk.

Second. What is more important right now than any mere comparison of numbers in the missile race is the prompt achievement of invulnerability in our own nuclear deterrent force. To date we do not have such invulnerability, but it is readily available to us in the Navy's Polaris fleet ballistic missile, whose production should therefore be immediately speeded up.

Third. Some reduction in the degree of calculated risk which we are scheduled to run in years immediately ahead could be achieved without tremendous increases in military spending by emphasizing developing of this invulnerable deterrent and also by stressing offensive rather than purely defensive weapons.

Mr. Speaker, I believe Mr. Baldwin's report is such a fair and reasoned middle approach to this vital and perplexing problem that I recommend it wholeheartedly not only to my colleagues, but also to the American people who have a right to the best possible opinion avail-

able to them on this issue. The article follows:

[From the New York Times, Feb. 14, 1960]

VITAL QUESTIONS RAISED IN DEFENSE DEBATE—PARTISAN STATEMENTS CAN MISLEAD THE WORLD ON ACTUAL STRENGTH

(By Hanson W. Baldwin)

Washington's great defense debate, like many debates in an election year, raised more questions than it answered last week. Conflicting statements and extreme views—some the product of political emotion—confused both issues and public.

Neither the President's "Papa knows best" attitude, expressed again at his news conference, nor the shrill generalities of some Democratic presidential aspirants, clarified or settled the debate. Defense in the missile-nuclear age has become an inevitable part of the 1960 presidential campaign, and Washington is the scene of the opening skirmishes.

National security, in its narrowest military and its far broader economic, social, and political sense, is a vital issue to every American. It is, therefore, a proper and inevitable subject for debate. But the debate itself contains certain pitfalls, unless it is tempered and subject to guidelines.

THE PITFALLS

The first is obvious—emotional partisan statements mislead and confuse not only the U.S. public but our friends and allies, and, perhaps more importantly, the Kremlin. Well-based, thoroughly studied critiques of our defense weaknesses can help increase our strength, but exaggerations can leave a global impression that we are much weaker than we are. Many of our friends and allies partly because of extreme statements in this country, believe the Russians are superior to the United States in military strength. The Russians may come to believe this, too. A deterrent is no better than the enemy thinks it is, and in that case the danger of war could be increased.

A second pitfall lies in the area of semantics. Many participants in the debate have failed to define their terms. The issue of purely military security has become confused with psychological and prestige achievements, space exploration, foreign aid, economic expansion.

A third pitfall is the tendency toward particularization, or—as the President has sometimes put it—"parochialism." Service and congressional enthusiasts often discuss national security in terms of a specific weapons system or concept. They leave the impression that all is lost if so many more billions are not available immediately for its development.

A final pitfall is perhaps psychological. We have not really outgrown the Victorian age of our security. Despite nuclear weapons, jetplanes, and missiles we yearn for and half believe in the possibility of a return to the security of yesterday. We have not become accustomed to living with danger; too many military men, Congressmen, and civilians are really talking in terms of absolute security—100 percent defense—in an age when that is far less possible than ever before. No matter how many billions are appropriated for defense, we shall continue to live under the threat of the sword; the debate should not be about how to achieve security but about how much of a calculated risk we can afford to run.

THE ISSUES

The defense debate has touched on a great many issues. Here are some of them:

How good is our intelligence on Russia? A brief answer is that it is far better than the congressional debates have led the public to believe. Long-range radar, communications intelligence, U.S. submarines and aircraft, and hundreds of other sources, have given us a pretty accurate picture of many, but by no means all, elements of Russian strength.

We know—within relatively narrow margins of error—how many long-range missiles the Soviets have fired, the procedures at their test sites, their estimated circular error, their approximate number of failures, the power and composition of their nuclear weapons. We do not know, and for a considerable period will be able only to guess, the exact number and location of Soviet missile launching sites.

In general the intelligence part of the debate is not so much about the facts we do know as about the facts we don't know and, in particular, about the interpretations and evaluation of the facts. The gaps in our knowledge are what make evaluations of our calculated risks uncertain; the varying interpretations of the facts we do know—the result in part of service and political partisanship—have led to some wild differences and distortions.

What about our missiles? In answering this question, the great debate tends to split apart. The opposition has been stressing the so-called missile gap—a Soviet superiority on the order of two or three to one by 1962–63 in numbers of intercontinental ballistic missiles. The administration has been stressing not only ICBM's, but our total nuclear delivery capability, and has insisted there is not now and will not be in the foreseeable future any deterrent gap.

Missile strength

In quality of long-range missiles, all available facts tend to indicate the United States is at least abreast of, perhaps ahead of, Soviet Russia. The two most recent Soviet long-range missile shots into the Pacific may be taken, indeed, not as evidence of Soviet supremacy but of Soviet equalitative inferiority. The Atlas, in test firings from Cape Canaveral, Fla., had been approximately duplicating the Soviet flights—which won such worldwide publicity—months before. The Atlas has proved amazingly accurate. As for reliability, the two Soviet failures and two successes in the Pacific missile shoot indicate an experience about on a par with our own.

In assessing quantity, the guessing game begins. The Russians may have some very slight lead now in numbers of ICBM's; this lead may increase, if we stick to our present plans.

But when all other missiles and means of delivery are taken into consideration, this numbers advantage in one field—ICBM—becomes of somewhat less importance. The first Polaris-firing submarines will be in operation this year, with missiles aboard, if all goes well. The Russians, as yet, have nothing to equal this weapons system.

Thor 1,700-mile missiles are ready in England. We have many relatively short-range missiles in Germany and tactical air forces with nuclear capability all over the world. The U.S. fleet, some elements of which are always at sea, has both atom bomb carrying aircraft and missiles. And the Strategic Air Command is considerably more powerful and experienced than the Soviet long-range air forces.

No gap seen

The administration contention that there is not now, and will not in the near future be, any gap in our deterrent capability appears to be well founded as far as numbers and total power are concerned.

What about vulnerability?

Here is the weak point of both the opposition, which is concentrating upon numbers of ICBM's, and of the administration, which is tending to stand pat. A nuclear deterrent, to be effective, must be capable of surviving an enemy surprise attack. An enemy must know that no matter what he does first he will receive unacceptable damage in return if he attacks. If the Nation can provide, for instance, a so-called invulnerable deterrent—one that an enemy cannot find or destroy and that would be capable, no matter what the enemy did, of destroying every major Soviet city—it would be adequate to deter any reational ruler from aggression.

Fixed SAC bases are vulnerable to sudden attack; so, too, are Atlas, Titan, and Minuteman fixed launching sites. But the mobile Polaris submarine, which can hide beneath the sea, offers a deterrent weapon to which there is now no known answer. And certainly more of these could be built in the period prior to 1965 than the administration budget permits.

So, too, a partial air alert for the Strategic Air Command—when Russian progress indicates it is necessity—would insure the survival of some of our bomber striking force.

Gen. Thomas S. Power, commanding the Strategic Air Command, has stressed the vulnerablity factor by estimating that 300 Soviet missiles might destroy our retaliatory capability. General Power has omitted from his equation a great many tactical Air Force units, as well as the Navy's nuclear-capable forces.

But even so, a simultaneous and synchronized attack by a salvo of 300 Soviet missiles, each launched on a precise, predetermined timetable so that the missiles would arrive simultaneously on their widely scattered targets, would assume a technical and organizational skill that we do not possess and are unlikely to possess in the immediately foreseeable future, and there is no reason to believe that the Russians possess such a technology.

Deterrent goal

Thus, our vulnerability today—or in the immediate tomorrows—is not as great as an academic discussion can make it appear. Nevertheless, the development of an invulnerable deterrent—rather than superior numbers of ICBM's—should be the defense goal.

What about other elements of military strength? The great debate has so far paid only lipservice to other weaknesses in our defense structure, but some of them are real. Modernization of the Army and Navy; modernization of our airlift capability; improved amphibious shipping, and in general a stronger capability for limited war and development of more effective antisubmarine techniques are needed, plus more funds for research and development.

Is more money needed? Some reduction of our calculated military risk, even at the expense of increasing slightly our calculated economic risk, would seem desirable. But a reallocation of the defense budget to stress the development of the invulnerable deterrent, and to emphasize offensive measures as compared to purely defensive means, is more important than an increase in funds.

What is the danger? The primary danger is not that of all-out nuclear surprise assault. Our deterrent is still too strong. But Russia's military strength, plus the prestige and the political and psychological advantages she has won, presage two dangers.

Small conquests

The first is the danger of small conquests, of subversion, of Communist conquest by limited war or means short of war, particularly in unsettled areas such as Southeast Asia, the Middle East, Africa, and Latin America.

The second danger is that we may play our hand in forthcoming international negotiations from weakness—weakness that is more apparent than real, but nevertheless weakness. Russian space and economic achievements and her missile bluster have won

friends and influenced people in the world of power. A Soviet political offensive—around the conference tables and in the global forums of public opinion—must be met by U.S. strength that is obvious not only to the experts, but to the common man.

WILLIAM V. S. TUBMAN COMMENCES FOURTH TERM AS PRESIDENT OF LIBERIA

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, on January 4 this year Mr. William V. S. Tubman commenced his fourth term as President of the Republic of Liberia. Widely recognized as one of Africa's leading statesmen, President Tubman has unselfishly devoted himself to the welfare and well-being of his fellow countrymen during his three previous tenures.

Under President Tubman's dedicated leadership, Liberia has experienced substantial economic and social progress in the last 16 years. Aggressive educational policies have been initiated to combat illiteracy, vigorous efforts have been made to eliminate tropical diseases, and other steps taken to improve the general standard of living. During my 1955 study mission to Africa, I was privileged to speak with President Tubman about these matters and to see at firsthand some of the progress that is being made.

In his recent inaugural address, President Tubman outlined an ambitious program for internal development which is designed to utilize all the numerous resources with which Liberia is so generously endowed. A rural road administration will be established to expand and improve the national highway system, negotiations have been undertaken to facilitate the creation of a national shipping company, and the Liberian National Airline's schedule is being extended to include international flights. A development bank is planned to encourage economic expansion, and existing health programs will be broadened to better protect women and the young. Particular emphasis is to be given education through the construction of elementary school buildings in every major town and village, and specialists will be invited to Liberia for the purpose of organizing additional rural teacher-training centers.

As a means of promoting development of the African Continent as a whole, President Tubman proposed the creation of regional economic and trade councils which would permit greater utilization of combined resources. As a basis of lasting and fruitful cooperation between Africans, he endorsed an accelerated program of cultural exchange between the independent African states. These proposals would be designed to strengthen a community of independent African states, in which every effort would be made to apply their resources for the advancement of all.

On the occasion of his recent inauguration, Mr. Speaker, I should like to extend all good wishes to President Tubman and the people of Liberia for the continued progress of their nation.

CONGRATULATIONS TO THE REVERE JOURNAL ON ITS 79TH BIRTHDAY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, you cannot beat the newspapers in the smaller cities and towns for human interest.

They do not feature earth-shaking events, abstract issues, or commanding personalities. Much as we need to keep well informed on national and international developments, we also need to know about the people and the happenings in our own community, for these are more directly a part of our own lives.

The big-city papers, with all the world to choose from, must be selective. They do not have room for the small, personal news that is so much closer to the people themselves.

Ever listen to a woman talking into a telephone? Or a couple of men in conversation on a street corner? Ten to one they are communicating news about a neighbor, or about some happening at the place where they work, or some athlete at high school, or some item about local government.

As long as we have newspapers in the smaller communities, we shall have outlets for that type of news which is mainly concerned with those people whom we know.

Such a paper is the Revere Journal, published weekly in the city of Revere, Mass.

For 79 consecutive years it has faithfully reported the local news of interest to the people of Revere.

As it begins its 80th year, under unanimous consent, I include in the CONGRESSIONAL RECORD the Revere Journal's own editorial comment on the significance of its happy birthday:

STARTING THE 80TH YEAR

The Revere Journal was 79 years old Tuesday. It was back in 1881 that the first issue was published, consisting of four pages, with the type close packed, unbroken by pictures or display lines. But that was the style of the day when residents had more time to devote to reading their daily newspaper. Comparing that issue with one of today's issues, with its attractive ads, its photographs illustrating the news, and the larger and clearer typography, brings home the progress made during the past 79 years as the newspaper kept pace with the times and the growth of the community.

While the quantity of news has increased, the type of news that the Revere Journal prints remains basically the same. The Journal always has been a hometown newspaper primarily interested in the community and its people, and it will remain so. The larger newspapers are better equipped to report what is happening in the Nation and in the world but only the Revere Journal can inform its readers of what is going on locally. It is in performing this distinctive function that the Journal is of the best service to its readers and to the community. And during the past 79 years this policy has been proved right by the support of the residents and by the fact that the Journal goes to almost every home in the city each and every week.

This comparison between the first issue and the newspaper today does not mean that the Journal will remain static. The publisher and his staff will constantly be striving to improve its reporting of local events in any way possible. And as this city continues to grow, so will the newspaper. As the 80th year of the Journal dawns, so do new horizons, and those at the Revere Journal will redouble their efforts to make the most of them, for their ultimate goal is, as it always has been, serving the readers and advertisers to the very best of their ability.

THE FARMER IS ENTITLED TO A FAIR SHARE OF THE NATIONAL INCOME

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. BROWN] is recognized for 20 minutes.

Mr. BROWN of Georgia. Mr. Speaker, the farmer is entitled to a fair share of the national income. It is unfortunate that increased productivity on the farm has been viewed by some as a liability rather than one of our greatest national assets. It is equally unfortunate that farm surpluses have been considered by some as being separate and apart from increased agricultural productivity and the low prices which consumers pay for farm products. Any fair appraisal of agriculture, the most basic segment of our economy, requires that surpluses be considered as a byproduct of our total agricultural production. The cost of handling surpluses cannot be considered as an item which is separate and distinct from the lower prices at which farm products are sold to the public as related to other prices.

I pointed out last year that the average worker spent only 25 percent of his earnings for food for a family of three in 1958. Twenty years earlier the same food would have cost the worker 41 percent of his earnings. The House Committee on Agriculture has stated that if all the farm program costs had been added to the cost of food in 1958 the average worker would have spent only 26 percent of his earnings for food.

The consumers in our cities would not have been able to make purchases of agricultural products at the low prices of recent years in the absence of improved efficiency and increased productivity on the farms, and farm programs have been required to maintain an element of stability in order to achieve this result.

Agriculture is not only the most basic segment of the economy, it is also the largest industry. The farmer is the biggest buyer, the biggest seller, and the biggest borrower in the United States. For example, annual purchases of farmers account for 6½ million tons of finished steel, 15 billion gallons of crude petroleum, 50 million tons of chemicals, and 320 million pounds of rubber. It has

been estimated that our farm programs have held net farm income one-third above where it would have been in the absence of such programs. It is obvious that any such reduction in farm income would have had an adverse effect on the industrial economy and overall business conditions as well as in the farm economy, for there are twice as many jobs in industries that serve farmers as in farming.

I consider it to be extremely unfortunate that the true agricultural picture has not always been presented to the public and to the consumers. It is evident that there have been conclusions based upon erroneous information which give a distorted view of the American farmer and his relationship to his Government and to the population.

Readers of some of the articles which have been published might well conclude that subsidies were first invented or discovered by the American farmer. Nothing could be further from the truth. The Committee on Agriculture has pointed out that the subsidy is the oldest economic principle written into the laws of the United States. When the First Congress convened in 1789, its first act was to devise a system for administering oaths. The next business by the Members, legislating for the new Nation then populated almost completely by farm people, was the enactment of a tariff law, to protect and promote the infant and frontier industrial development of America. This legislation set up a special subsidy mechanism to encourage the development of an American merchant fleet. It stipulated that goods imported into the United States on American vessels should have a 10 percent reduction in customs duties, and a tonnage tax also was imposed in favor of American shipping.

Subsidies throughout the years have taken many and various forms. The Government granted 6,340,339 acres of public lands to private interests, between 1827 and 1866, to encourage canal building and river improvement. The Government made other contributions by direct appropriations, stock subscriptions, and loans. Approximately 183 million acres of Federal and State lands were granted to railroads between 1850 and 1871. Many millions of dollars have been assigned by the Federal Government to ocean- and air-mail subsidies to foster the development of transportation. The first mail subsidy was paid more than 100 years ago, in 1845. Additional millions of dollars have been used to subsidize the building of ships on American ways. The report of the Committee on Agriculture reveals that the total cost of $76,800,000 for one ship included a subsidy of $40 million. Subsidy and subsidylike programs, which are difficult to define, have multiplied to such an extent that their impact is felt by virtually all elements in the Nation's economic structure. The Committee on Agriculture has pointed out that CCC farm price-support losses from 1933 to January 1, 1958, have cost the taxpayer less than subsidies to business through postal deficits alone during the 10-year period 1946–56. The committee has also stated that the total CCC farm price-support losses from the beginning of the program to January 1, 1958, amounted to $5,173,746,788, in contrast to $50 billion of subsidy or subsidylike benefits to industry, the greater part of which occurred since World War II. This would not include the financial support of Government contracts.

While the farmers have far exceeded other sectors of the economy in increasing productivity, the farmers have received less than their share of productivity increases. The farmer is required to operate in an economy in which he must pay higher prices because of the subsidies paid to manufacturers and shippers, the increased wage and operating costs, and the higher prices which result from tariffs. It is unfair to suggest that the farmer should go it alone while other sectors of our economy enjoy a higher and higher degree of Government protection.

The chairman of the Committee on Agriculture, in reporting to the Congress on August 31, 1959, stated that the present Secretary of Agriculture had spent more money than had all of his predecessors in 90 years, that in the past 6½ years the net income of the farmers was $20 billion less than in the 6½ years prior to that period, that the earnings of the people had been drastically reduced while other areas of the economy had experienced unprecedented prosperity, and that Government investments in surplus farm commodities had increased more than threefold.

Mr. Speaker, I am willing to acknowledge that there are problems which are not easily solved. Admitting this to be true, it does appear that the solution of farm problems first requires a change in the state of mind at the policymaking level. Solutions are not to be found through a pessimistic approach with respect to the future of agriculture, or by offering excuses as to why barter is impractical, or by concluding that the sale of agricultural commodities in foreign markets would be objectionable to other competitive countries, or by devoting the total effort to worrying about so-called unmanageable surpluses, or by ignoring the future possibilities of new uses of agricultural commodities through utilization research.

While some other sectors of the economy have had strong and determined spokesmen in the Cabinet in recent years, the farmers have found it necessary to devote a considerable part of their effort toward urging the Secretary of Agriculture not to discard or wreck the farm program. While I have been in favor of reviewing and strengthening agricultural legislation to a greater extent than has been accomplished, I believe that the laws which have been passed by the Congress have been administered by the Secretary of Agriculture in such manner as to provide less effective programs than were intended by the Congress. The current farm situation requires the best efforts of the Congress in the passage of legislation, a more determined effort and optimistic approach to the administration of agricultural programs, and a complete understanding by consumers of the position of the American farmer. The farmer seeks neither less nor more than his fair share of income as measured by the parity formulas which have been developed over the years. I am confident that a fair appraisal based upon all of the facts would leave no doubt that the farmer has always received less than was fair and reasonable.

I hope that the Congress can soon pass some kind of agricultural legislation which will be fair and equitable and give the farmer some much needed relief.

SUSAN B. ANTHONY

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. WEIS] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. WEIS. Mr. Speaker, today is the anniversary of the birth of one of America's most distinguished women, Susan B. Anthony, and I would not want the day to pass without paying brief tribute to her.

Susan Anthony lived the greater part of her life in my home city of Rochester, N.Y., and though she passed away more than half a century ago, I can assure you that she has not been forgotten. The name of Susan B. Anthony is known and revered by the youngest schoolgirl. Her home has been restored as a memorial to her greatness. Her memory, and the memory of the tremendous work she accomplished, continues to stir the heart of almost every woman in our community.

We are perhaps sometimes too quick to refer to prominent figures of the past in glowing superlatives, but there is no other way to describe Susan Anthony, for she possessed those qualities of greatness which will mark her forever as a giant among women. Hers was a soul so sensitive that it was tormented by every injustice, every tyranny to which she and her fellow women were being subjected; hers a will so strong that nothing—neither scorn, nor ridicule, nor threat of imprisonment—could deter her. She was a courageous, self-sacrificing crusader who devoted her entire life to the cause of equality of women.

Mr. Speaker, in all of American history Susan B. Anthony has few equals as a moral leader. In her life and her work there is a wonderful example for all of us, and I am pleased to have had these few brief moments to pay my respects to the memory of this woman who fought so long to gain recognition for women everywhere.

SUSAN B. ANTHONY

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, today we commemorate the 140th anniversary of the birth of a great woman and noble American, Susan B. Anthony. Through her epic efforts the women of this Nation were permitted to assume a role of equality rightfully theirs. Thus, American womanhood is indebted to Susan B. Anthony for the recognition of their contributions to the social, political, and intellectual life of this great Nation.

Although a native of Massachusetts, her dedication to the cause of suffrage transcends the mere consideration of birthplace: all America and, indeed, women of all nations, have been influenced by her example, efforts, and thoughts. We, in her State of birth, celebrate Susan B. Anthony Day on August 26, the day that the equal suffrage amendment to the Constitution became law. We are pleased, therefore, to share this anniversary dedicated to her with our distinguished colleagues in the Congress and with women everywhere.

MONROE DOCTRINE: REASSERTION IMPERATIVE

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, since the establishment in early 1959, under the leadership of the Cuban revolutionary, Fidel Castro, of a Communist government in Cuba, millions of words have been written by many publicists about that significant event. Relatively little, however, has been published by authors whose lifetime of study and observation combine to enable them to see through the fog of confusion that seems to prevent a clear understanding of the present Cuban situation.

Thus, it was, indeed, gratifying to read the article by George E. Sokolsky in his syndicated column in the Washington Post of February 11, 1960, on the current visit of Soviet Deputy Premier Anastas I. Mikoyan with Prime Minister Castro in Cuba.

Mr. Sokolsky, as a close student of the Russian revolution and geopolitics, expresses realistic views in this article, which merits study by every Member of the Congress and all others concerned with the security of the Americas.

In this connection, the attention of the House is invited to a brief statement of mine in the CONGRESSIONAL RECORD of January 11, 1960, in which was quoted an illuminating article by Dr. Samuel Flagg Bemis, one of the most distinguished historians of the United States, specializing in the field of diplomatic history. The views of Dr. Bemis and Mr. Sokolsky supplement and strengthen each other.

It was with the idea of meeting the situation that has been so ably presented by these two authorities that, on January 11, I introduced House Concurrent Resolution 445, calling for reassertion of the Monroe Doctrine and its extension to guard against subversive forces known as international communism, which, operating secretly and openly, directly and indirectly, now threaten the sovereignty and political independence of the peoples and government of all the American States, including the United States.

The indicated article follows:

MIKOYAN AND CASTRO

(By George E. Sokolsky)

The most serious problem that faces the United States today is Cuba. A pro-Communist state has been established in Cuba with the clear objective of bargaining with Soviet Russia for the munitions of war in return for the Cuban crops of sugar, rice, tobacco, and whatever else is to be offered.

It is impossible to believe that so important a figure as Anastas Mikoyan would spend a week in Cuba, a small, apparently unimportant country. But Cuba can become a very important country, to the United States the most important country because if Soviet Russia establishes an airbase, a missile base in the heart of Cuba, it will become necessary for the United States to take immediate action.

But what is the United States doing? President Eisenhower is going to take a trip to Latin America. But even at that gambit we have been beaten by Mikoyan's visit to Cuba, the significance of which cannot be overestimated. They got there first again. Cuba is thus acknowledged as Russia-supported, and Latin American Communists will accept this visit as representing direct Soviet support for their antagonism to the United States. This is particularly true after Mikoyan said:

"Those who talk of war know that if we can send a rocket to the moon with such precision we can sent a rocket with the same precision to any point on earth."

This will not be misunderstood anywhere in Latin America. It points clearly to the United States. Sputnik continues to be the anti-American propaganda weapon. It ought not to be misunderstood in Washington, but much that has occurred in Cuba is either misunderstood in Washington or the Eisenhower policy will permit nothing to interfere with the spirit of Camp David, not even the presence of the enemy 90 miles from Miami.

Generalissimo Trujillo of the Dominican Republic recognizes the peril of this situation and is acting accordingly. His actions may be rough but are essential to the defense of his country from invasion by a Communist-controlled Cuba. The real danger is an uprising in Haiti, supported by Cuba. Haiti and the Dominican Republic are on the same small island and Trujillo can no more tolerate Soviet Russia's presence in Haiti (via Cuba) than we could at Coney Island, or as we should in Cuba were we attending to our national business. As long as the United States takes a soft policy we shall be in trouble.

And now, Washington is suddenly becoming worried that President Eisenhower might receive an unfriendly reception on his Latin American trip from Communist workers and students there. The assumption is that the Third International, which was never really dissolved, has issued such instructions. It is unbelievable that even the weakest Latin American government will tolerate such an indignity.

Surely the people of the United States would respond to such an insult in the only possible way, by immediate physical reprisal. Less than that would condemn us to a shameful cowardice which would destroy our standing among nations.

The invasion of Latin America by Soviet Russia is a direct result of the incorrect policy of the renunciation of the Monroe Doctrine. As long as that doctrine prevailed as the basis of our relations with Latin America, no foreign power dared to invade a Latin American country.

Today such an invasion is conducted by other means, namely, by the mobilization of revolutionary power through Communist parties in each country, pledged to carry out the program of the Kremlin.

CANAL ZONE SOVEREIGNTY: VIEWS OF BALBOA TEACHERS ASSOCIATION

Mr. FLOOD. Mr. Speaker, the crisis over the Panama Canal Zone sovereignty issue has evoked a widespread response in the form of letters from various parts of the Western Hemisphere, all of them favorable.

Among the latest received is one from the Balboa, C.Z., Teachers Association, an organization formed of persons intimately familiar with the problems of the isthmus through personal observation over a period of many years' residence in the Canal Zone.

In order that the Congress and the Nation may have the benefit of their experienced judgment, I quote the full text:

Our Teachers Union, American Federation of Teachers, Local No. 227, is opposed to the proposal of flying the Panamanian flag over the Canal Zone, unless a definite understanding of exactly what is meant by such action is clearly spelled out and approved by a new treaty between the two countries. Otherwise, the resulting misunderstanding may lead to increased tension, rioting, and possible bloodshed.

We feel that Mr. Merchant's optimism on a purely official level is misleading because it does not represent the present public opinion in the Republic of Panama. Molders of public thinking in the Republic of Panama have instilled a disturbing bitterness among the people, many of whom want much more than mere titular sovereignty.

The flying of a symbolic flag will not satisfy the growing demands of Panama. Instead, it will confuse the issue and cause more trouble because the public at large will be led to believe that it is an indication that they may soon expect more concessions from the United States. They will think they are going to have a greater share in the administration of the Panama Canal Company and Canal Zone Government. In short, they will be led to believe that they can expect much more than titular sovereignty. The flag will create false hopes and bitter frustrations.

We also oppose the granting of other concessions at this time. Such action may weaken our position without solving the basic problems.

We suggest that we get to the basic causes of each point of controversy on a people-to-people basis. Panamanians have been falsely convinced by their leaders that the United States is not living up to the present treaties. Therefore, the first thing to do is to reach the people themselves with friendly, frank explanations of our position. Such clarification should have top priority.

CUBA: A COMMUNIST BEACHHEAD

Mr. FLOOD. Mr. Speaker, for more than 3 years I have watched the mounting crisis to the south of us in the Caribbean area and made many statements thereon to the Congress proposing policy programs for the United States aimed toward alleviation.

Was I unduly concerned about the seriousness of the rising Red tide in Latin America? Far from it. We have seen the Governments of Venezuela and Cuba overthrown, armed invasions of isthmian countries undertaken, evacuation of our naval bases at Guantanamo and Chaguaramas demanded, and assaults on the Canal Zone by Panamanian mobs attempted.

Most recently dramatized by the current visit of Deputy Premier Anastas I. Mikoyan of the Soviet Union in Cuba, the situation there emphasizes that the time for corrective action is overdue.

Mikoyan, following the basic communistic pattern, uses Cuba as a rostrum to proclaim openly that in Russia private property was confiscated by Soviet power without compensation to the owners. He thereby sought to influence the revolutionary government of Cuba to pursue a similar course in dealing with the properties of American and other foreign investors in Cuba. These investors have done ever so much in the past to develop Cuban resources and to aid Cuban economy. Therefore, the threat of the Castro government to confiscate all these investments is given a "shot in the arm" by the Soviet Deputy Premier and the worst may be expected.

The visit of Mikoyan and his advocacy of Soviet methods of confiscation as a pattern action gives added and undoubted evidence that the Soviet Government has been, indeed, an effective influence in the Castro revolution and now is expecting the payoff.

In anticipation of the present need, on January 6, 1960, I introduced House Concurrent Resolution 445 to extend the Monroe Doctrine to include intervention by subversive forces known as international communism in any American State as dangerous to the peace and safety of the entire Western Hemisphere.

The mass news media of the United States, so far, has generally failed to present the crisis in Cuba realistically and our Government has failed to meet it with requisite vigor. The inadequate treatment of the Cuban crisis in the press clearly suggests a control of the press favoring suppression of proper coverage of communistically connected activities affecting the security of the Western Hemisphere, including the United States.

Fortunately, there are some regional organizations in the United States keenly aware of the significance of the Cuban crisis, notably the Southern States Industrial Council. Supported by industries in the States closest to the island Communist beachhead, it has spoken out strongly in urging the Monroe Doctrine as the chief guideline for American policy and recommending specific action.

In an informative article by Thurman Sensing, executive vice president of the Southern States Industrial Council, the significance of the Cuban crisis is vividly portrayed with a first step for protection of American interests outlined.

Also, in Panama, the well-known Isthmian newspaper, the Star & Herald, in an editorial on January 21, 1960, clearly recognized the dangers in the Cuban situation and described them realistically.

The indicated article and editorial, which are commended for reading by every Member of the Congress, follow:

[From Sensing the News, Feb. 7, 1960]

A COMMUNIST BEACHHEAD

(By Thurman Sensing, executive vice president, Southern States Industrial Council)

Cuba's ruling regime has clearly forfeited the privilege of U.S. friendship. For that reason, it is regrettable that President Eisenhower has decided against cracking down on Dictator Castro at this time. The reason given is that such action might have an adverse effect among other Latin-American countries. For one thing, that is a very questionable result. For another thing, our actions should be based on what is right, not on what other people might think. As a matter of fact, isn't it probable that by sitting supinely by, we are not only losing our own self-respect but the respect of other nations?

Within recent months, Castro has thrust American citizens into Cuban dungeons. He has let loose a torrent of anti-American talk. Moreover, he has seized property belonging to U.S. citizens, without offering them anything in return, or at best printing press bonds that aren't worth the paper they are printed on.

The potential U.S. loss in Cuba is staggering. Conservative estimates of U.S. investments on the island range above $1 billion. That money belongs to thousands of shareholders in American companies—to businessmen, school teachers, wage earners, doctors, ministers—a cross section of the American people.

That this total investment will be confiscated by the Castro regime isn't a matter of conjecture but a stated plan of Cuba's new rulers. What the United States is dealing with in Cuba is not another corrupt government but a revolutionary government on the Russian plan. It is the intention of Fidel Castro and his associates to establish a Communist-style state at the doorstep of the United States.

The American people can even less afford this than they can afford the material losses. If the United States should permit such a Red government to operate within 100 miles of Florida, governments around the globe would consider the American Republic hopelessly weak. A Communist Cuba would be a living symbol of U.S. incapacity. If Castro is successful in crushing free government, a free press, and a free enterprise economy, he will have set off a chain reaction of Red revolution in the New World.

Therefore, it is clear that the United States must do what is necessary to end this Communist experiment in the Caribbean. The fight against communism in Cuba must begin now, not next year when it has extinguished all voices of freedom on the island and when all good Cubans are dead or driven into exile.

The first step for the United States, most observers agree, is denial to Castro of the special economic help he is now enjoying. I refer to the sugar policy of the United States under which Cuba gets a bonus for sugar sold to this country. This favoritism costs the U.S. taxpayers more than $120 million a year.

In the light of Castro's anti-Americanism, it is absurd to continue this bonus. It should be withdrawn until decent government returns to the island. This action, while unlikely to jolt Castro into civilized behavior, might cause Cubans to realize that their leftist dictatorship means economic ruin, not progress and plenty.

What other steps may be necessary to drive a Communist-front government from this hemisphere are as yet unclear. But the United States should not hesitate to proclaim that the Monroe Doctrine is still the chief guideline for American policy on Latin America.

Under this historic doctrine, this country warned European powers that, in President Monroe's words, "We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety." And that's precisely what communism is doing in Cuba. It is bent on gaining a beachhead in the New World. The land seizure program, the control of Cuban banks by revolutionaries, and the silencing of newspapers is as much a Red invasion as would be the landing of Soviet tanks in Havana.

The time is long since past for patience and forbearance in American dealings with Castro. Officials who speak of social reform in Cuba's revolution should be reminded that the same thing was said when the Chinese Reds launched their drive for power. China was lost to the free world because of a soft policy toward communism. The United States cannot afford that kind of softness toward the Castro dictatorship. Stern action is needed to drive the advance guard of world communism from this hemisphere.

[From the Panama Star & Herald, Jan. 21, 1960]

CASTRO GOVERNMENT'S SEIZURES

What is the United States to do about Cuba, where officials of the revolutionary government have been seizing the property of Americans? Mild notes and protests have been brushed off by Fidel Castro with anger and contempt. A stronger note just sent did not fare better.

Cuba is denying basic ownership rights, the new note says, which are recognized as rights under Cuban law and generally accepted in international law.

Without court orders, officials have seized and occupied land and buildings owned by Americans, seized cattle, confiscated and removed equipment, plowed up land, cut and removed timber. In many cases, no inventories have been made, no receipts have been given, and the dispossessed owners have been given no indication when or whether payment would be made.

Washington's dilemma is that if it takes appropriate action to bring Castro to heel anti-American action elsewhere may be ignited. But if Washington wants to get tough it can reduce Cuban sugar quotas or stop buying Cuban sugar entirely. But the stark fact is that Castro has completely ruined the Cuban economy and if he should be deposed tomorrow there would be no money to pay for his brigandage.

MIKOYAN'S CUBAN VISIT: SIGNIFICANCE

Mr. FLOOD. Mr. Speaker, in another statement to the House, I described the island of Cuba as a Communist beachhead. Dramatized by the current visit of Soviet Deputy Premier Anastas I. Mikoyan, this term has a far greater significance than mere Communist control of that country. It symbolizes the progressive decline of United States leadership in inter-American affairs that has featured the conduct of our once effective foreign policy over a period of years.

A revealing news story about applause from Cuban workers and society by Mikoyan's visit was published in the February 8, 1960, issue of the Washington, D.C., Evening Star, also an informative article by William S. White, distinguished columnist of that well-known capital newspaper.

Columnist White's article shows to what extent respect for the United States of America has deteriorated in Fidel Castro's Cuba. While America is denounced by the Castro brothers, Fidel and Raul, the Kremlin conspirator Anastas I. Mikoyan is wined, dined, and greeted with enthusiastic applause. It seems that military dictatorship of the Castro type is agreeable, provided Marxist-Leninist agents and sympathizers are in key positions as bosses of the National Bank of Cuba, the so-called National Institute for Agrarian Reform, and the secret police. Soviet China and the Soviet Government are collaborating in the Caribbean to transform that sea into a Soviet lake. It is time for the American people to understand what is happening in Cuba.

The indicated news story and article follows:

CUBAN WORKERS, SOCIETY BOTH APPLAUD MIKOYAN

HAVANA, February 8.—Soviet Deputy Premier Anastas I. Mikoyan made appearances at both ends of Cuba's social scale yesterday. He was thunderously applauded on both occasions.

Mr. Mikoyan made the second public address of his Cuban visit to a meeting of the National Federation of Textile Workers. Last night he attended a concert of the Havana Symphony conducted by Russian composer Aram Khachaturian.

Mr. Mikoyan's speech to the textile workers included the usual Soviet boast of missile strength coupled with assurance of Russia's desire for peace.

BOASTS OF MOON ROCKET

"Those who talk of war," the Soviet leader said, "know that if we can send a rocket to the moon with such precision, we can send a rocket with the same precision to any point on earth."

But "war is against our wishes," he added. "We want peace, peace forever."

Mr. Mikoyan got another big hand as he outlined the rise of the Soviet Union under communism and declared, "the Cuban revolution can accomplish miracles, too."

Mr. Mikoyan was followed by Ernesto "Che" Guevara, leftist president of the National Bank of Cuba, who told the crowd the Cuban revolution will go forward.

"If we can't put sputniks on the moon, we can plant our revolutionary ideas on the moon," Mr. Guevara declared.

Mr. Mikoyan's appearance at the rally was not announced in advance. It apparently was designed to lend prestige to the union's head, Jesus Soto, who is looked on as a Red sympathizer. Mr. Soto is leading a purge of anti-Communists in organized labor.

RAUL CASTRO PRESENT

At the concert Mr. Mikoyan beamed from a mezzanine box, acknowledging the applause of the large crowd. Also on hand were Maj. Guevara and Prime Minister Fidel Castro's younger brother Raul, the Minister of the Cuban armed forces, and their wives. Fidel Castro was not present.

Mr. Mikoyan's activities had been cloaked in secrecy since he was driven out of Havana Saturday morning under heavy escort. An army officer in Matanzas, 50 miles east of Havana, reported seeing the Soviet leader riding with Raul Castro.

The Soviet news agency Tass reported that Mr. Mikoyan and Raul Castro visited the Cienaga de Zapata swamps near Matanzas, which are to be drained and planted in rice, and a boarding school for 40 homeless children at a country estate seized from ex-Dictator Fulgencio Batista.

It was believed Mr. Mikoyan also conferred with Raul Castro, and possibly other top officials, about closer Cuban-Soviet trade ties and the possibility of resuming diplomatic relations severed in 1952.

CUBA UNDERLINES END OF AN ERA—INSULTS AND MIKOYAN VISIT SHOW TIME WHEN UNITED STATES "RAN" HEMISPHERE IS OVER

(By William S. White)

Uncle Sam as we used to know him, the very tall old man in the striped breeches who was a symbol of unquestioned leadership in this hemisphere, does not exist any more.

For many years past, the United States was many things to the Latin Americans. It was liked at one time and it was hated at another time. But always its power was unquestioned. And this, too, at least, was certain: The Yankee "Colossus of the North" ran things in this part of the world. And that was that.

Fidel Castro, the new dictator of Cuba, is now demonstrating how far away we have got from those old and simple days. The welcome he is giving to a Soviet visitor, Deputy Premier Anastas I. Mikoyan, is one of the most extraordinary episodes in the history of this hemisphere. It is amazing, indeed, that it has stirred so little challenging interest in the United States.

For as Mikoyan strides over the island of Cuba he symbolizes, for good or for ill, the end of a long era. It was an era in which the Pan American world was, at bottom, strictly the world of the United States. Perhaps we were wrong sometimes in our dealings with our neighbors to the south. Perhaps there was some justice to the complaints of "Yankee imperialism" and of "dollar diplomacy."

But even if all this was true there was also this: We led two continents much as the British in an earlier time had led most of the rest of the world. And on the whole and in the end we did more good, surely, than harm to the other powers on this side of the earth. Always we stood responsible for them, in the bad times as in the good. They owe us something, if only in memory. For it was Yankee American money and it was Yankee American effort and knowledge that drove away the pestilences and opened economic opportunity to what would otherwise have remained for the most part a vast, submerged area of living in something very close to squalor.

That Mikoyan can now come and impudently fish for trouble for us in what used to be the American lake of the Caribbean is a strange and disturbing thing to those who remember the past. It is a sharply nostalgic illustration of the little-considered fact that for us, as for the British nearly a generation ago, an hour of twilight change has now come.

We are, rightly or wrongly, no longer the "Colossus of the North." A few years ago when the British retired at last from India the papers printed a picture of the last British troopship ever to leave Bombay. Our last troopship—the last vestige and symbol, that is, of our erstwhile headship in this hemisphere—has now left Havana.

The reasons for all this, of course, are many and complicated. The world itself has changed. The days of any kind of colonialism, however bland and in many ways actually beneficial to the colonialized, have gone forever. The United States has joined most of the rest of the world in a search for accommodations and easement in the cold war.

So we allow Castro to run loose and free and menacingly irresponsible in a country we have always kept alive economically and still do. We allow the alien—and quite possibly sinister—lodger Mikoyan to take rooms in the house of a man who clearly is no friend of ours.

It used to be said that the United States would permit no foreign encroachments in this hemisphere. This can be said no longer. For Castro and his house guest, Mikoyan, are thumbing their noses at us across a few miles of water from our southern coastline. When you set out to end a cold war you pay many prices. And the price we are paying in Cuba—where determinedly we refuse to retaliate to the most extraordinary insults of this whole new era—is a high price indeed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BOSCH (at the request of Mr. HALLECK], for an indefinite period, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BROWN of Georgia, for 20 minutes, today, following other special orders.

Mr. BROCK, for 10 minutes, tomorrow.

Mr. FLOOD, for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. LINDSAY, for 30 minutes, on Thursday next.

Mr. JOHNSON of Maryland, for 5 minutes, on Wednesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. GEORGE and include a speech.

Mr. VAN ZANDT.

Mr. DERWINSKI in two instances.

Mr. ALGER.

(At the request of Mr. SMITH of California, and to include extraneous matter, the following:)

Mr. SMITH of California.

(At the request of Mr. BURKE of Kentucky, and to include extraneous matter, the following:)

Mr. SANTANGELO in two instances.

Mr. HECHLER.

Mr. BURKE of Kentucky.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the Bay of San Francisco.

ADJOURNMENT

Mr. BURKE of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 1 minute p.m.) the House adjourned until tomorrow, Tuesday, February 16, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1826. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize the construction of modern naval vessels"; to the Committee on Armed Services.

1827. A letter from the Deputy Secretary of Defense, transmitting a semiannual report relating to the authority to establish or develop installations and facilities required for advanced research projects, pursuant to section 403 of Public Law 85-685; to the Committee on Armed Services.

1828. A letter from the Acting Secretary of the Treasury, transmitting an annual report of audit of the exchange stabilization fund for the fiscal year ended June 30, 1959, pursuant to section 10 of the Gold Reserve Act of 1934, approved January 30, 1934; to the Committee on Banking and Currency.

1829. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report relative to the disposal of foreign excess property during the calendar year 1959, pursuant to the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1830. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, concerning the definition of total commissioned service of officers of the naval service"; to the Committee on Armed Services.

1831. A letter from the Deputy Director, Legislative Liaison, Department of the Air Force, transmitting a copy of the Air Force report entitled "Semiannual Research and Development Procurement Actions Report," covering the period from July 1 through December 31, 1959, pursuant to Public Law 557, 82d Congress; to the Committee on Armed Services.

1832. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting the Ninth Annual Report of the Commissioner of Education on the administration of Public Laws 874 and 815, 81st Congress, as amended, including a detailed statement of receipts and disbursements, for the fiscal year ending June 30, 1959, pursuant to Public Laws 815 and 874 of the 81st Congress; to the Committee on Education and Labor.

1833. A letter from the Secretary of State, transmitting a draft of proposed legislation entitled "A bill providing for acceptance by the United States of America of amendments to the Constitution of the World Health Organization adopted by the 12th World Health Assembly"; to the Committee on Foreign Affairs.

1834. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations for the period October 1 through December 31, 1959, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1835. A letter from the Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation entitled "A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes"; to the Committee on Interior and Insular Affairs.

1836. A letter from the Acting Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation entitled "A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

1837. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to provide for the treatment of gain from sale or exchange of tangible personal property used in the trade or business"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of February 11, 1960, the following bill was reported on February 12, 1960:

Mr. KIRWAN: Committee on Appropriations. H.R. 10401. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 1264). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted February 15, 1960*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Interior and Insular Affairs. S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims; without amendment (Rept. No. 1265). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of February 11, 1960, the following bill was introduced February 12, 1960:

By Mr. KIRWAN:

H.R. 10401. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

[*Introduced and referred February 15, 1960*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 10402. A bill to provide for withdrawal and reservation by the Department of the Air Force of certain public lands of the United States at Nellis Air Force Range, Nev., for defense purposes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BALDWIN:

H.R. 10403. A bill to provide for the determination of the compensation of firefighting personnel in accordance with prevailing rates, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BARING:

H.R. 10404. A bill to extend the veterans' home loan program to February 1, 1965; to provide for direct loans to veterans in areas where housing credit is otherwise not generally available; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 10405. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 10406. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10407. A bill to amend title 38 of the United States Code in order to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

By Mr. BECKER:

H.R. 10408. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,500 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 10409. A bill to amend section 1033 of the Internal Revenue Code of 1954 to provide nonrecognition of gain to domestic corporations in certain cases where the property of their foreign subsidiaries is involuntarily converted; to the Committee on Ways and Means.

By Mr. HEMPHILL:

H.R. 10410. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. McFALL:

H.R. 10411. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GEORGE P. MILLER:

H.R. 10412. A bill to establish a public policy with respect to oceanographic surveys, and to provide for coordination of the efforts of Federal agencies with respect to oceanographic surveys; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 10413. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts:

H.R. 10414. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on communications; to the Committee on Ways and Means.

H.R. 10415. A bill to amend title 38, United States Code, to provide for the payment of pension to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Louisiana:

H.R. 10416. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959; to the Committee on Post Office and Civil Service.

By Mr. TRIMBLE:

H.R. 10417. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. UDALL:

H.R. 10418. A bill to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 10419. A bill to amend the act of September 2, 1958; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 10420. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. HIESTAND:

H.R. 10421. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 10422. A bill to authorize the Secretary of the Interior to convey to the Sunnyside Valley Irrigation District, Washington, and to the Yakima-Tieton Irrigation District, Washington, all right, title, and interest of the United States in certain lands, together with the improvements thereon; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Mississippi:

H.R. 10423. A bill to amend the Ship Mortgage Act, 1920, with respect to its applicability to certain vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of California:

H.R. 10424. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mr. UTT:

H.R. 10425. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mr. WIDNALL:

H.R. 10426. A bill to provide for the exemption of fowling nets from duty; to the Committee on Ways and Means.

By Mr. FLOOD:

H.J. Res. 610. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. GRAY:

H.J. Res. 611. Joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H.J. Res. 612. Joint resolution requesting the President to proclaim annually the date of April 19 as Young Americans' Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CONTE: Resolutions of the House of Representatives of the Commonwealth of Massachusetts memorializing Congress to investigate and determine the causes of inflation and to enact remedial legislation; to the Committee on Banking and Currency.

Also, resolutions of the House of Representatives of the Commonwealth of Massachusetts memorializing the President and the Congress of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system; to the Committee on the Judiciary.

By Mr. LANE: Resolutions of the General Court of Massachusetts memorializing Congress to investigate and determine the causes of inflation and to enact remedial legislation; to the Committee on Banking and Currency.

Also, resolutions of the General Court of Massachusetts memorializing the President and the Congress of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to urging that Congress provide in Public Laws 815 and 874 a period of grace for the State of Alaska and its local school districts in order that the transition to statehood may be made without undue crisis and in order that the children may receive an education worthy of them; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to urging enactment of H.R. 22 and S. 2, in order that the educational needs of this State and all the States may be reasonably and honorably met; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States with reference to the establishment of a seaport at Yuma, and recommending that the Federal Government enact legislation appropriating funds for the purpose of assisting the State of Arizona to establish the Yuma seaport; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to make appropriate action to determine the equitable rights which the San Carlos Apache Indian Tribe may have in land referred to as the "Mineral Strip"; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Commonwealth of Massachusetts, memorializing the President and the Congress of the United States to investigate and determine the causes of inflation and to enact remedial legislation; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the Commonwealth of Massachusetts, memorializing the President and the Congress of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to take action to authorize immediate flood control work in the State of Washington and to authorize construction of long-range flood control projects; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 10427. A bill for the relief of Emil Perosh; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 10428. A bill for the relief of Bashir Ahmed Masoodi; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 10429. A bill for the relief of Sylvia Evadney Miller; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 10430. A bill for the relief of Dr. Maurice Oudiz and his wife, Cecile Oudiz; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 10431. A bill for the relief of Isami Nozuka (also known as Isami Notsuka); to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 10432. A bill for the relief of Arthur B. Tindell; to the Committee on Post Office and Civil Service.

PETITIONS, ETC.

Under clause 1 of rule XXII,

338. The SPEAKER presented a petition of Clifford Crail, Cincinnati, Ohio, relative to a redress of grievance against the Metropole and Fountain Square Hotels, and being denied the right to trial by jury, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

On the Retirement of the Honorable Max L. Green

EXTENSION OF REMARKS

OF

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. SMITH of California. Mr. Speaker, in March of this year the city of Glendale, Calif., will lose its outstanding postmaster, Max L. Green. He will retire after having completed over 25 years of service. I feel it is entirely fitting, therefore, that I call attention to this fact and make it a matter of public record by expressing herein the thanks and appreciation of the citizens of Glendale for his outstanding service to his community during these many years.

The period in which Postmaster Green has served so well has been a very important one in the history of Glendale. Under his able guidance the post office has grown and improved with the needs of our city so that it has increased its number of employees from 95 in 1935 to 436 at the present time, and receipts in 1959 amounted to $2,846,632 as compared to less than $300,000 in 1934.

We deeply regret his leaving, yet at the same time rejoice with him in the knowledge that he will now have the time to enjoy the pleasures of retirement. We extend to him our very best wishes for his happiness in the future.

Anniversary of Abraham Lincoln

EXTENSION OF REMARKS

OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. DERWINSKI. Mr. Speaker, February 12 marked the anniversary of the birth of Abraham Lincoln. Perhaps no

other American has represented the principles of truth and honesty more so than Lincoln. Little children in their grammar school classes learn early of the hardships that were Lincoln's and how he fought to educate himself and make of himself a better man.

He exemplified the courage and conviction of somebody who wants to go someplace. He proved that a person can rise even from the very humblest beginning. Sacrifice played a great role in Lincoln's life.

It was 100 years ago that he was elected to the highest office in the land—the President of the United States. Amid dissenters and those who called him a rube from the prairies of Illinois, he rose above these people and served brilliantly and wisely. He never will be forgotten.

At this time, it might be well for all Americans, especially elected officials who are probably more in need of example than anyone else, to read of Lincoln's life which was full of devotion to the people and the task to which they elected him.

Twenty-four Area Redevelopment Groups Are Working at the Community Level To Eliminate Chronic Unemployment in the 20th Congressional District of Pennsylvania

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 15, 1960

Mr. VAN ZANDT. Mr. Speaker, during debate concerning area redevelopment legislation the inference has been drawn that the residents of the areas of chronic unemployment in the Nation are doing little to solve their problems.

In the United States there are nearly 1,200 area redevelopment groups representing that many communities in the United States who are toiling daily to rehabilitate their economy by the expansion of existing industries and attracting new ones. These groups have raised millions of dollars to finance their activities through voluntary contributions at the local level. In addition, millions of man-hours have been contributed by individuals who have given freely of their time and effort in traveling for the purpose of making contact with new industries. Some of these groups have enjoyed some success while others have not, yet they are not discouraged and continue their efforts to solve the unemployment problem. These men and women who comprise these community groups are entitled to the commendation of the country as a whole because of their fight to restore the economy of their communities within the framework of the free enterprise system of the American form of government.

In my congressional district in central Pennsylvania, 24 communities have organized a like number of redevelopment groups and it is a pleasure to list these active organizations and commend them for their labor of love and sacrifice in behalf of those unfortunately unemployed. The list follows:

AREA REDEVELOPMENT GROUPS

Wm. H. Wade, ex vice president, Altoona Enterprises, Inc., Penelec Building, Altoona, Pa.; Paul Walker, Bellwood-Antis Industrial Development Corp., Tipton, Pa.; Martin Burket, Claysburg Fund, Inc., Claysburg Pa.; J. S. Tate, Duncansville Planning Commission, Duncansville, Pa.; J. Howard Reid, Chamber of Commerce, Hollidaysburg, Pa.; Robert L. Hoover, Martinsburg Booster Association, Martinsburg, Pa.; Paul Grannas, Morrisons Cove Industrial Development Corp., Martinsburg, Pa.; Albert Shope, Chamber of Commerce, Tyrone, Pa.; Cecil Walker, Chamber of Commerce, Bellefonte, Pa.; James E. McNeish, Chamber of Commerce, Moshannon Building, Philipsburg, Pa.; Neal Barraclough, Port Matilda Area Development Council, Port Matilda, Pa.; Ronald R. Rumbaugh, State College Area Chamber of Commerce, State College, Pa.; Robert S. Musser, president, Community Development Association, Millheim, Pa.; Andrew Popycock, Jr., Beccaria Industrial Development Commission, Beccaria, Pa.; George Gaylor, Chamber of Commerce, Clearfield, Pa.; Paul W. Winslow, Tri-County Community Development Association, Coalport, Pa.; Frank Hoffman, Clearfield County-Moshannon Valley Industrial Development Corp., Curwensville, Pa.; William F. Schneider, president, DuBois Board of Trade, DuBois Deposit National Bank Building, DuBois, Pa.; Clifford Hubler, Kylertown-Cooper Township, Industrial Development Committee, Kylertown, Pa.; William Strange, Morris Township Industrial and Residential Development Association, Morrisdale, Pa.; Joseph Dixon, Citizens Development Association of Wallaceton Boro, Wallaceton, Pa.; Milton Westover, chairman, Citizens' Committee, Westover, Pa.; Chester Skonier, Industrial Development Committee, Ramey, Pa.; John Redding, Osceola Mills Development Committee, Osceola Mills, Pa.

Mr. Speaker, on February 1 the following report on the current status of area redevelopment legislation in the 86th Congress was sent to each of the area redevelopment groups listed above and is self-explanatory.

The report follows:

CURRENT STATUS OF AREA REDEVELOPMENT LEGISLATION, FEBRUARY 1, 1960

Because of the great interest in the industrial development of this congressional district, the following report reveals the current status of area redevelopment legislation designed to provide aid to the Nation's 144 labor surplus areas commonly described as "pockets of chronic unemployment." These areas include the Altoona labor market of 53,600 persons of which 8.8 percent or 4,700 are unemployed. The Clearfield-DuBois labor market of 35,500 persons is also included of which 13.8 percent or 4,900 are unemployed.

When the 85th Congress approved the first area redevelopment bill in 1958 the vote in the U.S. Senate was 46 to 36; while in the House of Representatives the vote was 176 to 130. When the bill reached the White House it was not acceptable to the President and for that reason, he vetoed it. Since there were not sufficient votes in either branch of Congress to override the veto no effort in that direction was made.

When the 86th Congress convened in January of last year a fresh start was made to try to enact an area redevelopment bill. In this connection, the Douglas-Payne bill was approved by the U.S. Senate last spring by the close vote of 49 to 46. A similar bill was reported out of the House Committee on Banking and Currency which is now bottled up in the House Rules Committee (eight Democrats and four Republicans). Regardless of the pressure that is being applied to the House Rules Committee by a bipartisan group of which I am cochairman, prospects of getting the legislation to the floor of the House are very dim.

The situation is simply this. The administration will not take the Douglas-Payne bill which will cost nearly $400 million on the grounds that it is entirely too high; while on the other hand the sponsors of the Douglas-Payne bill insist that the administration bill which will cost around $60 million is too conservative. When one reviews the votes in the Senate and House on area redevelopment legislation, it is readily apparent that the two-thirds majority necessary to override a veto cannot be secured. This means unless a compromise is worked out there will be no area redevelopment legislation during the 86th Congress.

It is common knowledge that for years I have been sponsoring area redevelopment legislation in Congress the cost of which would be around $150 million or a compromise between the cost of the Douglas-Payne bill and the administration bill. My efforts at the moment are directed toward trying to convince both sides that our only salvation is for the House of Representatives to approve the administration bill since there is overwhelming evidence that passage of a compromise bill is impossible.

With the Senate having passed the Douglas-Payne bill and if the House passes the administration bill, then the legislation would be referred to a conference committee of both Houses comprising five Senators and five House Members. These conferees could then communicate with the President and proceed to work out a compromise that would be acceptable to the White House. My conviction is that unless this procedure is followed the 144 pockets of chronic unemployment in this country will not receive any legislative relief whatsoever from the Congress of the United States.

In conclusion, my activity over the years in behalf of area redevelopment legislation is well known. I have constantly sought to keep such legislation out of the political arena and for that reason, I have strongly supported a bipartisan effort to try to secure enactment of such vital legislation because hunger and poverty arising from unemployment should not be made a political football. Therefore, I sincerely hope that both sides in the controversy over area redevelopment legislation will look facts squarely in the face and resolve to do something practical to solve the situation by enacting a bill which will serve as the starting point of a sound area redevelopment program.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 15, 1960

Mr. ALGER. Mr. Speaker, I include the following newsletter of February 13, 1960:

WASHINGTON REPORT

(By Congresman BRUCE ALGER, Fifth District, Texas, February 13, 1960)

The defense capability of the United States is provoking lively debate in the House and throughout levels of government. Normal

interest in maintaining the necessary military strength is augmented now by factors (1) election your politics, and (2) the approach of yearly appropriations for defense. Every year Congress is warned, even "scared" by some who fear economy mindedness in Congressmen. Lost in the muddy water of political controversy are these facts: (1) U.S. retaliatory strength in overall destructive ability is greater than Russia's. The United States is No. 1 in the world. (As the President, Secretary of Defense Gates, and Joint Chief of Staff Twining have all stated.) This overall strength is what is vital and necessary and not outmatching Russia in every single department, weapon by weapon; (2) security considerations—that is, preserving our military plans and secrets—are out the window as we are forced publicly to discuss all military matters. There is a great difference between coverup or concealment in the name of security, and the sensible refusal to divulge our plans to the enemy, a prudence difficult to maintain in the heat and thoughtlessness of political controversy. Some of the critics who seek to discredit the President and the administration for political gain have a record that does not bear scrutiny. In the critical years following World War II, the Democrat Administration and Congress failed to provide funds for missile research and development, even though the need was stressed before congressional committees. Only under this administration, now attacked by these critics, has missile development been expanded. In the 7 fiscal years, 1954 through 1960, this administration has been responsible for nine times the expenditures (and emphasis) of the preceding 8 fiscal years. The question now, Is a continual airborne alert needed? Our time in Congress would be better spent in constructive study rather than in purely political controversy.

The agriculture situation was again highlighted by the President's message to Congress. The President stressed the need for freeing the farmer from government red tape and subsidy, using wheat as an example. Wheat as one of the subsidized crops costs taxpayers $1.5 million per day or $1,000 a minute. It represents $3.5 billion, or 30 percent of the CCC inventory, yet accounts for only 6 percent of the cash-crop money received by farmers. The ridiculousness of this situation is obvious. The President put the responsibility for a solution squarely up to the legislative body, the Congress. In this way, he is focusing a merciless spotlight on those to blame. The President can only do his best to administer the laws Congress hands him. His only control is his veto power and the threat to exercise it. The President has made it clear that he will approve any constructive approach that the Democrat leadership in Congress may adopt; but he has served notice that high, rigid price supports or direct payments to farmers (the Brannan Plan) are not the answers. Now, it's up to Congress. Just as in the case of the Landrum-Griffin labor reform bill, the people may force action overriding the leadership in the House and Senate.

This election year Congress is already producing some new conflicts. The ambitions of the Senators aspiring to the Presidency has resulted in quick passage of legislation. It is interesting to observe that the traditional House-Senate comity or friendship may be strained as the Senate steals the spotlight and gets the credit (or blame?). Two of these bills, now passed, will come to the House: (1) The clean elections bill is now pending before the House Administration Committee. This bill involves political expenditures and reports. The "joker" is in extending the law to cover local primaries, considered by many an invasion of States rights. Yet the bill doesn't curb union bosses from extracting dues from union members to spend contrary to their wishes in campaigns. The bill passed 59 to 22 with both Texas Senators voting for it; (2) A new Federal-aid-to-education measure passed 54 to 35, with both Texas Senators voting for it. The $917 million per year for 2 years is a massive dose, and is the foot in the door, with no upper limit once adopted, as I see it. Federal control, of course, must accompany Federal spending. Underlying the bill is the bland assumption that any school shortage or educational shortcoming (wherever such may indeed exist) proves there is the need for Federal solution and bureaucratic control. This is a short-sighted solution, in my view. Nevertheless, as it is presently controlled, Congress appears determined to "aid" in local education.

Heavy mail from home indicates that a lot of Dallas people share my concern over the Humphrey move in the Senate to eliminate the so-called Connally resolution from our agreement to accept World Court jurisdiction in international disputes. I can see no valid reason why the United States should unilaterally surrender a single iota of our sovereignty in this way—why we should forego the right, jealously guarded by others, to determine for ourselves which disputes are essentially domestic in nature, and hence not subject to the mandate of any international organization or authority.

Educational Program for Retired Military Personnel in Rhode Island

EXTENSION OF REMARKS
OF
HON. THEODORE FRANCIS GREEN
OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES
Monday, February 15, 1960

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement of mine regarding a new educational program instituted in Rhode Island for retired military personnel in the Narragansett Bay area. This statement will give the Members of the Senate a report on this new educational activity in Rhode Island and so I feel sure will be of interest to them. All of those who helped inaugurate this new educational program are to be commended, especially Dr. Michael F. Walsh, Rhode Island's commissioner of education.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Beginning on Monday, January 25, 3 courses in professional education will be offered to approximately 90 members of the military personnel in the Narragansett Bay area of Rhode Island who are anticipating retirement and who are desirous of entering the teaching profession at the completion of their military service. The courses to be offered are educational psychology and principles of guidance. Two of these courses, educational psychology and principles of guidance, will be offered at the naval training station, and one, educational psychology, will be offered at Quonset Point. The courses will run for a period of 16 weeks, each class being of 2½ hours duration, and carrying three academic credits at the Rhode Island College of Education. The purpose is to enable these men to secure enough credits while they are in service so that they would be certified to teach in any State in the Union.

This program is the result of the efforts of Dr. Michael F. Walsh, Rhode Island commissioner of education, who 3 years ago approached Adm. Ralph E. Earle, then commandant of Narragansett Bay, and proposed to him a program that might be established for military personnel who were looking forward to the day of retirement. Admiral Earle encouraged Dr. Walsh to pursue the study. Since that time, a number of conferences were held with the military in the Narragansett Bay area.

In the fall of 1959, during the administration of Adm. Henry E. Crommelin, a meeting was held with Capt. Charles O. Cook, Jr., and Comdr. Roland S. Wilson at the naval training station. The program was thoroughly discussed and it was decided to send out a questionnaire to the officers on the base to determine the number who might be interested in working toward a teaching profession. Thirty officers expressed an interest. These men were invited to a meeting with Captain Cook; Commander Wilson; Dr. Fred Donovan, vice president of the Rhode Island College of Education; Dr. William Flanagan, director of graduate studies, Rhode Island College of Education; and Dr. Walsh. Plans were established for registration, screening candidates, and determination of subject matter. It was decided to begin with professional courses and to follow these with courses in methods of teaching science, math, languages, and also courses in administration and finance. The courses will be credited by the Rhode Island College of Education which will become Rhode Island College in July 1960. This college has the responsibility for teacher education in the State.

Dr. Walsh believes that these programs will serve a twofold purpose. In the first place, it will create an interest among naval personnel to enter the teaching profession and at the same time provide an additional source of supply to school administrators who are in search of qualified people to enter their classrooms. Secondly, and as equally important, it will provide an excellent opportunity among the military personnel for a second vocation. Many of these men will be retiring at a comparatively young age and will be in search of some type of occupation to interest them in their leisure hours. The field of education is a most desirable one for such an outlet.

Dr. Walsh presented the programs to the Veterans' Affairs Committee in Washington and expressed the thought that the GI bill of rights might be amended to make it possible for military personnel either to use their GI money for this purpose or to be allowed to draw from it as a loan to defray expenses for the course. This matter is still being studied.

The development of these courses has been made possible through the interest of the State department of education; the Rhode Island College of Education; Adm. Ralph E. Earle and Adm. Henry E. Crommelin, both commandants of Narragansett Bay, now retired; Adm. Benjamin E. Moore, the present commandant of Narragansett Bay; his aide, Capt. Charles O. Cook, Jr.; and Comdr. Roland S. Wilson.

Anniversary of Birth of Gen. Tadeusz Kosciuszko

EXTENSION OF REMARKS
OF
HON. EDWARD J. DERWINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 15, 1960

Mr. DERWINSKI. Mr. Speaker, on February 12 we celebrated the anniversary of the birth of Gen. Tadeusz Kosciuszko, the Polish general and na-

tional hero who came to America to fight under George Washington in the Revolutionary War. To the high-school students of history, Tadeusz Kosciuszko is known as one of the European officers who came to America to fight for the cause of freedom. In his own native land of Poland, he was the military leader leading his countrymen in battles against the powers which were partitioning his country.

Mr. Speaker, today as never before, he remains an example of the courageous, never-ending fight for freedom that has marked the history of the Polish people. At the present time, when Poland is under the domination of the hated Soviet imposed Communist rule, Kosciuszko remains a vivid source of inspiration and a constant source of strength to the people of Poland in their determination to some day enjoy the blessings of freedom.

Address by Senator Richard B. Russell, of Georgia, Before Joint Session of the General Assembly of Georgia

EXTENSION OF REMARKS
OF

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Monday, February 15, 1960

Mr. STENNIS. Mr. President, recently the Senator from Georgia [Mr. RUSSELL] addressed the legislature of his own State at Atlanta. I have in my hand excerpts of remarks the Senator made at that time.

Mr. President, I ask unanimous consent that the excerpts of remarks be printed in the CONGRESSIONAL RECORD. I wish to observe that they contain many notable, sound constitutional thoughts and principles applicable today as they were applicable in all decades before and, furthermore, that they are full of commonsense and practical values, which certainly need to be applied and reapplied in our public affairs.

I do not think any person in the Nation is better qualified—and few are as well qualified—to express himself on these major matters than the Senator from Georgia [Mr. RUSSELL].

Mr. President, I think the address represents American Government at one of its pinnacles, in that an experienced Senator, who is also a former Governor, returned to the State legislature of his home State to make a report, discussing the far-reaching problems of the day as well as constitutional principles. I commend to the membership of the Senate and to the American people a careful reading of these fine remarks.

There being no objection, the excerpts of remarks were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS PREPARED FOR DELIVERY BY SENATOR RICHARD B. RUSSELL BEFORE A JOINT SESSION OF THE GENERAL ASSEMBLY OF GEORGIA AT THE STATE CAPITOL, ATLANTA, FEBRUARY 8, 1960

A great national debate is now raging over the adequacy of the American Defense Establishment to meet the threat of Soviet aggression.

Some of the highest officials of our Government have reiterated time and again that our defense is completely adequate. It is asserted that there is no real missile lag and that all is well on every front.

It has always been my view that partisanship has no place whatever in the defense of the United States. Bombs from enemy planes or missiles will not make any distinction between Democrats and Republicans if the ultimate tragedy of all-out war cannot be avoided.

I do not believe that our defenses are as weak as some of the administration's critics charge, but I am equally convinced that the policy of the present national administration involves an unnecessary gamble with world peace and our national security.

Our only real deterrent to the threat of atomic attack is our Strategic Air Command and man-operated bombers. The greatest industrial Nation on earth continues to endure the shame and humiliation of repeatedly taking second place to the Russians in all phases of the contest for priority in space.

I am, by nature, an optimist. However, I cannot accept the rosy picture of some officials of our Department of Defense. It is impossible for me to feel comfortable with the assurances of even the highest officials while the Russians continue to present frightening evidence of their great lead in the rocket and space race. The fact that they are testfiring missiles of almost pinpoint accuracy a distance of 8,000 miles into our Pacific backyard underscores in red the continuing Communist threat to world peace and the security of our country.

At every dramatic evidence of Soviet missile achievement, some official arises and attempts to dismiss it with a wave of the hand. That any person of normal intelligence should fail to be impressed with the gravity of the Russian threat in this area is incomprehensible to me.

I applaud and support the aim of this administration to achieve a balanced budget. I insist, however, that first things come first and that a balanced budget must not be achieved at the expense of our military muscle.

In maintaining our Nation's defenses, nothing should be left to chance. It will be the last folly we are permitted to commit if we let down our guard against the ever-present possibility of Communist attack. Future generations of Americans, serving as Soviet slaves will forever curse us if we fail to take every necessary step to insure our national safety and security.

Despite Khrushchev's beguiling words and friendly smiles, he has yet to prove his sincerity by agreeing to an enforcible plan for world disarmament. Unless and until he does so, the one last hope of mankind rests squarely upon the maintenance of American military might.

Head-in-the-sand complacency is no substitute for missile equality. The American way of life is too valuable to be jeopardized by pennywise, pound-foolish economies in the most vital activity of our Government. There are many areas of national spending that can be reduced or eliminated without impairing the defense effort or materially injuring the country.

My mind completely rejects the argument that a multibillion-dollar foreign aid program can serve as a substitute for superiority in intercontinental ballistic missiles in saving the free world.

If, beginning in 1953, we had diverted only a billion dollars a year from foreign aid to missile development, the United States would today be preeminent in the rocket race. Had we exercised this minimum degree of prudence, there would be no cause for fright over the spectacular Soviet successes in space. We would have been spared the humiliation and loss of prestige of our secondary role.

I can understand how the foreign countries of the earth can clamor for American dollars, but I am constantly amazed that those in charge of our Government are willing to gamble our destiny on a national program geared to preeminence in gifts to foreign powers at any cost, even the acceptance of a secondary position in missiles that can carry hydrogen bombs 10 times faster than the speed of sound.

I must also confess a degree of incredulity over some of the rose-colored and politically flavored reports one hears these days about the state of the American economy.

It is true—as widely proclaimed—that the economy generally has climbed to new heights of prosperity. In spite of the steel strike, 1959 turned out to be a banner business year and the outlook for 1960 is even brighter.

But it is also true—though not so loudly proclaimed—that 1959 was one of the most disastrous years for our farmers since before World War II. The Department of Agriculture itself forecasts a further drop in net farm income during the present year.

Obviously, all the talk of recordbreaking prosperity dose not include the farmer. He is not even receiving a token—much less a fair share—of our unprecedented prosperity and wealth. The farmer is rapidly becoming the forgotten man of the American economy.

An administration that has spent billions in foreign aid, much of it to develop and build foreign competition with American agriculture, still clings to the position that the American farmer must go it alone.

Benson's approach to the farm problem has been to lower price supports and prices in an effort to reduce surplus production. Actually, his program has served only to depress farm income and increase our agricultural surpluses.

Though he poses as an advocate of economy who will "get the Government out of agriculture," Benson has spent more money during his 7 years in office than all his predecessors put together since the Department of Agriculture was created in 1862.

Even the Russians have demonstrated the appalling fallacy of the Benson approach. Khrushchev has applied the Benson plan in reverse by decreasing farm prices in order to encourage his farmers to produce more to overcome Soviet shortages.

The President's only prescription for curing the farm problem is another dose of "old Doc Benson's" magical cure-all—further reduction in price supports. This peculiar prescription is far more likely to kill than cure the patient.

There is little chance of reaching a workable solution to the crisis confronting American agriculture so long as Benson continues to preside over the Nation's farm program. He has persuaded the President to veto every effort by Congress to relieve the farm crisis.

I am extremely hopeful that his regime will come to a long-overdue end after the November election regardless of who is elected President. Any change in the Secretary of Agriculture is bound to be for the better. This is one of the few bright spots I see ahead for us in the forthcoming presidential campaign.

There are other phases of the economy that take on a somewhat less rosy color when viewed objectively and from a nonpolitical perspective.

One of these is the specter of runaway inflation that continues to haunt the stability of the economy and the soundness of the dollar. It is a thief that is robbing us of the fruits of our labor today and cheating us of our hopes of comfort and security tomorrow.

In the past deficit spending by the Federal Government has been a major factor contributing to the inflationary spiral. But a determined effort by responsible members of both parties to curb the wild socialistic schemes of the Federal spenders has resulted in the prospects of a balanced budget this year and next.

Big Government spending, of course, is not the only cause of inflation. Labor-management contracts that result in increased wage benefits and higher industrial prices—all dutifully paid for by the helpless consumer—push the inflationary spiral higher and higher.

The steel settlement, in which the Vice President played such a prominent role, seems certain to add to the inflation pressures. Although we may be spared the cost of Mr. NIXON'S settlement until after the November election, steel prices are certain to be raised eventually to cover the liberal wage concessions.

His handling of the steel strike deprived the Nation of its best chance in 20 years to prevent the labor and industrial giants from conducting their power struggles at the Nation's expense. Had NIXON not exerted so much pressure to force an agreement on inflationary terms, I believe Congress would have enacted effective legislation to protect the public interest from similar situations in the future. He certainly has laid himself open to the charge that his efforts were politically motivated.

Whether or not the charge is true, I devoutly hope the Nation will be spared Mr. NIXON'S excursions into the field of labor mediation in the future. I doubt that the country can stand many more of his settlements.

This is destined to be a fateful year for Georgia and the South. Our enemies are marshaling their forces against us at every turn. In many respects, 1960 may be one of the most momentous and crucial years for the South since 1860.

The insidious campaign to harass the southern people and to destroy the southern way of life is being pressed against us from all sides.

Those of us in Congress who cling to such fundamental beliefs as constitutional government and States rights have felt the full brunt of this vicious attack for years. But the battle extends far beyond the confines of the Federal Congress in Washington. It has fanned out into our own State and into every county and community in this State.

The people of Georgia—and you, their elected representatives and spokesmen—have come face-to-face with the devious drive to uproot our traditions and to destroy our institutions.

I have always had an abiding faith in the strength, courage, and determination of Georgia's General Assembly and Governor to defend our State against all its enemies—foreign and domestic.

Let me assure you of this: I stand shoulder-to-shoulder with the members of this general assembly and with the Governor in this battle to protect the sovereign State of Georgia and to preserve the way of life of our people.

The battle that lies ahead will be hard—both for you here and for Senator TALMADGE and myself in Washington. The situation confronting our people and our State will demand the best of each of us.

In frankness, I must say that we face great odds in Congress against the conglomeration of miscalled civil rights legislation that has been introduced to punish and harass the South.

Since this is a presidential election year, there will be greater pressure than ever to make the South the Nation's political football. The NAACP, the ADA, and similar rag-tag, leftwing groups are pulling the strings on their puppet politicians and demanding passage of the most extreme and vicious legislation.

A stable of presidential and vice-presidential hopefuls—wearing both party labels—are eagerly dancing to the tune of the pressure groups in hope of currying favor with the minority bloc vote.

Congress has been deluged with all manner of proposals under the catch-all banner of civil rights. More are being introduced every day. As soon as one of the moguls of the NAACP or the ADA thinks up a new scheme, there is a stampede among the radicals for the dubious honor of sponsoring it. It often happens that the same bill is introduced several times by different sponsors.

The current fad in civil rights circles is some form of legislation to place under Federal control and operation the election machinery that belongs to State and local government.

This shows a startling lack of originality on the part of those who scheme up these civil rights proposals. Federal control of elections got a pretty good tryout—and became a national disgrace—during the first reconstruction. Under those earlier laws, local elections were taken over in the North as well as the South and a presidential election was stolen.

The sponsors of these iniquitious proposals can't decide on the best way to go about federalizing the elective process. One group, including Senator JAVITS, wants to do it through a system of Federal registrars. The Attorney General, on the other hand, proposes to put voting referees in charge of southern ballot boxes.

These proposals, though differing in approach, have the same end result. They would put the counting of the votes under the direction of Federal bureaucrats.

Their passage, in effect, would be a declaration that all State and local governments are bankrupt and should be placed in the hands of a Federal receiver. Sooner or later, all the elections would be decided in Washington. If that tragic day ever comes, we will have traded our birthright of constitutional government for a Federal dictatorship.

The proposals to federalize the election process should be opposed by thinking people in all parts of the country. True, these bills are aimed at the people of the South today. Tomorrow, another section of the country might find itself the victim of the onrushing Federal juggernaut.

These vicious schemes must be fought—and will be fought—to the end.

I pledge to you that I will oppose them to the limit of my endurance and to the extent of my ability.

We will leave no stone unturned—no rule of the Senate unused—in this battle to protect States rights and constitutional government.

I confess I do not know how much longer the South must serve as the doormat for the ambitious leaders of both national parties.

Certainly there is no comfort for us in the ranks of the Republican Party. The heir apparent to the GOP crown already has taken his stand with the NACP. He is, in fact, one of their most prominent honorary members.

Our own party has virtually deserted us. The proud democracy of Jefferson and Jackson has become the captive of a leftwing element that is barely Democratic even in name, but which is trying to recast the party in its image.

Many of this gang of phony liberals and party wreckers have publicly advocated driving the South from the house of our fathers.

The South is entitled to better treatment from the party that it has nurtured, supported and revered for almost as long as it has the Constitution. We are entitled to the measure of respect and influence within the party that our years of loyalty have earned.

No section of the country can rival the South's long record of Democratic loyalty. But party loyalty is a two-way street. Those who kick the South in the teeth at every opportunity must not expect us to keep turning the other cheek forever.

The South has no intention of abandoning is loyalty to the Democratic principles that it has ever held. But it owes no loyalty to self-styled Democrats who flout and despise the true Democratic faith.

The patron saints of the democracy—giants like Jefferson, Madison, and Jackson—built the party upon the solid rock of the Constitution.

That is where the South stands today. Others may seek to subvert that fundamental premise of the Democratic Party, but the South will keep the faith.

We have taken our stand on the Constitution of the United States. And there we propose to remain.

The Farm Challenge

EXTENSION OF REMARKS
OF
HON. EUGENE J. McCARTHY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, February 15, 1960

Mr. McCARTHY. Mr. President, in the budget message sent to the Congress this year by the President, he retreated from the administration's previous stand that REA borrowers be forced into the private money market. However, the President reiterated his request for an increase in REA interest rates. The February 1960 issue of Rural Electrification magazine contains an editorial which sets forth a number of questions that should be answered before any consideration is given to this budget message proposal. I ask unanimous consent that this editorial be printed in the CONGRESSIONAL RECORD.

The senior Senator from Minnesota [HUBERT H. HUMPHREY] ably recounted the history of the congressional struggle against the administration's plans to weaken the rural electric cooperatives during the past few years in a speech he made last summer at the annual meeting of Pierce-Pepin Electric Cooperative at Ellsworth, Wis. Because of the timely nature of this speech in regard to the administration's proposals concerning the REA loan rates, I ask unanimous consent that this speech be printed in entirety in the CONGRESSIONAL RECORD.

There being no objection, the editorial and address were ordered to be printed in the RECORD, as follows:

LEAVING THE QUESTIONS UNANSWERED

Growing opposition in Congress to the President's proposal to eliminate the interest rate ceiling on Government borrowings, along with sweeping criticism outside Congress of the whole tight-money high-interest policies, is of considerable importance. Home Builders Association delegates, for instance, have assailed the policy for having obviously failed to curb inflation, for boosting interest rates beyond the legal limits of usury, and having forced a return to financing methods proved unsound 30 years ago.

It is against this background that President Eisenhower's proposal for raising REA interest rates appears ill timed and certainly unsympathetic toward REA borrowers' future financial burdens.

First of all, taking the proposal for boosting REA interest rates alone, the President wants to peg future loans at what is a modern-time maximum rate by using the market yield on long-term issues as a measure. If the ceiling on long-term issues is lifted, as Ike also proposes, REA borrowers would be burdened for 35 years with even higher rates than that.

Despite the reduced estimate of administrative charges he proposes borrowers pay on future loans, a restudy shows that this plus pegging to recent Government interest rates would force REA borrowers to pay over 4½ percent.

What about the effect of this 125-percent increase in rural electrics' interest rates? Nobody yet claims there has been a definitive study of the impact this would have on REA borrowers.

Now REA Administrator Hamil says borrowers' feasibility is beyond question, and adds that the interest rate adjustment Ike proposes would not work a hardship on borrowers generally.

It must be obvious that feasibility is relative to the type of load and area a rural electric system is bound and limited to serve. It is equally obvious that feasibility is affected by interest rates and other costs.

The administrator's apparent qualification, that there would be no hardship effect for some borrowers, raises again the question as to which other ones should be let go by the wayside. Also what happens to the quality of service other systems will be able to afford, if all of their future borrowing must be at rates of possibly far more than at 4½ percent? Getting a little more specific, what about the generation and transmission program, the security of present loans to marginal borrowers, some not meeting the REA debt services earned ratio, and what about the whole rural telephone program? Is Secretary of Agriculture Ezra Benson's philosophy toward marginal farm operators to be applied toward rural electric service? Are families living in sparse, low-income rural areas to have the alternative of paying exorbitant electric rates or simply doing without electric service?

And finally turning to the matters of fixing REA borrowers' administrative costs, when is the Department of Commerce and when are other agencies of the Government going to start operating on that principle too? What has happened to the administration officials who protested that they would not do this to REA until it were applied to other Government agencies?

There is not much new in the budget message proposals this year. And the old questions are still unanswered.

THE FARM CHALLENGE

There is no gathering of any kind which gives me more pleasure than a meeting of the members of a cooperative, folks joined in a common endeavor to make life better for everybody. So I am glad to be here and happy for the opportunity to greet you, to wish you good fortune in the continued health and strength of the Pierce-Pepin Electric cooperative, and to discuss ideas with you on present farm problems and prospects ahead.

And it is also a source of real pleasure to be here today with my good friend, cooperator and fellow legislator, your outstanding Congressman—LESTER JOHNSON.

LESTER JOHNSON actually started the Wisconsin Democratic revival back in 1953 when he won this congressional seat in a special election. Things have been looking up for the Democrats ever since, not only in Wisconsin, but all over the country.

But LESTER'S victory meant more than a new era for Democrats. It also meant a great deal to all farmers, Democrats and Republicans alike. He has become a real champion of agriculture in the House of Representatives, has been a great help—and privilege—for me to have such an able partner on legislation of importance to Wisconsin and Minnesota dairy farmers as the Humphrey-Johnson dairy bill and the Johnson-Humphrey Milk Sanitation Act establishing national standards under the Public Health Service.

He has arranged for hearings on poultry and egg problems in the House next week, and I am working in the same direction in the Senate.

You are fortunate in Wisconsin in having other good friends of agriculture—such as my good friend Senator BILL PROXMIRE, and your capable Governor Gaylord Nelson. BILL PROXMIRE can always be counted upon to stand solidly with friends of agriculture. He is an effective member of our Senate committee.

While I am mentioning Wisconsin names, I cannot overlook another young man who has made a great and continuing contribution in your behalf. He is Bob Lewis, one-time editor of the Wisconsin REA News, the boy from the Wisconsin family farm who has never forgotten his first loyalties. His father, George Lewis, pioneered the REA cooperative movement in Wisconsin, and Bob has carried on in the same tradition of service. He was formerly administrative assistant to Senator PROXMIRE. I am so pleased that Governor Nelson has Bob as his right-hand farm adviser—his agricultural coordinator. Bob Lewis is a man who knows what he is fighting for.

In all fairness, I might add that agriculture welcomes and recognizes friends from either major political party. We who put the welfare of farm people above partisanship appreciate the consistent support of Republicans such as Senator MILT YOUNG of North Dakota and your own Senator ALEXANDER WILEY, who have refused to go along with this GOP administration's wreck-the-farmer policies.

THE DEMOCRATIC CONGRESS FIGHTS FOR REA

After 10 years of fighting battles for farmers in Washington, I know something about who you can count upon and who you cannot. The sure test of faithful performance is a consistent record of support for agriculture throughout the years.

What really counts, is having people in public office who really care—and who really understand your problems, and want to do something about them.

That certainly goes for the REA, as well as general farm legislation.

I believe in all kinds of cooperatives, but I have a special place in my heart for the rural electric cooperatives. You have not only brought light and power to the rural areas of America, you have also strengthened the entire farm cooperative movement by teaching more farmers the value of working together to help themselves.

Our rural electric co-ops have developed strong and courageous leadership because of the very necessity to resist continuing attacks upon your great program. If there is a single destructive trick that foes of your organizations have not used or tried to use in the last 6 or 7 years, I cannot name it. I know—because I have been in the thick of your battles, shoulder to shoulder with men like Clyde Ellis of the National Rural Electric Cooperative Association.

Perhaps it appears that we have just lost a round in our most recent REA fight—the attempt to override the President's veto on the Humphrey-Price bill. But let me tell you something; it was a mighty hollow victory for foes of REA, when two-thirds of the Senate voted in your behalf, and we only missed by four votes having a similar two-thirds vote in the House.

I am proud of that fight, and my own part in it—with your backing. When we found out 2 years ago that the Secretary of Agriculture was attempting to take over the loanmaking authority of the REA Administrator, I insisted that Secretary Benson come before our Senate Committee on Government Operations to explain what he was up to.

I acted in good faith, because Secretary Benson had promised in 1953 not to change the operational pattern of REA if he were given authority over its functions under the President's reorganizational plan.

You may recall that Ezra "took a walk," and refused to appear—even though my official authority as chairman of the Subcommittee on Government Reorganization called for acting as a watchdog over his administration of the authority given him.

Secretary Benson virtually hid out until Congress adjourned. So when Congress returned, my first act was introduction of legislation restricting his authority and returning it to the REA Administrator where it belonged.

This time Secretary Benson could not escape coming before our committee—and he was unable to convince a majority of the committee he had acted in good faith. The result was the enactment of the Humphrey-Price bill by both Houses of Congress.

Yet, it was vetoed, despite the expressed intent of Congress as to how the program should operate. And the Republican Administration, from the White House down, exerted every pressure in the world to sustain that veto.

We lost by just four votes. And, I don't think I have to remind you, four Republican votes in Wisconsin for REA could have turned the tide in your favor.

More was involved than just this simple REA organization act. If we could have broken the back of government by veto, it would have opened the door to great strides forward in giving farmers other help they have been asking for: a better farm program, seeing that farmers have a chance to earn a decent farm income while at the same time cutting down the tremendous losses of the Commodity Credit Corporation.

Yes, if four Republican Congressmen from Wisconsin had voted differently, our immediate legislative future for agriculture would have looked a great deal brighter.

Yet even in supposed defeat we have served notice on REA-wreckers that a vast majority of this Congress is not about to let this great program be crippled. And—we have put the brakes to efforts of this Administration to hike your interest rates on REA loans. That alone was worth the effort.

THE DEMOCRATIC CONGRESS SUPPORTS IMPROVED FARM LAWS

Now, I want to talk to you today about more than just the great REA program.

You are farm people. The purpose of your REA cooperative is to better enable you to do a good job as farmers. Farming is your business. Yet it is even more—it is your way of life.

I am sure that uppermost in your minds is the future of American agriculture—and the extent to which your Government is going to help you, or neglect you, in your struggle for economic justice—in a time of serious economic distress.

As a member of the Senate Committee on Agriculture and Forestry, as a longtime friend of American agriculture—your problems are of grave concern to me.

They should be of serious concern to all citizens, urban or rural—for we all have a stake in what happens to agriculture.

The Democratic Party has received a powerful mandate from the farm people of America to right the tragic wrongs that have been done to American agriculture under the Republican Administration in Washington.

Remember, it is the Republican program that is such a mess today—as much as they would like to duck responsibility.

It is the Republican program, and it has been Republican bungling that has made such a costly mess of it—without producing any effective results for farm people.

It is high time for some changes to be made.

But it is only fair to warn you that the Congress is working under extremely serious and inescapable limitations. We cannot do everything you wish we would do. We cannot do everything we want to do.

First, we are working under the limits imposed by the President's veto power. I think it is only fair and accurate to expect that the President will veto any bill we might pass which will do anything substantial to raise farm prices.

This means that Congress is limited in what it can do for farmers to what can be passed by a two-thirds vote—over a Presidential veto.

Secondly, Congress is limited in what it can do for farmers by the veto power which is held by the Secretary of Agriculture.

You have seen how good farm programs can be ruined by unsympathetic administration. The power of the Secretary of Agriculture to negate the intent and spirit of Congress is great.

The Secretary's power to veto by administrative action limits the good that Congress can do for farmers to those things that are so simple, so direct, that the results can come through to the farm in spite of all the foot-dragging and hostility that it will encounter as it passes through the Department of Agriculture's hands.

Despite these severe handicaps, at least some of us in the Democratic Congress are determined to develop a workable program that will help the farmers of America.

You can mark it down as absolutely certain that the Democratic Congress will not let the administration "pull down the temple" of agricultural programs completely in its final hours, as it has seemed determined to do.

The Democratic Congress will never, never, never give Ezra Taft Benson the zero-parity floor he has asked for. We will not give him the marketplace no-parity gimmick he has asked for either.

The Democratic Congress will not allow the administration to get away with putting a penalty tax on the refunds that your cooperatives pay to their patrons.

The Democratic Congress will not let the administration jack up REA interest rates, nor throw the REA co-ops to the "wolves" of Wall Street.

You can count on that. You can bank on it. You can bet your economic lives on it—and that is exactly what the stakes are in agricultural policy today. For while the administration has a powerful veto weapon to use against Congress when it tries to help the farmer, we have a veto power of our own when it comes to acting on the administration's plans to harm the farmers. And we will use it. We will not give up a single inch.

This tragic era for agriculture—the dark era of Ezra—has had a good and constructive result along with all the misery and waste. So it seems to me, at any rate.

It has made us grow up and come of age in our thinking about farm policy.

We now realize that the real argument in farm policy should not be over methods and details. The real argument is over basic objectives.

THE FAMILY FARM'S FUTURE IS AT STAKE

Are you for a program to help the family farm? Or are you against the family farm? That, my friends, is the real issue, the real dividing line, in farm policy debate today.

Almost any farmer in America can think up the general outline of a farm plan that will work—if there is a will to make it work.

Methods are important. Details are important. Some will work better than others. Some well-intentioned ideas might not work at all. We need highly skilled technical experts and conscientious administration to carry out our farm programs. But our trouble is not for lack of ideas and conscientious, skilled people to put them into effect. The Department of Agriculture is overflowing with fine, dedicated career public servants—who could make a farm program work and work well, if they were given a chance.

Regrettably, the public attitude toward agriculture has been so deliberately distorted that we need to mobilize better understanding on the part of all American people as the first step toward the new and better farm program some of us are seeking.

America's farm policies need to be reexamined and clarified in terms of objectives sought in the Nation's interest—not just in terms of political slogans or cliches designed to turn city resident against farm resident, and even farmer against farmer.

Before we can enact any effective new farm legislation, we need to make clear what our purposes and objectives are.

That's what some of us are trying to do in Congress now, while we are working on new and better legislation.

All the legislative history behind the development of farm programs in America confirms that our objective and purpose has been to assure the American people of a continued abundance of food and fiber, to offer America's farmers an opportunity to achieve economic equality with other segments of our economy, and to preserve and protect America's traditional pattern of family-owned, family-operated farms as the type of agriculture best adapted to our democratic way of life.

In more recent years there has been added a new objective in the interest of the entire Nation—the purpose of using our abundance as a useful and effective humanitarian arm of better international relations.

Repeatedly, the Congress of the United States has restated its intent to uphold these objectives, in one way or another.

But these objectives are being challenged. We have heard our blessings of abundance criticized as a curse.

We have heard that even 90 percent of equality—let alone full equality—is more than farmers are entitled to in our economy.

We have heard disturbing yet increasing talk of encouraging a complete change in our historic pattern of farming, to put more emphasis on bigness and efficiency, less on human values and problems of rural living. We have heard less concern about perpetuating our family farming pattern, and more and more about giving way to the pressure of mass operations.

Serious questions of public policy are involved, if we are to cross that line.

It is not a change of direction toward which we should be allowed to drift or be pushed, without fully knowing the consequences.

The most damaging product of the age of Ezra is the dangerous erosion of America's will to do justice for her farm people.

For the first time in the history of our Nation, a cancer of doubt has arisen in the public consciousness as to the merit of our family farming system—the most efficient agricultural production system in the world.

The swift rise of vertical integration provides the mechanism whereby big concentrated business and financial interests can extend their domination over agriculture. This will leave the farm family on the farm. But it will take away its economic independence. The farmer will be told what to grow and where to sell, and the absentee-corporation farm director will control what the farmer gets for his efforts. This is but corporate collectivism, with private agricultural commissions.

This ominous forecast for American agriculture holds a powerful, fascinating allure for all too many people in our country today. Its allure has been heightened immeasurably by the discouraging, demoralizing shambles that the Republican administration has made of our farm programs. There is a growing sentiment in our country for just giving up on the farm problem.

This sentiment is strong among those who do not understand the tremendous values and strengths in our family farming system, nor the unusual problems which farm families must face. There are millions and millions of citizens in our population who are far removed from the soil. Their number is increasing year by year. Domination of agriculture by centralized corporate power appeals to many of them as an easy way out of the farm problem.

And it appeals even more strongly to those who simply do not care about what happens to farm people.

But I am one of the people who care, and so is LESTER JOHNSON here, and so is Senator PROXMIRE. And I believe that there are many more elected representatives like us in the Congress of the United States.

WE NEED A NEW AND BETTER FARM PROGRAM

Rather than stumble and drift along blindly because of a vacuum of sound farm policy leadership from the present administration, farm people and city people alike need to do some soul searching, and some honest appraisal of what we really want—and the alternatives we face. Perhaps I can be helpful in that direction today, by outlining to you my own guidelines for trying to develop a new and better farm program.

We need an agricultural stabilization program far less costly to the American taxpayers than the present inexcusable mess—yet one that is far more effective in its protection of family farmers and their contribution to the American economy.

We can, and must, have both.

We need an agricultural stabilization program that provides more equality of opportunity for agriculture to keep pace with the rest of our expanding economy in terms of income, yet one that does not make the farmer dependent on the Government for that income.

We need a program that recognizes the need for and encourages farmers to help themselves through cooperative action for bargaining power in the marketplace and for whatever production adjustments that may be necessary to make the best use of our human, soil, and water resources.

We need a program that recognizes and is tailored to the vast technological changes, yet does so without sacrificing the human and social values of our traditional American pattern of family owner-operated farms.

We need a program that recognizes the farmer's stewardship responsibility for conserving productivity of our land for the sake of future generations, yet recognizes too that the entire Nation shares that same responsibility—and must share in the cost of seeing that it is properly done.

We need a program that really does something about surpluses—making use of what we have, and adjusting production to keep from building up more beyond the level of possible need.

Above all, we need a national food policy closely meshed with our farm policy, so that we can better gear our productive resources to the needs of humanity at home and abroad—instead of producing for Government storage bins.

If the choice facing us rests between abundance and scarcity, consumers and farmers alike have a vital stake in abundance—wisely used. Farm abundance has done more to check inflation and the increase in the cost of living than any other single factor in our economy.

Until we as a nation face up to our social responsibility of deciding what we are going to do about the areas of hardship and suf-

fering in our own midst—and to what extent we are willing to share our potential abundance with hungry peoples of the world as a force for freedom—until these questions are resolved, it appears morally wrong to insist that American agriculture drastically curb its output below levels for which human need exists.

Society must recognize that in the long run, it pays the price one way or another.

Is it not cheaper, and far better, to enlist our food abundance in waging peace, than to be faced with enlisting our sons and mobilizing our economy for war?

Is it not cheaper, and far better, to invest some of our abundance in raising the living standards of low-income groups in our country, rather than turning to a scarcity philosophy that can only force up food costs to all segments of our society.

American agriculture is offered no alternative other than following the pattern of monopoly industry, in cutting back its production to the point where it can receive more income for less output—it will be consumers of the Nation who will pay the bill.

Farmers would like to produce in abundance, if that abundance is wisely used, and they can receive a fair return for their investment, their managerial skill, and their labor.

Yet there is no reason why farmers alone should subsidize other segments of our society already receiving a greater proportionate share of our national income, nor any reason why farmers alone should bear the costs of producing to meet the needs of underdeveloped areas of the world, in the interests of America's foreign policy.

If consumers want the price protection of always having a little more than enough to eat, if the Nation wants the valuable asset of abundance in a world of need, then the public must recognize that there is a public interest stake in Government providing a climate of conditions in which farmers can survive economically.

You cannot do it by writing off farm people as second-class citizens, who are not to share in the general prosperity and progress of the Nation.

You cannot do it by throwing farmers on the mercy of the free market for what they sell, when the costs of what they buy are bolstered and supported by all kinds of built-in protectors.

Food is basic to national life.

Price protection, farm credit, conservation assistance—all such farm programs are but means to an end, not the end itself.

There is no simple answer to achieving these objectives, no one panacea for the entire farm problem. Neither can any one bill meet all the problems we face.

But reasonable men should be able to agree on combining an entire kit of economic and program tools in order that each commodity may be handled in the manner best suited to its unique needs.

We need more adequate credit designed to family farm requirements. We need better conservation programs. We need more research directed into utilization of our abundance. We need a food stamp program to increase consumption among our aged, our handicapped, our dependent children and our unemployed. We need greatly expanded uses of our food internationally under a "Food for Peace" program.

Yet with all of this, we need the Government's cooperation with farmers toward more adequate income protection and production adjustment. We can do it through combined use of income equalization payments to producers, through marketing orders and agreements, through orderly marketing loans and direct purchases, through marketing quotas, through payments in kind in some instances, through greater rural development aid and through Government sanction of farmers banding together to help themselves when they develop and accept programs to do so by majority vote of producers.

Far from regimentation, such a program offers the real freedom farmers need—freedom from poverty, freedom from economic domination, and freedom of choice as to the alternatives they prefer in seeking to avoid the hardship of the wildly fluctuating free markets over which they now have no control.

These are not pie-in-the-sky proposals. They are sound and practical and should be achieved, if American agriculture mobilizes its forces and carries its true story to the rest of the American people.

THE FARMER'S BILL OF RIGHTS

And with such a program, I am sure, we can at long last secure for all agriculture assurances which I have termed my "Farmer's Bill of Rights," as standards from which farmers should never retreat.

They include:

1. The right to full equality of economic opportunity.
2. The right for improved standards of rural living.
3. The right of reasonable protection against natural hazards.
4. The right to extend agricultural free enterprise through cooperative action.
5. The right to public cooperation and assistance in conserving and saving the soil.
6. The right to preserve the social and human values of family farming.
7. The right to decent land tenure which encourages the desirable goal of farm ownership.
8. The right to a democratic voice in his own farm program.
9. The right to benefits of an expanding world trade.
10. The right to a long-term program of food reserves to protect consumers against costly scarcity.
11. The right to assurance that land reclamation development will result in establishment of new family farms, not factories in the field.
12. The right to the entire Nation's support for use of food and fiber as a force for freedom throughout the world.

These, I believe, are the basic rights of American agriculture.

They are not new rights. They are not rights of special privilege, gained through misuse or abuse of tremendous power over the lifelines of the Nation's food supply.

Rather, they are rights of historic precedent, earned by the great and continuing contribution of agriculture to American life—the fulfillment of the Nation's needs in peace or war, in good times or bad, at personal profit or loss.

They need to be restated now only as a guiding beacon of light, cast upon the darkness of present confusion over America's farm policy.

They must be just as zealously guarded against forces which seek to destroy them, as we guard other historic rights, privileges, and responsibilities of freedom in our democracy.

A Great Speech

EXTENSION OF REMARKS
OF
HON. NEWELL A. GEORGE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 15, 1960

Mr. GEORGE. Mr. Speaker, while in Kansas City last Thursday it was my extreme good fortune to attend a luncheon meeting during the Corn Belt Livestock Feeders Association's Annual Convention at the President Hotel, which is just across the Kaw River from my home in the great State of Kansas. The principal speaker on that occasion was our distinguished colleague from Nebraska, the Honorable LARRY BROCK.

Possibly because he is a past president of the Corn Belt Livestock Feeders Association, possibly because he knew his subject thoroughly, or possibly because Congressman BROCK delivered his address so well, those who packed the large dining room listened with rapt attention.

The content of that address, however, was of such quality, Mr. Speaker, and the issues were so clearly set forth that every member of the association and each one of the guests sat motionless until the speaker had concluded.

Although it is not possible to set forth the extemporaneous remarks of our colleague which so greatly pleased his audience, I do request, Mr. Speaker, that Congressman BROCK's prepared address be included in the extension of my remarks as I know the Members of both bodies will enjoy reading this splendid speech:

ADDRESS OF CONGRESSMAN LARRY BROCK, DEMOCRAT, NEBRASKA, BEFORE THE CORN BELT LIVESTOCK FEEDERS ASSOCIATION'S ANNUAL CONVENTION, KANSAS CITY, MO., FEBRUARY 11, 1960

Mr. President, members of the association, and friends, your officers were kind enough to extend an invitation to have me address you on this occasion of your annual convention which invitation I deem a distinct privilege, particularly because of my personal activities as a cattle feeder in Nebraska for many years. It gives me the feeling of visiting with my very close folks and associates in the cattle business back home and affords me the opportunity of discussing a subject with which I am not only familiar and intensely interested, but also one that is very close to my heart.

We in the United States, and particularly those located in the Middle West and the Western States, are justly proud of our accomplishments in the excellent breeding and feeding of good cattle. It took many years of hard work and sacrifices to reach the peak we now enjoy, notwithstanding the periodical eras of bad weather, drought, and economic factors which sometimes bring about low prices for cattle. Before getting into the stipulated theme of my subject, let us momentarily dwell on the creation of the cattle business and its rugged progress over the many years.

The Bible tells us that cattle were created before man. They came first with God in his creation of the beasts of the earth. Bossy headed the list of the 6th day's work, while Adam, who was "given dominion over all," came last.

Assuming creation as being 4,000 years before Christ, we find from Moses' history that Abram was an extensive and successful cattle breeder and was, beyond any doubt, the first man to engage in the cattle business.

Geographically, there are five natural grazing grounds for cattle, located in central Asia, South Africa, South America, Australia, and on the Plains of America. The first is the larger in extent than all Europe the second is as great; the third, half as much; the fourth, as large as South America; and the fifth, the boundless plains of the United States, containing over a billion acres.

These pastoral lands of ours have never been understood or appreciated over the

many back years. It was, however, freely predicted that one day this Government would derive more taxes from the grazing country than from the best of the agricultural regions.

Yes, the livestock industry has come a long way over the years. In 1869, the whole of the livestock industry in the United States was estimated to be worth $1.5 billion, and there were then about 75 head of cattle to every 100 people. Rapid growth in our population has, of course, changed that ratio over the past 90 years.

The trend of the industry since 1900 has been one of improvement. The breaking up of most of the big cattle companies in the late eighties and the early nineties resulted in a marked temporary reduction in the total number of cattle in the Western States. With the passing of such concerns, however, there soon came into existence many moderate-sized herds, which were better managed and cared for than were the cattle in the so-called bonanza days.

An educational campaign was waged by the Government to discourage the overgrazing of the public domain. Ranchers saw the wisdom of growing feed and hay, to be fed livestock during the severe winter weather. The need of improved blood was recognized about this time and thousands of purebred beef bulls were purchased in the East and introduced into the range country.

This was the beginning of a new and improved era in the national cattle business. In a few years, the beneficial effects of these radical steps were plain to be seen. Not only were the cattle of the West greatly improved in beef type; not only were the losses of cattle during the severe winter months materially reduced; not only were the ranges growing better instead of worse; but it was also true that the West was actually carrying more cattle than formerly. Smaller, better managed herds resulted in an increase of the total cattle population.

This increase continued steadily from the late nineties until 1907, at which time there were more cattle, other than dairy cows, in the United States than there had ever been before, and the majority of them was found in the States west of the Mississippi River.

The new cattle industry was now really on the move, aided and abetted with the advent of expert advice on the care and treatment of diseases of cattle, the advent of better transportation facilities, better marketing facilities, and the more recent outlook trends as to the favorable periods for buying and selling livestock.

It has been estimated that as of January 1, this year, there were almost 7.5 million head of cattle on feed in 37 States. In 26 States, excluding the Southern States, there were 9 percent more cattle on feed than at the same time last year, breaking all January 1 records for numbers. Sometime next month, we will get more accurate figures as to the present total population of all cattle from the Department of Agriculture.

To illustrate the tremendous growth of the cattle business, it is well to observe the cash receipts report for the sale of cattle and calves in the year 1958. This figure has been estimated to be upward of $7.5 billion, and the figure for 1959, which has not been tabulated as yet, will not be too far away, despite the smallest slaughter in 7 years. The meat processing and packing industry had receipts of some $14.8 billion for the year 1958, and this figure for the year 1959 is estimated now to go over $15 billion. These figures should give you some realistic pictures of the gigantic growth of the livestock business.

Despite the bottom falling out of the price of corn, which incidentally has seriously damaged the hog market, we in the cattle business have been somewhat fortunate to be able to hold on to fairly good market prices thus far. This optimism, however, should not delude us into thinking that the present prices will hold. Rather, prices may tend downward, based on several years of high output and continuing lower prices, but not sufficiently so to cause an acute market break, as occurred in the early fifties.

For the past 50 years, the statistical chart curves of cattle and corn have worked closely together—the cattle price curve following the price of corn. There have been periods of droughts, shortages, etc., and other factors which at times caused cattle prices to average much higher on the statistical charts than did corn, and for these periods their historical relationship was farther apart. It is noted, however, that when these periods of unrest in the cattle industry subsided, the historical ratio of cattle prices to the price of corn was again restored. This formula is holding fairly true at the present time, with $1.04 market corn and $26 prime cattle. It is this historical relationship, plus careful scrutiny of the outlook for cattle, which leads me to predict that, if we hold to $1 corn by next fall we will have $23 cattle.

We in the cattle business, who have worked hard to build up our investments, naturally are greatly concerned with any problems that might threaten the financial security and the progress of the industry. We have several facing us right now but I would put special emphasis on the increased importations of livestock and red meats from foreign countries. Despite many urgent representations to the Secretary of Agriculture, and his numerous promises to alleviate the situation, these imports are continuing to increase on a scale that will eventually threaten the very existence of some portions of the livestock industry.

During the past year, practically since assuming office in the Congress, I have continuously contacted the Secretary of Agriculture imploring him to take some decisive action to impede or halt these foreign meat shipments, particularly when we are in a depressed domestic livestock market. Despite the best of assurances, that were not worth the paper they were written on, nor the verbal utterances, nothing has been done and the imports of livestock and red meats increased during the year 1959, to a point where this influx of foreign meats now equal 9 percent of our domestic production.

During the year 1958, meat imports to the United States amounted to 826 million pounds. This figure represented a 243-percent increase over 1956 imports and a 178-percent increase over 1957 imports. For lamb and mutton, the increase of such imports for 1958 represented over 1,700 percent, as compared to the 1956 figures. The importation of all meats to the United States in the year 1959 amounted to over 1 billion pounds, and there is no letup in sight at the present time.

The dollar value of meats imported to the United States, July 1, 1958, to June 30, 1959, amounted to approximately $275 million. This figure was substantially increased during the last 6 months of 1959, as departmental figures will show as soon as they are published. To illustrate a point, the dollar value of meat imports in 1956 amounted to only $210 million, and in 1957 the figure was only $287 million, whereas in 1958, for the entire year, the figure climbed to $512 million, clearly showing the upward trend and spiraling of such importations.

Now that we have disposed of the statistical portion of this talk, let us turn again to my representations to the Secretary of Agriculture. Mr. Benson, in reply to my constant appeals to halt meat imports had the audacity to inform me that he had no visible authority to take decisive action or impose quotas on imports. My rebuttal to him referred to section 22, of the Agricultural Adjustment Act, and section 7, of the Trade Agreements Act, which authorize the Secretary of Agriculture and the President to take such action when the necessity arises whereby the importation of any commodity has an adverse effect on the domestic market. Neither the Secretary or the President has recognized this necessity to date, but it did not take the Corn Belt Livestock Feeders Association too long to recognize this necessity. They have filed a protest with the U.S. Tariff Commission, requesting an investigation of present increased importation of sheep and lambs, lamb and mutton into the United States. The Commission has already scheduled hearings on this complaint and the investigation will have full-dress public airing beginning March 23. This is just a beginning and the other segments of the livestock industry in the United States can be guided by the action of the first group.

It is my personal observation that in this fight to control the importation of livestock and red meats, we can expect little, if any, help from Secretary Benson, or as long as the present national administration is in power. The only recourse left to save the industry is to appeal to the Tariff Commission or any related agencies with sufficient authoritative powers, to investigate the situation and focus public attention on the ultimate destruction of an American made institution, if these conditions are permitted to continue.

Your attention, no doubt, has been focused on the ever-increasing amount of canned meat products showing up on the shelves and counters of grocery stores and supermarkets all over the United States. Many of these canned pork and ham products are imported from Poland, a country which can ill afford to export any meats beyond its borders. Due to Soviet domination, and their greed for American dollars, these exports are literally selling the meat right out of the mouths of a starving people who at best can't produce enough meat for their own country. This is the real crime of our imports from Poland. You can be assured that the Polish farmer is not getting the added income from these exports to the United States. A very close friend of mine faced up squarely to the situation when he said, "I would be ashamed of myself if I ever sat down to eat a Polish ham. I could only visualize hungry Polish children standing with their faces pressed to my dining room window, watching me eat their food."

The importation of canned meat products from South America, Europe, and the low countries are not the only problem facing the domestic industry. Last year, meat exporters from Australia and New Zealand announced that they would lease numerous larger merchant vessels to add to their then current fleet of vessels importing meat to the United States. This was shortly followed by their announcement to build an additional fleet of larger refrigerated vessels for the same purpose. These proposed additions apparently have not satisfied their appetites for fast movement and quick turnover of profits since a recent announcement from New Zealand stated their meat producer's board has plans to use huge cargo planes to deliver fresh meat to this country in 19 hours. That is faster than some domestic producers can get their product from the range, or the feeder lots, to Omaha or Chicago. If the New Zealand people can get their air project off the ground, it will certainly mean stiffer competition for our domestic producers.

This air travel for imported meats is not exactly new. They have been importing

meats from Iceland to the United States for the past year, and are doing very well with it. Their imports are on the increase and they will soon become a real threat to the domestic producers.

Our problems of imports are not wholly confined to the livestock industry. The automobile manufacturers in Detroit have been hard hit by the mass importation of small automobiles from various European countries. They literally tore up their projected production sheets and plans for newer models of the lower priced American cars and have gone into production on small scale type of cars to compete with this growing threat to the stability of the industry. The American textile industry, particularly in the New England and Middle Atlantic States, has become stagnated and is fast becoming a lost art in these areas due to the influx of textile products from foreign countries located throughout the world. Japan and Hong Kong, China, have stepped up their exports in this field, as well as in clothing, toys, and novelties of every description from sports equipment to making the American flag. The lower priced china industry in the United States is losing ground fast to similar industries exporting from Europe, Japan, and Hong Kong, and the recent steel strike materially increased imports of cheap foreign steel.

It is time that a quota system be set up to protect dying American industries. While the United States is still the wealthiest country in all the world, it is no longer the unchallenged leader. Our massive Federal deficits have fostered monetary inflation, and labor and management bargaining have brought on wage-price inflation, resulting in excessive production costs, that have not only priced themselves out of the foreign markets, but in many instances have also priced themselves out of a great portion of the domestic market.

Much of the responsibility for the increased foreign imports rests with our past and present foreign trade agreements. It is about time we took a long look at the adverse effects of our export-import business on American industries before again committing ourselves to further extensions of the foreign trade agreements when they expire, unless some mandatory quota provisions are included therein for the protection of our home industries.

Another serious threat confronting the livestock producers, and the meat packing industry as well, is the entrance of the major chain stores into these industries, which has created new problems arising out of the integration taking place in cattle feeding, processing, and marketing. These major chains have violated their historical agreement with the processing and packing industry, to stay out of each other's field of operations. The purchasing power yielded by these major food chains is slowly but surely destroying the protection once enjoyed by the livestock and agricultural producers, the small business processors and retailers, as well as the American consumer. Livestock and agricultural producers are coming to realize that the increased concentration in food retailing, as practiced by the large chains, means fewer buyers are purchasing a greater share of their products, and their bargaining position is being substantially weakened. The potential of this mass purchasing has enabled them to negotiate contracts that provide very thin profit margins, and without escalator clauses geared to the market. As a consequence, the producer, the processor, and the supplier are constantly in trouble.

Legislation has been introduced to amend the provisions of the 1921 Packers and Stockyards Act to be invoked by the Federal Government agencies to ban current practices of major packers and chainstore operators, which circumvent competitive bidding in terminal markets to buy direct from producers and feedlot operators. The effect of these practices is to force down the market value of livestock, since purchases are not made under the same terms required at a central terminal. Savings in this direct buying formula are not passed on to the consumer but are retained as additional profits by the purchaser, meanwhile the livestock producer is forced to take less for his product.

The House Select Committee on Small Business has undertaken an investigation of these practices, as well as looking into the major food chainstores' absorption of more than 3,000 locally operated food stores within the last 3 or 4 years, also why, over the past 10 years, food chain sales have increased 64 percent more than independent sales. Legislation has recently been introduced to amend section 7, of the Clayton Act, by providing for the strengthening of our antimerger laws, and would help small business where the merger movement is sweeping away competition and creating monopolies.

There is no question that livestock producers and feeders in the Middle West are experiencing daily the adverse effects resulting from the market control owned by the major food chains. It is like an ominous cloud hanging over our heads.

Fight the Dark—Light Another Candle for Brotherhood

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. SANTANGELO. Mr. Speaker, on February 14, 1960, I had the distinct privilege and honor to speak before the members of the First Hungarian Reformed Church located at 344 East 69th Street in my congressional district. The leader of the church is Rev. Imre Kovacs, a true descendant of the spirit of that great Hungarian liberator, Louis Kossuth. Inspirational talks were given by Rabbi Joseph Gelberman of the Bal-Sherm Little Temple and by O. D. Dempsey, assistant minister to the Abyssinian Baptist Church, which our colleague, ADAM CLAYTON POWELL, heads. Their words on brotherhood were inspiring and thought provoking. It was a pleasure to participate in this brotherhood rally, and I believe my words on this occasion might prove of interest. They are as follows:

Reverend Kovacs, Rabbi Gelberman, Reverend Dempsey, my good friend James Siket, members of the First Hungarian Reformed Church, and brethren, it is appropriate that on this day of affection and friendship, St. Valentine's Day, that we should speak of brotherhood.

We gather here today to reaffirm our belief in the dignity of man and to protest against the neurotic personalities who seek once again to revive religious hatred, second-class citizenship, and segregation. We believe that we are our brothers' keepers and that Cain shall be unable to destroy his brother Abel.

Many years ago the world thrilled to the words of our Declaration of Independence, "all men are created equal." In that declaration our forefathers declared the dignity of man as a principle and that declaration of of independence changed the course of history for over 180 years. Just as these United States followed this political, religious, and moral principle in its march to greatness so did the liberator of Hungary, Louis Kossuth, declare the truth that Hungarians want freedom with brotherhood.

In the past 15 years ominous clouds have darkened our views and beclouded our vision. We no longer look to this earth, but are racing to the moon and to the planets beyond. While we preach brotherhood, ambitious men and bolder and more disciplined peoples are developing the means of destruction and annihilation.

Only yesterday a fourth nation, France, dropped an atomic bomb in the Sahara Desert. Its President, Charles de Gaulle, rejoiced because French scientists had demonstrated success in mastering the methods of total destruction. We ended a phase of World War II when our airmen dropped atomic bombs upon Japan and destroyed Hiroshima and Nagasaki. We were the masters of the world without the will or inclination to dominate or rule. Then we developed the hydrogen bomb and became smugly complacent. We dawdled and relaxed, and in October of 1957 we were rudely awakened and shocked when Russia projected a satellite into earth's orbit. As the satellite orbited around the earth, we wondered whether the beep-beep which it emited was a signal of impending doom or a harbinger of a greater and more glorious future. Like the hare which slept until it was too late, we fell asleep and now are trying to overtake the tortoise which is moving with unbelievable speed. Russia has thrust a lunik rocket to the moon and even taken a picture of the dark side of the moon. It has landed an intercontinental ballistic missile within 2 miles from its target after a flight of 7,000 miles. While Russia professes peace, its spokesman, Khrushchev, boasts of its military might and Russia brandishes its arsenal of missiles and destructive weapons. We are trying to keep pace, but our success in that regard is subject to doubts.

We, in turn, have developed our missiles, whose names, Atlas, Thor, Jupiter, bespeak atheistic gods. We have developed the Bomarc missile, and our anti-missile missiles like Nike-Zeus and Nike Hercules. We are racing to compete for we do not believe Russia's profession of peaceful intentions and we enjoy a nightmarish and uneasy peace. We know and the world knows, however, that we have the deterrent capacity to destroy this world and like Samson the power to destroy the temple with all the Philistines within it. It is ironical that man who is trying to conquer outer space cannot control himself upon this earth.

What shall we do? In my view we should instill in our children the eternal truth that we, white or black, Italian or Hungarian, Jew or Gentile, are our brothers' keepers and that we are children of God. We should pray that those who are at the levers of control of government should believe in the dignity of man and in his inherent worth. We must recognize that the world's natural resources were meant for the benefit of all mankind and not for the benefit of a select few of the aggrandizement of power by a state. We must recognize that laboring people should have the right and opportunity to earn a decent wage under healthy conditions. We must recognize that our freedoms should be protected from overzealous prosecutors, ambitious public officials, and bigoted neurotics.

We must hold high the torch of liberty to spread light where there is darkness, to spread understanding where there is hatred, to provide education where there is ignorance. In this way we shall develop the mystic bond of brotherhood which makes all men one, we shall fulfill our mission on earth and earn our eternal reward.

West Virginia Is Getting Short-changed—XV

EXTENSION OF REMARKS
OF

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. HECHLER. Mr. Speaker, one of the most priceless assets a State or Nation can possess is its young men.

These younger men, growing into the period where they become the masons charged with construction of a better world, are an indispensable factor in the elan vital which energizes and inspires a Nation or State to improve itself and reach for greatness and growth.

Today, my State of West Virginia is losing its young men and the loss is more potentially catastrophic than the decline of our coal markets, the high unemployment in the State, or the pressing social needs facing West Virginia.

The annual report of the West Virginia Department of Veterans' Affairs, recently released, contains an almost-completed breakdown on the payment of the State's bonus payments to veterans who served in the Korean conflict.

On previous occasions, Mr. Speaker, I have pointed out that in proportion to its population, the State of West Virginia ranks first in the entire Nation in the number of its citizens who served in the Korean conflict. I have also presented official statistics to demonstrate that in proportion to its population West Virginia also ranks first in the Nation in the number of its citizens who were killed and wounded in the service of their country during the Korean conflict.

At the time of their service to the Nation, most of these young men were between 18 and 26 years old. This means that they are now between 25 and 33 years old—entering their most productive wage-earning years. At the threshold of their years of greatest energy and power, where are these young veterans? Are they in West Virginia, grappling with the State's social and economic problems and helping to build a better State for their sons and daughters? Are they able to find employment in the State so they, as West Virginia natives, can share in the Nation's prosperity and plan for a secure future?

The answer to this, sadly, is negative. The bonus payment report shows that a staggering total of 43.32 percent of the claims by veterans were received from West Virginians now living outside the State. This is an incalculable loss to the State.

A total of 48.25 percent of the cash paid out in the bonus program went out of the State. A total of 34,783 claims were approved to Mountain State veterans now gone from the State. They shared a total payment of $10,331,532. Conversely, 46,366 claims were approved for veterans still living within the State, totaling $11,083,383.

This means that almost half our State's young men, when they marched home from serving their country, could not find suitable employment within the State, and had to go elsewhere to seek jobs.

The political subdivision which claimed the largest number of our veterans was not Kanawha County, the State's largest, with nearly an eighth of the State's population. It was the State of Ohio, which now houses 6,890 West Virginia veterans, compared with only 6,612 for Kanawha County.

My own county of Cabell, second largest in the State, was outdistanced by four States, although Cabell County contained 2,899 Korean veterans. These States were Ohio, 6,890; New York, 3,988; California, 3,645; and Virginia, 2,999.

Mr. Speaker, something must be done about this grave situation. Our State has the capacity, the resources, and the desire for growth. But it cannot grow unless the manpower, such as is provided by these young men entering their most fruitful years, is able to stay in the State and make a living.

Recently an article in the Saturday Evening Post by an itinerant writer presented a rather distorted picture of West Virginia. Yet there is no denying the fact that there are pockets of unemployment and we are not enjoying the level of prosperity which other States enjoy.

Fourteen times previously I have pointed out that my State is grossly neglected by the Department of Defense, the Department of Commerce, and many other Federal agencies, in the allocation of facilities, personnel, and payrolls. If West Virginia could obtain only its just share in the apportionment of Federal facilities, it might keep many of these young leaders in the State, where they could provide invaluable contributions to the future welfare of West Virginia.

As Browning put it:

> "Therefore I summon age,
> To grant youth's heritage."

Mr. Speaker, the following table substantiates the tragic exodus of West Virginia's young people from their homeland:

Korean bonus payments to West Virginia veterans with West Virginia addresses

County	Veterans		Survivors		Grand total		County	Veterans		Survivors		Grand total	
	Number	Amount	Number	Amount	Number	Amount		Number	Amount	Number	Amount	Number	Amount
Barbour	327	$69,450	14	$4,165	341	$73,615	Mingo	858	$199,210	30	$6,390	888	$205,600
Berkeley	786	195,410	25	4,775	811	200,185	Monongalia	1,478	353,650	24	4,910	1,502	358,560
Boone	696	166,715	23	5,040	719	171,755	Monroe	275	63,145	7	2,060	282	65,205
Braxton	332	76,375	9	1,295	341	77,670	Morgan	218	53,425	4	500	222	53,925
Brooke	632	158,964	7	1,655	639	160,619	Nicholas	542	122,900	17	2,724	559	125,624
Cabell	2,899	699,780	40	8,090	2,939	707,870	Ohio	1,577	378,290	32	5,738	1,609	384,028
Calhoun	239	58,450	9	1,620	248	60,070	Pendleton	159	39,365	8	1,935	167	41,300
Clay	295	71,535	15	3,010	310	74,545	Pleasants	158	34,415	5	445	163	34,860
Doddridge	142	33,875	3	755	145	34,630	Pocahontas	217	51,535	5	1,030	222	52,565
Fayette	1,502	364,495	57	12,085	1,559	376,580	Preston	614	143,310	18	3,195	632	146,505
Gilmer	173	37,845	6	1,395	179	39,240	Putnam	437	104,380	4	655	441	105,035
Grant	174	38,145	9	2,310	183	40,455	Raleigh	1,990	467,740	74	16,165	2,064	483,905
Greenbrier	899	209,215	33	6,868	932	216,083	Randolph	669	161,325	28	7,140	697	168,465
Hampshire	249	54,895	8	1,255	257	56,150	Ritchie	247	58,470	9	1,750	256	60,220
Hancock	962	227,165	10	1,960	972	229,125	Roane	338	82,725	6	1,000	344	83,725
Hardy	228	64,815	10	1,690	238	66,505	Summers	367	80,695	11	1,950	378	82,645
Harrison	2,138	518,170	38	6,995	2,176	525,165	Taylor	364	89,395	8	1,535	372	90,930
Jackson	340	85,130	8	1,535	348	86,665	Tucker	230	61,110	9	1,720	239	62,830
Jefferson	376	91,990	7	1,775	383	93,765	Tyler	198	44,665	6	805	204	45,470
Kanawha	6,465	1,566,855	147	32,954	6,612	1,599,809	Upshur	350	79,870	15	2,980	365	82,850
Lewis	456	111,180	25	5,330	481	116,510	Wayne	825	196,830	20	3,582	845	200,412
Lincoln	432	97,530	11	1,835	443	99,365	Webster	288	68,725	17	3,125	305	71,850
Logan	1,458	336,055	42	6,248	1,500	342,303	Wetzel	473	111,530	10	1,930	483	113,460
Marion	1,800	449,165	26	4,620	1,826	453,785	Wirt	93	23,880	4	720	97	24,600
Marshall	1,054	258,400	15	2,937	1,069	261,337	Wood	2,121	534,210	36	8,875	2,157	543,085
Mason	454	109,250	9	1,925	463	111,175	Wyoming	745	176,475	18	3,070	763	179,545
McDowell	1,528	353,520	62	11,395	1,590	364,915							
Mercer	1,755	414,170	56	12,318	1,811	426,488	Total	45,206	10,846,574	1,160	236,809	46,366	11,083,383
Mineral	584	146,760	11	3,045	595	149,805							

Korean bonus payments to West Virginia veterans with out-of-State addresses

State	Number	Amount
Alabama	253	$78,780
Alaska	26	7,585
Arizona	271	81,210
Arkansas	114	36,780
California	3,645	1,170,066
Colorado	304	94,650
Connecticut	124	36,035
Delaware	218	63,490
Florida	1,543	454,970
Georgia	678	210,170
Hawaii	59	20,130
Idaho	50	14,015
Illinois	828	241,310
Indiana	368	98,640
Iowa	39	11,130
Kansas	266	85,070
Kentucky	872	279,180
Louisiana	311	97,680
Maine	117	38,045
Maryland	1,957	556,100
Massachusetts	402	123,860
Michigan	1,108	295,500
Minnesota	75	22,010
Mississippi	112	35,175
Missouri	195	58,815
Montana	55	16,370
Nebraska	100	30,295
Nevada	65	21,980
New Hampshire	58	18,115
New Jersey	482	150,250
New Mexico	254	79,700
New York	3,988	1,315,152
North Carolina	700	213,355
North Dakota	14	3,865
Ohio	6,890	1,776,299
Oklahoma	242	78,960
Oregon	56	15,465
Pennsylvania	1,117	309,410
Rhode Island	106	35,405
South Carolina	522	163,905
South Dakota	48	14,275
Tennessee	251	71,265
Texas	1,238	384,655
Utah	57	17,785
Vermont	17	4,325
Virginia	2,999	904,085
Washington	643	212,535
Wisconsin	97	27,725
Wyoming	31	10,025
District of Columbia	703	206,100
Canal Zone	66	23,375
Belgium	1	400
Bermuda	1	400
Canada	21	6,935
Colombia	4	1,330
Germany	4	1,525
Ireland	1	400
Mexico	1	300
Newfoundland	1	400
North Africa	1	345
Puerto Rico	11	3,225
Venezuela	1	400
Holland	1	400
Nicaragua	1	400
Total	34,783	10,331,532

Summary of payments

	Number	Amount
In-State claims	46,366	$11,083,383
Out-of-State claims	34,783	10,331,532
Grand total	81,149	21,414,915

Great Decisions and the Crisis of 1960

EXTENSION OF REMARKS

OF

HON. FRANK W. BURKE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. BURKE of Kentucky. Mr. Speaker, on February 9 our distinguished colleague from Connecticut, Hon. CHESTER BOWLES, delivered an important address at the University of Louisville. This address was one in the distinguished lecture series in which the Louisville Courier-Journal, the Louisville Times and their affiliated radio and television stations WHAS and WHAS-TV bring to the university outstanding personages to discuss important matters in fields of their special competence.

Our colleague, the gentleman from Connecticut [Mr. BOWLES] lived up to the highest traditions of this series and I include herewith the text of his address:

GREAT DECISIONS AND THE CRISIS OF 1960

(By the Honorable CHESTER BOWLES, Member of Congress, former Governor of Connecticut and former Ambassador to India, the distinguished lecture series, University of Louisville, Ky., February 9, 1960)

I want to talk to you tonight about five great decisions which Americans faced in the first 60 years of our century. In each case, our response had a profound effect not only on our own development but on the course of world history.

In the first two of these decisions, our response was disastrously wrong. In the second two, it was brilliantly right. The fifth decision still hangs in the balance.

I am therefore particularly glad to be addressing you tonight in conjunction with the Foreign Policy Association's valuable program, "Great Decisions—1960," which will be holding your attention here in Louisville during the next 8 weeks.

This first year of the 1960's promises to be an eventful one for all of us. It is a year not only of transition into a critical decade, but of feverish political activity and momentous decision.

Between now and July the focus of all Democrats will be on that still nameless man who will be their Presidential nominee. Between July and November, their energies will be given to electing him.

Although the probable Republican nominee is not so nameless, we can expect a similar Republican concentration on the immediate problems of this election year.

History, however, cannot be made to stand still. The forces which shape our destiny move relentlessly on, oblivious to political debates, nominating conventions, and public opinion polls.

Tonight, therefore, I suggest that we look beyond the current political pulling and hauling to consider these forces and our recent record in coping with them.

What will historians say from the perspective of a generation or so hence about America's influence over the course of events in the mid-20th century?

I believe that they will focus their attention on at least five areas of decision in the century's first six decades.

What, then, were these five decisions?

First was our tragic failure in 1919 to join the League of Nations and to throw our power and prestige behind a program to perserve the newly won peace.

Second was our equally costly failure to understand the revolutionary upheaval in China and its relevance to our future security, following the collapse of the Manchu Empire in 1911.

Third was our success in meeting the Nazi threat to Western Europe.

Fourth was our brilliant and decisive response to the challenge posed by the postwar economic and political chaos in Europe.

Fifth, and finally, we now face a deepening crisis in India's economic and political development which may determine, for good or ill, not only the course of events in Asia and Africa, but the future relationship of the whole underdeveloped world to the Atlantic powers, on the one hand, and the Soviet Union and Communist China, on the other.

The adequacy of our response to this fifth challenge is at present uncertain.

Now let us briefly examine our reaction to each of the first four areas of decision in the hope that it may provide us with a fresh perspective in dealing with the fifth.

There is little need for more than a brief reference to the consequences of our failure to join the League of Nations in 1919.

In 1917 the United States had entered World War I as an innocent newcomer to international politics. Fortunately, we entered it under the leadership of a President who realized that the world of 1914 had vanished forever.

Recently it has been fashionable to dismiss Woodrow Wilson as a visionary. And yet his vision was rooted in a higher realism, a clearer sense of the nature of reality, than that of almost any of his contemporaries.

Over and over again Wilson warned us that if we rejected his vision and seceded from the emerging world community, we would not only "break the heart of the world" but that we would pay for our failure in blood.

"There will come, sometime," he warned us, "in the vengeful providence of God, another struggle in which not a few hundred thousand fine men of America will have to die, but as many millions as are necessary to accomplish the final freedom of the people of the world."

But the habits of isolationism were still strong, and its advocates skillful and determined. We had acted generously enough, they said, in sending our boys overseas to "solve Europe's problems."

Now it was time to bring them home, to keep them home, and to accept Mr. Harding's call for a return to normalcy.

And so Woodrow Wilson was repudiated, and his League of Nations was rejected. America, which could have provided the spirit and the sinews necessary for world order, turned its back on the future.

The historical judgment of 2000 A.D. upon America's withdrawal from world responsibility in 1919 will be severe.

Now let us consider the second great area of decision which grew out of the challenge of the Chinese revolution.

In 1911, after 2,000 years of remarkable continuity, the Chinese Empire came to an end. It collapsed under the combined effects of internal decay and the impact of the West. With it collapsed the ideology of Confucianism which had acted as a social cement for much of China's long history.

Now since the mid-18th century Americans had had a special regard for the Chinese people and many close connections with China. American merchants, missionaries, doctors, and teachers had traveled to China by the thousands. Additional hundreds of young Chinese had graduated from American universities.

With our acquisition of the Philippines in 1898 and our "open door" policy, America became a Pacific power with an officially declared interest in the preservation of China's territorial integrity.

We were admirably positioned, therefore, to understand the physical and psychological needs of the emerging new China and to exert a positive and perhaps decisive influence over economic and political developments there.

Yet we were so busy watching the soaring stock market, listening to our new jazz bands, and enjoying the benefits of our booming economy that only a handful of farsighted Americans were even conscious of the challenge.

When in 1920 and 1921 Sun Yat-sen, the leader of the Chinese revolution, urgently asked for substantial loans with which to further the unification and economic development of China, we abruptly turned him down.

And so, after a similar turndown in Western Europe, Sun Yat-sen reluctantly turned to Moscow for the help which the Atlantic nations had denied him.

Although the Bolsheviks were still wrestling with one another over the internal problems generated by their own revolution, they recognized the stakes which were being played for in China and eagerly grasped the opportunity. Had not Lenin himself asserted that the road to Paris runs through Peiping and Calcutta?

By 1923 Soviet technicians, political advisers, and capital began flowing into China.

At the Washington Disarmament Conference the year before, the Harding administration had compounded our failure to help bolster the Chinese economy by agreeing unilaterally to dispense with a major part of our new Navy. By this action we turned over effective military control of the Western Pacific to Japan and opened the door for the series of aggressions which later led to Pearl Harbor.

In 1927, when Sun's successor, Chiang Kai-shek, turned against the Communists and outlined his plans to establish a modernized non-Communist state, we were granted another opportunity to retrieve past mistakes. But once again we were content with a policy of benevolent aloofness.

In 1931 the Japanese Army moved into Manchuria. Firm American action there might still have checked Japanese aggression and given China her chance. But once more the opportunity was lost.

At the League of Nations in Geneva, crisis-weary Britain and France refused to act. And in spite of Secretary of State Stimson's earnest efforts to assert American leadership from Washington, our Government was unwilling to go further than moral lectures and the ineffective doctrine of nonrecognition.

There is no need to dwell on the grim and unhappy story of China since 1931. The 1930's found us caught up in our own problems, unwilling to provoke the naval power of Japan or to give the wobbly Chinese Government the assistance it needed so desperately.

No one knows precisely when we finally lost our capacity to influence events in China.

Some observers assert that as late as 1941 a comprehensive American military, political, and economic effort might have provided an effective democratic alternative to communism. By the end of the war, however, it had become clear that nothing less than massive American military intervention could change the course of events. In view of our war weariness such drastic action was not even proposed.

So it was that we failed to meet the second great foreign policy challenge of our century. We will live with the consequences of this failure for generations to come.

The third challenge was one which we belatedly but effectively recognized and met.

Franklin Delano Roosevelt had a powerful sense of history. He understood that we had sprung from Europe and were irrevocably a part of Europe. He understood that a Europe under Nazi domination would mean a world in which America's own freedom could not long survive.

Beginning with his "quarantine the aggressor" speech in 1938, Franklin Roosevelt began gradually to move the American people toward a similar understanding.

In early September 1939, when the Nazis moved across the Polish border, our first instinct was withdrawal and isolationism.

Yet the old myths of self-sufficiency were weakening. We had begun belatedly to recognize the interdependence of nations. And so in Britain's darkest and finest hour we came to her support.

In the following years American industry and military power provided the decisive power that crushed the totalitarian forces which American membership in the League of Nations might have kept from exploding into aggression in the first place.

The fourth challenge began to take shape soon after the end of hostilities in Europe.

Western Europe's cities were in ruins from years of bombing and street fighting. Food, fuel, and building materials were inadequate. The entire European economy was on the verge of collapse, with mounting inflation everywhere.

In the meantime a few hundred miles away in East Germany and Poland stood nearly 200 Soviet Army divisions ready and able to roll, almost unopposed, to the English Channel.

The American people had been looking eagerly to a crisis-free future of peace and plenty. We had disbanded our armies, put our ships in mothballs, converted our defense factories to peaceful production, and settled down again to enjoy the world's highest living standard.

Then, suddenly and alarmingly, thoughtful Americans began to sense the new threat to world peace which was rapidly taking shape.

The initial Soviet move was aimed at Greece and Turkey, where the balancing power of British diplomacy and military forces, which had traditionally blocked Russia from the Mediterranean, was no longer effective.

Simultaneously all through Western Europe Communist parties which had been effectively associated with resistance to Nazism were vigorously on the move to sow confusion, to establish united fronts, and ultimately to seize power.

At this critical moment we were fortunate to have in our State Department a man with a deep-seated sense of Europe's past and of our relation to Europe's future. I refer to Dean Acheson, who perhaps more than any other American understood the nature of the challenge and our responsibility to meet it.

We were equally fortunate in having as our Secretary of State in 1947–48 Gen. George Marshall, a towering figure of integrity and intelligence.

In Harry Truman we had a President whose raw courage and unswerving sense of purpose will assure him a privileged position in the history of our times.

And in Congress there were Vandenberg of Michigan, Herter of Massachusetts, Russell of Georgia, Fulbright of Arkansas, and many other men of vision and toughness—Republicans and Democrats alike—who understood what was required of us and who did not hesitate to act.

The men and the crisis came together, and the result was a brilliant creative national effort that checked the Soviet military, political, and economic threat, rebuilt the foundations of a new free Europe, and in all probability saved us from a third world war.

The Truman doctrine for the defense of Greece and Turkey was followed by the Marshall plan for the economic and political recovery of Western Europe, then the North Atlantic Treaty Organization for the military defense of Western Europe, and the dramatic Berlin airlift with which we demonstrated we had the will as well as the resources.

In 1949 through the Point 4 proposal of aid to underdeveloped areas, we again broke new ground to create the working framework for a constructive partnership with Asia, Africa, and Latin America.

These were years of brilliant, creative, nonpartisan response to an unprecedented challenge. They were years in which our leaders led, and the American people, aroused and informed, responded with the dedication and intelligence which mark a great Nation.

We come now to the fifth in this series of momentous situations which have tested us Americans in the first 60 years of this century.

This fifth challenge is now only gradually coming to be understood. But unless we muster the determination and the means to cope with it, the price of failure may be even more costly than our failure to understand the challenge posed by the upheaval in China.

In the 19th century and the first decades of the 20th, world peace could be said to rest almost exclusively on the balance of power in Europe. Since the end of the Second World War, this has been fundamentally changed.

Hundreds of millions of Asians and Africans who once responded to orders from London, Paris, and The Hague have become free from colonial control. Inevitably the emergence of these new and underdeveloped nations has given American foreign policy new and far broader dimensions.

The situation has been further compounded by the fact that this revolutionary development has occurred at precisely the time when our modern technology is widening the already highly explosive gap between the rich white minority, most of whom live around the North Atlantic basin, and the poor colored majority, who live largely in the southern hemispheres.

Meantime, moving toward the forefront in world affairs, is the new Chinese giant, intent on overnight industrialization, with 650 million dynamic people, a doctrinaire, aggressive leadership, inadequate natural resources, and a tempting military vacuum rich in much that China needs just beyond her southeastern borders.

Finally, there is the Soviet Union, with a steel capacity of 60 million tons, an annual rate of industrial growth nearly three times our own, graduating twice as many engineers and scientists, and with enormous military power.

Since her early clumsy efforts in China, the Soviet Union has understood the decisive importance of the underdeveloped areas. In recent years her leaders have developed a new flexibility, new subtlety, and new economic and political skill in dealing with them.

Against this complex background the decisive significance of India comes into clear perspective. Her population is equal to that of Africa and Latin America combined, her resources are substantial, her geographic position strategic, her government democratic and fiercely independent, her future highly uncertain.

The physical and strategic importance of India is further underscored by her immense political importance. Hundreds of millions of Asians and Africans are coming to see that the only practical political and economic alternative to the ruthlessly totalitarian program of Communist China is the pragmatic approach of democratic India.

If India with all her advantages of able leadership, a competent civil service, trained technicians, substantial resources, and the great tradition of Gandhi, fails in her attempt to bring widening economic opportunities to her people through democratic means, how could less well endowed new nations hope to succeed?

And if they in their frustration throw in their lot with Communist totalitarianism, what happens to the global balance of power?

But let us also consider the impact on these same nations if India succeeds: If India achieves a satisfactory measure of economic growth and of political stability, if the billion or more people in Asia, Africa, and Latin America see that the people of India have been assured individual freedom, increasing justice, and a sense of personal belonging, as well as more food, clothing, schools, hospitals, and houses—then the cause of orderly growth in the decisive underdeveloped areas through non-Communist means will have won a crucial victory and the outlook for a rational and peaceful world will be greatly improved.

There is a second substantial reason why we must strive for India's success. The greatest threat to peace in Asia today is Communist China's potential expansion into the

food-rich and underpopulated lands of southeast Asia. In the long run, such aggression cannot be effectively blocked by foreign divisions from a distant continent.

Only a strengthened capacity for self-defense among free Asians can ultimately provide real protection against such a move. And that capacity requires the commitment of a strong free India as Asia's major counterweight to the power of Communist China.

The challenge to American policymakers growing out of this unprecedented combination of forces began to be apparent in the early 1950's. Several of us who were directly exposed to these forces at that time stressed the need for an entirely new American response to what we believed to be the new realities of world power in Asia and Africa.

But in diplomacy, as in other forms of human endeavor, old habits of mind often persist long after their relevance has passed. While the Soviet Union has been learning new tactics and developing new sources of power, the United States has clung to old responses and old concepts.

Indeed, until recently India's significance has been obscured by official irritation over Indian neutralism, confusion over India's economic prospects, and lack of understanding of the profound consequences of the Asian and African revolution in which India stands as the central force.

In April 1956 India finished a successful first 5-year plan. Her second 5-year plan, scheduled for completion in April 1961, will fall somewhat short of its relatively modest objectives. The bolder third 5-year plan which follows may be politically, as well as economically, decisive—not simply to India but to the long arc of non-Communist, but uncertain, new nations which stretch from Korea to Ghana.

Since 1951 the United States has provided India with considerable capital, many technicians, and large quantities of wheat. If India is to fulfill her minimum political and economic objectives, this program must now be sharply increased.

Our aid must be long-term and adequate. It must be given wisely, sensitively, and without political strings. It must be provided not as a substitute for other badly needed grants and loans to smaller nations, but as an additional effort in behalf of nations whose strategic importance is paramount to the future of two whole continents.

Now let us look the situation squarely in the face: No one can be sure that an adequate, well administered American aid program will assure India's success. Nor can we predict that without such aid India and the other new nations will certainly collapse and that communism will become the major force in the underdeveloped continents.

Yet our present capacity to tip the scales on the side of freedom is very substantial indeed. Thus the fifth great foreign policy decision of our century comes into focus.

Are we willing to throw our weight onto the scales in what may be democracy's ultimate test in Asia?

Are American leaders prepared to call once again on the American people for forthright, understanding, creative political and economic action on a question of profound importance to their future?

To an undetermined extent the President's recent trip to Asia appears to have opened the administration's mind to the opportunity and the challenge. Yet now as in the case of the four other critical decisions, timid men in high places are counseling postponement and inaction.

They are saying now, as they said of the Marshall plan, "A major effort in Asia and Africa is a political impossibility in an election year."

"How can we act effectively under a divided Government with the President of one party and the Congress of the other?"

"The American people simply do not understand the needs—and they are tired of crises anyway."

"America cannot afford the money, and even if we could, it would be inflationary."

"Congress will never agree to the necessary long-range planning."

Now these are the selfsame defeatist arguments which in 1947 and 1948 were thrown at the Truman administration and its bipartisan supporters in Congress when they proposed to rebuild and defend Europe.

To their everlasting honor and glory, these men set aside political advantage to reject such arguments out of hand.

They took their case to the American people, told them what was needed, and won their overwhelming support.

Today our total national output of goods and services is double what it was in those days. There are idle men and idle resources ready to be put to work. The inflationary consequences are immeasurably less. And the total additional cost of a truly adequate economic effort in all of Asia, Africa, and Latin America is only half the cost of the Marshall plan.

In 1947 and 1948 our leaders acted with insight and courage. As a result new life was breathed into Europe, new political and economic foundations were created on the ruins of the old, and 400 million war-weary people were set on the high road to prosperity, freedom, and peace.

In 1960 are we prepared to act in behalf of freedom not only in crucially important India but in other parts of Asia, Africa, and Latin America as we did in behalf of Europe in 1947?

Are we ready to recruit the necessary able men and women—regardless of party—as we did in the days of the Marshall plan?

Are we ready to bypass the custodians of the past who seek our aid largely to bolster their own privileged positions and to work with the democratic builders of the future?

I believe the American people are ready to be told the requirements. And once informed of what needs to be done, I believe they will offer their support as they offered it in the years following the war, and that we will then proceed to add one more brilliant chapter to the history of democratic government in America.

I do not say that our failure to act will set the Red army marching through the streets of Washington or even New Delhi.

What I do say—and I say it with profound conviction—is that half-way measures may cause us to lose democracy's last opportunity to influence the course of events in Asia, and ultimately in Africa and Latin America as well.

In this century we have thrown away two similar opportunities to help produce a more secure world. On two equally decisive occasions we acted wisely, boldly, and well.

The fifth great foreign policy decision of our century is now at the top of our national agenda. What do we propose to do about it?

Juvenile Delinquency—National in Scope, Local in Cure with Federal Guidance and Aid

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EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 15, 1960

Mr. SANTANGELO. Mr. Speaker, the Society of Medical Jurisprudence of New York conducted a panel discussion at the Academy of Medicine in New York City on February 8, 1960. Through the invitation of my friend, Edward S. Blackstone, chairman of the committee on program arrangements, I was a happy participant. Judge Phillip B. Thurston, justice of the domestic relations court, also spoke on the subject of juvenile delinquency as seen by a judge of a New York City court, who deals daily with the problem. I discussed the topic from the point of view of Federal and State legislation and what the local community could do to prevent the occurrence of juvenile delinquency and the rehabilitative measures which the community could properly take.

Clifton F. Weidlich, Esq., president of the society, presided. My speech follows:

Mr, Chairman, Judge Thurston, Mr. Weidlich, Mr. Blackstone, members of the Society of Medical Jurisprudence, I desire to speak to you about the broad subject of juvenile delinquency. I wish to talk about the nature, the extent of the problem, its causes, prevention, and control and what the Federal Government is doing in this field.

Juvenile delinquency is a problem of many facets. Everyone sees the problem from his own point of view. Each sees it in terms of his own area of concern. The lawyer certainly views it as a legal problem with consideration of specific violations and the application of appropriate remedies. Doctors view it as a psychiatric and psychological problem. Some recent suggestions indicated that we can predict a juvenile delinquent at the age of six. Certainly many men of religion and public-spirited citizens view it as a moral, religious, and ethical problem involving the values by which men order their lives and those of their children. Certainly this problem involves a threat to a stable social structure and the failure of individual children and people to adjust to society. A person with a broad view regards it as a problem of personal development that affects not only the delinquent but the church, home, synagogue, schools, and various health services. In any event, whatever the view, it presents a challenge to governments—Federal, State, and local, and to parents, home, and churches. While this problem is national in scope, it certainly can be cured locally with the financial assistance and guidance of Federal and State Governments.

NATURE AND EXTENT OF PROBLEM

In the past it was our custom to consider juvenile delinquency as exclusively a local problem.

Today we recognize that the problem is national in scope and local in cure with Federal and State guidance. Recently I read an editorial in the Daily News which quoted a person saying that children were disrespectful to their elders, belligerent, and were gathering in lawless gangs. That person was Socrates, the famous Greek philosopher whose murmurs were terminated by hemlock.

By a strictly legal definition there are about 2 million children in our Nation today in the age group between 10 and 17 who have a record of one or more adjudications before juvenile courts. These are our legal delinquents.

But these statistics do not include cases of delinquency which are settled by juvenile police squads and other law-enforcement agencies—nor do these statistics include, of course, the undetected youthful violators. We have a statistically unknown degree of delinquency in our Nation.

So in speaking to you tonight about our national problem of juvenile delinquency, I would like to use as my definition of the term those persons under 21 years of age

whose conduct includes all unlawful or persistently antisocial behavior.

There have been many words written and spoken about juvenile delinquency and our "lawless" youth. I was happy to see an article in a national magazine (Newsweek) a few weeks ago on our good teenagers—the other 98 percent of our children who are growing up without gangs, guns, and goofballs. The other 2 percent have given us a decade of delinquency. 1958 marked the 10th straight year in which juvenile delinquency increased in our Nation. 1958 was the 10th year in a decade which saw the appearance of children in our juvenile courts increase more than 2½ times.

This tremendous increase in youthful lawlessness and crime has started us all asking ourselves what the causes could be. Just as many words could be bandied about blaming parents, schools, churches, mass media, public and private morals, individual maladjustment and a variety of other causes.

CAUSES OF JUVENILE DELINQUENCY

My own conclusions about these causes, conclusions which I have reached after a considerable study of the problem, particularly while I was with the New York Temporary Commission on Youth and Delinquency, are that there are three major causes for this youthful violence and delinquency.

The first, and to my mind, the basic cause for this ever increasing rate of juvenile crime and delinquency is a breakdown in respect for authority, both for the State and for the family.

Secondly, there is a breakdown in the family because of increasing divorces, the absence of parents from the home and its corollary, a lack of love and affection. We find also, of course, in certain instances that the "smother love" of the overly protective parent brings about juvenile delinquency.

Thirdly, the youth of our country have a feeling of frustration, of not being wanted. This feeling gives rise to a rebellion within them, so that they are truly rebels without causes. They experience a feeling of not being wanted in the home, in the school group or in the community. They struggle for recognition and desire to be recognized in some form or another.

Recently, I read an article which outlines 12 simple ways to develop a delinquent. As a parent, which of them have you done?

First, they said to begin with infancy by giving the child everything he wants. In this way he will grow up believing that the world owes him a living. Second, when he picks up bad words or dirty words, just laugh at him. That will make him think he is cute. Third, never give him any spiritual training until he is 21 and then let him decide for himself. Fourth, praise him in the presence of all the neighbors. Show him how much smarter he is than the neighbor's children. Fifth, avoid as you would the plague the use of the words "wrong" or "don't." He may develop a guilt complex. Sixth, pick up everything after him—his books, his clothes, his shoes, so that he will know how to throw burdens on others. Seventh, let him read anything he wants. Have no concern whatsoever as to what goes in his mind. Eighth, quarrel with your husband or your wife frequently in the presence of your children. He will know what parents think of each other when the fire of love is burning low. Ninth, give him all the spending money he wants. Never let him earn anything on his own. Tenth, satisfy every craving of the child, gratifying every sensual desire. Eleventh, take his part against the police, the teachers, the neighbors; they are all prejudiced against your child. When your child comes home from school with low marks tell him that his teacher is prejudiced against Puerto Ricans, Negroes, Italians, or any other minority. When your child complains that the cop on the beat told him to break it up and move along, tell him that the cop is a crook and on the payroll of the local bookmaker. Twelfth, and finally, in your program be sure that when he finally gets into real trouble always defend him yourself and say, "He is a good boy, his companions led him astray."

FEDERAL ACTION

It is in the area of research that the Federal Government has given us so much needed leadership and assistance. Some of our Federal agencies and our Congress are devoting time, taxes, and toil also to help us find the most effective vaccine to inoculate our children against juvenile delinquency back in our communities where our children are—in our homes, schools, churches, and all our communities' institutions.

It is particularly fitting, it seems to me, that much of this research and technical assistance to States in the field of delinquency has centered in our U.S. Department of Health, Education, and Welfare. For juvenile delinquency affects our children's health, education, and welfare as much as the food they eat, the water they drink, or the books they read.

Recognizing that this menace had reached national proportions, the Children's Bureau, which is concerned with the health and well-being of all our children, delinquent and nondelinquent, established a Division of Juvenile Delinquency Services, in 1955. This Division gives technical assistance and consultation to juvenile courts in many of our States on such matters as detention care, courtroom procedure, and court-community agency relationships.

We have about 3,000 juvenile courts throughout our country and yet service in many of these courts has not, for the most part, been able to keep up with developments either in the volume of services needed or in the application of up-to-date methods and principles for dealing with children and youth. The Division, though it does provide consultation and technical assistance to many of our courts, is not adequately staffed to meet all requests in this field to develop guides and standards which are so greatly needed.

This Division of Juvenile Delinquency Services also offers technical assistance to States and communities in the training of personnel. It is alarming, I think, that about half of the counties in our country have no probation services at all for youth. In the other half where some probation services exist, we find that only about 1 out of 10 of the probation officers have had any specialized training for their jobs. We are also told that about 4 out of 10 of our 2,000 local probation officers who work exclusively with children do not have a college degree and are not eligible for advanced training. And our detention homes and public training schools are also for the most part staffed with unskilled, untrained people

It is in this area that the Division of Juvenile Delinquency Services tries to help us on a national level by offering as many services as possible to help local agencies to expand their inservice training for these people working directly with our kids and to help in getting more trained people into the field.

This Division also collects and analyzes our statistics on juvenile delinquency, does research toward establishing goals and guides for our local institutions which handle delinquents, and encourages and gives consultation to communities in their search for improved methods of combating delinquency. Certainly you and I know that more consultation with States and community institutions and more correlation of all our delinquency data is not going to cure delinquency. But the guides, the packaged knowledge and the exchange of experience we can get in this way can be invaluable if it is properly used.

The Federal Government also conducts a program of research, training, and consultation in the mental health aspects of delinquency. In this area we are looking for immediate aids for our national problem of delinquency and we are also looking for aids of a more basic nature which will help us to increase our knowledge about juvenile delinquency—that is useful, everyday knowledge that we can put into practice for a long term cure. It's this kind of research that is badly needed. And again, it's this kind of research which costs us the most precious time. We here in the local communities are so busy trying to put out the fire that we haven't too much time left over to shop around for a better fire truck.

During 1959, the National Institute of Mental Health made 84 grants to institutions and individuals for research in juvenile delinquency. These 84 grants cost $1,113,000—a lot of money. But compared to the cost of public services for delinquents—that is our courts, police, detention facilities and institutional care—which is conservatively estimated to cost $200 million, the cost spent in research for more effective treatment, prevention and rehabilitation of our delinquents is small indeed.

This research sponsored by the National Institute of Mental Health is destined not only to help us save in the money costs of juvenile delinquency, but it will help us save other costs which count most, that is the cost of family distress, loss of productive years, personal unhappiness, and human life. These costs cannot be measured.

Specifically, some of the grants made by the National Institute of Mental Health in 1959 were for 14 studies in treatment methods; 15 grants for general theory and personality studies; 7 studies of delinquency and the schools; 14 studies in family structure and attitudes; and 4 studies in drugs and delinquency. These studies deal with some of our most basic problems in the treatment and rehabilitation of juvenile delinquency.

One of these research projects which the National Institute of Mental Health conducted during 1959 was centered in New York University and the Lower East Side Neighborhood Association. Another project sponsored by a grant from the National Institute of Mental Health is one in Quincy, Mass., known as the South Shore Courts Clinic project.

They hope that findings from this research project will give us some treatment classification procedures that can be used by some of our untrained or partially trained people in the field.

The appropriate committee of the U.S. Congress has not been indifferent to this national menace, either. Since 1953, a special subcommittee of the Judiciary Committee in our Senate has been studying juvenile delinquency. Just last fall they were here in New York to hold hearings on juvenile gangs, a problem of serious concern to you and me. This same subcommittee has held similar hearings throughout our country and has collected and disseminated valuable knowledge about the prevention and treatment of juvenile delinquency.

Last fall a subcommittee of the Committee on Education and Labor of the U.S. House of Representatives held hearings on this national problem in relation to Federal legislation in this field. These hearings on juvenile delinquency at the community level have not only been useful in stimulating local concern but they have also been informative to the House of Congress as to what the Federal Government can and should do in this field. They have helped us all by alerting us to the Nation's concern with juvenile delinquency and even its international implications. The boy of today is no different from the boy of yesteryear.

The Greek philosopher Socrates told us youth gangs were prevalent in ancient Greece. The only difference, in my opinion, between the gangs of today and those of yesteryear is the use of instruments of destruction. A prankster today would not be considered a Huckleberry Finn, but a young man crossing interstate lines may be violating Federal law.

I believe that where a weapon is used, punishment should be swift and heavy.

Many of the crimes committed by juveniles today involve violation of Federal law. The theft of an automobile if involved in interstate transportation of the vehicle would bring a young man or woman into Federal court. Matters relating to runaway children and narcotics could also bring a child into a Federal court.

The U.S. Congress has recently passed some legislation, however, which related directly to some of these legal matters. During the 85th Congress, H.R. 12850, which prohibits the interstate traffic of switchblade knives became law—Public Law 85–623. During the same Congress we enacted Public Law 85–796, a measure which has resulted in the prosecution and arrest of pornographers who were unreachable. The most important feature of this law is that it allows prosecution at the point of delivery as well as at the point of deposit of obscene matters sent through the mail.

During this same Congress, we passed another law, Public Law 85–752, which contained a section which raised the age limit from 22 to 26 for those youths covered by the Federal Youth Corrections Act. This is a rehabilitative approach to the offender rather than a punitive one. I regret that the State of New York has postponed the effective date of Youth Act which extends secrecy to cases involving youths of 19 and 20. This postponement in my opinion is shortsighted and unwise.

During the 86th Congress, several bills relating to juvenile delinquency have been introduced by both Houses. None have become law.

Among the measures introduced were bills in both Houses which would provide for Federal assistance projects which will demonstrate or develop techniques and practices leading to a solution of our national juvenile delinquency control problems.

Other bills in both Houses were introduced to provide assistance to and cooperation with States and institutions of higher learning for the training of qualified personnel for work in various fields involving the prevention, treatment, and control of juvenile delinquency.

Two of our most urgent problems are personnel and practicable controls.

We, here in New York, have seen the benefit of our youth camps. One bill was introduced in the Senate last session and some 13 similar bills were introduced in the House to apply this basic principle on a national level. The intent of all these bills is to set up a Youth Conservation Corps whereby young men, usually between the ages of 16 and 21 could participate in planned conservation projects on public land. These boys would be aware that they were doing something necessary and worthwhile in the conservation of State resources. Those in favor of this measure have pointed out that the same sense of satisfaction and resulting change in attitude is frequently not found in training schools where work is designed to help the boys keep busy, and has no other meaning—and the boys know it.

We talk a great deal about rehabilitating the juvenile delinquent and the youthful offender, but we do very little about it actually. Governments have a Dr. Jekyll-Mr. Hyde complex, a helpful aspect and a harmful attitude. We little realize that when a boy gets into trouble he is actually condemned to menial employment and to second-rate citizenship.

Almost every agency of government interposes its strength to keep this child from becoming a useful citizen and losing himself in the anonymity of everyday life. A boy, after making a mistake, may receive the blessing of our youthful offender law, gets a break and, being released resolves to walk the straight and narrow path. He applies for a job—civil service closes its doors to him. He cannot become a police officer because the police department under the leadership of its police commissioner not only refuses appointments to boys who have made one mistake, but also extends the principle of refusing appointment to a boy whose father has been a convict. The boy cannot even get a job cleaning the streets because civil service will not approve or certify him as qualified. He cannot get a liquor license because the ABC and the State liquor board will refuse him a license. He cannot even become a barber because that requires a license. If his crime has been a serious one, the docks and waterfront are closed to him. The State civil service also closes its doors. He can't get a Government clerical job—the Post Office Department will not even let him carry letters. The electricians and plumbers reject him, as a license is required. If he wants to drive a truck, he needs a driver's license and perhaps he cannot even get a driver's license. If he wants to be a grocer, he finds himself handicapped, because he might need a beer license and can't get it. Where is he to turn?

If he tries to enter the Armed Forces, he may be rejected. With respect to the situation in the Armed Forces and the discharges which servicemen receive which are "less than honorable," I believe the situation is worse than it is in civilian life. Any boy who receives a discharge less-than-honorable finds that he has forfeited almost all of his civil rights either in government or in private industry. Many young men have come to me crying for the opportunity to obtain employment, but are prohibited from doing so because they have received a general, undesirable, bad conduct, or dishonorable discharge. Only an enlightened public can solve this problem for it is certain that government agencies will not accept a boy who has anything less than an honorable discharge. In past years we prided ourselves in seeing that our Constitution struck down the vicious bills of attainder and the doctrine of corruption of the blood. In practice in our country we see the horrible consequences of this nonlegal bill of attainder in the practice of government to deny jobs to boys with a conviction or to refuse him civil service because of an arrest or a discharge less than honorable.

During my senatorial career in the New York State Senate I made a recommendation and introduced a bill which redefined the term "arrest." A person who has been adjudicated a juvenile delinquent or youthful offender should not be considered as a person having been arrested. I would give him at least one chance. In this way, a boy would be able to say truthfully, as on a civil service questionnaire that he has never been arrested. We public officials or personnel officers will not knowingly take the responsibility to give a juvenile delinquent or youthful offender a position in public employment. We act this way because we know that if a government employee who was a former delinquent transgresses once again, a newspaper will call for the removal of the public official. It requires courage for a public official to give such a boy an opportunity in public employment and there are very few with such courage. Despite these obstacles some boys rehabilitate themselves. I salute them.

You gentlemen are steeped in law and in modern psychiatric and psychological approaches. In your field of endeavor you may find answers which may prove more realistic than mine or more attainable. I exhort you to use your intellect and experiences to the solution of this problem. It is the common concern of all of us.

SENATE

TUESDAY, FEBRUARY 16, 1960

(Legislative day of Monday, February 15, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Senator GALE W. MCGEE, of Wyoming, Acting President pro tempore.

Rev. Benedict Gauronskas, pastor, St. Anthony's Lithuanian Roman Catholic Church, Ansonia, Conn., offered the following prayer:

O God, Father of all men, giver and vindicator of human freedom, we praise and thank Thee for Thy great goodness and for the blessings which pour upon us from Thy hands.

To Thy love and mercy we especially commend the peoples in many areas of the world who groan and weep under the yoke of a tyranny which denies the rights of God and the rights of God's image, man.

Console them in their afflictions. Strengthen them against the hammer blows of vile injustice and pitiless persecution. Hasten the day of their release from bondage.

Grant that we shall never forget their plight and their sufferings. Prompt us, mindful of the pains of these, our brothers, to pray for them, to raise our voices in their behalf, and to keep the conscience of mankind alert to the crime of which they are victims.

This we ask in the name of Thy Son, crucified yet victorious, Jesus Christ. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 16, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GALE W. MCGEE, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MCGEE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading

of the Journal of the proceedings of Monday, February 15, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Interstate and Foreign Commerce.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 766. An act to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes;

H.R. 3375. An act to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior to contract for coal research, and for other purposes;

H.R. 6516. An act to approve a contract with the Conejos Water Conservancy District, Colorado, to ratify its execution, and for other purposes;

H.R. 7045. An act to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes;

H.R. 7359. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada; and

H.R. 8347. An act to authorize the acquisition of land for a national wildlife refuge at Jackson lock and dam navigation project, Alabama.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 82) extending the Joint Committee on Washington Metropolitan Problems.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 7) declaring the sense of Congress on the closing of Indian hospitals, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 623. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California;

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes;

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho;

H.R. 3610. An act to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes; and

H.R. 9664. An act to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm costs.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 766. An act to amend section 5 of the Act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes; to the Committee on Government Operations.

H.R. 3375. An act to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior to contract for coal research, and for other purposes;

H.R. 6516. An act to approve a contract with the Conejos Water Conservancy District, Colorado, to ratify its execution, and for other purposes; and

H.R. 7359. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada; to the Committee on Interior and Insular Affairs.

H.R. 7045. An act to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8347. An act to authorize the acquisition of land for a national wildlife refuge at Jackson lock and dam navigation project, Alabama; to the Committee on Public Works.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 7) declaring the sense of Congress on the closing of Indian hospitals, was referred to the Committee on Interior and Insular Affairs, as follows:

Whereas it is the policy of the United States, in keeping with treaties, understandings, and long-established customs, to provide certain necessary services and facilities to American Indians; and

Whereas it is essential that such necessary services and facilities be continued in those instances in which the Indians cannot otherwise provide or obtain such services and facilities; and

Whereas the medical and hospital facilities so provided the Indians meet one of their fundamental needs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of the Congress that no Indian hospital be closed or reduced in capacity or service unless and until the Surgeon General of the Public Health Service has given at least ninety days' notice to the Congress of the planned hospital closing or reduction in services, and has certified with such notice that the intended closing or reduction in services will not create a shortage of hospital facilities in the area served, or intensify an existing shortage of hospital facilities in the area served, and has further certified that adequate facilities and services will be available to the Indians of the area.

It is further declared to be the sense of the Congress that public health programs to reduce Indian tuberculosis and infant mortality rates should not be curtailed in any area until the Indian rates are comparable to non-Indian rates in the area.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Business and Commerce Subcommittee of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour for the introduction of bills and the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I call the attention of the Senator from Oregon [Mr. MORSE] to this request. So we shall have the usual morning hour.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON ESTABLISHMENT AND DEVELOPMENT OF FACILITIES FOR ADVANCED RESEARCH PROJECTS

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, on the establishment or development of installations and facilities required for advanced research projects, for the period July 1, 1959, through December 31, 1959; to the Committee on Armed Services.

CONSTRUCTION OF MODERN NAVAL VESSELS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize the construction of modern naval vessels (with an accompanying paper); to the Committee on Armed Services.

AUDIT REPORT OF EXCHANGE STABILIZATION FUND

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of audit of the Exchange Stabilization Fund, for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on Banking and Currency.

TREATMENT OF GAIN FROM SALE OR EXCHANGE OF TANGIBLE PERSONAL PROPERTY USED IN THE TRADE OR BUSINESS

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the treatment of gain

from the sale or exchange of tangible personal property used in the trade or business (with an accompanying paper); to the Committee on Finance.

ACCEPTANCE BY THE UNITED STATES OF AMENDMENTS TO CONSTITUTION OF WORLD HEALTH ORGANIZATION

A letter from the Secretary of State, transmitting a draft of proposed legislation providing for acceptance by the United States of America of amendments to the Constitution of the World Health Organization adopted by the Twelfth World Health Assembly (with accompanying papers); to the Committee on Foreign Relations.

REPORT ON REVIEW OF AIR FORCE CONTRACTS WITH FAIRCHILD ENGINE & AIRPLANE CORP., HAGERSTOWN, MD.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of treatment of suppliers' price reductions applicable to negotiated Department of the Air Force contracts by Fairchild Engine & Airplane Corp., Fairchild Aircraft Division, Hagerstown, Md., dated February 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON POSITIONS FILLED IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS–16, GS–17, and GS–18, for the year 1959 (with an acompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Arizona; to the Committee on Foreign Relations:

"HOUSE MEMORIAL 1

"Memorial relating to the establishment of a seaport at Yuma, and recommending that the Federal Government enact legislation appropriating funds for the purpose of assisting the State of Arizona to establish the Yuma seaport

"To the Congress of the United States:

"Your memorialist respectfully represents:

"The economic development of the State of Arizona not only benefits the residents of the State of Arizona but the whole United States. The establishment of a seaport at Yuma, Ariz., would permit ocean freighters to tie up at this Arizona port, thereby benefiting the economy of the State and the Nation by providing cheaper freight rates on exports as well as imports.

"In order to provide these incalculable advantages for the State and for the Nation it would be necessary to plan and complete an engineering problem which has not been considered as insurmountable by qualified engineers. Moreover, the Government of the United States may have to make an agreement with the country of Mexico, negotiated through diplomatic channels, for the purpose of permitting the dredging of a channel some 80 miles long, from the shores of the Gulf of California to the seaport site at Yuma.

"The growth and development of the State of Arizona, although rapid, could be extended, and the problems of rapid growth could be adequately met by the establishment of a seaport at Yuma. Although some Federal financing and diplomatic negotiations may be required, the bulk of the financing could be obtained through private enterprise. The engineering problems could be solved through the efforts of local professional engineers who are already acquainted with the problem.

"The problem of establishing a seaport is not entirely new. A seaport was established at Houston, Tex., which involved dredging a channel 50 miles long, from Houston, Tex., to the Gulf of Mexico.

"The establishment of a seaport at Yuma would not only benefit our trade economy but would enhance our tourist economy. Our tourist traffic would be increased by the advantages of deep sea fishing and boating thereby adding to our present attractions of desert and mountains.

"Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the Congress of the United States authorize the appropriate Government department to negotiate with the Mexican Government for the purpose of permitting the dredging of the river linking the city of Yuma and the Gulf of California.

"2. That the Congress appropriate Federal funds to be matched by State and private funds, which shall be used for the purpose of preparing plans for the engineering problems involved in dredging the channel from Yuma to the Gulf of California."

A resolution of the Senate of the State of Arizona; to the Committee on Interior and Insular Affairs:

"SENATE MEMORIAL 1

"Memorial requesting the Congress of the United States, the Arizona congressional delegation, and the Secretary of the Interior to take appropriate action to determine the equitable rights which the San Carlos Apache Indian Tribe may have in land referred to as the mineral strip

"To the Congress of the United States of America, Senators Carl Hayden and Barry Goldwater, Representatives John Rhodes and Stewart Udall, and Mr. Roger Ernst, Assistant Secretary of the Interior, acting for the Secretary of Interior:

"Your memorialist respectfully represents:

"In the year 1896, the San Carlos Apache Indian Tribe ceded to the United States of America certain lands adjoining their existing reservation. The ceded land is commonly referred to as the Mineral Strip and consists of approximately 232,320 acres, of which 32,000 acres have since been patented and are in private or State ownership.

"On February 18, 1931, at the request of the San Carlos Apache Tribe, the ceded lands were temporarily withdrawn from mining entry and such withdrawal has remained in effect to the present time. Prior to the temporary withdrawal, numerous mining claims were located on the ceded land, some of which have been in production for many years. Many of the productive mines, including numerous undeveloped prospects, have strong possibilities of developing into major mines. A heavy mineralized belt is known to exist therein and other portions of the ceded lands are known to be mineralized.

"Further discovery, exploration, and development of these resources can best be accomplished by assurance of continuity of title, which would encourage investment of private capital resulting in the creation of new base tax properties and an added source of individual income.

"A history of the development of mineral resources on and off the reservation reveals that mineral resources can be best developed and managed and the investment of private capital encouraged only if title to the ceded lands remains in status quo.

"Application has been made to the Secretary of the Interior for the return of the ceded lands to the tribe for the purpose of becoming a part of the San Carlos Apache Reservation. This development, if accomplished, will be detrimental to the public interest for the following reasons, among others:

"1. The livelihood of 26 ranch families is wholly or partially dependent upon the ceded lands. Large sums of money have been expended by the present owners of the patented lands for homes, grazing rights, roads, fences, water developments, perfection of water rights, and other range improvements. These purchases and expenditures have been made in good faith with reliance on clear title to their patented lands and with confidence that the use of the ceded lands would be perpetual. A return of the ceded lands to the Apache Tribe would, therefore, amount to confiscation of a lifetime of investments of money and management since the small private holdings would be practically valueless if stripped of the present grazing rights attached thereto.

"2. The return of the ceded lands to the Apache Tribe would remove from the county and State tax rolls of Arizona approximately 12,000 acres of patented lands, all residential and ranch improvements and livestock, together with the income tax benefits which presently accrue to the State and Federal Governments and 79,629.1 acres of State-owned lands.

"3. In addition to its mineral, grazing, and other natural resources, the ceded lands provide an excellent habitat for numerous forms of native game animals and birds and the area is considered vitally important to many residents of the State for hunting, fishing, and other recreational activities.

"4. Present conditions on and off the San Carlos Apache Indian Reservation prove conclusively that wildlife which abounds on the ceded lands can best be managed under the jurisdiction of the Arizona Game and Fish Commission with scientific management and trained, competent, and expert personnel, rather than under the Tribal Council of the San Carlos Apache Tribe who lack qualified personnel to handle game management problems on the reservation at the present time.

"The best interests of the public will be served if the title of the ceded land remains permanently as it now exists, subject only to the issuance of new patents, the opening of prospecting for exploration, development, and normal industrial progress. Moreover, maintenance of the status quo will encourage the investment of private capital under our free enterprise system.

"Wherefore your memorialist, the Senate of the State of Arizona, prays:

"1. That the Congress of the United States, Senators Carl Hayden and Barry Goldwater, Representatives John Rhodes and Stewart Udall, and Mr. Roger Ernst, Assistant Secretary of the Interior, acting for the Secretary of the Interior, take immediate action to prevent and prohibit the return of the ceded lands to the San Carlos Apache Indian Reservation. Moreover, it is requested that the Honorable Roger Ernest, acting for and on behalf of the Secretary of the Interior, take appropriate action to permanently establish the title to the ceded lands in the form in which they presently exist, and that action be taken to reopen the ceded lands to mineral discovery, exploration and development.

"2. That the Secretary of the Interior initiate and carry to completion the necessary steps to determine any and all legal and equitable rights which the San Carlos Apache Indian Tribe may have in and to the ceded lands. After the determination of the legal and equitable rights, it is requested that the Secretary of the Interior transmit the report through the proper congressional channels so that a fair compensation may be paid to the San Carlos Apache Indian Tribe.

"3. That the Honorable Wesley Bolin, secretary of state of the State of Arizona, send copies of this senate memorial to the following:

"(a) The President of the Senate of the United States.

"(b) The Speaker of the House of Representatives of the United States.

"(c) Senators CARL HAYDEN and BARRY GOLDWATER.

"(d) Representatives JOHN RHODES and STEWART UDALL.

"(e) Secretary of the Interior.

"(f) Mr. Roger Ernst, Assistant Secretary of the Interior.

"(g) Director, U.S. Bureau of Land Management.

"(h) Arizona Game and Fish Commission.

"(i) Arizona State Land Commissioner.

"(j) Arizona Cattle Growers' Association.

"(k) Area 2, wildlife representatives.

"(l) Arizona Game Protective Association.

"(m) Ranchers' Association, Care of Guy Anderson.

"(n) National Wildlife Federation."

A resolution of the General Assembly of the State of Georgia, favoring the enactment of legislation to provide funds for the construction of a veterans hospital in the Atlanta area; to the Committee on Appropriations.

(See the above resolution printed in full when presented by Mr. RUSSELL on February 15, 1960, p. 2446, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Georgia, favoring the enactment of legislation to extend education benefits to veterans of the Armed Forces who entered or who enter the service subsequent to February 1, 1955; to the Committee on Labor and Public Welfare.

(See the above joint resolution printed in full when presented by Mr. RUSSELL on February 15, 1960, p. 2446, CONGRESSIONAL RECORD.)

A memorial, signed by David Arnold, and sundry other citizens of the State of Wisconsin, remonstrating against the adoption of the resolution (S. Res. 94) relating to the recognition of the jurisdiction of the International Court of Justice in certain disputes hereafter arising; to the Committee on Foreign Relations.

RESOLUTIONS OF GENERAL COURT OF COMMONWEALTH OF MASSACHUSETTS

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], and myself, I present four resolutions from the General Court of Massachusetts, the legislative body. I ask unanimous consent that the resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Banking and Currency:

"RESOLUTIONS MEMORIALIZING CONGRESS TO INVESTIGATE AND DETERMINE THE CAUSES OF INFLATION AND TO ENACT REMEDIAL LEGISLATION

"Whereas inflation, as evidenced by price increases which continually raise the cost of living, is largely responsible for the soaring tax rates of our cities and towns as well as for the ever-increasing annual budgets of the various States; and

"Whereas inflation is undermining the value of the endowments of colleges, hospitals, libraries, and other institutions and rendering inadequate our individual provisions for retirement security: Therefore be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to take immediate steps to investigate and determine the causes of inflation and, on the basis of its findings, to enact such legislation as will tend to stabilize our economy; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, the Presiding Officer of each branch of the Congress, and to each Member thereof from this Commonwealth.

"House of representatives, adopted, February 1, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"In senate, adopted in concurrence, February 3, 1960.

"IRVING N. HAYDEN,
"Clerk."

To the Committee on Finance:

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION GRANTING TO VETERANS OF WORLD WAR I PENSIONS COMPARABLE TO GRANTS TO VETERANS OF AMERICAN WARS PRIOR TO WORLD WAR I

"Whereas it has been the national policy of the United States to grant assistance to its war veterans in their declining years by a pension, all in consideration of their military services in defense of our country; and

"Whereas there has been no general pension granted to veterans of World War I by the United States; and

"Whereas the United States has been and is aiding many foreign countries in restoring their economy: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to enact legislation granting a pension to veterans of World War I comparable to grants to veterans of American wars prior to World War I; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress, to the Members thereof from this Commonwealth, and to the members of the Veterans' Affairs Committee in the House of Representatives of the United States.

"House of representatives, adopted, January 15, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"In senate, adopted in concurrence, January 28, 1960.

"IRVING N. HAYDEN,
"Clerk."

To the Committee on Interior and Insular Affairs:

"RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ESTABLISH A NATIONAL CEMETERY IN THE NEW ENGLAND AREA

"Whereas the Secretary of the Army has taken the position that it is the responsibility of the Congress to decide as a matter of public policy whether or not new cemeteries shall be established; and

"Whereas New England, one of the most densely populated areas in the country, has no national cemetery; and

"Whereas there are 34 States and possessions which have within their boundaries at least one national cemetery with grave space available; and

"Whereas there has not been any new national cemetery established since 1951; and

"Whereas the veteran deserves honor and recognition not only in life but also in a final resting place: Therefore be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to take such action as may be necessary to establish a national cemetery in the New England area; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the Members thereof from this Commonwealth and the New England States.

"Senate, adopted, January 18, 1960.

"IRVING N. HAYDEN,
"Clerk.

"House of representatives, adopted in concurrence, January 25, 1960.

"LAWRENCE R. GROVE,
"Clerk."

To the Committee on the Judiciary:

"RESOLUTIONS MEMORIALIZING THE CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT AND ENFORCE LEGISLATION TO IMPLEMENT THE DECISIONS OF THE SUPREME COURT OF THE UNITED STATES OUTLAWING SEGREGATION IN THE PUBLIC SCHOOL SYSTEM

"Whereas the Supreme Court of the United States, on the 17th day of May 1954, by unanimous decision, held that 'in the field of public education the doctrine of separate but equal has no place'; and

"Whereas the said Court has expressed its desire that its decision be complied with 'with all deliberate speed'; and

"Whereas the 14th amendment to the Constitution of the United States provides that no State shall deny to any person within its jurisdiction equal protection of the laws; and

"Whereas the interests of orderly government demand that respect and compliance be given to orders issued by courts possessed of jurisdiction of persons and subject matter: Therefore be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress and the President of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system; and be it further

"Resolved, That the secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the Presiding Officer of each branch of the Congress, and to each Member thereof from this Commonwealth.

"House of representatives, adopted, February 1, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"In senate, adopted in concurrence, February 3, 1960.

"IRVING N. HAYDEN,
"Clerk."

RESOLUTIONS OF MINNESOTA AIRPORT OPERATORS ASSOCIATION

Mr. HUMPHREY. Mr. President, several resolutions concerning legislation in the area of aviation were adopted by the Minnesota Airport Operators Association in their annual convention on January 19–20, 1960. I ask unanimous consent to have these resolutions printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

"RESOLUTION 1

"Whereas the discontinuance of FAA medical examinations being given student and private pilots by their family doctor would impose a hardship on some 4,000 pilots in Minnesota; and

"Whereas the proposed change would regulate without sufficient cause: Therefore be it

"Resolved, That the Minnesota Airport Operators Association at their convention in

Minneapolis, Minn., on January 19–20, 1960, opposes any change in the issuance of student and private medical certificates."

"RESOLUTION 2

"Whereas the operation of the Federal Aviation Agency has imposed unreasonable hardship on the aviation business in the State of Minnesota as revealed in a discussion from the floor at the Minnesota Airport Operators Association convention in Minneapolis, Minn., on January 20, 1960: Therefore be it

"*Resolved*, That the Federal Aviation Act should be amended in section 601 to provide a right of suspension and review for any rule, regulation or minimum standard issued by the Administrator when the Civil Aeronautics Board finds reasonable grounds to believe that their imposition would create a substantial economic hardship on persons affected without sufficient cause."

"RESOLUTION 3

"Whereas the 60-year age limit about to be imposed on civilian pilots is discriminatory; and

"Whereas a proposed age limit deprives pilots of their right to continue their profession and improve their earnings: Therefore be it

"*Resolved*, That the Minnesota Airport Operators Association, at their convention at Minneapolis, Minn., on January 20, 1960, opposed the age limit for pilots."

"RESOLUTION 4

"Whereas private aircraft owners are being penalized in making crossings of the borders of the United States as compared to other forms of transportation: Therefore be it

"*Resolved*, That the Minnesota Airport Operators Association, at their convention in Minneapolis, Minn., on January 20, 1960, support House bill H.R. 9344; further

"*Resolved*, That the association direct a letter to the Administrator, and to other interested persons, on the adoption of these resolutions."

We are submitting these resolutions for your consideration. They reflect our stand on current issues.

Sincerely,

MINNESOTA AIRPORT OPERATORS ASSOCIATION,
LLOYD ALSWORTH, *Secretary*.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 3038. A bill for the relief of Pak Jung Hi; to the Committee on the Judiciary.

By Mr. KEATING:

S. 3039. A bill to increase the penalties under the civil rights statutes in cases where death or injury occur; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 3040. A bill for the relief of Nellie V. Lohry; to the Committee on the Judiciary.

By Mr. MORTON (for himself and Mr. COOPER):

S. 3041. A bill to provide for the conveyance of certain land comprising a part of Nichols General Hospital to the State of Kentucky, and for other purposes; to the Committee on Armed Services.

By Mr. JAVITS:

S. 3042. A bill to amend the laws relating to mortgage insurance, urban renewal authorization and relocation payments; to the Committee on Banking and Currency.

S. 3043. A bill relating to rates of postage on second- and third-class matter mailed by civic organizations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under separate headings.)

By Mr. ELLENDER (by request):

S. 3044. A bill to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. JAVITS (for himself and Mr. DOUGLAS):

S. 3045. A bill to effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes; to the Committee on the Judiciary.

S. 3046. A bill to protect the right to vote in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3047. A bill to amend section 15(7) of the Interstate Commerce Act as amended to require the suspension of certain rates pending hearing and decision concerning their lawfulness; and

S. 3048. A bill to amend the Interstate Commerce Act with respect to reasonable differentials in favor of joint rates for through transportation by rail and water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON (for himself and Mr. NEUBERGER):

S. 3049. A bill for the relief of Oh Chun Soon; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 3050. A bill for the relief of Andreas Rakintzis (Rakajes); to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3051. A bill for the relief of Regidor Nava Aguirre (also known as Felipe Capulong); to the Committee on the Judiciary.

By Mr. DODD:

S. 3052. A bill to authorize the advance on the retired list of First Lieutenant Nicholas Mainiero, U.S. Marine Corps Reserve (retired), to the grade of captain; to the Committee on Armed Services.

S. 3053. A bill for the relief of the State of Connecticut; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S.J. Res. 162. Joint resolution authorizing the Secretary of the Interior during the calendar years 1960 and 1961 to continue to deliver water to lands in certain irrigation districts in the State of Washington; to the Committee on Interior and Insular Affairs.

By Mr. BUSH:

S.J. Res. 163. Joint resolution authorizing the President to issue a proclamation designating February 16 of each year as Lithuanian Independence Day; to the Committee on the Judiciary.

(See the remarks of Mr. BUSH when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

Mr. MORSE submitted the following resolutions, which were ordered to lie over under the rule:

S. Res. 273. Resolution to discharge, under certain conditions, the Committee on the Judiciary from the further consideration of S. 2391, a so-called civil rights bill; and

S. Res. 274. Resolution to discharge, under certain conditions, the Committee on Rules and Administration from the further consideration of S. 2814, a so-called civil rights bill.

(See the above resolutions printed in full when submitted by Mr. MORSE, which appear under a separate heading.)

FLYING OF PANAMANIAN FLAG IN CANAL ZONE

Mr. BUTLER submitted a resolution (S. Res. 275) declaring the opposition of the U.S. Senate to flying the Panamanian flag over the Canal Zone, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. BUTLER, which appears under a separate heading.)

PROPOSED ANTILYNCHING LEGISLATION

Mr. KEATING. Mr. President, our Nation was shocked by the brutal lynching of Charles Mack Parker. The failure to punish those responsible for that dastardly deed has distressed all law-abiding Americans.

No matter what technical basis must be invoked for Federal prosecution of those responsible for such crimes, it is clear that lynchings are a form of premeditated murder. Under these circumstances, it is incredible that the applicable Federal laws provide as a maximum punishment a $1,000 fine and not more than 1 year in jail if the offender was an individual, and a $5,000 fine and not more than 10 years in jail if the offenders acted in conspiracy.

These penalties are patently inadequate for crimes resulting in the injury or death of the victims. I have therefore prepared an amendment to increase the penalties in such cases to a point where the punishment will fit the crime. I am advised that this amendment has the approval of the Attorney General, who recently recommended that the applicable statutes be amended so as to permit the imposition of more appropriate penal sanctions in cases involving crimes of such gravity.

Mr. President, some Members expressed a great deal of interest in these amendments when the subject was briefly discussed during yesterday's session. I intend, of course, to discuss this subject in detail when my amendments are under consideration by the Senate. However, in order to satisfy the curiosity of those of my colleagues who expressed such deep concern in the subject yesterday, I send my bill to the desk and ask that it be printed at this point in the RECORD, with the present language in 6½ point type, and the new language in 7½ point type.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested by the Senator from New York.

The bill (S. 3039) to increase the penalties under the civil rights statutes

in cases where death or injury occur, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, section 241, is amended to read as follows:

"§ 241. Conspiracy against rights of citizens.

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

"If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

"They shall be fined not more than $5,000 or imprisoned not more than ten years, or both:

Provided, That if death to any person results, the punishment shall be imprisonment for any term of years or for life, but the court may impose the death penalty if the jury so recommends."

SEC. 2. Title 18, United States Code, section 242, is amended to read as follows:

"§ 242. Deprivation of rights under color of law.

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, territory, or district to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than one year, or both:

Provided, That if injury to any person results, the punishment shall be a fine of not more than $5,000 or imprisonment for not more than ten years, or both: *And provided further,* That, if death to any person results, the punishment shall be imprisonment for any term of years or for life, but the court may impose the death penalty if the jury so recommends."

PROPOSED HOUSING LEGISLATION

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a three-part housing bill to, first, increase relocation payments to a $500 maximum for individuals and families and $5,000 for businesses under the Federal Urban Renewal Program; second, double the size of the Urban Renewal extender fund used to finance projects in States which have temporarily exhausted their shares of existing allocations; and, third, reduce the cost of multiple rental and cooperative housing units by permitting a reduction of the FHA mortgage insurance premium to a minimum of one-quarter of 1 percent.

The most severe human problem which can cause bitterness and resentment to be leveled against the urgently needed Federal urban renewal program is that of relocation. Individuals, families, small storekeepers, and big business owners have been uprooted by the tens of thousands in recent years to make way for slum clearance and new construction. In many cases the relocation assistance available to them has been inadequate to compensate for the considerable expense and losses endured by those displaced.

Special relocation studies in New York City, site of the Nation's largest urban renewal program, point up a situation common to other large urban areas like Chicago, Philadelphia, Boston, and others. In New York City, 20,000 families have been relocated under the program since 1954 and another 6,500 families will have to be moved between now and 1962. Since 1958, relocation costs have gone up 43 percent in two projects surveyed—to about $500—a figure which has nothing to do with the higher rents that so many of these families must pay in their new neighborhoods even for substandard housing.

Against that figure, the Federal Government now pays a maximum of $200 per family and $3,000 per business, relying on local sources to make up the difference between that amount and actual cost. In the case of individuals and families the bill I am introducing today would raise the Federal Government's maximum relocation payment to $500, with the additional $300 to be treated as a regular urban renewal project cost which is shared two-thirds by the Federal Government and one-third by the locality.

In many instances, although the moving expenses of a small commercial tenant may not be too high, dislocation from a neighborhood where he has established goodwill and built a substantial trade can lead to crippling financial loss. Removal costs for the larger concern often run to several thousand dollars. According to the same study referred to above, the $3,000 maximum urban renewal costs paid such commercial establishments did not sufficiently compensate for their relocation expenses. Therefore, I am proposing that the maximum be raised to a Federal payment of $5,000, again with the additional $2,000 to be shared with localities, as are other costs under the urban renewal program.

As U.S. cities make war on urban decay and slums, these modifications in the law regarding relocation payments should enable them with intelligent planning and in coordination with other State and local housing projects for middle- and low-income families to alleviate the more acute problems attending relocation of thousands of families and businesses in the next few years—cities must guard against creating a new type of displaced person who fruitlessly seeks decent housing in crowded tenement sections of our big cities after a slum site is demolished.

The second amendment to the Housing Act of 1949 being proposed today would help insure against the abrupt cutoff of urban renewal funds when a State with many projects like New York has reached its State limitation of 12½ percent and must reach into the "extender" fund until new allocations are authorized. The failure of Congress to pass a housing act in 1958 necessitated that $39 million of New York's project requests be met from the existing $100 million "extender" fund, until they could be charged off against new funds made available in 1959. This year, that State again has had to be charged with over $2 million from the fund with more than $57 million in requests pending. Increasing the "extender" fund to $200 million would reassure large States like New York, Pennsylvania, Illinois, and California, which need to participate in the urban renewal program extensively and vigorously, that extra funds will be on hand in sufficient amount to look after emergency needs of slum clearance projects in all States.

Finally, I propose that we make the most of our experience relating to necessary mortgage insurance premium rates for FHA housing and permit the Administrator to lower this requirement from the present minimum of one-half of 1 percent to one-fourth of 1 percent. Under the present title 8 program of military housing, the one-fourth of 1 percent rate has been satisfactory, and in single family FHA home mortgages, refunds under the higher one-half of 1 percent rate are frequently justified. It is time we authorized the Administrator to extend the lower premium rate to mortgage insurance on multiple and cooperative units, which could result in a substantial reduction in overall building costs and considerable savings to cooperative apartment owners.

At present, there are nearly 100,000 multiple rental and cooperative units with more than $900 million in outstanding insured mortgages which would be affected by the proposed reduced premium rate. It is estimated that owners of co-op units would realize savings of at least $33 annually, while in cases where the landlord passed along the savings to tenants in multiple units, rents could be reduced about $30 annually.

The actuarial costs covered in the premium requirement, which is also used as a reserve against losses, are often much less in large projects where only one or two landlords are involved. Through reducing the mortgage insurance requirements, lower construction costs should encourage and stimulate the new type of housing demanded by those families which make up the backbone of big city life.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3042) to amend the laws relating to mortgage insurance, urban renewal authorization and relocation payments, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, I ask unanimous consent that the bill may lie upon the desk for 2 days for other sponsors.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that my request that the housing bill I introduced today be held on the desk for additional sponsors for 2 days be vacated.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

SECOND- AND THIRD-CLASS POSTAGE RATES FOR CIVIC ORGANIZATIONS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to extend reduced second- and third-class postage rates for nonprofit organizations to civic organizations.

This proposed legislation is being introduced in the other body by Representative LESTER HOLTZMAN, of Queens, N.Y., because I believe civic organizations have a good case for reduced postage rates. The situation of the civic organizations is analogous to a number among the eight other types of organization which presently enjoy the reduced rate: religious, educational, scientific, philanthropic, agricultural, labor, veterans', and fraternal. The public service function of civic organizations is principally in the field of information distributed to citizens and concerning issues affecting their welfare. The distribution of this kind of information is one of the elements through which Americans are kept abreast of events and which form a vital part of the democratic process of government.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3043) relating to rates of postage on second- and third-class matter mailed by civic organizations, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

OMNIBUS CIVIL RIGHTS BILLS

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Illinois [Mr. DOUGLAS], I introduce, for appropriate reference, a comprehensive civil rights bill which contains major sections to secure voting rights for all citizens through utilization both of presidentially appointed Federal voting registrars and of court appointed Federal voting referees where individuals are denied the right to vote for racially discriminatory reasons, and to deal with public school desegregation under the Supreme Court's 1954 opinion.

In this proposed legislation, we are proposing what we believe needs to be done as the culmination of the civil rights debate now opening. This bill introduced today represents the necessary updating of the 1959 civil rights bill introduced by the Senator from Illinois [Mr. DOUGLAS].

The proposed omnibus legislation includes four key sections. Title I contains the principal provisions of S. 810, introduced by the Senator from Illinois [Mr. DOUGLAS], for himself, myself, and 15 other colleagues last year, with my bill, S. 2786, permitting intervention by the Attorney General in civil suits involving civil rights cases, substituted for a similar section in the original S. 810; Title II is the voting rights section; title III makes hate bombings a Federal crime and is a combination of the Javits-Keating bill (S. 73) and the administration bill (S. 956), both with amendments; title IV makes lynching a Federal crime, using the language in S. 2784, previously introduced by myself.

The new voting rights proposal incorporated in this proposal was drafted after extensive consultation by me with law professors at Yale University, New Haven, Conn., and at the University of Pennsylvania, Philadelphia, Pa. It is anticipated that their detailed memorandum on the major voting rights proposals offered to date, including Federal voting registrars and court appointed referees as outlined by Attorney General Rogers, will be available to the press on Tuesday, February 16. The professors of law signing the memorandum are: Louis H. Pollak, Charles L. Black, Jr., Thomas I. Emerson, and 13 other members of the Yale University Law School faculty, and a group of 7, headed by Dean Jefferson Fordham, of the University of Pennsylvania.

With the official opening of the civil rights debate of 1960 in the U.S. Senate yesterday, the full attention of the American public is once again directed at the greatest moral issue of our day—securing the full range of civil rights for every citizen with particular emphasis on the constitutional right to vote, and to enjoy equal opportunity in education.

If the Congress is to take a giant step in helping secure the master key to civil rights—the right to vote—then the friends of civil rights must unite in a dedicated, bipartisan effort behind a strong voting rights measure which will carry the day. We believe that our proposal will enable the greatest number of qualified voters, who have been frustrated in attempts to register and vote because of their race or color, to vote in November 1960. With the invaluable assistance of outstanding constitutional lawyers from two leading universities, Yale University and the University of Pennsylvania, we believe that the voting rights section of our bill offered today combines the key advantages of the registrar and referee proposals into the necessary effective approach.

Compliance with the Supreme Court's school decisions has slowed to a snail's pace, with more than 2,100 still segregated districts in the 17 Southern and border States. In six States, there is no compliance at all; in four others, only token compliance. Legal resistance continues unabated. Our bill, introduced today, retains the provisions of S. 810, which offer a reasonable and constructive program for public school desegregation. It would range the Congress and the Executive alongside the Supreme Court in declaring and accepting the legal and moral responsibility to carry out the 14th amendment's guarantee of equal protection of the laws. It would provide the needed Federal technical and financial assistance and Federal leadership to States and local communities whose schools are still segregated. Also, it would furnish Federal legal assistance, through injunction suits, where private persons are unable to vindicate their constitutional rights—the so-called part III.

The very fact that provisions dealing with public school desegregation are contained in both the administration package and the bill introduced by the majority leader, the Senator from Texas [Mr. JOHNSON], points up the growing importance of such legislation in many quarters. In our opinion, legislation dealing with the problem will receive as much keen attention as the voting rights issue before this civil rights debate is ended.

Under title II (A) of our legislation, the President is empowered to appoint a Federal official living within the State involved as a temporary Federal voting registrar once he has determined that denial of voting rights does exist in a county, based on an investigation conducted by the Civil Rights Commission, the Justice Department, any other agency or department, or by any other procedure the President employs. This Federal registrar then may certify a voter's eligibility to State officials and issue a voting certificate to such individuals qualified by State law to vote in Federal elections.

We make provision to avoid the so-called "Jim Crow" ballot, wherein the nonwhite voters certified as eligible by the Federal registrar might be handed a short ballot form for Federal officials while those voters registered by local officials would be handed a long form for all nominees, local, State, and national. Should that situation arise, our bill would require that all voters, regardless of who registered them, would vote for Federal officials on a separate ballot, thereby making it impossible to distinguish between the preferences of white and nonwhite voters.

Where a person certified by the Federal registrar has the requisite qualifications, our bill requires that he be registered to vote, with the final decision, in the event of a contest, to be made by the courts. Any election official or other person who willfully denies a person certified by the voting registrar the right to vote is subject to a fine of $1,000 or imprisonment up to 6 months, or both. In addition, a second enforcement provision is included, permitting civil proceedings by the Attorney General or by the individual denied his voting rights, which could result in a temporary or permanent injunction to prevent further denial of voting rights.

Subtitle B of the voting rights section of our bill incorporates what has come to be known as the Attorney General's proposal for court appointed referees by proposing that, as a consequence of any civil suit instituted under the 1957 Civil Rights Act or under the Federal registrars provision of this bill, the court may appoint voting referees to investigate complaints and register voters. Furthermore, the suggestion that Deputy Attorney General Lawrence Walsh made, during his testimony on the court referee proposal before the House Judiciary Committee last week, has been included in our bill—the decision as to whether an applicant is qualified to register is to be made by the court referee alone and cannot be challenged at the time of his decision—but may be tested later before

the court. Thus, a nonwhite registrant is not exposed to a registration procedure substantially more complicated than that experienced by individuals who have been voting right along.

In reviewing the need for such voting rights legislation, we should see the issue in true historical perspective. The drive to extend voting rights did not end with the adoption of our Constitution, a radical document for its day, for if the voting qualifications which applied to U.S. citizens in the 1780's were still enforced, it is estimated that only between 10 million and 20 million Americans would be eligible to vote in the 1960 Federal election. No republican form of government could long survive today if only 10 percent to 20 percent of its qualified voters went to the polls.

Sixty-five million Americans are expected to vote in 1960. In the South, under present law, a disproportionately small number of registrants are expected to be Negroes—only about 25 percent of those eligible to register did so in 1956. An effective voting rights bill enacted by this Congress, containing, as our bill does, a clear-cut finding that substantial numbers of citizens are denied their right to register and to vote, that State and local officials are partly responsible for this situation, and that present law is inadequate to deal with this deprivation of a constitutional right, with provision for temporary voting registrars to distribute voting certificates to eligible citizens this fall, and backed up by another provision for court referees to enforce Federal court decisions in voting rights cases, should result this year in substantially more than the 1,200,000 Negroes who registered in the South 4 years ago. It could mean by 1964, if not earlier, that more than 3 million southern Negroes, equivalent to the national voting average of 60 percent of those eligible, will vote in national elections.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I did not quite understand the Senator from New York. Is the Senator now offering what might be described as an omnibus civil rights bill as a substitute for the previous Javits-Douglas bill, which many of us are cosponsoring?

Mr. JAVITS. The Senator is exactly right, just for the purposes of analysis and study by our colleagues, and updating it.

Mr. MORSE. I want to say the two Senators have a perfect right to do it, but this is the way in which liberals go in every direction in the Senate. Here we have an omnibus bill many of us are cosponsoring, and this is the first time we hear about an effort to proceed to set aside something we have cosponsored. I think it would have been much better if the Senator from New York and the Senator from Illinois had told us they were going to offer this bill. I do not think the Senators will find us off their team, but I would like to suggest that unity usually gives us greater success.

Mr. JAVITS. I could not agree with the Senator more, but considering the present stage of the debate, we thought the only effective way to do it was to consolidate it, have it printed, and submit it to our colleagues. As I have said, we disclaim any pretention of being the sole offerers or authors of any part of this package bill.

Mr. President, I ask unanimous consent that the text of the bills may be printed in the RECORD, and also the text of a memorandum on voting rights proposals which I have described.

I send to the desk for appropriate reference two bills. One relates to voting rights, and one is with respect to the omnibus provisions.

Mr. President, I ask unanimous consent that the civil rights bills which I have sent to the desk may lie upon the desk for two days for other sponsors.

Mr. President, I make this request in view of the observations of the Senator from Oregon and the intention of the Senator from Illinois and of myself that the text of what we propose may be before our colleagues in the most efficient way. We are anxious to have the same cosponsorship that our previous omnibus bill received, but under the exigencies of the debate it has been necessary to in some way short-cut the process of circulation and study. If we allow the bill to remain up the desk for two days our colleagues will be given an opportunity to study it and we hope join in sponsorship, as they did before.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk for 2 days, and the bills and memorandum will be printed in the RECORD.

The bills, introduced by Mr. JAVITS (for himself and Mr. DOUGLAS), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the Judiciary:

S. 3045. A bill to effectuate and enforce the constitutional right to the equal protection of the laws and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1960."

TITLE I

Subtitle A. Findings

SEC. 101. (a) The Congress hereby finds that—

(1) recent decisions of the Supreme Court of the United States holding racial segregation unlawful in public education, public transportation, and public recreational facilities (hereinafter referred to as the antisegregation decisions) as a denial of the constitutional right to the equal protection of the laws express the moral ideals of the Nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world,

(2) these antisegregation decisions are being resisted in many areas of the Nation most directly affected by them and indirectly evaded in other areas, thereby denying to millions of Americans within our borders the constitutional right to the equal protection of the laws,

(3) many States, municipalities, school districts, and other local governmental units have failed to make a prompt and reasonable start toward full compliance with the Supreme Court's decisions in the field of public education despite the substantial time which has already elapsed since the promulgation of those decisions in 1954 and 1955,

(4) the constitutional right to the equal protection of the laws is being denied to many persons because of race, color, religion, or national origin in fields other than education, transportation, and recreation,

(5) these denials of the constitutional right to the equal protection of the laws restrict millions of Americans to second-class citizenship and deprive the Nation of the maximum development and maximum benefits that can be contributed by such persons, and

(6) legislative and executive action (A) is necessary to safeguard and guarantee to all Americans the constitutional right to equal protection of the laws and (B) will aid in expediting universal compliance with the antisegregation decisions of the Supreme Court.

(b) The Congress further finds that the rights protected by the Constitution, as declared by the antisegregation decisions, will be more widely accepted and more fully enjoyed in all areas of the Nation, and particularly in those areas of the Nation most directly affected by the decisions, when it is generally recognized and understood that—

(1) the Constitution, as declared by the antisegregation decisions, is the supreme law of the land,

(2) all Federal and State officials are bound by their oaths or affirmations to support the Constitution, and

(3) the legislative and executive branches of the Federal Government are acting and will continue to act, with such Federal authority as is found necesary, to protect the constitutional rights upheld by those decisions of the judicial branch of the Government.

(c) The Congress further finds that—

(1) the present system whereby individual plaintiffs in the Federal courts bear the burden of protecting constitutional rights, as declared by the antisegregation decisions, is neither the exclusive nor the most effective means of protecting those constitutional rights and the public interest in safeguarding those constitutional rights, and has resulted in local restrictive and punitive measures against the individuals and organizations engaging in, and supporting, efforts in the courts to assert those constitutional rights, and

(2) specific authorization to the executive branch of the Federal Government to act in support of the constitutional rights upheld by the antisegregation decisions (A) will provide a more rational, uniform, just, and effective system of protecting constitutional rights than the present procedure under which the safeguarding of constitutional rights is determined by the varying resources and courage of individuals and organizations and by the varying State statutory restrictions placed upon them, and (B) will render less effective, and hence tend to reduce, hostile community pressures upon individuals and organizations seeking to safeguard constitutional rights.

(d) The Congress hereby recognizes it to be the initial responsibility of all States, municipalities, school districts, and other local governmental units to safeguard the constitutional right to the equal protection of the laws as declared by the antisegregation decisions of the Supreme Court and to administer their systems of public education, public transportation, and public recreational facilities in accordance with the Constitution of the United States, but the Federal Government, to maintain a more perfect union, to extend justice, to promote the common defense, and to secure the blessings of liberty to all persons, has a coordinate responsibility to guarantee the constitutional right to the equal protection of the laws, to prevent denials of the right when State or local authorities cannot or will not do so, and thus to enhance the Na-

tion's internal strength and its position throughout the world.

(e) Recognizing its authority and responsibility under the fifth section of the fourteenth amendment to the Constitution of the United States and its obligations to uphold the coordinate authority and responsibility of the judicial branch of the Government, the Congress hereby declares its intention that the right to the equal protection of the laws guaranteed by the Constitution against deprivation by reason of race, color, religion, or national origin and affirmed by the antisegregation decisions of the Supreme Court, shall be protected by all due and reasonable means, and to that end enacts the following provisions of this Act.

Subtitle B. Technical assistance by Secretary of Health, Education, and Welfare

SEC. 201. The Secretary of Health, Education, and Welfare (hereafter in this title referred to as the "Secretary") is hereby authorized to render technical assistance to States, municipalities, school districts, and other local governmental units to eliminate denials of constitutional rights in the field of public education by reason of race, color, religion, or national origin and to come into compliance with the decisions of the Supreme Court in the field of public education by—

(a) assembling, publishing, and distributing information which, in his judgment, will prove helpful in obtaining public understanding of, and compliance with, the Constitution and decisions of the Supreme Court in the field of public education;

(b) surveying the progress made in eliminating segregation in public education in various parts of the country and making available to public agencies, private organizations, private individuals, and the general public the results of such surveys, including wherever possible successful case histories of desegregation and the ways and means utilized to bring about desegregation in such instances;

(c) planning, calling, and holding local, State, regional, and national conferences attended by State and local officials, representatives of private organizations, and private citizens, to discuss ways and means of eliminating segregation in public education generally or in any particular State, municipality, school district, or other local governmental unit;

(d) appointing local, State, regional, and national advisory councils to assist the Secretary in carrying out his duties under this Act and to offer their assistance to any State, municipality, school district, or other local governmental unit to come into compliance with the Constitution and the decisions of the Supreme Court in the field of public education;

(e) reporting to the Congress, at least semiannually, concerning the progress being made in eliminating segregation in public education in various parts of the country; and

(f) assisting, by such other related means as he deems appropriate, States, municipalities, school districts, and other local governmental units to eliminate segregation in public education.

SEC. 202. The Secretary shall recruit, employ, and train specialists in preparing, putting into effect, and carrying out plans for eliminating segregation in public education and shall offer the services of the specialists to States, municipalities, school districts, and other local governmental units. Upon request of any State, municipality, school district, or other local governmental unit, the Secretary shall make available to the requesting governmental unit the services of one or more specialists for such periods of time and in such numbers as the Secretary deems necessary and appropriate in the light of the particular needs of the requesting governmental unit.

SEC. 203. (a) The Secretary is authorized to reimburse any State or local official, representative of a private organization, or private citizen who is invited by him to attend any local, State, regional, or national conference held under the authority of section 201(c), and any member of an advisory council appointed under the authority of section 201(d) who is carrying out authorized functions, for travel expenses incurred, and to pay to any such person per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b–2) for persons in the Government service serving without compensation.

(b) The Secretary is authorized to reimburse any State or local official who, with the approval of the Secretary, is invited to confer with one or more specialists employed by the Secretary under section 202 for travel expenses incurred in attending such conference, and to pay to any such official per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b–2) for persons in the Government service serving without compensation.

SEC. 204. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts not to exceed $2,500,000 in any fiscal year as may be necessary for carrying out the purposes of this subtitle.

Subtitle C. Grants to areas where desegregation in public education is being carried out

SEC. 301. (a) The Secretary is authorized to make grants to States, municipalities, school districts, and other local governmental units which maintained racial segregation in their public schools on May 17, 1954, and which make application for such grants, to assist in meeting the costs of additional educational measures undertaken or to be undertaken to further the process of eliminating segregation in the public schools of the applicant State, municipality, school district, or local governmental unit, while at the same time assuring that existing educational standards will not be lowered.

(b) Grants may be made under this section for—

(1) the cost of employing additional schoolteachers,

(2) the cost of giving to teachers and other school personnel in-service training in dealing with problems incident to desegregation,

(3) the cost of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by parents, schoolchildren, and the general public of plans and efforts for eliminating segregation in the schools in order to reduce the possibility of community hostility or unlawful resistance to such plans and efforts, and

(4) other costs directly related to the process of eliminating segregation in public schools, including the replacement of State payments to a school district or other political subdivision withdrawn because the applicant district or subdivision is eliminating, or is starting to eliminate segregation.

(c) Grants may also be made under this section for the construction, enlargement, or alteration of school facilities when the Secretary finds that lack or inadequacy of existing facilities makes the carrying out of any reasonable plan for desegregation without lowering existing educational standards impracticable or materially more difficult.

(d) Each application made for a grant under this section shall provide such detailed breakdown of the additional educational measures for which financial assistance is sought as the Secretary may by regulations prescribe.

(e) Each grant under this section shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, which may include a condition that the applicant expend funds in specified amounts for the purpose for which the grant is made. In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration—

(1) the amount available for grants under this section and the other applications which are pending before him,

(2) the financial condition of the applicant and the other resources available to it,

(3) the nature, extent, and gravity of its problems incident to desegregation,

(4) whether the additional educational measures undertaken or to be undertaken are reasonably and effectively designed to further the process of eliminating racial segregation, while at the same time assuring that existing educational standards will not be lowered, and

(5) such other factors as he finds relevant.

SEC. 302. The Secretary is further authorized to make grants to public or other nonprofit educational institutions of higher learning to meet or assist in meeting the cost of short-term training courses or institutes, not to exceed four weeks in duration, for personnel of public schools or of educational agencies engaged in or about to undertake desegregation, designed to enable such personnel to deal more effectively with problems incident to desegregation. Such grants may also be used by such institutions to establish and maintain fellowships for such training courses or institutes, covering tuition, fees, and such stipends and allowances (including travel and subsistence expenses) as may be determined by the Secretary.

SEC. 303. Payments of grants under sections 301 and 302 may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Secretary may determine.

SEC. 304. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary to carry out the provisions of this subtitle.

(b) In making grants from funds appropriated for any fiscal year for the purposes specified in section 301(b), the Secretary may disregard applications received after August 31 in that fiscal year, or may subordinate such applications to applications received before that date. In the event that he receives, either before or after that date, applications which he considers would materially contribute to carrying out the purposes of this subtitle, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

(c) In the event that the Secretary receives applications for grants for the purpose specified in section 301 (c) which he considers would materially contribute to carrying out the purposes of this subtitle, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

Subtitle D. Administrative action directed toward eliminating segregation in public education

SEC. 401. The Secretary shall make every effort to persuade States, municipalities, school districts, and other local governmental units to make a start toward eliminating segregation in public education and to carry out in full such programs as they may start, and to this end he shall utilize the authority provided in subtitles B and C.

SEC. 402. Whenever the Secretary shall find that all efforts under subtitles B and C and under section 401 of this subtitle have failed, and continue to fail, in bringing about a start toward the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, the Secretary is authorized to prepare a tentative plan for the elimination of segregation in public education in such State, municipality, school district, or other local governmental unit. In preparing such a tentative plan, the Secretary shall seek the advice and assistance of public officials, private organizations, and private citizens in the area and of any local, State, regional, or national advisory council appointed pursuant to section 201(d); and he shall carefully consider such advice and assistance wherever available. Tentative plans prepared by the Secretary under the authority of this section shall take into account the need of the particular area for time to make an orderly adjustment and transition from segregated to desegregated schools.

SEC. 403. (a) Whenever the Secretary has prepared a tentative plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, he shall forward the plan to the Governor, mayor, or other appropriate official, as the case may be. If the State, municipality, school district, or other local governmental unit agrees to put into effect the tentative plan as proposed by the Secretary or as modified by the State, municipality, school district, or other local governmental unit with the consent of the Secretary, the Secretary shall utilize the authority granted in subtitles B and C to assist the State, municipality, school district, or other local governmental unit in putting into effect the tentative plan.

(b) If the State, municipality, school district, or other local governmental unit (1) does not agree to put into effect the tentative plan as proposed by the Secretary or as modified with his consent, or (2) after agreeing to the tentative plan as so proposed or modified, does not, in the judgment of the Secretary, carry out such tentative plan, the Secretary shall hold a public hearing upon the tentative plan. Notice of such hearing shall be given to the local authorities concerned by registered mail and notice shall be given to private organizations and private citizens within the area by publication in one or more newspapers. Local authorities, private organizations, and private citizens shall be permitted to participate in the hearing and present evidence and argument in favor of the tentative plan, in favor of amendments to the tentative plan, or in opposition to the plan or to any plan, but cumulative evidence may be excluded in the discretion of the Secretary. Anyone shall be permitted to file a written statement with the Secretary in addition to, or in lieu of, personal appearance at the public hearing.

(c) After the hearing provided in subsection (b) has been concluded, the Secretary shall prepare and issue an approved plan for eliminating segregation in public education in the State, municipality, school district, or other local governmental unit. He shall publish the approved plan in the Federal Register and in one or more newspapers in the area affected thereby and shall transmit a certified copy thereof to the appropriate official of the State, municipality, school district, or other local governmental unit involved.

(d) In order that the proceedings under this subtitle shall expedite the elimination of segregation in any State, municipality, school district, or other local governmental unit, the Secretary shall handle all proceedings under this subtitle as expeditiously as possible. The Secretary shall complete any proceedings hereunder within one year from the time that a tentative plan is forwarded to the Governor, mayor, or other appropriate official under section 403(a), or, in case a State, municipality, school district, or other local governmental unit agrees to a tentative plan but does not carry it out, within six months from the time that the Secretary determines that such State, municipality, school district, or other local governmental unit is not carrying out such tentative plan.

SEC. 404. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts as may be necessary for carrying out the purpose of this subtitle.

SEC. 405. The Secretary is authorized to carry out his responsibilities and exercise his authority under this subtitle and under subtitles B and C through designated personnel in his own office or through any existing bureau, division, or agency of the Department of Health, Education, and Welfare or through a new office created by him for the special purpose of exercising the Secretary's responsibilities hereunder, except that the Secretary shall personally review and sign any approved plan issued under section 403 (c).

Subtitle E. Authorization to the Attorney General in the field of public education

SEC. 501. (a) Whenever (1) the Secretary has published in the Federal Register an approved plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit pursuant to section 403(c), (2) the State, municipality, school district, or other local governmental unit has rejected the plan or has refused or failed to act in accordance therewith, and (3) the Secretary has certified to the Attorney General that all efforts to secure compliance with the Constitution and the Supreme Court's decisions by conciliation, persuasion, education, and assistance under subtitles B, C, and D have failed, the Attorney General of the United States is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against the appropriate officials of the State, municipality, school district, or other local governmental unit, and any individual or individuals acting in concert with such officials to enforce compliance with the approved plan.

(b) The Attorney General is authorized to move to dismiss or discontinue any action brought under subsection (a), or to propose or to agree to a decree adopting a plan for elimination of segregation in public education which is different from the approved plan, whenever he determines that the State, municipality, school district, or other local governmental unit is making, or is prepared to make, a prompt and reasonable start toward full compliance with the Constitution and the Supreme Court's decision in the field of education and to work toward full compliance with all deliberate speed.

(c) Any interested party may, with the leave of the court, intervene in any action brought under subsection (a), and the court shall consider any proposals by the intervernors, as well as by the defendant or defendants, in determining its final decree.

Subtitle F. Other authorizations to the Attorney General

SEC. 601. (a) Whenever the Attorney General receives a signed complaint that any person or group of persons is being deprived of, or is being threatened with the loss of, the right to the equal protection of the laws by reason of race, color, religion, or national origin and whenever the Attorney General certifies that, in his judgment, such person or group of persons is unable for any reason to seek effective legal protection for the right to the equal protection of the laws, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or territory or subdivision or instrumentality thereof, deprives or threatens to deprive such person or group of persons of the right to equal protection of the laws by reason of race, color, religion, or national origin and against any individual or individuals acting in concert with them.

(b) A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

(c) Nothing contained in subtitles D and E shall limit the authority of the Attorney General to institute and maintain an action under subsection (a).

SEC. 602. The Attorney General authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, (1) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, any Federal, State, or local official from according any person or group of persons the right to the equal protection of the laws without regard to race, color, religion, or national origin, or (2) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder the execution of any court order protecting the right to the equal protection of the laws without regard to race, color, religion, or national origin.

SEC. 603. The Attorney General is authorized, upon receipt of a signed complaint, to institute for or in the name of the United States, a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the fourteenth amendment of the Constitution because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, or national origin.

SEC. 604. (a) Chapter 161 of title 28 of the United States Code is amended by inserting a new section immediately following section 2403 as follows:

"§ 2403A. Intervention by United States: Loss or threat of loss of equal protection of the laws.

"In any action, suit, or proceeding in a court of the United States to which the United States or any agency, officer, or employee thereof is not a party, wherein any person alleges on oath or affirmation that he is subject to or threatened with loss of his rights under the Constitution of the United States to equal protection of the laws by reason of race, color, religion, or national origin, the court shall certify such fact to the Attorney General, and shall permit the United States to intervene for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of whether such person is subject

to or threatened with loss of his right to equal protection of the laws and the relief to be granted. The United States shall, subject to the applicable provisions of law, have all the rights of a party and be subject to all liabilities of a party as to court costs to the extent necessary for proper presentation of the facts and law relating to the questions of whether such person is subjected to or threatened with loss of his right to equal protection of the laws and the relief granted by the court".

(b) Such chapter is further amended by inserting in the analysis at the beginning of such chapter, immediately following section 2403, the following:

"2403A. Intervention by United States: Loss or threat of loss of equal protection of the laws."

Subtitle G. Jurisdiction of district courts with respect to this title

SEC. 701. The district courts of the United States shall have jurisdiction of proceedings instituted under sections 501, 601, 602, and 603 of this title and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted and, in the case of proceedings instituted under sections 601 and 602, without regard to whether any administrative proceeding is pending or contemplated under subtitle D, it being the purpose of subtitle D to expedite, not delay, the elimination of segregation in public education throughout the Nation. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

TITLE II

SEC. 2001. That the Congress finds that substantial numbers of citizens of the United States qualified to vote under State registration and election laws are being deprived of that right, by being denied the right to register to vote, to vote, and to have their vote counted on account of their race or color. It further finds that the unequal application of qualifications to vote by some State and local officials, the failure of such officials to give adequate and reasonable opportunity to certain citizens to register, and the inadequacy of present law to deal with this situation, requires that the Congress implement its constitutional authority over the time, place and manner of holding Federal elections and with respect to the enforcement of the provisions of the Fourteenth and Fifteenth Amendments to the Constitution, to the extent necessary to overcome interference with such rights. It further finds that such denials of rights of citizens of the United States require the enactment of the provisions of this Act, including the delegation by the Congress to the President of the United States of the powers granted herein, in order to effectuate the constitutional right of all citizens.

Subtitle A. Appointment of temporary Federal registrars by the President

SEC. 2101. Any individual who—

(1) Believes that he is qualified, under the laws of the State in which he lives, to vote in Federal elections held in such State; and

(2) Believes that citizens are being denied such right in the county in which he lives on account of their race or color, may file a petition with the President of the United States, petitioning him to appoint a temporary Federal registrar for such county. Such petitions shall be filed in such form and manner as the President may by regulation prescribe.

SEC. 2102. (a) Whenever there shall, within a period of not more than one year, have been filed with the President a petition or petitions under section 101 from not less than 50 individuals from the same county, and the President believes, after such investigation as he may deem appropriate and necessary, that citizens in such county are being denied the right to register to vote, to vote, or to have their vote counted in Federal elections on account of their race or color, the President may issue an Executive Order designating from among Federal officials or employees living in or near such county, but within the same State, an individual to serve as a temporary Federal registrar for such county, for persons of the class believed by the President to be denied the right to register to vote, to vote, and to have their vote counted on account of race or color.

(b) Any such Federal registrar shall serve until such time as the President determines that citizens living within the county for which such Federal registrar was appointed are no longer being denied the right to register to vote, to vote, or to have their vote counted on account of race or color, and that such denial will not be resumed if the Federal registrar ceases to serve.

(c) In conducting any investigation under the provisions of this section, the President may designate the Commission on Civil Rights, the Department of Justice, or such other department or agency as he may deem appropriate to make available to him such facts as he finds necessary for his determination.

SEC. 2103. The Federal registrar for any county shall accept applications for voting registrations from all individuals of the class designated by the President residing within such county and shall register all such individuals whom he finds to have the qualifications requisite, under the laws of the State wherein such county is situated, for electors of the most numerous branch of the legislature of such State, who shall be registered by him as being qualified to vote in Federal elections held in such county, for such period as would be applicable if such applicant had been registered or otherwise qualified under State law. The Federal registrar shall, from time to time, certify to the appropriate election officials of such State and of such county and of any election district within it, the names of all applicants registered by him and the fact that such applicants have been so registered. The Federal registrar shall also issue to each person so registered a certificate, the form of which shall be prescribed by the President in the Executive order designating the Federal registrar, identifying the holder as a person qualified and entitled, pursuant to this Act, to vote at any such election.

SEC. 2104. In any Federal election, the inclusion on the ballot of candidates for election to other State and local offices and of other provisions for determination by the voters, shall be deemed a recognition by the State of the right of any person qualified to vote in Federal elections under this Act or otherwise, to vote for such other officials and proposals are placed on the same ballot, and to have such votes counted. If, however, there shall be within the State, as a result of the operations of this title or otherwise, any voters eligible to vote in Federal elections who are not eligible to vote for such other offices or provisions as may be placed before the electorate at the same election, then there shall be issued to every voter eligible to vote in Federal elections, whether registered under the provisions of this title or otherwise, a separate ballot containing only such offices and other provisions as may be voted on by all persons eligible to vote in Federal elections.

SEC. 2105. Any person denied registration by a Federal registrar designated for the county in which he lives, and any person having standing under State law to challenge the determination of State registration or election officials that another person is qualified to vote, may challenge such determination by the Federal registrar by filing suit in the United States district court for the district in which the county is located, against such Federal registrar, and, where the qualification of a voter registered by the Federal registrar is challenged, against such voter. In any such suit, the determination of the Federal registrar with respect to such registration shall not be stayed pending the final decision of the district court, and any such decision, and appropriate appeals therefrom, shall be determined by the courts in the most expeditious manner, giving due consideration to the time of the next ensuing election. The procedure set forth in this section shall be the exclusive method for challenging the qualifications of a person to whom a certificate has been issued by a Federal registrar.

SEC. 2106. In any case where a voting referee has been appointed for the county or any portion of it by a district court under the provisions of subtitle B of this title, the decision of such referee as to whether the applicant possesses the qualifications requisite under State law for electors of the most numerous branch of the State legislature shall, when accepted by the district court, supersede any prior inconsistent determination by the Federal registrar. Such appointment shall not, however, deprive the Federal registrar of any other authority under this subtitle.

SEC. 2107. Any individual who is registered under this subtitle by a Federal registrar to vote in Federal elections shall have the right to cast his vote and have such vote counted in any Federal election, and any election official or other person who willfully denies him such right or who willfully interferes by threats or force, or otherwise willfully prevents, obstructs, impedes, or who willfully endeavors to prevent, obstruct, impede or interfere with such right, shall be fined not more than $1,000 or imprisoned not longer than 6 months, or both.

SEC. 2108. The provisions of this subtitle shall be enforcible by appropriate civil and equitable proceedings instituted in the district court of the United States within the jurisdiction of which such county is located, by the Attorney General of the United States for and in the name of the United States, or by any individual whose rights under this title shall have been denied or interfered with, and the court may grant such permanent or temporary injunction, restraining order or other order as it may deem appropriate. Any proceeding brought under the provisions of this section shall be subject to the provisions of part V of the Civil Rights Act of 1957.

Subtitle B. Appointment of voting referees by the district courts of the United States

SEC. 2201. In any proceeding instituted in any district court of the United States pursuant to section 2004(c) of the Revised Statutes, as amended, pursuant to section 2108 of subtitle A of this title, or pursuant to any other law of the United States or to the law of any State, in the event that any court finds that under color of law or by State action any person or persons have been deprived on account of race or color of the right to register or vote at any election, and that such deprivation was or is pursuant to a pattern or practice, the court may appoint one or more persons (to be known as voting referees) to receive applications from any person claiming such deprivation as to the right to register or otherwise to qualify to vote at any election and to take evidence and report to the court findings as to whether such applicants or any of them (1) are qualified to vote at any election, and (2) have been (a) deprived of the opportunity to register to vote or otherwise to qualify to vote at any election, (b) found by State election officials not qualified to register to vote or to vote at any election, or (c) registered by a Federal registrar under the provisions of subtitle A of this title

and refused the right to vote in a Federal election pursuant to such registration.

SEC. 2202. Any report of any person or persons appointed pursuant to this subtitle shall be reviewed by the court and the court shall accept the findings contained in such report unless clearly erroneous. The court shall issue a supplementary decree which shall specify which person or persons named in the report are qualified and entitled to vote at any election within such period as would be applicable if such person or persons had been registered or otherwise qualified under State law. The Attorney General shall cause to be transmitted certified copies of the original decree and any supplementary decree to the appropriate election officials of the State, and any such official who, with notice of such original or supplementary decree, refuses to permit any person, named as qualified to vote in such original or supplementary decree, to vote at any election covered thereby, or to have the vote of any such person counted, may be proceeded against for contempt.

SEC. 2203. The court may authorize any person or persons appointed pursuant to this subtitle to issue to each person named in the original decree or any supplementary decree as qualified to vote at an election a certificate identifying the holder thereof as a person qualified and entitled, pursuant to the court's original decree or supplementary decree, to vote at any such election.

SEC. 2204. Any person having standing under State law to challenge the determination of State registration and election officials that another person is qualified to vote may challenge such determination by the voting referee by filing a motion with the district court in opposition to the report of the referee. Such motion shall be the exclusive method for challenging the qualifications of a person who is reported by the referee to be qualified to vote, and shall be determined by the court under the provisions of section 2202 of this title.

SEC. 2205. The court may authorize such person or persons appointed pursuant to this subtitle (or may appoint any other person or persons) (1) to attend at any time and place for holding any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any such person has been denied the right to vote, and (2) to attend at any time and place for counting the votes cast at any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any vote cast by any such person has not been properly counted.

SEC. 2206. Any person or persons appointed by the court pursuant to this subtitle shall have all the powers conferred upon a master by Rule 53(c) of the Federal Rules of Civil Procedure: *Provided, however,* That any hearings or other proceedings for the determination of whether an applicant has the qualifications set forth in section 2201 of this subtitle shall be ex parte, and shall carry out the principle that registration under the provisions of this subtitle shall not be substantially more difficult and onerous than it would be under normal comparable proceedings before State registration officials for citizens not members of the group subject to the pattern or practice referred to in section 201 of this subtitle. The compensation to be allowed any person or persons appointed by the court pursuant to this subtitle shall be fixed by the court and shall be payable by the United States.

SEC. 2207. The court shall have authority to take any other actions, consistent with the provisions of this subtitle, reasonable, appropriate or necessary to enforce its decrees.

Subtitle C. Miscellaneous provisions

SEC. 2301. Section 2004(c) of the Revised Statutes, as amended, is amended by adding at the end thereof the following new sentence:

"When any official of a State or subdivision thereof has resigned or has been relieved of his office and no successor has assumed such office, any act or practice of such official constituting a deprivation of any right or privilege secured by subsection (a) or (b) hereof shall be deemed that of the State and the proceeding may be instituted or continued against the State as party defendant."

SEC. 2302. For the purposes of this title—

(a) The term "election" means any general or special election held in any State solely or partially for the purpose of electing any candidate to Federal, State, or local public office, and any primary election held in any State solely or partially for the purpose of selecting any candidate for election to any Federal, State, or local public office, and

(b) The term "Federal election" means any general or special election held solely or partially for the purpose of electing any individual to, or any primary election held solely or partially for the purpose of selecting any individual as a candidate or nominee for, any of the following Federal offices:

(1) The office of President or Vice President of the United States;

(2) The office of elector for President or Vice President of the United States;

(3) The office of Member of the United States Senate;

(4) The office of Member of the House of Representatives of the United States; or

(5) The Office of Delegate or Commissioner of any territory or possession of the United States representing such territory or possession in the House of Representatives of the United States,

whether or not such election, or any ballot, voting machine or other means used in such election for casting and counting votes, may also include provisions for the election of other State and local officials, or other provisions, for determination by the voters.

(c) The term "ballot" means any ballot, voting machine or other means used in any election for casting and counting votes, including provisions for the election of Federal, State, or local officials, or provisions for the determination of any other proposals submitted to the voters.

(d) The term "county" means a county, parish, or similar political subdivision of a State, irrespective of whether it consists of one or more election or registration districts which are under State law, authorized to provide for the registration or qualification of voters living within such county, parish, or similar political subdivision.

(e) The term "State" includes any possession or territorial subdivision of the United States which is authorized, by a law of the United States, to elect a Delegate to, or Commissioner in, the House of Representatives.

SEC. 2303. The provisions of neither of the first two subtitles of this title shall supersede or affect the other, except to the extent specified therein. The President of the United States shall, to the extent necessary, coordinate his designation of a Federal registrar, where appropriate, with any actions or other proceedings brought by the United States for the appointment of a voting referee.

SEC. 2304. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this title.

SEC. 2305. No injunctive or other civil relief under the provisions of this section or any other law shall be denied on the grounds that the acts complained of are a crime, nor shall the provisions of this title be deemed to repeal or amend any other provisions of law providing for alternative relief or penalties under such circumstances.

Subtitle D. Retention, preservation, and production of voting records

SEC. 2401. Every officer of election shall retain and preserve, for a period of three years from the date of any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax or other Act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that if a State designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 2402. Any person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by section 2401 to be retained and preserved shall be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 2403. Any record or paper required by section 2401 to be retained and preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative.

SEC. 2404. Any record or paper demanded pursuant to section 2403 shall be produced for inspection, reproduction, and copying at the principal office of the person upon whom such demand is made or at an office of the United States attorney in the district in which such records or papers are located.

SEC. 2405. Unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this subtitle, or any reproduction or copy, except as is necessary in the performance of his official duties, including presentation of any case or proceeding before any court or grand jury.

SEC. 2406. The United States district court for the district in which a demand is made pursuant to section 2403, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

SEC. 2407. As used in this subtitle, the term "officer of election" means any person who, under color of any Federal, State, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other Act requisite to voting in any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives are voted for.

TITLE III

Unlawful destruction of buildings and use of explosives

SEC. 3001. Chapter 39 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 837. Explosives; illegal use or possession

"(a) as used in this section—

"'commerce' means commerce between any State, Territory, Commonwealth, District, or possession of the United States, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory, or possession of the United States, or the District of Columbia;

"'explosive' means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, and any chemical compounds or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound or mixture or any part thereof may cause an explosion.

"(b) Whoever—

"(1) imports into the United States or introduces, delivers or receives for introduction, attempts to transport, transports, or causes to be transported by financing such transportation or otherwise, in commerce, any explosive, or

"(2) possesses any explosive which has been imported into the United States, or introduced, delivered for introduction, or transported in commerce,

with the knowledge or intent that it will be used to damage or destroy any building or other real or personal property for the purpose of interfering with its use for educational, religious, charitable, residential, business, or civic objectives or of intimidating any person pursuing such objectives, shall be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both; and if personal injury results shall be subject to imprisonment for not more than ten years; and if death results shall be subject to the death penalty or imprisonment for life.

"(c) The possession of an explosive in such a manner as to evince an intent to use, or the use of, such explosive, to damage or destroy any building or other real or personal property used for educational, religious, charitable, residential, business, or civic objectives or to intimidate any person pursuing such objectives, creates rebuttable presumptions that the explosive (1) was imported into the United States, or transported in commerce and (2) was imported or transported or caused to be imported or transported in commerce by the person so possessing or using it: *Provided, however,* That no person may be convicted under this section unless there is evidence independent of the presumptions that this section has been violated.

"(d) Whoever, through the use of the mail, telephone, telegraph, or other instrument of commerce, willfully imparts or conveys, or causes to be imparted or conveyed, any threat, or false information knowing the same to be false, concerning an attempt or alleged attempt being made, or to be made, to perform any act prohibited by this section, or travels in commerce with intent to use any explosive in violation of this section, shall be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both.

"(e) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, Territory, Commonwealth, or possession of the United States, and no law of any State, Territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section."

SEC. 3002. Chapter 49 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 1074. Flight to avoid prosecution for destruction of educational or religious structures

"Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody, or confinement after conviction, under the laws of the place from which he flees, for willfully damaging or destroying or attempting to damage or destroy by fire or explosive any building or other real or personal property for the purpose of interfering with its use for educational, religious, charitable, residential, business or civic objectives, or of intimidating any person pursuing such objectives, (2) to avoid giving testimony in any criminal proceeding relating to any such offense—shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"Violations of this section may be prosecuted in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement or in the Federal judicial district in which the person is apprehended."

SEC. 3003. (a) The analysis of chapter 39 of such title is amended by adding thereto the following:

"837. Explosives; illegal use or possession."

(b) The analysis of chapter 49 of such title is amended by adding thereto the following:

"1074. Flight to avoid prosecution for destruction of educational or religious structures."

TITLE IV

Deprivation of right to a fair trial

SEC. 4001. Chapter 73 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 1509. Deprivation of right to a fair trial

"(a) The Congress finds that willful interference with, or obstruction of any process or proceeding of a State or Territory or political subdivision thereof, for the apprehension, confinement, trial, and punishment of any person charged with a crime or held for investigation or as a material witness, through acts or threats of force by persons not acting under lawful authority constitutes a deprivation of rights, privileges, and immunities guaranteed to such person by the Constitution of the United States, including such person's right not to be deprived of life, liberty, or property without due process of law. The Congress further finds that such interference or obstruction threatens the administration of justice of the several States and thereby imperils their republican form of government which, under the Constitution of the United States, it is the obligation of the United States to guarantee.

"(b) Whenever two or more persons shall knowingly in concert for the purpose of depriving any person, either directly or indirectly, of his right to a fair trial or his right not to be deprived of life, liberty, or property except by due process of law, willfully interfere with or obstruct any process or proceeding of a State or Territory or political subdivision thereof, for the apprehension, confinement, trial, and punishment of any person charged with a crime or held for investigation or as a material witness through acts or threats of force, then anyone who knowingly instigates, incites, organizes, aids, abets, or participates in such action shall, upon conviction, be fined not more than $1,000, or imprisoned not more than one year, or both: *Provided, however,* That where such action results in death or maiming or other serious physical or mental injury, constituting a felony under applicable State, Territorial, or similar law, any such person shall, upon conviction, be fined not more than $10,000, or imprisoned not more than twenty years, or both.

"(c) Any officer or employee of the United States or any State, territory, or subdivision thereof, who shall have been charged with the duty, or shall have possessed authority in his official capacity, to prevent actions punishable under subsection (b) of this section and who shall have refused or knowingly failed to make diligent efforts to prevent them; or who, having custody of any person or persons shall have neglected, refused, or knowingly failed to make diligent efforts to protect such person or persons against the actions made punishable under subsection (b) of this section, shall be guilty of a felony and upon conviction shall be fined not more than $5,000 or imprisoned not more than five years, or both."

SEC. 4002. The analysis of such chapter is amended by adding thereto the following:

"1509. Deprivation of right to a fair trial."

TITLE V

Miscellaneous

SEC. 5001. Nothing in this Act or in any administrative proceeding hereunder shall be construed to impair any right guaranteed by the Constitution or laws of the United States or any remedies already existing for their protection or enforcement, nor to prevent any private individual or organization from acting to enforce or safeguard any constitutional right in any manner now permitted by law.

SEC. 5002. If any provision of this Act or the application of such provision to any person or circumstances is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

To the Committee on Rules and Administration:

S. 3046. A bill to protect the right to vote in Federal elections, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that substantial numbers of citizens of the United States qualified to vote under State registration and election laws are being deprived of that right, by being denied the right to register to vote, to vote, and to have their vote counted on account of their race or color. It further finds that the unequal application of qualifications to vote by some State and local officials, the failure of such officials to give adequate and reasonable opportunity to certain citizens to register, and the inadequacy of present law to deal with this situation, requires that the Congress implement its constitutional authority over the time, place and manner of holding Federal elections and with respect to the enforcement of the provisions of the fourteenth and fifteenth amendments to the Constitution, to the extent necessary to overcome interference with such rights. It further finds that such denials of rights of citizens of the United States require the enactment of the provisions of this Act, including the delegation by the Congress to the President of the United States of the powers granted herein, in order to effectuate the constitutional rights of all citizens.

TITLE I

Appointment of temporary Federal registrars by the President

SEC. 101. Any individual who—

(1) Believes that he is qualified, under the laws of the State in which he lives, to vote in Federal elections held in such State; and

(2) Believes that citizens are being denied such right in the county in which he lives on account of their race or color, may file a petition with the President of the United States, petitioning him to appoint a temporary Federal registrar for such county. Such petitions shall be filed in such form and manner as the President may by regulation prescribe.

SEC. 102 (a) Whenever there shall, within a period of not more than one year, have been filed with the President a petition or petitions under section 101 from not less than 50 individuals from the same county, and the President believes, after such investigation as he may deem appropriate and necessary, that citizens in such county are being denied the right to register to vote, to vote, or to have their vote counted in Federal elections on account of their race or color, the President may issue an Executive order designating from among Federal officials or employees living in or near such county, but within the same State, an individual to serve as a temporary Federal registrar for such county, for persons of the class believed by the President to be denied the right to register to vote, to vote, and to have their vote counted on account of race or color.

(b) Any such Federal registrar shall serve until such time as the President determines that citizens living within the county for which such Federal registrar was appointed are no longer being denied the right to register to vote, to vote, or to have their vote counted on account of race or color, and that such denial will not be resumed if the Federal registrar ceases to serve.

(c) In conducting any investigation under the provisions of this section, the President may designate the Commission on Civil Rights, the Department of Justice, or such other department or agency as he may deem appropriate to make available to him such facts as he finds necessary for his determination.

SEC. 103. The Federal registrar for any county shall accept applications for voting registrations from all individuals of the class designated by the President residing within such county and shall register all such individuals whom he finds to have the qualifications requisite, under the laws of the State wherein such county is situated, for electors of the most numerous branch of the Legislature of such State, who shall be registered by him as being qualified to vote in Federal elections held in such county, for such period as would be applicable if such applicant had been registered or otherwise qualified under State law. The Federal registrar shall, from time to time, certify to the appropriate election officials of such State and of such county and of any election district within it, the names of all applicants registered by him and the fact that such applicants have been so registered. The Federal registrar shall also issue to each person so registered a certificate, the form of which shall be prescribed by the President in the Executive Order designating the Federal registrar, identifying the holder as a person qualified and entitled, pursuant to this Act, to vote at any such election.

SEC. 104. In any Federal election, the inclusion on the ballot of candidates for election to other State and local offices and of other provisions for determination by the voters, shall be deemed a recognition by the State of the right of any person qualified to vote in Federal elections under this Act or otherwise, to vote for such other officials and proposals as are placed on the same ballot, and to have such votes counted. If, however, there shall be within the State, as a result of the operations of this Act or otherwise, any voters eligible to vote in Federal elections who are not eligible to vote for such other offices or provisions as may be placed before the electorate at the same election, then there shall be issued to every voter eligible to vote in Federal elections, whether registered under the provisions of this Act or otherwise, a separate ballot containing only such offices and other provisions as may be voted on by all persons eligible to vote in Federal elections.

SEC. 105. Any person denied registration by a Federal registrar designated for the county in which he lives, and any person having standing under State law to challenge the determination of State registration or election officials that another person is qualified to vote, may challenge such determination by the Federal registrar by filing suit in the United States district court for the district in which the county is located, against such Federal registrar, and, where the qualification of a voter registered by the Federal registrar is challenged, against such voter. In any such suit, the determination of the Federal registrar with respect to such registration shall not be stayed pending the final decision of the district court, and any such decision, and appropriate appeals therefrom, shall be determined by the courts in the most expeditious manner, giving due consideration to the time of the next ensuing election. The procedure set forth in this section shall be the exclusive method for challenging the qualifications of a person to whom a certificate has been issued by a Federal registrar.

SEC. 106. In any case where a voting referee has been appointed for the county or any portion of it by a district court under the provisions of title II of this Act, the decision of such referee as to whether the applicant possesses the qualifications requisite under State law for electors of the most numerous branch of the State legislature shall, when accepted by the district court, supersede any prior inconsistent determination by the Federal registrar. Such appointment shall not, however, deprive the Federal registrar of any other authority under this title.

SEC. 107. Any individual who is registered under this title by a Federal registrar to vote in Federal elections shall have the right to cast his vote and have such vote counted in any Federal election, and any election official or other person who willfully denies him such right or who willfully interferes by threats or force, or otherwise willfully prevents, obstructs, impedes, or who willfully endeavors to prevent, obstruct, impede, or interfere with such right, shall be fined not more than $1,000 or imprisoned not longer than six months, or both.

SEC. 108. The provisions of this title shall be enforcible by appropriate civil and equitable proceedings instituted in the district court of the United States within the jurisdiction of which such county is located, by the Attorney General of the United States for and in the name of the United States, or by any individual whose rights under this title shall have been denied or interfered with, and the court may grant such permanent or temporary injunction, restraining order, or other order, as it may deem appropriate. Any proceeding brought under the provisions of this section shall be subject to the provisions of part V of the Civil Rights Act of 1957.

TITLE II

Appointment of voting referees by the district courts of the United States

SEC. 201. In any proceeding instituted in any district court of the United States pursuant to section 2004(c) of the Revised Statutes, as amended, pursuant to section 108 of title I of this Act, or pursuant to any other law of the United States or to the law of any State, in the event that any court finds that under color of law or by State action any person or persons have been deprived on account of race or color of the right to register or vote at any election, and that such deprivation was or is pursuant to a pattern or practice, the court may appoint one or more persons (to be known as voting referees) to receive applications from any person claiming such deprivation as to the right to register or otherwise to qualify to vote at any election and to take evidence and report to the court findings as to whether such applicants or any of them (1) are qualified to vote at any election, and (2) have been (a) deprived of the opportunity to register to vote or otherwise to qualify to vote at any election, (b) found by State election officials not qualified to register to vote or to vote at any election, or (c) registered by a Federal registrar under the provisions of title I of this Act and refused the right to vote in a Federal election pursuant to such registration.

SEC. 202. Any report of any person or persons appointed pursuant to this title shall be reviewed by the court and the court shall accept the findings contained in such report unless clearly erroneous. The court shall issue a supplementary decree which shall specify which person or persons named in the report are qualified and entitled to vote at any election within such period as would be applicable if such person or persons had been registered or otherwise qualified under State law. The Attorney General shall cause to be transmitted certified copies of the original decree and any supplementary decree to the appropriate election officials of the State, and any such official who, with notice of such original or supplementary decree, refuses to permit any person, named as qualified to vote in such original or supplementary decree, to vote at any election covered thereby, or to have the vote of any such person counted, may be proceeded against for contempt.

SEC. 203. The court may authorize any person or persons appointed pursuant to this title to issue to each person named in the original decree or any supplementary decree as qualified to vote at an election, a certificate identifying the holder thereof as a person qualified and entitled, pursuant to the court's original decree or supplementary decree, to vote at any such election.

SEC. 204. Any person having standing under State law to challenge the determination of State registration and election officials that another person is qualified to vote may challenge such determination by the voting referee by filing a motion with the district court in opposition to the report of the referee. Such motion shall be the exclusive method for challenging the qualifications of a person who is reported by the referee to be qualified to vote, and shall be determined by the court under the provisions of section 202 of this title.

SEC. 205. The court may authorize such person or persons appointed pursuant to this title (or may appoint any other person or persons) (1) to attend at any time and place for holding any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any such person has been denied the right to vote, and (2) to attend at any time and place for counting the votes cast at any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any vote cast by any such person has not been properly counted.

SEC. 206. Any person or persons appointed by the court pursuant to this title shall have all the powers conferred upon a master by Rule 53(c) of the Federal Rules of Civil Procedure: *Provided, however,* That any hearing or other proceedings for the determination of whether an applicant has the qualifi-

cations set forth in section 201 of this title shall be ex parte, and shall carry out the principle that registration under the provisions of this title shall not be substantially more difficult and onerous than it would be under normal comparable proceedings before State registration officials for citizens not members of the group subject to the pattern or practice referred to in section 201 of this title. The compensation to be allowed any person or persons appointed by the court pursuant to this title shall be fixed by the court and shall be payable by the United States.

SEC. 207. The court shall have authority to take any other actions, consistent with the provisions of this title, reasonable, appropriate, or necessary to enforce its decrees.

TITLE III

Miscellaneous provisions

SEC. 301. Section 2004(c) of the Revised Statutes, as amended, is amended by adding at the end thereof the following new sentence:

"When any official of a State or subdivision thereof has resigned or has been relieved of his office and no successor has assumed such office, any act or practice of such officials constituting a deprivation of any right or privilege secured by subsection (a) or (b) hereof shall be deemed that of the State and the proceeding may be instituted or continued against the State as party defendant."

Sec. 302. For the purposes of this act—

(a) The term "election" means any general or special election held in any State solely or partially for the purpose of electing any candidate to Federal, State, or local public office, and any primary election held in any State solely or partially for the purpose of selecting any candidate for election to any Federal, State, or local public office, and

(b) The term "Federal election" means any general or special election held solely or partially for the purpose of electing any individual to, or any primary election held solely or partially for the purpose of selecting any individual as a candidate or nominee for, any of the following Federal offices:

(1) The office of President or Vice President of the United States;

(2) The office of elector for President or Vice President of the United States;

(3) The office of Member of the United States Senate;

(4) The office of Member of the House of Representatives of the United States; or

(5) The office of Delegate or Commissioner of any territory or possession of the United States representing such territory or possession in the House of Representatives of the United States,

whether or not such election, or any ballot, voting machine, or other means used in such election for casting and counting votes, may also include provisions for the election of other State and local officials, or other provisions, for determination by the voters.

(c) The term "ballot" means any ballot, voting machine, or other means used in any election for casting and counting votes, including provisions for the election of Federal, State, or local officials, or provisions for the determination of any other proposals submitted to the voters.

(d) The term "county" means a county, parish, or similar political subdivision of a State, irrespective of whether it consists of one or more election or registration districts which are under State law, authorized to provide for the registration or qualification of voters living within such county, parish, or similar political subdivision.

(e) The term "State" includes any possession or territorial subdivision of the United States which is authorized, by a law of the United States, to elect a Delegate to or Commissioner in, the House of Representatives.

SEC. 303. The provisions of neither of the first two titles of this Act shall supersede or affect the other, except to the extent specified therein. The President of the United States shall, to the extent necessary, coordinate his designation of a Federal registrar, where appropriate, with any actions or other proceedings brought by the United States for the appointment of a voting referee.

SEC. 304. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

SEC. 305. No injunctive or other civil relief under the provisions of this section or any other law shall be denied on the grounds that the acts complained of are a crime, nor shall the provisions of this Act be deemed to repeal or amend any other provisions of law providing for alternative relief or penalties under such circumstances.

SEC. 306. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

The memorandum presented by Mr. JAVITS is as follows:

The attached memorandum on voting rights proposals was prepared by the following:

Yale University Law School: Joseph W. Bishop, Jr.; Charles L. Black, Jr.; Guido Calabresi; Richard C. Donnelly; Thomas I. Emerson; Grant Gilmore; Abraham S. Goldstein; Curtis J. Berger; Joseph Goldstein; Fowler V. Harper; Fleming James; Leon S. Lipson; Louis H. Pollak; Fred Rodell; Clyde W. Sommers; Francis W. Coker, Jr.

The University of Pennsylvania Law School: Dean Jefferson B. Fordham; John O. Honnold, Jr.; Paul J. Mishkin; Clarence Morris; James C. N. Paul; Louis B. Schwartz; Charles Allan Wright.

PROPOSAL FOR RECONCILING THE FEDERAL REGISTRAR BILLS AND THE VOTING REFEREE BILL

This proposal is offered as a method of reconciling and combining the recommendation of the Civil Rights Commission for the appointment of Federal registrars and the Attorney General's suggestion for judicially appointed voting referees.

I. ADVANTAGES OF COMBINING THE TWO PROCEDURES

The recommendation of the Civil Rights Commission is embodied in S. 2783 (the Javits bill) and several other similar bills. Essentially this proposal calls for the appointment of Federal registrars by the President, through an administrative process, and applies only to Federal elections. The Attorney Generals proposal, embodied in a bill submitted by him, provides for the appointment of voting referees as part of a judicial proceeding and applies to both Federal and State elections.

Each method has certain advantages and certain disadvantages. The system of Federal registrars has the advantage that it assigns to the executive branch the normally executive function of registering large numbers of voters; and it permits more simple and less time-consuming procedures for the appointment of Federal registrars and the registration of voters. It has the disadvantage that it relies for enforcement upon a criminal sanction, which may not be practicable in some areas, or a newly instituted injunction proceeding, which may involve delay.

The system of voting referees has the advantage that, once in operation, it permits more rapid enforcement through the contempt sanction. It has the disadvantage that it requires a more formal and longer procedure for the original appointment of voting referees; and that it limits the persons who may register to those who have actually made an unsuccessful attempt to register through State procedures.

In addition, the two plans differ in that the registrar plan deals only with eligibility for Federal elections while the referee plan covers both Federal and State elections. A desire to rectify discrimination in all elections, of course, prompts many to view the referee proposal as preferable, precisely for the reason that it is more comprehensive. Conversely, a reluctance to urge a greater degree of Federal intervention in traditionally State processes leads others to prefer the registrar system because it is confined to Federal elections, an area of primary Federal responsibility.

It would seem clear that there are great advantages in an accommodation of the two plans which would empower the President and his assistants to use either or both approaches, as occasion demands. Legislation combining the proposals would permit the President to try, in the first instance, to ameliorate local discrimination in elections through the use of the swifter but more moderate registrar device. The referee plan could be brought into play if the registrar plan's criminal sanctions did not prove fully effective or if, as the Attorney General fears, the enrollment by the registrar of voters eligible only for Federal elections stimulates "Jim Crow" balloting. Thus, where the registrar plan worked smoothly and generated acceptance of Negro participation not merely in Federal elections but in the total political process, it would then be unnecessary to invoke the more drastic referee machinery. A two-phased approach of this kind seems an appropriate way of insuring that in our zeal to protect vital constitutional rights we do not too precipitately unsettle the Federal-State equilibrium.

II. BASIC ELEMENTS IN A COMBINED SYSTEM

In a combined system, as just pointed out, both procedures would be available and the determination of which to apply would depend upon which appeared best suited to deal with the particular problem.

There are many situations where the procedures embodied in the Federal registrar method would prove entirely adequate and effective. Thus, in areas where pressures against Negro voting are less severe, where some Negroes may already be registered under State procedures, where Negroes are better organized or more articulate in their demand for the right to vote, or where for other reasons the prospect of obtaining the opportunity for Negroes to vote is more advanced, there is no ground for supposing that the registrar procedure would not prove successful. Such conditions prevail in many localities, particularly in urban areas.

Moreover, the registrar system, if modified in the manner set forth below, can operate through procedures that are simple, that are readily adapted to widespread application, and that involve less expenditure of Federal funds and personnel than would be required for the conduct of multiple formal litigation. To make the registrar system work in optimum fashion, Presidential exercise of the power to appoint registrars should not be made dependent upon a prior formal adjudication—whether judicial or administrative—that named persons have been subjected to specific denials of or interferences with the free exercise of the franchise. What is to be protected by the registrar phase of the program is a Federal process—the right to vote for Federal officials. It is therefore entirely appropriate for Congress to confer on the President a protective authority to be exercised whenever he has reason to believe that local conditions surrounding Federal elections do not comport with those high standards Congress is entitled to insist upon.

In practice the President would doubtless act to appoint registrars only on the advice of the Attorney General and, so long as it

continues in being, the Civil Rights Commission. This routine advisory relationship need not be spelled out in legislation. It would, however, seem prudent to provide, as a precondition to the President's exercise of his discretionary power, to appoint registrars, that the President be in receipt of a petition or petitions from at least 50 residents of a county or parish who believe they are qualified to vote and who feel that appointment of a registrar for that county or parish is appropriate.

For these reasons the Federal registrar system would normally be the preferred method and first to be applied. Where this system proved inadequate, or where it could be foreseen that it would prove inadequate, the more far-reaching procedures of the voting referee system would be invoked.

The situations in which the voting referee system would prove more advantageous include the following:

(1) Areas where resistance to the Federal registrar system developed some form of "Jim Crow" election practices, thus jeopardizing the integrity of Federal elections. Although some provision should be incorporated in the Federal Registrar system to prevent this, such provision might not be wholly successful and direct Federal control over registration for State elections might become essential.

(2) Areas where, although no "Jim Crow" election practices developed, the registration of Negro voters in Federal elections did not result in eligibility to vote in State elections. If a substantial number of Negro voters wished to enforce their right to vote in State elections under such circumstances, the voting referee system would be available and should be invoked.

(3) Areas where especially intense opposition to Negro voting made it unlikely that federally registered Negroes would be permitted to vote and that criminal sanctions would prove effective. In such situations the more limited procedures of the voting referee system, and the more readily available contempt power, could be employed.

(4) Other areas where the drastic procedure of instituting Federal control over State elections through the summary contempt power was deemed necessary.

No difficulties arise from the simultaneous operation of the two systems. In most situations, of course, only one of the two procedures would be invoked. Even where both were in force in the same election district there would be no conflict. The Federal registrar would concentrate on his usual task of listing those who, possessing the voting qualifications prescribed by State law, would be eligible to vote in Federal elections. The voting referee would adjudicate individual cases in which the State had denied the right to register, his favorable action leading to a certificate of eligibility to vote in both Federal and State elections. In any case where the same individual appeared before both Registrar and Referee, the Referee's decision, if affirmed by the Court, would prevail. Thus a registrar's determination that an applicant had or had not met the qualifications set by State law would not be binding in any subsequent application for the broader certificate judicially administered. And a finding by the referee that a person registered by the registrar did not possess the requisite qualifications would override the administrative determination and strip the applicant of his eligibility to participate in Federal elections.

It deserves emphasis here that the simultaneous activity of the two Federal officials in the same election district is altogether desirable in those instances where local discrimination does not fully yield to the registrar procedure. These would be situations where State election officials were undeterred by the threat of criminal prosecution from continued discrimination in Federal elections, or were not allowing persons registered by the registrar to vote in State elections, or both. Here the referee procedure would perform a major function in adjudicating individual allegations of discrimination and enforcing the resultant decrees. The registrar, meanwhile, would be carrying on his independent and highly important job of maintaining a register of the larger group of eligible Negro voters ready to participate in Federal elections but understandably reluctant to approach actively hostile State officials as the first step in getting themselves registered for both sets of elections.

Some coordination in the operation of the two procedures would be advisable. Thus the decision whether to institute one procedure or the other, or whether to follow up the registrar method by an injunction suit, would have to be made. Such coordination could be readily effected by giving the Civil Rights Commission authority to recommend the appointment of Federal registrars to the President, and to recommend the institution of injunction proceedings by the Department of Justice. Or, if the Commission is not continued, the necessary coordination could be secured through the President's staff, through delegation to the Civil Rights Division of the Department of Justice, or through delegation to some other officer or agency.

To insure that the registrar and referee phases of the combined plan are in full conformity, one further and relatively minor modification of the registrar phase of the plan is in order. Present proposals for the appointment of Federal registrars contemplate such appointment wherever there is discrimination on account of race, religion, color, or national origin. The referee proposal is confined to discrimination on account of race or color. It is abundantly clear that the practical problem to which current legislative proposals are addressed is racial discrimination—primarily that against the Negro—and it should therefore be sufficient for present purposes to provide that the appointment of registrars and referees alike should be geared to discrimination on account of race or color. In the event that a future Congress finds that voting rights are being abridged on any significant scale because of religion, national origin, or some other obnoxious criterion, it will at such time be feasible and appropriate to enlarge the scope of the present proposal.

III. PRINCIPAL PROVISIONS IN A COMBINED BILL

A bill combining the features of the Federal registrar procedure and the voting referee procedure would include the following principal provisions:

TITLE I. FEDERAL REGISTRARS

(1) The President should be empowered to appoint a Federal registrar in any election district where he has reason to believe that citizens are being denied registration on account of race or color. The only condition to the taking of such action should be that a petition be filed by at least 50 persons residing in any county or parish who believe they are qualified to vote and request the appointment of Federal registrars in such county or parish.

(2) Once a Federal registrar has been appointed for any election district, all persons in that district who are members of the category—of race or color—that the President has reason to believe are being discriminated against, as stated in his designation, should be eligible to apply to the Federal registrar for registration to vote in Federal elections.

(3) In any case where a person applies for registration to a Federal registrar and also to a voting referee (established under title II), the decision of the voting referee as to whether the applicant possesses the qualifications prescribed by State law shall, if affirmed by the Federal court, supersede any prior inconsistent determination of the Federal registrar.

(4) Any person denied registration by a Federal registrar may obtain judicial review of such action by appeal to a U.S. district court. Any person having standing under State law to challenge the determination of State registration or election officials that another person is qualified to vote may challenge the right of a federally registered voter to vote by filing suit in a U.S. district court against such registered voter and the appropriate Federal registrar. In such suit the action of the Federal registrar in granting registration shall not be stayed pending final decision of the district court, but provision for expediting such suits should be included in the legislation. The above procedures shall be the exclusive method of challenging a person to whom a certificate has been issued.

(5) In order to prevent Jim Crow election practices, provision should be made requiring that in any election where some voters are qualified to vote only for candidates for Federal office, a separate ballot for such candidates shall be cast by all voters, whether voting only for Federal candidates or for both Federal and State candidates. Similar provision should be made for adjustment of voting machines, so that all voters would use the same machines.

(6) Federal registrars appointed by the President, or their successors, shall serve until such time as the President determines that citizens in the election district for which such registrar was appointed are no longer being denied the right to register or vote on account of race or color, and that their right to register or vote without discrimination in the future seems secure.

(7) Criminal provisions should be included, making it a misdemeanor wilfully to interfere by violence, intimidation, economic reprisal, or threats thereof, with persons seeking to petition for appointment of a Federal Registrar or seeking to register with the Federal registrar, or by similar means to otherwise interfere with the Federal registration process, or to deny an individual registered under the act the right to vote or to have his vote counted for any candidate for Federal office.

TITLE II. VOTING REFEREES

The provisions of the Attorney General's bill should be incorporated in their present form (including the amendments suggested by Deputy Attorney General Walsh), with the addition of a section amending section 131 of the Civil Rights Act of 1957 to provide that the Attorney General or private persons may secure civil relief, through damages, injunction or other equitable remedy against persons interfering with the Federal registration process established or seeking to deny the right to vote or have the vote counted of any person registered by the Federal registrar. It may be advisable to include a provision for liquidated damages in order to facilitate the determination as to the amount of damages to be awarded.

TITLE III. GENERAL PROVISIONS

(1) The provisions in the Attorney General's bill for the issuance of certificates to those found qualified to vote under Federal procedure, and for Federal watchers at the polls, should be made applicable to both procedures.

LITHUANIAN INDEPENDENCE DAY

Mr. BUSH. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing and requesting the President of the United States to designate, by proclamation, February 16 of each year as Lithuanian Independence Day.

Mr. President, the introduction of this joint resolution coincides with the 42d anniversary of Lithuania's independence. Lithuania proclaimed its inde-

pendence of Russia in 1918 and in 1920 a peace treaty was signed between the Soviet Union and Lithuania by which the Soviet Union recognized, without reservation, the independence and sovereignty of the Lithuanian people. The Soviet Union declared at that time that it voluntarily and forever renounced all sovereign rights over the Baltic peoples.

For two decades the people of Lithuania and her neighbors enjoyed the fruits of freedom. During that time Lithuania won worldwide respect as an exemplary member of the family of nations. A high standard of social justice was established as the Lithuanian people displayed its love of liberty and its great spiritual strength.

In 1940, the Soviet Union, rejecting its treaty obligations, deliberately annihilated several of its neighbors including Lithuania. The following years saw the Soviet Union employing against the captive peoples, a process of colonization, oppression, and systematic decimation, including deportation and genocide.

On this 42d anniversary of the declaration of Lithuanian independence, we of the free world should reflect upon the sufferings of the Lithuanian people and that of her sister captive nations. We must consider what we, with other free nations, can do to encourage them during this time of oppression, and what can be done to bring about their eventual liberation.

By our words and our actions we can continue to give hope to the valiant people of Lithuania, trusting that, by the intervention of divine providence, they may enjoy again that freedom which is so close to their hearts.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 163) authorizing the President to issue a proclamation designating February 16 of each year as Lithuanian Independence Day, introduced by Mr. BUSH, was received, read twice by its title, and referred to the Committee on the Judiciary.

FLYING OF PANAMANIAN FLAG IN CANAL ZONE

Mr. BUTLER. Mr. President, the one symbol of the United States of America which is defended and honored above all others is the American flag. Just as our flag means and represents so much to every American, so the English flag, the French flag, and the Panamanian flag all carry a world of meaning to the people of England, France, and Panama.

I believe that we are all familiar with the current dispute about the displaying of the Panamanian flag over the Canal Zone. Mr. President, it is a rare occurrence indeed when I find myself in agreement with the editors of the Washington Post and Times Herald, but I would like to quote from an editorial of January 25:

> Should the United States authorize Panama to fly its flag alongside the American flag in the Canal Zone? We thought so, in company with a number of administration officials, at the time of the recent demonstrations outside the zone, and we endorsed the proposal of a modest concession to the feelings of a small neighbor. Subsequent reflection has persuaded us, however, that this might be a mistake. * * * The danger lies in the distinct possibility that a small gesture would entail larger and more debatable consequences.

The "distinct possibility" was expressed by President Ernesto de la Guardia, Jr., of Panama, in a newspaper interview reported over Radio Balboa in Panama City on February 1:

> The placing of our flag there (in the Canal Zone) is only a logical end of ratifying Panamanian sovereignty. The Panamanians, like other Latin Americans in general, render fervid tribute to the fatherland symbols.

It is obvious that if permission were granted to the Panamanian Government to fly its flag over the Canal Zone, the people of Panama would attach to that act a significance of possession which this Government, in view of its investments in and the strategic importance of the Canal Zone, as well as the original treaty of 1903, cannot seriously entertain. I am, therefore, submitting a resolution declaring the opposition of the U.S. Senate to flying the Panamanian flag over the Canal Zone.

Mr. President, I urge every Member of the Senate to consider my resolution most carefully and to endorse it. Because Panama has long been our friend, it would be unfair to allow that country to fly its flag over the Canal Zone in the mistaken belief that the zone does or will soon belong to Panama when, in fact, the sovereignty of the Canal Zone rests with the United States by virtue of solemn treaty.

The PRESIDING OFFICER (Mr. HART in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 275) was received and referred to the Committee on Foreign Relations, as follows:

Whereas the United States of America on November 18, 1903, entered into a treaty with the Republic of Panama, which treaty was subsequently approved by the United States Senate on February 23, 1904, and ratified by President Theodore Roosevelt on February 25, 1904; and

Whereas the said treaty provided for the establishment of a Canal Zone ten miles wide extending across the Isthmus of Panama from the Caribbean Sea, to the Pacific Ocean; and

Whereas by the said treaty of 1903 the Republic of Panama granted to the United States of America sovereign control in perpetuity over the Canal Zone "to the entire exclusion of any sovereign rights, power or authority by the Republic of Panama;" and

Whereas, as the price or compensation for the rights, powers, and privileges granted by the Republic of Panama in the said treaty of 1903, the United States of America agreed to pay, and did pay, the sum of $10,000,000 on the exchange of the ratification of the treaty, plus a specified annual payment starting nine years after the exchange of ratification, which annual payment is still being made; and

Whereas the United States of America has continually exercised complete and exclusive sovereignty over the Canal Zone since the ratification of the said 1903 treaty; and

Whereas during negotiations leading to the amending treaty of January 25, 1955, the Republic of Panama requested a specific treaty provision granting it permission to fly its flag over the Canal Zone which request was denied; and

Whereas on November 3 and November 28, 1959, there were attempted mob invasions of the Canal Zone by certain extremist elements of the Republic of Panama, coupled with demands tending to encroach upon U.S. sovereignty; and

Whereas the President of the United States, in his press conference on December 2, 1959, stated that, "I do in some form or other believe we should have visual evidence that Panama does have titular sovereignty of the region"; and

Whereas the President of the United States reiterated in substance the above stated position in his press conference of February 3, 1960; and

Whereas subsequent to the President's original statement it has become publicly known that the Department of State is giving active, and possibly favorable, consideration to a formal request from the Republic of Panama that the Panamanian flag be flown over the Canal Zone; and

Whereas to permit the Panamanian flag to fly over the Canal Zone would amount to a total surrender by the United States of its exclusive and complete sovereignty over that zone and would inevitably lead to further demands by the Republic of Panama, a further shrinkage of American sovereignty over the zone, and possibly nationalization: Now, therefore, be it

Resolved, That it is the sense of the U.S. Senate that there shall be no Executive surrender of U.S. sovereignty over the Canal Zone to the Republic of Panama, either by permitting the flying of the Panamanian flag over that zone, or otherwise; and be it further

Resolved, That it is the sense of the U.S. Senate that since the sovereignty of the United States over the Canal Zone to the exclusion of any sovereign rights, power, or authority of the Republic of Panama was created by treaty requiring the advice and consent of the U.S. Senate, that there should be no surrender of that sovereignty without a treaty of equal dignity.

PROTECTION OF RIGHT TO VOTE IN FEDERAL ELECTIONS—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 2783) to protect the right to vote in Federal elections against denial on account of race, religion, color, or national origin, by providing for the appointment of Federal registrars by the President, which was referred to the Committee on Rules and Administration and ordered to be printed.

TO PRINT AS A SENATE DOCUMENT THE REPORT ON THE COMMONWEALTH PARLIAMENTARY ASSOCIATION MEETING, CANBERRA, AUSTRALIA, 1959 (S. DOC. NO. 83)

Mr. FREAR. Mr. President, last November it was my privilege to head a Senate delegation to Canberra, Australia, to the meeting there of the Commonwealth Parliamentary Association. Other members of the delegation were Senator CLAIR ENGLE, of California, Senator KENNETH B. KEATING, of New York, and Senator HUGH SCOTT, of Pennsylvania.

The friendships we made, the exchange of legislative and international views in which we participated were all of incalculable benefit to the comity which this Nation enjoys with the United Kingdom, Australia and other members of the great British Commonwealth. It is an experience in which I hope the Senate will always participate.

I have a report on the meeting, Mr. President, which I offer on behalf of the delegation. It is 22 pages and will not cost more than $238 to print. Because I know it will be of interest to this body, I ask unanimous consent the report be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Delaware? The Chair hears none, and it is so ordered.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. FREAR. I yield.

Mr. KEATING. I rise for the purpose of commending the chairman of our delegation, the distinguished Senator from Delaware [Mr. FREAR], who represented this body in a magnificent manner as chairman of this group at the British Interparliamentary Conference. It was my pleasure to be with him.

I held the Senator from Delaware in high esteem before we attended this conference; and I think a great deal more of him now.

Mr. FREAR. I am very grateful to the Senator from New York.

TO PRINT AS A SENATE DOCUMENT A MEMORANDUM AND STATEMENT OF PROPOSED GENERAL PRINCIPLES TO GOVERN, AND OPERATING CRITERIA FOR, GLEN CANYON AND LAKE MEAD DURING THE GLEN CANYON FILLING PERIOD (S. DOC. NO. 84)

Mr. ANDERSON. Mr. President, on January 9, 1960, the Secretary of the Interior, Hon. Fred A. Seaton, approved a memorandum transmitting a Bureau of Reclamation proposal, tentatively setting forth the governing principles and operating criteria for Glen Canyon Reservoir and for Lake Mead, during the filling period at Glen Canyon Reservoir.

These general principles, as set forth in the proposal, have been transmitted to Mr. Ival Goslin, chairman of the engineering committee of the Upper Colorado River Commission, and to Mr. A. J. Shaver, head of the Lower Colorado Basin States engineering study group, with the recommendation that these two engineering groups study the Department's proposals for operating Lake Mead and Glen Canyon Reservoir, and meet later with the Department engineers for consultation and exchange of ideas, before the Secretary makes his final decision in the matter.

It is with pleasure that I note progress in establishing a sound manner for regulating the water resources of the Colorado Basin. The establishment of principles to govern the operation of the reservoir now under construction in the Upper Colorado River Basin is a logical prerequisite to the establishment of power marketing area for the energy to be generated, the transmission system to transmit that energy, and the other agreements we all hope will lead to harmony in the seven States of the Colorado River Basin, and the use of their resources for the welfare of the greatest number of citizens.

Mr. President, I request unanimous consent that Commissioner Dominy's memorandum to the Secretary of the Interior, and the accompanying statement of "proposed general principles to govern, and operating criteria for, Glen Canyon and Lake Mead during the Glen Canyon filling period" be printed as a Senate Document, together with my statement to the Senate today.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YOUNG of Ohio:

Address by Sentor RANDOLPH delivered at the Boy Scout award dinner in West Virginia.

Address by Hon. ALLEN J. ELLENDER, U.S. Senator from Louisiana, delivered before the National Limestone Institute, Inc., January 21, 1960.

By Mr. WILEY:

Statement prepared by him, entitled "WILEY Urges Strong, Muscular, Mutual Security Program."

By Mr. KEATING:

Proclamation of Governor Rockefeller, of New York, on Susan B. Anthony Day.

By Mr. HUMPHREY:

Article entitled "Let's Break Down the Age Barriers," written by him, published in the February 1960 issue of Eagle.

Summary prepared by him, entitled "Conservation News."

NEW POLICY OF MARITIME ADMINISTRATION IN PAYMENT FOR SHIPS

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a new policy of the Maritime Administration's wherein they are now paying more money for old worn out, fully depreciated ships than the price for which the same vessels were sold by the Government 10 to 20 years ago. Not only that, but during the period in which these ships were operated by the companies their operations were also being heavily subsidized by the taxpayers.

This agency in some instances is now accepting old ships as trade-in allowances on newly constructed vessels at prices averaging from 30 to 50 percent higher than that for which the Government sold these same ships to the companies several years ago. This liberal policy is being carried out under a decision made at the management level of the Maritime Administration, rather than by legislative authority.

Several years ago the Maritime Administration requested legislation authority to make these liberal allowances, and Congress rejected their request. Later their counsel ruled that they did not need congressional approval anyway, and they proceeded with their original intentions.

Many of these ships which are now being accepted at inflated prices for trade-ins are the same vessels whose operations have been heavily subsidized by the Maritime Administration since their original sale.

Before incorporating a list of some of these trade-ins in the RECORD, I call attention to certain specific examples.

For instance, the American Export Lines, Inc., in 1948 purchased two ships, the *Excambion* and the *Exochorda*, at a cost of $1,100,387 each. These two ships 4 years earlier had cost the Government $3,146,293 each. In 1958 the Government reacquired as trade-ins these same two ships and allowed the company $1,575,000 for each.

That is not all. The record shows that during the 10-year period in which the company operated these two vessels—1948–58—the Government paid this company over $13 million in subsidizing their operations. Included in the computation of these subsidies was a margin providing for profitable operation as well as taking care of their normal depreciation.

Thus, we find that in this instance the Government in 1948 sold two vessels, which had cost over $6¼ million, for a little less than $2¼ million, and then 10 years later bought back the same two ships at a price in excess of $3 million, and during the 10-year interval the Government paid the company over $13 million in subsidies on the same two ships.

Altogether the American Export Lines in the last 2 years, under this liberal policy, have turned over to the Government eight ships for which they received a total of $9,783,000 as trade-in allowances, against an original cost of $9,569,794.

Four of these ships were purchased from the Government about 10 years ago, while the other 4 were purchased 20 years ago, and, under normal depreciation, allowances had been practically written off. During the past 10 years, the Government, on these same 8 ships, has paid subsidies to the American Export Lines in the amount of $28,038,463, against which the Government has a possible recapture accrual of $1,339,175.

These 8 ships when originally constructed had cost the Government $22,358,149.

The American President Lines, Ltd., in 1948 and 1951 bought 3 ships from the Government at a total cost of $3,004,817. Between 1956 and 1958 they sold these same 3 ships back to the Government for $4,050,000. During the interval in which they were operating these same vessels, they collected from the Government subsidies in the amount of $4,983,704—against which the Government claims a possible recapture of $459,092. The original purchase cost to the Government of building these three ships was $8,807,715.

The Lykes Bros. Steamship Co., Inc., purchased 9 ships from the Government, 8 of which were bought from 17 to 20 years ago, and one about 10 years ago. These same 9 ships cost the Government, when originally constructed, $21,715,788. They were sold to the company for $8,994,994. In 1958 the Government reacquired title to these same 9 ships and allowed the company $7,022,000. This allowance was made notwithstanding the fact that the useful life of most of these ships was exhausted and that they had been fully depreciated, with the

depreciation charges being charged to the Government under its operational subsidy program. In the 10-year period between 1948 and 1958, this company collected $16,801,318 in Government subsidies to operate these same vessels, with an estimated recapture accrual of $6,378,079, which may be collected unless the Government in its generosity waives the claim.

The Mississippi Shipping Co., Inc., in 1947 bought 4 ships for $3,588,946. Between 1948 and 1958 they collected from the Government $9,924,867 in subsidies—with a possible recapture accrual of $1,138,755—toward the operation of these same vessels, and then in 1958 sold them back to the Government for $2,541,600.

Between 1940 and 1943 the Government built 9 vessels at a cost of $24,284,732. Within 12 months following their construction, these vessels were sold to the Moore-McCormick Lines, Inc., for a net price of $11,843,821. About 20 years later, in 1958, the company traded these same ships back to the Government for a credit of $9,462,500. During the 10-year period between 1948 and 1958, the Moore-McCormick Lines collected operational subsidies for these same 9 vessels in the amount of $19,417,910—against which the Government has an estimated recapture claim of $1,597,456. It should be noted that these vessels were all nearly 20 years old when repurchased by the Government, and therefore had been fully depreciated, with the depreciation charges having been included in the computation of the operational subsidies.

The same conditions existed with many of the ships listed for the other companies as well.

This policy of the Maritime Administration's in buying back these old vessels at prices in some instances actually higher than that for which they were sold 10 to 20 years ago and in all instances at prices substantially higher than either their present market value or their depreciated value, represents nothing other than an outright gift at the taxpayers' expense.

This policy is even more indefensible when we recognize that Congress rejected the request of the Maritime Administration for authority to reacquire these vessels at these inflated prices.

After Congress refused legislative authority the Maritime Administration had their General Counsel conveniently draft a ruling to the effect that they did not need congressional approval anyway.

This is only one of the many examples which have been called to the attention of the Congress of the careless and irresponsible manner in which the Maritime Administration handles public funds, and I suggest that the time is long overdue when the appropriate committees of the Congress should direct their attention toward an examination of the policies and activities of this agency.

If any further support is required to emphasize the need for such an examination I suggest that the members of the committees and the Members of Congress give their attention to the many reports which have been submitted from the Comptroller General's office criticizing the activities of this agency.

At this point I ask unanimous consent to have printed in the RECORD a chart giving the name of the vessel, the date and construction cost, the sales price, the amount of the subsidy paid on each ship, along with the trade-in allowance approved by the Government for each company, followed by a letter signed by Mr. Walter C. Ford, Acting Maritime Administrator, explaining the chart.

The PRESIDING OFFICER (Mr. MORSE in the chair). Is there objection to the request of the Senator from Delaware?

There being no objection, the information and letter were ordered to be printed in the RECORD, as follows:

AMERICAN EXPORT LINES, INC.

Name	Original construction cost to Government		Sold		Subsidy paid by Government during operation			Trade-in value allowed by Government	
	Date	Cost	Date	Net price received	Period	Number of voyages	Amount paid	Date	Amount
SS Exton	1944	$3,592,511	Jan. 23, 1948	$1,005,431	1948–58	60	$2,847,154	1958	$1,350,000
SS Exmouth	1945	2,525,249	Nov. 25, 1947	1,005,431	1948–58	43	2,640,913	1958	1,350,000
SS Excambion	1944	3,146,293	Nov. 22, 1948	[1] 1,100,387	1949–58	65	6,796,096	1958	1,575,000
SS Exochorda	1944	3,146,293	Oct. 26, 1948	[1] 1,100,387	1948–58	62	6,553,616	1958	1,575,000
SS Exermont	1939	2,449,749	Sept. 28, 1939	1,349,149	1955–58	19	1,143,378	1958	1,260,000
SS Examiner	1942	2,706,838	Jan. 23, 1942	1,557,804	1948–58	57	2,822,209	1958	1,314,000
SS Exanthia	1942	2,464,566	Jan. 21, 1942	1,232,283	1948–58	61	2,464,087	1958	679,500
SS Exceller	1941	2,326,650	Aug. 13, 1941	1,218,922	1948–58	68	2,771,010	1958	679,500

AMERICAN PRESIDENT LINES, LTD.

SS President Garfield	1945	$2,515,910	Jan. 19, 1951	$997,541	1952–56	12	$1,432,413	1956	$1,350,000
SS President Buchanan	1945	2,477,377	Jan. 30, 1948	1,003,445	1948–57	25	2,464,833	1957	1,350,000
SS President Tyler	1944	3,814,428	Feb. 13, 1948	1,003,831	1948, 1955–58	10	1,086,458	1958	1,350,000

LYKES BROS. STEAMSHIP CO., INC.

SS James Lykes	1940	$1,938,647	Dec. 4, 1940	$984,452	1948–58	64	$2,480,632	1958	$900,000
SS John Lykes	1941	1,957,610	Jan. 28, 1941	978,805	1948–58	70	2,448,852	1958	900,000
SS Joseph Lykes	1940	1,928,634	Oct. 12, 1940	974,647	1948–58	62	2,566,062	1958	900,000
SS Thompson Lykes	1941	1,979,482	Apr. 2, 1941	989,741	1948–58	76	2,420,283	1958	900,000
SS Zoella Lykes	1940	1,931,058	Nov. 5, 1940	970,759	1948–58	63	2,542,645	1958	900,000
SS Jean Lykes	1943	3,070,665	Feb. 15, 1943	[2] 1,057,221	1948–58	123	893,967	1958	608,000
SS Nancy Lykes	1943	3,070,665	Feb. 10, 1943	[2] 1,091,046	1948–58	115	1,180,640	1958	608,000
SS Solon Turman	1943	3,070,665	Feb. 24, 1943	[2] 1,088,059	1948–58	120	1,469,027	1958	608,000
SS Leslie Lykes	1945	2,768,362	Jan. 26, 1951	[2] 860,264	1955–58	11	799,210	1958	698,000

MISSISSIPPI SHIPPING CO., INC.

SS Del Monte	1944	$2,586,378	Apr. 24, 1947	$912,859	1948–58	45	$2,437,071	1958	$584,100
MV Del Rio	1943	2,443,939	May 21, 1947	912,859	1948–58	44	2,528,235	1958	652,500
MV Del Sol	1944	2,449,538	May 1, 1947	912,859	1948–58	45	2,509,966	1958	652,500
MV Del Viento	1942	2,467,668	Oct. 13, 1947	850,369	1948–58	45	2,449,595	1958	652,500

MOORE-McCORMACK LINES, INC.

SS Mormacmoon	1941	$2,946,001	Dec. 31, 1940	$1,502,423	1948–58	23	$1,308,722	1958	$1,552,000
SS Mormacport	1940	2,533,383	Oct. 18, 1940	1,380,309	1949–58	25	1,439,006	1958	1,552,000
SS Mormacswan	1940	2,394,043	do	1,302,311	1948–58	46	2,588,655	1958	1,291,500
SS Mormacdale	1942	2,109,331	Feb. 20, 1942	1,054,666	1948–58	41	2,161,506	1958	945,000
SS Mormaclark	1943	2,653,670	Feb. 4, 1943	[2] 1,058,920	1948–58	46	2,350,904	1958	945,000
SS Mormacreed	1943	2,657,517	Feb. 9, 1943	[2] 1,111,344	1948–58	44	2,298,574	1958	598,500
SS Mormactern	1942	2,755,038	Dec. 29, 1942	[2] 1,186,907	1948–58	46	2,249,350	1958	598,500
SS Mormacyork	1941	3,018,775	1941	1,638,454	1948–58	47	2,683,799	1958	990,000
SS Mormacsea	1941	3,216,974	1941	1,608,487	1949–58	41	2,337,394	1958	990,000

[1] This figure represents the actual sales price of the vessel, although by mutual arrangement the purchaser disbursed some of its own money to put vessel in class (as required of the Government under 1946 Ship Sales Act) and deducted from the actual sales price of vessel the amount so disbursed.

[2] Net adjusted under sec. 9, 1946 Ship Sales Act, including interest credit, tax adjustment, and charter hire credit.

U.S. DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D.C., August 10, 1959.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Reference is made to your letter of July 17, 1959, and to our acknowledgment thereof dated July 24, 1959.

There is enclosed a statement (schedule A) showing the estimated operating-differential subsidy accrual during the years 1948 through 1958, inclusive, on each of the 33 vessels traded in from November 9, 1956, to May 22, 1959.

The Merchant Marine Act of 1936 provides that 50 percent of the cumulative profits, computed annually but averaged over a 10-year period, after a profit allowance to the subsidized operator of 10 percent per annum (to the extent earned) of the operator's capital necessarily employed in the subsidized operations, is to be recapturable by the Maritime Administration. This recapture is required to be withheld from current cumulative payments under applicable appropriation acts.

As to the five operators listed on schedule A, each had a 10-year recapture period which terminated on December 31, 1957. In order to relate the estimated recapture accrual applicable to the recapture period of each operator, we have included on the schedule A the last 11-year period (rather than the last 10-year period as suggested by you), that is, the 10-year period ended December 31, 1957, plus the latest calendar year 1958.

It is to be understood that recapture accrual is not determined on a vessel and voyage basis but by taking into consideration all of each operator's subsidized operations for each year. By reference to the remarks column on the schedule A, it will be noted that there has been shown, as to each operator, the percentage of the recapture in relation to all subsidy accrual for the 10-year recapture period referred to above. There also has been shown what the estimated recapture would be if the overall percentage shown as to each operator were applied to the total subsidy accrual on the specific vessels listed on said schedule A for the 10-year recapture period ended December 31, 1957.

The calendar year 1958 was the first year of the current 10-year recapture period for all of the operators listed on the schedule A and present indications are that the amount of the recapture accrual, if any, for said year will be negligible as to each operator.

If we can be of further service to you, do not hesitate to advise us.

Sincerely yours,

WALTER C. FORD,
Acting Maritime Administrator.

ONE UNIFORM—ONE DEVOTION

Mr. YOUNG of Ohio. Mr. President, for years American taxpayers have shouldered the burden of ever-increasing peacetime budgets and growing expenditures for defense.

Taxpayers recognize that a strong defense is essential if America is to survive the threat posed by the growing power of the Soviet Union. They know that if America is to maintain a powerful defense posture, great outlays of money are necessary. American taxpayers also want their money's worth, in the field of defense as in any other field. They are entitled to that.

It is our duty, as Senators of the United States, to make certain that waste duplication, inefficiency and mismanagement are eliminated wherever we find them.

This year, more than $41 billion will be required for defense. I assert, Mr. President, that if there is one area in which we can save money without sacrificing our strength, this is it.

To do so, we must see that our Armed Forces are unified.

Unbridled interservice rivalry, duplication of effort, duplication of men and equipment, overlapping of responsibility, all must end.

Organizational confusion in the Defense Department has cost American taxpayers heavily. It has been conservatively estimated that more than $5 billion could be saved annually if this waste were eliminated under a unified command.

I assert that the Department of Defense is not functioning up to its peak performance, and that it needs a major overhaul if our Nation's defenses are to keep pace with the rapid developments of modern technology.

To keep pace, defense must be guided by a single, unified defense organization which can map out and implement a unified defense strategy without the constant bickering which has been characteristic of our separate Armed Forces.

Mr. President, an editorial in the Cleveland Press of February 13, 1960, points out the need for unification of our Armed Forces most effectively. The Cleveland Press is one of our Nation's greatest newspapers. I ask unanimous consent that this editorial may be printed at this point in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. DODD in the chair). Is there objection to the request of the Senator from Ohio?

There being no objection, the editorial was order to be printed in the RECORD, as follows:

ONE UNIFORM—ONE DEVOTION

With all the angry political debate over the state of the country's defenses against today's or tomorrow's kind of war, it is difficult, to say the least, to know just how we stand.

Confusion is compounded by suspicion that representatives of the high military command tend to view the problem largely through the eyes of their own branches of the service.

The airmen want more supersonic planes and airborne alerts, the sailors more Polaris-carrying submarines and the soldiers more power to fight brush-fire wars.

Out of this the impression strengthens that there must be one military service, instead of three—one uniform, one basic system of officer training one source of promotion, one single devotion to national security without regard to the cut of the uniform of the man with the gun.

The motives of the advocates of the various services are not to be impugned. Their feelings and views are bred into them by training and tradition, starting at an impressionable age in the military academies.

It is an honest, but narrow, point of view which has got to be changed.

Interservice rivalries among men thoroughly convinced that their service, alone, is fit to save the country, have cost us billions in duplicated military equipment. More billions will not protect us adequately if the system is basically unsound.

This bears on a misconception, nourished daily by the alarms of politicians seeking election and some of the military seeking appropriations.

It is that, if we just spend enough money, we will have and hold the necessary edge over the Russians.

It is easy to understand the appeal of this argument because our faith in the magic of the dollar remains unshattered by our experiences all around the world.

Not necessarily more money, but money more wisely spent, is what we need. And more assurance that our military services are more interested in defense against Communist aggression, less interested in defense against each other.

CONSCIENTIOUS VIEWS AGAINST CAPITAL PUNISHMENT

Mr. YOUNG of Ohio. Mr. President, in the Washington Post and Times Herald of February 14, the junior Senator from New York [Mr. KEATING] warns that he plans to introduce a tough new antilynching bill, which, among other things, will provide for the death penalty in lynching cases. This is to quote the Washington Post.

As a Member of the other body years ago, in the 77th Congress I believe, I voted in favor of an anti-poll-tax bill. In fact, I was entrusted with the leadership of the proponents of that legislative proposal and apportioned the time for debate to both proponents and opponents. I will continue to support anti-poll-tax legislation until the time comes that the poll tax is not imposed in any one of our States. I believe civil liberties should be accorded to all our citizens. I am certain every one of our colleagues, Mr. President, utterly abhors lynching.

I am, as a matter of conscience, opposed to capital punishment and I will not be so extreme as to give support to anyone proposing that members of a gang participating in a lynching be executed upon conviction or pleading guilty. I am opposed to the imposition of the death penalty. The Almighty gives to us life and the Almighty should be the only one who may take it away. I do not believe men should seek to play God.

It is noteworthy that the Saviour of mankind—the greatest teacher who ever trod upon this earth—never left any written work, never left any writing of any kind to posterity, except on an occasion when he was meditating upon capital punishment. A woman had been caught in the act of adultery. Under the harsh Mosaic code of that period—providing "an eye for an eye, a tooth for a tooth"—the law provided the penalty of death by stoning. A crowd gathered to impose the penalty of the law. Jesus, meditating, wrote in the sand, and as if He were reading that which He had written He said, "He that is without sin among you, let him first cast a stone at her," and one by one the angry self-appointed executioners slunk away—casting aside the stones—and the woman was freed from the death penalty by the saving grace of the Master's mercy.

FEDERAL AID TO EDUCATION

Mr. THURMOND. Mr. President, on February 4, 1960, I expressed in detail my views against the so-called Federal

aid to education bill when the Senate was considering this unwise and unnecessary legislation. Since that time there has appeared in many newspapers across the Nation a very excellent analysis of the serious economic ramifications of this legislation if passed by the House and signed into law by the President. This analysis was written by Mr. David Lawrence, the distinguished editor and publisher of U.S. News & World Report and news columnist for many daily newspapers. Mr. Lawrence's column appeared in the Washington Evening Star of February 8, 1960.

In his analysis, Mr. Lawrence quotes extensively from an able address recently delivered by Mr. Maurice Stans, Director of the Bureau of the Budget, on the subject of the skyrocketing future financial obligations of the U.S. Treasury. Mr. Stans has made three recent addresses on this important subject, warning against committing our Treasury to the future expenditure of billions of dollars for just such extravagant and endless programs as Federal aid to education, a field over which the National Government has no jurisdiction.

Mr. Louis Harris, the able editor of the Augusta, Ga., Chronicle has also condemned the action of the Senate in approving this legislation with strong words and sound reasoning. His editorial, entitled "Soothing, But Dangerous," appeared in the February 7, 1960, issue of the Chronicle. I ask unanimous consent that both articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Feb. 8, 1960]

(By David Lawrence)

ECONOMIC MEANING OF SCHOOL AID—INFLATIONARY EFFECT SEEN IF CONGRESS KEEPS ADDING TO FEDERAL OBLIGATIONS

The Democrats in the Senate are unwittingly doing a great deal to scare American business. They have set the stage for a spending orgy by Government which can gradually cut down the purchasing power of the dollar.

The vote in the Senate last week to provide nearly $2 billion in the next 2 years for school aid could start the Federal Government on an unprecedented course of subsidizing teachers' salaries. What has hitherto been a local obligation now could become a Federal liability every year. It starts with a few hundred millions for teachers' salaries, but, once a formula of this kind is embedded in Federal budgets, it means increasing sums every year thereafter.

Certainly schoolteachers should be better paid, and, if the States don't recognize this, they will lose teachers and fail to gain new ones. But once the Federal Government starts an aid program, the States will gradually transfer it to the majority responsibility. This could even lead to Federal control of the curriculum and teaching methods—as is the case in many a totalitarian government.

The States are not bankrupt. If they fail to appropriate enough, it is the local citizenry who should be making a fight for better schooling. The moment the Federal Government steps into anything, it becomes a custom that is never repealed.

What can all this mean to business? If dollars are to be cut down in value, unions will insist upon higher wages. Then prices start going up faster and faster. Also, interest rates have to be boosted to attract investors. It means a dislocation of the American economy.

Now, many of the 42 Democrats and 9 Republicans who voted for the $1.8 billion measure to aid the schools realize that in the House of Representatives this bill will be pared down, if not rejected altogether. Then there is a probability of a Presidential veto if the bill should get through the two Houses. It is, however, the possibility that this kind of spending will be approved by the White House if a Democratic administration comes into power a year hence which is causing apprehension in business circles.

It is significant that 10 Democratic Senators from the South and Senator LAUSCHE, Democrat, of Ohio, voted against the school bill along with 23 Republicans, but the coalition wasn't big enough to stop the measure.

Naturally, all the would-be presidential candidates on the Democratic side announced themselves as in favor of this inflationary bill. Vice President NIXON had a chance earlier to break a tie on a somewhat similar bill, and he cast his vote against it. He had been warned that this might hurt him politically, but he wisely disregarded such advice.

Skyrocketing expenditures of the Federal Government are a matter of growing concern. Just a few days ago, Maurice H. Stans, director of the Federal Budget Bureau, gave some unpleasant facts to the public in a speech he made in Chicago. He pointed out that the U.S. Treasury is faced with a large amount of future obligations growing out of the tendency to start a system of continuous spending for projects—many of them taken over from the States. He said:

"Our present national debt of $290 billion is far from all we owe for the past. Here are some items it doesn't include: Our already accrued liability for military retirement is about $30 billion. Our unfunded present accrual for retirement benefits for civilian Government employees is almost $28 billion. On top of that, future pensions, compensation, and other benefits voted to veterans will cost about $300 billion.

"Now, the $290 billion of current public debt, plus over $350 billion of future obligations for past services, plus $98 billion of c.o.d.'s add to the almost incredible total of nearly $750 billion. That is the Federal Government's mortgage on America's future—on ourselves and our children—beyond the regular annual cost of defense, welfare, and commerce. Is it any wonder that your President pleads for a sense of proportion, for a limit on compulsive spending, for a passion for responsibility?"

What Mr. Stans means by his reference to commitments for the future is illustrated by the new school-aid bill. Once it starts, an annual obligation of the Federal Government is incurred. These are what is known as built-in expenditures, and Mr. Stans says:

"I see already built-in increases pushing expenditures up and up year after year. I see pressures continuing to mount for the Federal Government to spend more and more, to take over local governments' problems and to meet demands from pressure groups for more handouts on many fronts. If we yield to these temptations, we can soon have $90 or $100 billion budgets, higher taxes, or more deficits, debasement of our money, and weakening of our economy."

How many Members of Congress heeded that warning? The Democratic majority in the Senate evidently didn't, and neither did the few Republicans who apparently were intimidated by political threats at the polls coming from pressure groups. Maybe some day an informed electorate will constitute itself as the biggest pressure group of all and vote for representatives who favor a sound economy.

[From the Augusta (Ga.) Chronicle, Feb. 7, 1960]

SOOTHING—BUT DANGEROUS

The U.S. Senate, yielding to the demands of pressure groups, has passed a $1,834 million aid-to-education bill that shockingly shows both a complete disregard for the need for economy in Federal spending and also puts forth another tentacle by which the schools of the Nation can be drawn closer toward the voracious maw of Federal control.

For the first time in the history of legislation offered in the name of educational needs, the Senate-passed bill would provide huge sums of money for teachers' salaries.

This will please the National Education Association and other teacher groups throughout the Nation, who will be so busy counting the additional dollars they hope to gain that they will not even pause to consider the dangerous implications of such unprecedented legislation.

It is to be hoped that Members of the House of Representatives will show more wisdom than has the Senate and that it will refuse to endorse legislation calling for such a huge outlay of money and for innovations that will strengthen the Federal Government's hold upon the Nation's schools.

The taxpayers of the Nation, who will have to assume this heavy burden, should vigorously protest in Washington the proposed legislation and even let President Eisenhower himself know how they feel about such outrageous demands upon the Treasury of the United States at a time when the defense needs of the Nation are so critical and when the mounting national debt is becoming so topheavy as to threaten the financial and economic security of the Nation.

POLITICAL EXPENDITURES BY CORPORATIONS AND LABOR ORGANIZATIONS

Mr. THURMOND. Mr. President, yesterday I introduced, for the Senator from Utah [Mr. BENNETT] and myself, for appropriate reference, a bill to prohibit certain political contributions and expenditures by national banks, corporations, and labor organizations. During the debate on the so-called clean elections bill, I offered an amendment which had as its purpose the prohibition of certain types of political expenditures by corporations and labor organizations.

The amendment provoked much discussion; and many interesting observations, suggestions, and legal analyses were offered.

The subject with which my amendment dealt is a profound one and has many implications in the political life of our country. The principal opposition to the amendment centered around opinions that its scope was uncertain and those who would be or might be affected thereby should have an opportunity to testify.

In my opinion, Mr. President, this argument was well intentioned but entirely fallacious. At present, section 610 of title 18 of the United States Code ostensibly prohibits corporations and labor organizaitons from making contributions or expenditures in connection with an election of a Federal officer. The section has proved completely ineffective due to the utilization of legal artifices for circumvention of the statute's broad prohibition. The express will of Congress has been flaunted. To make the prohibition effective, we will have to

amend the section to close the loopholes. This was the purpose of the amendment which I offered to the so-called clean elections bill and is the purpose of the bill which I introduced yesterday. The language employed is intended to prohibit contributions and expenditures, subject to the specific exceptions contained in the bill, which can either be traced by a "conduit of funds" principle to the treasury of a corporation or labor organization, or which are controlled or utilized by a person or group which stands in a servant-master relationship with a corporation or labor organization, or a group of either or both.

Mr. President, quite often it is an insurmountable obstacle to enactment of a piece of vital legislation not to have it considered by the appropriate committee. It appeared that this was the situation in respect to the introduction of my amendment dealing with the political activity of corporations and labor organizations. It was for this reason, coupled with the assurance of several members of the Committee on Labor and Public Welfare, if the bill were referred to that committee, that they would press for early consideration of this measure that I was led to withdraw my amendment and to introduce it in the form of a bill.

The bill as introduced yesterday has been modified in some respects from the amendment I offered to the clean elections bill. It incorporates modifications which were suggested during the debate on the amendment and which I deemed to be necessary to assure that equal treatment was afforded to both corporations and labor organizations while conforming to certain constitutional requirements.

I am of the opinion that this bill is completely nondiscriminatory in its treatment of both corporations and labor organizations.

Mr. President, I feel that its early consideration and enactment is essential for the preservation of the integrity of our electoral process.

Mr. President, I ask unanimous consent that the bill introduced yesterday be printed at this point in the RECORD.

There being no objection, the bill (S. 3037) was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 610 of title 18, United States Code, is amended to read as follows:

"§ 610. Contributions or expenditures by national banks, corporations, or labor organizations

"(a) It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, or any committee, agent, or designee of such bank or corporation, to—

"(1) make a contribution or expenditure for the purpose of influencing an election to any political office, or a primary election or political convention or caucus held to select candidates for any political office, or

"(2) to make a contribution to any committee, association, or organization, whether political or nonpolitical in nature, which makes contributions or expenditures for the purpose of influencing any such election, primary, convention, or caucus.

"(b) It is unlawful for any corporation (other than a corporation referred to in subsection (a)), or any committee, agent or designee of such corporation, to—

"(1) make a contribution or expenditure for the purpose of influencing an election or a primary, political convention, or caucus held to select candidates, or

"(2) make a contribution to any committee, association, or organization, whether political or nonpolitical in nature, which makes contributions or expenditures for the purpose of influencing any such election, primary, convention, or caucus.

except a contribution or an expenditure which is made (A) in connection with the publication or distribution of a newspaper or periodical intended for distribution primarily to stockholders of such corporation or other communication which is primarily limited to such stockholders, or (B) for the purpose of disseminating statements of the issues in the election, primary, convention, or caucus and the position of the corporation on such issues, or (C) for the purpose of presenting a news program or news documentary through the medium of radio or television, or the presentation of opposing candidates in a panel discussion, debate, or similar type program.

"(c) Any corporation which makes any contribution or expenditure in violation of this section—

"(1) shall be fined not more than $10,000, and

"(2) shall not thereafter be eligible to file an unfair labor practice charge under section 10(b) of the National Labor Relations Act.

"(d) No labor organization shall—

"(1) make a contribution or expenditure for the purpose of influencing an election or a primary, political convention, or caucus held to select candidates, or

"(2) make a contribution to any committee, association, or organization, whether political or nonpolitical in nature, which makes contributions or expenditures for the purpose of influencing any such election, primary, convention, or caucus,

except a contribution or an expenditure which is made (A) in connection with the publication or distribution of a newspaper or periodical intended for distribution primarily to members of such labor organization or other communication which is primarily limited to such members, or (B) for the purpose of disseminating statements of the issues in the election, primary, convention, or caucus and the position of the labor organization on such issues, or (C) for the purpose of presenting a news program or news documentary through the medium of radio or television, or the presentation of opposing candidates in a panel discussion, debate, or similar type program.

"(e) A labor organization which makes a contribution or expenditure prohibited by subsection (d)—

"(1) shall not thereafter be certified or recognized as the representative of any employees by the National Labor Relations Board or any other department or agency of the Government, or be eligible to file an unfair labor practice charge under section 10(b) of the National Labor Relations Act, or to file with any department or agency of the Government any other charge, complaint, or petition as the representative of or on behalf of any employees, and

"(2) shall not during the taxable year following the year in which such contribution or expenditure is made be exempt from Federal income tax under section 501(a) of the Internal Revenue Code of 1954.

"(f)(1) As used in this section, the term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, or any committee, agent, or designee of such organization.

"(2) An affidavit by or on behalf of a corporation or labor organization that it has not made a contribution or expenditure prohibited by this section shall be prima facie evidence, for the purpose of subsections (c)(2) and (e), that no such contribution or expenditure has been made."

SEC. 2. (a) If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

(b) The amendments made by this Act shall be applicable only with respect to contributions and expenditures made on or after the date of enactment of this Act.

CIVIL RIGHTS LEGISLATION

Mr. MORSE. Mr. President, before I offer for filing two discharge resolutions, I should like to propound a parliamentary inquiry or two.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator will state them.

Mr. MORSE. My first parliamentary inquiry is this: Is the Senator from Oregon in order during this morning hour in filing discharge petitions?

The PRESIDING OFFICER. The Chair believes that the Senator is in order.

Mr. MORSE. Is the Senator from Oregon correct in his understanding that, after a discharge petition is filed, it must lie over at the desk for 1 legislative day?

The PRESIDING OFFICER. The Senator is correct—unless unanimous consent is given to take it up immediately.

Mr. MORSE. But if, prior to another legislative day, the majority leader should grant the Senate the privilege of having a morning hour, could the discharge petition be called up during that morning hour?

The PRESIDING OFFICER. The Chair rules that it may be laid before the Senate as a part of the morning business. The Chair is advised that that procedure was followed last year in the case of Senate Resolution 174.

Mr. MORSE. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Assuming that a morning hour is granted the Senate prior to the calling of another legislative day, and the discharge resolution of the Senator from Oregon is laid down as a part of the business during that morning hour, it would then be subject to debate until the end of that morning hour; and, when the hour of 2 o'clock arrived—if the Senate convened at 12 o'clock—or 1 o'clock, if it convened at 11—the resolution would be returned to the calendar.

The PRESIDING OFFICER. The Senator is correct. It would be placed on the calendar.

Mr. MORSE. I am making this record, because I want everyone to know the procedural position in which the Senator from Oregon finds himself and the obstacles which are in his way—which means, on the basis of the last ruling, that if Members of the Senate wished to talk for whatever time remained during the morning hour, they could debate my resolution until the termination of the morning hour, and, for that day at least, action on my resolution would be defeated.

The PRESIDING OFFICER. That is correct; unless some other disposition were made of it, as by a motion to table.

Mr. MORSE. I am coming to another possibility.

Suppose it should happen that discussion took place for the duration of the morning hour, and my resolution to discharge went back to the calendar. It would then be within the power of the majority leader, if he saw fit, to move to lay the unfinished business aside for the purpose of taking up the resolution to discharge, would it not?

The PRESIDING OFFICER. The Senator is correct. Any Senator would have the right to make such a motion.

Mr. MORSE. Very well, Mr. President.

With that record on the parliamentary procedures and obstacles which confront the Senator from Oregon, I am about to submit two resolutions of discharge. I explain them very briefly.

As I stated at some length yesterday afternoon, I believe that the most orderly procedure for the Senate to follow in the consideration of civil rights legislation is to bring a civil rights bill before the Senate and attach our amendments to a civil rights bill, and not to a bill such as the bill which is now pending before the Senate, which is not germane to civil rights and has nothing to do with civil rights. I respectfully say that it causes a great deal of confusion in the public thinking as to just what kind of procedure we are following in the Senate.

I believe that the American people are entitled to have the Senate consider a civil rights bill and to have such a bill as the unfinished business, with any amendments being offered to a civil rights bill. I believe that is the most orderly procedure.

In addition, such procedure has the advantages to which I referred yesterday, from a legal standpoint, in respect to making a legislative record, as to congressional intent and purpose, which record can be used by the courts subsequently.

There is pending on the calendar—and it has been on the calendar since August 26, 1959—the Javits resolution to discharge the Committee on the Judiciary from the further consideration of Senate bill 2391, to extend the Commission on Civil Rights, and provide further means for securing and protecting the right to vote. The calling up of that discharge resolution would have given us a civil rights issue completely without the problem of having civil rights amendments attached to a bill which is not germane to civil rights. I believe that would have been the more orderly procedure.

However, let me say, in addition, that anything I say should not be subject to the interpretation that I am criticizing the majority leader for the parliamentary decision he has made. I believe he made a mistake in making that decision. I do not believe his procedure is the most orderly for doing the job that needs to be done. Nevertheless, he has a perfect right to do that under the rules. On the other hand, those of us who disagree with him would point out that we have the right and, in this instance, I believe the duty, to propose an alternative course which we consider to be a more orderly procedure. I am proposing such a course, which I believe in the long run will bring about better and sound civil rights legislation.

I shall now read the two resolutions, and then send them to the desk. I shall read them, because I may wish to digress during their reading to explain them. My first resolution reads:

Resolved, That the Committee on the Judiciary be, and is hereby, discharged as of February 25, 1960, from the further consideration of the bill (S. 2391) to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote, if said committee has not prior to said date reported said bill or some other civil rights bill to the Senate.

It will be noted that I fix the date of February 25 as the date on which we would start the civil rights debate in the Senate on a civil rights bill. The calendar contains much proposed legislation on which we can act in the time between now and February 25. I do not feel that what I am proposing would do an injustice to the schedule of the Senate. We know that the civil rights debate is going to be a long debate. Therefore, I believe that by having civil rights legislation brought up before us on February 25, and disposing in the meantime of any legislation which might be considered by some to be of an emergency nature, we would be using the time well between now and February 25.

Then we would go to work on a civil rights bill by way of the discharge route, if the committee, between now and then had not reported a bill. The committee may well report a bill. However we have the duty to notify our Judiciary Committee that this is the will of the Senate. The committee is the child of the Senate, and we are its parents. In my judgment we have the right to call for this course of action.

I believe the same statement can be made with reference to the Committee on Rules and Administration. My next resolution, which I will send to the desk, reads as follows:

Resolved, That the Committee on Rules and Administration be, and is hereby, discharged as of February 25, 1960, from further consideration of the bill (S. 2814) to assure individuals residing in the several States of the right to register in order that they may exercise their right to vote for President and Vice President and for Members of the Senate and House of Representatives regardless of race, religion, color, or national origin, if said committee has not prior to said date reported said bill or some other civil rights bill to the Senate.

By the adoption of these resolutions we would have placed before us by February 25 the decision of both of our committees as to any action they wished to take. I believe this is the direct way to approach the problem. It is the orderly way to do it. The discharge procedure is a part of the rules of the Senate.

It is too bad that our Judiciary Committee and our Rules Committee did not have awaiting us on the calendar, on February 15, some civil rights bills.

They have known since the gentleman's understanding was entered into in September that we were going to try on February 15 to proceed with the consideration of proposed civil rights legislation. I am well aware of the fact that committees have their problems.

I know that the Presiding Officer is concerned about my time. I therefore ask unanimous consent to have an additional 3 minutes to speak on this matter.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. I know committees have their problems. I know that this is such a difficult subject matter in committee that it does take a long time to get out a report on it. However, I believe the intervening months have been a long time too. We have the right to expect a report on a civil rights bill from at least one of these committees by February 15. Surely if we now express to our committees, by way of adoption of one or both of these discharge resolutions, that it is the desire of the Senate to have a report on some civil rights bill by February 25, I cannot imagine that one or the other committee will not oblige us in that respect, because I have great confidence in the members of the committees and their desire to cooperate with the Senate.

No one knows better than the senior Senator from Oregon the misunderstanding that will be aroused in regard to his position, and which the filing of these resolutions will cause this morning. In fact, let the RECORD show that I have already been called by a considerable number of Negro leaders in the District of Columbia and elsewhere in the country. I have also been called by the leaders of so-called liberal organizations in the country. I believe I can summarize their feeling by saying they ask, "What in the world are you up to?"

I wish to tell them what I am up to. I am up to keeping faith with a consistent record for 16 years in the Senate of placing procedural protections first.

I say that, Mr. President, because we cannot protect substantive rights unless we first see to it that orderly procedures are followed in the consideration of legislation in the Senate. I point with pride, I say to these Negro leaders and to these liberal leaders, to this record of 16 years in the Senate of holding firm to what I consider to be necessary procedural policies and rules and practices in the Senate. I am offering by these resolutions the most orderly procedure for handling civil rights in this session

of Congress that can be offered. In that spirit, Mr. President, and in defense of orderly procedure, I send to the desk these two discharge resolutions.

The PRESIDING OFFICER. The resolutions will be printed in the RECORD and will go over under the rule.

LITHUANIAN INDEPENDENCE DAY

Mr. DODD. Mr. President, 42 years ago this day a group of brave Lithuanians issued a declaration of independence, which, to their own people, has come to have the same precious meaning that our Declaration of Independence has for us.

The history of the Lithuanian people is an epic story of heroism and suffering and of man's unquenchable will to assert his God-given human rights. It is a story that should be told again and again, for we have much to learn from it.

The Lithuanians are a proud and highly civilized people with a history of many centuries of independence. Toward the close of the 18th century, however, Lithuania was brought under complete Russian domination. During the more than 120 years of Russian czarist rule, the Lithuanian people never accepted their defeat as final, never gave up their struggle for independence. Five times they revolted against Russian domination, five times they failed, five times they had to endure the cruel and sweeping penalties that were the penalty for revolt. But in vain their czarist masters sought to destroy their will for freedom.

In the collapse of established European orders that accompanied the end of World War II, the Lithuanian people found their opportunity. Still under German occupation and confronted with the new menace of bolshevism, the Lithuanian National Council, on February 16, 1918, unanimously adopted a declaration calling for "the reestablishment of Lithuania on a democratic basis, with Vilna as the capital." When the German troops evacuated Lithuania toward the end of 1918, a provisional government was hastily established.

Almost immediately on its establishment, the infant state was invaded by the Red army. In a series of bitter battles that extended through the whole of 1919, the Lithuanian people were able to defeat the Bolshevik invaders and hurl them back across their ancient frontiers.

In the treaty of peace signed on July 12, 1920, the Soviet Government said that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory." In the following year, Lithuania was admitted to the League of Nations and became a full member of the international community.

The story of Lithuania's relations with the Soviet Union presents an object lesson to all those who wish to believe that the world's difficulties can be resolved by signing another treaty of nonaggression and coexistence with the Kremlin.

For more than two decades the Soviet Government protested to the world its sincere support of Lithuanian independence and of the independence of other small European nations. In renewing the pact of nonaggression with Lithuania in 1934, Foreign Commissar Maxim Litvinov said, "The whole world must know that our proposal is not of a temporary character, has not been caused by incidental conjectural circumstances, but is an expression of our constant termless policy of peace, of which the fundamental element is the preservation of independence of young states which you are represented here."

But then came the Hitler-Stalin pact and the partition of Poland between Germany and the Soviet Union. Hardly had the last gun at Warsaw been silenced, than the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. In conveying the demand, Foreign Minister Molotov repeatedly emphasized that the Soviet troops would be removed at the end of the war and that his government had no intentions of infringing on the political and economic structure of Lithuania. Prime Minister Stalin added: "We respect the independence of the Lithuanian State. We are disposed to defend its territorial integrity."

History records no blacker or more perfidious lie by the head of a great state. The captured Nazi documents have since revealed that, at the time these declarations were made, Hitler and Stalin had already signed a secret agreement which provided for the Soviet incorporation of Lithuania and the cession of certain parts of Lithuanian territory to Germany. Ultimately, Hitler agreed to cede his right to this territory in consideration of the payment of $7,500,000 in gold by the Kremlin.

On October 10, 1939, two weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. Confronted with this development, the Lithuanian representatives agreed to sign the pact of mutual assistance which the Kremlin had placed before them. At the point of signing, they discovered that the wording of the original agreement had been revised: the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from it, on the personal instructions of Stalin.

For about 6 months the Soviet troops in Lithuania behaved more or less properly. In April of 1940, however, there were some ominous articles in the Soviet press, accompanied by Communist-instigated strikes in Lithuania and by movements of Red army troops, within the country and on its frontiers.

On May 25, the Soviet Government presented a note accusing the Lithuanian authorities of the kidnaping of two Soviet soldiers. The Government of Lithuania made every effort to satisfy the Soviet rulers—but it was obvious that the Kremlin wanted more than mere satisfaction.

On June 14, the Soviet Government demanded that the Lithuanian Minister of Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed, and that the Red army be granted free entry in force into the territory of Lithuania.

On June 15, the Red army occupied Lithuania, and the Government fled abroad.

On July 7, 1940, the Communist quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders.

On July 14–15, the people were compelled to vote in national elections, with only the Communist Party represented. There was massive resistance throughout the country. But on July 17 the regime announced that 95.1 percent of the people had voted and 99.19 percent of these had cast their ballot for the Communist Party.

On July 21, the People's Diet convened for its first session. In less than 1 hour it adopted a resolution—unanimously, I need hardly add—declaring Lithuania a Soviet Republic and asking the Supreme Soviet of the U.S.S.R. to admit the Lithuanian Soviet Socialist Republic into the U.S.S.R.

I have related these facts without commentary, because they constitute their own most damning commentary.

No people have suffered more severely under Soviet occupation than have the people of Lithuania. During the first Soviet occupation, almost 40,000 people—"socially dangerous elements," in the parlance of the Kremlin—were deported to the remote areas of Siberia. The reoccupation of Lithuania by the Red army in 1944 was followed by even more massive deportations. It has been estimated that over the next 5 years fully 10 percent of the entire population of the country were transported to the prison camps of Siberia in the infamous cattle cars of the Soviet secret police.

Until approximately 1 year ago, Lithuania and the other Baltic States were sealed off from contact with the outer world by the most impenetrable Iron Curtain the world has ever known. No newsmen and no travelers were allowed into the area, even with the limited freedoms granted them in other parts of the Soviet Union. The coasts and borders were under the most rigid surveillance to prevent escape. Of the crimes perpetrated during this period, of the terrible suffering of the Lithuanian people, we have been able to obtain only a fragmentary picture from the handful of patriots who succeeded in escaping.

Because they thought they had vanquished the spirit of resistance, the Soviet gauleiters have now lifted the curtain a tiny bit. But something seems to have gone wrong with their calculation. In recent months there have been increasing attacks in the Soviet press on "bourgeois nationalism" in Lithuania. These attacks should not be treated as simple news items. We must study them carefully, because in my opinion they reveal the critical weakness of the tyranny before which we have been so prone to retreat.

The despots of the Kremlin, like all tyrants, have a blind spot. They believe that, with enough oppression, they can ultimately destroy the human will to freedom. How wrong they are. The Hungarian revolution and the continu-

ing resistance of the Lithuanian people and of the other peoples of the captive nations prove once again that neither 1 generation nor 2 generations nor 10 generations of brainwashing can produce a breed of men that is willing to accept the denial of all human rights as natural and proper.

As they have throughout the many dark years of their history, the Lithuanian people continue to struggle upward toward the light. The free world salutes them on this anniversary of their declaration of independence. But in saluting them today, will we forget them tomorrow? Will our diplomacy accept the enslavement of the captive peoples as an irreversible fact? Or will we make their liberation a sacred and cardinal objective of our diplomacy—an objective to be pursued with constancy and fidelity and by every means short of war?

These are the questions we must address to our conscience.

Mr. KEATING. Mr. President, several weeks ago a family in Chicago, Ill., celebrated a happy reunion. A son and a daughter whom the parents had not seen for 16 years arrived from Soviet Lithuania. There were tears of joy, inquiring reporters, and television cameras. The event was represented as a great humanitarian deed of Mr. Khrushchev.

Only a few in this country noted the other aspect of this story, namely, how cruel and inhuman a regime must be to keep a family separated for 16 years in peacetime. It was all but forgotten that the parents wrote countless appeals and spent a fortune on lawyers, that they sought no favors from the Soviet Government, but only the acknowledgment of the parents' rights to have their children with them.

When the two youngsters stepped off the plane in Chicago, they were happily smiling. Having grown up as slaves in a Russian-imposed Communist society, they are now free—free for the first time in their lives, free to go to any school they choose, free to join organizations they like, free to read, hear, see, and worship, free to do all which was impossible or forbidden under Communist dictatorship.

I hope and trust that these two young Lithuanians will become useful members of our democracy. We have a large Lithuanian community in this country, and we are proud of having all of them among us. They have made, and continue to make, valuable contributions to our culture, our prosperity, and our way of life.

How desperately nearly 3 million Lithuanians in their Soviet enslaved land must be, seeing no dawn on the horizon, and receiving little tangible encouragement from the free world.

On the other hand, how strong must be the belief of the Lithuanian people in the ultimate liberation of their country if they have not given up hope after 20 years of Soviet oppression. Their spirit of resistance is not broken. This is not mere wishful thinking. Pravda admits it. Frequent changes in Communist hierarchy in non-Russian border republics prove it.

It is especially encouraging to the free world that the youth in the Communist world shows unmistakable signs of being the most resistant to Communist poison and brainwashing. "Dr. Zhivago" is not exclusively a Russian product. "Dr. Zhivago's" ghosts, under different names, walk around in Lithuanian literature, too.

It is further encouraging to us that the captive nations look upon America as a bulwark of freedom. They are confident that we will not sell them down the river for the sake of a temporary agreement with the Kremlin.

We must not deceive them. We must keep the problem of the captive nations before ourselves and before the whole world. Khrushchev does not like it. It is a taunting reminder to him that freedom can be beaten to earth, but cannot be crushed and destroyed.

Let us remind Khrushchev, every time he speaks of liberation of peoples in other parts of the world, that he must first liberate peoples in his own empire. Let us tell him that he must first check his own record, before acting as protector of the so-called colonial peoples, for the Soviet Union is the last country in the world where colonialism persists in its most brutal form.

Mr. President, as we commemorate on this day the restoration of Lithuanian independence on February 16, 1918, I have no doubt that Lithuania will become free again. I do not know when, and I do not know how; but I do know that her dark hour will pass. No dictatorship in history has been permanent.

Until the noble people of Lithuania once more walk erect in the sunlight of freedom, until their God-given rights as freemen are restored to them, none of us can rest. On this historic occasion, let us rededicate ourselves to this vital task.

Mr. President, this morning's New York Times contains an eloquent editorial noting Lithuanian Independence Day. It emphasizes the importance of bearing in mind the plight of the captive nations and our solemn obligations to them as we prepare for the forthcoming summit meeting. I ask unanimous consent to have the editorial printed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 16, 1960]

TRIBUTE TO THE ENSLAVED

In honor of a nation which in a particularly poignant manner symbolizes all the subjugated nations of Eastern Europe, Governor Rockefeller and Mayor Wagner, together with the Governors of many other States, have proclaimed this as Lithuania's Independence Day.

It was on this day 42 years ago that the Lithuanian people, soon to be followed by the people of Estonia and Latvia, proclaimed the restoration of their independence after centuries of czarist rule. But after only 22 years of liberty, marked by political, economic and cultural progress, they were again subjugated by Soviet commissars. They became, in fact, the first victims of Stalin's infamous pact with Hitler that sparked World War II and led to the subjugation of all Eastern Europe as part of Russia's growing empire.

Yet the strong national tradition that survived the czars survives also the commissars. Neither tortures, massacres, nor mass deportations have been able to suppress this tradition and the best testimony of its undiminished strength is the frequent shakeup among the commissars for failure to root out bourgeois nationalism. That is one reason why the Western Powers reject Soviet annexation of the Baltic States and continue to recognize their independence.

Not even the subjugated nations themselves can contemplate their liberation at the cost of an atomic war that would leave nothing to liberate. But the Western Powers remain pledged to seek their liberation by all peaceful means as partners in a free European community and to nothing that would confirm or prolong their subjugation. This pledge is among the many the West will have to keep in mind when meeting Premier Khrushchev at the summit 3 months from now.

Mr. JOHNSON of Texas. Mr. President, on this, the anniversary of Lithuanian independence, I ask unanimous consent to have printed in the RECORD a prepared statement on this subject.

There being no objection, the statement was order to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF TEXAS

While paying tribute to the Lithuanian nation on its Independence Day, we shall not forget for a moment that its independence was interrupted on June 15, 1940, after Red troops invaded the peaceful country.

Almost 20 years have passed since that day.

When Red troops occupied Lithuania, they found a nation of about 3 million, peacefully going about its affairs. Had it been permitted to prosper until the present time, it would have grown by now to some 3¾ million people.

Yet the Soviet census of population, taken at the beginning of 1959, found in Lithuania not 3¾ million people, but a whole million less—to be exact, 2,713,000.

Where is the missing million? Actually, where is the missing 1¼ million—for in those 20 years nearly a quarter million Russians have infiltrated the country.

Of course, it is not the Soviets alone who must share responsibility for the disappearance of one-third of a nation within two decades. In World War II, Lithuania had also to go through a Nazi occupation in 1941–44. The Nazis used this stay to murder more than 200,000 Lithuanian Jews. Quite a few young men and women were also taken forcibly to Germany as slave laborers.

The Soviets bear indirect responsibility for these victims, for it was Stalin-Hitler collusion in 1939 that precipitated World War II, with its millions of victims on the battlefield, in destroyed cities, concentration camps, gas chambers, and mass graves.

Some 300,000 Lithuanians escaped to the West. They chose to part with their relatives and friends, and leave behind their homes and jobs, rather than live under the Soviet rule of terror and oppression.

Besides these 500,000 people accounted for, there still remain some 700,000 whose fate is officially unknown. Why did not they show up in the Soviet census statistics?

To find the answer, we have to look back at the frightening night of June 12–13, 1941. On that single night, more than 65,000 men and women were arrested in Lithuanian cities and villages, loaded in cattle cars, and shipped to the frigid Siberian tundras or scorching Asiatic deserts. They became slave laborers—builders of the Soviet empire.

Several more deportation waves swept over Lithuania in the late forties and early fifties. They robbed the country of additional hundreds of thousands of men and women in the prime of their life.

No one knows the exact number of deportees. Only a few have been permitted to return home. The rest must end their days

as half-slaves near their former forced labor camps. The graves of those who already died from privations dot the map of the Soviet Union. Their names are known only to God.

The third group of people missing from the Soviet census figures are those who have volunteered for work on emergency projects, away from home. Thousands upon thousands of such volunteers have been taken off their jobs or out of schools and sent to work where everybody else refuses to go. Theoretically, they are free to return home after completing the hitch. The Soviet propaganda machine spares no effort, however, to induce them to stay on.

This is the tragic story of a proud people who have been brought under the yoke of communism. We pray that the day will come when once again they are free.

Mr. SALTONSTALL. Mr. President, today is the 42d anniversary of Lithuanian Independence. The freedom-loving Lithuanians earned their independence, following the First World War, under the principle of self-determination, a principle encouraged by the United States and rejoiced in by all the peoples of the world.

The Lithuanian people enjoyed their independence from 1918 until June 1940, when the nation was overrun by the Communist hordes, who needed no provocation, as they have shown in so many other cases about the world. The Lithuanian people were deprived of their right of self-determination; they were deprived of their national identity.

Today it is extremely difficult even to visit Lithuania to determine what changes have taken place there. We know there are many. We know that the people are resisting the Communist determination to destroy them as a national entity, but it is impossible to determine even the stage of their destruction. Contact between American-Lithuanians and their friends and relatives at home is virtually cut off.

We here in the United States are extremely fortunate that we still enjoy those rights to which the Lithuanian people aspire. Our enjoyment carries with it a duty which we enthusiastically take up—to work toward the liberation of the Lithuanians and the others who, like them, bear the yoke unwillingly.

Mr. President, I ask unanimous consent that a resolution adopted and passed on February 14, 1960, by over 1,500 persons meeting in Worcester, Mass., on the occasion of the 42d anniversary of Lithuanian Independence Day be printed in the body of the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

On February 16, 1918, Lithuania, one of the small Baltic States in Eastern Europe, declared her independence to the entire world. To commemorate the 42d anniversary of Lithuanian Independence Day, the committee, duly elected for its proper celebration and representing 67 organizations from the two Lithuanian parishes in Worcester, St. Casimir's, and Our Lady of Vilna, from the Lithuanian Aid Association and from the Worcester branch of the Lithuanian community of the United States of America, arranged appropriate exercises which took place Sunday, February 14, 1960, at 4 p.m. in St. Casimir's Parish Hall. During these exercises, the members of the committee, and the official delegates and the more than 1,500 people in attendance unanimously adopted and passed the following resolutions:

"Whereas the Government of the United States stands ever firmly for the God-given and sovereign right that all nations, both large and small, have to be free and to choose for themselves their own political, cultural, and economic systems and ever remains convinced that relations between all nations must be guided by justice and charity and governed by the principle of equality; and

"Whereas Soviet Russia, having formally recognized in 1920 the independence of Lithuania and the other Baltic States, 20 years later forcibly deprived Lithuania of her freedom and since then continues to this day to terrorize her people by oppression, dispossession, mass persecutions, and exile and to deny them the right of self-determination by staging mock elections, thus converting Lithuania into another vassal state; and

"Whereas the Republic of Lithuania, a neutral nation ever advocating freedom for all peoples, made astounding advancement and progress in all fields of human endeavor during the years in which she enjoyed freedom (1253–1795 and more so 1918–39); and

"Whereas Lithuania continues in her desire to have and enjoy freedom and constantly reminds the free world: 'There is no peace without freedom; there is no security without self-determination'; and

"Whereas the Government of the United States in 1940 denounced the Soviet Government for forcibly incorporating Lithuania and the other Baltic States into the Soviet Union and since then has maintained its present policy of not recognizing "de jure" the unjust absorption of those countries within the Russian orbit: Now, therefore, be it

"Resolved, That the Government of the United States continue to remind the free world of the injustice committed upon Lithuania by Soviet Russia by continuing its policy of not recognizing "de jure" the ruthless seizure of Lithuania by the Soviet; and be it further

"Resolved, That the Government of the United States together with the other Western Powers take appropriate and concrete measures to force Soviet Russia immediately out of Lithuania and to compel her to return to Lithuania all Lithuanians, now exiled to and forcibly detained in Siberia and elsewhere; and be it further

"Resolved, That the free world ever remember that all nations, regardless of how small they may be, have a right to freedom and justice and that, should the spoils of Soviet aggression ever be recognized, the Soviet would be encouraged to grab other nations neighboring her present boundaries and the cause of world peace would be grievously harmed; and be it further

"Resolved, That due admission and full approbation of Lithuania as a member of the United Nations be made for thus she would be in a glorious position to state her just case to the entire world; and be it further

"Resolved, That copies of these resolutions be forwarded to the President of the United States, His Excellency, the Honorable Dwight D. Eisenhower; the Vice President of the United States, the Honorable Richard Nixon; to the Secretary of State, the Honorable Christian A. Herter; to the U.S. representative to the United Nations, Ambassador Henry Cabot Lodge, Jr.; to the Senators of Massachusetts, the Honorable John F. Kennedy and the Honorable Leverett Saltonstall; to the Representative of the Fourth Congressional District of Massachusetts, the Honorable Harold D. Donohue, and to the press.

"JOHN PIPIRAS,
"Chairman.
"JONAS PALUBECKAS,
"Secretary."

Mr. YOUNG of Ohio. Mr. President, on this date 42 years ago the brave people of Lithuania expressed their newly won independence and freedom by adopting an inspiring democratic constitution.

For more than 120 years this land had been held under the iron domination of its powerful neighbor to the east, Russia. It had risen in rebellion five times, only to be crushed by forces more numerous and more powerful than its own.

Finally, on February 16, 1918, Lithuania won its freedom.

What it accomplished with independence marks a proud chapter in the struggle of freedom-loving people everywhere, for this small land, surrounded by historically hostile nations, established a flowering democracy in the Balkans.

More than nine centuries of Teutonic and Russian subjugation had not dimmed the free spirit of these people, and they proved it with a democratic development which earned the admiration of the world.

Under a program of sweeping land reform, some 300,000 independently operated farms were established. Industrial development spurted ahead. Great progress was made in the fields of education, transportation, and social welfare.

Lithuania lived in peace, and prospered, from 1918 to 1940, when the young republic was victimized by infiltration and invasion first by the brutal legions of Adolf Hitler, then by the Russians.

But neither the tyranny of Hitler nor the oppression of the Soviet Union has served to crush the bright hope of freedom that the Lithuanian people have always nurtured.

Tyrants, in the end, all discover that physical suppression of a people does not accomplish suppression of an idea, does not erase the faith or hope that freedom someday will return.

It has been the history of tyrants that their tyranny collapses and that the freedom which they brutally curtailed rises again, for its spirit never dies.

This spirit of freedom is rooted strongly in the minds and hearts of the Lithuanian people. No Iron Curtain will stifle their hopes and prayers for freedom. Nor will it expunge from their minds the memory that for a fleeting period they flourished in freedom.

Mr. President, I number among my friends and acquaintances many persons of Lithuanian descent, and they leave no doubt that the great idea of freedom in their homeland has not faded under the horror and humiliation of 20 years of Soviet rule.

Today, we join these people and their friends throughout the world in commemorating the day in 1918 when this courageous nation established its independence, which lasted so brief a time but which saw such great economic, social, and cultural advances.

This is indeed a solemn day, for it reminds us that our own liberties are precious beyond estimation. It reminds us, too, that millions in this world still suffer under the iron heel of oppression and that slavery elsewhere diminishes the degree of our own freedom.

It is fitting that Senators of this greatest free Nation on earth commemorate a day that was filled with hope and express their wish that freedom again will shine across that land which knew its blessings for so short a time before the despair of tyranny again descended.

Mr. PASTORE. Mr. President, to millions of Lithuanian hearts the world over, February 16 has all the affection and appeal that we of America give to July 4.

It is 42 years now since the Lithuanian State Council, on that February date, proclaimed the independence of Lithuania.

For 20 of those years, Lithuania has been unable to call her soil her own. The time will never come when Lithuania cannot call her soul her own. The will to be free is a bright flame that never dies.

Mindful of the fine character of our Lithuanian-American neighbors, we observe their national anniversary with them.

The resurrection of Lithuania as a national state came out of the collapse of the Russian Empire in 1917. After that, for a score of years national freedom replaced the frustrations of centuries. Then, in 1939, Lithuania became a battleground between Nazi Germany and Soviet Russia. Since 1940, Moscow lists Lithuania among its so-called republics of the U.S.S.R. But in the language of this Congress, it is a "captive nation." We still maintain diplomatic relations with Lithuania—its Embassy is within our Capital City of Washington.

There is a lesson for America that goes beyond the mere recollection of this historical date. Part of the lesson is our realization of the contribution of many races to the culture and courage of America.

In her few years of freedom, Lithuania was able to coordinate her history of centuries—reidentify her language with its special appeal to music and poetry—Lithuanian lyricism it has been called. Rich is its culture, with its literature reaching back for hundreds of years.

Most of all, perhaps, one is impressed by the courage of the Lithuanian people—their unquenchable thirst for personal and national freedom. Centuries of powerful oppression from all sides could not destroy it. For 120 years from 1795 she was subject to Russia. Two attempts at rebellion—in 1831 and 1863—were suppressed with ruthless brutality. Again in 1905 the spirit of revolution was rife in Lithuania—and she was silenced with promises Russia never intended to keep—and did not keep. But the national spirit flamed on and found its opportunity in the war years of 1914 to 1918 with its climax that Liberty Day, February 16, 1918.

A further lesson we learn from all this is that neither time nor tyranny can destroy the desire for freedom. America is grateful for the courage—contribution from all these races which from our national beginning have given their very lives to help us stay strong and free.

But the basic lesson we learn from all history is that only the strong can stay free. The tyrant knows no deterrent but power. He has only insults for the weak—only contempt for the complacent.

On Sunday, February 14, many heard this caution to the Corinthians as part of their Sabbath observance:

> Those who run in a race—all indeed run, but one receives the prize. So run as to obtain it.

In all sincerity, I feel that we can borrow that word of caution for our Nation.

Indeed, we are in a race.

Only last Saturday President Eisenhower's science adviser told us that we are in a desperate race with the Soviet. In his words—"Today it involves our national prestige—and tomorrow, perhaps, our very survival."

It is a race in which one—and only one—receives the prize. The prize is peace with honor. The price is our honest purpose of international power and strength. Without power the race is lost.

Independence day for any nation could become just a wistful memory.

Mr. CURTIS. Mr. President, we should not let a year go by without rededicating our esteem and sincere regard for the independence which Lithuania achieved 42 years ago today. Those noble people tasted the fruits of freedom and dignity for so short a time, yet the yearning for its rebirth will never be vanquished by any oppressor. Every creature is endowed with that divine spark which seeks to light his life with those highest attributes of our creation. It is true throughout the world and should sternly warn the oppressor that all men desire to be free.

I hope the blandishments from the Kremlin which speak peace before a backdrop of brutality will lose force when we weigh the plight of our Lithuanian patriots and other subjugated nations.

Mr. LAUSCHE. Mr. President, I would like to call the attention of the Congress to the fact that today, Tuesday, February 16, 1960, marks the 42d anniversary of the restoration of the independence of Lithuania.

It was in 1918 that the peoples of Lithuania had their liberties restored. From 1913 to 1940 her poets and writers, scientists, and statesmen enjoyed free expression of their native cultural and political aspirations. However, in 1940 the Soviet armies occupied Lithuania and its legal leaders were forced to flee into exile.

Since then the Iron Curtain has been held firmly in place by the Soviet taskmasters. Visitors from the Western free world are unable to penetrate behind this curtain of force and oppression. Likewise, few Lithuanians are permitted to leave Lithuania and breathe the air of Western freedom.

Lithuanian love of freedom dates back to the 11th century, when Lithuania was an independent state. Its greatest glory was in the 15th century, after the defeat of the Teutonic order in the battle of Tannenberg, 1410. In the 18th century partitions of her lands finally brought Lithuania under the domination of the Russian czars. Yet in the 120 years of Russian imperialist domination no less than five major revolts against this tyranny took place. It was at the conclusion of World War I that Lithuania once again regained her sovereignty and became a member of the League of Nations and took its rightful place in the assembly of the international community of sovereign nations.

Today Lithuanians behind the Iron Curtain and thousands of Lithuanian-Americans recall with pride the glorious tradition of freedom which is Lithuania's. Yet let us record our sorrow that today Lithuanian aspirations and hopes are crumpled under the stern fist of Soviet masters.

Those of Lithuanian sympathies, both here and abroad, today echo the famous prayer and hope which Maironis express in these lines, which are part of the Lithuanian national anthem, now forbidden to be sung in Lithuania:

> For the sake of this Lithuania,
> Let the unity of her people blossom.

As they stand defiant in their love for national liberty in the midst of Red soldiers and with the oppressors' guns holding them in subjugation, it is with a certainty that I can state we in America are bound in bonds of unity to the peoples of Lithuania and our prayer continues to be for the restoration of national sovereignty and the return of freedom and liberty to these suffering slaves of the Kremlin.

Mr. SCOTT. Mr. President, the Lithuanians all over the world have two important anniversaries this year. One is the 42d anniversary of the restoration of Lithuanian independence in 1918, which is being commemorated today; the other, the 20th anniversary of Soviet occupation on June 15, 1940.

While fervently hoping that Lithuania will rejoin the family of free nations, we should also note what has happened there during the two decades of Soviet oppression.

Mr. President, I would like to take up but a few aspects of the problem which is still awaiting a just solution.

Lithuania has been obliterated as a state. Her representatives no longer attend international conferences. All attributes of statehood, such as national flag, passports, currency, stamps, have been taken away. Lithuania cannot be found among the United Nations.

Lithuania has ceased to be a trade partner with other nations of the world. She has no commercial treaties with other powers. Her products are sold as Soviet goods, through Soviet trading organizations.

The Lithuanian people have been isolated from the West. No exchange of ideas is permitted. No Lithuanian students attend Western universities. No

books or magazines may be sent through the mails. Foreign broadcasts are jammed. Everything Western is being continuously vilified.

Lithuania's Russification is being pursued with utmost zeal. Only Russian accomplishments are permitted to be glorified. Lithuanian national heroes, her past, even her struggle against Russian czars are taboo. Folk dances and songs are cultivated as a mere means of propaganda. Teaching of Lithuanian language, history and geography was drastically curtailed last fall.

Communism has imprisoned the mind of free Lithuanians. No word may be said or written that implies criticism or lacks glorification of the present regime or economic or social structure. Writers must glorify Stalin, Khrushchev, or whoever is at the top. The writer's creative freedom is restricted to subjects or themes prescribed by the Communist Party. Brainwashing begins with the first lessons in school.

The country has been subjected to a ruthless colonial exploitation. Everything is shipped out of the country, and very little received in return. Goods shipped bring low prices, while high prices must be paid for goods received. New plants and factories are geared to serve Soviet needs, rather than Lithuania's or Western Europe's. Local consumer demands are completely disregarded. Any attempt to oppose colonial exploitation receives severe punishment.

Pauperization of the country is progressing. While independent, Lithuania had enough food for local consumption and export—even to the United States—now only bread, potatoes, and vodka are in ample supply. All other food products or manufactured goods are scarce or available but at exorbitant prices. Real wages have fallen to the barest subsistence minimum. The plight of collectivized farmers is particularly severe. They earn very little and are chained to their farms. It is no wonder that farming yields are much lower than in independent Lithuania.

Economic progress has been arrested. Only a handful of new factories have been built under Soviet occupation. Ambitious industrialization and electrification plans conceived in independent Lithuania have been delayed. No new railways or highways have been built. Some of the bridges destroyed in World War II still remain in rubble. So are whole sections of cities. Housing conditions have deteriorated to the point where whole families live in a single room.

This is the balance of 20 years of life under Soviet occupation. It is a hard life, full of despair. Our sympathy goes to the oppressed Lithuanian people. They are looking toward us for a ray of hope.

Let us not forget the Lithuanians and the many other people behind the Iron Curtain. Let us continue to explore measures that may alleviate their lot and bring closer the day of their liberation.

Mr. LONG of Hawaii. Mr. President, today we celebrate a national anniversary of one of the bravest nations of Europe. Approximately three decades ago in the wake of the First World War the Lithuanian people proclaimed their independence from Russian control. For two decades they enjoyed their independence and they took advantage of their freedom to create a flourishing society in which all the arts of peace thrived magnificently.

But during World War II they were plunged into a new period of suffering and terror. Buffeted from either side by the Nazis and the Soviet Communists, the small Lithuanian nation could do little to protect itself. When the war ended the Communists were in firm control and freedom had been driven from this once happy land. Thousands of Lithuanians were deported by the Soviet tyrants to death or some other dismal fate in the grim expanses of Siberia.

Today we recall with sorrow the sad plight of the Lithuanian people, but we remember with hope that other glorious day when they won their independence. The remembrance of that happy event on this melancholy occasion inspires in us faith for the future of our Lithuanian friends. We remind them that every period of sorrow and dejection must sooner or later come to an end. We in the United States reaffirm on this anniversary of Lithuanian freedom that we will do all in our power as men of peace and good will to see that the Lithuanians will again be in a position to enjoy their traditional liberties.

Mr. BRIDGES. Mr. President, at a time when so many millions of freedom-loving peoples of the world are forced to live under the yoke of totalitarianism, it is appropriate that tribute be paid today to Lithuanians all over the world during the observance of the 42d anniversary of Lithuanian independence.

It was in 1918 that this courageous nation achieved independence and took its rightful place among the free nations of the world. As a strong and independent country, Lithuania made vast and substantial contributions to the welfare of the entire world.

Americans of Lithuanian descent have played an important role on the American scene over the years. In my own State of New Hampshire, citizens of Lithuanian extraction have always taken an active interest in the welfare of their communities and their State.

Unfortunately, the freedom which Lithuania gained in 1918 was short lived. After the Lithuanian people traveled a lengthy, blood-spattered road to freedom, the heel of tyranny was to descend upon them again in 1939. Today, Lithuania is an enslaved country ruled by a puppet government which merely follows the dictates of her Soviet oppressors.

Nevertheless, the absence of actual freedom in this captive nation has failed to dull the spirit of the people. And I am sure that the flame of hope for eventual liberation is still burning brightly within its borders.

On this day, Mr. President, as we pay tribute to Lithuanians all over the world, let us pledge not to forget the treachery of the Soviet tyrants who have enslaved this country. Let us rededicate ourselves with renewed vigor to the protection of the liberties which we all cherish.

It is a privilege for me to join with citizens of Lithuanian descent everywhere in observing this anniversary. I fervently hope and pray that the day is not too far distant when their homeland will again enjoy a day of true and lasting independence.

Mr. MCNAMARA. Mr President, February 16 marks the 42d anniversary of the declaration of Lithuanian independence.

Americans of Lithuanian descent in the Detroit area held a rally in Detroit last Sunday to commemorate this significant event. I had the privilege of addressing the meeting.

I ask unanimous consent that the text of my remarks, together with a resolution adopted by the Detroit Lithuanian Organizations Center, be printed in the RECORD.

There being no objection, the address and resolution were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR PAT MCNAMARA, OF MICHIGAN, BEFORE THE DETROIT LITHUANIAN ORGANIZATIONS MEETING, FEBRUARY 14, 1960, IN DETROIT, MICH.

I am honored that you have invited me to share with you the celebration of this significant anniversary.

The fact that you, Americans of Lithuanian descent, continue to hold these celebrations proclaims to all the world that the plight of Lithuania and her sister captive nations has not been forgotten.

When Americans, or freedom-loving people anywhere, begin to skip these anniversaries or to ignore them that will be a day of cold fear to the millions of our fellow human beings who have had liberty stripped from them.

We struggle with the problem of aiding these nations. We are frustrated as lasting solutions continue to elude us.

Yet, I wonder if any of us know how much courage, how much inspiration the people of the captive nations receive simply by knowing that we haven't forgotten them.

These people have known freedom. They have known liberty and independence. All too often it was only a taste, but it was a taste they haven't forgotten.

You celebrate today the independence of Lithuania.

Forty-two years ago—on February 16, 1918—the Council of Lithuania proclaimed to the world the determination of the Lithuanian people to become an independent nation thus ending 123 years of alien Russian rule.

The following decades of independence proved that the Lithuanian nation was quite ready and able to manage its own affairs—to raise the economic, cultural, and educational standards of its people, and to assume a well-deserved place among the free and democratic nations of the world.

Unfortunately the growing vitality of Lithuanian democracy was cut short, much too short, by the rushing tides of war and in 1940 Lithuania was again enslaved by the armies of Russia.

This time it was Communist Russia, not czarist Russia, but dictatorships are all the same.

Freedom, justice, independence, and democracy are ideals born and nourished in the hearts of men.

It is a sad thing when these fundamental aspirations of mankind are suppressed, are crushed, wherever that may happen.

But it is twice as sad, twice as unfortunate, when the freedom and independence

of a nation like Lithuania is trampled over by the boots of tyrants.

The Lithuanian people had established a powerful state in east-central Europe during the Middle Ages.

They checked the German drive to the east for centuries and protected, at the same time, the European peoples against renewed attacks by the Mongols and the Tartars.

They ran a system marked by tolerance and humanity and they raised the educational and cultural standards of their country to then amazing levels.

But the greed of the powerful neighbors overwhelmed this progressive, humanistic State of Lithuania.

Darkness continued until the momentous day of February 16, 1918, the anniversary of which we are now celebrating.

The story of Lithuania is well known in the United States.

Indeed, it is so well known that our Government, in a rare exercise of foresight and wisdom, has refused to recognize the oppression of Lithuania and still maintains diplomatic relations with the last legitimate Government of Lithuania.

The story of Lithuania is even better known to this audience—made up, as it is, of people who have a deep and personal concern for the fate of that land on the Baltic Sea.

Is, then, the story of Lithuania worth repeating?

I think the answer is definitely "Yes."

The U.S. Government maintains diplomatic relations with the legitimate Lithuanian Government and thus refuses to recognize the enslavement of Lithuania.

So far, so good. But, I am quite sure, many of you have already asked yourselves more than once, What good does this nonrecognition of the Soviet rule do to the people of Lithuania?

Does it prevent the Soviet police from terrorizing them?

Does it prevent the abuse of the Lithuanian people for the benefit of their alien, Soviet oppressors?

Unfortunately, as you well know, the answer must be that it does not.

Why do we keep talking about the past glories and the present sufferings of Lithuania?

Why do we keep talking about freedom and democracy for the Lithuanian people if we cannot do anything to restore it?

The answer is that we have to keep talking about it because we just cannot give up the cause of Lithuanian freedom as we cannot give up the cause of freedom anywhere.

If we cherish our own freedom, if we think freedom is so good that it was worth fighting for all over this globe, then we cannot—ever—aquiesce in the loss of freedom for other people.

Today we are forced to accept something that is inevitable—that an immediate liberation of Lithuania, or that of any of the other enslaved peoples, is just not in the cards today.

This, of course, means that we must admit to a temporary impotence in the face of the monolithic power of the Soviet oppressor.

But if history has any lesson for us here it teaches us that the cause of freedom is not dead just because the tools of liberation are not immediately at hand.

At one time the Lithuanian people waited 123 years for their liberation from the czarist yoke. This is a long time, yet the Lithuanian patriots waited it out.

Generations were born, lived, suffered, and died without a glimpse of freedom, but this did not discourage them from dreaming of and planning for the day when freedom was finally to be theirs.

We all hope from the bottom of our heart that the new liberation of the Lithuanian people will not take another 100 years.

In the 20th century the world is much too small for tyranny to rule for such a long time anywhere on this earth.

But even though we do not know for sure when the turning of history's wheels will bring freedom to the enslaved peoples we do know that the day will come.

But we also know that that day, the day of freedom, will come only if we really do want it to come; if we really do our best to hasten its arrival.

If we hold the torch of freedom high, and if we do everything in our power to safeguard the cultural heritage of Lithuania, and of all of the other peoples whose very national existence is now being threatened by the overbearing power of the Soviet state, then, and only then, are we doing our essential duty in this most important field.

Then, and only then, are we preparing the way for a better, for a safer world.

This is a world where freedom and independence will be every nation's lot; where every people of the earth will be able to live under their own, freely chosen government; proud of its heritage, conscious of its importance, eager to play its role in the building of a better, a freer, a more democratic, a happier world.

Unanimously adopted at a mass meeting of Americans of Lithuanian descent of Detroit and vicinity, sponsored by Detroit Lithuanian Organizations Center, held February 14, 1960, at Western High School, 1500 Scotten Avenue, Detroit, Mich., to commemorate the 42d anniversary of the Declaration of Independence of Lithuania:

"Whereas Lithuania formerly declared herself as a free and independent nation on February 16, 1918; and

"Whereas in violation of international law, and unlawful, forcible occupation of the Republic of Lithuania, against the will of the Lithuanian people, the Kremlin rulers annexed her to the Soviet Union; and

"Whereas the people of Lithuania were and still are suppressed by tyrannical Communist dictatorship, her culture distorted, and thousands of her people deported yearly into prison camps; and

"Whereas our Government has never recognized the fraudulent and violent annexation of Lithuania by the Soviet Union: Therefore be it

"*Resolved,* That this gathering of loyal Americans of Lithuanian descent of Detroit and vicinity, calls upon the Government of the United States to stand firm against the expansion of Communist imperialism in the free world; be it further

"*Resolved,* That this meeting asks the Government of the United States not to trust the Soviet 'peaceful coexistence'; and finally be it

"*Resolved,* That this meeting asks the Government of the United States to refrain from signing any new treaties with the Soviet Union until the latter agrees to restore freedom, sovereign rights, and independence to Lithuania and to other enslaved Eastern European nations."

IGNAS SKIRGAUDAS,
President.
STASYS GARLIAUSKAS,
Secretary.

Mr. WILEY. Mr. President, the flame of freedom fortunately still burns brightly in the hearts of men everywhere—even among those who unhappily exist under totalitarian communism.

During two world wars, men fought and died on battlegrounds around the world in what many hoped would be a war to end wars. Following each conflict, mankind again attempted to create an era of peace.

The rise of Hitlerism shattered the peace of World War I.

After the Second World War, the ogre of tyranny—this time in the form of communism—again reared its ugly head.

The seeds of an economic and political ideology, communism—planted in "hotbeds" of the world—grew and gained sufficient strength to embark upon a program of world conquest—by revolution, subversion, treaty breaking, diplomatic deception, and every other tactic in the book.

The good faith of the Allied Nations, regrettably, again suffered from deception by a major power, the Russians, allied with us in stopping nazism.

While other nations were striving to find ways and means to establish a foundation for permanent peace, the Communists were working—overtly and covertly—to carry out a program to serve, not world peace, but a Communist conspiracy aimed at world domination and the subjugation of people to its despotism.

By insidious tactics, the Communists were able to extend their control over nearly one billion people in the Soviet Union, and orbit countries, many of which the world thought were destined for freedom.

Despite the 15 years of captivity, however, the spirit of liberty fortunately was not extinguished in the hearts of the noble people of the captive nations.

Instead, the unquenchable voice of freedom—for which all men yearn—still seeks to be heard—even above the clanking chains of slavery.

In the face of the powerful Communist menace, however, the world well recognizes that peace cannot exist—that there will be unrest and rebellion—so long as men find themselves in bondage; that they will seek to find ways and means to break their chains and to emerge into the light and way of life that is freedom.

Today, I received from Mr. Peter Petrusaitis, secretary of the Lithuanian Council of Racine, Wis., a resolution commemorating the 42d anniversary of the independence of Lithuania, reflecting the zeal of these patriotic Americans of Lithuanian descent for freeing their ancestral motherland from communism. I ask unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Lithuania was the victim of the alliance of two totalitarian systems of the Nazis and the Russian Communists and now is deprived of freedom because the free world sought totalitarian help; and

Whereas today in the confusion and tragedy of the cold war, in the face of the menace to human liberty that hangs over Europe and Asia, Lithuania has been forgotten exactly as it was neglected in the outburst of Soviet friendship that preceded the signing of the United Nations Charter; and

Whereas the real answer to communism is not containment but the passing of the free world to an offensive against it and those whose long range goal is to bury the free world; and

Whereas in the society of the free nations the size of the country is unimportant so long as it sincerely cooperates and approximates the required standards which Lithuania did in the League of Nations and which it could do in the United Nations if it was free: Therefore be it

Resolved, That this mass meeting of loyal Americans of Lithuanian descent of this community commemorating the 42d anniversary of the restoration of independence to Lithuania urges the Government of the United States to continue efforts to restore to Lithuania and granting it its proper role in the advancing of peace and civilization; and be it further

Resolved, That this mass meeting implores that the Russians must be forced back into their own boundaries and not be allowed to enjoy the profit of their ill-gotten gains, not only as a question of abstract justice but because with every year that the Communists remain in control they are marching to their goal; and be it finally

Resolved, That this mass meeting express its sincere gratitude to the executive and legislative branches of our Government for its efforts to aid all people to assert their God-given rights.

MARTIN KASPARAITIS,
Chairman,
PETER PETRUSAITIS,
Secretary.

FEBRUARY 14, 1960.

Mr. ENGLE. Mr. President, today once again I want to join my colleagues in paying tribute to Lithuanian Independence Day. This is a salute that we make every year to the people of Lithuania; yet it is not a routine gesture. As the cold war increases in intensity the liberties we enjoy as a free people become more precious to us and our sympathies for the captive nations take on greater meaning.

The gallant Lithuanian people have never accepted their captive status. They have clung tenaciously to their national identity and to their national culture. They have not let the strictures that bind an enslaved people stop them in their determination to become free again. It is this indomitable spirit that has earned for the Lithuanian people the abiding respect and admiration of the free world. It has inspired Lithuanians outside the Iron Curtain to unite into a solid front to liberate their brothers; and it will some day surely recapture for the Lithuanian people the freedom they won 42 years ago.

Mr. BEALL. Mr. President, the attention of the entire world is focused on the sad plight of the people of Lithuania on this, the 42d anniversary of the day when her fine people proclaimed their independence, and Lithuania took her place in the family of free nations.

The Soviet Union, in 1940, just 22 years after Lithuania had gained her freedom, invaded her territory without provocation and against the wishes of her people, forcibly depriving the little nation of her sovereign right to self-government and converting her into a Soviet vassal state. Continually since that time, the Soviet masters have carried on mass deportations, condemning Lithuanians to slave labor camps in Siberia, the Urals, and central Asia.

Despite the tremendous odds against her, Lithuania continues her valiant fight for existence. Friends of Lithuania are aware of the courage of her people, and on this day pay tribute to her and Lithuanians everywhere. The plight of Lithuania is not forgotten, nor is the whiplash of the oppressor country condoned. The great heart of America is extended in sympathetic understanding to the valiant Lithuanians who are kept in subjection at the point of the bayonet and the gun.

The people of the little nation of Lithuania and their friends and relatives everywhere must know that Lithuania's annexation by the Soviets will never be recognized by our Government, and they must know, too, that the friendship and moral support of the American people will remain theirs.

As long as a spark of freedom burns, as it does in the hearts of Lithuanians, the hope of liberation will live, and it must eventually prevail. Their prayers to this end, and our prayers for them, will some day be answered.

Mr. HUMPHREY. Mr. President, the Lithuanian people form one of the three nationality groups in the Baltic area. For centuries they had a powerful kingdom in the whole eastern Europe. At times they not only successfully repelled some of the incursions of barbarian invaders from the East, but they also were champions and advanced guards of Christianity in that part of Europe. Late in the 16th century their kingdom was united with that of the Poles. This union lasted for about 200 years, and during that time the destiny of Lithuania was wedded to that of Poland. Toward the end of the 18th century when Poland was partitioned and ceased to exist, Lithuania shared a similar fate and became part of the Russian Empire. That was the end of the Lithuanian kingdom.

This loss of national independence did not mean the loss of the Lithuanian spirit of freedom. During the time of their subjection to Russia, for more than 100 years, they fought czarist oppression with all the means at their disposal, and worked hard to keep their national spirit alive among their kinsmen. They fought that regime openly and clandestinely, and at times they staged revolts against it. But they had to wait until the First World War for the actual achievement of their independence. They proclaimed the birth of the Lithuanian Republic on February 16, 1918.

Thenceforth for more than two decades they lived in happiness in their free and beloved land. Then came stunning blows. Caught between the vast military machines of Nazi Germany on the one side and Communist Russia on the other, Lithuania could not hope to cope with either. When the Second World War came, Lithuanian independence was an early casualty of that war. The Soviet Union occupied the country, and then in July of 1940 made it part of its Communist empire.

Since then, for almost 20 years, unfortunate and unhappy Lithuanians have not known freedom in their homeland. Today Communists hold the Lithuanian people in bondage, denying them the freedoms we in the West cherish so highly. Even in these unenviable circumstances the proud and stouthearted Lithuanians have kept alive their spirit of freedom and their desire for national identity and self-respect. On this 42d anniversary of their Independence Day, let us hope that they attain their goal, their freedom, and live in peace.

We who enjoy genuine liberty can never rest easily as long as other peoples are denied their heritage as human beings.

Mr. DIRKSEN. Mr. President, nations, like individual beings, do not live by bread alone. Ideas and ideals, as spiritual sinews, are often as important for their existence and form an indispensable part of their fare. Freedom and independence, liberty to work, and the privilege of enjoying the fruits of one's labor in a free society, are among the noblest of human goals. National independence, that is, the capability of a nation to govern itself without interference, is one of the conditions under which individual freedoms may be attained, for it is quite impossible to conceive of freedom in a country where the people are subjected to a stern and ruthless outside regime.

Late in the 18th century when the Lithuanians lost their national independence and were brought under Russian autocracy, they lost many of their individual freedoms. For more than a century these stalwart and stouthearted Lithuanians suffered under the callous and cruel czarist agents. During that unhappy period they did not lose sight of their goal: the attainment of their independence. In 1918, when the detested Russian regime was overthrown, Lithuanians proclaimed their independence on February 16.

That day marks a turning point in their national history. From then on a new day had dawned for them. And the next two decades were their modern golden age. The Lithuanians were justly proud of their splendid record of performance during those peaceful and prosperous decades. Unfortunately, however, that happy interlude did not last long. The Second World War, from its very beginning, proved a national tragedy for them. They were one of the first victims of that war, and they have never been allowed to recover from that terrible tragedy.

Since 1945 Lithuania has become a large Communist prison camp for its 3 million inhabitants. We hear that tens of thousands of Lithuanians have been removed from their homeland, and their places are taken by people from other parts of the Soviet Union. The country has been reduced to the status of a satrapy where everything is nationalized and collectivized in line with Communist totalitarian ideology. Everything belongs to the state and everyone works for that soulless and heartless organization. It is unthinkable to have any freedom under such a tyranny. Freedom of speech, of assembly, and of movement is rigidly controlled. The activities of individuals and groups are most closely watched, and everyone lives in fear of arrest and imprisonment. Under these harrowing conditions, the unfortunate Lithuanians possess one inalienable right, the right to cherish and hope for their freedom. On this the 42d anniversary of their independence I ardently hope that they will soon have their freedom in their beloved Lithuania.

Mr. DOUGLAS. Mr. President, February 16, 1960, marks the 42d anniver-

sary of Lithuanian independence. Since 1940, Americans in all walks of life have on this date joined in commemorative exercises and activities as a means of protesting against the illegal annexation of Lithuania by Soviet Russia.

But there are other equally important reasons for keeping faith with this Lithuanian Independence Day. It provides us with the opportunity to remind the people of captive Lithuania that we have not forgotten them or the justice of their cause. It also provides a suitable occasion for responsible American leaders to reaffirm our refusal to recognize the forced incorporation of Lithuania into the Soviet Union.

June 14 of this year will mark the 20th anniversary of the military invasion of Lithuania by the Red army. Soviet Russia was then an enthusiastic ally of Nazi Germany. Hitler and Stalin had entered into a secret treaty, the terms of which divided up free Europe between the dictators. This treaty launched World War II and shortly after the fall of Poland, Lithuania was faced with an ultimatum by the Russian Communists. That ultimatum was either to sign a mutual assistance pact with Soviet Russia or to face immediate invasion by the Red army. The mutual assistance pact was dictated by the Russians, and the very terms of the pact led to the strangulation of the freely elected Lithuanian government and its replacement by the imposed rule of a handful of quislings. On July 21, 1940, this imposed government ceded Lithuania to the Russians as a Soviet Republic. That day marked the end of Lithuania's national independence.

Now, 20 years later, we hear unduly optimistic talks about the so-called new prospects for the United States to enter into helpful treaties or understandings of various sorts with the Russian Communists. These prospects cover disarmament, a ban on nuclear weapons tests, neutralization of Antarctica, outer space, cultural and scientific exchanges, trade, and a status quo. The argument is advanced that somehow the Russian leaders have changed, that they are different from Stalin, that they are more liberal, that they sincerely desire peace and that they seek the friendship of the United States.

Our Nation must of course probe every possible approach to firm understandings that will advance true peace, disarmament with effective inspection and an end to the captivity of once-free peoples and to the threats of Communist aggressions against others still free.

But we should beware of appeasement. The peace-loving people of Lithuania stand today as a symbol of the tragic reward which awaits nations which trustingly, blindly, and without due caution enter into treaties and agreements with the Russian Communists.

In 1920 the Russians were also pleading the cause of peace, very much as today. They had been driven out of the Lithuanian nation by the patriots of that era. The Wilsonian principle of national self-determination had united the Lithuanian people in their determination to throw off the heavy chains of Russian imperialism and to establish their national independence. Lithuania then entered into a peace treaty with the Russian Federated Soviet Socialist Republic by which the Russians recognized the complete independence of Lithuania and renounced forever any claims, territorial or otherwise, on Lithuania. In the following years Lithuania entered into a series of agreements with Soviet Russia, all based upon a mutual recognition of peace, justice, and fidelity to agreements as a natural bond of international accord.

At the first opportune moment the Russian Communists broke every one of these treaties and agreements. With the support of Hitler, the Russians occupied Lithuania, destroyed her national independence and reduced this honorable nation to the status of a vassal state.

Before they get their hopes too high or persuade the nation to relax its watchfulness or let down its guard, let those who now call out for understandings and agreements with the Russian Communists examine the black record of Russian deeds against the freedom and independence of Lithuania. If they are not dissuaded from the folly of relying on Communist promises after such a study, then let them look at the dark record of the Russian Communist deeds against the freedom and independence of Estonia, Latvia, Poland, White Ruthenia, Ukraine, Czechoslovakia, Hungary, Rumania, Bulgaria, Georgia, Armenia, Azerbaijan, Turkestan, Albania, Cossackia, Idel-Ural, and Mainland China. Then let them examine the most recent record of Communist aggression in Korea, Vietnam, Hungary, India, and Tibet. For those especially beguiled by rosy prospects for any summit conferences, I suggest a restudy of Russian pledges for a free and united Germany made at Geneva in 1955, for conclusive evidence of how much anyone can count on the promises made by the current dictators in the Moscow Kremlin.

During the past several years we have heard a great deal of noise coming from the Kremlin about the need for the United States to accept a status quo in the world. The Russian Premier Khrushchev has put great stress on the need for the United States to accept as final and unchanging the Russian occupation of all the once free and independent nations. When he failed to receive the response he sought, Khrushchev then provoked the Berlin crisis. The foreign ministers' conference at Geneva followed. The results of that conference add up to very little. Indeed, in historical perspective it may turn out to be a serious political defeat for the United States. Nothing was reportedly decided there except that Khrushchev would delay using force to push us and our allies out of free Berlin.

Then while Vice President NIXON was still in Russia, President Eisenhower made the sudden and startling announcement that he had invited Nikita Khrushchev to visit the United States. This was widely considered to be a hard blow to the fight for freedom and the independence of captive nations. Now, some 5 months after the Khrushchev visit, it is all too evident that the cause of human freedom was not appreciably advanced and may well instead have suffered a severe net loss as a result of that hastily conceived invitation to Khrushchev. Our allies in NATO have begun to question the real purpose of the Khrushchev visit, and the press in Western Europe has been expressing a sense of suspicion about our unilateral dealings with the Russian leaders. There are disturbing signs that some of our allies feel it is now necessary to open separate negotiations with Khrushchev, to safeguard their own interests.

Only a few days ago Khrushchev publicly insulted President Gronchi of Italy, who was on a state visit to Moscow, by inviting him to join the Communist Party. When President Gronchi rejected this insult by proposing that Khrushchev join the Christian Democratic Party, he received this ominous reply:

> I invite you to join the Communist Party, just so you won't be hurt.

It is clear from this threat that the Russian Communists have not changed greatly from the days when they invaded and occupied Lithuania. One of the first things they did then was to carry out a mass deportation of all Lithuanian opposition leaders and elements to Siberia. One General Serov of the NKVD signed the master order for the deportation of these opposition leaders. This same General Serov is now chief of Khrushchev's reorganized secret police and no doubt has similar mass deportation programs in readiness for any country that falls under the control of the Russian Communists. Allow me to observe that this is not speculation, but a realistic estimate of the meaning of Khrushchev's threat to President Gronchi. The record of past deeds permits no other conclusion.

While the Communist dictators are exploiting the consequences of Khrushchev's state visit to the United States, however, the cause of human freedom has not been entirely neglected.

Last July the 86th Congress struck a powerful blow for the cause of national independence and freedom when it passed the Captive Nations Week resolution. That resolution stands as a clear and challenging statement of basic American foreign policy objectives toward all the nations submerged by Russian Communist imperialism. It serves official notice that we shall not rest until each and every captive nation has regained its national independence. President Eisenhower signed this resolution by Congress, thus making it the law of our land. Every American knows that the President of the United States is responsible for the establishment and conduct of our foreign policy. This authority is back of the language and intent of the Captive Nations Week resolution, now known as Public Law 86–90.

This declaration of foreign policy is completely bipartisan. It was passed by unanimous vote of both Houses of Congress. It meets every requirement of a people's foreign policy because it originated with the Congress and the members of this body are direct spokesmen

for the people. Let no one, including Khrushchev and company, misunderstand the full meaning of these facts.

In its time Public Law 86–90 stands as a historic declaration which if strongly supported and observed may rank with the declaration of the Atlantic Charter. It sets forth the objectives of the United States in the cold war which the Russian Communists have forced upon us. We seek these objectives by peaceful means. But we must seek their fulfillment with all the vigor and strength at our command. This is a challenge we as a people face in the immediate years ahead.

We have ample means and abundant opportunities at our command to pursue these objectives. Let me list just a few.

First. Our U.S. Information Agency.

This Agency is charged with the responsibility of acquainting fully all the people of the world, on both sides of the Iron Curtain, with our foreign policy objectives. It is proper for Congress to inquire into what progress the U.S. Information Agency has made in making Public Law 86–90 widely known and understood by foreign peoples.

Second. The United Nations.

It is generally recognized that the high purposes of this body have often been frustrated, but that it is at least a world sounding board and forum for debate. The power of this sounding board should be used to plead the case of the captive nations, to clarify current U.S. policy toward them, and to call upon the Soviet Union to honor its past promises of self-determination and free elections in Eastern Europe.

Third. President Eisenhower is scheduled to make a visit to the U.S.S.R. this spring.

This affords him a splendid opportunity to espouse the legitimate aspirations of the captive nations. He can do this by spending a substantial part of his time visiting the captive non-Russian nations of the U.S.S.R. and there informing the people we have not forgotten them, that we shall continue to advocate their right to national independence.

Fourth. A second summit conference is scheduled for the month of May.

This affords a unique opportunity for President Eisenhower to counteract the Russian threats over free Berlin by insisting on a test of the Russian right to hold in bondage the captive non-Russian nations. The test should be free and unfettered elections under United Nations supervision in each and every one of the captive nations. This would be consistent with the purposes of the second summit conference since Khrushchev insists it is necessary to settle outstanding questions which have created dangerous world tensions. No thinking person can deny that the Communist enslavement of nearly one-third of humanity and the continuing threat to the survival of all free governments is the basis for these world tensions.

Fifth. The third week of July is designated by law as Captive Nations Week.

We must take full advantage of this opportunity by planning suitable commemorative activities in all the States of the Union, and if it proves necessary to adjust the date of it so as to have the greatest effect upon the summit conference, we may wish to suggest an earlier observance to the President this year. I am confident that the people of the State of Illinois will be second to none in the observance of that historic week. Advance planning is called for here, planning which should begin now if we are to take full advantage of this opportunity. Public Law 86–90 is our answer to the Russian demands for a status quo. Let us make certain that we do our part to make this clear to all.

July 21 will mark the 20th anniversary of the Russian vote to make Lithuania a Soviet Republic. It was on that date in 1940 that the Russian handpicked parliament in Lithuania voted to seek admission into the U.S.S.R. as a Soviet Republic. To make sure this handpicked parliament acted according to plan, Red army troops stood at attention on the floor of parliament while the so-called vote was taken. This date will never be forgotten by Lithuanian patriots. They will remember it well during the course of Captive Nations Week this year.

The passage of these past 20 years has not dimmed our respect for or attachment to the peace-loving people of Lithuania. A free and independent Lithuanian nation was a stanch friend of the United States. Today their deep longing for liberty and independence, like that of the other submerged nations, is a powerful deterrent to Communist aggressive thrusts against Western Europe. Thus, the captive Lithuanian people remain our stanch ally in our quest for peace with justice and freedom for all. We are confident that eventually we shall win through to victory in this common cause.

Mr. FREAR. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me with relation to the 42d anniversary of the restoration of independence of Lithuania, which we commemorate today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LITHUANIAN INDEPENDENCE DAY

For more than a full century, from the late 18th century until the First World War, the Lithuanians prayed and worked for the day of their liberation from Czarist oppression. At last they had their prayers answered and found their just reward in 1918. When the Czarist regime in Russia was overthrown, they saw their chance for freedom and proclaimed their national independence on February 16, 1918.

Thenceforth, for more than two happy decades, they enjoyed their richly deserved independence. They established a democratic republic, rebuilt their war-ravaged country, revived their national institutions, enacted many progressive social and economic laws, and in a short time Lithuania became a respected member of the community of sovereign and independent nations. Unfortunately, the new state's very existence was endangered by forces over which it had no control: the rise of totalitarian dictatorships and their aggressive designs on free peoples proved fatal to independent Lithuania. In the fall of 1939 Lithuania was forced to sign a mutual assistance pact with the Soviet Union; early in 1940 the country was overrun by the Red Army; and in mid-July it was incorporated into the Soviet Union.

Since then the downtrodden Lithuanians have not known freedom in their once joyful homeland. They suffered during the last war, and looked forward anxiously for their liberation at the end of that conflict. It came to an end 15 years ago, but their war of liberation is not over, and they still cling to their undying hope of freeing themselves from Communist totalitarian tyranny. On this 42d anniversary of their independence day let us all hope that they will soon attain their goal, freedom in their homeland.

RETIREMENT OF GUY H. BIRDSALL, 42 YEARS A PUBLIC SERVANT

Mr. WILEY. Mr. President, I desire to speak about a fine public servant. Many persons do not know him, but he has worked 42 years for the U.S. Government. He was born in Wisconsin, and came to Washington shortly after World War I. He has just retired from the Veterans' Administration.

During his 40 years in the Veterans' Administration and 2 years in the Army, his career marked progress from finance, through the adjudicatory field, to the position of assistant administrator for legislation. During the last 4 years he served as the chief law officer, or general counsel, of the agency.

He interpreted the many complex veterans' laws on a sound legal basis. His opinions have been tempered with logic and an inherent sense of justice. In tribute to his outstanding and unique public service, the Administrator of Veterans' Affairs bestowed upon Mr. Birdsall the Agency's highest honor, the Exceptional Service Award.

Because of his experience in the many phases of government, particularly in the Veterans' Administration, Mr. Birdsall will serve in a consultant capacity with the Agency.

Mr. Birdsall was born in Algoma, Wis., and, as I have said, came to Washington shortly after World War I. He obtained his law degree at Georgetown University, and has been a member of the District of Columbia bar since 1922.

I am proud to call him friend. I know that in many respects, after his completion of 42 years of wonderful work for Uncle Sam, his services have just begun.

THE NEED FOR JUDICIAL IMPROVEMENTS

Mr. WILEY. Mr. President, yesterday I talked about the need for judicial improvements and also placed in the RECORD an editorial entitled "Suffocation in the Courts," which was published in the Washington Post and Times Herald. Today, again, I should like to urge speedy action by Congress on Federal judgeships to strengthen our judicial system. The people demand that justice be timely—not political. Forty-five additional judges are needed to handle adequately the business which is now crowd-

ing the Federal courts, and it is the duty of Congress to make certain that the people's right and desire for speedy justice are not denied by partisan politics.

At the end of the congressional session last year the Judiciary Committee gave its approval to some of the pending judicial appointments. But what is necessary is not only to fill the existing judicial vacancies with due speed, but also to expand the existing judicial machinery so that the people will not have to wait months or years for the trial of cases. Department of Justice figures show that only 4 of the 86 Federal judicial districts are current in their dockets meaning that cases can be disposed of in 6 months or less. What is most discouraging is that Federal courts are being buried deeper and deeper under a suffocating backlog of cases.

It is shown that the creation of judgeships has not kept pace with the growth of the country and its business operations, out of which litigation grows. Between 1941 and 1959 the population increased 36 percent and the gross national product 376 percent. The number of civil cases filed in Federal district courts increased about 50 percent during the same years, but the number of judges on the Federal bench increased only about 25 percent. These figures demonstrate why the courts have been overwhelmed.

Three years ago, the Judicial Conference of the United States, which is the governing body of the whole Federal judiciary and which includes the Chief Justice of the United States and the chief judges of all Federal circuit courts of appeals, recommended that 45 additional judgeships be distributed among the districts and circuits having the most crowded calendars. As yet, this recommendation has received little response in Congress. One reason, it is said, is the reluctance of the Democrats to give such a big list of appointments to a Republican President. But those who suffer are the American citizens who are deprived of their speedy "day in court."

Recently, the administration demonstrated its desire to remove partisan considerations from this needed reform when President Eisenhower declared that he is willing to fill half of the new judgeships with Democrats if Congress will create additional Federal judgeships. I believe that the President's offer of judicial bipartisanship is an important step toward judicial improvement.

The cost of operating the Federal courts is about $45 million a year. These courts handle litigation involving billions of dollars. Of even greater importance, however, is the fact the courts serve to protect and preserve the most vital rights of citizens. We must make certain, therefore, that politics do not hinder the operation of our judicial machinery. The creation of new judgeships and the filling of existing vacancies require much time. I therefore urge Senators to exercise the necessary degree of public responsibility and maturity to give the American people timely justice.

CIVIL RIGHTS

Mr. JOHNSTON of South Carolina. Mr. President, I am glad to know that the Senator from Oregon [Mr. MORSE] takes the position that the Senate ought not to take up the civil rights question on the floor of the Senate without a bill first having been referred to committee. Let us consider the position in which we find ourselves at present.

I do not see on the floor of the Senate the distinguished senior Senator from Missouri [Mr. HENNINGS], who is chairman of the Committee on Rules and Administration, and who, as all of us know, is an advocate of any bill which he considers would improve civil rights.

In all justice to the Committee on Rules and Administration, that committee held hearings and served notice on the Senate that on the 5th day of February all hearings would be closed. The hearings were closed.

On February 4, the attorney general of South Carolina appeared before the committee and testified. The committee served notice on that day that it would close the hearings on the 5th. Then later they called in the Attorney General of the United States to testify. Did he testify in favor of those bills or offer any substitutions, so far as amendments to the bills were concerned? If my memory serves me correctly, he did not do that, but proposed an entirely new bill, which he said he would send to the committee at a later date. He did so about a week later. When the bill arrived a week later, what happened? It was not a bill which would be referred to the Committee on Rules and Administration; it was a bill designed to amend existing law, which required its being referred to the Committee on the Judiciary. That complicated matters much more. No hearings have been held on the Attorney General's bill up to the present time. I believe every Senator who has kept in touch with the situation knows that to be true.

That is the position in which the Senate finds itself. We have waited until this late date for the Attorney General to send a bill to the Senate. As I see it, we cannot criticize the Committee on Rules and Administration, and we cannot criticize the Committee on the Judiciary, so far as that particular bill is concerned, because it has not been possible to hold any hearings whatsoever on the bill which the administration recommends. That is the fact.

Mr. President, do we intend to take up on the floor of the Senate a bill which has not been referred to any committee for study and consideration, in an effort to draft a bill which might be acceptable, although the Attorney General has more or less, in giving his interpretation of the bills before the Committee on Rules and Administration, insinuated that they are unconstitutional?

Now where are we? We are behind the eight ball. Who placed the obstacle in the way? None other than the Attorney General of the United States.

SENATOR BUSH SPEAKS OUT ON INTEREST RATES

Mr KEATING. Mr. President, today, I want to call attention to a most enlightening letter to the editor of the Washington Post, written by the distinguished senior Senator from Connecticut [Mr. BUSH], on the subject of "Realism on Interest Rates."

Two weeks ago, the Washington Post, in an editorial, endorsed the President's recommendation that Congress remove the artificial and archaic 4¼ percent interest rate ceiling on long-term Government bonds. Since then the Post has published several letters from individuals who strongly disagree with its position.

In my judgment, this kind of frank and open discussion is a healthy and desirable method of dealing with major issues of public policy. I know of no one better qualified to take part in this particular discussion than the brilliant and able senior Senator from Connecticut, who also is the ranking minority member of the Joint Economic Committee.

In his letter to the Post, Senator BUSH points out removal of the 4¼-percent ceiling is a matter requiring urgent congressional action.

Mr. President, the issue of whether to remove the 4¼-percent ceiling was fully debated last summer. Congress refused to act at that time. During the debate, the opposition to removing the ceiling was not supported by any of the elaborate argument now being developed and widely circulated by those opposed to removing the interest rate ceiling.

The tactics resorted to at that time was old-fashioned, raise-the-roof opposition to Wall Street bankers—an approach which failed to receive any support whatsoever from the academic community or from other qualified and objective observers.

Now, after the Joint Economic Committee has spent months of study—in addition to $200,000 in public funds—we are running into more sophisticated and detailed arguments. The opponents of removing the ceiling agree that the 4¼-percent ceiling is damaging, but then they go beyond that point and attempt to shift the argument to other matters.

Mr. President, the other matters—for the most part proposed monetary reforms—are respectable enough. The proper authorities certainly ought to study them. And, after due study, they should put into effect those which are found to be feasible. But what do they have to do with the 4¼-percent ceiling?

In my judgment, Congress ought to move swiftly to remove this unrealistic restriction on good debt-management practices. This fact is clearly and forthrightly stated by my friend, the senior Senator from Connecticut, in his letter to the editors of the Washington Post.

Mr. President, I ask unanimous consent that Senator BUSH's letter be printed at this point in the RECORD, and I commend it to the attention of my colleagues and to all others who are interested in and concerned about the

removal of the interest rate ceiling on long-term Government bonds.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 15, 1960]

REALISM ON INTEREST RATES

Your January 31 editorial called for removing the 4¼-percent interest rate ceiling on long-term Government bonds. This editorial has provoked disagreement in your letters column from Gardiner S. Means (February 5) and Senator PAUL H. DOUGLAS (February 7).

Since the removal of the 4¼-percent ceiling is so important to sound debt management, and a matter requiring urgent congressional action, I am moved to comment on Dr. Means' and Senator DOUGLAS' letters. Interestingly enough, the two appear to differ as much with each other as with your editorial.

Dr. Means endorses the 4¼-percent ceiling as a "sound and needed protection of the public interest." He holds that the U.S. Government should act like a private corporation trying to get the best bargain in the money markets. During boom periods, when interest rates are rising, he would have the U.S. Treasury, like a shrewd financial operator, float only short-term "quickie" bond issues so as not to be locked in at high rates for long-term issues.

Few financial interests would question the direct savings which the procedure advocated by Dr. Means would realize—but almost anyone interested in economic stabilization policy would caution against short-term financing during times of boom and potential inflation. In short, Dr. Means' prescription is sound for a private investor. But it is highly questionable for the Federal Government, which has a responsibility to manage the public debt so as to promote stability, not to accentuate cyclical swings in the money markets, with resulting instability for the economy generally.

Senator DOUGLAS does not apparently take this position. In fact Senator DOUGLAS nowhere contends that the 4¼ percent ceiling has any positive value. His position is instead that Congress can influence other Federal Reserve and Treasury policies by withholding admittedly needed action on the 4¼-percent ceiling—a position which we of the Joint Economic Committee minority have called "nothing but political blackmail."

Contrary to Senator DOUGLAS' implications, the Federal Reserve and Treasury have frequently indicated their own interest in some of the reforms which he advocates. The practical problems in instituting them, however, mean that they cannot be done overnight. Also, in the case of some of the policies which Senator DOUGLAS advocates the case against them is more reasoned than he implies.

All in all, these reforms—while some are desirable—deserve serious consideration, but should be removed from the atmosphere of political hucksterism and legislative horsetrading implied by such phrases as Senator DOUGLAS' "Let the Federal Reserve and the Treasury act."

The 4¼-percent ceiling is a pressing problem. As long as it remains, the Treasury is forced to do all its borrowing in the short-term market with two mischievous results: (1) it costs the taxpayers money, as short-term interest rates skyrockets, and (2) it builds up inflationary pressure which should be avoided by getting out of the short-term and into the long-term market. Neither of these effects can be defended in terms of the public interest.

Monetary reforms should always be studied and, where feasible, put into practice. Meanwhile, the interest rate ceiling must be removed. To paraphrase Senator DOUGLAS, "Let the Congress act."

PRESCOTT BUSH,
Senator from Connecticut.

CIVIL RIGHTS A NATIONAL ISSUE

Mr. JOHNSON of Texas. Mr. President, I can understand the feelings of some of my colleagues. There is no doubt that the civil rights issue has been used by many people purely as a sectional political issue.

But I have a great deal of confidence in the Senate when it is in a mood to act on a national issue. I believe it is capable of transcending sectional lines and coming to a conclusion upon which prudent and reasonable men can agree.

I believe that the problem before us is a national issue. As I see it, the heart of it is safeguarding the right of all of our citizens to an equal share of the ballot box.

The Congress took a long step in this direction in the 1957 act. But it is apparent that the step was not quite long enough. Further action is needed.

Personally, I am not committed at this stage of the proceedings to any specific formula. I believe we are going to have to have a great deal of debate to clarify the issue and to help the Senate reach a reasonable and effective conclusion.

I do not think that conclusion should be directed against one section of the country or will be dictated by another section of the country. I do think it will be dictated solely by the collective judgment of the Senate as to what is the right thing to do to safeguard the right to vote for all American citizens.

SENATOR DIRKSEN'S MAGIC TOUCH

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that an article from the New York Journal American of February 10, 1960, regarding our distinguished minority leader [Mr. DIRKSEN], be printed in the body of the RECORD. It is a fine article, and entirely accurate in its general approach.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR DIRKSEN'S MAGIC TOUCH

WASHINGTON.—Amazing is the only word to describe the hearts-flowers-and-friendship atmosphere prevailing among Senate Republicans since EVERETT MCKINLEY DIRKSEN won the GOP leadership in a hotly contested battle last year.

Liberal "Young Turks" who only 13 months ago were screaming that they wanted no part of the Illinois conservative, are now rhapsodizing about him at Washington dinner parties, while such rightwing Republicans as Senator BARRY GOLDWATER are plugging him for the Vice Presidency.

Senator THOMAS KUCHEL, of California, was a ringleader of the liberal band which tried to block DIRKSEN's election as GOP leader. Now look what KUCHEL says about DIRKSEN:

"He has put his whole soul at the disposal of his Republican colleagues; yet at the same time he is a devoted servant of President Eisenhower. * * * We've never had such team spirit."

How was such a miracle accomplished? To begin with, the new leader performed a generous act that was virtually without precedent. For 20 years he had been a member of the House and Senate Appropriations Committees—the most eagerly sought after of any assignment—but he relinquished his hard-won post to make more choice spots available for other Senators.

Next, he outlawed reprisals for GOP Senators who feel that for political or personal reasons they cannot support an administration bill.

After the Tuesday leadership meetings with Ike at the White House, DIRKSEN carries "the word" to his colleagues at the Senate GOP policy luncheon. He indicates what the administration position will be on pending legislation, but if some of the Members say that they cannot go along because of a situation in their State, or because of personal convictions, DIRKSEN assures them in honeyed tones that he "understands perfectly." He employs no threats.

A friend of Majority Leader LYNDON B. JOHNSON in the House and Senate for 25 years, DIRKSEN was able by silken persuasion last September to effect the agreement which will bring the dynamite-laden civil rights legislation to the Senate floor next Monday.

Meanwhile, he has quietly worked out a revolutionary strategy that has Republican Senators cooing with contentment. The old political maestro skillfully divided the administration's civil rights program into 10 coequal parts.

He then assigned the segments to each of 10 Senators who feel particularly strong about civil rights, or who are eager to make a good showing for reelection purposes. These are the men who will captain the debate.

Such sweetness and light prevails that DIRKSEN expects fewer than five GOP Senators to defect from the administration position.

His prediction is probably sound, since DIRKSEN has had more than 30 of the 35 Republican votes on every major piece of legislation this session.

It's an incredible performance for a 64-year-old man who spent most of the fall congressional recess in bed with a coronary condition, and who voluntarily retired from the House 12 years ago because of a serious eye ailment.

CIVIL RIGHTS LEGISLATION

Mr. HART. Mr. President, the constructive and interesting debate over the merits of proposals to meet the national problem of insuring the right of all persons to vote continues.

Three general proposals are before the Senate. I discussed the outline of these in the Senate on January 28. They are: the Congressional Elections Act—S. 2535—which I introduced last August and which in my opinion would avoid many of the complex procedural and constitutional questions that have been raised by the other approaches; the proposal put forth by the Civil Rights Commission for a system of Federal registrars for Federal elections; and the Attorney General's proposal of court-appointed Federal referees for both State and Federal elections.

The senior Senator from Missouri [Mr. HENNINGS] has now completed hearings on these proposals before the Rules and Administration Committee. These hearings have done much to clarify the issues. All of us concerned with this problem wish to support legislation which will avoid the pitfalls of any one of these

approaches. I believe all of us owe an expression of sincere thanks to the chairman of the Rules and Administration Committee and to its members for proceeding in such an orderly fashion in this complex and emotionally charged field. I hope the Rules and Administration Committee will report favorably a voting bill promptly.

To further the understanding of the issues, I ask that a memorandum be printed in the RECORD following my remarks. It is a preliminary memorandum prepared by the American Law Section of the Library of Congress. It outlines the highlights of the Attorney General's referee proposal, and comments on possible existing powers of the Federal courts to achieve results similar to those sought in the referee proposal. It is important that this point not be overlooked in the forthcoming debates, and it has relevance in evaluating the past performance of the Attorney General under the authority given him by the Congress in the Civil Rights Act of 1957. This memorandum will add considerably to the understanding and clarification of all of us working on these problems.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

FEBRUARY 4, 1960.

To: Hon. PHILIP A. HART.
From: American Law Division.
Subject: Proposed bill for appointment of voting referees and existing powers of Federal courts.

I. OPERATION OF THE ATTORNEY GENERAL'S PROPOSAL

The proposal of Attorney General Rogers for amendment of the Civil Rights Act of 1957 would operate in the following manner:

1. The Attorney General would bring an action under 42 U.S.C. 1971(c) whenever he had reason to believe that a person is about to be deprived under color of law of the right to vote in any election, Federal or State, as provided in section 1971(a), or under color of law or otherwise of the right to vote in a Federal election, as provided in section 1971(b).

2. The court may appoint one or more voting referees only if it makes both of the following findings:

(a) Under color of law or by State action a person has been deprived of a right to vote in a Federal or State election;

(b) Such deprivation is "pursuant to a pattern or practice."

3. The voting referees so appointed would have the following powers:

(a) To receive applications from any person claiming deprivation as to the right to register or otherwise qualify to vote at any election;

(b) To take evidence;

(c) To submit to the court findings as to whether any applicants are qualified to vote and (1) have been deprived of an opportunity to register or otherwise qualify to vote; or (2) have been found by State election officials unqualified to register or unqualified to vote at any election.

4. The court will review each referee's report and accept its findings unless clearly erroneous.

5. The court will issue a supplementary decree naming the persons found qualified to vote.

6. The Attorney General will transmit to appropriate State election officials copies of the original decree and any supplementary decree.

7. The court may authorize the referee to issue a voting qualification certificate to each person found qualified and named in the court's decree.

8. The court may also authorize the referees to:

(a) To attend any election and determine whether any person certified as qualified has been denied the right to vote;

(b) To attend any session for counting votes and report to the court whereby any vote cast by any person certified as qualified has not been properly counted.

9. The referees shall have all the powers of a master conferred by rule 53(c) Federal Rules of Civil Procedure.

II. THE POWERS OF THE FEDERAL COURTS UNDER EXISTING LAW

The Civil Rights Act of 1957 authorizes the Attorney General in a proper case to institute for or in the name of the United States "a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order" (42 U.S.C., sec. 1971(c)).

Though under the Federal Rules of Civil Procedure there is but one form of action, the rules do not in fact abolish the difference in substance between legal and equitable remedies (*Bradley* v. *U.S.*, 214 F. 2d 5 (5th Cir. 1954)) and equitable relief will be accorded where the record shows that the parties are entitled to equitable relief (113 F. Supp. 640 (D.C. Mo. 1953)). Since the Civil Rights Act authorizes the Attorney General to seek equitable remedies in a civil action the court entertaining such an action may exercise any of the traditional equity powers unless limited by statute or rule.

Courts of equity are flexible and can adapt their decrees to all the varieties of circumstances which may arise, and adjust them to all the peculiar rights of the parties in interest (*Alexander* v. *Hillman*, 296 U.S. 222, 239 (1935)) citing Story (Equity Jurisprudence (14th Ed.) sec. 28; *Brown* v. *Board of Education*, 249 U.S. 294, 300 (1955)).

Story also points out in section 28 that, unlike courts of law which must limit their inquiries to the parties before them even though others may be vitally interested in the outcome of the suit, courts of equity can bring before them all the parties interested in the subject matter, and adjust the rights of all, however numerous. That Story's observation is still valid is borne out by rule 71 of the Federal Rules of Civil Procedure which provides:

"When an order is made in favor of a person who is not a party to the action, he may enforce obedience to the order by the same process as if he were a party; and, when obedience to an order may be lawfully enforced against a person who is not a party, he is liable to the same process for enforcing obedience to the order as if he were a party."

When the Attorney General brings an action under section 1971(c) against State registration or voting officials, the individuals whose voting rights have been infringed are not parties to the action, and indeed all whose rights have been infringed may not be known. With respect to those who are known, one of the necessary duties of the court is to determine whether they are actually qualified to register and to vote under the provisions of the applicable State laws. If the court finds that they are, there can be no doubt that an order to the appropriate State officers to permit them to register or to vote would be a proper one. A court of equity is not limited to the restraint of threatened action, but may require affirmative action where the circumstances demand it (*Ex parte Lennon*, 166 U.S. 548 (1897)).

Since the Civil Rights Act authorizes the Attorney General to seek not only a permanent or temporary injunction or restraining order but also an "other order" it might be quite proper for the Attorney General to seek an order retaining the case on the docket with the right to seek additional relief if deprivation of voting rights continues (*Hecht Co.* v. *Bowles*, 321 U.S. 321, 328 (1944)). Moreover, with regard to school segregation matters the Supreme Court has directed the lower courts to retain jurisdiction of the cases in order that they may consider the many problems which enter into the establishment of a system of determining admission to public schools on a nonracial basis (*Brown* v. *Board of Education*, 349 U.S. 294, 300-01 (1955)).

Whether the courts may use referees to assist them in determining the qualifications of voters depends on the operation of rule 53(b) of the Federal Rules of Civil Procedure which provides that in actions to be tried without a jury, "except in matters of account, a reference shall be made only upon a showing that some exceptional condition requires it."

An order of reference is reviewable and neither congestion of the calendar in itself, nor complexity of issues of fact and law, nor the prospect of a lengthy trial, offer exceptional grounds for reference to a master (*La Buy* v. *Howes Leather Co.*, 352 U.S. 249 (1957)).

But where numerous persons were to be examined at various places in proceedings supplementary to execution, reference to a master was proper (*Bair* v. *Bank of America* 112 F. 2d 247 (1940)). Perhaps a finding by the court that the deprivation of voting rights was "pursuant to a pattern or practice" might constitute "some exceptional condition" within the meaning of rule 53(b).

If appointment of a master or referee is justified under 53(b), 53(e)(2) provides that in actions to be tried without a jury the court shall accept the master's findings of fact unless clearly erroneous.

CONCLUSIONS

While it seems likely that the district courts already have the powers to carry out many of the objectives of the proposal for voting referees, statutory authorization for their appointment upon a finding of a practice or pattern of deprivation of rights would remove any doubt about the propriety of reference under rule 53(b).

There is another part of the Attorney General's proposal which would remove another doubt about the scope of the act of 1957. This is the proposal to authorize in specific terms a proceeding against the State as a party defendant under some circumstances. On the other hand, the Supreme Court will be considering in the present term the question whether the 1957 act already authorizes the Attorney General to proceed against a State (*U.S.* v. *Alabama*, Docket No. 398 Oct. Term 1959; 267 F. 2d 808 (5th Cir. 1959)).

If the Court finds that a State is a proper party defendant, the Attorney General's proposal would have the effect of limiting the scope of the present law by permitting an action against the State only when a State official has resigned or been relieved of his office without assumption of the office by a successor.

THE 1960 CRUSADE FOR FREEDOM DRIVE OF RADIO FREE EUROPE

Mr. CURTIS. Mr. President, the Senator from Nebraska [Mr. HRUSKA] is the honorary State chairman of the 1960 Crusade for Freedom Drive in support of Radio Free Europe. He spoke at a kickoff luncheon for the drive held in Lincoln, Nebr., on February 8. Representatives of the county organizations were

present, and the affair received widespread attention by the press and radio TV.

The importance of the work of Radio Free Europe in combating communism was stressed by Senator HRUSKA. Through supplying reliable news and information to Poland, Czechoslovakia, Hungary, Bulgaria, and Roumania, Radio Free Europe exposes Communist propaganda and successfully frustrates its effort to manipuate the minds and emotions of these oppressed people.

Senator HRUSKA's remarks at this luncheon are of vital interest to all Americans. I therefore ask unanimous consent that they may be printed in the RECORD at this point as part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ROMAN L. HRUSKA FOR RADIO FREE EUROPE-CRUSADE FOR FREEDOM FUND CAMPAIGN, LINCOLN, NEBR., FEBRUARY, 8, 1960

One of our Nation's foreign policy goals is the peaceful but unremitting support of all people who seek to regain the freedom of which communism deprives them. President Eisenhower expressed it this way:

"There can be no true peace which involves acceptance of a status quo in which we find injustice to many nations, repression of human beings on a gigantic scale."

The weapons for emancipation are nonmilitary in character. We rely upon the ideological, psychological, political, economic, and diplomatic forces within our command. However, in order for them to be fully effective, our military power must be sufficient to neutralize and deter the threat of Communist arms.

The foundation of this program of emancipation is the appeal of liberty in the minds of men everywhere. Our ultimate weapon is the inherent and irrepressible desire of all men for freedom.

There must be a constant watch for any cracks in the empire the Communists are trying to build. Any weakening of the bonds that tie the captive nations to Moscow should be encouraged and developed.

Eventually the spirit of freedom will triumph over the force of Communist tyranny.

In the transition period, which perhaps may extend beyond the foreseeable future, the practices and patterns of ruthless and total domination of nations by the Communist regime, indeed, the despised and barbarious Communist force itself, will be eliminated.

Our people and the people of our allied free nations should neglect no opportunity to hasten this transition.

Radio Free Europe seized one of the best opportunities about 10 years ago. It has been exploiting it effectively since that time.

With its 28 radic transmitters, this private organization, operating without Government restrictions or limitations, has been breaking up the Communist news monopoly in Poland, Czechoslovakia, Hungary, Bulgaria, and Rumania.

By supplying the reliable news and information, Radio Free Europe frustrates the Communist propaganda manipulation of human minds and emotions. The truth which Radio Free Europe broadcasts gives the oppressed people a measuring stick to lay against each lie that is told them by their masters.

This contact with the free world supports these captive people in their unhappy plight. It sustains that natural and fierce desire which they have for freedom. It lets them know that the free world does care. They learn by it the true reason why there is so little that can be done now to relieve their oppression. They learn of the forces in the making and that there is hope. It effectively contradicts Communist propaganda to the effect that the United States of America has abandoned them.

Radio Free Europe's constant broadcasting is undermining the reliability of Soviet satellite armies. This is a substantial aid in the cold war.

Radio Free Europe programs serve to destroy the Soviet fiction that Russia is a unified and monolithic power, a concept it has striven hard to establish throughout the world. The fact is that the U.S.S.R. is a basic empire of captive nations and suppressed peoples. Radio Free Europe discloses this fact and keeps it alive.

Is Radio Free Europe effective? Does it get through?

The 76 million people of the five countries have about 9 million radio receiving sets. The people listen hungrily, even at a great risk, to the programs of RFE.

Its programs were primarily responsible for the tremendously enthusiastic reception given Vice President NIXON when he visited Poland last year. No Polish newspaper or radio mentioned at which airport he was arriving, the time of arrival, or the route he would take from the airport. Yet over a quarter of a million Poles lined the streets of the route Vice President NIXON took from the airport. Radio Free Europe had kept them fully informed of the details.

There are many concrete examples of similar nature, but perhaps the best testimonial of Radio Free Europe's effectiveness is the vigor and vehemence with which Russia protests against it and tries to jam or discredit the broadcasts. The Soviet is spending more to destroy and discredit the programs than Radio Free Europe spends to broadcast them.

As a private organization, Radio Free Europe employs methods, persons, and means which cannot be used by any official agency of the United States. Untrammeled by diplomatic or political considerations, its plainspoken message of freedom is conveyed in the native tongue of its listeners. The voices speaking belong to their own countrymen who have fled for their lives because of their belief in freedom. They continue to believe and to battle for it from foreign lands.

To give time, energy, and funds to the Crusade for Freedom is to help some 76 million hapless people at a time of national and personal darkness. It serves to advance the goal of American foreign policy which has neither forgotten nor neglected the people now under Communist domination. Lastly, it enhances the cause of a true peace.

The annual drive for funds of the Crusade for Freedom is supported by national advertising campaigns conducted in all major media by the Advertising Council.

Newspaper, magazine, and transportation space, along with radio and television time, is donated by the communication industries in the cause of free speech and thought.

The men and women of that industry fully realize the importance of this great project.

They are helping to make that road to freedom accessible to all people.

In that same spirit every American should lend his support to this noteworthy cause.

PRESIDENT'S PROPOSED SOLUTION OF THE FARM PROBLEM

Mr. BRIDGES. Mr. President, last week President Eisenhower sent to Congress his proposed farm program. As we all know, the farm problem has not been solved. The President, in his special message, has stated wisely that it is a situation which "defies common sense." He has placed the responsibility upon Congress to bring forth a farm program which will reverse the trend of farmers growing crops for Government storage. He has indicated his willingness, under broad principles he has laid down, to cooperate in any way he can to solve the farm problem.

Mr. President, an editorial in the Washington News February 10, entitled "Defying Common Sense," expresses the nub of this problem. As the editorial says:

Solemn regard for the Nation's welfare should prompt a comparable cooperative spirit among the lawmakers.

The editorial warns:

But, somewhere short of disaster for American agriculture, a start must be made. The President's suggestions are constructive to that end.

Mr. President, I ask unanimous consent that this editorial be printed in the body of the CONGRESSIONAL RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEFYING COMMON SENSE

Surplus crops are the farm problem. The price-support program built this overabundance. It continues as a strong financial incentive to produce more and more. This, says President Eisenhower, is a situation which "defies common sense." That's stating it mildly.

In his special message to Congress yesterday, the President indicated his general preferences on reform but expressed a willingness to go along with anything within reason which Congress may suggest. Solemn regard for the Nation's welfare should prompt a comparable cooperative spirit among the lawmakers.

The wheat surplus properly was emphasized in the message. Wheat provides only 6 percent of the farm income. Yet the Government has $3.5 billion tied up in wheat—30 percent of the total currently invested in farm price-support operations. And, if the present system is continued, that will only be the downpayment.

Basically, President Eisenhower would start solving the problem by gradual withdrawal of subsidy incentives to overproduce. He would free the farmer of arbitrary controls by eliminating both acreage allotments and marketing quotas for wheat. Price supports would be continued but would be a percentage of recent average market prices, rather than a higher figure based on parity.

The effect of this system, long urged by Secretary of Agriculture Benson, would be to stop the marginal production of wheat at a guaranteed profit. At the same time, it would insure the efficient producer against disaster.

As further aids to retreat from overproduction, the President would:

Gradually expand the conservation reserve program up to 50 million acres. This would more than double the amount of land now withheld from the production by this program. In his budget message, the President asked for 9 million additional acres in fiscal 1961, bringing the total to 37 million acres. Expanding population will require the use of this land years hence. Meanwhile its cultivation swamps the market.

He would be willing to consider payments in kind for reduction of surplus crop acreage. This is an interesting idea, advanced by farm groups. A wheat farmer, for instance, would stop growing wheat, temporarily, and draw the amount of his usual

crop from Government shortage. Properly managed, this scheme could reduce Government cash outlays, reduce surplus supplies, and cut storage costs.

The President's recent trip strengthened his belief in the food-for-peace program which uses surplus crops to feed hungry people abroad. He wants greater emphasis on research to find new uses for farm products, also more attention to the rural development program, finding new sources of income in depressed agricultural areas.

In none of this is there any quick cure for deep ills accumulating from generations of politically inspired tinkering with the fundamental laws of supply and demand. Reform will take a long time and objective consideration is admittedly difficult in a presidential election year. But, somewhere short of disaster for American agriculture, a start must be made. The President's suggestions are constructive to that end.

UNTRUSTWORTHINESS OF COMMUNIST PROMISES

Mr. BRIDGES. Mr. President, I have pointed out repeatedly that the word of the Russian leaders could not be trusted unless followed by deeds. I have warned repeatedly against the United States falling into a trap in any of its dealings with the Soviet rulers who have threatened again and again to bury us.

They have used alternate sweet talk with threats to achieve their aim of world domination. They have raised the world to false hopes with so-called promises, only to break them.

Once again they raise the spector of possible war over Berlin after shouting to the world about the "spirit of Camp David" which was supposed to solve that problem in a peaceful way.

Mr. President, I believe this whole trickery is revealed in an article by Peter Edson appearing in the Washington News, February 9, entitled "Camp David Spirit Is Dying."

Because of its importance on this subject, I ask unanimous consent that the article be printed in the body of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAMP DAVID SPIRIT IS DYING

(By Peter Edson)

That new spirit of Camp David is a dying duck, if not already a dead one.

It came out of the egg a little over 4 months ago when Russia's Chairman Nikita Khrushchev came to visit President Eisenhower. Their Camp David talks and communique were supposed to hatch into relaxed tensions and usher in friendlier relations.

In keeping with that, the Big Four leaders still plan to assemble in Paris in mid-May for their long-planned summit conference. They will go through the motions of discussing the German situation and Berlin. But the chances of any settlement being agreed to are slim.

Secretary of State Christian Herter says that even if the Big Four agree to further talks on Germany, they will have to be carried on by the Big Four foreign ministers.

That was the pattern after the Geneva summit meeting in 1955. American, British and French leaders though they had a German agreement with the Russians then.

The foreign ministers met to work out the details. They settled nothing. So the new spirit of Geneva died after 7 months. And the cold war continued 4 years.

At Camp David, President Eisenhower and Secretary Herter may have thought they had a firm commitment from Chairman Khrushchev. He agreed to lift the Communist ultimatum to make a separate peace treaty with East Germany and turn over to it Berlin corridor control.

But now the Warsaw Pact countries—Russia and her European satellites—have renewed their threat. The only difference now is that there is no time limit on it.

This leaves Berlin what it has been for the last 15 years—the world's greatest danger spot.

In one way, it is good to have the Russian position made clear this far in advance of the summit. For it will stiffen Western attitudes. There will be no going to Paris in May with dukes down and a willingness to an agreement in the spirit of Camp David.

The stupidity of the 1945 armistice agreement on Germany is now generally conceded. By it, the Western Allies turned over to Russia provinces which are now a part of East Germany, in exchange for American, British and French occupation of West Berlin.

But the Western Powers are now stuck with this agreement, and they must stick to it. For the United States to go back on its pledges to the West Germans is unthinkable. Their security is not considered negotiable at the summit, in the spirit of Camp David or for any other reason.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

DEATH OF ALOYSIUS CARDINAL STEPINAC, ARCHBISHOP OF YUGOSLAVIA

Mr. BUTLER. Mr. President, liberty-loving citizens of all religious denominations were given a striking reminder in the past few days of the ruthless methods of Communist rulers when they read the published accounts of the death of Aloysius Cardinal Stepinac, archbishop of Yugoslavia. As the spiritual head of 7 million catholics in his native country, this prince of the church was the victim of persecution by Tito over a period of 14 years and subjected to indignities by this godless dictator until the prelate became a virtual martyr for his faith.

While Tito has been masquerading before the world as relenting in his adherence to Moscow and while he has been receiving material assistance from nations, including the United States, guaranteeing freedom of religion to all men, the vicious persecution of this representative of the Catholic Church, carried on until Cardinal Stepinac succumbed in Communist-imposed detention and isolation. Even in death, the prelate was at first denied the privilege of burial from the cathedral at Zagreb, the seat of his archdiocese, until public opinion rebelled against Tito's tactics and compelled him begrudgingly to yield.

Cardinal Stepinac is receiving the respect and acclaim of decent people throughout the world for his stanch adherence to his principles against the tyrannical ruler of his country. His example and courage will remain a challenge to his coreligionists everywhere.

Two editorials, one from the Baltimore News Post and one from the Baltimore Sun, fittingly express the sentiments of broadminded people of my State, and I ask unanimous consent to have them printed in the body of the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

CARDINAL STEPINAC

Cardinal Stepinac, one of the heroic front-line fighters of the Roman Catholic Church, has died in the little Yugoslavian village to which the Communist government confined him in exile.

The government could exile the man but it could not exile the faith he served. It could not exile the reverence the Good-seeking men and women of Yugoslavia bestowed upon him. It could not exile the persecution he symbolized to the world outside the Iron Curtain—and within it, too.

No tyranny on earth could do these things. For Cardinal Stepinac represented a power far greater than any earthly despotism, the power of God.

It was this power that gave him the strength to withstand, with iron composure, the 12 days of his "trial" before the Communist people's court in Zagreb 14 years ago, when he was reviled and mocked and falsely accused.

It was this power that sustained him through 5 years' imprisonment.

It is this power that made of his exile a force which compelled dictator Tito to ease the harsh persecution of past years, and even now to make tentative gestures for better relations with the church. Here is an acknowledgment by godless communism of defeat.

Cardinal Stepinac was alone in his exile but he could not have been lonely. How could he have been lonely when God was with him?

TITO AND THE CARDINAL

President Tito's wobbling way with respect to Cardinal Stepinac's burial indicates again how formidable a dictator finds loyalties that rise higher than the state. The cardinal, then archbishop, was convicted in 1946 of various crimes, all of which the archbishop steadily denied. He was sentenced to prison for 16 years, served 5 of them, and then was paroled and confined to his native village of Krasic. There he lived a life of study and meditation, a firm guide to believers.

When the cardinal died on Wednesday the Yugoslav Government at first decreed that he be buried at Krasic and so denied the privilege of resting in the cathedral at Zagreb. Then there was a change of the official mind. The cardinal's body was moved to the cathedral to lie in state. The burial occurred there yesterday in ceremonies very different from those which would have been accorded a man truly guilty of the crimes charged in 1946.

There is no mystery about the explanation of President Tito's change of tactics. Doubtless he feared to compound his persecution by carrying it even beyond the grave. After all, the sneering prosecutor in 1946 had charged the defendant with playing for martyrdom. But if Tito hoped to ease Stepinac as quietly as possible out of the world

in which he has played his special role, it was because that role had proved steadily dangerous to the regime. There are 7 million catholics in Yugoslavia and a high percentage of them choose to follow their faith whatever their politics.

Tito, in brief, knew exactly what his colleague Gomulka is up against in the even more heavily Catholic state of Poland. He was aware of the pressures that still play on the Hungarian puppet Communists from Hungarians who revere Cardinal Mindszenty in his refuge in the U.S. Embassy. The totalitarian promise is merely material and worldly and among men with no countering philosophy it can attain great strength. But for a good many centuries, tyrants of all types have been frustrated and in the end overturned by people who have higher aspirations. This is why Tito wobbled in the matter of the cardinal's burial.

LEASING OF PORTION OF FORT CROWDER, MO.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R-I, Missouri.

Mr. ERVIN. Mr. President, I rise for the purpose of urging the adoption of the motion of the able and distinguished Senator from Georgia [Mr. RUSSELL]. In so doing I wish to make references to certain pending bills.

When I became a member of the Judiciary Committee I was assigned to the Subcommittee on Constitutional Rights. As a member of this subcommittee I have been obliged to study most of the civil rights proposals which have been made in the form of bills, since I became a Member of the Senate.

I have discovered some things about civil rights bills. I have also discovered some things about people who advocate the passage of civil rights bills. I have never seen a civil rights bill of modern vintage which was either necessary or wise, or compatible with the basic governmental and legal systems of the United States.

I have also noticed that many of the sincere persons who advocate the passage of civil rights bills are characterized by one trait in common. They are impatient persons who seek easy solutions to hard problems. In seeking easy solutions to hard problems they attempt to make shortcuts, and are contemptuous of any obstacles they find in their path when they attempt to make shortcuts, even though such obstacles may be precious constitutional and legal rights.

This observation finds a startling illustration in the recommendation of three members of the Civil Rights Commission. I refer to the recommendation that a 23d amendment be added to the Constitution of the United States, and that the 23d amendment do two things:

First, that it rob the States of the historic powers which they have enjoyed under our Constitution since the foundation of the Republic, to prescribe the qualifications for voters.

Second, that the 23d amendment vest in every human being who happens to be a citizen of the requisite age and who meets the requirements as to length of residence prescribed by the laws of the State in which he resides an absolute right to vote in any election, Federal, State, or local, if he possesses a living physical body, with or without intelligence, and with or without character.

In other words, the impatience of men who advocate civil rights legislation is illustrated in this recommendation of three members of the Commission, that idiots, lunatics, and persons convicted even of treason against their country, or of any other felony, should have an absolute right to vote in any election, held in any 1 of the 50 States, for any purpose, provided that on the day of registration or election they are not actually confined in an institution for mental defectives, or prisoners.

What reason is assigned for this recommendation? The reason assigned is fundamentally the reason assigned in all cases by advocates of this type of legislation. They want a shortcut, and they are willing to have the Constitution amended so as to make idiots, lunatics, and convicted felons enjoy the absolute right to vote, provided they are not actually confined in an institution for mental defectives or imprisoned at the time of registration or voting, for a very simple reason. They say that if this were done, there would be no difficulty in determining whether some Negroes are wrongfully denied the right to register and vote in some communities in the country, particularly in southern communities.

I admit, Mr. President, that it would be very easy and very simple to determine whether a person is legally qualified to vote if there were no legal qualifications for voting. But I maintain that to enact the proposed 23d constitutional amendment for the purpose of making this determination easier would be on a par with using an atomic bomb to get rid of a few mice.

I cite this recommendation for the purpose of showing the impatient nature of those who advocate civil rights programs. They yield to the temptation to seek easy solutions to hard problems, and they attempt to devise shortcuts to ends they deem desirable, and do that in the face of the fact that all human experience shows there are no easy solutions to hard problems, and that shortcuts are the direct roads to disaster.

If I may be pardoned a personal allusion, I will say that, like Ulysses and all mankind, I am a part of all that I have met. My father was a member of the North Carolina bar for 65 years. I have never known any human being who was more devoted to our governmental and our legal systems than he. As his son and law partner I was privileged to have intimate contacts with him. He implanted in my youthful mind and heart a love of law and a hatred of tyranny. All the experiences I have had throughout my life have served to intensify that love and that hate.

My opposition to civil rights legislation does not arise out of any matter of race. I was reared in a small town where there were intimate contacts between the members of the races, and where they lived together in peace and in harmony. As a member of the school board in my home town and as a member of the North Carolina Legislature, I have always fought to make it certain that all of North Carolina's children of all races should have adequate educational opportunities.

As a lawyer and as a legislator and as a judge I always exerted myself to see to it that all men of all races stand equal before the law. As a public official and as a citizen I have always insisted that all qualified persons of all races are entitled to register and vote.

My opposition to civil rights legislation arises out of the fact that I know that civil rights bills, if enacted into law, would constitute bad laws. I know that there never was a truer statement made on the face of the earth than that made by Edmund Burke, to the effect that bad laws are the worst sort of tyranny.

I maintain that all proposed civil rights legislation ought to be defeated for each of three reasons. The first is that the proposed legislation is not necessary. The second reason is that the proposed legislation is not wise. The third reason is that the proposed legislation is not compatible with the basic American principle that laws shall be uniform in nature and shall operate alike upon all people in like circumstances.

There is one fundamental vice—and I use that term in the sense of a defect—in all proposed civil rights bills, and it is a defect which was pointed out by Mr. Justice Bradley of the Supreme Court of the United States as far back as 1883. The truth is that all civil rights bills seek to single out certain groups of Americans on no basis but their race, and demand that they be given rights superior to those ever sought by or granted to any other Americans in the history of this Nation.

When Thaddeus Stevens and Charles Sumner and Ben Butler were concocting their schemes for the castigation of the South in the days of the Reconstruction and just before that time, Congress was induced to pass civil rights bills which far exceeded the constitutional power of Congress under the 13th, 14th, and 15th amendments to the Constitution. Many cases involving those laws were before the Court in what have come to be known as the civil rights cases of 1883. In an opinion in those cases which held many of the provisions of the so-called civil rights acts unconstitutional, Mr. Justice Bradley said:

> When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen and ceases to be the special favorite of the laws, and when his rights as a citizen or a man are to be protected in the ordinary modes by which other men's rights are protected.

In that passage, Justice Bradley placed his finger on the inherent defect in every civil rights bill now pending before Congress. I do not believe that the overwhelming majority of the Negro citizens of the United States desire to be made the special favorites of the laws. I believe that the overwhelming majority of the Negro citizens of the United States are willing to have their rights, either as citizens or as men, adjudged by the

same laws by which the rights of other Americans are adjudged.

But those organizations and those individuals who make it a profession to agitate racial problems, and to urge the enactment of civil rights legislation for the solution of such problems, demand that certain Americans be singled out from all other Americans on account of their race, to be made the special favorites of the laws, and that the laws be so altered as to excuse them from having their rights as men and as citizens adjudged by the same laws under which the rights of all other Americans are adjudged. The proposition that such action should be taken by Congress on behalf of any Americans is absolutely incompatible with the very basic principles on which our system of government and our system of law rest.

It might be well for those who advocate these bills to realize that under the Constitution of the United States, every State enjoys exactly the same rights and the same equality as other States, from a constitutional standpoint, and that the laws which may be passed by Congress under the guise of civil rights legislation, to appease those organizations and individuals who make it a profession to agitate racial problems, and to urge civil rights legislation for their solution, will apply to all the other States of the Union.

I was made very conscious of that fact by my recollection of history and of the great speech which the able and distinguished Senator from Louisiana [Mr. ELLENDER] made on the floor of the Senate 2 years ago, when the Attorney General of the United States came forward with the so-called referee bill.

There is nothing new in the referee bill. It is simply a resurrection and a rehash, in a more unwise form, of what is known as the Enforcement Act of May 31, 1870. Under the Enforcement Act of May 31, 1870, the U.S. circuit courts, which corresponded in large measure to what are now the U.S. district courts, were empowered to appoint supervisors of elections. But at that time Congress, even though it was still laboring under the influence, to some extent, of such men as Ben Butler, had more respect for the Constitution of the United States than we apparently have today, because the Enforcement Act of May 31, 1870, only undertook to regulate, under the court-appointed supervisors, the elections of Members of Congress.

The very case which is cited to sustain the proposal for the appointment of referees clearly shows that the court approved that act simply because it confined the appointment of supervisors to elections of Members of Congress. I shall return to that act a little later, but I wanted to call it to the attention of the Senate now. Although that act was intended by its authors to apply to the South only, it caused trouble first in the State of Maryland, in the election of a Congressman in that State. As a result of that act, certain election officials of Maryland were sent to the Federal penitentiary.

The next time the act came into question was when it was utilized in the State of New York. The abuse of the act in the State of New York was so great, and caused such revulsion in Congress, that Congress repealed the Enforcement Act of 1870, the repeal taking place, according to my recollection, in 1894.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I am delighted to yield to the distinguished Senator from Georgia.

Mr. TALMADGE. I commend the distinguished senior Senator from North Carolina on the excellent presentation he is making.

Has the Senator from North Carolina read the report of the Select Investigating Committee of Congress in 1892 or 1893, after that committee had gone to New York to investigate the operation of the election laws to which the Senator has referred?

Mr. ERVIN. Yes; and for its revelation of corruption and the abuse of election laws, I have never seen its equal.

Mr. TALMADGE. I am certain the Senator will recall that the committee, in its report to Congress, called the officials at that time election supervisors instead of election referees. The select committee of Congress found that the chief supervisor, Mr. Davenport, exercised his duties in order to keep Republican votes in the ballot box and Democratic votes out. Is that not correct?

Mr. ERVIN. That is correct. The only difference between what is now proposed and the 1870 Enforcement Act is that then the Federal officials were called supervisors; now they are called referees. In my judgment, a Jimson weed by any other name would smell just as bad.

Mr. TALMADGE. Mr. President, will the Senator from North Carolina yield further?

The PRESIDING OFFICER (Mr. STENNIS in the chair). Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. ERVIN. I am delighted to yield further.

Mr. TALMADGE. I believe there are two more differences, about which I am sure the Senator from North Carolina knows, although he did not point them out in the distinction he made.

These amendments, the Rogers revival of the Reconstruction Act, not only designate them "referees," whereas under the Reconstruction Act they were called "supervisors," but the Reconstruction Act delegated to the "supervisors" the power to regulate only Federal elections, whereas the Rogers proposals purport to regulate State, local, and county elections, as well; is that not true?

Mr. ERVIN. The Senator from Georgia is eminently correct.

The Enforcement Act was sustained under section 4 of article I of the Constitution, which relates only to congressional elections. But these amendments cannot possibly be sustained, in my judgment—I refer to the amendments which embody the referee proposals—in respect to State and local elections. There is a great deal of difference between the constitutional power of Congress, under section 4 of article I, to regulate the election of Members of Congress, and the power of Congress under the 15th amendment. The 15th amendment does not grant Congress affirmative power. Instead, it merely authorizes Congress to enforce a prohibition against the States. It has been held in a number of Supreme Court cases—as the able and distinguished Senator from Georgia knows—that the right to enforce a prohibition under the 14th amendment does not empower Congress to take an affirmative course of action. It merely allows Congress to pass whatever legislation may be necessary to prohibit the States from doing the thing prohibited. These decisions are equally applicable to the 15th amendment.

Mr. TALMADGE. Again I entirely agree with the distinguished Senator from North Carolina. I think the Rogers proposal is clearly unconstitutional, since the Congress has no power whatever to regulate State, county, or local elections, and nowhere in the Constitution can anything upon which to hang such a premise be found.

Mr. ERVIN. I thank the Senator from Georgia for his contribution. I know he has made a very detailed, close, and diligent study of this problem, as well as of other problems relating to our constitutional system of government.

Mr. TALMADGE. Mr. President, I appreciate the comment of the Senator from North Carolina.

If he will yield further, let me ask whether it is not also true that, in 2 years' time, Davenport drew $145,000 in Federal fees, for keeping Democrat ballots out of the ballot box, and for seeing to it that Republican ballots were placed in the ballot box?

Mr. ERVIN. I do not recall the exact figure; but I am satisfied that the question of the Senator from Georgia, in which he has set forth that figure, deserves an affirmative answer.

Mr. TALMADGE. Is it not also true that the term "Davenportism"—the name used at that time—was taken from the name of the man Davenport, the chief supervisor of elections in New York? Is it not also true that the term "Davenportism" became known as the most reprehensible and odious term which could possibly be used in politics?

Mr. ERVIN. I do not believe any other term has ever exceeded it in those respects.

Mr. TALMADGE. Is not the Attorney General of the United States now, together with his allies in the Congress, trying to reincarnate Davenportism at this time?

Mr. ERVIN. I would say this referee proposal would do that, and that it goes further than that, as the Senator from Georgia has pointed out, in that it undertakes to regulate not only congressional elections, but also elections in States, counties, and municipalities.

Mr. TALMADGE. Is it not also true that the sum total effect of it would be to throw the election machinery of all 50 of the States of the Union into the receivership of the Federal courts?

Mr. ERVIN. I think the result would be that the Federal courts would act as Federal election boards. They would

be perverted from their appointed function under the Constitution—as judicial tribunals—into agencies of the executive branch of the Federal Government, for the purpose of acting as Federal election boards. Moreover, the judges would be robbed of some of their power, and it would be vested in the referees. This is true because this measure would compel the judges to accept what the referees found, unless the judges found the referees' findings clearly wrong. So unless the judges were to investigate all complaints themselves they would not have much chance to learn whether the findings of the referees were clearly wrong.

Mr. TALMADGE. Would not these amendments prevent the courts of all 50 of the States from doing their duty under existing law?

Mr. ERVIN. Yes. If a court should find that there was a pattern of discrimination in a particular election district, it would have to lay aside its judicial labors sufficiently to act as an election board for such district.

Mr. TALMADGE. Would not these amendments also deny the Democratic and Republican committeemen in the respective areas of the 50 States the power and the right to perform their duties in primaries?

Mr. ERVIN. Yes; not only that, but these amendments would deny the people—for whose benefit it is proposed that these amendments be enacted into law—the right to enjoy a secret ballot. This is so because the amendments provide that the referees are not only to see that these persons vote, but they are also to see that their votes are counted as cast; and the only way they could possibly see that the votes were counted as cast would be to inspect their votes, a process which would destroy—insofar as the supposed beneficiaries of these amendments are concerned—the right to a secret ballot.

Mr. TALMADGE. Mr. President, the Senator from North Carolina is entirely correct.

Will the Senator yield for a further question?

Mr. ERVIN. I yield.

Mr. TALMADGE. Would not these amendments also deny the right of the local and duly constituted officials entrusted with the responsibility of holding general elections, the power and the responsibility to perform their duties?

Mr. ERVIN. Certainly. Furthermore, under these amendments, if the prescribed finding were made by the court, it could appoint any number of men, possessing any qualifications or possessing no qualifications whatever, and residing anywhere in the United States to interfere with the conduct of all elections anywhere in any of the 50 States.

Mr. TALMADGE. Is it not also true that, in fact, the report of the select committee prior to the repeal of that act in 1894 stated specifically that goons, drunks, and thugs were rounded up from the barrooms of New York, to act as election supervisors—or substantially that language.

Mr. ERVIN. I believe that is substantially correct.

These amendments to House bill 8315 provide—beginning on page 21, in line 14—as follows:

> The court may authorize such person or persons appointed pursuant to this subsection to issue to each person named in the original decree or any supplementary decree as qualified and entitled to vote at an election, a certificate identifying the holder thereof as a person qualified and entitled, pursuant to the court's original decree or supplementary decree, to vote at any such election.
>
> The court may authorize such person or persons appointed pursuant to this subsection (or may appoint any other person or persons) (1) to attend at any time and place for holding any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any such person has been denied the right to vote, and (2) to attend at any time and place for counting the votes cast at any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any vote cast by any such person has not been properly counted.

That is why I say that the referees would have the power to deny the supposed beneficiaries of this proposal the right to cast a secret ballot. It would be impossible for the referees to determine that the votes had or had not been properly counted unless they inspected the ballots, which, under the law of North Carolina and under the laws of most of the other States, the voters would have a right to cast in secret.

Mr. TALMADGE. Would these amendments not permit a court, if it saw fit to do so, to appoint someone who resided in Hawaii, to be a referee in Maine, Florida, or New York?

Mr. ERVIN. There is no doubt about that. Under these amendments, a court would be authorized to appoint carpetbagger referees to carry out the election laws of the States.

Mr. TALMADGE. To go one step further, under these amendments would it not be possible for a court, if it saw fit to do so, to appoint a native of Syria or a native of Egypt to act as a referee in one of the States of the United States?

Mr. ERVIN. That is correct.

Mr. TALMADGE. Nothing in these amendments provides that the referee must be an American citizen; is that not true?

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. Or that the referee must be a person of good character?

Mr. ERVIN. The Senator is correct.

Not only could the referee come from any place on the face of the earth, but he would not have to possess any qualifications, or even be of legal age, or—as the Senator from Georgia has pointed out—be a citizen of the United States.

A court not only could appoint any number of referees, under the section I have just now read, but a court could appoint any other person or persons, not even referees, to go into an election booth in a place where State officials were holding an election and practically take charge, and deny those who are supposed to be the beneficiaries of these amendments—as I have stated—the right to cast secret ballots.

It is conceivable that the proposal would even sanction the appointment of members of the armed services as referees.

The proposal affords no protection whatsoever to the State election officials conducting an election. The truth is that the proposal undertakes to make certain groups favorites of the laws and to excuse them from having their rights as men and citizens adjudicated by the same laws that apply to everybody else. We always run into situations like this in civil rights bills.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. ERVIN. I am delighted to yield to the Senator from Georgia.

Mr. TALMADGE. The Senator is a great student of history. The Senator knows, I feel confident, that the power to control an election carries with it the power to control results thereof. Is that correct?

Mr. ERVIN. That is exactly what was found to be true in New York when the Enforcement Act of May 31, 1870, was applied.

Mr. TALMADGE. Would the Senator like to run in an election in which a member of the political party in opposition to him controlled the election?

Mr. ERVIN. I would not. Yet my opponent could be appointed a referee, under this amendment.

Mr. TALMADGE. If the Senator had a Republican opponent and this amendment passed, then the Republican judges whom the Attorney General nominated would be the persons who would appoint referees. Is that correct?

Mr. ERVIN. The district judges would be the ones who would be empowered, under this amendment, to act as Federal election boards, subject, in large measure, to the actual control of referees and other persons who possess no qualifications whatsoever and who are not even required to be of legal age.

Mr. TALMADGE. Is it not true that Adolf Hitler's absolute dictatorial power began with the day that the German Reichstag gave him the power to appoint members thereof?

Mr. ERVIN. I say that not only the history of Germany, but the history of every nation which has attempted to allow such control over its citizens, shows that when any agency of government can take charge of the ballot, under laws of this character, the free and untrammeled ballot disappears and liberty perishes.

Mr. TALMADGE. Does the Senator have any doubt that if someone was set upon the idea of making himself a dictator in this Nation, this would be ideal machinery for accomplishing that result?

Mr. ERVIN. I have no doubt about that.

Mr. TALMADGE. I thank the Senator.

Mr. ERVIN. Furthermore, under the law of North Carolina and most States, we are required to have as election

judges persons adhering to different political parties. Under this proposal, those persons could be members of one party, could be imported from distant regions, and could be men without qualifications for their tasks, if a judge would so far forget himself as to permit it.

Mr. TALMADGE. And the judges did so far forget themselves in New York, did they not?

Mr. IRWIN. Yes. It may be said it cannot happen. But it did happen.

Mr. TALMADGE. And Congress repealed that act, after living with that mistake for 23 years, when reason reasserted itself.

I thank the Senator. I commend him for the very eloquent speech he is making today.

Mr. ERVIN. I repeat all of these bills lack merit because none of them are necessary. There is a statute embodied in title 18, section 242, of the United States Code, which makes it a criminal offense for any State official, including any State election official, willfully to deprive any American, of any race, of his right to register or to vote or to have his vote counted as cast. And it has been held by the U.S. Supreme Court, and the lesser Federal courts, under that statute, that any State official who willfully denies any member of any race, including any member of the colored race, of such right can be sentenced to imprisonment or subjected to a fine, or to both, upon conviction by a jury.

Mr. President, I do not like to be critical of anybody or any department of government, but people are saying that this statute cannot be enforced in the South because the southerners who are selected as jurors commit perjury in interracial cases when they take an oath to try a case in accordance with the law and the evidence. I respectfully submit there is no proof of the truth of that statement. As a matter of fact, recent verdicts in interracial cases in Florida, South Carolina, my own State of North Carolina, Tennessee, and Arkansas, show that southern juries will convict white men in interracial cases involving the most serious crimes as well as in interracial cases involving lesser crimes. But it has become customary to make unproved charges of that character against southern jurors.

To be sure, Mr. President, sometimes southern juries make mistakes. Sometimes juries in the District of Columbia make mistakes. Sometimes juries make mistakes in all areas where the administration of justice is entrusted, as it always necessarily is, to fallible human beings. But this argument, I submit, will not hold water, because the names of members of grand juries which sit in Federal courts are drawn from jury boxes prepared by Federal officials, not by State officials. The names of members of petit juries which sit in Federal courts are drawn from jury boxes prepared by Federal court officials. These Federal courts sit, usually, at some distance from the communities in which the offenses they try are committed. They are presided over by Federal judges, who have a right to express an opinion on the facts. And, from my experience, when a judge has the power to express an opinion on the facts, the jury virtually always adopts the opinion of the judge when it makes up its verdict.

I say that this statute, that is, 18 U.S.C. 242, is sufficient to bring to justice and to proper punishment any State election official who willfully denies any American of any race his right to register and vote. Government lawyers have the power to invoke this statute, but they are reluctant to use it. There is something peculiar about Government lawyers. I have observed lawyers a long time. Government lawyers want loaded legal dice. They want it fixed so that somebody can guarantee them in advance that they will not lose a case they bring. I have attempted to find out what effort has been made in Southern States to prosecute local election officials, under this statute, for a Federal crime, for allegedly willfully depriving Negroes of their right to register and vote.

I find that within a number of years last past, only in two States has any attempt been made by the Department of Justice to indict anybody in a Federal court for willfully denying a Negro citizen his right to vote.

It is much easier, Mr. President, to charge that all southerners are faithless to their oaths as jurors, because when one makes charges like that, one does not have to prove them. One can simply make them, and those people who have been fed by a lot of propaganda accept them as true without proof.

Of course, when one goes into court on a charge like that, one has to prove the truth of his charge by the testimony of witnesses who are subject to cross-examination, and one has to run the risk of being prosecuted for perjury if one does not testify truthfully.

So the advocates of these bills make a naked charge—they indict a whole people—because they do not have to prove that indictment.

In any case, Mr. President, there is a criminal remedy now in existence of undoubted constitutionality, and there are also available two civil statutes under which any individual who is wrongfully denied his right to vote can sue the State election official who commits the wrong and can recover damages if the deprivation has actually occurred or obtain an injunction to prevent it if the deprivation is merely threatened.

In other words, any person allegedly aggrieved can either recover damages or can obtain what we call preventive relief.

One of these statutes is title 42, section 1983, of the United States Code. The other is embodied in title 42, section 1988, of the United States Code. This last statute is a rather marvelous statute because it says, in effect, that if the procedures for the vindication of civil rights established by the laws of the United States are not sufficient then the party can have the benefit, even in the Federal court, of any State remedies which are available for that purpose.

Those two statutes give any private individual who is allegedly deprived of any civil right, including the right to register and to vote, a right to bring a civil action either to prevent the wrong from being committed to him or to obtain damages for its commission.

So we already have upon the statute books of this Nation one criminal statute and two civil statutes which are sufficient to vindicate the civil rights and the voting rights of any American of any race, provided he does not wish to be made a special favorite of the laws and be excused from having his rights adjudged by the same laws by which all other men's rights are adjudged.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ERVIN. I am delighted to yield to the distinguished and able senior Senator from Georgia.

Mr. RUSSELL. Mr. President, I have been sitting here enjoying the able and scholarly address of the distinguished Senator from North Carolina. I wish to congratulate him on this address. Of course, the Senator has put his finger on the reason why the existing law, which is completely adequate both in the Federal courts and in every State court in every State in the Union, is not used. It is very simple.

There is no political mileage in prosecuting a case in the Federal courts under existing law. Even if the accused is convicted there is no great advertisement. It would be only an ordinary case. Perhaps the case would get local publicity.

There is no political mileage in going before the State courts. The distinguished Senator has properly said that there have been convictions of crimes of an interracial character in the Southern States in State courts in the last 2 or 3 years. The punishments which have been imposed upon white men for crimes of the same character committed by members of the other race, particularly on those of the other sex, have been much more severe than those visited for the same crimes committed in the city of New York or in other areas.

Mr. ERVIN. As the Senator knows, within the last year a jury in South Carolina convicted a white man of committing a rape upon a colored woman and refused to recommend mercy. Under the law he was automatically sentenced to death.

Mr. RUSSELL. And he is under that sentence today. Of course, the Senator is familiar with the case in Florida, where four men were sentenced to life imprisonment. A similar case happened in New York within a week of that time, with the cast of characters reversed as to race. When the New York judge sentenced the colored men, four of them, who had been convicted of rape of a girl on the school grounds, I think he gave them a couple of years, whereas the men were given life sentences in Tallahassee.

The point is that there must be a new bill every campaign year which will indict and convict the character of every official of the Southern States.

Mr. ERVIN. The Senator is correct.

Mr. RUSSELL. That is the reward. There is no reward for simply enforcing the law as it exists, or for insuring the rights of the people as the rights of every person are insured, by taking the matter into the courts and indicting and convicting people as individuals. When one can come to the Senate, in this mad bidding for votes, and indict a whole people and convict them without having any hearing, without having any proper trial, in a shotgun fashion, that brings in the votes. That pleases the pressure organizations, the ADA and the NAACP and others.

The Senator said a few minutes ago that some of these organizations made a profession of prosecuting such legislation. I think it would have been a little more appropriate to say it was a vocation. It is a vocation, because it also entails a livelihood, in many instances, in serving with these groups.

That is the real reason behind this proposed legislation. It is not that there is any scarcity of laws. It is not that the people can point to places where enforcement of the existing laws has broken down, unless it be due to negligence of the Department of Justice. It is simply due to the fact that there is no political mileage in undertaking to enforce the adequate existing laws. They must get up new laws. The laws may come out at about the same place, but when the proposals come to the Senate of the United States there is emblazoned on the headlines throughout the country, and there goes out over the airways, "Here we have a new law which is going to put the southern people where they properly belong." That is the day of the great reward.

Mr. ERVIN. We are told that there must be new laws; but we are also told, "We are going to give you a special law, a law the benefit of which is denied to all other Americans."

Mr. RUSSELL. Of course, if we were to guarantee freedom to everyone alike, there would be no political reward. If one is bidding for blocs of votes, he must offer something more than the average American can hope to get. The two major parties recognize that rule, and they are abiding by it. That is the reason the Senate is in the position it occupies today.

Mr. ERVIN. Sometimes, I say with regret, men who hold public office do things in this connection which are unworthy of the offices which they occupy. Let me be specific. In 1957 the then Attorney General of the United States, Mr. Herbert Brownell, came before our committee. Basing his statements upon alleged FBI reports which he refused to allow members of the committee to see, he charged that it was necessary to enact a civil rights act setting up new election machinery for the entire country, because in 3 voting precincts out of approximately 2,200 or 2,300 in my State of North Carolina, some few Negroes had been denied the right to register and vote. That was what he told the committee. I did not know it at the time, but I investigated the subject later, and I learned that this all occurred in May 1956, in the primary registration; that these matters were called to the attention of the North Carolina State Board of Elections by the field representative of the NAACP in North Carolina; and that wherever corrections were required, corrections were made before the time of registration for the primary closed, and that, because of the administrative action of the North Carolina State Board of Elections, no one could justly complain that he had been denied the right to register and vote. Yet the then Attorney General of the United States came to the committee and made a statement to the detriment and slander of my State. Yet it turned out on an investigation of all the facts that the alleged wrongs had been promptly corrected by virtually immediate administrative action by the North Carolina State Board of Elections.

Mr. RUSSELL. That is the reason why proponents of such proposed legislation choose not to pursue State procedures. They find in most cases that justice is obtained under State procedures, but that denies them their political issue, on the basis of which they bid for votes.

I congratulate the Senator on making this great address. Although it may not be read in full by thousands throughout the country, it will be available.

Let me say to the Senator that whatever the outcome may be of the present parliamentary situation in the Senate, I am not without hope. I believe that throughout the country as a whole tens of thousands of people will realize that this issue is shot through and through with politics. I am not referring to the Southern States. I am referring to the other States of the Union. Tens of thousands of people recognize that fact. They are not organized. They do not come and apply the pressures which minority groups representing blocs of votes apply. Therefore they have not caught up as yet with those in public life. But I have an abiding faith in the innate sense of fairness of the American people as a whole.

We shall continue here, as the able Senator is doing—not at all times with his ability, but to the limit of our capacity—to point out the facts about the situation, as he is pointing them out today. One of the important facts is that there are adequate laws already on the books, laws which have been there for years, to deal with any problem of this kind. There are Federal statutes, if those who advocate the proposed legislation are determined to convict the State courts without any trial.

So I assert that the ordinary justice which is dealt out in the courts of the Southern States is equal to that in any other section of the United States. Our State judiciary will measure up in ability to the judiciaries of any of the other States.

We shall continue to whittle away, although from time to time we may be the victims of the irritations which are caused by the pressures of the pressure groups. The day will come, as it came once before, when the Southern States had been compelled, largely due to political pressures, to live for 12 years under one of the longest military occupations in all of human history, when the fairplay of the American people will be asserted, just as it was then. It will be asserted again, and while there may be a temporary reward in votes in the election of 1960, generally speaking, no permanent place in history will be awarded to anyone as the result of pressing legislation of this general nature.

I thank the Senator.

Mr. ERVIN. Mr. President, I appreciate the magnificent contribution which the able and distinguished Senator from Georgia has made to this discussion.

In connection with southern juries, I point out that during the past few months southern juries in Little Rock, Ark., have returned verdicts convicting white men of the use of explosives in connection with agitation relating to racial matters. Those convicted individuals have been sentenced to imprisonment by State judges in Arkansas.

The Senator from Georgia has well pointed out that the organizations which make it a vocation to agitate racial problems and to urge enactment of civil rights bills condemn their whole program when they admit that they cannot consummate their program under the laws which have been sufficient to vindicate the rights of all other Americans in all generations of our history. Any program which requires a distortion and a perversion of the basic principles of our law for its consummation is a program which has no place in America.

Mr. President, not only is there a criminal remedy under the statute embodied in title 18, section 242, of the United States Code, which can be invoked by the Department of Justice or the U.S. attorney for the district; and not only are there two civil statutes, those embodied in title 42, sections 1983 and 1988, of the United States Code, which could be invoked by any citizen of any race for the prevention of wrong or the redress of wrong; but in 1957 Congress enacted a Civil Rights Act which is also available for these purposes. That act is now embodied in title 42, section 1971, of the United States Code.

That act makes the supposed beneficiaries of the civil rights program special favorites of the law, and excuses them from the necessity of having their rights in the voting field adjudged under the same laws by which you and I, Mr. President, and all other Americans must have our rights adjudged. This is true because under this statute the Attorney General of the United States becomes private counsel for the vindication of purely personal rights. You and I and all other Americans must retain our own counsel if we wish to vindicate our rights. However, under this act, if the Attorney General elects to sue in behalf of any of the supposed beneficiaries of the act, those beneficiaries have their litigation carried on at the expense of the taxpayers of the United States. If you and I and any other American wish to carry on litigation, we must defray the expense of such litigation out of our own pockets.

In addition, if the Attorney General elects to sue for any of the supposed beneficiaries of the Civil Rights Act of 1957,

the mere fact of his bringing the suit automatically nullifies all the State laws prescribing administrative remedies, even though such State laws were enacted by State legislatures in the undoubted exercise of the legislative power reserved to them by the tenth amendment to the Constitution of the United States.

But, Mr. President, if you or I or any other American wishes to bring a similar suit for the vindication of similar rights, we are denied the right to go to a court of justice until we have first exhausted all of the administrative remedies established by the laws of the State.

So in three respects the Civil Rights Act of 1957 makes the supposed beneficiaries the special favorites of laws, and excuses them from litigating their matters under the same laws under which all other Americans are compelled to have their rights litigated.

The Civil Rights Act of 1957 was applied the other day to a case in the State of Louisiana. A Federal district court judge, acting under the act, ordered restored to the registration records of a parish in Louisiana somewhere in the neighborhood of 1,400 to 1,500 Negroes whose names had been removed from such records.

So, Mr. President, we already have upon the statute books of this Nation three ample separate sets of laws; one a criminal law, which can be invoked by the Justice Department or the U.S. district attorney; another set, consisting of two laws, which can be invoked by any aggrieved private citizen; and third, the Civil Rights Act of 1957, which can be invoked in behalf of the supposed beneficiaries by the Attorney General. These things being true, there is no necessity for the enactment of any additional legislation to vindicate the right of any qualified citizen of any race to vote.

There is something else which is strange about the Civil Rights Act of 1957 that does not harmonize with our basic legal system. Under the very foundation on which any system for the administration of justice under law must rest, there must be uniform laws applying alike to all men in like circumstances, and any other law is not worthy of being called a law. The Civil Rights Act of 1957 makes the act in a sense the private possession of the Attorney General, who is always a political appointee, regardless of whether the administration is Republican or Democratic. Under this law the Attorney General can bring a suit for some people and refuse to bring a suit for other people in exactly the same circumstances. Under this law the Attorney General can bring a suit against certain State election officials, and refuse to bring it against some other State election officials who have allegedly committed exactly the same wrongs.

So the very possession of the law is in the hands of the Attorney General. But it is on the statute books and it affords a third method by which any Americans of the Negro race who may be wrongfully denied the right to vote anywhere in the country can have their rights protected by a special law which makes them special favorites of the laws if the Attorney General sees fit to invoke the law in their behalf.

For these reasons there is absolutely no necessity whatever for the passage of any civil rights legislation to vindicate the voting rights of any American of any race. This is true because we already have sufficient laws to effect this purpose.

I said that all of these civil rights bills should be defeated because all of them are unwise. It is a terrible thing, Mr. President, to contemplate, to read, and to hear the great amount of propaganda which is issued by the organizations and individuals who make it a vocation to agitate racial problems and to urge enactment of civil rights laws to solve such problems. They tell people they are discriminated against. We have even got to the strange point where it is said to be discrimination against people of one race not to compel people of another race to associate with them.

I am one of those individuals who believe that men segregate themselves in society on the basis of race in obedience to a natural law, and that that natural law is a law which decrees that like seeks like.

Every man is entitled to select his own associates and the playmates of his children of tender years. Any effort to deny that right by compelling the commingling of the races against the wishes of the people of those races is an effort to thwart a law of nature and to bring about something which is essentially artificial.

My observations in all sections of the United States reveal to me that whenever Americans of any race are permitted to select their own associates they virtually always select as their associates members of their own race.

My State of North Carolina is making an honest effort to educate all of its children of all races in an adequate manner. In view of the fact that so many of our people belong to the Negro race, I seriously question whether the white people of any other State of the Union have expended a greater percentage of their earthly substance to educate the children of the Negro race than have the people of North Carolina.

North Carolina has some excellent State colleges which are presided over by Negro presidents, and which have distinguished Negro faculties. North Carolina has banks owned and operated exclusively by the members of the Negro race. In Durham, N.C., is the largest insurance company of its kind in the world, operated and owned by members of the Negro race. The city of Winston-Salem has granted a public transportation franchise to members of that race. I would challenge the brethren who complain about opportunities for members of this race in the South to point to any similar condition existing elsewhere in the Nation.

Furthermore, North Carolina employs in its public school system at least a thousand principals and teachers of the Negro race, in excess of the combined total of members of that race employed in the public school systems of Illinois, Indiana, Ohio, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine.

North Carolina has within its boundaries fine people of both races. They are solving many of their problems in a satisfactory manner. I have no doubt that they could solve them all in a satisfactory manner if left to themselves. All this agitation is merely delaying satisfactory solutions.

Mr. President, the truth is that racial relationships are human relationships. Human relationships cannot be solved anywhere except on the local level, where persons live and move and have their being.

All this agitation is unwise because it is based upon the strange thesis held by the organizations and the individuals who make it their vocation to agitate racial matters and to urge the enactment of civil rights bills. The thesis is that the members of the Negro race can law or legislate their way to the better life. No men or races of men can either law or legislate their way to the better life. The only way in which people can attain that life is by their own industry. Anyone who claims the contrary is either fooling himself or is attempting to fool somebody else. The premise of the organizations which make it a profession to agitate racial problems and urge civil rights legislation for their solution is fallacious. This is so because it is based upon the unsound thesis that individuals or races of men can law or legislate their way to the better life. It cannot be done. They can achieve such life only through their own industry.

I rejoice in the fact that many members of the Negro race in North Carolina and throughout the Nation have earned their way to the better life. But I also point out that the progress of that race, which has been marvelous, has been made, insofar as it is of any value, by the assistance of the white race, which has done more for the Negro race than any other race has done for another race in history.

Mr. President, civil rights legislation is unnecessary. Sufficient statutes are already upon the books to vindicate the civil rights of any citizen who is willing to have his rights vindicated by the sound laws which apply to all Americans. Civil rights legislation is unwise because it is predicated upon the fallacious theory that the better life can be attained by laws rather than by the industry of individuals.

My third point is that all of the proposed legislation is incompatible with basic fairplay and with our basic legal institutions. I wish to discuss at this point the recommendation of five members of the Civil Rights Commission that a bill be passed to provide for Federal registrars. Under this proposal, the Civil Rights Commission is to be authorized to conduct an investigation of complaints, and if it is found by it that even one person had been wrongfully denied the right to register in any election district in the United States on account of his race, then the Commission is to certify that fact to the President,

and the President is to be compelled, upon that finding by the Civil Rights Commission, to appoint Federal registrars to supplant State registrars and pass upon the qualifications of all persons of the same race in the district seeking to register to vote for Senators or Representatives or Presidential or Vice Presidential electors in that election district.

Under the due process clause of the fifth amendment, the United States is denied the right to deprive any citizen of life, liberty, or property—and those terms include virtually all rights—without due process of law. It is proposed in all of the bills implementing this proposal—there are four of them—that the State election officials be removed, in effect pro tanto, from their offices on a certificate of the Civil Rights Commission, which the President of the United States would have to obey, according to the proposal, even though he should think it unwise to take such action. All of this to be done without any notice to the State election officials, and without according them any opportunity to be heard in their own defense.

Mr. President, I thank God daily for the fact that the United States has a Constitution. I thank God daily for the fact that the Constitution has in the fifth amendment a due process clause, binding upon the Federal Government.

What is due process? I read this definition from 12 American Jurisprudence, under the subject constitutional law, section 573:

> The essential elements of due process of law are notice and an opportunity to be heard and to defend, in an orderly proceeding, adapted to the nature of the case, before a tribunal having jurisdiction of the case.

Mr. President, all of the bills for the appointment of Federal registrars are absolutely incompatible with the due process clause of the fifth amendment. That is true because the bills do not provide for any notice to the State election officials who are to be removed pro tanto from their offices for cause, and do not provide any opportunity for such officials to be heard in their own defense. It seems to me that such a procedure should be abhorrent to the heart and the mind of any person who believes in fair-play.

One of the most famous and perhaps the most often quoted definitions of "due process of law" is that of Daniel Webster, in his argument in the Dartmouth College case, in which he declared that by "due process of law" is meant a law which hears before it condemns, which proceeds upon inquiry, and which renders judgment only after trial. Yet the bills pending in the Rules Committee propose to condemn the State election officials and remove them pro tanto from their offices, without giving them an opportunity to be heard. They are to be condemned without notice and without hearing.

Mr. President, I say in all solemnity that if these bills were not called civil rights bills and if they were not ostensibly directed toward the South, they would not receive the vote of a single Member of the Congress of the United States. This is so because they are not only abhorrent to the due process clause of the fifth amendment, but they are also abhorrent to any principle of fair-play.

I wish to make some further observations concerning the registrar bills. Article I of the Constitution vests in the Congress all of the legislative power of the Federal Government. Article II of the Constitution vests in the President all of the executive powers of the Federal Government. Article III of the Constitution vests all of the judicial power of the United States in the Supreme Court of the United States and such inferior courts as the Congress may establish.

It has been held by the Supreme Court of the United States, in cases without number, that it is unconstitutional for Congress to attempt to give the powers of one of the three great branches of our Government to another. Yet the bills which provide for these registrars attempt to do precisely that. They attempt to vest in the Civil Rights Commission—which, according to the Civil Rights Act of 1957, is an agency in the executive branch of the Government—judicial power, which under the Constitution can be vested only in one of the courts created by Congress under the power conferred upon it by article III of the Constitution. That is clear when we consider the meaning of the term "judicial power."

Judicial power is the power to hear and determine where rights or liabilities or the propriety of doing an act are matters for adjudication. To state the matter more simply, I refer to 11 American Jurisprudence, on the subject of constitutional law, section 205, as follows:

> A judicial inquiry investigates, declares, and enforces liabilities, as they stand on present or past facts under laws supposed already to exist.

Mr. President, that is precisely what the bills which provide for the appointment of Federal registrars undertake to do. They specify that the Civil Rights Commission is to investigate and determine charges against State election officials, and certify their findings in respect to the charges to the President, who is required to supplant the State election officials pro tanto with Federal registrars in any district in which the Commission certifies that any qualified citizen has been denied the right to register to vote for elective Federal officers on account of his race. So these bills attempt to give to an agency of the executive branch of the Government a power which clearly is judicial in nature.

Mr. President, I have discussed these particular bills, in order to show that whenever one begins to undertake to make any group of people special favorites of the laws, and undertakes to excuse them from litigating their rights by means of the same laws by which all other men's rights have to be litigated, one encounters obstacles which constitute precious constitutional and legal rights.

Now I wish to discuss some of the aspects of the proposed amendments to the Missouri school bill. First, I wish to discuss section 201, a highly dangerous section.

For the first time in American history, so far as I have been able to determine, this section undertakes to make resistance to a Federal court decree a crime. Mr. President, it is not necessary to make the impeding of a Federal court decree a crime. An act of that character is already punishable as a contempt of court. But if it were wise to make resistance to a decree of a Federal court a crime—for the first time in American history—the law to that effect should be directed at resistance to all decree of the Federal courts. If it is iniquitous to resist one type of decree of Federal courts, then it is iniquitous to resist all types of decree of Federal courts.

But those who have drafted these amendments do not propose to have that done, Mr. President. They are undertaking to have placed on the statute books of the Nation a law which they believe will be applied to southerners only.

Everyone who knows anything about American history knows that there has been more violence incident to decrees of Federal courts in labor controversies than has ever occurred in connection with school desegregation cases. But unions have political power, and it is not politically wise to make resistance to such decrees crimes. So those who propose the amendments pick out a small group of people, and direct their fire against them, exempting from the proposed law all others who offer resistance in like cases against any other type of Federal court decree.

Well, that is just another illustration of the fact that when we undertake to make any people special favorites of the law, we have to put burdens on other selected groups of people that we do not put on people generally.

This section 201 is very dangerous. It is wholly unjustified. There is no necessity whatever for making it a crime to resist the decree of a Federal court. This is so because the Federal courts have been enforcing their orders, throughout our history, by contempt proceedings, and they are sufficient. But if we are to enact a law making it a crime to resist any type of decree of a Federal court, we should make that law compatible with the basic concept that all the laws should operate alike on all the people in like circumstances. And this would require that the law apply to resistance to all kinds of decrees of Federal courts.

There are some other defects in these amendments. This proposal undertakes to make mere threats Federal crimes, punishable by as much as a $10,000 fine or 2 years' imprisonment, or both. In so doing, it attempts to make crimes of nothing except spoken words. A threat which does not induce violence consists simply of spoken words, which vanish immediately into the air, and are thus lost forever. Under this proposal, courts would have to depend upon witnesses who might be prejudiced and who might be untruthful to establish the existence of the threat, which has no identifiable corpus delicti.

This provision making spoken words a crime is highly dangerous for this reason. The law has always contemplated that

we ought not to make anything a crime unless there is a corpus delicti which can be identified. In murder, the corpus delicti is a corpse, which bears evidence that a crime of violence has been done, resulting in death. There is a corpse to prove a murder has been committed. When larceny is committed, property is taken and carried away. Consequently there is proof of the corpus delicti. But here there is an attempt to make words—mere words—a criminal offense, punishable, as I have said, by such a high punishment as 2 years imprisonment or a $10,000 fine, or both. Such a crime can have no independent corpus delicti which can be proved. And that is dangerous. It is dangerous because anyone can easily be made the victim of perjured testimony. And the proposal also treads very closely upon the denial of the right of free speech, which is guaranteed to all Americans, on all subjects, by the first amendment to the Constitution.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ERVIN. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. Does the Senator see any relationship between this proposed law and the so-called alien and sedition laws that were so repulsive to the American people, which destroyed a political party and brought into being a party that held power for a long time?

Mr. ERVIN. I cannot escape the conviction that the reason behind this proposal to make the mere speaking of words a crime is the same objective which actuated those who enacted the alien and sedition laws. The alien and sedition laws made it a crime, in effect, as I recall, to speak anything detrimental of the occupant of a public office.

The provision now under consideration is intended to prevent anybody from speaking anything out of harmony with a desegregation decree. But the strange thing about it is that it will do just the opposite in one respect in its final effect as did the alien and sedition laws. If that provision were to become law, the only people in the United States who would be perfectly free to disagree with the decisions of the Court in desegregation cases would be Members of the Congress of the United States; and if they should be prudent, they would not try to make such statements except on the floor of the Senate or of the House, where they would have constitutional immunity. All other Americans would exercise the right of freedom of speech in respect to decrees of Federal Court in desegregation cases at their peril.

To my mind, irrespective of any constitutional question under the first amendment, every American ought to have the right to think and speak his honest thoughts concerning anything under the sun, including the decisions of courts.

There is another thing which makes this proposal bad. It not only undertakes to make words constituting threats Federal crimes, but it undertakes to make acts of violence incident to attempts at enforcement of desegregation decrees Federal crimes. It is obvious that this provision is intended to be directed at southerners. If the people to be covered by section 201 should use violence, they would be guilty of crimes under the laws of the States where those acts of violence occurred. If they impeded a Federal court decree, knowing of the existence of the decree, they would also be subject to punishment by the Federal courts in contempt proceedings. So we have two punishments to which they are already subject. If this provision were enacted into law, they could be punished a third time for a Federal crime. Thus they would be subject to punishment three times for the same act of violence.

I say this, and I measure my words in all solemnity when I say it: If this provision were directed against all Americans doing like acts under like circumstances instead of being directed against southerners only, and if this provision were proposed in something other than what is called a civil rights bill, it would not receive a single vote in either branch of Congress. In fact, it would be difficult to find anybody who would be willing to be known as its putative father.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ERVIN. Yes; I yield to the distinguished Senator from Kentucky.

Mr. COOPER. I am interested in the Senator's comments on section 1509 of the amendments. I am familiar with his great legal ability, and I know that he is a constitutional authority. I agree with him that, whatever may be sought in civil rights legislation, any such bill pased should be within the framework of the Constitution. In reading this section, I do not think the Senator intended, but he gave the impression, that it provided an individual could be tried, possibly be found guilty, and fined or imprisoned, simply by the use of words or communication.

I would agree that a bill providing that a person could be fined or imprisoned for what he said in such cases would cause grave doubts about its constitutionality, and the protection of the first amendment.

But, the first section states:

> Whoever corruptly, or by threats or force, or by any threatening letter or communication, willfully—

I emphasize the word "willfully." It is a word in our legal system which implies intent, an actual knowledge of purpose to commit an act which may be a crime.

Now come the words to which I invite the attention of the Senator—

> to prevent, obstruct, impede, or interfere with the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States.

Would not the Senator consider that words, "willfully intended to obstruct or impede the orders of a court," would be an offense similar to the well-known offense of obstruction of justice?

Mr. ERVIN. I think this is quite dissimilar, because when one is obstructing justice one is interfering with the carrying out of an order by a specific man.

In this instance any word which a man utters which is calculated to cause any resistance to the decree of a Federal court would constitute a crime.

I have had to write a number of opinions on the meaning of the word "willful." All the word means is that a man must act intentionally. The law also says that a man is presumed to intend the natural consequences of his act. If a man merely intended to express his disapproval of a desegregation decision, and used words which naturally influenced somebody's action, he would be guilty under the language, even though he merely uttered a word.

Mr. COOPER. Is it not a fact that in State law an order of a court, a judgment or a decree of a court, if entered, is enforcible, and any individual who obstructs the performance of the judgment or decree commits an offense under State law?

Mr. ERVIN. No; not in the law of North Carolina or of any State with which I am familiar.

Mr. COOPER. It flows from the common law. It is the law in every State in some form.

Mr. ERVIN. It would not be a crime under State law.

Mr. COOPER. It would be under Federal law, also.

Mr. ERVIN. It would be contempt. Under the State law an act of violence would be punishable as a crime. Resistance to a Federal decree would be punishable under the Federal law, as a contempt of court. It would be punishable twice. The trouble with this proposal is that it provides for three punishments for the same thing.

Mr. COOPER. The Senator has studied this question. I believe the Senator would have to admit the fact that in Federal law and in State law the willful impeding of, or interference with an order of any court is, or can be, a crime.

Mr. ERVIN. I will ask the Senator from Kentucky a question.

Mr. COOPER. Very well.

Mr. ERVIN. Assuming the Senator is correct, why does he want to pass a law making the same provision?

Mr. COOPER. What was the question?

Mr. ERVIN. Assuming the Senator is correct in his assumption, why does he want to pass a law to make it a crime again, when it is already a crime?

Mr. COOPER. The Speaker is leaving the legal field.

Mr. ERVIN. I disagree with the Senator.

Mr. COOPER. I was addressing myself to the legal questions the Senator stated. Now the Senator is going to the question of policy, whether we want a law, rather than our power to enact it, or its constitutionality.

Mr. ERVIN. I understood the Senator from Kentucky to say that doing an act of this nature already would constitute a crime.

Mr. COOPER. I believe interference with an order of the court would constitute a crime.

Mr. ERVIN. That is what I am talking about, obstructing the order of a court. If the Senator from Kentucky is correct in that position, then it is absolutely unnecessary to pass section 201,

because we would be making a crime what is already a crime.

I do not agree with the Senator, because I do not think it is a crime.

Mr. COOPER. Yours is an assumption with which I do not agree. I simply questioned the Senator's argument—the impression was left that the section declared a crime simply against language. As I read the section, that is not a correct interpretation. What the section says is that one who, by threat or force, or by communication, willfully obstructs the orders of a court with respect to a particular type of decree shall be guilty of a crime. I believe that such a provision is perfectly legal and that it is a constitutional provision. The Senator disagrees. I think it is perfectly all right, both as to policy and as to procedure.

I wanted to point out, with due respect to the Senator's great ability, that I do not see anything strange in the fact that the obstruction of the orders or decree of a court should be a crime.

Mr. ERVIN. The Senator from Kentucky is a great lawyer.

Mr. COOPER. I do not claim to be a great lawyer, but I know something about due process, and I have studied the bill.

Mr. ERVIN. I should like to ask the Senator a question. Does the Senator from Kentucky agree with me in the observation that a person who willfully—that is, intentionally—impedes the carrying out of a decree of a Federal court, is guilty of contempt and can be punished by the Federal court for such?

Mr. COOPER. I am not familiar with all of the statutes which relate to the obstruction of justice, but the Senator is correct. I simply say that I do not think there is anything unconstitutional about writing it into the law, as a crime.

Mr. ERVIN. I did not say it was unconstitutional. I said it came dangerously near to treading upon the spirit of the first amendment. I say that no law ought to be passed which denies any American his right to speak his honest thoughts on any subject under the sun, including court decisions.

Mr. COOPER. I agree with the Senator wholly. If it does not incite a crime.

Will the Senator yield further?

Mr. ERVIN. I yield.

Mr. COOPER. I say I agree with the Senator that if we had before us a proposal which denounced and made it a crime to express views upon the subject now being discussed or upon any other subject, it certainly ought not to be passed by the Congress. The point I am making, however, is this section does not so operate. It says that the expression of views leading to or inciting the obstruction of justice is a crime.

Mr. ERVIN. No.

Mr. COOPER. I will give a simple example.

Mr. ERVIN. The Senator from Kentucky overlooks the fact that the language is in the disjunctive. Let me read it in the disjunctive:

> Whoever * * * by threats * * * willfully endeavors to prevent, obstruct, impede, or interfere with the due * * * order.

And so on. An endeavor is merely trying to do something and not doing it. And a threat is nothing but words. So this would mean that words intentionally spoken by which a man endeavors to produce that result constitute a crime punishable by 2 years' imprisonment or $10,000 fine or both, even if no impeding of the decree actually occurred.

Mr. COOPER. Mr. President, will the Senator yield once more?

Mr. ERVIN. I yield.

Mr. COOPER. The Senator is familiar with the simple analogy with the law as breach of the peace. Words uttered in such circumstances as will lead to an incitement or an affray are determined by the courts to be a breach of the peace. I think the Senator would agree that the words or communications which under this section would in the circumstances lead to or incite an obstruction of justice could be a crime.

The reason I rose is that I understood the Senator to say that the proposed statute was concerned only with words. It deals with words or communications which lead to an obstruction of a decree or judgment of the court. It is within the proper concept of a criminal statute.

If there can be any question about the language of the section, in that it could be reasonably believed that it provides a criminal offense merely because of the expression of an opinion, it is my view that the language can be corrected.

Mr. ERVIN. It may be that the Senator from Kentucky attaches a different meaning to the word "endeavor" than I do. In my mind a person who endeavors to do something fails to accomplish it. He merely attempts to produce a result which does not occur. Under the overwhelming weight of authority in this country, a State constitution containing a prohibition of double jeopardy does not apply to a Federal crime, even though the Federal crime is based on the same identical act as the State crime. So a person who uses violence, or attempts to use violence could be convicted of a crime under State law under section 201.

Since such violence would be directed toward the obstruction of the Federal court's decree, he could also be punished by the Federal court for contempt. So he can already be punished twice for the same act. Now it is proposed by section 201 that Congress make it a Federal crime, and thereby make it possible to punish him a third time for exactly the same offense.

There can be no doubt of the constitutional power of Congress to do that, because it has been recently held—to the surprise of many people, but not to those who have followed the older decisions—that the only double jeopardy clause of the Federal Constitution does not prevent the Federal Government from punishing as a Federal crime the same act which is punishable under State law as a State crime. So why should any people—even southerners—be made such legal outcasts and pariahs that they are to be made punishable three times for the same act? In my judgment, a bill such as this, directed against all the people of the entire country and not labeled a civil rights bill would not find anyone in either House of Congress willing to sponsor it. So much for section 201.

Section 202 of the proposed amendment deals with flight to avoid prosecution for destruction of educational or religious structures by fire or explosives.

I do not believe that anyone should be permitted to flee with impunity in interstate commerce after committing such an offense. But I believe that all who commit like acts should be subjected to the same punishment. I joined the able and distinguished junior Senator from Massachusetts [Mr. KENNEDY] in his bill on the subject of the transportation of explosives in interstate commerce. Any law on this subject should apply to all committing like offenses. The proposed amendment picks out certain people committing certain acts, and exempts from its provisions others who commit equally reprehensible acts of like nature, and who equally merit punishment.

The language in section 202 is as follows:

> Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody, or confinement after conviction, under the laws of the place from which he flees, for willfully damaging or destroying or attempting to damage or destroy by fire or explosive any building, structure, facility, or vehicle, if such building, structure, facility, or vehicle is used primarily for religious purposes or for the purposes of public or private primary, secondary, or higher education, or (2) to avoid giving testimony in any criminal proceeding relating to any such offense—shall be fined not more than $5,000 or imprisoned not more than five years, or both.

When I was a member of the McClellan committee, I heard testimony indicating that large quantities of explosives were transported from Texas to Louisiana, to destroy business buildings, and that other large quantities of explosives were used in the State of Texas for like purposes by men who subsequently fled over State lines. This occurred during a controversy between the teamsters and certain trucking lines. Why should we punish people who flee in interstate commerce after blowing up one kind of building and not punish people who do the same thing after blowing up another kind of building? Why not make the laws uniform and apply them to everyone who commits the same act?

This is another case in which we single out certain groups of people and make them criminals, and say that everyone else who does exactly the same thing shall not be guilty of a crime.

Personally I would have no serious objection to section 202 if it were amended so as to apply to everyone committing the same offense under like circumstances, instead of picking out certain groups and excusing others who do virtually the same thing.

I should like to discuss for a moment the question of segregation in the public schools. It is proposed to turn some Federal bureaucrats loose to desegregate all the schools, regardless of the wishes of parents of the children of both races residing in the district concerned.

I think it would be wise for legislative bodies to leave the interpretation of the Constitution to the tribunal to which it is committed by the Constitution. If legislative bodies are to interpret the

meaning of the Constitution or the meaning of court decisions, we shall have some peculiar results. This is inherent in the very nature of legislative bodies, because members of legislative bodies frequently cannot distinguish between what they conceive to be politically profitable legislation, and bad law.

Section 204, referring to the decision of May 17, 1954, states that the Constitution, as interpreted by the Supreme Court of the United States, is the supreme law of the land. As a lawyer I deny the accuracy of that statement. In 1852 the Supreme Court had before it the question whether the decision of this Court is law. The Supreme Court of the United States held that a decision of a court is not the law, but merely evidence of what the law is. That is bound to be accurate. If a decision of the Supreme Court is the law of the land, the Supreme Court makes law every time it hands down a decision, amends law every time it modifies a decision, and repeals law every time it reverses a decision. Yet under the Constitution of the United States all power to make law, to amend law, and to repeal law is vested in the Congress of the United States.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JAVITS. Is the Senator's argument directed toward the entire clause: "The Constitution as interpreted by the Supreme Court of the United States is the supreme law of the land"?

Mr. ERVIN. I read the entire clause.

Mr. JAVITS. May I ask whether the Senator proposes to address himself to the legal proposition—which I should be very much interested in hearing him discuss—as to whether or not Congress has authority to pass legislation to implement, in the executive department, the results of the decisions? Does the Senator expect to address himself to that point?

Mr. ERVIN. I should say that Congress has the power to pass legislation to enforce a constitutional provision to the extent that the Constitution gives such power to Congress. Congress does not get its power from the Supreme Court. It gets it from the Constitution. As I stated earlier in the course of these remarks, it has been held time and time again that the 14th amendment, so far as the equal protection of the laws clause is concerned, merely operates as a prohibition upon State action, and does not authorize the Congress to adopt an affirmative set of laws.

Mr. JAVITS. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield.

Mr. JAVITS. Is it the Senator's view that the Congress should interpret the Constitution and pass laws implementing its interpretation? Or does the Senator believe that the Supreme Court has the authority to interpret the Constitution, and that the Congress may then accept that interpretation and pass laws implementing it?

Mr. ERVIN. The Senator has brought up an interesting question. If I recall my history correctly, Andrew Jackson was once writing a veto message, vetoing an act of Congress which provided for the establishment of a national bank. Andrew Jackson, in his veto message, said that the act was unconstitutional. His secretary said to Andrew Jackson, "You can't make that statement in that veto message, because a similar act has been before the Supreme Court and its constitutionality has been upheld by the Supreme Court. You are sworn to uphold the Constitution."

Andy Jackson said, "I am sworn to uphold the Constitution as Andy Jackson understands it and interprets it."

As a legislator, I am honorbound to uphold the Constitution as I honestly believe it to be. I cannot abdicate that obligation. I will say to the Senator from New York that I have a fine precedent to follow in this case.

Abraham Lincoln, who was a great Republican and a great American, had something to say about the Dred Scott decision. Abraham Lincoln took the position that I take. He said, "The Dred Scott decision is erroneous." He said, "It is contrary to the precedents we have on the subject. I refuse to accept it as a guide for the agencies of government or the people. I shall do everything in my power to secure its reversal. If I were a Member of Congress, and a measure were to come before that body to outlaw slavery in the Territories, I would vote for that measure, notwithstanding what the Supreme Court of the United States has said in the Dred Scott decision that Congress does not have the constitutional power to do that." That is, in substance, what Abraham Lincoln said on this subject.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. ERVIN. I yield.

Mr. JAVITS. I only hope that the Senator from North Carolina will follow the lofty principles of this great man in other respects.

However, I would say to the Senator that certainly Congress has the authority and the power to vote or not to vote implementing legislation. The Supreme Court cannot make us vote it. It is the position of people like myself that it should vote such implementing legislation.

What I was interested in getting from the Senator—and I believe he now has answered the question I had in mind—was whether he saw anything wrong with a finding of fact by Congress that it was passing implementing legislation upon the interpretation of the Constitution as made by the Supreme Court; or whether the Senator felt that we had no right to do that even if we wished to do it.

Does the Senator believe as a principle of constitutional law that Congress has the authority to legislate, using as its basis a finding by the Supreme Court interpreting the meaning of the Constitution? I gather that the Senator feels that it may do so, but need not, or may discard that interpretation. I would agree with the Senator.

Mr. ERVIN. When Congress attempts either to approve or disapprove a decision of the Supreme Court, Congress is trying to encroach upon the power of the judiciary and is trying to interpret the Constitution. I say Congress can do anything so far as this language in the bill is concerned. However, I think Congress should undertake to pass laws and let the judiciary adjudicate the laws. I say that because Congress is composed of politicians, and politicians find great difficulty in distinguishing between what they believe to be good politics and what they ought to know is bad law.

That is illustrated in this declaration in the bill which states:

> State and local governments and agencies which had relied upon the "separate but equal" doctrine are now obligated to take steps toward the elimination of segregation in their public schools.

That is an incorrect interpretation of the decision of the Supreme Court.

The man who tried one of those cases originally, the Clarendon County case, was a native of my State of North Carolina. He was one of the greatest judges who ever sat on a court. He was Judge John J. Parker. He probably knew more about what the Supreme Court had decided than all Members of Congress put together. He set out what the Supreme Court had decided. What he said shows the unwisdom of legislators attempting to place interpretations upon Supreme Court decisions.

Judge John J. Parker, chief judge of the fourth circuit, in the case of Briggs against Elliott, which is reported in 132d Federal Supplement, at page 776, explained to us exactly what the Supreme Court of the United States decided in the school desegregation decision. It is quite different from the interpretation placed upon that decision in the bill. It illustrates the fact that legislators ought to stick to legislating and let the courts do the adjudicating. This is what Judge Parker said, the Supreme Court decided in that case:

> Having said this, it is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case.

That is, referring to the Brown case—

> It has not decided that the Federal courts ought to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend.
>
> What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches.
>
> Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation.

The 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

That is what the Supreme Court decided. That is what Judge John J. Parker, who decided one of the original cases, the Clarendon County case, said. The advocates of the proposed legislation place an absolutely unsound interpretation on the decision. They say it is up to the school districts to desegregate all the schools. Judge Parker said that the Supreme Court did not decide that the Federal courts ought to take over or regulate the public schools of a State. The bill provides that the Federal Commissioner of Education shall undertake to assist in the desegregation of all the schools and school districts of the South, regardless of the wishes of the parents of the children in those school districts in the matter. It puts a false interpretation on the decision. It proves my point that legislators ought to stick to legislating and let the courts attend to adjudicating.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JAVITS. I do not wish to protract the argument with the Senator, because when we get into the merits of the provision, we will unquestionably debate the fundamental difference between us. I would merely like to state my understanding of the matter.

Mr. ERVIN. I say to the Senator it is not only a fundamental difference between us, but it is a fundamental difference with respect to the decision of the Supreme Court.

Mr. JAVITS. That is the Senator's argument. I happen to disagree with him. With all due respect, I believe I have a right to rely upon my own legal judgment in determining what I shall advocate and how I shall vote.

The Senator from North Carolina did not have to read Judge Parker to get an interpretation of the Supreme Court's decision. The Supreme Court's decree, made a year after the decision, said exactly the same thing.

One point I was trying to make with the Senator is that certainly I read the language in the so-called administration package, and what it does is to make a statement of fact about the Supreme Court decision upon which it then proposes——

Mr. ERVIN. It makes a statement as to the meaning of the decision which is not the truth.

Mr. JAVITS. Would the Senator like me to finish? If not, I shall not interrupt him further.

Mr. ERVIN. I beg the Senator's pardon.

Mr. JAVITS. It makes a statement of fact upon which it then legislates. I point out that the legislative provisions which are contained in the bill are what would be operative, not the recitals of facts upon which Congress says it proposes to legislate. This is the only point I make.

In short, when the Senator says that the legislation proposes to force districts to do something the decision does not call upon them to do, I point out that the Senator is reading the findings of fact upon which the legislation followed subsequently; he is not reading the operative legislation.

Mr. ERVIN. Let me ask the Senator from New York a practical question. Would the Senator from New York favor the Federal Government undertaking to desegregate the schools in a school district if all the parents in that district wanted the schools to be segregated?

Mr. JAVITS. The Senator from New York favors the decision of the Supreme Court, which holds that where a State maintains a public school system, then, under the rules and regulations, all children, regardless of their color, must be admitted.

Mr. ERVIN. The decision does not say that; it says they shall not be excluded from a school on account of their race.

Mr. JAVITS. I will accept the Senator's wording: they shall not be excluded. That is what the Senator from New York says, practically, he wishes. That is what the Senator from New York understands the Supreme Court to have directed in the Brown and other cases.

Mr. ERVIN. I have tried to answer the questions which the Senator from New York has put to me, but I submit the Senator from New York has not tried to answer the question I put to him, which is: Does the Senator from New York believe that the Federal Government ought to undertake to bring about the desegregation of schools in a school district, even though all the parents of the children in that district may not want the schools to be desegregated?

Mr. JAVITS. The Senator from North Carolina may just as well ask me whether I would agree that the Federal Government should not collect any income taxes from all the residents of a county in my State because those residents do not want to pay them. The Senator from North Carolina knows that that is nonsense—just as much nonsense as what he has just said about desegregation, with all due respect.

Mr. ERVIN. With all due respect to the Senator from New York, I say it is not nonsense. I am asking the Senator from New York if he believes that parents ought to be denied the right to select the schools which their children attend.

Mr. JAVITS. The Senator from New York believes, with the Supreme Court, that a child should not be excluded from a school because he happens to be black, if his parents wish to send him there—and his parents do wish to send him there, otherwise they would not be suing in many courts of the Southern States.

There is nothing to compel the parent to send his child to such a school. No; of course not. The Federal Government does not compel it. The Federal Government does say, in the Supreme Court case, that it prohibits the child's exclusion on account of his color.

Mr. ERVIN. The Senator from New York has answered a question I did not ask him. He has not answered the one I asked him. The bill provides for an authorization of appropriations to send forth agents of the Department of Health, Education, and Welfare to desegregate schools. I ask the Senator from New York again: Does he believe that where all the parents of a school district desire their children to go to segregated schools, the Federal Government ought to deny them that privilege?

Mr. JAVITS. In my opinion, the Supreme Court decision enforces nothing upon the people which they do not seek themselves by seeking to send their children to schools of their choice. Therefore, I think that answers the question very cogently.

Mr. ERVIN. I was not asking the Senator from New York for instruction upon the Supreme Court's decision. I think I understand that decision sufficiently. I am asking the Senator's position as a legislator.

Mr. JAVITS. I believe the Senator from New York has very adequately answered the Senator's question. I think the Supreme Court has very adequately answered the question. I would not hope to be able to satisfy upon this issue, much as I might on many other issues, the distinguished Senator from North Carolina.

Mr. ERVIN. The Senator from New York reminds me of a case I tried one time. I defended an old man named Benton, who ran a little copper still in his house.

I had to enter a plea of guilty for Benton, because he was caught redhanded. Not having the powers of elocution or circumlocution of the able Senator from New York, I simply had to plead Benton guilty.

The prosecuting attorney called Benton to the stand and asked, "Mr. Benton, where did you get that still?"

Benton said, "I ain't gwin' to tell you."

The prosecuting attorney repeated the question and said, "Mr. Benton, where did you get that still?"

"Ain't gwin' to tell you," said Benton.

Then the judge said to Benton, my client, "I assume that when you tell the prosecuting attorney that you are not going to tell him where you got the still, what you mean to say is that you prefer not to do it?"

Mr. Benton said, "That's right, Judge, but I ain't gwin' to tell him nohow."

So the Senator from New York is not going to answer my question.

Mr. JAVITS. Very fortunately in this body, considering our respective statuses, the Senator from New York can have a judgment as to when he has answered a question equally with that of his distinguished colleague and be entitled to a judgment as to the same amount of sincerity, perhaps, and at least, if not the same amount of learning, the same amount of effort to learn.

Mr. ERVIN. I appreciate the statement of the Senator from New York. I have been glad to yield to him to listen to his questions. The Senator from New York and I still disagree about whether the Senator has answered my question. I am still compelled to say that the Senator from New York recalls to my mind what Brother Benton said: that he was not going to tell us "nohow."

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. LONG of Louisiana. I wonder whether the Senator from North Carolina has had an experience similar to mine. I have asked very considerable numbers of colored persons in my State whether they want their children to attend integrated schools. I must say that the unanimous answer of the persons with whom I have talked from time to time is that they do not want that; that that is not what they seek. They prefer to have schools for their colored children; facilities in all respects equal. In my city, many of the schools for the colored children are superior to those for the white children because they are newer and have the latest facilities.

I am curious to know whether there is any Member of this body who really objects to the colored children attending schools with colored children, if that is how they want it.

Mr. ERVIN. That was precisely the basis of my question put to the Senator from New York. I wanted to see if he would vote for an amendment I want to offer giving parents the right to select segregated schools, for their children rather than to have the Federal Government desegregate all schools, regardless of the wishes of the parents of all the children in those schools.

Mr. President, I have trespassed upon the time of the Senate longer than I intended. I have already discussed with the junior Senator from Georgia the provisions of the referee bill. The referee bill is a rehash and a resurrection of the Enforcement Act of May 31, 1870, which proved so odious in practice in the State of New York that a congressional committee recommended its repeal. The referee bill goes beyond that act, however, because Congress recognized in that act that it had no power to take affirmative charge of State and municipal elections and confined the provisions of that act to congressional elections. The 15th amendment merely prohibits a State from denying or abridging a citizen's right to vote on the basis of race, color, or previous condition of servitude.

Under a comparable provision of the 14th amendment, the Supreme Court has held that Congress cannot pass an affirmative code of laws. All Congress can pass are laws to enforce prohibitions Yet the Attorney General's recommendation concerning Federal voting referees contemplates that Congress shall undertake to regulate State and municipal elections under the authority of the 15th amendment. In my honest judgment, Congress has no power to do that.

I appreciate the indulgence of the Senate in listening to me state, I hope, without rancor, and, I trust, with reason, why I believe all civil-rights bills ought to be defeated. They are unnecessary. There are already enough laws to secure the civil rights of all. Such bills are unwise because they are based upon the fallacious theory that people can legislate their way to a better life. Such bills are incompatible with our basic American institutions.

It seems to me that in this tragic hour, when we are engaged in a cold war with Russia and ought to be considering matters of national defense, the Senate of the United States should not undertake to make war upon one section of the country and to deprive that section of the country of basic rights by laws which are unnecessary, unwise, and incompatible with the fundamental principles on which any system of justice under law must rest.

Mr. GORE. Mr. President, will the Senator from North Carolina yield?

The PRESIDING OFFICER (Mr. THURMOND in the chair). Does the Senator from North Carolina yield to the Senator from Tennessee?

Mr. ERVIN. I am delighted to yield to the able and distinguished Senator from Tennessee.

Mr. GORE. I have listened attentively to the address by my able and distinguished friend, the senior Senator from North Carolina. I was particularly struck by his references to the 14th amendment, his interpretation and that of the authorities he read, of that amendment and its limitations regarding legislative authority.

I rise to inquire of the able Senator his interpretation of the second section of the 15th amendment, which reads as follows:

> The Congress shall have power to enforce this article by appropriate legislation.

In asking this question I have particular reference to the Senator's reference to the limitations on the power of Congress to legislate in this field. I assure the Senator that in asking the question, I seek the light which I know he is able—from his vast experience and learning—to impart with respect to the 15th Amendment.

Mr. ERVIN. My answer to the Senator from Tennessee is that the 15th amendment, insofar as it is relevant here—of course, it applies to the United States as well as to the States—is a prohibition against State action. It provides, in substance, that no State shall deny or abridge the right of any citizen to vote in any election on account of race, color, or previous condition of servitude.

Mr. GORE. Mr. President, if the Senator from North Carolina will yield further, I should like to read the exact wording of that amendment.

Mr. ERVIN. Very well; I yield.

Mr. GORE. I read:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. ERVIN. Yes. What is the article to be enforced? It is not an article which allows the Federal Government to undertake affirmative action of its own. It is an article which authorizes the Federal Government to pass legislation which is appropriate to prevent a State from disobeying the prohibition on the State. In other words, the second section of the 15th amendment provides that the Congress shall have power to enforce the provisions of the amendment "by appropriate legislation." The provisions of the amendment which Congress is authorized to enforce constitute a prohibition against conduct by the States, rather than permission for the Federal Government to undertake to do what the States do. In that way there is a very wide distinction between the power which Congress has under the 15th amendment and the power which Congress has with respect to congressional elections, under section 4 of article I.

The trouble with the amendments now proposed, from a constitutional standpoint, as I see them, is that they are attempts to invoke the 15th amendment, which is a prohibition, and they attempt to legislate as if that prohibition gave the Congress the same power which it has, under section 4 of article I, to regulate Federal elections.

I take the position that the Congress has no power under the 15th amendment to do anything except enforce the prohibition against State action. The Congress cannot substitute action of its own for such State action.

So I think this referee bill is unconstitutional insofar as it undertakes to set up Federal machinery to determine the qualifications of voters or to register them for State and municipal elections.

Mr. GORE. Mr. President, will the Senator from North Carolina yield further?

Mr. ERVIN. I yield.

Mr. GORE. I believe that during the course of the debate, 3 years ago, I expressed the view that every person is entitled to protection of his constitutional right to vote. I had thought the 15th amendment provided constitutional authority for Congress to act affirmatively on this subject. The Senator from North Carolina expresses a contrary view.

Mr. ERVIN. I would agree with the Senator from Tennessee if the pending proposal were restricted to voting for Members of Congress. I cannot quite include presidential electors, because the Constitution provides that presidential electors are to be appointed in such ways as the State legislatures shall direct.

But undoubtedly Congress has a right to regulate to a considerable degree elections designed to allow voters to nominate or elect Members of Congress, because they are Federal officers under article I; and article I, section 4, provides that the States may make regulations for the holding of elections of Members of Congress, but that the Congress may alter those regulations as to the times and places and manner of holding elections, except as to the places of elections for Senators. Of course, Senators were not originally elected by popular vote.

But the vice of the pending proposals is that they are not content to stop with Federal regulation of congressional elections, which the Congress has the power to regulate under section 4 of article I of the Constitution. These bills attempt to regulate all elections—all State elections, all municipal elections, all local elections. But Congress has no power

over State or municipal or local elections, except under the constitutional amendments which prohibit a State from denying or abridging the right of a citizen to vote on account of race, color, or previous condition of servitude, or on account of sex. However, those prohibitions apply only to State action; they do not give the Federal Government power to establish affirmative laws and take charge of the matters.

That holding has been made under the similar provision of the 14th amendment, which provides that Congress shall have power to enforce the provisions of the amendment "by appropriate legislation." In a number of cases it has been held that the prohibition against a State's denying any person due process of law does not authorize the Federal Government to establish affirmative laws itself and administer matters in place of the State.

In other words, the distinction is between legislation which is appropriate for the enforcement of a prohibition—as in the case of the 15th amendment—and legislation which authorizes an affirmative course of action as distinguished from power to enforce a prohibition against State action.

Mr. GORE. But insofar as the election of Federal officials is concerned, the Senator, if I understand him correctly, does agree that the Congress has the constitutional authority to legislate affirmatively for the protection of rights of citizens to vote?

Mr. ERVIN. Yes. That was held in the case of Ex parte Siebold, which was decided in 1879, and is reported in 100 United States Reports, page 371. But in that case it was assumed throughout the court opinion that Congress would not have had the power to go into State registration matters. It was expressly stated in the dissenting opinion that the power of Congress was entirely restricted to Federal elections. The act interpreted in that case was the one which the Attorney General has resurrected in the Federal referee bill, except that the present bill is a whole lot worse. In the previous act just a limited number of supervisors would be appointed, but the provision which is now before the Senate would allow referees to register and determine the qualifications of people to vote not only for Members of Congress, but also for officials in State and local elections. It would not only provide for the appointment of referees, but would provide for the appointment of any other person or persons to act affirmatively. Any number of them could be appointed to supervise an election which is purely a State election, or at least to interfere with holding State elections for State officials. They would not have to have any qualifications. They would not have to have any particular place of residence.

Furthermore, those persons not only would have the right to see that a man voted, but they would have to report to the court whether any vote cast by any such person had or had not been properly counted. In North Carolina we have a ballot law, which provides that a person has a right to vote in secret, and no election official has a right to see that person's ballot unless he is willing to permit it. If the referees and other appointees provided for in the bill are to exercise the powers which the provision would give them, they would see whether votes are counted as cast, and that would require them to look at the ballots. It would not be possible to know otherwise. While it is alleged that this proposal would give certain rights, it would take away the rights of people to have a secret ballot.

Mr. GORE. My questions did not relate to any particular amendment or proposal. I was prompted to make inquiry of the learned Senator because of the references he had made concerning his interpretation of the 14th amendment, as to limitation of legislative authority in this field. I arose to seek his interpretation, and I thank the able Senator for supplying his interpretation, of the 15th amendment. I am grateful for his willingness to do so.

Mr. ERVIN. I am in agreement with the able and distinguished Senator from Tennessee on the proposition that the Federal Government has the power under section 4 of article I of the Constitution, to regulate election of Members of the House of Representatives, and also, since Senators are now elected by popular vote, the election of Senators; but I do not think the Federal Government has any power to take charge in any way of the processes of a State or local election, because the only authority it has in that field is to enact legislation which is appropriate to enforce the prohibition that no person shall have his right to vote denied or abridged on account of race, color, or previous condition of servitude, or on account of sex.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. ERVIN. Yes.

Mr. GORE. In instances in which the opportunity to vote is in fact denied, just what authority would the able Senator think that the Federal Government, under section 2 of article 15, which reads, "The Congress shall have power to enforce this article by appropriate legislation," does have?

Mr. ERVIN. I think that under article I, section 4, Congress would have the power to enforce the right of people, by affirmative action, to vote for Members of the House and Senators, because there the Federal Government has a grant of power over congressional elections; but it does not have any grant of power anywhere in the Constitution over State elections. The only right it has to legislate in any way with respect to State elections is under the 15th amendment and the women's suffrage amendment, which constitute prohibitions on State action. It has a right under the amendments to prohibit a State from taking certain action, but the Federal Government itself cannot take such action.

Mr. GORE. I was not inquiring as to the Senator's interpretation of article I, section 4. I inquired of his interpretation of the 15th amendment, section 2.

Mr. ERVIN. Well, the way the Federal Government enforces that amendment is by enforcing the prohibition. The Federal Government can enforce it, as it does, under title 18, section 242, of the United States Code which makes it a crime for any State official to deny to any qualified citizen belonging to any race the right to vote. The court can send a State election official to prison for a violation of that statute. Under at least two sections of title 42, a person has a right to bring civil suits to vindicate his right to vote, and the court may issue an order to State election officials to register such person if he be qualified, and the court can put State officials in jail for contempt of court if they disobey the court's order.

Under the Civil Rights Act of 1957, if the Attorney General elects to sue under that act, the court can issue a similar order to the State election officials, enjoining them from denying a qualified Negro citizen the right to register and vote; and if the officials disobey the order, they can be put in jail for contempt of court.

Mr. GORE. Then, if I understand the able Senator correctly, he maintains there is ample legislative authority now for the Federal Government to proceed in Federal courts to enforce section 1 of article 15, with respect to an individual?

Mr. ERVIN. Yes.

Mr. THURMOND. Mr. President, will the distinguished Senator yield?

Mr. ERVIN. Yes; I am delighted to yield to the able and distinguished Senator from South Carolina.

Mr. THURMOND. I commend the distinguished Senator from North Carolina upon his presentation of one of the finest addresses I have heard since I have been in the Senate.

The distinguished Senator has analyzed the various proposals which have been mentioned, although all of them are not before the Congress. These proposals either have been suggested or are before the Congress in committees. The Senator has pointed out the fallacies, the hazards, and the dangers in these proposals. He has shown they are either unnecessary, unwise, unconstitutional, or unfair—and in some cases all four.

I feel that the Senator's address today should be read by every Senator. It has been delivered in a very unimpassioned, unbiased, unprejudiced—and very reasonable and dignified manner, which should appeal to every person in United States. I sincerely feel that the address is a great contribution and should be a great enlightenment to the dangers inherent in the various proposals which have been presented in this field.

Mr. ERVIN. Mr. President, I am deeply grateful to my friend the Senator from South Carolina for his most generous remarks.

I should like to reiterate that I oppose the proposed civil rights legislation because I think that the finest service I can render to the American people is to try to preserve for the American people of all generations and of all races the fundamentals of our governmental and legal systems, and those fundamentals will be sadly impaired if civil rights bills of the character now pending before the Congress are enacted into law.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, the Senator from North Carolina may be

compelled to leave the floor before very long, and before he may leave I certainly want to commend him very highly for the fine address, the illuminating address as well as learned address, he has made upon the subject matter engaging the Senate's attention.

Mr. President, in all seriousness I do not think anything could happen here which would reflect any more accurately the situation the Senate faces. I have been in the Chamber during all of the time of the Senator's 3-hour speech. The Senator is unusually well qualified to speak on the subject. Even though I know Senators have been busy on other matters—and this is no reflection on the Senators who are not present and who were not present during most of the time—of the 100 seats on the Senate floor at least 95 generally have been vacant. The highest number of Senators in attendance at any time, if I counted correctly, was 12.

That underscores to me with alarm, Mr. President, the confusion and the uncertainty into which the Senate has permitted itself to drift, when bills are before the body without any recommendation of a committee or any report of any kind. These bills have not been considered by the other body. There is nothing for us to be guided by except the learning which may come from the membership on the floor.

I know there is pressure of other business. Although a Senator has prepared himself and has delivered a 3-hour learned discussion, there was hardly anyone present to hear it.

I emphasize again, Mr. President, I am not criticizing anyone. I know other Senators are busy. I have committee meeting to attend this afternoon. I had meetings to attend this morning. Many Senators have to conduct hearings. There are an enormous number of matters to which Senators have to attend. But the fact remains that we have drifted into an alarming situation.

If I may, Mr. President, I point out that the Senator from Louisiana [Mr. LONG] is sitting before me. We came to this body about the same time. I will say to the fine Senator who is now presiding over the Senate, sitting in the President's chair, the Senator from West Virginia [Mr. BYRD], that he came to a vastly different Senate when he entered the Senate a little over a year ago from the one the Senator from Louisiana [Mr. LONG] and I entered about 12 years ago. The quality of the men has not gone down, but the atmosphere for deliberation, sound consideration and interpretation of the law, and the discharge of constitutional responsibilities, has greatly changed, and not for the better.

I remember that just about 12 years ago the then Senator from California, Mr. Downey, a very able Member of this body at that time, made a motion on the floor, when a House bill which was called the tidelands bill came to us.

Former Senator Downey made a motion that the bill be immediately taken up for consideration. There was objection to the motion, and the bill automatically went to the calendar, rather than to the committee. There was consternation in the Senate and in the press. The matter was talked about. Senators came rushing to the Chamber to debate it. We finally had a vote of some kind. That was a major event around the Senate for 10 days or 2 weeks.

The point I make is that there has been a change in attitude toward orderly procedures and the careful consideration of major legislation, following the spirit as well as the letter of the guidelines which have been laid down for more than a century.

Now proposed legislation of the most far reaching kind is brought to us on this subject matter—almost cotton baskets full of it—to be considered here and there and yonder, from this angle and that angle, in this bill and that bill, and all of it is proposed to be tied on to a bill which was reported last year "An act to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri."

Mr. President, I submit that we have hit a new low when we undertake to consider a local and private bill of that kind and hitch on to it legislation of such far reaching consequences.

The Senator from North Carolina spoke for 3 hours, but he barely touched the surface of the amendments offered by the Senator from Illinois. The Senator used most of his time with regard to page 2, on one section, dealing with obstruction of certain court orders, which pertains to one of the most far reaching and disturbing subjects people not only in the South but almost everywhere in this Nation are deeply concerned about now; that is, court orders, court mandates, how they will be carried out and what shall be the correct procedure.

On page 3 of the proposed amendments there is another Lindbergh Act which is important, but not of such far reaching consequences.

On page 6 the proposed amendments get into a long, argumentative discussion with reference to the schools. This part the Senator from North Carolina did not touch upon. He did not take time to do so. It concerns itself with the schools.

Mr. President, there is talk about aid for schools which are going to change. I have not heard of any State asking for aid on this account. There may have been some testimony in that regard which escaped my notice, but I have not seen anything in the press about any State which has come to Congress asking for aid for these purposes. I do not think there is any such issue before the American people or before this Congress.

My impression, after reading the amendments, is that the section about aid to the schools is merely a ruse to get in the arguments which the Senator from North Carolina discussed. It opens up by saying:

> The Congress recognizes that (A) prior to May 17, 1954, the Constitution of the United States had been interpreted as permitting public schools to be segregated on racial grounds provided such schools afforded equal educational opportunities—

Next is the argument for the Congress to put its stamp of approval on these sentences—

> (B) on May 17, 1954, the Supreme Court of the United States ruled that under the fourteenth amendment to the Constitution segregated education is inherently unequal; (C) the Constitution as interpreted by the Supreme Court of the United States is the supreme law of the land.

As the Senator from North Carolina pointed out so well, those provisions are merely argumentative. We have such powers as the Constitution lays down for us. The only powers we have are those granted by that document. It prescribes the boundaries, and it is up to us to stay within those boundaries.

All the language on page 6 is argument; and, furthermore, it is not worth the ink required to print it, so far as concerns the authority of Congress to legislate. We cannot give ourselves any authority. This language is merely a stamp of approval.

On page 7 there is discussion of the question of carrying out constitutional obligations with reference to schools.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I shall be glad to yield. Before I yield, if I may, I wish to make certain that I make it clear that this particular paragraph and the other pages to which I refer are mere argument—and a sham to that extent—for granting unlimited authority. I assume this proposal was approved by the Bureau of the Budget. It is a proposal for granting unlimited authority for such appropriations as the Congress may make at any time. I assume that was approved by the Budget Bureau, as I have said. This is something for which no one is asking. Approval without limit is proposed for such a program. The people are begging for relief, but cannot have such relief approved by the Budget Bureau.

I now yield to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, I commend and congratulate the able and distinguished Senator from Mississippi for the fine argument he is making. In line with what the Senator has said, I point out that the Constitution of the United States provides what the supreme law of the land shall be.

Mr. STENNIS. That is correct.

Mr. TALMADGE. Article VI, paragraph 2, provides as follows:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Constitution does not say that a Court decision shall be the supreme law of the land. And yet, as the Senator has pointed out, the proposal of the able minority leader of the Senate, on page 6, line 16, subdivision (C), reads as follows:

> The Constitution as interpreted by the Supreme Court of the United States is the supreme law of the land.

Either the amendment of the able and distinguished Senator from Illinois is wrong or the Constitution is wrong. As for me, I would take the language of the Constitution, and not the language of the able and distinguished Senator from Illinois. I point out that if the language of the Senator from Illinois had been correct, and the decisions of the Supreme Court had been the supreme law of the land, the Supreme Court could not have rendered the decision it rendered on May 17, 1954, in the case of Brown against Board of Education, because it reversed the decision in Gong Lum against Rice and the decision in Plessy against Ferguson. If the decisions of the Supreme Court had been the supreme law of the land, it could not have reversed them.

Mr. STENNIS. The Senator is eminently correct. Reference to the Court itself proves his point conclusively. Those decisions could not have been changed. They would have been like the law of the Medes and Persians, and not subject to change.

I thank the Senator for his very fine contribution to the debate.

We are only beginning to scratch the surface of all the things contained in the amendments of the Senator from Illinois, proposed to be passed in a matter of minutes, without reports, without guidelines, and without consideration.

Another part of the amendments of the Senator from Illinois upon which the Senator from North Carolina hardly touched——

Mr. SPARKMAN. Before the Senator leaves that point, will he yield to me?

Mr. STENNIS. I am glad to yield.

Mr. SPARKMAN. We have no committee report before us. We have no record of hearings of any kind. But we do know, as the able Senator from Georgia [Mr. RUSSELL] pointed out yesterday, that there is a great rash of so-called civil rights bills pending before various committees. There is one bill, with respect to which there may be several amendments or substitutes, pending before the Committee on Rules and Administration, upon which extensive hearings have been held. A number of bills are pending before the Judiciary Committee. I believe hearings have been held on some of them. I am not sure that hearings have been held upon all of them. Does the Senator know whether or not the proposed amendments have received consideration before any committee?

Mr. STENNIS. I understand that a bill differing considerably from this proposal was introduced last year and was referred to the Committee on the Judiciary. I am not familiar with the extent of the hearings, but there was nothing in the bill introduced last year with reference to the very far-reaching proposal with respect to court referees being appointed, who, in effect, could conduct elections and count the ballots. It is one of the most far-reaching proposals on this subject matter that has yet been brought forward.

Mr. SPARKMAN. Does not the Senator believe that one of the best features of the procedures in both Houses of Congress is that of having a bill referred to a committee, to receive careful study, careful analysis, and careful interpretation, to be followed by the composite view of the committee, reported to the Senate or to the House, for the guidance of Members of the body as a whole?

Mr. STENNIS. The Senator is correct. The wisdom of the decades and the ages, one might say, certainly proves his contention.

This body, the Senate, still has control over the bill and can withdraw it from consideration by a committee, or instruct the committee, or impose any limitation it desires. What is necessary is a study of the proposals by men who are capable and competent. The only way we can obtain such a study under this procedure is in open debate on the floor of the Senate, which is not attended and is not heard.

The attitude of the proponents of civil rights legislation is that, "We can adopt any procedure we desire to adopt. We have all the votes we need. We can pass any bill we wish to pass, and we intend to rush it through and cram it down."

That attitude might apply to labor bills, or any other bills which may come before us later for consideration. The same kind of procedure could be followed. The Senate and the Nation will regret the day when we abandon sound committee procedures.

Mr. SPARKMAN. I agree with the Senator entirely. I do not see how we can have orderly procedure on the floor of the Senate by following the course which is proposed.

Let me pursue this inquiry one step further. The Senator knows that before the Committee on Rules and Administration there was a proposal to appoint registrars. Then came the proposal to appoint referees. The Senator knows, I am sure, that the Attorney General of the United States appeared before the Committee on Rules and Administration. After a great many so-called civil rights advocates had fallen for the idea of registrars, the Attorney General came before the committee and blasted that proposal. He said it was no good, and would not accomplish anything. He proposed an alternative.

Is the Senator aware of any searching study or discussion of this kind of proposal before any committee?

Mr. STENNIS. There was a very searching study and consideration before the Committee on Rules and Administration with respect to the proposal of the Civil Rights Commission for Federal registrars.

Mr. SPARKMAN. But that did not include the part to which the Senator has just alluded, in the amendments of the Senator from Illinois.

Mr. STENNIS. No.

Mr. SPARKMAN. Furthermore, that committee has not even been permitted the time within which to report that bill; is that correct?

Mr. STENNIS. It has made no report. I do not know whether that is because of lack of time or not, but it has made no report.

Mr. SPARKMAN. I believe it was stated on the floor of the Senate yesterday that the 17th of this month had been set as the date for reporting that bill. But we cannot wait for that, according to the attitude expressed here. It must be rushed through, without any help from the usual committee system.

Mr. STENNIS. I thank the Senator very much for his observation.

I should like to say one further word about these argumentative provisions, wherein the Congress is called upon to affirm certain decision of the Supreme Court as the law of the land, and States and local governments are sought to be placed under obligation to take certain steps.

I denounce this proposal as a ruse. It is really not an attempt to give aid to the States. They have requested no such aid. They have shown no need for such aid. This proposal is not only a ruse to have the Congress, as a result of argument, affirm the Supreme Court decisions and point out imaginary obligations of the States, but it is a practice—and a dangerous one—that has grown up in the Congress in the past few years, to place long arguments in preambles of bills, assuming constitutional powers and congressional prerogatives. The executive part of the Government is apparently in on the conspiracy to write up and inflate its own powers, and to point out certain alleged State responsibilities.

We had better go back to the organic law for our guidelines. We had better stay within reason, within sound rules, and basic principles under ordinary procedures.

To go back to the bill itself—and this has not been considered or weighed by any committee of Congress—the bill proposes to appoint referees to partly conduct elections and count ballots.

Mr. RUSSELL. Mr. President, before the Senator gets away from this discussion, will he yield?

Mr. STENNIS. I yield.

Mr. RUSSELL. I should like to refer to his discussion of what I call the point 4 program of the bill. I should like to make a suggestion with regard to it. This is just a relic of the old idea that the Southern States are conquered provinces. This is just a relic of colonialism. This is a technical aid program.

The only difference between this technical aid program and the technical aid program that we have voted as the point 4 program in connection with foreign aid is that the foreign people had asked for the technical aid program. In this case no one has requested it. Instead, we are opposed to it. It is being proposed on the basis of "Daddy knows best." The Southern States will have to take it. It is a very clear demonstration of the general attitude of the Southern States being conquered provinces. They are told: "Whether you like it or not, and whether you have requested it or not, we are going to set up a technical assistance program." It is all directed toward mixing the races in the schools. This bill would give us a new meaning of the term "technical assistance" in the local educational agencies. It is a point 4 program in this misnamed civil-rights bill.

Mr. STENNIS. I thank the Senator from Georgia for his timely remarks. I have raised the point here on the floor of the Senate, and I shall wait for an answer. What State has requested any aid along this line, of any kind? I know that my State has not. I challenge anyone to show otherwise. There might have been some here who have proposed this provision for them, but I am almost certain that no one has been here making a showing of their own by making a request. I should like to refer to that part of the bill which is the most far-reaching part of the bill. I refer to the part which proposes Federal referees.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Can the Senator tell me whether the State of New York has requested Federal aid? I understand there are some far-reaching experiments going on in that State, particularly with reference to hauling people from one part of the city to another to attend schools that are not near their homes. I wonder whether that State has requested aid along this line.

Mr. STENNIS. I do not think so. A hasty reading of the bill would perhaps show discrimination against the State of New York and exclude it from this unlimited amount of aid which is included in the bill. It seems to be limited to States which had segregated schools as of May 17, 1954.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. RUSSELL. It would apply to most schools in New York State.

Mr. STENNIS. It may be provided by law.

Mr. RUSSELL. They may not be entitled to the aid, but if this section went into law, and they were employing personnel to give supervisory or administrative services, or provide pupil placement, school social workers, or visiting teacher services, and other special, nonteaching professional services, the need for which is occasioned by the desegregation of the public schools of a State, we would certainly find that the State of New York would supply the great bulk of the personnel.

Mr. STENNIS. I would not be surprised. It is strange, too, that this is the only provision which has come to my attention that was passed by the Bureau of the Budget without a limitation being placed by it on the amount of money that could be appropriated for this purpose. Out of all the requests the Bureau had, this is the only one on which they took the lid off or took the ceiling off. This aid was not even requested. I think that in itself shows that this is reaching out and grabbing anything out of the air that might be flying through the air and trying to dump it on the Senate floor. That is what we are confronted with in trying to pass sound legislation.

I will go on to this far-reaching matter. I am not discussing these points upon their legal significance, but pointing out the graveness of the provision here with reference to the appointment of referees to help supervise elections and count ballots. That involves the far-reaching judicial power of our Government. Certainly that subject in itself is a matter of utmost caution and gravest concern, because it is being used under these provisions to follow out into the hinderlands all over the Nation with reference to any election that may be held—local, State, or National—and that within itself is a major step and should have the most exacting, microscopic consideration before such power is tampered with or the courts' judicial power is changed.

In the next place, it touches the most tender part of the Government, I suppose, which is the matter of sovereignty, the matter of voting, and the matter of elections.

This far-reaching provision would upset and disrupt all the practices in our States where the people participate and take responsibility in carrying on campaigns and holding elections, and it would launch the Federal Government into a new field. Therefore, it is vitally important even from that standpoint.

There was another provision before the Committee on Rules and Administration, as mentioned by the Senator from Alabama. That had been recommended by a branch of our Federal Government, and it was going to regulate and solve the so-called problem with reference to elections. That was the so-called Civil Rights Commission recommendation as to the managers.

Now there comes another branch of the Government, the same Government, the same administration, through the Attorney General, and it points out the unsoundness of that plan, and points out the impractical state of it, and says it is not workable, and, furthermore, it is intimated, as I recall what the Attorney General said, that it is unconstitutional. The President of the United States in an interview during his press conference a few days before then had expressed grave doubt concerning its constitutionality. At the same time, it was clothed in the blessings of the Government, and the proposal was made by an instrumentality of the Government, and seriously pressed upon the Committee on Rules and Administration of the Senate. The fact that the Attorney General came along a few days later and blew the cold breath of death on it, perhaps, shows the wisdom of having these provisions analyzed and dissected and considered by people who know something about the subject and something about the workability. Still, all of this is dumped in on the Senate floor for our further perusal and study without any guidelines or recommendations from committees. We are dependent solely upon what Senators say in debate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. If I recall correctly—and I ask the Senator if he remembers it—the press published reports of the meeting at which the Attorney General denounced the recommendations of the Civil Rights Commission. The press quoted the Attorney General as saying that the registrar plan of the Civil Rights Commission would make second-class citizens out of persons whom the Commission proposed to register under its plan. I believe he said they would be second-class voters.

It seems very sad to us to hear the Commission, which was set up to administer civil rights, denounced by the Attorney General, who said a second-class race would be made out of those whom the Commission proposed to register.

Mr. STENNIS. The Senator from Louisiana makes a very excellent point in a very clear way.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. RUSSELL. I am tremendously interested in the discussion of my colleagues and their able presentation of what transpired in the hearings before the committee. I have been trying to get a copy of the hearings, so that I might know what transpired and what views had been presented to the committee. I should like to know from what source the Senators speak. Have they been furnished with copies of hearings?

Mr. STENNIS. No. I went before that committee myself. I can say to the Senator from Georgia, from my brief study of the proposal about the registrars, that it does not touch top, side, or bottom of what we used to call due process of law.

Mr. RUSSELL. No; it is like Mohammed's coffin: it is suspended between earth and heaven.

Mr. STENNIS. I believe the Attorney General did a mighty good day's work when he issued that blast. I hoped he would kill that proposal.

Mr. RUSSELL. I was wondering where the Senator got his information. He was more diligent than I was.

Mr. STENNIS. I read it in the newspapers. That is where we have to get all our information about these bills.

Mr. RUSSELL. That is correct. If the gentlemen of the fourth estate should happen to mislead us, we would be in a terrible predicament.

The only information I can get about the discussion before the committee is limited to what is in the press; and the press does not propose to give all the details of a statement. Nevertheless, it is good that we have the press; otherwise we would be completely in the dark as to anything that transpired before the committee.

Mr. STENNIS. Do not forget our television friends. When we view "Meet the Press" and other television programs, we will find some of our colleagues instructing us about what is in the bills.

Mr. RUSSELL. I will do that likewise, because I am in earnest about getting information to enable me to make a study and to analyze the bills, and to know what opinion has been passed upon them by witnesses who have been before the committees in such large numbers.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. SPARKMAN. I think the exchange between the Senator from Georgia and the Senator from Mississippi is very good and quite in point.

Some time ago, about the middle of January, I learned from the press that the Committee on Rules and Administration was holding hearings and was trying to set a cutoff date. I went before that committee one morning when it met and said that I certainly wanted to be heard, and that I wanted officials from my State to be heard, since much of the material which the Civil Rights Commission published was directed against my State.

The committee was very friendly, and granted me time. I appeared before it on January 29, together with the attorney general of Alabama. A few days later, the Governor of my State also appeared, and I went before the committee with him. That is the reason why I referred to the hearings before the Committee on Rules and Administration. I knew that the committee was conducting hearings and was permitting witnesses to testify on different measures.

From the radio and the press I learned that the Attorney General of the United States had appeared before the same committee and had blasted—I believe that is the right term; that is the term which was used by the commentator whom I heard discussing the matter—blasted the proposed Federal registrar plan. He said it was unworkable, unconstitutional, and virtually unthinkable; that it would cheapen the whole process, as the Senator from Louisiana has pointed out. That is the point I tried to make a while ago.

Here is one committee of Congress which has been holding hearings on this matter. It has not been given permission to report a bill. I remember when the leadership on both sides announced last September that about February 15 we could expect a civil rights bill, but I had assumed it would be a bill reported by a committee. As a matter of fact, when I appeared before the Committee on Rules and Administration, the chairman stated that it was the desire of the committee to bring the hearings to a close as soon as possible, in order that they could report a bill and have it ready for Senate consideration on February 15.

But judging from the rush on yesterday, we could not even wait for a committee of the Senate, acting in an orderly manner and in accordance with regular procedure, to report a bill and to lay upon our desks copies of the hearings and copies of the report of the committee itself, so that we could know what their thoughts were. I simply believe this kind of procedure ought to be condemned by every Member of the Senate. I think it lowers the dignity and the workability of the Senate. It detracts from the Senate as the great deliberative body it has always been considered to be among the parliaments of the world.

Mr. STENNIS. I thank the Senator from Alabama. I assure the Senate that in addition to my concern about the substance of these bills—and I am opposed to the provisions of the bills—as a Member of this great body I have a very grave and deep concern about the recklessness I believe we are showing in resorting to this procedure. We are recklessly abandoning the usual courses of protection and caution which we normally employ.

With all deference to the other part of the membership, I challenge those Senators, even those who favor the bill, to rise on the Senate floor and tell the rest of us and the American people as a whole whether they approve of this kind of procedure.

The very able, learned, and liberal Senator from Oregon [Mr. MORSE] is the only Senator who favors a civil rights bill who has come forward and with fine courage has expressed his opinion in disapproval of the way the Senate is proceeding in the matter of considering these bills. He and I differ very often in our views on many subjects, and perhaps we shall not ever agree on bills of this type. But I commend him highly for his great consistency—and it does not make any difference what the subject matter of a bill is—in standing for orderly procedure and the following of safeguards. I believe that in so doing he has acted as a Senator in the finest sense of the word and in the very highest order. I commend him most highly.

Mr. President, I wish to review very briefly the various proposals. As I understand, no one knows exactly what is involved in these bills. Certainly I believe the RECORD should reflect some indication of the various bills and proposals which have been brought forward. We are confronted with the Civil Rights Commission bill which provides for the appointment of registrars.

We also have the administration's bill, which includes provisions for the appointment of referees, as well as provisions in regard to schools, court orders, and so forth.

The Senator from New York [Mr. KEATING] had announced that he would introduce a bill, and I have heard reports to the effect that the Senator from Missouri [Mr. HENNINGS] would introduce a bill. From the same source of information—the press—we learn that it is reported that the bill to be submitted by the Senator from Missouri would be a combination of the bill in regard to registrars and the bill in regard to referees.

The Senator from New York [Mr. JAVITS] has said he would introduce an antilynching bill as an amendment; and I have heard reports that he also has a separate bill—to which perhaps he referred this morning in the course of his remarks here on the floor, although at that time I could not hear all that was said—and a bill dealing with schools; and doubtless there are other far-reaching amendments.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a question?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. I did not hear the personal statements along that line of those Senators. However, judging from what I have heard around the Chamber, I have gained the impression that an open invitation was extended to all Members to submit to this bill any amendments they may wish to call civil rights amendments, without having them considered or studied or anything of the sort. Is that the impression the Senator from Mississippi has gained—in short, that there has been a general invitation to all Members to submit any amendments which might be labeled civil rights?

Mr. STENNIS. Yes; I, too, have gained that impression. I thank the Senator from Louisiana for his contribution.

Mr. President, it is a sad commentary to make; but I think the procedure which has been followed is further evidence of the drift of Congress away from real legislative responsibility, and further evidence of the drift toward having the Government gradually become a government of departments which send to Congress or bring to Congress various bills. In that connection, I include the President of the United States, although I speak with great deference to the Office and to the occupant of it. That situation is further illustrated by the fact that the Republican Party has sent here a mandate to the effect that "The elections are coming on, and some measure with the civil rights label must be passed by Congress"; and the Democratic Party likewise has sent here a mandate to the effect that "The elections are coming on, and civil rights bills which include certain provisions must be passed." Now all the bills are tumbling in.

For instance, Mr. President, the Attorney General has proposed the enactment of a bill. As I have already stated, I believe he helped kill a bad bill, even though it had the blessing of members of the Commission. But at least that bill was the subject of a great deal of study. However, in the case of the bills and other measures to which reference is now being made, we have not had a chance to give them careful study.

In addition, a great number of pressure groups of various kinds are making demands.

Mr. President, when we consider the total of all of those, it sometimes makes one have doubts as to whether our form of representative government, as it is now established, will be able to continue over the decades to stand the accumulation of such tremendous pressures.

Personally, I believe something must be done to relieve the membership of Congress from the accumulated impact of these tremendous pressures, which constantly are occurring, but are greatly accentuated in election years, especially in presidential election years. I have thought about this matter a great deal; and I have been tempted to propose that, after all, it might be better to have popular election of the President, by direct vote of the people, or some other forward step to relieve us of some of the pressures by various kinds and types of minority groups, particularly as they operate in the key States. I have been here long enough to realize that something must be done along the line of relieving the Members of Congress of these pressures.

CUMULATIVE EFFECT OF BILLS ALREADY PASSED

Mr. President, before we begin consideration of these so-called civil rights

bills, I wish to give a word of caution, to urge dispassionate consideration of laws already passed by the Senate in this Congress, in an effort to understand the far-reaching effects of the action taken on the election process.

First, we have extended the life of the Civil Rights Commission. I thought that decision unwise, and I voted against that measure. Nevertheless, it passed the Congress as an amendment to the mutual security appropriations bill.

Thus, we shall watch the Commission roam the country, stirring up tension and promoting litigation under its rules that deny duly authorized State and local officials the basic rights of due process of law. These activities will be directed mostly at voting, the election process in our States.

Next, we passed a sweeping so-called clean elections bill. By the very nature of its handy label, it gathered support, and passed the Senate. Certainly it will do some good, in raising to more realistic levels the expenditure ceiling in various campaigns, for example. It will make legal practices previously proscribed by law.

Its more important effects are yet to be determined: Just how burdensome the comprehensive reporting requirements will prove; what loopholes will be discovered; how Federal reporting will affect State laws; how greatly will the reporting of contributions dry up sources of campaign funds, and so forth.

Let us make no mistake about it: The effects of this bill will be far reaching; and in its application we may expect the unexpected.

Then we passed a joint resolution for a constitutional amendment to abolish not only the poll tax, but also property qualifications and similar State requirements for voting. We are certain that at least 10 States' laws will be affected, and it may be that others will find themselves involved. No one knows for sure how extensive the effect of ratification of that constitutional amendment will be.

So, within the last 6 months we in the Senate have passed three major pieces of legislation, including a constitutional amendment joint resolution. All of them will have nationwide application, and all of them will create some confusion and uncertainty about the very democratic process of voting.

Mr. President, I feel that we have legislated enough on this particular subject for one Congress. Let us determine the extent of the effects of our past actions, before plunging into uncharted constitutional waters.

But, Mr. President, now we are confronted with the various far-reaching proposals to which I have referred. They have been submitted in connection with the ever troublesome questions involving judicial power, the rights of citizens, schools, elections, and almost everything else that is considered important.

Mr. President, the extraordinary procedure being followed here is, I believe, a reflection on the Senate as an institution. By opening a noncontroversial bill to amendments dealing with any subject related to so-called civil rights, a disservice is done to the beneficiaries of that bill, a small group of schoolchildren in Crowder, Mo. By changing the scope of the substance of this compassionate measure in this manner, a breach of senatorial faith has been perpetrated against the committee which studied and reported this measure. This is not a fraud in a criminal sense, but it is conduct unworthy of an overwhelming majority of the Senate.

The pending bill, H.R. 8315, was considered by the Committee on Armed Services of the House, and was reported on its merits to the House. It was acted upon by the House of Representatives, and passed that body on its merits. It was then considered by the Senate Committee on Armed Services, and the consensus was that it had merit and should pass. It was brought to the floor of the Senate on a unanimous-consent agreement, because of its obvious merit. There would have been no such agreement had those of us who considered this measure and the condition it seeks to correct known that it was to become a vehicle for opening the floodgates to civil rights legislation.

If the Senate follows the present course, it will not be because of the lack of warning, voiced primarily on yesterday by the distinguished senior Senator from Georgia [Mr. RUSSELL], nor because the alarm has not been raised. Aside from the substantive aspect of the so-called civil rights bills, this perversion of the Senate procedure indicates what amounts to—

A willful disregard by the Senate of its own rules and its own procedure—certainly as to the spirit of those rules.

A willful repudiation by the Senate of its reputation as a great deliberative body.

A willful subversion by the Senate of the public image of the Senate as a government instrument of dignity and mature consideration.

A willful furtherance by the Senate of what is growing to be a situation of government by headline, a procedure by which various Members, through the introduction of bizarre proposals, try their case in the forum of news media, rather than through the orderly legislative process of deliberation and debate. Such procedure is comparable to the alleged attempts of some lawyers to try their cases in the newspapers, rather than in the courtrooms. That is an unethical practice, and leads to the usual instruction to juries that they are not to read periodicals during the time a case is before them for consideration and deliberation. That is a sound ethical principle based on reason and logic; and I believe that we need a similar concept in congressional ethics.

A willful stampede by the Senate against a hopeless minority who are opposed by the overwhelming voting strength of a majority, who propose to proceed, not by the process of orderly consideration, but by a sort of conspiracy by the majority to disregard historic procedures and safeguards.

A willful revival by the Senate of the philosophy and attitudes of the Reconstruction Era which followed the Civil War and an attempt to capitalize on that discredited "bloody shirt" type of political appeal.

A willful participation of the Senate in the process of dividing large sections and areas of our country, solely for the purpose of political gain. We may be witnessing the dawn of a new era of demagoguery.

The proponents of the civil rights bills and proposals not yet reduced to writing rely confidently on the implied precedent of the parliamentary situation in 1957, in their plan to escape the scrutiny and spotlight of legislative committees which in the performance of their duty scrutinize bills of all kinds before they are considered by the parent body or become positive law in the United States.

In 1957, I voted against the procedure of bypassing committees. I voted against that successful attempt to disregard established procedure. But in that year we had certain advantages which are not now available to us: Hearings had been held on the then pending measure by the Judiciary Committees of both Houses of Congress. We had a House committee report. All that material was available. We had a House-passed bill as a nucleus for our consideration. True, we now have a House-passed bill as a vehicle for opening the debate on civil rights matters, but it is not germane to the subject of civil rights; it is merely a measure to provide a temporary shelter for schoolchildren whose school building has been burned.

In 1957, the issues were at least partially defined, and had been partially defended and attacked in open committee hearings. But today we look forward to a host of secret proposals, of dire import, resulting from an unhealthy competition among civil rights advocates to propose the most drastic and punitive legislation; and we must look to the newspapers to ascertain what fate awaits us.

Mr. President, the far-reaching provisions of these proposals must be thoroughly and carefully written out, explained, defined, and debated.

This afternoon, I merely address myself to the graveness of the procedural course which may be adopted here, in connection with measures of such major and far-reaching importance. Certainly I do not wish to consume much of the time of the Senate; but I simply cannot believe that a majority of the Members of this great body have determined to disregard the usual Senate rules and procedures which call for caution and deliberation. I simply cannot believe that a majority of the Members of the Senate have determined to use, instead, a "shotgun" method, and thus actually pass a piece of legislation so far reaching in its effects.

I repeat, Mr. President, under this procedure, the only way in the world to get the bill explained, to get the matter before Senators, and before the country, is to debate its provisions here on the floor, even if it be to empty seats; and I shall certainly follow that course.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. I wish to commend the able Senator for the magnificent address he has made, and to say that he has made a very fine contribution to this debate.

Mr. STENNIS. I thank the Senator.

Mr. THURMOND. I want to ask the Senator if he can state, sincerely, of any emergency or any demand for civil rights from any particular group in this country, except from some pressure group which has an ax to grind?

Mr. STENNIS. I really do not. I think the matters that have been complained about have been exaggerated, where there have been true grievances.

Mr. THURMOND. There has been some complaint about voting rights. The attorney general of my State testified before the Committee on Rules and Administration, week before last, that during his 10 years in office as attorney general there has been only one complaint, out of 2 million people—only one complaint—and it came from a Negro who was a graduate of Howard University. He was asked to read the Constitution. Under our State law and our State constitution, a person has to be able to read or write the Constitution or own $300 of assessed property. The official merely asked him to comply with the law as other people are required to do, and he refused to do it. The attorney general was contacted about the matter, and the official was advised to register the man, anyhow. That was the only complaint about voting rights, he said, he had had in 10 years.

With regard to lynching, an antilynching bill has been introduced in the Senate, or one will be. In this country, we do not have an average of one lynching a year. Where is there any demand for antilynching legislation? Does the Senator know of any universal demand for it? I have not heard of any throughout the Nation.

All of these proposals are just methods to try to catch votes from certain groups in this country, in order to win elections. Is that the Senator's opinion?

Mr. STENNIS. I think that is correct. I have no doubt about it. I think the Senator has analyzed the situation well.

Mr. THURMOND. I thank the Senator for his contribution to the debate.

Mr. STENNIS. I thank the Senator for his contribution toward solving this problem, of which he has a great knowledge.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SPARKMAN. There are many thoughts that will come up in connection with this debate, but I assume in the days to come we shall have occasion to debate them in full. I thought it well to bring up at this time one little matter. The Senator referred to so-called voting referees which the Attorney General proposed. The Senator knows, of course, does he not, that proposal follows rather closely the Reconstruction Act that was enacted by Congress in 1871?

Mr. STENNIS. Yes; that is correct. The proposal is lifted out of that act bodily, and brought forward.

Mr. SPARKMAN. And the Senator knows something about the history of that act, which was passed in the heat of the Reconstruction days, as a punitive measure against the South. He also knows that the conduct under the act was such that Congress itself repealed the act in 1894, in the light of what had happened and the experience under it.

Mr. STENNIS. Yes; in light of the impracticality of the act and also the fact that it was applied in realms other than had been intended.

Mr. SPARKMAN. That act was repealed on February 8, 1894, and the day after, on February 9, 1894, there appeared an editorial in the New York Times, entitled "The Close of a Chapter." If the Senator will permit me, I think it may be well to read this editorial into the RECORD, in order that we may be reminded of something that happened back in those days. Will the Senator yield for that purpose?

Mr. STENNIS. I shall be glad to have the Senator read it into the RECORD.

Mr. SPARKMAN. The editorial is entitled "The Close of a Chapter." It reads:

> The passage by the Senate of the repeal of the Federal elections law marks the close of a most important and at times exciting period in the history of the country since the war. The elections law was a supplementary war measure. Its avowed intention was chiefly to protect the Republican voters of the South who were at the time of its passage almost wholly Negroes, but it was applied to the whole United States, as the Constitution required, and there was no lack of use for it in the large cities and especially in New York.
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> The elections law was, however, vicious in the machinery it set up, and was in many ways badly administered. The appointment of the chief supervisors by the Federal courts practically for life imposed on the judiciary functions for which it is not fitted. These officers were at once judicial and executive. Their powers were large and not very well defined. The patronage which they could distribute was almost unlimited. No court could, except by a happy chance, hit upon men fitted for these varied tasks. Our judges are, by common consent, men of probity and impartiality, but something more is needed for the proper selection of appointees like these. The result was what might have been expected. The courts were indirectly discredited, and the personnel of the force created by the law was not of a high order. Moreover, there was no adequate responsibility under the law. In theory the courts could enforce responsibility, but in practice they did not and could not. There was practically no check on abuses, and the abuses were constant and general.
>
> The most conclusive proof that the law was either badly constructed or badly administered, or both, is that when its friends were in full power, with all the authority and force provided by the law, they never succeeded in doing any lasting good under it and rarely tried to. They appointed large numbers of deputy marshals, they made a great show of investigation and supervision, they made arrests, generally on election day. There they stopped. Now, if the law was good for anything, and if the officers under it were careful and honest, the alleged offenders arrested ought to have been tried, convicted, and severely punished, so that election offenses would have become dangerous and rare. But almost nothing of this sort was done. It became a very general belief that the law was used for partisan purposes, that it was in no sense employed as a means of purifying the suffrage or protecting the rights of voters or repressing and punishing offenses against the suffrage, but that, on the contrary, it degenerated into a device for supplying patronage to the party in power and to some extent for annoying and intimidating the opposing party. The latter charge had but little evidence to support it. The former was only too obviously true.
>
> When the Republicans in the 51st Congress sought to replace the elections law by one of much greater severity and scope, they necessarily admitted that the law had failed, and they were logically responsible for its failure. Now that the Democratic Party comes into power and could, if it chose, avail themselves of all the abuses of the law for which the Republicans had made precedents, the Republicans can give no reason why the law should not be repealed, and repealed it has been. Certainly the Democratic Party cannot be accused of interested motives in throwing away opportunities for patronage and influence which it has only to follow Republican examples in order to use. The repeal is in reality an act of patriotism and sound judgment, so far as Democratic motives are concerned. It marks, moreover, a definite abandonment of the policy of the centralization of power in the Federal Government. In theory there is much to be said for that policy. In practice it has generally worked badly, and often very badly. Its weak point is that under our system of government there is no reasonably efficient means of securing responsibility proportioned to centralized power. We can set up a powerful central machine, as was done by the election law, but there is no adequate control over it and no chance to enforce any. Another fact of importance is that when a machine of this sort is opposed in any State there is no disposable force to overcome the opposition. That would practically require a permanent and disciplined Federal police, which is so impracticable as to be absurd. We have probably seen the last for a long time of attempts at extending Federal action and influence to the details of government in the States, and from our past experience we have no reason to regret the fact.

Mr. STENNIS. I thank the Senator. The writer of that editorial certainly showed great logic in his views, but he was not a good prophet.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. STENNIS. I yield to the Senator.

Mr. LONG of Louisiana. I wish to congratulate the Senator for a very fine presentation, bringing to this body a great number of facts as to which we had no information. I am frank to say, as one Member of this body, that some of the civil rights measures which the Senator discussed, which I understand are proposed to be pushed through without any hearing or without any opportunity for witnesses to be heard, or for the Senate to know what the witnesses said if they did testify before various committees, are of a nature some of us never anticipated at all. I was frankly surprised to find there was a proposal to provide all the integrating services, whether people wanted them or not, throughout the South, and apparently to discriminate against the Northern States by not permitting them to have

the various integration services made available to them. The Senator has really brought to us a great amount of information we needed to know. I fear very much, as the Senator pointed out, that the potential evil of many of these proposals is only beginning to become apparent.

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. I certainly agree with the Senator's conclusions.

Mr. STENNIS. I thank the Senator, and I appreciate his contribution to the debate. As we study these proposals further I think the entire membership is going to be surprised to find out what really is included in their provisions.

I thank the Senator. Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I disagree with the procedure being used to bring the subject of civil rights before the Senate. Nevertheless, I believe that civil rights legislation will be enacted by the Senate within the next few weeks. Both parties are committed to the enactment of civil rights legislation. While the legislation is likely to be concentrated upon the issue of voting rights, I believe that it is highly important that antibombing and antilynching provisions be included.

According to reports published in newspapers in 1958, there were 63 bombings of religious and educational institutions and private dwellings in 1957 and 44 such incidents in the year 1958. In 1959 the figure was comparable to 1958.

We are but 7 weeks into 1960 and already reports are being published of acts of bombing of religious institutions and private homes.

In the Washington Evening Star of January 29, 1960, the headline read: "Bomb Damages New Synagogue in Kansas City." In the same newspaper on February 10, 1960, the headline appeared: "Home of Negro Student Bombed at Little Rock." In the Washington Post and Times Herald of February 11, 1960, the banner read: "FBI Agents Join in Little Rock for Bombers of Negro Pupil's Home."

This sort of terrorism was, and is, not peculiar to the South. Reports of bombings of this nature—as threats to the minorities of our country—have been recorded in almost all sections of the United States. Even in my State of West Virginia, there was an incident about a year ago of like nature. A schoolhouse which had previously been integrated was shattered in an early morning blast. The person or persons responsible for this tragic action dynamited the structure for no positive reason. Most authorities attributed the work to "hatemongers." The case is still open. Authorities know nothing as to who perpetrated the act or as to why it was committed. The Communists have used incidents such as these bombings in their portrayal of majority against minority in this country.

Mr. President, we cannot be sure that these terrorist actions are the results of foreign influence, but the pattern is much like the method of operation in certain foreign countries.

This possibility, of course, adds to the necessity of providing the FBI with power and authority to initiate the investigation of bombing incidents, and the ultimate right of Federal prosecution of the culprits.

I say this, Mr. President: As long as there is one incident of this nature, there is need for legislation which would make it a Federal offense.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Does the Senator really feel that a single incident justifies a Federal law and the Federal Government intervening, notwithstanding the fact that in the case of such an incident I would certainly presume the sheriff and all the law-enforcement agents of the great State of West Virginia would certainly use every effort to apprehend a criminal who did the type of thing to which the Senator referred?

Mr. BYRD of West Virginia. The Senator is eminently correct in his statement, in presuming that the law-enforcement officials of West Virginia did everything within their power, and are still doing everything within their power, to locate the person or persons who perpetrated the act. But the Senator from West Virginia said a moment ago, and will repeat for the benefit of the Senator from Louisiana, that so long as there is one incident of this nature, there is need for legislation which would make it a Federal offense.

Mr. LONG of Louisiana. Is it not entirely likely that the sheriff, if he wants the assistance of the FBI or of some Federal agent, could call upon them to help him to obtain any information that the Bureau might have available?

Mr. BYRD of West Virginia. I think that is logical, yes; but I feel that where it is evident that explosives used in such incidents have been transported in interstate commerce it should be possible for the Federal Bureau of Investigation to enter the picture without the invitation of a State or local official.

Mr. LONG of Louisiana. Does the Senator feel that if a person is apprehended and brought to trial by State authorities and by the local people, who I presume would be good citizens in West Virginia—I believe they are elsewhere—and is found innocent, he should be subjected to double jeopardy and to being tried again in a Federal court for the same offense?

Mr. BYRD of West Virginia. The Senator from West Virginia believes that the crux of the problem lies in apprehending the individuals involved. It is for that purpose that the Senator from West Virginia is pleading for action of this nature.

Mr. LONG of Louisiana. Does the Senator have any reason to believe there is any lack of diligence or lack of ability on behalf of the law-enforcement agencies of the State of West Virginia in the apprehension of criminals? In other words, does the Senator really believe that the local law-enforcement facilities are inadequate to apprehend and to bring to justice persons committing offenses of the nature which the Senator describes, which I believe to be primarily local type offenses? I see no particular connection between those offenses and interstate commerce or the usual activities of the Federal Government.

Mr. BYRD of West Virginia. The Senator from West Virginia would not imply for a moment any lack of interest or diligence on the part of law enforcement officials in West Virginia, Louisiana, or any of the other States of the Union. But the Senator from West Virginia does mean to state that the law enforcement officials in the State of West Virginia may be unable to cope with the situation. The same can be said with reference to bombings which have occurred in other States.

Mr. LONG of Louisiana. I should suppose, from what the Senator says, that the offense to which he referred is primarily local in interest. Under such circumstances, it seems to me that the local agents would have all the capacity any outside agents would have to detect the culprit and bring him to justice.

Some people seem to think that because the Federal Government is investigating something, the Federal Government is qualified to do it better. I happen to know that a great many sheriffs have been trained in the FBI school, and have available to them everything the Federal Government has. When they are on the scene locally, I see no reason to believe that the FBI agents would do any better job than would the local law enforcement officials. I am curious to know if the Senator feels that there should be a duplication of effort, with the taxpayers paying to support two separate groups, one group locally, and another group outside, to try to detect the same crime, when basically the expense all comes out of their pockets anyway. Personally, I doubt if the FBI is any more efficient than some of the local sheriffs. I am curious to know if the Senator feels that there should be a Federal law to achieve results in the State of West Virginia which his local law enforcement officials would not be capable of achieving.

Mr. BYRD of West Virginia. The Senator from West Virginia wishes to state that it is not his purpose or desire to see the Federal Government preempt the law enforcement activities of the States in this field. But it is his position that local authorities are, for the most part, not equipped to handle such cases as this. The Senator from West Virginia feels that there would not be a divided authority. He feels, however, that the Federal Government should be provided with authority by law to initiate action when it is evident that explosives which have been transported in interstate commerce are used in the activities of the kind described.

Mr. LONG of Louisiana. It has been the impression of the State government in Louisiana—and I assume in some other States—that even the State authorities should not interfere in a local area where the sheriff or the chief of police is doing his job diligently, unless the local official feels that he needs outside intervention or assistance, in order to do his job.

Based upon the principle of home rule, if the local official thinks he can do a job, and there is every indication that

he is competent for the task, he should be the judge as to whether or not he needs outside help to come in and assist him. Does the Senator disagree with that philosophy?

Mr. BYRD of West Virginia. The Senator from Louisiana has put his finger on the big "if" in the equation—if the local officials are competent to handle the task. The Senator from West Virginia maintains that in many instances the local authorities are not equipped to handle the situation.

Mr. LONG of Louisiana. If they are not equipped to handle it as law-enforcement officials, would not they, perhaps, be best qualified to know that they are not equipped? I suppose the Senator does not assume that they lack the mental capacity to do the job. I assume he is referring, perhaps, to not having the advantage of a large crime laboratory or a fingerprint facility available to them—although it is my impression that in every case every local sheriff has available to him any information which is available in Washington, and that the Federal Bureau of Investigation cooperates in making such information available.

Mr. BYRD of West Virginia. The Senator from Louisiana is correct in his assumption that the Senator from West Virginia does not mean to question or indict the mental capacity or the good intentions of local enforcement officials in West Virginia, Louisiana, or anywhere else. The Senator from West Virginia merely hopes he can impress upon the Senate the need for Federal legislation, which would make possible the entry of the proper Federal agency into this field in order that it might initiate action, without having to wait for local authorities to act.

Mr. LONG of Louisiana. The Senator is discussing the subject, and perhaps he knows more about it than I do. However, some of us had the impression that where bombings have occurred involving a church or a school building, the FBI has actually been invited or requested to enter the investigation by local officials, and that they have investigated. Failure to apprehend the culprit rests as heavily upon the FBI as upon the local officials. There is no showing that the FBI has been able to find the culprit when the local officials have not been able to do so. I wonder if that agrees with the Senator's understanding of the facts.

Mr. BYRD of West Virginia. The Senator from West Virginia will answer thusly: Time is of the essence in many instances such as this. With the passage of time, the danger of failing to apprehend the criminal is increased, and local officials will readily admit, in many instances, that they are not equipped to locate, identify, and apprehend the criminals who are involved. The Senator from West Virginia merely takes the position that every effort should be made to provide the kind of assistance that is so necessary while there is time, in order that the criminals may be quickly and surely apprehended.

Action by the Federal Bureau of Investigation has already been taken in some instances, but I question whether such action can adequately combat the situation. The FBI has equipped local police with modern know-how by holding conferences throughout the country dealing with detection and prevention of bombings; and, as pointed out by my distinguished friend from Louisiana, has aided local authorities when requested to do so in the actual investigation.

As I have already stated, I feel that the FBI should have the authority to initiate investigations, and, if violation of an interstate nature has been detected, that Federal officials should have the power not only of investigation but also of prosecution of the terrorists when apprehended. If the crime is purely intrastate in nature, local authorities should, and rightly so, have the power of prosecution.

I seriously doubt that there would be the divided authority referred to by my friend from Louisiana. Local authorities, for the most part, are not equipped to handle such cases, and they are the first to admit it. Incidents with such moral ramifications need the attention of the Federal Government itself.

The provisions of Senate bill 188, of which I am a cosponsor, and which was introduced by the distinguished Senator from Massachusetts [Mr. KENNEDY], and the distinguished Senator from North Carolina [Mr. ERVIN], would provide the protection needed against such bombings, and the bill's provisions can and should be included in any bill that passes the Senate in connection with civil rights.

Not only would schools, churches, synagogues, and community centers be protected under the law, but private and business buildings would be protected as well. The bill provides for a maximum fine of $1,000 and a maximum jail sentence of 1 year for illegal transfer or use of explosives, and for the death sentence or imprisonment when a bombing results in the loss of life.

In addition, the legislation proposes to make it a Federal offense for a person who uses explosives within a State to flee the jurisdiction to escape arrest.

William Lloyd Garrison once wrote:

> With reasonable men I will reason, with humane men I will plead, but to tyrants I will give no quarter, nor waste arguments where they will certainly be lost.

I feel, Mr. President, that these perpetrators are tyrants. They know the terrible risks to life that are involved, and yet they are willing to put in grave jeopardy the innocent lives of children, as well as adults, in order to achieve their nefarious ends.

We must sustain maximum effectiveness in dealing with this type of criminal. Either his mind is completely twisted, or his capability for violence is such that it warrants the maximum punishment.

Gov. Orval Faubus said in 1958:

> There must be no room in our hearts or minds for the sort of prejudice which has been the cause of bombing incidents in other States. * * * I will use all powers at my command to bring the culprits to justice, if a bombing incident should occur in Arkansas.

Alabama Gov. James E. Folsom in 1957 said:

> Any person who would bomb the House of the Lord endangers the life of every man, woman, and child in Montgomery. I call on all people of Alabama to help stamp out such lawlessness wherever it may occur.

The Jewish War Veterans of the United States called the bombings of schools and religious institutions "repugnant to American tradition." This came at the group's 64th annual convention in New York City last year.

These statements are indicative of the feelings of most leaders of today. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has said that "bombings can be materially curbed by an aroused public opinion, a coordinated effort on the part of Federal, State, and local agencies, and stern punishment of the perpetrators."

Ours is a government of laws, not of men. The stronger the antibombing and antilynching legislation—the better. If this is the only deterrent that will mean anything to individuals who resort to such inhuman acts, then the legislation should be strong enough to provide a constant warning and it should provide a penalty that is swift and sure. Lynchings and bombings are to be placed in the same category—they constitute an indelible blotch upon the conscience of humanity. This is one feature of the civil rights issue concerning which there should be no disagreement.

In conclusion, I say to my friend from Louisiana that it appears to me that there has been a pattern of such bombings. They have not been localized in nature. These acts have not been perpetrated in one State alone. As I have already said, the actions have the appearance of presenting a pattern, engaged in in several parts of the country. I have already pointed to the tragic act that took place in the northern part of my State.

Therefore, not for one moment would I imply—and I have taken the greatest of care to make it clear in my statement—that people of the South look upon these actions with approval. I have been very careful to state that such activities have been engaged in in the North as well as in the South. I fear, nevertheless, that if we view the future on the basis of the past, we might anticipate a continuation of this pattern. It is not intrastate in nature; it is interstate in character. It is largely for this reason that I believe that the Federal Government should have the authority to initiate action in this field.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 343)

Mr. JOHNSON of Texas. Mr. President, the Senate today has received a message from the President on the mutual security program. I am informed that the message has been read in the House. I therefore ask unanimous consent that the message be printed in the RECORD, without reading, and appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

A year ago in my message to the Congress on the mutual security program, I described it as both essential to our security and important to our prosperity. Pointing out that our expenditures for mutual security are fully as important to our national defense as expenditures for our own forces, I stated that the mutual security program is not only grounded in our deepest self-interest but springs from the idealism of the American people which is the true foundation of our greatness. It rests upon five fundamental propositions:

(1) That peace is a matter of vital concern to all mankind.

(2) That to keep the peace, the free world must remain defensively strong.

(3) That the achievement of a peace which is just depends upon promoting a rate of world economic progress, particularly among the peoples of the less developed nations, which will inspire hope for fulfillment of their aspirations.

(4) That the maintenance of the defensive strength of the free world, and help to the less developed, but determined and hard working, nations to achieve a reasonable rate of economic growth are a common responsibility of the free world community.

(5) That the United States cannot shirk its responsibility to cooperate with all other free nations in this regard.

It is my firm conviction that there are only a few in the United States who would deny the validity of these propositions. The overwhelming support of the vast majority of our citizens leads us inexorably to mutual security as a fixed national policy.

The mutual security program is a program essential to peace. The accomplishments of the mutual security program in helping to meet the many challenges in the mid-20th century place it among the foremost of the great programs of American history. Without them the map of the world would be vastly different today. The mutual security program and its predecessors have been an indispensable contributor to the present fact that Greece, Turkey, Iran, Laos, Vietnam, Korea, and Taiwan, and many nations of Western Europe, to mention only part, remain the home of free men.

While over the past year the Soviet Union has expressed an interest in measures to reduce the common peril of war, and while its recent deportment and pronouncements suggest the possible opening of a somewhat less strained period in our relationships, the menace of Communist imperialism nevertheless still remains. The military power of the Soviet Union continues to grow. Increasingly important to free world interests is the rate of growth of both military and economic power in Communist China. Evidence that this enormous power bloc remains dedicated to the extension of Communist control over all peoples everywhere is found in Tibet, the Taiwan Straits, in Laos, and along the Indian border.

In the face of this ever-present Communist threat, we must, in our own interest as well as that of the other members of the free world community, continue our program of military assistance through the various mutual security arrangements we have established. Under these arrangements each nation has responsibilities, commensurate with its capabilities, to participate in the development and maintenance of defensive strength. There is also increasing ability of other free world nations to share the burden of this common defense.

Obviously, no one nation alone could bear the cost of defending all the free world. Likewise, it would be impossible for many free nations long to survive if forced to act separately and alone. The crumbling of the weaker ones would obviously and increasingly multiply the threats to those remaining free, even the very strongest.

Collective security is not only sensible—it is essential.

That just peace which has always been and which remains our primary and common goal can never be obtained through weakness. The best assurance against attack is still the possession and maintenance of free world strength to deter attack.

The nations of Europe are increasingly assuming their share of the common defense task. None of our NATO partners other than Greece, Turkey, and Iceland now requires nor receives any economic assistance. Indeed, in rising volume, these nations are now providing economic assistance to others. Our NATO allies are also meeting their military needs to an increasing degree; several major countries now require no help. Our military programs in NATO countries today are largely designed and executed as joint cost sharing arrangements whereby vital additional defense needs are met through mutual effort.

It is clear that while every possibility to achieve trustworthy agreements which would reduce the peril of war must be explored, it would be most foolish to abandon or to weaken our posture of common deterrent strength which is so essential a prerequisite to the exploration of such possibilities. The need is for steadfast, undramatic, and patient persistence in our efforts to maintain our mutual defenses while working to find solutions for the problems which divide the world and threaten the peace.

The mutual security program is a program essential to world progress in freedom. In addition to its mutual defense aspects, it also is the American part of a cooperative effort on the part of free men to raise the standards of living of millions of human beings from bases which are intolerably low, bases incompatible with human dignity and freedom.

Hundreds of millions of people throughout the world have learned that it is not ordained that they must live in perpetual poverty and illness, on the ragged edge of starvation. Their political leaders press the point home. In a variety of ways this drive is moving forward by fits and starts, often uncertain of its direction. It is sometimes involved in free world struggle against communism, sometimes not. It is clearly in the interests of the United States that we assist this movement so that these countries may take their places as free, independent, progressing, and stable members of the community of nations. It is equally clear that it would be against our interests if this forward movement were stifled or hindered. The result would be to breed frustration and explosive threats to political and economic stability in areas around the world.

Equally with military security, economic development is a common necessity and a common responsibility. An investment in the development of one part of the free world is an investment in the development of it all. Our welfare, and the welfare of all free men, cannot be divided—we are dependent one on the other. It is for each of us, the strong and the weak, the developed and the less developed, to join in the great effort to bring forth for all men the opportunity for a rewarding existence in freedom and in peace. World economic expansion and increase in trade will bring about increased prosperity for each free world nation.

New challenges, with corresponding opportunities, are now visible before us: the acceleration of the achievement of independence of peoples in Africa; the growing restlessness in the less developed areas; and the increasing potential for partnership and assistance to these areas as a result of the continued growth of the now healthy economies of the industrialized western European nations and of Japan, Canada, and Australia.

Free world cooperation is becoming the watchword of this effort. In the past year the capital of the International Bank for Reconstruction and Development was doubled and that of the International Monetary Fund was increased by half. In addition, a U.S. proposal for an International Development Association to be affiliated with the International Bank for Reconstruction and Development has been accepted in principle and a draft charter recently has been submitted to member governments. I expect to transmit to the Congress recommendations on this matter in the near future. The industrialized nations of Europe, together with Japan and Canada, are notably stepping up their participation in cooperative efforts among themselves and with the less developed countries to promote growth. Similar approaches will be discussed at

a meeting of representatives of a number of nations, to be held in Washington in March.

In our own Western Hemisphere society of nations, we are now joined in a great new venture, the Inter-American Development Bank. This new institution, formed in partnership with our neighboring nations, should prove of immense value in promoting the more rapid development of the member nations. Our participation in this joint effort is significant of the special interest which we have in the progressive development of our neighbors. Together with the very considerable dimensions of private and government investment taking place in the hemisphere, and the mutually beneficial technical cooperation we have so long enjoyed with our neighbors, it should serve to accelerate progress.

Thus the military and economic resources which we provide through the mutual security program to help create and maintain positions of strength are properly to be regarded as what they are—investments in the common defense and welfare and thus in our own security and welfare. This is a mutual security program.

Our concepts are sound, our policies of proven value, and our will to meet our responsibilities undiminished and constant.

THE PROPOSALS FOR FISCAL YEAR 1961

The form and general structure of the mutual security program for fiscal year 1961 remains essentially that which has stood the test of experience. In the administration of the various mutual security programs, changes have been instituted in organization, programing, and management controls. It was in part for the purpose of analyzing and making recommendations for improving the administration of the program that I appointed last year a distinguished group of citizens headed by General Draper. Many of the recommendations that they made have already been put into effect. We are constantly seeking additional management improvements to meet the program needs and difficult problems of operating these diverse programs on a worldwide basis. The categories of activity are the same as those with which the Congress is familiar. Adjustments in the nature and dimension of activity are proposed which reflect and are responsible to the changes in the world scene, in the degrees of need and of capability for self-help. These adjustments also are consistent with an analysis of future needs and of future changes and capability for self-help. This forward analysis was, in part, conducted in conformance with the requirement of law that plans of future grant economic assistance be developed and presented to the Congress. The detailed plans and conclusions on future assistance will be submitted to the Congress in the near future.

MILITARY ASSISTANCE

For military assistance I am requesting in the pending Department of Defense budget an appropriation of $2 billion. This is more than was requested, or than was provided for fiscal year 1960. The request for a larger appropriation is not made in order to increase the proportionate share of U.S. participation in the common defense. Nor does it reflect an intent to embark on a vast expansion of the military assistance program.

The amount requested for military assistance within the defense budget is in my considered judgment, and in that of the Joint Chiefs of Staff, a need for our defense equally compelling and of equal importance with the needs of our own services provided for elsewhere in the defense budget.

The amount requested is the result of careful and detailed review of the needs of our allies to enable them to maintain the level of combat effectiveness made possible by previous military assistance and to provide, mostly on a cost-sharing basis, for certain essential force improvement projects. Without adequate provision for maintenance, the moneys previously spent would be largely wasted. And without force improvement, without the provision of more advanced weapons, the free world forces would inevitably fall behind in their ability to counter modernized aggressor forces.

The fact, if it is a fact, of reductions in Soviet military manpower, does not alter the need for the maintenance of our collective defense. Soviet military power, as Mr. Khrushchev's own statements make clear, remains great. Our plans have never attempted to match Soviet armed manpower; they have been and are designed to deter aggression. Of special importance is the maintenance of a strong and effective deterrent posture in the NATO alliance. As indicated earlier, the improving economic position of Western Europe as a whole makes it possible for Europe to share increasingly in the cost of the common defense, and for certain major European countries to maintain their defense efforts without U.S. assistance. At the same time, the requirements for modernization and improvement are of such dimension that our participation in joint cost-sharing projects with certain European countries over the immediate future is still essential. Provision for such contributions is included in the proposed program.

The amount requested for fiscal 1961 is consistent with the recommendations of the bipartisan committee of distinguished citizens headed by General Draper, which I appointed last year to review our policies and programs. This Committee strongly urged the maintenance of a delivery program of approximately $2 billion annually. In recent years, annual deliveries have averaged about $2.2 billion. Deliveries in fiscal year 1960, however, reflecting the reduced appropriations of recent years, will fall back to $1.8 billion or less. Unexpended balances carried over from previous years have now been reduced to a minimum and deliveries in future years will closely approximate the annual appropriation level.

In my considered judgment, an appropriation of $2 billion for fiscal year 1961 is the minimum amount consistent with the maintenance of a firm and adequate collective defense posture. Anything less in effect precludes essential modernization and improvement of forces and limits us to a bare maintenance program.

ECONOMIC ASSISTANCE

DEFENSE SUPPORT

For 12 of the nations with whom we are joined in collective or mutual security arrangements, we have for some years been contributing not only military resources required in the common defense but economic resources in the measure needed to permit the maintenance of such defenses without incurring political or economic instability. This category of resource contribution we term "defense support"—economic resources to assure a defense posture. These 12 countries maintain forces of over 3 million men, more than the total number in the U.S. Armed Forces, and each of these underdeveloped countries, except for Spain, is part of the exposed land and offshore island belt that forms the immediate southern and eastern boundary of the Sino-Soviet Empire. Requirements in this defense support category have decreased somewhat; for fiscal year 1961 I am requesting for these programs $724 million or $111 million less than I asked for last year. This reduced requirement reflects in some measure a gradual but perceptible improvement in the economic situations in these countries. More than half, 56 percent, is for the three Far Eastern countries of Korea, Taiwan, and Vietnam which have the common characteristics that they are divided countries facing superior Communist forces on their borders, forces which the Communists previously have demonstrated their willingness to use, thereby compelling these frontier nations to support armed forces far in excess of their unaided capacities to maintain. The amounts requested for these purposes represent the least we can contribute and retain confidence that adequate defenses will be maintained.

SPECIAL ASSISTANCE

Another category of international cooperation in the mutual security program is the provision of economic resources to other nations where such resources are essential to the maintenance of their freedom and stability. This category of cooperation we term "special assistance." I am requesting $268 million for these purposes in fiscal year 1961. Such provisions will enable us, for example, to continue aid to the young nations of Morocco, Libya, and Tunisia, to strengthen the stability of Jordan and the Middle East, to combat the encroachment of Communist influence in Afghanistan, and to undergird the economies in Bolivia and Haiti. Special assistance will also enable our continued participation in such vital programs as the worldwide antimalaria campaign.

AID TO DEVELOPMENT

The achievement of economic progress, of growth, depends on many things. Through collective security arrangements, through defensive measures, by giving military aid and defense support, we and other nations can achieve a measure of security and stability within

which the process of development is possible and can be fostered. The primary and essential prerequisite internally is the determination to progress and take the actions needed and to make the sacrifices required. No matter how great the determination, however, there will remain tremendous needs for both technical improvement and capacity and for development capital. If a pace of development is to be achieved which will meet the essential demands of these peoples, outside help is a necessity.

TECHNICAL COOPERATION

Through our long-established program of technical cooperation and by our contributions to the United Nations activities in the technical assistance field, we make a major contribution toward the satisfaction of this thirst and need for growth in knowledge and technical capacity. The mutual security program proposed for fiscal year 1961 continues these vital activities and provides for the enlargement and extension of our technical assistance programs in the newly emerging nations of Africa. For bilateral technical assistance I request $172.5 million; for our participation in United Nations technical assistance programs I ask $33.5 million; and to supplement our much larger bilateral program with our neighbors to the south, I ask $1.5 million for the program of technical assistance which we conduct in cooperation with them through the Organization of American States.

AFRICA

Of inescapable interest to the United States in the world today is the increasing assumption of self-government by the peoples of the great continent of Africa, especially in the area south of the Sahara. This vast area deserves and commands the full attention and assistance of the free world if it is to develop its institutions and its economy under freedom. While the needs of Africa south of the Sahara for development capital are real and can be expected to grow, there is an imperative and immediate requirement for increased education and training. The request for appropriations for special assistance includes an amount of $20 million for a special program to be instituted for the improvement of education and training in Africa south of the Sahara, with particular emphasis to be given to the meeting of needs which are common to all the countries of the area. It is my belief that this initial effort must grow significantly in the immediate years ahead and complement similar efforts on the part of other free world nations so that the capacity of the new and other developing nations in Africa to manage and direct their development can be strengthened and increased rapidly and effectively. Without such strengthening and development of education and training, the preconditions of vigorous economic growth cannot be established.

DEVELOPMENT LOAN FUND

In the field of development assistance, the Development Loan Fund is proving to be an increasingly effective instrument for response to those needs which cannot be satisfied from private investment, the World Bank or other like sources. It has assisted in the installation of basic facilities, such as power and transportation, necessary for growth in the less developed areas. Particularly important are the expanded activities of the Development Loan Fund in the field of private enterprise. The Development Loan Fund is opening new opportunities to build an effective partnership with American private enterprise wherein the private resources of the country can make an increased contribution to development in the less developed nations. The history of the Development Loan Fund activity over the past 2 years indicates that the flow of such loan capital has tended to respond to the degree of need and of capability. In other words, those areas where the determination and the will to progress are greatest and the capacity to use such resources effectively is the greatest, have been the leading recipients of loan assistance from the Development Loan Fund. I request $700 million for the Development Loan Fund for use beginning in fiscal year 1961.

SOUTH ASIA

Over the past 2 years a major share of Development Loan Fund loans have been made to the two great nations of South Asia, India, and Pakistan, where half a billion people are deeply committed and irrevocably determined to develop and maintain institutions of their own free choice, and to raise their standards of living to levels of decency. The force and drive of this great effort is unmistakable; it warrants the full and warm support of the free world. We have joined with other nations in helping these countries; we envisage the total public and private effort to assist South Asia not only continuing but expanding. An increased amount is expected to be devoted to this great cause from the resources requested for the Development Loan Fund for fiscal year 1961 as these countries increase even further their own self-help efforts.

THE INDUS BASIN DEVELOPMENT

A development of major significance in South Asia is the substantial progress being made under the auspices of the World Bank to effect a solution to the complex and difficult problem of the use of the waters of the Indus River Basin as between India and Pakistan. Vital interests of both countries are involved; the solution must involve a plan whereby the waters, on which the agriculture, the food supplies, and the economies of the region depend, can be equitably developed and shared. It is anticipated that an agreement on such a development plan may be reached in the near future. Essential to its fruition is the willingness of nations outside South Asia to assist in the development plan, the cost of which cannot be borne by these nations unaided. Under World Bank auspices, plans are being developed whereunder the Bank, British Commonwealth nations, West Germany, and the United States will each contribute to the costs of the development plan and the supervision and management of the enterprise will be undertaken by the Bank. We propose to provide a measure of assistance to this activity through the mutual security program in fiscal year 1961 and in subsequent years as needs arise. To assure that we can effectively participate in this multilateral undertaking, I am asking for authorization to exercise flexibility in the application of regulations normally applied to bilateral undertakings, if and when such exceptional action is required for this great project. The solution of this troublesome international issue should be of great assistance in promoting a peaceful and cooperative resolution of other divisive issues and encourage a maximum concentration on the major goals of peace and prosperity.

REPUBLIC OF CHINA

The mutual security program can be expected also to be responsive to the needs of other areas and countries as their determination and capacity to employ development capital grows. We have received proposals from the Government of the Republic of China for an expanded and accelerated program of economic reform and development to which we are giving close and careful attention. The vigorous and skilled population on Taiwan, the record of growth in investment and output, the very real potential for acceleration, offer a prospect for a convincing demonstration that under free institutions a pace and degree of achievement can eventually be obtained in excess of that resulting under totalitarianism. For this purpose, we envisage the full employment of both grant and loan assistance to hasten the day of ultimate viability and self-sustaining growth.

CONTINGENCY FUND AND OTHER PROGRAMS

In addition to the major categories of cooperation which I have mentioned, military assistance and defense support, special assistance, technical cooperation and the Development Loan Fund, I am asking also for a contingency fund of $175 million and for $101 million to continue a variety of small but important programs.

The contingency fund is an essential safeguard against the unforeseen or not wholly predictable need. The record of the past several years clearly demonstrates its value as enabling prompt and effective response to the altering course of international events.

The $101 million requested for other programs will permit our continued participation in UNICEF, in refugee programs, and in the foreign programs for peaceful uses of atomic energy. It also will provide for administrative costs to administer the economic and technical programs.

For the total mutual security program I ask $4.175 billion. The need for these amounts has been examined and reexamined with great care in the executive branch. I am entirely satisfied that the needs for which funds are sought are needs which must be met and that the funds sought are the most reasonable estimates of requirements we can produce. There is no question but that the Nation can afford the expenditures involved; I am certain we cannot afford to ignore the needs for which they are required.

CONCLUSION

The United States is a privileged Nation. Its citizens enjoy a measure of prosperity and well-being and an extent of liberty under free institutions unequaled in the history of the world. Our ideals and our ideology place upon us a responsibility for leadership and for cooperation with other nations and other peoples which we accept willingly and with pride.

My recent travels impressed upon me even more strongly the fact that free men everywhere look to us, not with envy or malice but with hope and confidence that we will in the future as in the past be in the vanguard of those who believe in and will defend the right of the individual to enjoy the fruits of his labor in peace and in freedom. Together with our fellow men, we shall not fail to meet our responsibilities.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 16, 1960.*

LEASING OF PORTION OF FORT CROWDER, MO.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

Mr. JOHNSON of Texas. Mr. President, have the yeas and nays been ordered on the Russell motion?

The PRESIDING OFFICER. They have not.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Russell motion.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL] to postpone the further consideration of the bill—H.R. 8315—until February 23, 1960. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], and the Senator from Idaho [Mr. DWORSHAK] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is detained on official business.

The result was announced—yeas 28, nays 61, as follows:

YEAS—28

Butler	Holland	Russell
Byrd, Va.	Johnston, S.C.	Smathers
Byrd, W. Va.	Jordan	Sparkman
Eastland	Kefauver	Stennis
Ellender	Kerr	Talmadge
Ervin	Long, La.	Thurmond
Fulbright	McClellan	Williams, Del.
Goldwater	Monroney	Young, N. Dak.
Gore	Morse	
Hill	Robertson	

NAYS—61

Aiken	Engle	Mansfield
Allott	Fong	Martin
Anderson	Frear	Morton
Bartlett	Green	Moss
Beall	Gruening	Mundt
Bennett	Hart	Muskie
Brunsdale	Hartke	Pastore
Bush	Hayden	Prouty
Cannon	Hickenlooper	Proxmire
Carlson	Hruska	Randolph
Carroll	Jackson	Saltonstall
Case, N.J.	Javits	Schoeppel
Chavez	Johnson, Tex.	Scott
Church	Keating	Smith
Clark	Kuchel	Symington
Cooper	Lausche	Wiley
Cotton	Long, Hawaii	Williams, N.J.
Curtis	McCarthy	Yarborough
Dirksen	McGee	Young, Ohio
Dodd	McNamara	
Douglas	Magnuson	

NOT VOTING—11

Bible	Dworshak	Murray
Bridges	Hennings	Neuberger
Capehart	Humphrey	O'Mahoney
Case, S. Dak.	Kennedy	

So Mr. RUSSELL's motion was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the motion was defeated.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I wish to make a very brief statement before I make a unanimous consent request. I voted in favor of the motion to postpone further consideration of the bill until February 23. I voted for the motion because it is completely consistent with my procedural record in the Senate, and is dictated by my convictions in regard to what I think orderly procedure in the Senate ought to be.

It will be recalled that in 1957 the civil rights bill came over to the floor of the Senate from the House. The Senator from Oregon then took the position that that House civil rights bill should be referred to the Senate Judiciary Committee for consideration, and he made a motion at that time that the bill be referred to the Senate Judiciary Committee with instructions to report a bill. I think the time limit fixed finally was 7 days.

I took the position then that we should not undercut and undermine committee procedure in the Senate, because I think committee procedure is of very great importance to our legislative process. At the very least we ought to try to get the benefit of a committee report and committee action on any bill that comes to the floor of the Senate for consideration. We ought to have from a committee a report of the official hearings the committee may have held, in which qualified expert witnesses testified before the committee in regard to the problems involved in the bill.

That procedure is particularly important in the field of civil rights, where there are involved so many questions of constitutional law. Many legal issues are bound to arise, once we get through passing a civil rights bill. As I said yesterday, we can be sure every paragraph of any civil rights bill we pass is going to be litigated in the courts. I think we ought to have submitted to the courts the strongest possible record that has been made, legislativewise, in the Congress of the United States. The cases are replete in support of the position I took in 1957, and which I again take this year, that we have a stronger legislative record when we can turn over to the courts committee reports and committee hearings in reference to a bill when there is sought, by the courts, the legislative intent with regard to any law that is called into litigation.

So, because I feel the course of action I fought for in 1957 on the civil rights bill which was before us for consideration at that time, on which I was defeated, and for which course of action I fought again this time, and was defeated again, was the most orderly procedure to follow, I voted in favor of the motion to postpone.

I well know that now, as in 1957, I shall be subjected to a lot of criticism and misunderstanding on the part of very sincere and wonderfully intentioned people who believe that the ends justify the means in civil rights legislation, and that the only thing that counts happens to be the ends; that we must get civil rights legislation, and we do not have to pay very much attention to the procedural means by which we get that legislation.

I can understand how people will hold that point of view, but it is not mine. I will never adopt that point of view in the Senate, because it is important for us to follow orderly procedure in this body. I do not yield to any Member of the Senate in my dedication to civil rights, and I am in favor of the adoption of the strongest possible civil rights bill we can pass in this session of Congress. It will be found that the Senator from Oregon will be challenged in the Senate time and time again, in the days and weeks ahead, as we consider civil rights legislation, for going much further than I surmise a majority in the Senate will try to go in seeking to get effective civil rights legislation.

I believe that we must pass legislation which will put into effect the Supreme Court's historic decisions in respect to the school systems of this country, and that we ought to pass legislation which will guarantee putting into effect the meaning of the 14th and 15th amendments, which assure Negroes in this country the right to vote.

It will be recalled that in the debate in 1957 I pointed out that in my judgment the bill would not result in adding a single Negro voter to the voting rolls of this country. It is interesting to note that the Civil Rights Commission report, filed with the Congress only a few days before adjournment last year, in effect said the same thing.

We have to pass a civil rights bill which will really give some teeth to any provision which involves an attempt to give the Negroes of this country voting privileges.

Mr. President, I think it is a great mistake for those of us working so sincerely together on the substantive features of civil rights to find ourselves the least bit quarreling over the procedures to be followed. I want my colleagues to know I am deeply concerned over the preservation of orderly procedures in the Senate. I have taken my stand on procedure, and I shall be proud to stand on the record I have made in that respect.

We have the question. Where do we go from here? It seems to the senior Senator from Oregon that apparently the only choice he has is the bill now pending before the Senate. The only choice he has is to work now on proposed civil rights legislation within the Senate, with the Senate acting as a committee of the whole. That is what we have done, in effect, by the action we have taken on the yea and nay vote, since we have turned the Senate of the United States into a judiciary committee, in effect. We have turned the whole Senate of the United States into a judiciary committee of the whole on the floor of the Senate in which we shall have to work. I do not know how many weeks we shall have to labor, but I am perfectly willing to work as many weeks as we have to work as a committee of the whole, to pass a civil rights bill without the benefit of hearings held by the committee, and without the benefit of the legislative record which I think we ought to have, through the application of committee procedures in the Senate. We can do a job. We must do a job. It will not be as good a job, I submit, as it would be if we followed the course of action of having the committees of the Senate make their reports to us.

Mr. President, I have been advised, and I think reliably, that the Committee on Rules and Administration of the Senate has been contemplating making a report to us in the not too distant future on a civil rights bill pending before that committee.

I have been told by members of the Committee on the Judiciary that they believe the chances are pretty good that in the not too distant future they will be able to get from the Committee on the Judiciary, of their own volition, a civil rights bill. I know there are sincere men in the Senate who doubt that and who say, "The Committee on the Judiciary is not going to report a bill, because there will be delaying and dilatory tactics resorted to, parliamentary-wise, in the Committee on the Judiciary." I cannot speak with authority on that subject, because I am not a member of the committee, but I want the RECORD to show there are those on the Committe on the Judiciary who do not share that point of view, and who believe they are making substantial progress in the Committee on the Judiciary toward reporting some civil rights proposal.

Mr. President, before I can accept with any enthusiasm the idea of turning the Senate into a Committee of the Whole, to handle proposed civil rights legislation, I think we ought to at least exhaust the rules of procedure available to us in the rule book, to get before us a civil rights bill from a committee. I spoke about this matter this morning, and I shall not repeat myself other than to summarize the position I took this morning.

This morning I offered two discharge resolutions. As the RECORD will show, I asked a series of parliamentary inquiries of the Presiding Officer of the Senate, who, assisted by the Parliamentarian, put into the RECORD the answers to those parliamentary questions.

Briefly, Mr. President, under the rules I cannot bring up, except by unanimous consent, my resolutions, which propose, respectively, that the Committee on the Judiciary and the Committee on Rules and Administration, be discharged from further consideration of a civil rights bill as of February 25, unless in the meantime they submit to the Senate their reports on such a bill either favorably or unfavorably.

Mr. President, before I filed those two discharge resolutions I conferred with appropriate members of the staffs of those two committees, to ascertain which bill in each of the two committees, the Committee on the Judiciary and the Committee on Rules and Administration, could be said to encompass the broadest scope of proposed civil rights legislation and in regard to which the committee itself had taken the greatest amount of action.

I found, Mr. President, that in the Judiciary Committee a bill had been reported from a subcommittee to the full committee. I found in the Committee on Rules and Administration that the committee was in the process of giving very careful consideration to one of the bills, which I cited in my resolution, and that there was the expectation and anticipation that the bill might very well be reported from the Committee on Rules and Administration within the next few days. I also found a similar situation in the Committee on the Judiciary.

Mr. President, we can wait in the interest of orderly procedure. We can proceed to debate the proposal which is now in front of us, and discuss a bill which is not germane at all to civil rights. We can discuss the bill in terms of proposals for civil rights amendments to be offered to it, in the hope that perhaps some time during the course of the debate on that bill the Committee on Rules and Administration or the Committee on the Judiciary may report a civil rights bill from the committee.

How would Senators like to be members of either the Committee on Rules and Administration or the Committee on the Judiciary under that kind of a parliamentary treatment on the floor of the Senate? How would Senators feel, as members of the Committee on the Judiciary or the Committee on Rules and Administration, to be considering proposed civil rights legislation in the committee and to find the Senate of the United States—this happens to be my description and my view as to what I think our conduct amounts to—riding roughshod over the committee by bringing to the Senate proposed civil rights legislation which is pending before the committee and which the committee members are supposed to be considering in good faith in carrying out their duties as members of either the Committee on Rules and Administration or the Committee on the Judiciary?

Perhaps it would not bother other Senators. Perhaps I simply happen to be individualistic in this matter, also, but, Mr. President, I would not like it. I would not feel that I was getting the fairest of treatment from my parent body if I were seeking to serve my parent body as an agent of either the Committee on Rules and Administration or the Committee on the Judiciary and my parent body said, "Well, go ahead, but we are not going to wait for you. We are going to bring the matter up in the Senate and attach it to a bill which does not have even a scintilla of germaneness to civil rights."

I do not think that is the proper way to treat the Committee on Rules and Administration or the Committee on the Judiciary.

One may say, Mr. President, What does the Senator from Oregon propose? Is the proposal of the Senator from Oregon any more kindly? I think it is, because my proposal is within the rules. We have a rule in the rule book which provides for the discharge of a committee. We can propose to discharge a committee as of a day certain. We can instruct the committee, as the agent of the Senate, to follow a certain procedural course of action between the time of the instruction and the day certain provided for in the resolution. That is orderly procedure. That is one of the checks of our checks and balances system, which we have written into our whole legislative process in this form of government of ours. That is a check we have upon a Senate committee, if we think a Senate committee is not proceeding as rapidly as it should proceed in considering proposed legislation as to which we want to take action in the Senate.

Mr. President, this is a check which has been used a good many times in the history of the Senate. I am not proposing a procedure for which there is no precedent. It is orderly. It is proper.

Considering the membership of the committees, we strengthen the hand of members of the Committee on Rules and Administration and the Judiciary Committee, if the hypothesis be true that dilatory tactics might be indulged in by any member of either one of those committees to prevent them from moving as expeditiously and quickly as they otherwise might move. It is one of the purposes of the check to be of procedural

help to members of the committee who wish to bring an official report before the parent body. We help them when we move to discharge the committee as of a day certain, with instructions to report favorably or unfavorably.

So I am not taking an action disciplinary of a committee. I am not proposing to discipline the Committee on Rules and Administration or the Judiciary Committee. It is true, as I said earlier in the day, that ever since last September the Committee on Rules and Administration and the Committee on the Judiciary have been on notice that we hoped to bring up civil rights legislation on February 15. I say, not at all in criticism of either committee, but as a statement of fact, that the Rules Committee and the Judiciary Committee have not been taken by surprise by the proposal that we proceed to the consideration of civil rights legislation. They had notice that that was the desire of the Senate, as of February 15.

I wish we had a civil rights bill before us. I do not believe I know enough about the internal parliamentary plays within the Committee on Rules and Administration or the Judiciary Committee to make any statements on the floor of the Senate as to what the parliamentary situation may be within either of those committees. However, I am satisfied that members of those committees who are friendly to civil rights legislation would be greatly strengthened by a resolution to discharge those committees as of February 25, with instructions to report bills to the Senate.

I believe that the chances are very great that the adoption of either of my discharge resolutions, or both, would result in our getting a civil rights bill to the floor of the Senate by February 25. We could then approach the subject directly, in my judgment, by way of frontal attack, by the most orderly procedure under the rules which could be followed by the Senate. We owe it to the rules of the Senate and to the legislative process of the Senate to adopt that kind of orderly procedure.

Therefore I now ask unanimous consent to be allowed to bring up, out of order, my resolution, Senate Resolution 273, which is the resolution which seeks to discharge the Judiciary Committee, as of February 25, from further consideration of a particular civil rights bill, the one with respect to which the committee has proceeded the furthest, the one on which hearings have been held, the one with respect to which there are voluminous printed hearings, and the one which seems to be in the best form to report to the Senate.

If I succeed in that unanimous consent, or if I do not, I shall try to bring up the second resolution in order to make the record clear. If I can obtain the floor I shall ask unanimous consent to proceed, out of order, with the consideration of Senate Resolution 274, which seeks to discharge the Committee on Rules and Administration from the further consideration of a particular civil rights bill which, I am advised, is furthest along in the Committee on Rules and Administration. I believe it is almost ready for final discussion and vote in the committee.

This being February 16, I think the senior Senator from Oregon has been exceedingly fair and reasonable in fixing the date of February 25. That is fair dealing with the two committees.

Let me say to my civil rights friends—and, good naturedly and respectfully, to my southern friends—that such a course would take from our southern friends one of the strongest arguments they might be able to make. I can hear their arguments: "We were forced into this debate without the advantage of a committee report, without opportunity for the committee to have a reasonable time within which to file a report and take committee action."

I am for taking that argument away from my southern friends, because I know that, on the merits, our position in favor of civil rights legislation is so unanswerable, and so right as a matter of social justice, that I do not propose to give the opposition to civil rights legislation even the kind of procedural argument it would like to use further to confuse the issue which confronts the American people.

I close by saying that once again I offer to the Senate an orderly procedure for handling civil rights legislation on the floor of the Senate, one which would leave no room for doubt that we had made the maximum use of our committee procedure in the Senate. That committee procedure is of vital importance to sound legislative processes in the Senate.

Mr. President, I submit my first unanimous consent request.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield, provided I do not lose my right to the floor by yielding.

Mr. LAUSCHE. Having in mind that last year the majority leader, after he had been bombarded by many questions which were propounded to him, stated that on February 15 there would be submitted to the Senate the issue of civil rights, does the Senator from Oregon feel that the Senator from Texas, the majority leader, trespassed upon fair treatment of the Senate in bringing to its attention on February 15 the civil rights issue?

Mr. MORSE. I am very glad to answer the question. I think I made it clear yesterday, and again today, that I have not risen at any time in this debate to criticize the majority leader. I have said that the majority leader has acted within the rules of the Senate. I differ with his judgment as to the procedure which should be adopted, because there is on the calendar the Javits resolution providing for the discharge of the Judiciary Committee from the further consideration of certain civil rights legislation. That resolution has been on the calendar since last August. In my judgment, it would have been better if the majority leader had proposed yesterday to proceed with the consideration of the discharge resolution—because that would have raised the civil rights issue—rather than by way of a bill which is not germane to civil rights, and to which it is now proposed to add civil rights amendments.

Mr. LAUSCHE. Mr. President, will the Senator further yield?

Mr. MORSE. I yield, provided I do not lose my right to the floor.

Mr. LAUSCHE. The majority leader stated that on February 15 there would come before the Senate the issue of a civil rights bill. Could he have more effectively brought it before the Senate in any other way than by the course which he chose?

Mr. MORSE. Most certainly. That is the burden of my argument, I will say to the Senator from Ohio. What a different approach it would have been if he had brought up yesterday a motion to discharge the committee as of a definite date, calling up the Javits resolution, which is on the Calendar, to discharge the Committee on the Judiciary from further consideration of the main bill. I say to the Senator from Ohio that that would have been the most direct way to bring up the question of civil rights. It would have been the most orderly way, within the rules of the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield for a statement?

Mr. MORSE. I yield provided I do not lose my right to the floor.

Mr. LAUSCHE. In my opinion, the Senator from Texas, when he brought up for consideration an innocuous bill involving the leasing of certain military property in Missouri, having in contemplation an amendment relating to civil rights, brought that issue directly before the Senate. If the course which the Senator from Oregon has recommended had been chosen, that issue would not have been before the Senate on February 15.

I thank the Senator from Oregon.

Mr. MORSE. I reply to my friend from Ohio by saying that moving to proceed to the consideration of the resolution to discharge would bring the civil rights issue before the Senate. I do not know why the Senator from Ohio says that if we had followed that course the issue of civil rights would not be before the Senate, because that is what the resolution deals with.

There was brought before us a little bill involving a school district in Missouri, instead of a civil rights bill. That school bill was made the pending business, and we were informed that we could then proceed as Senators to offer such amendments involving civil rights as we cared to offer to that bill. This truly washes out orderly procedure in the Senate.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. I will be glad to yield if I do not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARROLL. As a member of the Committee on the Judiciary, I should like to say that all of us have known, and it has been in the papers for months, and the majority leader knew, that we had under consideration in committee civil

rights legislation for months—not weeks, but months—and I wish to say to the Senator from Oregon, to paraphrase the words of a famous song, you might as well go chasing after moonbeams or light a penny candle from the stars as to expect that we will get civil rights legislation out of the Judiciary Committee. I have been in this fight for months.

Mr. MORSE. If we can get the votes to oppose the postponing of consideration until February 23, in my judgment we have the votes to discharge the committee. I believe that discharging the committee would have strengthened the hand of the Senator from Colorado on the Judiciary Committee. At least we would have kept faith with the committee procedure of the Senate, and not gone around it.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. MORSE. I yield further to the Senator from Colorado, provided I do not lose the floor.

Mr. EASTLAND. Mr. President, I should like to correct a misstatement made by my friend from Colorado.

Mr. MORSE. I yield first to the Senator from Colorado, with the understanding that I do not lose my right to the floor. Then I will yield to the Senator from Mississippi.

The PRESIDING OFFICER. Is there objection to the Senator from Oregon yielding to the Senator from Colorado?

Mr. EASTLAND. The distinguished Senator from Colorado has said that this matter was pending——

The PRESIDING OFFICER. Is there objection to the Senator from Oregon yielding to the Senator from Colorado? The Chair hears none, and it is so ordered. The Senator from Oregon yields to the Senator from Colorado.

Mr. CARROLL. I would never——

Mr. EASTLAND. The Senator does not wish to make a misstatement, does he?

Mr. CARROLL. The Senator from Colorado has not made a misstatement. The Senator from Mississippi will have ample time to comment on anything I have said, and I shall be very glad to debate the matter with my chairman. I wish to make the record clear on this point, because this has been going on for a long time. Going far back into last year, we had months of hearings. We had some of the greatest lawyers in the country, from the South and the North, and Governors and attorneys general appears before the committee to discuss this matter thoroughly.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. CARROLL. I should like to finish my statement, if I may. Then I will be happy to yield if I may do so without the Senator from Oregon losing the floor. I wish to finish my statement. I should like to ask the Senator from Oregon whether his resolution is directed to the Committee on Rules and Administration or to the Committee on the Judiciary?

Mr. MORSE. I have two resolutions, one to the Judiciary Committee, and one to the Rules Committee. My request now is with respect to the one addressed to the Judiciary Committee.

Mr. CARROLL. Is the Senator's first request addressed to the Judiciary Committee?

Mr. MORSE. Yes.

Mr. CARROLL. I wish to say to the credit of the majority leader that I know what he did in the last session in trying to help get a bill out of the Judiciary Committee. Some of us have made public statements on this issue. We asked the Judiciary Committee to report out a skeleton bill, the simplest sort of civil rights bill, so that on the floor of the Senate we could proceed to attempt, in an orderly fashion, to put some meat on the bones.

We knew we were not going to get anything out of the Judiciary Committee. All we asked for was the simplest kind of bill. What we really wanted, if I may say so, was a bill which would extend the Civil Rights Commission. On such a vehicle we could work our legislative will on the floor of the Senate. Let us take a look at the record and see what has happened. I do not wish to get into a debate with my chairman.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. CARROLL. May I finish?

The PRESIDING OFFICER. The Senate will be in order. The Chair would like to state that the Senator from Oregon has the floor. He has yielded to the Senator from Colorado by unanimous consent.

Mr. CARROLL. I wish to describe the procedure then followed. I thought it was a very wise procedure, believing, as I believe firmly today, that no civil rights bill was going to come out of the Judiciary Committee. We have now proceeded on a different course. We have now taken the issue before the Committee on Rules and Administration. The committee, under the leadership of the distinguished Senator from Missouri [Mr. HENNINGS], with whom I have conferred about this legislation, is now considering several civil rights proposals effecting voting. It is considering parts of the bill introduced by the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], and parts of the bill introduced by the Senator from Missouri [Mr. HENNINGS] as chairman of the Constitutional Rights Subcommittee of the Committee on the Judiciary. The committee has been studying Federal registrar and Federal referee proposals—these are new issues. Hearings have been held on these issues, and the Attorney General has testified. On the House side the Deputy Attorney General, Judge Walsh, has been heard. We now bring together all of that testimony.

Perhaps we should have had more time. However I wish to say that I am not speaking in opposition to the resolutions of the distinguished Senator from Oregon. I am trying to keep the record straight, so that we do not place an unjust burden—I was going to say a charge—against the majority leader, because the majority leader as well as the distinguished Senator from New York and the distinguished Senator from Illinois [Mr. DOUGLAS] and I, and a few other Senators made the pledge to bring a bill on the floor on February 15.

Whether the majority leader observed all the niceties of procedural operation, I cannot say. Perhaps it could have been done by way of a discharge petition. However, we are no longer confronted with a theory; we are confronted with a condition.

I say to the Senator from Oregon that he can press his resolution—and he has now asked unanimous consent—and that the junior Senator from Colorado will be very happy to be seated and note whether the Senator from Oregon gets unanimous consent. If he should get it, he might change the date—we could move it up, without waiting all this time—and I would be most happy to see a bill reported by the Committee on the Judiciary. That could be even a skeleton bill. I do not want the committee of which I am a member to be the graveyard for civil rights. I should like to see a bill come out of the committee, even the simplest kind of bill, and then we could work our legislative will upon that piece of legislation.

If the Senator does not get unanimous consent, then we will take a look at the Committee on Rules and Administration. I am not a member of the committee. I cannot speak for it. I have no way of knowing whether we can get a bill out of that committee. There is no reason, however, why we cannot use the hearings on the floor of the Senate. They will be just as helpful in the Senate as a whole as in the committee. It is my impression and my understanding that the hearings are almost ready for printing.

I thank the Senator from Oregon for yielding to me. Now, inasmuch as I do not wish to shut off my chairman, if he desires to address a question to me, if the Senator from Oregon will yield to me for that purpose, I shall be glad to yield for a question.

Mr. MORSE. I will be glad to yield for that purpose, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. Mr. President, I should like to ask the Senator this. First I should like to say he is right if he refers to the time when the bill was before the subcommittee. As the record shows, that bill got before the Judiciary Committee on the 3d of August 1959. We considered it until the 21st day of August 1959, when we went to other business. It has not been months and months that the bill has received consideration by the Judiciary Committee.

Mr. CARROLL. If I may respond——

Mr. MORSE. With the same understanding.

Mr. CARROLL. I understand those things. I think we all understand them. It took a long time for the bill to come from the subcommittee to be considered by the full committee. I would not in any way wish to cast any aspersions on my chairman. I might do the same thing if I were in his situation.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CARROLL. If I am permitted to do so.

Mr. MORSE. With the same understanding, I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. When we are confronted with 40 different bills and all kinds of amendments, and when we are supposed to meet once a week for an hour and a half, under the rules—and I gave the Senator additional hearings—how can the Senator say there have been dilatory tactics employed in the Committee on the Judiciary?

Mr. CARROLL. I did not say there were dilatory tactics. That means delaying tactics. I said graveyard tactics.

Mr. EASTLAND. When so many bills and amendments are to be considered, how can we consider them in 18 days, when, in addition, not one proponent of civil rights ever moved to report the bill? I do not wish to leave the impression that any of the proponents of these bills were not sincere in their efforts to have a bill reported. However, what we were doing was considering the bills. The sole point I am making is that this is such a big subject, 3 weeks is not sufficient time for an adequate discussion in the full committee.

I know that the Senator from Colorado and other Senators—the Senator from Michigan [Mr. HART], the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KEATING], and the Senator from Illinois [Mr. DIRKSEN]—were very desirous of reporting a bill. But other Senators have rights, and they have a right to reasonable discussion. I have said "reasonable discussion;" we have not gone beyond that point.

Mr. CARROLL. If I may respond to the Senator from Mississippi——

Mr. MORSE. With the same understanding.

Mr. CARROLL. I recognize that in a matter of such historic significance as the great issue before us, it might be said that we could never have a reasonable time even within a period of months. Although I am a junior member of the Committee on the Judiciary, I again make the statement that we would have as much chance of lighting a candle from a star as to have a bill reported by the committee. So much for that point. I think any Senator would agree with me.

If I were in the position of some of the members of the Committee on the Judiciary, I would probably take the same attitude they take. I understand their position. Therefore, I cast no personal aspersions on what they have done. What I have sought to do is to keep the record clear. I do not like to have insinuations made against members of my own party and the leadership that we have practiced subterfuge and attempted to destroy a constitutional procedure. Actually we have been fighting and making progress on this issue since 1957. We had to follow some unusual procedures then in order to take the first forward civil rights step in 80 years.

Every Senator, on both sides of the aisle, is concerned about the fundamental question of the right to vote. What is before the Senate is a legislative issue. We do not need more testimony or more hearings. We have ample testimony now.

I shall not object to the resolution of the Senator from Oregon, because there is some merit in it.

Mr. MORSE. Mr. President, I shall reply briefly to the Senator from Colorado. Most respectfully I say that I think he has proved my case. He has pointed out the desirability and the importance of our following a course of action in the Senate which will guarantee that the Committee on the Judiciary cannot become the graveyard for civil rights legislation.

This is not the only time that civil rights will be before the Senate. This issue will continue to be before us for some time to come. I think it is highly desirable that the Senate establish a precedent in relation to proposed civil rights legislation before the Committee on the Judiciary by moving to discharge that committee after giving it a reasonable period of time in which to consider proposed civil rights legislation such as that covered by my resolution.

I may say, further, that committee reports have a very interesting legal status. Although the committee is the agent of the Senate, strangely enough the committee reports belong to the committee and not to the Senate as a whole. They are made available to the Senate by the committee. That is why it is so important that we have committee action, and that we have the committee make the reports available to the Senate.

The Senator from Colorado has pointed out that a great many competent witnesses have testified before the Committee on the Judiciary. I think the Senate ought to have the benefit of their testimony, officially transmitted from the committee to the Senate.

I do not have any doubt that if the Senate adopts a resolution to discharge the Committee on the Judiciary, there may be some members of the committee who will not particularly like it and will wish it had not been done. But as agents of the Senate, I think each and every member of the Committee on the Judiciary will see to it that the Senate gets a report by February 25. The Senate has a full calendar of other legislation which can be handled between now and February 25. We will not waste time. But many hours will be wasted which could have been saved if we continue to follow the procedure which has been followed this afternoon.

I shall make one more point; then I shall ask for the consideration of my unanimous-consent request. The Senator from Colorado pointed out that in 1957 the Senate followed certain procedures to which he referred. We did not have to follow them. We had the same opportunity in 1957 to protect the committee procedure which I fought for then and fight for today.

I have finished my statement. There is nothing more I can say. I can make my position, so far as I am concerned, no clearer.

Mr. ERVIN. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me for an observation, without losing his right to the floor.

Mr. MORSE. On that basis, I will yield.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. The advocates of civil rights bills before the Committee on the Judiciary could never stop drawing amendments to those bills. Every time the committee met, additional amendments were offered. On one occasion, an amendment was offered by the Senator from Missouri [Mr. HENNINGS] which contained in the neighborhood of 40 pages. On each line of those pages there was at least one case of incurable mental indigestion. That made the consideration of those bills very, very difficult.

Mr. EASTLAND. Mr. President, will the distinguished Senator from Oregon yield without prejudice to his right to the floor?

Mr. MORSE. With that understanding I will yield, but only with that understanding.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. Is it not true that in the deliberations of the Committee on the Judiciary the proponents of civil rights legislation consumed as much time as the opponents?

Mr. ERVIN. I think that would be a fair statement. There was considerable discussion on both sides.

Mr. EASTLAND. Mr. President, will the Senator from Oregon yield, to permit me to ask the Senator from North Carolina another question?

Mr. MORSE. Only if I am protected in my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. It was all in good faith, was it not?

Mr. ERVIN. Yes.

Mr. EASTLAND. A bill was desired?

Mr. ERVIN. And a multitude of amendments were desired. The bill could never be gotten into a form which was satisfactory. Practically every time we met, new amendments were offered.

Mr. EASTLAND. But is it correct to say that the proponents were acting in good faith, and the opponents were acting in good faith?

Mr. ERVIN. I think so.

Mr. DODD. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I assume the Senator from Connecticut is asking me to yield for a purpose other than to make an objection. If so, I yield provided I do not lose my right to the floor.

Mr. DODD. The Senator from Oregon knows that I have a deeply sympathetic attitude toward his position. Does the Senator believe that it would be possible for the House of Representatives, through the Rules Committee, to get a rule which would permit a bill on this subject to come over from the House?

Mr. MORSE. I do not know; but if it did come over from the House, I

would want it to go to the Committee on the Judiciary, just as I did in 1957.

Mr. DODD. I understand that; but does not the Senator believe that as a matter of practicality and reality it is impossible in the present state of affairs to expect a bill which has gone through the Rules Committee to come over from the House? Therefore, does not the Senator believe that the majority leader has, in order to further the cause of civil rights legislation, taken the only practical, realistic approach which perhaps could be taken under the circumstances prevailing here, and certainly there?

Mr. MORSE. I most respectfully say that I do not believe that is the case. I think a bill could be reported from either the Committee on the Judiciary or the Committee on Rules and Administration by way of a resolution to discharge.

Mr. President, I ask unanimous consent that, out of order, there be called up my resolution, Senate Resolution 273, and that it be read for the immediate consideration of the Senate.

Mr. EASTLAND. Reserving the right to object——

Mr. MORSE. Mr. President, I have made my unanimous-consent request to have the Senate Resolution 273 called up.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 273) to discharge under certain conditions the Committee on the Judiciary from the further consideration of Senate bill 2391, the so-called civil rights bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. EASTLAND. Yes.

Mr. JOHNSON of Texas. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MORSE. Mr. President, I yield the floor. I have made my request.

Mr. EASTLAND. I reserve the right to object.

Mr. JOHNSON of Texas. Mr. President, I wish to make two points in connection with the statement made by the Senator from Oregon. The Senator from Oregon states that he is offering resolutions to discharge two committees of the Senate in order to provide an orderly procedure, so as to make available hearings and to get a committee report.

First of all, I know of no rule of the Senate which requires a committee to write a useful report if the committee does not desire to do so.

Second, I hold in my hand 3,000 pages of hearings taken last year. They are available to the Senator from Oregon and to other Senators who may desire to read them. They relate to every civil rights proposal pending before the Committee on the Judiciary.

Mr. President, the Senator from Oregon speaks of protecting the Judiciary Committee. He would protect that committee by a motion which would kick the committee in the teeth and would tell the members of the committee that we are going to take all these bills out of its procedure. The Senator from Oregon has criticized what he has called "disorderly procedure." But, Mr. President, I know of no more disorderly procedure that the Senate could take than for it to begin to discharge its various committees from the further consideration of bills under their jurisdiction.

The resolutions of the Senator from Oregon would commence to deal in that way, today, with two of our committees—the Committee on Rules and Administration and the Judiciary Committee. If the Senator from Oregon were to be successful in the resolutions he has submitted today, I hesitate to predict how many of the Senate committees he would proceed to attempt to treat in the same way tomorrow.

Mr. President, I wish to point out to the membership of the Senate that nothing is to be gained by agreeing to a motion to discharge these committees from the further consideration of these bills.

On last September 14, on three separate occasions, both the majority leadership and the minority leadership of the Senate, after talking to members of the Judiciary Committee, including its chairman, and after talking to the senior Senator from Georgia [Mr. RUSSELL]—and I do not imply that either of them either agreed to this procedure or favored it, but both of them did want to be put on notice whenever a motion affecting civil rights was to be made—the leadership said that all Members of the Senate should be put on notice that on February 15, at or about 12 o'clock, the leadership anticipated that some Senator would rise from his seat and would do one of the following things: either attempt to intercept a bill from the House, if the House had passed one; or bring up by motion a bill reported from the Senate committee, if the Senate committee had reported one; or move to take up, from the calendar, a resolution calling for the discharge of the committee from the further consideration of such a bill; or bring up, by way of motion, a bill on the calendar which could be amended. That notice was given. It was repeated again, and again, and again.

I wish to read from the CONGRESSIONAL RECORD, volume 105, part 15, page 19430, as follows:

> Mr. JOHNSON of Texas. I should like to make one final comment. I have discussed this matter with the Senator from Oregon [Mr. MORSE], the Senator from Minnesota [Mr. HUMPHREY], and other Senators. So far as I am concerned, I have reached no agreement with anyone as to the date when this motion is to be offered. I am willing to agree that at a specific time which seems to suit a majority of the Senate a motion can be made and will be made with my knowledge and with my understanding, and that motion can be debated until a majority of the Senate can determine what it wants done.
>
> The question is whether it shall be done January 18 or February 15. That is a matter for all Senators to consider.

And I proceeded to discuss the desirability of the various dates.

Three pages later—as recorded in the CONGRESSIONAL RECORD, volume 105, part 15, page 19433, after hearing a statement by the minority leader and a statement by the Senator from Georgia [Mr. RUSSELL], I had the following to say:

> That is why I recommend—since this subject is going to be considered, and since motions are going to be made, and since some Senators are determined that such bills will be considered—that we try to agree on a date which would be convenient to most Senators who are sponsoring such legislation or Senators who oppose such legislation, but to all Senators.
>
> My recommendation for the date would be immediately following the return of the minority from the Lincoln Day dinners. I am willing to have any other Senator express his views and make any motion he may desire to make; but I believe that is the best time, and I believe it would suit better the convenience of the Members.
>
> I do not wish to express the opinion that all other Members will support such a motion at that time. I know some of them will resist it, and resist it strongly.
>
> But so far as the majority leader is concerned, he will be in his place, bringing up bills, by way of making motions; and he expects that on the civil rights subject various proposals will be made in the form of amendments or in the form of a bill reported by the committee, or in the form of a bill passed by the House. What form such proposals will finally take, I do not know now. But I am willing to agree that on the return from the Lincoln Day dinners, a bill will be brought up by motion, or that amendments which are at the desk may be offered, if no such bill has been reported or if the Senator from New York does not at that time desire to call up, by motion, his proposal.

Mr. President, in the course of two or three other colloquies the leadership said we would intercept a House bill; or would bring up by motion a bill reported by the Senate committee, if one was reported by it; or would bring up by motion, from the Calendar, a bill to which such amendments could be offered.

Everyone knows that when we consider any bill—not just the presently pending small bill dealing with a school district in Missouri—civil rights proposals or amendments will be in order. Such a bill could relate to Kansas or to New York or to Texas. We could have proceeded in that way in connection with the tobacco bill which we were considered yesterday.

All I have attempted to do is set a specific time and a specific bill, so every Member of the Senate—regardless of his viewpoint—would be on notice, and could protect his rights and his State, and could be prepared to proceed out of respect for the sentiments of the people of his State.

There has been considerable talk about the pending business. I anticipated that. I have seen civil rights proposals come before this body on other occasions; it is not a new experience for me.

I expect that the Senate will be talking about this matter for some time to come. If the Committee on Rules and Administration or if the Judiciary Committee reports a bill, certainly I have no desire to confine the offering of civil rights proposals to the bill which now is pending. If the House of Representatives passes a bill in this field, the Senate will be able to act on it. I said so yesterday, and I say so again today.

But, Mr. President, as the leader of this body, I had made an honorable commitment, and it required that I notify every Senator that there was a vehicle, an avenue, if Senators wished to utilize it, by means of which the sentiment of the majority of the Senate in the field of civil rights could be expressed.

It happens that the pending bill affects a community in Missouri. At the present time, no floor amendments to that bill are in order, and I do not know whether they will be in order a week from now or not. But I have kept my commitment. I have tried to be honorable in the matter; and every Senator—whether from the North, the South, the East, or the West—had notice at least three times more than 4 months ago.

If Senators wanted to have the committee discharged from the further consideration of such a bill, they had the entire month of January and half of the month of February to proceed to make such a motion or submit such a resolution. They did not have to wait until the Chamber was full and until every Senator was in his seat, and then make an appeal on the basis that hearings were not available. I hold in my hand 3,000 pages of hearings, and they are available to any Senator who wants to have them.

I do not know what civil rights amendments are going to be offered.

I know there is at the desk a bill—I do not now recall its number or its calendar number, but I do not think that important—to which Senators can submit affirmative proposals. Senators from every section of the country can submit their amendments, and, after full debate, can have them voted upon. I think that procedure preferable to beginning a new procedure which, I think, would be quite disorderly—namely, to discharge these Senate committees from the further consideration of these bills and perhaps eventually wind up by discharging every Senate committee from the further consideration of the bills which have been referred to them. Such a procedure would be most dangerous and unwise. I do not believe the Senate should proceed in that way.

I do not want to "taste blood" so much that I want to begin to have the Senate discharge each one of its committees from the further consideration of bills within its jurisdiction. I am not afraid to stand here and, on my responsibility, when the roll is called answer either "yea" or "nay" in voting on any amendment which any Senator may offer.

Senators have been wanting to have an opportunity to vote on this subject; and there is now before the Senate a bill by means of which Senators may have that opportunity, if they want it.

If Senators want to procrastinate or delay or postpone, that will be entirely within the power of a majority of this body to decide. I said that when rule 22 was before us.

I see nothing to be gained by discharging the Judiciary Committee from the further consideration of these bills. Even if that were to be done, we would still have available the same hearings that are now available to us; and we would not then have any report, for there is no rule that requires a committee to write a report. Neither is there a rule which requires hearings to be printed; and nothing in these resolutions would require such action.

So I think it would be useless for us to postpone the matter further.

I get no pleasure out of reflections on Senate committees. I am willing to face the matter now, and to permit Members to submit the amendments and to have them debated at length.

I know the Senate will be very patient and understanding, and will allow every Member to have a reasonable time to express his viewpoint, and then vote on the amendments.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. Yes.

Mr. DIRKSEN. I can endorse what the majority leader has said. I can add to it that these hearings were directed to 18 different legislative proposals dealing with civil rights, and have been available since July of 1959.

Mr. MORSE. Mr. President, I wish to make a very brief reply to the majority leader. The Senator from Oregon is not proposing to discharge a lot of committees. The Senator from Oregon is not proposing that we kick a lot of committees in the teeth. The Senator from Oregon is proposing that we simply apply a rule that is in the rule book, a rule that was adopted to check committees, a rule that was put in the rulebook to give assurance that a report would come back on a day certain when the Senate gave a committee orders that that be done.

I have not heard of a single precedent in which a committee did not carry out such an order. I do not believe the Rules and Administration Committee is going to establish that precedent in the year 1960. I have more confidence in the Rules and Administration Committee than that. I am sure if the Senate agrees to the resolution to discharge if the committees do not report to the Senate by February 25, we shall get reports from the Senate Judiciary and Rules and Administration Committees. That is the kind of confidence I have in them.

Mr. President, we ought to examine into the facts. We have the rule. I do not know of anybody who is proposing that we repeal the rule. If there was ever a time when we ought to use the discharge rule, it is now, in connection with the Judiciary and Rules and Administration Committees, which have had pending before them so long civil rights bills.

I have tried to make clear that the majority leader certainly has been within his rights in proposing that the Senate follow the course of action he proposes. I simply said I thought there was a better procedure he should have followed. I disagree with the judgment he has made in regard to the procedure.

The majority leader has referred to the discussion we had last September, when there was a great deal of discussion in the Senate as to when we were going to take up civil rights legislation. There was talk as to whether we should still do it in the dying days of that session. I refer to the Senator from Minnesota [Mr. HUMPHREY], myself, and other Senators. It is true there were informal conferences in the Senate, but those conferences went to the question of the time for taking up civil rights legislation in the next Congress, and involved no commitment whatsoever on the part of any of us as to the procedure to be followed for bringing up civil rights legislation. We had a gentlemen's understanding that February 15 would probably be a convenient date for all Senators, since some Senators would be away for Lincoln's Birthday speeches and there would be other interruptions. All that discussion, I respectfully submit, was in regard to the matter of the time, not the procedure, for the bringing up of civil rights legislation.

I submit that the Senator from Oregon made no commitment, and everyone in the Senate knows he would not make a commitment to bring up civil rights legislation by way of amendment to a House bill, when they all know that I fought against an amendment to a House civil rights bill in 1957. If I have fought anything, I have fought that kind of procedure here in this body for 16 long years. I do not intend to change that course of action in 1960 with regard to this little bill relating to a school in the State of Missouri.

What I am proposing is not something that is dangerous, disruptive, and new in the history of the Senate of the United States. The Senate has discharged committees—not often, but it has made use of the rule, and I submit that the conditions warrant the use of the discharge rule in this instance.

May I close, very good naturedly, Mr. President, by saying I am a little bit amused that when we do get a bill on which to attach civil rights legislation—the majority leader has referred to pending amendments—there is an amendment even to this bill pending at the desk. It is an amendment that seeks to keep this particular bill in line with the Morse formula. There has even been brought before the Senate a bill, to which the civil rights amendment could be attached, that violates the Morse formula. So I get it two ways.

I have a little school district in my State that could use aid. I assume there are such schools everywhere in the country. We have not had a fire, but we could certainly use additions and make use of military buildings, if we followed this procedure and wanted to violate the Morse formula. So, even as to this bill, I shall later offer an amendment to it to bring it in line with the Morse formula.

Mr. JOHNSON of Texas. Mr. President, I hope we will not consume the time of the Senate on these procedural matters. There are many Senators who have amendments they desire to offer, and they desire to be heard in connection with them. We are just postponing and delaying. I hope no one will object to the consideration of the request of the Senator from Oregon. I am ready to trust the majority of the Members of this body. I cannot feel that there are many Members of the Senate who agree with the Senator from Oregon that we ought to start discharging two committees today, and I do not know how many more tomorrow.

If Senators will permit this request to come before the Senate for action, by giving unanimous consent, I think we can dispose of it, and, I think, very promptly and effectively. I hope no one will object to the unanimous-consent request made by the Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request made by the Senator from Oregon?

Mr. EASTLAND. Mr. President, I object.

The PRESIDING OFFICER. The Senator from Mississippi objects.

Mr. FREAR and Mr. MORSE addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. FREAR. Mr. President, I hope that 30 seconds can be spared from a discussion of civil rights for a civil responsibility request.

(At this point Mr. FREAR addressed the Senate regarding the Commonwealth Parliamentary Association meeting, which remarks appear elsewhere in the RECORD. During the delivery of Mr. FREAR'S statement, the following occurred:)

Mr. JOHNSON of Texas. Mr. President, will my friend from Delaware yield momentarily?

Mr. FREAR. Yes.

Mr. JOHNSON of Texas. If the Senator from Oregon will renew his request, I think we can get action on it now.

Mr. MORSE. Mr. President, I renew my request, if I can get action on it; and I will ask for the yeas and nays.

The PRESIDING OFFICER. The request of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. The Senator from Oregon [Mr. MORSE] asks unanimous consent that the Senate proceed to the consideration of Senate Resolution 273, to discharge under certain conditions the Committee on the Judiciary from the further consideration of Senate bill 2391, a so-called civil rights bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

Mr. FREAR. Mr. President, now where does that leave the junior Senator from Delaware?

Mr. JOHNSON of Texas. I deeply appreciate the attitude of the Senator from Delaware. I hope the Members of the Senate who may not be in the Chamber will be notified, because I should like to have action on the request of the Senator from Oregon this evening, if that is possible.

Mr. MORSE. If the majority leader will permit me, I intend to make a unanimous-consent request to discharge the Rules and Administration Committee, too, pursuant to Senate Resolution 274.

Mr. JOHNSON of Texas. We will take one at a time and dispose of them.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield?

Mr. FREAR. I may say to the minority leader that I shall take only about 30 seconds more.

Mr. DIRKSEN. Mr. President, I am in a slightly awkward position. I understood earlier in the evening there would be objection to the request of the Senator from Oregon, and when inquiry was made as to whether there might be a vote on this matter I did suggest to Senators I thought there would not be a vote. I am afraid some of the Senators have gone, and perhaps we cannot get them back in time for a vote.

I realize this is only a procedural matter, and certainly I do not want to stop the matter, but I wanted to make that explanation on behalf of those Senators who may have left, so that the RECORD will indicate it was my responsibility in telling them I thought there would be no yea-and-nay votes this evening.

Mr. JAVITS. Mr. President, will the Senator who has the floor yield for a parliamentary inquiry?

Mr. FREAR. I yield.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. May I ask the Presiding Officer to what extent the pending resolution is debatable?

The PRESIDING OFFICER. The question on agreeing to the resolution is debatable without any time limit.

Mr. JAVITS. I thank the Presiding Officer. I thank my colleague for yielding.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. FREAR. I yield.

Mr. JOHNSON of Texas. Mr. President, since about 40 Senators have inquired concerning the possibility of votes during the evening, I will say that some Senators have asked me about the matter at least 2 or 3 times. It is very difficult to predict what will develop in the course of debate in the Senate. I have cautioned each Senator against leaving this evening, because I realized the request of the Senator from Oregon was pending and that there possibly would be a vote. I have asked each Member who has requested information from me to please be prepared for a vote.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I should like to make a suggestion.

Mr. JOHNSON of Texas. Mr. President, I am informed that the count on the request for the yeas and nays has not been made. Are the yeas and nays ordered?

The yeas and nays were ordered.

Mr. MORSE. Mr. President, if I may have the attention of the majority leader, I should like to make a suggestion.

The Senator from Texas knows the position of the Senator from Oregon with respect to unanimous-consent agreements to fix a time to vote. I have always said that when I thought some extraordinary situation in the Senate warranted it I would not object to such a request. It seems to me that in view of the courteous cooperation the Senator from Texas is extending to the Senator from Oregon in trying to get this matter determined, I owe it to him to agree here and now, in view of what the Senator from Illinois [Mr. DIRKSEN] has said about absentees, to a time certain tomorrow for a yea-and-nay vote on my resolution on the discharge of the Committee on the Judiciary; that to be followed immediately with the request I will make for a discharge of the Committee on Rules and Administration.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 11 o'clock tomorrow morning, and I ask unanimous consent that after 1 hour's debate on the resolution of the Senator from Oregon, the time to be equally divided between the Senator from Oregon and those opposed to the motion, the time to be controlled by the minority leader, that we proceed to a vote on the proposal of the Senator from Oregon.

Mr. FREAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FREAR. At what time of the day would that be?

Mr. JOHNSON of Texas. We would come in at 11 o'clock. It would depend on the morning business. The Senate would convene at 11 o'clock; and if it required 20 minutes for morning business, the time would start at 20 minutes after 11, and we would have 1 hour after that. It would be 1 hour after the conclusion of morning business.

Mr. FREAR. I wish to inform the majority leader that I cannot join in any unanimous-consent request which will be effective before 4 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. MCCLELLAN. Mr. President, reserving the right to object, I would urge our majority leader to submit his requests separately. He has two unanimous-consent requests in one. The first request he made I am perfectly willing to agree to. The other I want to know more about.

The PRESIDING OFFICER. Does the Senator from Texas wish to amend his unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, I apologize to the Senator from Arkansas. I did not hear his statement.

Mr. MCCLELLAN. I request our distinguished leader to submit his two unanimous-consent requests separately. He has made two requests.

Mr. JOHNSON of Texas. Mr. President, I make the unanimous-consent request that 1 hour after the morning business is concluded tomorrow the Senate proceed to vote on the Morse proposal, and that the time be equally divided between the Senator from Oregon [Mr. MORSE] and the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. JAVITS. Mr. President, I reserve the right to object. I do not expect to object, but I want to get some idea from the Senator as to whether agreement to his request would permit enough time for some of us, like myself, who

have discharge motions on the calendar, to state our position. That will permit a half hour for each side. I ask that question of the Senator.

Mr. FREAR. Mr. President, I am going to ask for the regular order, and I am also going to object to this request.

I like to be courteous, and I want to be responsible in my legislative duties. The minority leader has just stated, and I think rightfully so, that he has given permission to certain Members on the other side of the aisle to go home. I am present tonight. I am ready to vote. I want to be away tomorrow on a very important occasion in Delaware. Why should I sacrifice my position to vote because of an agreement somebody has made? I am willing to do so, if the Members present tonight want the unanimous-consent agreement. Then I shall not hold it up. However, I think when we are giving courtesies to a certain group of people, others should not be ignored.

Mr. President, I have a report of the meeting to which I have referred, which I offer on behalf of the delegation.

The PRESIDING OFFICER. Will the Senator from Delaware advise the Chair as to whether he has objected to the unanimous-consent request?

Mr. FREAR. The Senator has withdrawn his objection.

Mr. McCLELLAN. Mr. President, I do not understand the parliamentary situation. Has there been an objection or not? I should like to be advised.

The PRESIDING OFFICER. The Chair will put the unanimous-consent request once again.

Is there objection to the unanimous-consent request made by the Senator from Texas?

Mr. McCLELLAN. Reserving the right to object, Mr. President, I should like to inquire of the distinguished Senator from Delaware whether he has interposed an objection, or whether he has withdrawn the objection I thought I heard him interpose.

Mr. FREAR. I will say to the Senator from Arkansas I did interpose an objection, and I made a few brief remarks—briefer than most, I might add—and then I asked that the objection be withdrawn.

Mr. McCLELLAN. I thank the distinguished Senator.

Mr. President, further reserving the right to object, I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. What is the pending request in which the Senate is asked to agree to 1 hour's debate?

The PRESIDING OFFICER. The pending request is that the Senate act tomorrow upon the resolution offered by the Senator from Oregon after 1 hour's debate.

Mr. McCLELLAN. What is the resolution of the Senator from Oregon? Is it that a committee be discharged from further consideration of a bill?

The PRESIDING OFFICER. The Senator from Oregon made a motion that the Committee on the Judiciary be discharged.

Mr. McCLELLAN. If the request is agreed to, that would limit debate on a resolution to discharge a committee of this body from further consideration of a bill, and the debate would be limited to 1 hour. Is that correct?

The PRESIDING OFFICER. That is correct only insofar as it pertains to the resolution to discharge the Committee on the Judiciary.

Mr. McCLELLAN. That is correct. What we would be agreeing to, if we agreed to the unanimous-consent request, would be for a limitation of debate to one hour, the time to be equally divided between the proponents of the resolution and the opponents of the resolution to discharge a regular standing committee of the Senate from further consideration of a bill which is now before it.

The PRESIDING OFFICER. The Senator from Arkansas is correct.

Mr. McCLELLAN. What bill is that, Mr. President?

The PRESIDING OFFICER. S. 2391.

Mr. McCLELLAN. Is that a bill which is now actually pending before the Committee on the Judiciary?

The PRESIDING OFFICER. The clerk will state the resolution by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 273) to discharge under certain conditions the Committee on the Judiciary from the further consideration of Senate bill 2391, a so-called civil rights bill.

Mr. McCLELLAN. Mr. President, further reserving the right to object, I do not believe we should establish a precedent of only 1 hour's debate on a resolution to discharge a standing committee of the Senate in regard to a bill which is now before the committee and which it is proposed be brought up some week or 10 days from now.

I do not know what argument may be made for the discharge of the committee, and I do not think it would be well or wise, or that it would be a sound precedent to establish, to agree to an hour's debate on a resolution to discharge the committee, because we will be starting a procedure here which will set a dangerous precedent. We are already involved in a procedure which has set a dangerous precedent for this body. We are not going to hear the last of it any time soon. We will be establishing a further dangerous precedent if we agree to a limitation of 1 hour's debate on a resolution to discharge a committee from further consideration of a bill.

Therefore, Mr. President, I am compelled to object, and I do object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the resolution.

Mr. FREAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FREAR. Was there an objection recognized by the Chair?

The PRESIDING OFFICER. The Senator from Arkansas [Mr. McCLELLAN] objected.

The question is on agreeing to the resolution submitted by the Senator from Oregon [Mr. MORSE] (S. Res. 273), to discharge the Committee on the Judiciary from the further consideration of Senate bill 2391.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Oregon [Mr. NEUBERGER] is absent because of illness.

I further announce that, if present and voting, the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Georgia [Mr. TALMADGE], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is detained on official business.

The Senator from Colorado [Mr. ALLOTT], the Senator from Utah [Mr. BENNETT], the Senator from North Dakota [Mr. BRUNSDALE], the Senator from Indiana [Mr. CAPEHART], the Senator from Kansas [Mr. CARLSON], the Senator from South Dakota [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Idaho [Mr. DWORSHAK], the Senator from Hawaii [Mr. FONG], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MARTIN], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

If present and voting the Senator from Kentucky [Mr. COOPER] and the Senator from Massachusetts [Mr. SALTONSTALL] would vote "nay."

The result was announced—yeas 4, nays 68, as follows:

YEAS—4

Ervin	Monroney	Morse
Gore		

NAYS—68

Aiken	Clark	Goldwater
Anderson	Cotton	Green
Bartlett	Curtis	Gruening
Beall	Dirksen	Hart
Bush	Dodd	Hartke
Butler	Douglas	Hill
Byrd, Va.	Eastland	Holland
Byrd, W. Va.	Ellender	Humphrey
Carroll	Engle	Jackson
Case, N.J.	Frear	Javits
Church	Fulbright	Johnson, Tex.

Johnston, S.C.	Mansfield	Smith
Jordan	Morton	Sparkman
Keating	Moss	Stennis
Kerr	Mundt	Symington
Kuchel	Muskie	Thurmond
Lausche	Prouty	Wiley
Long, Hawaii	Proxmire	Williams, Del.
Long, La.	Randolph	Williams, N.J.
McCarthy	Robertson	Yarborough
McClellan	Russell	Young, N. Dak.
McNamara	Scott	Young, Ohio
Magnuson	Smathers	

NOT VOTING—28

Allott	Cooper	Martin
Bennett	Dworshak	Murray
Bible	Fong	Neuberger
Bridges	Hayden	O'Mahoney
Brunsdale	Hennings	Pastore
Cannon	Hickenlooper	Saltonstall
Capehart	Hruska	Schoeppel
Carlson	Kefauver	Talmadge
Case, S. Dak.	Kennedy	
Chavez	McGee	

So Mr. MORSE's resolution (S. Res. 273) to discharge the Committee on the Judiciary was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the resolution was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, permit me to say two things. First, with respect to the absent Senators on the minority side, I assume full responsibility for their absence, because it was, I believe, on my say-so that they left the Chamber. There was a private colloquy before the vote was taken. When the distinguished Senator from Mississippi [Mr. EASTLAND] came into the Chamber, he indicated very emphatically that he intended to object to any unanimous-consent request. I said we were ready to vote this evening. He said, "I intend to object."

It was on that basis that I indicated to the Senators on the minority side that I thought it was perfectly all right for them to leave the Chamber and go to their offices or go to their homes. So I feel that this explanation is due them.

In the second place, I wish to say that in my considered opinion the vote taken a few minutes ago is an affirmation of confidence in the majority leadership and also in the commitments and agreements we had on September 14 of last year. They were honorably made at a time when a large contingent of Senators was on the floor. I interpret the vote in exactly that way, and I think the majority leader has acted most honorably under every circumstance in pursuing this matter.

Mr. MORSE. Mr. President, in a moment I shall make another request.

First, I wish to comment on remarks recently made which, when reduced to cold print, might possibly be interpreted as indicating that the Senator from Oregon questioned whether the course of action followed by the majority leader has been an honorable one. Mr. President, not the slightest syllable in any word I said is subject to such an interpretation.

But I also wish to say that neither was there the slightest commitment by any Member, last September, when we reached an understanding that civil rights legislation would be taken up on February 15, that we thereby pledged ourselves to agree to the procedure the majority leader followed yesterday. Our only pledge was that we would join in having the Senate take up civil rights legislation on February 15. Any attempt to read into the debate had at that time an understanding that we agreed to have the Senate take up civil rights legislation by means of an amendment to a House bill simply does not conform to the facts. Our only agreement was that on February 15 we would proceed to have the Senate take up civil rights legislation.

Therefore, on yesterday, February 15, each of us was free to take whatever position his judgment dictated to him was the proper one in connection with the procedure which he believed should be followed in taking up civil rights proposed legislation at that time.

It is well known in the Senate that the Senator from Oregon would never have agreed to have the Senate take up civil rights legislation as an amendment to a House bill, even though it might have been a civil rights bill which came to us from the House. Of course, the pending bill is not in that category. I wish that point to be clearly understood, because I do not think the Senator from Texas sought to imply, by anything he said, that any statement made by either the Senator from Oregon or the Senator from Minnesota implied that they would agree to have civil rights legislation taken up by means of the procedure the Senator from Texas followed yesterday.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. Yes, if I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection? Without objection, it is so ordered.

Mr. MORSE. Then I yield.

Mr. HUMPHREY. I thank the Senator from Oregon.

Mr. President, the Senator from Oregon and the senior Senator from Minnesota differed on the last vote. I voted "nay" on the question of agreeing to the resolution of the Senator from Oregon. Of course the Senator from Oregon voted "yea," in support of his own resolution. However, I want it clearly understood that I feel that the Senator from Oregon certainly was acting in accord with the spirit of the colloquy which had occurred. Certainly he needs no defense from me.

It is obvious that both of us are clearly interested in having effective action taken on civil rights legislation. The Senator from Oregon may prefer to proceed by means of a course different from that preferred by me or by the Senator from Texas. But, be that as it may, the procedure preferred by the Senator from Oregon is an honorable one; and, likewise, the procedure followed by the Senator from Texas is an honorable one.

I am sure that the course favored by the majority leader is an honorable one, and I support it. But I would not want my support of it to be considered as an indication that I thought the Senator from Oregon was proceeding in any way contrary to any course of action agreed to last September. The only agreement at that time was that on February 15 the Senate would proceed to take action on civil rights legislation.

I believe that the procedure followed by the majority leader is the better one, because it avoids further delay in proceeding to have the Senate take action on civil rights legislation.

Mr. President, if the Senator from Oregon will yield further, I wish to state that when the motion of the Senator from Georgia [Mr. RUSSELL] was voted on, it was impossible for me to be present, due to no fault of my own, but simply due to an unavoidable airplane flight cancellation and the ensuing delay which required that I take a different flight. I attempted to notify my office, but apparently the notification could not get through. Therefore, I want the RECORD to be crystal clear that if I had been able to be present at that time, I would have voted against the Russell motion, because I want prompt action taken, and that I would have voted against any further delay, as I have done in the last few minutes.

Mr. MORSE. Mr. President, I thank the Senator from Minnesota for the statement he has made.

Mr. JAVITS, Mr. JOHNSTON of South Carolina, and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yield; and if so, to whom?

Mr. MORSE. Mr. President, before I yield further, I wish to ask unanimous consent to call up my resolution No. 274, to discharge the Committee on Rules and Administration from the further consideration of Senate bill 2814.

However, I shall request only a voice vote on that question. In view of the yea-and-nay vote recently taken, I think it perfectly obvious what the will of the Senate is. However, I wish to complete my record on this subject by calling up my resolution to discharge the Rules and Administration Committee for the further consideration of Senate bill 2814.

At this time I ask unanimous consent to have printed at this point in the RECORD the results of the study which the Senator from New York [Mr. JAVITS] had made by the Legislative Reference Service of the Library of Congress on August 26, 1959, which previously was printed in the RECORD, volume 105, part 13, page 16989. It sets forth the precedents in the history of the Senate for the discharge of Senate committees from the further consideration of measures which have come under their jurisdiction.

In view of the fact that the results of that study are so apropos to the debate had today, I now ask unanimous consent that the material be printed at this point in the RECORD, together with the proceedings on S. Res. 174 in the first session of the present Congress. I give full credit for it to the Senator from New York, but I desire to associate myself with it, as part of my argument.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Aug. 26, 1959, pp. 16989–16991]

Mr. JAVITS. I have asked these questions—and I am perfectly well acquainted with the answers—because I simply wished to nail down the accomplishment, which is the only purpose the Senator from New Jersey [Mr. CASE] and I sought in this rather unusual procedure.

Mr. President, I ask unanimous consent to have printed as a part of my remarks an analysis entitled "Procedure and Precedents Pertaining to Discharge of Committees of the Senate," prepared by the Legislative Reference Service of the Library of Congress. I think it will be very useful to Senators because it shows why we have proceeded as we have and what are the various rights which are involved.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

"PROCEDURE AND PRECEDENTS PERTAINING TO DISCHARGE OF COMMITTEES OF THE SENATE

"Senate procedure for the discharge of committees is governed by rule XXVI, clause 2, of the 'Standing Rules of the Senate.' and by the pertinent precedents.

"Clause 2 of rule XXVI provides that 'all reports of committees and motions to discharge a committee from the consideration of a subject, and all subjects from which a committee shall be discharged, shall lie over 1 day for consideration, unless by unanimous consent the Senate shall otherwise direct.'

"Although Senate committees are infrequently discharged, lest retaliation ensue, the procedure for their discharge is a simple one.

"Any Senator may introduce a resolution that a committee be discharged from further consideration of a matter which has been referred to it. If objection is raised to immediate action, the resolution must lie over 1 legislative day. (See 'Senate Procedure' by Watkins and Riddick, pp. 300–302). This action may be sought by those who feel that a committee is unreasonably delaying or preventing the Senate's consideration of a matter favored by a majority. Or the discharge resolution may be introduced by the chairman of a committee as a means of putting an end to dissension within the committee itself.

"Precedents before 1909

"Gilfrey cites three pertinent precedents in his 'Precedents of the United States Senate' (1789–1909), as follows:

"Forty-first Congress, second session; Journal, page 419, March 28, 1870.

" 'Mr. Sherman submitted a motion that the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 1536) to admit the State of Texas to representation in the Congress of the United States.

" '*Ordered,* That the consideration of the said motion be postponed to tomorrow.'

"Forty-first Congress, second session; Journal, pages 424, 425, March 29, 1870:

" 'Mr. Sherman moved that the present and all other orders be postponed to tomorrow for the purpose of enabling the Senate to proceed to the consideration of the motion yesterday submitted by him, to discharge the Committee on the Judiciary from the further consideration of the bill (H.R. 1536) to admit the State of Texas to representation in the Congress of the United States.

" 'After a division of the question, both branches passing in the affirmative it was—

" '*Ordered,* That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 1536), and thereupon the Senate proceeded to consider the said bill as in Committee of the Whole; and the bill having been amended on the motion of Mr. Sherman by striking out the last proviso, it was reported to the Senate, and the amendment was concurred in.

" '*Ordered,* That the amendment be engrossed and the bill read a third time. The said bill as amended was read the third time; and on the question shall the bill pass, it was determined in the affirmative; yeas 47, nays 11.' (See Congressional Globe, pp. 2271, 2272).

"Forty-second Congress, third session; Journal, page 98, December 20, 1872:

" 'Mr. Windom submitted a motion that the Committee on Appropriations be discharged from the further consideration of the bill (H.R. 3131) making appropriations to supply deficiencies in the appropriations, etc., and asked that the Senate proceed to the present consideration of the motion.

" 'Mr. Edmunds objected to the present consideration of the motion, and made the point of order that the motion of Mr. Windom, being in the nature of a resolution, must, under the 26th rule of the Senate, if its consideration be objected to, lie over 1 day for consideration.

" 'The President pro tempore submitted the question of order to a decision of the Senate, viz: "Is it in order for the Senate to consider on the day it is submitted a motion to discharge a committee from the further consideration of a bill?"

" 'After debate, it was determined in the negative: yeas 22, nays 23.' (See Congressional Globe, pp. 322–327.)

"Fifty-sixth Congress, second session; Journal, page 234, February 28, 1901:

" 'The President pro tempore (Mr. Frye) laid before the Senate the resolution submitted by Mr. Pettigrew on the 26th instant to discharge the Committee on Education and Labor from the further consideration of the bill (H.R. 6882) limiting hours of daily service of laborers and mechanics employed upon work done for the United States or any Territory or the District of Columbia, thereby securing better products, and for other purposes, and that the Senate proceed to consider the same.

" 'Mr. Platt of Connecticut, raised a question of order, viz: That the consideration of the resolution was not in order during the morning hour; that it not only proposed to discharge the committee from the consideration of the bill, but to consider it on the same day, and therefore the resolution was not in order.

" 'The President pro tempore sustained the question of order, and decided that the resolution was not in order.'

"Precedents since 1909

"A survey of the Senate Journal for the past 50 years reveals nine instances in which motions were made to discharge committees of the Senate from the consideration of specific matters. Four of these motions were adopted. On February 18, 1931, the Committee on Finance was discharged from the further consideration of a bill to increase the loan basis of adjusted service certificates. On April 21, 1932, the Committee on Rules was discharged from the further consideration of a resolution to change the name of the Committee on Pensions to the Committee on Veterans' Affairs. On June 7, 1938, the Committee on Commerce was discharged from the further consideration of a resolution for an investigation of the Tennessee Valley Authority. And on August 9, 1950, the Committee on Foreign Relations was discharged from the further consideration of a bill to build and operate a bridge across the St. Lawrence River near the city of Ogdensburg, N.Y.

"The following excerpts from the Senate Journal show the action taken in each of these nine instances:

"Sixty-fifth Congress, first session; CONGRESSIONAL RECORD, pages 5667–5701, August 1–2, 1917; Journal, pages 213, 265, September 20, 1917:

"August 1–2, 1917:

" 'Senator Cummins submitted a resolution that the Committee on Woman Suffrage be discharged from the further consideration of the resolution (S.J. Res. 2) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage.

" 'Pending debate.

" 'The Presiding Officer (Mr. Swanson in the chair) announced that the hour of 2 o'clock having arrived, under the rule the resolution would go to the calendar.'

"September 20:

" 'The Senate proceeded to consider the resolution submitted by Senator Cummins.

" '*Ordered,* That it be postponed indefinitely.'

"Seventy-first Congress, third session; Journal, pages 220, 230, 234, 243, 245, February 17, 1931:

" 'Senator Ashurst submitted a motion that the Committee on Finance be discharged from the further consideration of the bill (H.R. 17054) to increase the loan basis of adjusted-service certificates, and that the Senate proceed to its consideration.

" 'Mr. Smoot objected to the consideration of the motion.

" 'The Presiding Officer (Mr. Fess in the chair) held that under rule XXVI a motion to discharge a committee must lie over for a day.

" 'On motion by Senator Ashurst that the rule be suspended in order that his motion to discharge the committee might be considered.

" 'The Presiding Officer held that, under rule XL, a motion to suspend a rule must also lie over for a day.

" 'From a decision of the Chair, Mr. Ashurst appealed to the Senate.

" 'The Presiding Officer stated the question to be, Shall the decision of the Chair stand as the judgment of the Senate?

" 'When

" 'Mr. Ashurst withdrew his appeal.

" 'Calendar day February 18:

" 'On motion by Mr. Harrison, and by unanimous consent,

" '*Ordered,* That upon the convening of the Senate on tomorrow it proceed to the consideration of the bill (H.R. 17054) to increase the loan basis of adjusted-service certificates.

" 'Calendar day February 19:

" 'The Senate, under its order of yesterday, proceeded to consider the bill (H.R. 17054).

" 'The Senate resumed the consideration of the bill (H.R. 17054).

" 'Pending debate

" 'On motion by Mr. Copeland to amend the said bill,

" 'Pending debate.

" 'The Senate resumed the consideration of the bill (H.R. 17054).

" 'Mr. Copeland withdrew his amendment.

" 'After debate no amendment being made,

" '*Ordered,* That the bill pass to a third reading.

" 'The said bill was read a third time.

" 'On the question, Shall the bill pass?

" 'It was determined in the affirmative: Yeas, 72, nays 12.

" 'So it was

" '*Resolved,* That the bill pass.

" '*Ordered,* That the Secretary notify the House of Representatives thereof.'

"Seventy-second Congress, first session; Journal, pages 395, 401, 414, 422, 589, 594,

595; April 14, 18, 21, 25, 1932; June 13, 15, 1932:

"April 14, 1932:

" 'Senator Brookhart submitted a motion that the Committee on Rules be discharged from the further consideration of the resolution (S. Res. 26) to change the name of the Committee on Pensions to the Committee on Veterans' Affairs, and defining its jurisdiction.'

"April 18, 1932:

" '*Ordered* by unanimous consent,

" 'That it be passed over temporarily.'

"April 21, 1932:

" 'The Senate proceeded to consider the said motion.

" 'After debate, Mr. Brookhart's motion was agreed to; and

" '*Ordered*, That the resolution be placed on the calendar.'

"April 25, 1932: 'The motion of Senator Brookhart that the Senate continue the consideration of the resolution was not agreed to.'

"June 13, 1932:

" 'The resolution having been reached on the calendar, an objection to its consideration was interposed by Senator King.

" 'Senator Brookhart made a motion that the Senate proceed with the consideration of the resolution notwithstanding the objection.

" 'On the question of agreeing to the motion of Mr. Brookhart,

" 'It was determined in the affirmative: Yeas 63, nays 9.

" 'So Senator Brookhart's motion was agreed to, and

" 'The Senate resumed the consideration of the said resolution.

" 'The question being on agreeing to the amendment heretofore proposed by Senator Brookhart,

" 'It was determined in the affirmative.

" 'On motion by Senator Vandenberg to further amend the said resolution,

" 'Pending debate.'

"June 15, 1932: 'Motion by Senator Brookhart that the Senate proceed to the consideration of the resolution (S. Res. 26) was not agreed to.'

"June 15, 1932:

" 'The resolution having been reached, an objection to its consideration was interposed by Senator King.

" 'Senator Brookhart made a motion that the Senate proceed with the consideration of the resolution notwithstanding the objection.

" 'On the question of agreeing to Senator Brookhart's motion,

" 'It was determined in the affirmative: Yeas 49, nays 20.

" 'So Senator Brookhart's motion was agreed to; and

" 'The Senate resumed the consideration of the resolution.

" 'The question being on agreeing to the amendment heretofore proposed by Senator Vandenberg,

" 'After debate,

" 'It was determined in the affirmative: Yeas 39, nays 32.

" 'So Senator Vandenberg's amendment was agreed to

" 'The resolution was further amended on the motion of Senator Ashurst.

" 'On the question of agreeing to the resolution as amended,

" 'Pending further debate.'

"Seventy-third Congress, second session; Journal, page 453, May 28, 1934:

" 'Senator Shipstead submitted a motion that the Committee on Finance be discharged from the further consideration of the bill (H.R. 1) to provide for controlled expansion of the currency and the immediate payment to veterans of the face value of their adjusted-compensation certificates.

" 'Senator Robinson of Arkansas raised a question of order, viz, that the motion was not in order.

" 'The Presiding Officer (Mr. Clark in the chair) sustained the point of order.'

"Seventy-fifth Congress, third session; Journal, pages 197, 457, March 4, June 7, 1938:

"March 4, 1938:

" 'Senator Norris submitted a motion that the Committee on Commerce be discharged from the further consideration of the resolution (S. Res. 246) for an investigation of the Tennessee Valley Authority.

" '*Ordered*, That the motion lie over 1 day under the rule.'

"June 7, 1938:

" 'On motion by Senator Norris, and by unanimous consent,

" '*Ordered*, That the Committee on Commerce be discharged from the further consideration of the said resolution and that it be postponed indefinitely.'

"Seventy-ninth Congress, first session; CONGRESSIONAL RECORD, volume 91, part 9, pages 12236, 12311, 12498; Journal, pages 525, 532, 546, 547, December 18–19, 21, 1945; Seventy-ninth Congress, second session; CONGRESSIONAL RECORD, volume 92, part 8, page 10334, July 29, 1946:

"December 18, 1945:

" 'Senator Revercomb submitted a resolution (S. Res. 207) that the Committee on Military Affairs be discharged from the further consideration of the joint resolution (S.J. Res. 116) to direct and require the discharge of certain members of the Armed Forces, to prohibit the drafting of certain persons into the Army or Navy, and for other purposes.

" 'On motion of Senator Revercomb, and by unanimous consent,

" '*Ordered*, That the resolution lie over 1 day under the rule.'

"December 19, 1945:

" 'S. Res. 207 was laid before the Senate.

" 'Pending debate.

" 'The hour of 2 o'clock having arrived,

" '*Ordered*, That the resolution be placed on the calendar.'

"December 21, 1945:

" 'The Senate resumed consideration of S. Res. 207.

" 'Pending debate.'

"July 29, 1946:

" 'Without objection, S. Res. 207 was indefinitely postponed, because the purpose of that resolution had been fulfilled by other legislation.'

"Eightieth Congress, first session; Journal pages 447, 459, 468, 470, 472, 482, 484, 489, 531, 532, 542, 552, July 14, 16–19, 21, 24–26, 1947:

"July 14, 1947:

" 'Senator Kem submitted a resolution (S. Res. 150) that the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 116) to investigate the nonaction of the Department of Justice in connection with alleged irregularities in the Democratic primary elections in the Fifth Missouri Congressional District on August 6, 1946.

" '*Ordered*, That the resolution lie over 1 day under the rule.'

"July 16, 1947:

" 'The Senate resumed consideration of the resolution (S. Res. 150).

" 'The question being on agreeing to the resolution,

" 'Pending debate,

" 'The hour of 2 o'clock p.m. having arrived,

" 'The resolution was placed on the calendar.'

"July 17, 1947:

" 'Senator Wherry made a motion that the Senate proceed to the consideration of the resolution (S. Res. 150).

" 'Pending debate.'

"July 18, 1947:

" 'The Senate resumed consideration of Senator Wherry's motion.

" 'Pending debate.'

"July 19, 1947:

" 'The Senate resumed consideration of Senator Wherry's motion.

" 'On motion by Senator Wherry, and by unanimous consent,

" '*Ordered*, That the further consideration of the motion be temporarily laid aside.'

" 'The Senate resumed consideration of Senator Wherry's motion.

" 'Pending debate.'

"July 24, 1947:

" 'The Senate resumed the consideration of Senator Wherry's motion.

" 'Senator George made a motion that further consideration of Senator Wherry's motion be postponed until January 3, 1948.

" 'Pending debate.

" 'Senator Ferguson submitted a motion to lay on the table the motion of Senator George.

" 'The question recurring on the agreeing to Senator Ferguson's motion to lay Senator George's motion on the table,

" 'It was determined in the affirmative: Yeas 45, nays 30.

" 'So Senator George's motion was laid on the table.

" 'The question recurring on agreeing to Senator Wherry's motion to proceed to the consideration of the resolution.

" 'Pending debate.

" 'On motion by Senator Wherry, and by unanimous consent,

" '*Ordered*, That the pending motion to proceed be temporarily laid aside.'

"July 25, 1947:

" 'The Senate resumed consideration of Senator Wherry's motion.

" 'Pending debate.

" 'On motion by Senator Taft that the further consideration of the motion be postponed until 12 o'clock the next day.

" 'It was determined in the affirmative.'

"July 26, 1947:

" 'The Senate resumed consideration of Senator Wherry's motion.

" 'Senator Taft raised the question as to the presence of a quorum.

" '(The resolution remained on the calendar until the end of the session.)'

"* * * * * *

"Eightieth Congress, second session; Journal, pages 305, 336, 337, May 10, 20, 1948:

"May 10, 1948:

" 'Senator Knowland submitted a resolution (S. Res. 232) that the Committee on Interior and Insular Affairs be discharged from the further consideration of the bill (H.R. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

" '*Ordered*, That the resolution lie over 1 day under the rule.'

"May 20, 1948:

" 'The Senate resumed the consideration of the resolution (S. Res. 232).

" 'The question being on agreeing to the resolution,

" 'After debate,

" 'The question being taken.

" 'It was determined in the negative: Yeas 20, nays 51.

" 'So the resolution was not agreed to.'

"Eighty-first Congress, second session; Journal, page 585, August 9, 1950:

" 'The bill (S. 3862) authorizing the Ogdensburg Bridge Authority, its successors and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River at or near the city of Ogdensburg, N.Y., having been reached [on the call of the Calendar of Unobjected Bills], on motion by Mr. Ives, and by unanimous consent,

" '*Ordered*, That the Committee on Foreign Relations be discharged from the further

consideration of the bill (H.R. 8944) of an identical title.

" 'The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

" '*Ordered*, That it pass to a third reading.

" 'The said bill was read the third time.

" '*Resolved*, That it pass.

" '*Ordered*, That the Secretary notify the House of Representatives thereof.

" '*Ordered*, by unanimous consent, That the bill S. 3862 be postponed indefinitely.'

"Eighty-sixth Congress, first session; Journal, pp. 615, 622, August 25, 1959:

" 'Mr. Javits (for himself and Mr. Case of New Jersey) submitted a resolution (S. Res. 174) to discharge the Committee on the Judiciary from the further consideration of the bill (S. 2391) to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote, which was ordered to lie over 1 day under the rule.'

"August 26, 1959:

" 'The Presiding Officer (Mr. Carlson) laid the resolution before the Senate, which was discussed until the end of the morning hour, at which time, under the precedents, it was placed on the calendar.' "

Mr. CARROLL and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yield; and if so, to whom?

Mr. MORSE. Mr. President, I think the Senator from Colorado first asked me to yield to him. If I may obtain unanimous consent to yield to him at this time without losing my rights to the floor, I shall now yield to him. I so request, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. MORSE. Then, Mr. President, I now yield to the Senator from Colorado.

Mr. CARROLL. Mr. President, I desire to associate myself with the remarks made by the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. One of the reasons why I voted against the resolution submitted by the distinguished senior Senator from Oregon [Mr. MORSE] was that I felt it came too late. If it had been submitted last September, I would then have voted for it. But I felt that at this particular time it came too late.

Let me say to the Senator from Oregon that if I had an opportunity to participate in a yea-and-nay vote on the question of agreeing to his resolution to discharge the Committee on Rules and Administration from the further consideration of Senate bill 2814, I would vote in favor of the adoption of that resolution. I make that distinction, as compared to my position on the first resolution of the Senator from Oregon, because I think in connection with the first resolution (S. Res. 273), I had superior knowledge as a member of the Judiciary Committee.

But I want the RECORD to show clearly that in the case of the second resolution (S. Res. 274) I would vote in favor of discharging the Committee on Rules and Administration from the further consideration of Senate bill 2814, and to bring the measure before this body—but with no reflection on the course of action followed by the majority leader.

That is why I wish to associate myself with the remarks made a few minutes ago by the distinguished Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. The Senator from Colorado can request a yea-and-nay vote on this question.

Mr. CARROLL. The Senator from Oregon has suggested that I could do so. However, the Senator from Oregon is a senior Senator with many years of experience. If he desires to have such a vote taken, I certainly shall not object. But I shall not urge it, because, as I have said before, we now have the issue before us, whereas previously we have been confronted with delays in the procedure. But now we are no longer confronted with any delay; instead, we now have before us a bill. So let us move ahead.

But because of my great affection for the Senator from Oregon, who has performed valiant service here today, I wish to state that these committees should not be used as graveyards or bottlenecks for proposed legislation which is vital in the public interest. That is why I have tried to make this commendatory statement in regard to the statement made by the Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. Mr. President, let me say that I would prefer to have a yea-and-nay vote taken on my second resolution. However, I wish to state that I do not think any Member of the Senate has failed to receive cooperation every time he has sought it parliamentarywise from me. Likewise, the Senator from Texas has today been very cooperative with me in connection with a matter which has been most difficult for each of us.

So, while the roll was being called in the course of the last vote, I went to the Senator from Texas [Mr. JOHNSON] at a time when it became perfectly clear that my resolution to discharge the Judiciary Committee from the further consideration of Senate bill 2391 would be overwhelmingly defeated. I, at least, interpreted that situation as a clear indication of what would be the attitude of the majority of the Senate in regard to desiring to add these civil rights amendments to the House-passed bill. So I said to the Senator from Texas—as he will verify—"I should like to bring up my resolution to discharge the Committee on Rules and Administration from the further consideration of Senate bill 2814. But so far as I am concerned, I will not ask for a yea-and-nay vote."

Having said that to the Senator from Texas, I will not now request a yea-and-nay vote; I do not play the game that way. If other Members would like to have a yea-and-nay vote taken on this question, certainly I would like it very much. However, in view of what I said to the Senator from Texas, I will not request it.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. Yes, I yield, with the understanding that I do not lose the floor.

Mr. CARROLL. I commend the Senator from Oregon for his statement on his point of view. I think he has always played the game fair and square. He is a constitutional lawyer, and an authority on constitutional law. I make the point that my able colleague, who is a member of the committee and also chairman of the Committee on Rules and Administration [Mr. HENNINGS], is not present today. I do not have inside information to as whether he has completed hearings of the committee.

As I said, on the first resolution of the Senator from Oregon, I thought it came too late. Even though I think the present resolution comes too early, because I do not have all the facts, nevertheless, because of the valiant fight made by the Senator from Oregon, I would be disposed to go along with him on the resolution to discharge.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Oklahoma, with the same understanding that I do not lose the floor.

Mr. MONRONEY. Mr. President, I should like to address a question to my distinguished colleague. I supported his motion to discharge the Judiciary Committee, because I felt it was an orderly process of legislation, that it was taking up a bill on which hearings had been held and approved by the subcommittee, which had been discussed at great length by the full committee, that the time for action had come, and that such procedure would have brought to the floor a bill which had properly been before a committee.

On the question which we have before us, for some reason I cannot fathom, we find Republicans, liberals, and the South are voting together, against discharging the Judiciary Committee, under the resolution of the distinguished Senator from Oregon, on which we have just voted. I have a copy of the bill which will be the vehicle for the civil rights legislation. It is H.R. 8315. It has been reported by the Armed Services Committee.

When the Senate succeeds in working its will, as perhaps it will, to provide for voting rights for all persons throughout the United States, my question is, Will the conferees who will take this civil rights bill up be members of the Armed Services Committees in the House and in the Senate?

Mr. MORSE. It is my belief that the chairman of the Senate conferees will be the distinguished and very able Senator from Georgia [Mr. RUSSELL].

Mr. MONRONEY. Who will be the chairman in control of the conferees of the House—the distinguished chairman of the Armed Services Committee of the House?

Mr. MORSE. The distinguished chairman of the House Armed Services Committee, Mr. VINSON, of Georgia.

Mr. MONRONEY. So the Judiciary Committees of the two Houses that would have had control of the conference, under the resolution that the Senator offered to discharge the committee, will have nothing to do with the bill in the House or in the Senate. Is that correct?

Mr. MORSE. That is the opinion of the Senator from Oregon.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield with the same understanding that I do not lose the floor.

Mr. JOHNSON of Texas. I have a very high regard for the opinion of the Senator. I realize that this is a subject in which the Senator from Oklahoma has a great interest and has had a constant interest. I have had the staff consult the Parliamentarian on this point. I was fearful that this question might be brought up and that there might be some advice given that would not be in accordance with the advice of the Parliamentarian. The Parliamentarian informed us that the matter, although it comes from the Armed Services Committee, after amendment covering civil rights, becomes primarily civil rights legislation, and, under the precedents, would fall within the jurisdiction of the Judiciary Committee.

Mr. MORSE. Mr. President, it would be very interesting to run down the precedents of the Senate. In other words, we have a bill coming from the Armed Services Committee, no matter what amendments are added to it, the main purpose of which is to transfer an interest of the United States in a building to a school in Missouri. I think the chairman of the Armed Services Committee would have a right to maintain his right of seniority when it comes to appointing the conferees, and I think he would be entitled to insist on his right to be chairman of the conferees.

Mr. JOHNSON of Texas. I know the Senator recognizes the fact that, unless it is done by unanimous consent, a majority of the Senate selects the conferees. Since I have heard the Senator speak several times about the rights of a majority of the Senate on civil rights matters, I have no doubt that a majority of the Senate would select the conferees of the Senate.

Mr. MORSE. Oh, what a great debate I can see ahead. I can see that eagle in the glass dome fly away when a proposal is made that we do not follow the seniority system in the Senate of the United States. Furthermore, does the Senator question the fact that Congressman VINSON will be chairman of the conferees on the House side?

Mr. JOHNSON of Texas. I do question that fact.

Mr. MORSE. I do not. Now we have the answer of the Senator from Texas and of the Senator from Oregon. We do not agree.

Mr. JOHNSON of Texas. I understand that in the House of Representatives it is the Speaker who selects conferees. We in the Senate have the precedent of primary interest. In the House, the Speaker has complete power to appoint conferees. He is free to appoint any conferees he wants to.

I think a great big red herring has been brought across this discussion. Order No. 924, H.R. 8315, is before the Senate. The fact is that the Senate can, by majority vote, determine what is to go into this bill or not to go into it. That is the right of a majority of the Senate, if it wants to exercise it and is ready to exercise it, and if Senators will permit it to exercise its will.

Mr. MORSE. I do not question that the Senate can do anything it wants to by majority vote, but that does not mean it happens to be orderly procedure. We have had that fact demonstrated today. It has not resulted in orderly procedure. I think the Senator from Oklahoma [Mr. MONRONEY] has performed a service in bringing out the fact that we are going to have another debate on the appointment of conferees when the time comes.

Mr. JOHNSON of Texas. I do not think the Senator has brought out a fact. I think the precedents of the Senate, as pointed out by the Parliamentarian, are that the conferees would come from the Judiciary Committee. I do not mean to imply that there would be better conferees coming from the Judiciary Committee than would come from the Armed Services Committee, but I do assert that, under the precedents of the Senate, they would come from the Judiciary Committee, unless a majority of the Senate determined otherwise.

Mr. MORSE. All the majority leader has pointed out is that the framework has been laid for a debate on the appointment of conferees.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RUSSELL. I would not desire, by my silence, to waive any rights I might have in the future. I do wish to make a brief reference here to a few remarks I made on September 14. We have had read here today and yesterday, from time to time, a number of statements made on last September 14, when the agreement was made between the majority and minority leaders to proceed to the consideration of the so-called civil rights legislation on February 15.

I make this statement because I said yesterday, and stated in the utmost good faith, I thought the motion to discharge was preferable to the procedure being proposed; but I did not by that statement commit myself to support any motion to discharge any committee.

Going back to last September, I stated, when I was finally able to get recognition:

> Mr. President, we have heard a great deal in the last few minutes about agreements, understandings, and cooperation. I wish to make it perfectly clear that the Senator from Georgia and Senators from the much-maligned Southern States are not a party to any agreement or any understanding of any kind dealing with this matter. It would be futile to expect our cooperation in bringing up any of these so-called civil rights bills which have been under discussion.
>
> Of course, any Senator can make a motion at any time that he can get the floor to proceed to the consideration of any one of these measures. I have heard a good deal of discussion about the Jefferson-Jackson Day dinners. Jefferson and Jackson are the patron saints of the Democratic Party. I have often spoken on such occasions, endeavoring to pay them tribute. The distinguished minority leader has mentioned the Lincoln Day observances. I have never made a political speech at a Lincoln Day observance, but I yield to no Senator in my admiration—indeed my reverence—for the great Abraham Lincoln.
>
> However, there is one thing in this country which is more important than paying homage to these great Americans, and that is preserving the Constitution of the United States. Whatever time is fixed, whether it is after the Jefferson-Jackson observances or after the Lincoln Day observances—or at any other time—the Senator from Georgia and those associated with him will be here undertaking to protect the Constitution of the United States from these proposed violations by statute, Executive orders, or Court decisions.

Mr. President, I shall not read any more of my remarks on that occasion. I merely present those to show I undertook to make it perfectly clear to the Senate that I would oppose any procedure which was adopted. For that reason I have consistently opposed the use of the Fort Crowder school bill. I have opposed the resolution of the Senator from Oregon to discharge the committee.

Mr. MORSE. I am glad to have the Senator's contribution.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I have made a little examination of the records and the precedents of the Senate with respect the appointment of conferees. There may have been a mistaken notion that conferees represent a committee of the Senate. They do nothing of the kind. I think the precedents are abundantly clear that conferees represent the Senate of the United States. Therefore, it is the prerogative of the Senate, and entirely within its power, to name whomsoever it wishes as conferees on a measure of this kind, regardless of the committee from whence a bill came, or regardless of the conferees who may have been appointed in the House of Representatives.

If that is not a clear statement of the rule on conferees, than I have thoroughly misread what the very distinguished Parliamentarian of the Senate has compiled in his books regarding this matter, particularly in the rules of the Senate.

Mr. MORSE. Mr. President, I do not question at all that what the Senator from Illinois has said is correct, that it is within the power of the Senate to appoint conferees. But I do wish to emphasize that under long-established general policy we usually follow the practice of having conferees appointed from the committee which brought the bill to the Senate. In my judgment that has been a general policy.

There is no question, as the majority leader says, that we can modify the policy any time we want by a majority vote of the Senate. We can provide for the appointment of conferees from some other committee or from no committee at all.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, to shorten this matter, I now ask unanimous consent that I be allowed, out of order, to bring up my second resolution, S. Res. 274, which seeks to discharge the Committee on Rules and Administration of a civil rights bill. It is a civil rights bill upon which I understand the committee has completed hearings, and which the committee has under discussion in executive session, in the so-called writeup or markup stage.

Mr. President, if unanimous consent is granted, then I shall ask that the clerk state the resolution.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 274) to discharge under certain conditions the Committee on Rules and Administration from the further consideration of Senate bill 2814, a so-called civil rights bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the Senate proceed to consider the resolution?

There being no objection, the Senate proceeded to consider the resolution.

SEVERAL SENATORS. Vote! Vote!

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I have been on my feet trying to get the Senator from Oregon to yield.

Mr. MORSE. I apologize to the Senator. I did not know that.

Mr. JAVITS. Though I do not wish to detain the Senate, I think the Senate will understand my reasons for seeking a minute or two to put something on the record which I think is important.

The motion to discharge which was made August 26, 1959, was made by the Senator from New Jersey [Mr. CASE] and myself. I think we have a right to state why both of us voted against the resolution to discharge as proposed to the Senate, and I have little doubt we will take the same action on the next resolution.

Mr. President, the questions are twofold. First, is the car on the track? Second, has the majority leader's assurance to us been honored? I think both questions must be answered in the affirmative.

We are now debating civil rights, with every opportunity to get action on it, and the majority leader has honored his commitments to those of us who made the request. Mr. President, this was contemplated by the debate on the discharge resolution, for on August 26, 1959, in addressing the Senate, I said:

> One means is to discharge the committee. That is the most direct and efficacious means. It will bring the civil rights bill to the floor of the Senate. The other means is to attach amendments to some other bills. Those bills may be very good bills in themselves, or they may not. In any case, it would be necessary to string along with those bills. Those bills would not have to be called up unless they were of crucial importance. Hence, the whole operation could be bypassed.

Mr. President, a bill has been taken up for consideration, after full notice to the Senate that civil rights amendments may be proposed.

I agree with the construction as to the rules, which I have researched myself. The appointment of conferees will not follow the committee to which the particular bill now being considered was referred.

Mr. President, I believe we all understand—if we do not, we are not very reasonable—that the final outcome of this debate will probably be far different from what it is starting out to be. We will undoubtedly have some kind of a bill from the House, or we will have some kind of a bill from the Senate committee. Hearings have been printed, and hearings will be printed. There are likely to be reports, whether from the other body or from committees of this body, or both.

So in substance and for all substantive purposes the reason why the discharge motion was made last August will have been served. One step, whether it is important or not, will have been served, and that is the motion to consider a bill from which a committee is discharged, because there is a bill before us and we are now operating on it. Hence the opportunity for debate is limited to the one substantive question of the bill and bypasses a motion to consider the bill.

After saying that, which I think is a complete reason why we have taken the position we have, I should like to tell the Senator from Oregon, my dear friend and my very respected colleague, that I join with my colleague from Minnesota and my colleague from Colorado in paying respect to his perseverance and his deep sincerity, as well as his belief in the rules. I may be occupying the very same position the Senator is today, upon another occasion. I hope that he will understand in our votes against the resolutions which he has offered there is no derogation whatever of the basic principle he is putting forth. It is only a feeling that, balancing all the equities together, those who were called a minute ago the liberals believe the advance of the cause for which we are here will be more facilitated by proceeding along the line which we have already adopted, with the car which is on the track.

I think it would be less than fair to the Senator from Oregon to have the world feel that the very large vote the other way represented anything but a judgment of the balance of efficiency in terms of getting the job done. It did not represent any repudiation either of the sincerity of the Senator's motives or of the principle he was trying to espouse.

I know my colleague failed to yield to me only by oversight, and there is no need to apologize at all. I did wish to make this brief statement.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from Oregon. [Putting the question.]

The resolution was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the resolution was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. JOHNSON of Texas. Mr. President, I wish to repeat that the procedure we have selected in the Senate, in my opinion, protects all Senators in their right to offer amendments and to debate the amendments without limitation. I think we have made a good deal of progress today. We have indicated that the Senate desires to reason this question out, and to face up to the various proposals offered and vote upon them.

There has been one vote against postponement, and two votes against referring, which would result in further delays; and I trust we may have more votes tomorrow.

Mr. MORSE. Mr. President, now that the Senate has decided that the only procedure to be available to us for consideration of civil rights legislation is by way of amendments to a nongermane House bill, the Senator from Oregon wishes the RECORD to show that he will offer to that bill all amendments on civil rights for which he has fought for so many years in the Senate.

Because of the procedural decision made by the Senate, I shall be forced to use that House bill as the vehicle for offering my proposals for civil rights legislation. I shall fight just as hard for those proposals as additions to the nongermane bill as I would have fought if we had had a clean civil rights bill before us to which amendments could have been added.

I have no regrets whatsoever for the fight I have made for orderly procedure in the Senate, as I see that orderly procedure. I shall always be very grateful for the support of the three Senators who stood with me today in support of such procedure.

One of the greatest lawyers it has been my pleasure to meet since I became a Member of the Senate is the distinguished Senator from North Carolina, Judge ERVIN. He and I are poles apart on civil rights issues, but he possesses a very keen legal, judicial mind, and I shall always be proud of the fact that this distinguished lawyer, this great southern judge, although he differs with me as to the merits of civil rights legislation, found himself completely in agreement with me on the procedure I proposed in my two resolutions for the discharge of committees.

I thank him and the Senator from Tennessee [Mr. GORE] and the Senator from Oklahoma [Mr. MONRONEY] for the support they gave me.

ORDER FOR RECESS TO 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Com-

mittee on Foreign Relations was authorized to meet during the session of the Senate tomorrow.

ANNOUNCEMENT OF DEMOCRATIC CAUCUS

Mr. JOHNSON of Texas. Mr. President, I announce that there will be a Democratic caucus at 9:30 o'clock a.m. on Thursday next, in the usual room.

THE STUDENT EXCHANGE PROGRAM

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD three letters I have received from persons who have participated in the exchange program. I am sure that I do not need to inform the Members of the Senate of my interest in the promotion of exchanges, but I would like to take occasion from time to time to furnish Members of the Senate with evidence of the success of the program.

I frequently receive letters to the effect that the small expenditures made in the field of educational exchanges are the most prudent investment made by our country in its international relations. I think that the following communications give evidence that this is true.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 31, 1960.

DEAR SENATOR FULBRIGHT: I just had the pleasure in hearing you speak tonight at the Downers Grove Village forum and I want you to know how very much I enjoyed and appreciated the opportunity to hear you speak. I have heard you speak on television before and I thoroughly enjoy the way you answer questions. You have such a friendly manner and I think it is wonderful that you are such a fine representative for our country.

Although I was backstage following your speech, I did not have an opportunity to speak with you personally. I realized, while listening to you speak, that because of you and others like you, I am a very lucky person. You see, in my senior year of college at Northern Illinois University, in De Kalb, Ill., I lived with a girl from Japan who was on a Fulbright scholarship. She was a wonderful girl and we are still dear friends. We learned to know each other well and gained much insight into each other's country and people. I thank you for all your work and effort that makes it possible for so many to study abroad.

As an elementary school speech correctionist I am very interested in education and its goals. I enjoyed your comments on education and now more fully understand about Federal aid. I hope it will come to pass that there will be more Federal aid, especially to those areas who are truly needy.

Thank you again, Senator, for coming to Downers Grove. It was a pleasure to hear you speak and it was an honor to have you in our town.

Sincere good wishes to you in succeeding years.

Sincerely,

NINA GENE PENCE.

THE UNIVERSITY OF CONNECTICUT,
Storrs, Conn., December 16, 1959.

The Honorable J. WILLIAM FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: It was my privilege to work under a Fulbright research grant in Italy during the past year. My field is economics and the area of my research was banking and monetary policy. I had originally hoped to make an intensive study of Italy's use of monetary policy in promoting economic stability during the period since 1947. A survey of the limited materials available at the Bank of Italy and other government agencies indicated that an intensive study of this type would not be feasible. I decided, therefore, to broaden my topic, and to make a study of the development of banking and monetary policy in Italy since 1860. On the basis of this research I am developing a monograph which is now well along the way to completion.

My wife, our three children (ages 8, 11, and 13) and I found our year in Italy to be extremely interesting and broadening. We became acquainted with quite a number of Italians, both in and outside of the academic profession. These contacts proved to be highly stimulating and we gained much from the opportunities which we had to exchange ideas and experiences. Not only did these contacts help us to gain a better understanding of Italy and its problems, but also I believe that they made it possible for us to provide a number of our friends with a considerable clearer picture of the United States.

Having participated in the Fulbright program, I should like to express my appreciation to you for in effect having made this experience possible. This program I am more convinced than ever is of great value in reducing intellectual barriers between students and academicians of the United States and their counterparts in other countries. In addition, it has given me much clearer insights into the economic problems of the European country in which I lived for a year than I could ever have gained from secondary sources. My students over the years which lie ahead will share in the added knowledge and understanding which I acquired as a result of my work under this program which you were instrumental in starting.

I sincerely hope that Congress will not only continue, but expand this program in the future. The relatively modest cost involved will, I am convinced, bring handsome returns in improved international understanding.

It may be of interest to you to know that the office which administers the program in Italy appeared to me to be efficiently organized and to be carrying out to the fullest the various objectives of the program.

Sincerely yours,

WILLIAM P. SNAVELY,
Associate Professor, Economics.

UNIVERSITY OF
CALIFORNIA MEDICAL CENTER,
Los Angeles, Calif., December 18, 1959.

Senator WILLIAM FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Enclosed is a copy of my letter to the State Department containing some impressions gained during my tenure as a Fulbright research scholar in Germany. I hope you will find the comments of some value.

My wife and I often talk of you, not only as the originator of the far-sighted, sound, Fulbright program, but as a statesman. As you may know, your comments are given wide publicity in German newspapers. The editorials we saw were most complimentary.

Sincerely,

WILLIAM J. WHALEN, Ph. D.,
Assistant Professor of Physiology.

P.S.—My address after January 1, 1960, will be: Associate Professor of Physiology, School of Medicine, State University of Iowa, Iowa City, Iowa.

DECEMBER 16, 1959.

The SECRETARY OF STATE,
(Attention of J. Manuel Espinosa, Chief, Professional Activities Division, International Educational Exchange Service, Washington, D.C.)

DEAR SIR: Three months have passed since my family and I returned from Heidelberg, Germany, where I was a Fulbright research scholar at the Physiological Institute of the University of Heidelberg. I hope my delay in sending this informal report to you will be excused when I explain that I have been busy finishing up my work here at UCLA in preparation for a move to the State University of Iowa at the end of the month.

First let me say that I and my entire family are deeply grateful for our opportunity, made possible by your generosity, to spend a year in Europe.

With regard to the basic objective of the program, that in furthering understanding and good will, it is my opinion that our boys aged 12 and 8 were especially good ambassadors. This does not imply that they were models of good behavior—far from it. But in the Volkschule and Nittelschule which they attended they made many fast friends. The could communicate with fewer inhibitions and less prejudice than possible in adult groups. The boys have received several letters from their German friends, written in English and answered in German. They both plan to return to Germany for a visit after they have finished high school. Although it was certainly more difficult, confining and costly to have the family with me, benefit to the objectives of the program and to the children themselves well justified the drawbacks. I would like to see more of the family type exchange. However, families with small children perhaps should be discouraged because of the unsatisfactory living conditions. Housing is hard to find, food difficult to prepare, and medical care inadequate.

As for my own role in fulfilling the basic objective, there are some doubts in my mind. First of all, I did find my colleague rather arrogant at times. Open discord was avoided only at some cost to me, and probably to him. We did resolve our differences, however, and we still correspond. The director of the institute, Dr. Schaeffer, on the other hand was quite unassuming and very friendly. He invited us to his home on several occasions, including Christmas day. We could, and did, discuss international relations with Dr. Schaeffer with complete understanding.

At the physiology institute there was also the opportunity to converse freely with visiting scientists from behind the Iron Curtain. One of them, Dr. Wicinski, invited me to give a talk at the Klinik in Byalystok, Poland, but unfortunately I could not find time to do so. We also became well acquainted with many of the younger members of the faculty and some of the students. They were very helpful on several occasions and appeared genuinely to like us. They were much more curious about life in America than the older members of the faculty who, with some exceptions, felt they knew what life in America was like and exactly what was wrong with it. Some of our best friends were in the apartment house where we lived and among the innkeepers of our favorite "Gaststätte." We are maintaining these contacts and many in the university as well. In fact, we hope to go to Leyden in 1962 for the International Congress of Physiology and expect to visit these friends at that time.

When traveling in Germany, as elsewhere in Europe, we avoided hotels with the AAA recommendations, not only because we couldn't afford them but also to make closer contact with the people. With one or two exceptions noted later on, we were most cordially received. Incidentally, in Yugoslavia at the home of a poor peasant where we asked for lodging, we were first mistaken

for Germans. Our reception was somewhat cool until we produced our American passports.

All in all, it is difficult to evaluate the impression one makes. We talked freely and openly, upholding the virtues and values of America but admitting her faults, and occasionally voicing criticism of Germany. As our many friends in Germany write us and ask us to return, it might be assumed that they were, at least, not antagonized.

As for scientific accomplishments, the research project was moderately successful. We expect to have a paper on the liberation of acetylcholone from heart muscle published soon. I also presented a paper at the meetings of the German Physiological Society in Bad Nauheim on some work I had done previously at the University of California in Los Angeles. Although the value of numerous professional contacts made at Heidelberg, Berlin, Frankfurt, and Bad Nauheim is essentially indeterminable, I feel that they were very worthwhile. We benefited from discussion of common problems; and it is probable that some of the scientists with whom I talked will come to work at Iowa University within the next few years. In general, however, I would say that German medical science can learn more from us than vice versa as in many areas it lags behind ours. This could be understandable simply on the basis of time lost during the war years and the postwar period of poverty. But from conversations with several German scientists I concluded that the cause lies deeper. The decline began during Hitler's regime when many of the top people left the country. It is perpetuated by the structure of the German university system in which the professor often has almost feudal power over his colleagues. The mediocre persons who unfortunately were often appointed to influential positions in the universities could ill afford the contrast of superior scientists on their staff and sought to prevent their appointment, and that failing, their support and encouragement. Apparently, some attempt is being made to reverse this trend, however, by making more tenure positions available in addition to the professor and the chairman.

Also there appears to be an increasing emphasis on support for individual research projects rather than on "Institute Support" which is controlled by the professor. I saw no evidence, however, that the practice of the professor taking lecture fees from the students might be discontinued. The professor usually gives most of the "Vorlesungen" and reaps the lion's share of the income. Obviously these conditions are not calculated to attract young men of imagination, intellectual ability and courage to the university faculties.

In our travels, which lasted 2½ months, we visited Holland, Belgium, Austria, Yugoslavia, Italy, Switzerland, France, Spain, England, and, of course, Germany. Occasionally I was able to visit laboratories that were still active during this, the vacation season. As mentioned earlier, we stayed at inexpensive out-of-the-way inns, our choice often being dictated by a German license plate outside the inn. (The Germans seem to have an uncanny ability to find good cheap accommodations.)

Almost everywhere we were given a very warm reception and usually were able to converse frankly with the owners and guests about the political and economic life in the country visited, as well as about the weather. It was, naturally, somewhat more difficult to communicate with the Slavonians and Spaniards because of the political climates of their countries. These people, incidentally, were the most interested in America. They questioned us as to the cost of our automobiles, my salary, etc., and commented how fortunate we were to be really free. High regard for Americans was most obvious among the Spaniards. This is a factor in our rating them, along with the Austrians, as our favorites. At the opposite pole are the French, particularly in southern France around Marseilles and toward the Spanish border. Although there was nothing overtly antagonistic in their behavior, their lack of cordiality and their attempts to gouge all they could out of us made their feelings obvious.

It may be of some interest to mention here that we traveled at an average cost for three adults and two boys of $27 per day, including gas and oil. The higher costs of Switzerland and France were offset by lower costs in Austria, Spain, and Yugoslavia.

You may also be interested in a few observations concerning our impressions of the German people. The people one meets in the stores, the inns, and persons in the minor officialdom, are most friendly, frank, and extremely honest. It is only at the higher levels of society that one sometimes finds the arrogance and aggressiveness often believed characteristic of the German personality. We spent 10 days of the winter vacation skiing at a rather exclusive resort where we were the only Americans among several thousand Germans. Here we were appalled at the lack of manners. At one ski lift we were afraid that our 8 year old would be trampled in the rush and only after considerable difficulty were we able to extricate ourselves. Perhaps the most disturbing factor in the experience was that the Germans seemed to enjoy the contest of strength, as it were. The aggressiveness was not directed at us, however; in fact, almost the opposite was true. Although we were speaking German our accent must have been obvious. One German boy, perhaps mistaking us for Englishmen, said to us, "I was in England last year. It wasn't like this." The contrast between the behavior of these Germans and that of the thousands of Americans patiently waiting in line at Disneyland last week made us proud of our own.

We believe that some of this behavior may stem from the school system which so completely and irrevocably separates the students into workers and elite at about age 11. At this age approximately 17 percent go on to gymnasium (from which about half of them graduate). The other 83 percent attend what are essentially trade schools for a few years and soon join the labor force. Somewhat parenthetically, the competition in the schools is extremely keen. Whether this is the reason for the widespread and generally expected cheating in the classroom is an interesting question. To return to the main theme, the end result of this selection process is a wide gap in the educational background of the population. Although this rigid class society may have a stabilizing influence, it also has certain obvious drawbacks. In the case of the German elite it seems to us that many of them overemphasize the awareness of their superiority which their status grants them. They seem to feel that their position gives them absolute authority over persons beneath them. The problem of deciding who is beneath whom among the upper 10 percent is one that appears to keep them under constant tension. One thing seems clear, the famous German discipline is rather limited. It certainly exists between the elite and the "kleine Leute," but, except for certain specific or well-established situations, it may not be present among the ruling class.

Although space limitations prevent a complete analysis, even if I were capable of doing it, it is probable that this situation, coupled with a strong dependence on authority, made a Hitler possible. On the other hand we saw evidence of an awareness of this weakness in the German social structure and some small effort to combat it. Such movies as "Wir Wunderkinde" and "Rosemarie" were openly critical of Germans in high places. For what it is worth, we think that the countries opposing a German high command in NATO have a better basis than hatred for their attitude.

You may be interested in my opinions regarding the Fulbright program itself. From the above you may have gathered that I am heartily in favor of its continuance, as I am. I think it is one of the most forward-looking steps the United States has taken in the last several years. There is no point in my attempting to evaluate the effectiveness of the program with respect to its basic aim. I am sure you have more comprehensive and objective information available than afforded by the opinion of a grantee, but may I make a few suggestions intended to be constructive. First, we felt it would have been desirable at the Berlin meeting (one of the most exciting experiences of our stay) to give the "Fulbrighters" more individual responsibility. Perhaps the tendency toward herding could be at least limited to the students, though I would naturally be inclined to oppose it for the students also. Then there is the matter of money, both at Berlin and at the home station. With Germany's economy booming, or even if it weren't, there is no sense denying that Americans have money. The ever-present American Army people have, quite understandably, established comfortable living quarters and elaborate vacation areas for themselves. When they occasionally visit the local stores and inns they spend freely. (Incidentally the Germans admire our Armed Forces.) And, of course, the American tourist is well known as a lavish spender. As to the Germans, there are many now who are extremely wealthy. At the ski resort it was the Germans who had "Head" skis and who wore "Bogner" clothes—things most Americans could not afford. Therefore, while I can sympathize with and adhere to the view that we must not embarrass others less fortunate, I cannot see why it should apply only to recipients of fellowships. Yet I gathered that this was the reason for our rather ordinary accommodations in Berlin. Certainly the Germans expect their professors to live well and pay them accordingly. I confess to a bit of heat on this subject but I think the point well taken.

As for the home station, my stipend at Heidelberg combined with my sabbatical pay was certainly adequate, and we were able to travel quite extensively. On the other hand, others, at least in Heidelberg, who did not have support other than fellowship did not fare so well, even after the increase granted for the second five months. Therefore, these remarks reflect not my personal attitude but what I believe to be the majority view of the senior grantees even though they communicate no such criticism lest they appear ungrateful. I only hope that I do not seem so, as that is far from my true feeling.

Since next to nothing, but talk, is being done about academic salaries on the home front, a foreign fellowship might be regarded, especially by our families, as something of a reward; it can only thus be considered if the stipend is adequate.

Another phase of the "good will" program conducted by the State Department deserves comment. This is the "Amerika Haus" project. Cliches in the superlative, praising its value, immediately come to mind. We often attended the evening lectures given by visiting American scholars, and found them well attended by interested, thoughtful Germans of all ages. One friend of ours in the Dresdner Bank who is extremely well educated and who should have known better said he hadn't realized the wealth of culture in America. In the "Amerika Haüser" the more or less objective display of life in America was in sharp contrast to the blatant, competitive propaganda we saw in the "Jugendhaus" and

"Museum für Deutsches Geschichte" in East Berlin.

In concluding what has developed into a lengthy and rather opinionated report, I would again like to express my appreciation to the International Education Exchange Service for giving us this wonderful year in Europe. Special thanks are due to the German Commission who were most cooperative and helpful.

Sincerely,

WILLIAM J. WHALEN, PH. D.,
Assistant Professor of Physiology.

NINETEEN HUNDRED AND SIXTY NATIONAL WATER SKI TOURNAMENT

Mr. HUMPHREY. Mr. President, as everyone knows, Minnesota is very nearly the capital of water sports in America, with a most vigorous program of swimming, boating, fishing, and water skiing.

Additional recognition of this fact has been given through the recent announcement that the 1960 National Water Ski Tournament will be held August 11 through 14, 1960, on one of our beautiful lakes in Minneapolis.

This news comes to me from Mr. Douglas N. Anderson of the Bald Eagle Water Club of White Bear Lake, Minn., an organization which is doing much to promote boating safety and sports discipline in Minnesota.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter from Mr. Anderson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BALD EAGLE WATER CLUB,
Bald Eagle Lake,
White Bear Lake, Minn.,
February 1, 1960.

Senator HUBERT HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: You may be very interested to know that the Bald Eagle Water Club, with the Minneapolis Aquatennial Association as cosponsor, has been awarded the 1960 National Water Ski Tournament to be held August 11–14 on Lake of the Isles in Minneapolis.

This is recognition of this area as an outstanding center of skiing and boating activities. It is also recognition of the work that the Minneapolis Aquatennial Association and the Bald Eagle Water Club have done to further competitive skiing and water safety.

Many of those active in this tournament spent considerable time obtaining facts and background information for the recent work in the Minnesota Legislature in preparing the new boating laws.

During the St. Paul Boat Show, March 18–27, and the Minneapolis Sportsmen's Show, April 1–10, the Bald Eagle Water Club will promote boating safety and proper skiing technique in a section of the booth of the Marine Products Division of the McCulloch Corp.

Competitive skiing is based on safe skiing, with rigid rules enforced in all competition. As in most competitive sports, this leads to better athletes who know what personal discipline, teamwork, training, and safety mean to them. This in turn they teach to others.

We hope that you and your friends will be interested in this tournament for personal enjoyment but in addition that this will indicate what is really being done to promote boating safety in this area.

Sincerely yours,

DOUGLAS N. ANDERSON,
Tournament Director, Bald Eagle Water Club.

THE UNION OF SOUTH AFRICA

Mr. HUMPHREY. Mr. President, I have just received the full text of an address delivered by the distinguished Prime Minister of Great Britain, the Right Honorable Harold Macmillan, before the Parliament of the Union of South Africa on February 3.

The speech has received the acclaim of the international press, and, indeed, it is a most judicious, statesmanlike, and forthright address. The Prime Minister reaffirmed the British position of rejecting "the idea of any inherent superiority of one race over another."

I ask unanimous consent that the full text of Prime Minister Macmillan's address before the South African Parliament be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNION OF SOUTH AFRICA

(Text of a speech by the Prime Minister, Rt. Hon. Harold Macmillan, P.C., M.P., to both Houses of Parliament of the Union of South Africa, in Cape Town on February 3, 1960)

It is a great privilege to be invited to address the members of both Houses of Parliament in the Union of South Africa. It is a unique privilege to do so in 1960 just half a century after the Parliament of the Union came to birth. I am most grateful to you all for giving me this opportunity and I am especially grateful to your Prime Minister who invited me to visit this country and arranged for me to address you here today. My tour of Africa, parts of Africa, the first ever made by a British Prime Minister in office is now alas nearing its end but it is fitting that it should culminate in the Union Parliament here in Cape Town, in this historic city so long Europe's gateway to the East in the Union.

THE VISIT TO SOUTH AFRICA

As in all the other countries that I have visited my stay has of course been all too short. I wish it had been possible for me to spend longer time here to see more of your beautiful country and to get to know more of your people, but in the past week I have traveled many hundreds of miles and met many people in all walks of life. I have been able to get at least some idea of the great beauty of your countryside with its farms and its forests, mountains and rivers, and the clear skies and wide horizons of the veldt. I have also seen some of your great and thriving cities, and I am most grateful to your Government for all the trouble they have taken in making the ararngements which have enabled me to see so much in so short a time. Some of the younger members of my staff have told me that it has been a heavy program, but I can assure you that my wife and I have enjoyed every moment of it. Moreover we have been deeply moved by the warmth of our welcome. Wherever we have been, in town or in country, we have been received in a spirit of friendship and affection which has warmed our hearts, and we value this the more because we know it is an expression of your good will, not just to ourselves but to all the people of Britain.

It is, as I have said, a special privilege for me to be here in 1960 when you are celebrating what I might call the golden wedding of the Union. At such a time it is natural and right that you should pause to take stock of your position; to look back at what you have achieved; to look forward to what lies ahead.

SOUTH AFRICA'S ECONOMIC PROGRESS

In the 50 years of their nationhood the people of South Africa have built a strong economy founded upon a healthy agriculture and thriving and resilient industries. During my visit I have been able to see something of your mining industry, on which the prosperity of the country is so firmly based. I have seen your iron and steel corporation and visited your council of scientific and industrial research at Pretoria. These two bodies, in their different ways, are symbols of a lively, forward looking, and expanding economy. I have seen the great city of Durban, with its wonderful port, and the skyscrapers of Johannesburg, standing where 70 years ago there was nothing but the open veldt. I have seen too, the fine cities of Pretoria and Bloemfontein. This afternoon I hope to see something of your wine-growing industry, which so far I have only admired as a consumer.

No one could fail to be impressed with the immense material progress which has been achieved. That all this has been accomplished in so short a time is a striking testimony to the skill, energy, and initiative of your people. We in Britain are proud of the contribution we have made to this remarkable achievement. Much of it has been financed by British capital. According to the recent survey made by the Union Government nearly two-thirds of the oversea investment outstanding in the Union at the end of 1956 was British. That is after two staggering wars which have bled our economy white.

UNITED KINGDOM-SOUTH AFRICAN TRADE

But that is not all. We have developed trade between us to our common advantage, and our economies are now largely interdependent. You export to us raw materials, food, and of course gold. We in return send you consumer goods or capital equipment. We take a third of all your exports and we supply a third of all your imports. This broad traditional pattern of investment and trade has been maintained in spite of the changes brought by the development of our two economies, and it gives me great encouragement to reflect that the economies of both our countries, while expanding rapidly, have yet remained interdependent and capable of sustaining one another. If you travel round this country by train you will travel on South African rails made by Iscor. If you prefer to fly you can go in a British Viscount. Here is the true partnership, living proof of the interdependence between nations.

Britain has always been your best customer and as your new industries develop we believe that we can be your best partners too. In addition to building this strong economy within your own borders, you have also played your part as an independent nation in the world.

SOUTH AFRICA'S CONTRIBUTION TO THE WORLD

As a soldier in the First World War and as a minister in Sir Winson Churchill's government in the second, I know personally the value of the contribution which your forces made to victory in the cause of freedom. I know something too of the inspiration which General Smuts brought to us in Britain in our darkest hours. Again in the Korean crisis you played your full part. Thus in the testing times of war or aggression your statesmen and your soldiers have made their influence felt far beyond the African Continent.

In the period of reconstruction, when Dr. Malan was your Prime Minister, your resources greatly assisted the recovery of the sterling area. In the postwar world now, in the no less difficult tasks of peace, your leaders in industry, commerce and finance continue to be prominent in world affairs today. Your readiness to provide

technical assistance to the less well developed parts of Africa is of immense help to the countries that receive it. It is also a source of strength to your friends in the Commonwealth and elsewhere in the Western World. You are collaborating in the work of the Commission for Technical Cooperation in Africa, south of the Sahara, and now in the United Nations Economic Commission for Africa your Minister for External Affairs intends to visit Ghana later this year. All this proves your determination, as the most advanced industrial country of the continent, to play your part in the new Africa of today.

CONCERN WITH AFRICAN AFFAIRS

Sir, as I have traveled around the Union I have found everywhere, as I expected, a deep preoccupation with what is happening in the rest of the African continent. I understand and sympathize with your interest in these events, and your anxiety about them. Ever since the breakup of the Roman Empire one of the constant facts of political life in Europe has been the emergence of independent nations. They have come into existence over the centuries in different forms, with different kinds of government, but all have been inspired by a deep, keen feeling of nationalism which has grown as the nations have grown.

WIND OF CHANGE IN AFRICA

In the 20th century and especially since the end of the war the processes which gave birth to the nation states of Europe have been repeated all over the world. We have seen the awakening of national consciousness in peoples who have for centuries lived in dependence upon some other power. Fifteen years ago this movement spread through Asia. Many countries there of different races and civilizations pressed their claim to an independent national life. Today the same thing is happening in Africa and the most striking of all the impressions I have formed since I left London a month ago is of the strength of this African national consciousness. In different places it takes different forms, but it is happening everywhere. The wind of change is blowing through this continent, and whether we like it or not this growth of national consciousness is a political fact. We must all accept it as a fact, and our national policies must take account of it.

Of course you understand this better than anyone. You are sprung from Europe, the home of nationalism, and here in Africa you have yourselves created a new nation. Indeed in the history of our times yours will also be recorded as the first of the African nationalisms, and this tide of national consciousness which is now rising in Africa is a fact for which you and we and the other nations of the Western World are ultimately responsible. For its causes are to be found in the achievements of Western civilization, in the pushing forward of the frontiers of knowledge, in the applying of science, in the service of human needs, in the expanding of food production, in the speeding and multiplying the means of communications, and perhaps, above all more than anything else, the spread of education.

SIGNIFICANCE OF THE GROWTH OF NATIONAL CONSCIOUSNESS

As I have said, the growth of national consciousness in Africa is a political fact and we must accept it as such. That means, I would judge that we must come to terms with it. I sincerely believe that if we cannot do so we may imperil the precarious balance between the East and West on which the peace of the world depends. The world today is divided into three main groups. First there are what we call the Western Powers. You in South Africa and we in Britain belong to this group together with our friends and allies in other parts of the Commonwealth. In the United States of America and in Europe we call it the Free World. Secondly there are the Communists, Russia and her satellites in Europe and China whose population will rise by the end of the next ten years to the staggering total of 800 million. Thirdly there are those parts of the world whose people are at present uncommitted either to communism or to our Western ideas.

In this context we think first of Asia and of Africa. As I see it the great issue in this second half of the twentieth century is whether the uncommitted peoples of Asia and Africa will swing to the East or to the West. Will they be drawn into the Communist camp? Or will the great experiments in self-government that are now being made in Asia and Africa, especially within the Commonwealth, prove so successful and by their example so compelling, that the balance will come down in favor of freedom and order and justice?

RESPONSIBILITY OF COMMONWEALTH MEMBERS FOR OWN POLICY

The struggle is joined and it is a struggle for the minds of men. What is now on trial is much more than our military strength or our diplomatic and administrative skill. It is our way of life. The uncommitted nations want to see before they choose. What we can show them to help them choose right? Each of the independent members of the Commonwealth must answer that question for itself. It is a basic principle of our modern Commonwealth that we respect each other's sovereignty in matters of internal policy. At the same time we must recognize that in this shrinking world in which we live today the internal policies of one nation may have effects outside it. We may sometimes be tempted to say to each other, "Mind your own business," but in these days I would, myself, expand the old saying so that it runs "Mind your own business but mind how it affects my business, too."

Let me be very frank with you, my friends. What governments and parliaments in the United Kingdom have done since the war in according inpedendence to India, Pakistan, Ceylon, Malaya, and Ghana, and what they will do for Nigeria and other countries now nearing independence, all this though we take full and sole responsibility for it, we do in the belief that it is the only way to establish the future of the Commonwealth and of the free world on sound foundations. All this of course is also of deep and close concern to you for nothing we do in this small world can be done in a corner or remain hidden. What we do today in west, central, and east Africa becomes known tomorrow to everyone in the Union whatever his language, color or traditions. Let me assure you, in all friendliness, that we are well aware of this and that we have acted and will act with full knowledge of the responsibility we have to all our friends. Nevertheless I am sure you will agree that in our own areas of responsibility we must each do what we think right. What we think right derives from a long experience both of failure and success in the management of our own affairs.

THE AIM AND BASES OF UNITED KINGDOM POLICY

We have tried to learn and apply the lessons of both our judgment of right and wrong and our justice is rooted in the same soil as yours—in Christianity and in the rule of law as the basis of a free society. This experience of our own explains why it has been our aim in the countries for which we have borne responsibility, not only to raise the material standards of living but to create a society which respects the rights of individuals, a society in which men are given the opportunity to grow to their full stature, and that must in our view include the opportunity to have an increasing share in political power and responsibility, a society in which individual merit and individual merit alone is the criterion for a man's advancement, whether political or economic.

Finally, in countries inhabited by several different races it has been our aim to find means by which the community can become more of a community, and fellowship can be fostered between its various parts. This problem is by no means confined to Africa nor is it always a problem of a European minority. In Malaya, for instance, though there are Indian and European minorities, Malayans and Chinese make up the great bulk of the population, and the Chinese are not much fewer in number than the Malayans. Yet these two peoples must learn to live together in harmony and unity and the strength of Malaya as a nation will depend on the different contributions which the two races can make.

UNITED KINGDOM POLICY NONRACIAL

The attitude of the United Kingdom toward this problem was clearly expressed by the Foreign Secretary, Mr. Selwyn Lloyd, speaking at the United Nations General Assembly on the 17th of September 1959. These were his words: "In those territories where different races or tribes live side by side the task is to ensure that all the people may enjoy security and freedom and the chance to contribute as individuals to the progress and well being of these countries. We reject the idea of any inherent superiority of one race over another."

Our policy, therefore, is nonracial. It offers a future in which Africans, Europeans, Asians, the peoples of the Pacific and others with whom we are concerned, will all play their full part as citizens in the countries where they live, and in which feelings of race will be submerged in loyalty to new nations.

SPECIAL PROBLEMS OF SOUTH AFRICA

I have thought you would wish me to state plainly and with full candor the policy for which we in Britain stand. It may well be that in trying to do our duty as we see it we shall sometimes make difficulties for you. If this proves to be so we shall regret it. But I know that even so you would not ask us to flinch from doing our duty. You too will do your duty as you see it. I am well aware of the peculiar nature of the problems with which you are faced here in the Union of South Africa. I know the differences between your situation and that of most of the other states in Africa. You have here some 3 million people of European origin. This country is their home. It has been their home for many generations. They have no other.

The same is true of Europeans in central and east Africa. In most other African states those who have come from Europe have come to work, to contribute their skills, perhaps to teach but not to make a home.

POLICY DIFFERENCES BETWEEN SOUTH AFRICA AND THE UNITED KINGDOM

The problems to which you as members of the Union Parliament have to address yourselves are very different from those which face the parliaments of countries with homogenous populations. These are complicated and baffling problems. It would be surprising if your interpretation of your duty did not sometimes produce very different results from ours in terms of government policies and actions.

As a fellow member of the Commonwealth it is our earnest desire to give South Africa our support and encouragement, but I hope you won't mind my saying frankly that there are some aspects of your policies which make it impossible for us to do this without being false to our own deep convictions about the

political destinies of free men to which in our own territories we are trying to give effect. I think we ought as friends to face together, without seeking to apportion credit or blame, the fact that in the world of today this difference of outlook lies between us.

SCOTTISH CONNECTIONS WITH EUROPEAN POPULATION

I said that I was speaking as a friend. I can also claim to be speaking as a relation, for we Scots can claim family connections with both the great European sections of your population, not only with the English-speaking people but with the Afrikaans speaking as well. This is a point which hardly needs emphasis in Cape Town where you can see every day the statue of that great Scotsman, Andrew Murray. His work in the Dutch Reformed Church in the Cape and the work of his son in the Orange Free State was among Afrikaans-speaking people. There has always been a very close connection between the Church of Scotland and the Church of the Netherlands. The Synod of Dort plays the same great part in the history of both. Many aspirants to the Ministry of Scotland, especially in the 17th and 18th centuries, went to pursue their theological studies in the Netherlands. Scotland can claim to have repaid the debt in South Africa. I am thinking particularly of the Scots in the Orange Free State. Not only the younger Andrew Murray, but also the Robertsons, the Frasers, the McDonalds, families which have been called the Free State clans who became burghers of the Old Free State and whose descendants still play their part there.

THE UNITED STATES

But though I count myself a Scot my mother was an American, and the United States provides a valuable illustration of one of the main points which I have been trying to make in my remarks today. Its population like yours is a blend of many different strains and over the years most of those who have gone to North America have gone there in order to escape conditions in Europe which they found intolerable. The Pilgrim Fathers were fleeing from persecution as Puritans and the Marylanders from persecution as Roman Catholics. Throughout the 19th century a stream of immigrants flowed across the Atlantic to escape from poverty in their homelands, and in the 20th century the United States have provided asylum for the victims of political oppression, in Europe.

Thus for the majority of its inhabitants America has been a place of refuge or place to which people went because they wanted to get away from Europe. It is not surprising, therefore, that for so many years a main objective of American statesmen, supported by the American public, was to isolate themselves from Europe and with their great material strength and the vast resources open to them this might have seemed an attractive and practicable course. Nevertheless in the two World Wars of this century they have found themselves unable to stand aside. Twice their manpower in arms has streamed back across the Atlantic to shed its blood in those European struggles which their ancestors thought they would escape by emigrating to the New World, and when the second war was over they were forced to recognize that in the small world of today isolationism is out of date and offers no assurance of security.

INTERDEPENDENCE OF NATIONS

The fact is that in this modern world no country, not even the greatest, can live for itself alone. Nearly 2,000 years ago when the whole of the civilized world was comprised within the confines of the Roman Empire, St. Paul proclaimed one of the great truths of history—we are all members one of another. During this 20th century that eternal truth has taken on a new and exciting significance. It has always been impossible for the individual man to live in isolation from his fellows, in the home, the tribe, the village, or the city today it is impossible for nations to live in isolation from one another. What Dr. John Donne said of individual men 300 years ago is true today of my country, your country, and all the countries of the world. "Any man's death diminishes me because I am involved in mankind; and therefore never send to know for whom the bell tolls. It tolls for thee." All nations now are interdependent one upon another and this is generally realized throughout the Western world. I hope in due course the countries of communism will recognize it, too.

It was certainly with that thought in mind that I took the decision to visit Moscow about this time last year. Russia has been isolationist in her time and still has tendencies that way, but the fact remains that we must live in the same world with Russia and we must find a way of doing so. I believe that the initiative which we took last year has had some success, although grave difficulties may arise. Nevertheless I think nothing but good can come out of its extending contacts between individuals, contacts in trade and from the exchange of visitors.

BOYCOTT OF SOUTH AFRICAN GOODS

I certainly do not believe in refusing to trade with people because you may happen to dislike the way they manage their internal affairs at home. Boycotts will never get you anywhere, and may I say in parenthesis that I deprecate the attempts that are being made today in Britain to organize the consumer boycott of South African goods. It has never been the practice so far as I know of any government of the United Kingdom of whatever complexion to undertake or support campaigns of this kind designed to influence the internal politics of another Commonwealth country, and my colleagues in the United Kingdom deplore this proposed boycott and regard it as undesirable from every point of view. It can only have serious effects on Commonwealth relations on trade and lead to the ultimate detriment of others than those against whom it is aimed.

COMMONWEALTH INDEPENDENCE AND INTERDEPENDENCE

I said I was speaking of the interdependence of nations. The members of the Commonwealth feel particularly strongly the value of interdependence. They are independent as any nation in this shrinking world can be, but they have voluntarily agreed to work together. They recognize that there may be and must be differences between them in their institutions, and their internal policies, and their membership does not imply the wish to express a judgment on these matters, or the need to impose a stifling uniformity. It is, I think, a help that there has never been question of any rigid constitution for the Commonwealth. Perhaps this is because we have got on well enough in the United Kingdom without a written constitution and tend to look suspiciously at them. Whether that is so or not, it is quite clear that a rigid constitutional framework for the Commonwealth would not work. At the first of the stresses and strains which are inevitable in this period of history, cracks would appear in the framework and the whole structure would crumble. It is the flexibility of our Commonwealth institutions which gives them their strength.

DIFFERENCES SHOULD NOT IMPAIR COOPERATION

Mr. President, Mr. Speaker, honorable Ministers, ladies, and gentlemen, I fear I have kept you a long time. I much welcome the opportunity to speak to this great audience. This carries such great responsibility. In conclusion may I say this. I have spoken frankly about the differences between our two countries in their approach to one of the great current problems with which each has to deal within its own sphere of responsibility. These differences are well known. They are matters of public knowledge, indeed of public controversy, and I should have been less than honest if by remaining silent on them I had seemed to imply that they did not exist. But differences on one subject, important though it is, need not and should not impair our capacity to cooperate with one another in furthering the many practical interests which we share in common.

The independent members of the Commonwealth do not always agree on every subject. It is not a condition of their association that they should do so. On the contrary the strength of our Commonwealth lies largely in the fact that it is a free association of independent sovereign states, each responsible for ordering its own affairs but cooperating in the pursuit of common aims and purposes in world affairs. Moreover these differences may be transitory. In time they may be resolved. Our duty is to see them in perspective against the background of our long association. Of this at any rate I am certain, those of us who by grace of the electorate are temporarily in charge of affairs in your country and in mine, we fleeting transient phantoms in the great stage of history, we have no right to sweep aside on this account the friendship that exists between our countries, for that is the legacy of history. It is not ours alone to deal with as we wish. To adapt a famous phrase, it belongs to those who are living, but it also belongs to those who are dead and to those who are yet unborn. We must face the differences, but let us try to see beyond them down the long vista of the future.

I hope, indeed I am confident, that in another 50 years we shall look back on the differences that exist between us now as matters of historical interest, for as time passes and one generation yields to another, human problems change and fade. Let us remember these truths. Let us resolve to build, not to destroy; and let us remember always that weakness comes from division, strength from unity.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, February 16, 1960, he presented to the President of the United States the following enrolled bills:

S. 623. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California;

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; and

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho.

RECESS UNTIL 11 A.M. TOMORROW

Mr. DOUGLAS. Mr. President, in accordance with the order previously entered, I move that the Senate take a recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 37 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, February 17, 1960, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 16 (legislative day of February 15), 1960:

U.S. COAST GUARD

The following-named persons to be captains in the U.S. Coast Guard:

Ralph D. Dean	Joseph R. Scullion
William J. Conley, Jr.	Richard L. Mellen
Glenn L. Rollins	Ernest A. Cascini
Frank V. Helmer	Robert F. Shunk
Bernard E. Scalan	Guy L. Ottinger
Edward C. J. Thompson	George R. Boyce, Jr.
	Charles F. Perry
Gerald T. Applegate	Fred J. Scheiber
George R. Reynolds	Christian R. Couser
William B. Ellis	Harold L. Wood
Robert N. Williams	Thomas K. Whitelaw
Arthur W. Johnsen	

The following-named persons to be commanders in the U.S. Coast Guard:

Allan V. Falkenberg	Robert P. Cunningham
James W. Moreau	Gerhard K. Kelz
Charles A. Greene	Edward D. Scheiderer
Douglas D. Vosler	Frederick A. Goettel
Leroy A. Cheney	Lewis W. Tibbits, Jr.
Albert A. Heckman	John W. Sutherland
Donald H. Luzius	Richard H. Welton
Urial H. Leach, Jr.	Ernest H. Burt, Jr.
Frank C. Schmitz	Arthur P. Minor
Francis X. Riley	Jerry K. Rea
Bainbridge B. Leland	Richard L. Fuller
John L. Haney	George H. Lawrence
Billy R. Ryan	Hersey C. J. Forehand
Robert E. Emerson	Marcus H. McGarity
Sherman K. Frick	Fletcher W. Brown, Jr.
John E. Day	Charles M. Shepard III
Charles W. Scharff	Paul F. Foye
Francis D. Heyward	Ephraim P. Rivard
Edward F. Cotter	Ernest R. Challender
Raymond J. Perry	Claude W. Bailey

The following-named persons to be lieutenant commanders in the U.S. Coast Guard:

Thomas G. Condon	Winford W. Barrow
James W. Swanson	Robert E. Williams
Harry U. Potter	Joseph B. Ohara
George L. Oakley	Willis N. Seehorn
Charles R. Leisy	Martin W. Flesh
Stanley G. Putzke	David R. Rondestvedt
Leo M. Bracken	
Albert J. Guillemette	Jack D. Lyon
Paul McGill, Jr.	Louis N. Donohoe
Maurice W. Tiehen	George E. Tooloose
Elvin F. Yates	Ralph W. Niesz
Milton B. Williams, Jr.	Robert N. Rea
	Robert G. Schwing
James S. Cooper	Risto A. Mattila
William J. Donnay	James A. Dillian
Robert A. Lemmon	Robert I. Price
Herman S. McNatt	Robert J. Healy
Lloyd L. Kent	Gerald G. Brown
Mark F. Mitchell	Clifford F. Peistrup
Robert B. Long, Jr.	Stanley B. Russell
Alvin N. Ward	Marc Welliver II
William D. Ball, Jr.	Leslie J. Williamson
William C. Brown	Eugene E. McCrory
Frank C. Anderson	Kevin L. Moser
John P. Obarski	Walter F. Bartlett

The following-named persons to be lieutenants in the U.S. Coast Guard:

Stanley J. Walden	John W. Duenzl
John J. Cadigan	Ronald A. Wells

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Edward B. Holtzman	Aristedes K. Manthous
William E. Morris III	Harry R. Taplin, Jr.
William T. Rockwell	

The following-named persons to be chief warrant officers (W-4) in the U.S. Coast Guard:

Albert M. Glenn, Jr.	Herbert H. Ehlers
Thomas J. Collins	Floyd M. Hecox
Roderick W. Dowell	James A. Leete
Darrell R. Heyting	Charles V. Cowing
Harry N. Hansen	Don J. Call
Lyle W. Glenny	Howard M. Varness
"J" "P" Ford	Stacy C. Cranmer
Herman W. Pelletier	Alvin L. Kooi
Matthew P. Folan	Merlin L. Needles
Ernest E. Fuller	Kenneth J. Titus
Victor W. Sutton, Jr.	Alvin M. Elmore
Zoltan Papp	James C. Seidl, Jr.
Joseph A. Levasseur, Jr.	Adrian Salter
	James H. Thiemeyer
Leonard L. A. Krenning	Melvin B. Midgette
	Victor Koll
John O. Woodworth	Charles E. Haley
William W. Grubb	Claude M. Hutchins
Marin M. Cornell	

The following-named persons to be chief warrant officers (W-3) in the U.S. Coast Guard:

Harold D. Gallery	Charles M. McHenry
Frederick M. Rummel	Harold K. Grinnell
Sidney Cruthirds	Warren E. Riley
Bernard Hogan	John C. Williams
Dayle C. Carlson	Perry Christiansen
Arnold J. Anderson	James E. Watson
Joseph A. Del Torto	Thomas O. Cameron, Jr.
Lewis H. Keeton	
Ruben M. Donovan	Robert J. Klestinec
Curtis J. Olds	Edmond S. Cinq Mars
Robert L. Roberts	Glenn C. Furst
Walter H. Becker	Alva W. Henderson
Wilbur T. Hutchinson	Herbert H. Oakes
William R. Bentler	Christopher D. Elling
Edison Jones	Kenneth T. Outten
Claude W. Jenkins	Leonard L. Thomas
Philip J. Crawley	Robert J. Krueger
Roland J. Magee	Peter J. Monk
Robert P. Harmon	Kenneth A. Snow
Harry S. Hayman	Santiago P. Quinones, Jr.
Rudolph T. Lenac	
Hubert Craven	George C. Werth
Leo C. Horner	John C. Carney
William D. Oliver	Lester W. Willis
Robert N. Piland, Jr.	John L. Morrison
Earl H. McDonald	William Maki
John W. Babcock	Floyd V. McCombs
James B. Hunnings	Daniel C. Giller
Charles J. Albanese	Frederick D. Dubrucq
Charter D. Edwards	Robert S. Gaddy
Beverly E. Locke	

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 16, 1960

The House met at 12 o'clock noon.

Rev. Francis Giedgaudas, president, Lithuanian Franciscan Press, Brooklyn, N.Y., offered the following prayer:

Almighty God, Thou blessed the United States of America when she declared her independence, proclaiming "that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Thou, Almighty God, also blessed the Lithuanian Nation, when in reestablishing her independence in 1918 she regained these same rights, and for 20 years this peaceful and happy life continued, only to be lost again to the enemy of God and man. While marching to the west, communism was destroying the rights of life, liberty, and the pursuit of happiness.

Let the blood of those unnumbered thousands of Lithuanians shed in the fight for freedom be a warning to the people of the free world to cherish and defend their own liberties.

Continue to bless, O Lord, the people of the United States of America who show such a solidarity with the captive nations. Strengthen in them the knowledge that their mission is "to establish justice, insure, tranquillity, promote the general welfare, and secure the blessings of liberty" not only "to ourselves and our prosterity," but also to all the nations of the world. For liberty, justice, and happiness applied to all is the only way toward universal peace.

Until this happens, will Thou, Almighty, strengthen Lithuania in courage and hope.

May the date of attribution arrive soon to that part of the world which is so hungering for freedom. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9664. An act to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm cost.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3610) entitled "An act to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes."

MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 343)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Congress of the United States:

A year ago in my message to the Congress on the mutual security program, I described it as both essential to our security and important to our prosperity. Pointing out that our expenditures for mutual security are fully as important to our national defense as expenditures for our own forces, I stated that the mutual security program is not only grounded in our deepest self-interest but springs from the idealism of the American people which is the true foundation of our greatness. It rests upon five fundamental propositions:

(1) That peace is a matter of vital concern to all mankind.

(2) That to keep the peace, the free world must remain defensively strong.

(3) That the achievement of a peace which is just depends upon promoting a rate of world economic progress, particularly among the peoples of the less developed nations, which will inspire hope for fulfillment of their aspirations.

(4) That the maintenance of the defensive strength of the free world, and help to the less developed, but determined and hard working, nations to achieve a reasonable rate of economic growth are a common responsibility of the free world community.

(5) That the United States cannot shirk its responsibility to cooperate with all other free nations in this regard.

It is my firm conviction that there are only a few in the United States who would deny the validity of these propositions. The overwhelming support of the vast majority of our citizens leads us inexorably to mutual security as a fixed national policy.

The mutual security program is a program essential to peace. The accomplishments of the mutual security program in helping to meet the many challenges in the mid-20th century place it among the foremost of the great programs of American history. Without them the map of the world would be vastly different today. The mutual security program and its predecessors have been an indispensable contributor to the present fact that Greece, Turkey, Iran, Laos, Vietnam, Korea, and Taiwan, and many nations of Western Europe, to mention only part, remain the home of free men.

While over the past year the Soviet Union has expressed an interest in measures to reduce the common peril of war, and while its recent deportment and pronouncements suggest the possible opening of a somewhat less strained period in our relationships, the menace of Communist imperialism nevertheless still remains. The military power of the Soviet Union continues to grow. Increasingly important to free world interests is the rate of growth of both military and economic power in Communist China. Evidence that this enormous power bloc remains dedicated to the extension of Communist control over all peoples everywhere is found in Tibet, the Taiwan Straits, in Laos and along the Indian border.

In the face of this ever-present Communist threat, we must, in our own interest as well as that of the other members of the free world community, continue our program of military assistance through the various mutual security arrangements we have established. Under these arrangements each nation has responsibilities, commensurate with its capabilities, to participate in the development and maintenance of defensive strength. There is also increasing ability of other free world nations to share the burden of this common defense.

Obviously, no one nation alone could bear the cost of defending all the free world. Likewise, it would be impossible for many free nations long to survive if forced to act separately and alone. The crumbling of the weaker ones would obviously and increasingly multiply the threats to those remaining free, even the very strongest.

Collective security is not only sensible—it is essential.

That just peace which has always been and which remains our primary and common goal can never be obtained through weakness. The best assurance against attack is still the possession and maintenance of free world strength to deter attack.

The nations of Europe are increasingly assuming their share of the common defense task. None of our NATO partners other than Greece, Turkey, and Iceland now requires nor receives any economic assistance. Indeed, in rising volume, these nations are now providing economic assistance to others. Our NATO allies are also meeting their military needs to an increasing degree; several major countries now require no help. Our military programs in NATO countries today are largely designed and executed as joint cost-sharing arrangements whereby vital additional defense needs are met through mutual effort.

It is clear that while every possibility to achieve trustworthy agreements which would reduce the peril of war must be explored, it would be most foolish to abandon or to weaken our posture of common deterrent strength which is so essential a prerequisite to the exploration of such possibilities. The need is for steadfast, undramatic, and patient persistence in our efforts to maintain our mutual defenses while working to find solutions for the problems which divide the world and threaten the peace.

The mutual security program is a program essential to world progress in freedom. In addition to its mutual defense aspects, it also is the American part of a cooperative effort on the part of free men to raise the standards of living of millions of human beings from bases which are intolerably low, bases incompatible with human dignity and freedom.

Hundreds of millions of people throughout the world have learned that it is not ordained that they must live in perpetual poverty and illness, on the ragged edge of starvation. Their political leaders press the point home. In a variety of ways this drive is moving forward by fits and starts, often uncertain of its direction. It is sometimes involved in free world struggle against communism, sometimes not. It is clearly in the interests of the United States that we assist this movement so that these countries may take their places as free, independent, progressing and stable members of the community of nations. It is equally clear that it would be against our interests if this forward movement were stifled or hindered. The result would be to breed frustration and explosive threats to political and economic stability in areas around the world.

Equally with military security, economic development is a common necessity and a common responsibility. An investment in the development of one part of the free world is an investment in the development of it all. Our welfare, and the welfare of all free men, cannot be divided—we are dependent one on the other. It is for each of us, the strong and the weak, the developed and the less developed, to join in the great effort to bring forth for all men the opportunity for a rewarding existence in freedom and in peace. World economic expansion and increase in trade will bring about increased prosperity for each free world nation.

New challenges, with corresponding opportunities, are now visible before us: the acceleration of the achievement of independence of peoples in Africa; the growing restlessness in the less developed areas; and the increasing potential for partnership and assistance to these areas as a result of the continued growth of the now healthy economies of the industrialized Western European nations and of Japan, Canada, and Australia.

Free world cooperation is becoming the watchword of this effort. In the past year the capital of the International Bank for Reconstruction and Development was doubled and that of the International Monetary Fund was increased by half. In addition, a U.S. proposal for an International Development Association to be affiliated with the International Bank for Reconstruction and Development has been accepted in principle and a draft charter recently has been submitted to member governments. I expect to transmit to the Congress recommendations on this matter in the near future. The industrialized nations of Europe, together with Japan and Canada, are notably stepping up their participation in cooperative efforts among themselves and with the less developed countries to promote growth. Similar approaches will be discussed at a meeting of representatives of a number of nations, to be held in Washington in March.

In our own Western Hemisphere society of nations we are now joined in a great new venture, the Inter-American Development Bank. This new institution, formed in partnership with our neighboring nations, should prove of immense value in promoting the more rapid development of the member nations. Our participation in this joint effort is significant of the special interest which we have in the progressive development of our neighbors. Together with the very considerable dimensions of private and Government investment taking place in the hemisphere and the mutually beneficial technical cooperation we have so long enjoyed with our neighbors, it should serve to accelerate progress.

Thus, the military and economic resources which we provide through the mutual security program to help create and maintain positions of strength are properly to be regarded as what they are—investments in the common defense and welfare and, thus, in our own security and welfare. This is a mutual security program.

Our concepts are sound, our policies of proven value, and our will to meet our responsibilities undiminished and constant.

THE PROPOSALS FOR FISCAL YEAR 1961

The form and general structure of the mutual security program for fiscal year

1961 remains essentially that which has stood the test of experience. In the administration of the various mutual security programs changes have been instituted in organization, programing, and management controls. It was, in part, for the purpose of analyzing and making recommendations for improving the administration of the program that I appointed last year a distinguished group of citizens headed by General Draper. Many of the recommendations that they made have already been put into effect. We are constantly seeking additional management improvements to meet the program needs and difficult problems of operating these diverse programs on a worldwide basis. The categories of activity are the same as those with which the Congress is familiar. Adjustments in the nature and dimension of activity are proposed which reflect and are responsible to the changes in the world scene, in the degrees of need and of capability for self-help. These adjustments also are consistent with an analysis of future needs and of future changes and capability for self-help. This forward analysis was, in part, conducted in conformance with the requirement of law that plans of future grant economic assistance be developed and presented to the Congress. The detailed plans and conclusions on future assistance will be submitted to the Congress in the near future.

MILITARY ASSISTANCE

For military assistance I am requesting in the pending Department of Defense budget an appropriation of $2 billion. This is more than was requested, or than was provided for fiscal year 1960. The request for a larger appropriation is not made in order to increase the proportionate share of the U.S. participation in the common defense. Nor does it reflect an intent to embark on a vast expansion of the military assistance program.

The amount requested for military assistance within the defense budget is in my considered judgment, and in that of the Joint Chiefs of Staff, a need for our defense equally compelling and of equal importance with the needs of our own services provided for elsewhere in the defense budget.

The amount requested is the result of careful and detailed review of the needs of our allies to enable them to maintain the level of combat effectiveness made possible by previous military assistance and to provide, mostly on a cost-sharing basis, for certain essential force improvement projects. Without adequate provision for maintenance, the moneys previously spent would be largely wasted. And without force improvement, without the provision of more advanced weapons, the free world forces would inevitably fall behind in their ability to counter modernized aggressor forces.

The fact, if it is a fact, of reductions in Soviet military manpower, does not alter the need for the maintenance of our collective defense. Soviet military power, as Mr. Khrushchev's own statements make clear, remains great. Our plans have never attempted to match Soviet armed manpower; they have been and are designed to deter aggression. Of special importance is the maintenance of a strong and effective deterrent posture in the NATO alliance. As indicated earlier, the improving economic position of Western Europe as a whole makes it possible for Europe to share increasingly in the cost of the common defense, and for certain major European countries to maintain their defense efforts without U.S. assistance. At the same time, the requirements for modernization and improvement are of such dimension that our participation in joint cost-sharing projects with certain European countries over the immediate future is still essential. Provision for such contributions is included in the proposed program.

The amount requested for fiscal 1961 is consistent with the recommendations of the bipartisan committee of distinguished citizens headed by General Draper, which I appointed last year to review our policies and programs. This committee strongly urged the maintenance of a delivery program of approximately $2 billion annually. In recent years, annual deliveries have averaged about $2.2 billion. Deliveries in fiscal year 1960, however, reflecting the reduced appropriations of recent years, will fall back to $1.8 billion or less. Unexpended balances carried over from previous years have now been reduced to a minimum and deliveries in future years will closely approximate the annual appropriation level.

In my considered judgment, an appropriation of $2 billion for fiscal year 1961 is the minimum amount consistent with the maintenance of a firm and adequate collective defense posture. Anything less in effect precludes essential modernization and improvement of forces and limits us to a bare maintenance program.

ECONOMIC ASSISTANCE

DEFENSE SUPPORT

For 12 of the nations with whom we are joined in collective or mutual security arrangements, we have for some years been contributing not only military resources required in the common defense but economic resources in the measure needed to permit the maintenance of such defenses without incurring political or economic instability. This category of resource contribution we term "defense support"—economic resources to assure a defense posture. These 12 countries maintain forces of over 3,000,000 men, more than the total number in the U.S. Armed Forces, and each of these underdeveloped countries, except for Spain, is part of the exposed land and offshore island belt that forms the immediate southern and eastern boundary of the Sino-Soviet empire. Requirements in this defense support category have decreased somewhat; for fiscal year 1961, I am requesting for these programs $724 million or $111 million less than I asked for last year. This reduced requirement reflects in some measure a gradual but perceptible improvement in the economic situations in these countries. More than half, 56 percent, is for the three Far Eastern countries of Korea, Taiwan, and Vietnam which have the common characteristics that they are divided countries facing superior Communist forces on their borders, forces which the Communists previously have demonstrated their willingness to use, thereby compelling these frontier nations to support armed forces far in excess of their unaided capacities to maintain. The amounts requested for these purposes represent the least we can contribute and retain confidence that adequate defenses will be maintained.

SPECIAL ASSISTANCE

Another category of international cooperation in the mutual security program is the provision of economic resources to other nations where such resources are essential to the maintenance of their freedom and stability. This category of cooperation we term "special assistance." I am requesting $268 million for these purposes in fiscal year 1961. Such provisions will enable us, for example, to continue aid to the young nations of Morocco, Libya, and Tunisia, to strengthen the stability of Jordan and the Middle East, to combat the encroachment of Communist influence in Afghanistan, and to undergird the economies in Bolivia and Haiti. Special assistance will also enable our continued participation in such vital programs as the worldwide antimalaria campaign.

AID TO DEVELOPMENT

The achievement of economic progress, of growth, depends on many things. Through collective security arrangements, through defensive measures, by giving military aid and defense support, we and other nations can achieve a measure of security and stability within which the process of development is possible and can be fostered. The primary and essential prerequisite internally is the determination to progress and take the actions needed and to make the sacrifices required. No matter how great the determination, however, there will remain tremendous needs for both technical improvement and capacity and for development capital. If a pace of development is to be achieved which will meet the essential demands of these peoples, outside help is a necessity.

TECHNICAL COOPERATION

Through our long-established program of technical cooperation and by our contributions to the United Nations activities in the technical assistance field, we make a major contribution toward the satisfaction of this thirst and need for growth in knowledge and technical capacity. The mutual security program proposed for fiscal year 1961 continues these vital activities and provides for the enlargement and extension of our technical assistance programs in the newly emerging nations of Africa. For bilateral technical assistance I request $172.5 million; for our participation in United Nations technical assistance programs I ask $33.5 million; and to supplement our much larger bilateral program with our neighbors to the south, I ask $1.5 million for the program of technical assistance which we conduct in cooperation with them through the Organization of American States.

AFRICA

Of inescapable interest to the United States in the world today is the increasing assumption of self-government by the peoples of the great continent of Africa especially in the area south of the Sahara. This vast area deserves and commands the full attention and assistance of the free world if it is to develop its institutions and its economy under freedom. While the needs of Africa south of the Sahara for development capital are real and can be expected to grow, there is an imperative and immediate requirement for increased education and training. The request for appropriations for special assistance includes an amount of $20 million for a special program to be instituted for the improvement of education and training in Africa south of the Sahara, with particular emphasis to be given to the meeting of needs which are common to all the countries of the area. It is my belief that this initial effort must grow significantly in the immediate years ahead and complement similar efforts on the part of other free world nations so that the capacity of the new and other developing nations in Africa to manage and direct their development can be strengthened and increased rapidly and effectively. Without such strengthening and development of education and training, the preconditions of vigorous economic growth cannot be established.

DEVELOPMENT LOAN FUND

In the field of development assistance, the Development Loan Fund is proving to be an increasingly effective instrument for response to those needs which cannot be satisfied from private investment, the World Bank or other like sources. It has assisted in the installation of basic facilities, such as power and transportation, necessary for growth in the less developed areas. Particularly important are the expanded activities of the Development Loan Fund in the field of private enterprise. The Development Loan Fund is opening new opportunities to build an effective partnership with American private enterprise wherein the private resources of the country can make an increased contribution to development in the less developed nations. The history of the Development Loan Fund activity over the past 2 years indicates that the flow of such loan capital has tended to respond to the degree of need and of capability. In other words, those areas where the determination and the will to progress are greatest and the capacity to use such resource effectively is the greatest, have been the leading recipients of loan assistance from the Development Loan Fund. I request $700 million for the Development Loan Fund for use beginning in fiscal year 1961.

SOUTH ASIA

Over the past 2 years a major share of Development Loan Fund loans have been made to the two great nations of South Asia, India and Pakistan, where half a billion people are deeply committed and irrevocably determined to develop and maintain institutions of their own free choice, and to raise their standards of living to levels of decency. The force and drive of this great effort is unmistakable; it warrants the full and warm support of the free world. We have joined with other nations in helping these countries; we envisage the total public and private effort to assist South Asia not only continuing but expanding. An increased amount is expected to be devoted to this great cause from the resources requested for the Development Loan Fund for fiscal year 1961 as these countries increase even further their own self-help efforts.

THE INDUS BASIN DEVELOPMENT

A development of major significance in South Asia is the substantial progress being made under the auspices of the World Bank to effect a solution to the complex and difficult problem of the use of the waters of the Indus River Basin as between India and Pakistan. Vital interests of both countries are involved; the solution must involve a plan whereby the waters, on which the agriculture, the food supplies, and the economies of the region depend, can be equitably developed and shared. It is anticipated that an agreement on such a development plan may be reached in the near future. Essential to its fruition is the willingness of nations outside South Asia to assist in the development plan, the cost of which cannot be borne by these nations unaided. Under World Bank auspices, plans are being developed whereunder the Bank, British Commonwealth nations, West Germany, and the United States will each contribute to the costs of the development plan and the supervision and management of the enterprise will be undertaken by the Bank. We propose to provide a measure of assistance to this activity through the mutual security program in fiscal year 1961 and in subsequent years as needs arise. To assure that we can effectively participate in this multilateral undertaking, I am asking for authorization to exercise flexibility in the application of regulations normally applied to bilateral undertakings, if and when such exceptional action is required for this great project. The solution of this troublesome international issue should be of great assistance in promoting a peaceful and cooperative resolution of other divisive issues and encourage a maximum concentration on the major goals of peace and prosperity.

REPUBLIC OF CHINA

The mutual security program can be expected also to be responsive to the needs of other areas and countries as their determination and capacity to employ development capital grows. We have received proposals from the Government of the Republic of China for an expanded and accelerated program of economic reform and development to which we are giving close and careful attention. The vigorous and skilled population on Taiwan, the record of growth in investment and output, the very real potential for acceleration, offer a prospect for a convincing demonstration that under free institutions a pace and degree of achievement can eventually be obtained in excess of that resulting under totalitarianism. For this purpose, we envisage the full employment of both grant and loan assistance to hasten the day of ultimate viability and self-sustaining growth.

CONTINGENCY FUND AND OTHER PROGRAMS

In addition to the major categories of cooperation which I have mentioned, military assistance and defense support, special assistance, technical cooperation, and the Development Loan Fund, I am asking also for a contingency fund of $175 million and for $101 million to continue a variety of small but important programs.

The contingency fund is an essential safeguard against the unforeseen or not wholly predictable need. The record of the past several years clearly demonstrates its value as enabling prompt and effective response to the altering course of international events.

The $101 million requested for other programs will permit our continued participation in UNICEF, in refugee programs and in the foreign programs for peaceful uses of atomic energy. It also will provide for administrative costs to administer the economic and technical programs.

For the total mutual security program I ask $4,175 billion. The need for these amounts has been examined and reexamined with great care in the executive branch. I am entirely satisfied that the needs for which funds are sought are needs which must be met and that the funds sought are the most reasonable estimates of requirements we can produce. There is no question but that the Nation can afford the expenditures involved; I am certain we cannot afford to ignore the needs for which they are required.

CONCLUSION

The United States is a privileged nation. Its citizens enjoy a measure of prosperity and well-being and an extent of liberty under free institutions unequalled in the history of the world. Our ideals and our ideology place upon us a responsibility for leadership and for cooperation with other nations and other peoples which we accept willingly and with pride.

My recent travels impressed upon me envy or malice but with hope and confidence that we will in the future as in the past be in the vanguard of those who believe in and will defend the rights of the individual to enjoy the fruits of his labor in peace and in freedom. Together with our fellow men, we shall not fail to meet our responsibilities.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 16, 1960.*

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire of the majority leader as to the program.

Mr. McCORMACK. Mr. Speaker, we have certain resolutions reported by the Committee on House Administration, but they will not be taken up today. They will be taken up the first thing tomorrow.

These resolutions are as follows:

SUBCOMMITTEE ON ACCOUNTS

House Resolution 419—Mr. PATMAN: Request for additional $260,000 for the Select Committee on Small Business.

House Resolution 421—Mr. BUCKLEY: Request for additional $350,000 for the Committee on Public Works.

House Resolution 423—Mr. RAINS: Request for additional $100,000 for the Committee on Banking and Currency—Subcommittee on Housing.

House Resolution 425—Mr. CELLER: Request for additional $225,000 for the Committee on the Judiciary.

House Resolution 427—Mr. TEAGUE of Texas: Request for additional $50,000 for the Committee on Veterans' Affairs.

SUBCOMMITTEE ON PRINTING

House Concurrent Resolution 558—Mr. MILLS: Providing for printing additional copies of the panel discussions entitled "Income Tax Revision."

House Concurrent Resolution 579—Mr. TEAGUE of Texas: Authorizing the printing of additional copies of a veterans' benefits calculator.

House Resolution 428—Mr. BROWN of Georgia: Authorizing the printing of additional copies of the report entitled "Ninth Annual Report of the Activities of the Joint Committee on Defense Production."

House Resolution 414—Mr. WALTER: Providing for printing additional copies of the consultations entitled "The Crimes of Khrushchev," parts 1, 2, 3, and 4.

SUBCOMMITTEE ON ELECTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may have permission to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

LITHUANIAN INDEPENDENCE

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MURPHY] is recognized for 1 hour.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may be granted permission to extend their remarks in the RECORD immediately following my remarks on Lithuanian independence.

The SPEAKER pro tempore [Mr. ALBERT]. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY. Mr. Speaker, human beings live by the beliefs they hold and the ideals they cherish; these form the sum total of their spiritual possessions. Among these beliefs and ideals freedom and independence hold a place apart, and are generally regarded as among those most consistently cherished and most eagerly pursued. Individuals and nations have always seemed prepared to make the supreme sacrifice for the attainment of those supreme goals. In the case of nations, when these dreams come true, when these rewarding tasks are successfully accomplished, and when those who have carried on the fight regain their liberty and freedom, then all hardships and tribulations, all sacrifices and sufferings, are forgotten, and the memorable occasion becomes enshrined in national annals and becomes the national holiday. If the nation is fortunate and powerful enough to safeguard and maintain this supreme prize, then its anniversary is observed with great solemnity. Sometimes these annual celebrations become perfunctory and quite routine. This is partly because the people take their freedom and independence for granted, think of liberty and independence as their birthrights, and as inalienable possessions, that can never be questioned.

Happy is the nation that can enjoy in freedom the anniversaries of its independence, particularly in these perilous times. But the observance of independence day anniversaries has another meaning and bears another message to those less fortunate peoples and nations, who having once regained it after a long and arduous and costly struggle, carried on against formidable odds, and having sacrificed nearly all their worldly possessions, including many of their dear ones, find themselves once again without liberty and independence, without the freedom which they had regarded as the very spiritual sinews of their livelihood. The tragedy of the Lithuanian people is of this order.

These hardy and hardworking, brave and courageous people, have been living in their historic homeland on the eastern shores of the Baltic Sea since time immemorial. There they had founded their own independent state and had become a sovereign nation centuries before Christopher Columbus discovered America. Though at no time in their long and turbulent history were they more than a few millions, their important part in the history of Eastern Europe bears no relation to their present small size as a nation. For centuries they formed and maintained a powerful empire extending far to the south into the Ukraine and beyond, and there they became an undaunted force against the Asiatic hordes then invading Europe. Then, early in modern times the Lithuanian kingdom was united with that of Poland, forming a dual monarchy. Late in the 18th century, when Poland was partitioned and a good part of it fell to Russia, Lithuania also became a province of the czarist empire. Thus ended the glorious days of Lithuanian history; thenceforth the Lithuanians were to endure the oppressive yoke of the czars and suffer in the hands of their callous and cruel agents.

For nearly 150 years, until the First World War, they lived in their homeland as subjects of the czars without losing their national traits and traditions. They also clung tenaciously and with uncommon determination to their most cherished national ideals: Freedom, liberty, independence.

Throughout this long period they strove hard to keep alive these ideals and their national traditions Often they had to resort to underground and clandestine methods to succeed in their efforts. When detected and caught in these treasonable acts, they gladly suffered the consequences in prisons and in exile, not infrequently sacrificing their very lives. Still they persisted in their struggle against powerful forces under all kinds of handicaps. Instead of submitting and yielding, they doubled and redoubled their efforts in the firm belief that they were entitle to freedom and independence. Then the day of reckoning came to the czarist regime in Russia; in 1917 revolutionary forces overthrew that despotic remnant of medieval tyranny. When it was shattered beyond repair, the peoples who were held in chains by that autocratic regime felt free to regain their liberty and proclaim their independence. The Lithuanians were one of these peoples.

On February 16, 1918, 42 years ago, they proclaimed their national independence in their historic homeland and instituted their own democratic republic. That was a joyful day for the Lithuanians and also for their friends and sympathizers everywhere. We, in particular this country, were delighted. Not only did many of our loyal Americans of Lithuanian descent have a share in the making of new Lithuania, but the Lithuanian people were encouraged and inspired by our former President, the late Woodrow Wilson. Thus, freed from this deadly hand which held them down for so long, and aided both spiritually and materially by their friends, the Lithuanians rolled up their sleeves and got down to work. In the course of a bare two decades, during the relatively short interwar period allotted to them, they worked hard and accomplished near miracles. The war-ravaged country was rebuilt; the democratic regime took firm roots, and in nearly all respects of their lives Lithuanians made tremendous advances. Everyone thrived through their industry and hard work, and everyone was happy and contented. Then approached another event over which they had no control. As the clouds of the Second World War were darkening the horizon, they became apprehensive; they began to worry about their independence, and even for their safety. Unfortunately, their worst fears and forebodings came true. Early in the course of that war, when Lithuania's friends in the West were in a life-or-death struggle, Stalin's forces treacherously invaded the country, occupied it, and hundreds of thousands of Lithuanians were arrested and shipped to distant and desolate corners of the Soviet Union, and those left behind had to submit to the stern rule of Communist dictatorship of the Kremlin.

In July of 1940, Lithuania was annexed to the Soviet Union and thus came to an end the Lithuanian Republic that was born on February 16, 1918.

During the last war Lithuanians suffered much and sacrificed nearly all their worldly possessions. Though not a combatant nation in that war, they lost more than many nations who were actual participants in the fighting. For a time they came under the Nazi regime, and their lot was hardly better under Hitler's underlings. Toward the end of the war, when the Red army reentered Lithuania, Communists returned in greater force and with unbridled fury. They set out to eradicate all traces of nationalism and freedom in the country. All personal possessions were confiscated by the state; and today everything is owned by the state in that once independent and free land. All citizens in this totalitarian scheme are mere cogs in the huge state machine. Regimentation is carried to its limits. No freedom or liberty is allowed to the people. The country is completely sealed off from the free world, and until last year no one from the West was allowed to enter the country. A very few persons from the West, with special permits and under rigid guidance, were allowed to visit Lithuania last year, and their reports confirm what has been generally surmised: There is no trace of freedom of any kind, and 3 million Lithuanians are doomed to work for the omnipotent state, controlled and operated by the minions of the Kremlin.

Since they are not allowed freedom of movement, we cannot exactly know what goes on behind the barriers. We rarely hear of the unenviable lot of these hapless and helpless Lithuanians, and the little we hear is discouraging. All seems to be black in that land of misfortune under Communist totalitarian tyranny. Lithuanians live there as prisoners in a large prison camp, fated to work as slaves for the all-powerful and heartless Communist state. The only encouraging and hopeful sign in this array of darkness and sadness is that these liberty-loving and stouthearted people still cherish their love for freedom; they still yearn for independence, and they are prepared to make the ultimate sacrifice for the attainment of these supreme goals.

On the observance of the 42d anniversary of their independence day, we in this country, and in the whole free world, can do no less and unfortunately at this time no more, than to echo their genuine sentiment on this memorable occasion.

As I have said in the past and on other innumerable occasions, and shall repeat it again, these valiant Lithuanians have never forgotten the sweet taste of freedom. Despite the tortures and oppressions they endure today, we know that their love for liberty is not dimmed and that they have never given up the fight to regain the freedom that was theirs only 20 years ago.

Their inhuman oppressors may prevent the Lithuanians from exercising their natural right of freedom, but they cannot force these brave people to accept and believe in the tyranny imposed upon them. The people of Lithuania must know that their countrymen throughout the world, and we in the United States, have not forgotten their plight. In marking this day once more we not merely recall the dead past, but rather, we reaffirm our faith in this brave people's devotion to liberty and independence, and express the hope that the day may soon come when Lithuanians once more can breathe the air of freedom in their beloved and historic homeland.

Mr. Speaker, I am pleased to include in my remarks at this point an address by Petras Dauzvardis, consul of Lithuania, at the Lithuanian Independence Day observance, February 14, 1960, at the Maria High School auditorium, Lithuanian Plaza, Chicago:

In observing the Independence Day of the Lithuanian State (Feb. 16), it is fitting to remember Lithuania's past, look at her factual and legal position today, and glance into the future.

Lithuania's age is currently mentioned as 42 years. This age applies only to the Republic of Lithuania. Actually, Lithuania is more than a thousand years old. Her first king, Mindaugas, was crowned in 1253, or 707 years ago. Lithuania existed long before this event. Historians relate that, as early as 853 A.D. Lithuania repelled Swedish forces in Zemaitija on the Baltic coast. Fifteen thousand defenders of the Apuole fortress there fought and defended the castle and their country so courageously that the Swedes capitulated and pleaded for peace. This encounter and other historic episodes attest to the age of Lithuania and the character of the Lithuanian nations, giving proof that the Lithuanian nation is of high integrity, ultraconfident in the pledges of others, and exceedingly stubborn in its struggles for freedom. These traits have appeared in Lithuania's history time and again. Her overly great trust in her neighbors has cost her dearly. The recent past is proof of this.

Lithuania had treaties of peace, nonaggression and friendship with the Soviet Union. By these agreements the Soviet Union guaranteed Lithuania's independence, territorial inviolability and noninterference in her internal affairs. Lithuania scrupulously complied with these treaties and their obligations and trusted that the party of the second part, the Soviet Union, would do the same. Alas, the Soviet Union violated her solemn and oft-repeated pledges—she invaded Lithuania by force, occupied the country and continues to rule it illegally, has robbed and is exploiting and terrorizing the nation, and seeks to annihilate it. Lithuania is presently in a Soviet prison, in total enslavement.

The widely publicized Leonas case presents clear proof of this fact. Fleeing from the Bolshevik terror which they had experienced during the first occupation, the parents left their little children in Lithuania. Arriving in the free world, they began trying to get their children out of Soviet-occupied Lithuania. The occupant's police and the Communist regime did not allow the Leonas children to leave Lithuania. The parents were compelled to grab at the last straw, to appeal publicly to Khrushchev, the strangler of Lithuania, the oppressor of Lithuanians, during his visit to the United States, and to tearfully beg him to release their guiltless children from Lithuania. He released the Leonas children. And, by this action, what was divulged to the world?

Why, that he, Khrushchev, holds and rules Lithuania by force and subterfuge; that the people there are without freedom and fundamental rights; that Lithuania and the two and a half million Lithuanians still remaining there are in need of liberation and restoration of sovereign and human rights; that the statesmen of the free world and formers of public opinion should show more concern for Lithuania's case, especially in view of the forthcoming summit conferences.

Remember, legally Lithuania is an existing state. Her incorporation into the Soviet State by force and subterfuge has not been recognized by the free world. In accordance with international law and the Atlantic and U.N. Charters, her de facto independence must be restored. It is high time for the United Nations and other appropriate entities to take up the matter of the liberation of Lithuania and the other Baltic States.

If the colonial territories of central Africa are being freed from foreign rule and proclaimed independent states, then surely the central European States, such as Lithuania, with ancient histories, traditions and high Western culture, should not be held as colonies of their giant neighbors. If this injustice is permitted in Central Europe, then eventually the same will happen to Western Europe.

The case of Lithuania and the other two Baltic States is indeed a test case of might against right. Its solution will determine the fate of other states.

Lithuanians are struggling for Lithuania's freedom in Lithuania and abroad. The struggle of Lithuanians in Lithuania has cost them over 100,000 lives and many millions of dollars worth of property. Approximately 300,000 fighters for freedom and human rights have been banished to Siberia and other parts of Russia. The entire nation has been placed under rigorous guard and regimentation by the Soviet army and police. It is virtually in a Soviet prison.

Lithuanians abroad, through their old and specially organized council, committees, and organizations are doing everything possible to keep the question of Lithuania's existence alive and to attract the attention of the free peoples to its plight and urgent necessity of liberation. These organizations are working, contributing, and collecting money for the cause of free Lithuania. Through their efforts much literature has been published and exhibits arranged. Last year's and this coming year's major efforts are the Lithuanian pavilion in the International Trade Fairs.

Alone, Lithuanians will not be able to liberate Lithuania from the Soviet prison in the near future. They turn to the free world with an appeal for aid. They ask the free world to support their just and legal demand that the U.S.S.R. respect her peace and nonaggression treaties with Lithuania, that she comply with the principles of the United Nations Declaration and Charter—to restore sovereign rights and self-government to Lithuania, that she withdraw her army, police, agents, and colonists from Lithuania, return Lithuanian deportees from Siberia and other parts of Russia, and allow the Lithuanians to govern themselves in their native land of Lithuania as free and independent people among free and independent people and nations.

Mr. Speaker, I include in my remarks, also, at this point a letter from John Pipiras, chairman, and Jonas Palubeckas, secretary, of the Committee for the Celebration of the 42d Anniversary of Lithuanian Independence Day, Worcester, Mass.:

FEBRUARY 5, 1960.

DEAR HONORABLE SIR: February 16, 1960, marks the 42d anniversary of the day when Lithuania, one of the small Baltic States in Eastern Europe, proclaimed her independence to the entire world. Would that she were free today. Unfortunately, since June 1940, when Soviet Russia without any provocation, by and against the wishes of the Lithuanian people, invaded her territory, Lithuania has been forcibly deprived of her sovereign right to self-government and has been converted into a Soviet vassal state.

Foreign diplomats, press reporters, some of our own Senators and Congressmen have made futile efforts to visit Lithuania. Permission was denied them. The reason is clear. Soviet Russia has no desire to reveal in any way the crimes and atrocities committed upon Lithuania's people and institutions. Contrary to what has been stated by Moscow reports, present reliable information reveals that the Soviet continues its inhumane policy of deliberately destroying the nation. The true nature of Kremlin diplomacy and Soviet imperialism is thus amply demonstrated.

We, American-Lithuanians, are and ever will be doubly grateful to Almighty God that our Government, the champion of liberty for all nations, has never recognized de jure the unjust seizure of the country by the Soviet.

Your deep concern for the freedom of all nations, both large and small, moves us to appeal to you to lend your efforts toward the ultimate and, we pray God, immediate restoration of Lithuania's independence. It is our sincerest hope that all our combined efforts will result in restoring Lithuania to her rightful place among the free and independent nations of the world.

With our profound gratitude to you for your cooperation, we remain,

Respectfully yours,

JOHN PIPIRAS,
Chairman.
JONAS PALUBECKAS,
Secretary.

Mr. Speaker, I have received the following copy of a letter addressed by the gentleman from New York [Mr. POWELL] to Mrs. Mary M. Kizis, of the Lithuanian American Information Center:

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 9, 1960.

Mrs. MARY M. KIZIS,
Lithuanian American Information Center, New York, N.Y.

MY DEAR MRS. KIZIS: I will not be able to add my brief remarks to those of Congressman MURPHY, of Illinois, on February 16, but I do want you and the friends of Lithuania to know that I am with you 100 percent. I marched with my Hungarian friends picketing the Soviet Embassy after the brutal annihilation of the freedom fighters and I will do whatever I can to fight with you and your people for the liberation and independence of Lithuania.

With every good wish.

Sincerely yours,

ADAM C. POWELL,
Member of Congress.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I would like to say that the gentleman from Illinois [Mr. MURPHY], in charge of the hour today, has been of great assistance to me since he has been in the House in connection with the cause of the people whose independence he espouses so eloquently. Last year when I handled this program he was one of the first and one of the most eloquent in behalf of that cause.

Mr. Speaker, I would like to say that the statements that are made today and hereafter in connection with the Lithuanian Day program will be reprinted in pamphlet form by the Lithuanian American Information Center in New York City at a future date, and if there are any Members who do not wish to have their remarks and statements reprinted, they should so state during the course of today's program. The Public Printer, the CONGRESSIONAL RECORD Clerk, the Committee on Printing, and the Lithuanian American Information Center will, by such an announcement as this, have the necessary authorization to have the reprints made in accordance with the rules of printing. This will save a tremendous amount of time for the Members who are cooperating in this program.

Mr. Speaker, I might say further that the gentleman from Illinois joined with me today in introducing a resolution calling upon the President to declare February 16 of each year as Lithuanian Independence Day, calling upon our people to indicate properly that memory, and it was upon his suggestion and cooperation that this was done.

Today in this House we solemnly mark the 42d anniversary of a great event in the life of Lithuania, a country that has been peculiarly ill served by history and its aggressive neighbor, the Soviet Union. There was a time in the late Middle Ages when Lithuania was independent and together with Poland extended its realm over a great territory including what are now parts of the Soviet Union. But with the rise of Russia in the 17th and 18th centuries, Lithuanian independence was extinguished.

Under the czarist rule, the foreign authorities attempted to press the Lithuanians into the Russian mold. But the Baltic peoples are stubborn in the face of tyranny, and they refused to accept the pretensions and ways of their Russian rulers. The Lithuanians remained faithful to their religion, their ancient and beautfiul language, and their national traditions.

Independence was declared on February 16, 1918. It was asserted during the German occupation in the First World War. It did not become a reality, however, until there had been military conflict between Bolshevik Russia and Poland and the Rusisans acknowledged Lithuanian independence. This was done in the peace treaty between Russia and Lithuania which was signed on July 12, 1920. For two decades the Lithuanian people ruled their own affairs. Domestic reforms were undertaken, land was made available to the peasant farmers, factories were encouraged, and a remarkable development of Lithuanian literature and culture took place.

As war approached in Europe, however, once again the Russians moved their political and military forces into Lithuania. The local government was changed at Soviet insistence to one which was friendly to the Soviets, in other words, one which could be controlled by the Soviets. The government thus imposed asked for incorporation into the Soviet realm. In answer to this request, Lithuania was declared a constituent Republic of the U.S.S.R. on August 3, 1940. The masses of Lithuanian people had no choice in the matter but to this day they remain under Soviet control.

As we contemplate the so-called new atmosphere in international relations, the "spirit of Camp David," as some like to call it, we would do well to remember that Lithuanians have known the perfidy of their large Russian neighbor. If we keep the Lithuanian plight in mind, we will not succumb to the temptation of relaxing our defense efforts or failing to be alert to Soviet maneuvers and intentions. The Lithuanian example should warn us that Soviet talk may be one thing but Soviet behavior another.

American Lithuanians, strong in their understanding of what liberty can mean, can say the following to those of us who have never lost our liberties: Fellow Americans, never forget the precious heritage of freedom that is yours. It is in the air you breathe and it is vital to the world you have always known. Do not take your civil rights for granted but remember your responsibilities. You may be tired of thinking seriously about your Republic's problems. You may prefer the easy leisure of lax and lazy or materialistic living. However, take care. Not all who know freedom's worth are able to be free. Freedom is the right only of those who know its worth and who act in such a way as to deserve that right. Vigilance and responsibility therefore are the necessary virtues of all men who wish to live in freedom.

On this day commemorating the gallant Lithuanians and their independence, we salute our friends in far-off Lithuania whose example can mean so much to us.

PROCLAMATION—STATE OF PENNSYLVANIA—LITHUANIA INDEPENDENCE DAY, FEBRUARY 16, 1960

Whereas Lithuania was formally declared a free and independent Republic by the Council of Lithuania on February 16, 1918;

Whereas the political and territorial liberties of Lithuania and of the neighboring Baltic nations were forcibly violated and suppressed by Communist Soviet Russia in spite of treaties and agreements between them; and

Whereas the peoples of Lithuania and her neighboring states were scattered and destroyed by murder, exile and imprisonment in concentration camps; and

Whereas the Americans of Lithuanian descent, nevertheless, commemorate the establishment of the Republic of Lithuania as a free and independent state and maintain the fervent hope thae she will regain her liberties and rights as a member of the world community; and

Whereas the Pennsylvanians of Lithuanian descent have helped build our Commonwealth through devotion to her ideals and contributions to her economic welfare;

Now, therefore, I David L. Lawrence, Governor of the Commonwealth of Pennsylvania, do hereby proclaim Tuesday, February 16, 1960, as Lithuania Independence Day, and I call upon all citizens of the Commonwealth to join with our citizens of Lithuanian descent in the observation of this important anniversary and to mark the occasion with appropriate ceremonies.

PITTSTON, PA., *February 11, 1960.*
Congressman DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR SIR: Enclosed you will find copy of resolution adopted by the executive board of District 7, Lithuanian Alliance of America,

composed of 22 lodges located in Luzerne and Lackawanna Counties, Pa.

This resolution expresses the feelings of its membership. Your consideration for its contents will be deeply appreciated. Thank you.

Sincerely yours,

JOSEPH MACEINA,
Secretary, Lithuanian Alliance of America, District 7.

RESOLUTION ADOPTED BY THE EXECUTIVE BOARD OF THE LITHUANIAN ALLIANCE OF AMERICA, DISTRICT 7, LUZERNE COUNTY, PA., ON SUNDAY, FEBRUARY 7, 1960, AT A MEETING HELD IN 300 EAST NORTHAMPTON STREET, WILKES-BARRE, PA.

Whereas February 16, 1960, will mark the anniversary of the birth of independence for the Republic of Lithuania; and

Whereas during a period of 22 years of independence Lithuanians proved to the world their ability to exist as a democratic nation, to progress industrially and economically; and

Whereas Lithuania has become by force an enslaved satellite state of the Russian Communist regime: Therefore be it

Resolved, That we, as American citizens, express our feelings against the enslavement of the Lithuanian nation and urgently request the United States do all in its power to free these people.

Adopted the 7th day of February 1960, Wilkes-Barre, Pa.

ADAM MILOSKI,
Chairman, Lithuanian Alliance of America, District 7.

JOSEPH MACEINA,
Secretary, Lithuanian Alliance of America, District 7.

Mr. MURPHY. I thank the gentleman.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Massachusetts.

Mr. LANE. Mr. Speaker, I too wish to compliment the gentleman from Illinois [Mr. MURPHY] on his very able presentation to the Congress here today on this observance of the 42d anniversary of Lithuania's Independence Day. I feel that he should be complimented for bringing this to the attention of the Congress today and affording us an opportunity to say something in reference to Lithuania.

Mr. Speaker, February 16 of each year is an uncomfortable day for Communist imperialism.

On this day, free men everywhere observe the 42d anniversary commemorating the restoration of Lithuanian independence.

Dwell on that word "restoration."

For it means that no tyrant, no matter how powerful, has ever succeeded in permanently enslaving the Lithuanian people.

Her people were happy with their independence and self-government during the twenties and thirties. Then they were physically conquered by the armed might of nazism, followed by communism.

Nazism is dead. In time, because it violates every hope of humanity, communism will also pass away.

Today, the free peoples of the world pay tribute to the gallant people of Lithuania, and to their undying right to be free. And all the feverish efforts of communism can never still the voice of justice demanding the restoration of independence to Lithuania and to all the captive peoples.

They are presently surrounded by the Iron Curtain of communism; they are ruled by puppet governments that are the tools of the Kremlin; and they are at the mercy of Communist secret agents and Communist military power.

Physically they are conquered.

But spiritually they are invincible.

In the heart of every Lithuanian is the yearning to be free, that all the force and terror and propaganda of the Communists cannot defeat.

That is why Khrushchev worries.

That is why he is trying to blackmail the Western Powers into the surrender of conscience that will recognize the complete absorption of the captive nations by Red Russian imperialism.

Unfortunately, the policies of the White House have indirectly strengthened his hand.

The White House has presided over the decline of American power and prestige in relation to that of the Soviet Union by encouraging the production of consumer goods at the expense of national needs.

The loss of American military superiority was responsible for the invitation to Khrushchev.

In turn, the administration has secretly abandoned the captive nations to their fate in spite of empty words to the contrary.

Beware of the coming summit meeting.

It can only result in stalemate or concessions by the free world.

Before the summit, the American people must speak up in no uncertain terms, declaring that the administration's shift in foreign policy does not represent the true mind and voice of the United States and its people.

To us freedom is the most precious quality of life. The administration, however, seems to believe that we prefer creature comforts before all else. It would seek an accommodation with the Soviet Union by having us forget our moral obligations to the captive peoples, so that we can indulge ourselves in more personal luxuries.

This policy of expediency encourages the aggressors, and discourages those who placed their faith in the United States and the principles for which it stands.

To correct this unfortunate impression, we, the people, must reaffirm our determination to seek not peace at any price but peace based upon freedom and justice.

We must clearly state that we will never agree to any recognition, actual or implied, of Red Russia's domination over those nations whose God-given freedoms it has "Khrush-ed."

Our tribute to the brave people of Lithuania on this 42d anniversary of their independence day will be hollow and hypocritical unless we pledge ourselves to this declaration of independence for all.

What does the administration say to the Lithuanian people on this anniversary?

Has it the courage to assert, and without mental reservations, that the United States will never recognize Red Russia's conquest of the captive nations?

Whether it does or not the American people, through their Representatives in the Congress of the United States, are speaking up and are sending this message to their fellow men and women in Lithuania: "Look forward to the day when your independence will be restored. America will not fail you."

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield.

Mr. MADDEN. Mr. Speaker, I wish to join other Members of the House today in commemorating the 42d anniversary of Lithuania's independence. I also commend the gentleman from Illinois [Mr. MURPHY] for reserving this time to pay tribute to the gallant people of Lithuania.

On Sunday, February 14, the American Lithuanian Society of Washington, D.C., commemorated the 42d anniversary of the declaration of Lithuania's independence at a luncheon in the Washington Hotel, Washington, D.C. As guest speaker for the occasion, I delivered an address to the large crowd assembled which under unanimous consent I incorporate as part of my remarks today.

Mr. Speaker, on next Sunday, at East Chicago, Ind., will be the annual banquet commemorating the 42d anniversary of Lithuanian independence. Albert Vinick, of East Chicago, has forwarded to me the Governor of Indiana's proclamation concerning this occasion. Under unanimous consent the Governor's proclamation is included with my remarks.

The address and proclamation follow:

ADDRESS OF HON. RAY J. MADDEN

Today we are commemorating the 42d anniversary of the declaration of independence for Lithuania. By reason of its geographical location, this liberty-loving nation has struggled for independence and self-government through the centuries.

It was in the 13th century that Lithuania became united as a nation under the single rule of King Mindaugas. The nation enjoyed independent government at different periods for several centuries but unfortunately powerful neighbor nations fought and conquered Lithuania. These struggles impeded its peaceful growth and expansion as an independent nation for long periods of time. During the 120-odd years of Russian domination a half-dozen revolts against Moscow's tyranny were unsuccessful.

World War I presented a situation which eventually resulted in the establishment of an independent and free Lithuania. It was on February 16, 1918, that the Lithuanian National Council adopted a declaration calling for the establishment of an independent Lithuania and the severance of all political and economic ties which linked it with other nations.

On September 22, 1921, Lithuania was admitted in the League of Nations and it became recognized as a member of the international community. During its independence, stretching over a period up until the beginning of World War II, no other nation in history ever demonstrated a better talent and ability to enact practical and progressive laws for its people. Great land reform programs were instituted and millions of acres of land which formerly were owned and operated by a comparatively few families was

purchased and distributed to over a quarter million families who became independent land owners and producers through this agrarian reform program. At that time over 75 percent of the people of Lithuania were engaged in agriculture. Modern farming methods and machinery were introduced and production per acre greatly increased; livestock breeding, dairy production and other forms of agriculture actively brought about prosperity to this nation.

Also during this period of time, industrial production greatly multiplied. In 1913, Lithuania had approximately 150 major industrial establishments, while in 1939 the number was increased to over 16,000. Railroad transportation and road building expansion were improved throughout the land and by 1938, Lithuania had modern equipped railroads, waterways, etc.

The Government of Lithuania encouraged and aided the people of Lithuania to construct schools, hospitals, etc., and passed social legislation greatly expanding educational facilities for the youths of that nation. Inside of 20 years, the students attending first-class grammar classes increased from 70,000 to almost 300,000. I am mentioning the above accomplishments of the independent Lithuanian Government to recall the great accomplishments of a small nation when given the opportunity free from outside domination.

All this great progress of independent Lithuania was curtailed and nullified by the aggressive desires of neighboring tyrants, Stalin and Hitler, in their separate and collective designs to rule and dominate Europe and eventually the world. Of course, time brought about the destruction of one of the tyrants but Stalin and his Communist leaders continued their program of world enslavement. Lithuania, along with other small nations in Central Europe, has been the victim of the Communist world conspiracy which is still a therat to all free nations throughout the world.

The Lithuanian people, whether living behind the Iron Curtain or residing in other lands throughout the globe, have never terminated the fight for freedom and independence. The Lithuanians will continue to fight until independence is won and communism and its tyrannical leaders are defeated in their long program for world enslavement.

The United States, as a leader of the free world, must forever be alert and constantly keep militarily prepared because Lithuania and other nations have learned by experience that the only thing that keeps the Communist leaders from rapidly aggressing and expanding is the fear of military reprisals from nations who have the strength and force to bring about Soviet defeat. The world has observed the Kremlin and its program of aggression to retreat and extend peace overtures when it is to their interest to so do. When the Kremlin feels it can strike successfully to expand and aggress, it will cast aside all agreements and treaties to further its power and control over other people.

In this long combat against Communist aggression, our Government is neglecting to use the greatest weapon against communism. That weapon is truth—that weapon is informing the people of the free world the facts and the true history of communism and its methods of expansion and aggression. If the free people of Asia, Africa, South America, and even our neighbor Cuba knew the facts of the Kremlin methods of torture, mass murder, prison camps, atrocities, etc., used by Stalin and Khrushchev in enslaving Lithuania and other captive nations, we would have no fear of the future spread of communism and its atheistic doctrine. This sordid story has been recorded by two authorized Special Congressional Committees in the 82d and 83d Congresses. The recorded testimony of hundreds of witnesses, exhibits, findings, and recommendations of these two committees are of record and available for distribution to neutral and other independent nations throughout the world. These true facts about the Communist conspiracy should be available for distribution as an offset to the vicious and false Communist propaganda coming directly from Moscow and Red China. Disseminating the real truth is one of our greatest and most effectively used weapons and least costly and should be classified as the No. 2 effort to preserve free governments throughout the world.

The No. 1 obligation of our Nation and other free nations is to keep militarily prepared or the liberty of all free people in the world is in jeopardy. It is only through international unity of free peoples and sacrifices to keep our defenses all powerful that freedom and self-government can again come to Lithuania and other nations now enslaved behind the Iron Curtain.

PROCLAMATION—STATE OF INDIANA—REPUBLIC OF LITHUANIA DAY, FEBRUARY 16, 1960

To All To Whom These Presents May Come, Greeting:

Whereas the 16th day of February 1960 will mark the 42d anniversary of the declaration of independence by the people of the Republic of Lithuania; and

Whereas the Republic of Lithuania, a peace-loving and progressive nation, notwithstanding its loyalty to international treaties and agreements, fell victim to the unprovoked aggression and military invasion by Communist Russia and, in spite of all the declarations and obligations solemnly undertaken by the great powers under the Atlantic Charter and the United Nations Charter, is still subjected to the premeditated Kremlin policy of physical, national, cultural, religious and economic destruction; and

Whereas the similar conditions persist in all the Baltic States and in many other countries of Europe which, at the close of the last world war, were so unfortunate to find themselves in the bag of such Soviet military prey; and

Whereas the residents of the State of Indiana feel deep sympathy for the gallant people of Lithuania and of other countries presently enslaved by the Kremlin imperialism,

Now, therefore, I, Harold W. Handley, Governor of the State of Indiana, do hereby proclaim Tuesday, February 16, 1960, as Republic of Lithuania Day in Indiana and do urge all interested people who will gather at appropriate gatherings this day to raise their voices against all communism.

In testimony whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Indiana, at the Capitol, in the city of Indianapolis, this 18th day of January 1960.

HAROLD W. HANDLEY,
Governor of Indiana.

By the Governor:

JOHN R. WALSH,
Secretary of State.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain related matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I am happy to join my colleagues on this occasion. As far as I am concerned, I am going to avoid any politics in connection with what is said here today. I shall only say at the outset that certainly the administration of President Eisenhower has not deserted the Lithuanian people and never will desert them. That would be the most unlikely thing that could happen.

Forty-two years ago today the Lithuanian nation proclaimed its independence. This marked the survival of this country, with its long history and rich tradition, in spite of more than a century in the hands of the Russian czars.

Reborn in the midst of the First World War, Lithuania was able to assert her independence only after Soviet troops, which had moved into her territory in the last weeks of 1918, had been driven out a year later with Allied help.

On July 12, 1920, in a treaty with Lithuania, the Soviet Government declared "the right of all nations to free self-determination" and, on this basis, recognized "the sovereign rights and independence of the Lithuanian state."

The Soviet Government further renounced for all time "all the sovereign rights of Russia over the Lithuanian people and their territory."

During the two decades of Lithuanian independence which followed, the Soviet Government reiterated these pledges in other agreements with the Lithuanian Government.

As late as October 1939, while forcing Lithuania to sign a "mutual assistance pact," the U.S.S.R. claimed to guarantee Lithuania's independence. By that time, however, the Soviets had already reached secret agreements with Nazi Germany under which the Baltic States were to fall within the Soviet sphere of influence.

By the summer of 1940 Lithuania had been occupied by Soviet troops, and, after rigged elections during July of that year, the country was incorporated into the Soviet Union.

The United States was quick to denounce this illegal act and has consistently refused to recognize the forced incorporation of Lithuania into the U.S.S.R.

In spite of the walls behind which the Soviet Union seeks to hide it, we know that the Lithuanian people have not accepted the denial of their independence. A few years ago, a committee of the House of Representatives exposed the Soviet use of deportation, persecution, and economic exploitation in an effort to consolidate its control of Lithuania and found that none of these actions have destroyed the enduring will of the Lithuanian people for freedom and independence.

We in America know well the qualities of the brave Lithuanian people through their kinsmen here who, by their industry, skill, and love of freedom have made a lasting contribution to the growth of the United States. They share with all their fellow-citizens of the United States the determination that the people of Lithuania will not be forgotten and that they will again en-

joy the sovereign rights and independence of which they have been deprived.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, on February 16 of 1918 the Lithuanian people proclaimed their independence and established their democratic Republic. By that act the people of Lithuania, who had suffered under Russian autocracy for more than 100 years, took their destiny in their own hands, and for the next 20 years they enjoyed freedom in their historic homeland. But these two happy decades were succeeded by sad and tragic periods which have brought Lithuania once more under the heels of ruthless conquerors and enslaved the Lithuanian people since 1940.

Since the middle of that year unfortunate Lithuanians have not known freedom in their homeland. They have not even the freedom to abandon it in exchange for freedom which they may find elsewhere. The evil and heartless Communists have imposed upon them the unbending Communist regime under which they are doomed to do slave labor under abominable conditions. The one encouraging part in this tragic existence is that these stouthearted and courageous souls still cling to their idea of freedom, they still cherish their independence, and they still entertain the hope that in the end their sufferings and sacrifices will prove not to have been in vain. On this 42d anniversary of their Independence Day I ardently hope that they are not to be disappointed in their expectations, and they will have their reward in freedom.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I am happy to yield to the gentleman from New York.

Mr. ROONEY. Mr. Speaker. I should also like to commend the distinguished gentleman from Illinois [Mr. MURPHY], and say that once again I welcome the privilege to pay tribute to the courageous people of Lithuania on the occasion of the 42d anniversary of the independence of their country.

It was on February 16, 1918, that Lithuania declared her independence. But today Lithuania is not free or independent for, in June 1940, her lands and institutions were seized by the tyrannical rulers of Soviet Russia. Since then the proud and valiant people of Lithuania have undergone severe persecution and deprivation. Despite these hardships and even since 1940 their desire for national identity and freedom has never wavered.

The sufferings which the Lithuanian people have had to endure through the ruthless domination of the Soviet tyrants should inspire all the peoples throughout the free world to come to the aid of their cause for freedom and independence.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I commend the gentleman from Illinois [Mr. MURPHY] for his foresight in obtaining this time to celebrate the anniversary of Lithuanian independence. I compliment him on one of the finest statements that I have heard in the House.

In the midst of the current trend toward accommodation with the Communists it is particularly appropriate that we here in the Congress of the United States pause to mark the observance of Lithuanian Independence Day.

This anniversary should not pass unnoticed because it is the date when 42 years ago the people of this great and ancient Baltic national family took their place among the nations of the world as a free and independent country.

With our own tradition of devotion to liberty and self-determination this emergence of another nation into mature individuality is worthy of note.

Tragically, however, this brave new nation was not fated to continue to enjoy the blessings of its newly won status. Twenty years ago the "iron heel of dictatorship" crashed down upon this helpless country and its people have ever since been held captive to a cruel tyranny.

Thus, on this historic day we have a second and more compelling reason for noting this date. We who enjoy the freedom which is denied to Lithuania can record our sympathy with our fellow men behind the Iron Curtain; our unalterable opposition to the slavery in which they dwell and our determination to use every reasonable means to bring them back into the company of free nations.

From personal experience in my hometown of Waterbury, I have reason to know of the outstanding character and the broad capabilities of the Lithuanian people. I have worked and studied and played with them. In the open air of freedom, the children and grandchildren of Lithuanian immigrants have entered the fields of religion, of education, of politics, of the professions, and of the arts with conspicuous success. They have contributed in a notable degree toward making our American social complex stronger and more enduring. And their qualities of tolerance, of industry, and of respect for the best in tradition are needed more in this country today than ever before.

It is with these considerations in mind, Mr. Speaker, that I rise to join in the observance of this day which is sacred to all Lithuanians. Given the same freedom and opportunity in their native land which their descendants have enjoyed in the United States, we would see on the shores of the Baltic a country that would be second to none in culture, in prosperity, and in dignity.

The world is a poorer place when nations like Lithuania which are burning to be free are not allowed to make their contribution to the common welfare. The tyranny which suppresses this national urge is intrinsically evil and must eventually lose its force, but the influence of informed and aroused world opinion in bringing about the day of deliverance is of vital importance.

As free people, we have an obligation to maintain this flame of freedom and to keep it burning steadily. If we do maintain it, we may look forward to the day when Lithuania will again control her own destiny. If we permit this life-giving light to become extinguished, the tragedy will not only be that of Lithuania, but of the United States of America as well.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I should like to join in commending the gentleman from Illinois [Mr. MURPHY] for reserving this time today to pay tribute to Lithuania.

I call your attention to the fact that we are observing this 42d anniversary in a special order granted to the gentleman from Illinois before the consideration of the legislative calendar today rather than, as customary, following its conclusion. This reflects the high esteem the Members of this Congress hold for the Lithuanian people in their struggle for independence. I feel that Mr. MURPHY is indeed performing a great service here on this significant issue, especially when the gentleman is not of Lithuanian background but of Irish background. He shows a great breadth and depth of understanding for this fine nation whose great people have fought so hard and so long to retain the principles of human dignity.

Much has been said in recent months about the free world's missile gap and deterrent power. I can say that one thing is certain, just as night follows day, there is no deterrent gap in the dedication of the Lithuanian people and their neighbors in Poland, Estonia, Latvia, Czechoslovakia, East Germany, Rumania, Bulgaria, Hungary and the Ukraine, all living behind the Iron Curtain, in their dedication to the principles of freedom. And I can say further that the great spirit that these people behind the Iron Curtain typify in their dedication to freedom is the one factor that has arrested any plans the Soviet Union might have for touching off a third world war in Russia's determination to capture the world. Nobody knows better than Khrushchev, and his cohorts in the Kremlin, the utter futility of launching a third world war; because most of these people, certainly those behind the Iron Curtain, including the gallant Lithuanians, would be marching eastward. The stubborn spirit of freedom being manifested by the people behind the Iron Curtain today is one of the most significant deterrent factors in retaining world peace. We Americans must recognize that the people of Lithuania, Poland, Czechoslovakia and the other captive nations, by continuing to resist communism, are indeed waging our own battle under the most difficult conditions. That is why today, as we observe the 42d anniversary of Lithuania's independence following World War I, we must rededicate ourselves to the firm principle that there cannot be any lasting peace until Lithuania and the other captive nations are again free. We, as Americans, must repel at all cost the growing tendency to accept a "status quo" in Central Europe. Accepting a status quo of these captive nations could well prove to be one of the

most disastrous decisions leading ultimately to the collapse of freedom in our own Nation.

We can all learn a significant lesson today from Lithuania's own heroic history.

In northeastern Europe some 3 million Lithuanians live in an area of only a little more than 20,000 square miles. There through most of the Middle Ages and part of modern times they have been the upholders and defenders of Western Christian civilization against pressure from Asia. In the course of their turbulent history they have managed to hold their own and safeguard their freedom, even in the face of some formidable forces. By the end of the 18th century, however, the powerful Russian advance overwhelmed them. Their country was then overrun and incorporated into the Russian Empire. In 1918 when the czarist regime collapsed, the Lithuanians took advantage of the resulting situation and proclaimed their national independence on February 16 of that year. Unfortunately, the independence thus regained was taken away from them in 1940, and the country became part of the Soviet Union.

Since then Lithuanians in their homeland have not known freedom. Under the oppressive Communist tyranny there, installed by the heartless men of the Kremlin, they are denied all freedoms. We of course know that these brave Lithuanians do not have the freedom to celebrate their independence day. Let us ardently hope that these deserving souls will soon regain their lost freedom and live in peace in their beloved homeland. Only in their freedom can we give meaning to our own democracy.

I commend the gentleman from Illinois [Mr. MURPHY] for today's tribute to the people of Lithuania.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Speaker, I, too, would like to join my colleagues in complimenting and commending the gentleman from Illinois for his very timely remarks today. The gentleman from Illinois is a member of the great Committee on Foreign Affairs. He is very much concerned with the problems of the captive nations of Eastern Europe. Those of us who have had the opportunity to serve with him and to confer with him in the House realize the depths of his concern for these great peoples, particularly for the Lithuanian people.

Mr. Speaker, once again I am privileged to join with my colleagues in saluting the heroic people of Lithuania on this, the 42d anniversary of the declaration of Lithuanian independence. On February 16, 1918, after 123 years of Russian domination, the Lithuanian people succeeded in regaining their independence and reestablishing an individual national state.

The gallant struggle of the Lithuanian people to secure freedom and independence has spanned centuries. The Lithuanian State first came into being in the year 1253, more than 700 years ago. Hers was a glorious history during which time her people nurtured their strong love for independence. When, late in the 18th century, Lithuania was conquered by the old Russian Empire, her brave people persevered in their resistance to tyranny and faithfully preserved their heritage of freedom.

Courage and faith served Lithuania well, and on a fateful day in February, exactly 42 years ago, her people won and proclaimed her independence. Lithuania was welcomed into the family of free nations.

It saddens me to note that this precious prize of independence was again snatched from our Lithuanian friends within a relatively short period. On June 15, 1940, the Soviet Union violated all of its treaty commitments with Lithuania and, without provocation or justification, in utter contempt of international morality, the Red Army seized control of this small nation. Since that time, the Kremlin has deliberately set about exterminating Lithuanian culture and suffocating all independent sentiment. Deportations, under one guise or another, have exiled Lithuanians to forced labor camps in European Russia, the Arctic region, the Urals, Siberia, and the Far East. But the Lithuanian people, despite such adversity, have never abandoned their fight for freedom and liberty.

Today our hearts and minds are moved with compassion by the suffering we know our good friends in Lithuania are undergoing this very hour. At the same time, we take inspiration from the knowledge that these people have bravely survived other and earlier periods of foreign tyranny. The Lithuanian people stand as a glorious reminder to the world that the love of liberty can never be conquered. For this, we must be grateful to our noble friends.

It is fitting, therefore, that we who enjoy the blessings of a free land should pause to express our support for the cause of the brave Lithuanian people. In so doing, we reaffirm our faith in the great cause of freedom for all peoples.

I pray that our Lithuanian friends may soon see their fondest dream fulfilled; that their country will again take its place among the community of free and independent nations, and that they shall share with us the blessings of liberty.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, on Sunday afternoon, February 14, in St. Casimir's Hall, in the city of Brockton, Mass., I had the privilege of addressing over 500 persons of Lithuanian ancestry. Assembled there were some of the finest people who live in the Commonwealth of Massachusetts.

The talk that I gave there I shall include in my remarks this afternoon.

As we commemorate this 42d anniversary of Lithuanian independence we should be reminded of that great President, Woodrow Wilson, a great idealist, the man who recognized this fine, great country of Lithuania.

Mr. Speaker, the Lithuanian people are one of the oldest known inhabitants of northeastern Europe, and the formerly forested, marshy country on the northeastern shores of the Baltic which is known as Lithuania, has been their homeland for at least 1,000 years. As a distinct national entity, Lithuanians date their written history back to the beginning of the 11th century. Then they seem to have led a rather simple life under a number of independent chiefs in separate principalities. But soon threats from neighboring tribes on the north, east, and south forced them to unite under one ruler, thus forming a unified state. This was achieved in the middle of the 13th century. At that time the pressure of the Livonian knights from the north had become a real threat to all the principalities. To combat and forestall such a serious threat, the chiefs of these principalities united under an outstanding leader named Mindaugas. In the year 1250 he was baptized, and 2 years later received his crown from Pope Innocent IV as King of Lithuania.

From the middle of the 13th century we see the Lithuanian people in the broad daylight of history. Though they were still mostly pagan, at least for a time they thus formed a unified nation in northeastern Europe. But unfortunately their time of troubles was not yet over. The country was still under constant threat from the Teutonic knights and others.

For nearly a century the fierce struggle continued, but the Lithuanians succeeded in holding their own against their numerous adversaries. Then early in the 14th century there appeared an extraordinary leader in the person of Grand Duke Gediminas, considered as the real founder of Lithuania. Besides being a daring and resourceful warrior, Gediminas was a shrewd statesman. By means of negotiated agreements and understandings with a number of Lithuania's adversaries, he brought peace to the people, and he began his policy of extending his realm to the east and south. Under his successors, Lithuania became a strong and great power, expanding far to the east, and on the south reaching even to the Black Sea.

In the 1380's another prince, named Jagiello, ascended the throne. In 1386 he was baptized and married to the ruler of Poland, Queen Jadwiga, thus bringing about the union of the Grand Duchy of Lithuania with the Polish Kingdom. At the same time, by an act signed at Kreva, he undertook to Christianize the Lithuanian nation in the Roman Catholic faith, and in the following year Pope Urban II made Vilnius—modern Vilna—the episcopal see of the church in Lithuania.

This act of personal union by marriage between the rulers of Lithuania and Poland, and their more effectual union by the act of Lublin in 1572, may be regarded as two important turning points in Lithuanian history. In any event, from the latter date, the fate of the Lithuanian people became bound up with that of the Polish people. During the next 200 or more years, Poland's gains

and successes were shared by the Lithuanians, even though Lithuanians were only a junior associate in this partnership.

And of course Lithuanians also shared Poland's woes and vicissitudes. As a result, toward the end of the 18th century, when Poland was partitioned and ceased to be an independent state, Lithuania shared a similar fate. The country was overrun, occupied, and became part of Czarist Russia's sprawling, polyglot empire. Thus came to an end the glorious days of Lithuanian history; thenceforth Lithuanians were to endure the oppressive yoke of the czars and suffer in the hands of callous and cruel Russian agents.

For more than a full century, until the First World War, Lithuanians lived in their homeland as subjects of the czars without losing their nationality, and their distinct national traits. During all that time, they also clung tenaciously and with uncommon determination to some of their most cherished national ideals: freedom, liberty, independence. Throughout this period of some 120 years they strove hard to keep alive these ideals and their national traditions. Often they resorted to underground and clandestine methods; when detected and caught in such treasonable acts, they gladly suffered the consequences in prisons and in exile, not infrequently sacrificing their lives. Still they persisted in their struggle against powerful forces under crippling handicaps, and instead of submitting and yielding to superior force, they doubled and redoubled their efforts in the firm belief that they were entitled to freedom and independence. Five times they staged major revolts against their ruthless oppressors, in 1794, in 1812, in 1831, in 1863–64, and in 1905, and each time, without effective outside aid, their valiant efforts ended in failure. Then, when the day of reckoning for the czarist regime arrived and in 1917 that regime was shattered, all peoples held in chains by that autocratic regime felt free to regain their liberty and proclaim their independence. That event afforded the golden opportunity to the Lithuanians.

On February 16, 1918, 42 years ago, they took their destiny once more into their own hands and proclaimed their own democratic republic. That was and remains as the most joyful event in the history of modern Lithuania, for it was also a day of rejoicing for the Lithuanians and their friends everywhere. We in particular in this country were elated by that event. Not only because so many of our loyal Americans of Lithuanian descent had a share in the making of new Lithuania, but the Lithuanian people were encouraged and inspired by our crusading leader for freedom, the late President Wilson.

Thus freed from the deadly hand which held them down for more than 120 years, and aided both spiritually and materially by their friends, the people of Lithuania rolled up their sleeves and got down to work in their united task of rebuilding their war-torn homeland. And in the course of a bare two decades allowed them, during the relatively short interwar period, they worked hard and accomplished near miracles. Their war-ravaged country was rebuilt, the democratic regime took firm roots, and in nearly all spheres of their lives they registered tremendous advances. The people were prosperous; through their ceaseless industry and hard work everyone seemed gay and happy.

Then, as the second decade of their freedom and independence was approaching its end, they were overtaken in a world-shaking event over which they had no control. The clouds of the Second World War were darkening the horizon, and they became apprehensive. They began to fear about their independence, and even for their safety. Unfortunately, their worst fears and forebodings came true. Early in the course of that war, when Lithuania's friends in the West were in a life-and-death struggle, Stalin's agents were at work. Soon the country was invaded by Red army troops, occupied, and then hundreds of thousands of Lithuanians were arrested and shipped to distant and desolate corners of the Soviet Union. Those left behind had to submit to the stern Communist dictatorship imposed by the Kremlin. In July of 1940 Lithuania was annexed to the Soviet Union, and thus came to an end the Lithuanian Republic born in February of 1918, 42 years ago.

During the last long and terrible war, Lithuanians suffered much and sacrificed nearly all their worldly possessions. Though in theory not a combatant nation, yet they lost more than many nations directly involved in that war. For a time they came under the atrocious Nazi regime, and their lot was hardly any better under Hitler's fanatical underlings. Then, toward the end of the war, when the Red army reentered Lithuania, Communists returned with greater force and with uncontrolled fury. They set out to eradicate all traces of nationalism and freedom in the country. All personal possessions were confiscated by the state; everything was taken over by the Communist rulers.

All citizens in this totalitarian regime were made mere cogs in the big state machine. Every phase of the citizen's daily life was regulated and brought under rigid state control. A police state was set up which operated most cruelly and efficiently at the expense of innocent and helpless citizens. Regimentation was introduced and carried to absurd limits. In the course of years Lithuanians by the tens of thousands have been driven to other parts of the Soviet Union, and their homes taken over by Asiatic colonists. Until very recently the country was turned into a large prison camp, sealed off completely from the outside world. Only recently certain visitors are allowed to take a peep at the country, often in the course of hasty tours, under rigidly supervised visits.

Such being the almost unprecedented and unfortunate situation, we in the free world do not exactly know what is actually happening there. We hear very little of the unenviable lot of these unhappy and helpless Lithuanians, and that little is discouraging. All is black in that land of misfortune under Communist totalitarian dictatorship. The one encouraging and hopeful sign in this array of darkness and sadness is that these liberty-loving and stouthearted people still cherish their love for freedom; they still yearn for independence, and they are prepared to make the ultimate sacrifice for the attainment of these supreme goals. Actually, we in the West have no direct information as to the extent and the way the people are resisting the regime imposed upon them by force; we do not hear of the revolts and uprisings, for it is difficult, almost impossible, to get information on such events. But if the past history of these brave and courageous people is any guide, then one can be sure that they are not suffering and enduring the intolerable oppression without a murmur. They must be spiritually and perhaps at times physically up in arms. Firmly convinced of the righteousness of their cause, they have the conviction and the courage to challenge their inhuman oppressors and defy them whenever they can.

On this 42d anniversary of their Independence Day we in this country should recall their plight and rededicate ourselves anew to the proposition that in our own land men may live in equality and with a sense of safety; that blessed as we are to be free of the tyrant's yoke, we use our liberties responsibly. For freedom imposes on each of us the burden of pursuing excellence in all we do, and leading lives that bring no unkindness or darkness to others among whom we live, regardless of race, or creed, or land of origin.

Mr. MURPHY. Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I join my colleagues in congratulating our distinguished colleague and friend, the gentleman from Illinois [Mr. MURPHY], in having this unusal special hour agreed to by the House and proceeding the regular legislative business of the day. The very fact that the House did this shows the deep admiration and respect, in fact, the affection, that the Members of the House and the people of America have for the brave people of Lithuania. The gentleman from Illinois [Mr. MURPHY] is particularly indebted to their thanks and our thanks for his fine judgment, vision, and leadership which brought about the setting aside today of this special hour in which Members can properly express their remarks and commemorate the anniversary of the restoration of Lithuanian independence which took place 42 years ago.

At the end of the First World War many submerged and suppressed peoples and national groups regained their political independence. The Lithuanian people, one of the Baltic nationalities who had lost their freedom more than a century ago and had been suffering under the callous Russian autocracy, declared their independence even before the end of that war, on February 16, 1918. Thus that day became, and has remained for 42 years, the Lithuanian national holiday.

The people of Lithuania have a distinct place in the ever-changing history

of northeastern Europe. They are the most numerous of the three Baltic nationalities, numbering some 3 million in all, and they have always been among the most sturdy defenders of freedom. Although they had borne the heavy yoke of the Russian oppressive government for more than a century, they had successfully managed to keep alive a deep sense of national feeling and patriotism, and their intense love for freedom and above all, their deep faith in and love of God. Their sturdy and unyielding spirit, fortified by their firm belief in the truths of God, have served them exceedingly well. They have clung to the tenets of Christianity with the same tenacity that they have stood by their unhappy homeland.

Both in the attainment of their national independence and in its maintenance for a period of 2 decades, the United States made important contributions, officially and unofficially. The people of Lithuania received great encouragement from the famous 14 points of our then wartime President, the late Woodrow Wilson. It was a source of inspiration to the Lithuanians to learn that their struggle for liberty and independence had the wholehearted support of the people as well as of the Government of this country. Nor was the moral and material aid given to Lithuania by the people of this country, especially by the loyal citizens of Lithuanian descent, of less significance.

Forty-two years ago when Lithuanians regained their freedom, and reconstituted their own democratic republic, they and their friends of freedom all over the world thought that their servitude and misery under foreign rule had come to an end. These people who had struggled against oppression and denial of independence and liberty for several centuries, including which long period they had defied the government of the Russian czars for more than 100 years, had at last broken the chains of their servitude. A new day had dawned for them early in 1918, and a new promising life began for them as a nation. But as we all know, in 1940, early in the course of the last war, Lithuania's independence was one of the casualties of that war.

Today this unhappy country and its brave people find themselves in chains under the oppressive Communist totalitarian tyranny. In 1940 the Red army descended upon the little country, and soon it was swallowed by the Soviet Union. Unhappy Lithuanians longed for the end of the war, hoping that by its end they would find themselves free again. The war did end in 1945, but not the enslavement of the Lithuanian people. During all these years Lithuanians have been suffering under the most oppressive regime, under Communist totalitarianism, in their homeland. These Communist tyrants have been holding the Lithuanian people in bondage, denying them all freedoms. Under such sad circumstances, all they can do is to think of the happy days ushered in by the great event 42 years ago. I am indeed glad to join loyal and patriotic Americans of Lithuanian descent on the anniversary of this memorable day, the 42d anniversary of Lithuanian Independence Day, and their hopes for an early restoration of their independence and liberty.

Despite promises made that President Eisenhower would not consent and go to a summit meeting without the foreign ministers meeting showing that progress would be made, we now know that a summit meeting will take place without this reasonable condition being complied with. In plain words, there will be a summit meeting at any price. There are many who feel that this is the road of appeasement.

The American people are being mentally conditioned before the meeting not to expect any results from the coming summit meeting, and softening or brainwashing tactics are now being employed that the coming meeting is only the first of a series of summit meetings. If nothing, as is expected, results from the coming meeting, it is my opinion that it will be a long, long time before there will be another summit meeting.

There are two things that the Soviets are making determined efforts to attain, and I am confident that President Eisenhower and certain people of our country would not consent to such efforts being attained: First, to scrap or weaken NATO; second, an agreement officially recognizing the present status quo in Europe. The latter agreement would weaken NATO. Such an agreement would prove disastrous to the free world. For us to agree that Lithuania, Latvia, Estonia, Poland, Hungary, Czechoslovakia, and other satellite nations are officially recognized by the free world as being "frozen" or "incorporated" into the Communist sphere would be a defeat for us far greater than battles in actual war. For in the European countries behind the Iron Curtain are at least 100 million persons who despise communism and who strongly oppose, in fact, hate the Soviet overlords.

And the Kremlin knows this. The Kremlin is well aware that in case of general war those millions of people would be a constant threat to them in their rear. And the same millions are a valuable asset and a reserve to us in case the Soviet Union moves.

If we were to make a status quo agreement in Europe with the Soviet Union, such agreement would bring about disillusionment and, in all probability would result in the bitter disappointment and destruction of hope, and in their despair, would drive these millions into the Communist orbit and influence. Such action would be disastrous to our national interest as well as to the national interest of all the freedom-loving nations. It would also be a complete violation of the moral law and of our solemn word.

Such an agreement would be another Munich. Under no conditions can such an agreement be considered or made, never mind the entering into it now or in the future.

There is no question but that Khrushchev is playing for great stakes. There is no question but that one of the determined objectives of the Soviets for years has been the impairment or the dissolution or the destruction of NATO. Another one of their objectives has been to try and force the free nations of the world—and this means particularly the United States, Great Britain, France and West Germany—into an agreement recognizing the present status quo of Europe. Lithuania is involved in that as well as all other nations that have been actually incorporated into the Soviet Union, such as Latvia and Estonia, in addition to Lithuania, and also the other satellite nations of Europe. So the Soviets are playing for big stakes and we have got to recognize the stakes that they are playing for. We have got to recognize what will result if they are successful.

It is unfortunate that the foreign ministers meeting was not held, so that progress could be made on the summit level. But in going into the summit meeting, the President and Mr. Macmillan of Great Britain and General de Gaulle of France, must stand firm and under no conditions enter into an agreement that will bring about a status quo in Europe, for such an agreement, as I have heretofore said, would be another Munich. And we cannot forget that Munich led to World War II.

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I am happy to yield to the gentleman from Vermont.

Mr. MEYER. Mr. Speaker, I should like to compliment my colleague from Illinois for the fine job he has done here today. It has never been my good fortune to know many American citizens of Lithuanian descent or extraction, but I have known some, and I have always admired them for the hard work that they did and for the good citizens that they were.

It seems to me that people of this type, of this nationality, just as people of all nationalities, have the right in this world of ours to self-determination, to freedom; and regardless of the size of their country, regardless of the numbers of their population, this principle cannot be ignored. It is certainly my hope that the time will come when all of the peoples of the world will have this opportunity for self-determination and freedom. Granting that the independence, in the long run, even of the large nations, may be somewhat limited by facts and circumstances, still it should be the right of all peoples to determine how they will federate, how they will associate with other peoples, and to what extent their rights will be limited. Certainly they should have the right to freedoms, that the Lithuanian people do not now have.

I proudly associate myself with the remarks of my colleague on the Foreign Affairs Committee, Mr. MURPHY.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Kansas.

Mr. GEORGE. Mr. Speaker, we, who are dedicated to the concept of a free world, today have an opportunity to reaffirm our faith in this ideal on the 42d anniversary of Lithuanian independence.

It is from the courageous citizens of that oppressed nation, in whose hearts glimmers hope for independence, that we can gain a renewed appreciation of our

way of life. For although they have enjoyed little more than 20 years of freedom, the Lithuanian people have strongly resisted the loss of their nationalism to the domination of godless communism.

The unforgettable treachery practiced on this brave nation two decades ago serves as a poignant reminder to all free nations—and, indeed, to those tottering on the brink of a dangerous alliance—of the outrages of which the Soviets are guilty.

Let us join with our Lithuanian population in the fervent hope that the rights and privileges we so abundantly enjoy will be restored to Lithuania and her people.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, today is an important day, for today we celebrate the 42d anniversary of the restoration of independence to Lithuania. In my own district and elsewhere throughout the United States, Americans of Lithuanian descent are joining with other American friends of freedom not only to celebrate this historic event but also to reaffirm their hope that this independence which Lithuania had such a brief taste of 42 years ago will soon be hers again.

We of America, who have such a proud heritage, know the joy that came to Lithuanian hearts 42 years ago when the freedom of this great Baltic state was first proclaimed.

Unfortunately, it was a joy that was short lived because in June of 1940, without any slightest provocation, the Soviet Communists invaded the territory of Lithuania, forcibly deprived her of her sovereign right to self-government, and threw the Lithuanian people into a state of slavery and vassaldom.

But as we know, Mr. Speaker, stone walls do not a prison make nor iron bars a cage. And though the Lithuanian people have been for nearly 20 years held in the prison that is Soviet communism, their hearts and minds have still been free, and they have still yearned for the freedom which they knew briefly and which is their God-given right.

I know that I speak for all of the people of my district when I say that we not only salute the proud people of Lithuania on this occasion, but all join with Americans of Lithuanian descent to express the hope that the day will not be far away when freedom will return to Lithuania. Because the world looks to America for leadership in the fight for freedom, I believe it is our responsibility to see that the cause of Lithuania is not forgotten, and I feel sure that this country in any dealings with the Soviet Union shall never acquiesce to the subjugation of the Lithuanian people which the Soviets have carried out.

Lithuania must and will be free.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Illinois.

Mr. LIBONATI. Mr. Speaker, I am very happy to join my colleague from Illinois in drawing attention to the present tyrannical conditions suffered in Lithuania. I know he sincerely reflects this interest and sentiment because he has always had the confidence of Americans of Lithuanian extraction, who by the thousands live in his district.

I think there is a great problem confronting America today in connection with the countries of the Baltic and the other small nations of Europe that are now under Soviet control. I am certain the people of America of Lithuanian extraction keep alive the fires of freedom within the confines of Lithuania. We realize that over 600,000 Lithuanians have, under 7 mass deportations, been taken from Lithuania and exiled to Russia. Certainly we in the United States who know the love of liberty that is inherent in the people of our Nation and dedicated to the sinews of a free government appreciate the human suffering in Lithuania. It is natural that they look to the great United States for succor and strength.

In this open forum today our colleague from Illinois [Mr. MURPHY] has given strength and stimulation to those of us who feel that a Government whose institutions are based on liberty must some day free the small nations from the intolerant control of the Soviet Union.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Illinois.

Mr. PRICE. Mr. Speaker, there may be spokesmen of despair who think that this House engages in futility when it celebrates, each February 16, the anniversary of the Lithuanian people's Proclamation of Independence in 1918. I do not agree. Freedom endures through many generations, and there is overpowering evidence in history that the way of the foreign tyrant is somewhat less than eternal.

The people of the free Baltic States have been occupied and militarily subjected for the past 21 years by the Soviet Empire. They had, prior to this invasion and occupation, just 21 years of free national existence as self-governing states. They had previously been pawns in the struggles of other empires.

In the space of two generations they have divided their time almost equally between national independence and incorporation in the Soviet imperialist system.

Our Department of State nevertheless correctly points out that the masters of the Kremlin have contradicted all their own proclaimed ideals in their seizure of Lithuania in 1939 and their parallel occupation of Estonia and Latvia. Whatever we may say about the evils invited by the tragic history of Russia and the revolution of 1917–18, the Soviet state at that time pretended to offer respect and recognition to Lithuania. In 1939 it followed up by invasion and domination.

The people of Lithuania have a right to expect that the free world shall not forget or forsake them. They have maintained a recognizable national existence for centuries; they have clung to this status and faith despite all foreign despotisms; they rose in 1918 to acknowledged nationhood; there is every reason to believe that such a people can never be defeated.

Those who have faith in democracy must have respect for the accomplishments of the Lithuanians during the short period they were allowed to run their own affairs—the reduction of illiteracy, the first modern land-reform law of Europe following World War I.

The children of Lithuania are scattered throughout the world. Those who cherish the memories of their fatherland across the sea have a clear right to labor, in all proper ways, for a free future for Lithuania and to labor to keep alive the conscience of mankind.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield.

Mr. O'HARA of Illinois. Mr. Speaker, this is Lithuanian Independence Day, an anniversary of significance to all who work and pray for the freedom of men and women under governments of their own choosing to make their contribution to the advancement of human welfare, contentment, and dignity.

I join with my colleagues in commending the able and dedicated gentleman from Illinois [Mr. MURPHY] in having set aside this hour of time in the House of Representatives of the Congress of the United States to observe this anniversary occasion.

What we do in this Chamber we do as agents of and spokesmen for the American people, to whom we return every 2 years for reelection, if our actions have met with the approval of our constituents, or retirement if in the judgment of our constituents our actions have not merited their approval. Thus because at the close of every Congress we must report back to the people for new commissions to serve them in another Congress, the House of Representatives furnishes the most direct and quickest check that the American people have on their Government.

I make mention of this here to stress to the outside world, and especially to the men and women and children in Lithuania who yearn for the return of freedom to their beloved land, that what is being said here today in the hour arranged for us by the great statesman from Illinois [Mr. MURPHY] represents and is in fact the voice of the American people.

What has been said with such moving sincerity and conviction by Congressman MURPHY, stout champion that he is of a strong, free, and independent Lithuania, and has been commended and echoed by so many other Members of this body, are not idle words. They come directly from the American people. They truly reflect the sentiment and the determination of Americans in every city and hamlet and on the farms in every State of our Union.

CONTRIBUTION TO AMERICA

Americans of Lithuanian birth or descent have made a mighty contribution to our United States. In music, art, literature, religion, and education as well as on the economic and political side, they have contributed very much

indeed to the enrichment of the American fabric which is the product of all groups of whatever country of origin or of whatever religion, working together and in the spirit of brotherhood to build here in our United States a political, economic, and cultural climate in which all men can grow in full measure to contentment, dignity, and physical and spiritual welfare.

For many years it has been my good fortune to enjoy association in warm personal friendships with many Lithuanian Americans. President Harding had been a great friend of Lithuania in a very difficult and trying time, and perhaps no group in America more deeply and genuinely grieved at the President's death than the Lithuanian-Americans. A national Lithuanian committee was formed, with representatives from every section of our country, to attend the funeral. It was my much appreciated privilege to accompany this delegation and, through the fortunate circumstance of a wartime friendship with an officer in charge of arrangements, to have the opportunity of suggesting that the Lithuanian floral offering represented a very real grief.

When the Lithuanian delegation passed in the long procession at the funeral there occupying the honored place at the head of President Harding's casket was the floral offering of the Lithuania to which in life he had given his friendship.

MEMBER OF LEAGUE OF NATIONS

When Lithuanians proclaimed their freedom and independence in 1918, they naturally took it for granted that their long subjugation to oppressive foreign rule was over, and henceforth they were to become masters of their own destiny. And they were not far wrong in their expectation, for soon after they had the freedom to institute their own democratic form of government, the Lithuanian Republic, which they had founded 42 years ago, lived on until late 1939. The Government of the country was recognized by other sovereign states and in due time Lithuania took her seat in the League of Nations as a full-fledged member of the community of free and sovereign nations.

The Soviet Union's relation with the Lithuanian Republic was not friendly at first, and for a while the forces of the two Governments fought a number of battles. But before the end of 1918 the Soviets seemed convinced that it was to their advantage to be on good terms with the Lithuanian Republic. On December 23, of that year, the Soviet Government recognized Lithuanian independence, and finally this recognition was confirmed by the treaty of peace signed between the two Governments in Moscow on July 12, 1920.

In this treaty it was specifically stated that the Soviet Union recognizes "the sovereignty and independence of the State of Lithuania with all juridical consequences resulting from such recognition, and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory."

MUTUAL ASSISTANCE PACT

The Soviet Government honored the terms of this treaty so long as they served its selfish interests. Late in 1939, when the West was not in a position to question or challenge any act, however outrageous, by the Soviet Union, the latter country unilaterally abrogated that treaty, and instead imposed upon the helpless Lithuanian Government a mutual assistance pact. In this pact, signed on October 2 of that year, the Lithuanians had to agree to the stationing of some 5,000 Red army troops in certain strategic places in their country for the duration of the war. Actually that treacherous act put an end to free and independent Lithuania, for these Soviet soldiers were stationed in the country as the "eyes and ears of the Kremlin," spying on every phase of activity in Lithuania. Early in 1940, after the termination of the Finnish-Soviet War, Stalin felt perfectly free to deal with the Baltic countries and secure their unquestioned subjection to the Soviet regime.

On June 17 of 1940 the Soviet Government sent an ultimatum to the Lithuanian Government demanding the elimination of certain members in its governing cabinet and the institution of a government more "friendly" to the Soviet Union. The Lithuanians, having no choice, did what they were told. When that government "friendly" to the Soviet Union was established, it then asked Moscow if Lithuania could be incorporated into the Soviet Union. Thus formally ended the freedom of the Lithuanian people, but in fact they had lost it even before Lithuania became part of the Soviet Union.

CROWDED CONCENTRATION CAMPS

In June when a Communist-controlled regime was established, one of the principal tasks of this regime was the silencing and crushing of all opposition elements in the country by arresting and placing them in concentration camps, and then by shipping them to the interior of the Soviet Union. Mass arrests and imprisonments continued ceaselessly even after Lithuania's incorporation into the Soviet Union.

How many innocent and patriotic Lithuanians were thus rounded up, placed in freight cars, and under abominable conditions, shipped off to the forbidding parts of the Soviet's desolate empire, and how many of them died there, away from their beloved Lithuania, it is simply impossible to know. At least tens of thousands, perhaps 100,000, innocent Lithuanians were thus deported in 1940 and 1941, and it may be that many of them are still alive somewhere in distant Siberia. All we know for certain is that only a very few of them were able to return alive to Lithuania at the end of the war, there to find themselves once more under Communist tyranny.

On this 42d anniversary of Lithuanian Independence Day we pray for the safety of those still suffering in exile and for the freedom of those in Lithuania suffering under Communist totalitarianism.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Speaker, it is typical of the gentleman from Illinois that he has taken the time today to focus the attention of the people of the United States on the plight in which the people of Lithuania find themselves today, contained and restricted as they are by the tyranny of the Soviet Republic. No nation which has the spirit and desire for freedom as was exemplified in the years following 1940, when Lithuania was taken over by the Soviet forces, and when they lost some 35,000 men in the great partisan struggle, can long be deprived of its freedom.

Mr. Speaker, the gentleman from Illinois [Mr. MURPHY] has shown here today that the House of Representatives will stand behind anyone who takes the time and effort, as he has, to bring to bear upon the peoples of the world the force of public opinion so that they may know that the United States of America still maintains a position of leadership in the fight for freedom.

Mr. Speaker, the gentleman from Illinois [Mr. MURPHY] should be complimented for the fine effort he has made today and for the inspiring words which he has spoken in commemoration of the 42d anniversary of Lithuania's independence.

Mr. Speaker, between the birthdays of America's two outstanding heroes, Abraham Lincoln and George Washington, Americans of Lithuanian origin and the liberty-loving people of Lithuania commemorate another historic occasion on which the cause of freedom was advanced. This occasion is the declaration of Lithuanian independence on February 16, 1918. Forty-two years ago the Lithuanian people, who had been under Russian domination for more than a century, cast off the yoke of foreign control and began the hard but satisfying work of building an independent republic.

The attainment of independence by Lithuania was heartily welcomed by the United States. Self-determination for all peoples was a right advocated by American statesmen. Our population had been enriched by thousands of immigrants from Lithuania, some of whom had come to this country as early as 1688. Lithuanian-Americans had helped to promote the cause of independence for their former homeland. For all these reasons, the United States shared in the joy of Lithuania on its achievement of independence.

Similarly, because of their close ties with the Lithuanians, the people of the United States have also shared the unhappiness of the Lithuanian people upon the suffocation of their liberty by the Soviet Union. In 1940, Lithuania was occupied by the Red army and on August 3, 1940, the nation was declared a constituent republic of the U.S.S.R. by the Supreme Soviet in Moscow. Since that time, the Iron Curtain has been maintained around the Lithuanian borders, preventing Lithuanians from leaving and keeping out ideas from the West. This past summer was the first time that Western visitors have even been allowed to visit the capital of Lithuania since the war.

Dr. Antanas Trimakas, of the Committee for a Free Lithuania, recently said:

> The passage of time has not diminished either the Lithuanians' desire for independence or their right to it.

Lithuania has been a scene of much unhappiness since 1940. The forced integration of the economy with that of the Soviet Union has weighed heavily on the working people. Their right to choose or change jobs has been virtually abolished. The forcible recruitment of manpower and corrective labor camps to punish those who seek a taste of liberty still exist.

It is a cause of both sorrow and happiness then to mark this anniversary, and to pay tribute to the gallant people of Lithuania. We feel confident that tyranny cannot maintain a lasting hold on people who love liberty as they do. We unite with them and with the Americans who have relatives in Lithuania in hoping that all Lithuanians will once again know the joy of freedom in every sphere of life.

Mrs. DWYER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield.

Mrs. DWYER. Mr. Speaker, I greatly appreciate this opportunity to join with our distinguished colleagues in paying tribute to the brave people of a brave nation, Lithuania.

It is one of the priceless rights of our free society that the representatives in Congress of the American people can proclaim to the world from this greatest forum of self-government our continued support of the Lithuanian people's aspirations for national independence and freedom.

It is important that we do this, Mr. Speaker. It is important that we who enjoy the blessings and opportunities of freedom remember those who have been deprived of their freedom. Freedom is a natural right of all people. The denial or deprivation of freedom anywhere represents a threat to freedom lovers everywhere.

This is a fundamental principle of American foreign policy. It helps explain why the United States and other Western Powers have consistently refused to recognize the brutal Soviet annexation of Lithuania and her sister Baltic States, and why we have officially continued to recognize Lithuanian independence.

On this, the 42d anniversary of the restoration of Lithuania's independence, it is a tragic fact that her independence is a matter of law and principle alone. Lithuania was the first victim of the infamous Nazi-Soviet pact which led to World War II and which ruthlessly divided Eastern Europe between these two inhuman dictatorships.

Nevertheless, Mr. Speaker, the Lithuanian people preserved their devotion to freedom and their strong national tradition through centuries of czarist oppression. We have reason to be confident their free spirit will survive the present rule of Soviet commissars. Indeed, as the New York Times pointed out in an editorial this morning, the Soviet Government has been unable to suppress this tradition. Torture, imprisonment, massacre, and mass deportation have failed to kill the spirit of the Lithuanian people. The frequent replacement of Russian commissars eloquently testifies to Lithuanian courage and determination.

We pay honor to these dauntless men and women here today. We do so not only in the words spoken in this Chamber but also in the deeds of our Government. The United States remains pledged to seek the liberation of Lithuania and her subjugated neighbors by all peaceful means. We must further pledge to do nothing that would confirm or prolong the Soviet domination.

I am sure, Mr. Speaker, that our Government will keep these pledges firmly in mind at the forthcoming summit conferences.

Our country, Mr. Speaker, numbers among its citizens nearly 1 million people of Lithuanian descent. Like many other Members, I have been privileged to represent the many Lithuanian-Americans who live in the Sixth Congressional District of New Jersey. I know how greatly they have contributed to the strength and freedom of our Nation. The many occasions on which I have joined them in activities of various kinds are among my most pleasant memories.

The most recent occasion stands out with special clarity in my mind, for it was a testimonial dinner, sponsored by his parishioners, to honor the Right Reverend Monsignor Michael G. Kemezis, pastor of Sts. Peter and Paul's Church in Elizabeth, N.J.

The testimonial was occasioned by their pastor's recent elevation to monsignor, and no one could have deserved the honor more. Monsignor Kemezis is one of the most respected and revered clergymen in our area. I shall never forget the warmth and devoted friendship which his friends and parishioners showed him, and the kindness which they showed me, a guest.

I mention these things as a way of indicating that I believe I understand the deep feeling of kinship on the part of Lithuanian-Americans for their persecuted brethren. It is highly appropriate that they should lead the way in reminding their fellow Americans of the great stake we all have in the fate of Lithuania.

It is fitting, Mr. Speaker, that we assure our fellow citizens that we are one with them in condemning the subjugation of free Lithuania and in promising never to rest content until freedom has been restored.

Mr. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I am happy to yield to the gentleman from New Jersey.

Mr. DANIELS. Mr. Speaker, many world events have caused much misery and misfortune to many peoples, and in this respect the last war overshadows all others. In the course of its unrestrained rage, sowing death and destruction almost everywhere, it put an end to freedom in many lands, and placed millions of peoples under totalitarian tyrannies. The Lithuanians were among these victims.

These 3 million sturdy and stouthearted people had proclaimed their independence on February 16, 1918, by breaking away from czarist Russia, and had established the democratic Lithuanian Republic in their historic homeland. There they were busy in the task of rebuilding their war-ravaged country and, in the course of two decades, they had performed almost miracles. By late 1930's the country had become a happy and prosperous home of its industrious citizens. But the outbreak of the last war ushered in sad and tragic days for them. Communist Russians robbed them of their independence by occupying their country early in 1940 and then by incorporating it into the Soviet Union.

Since then their lot has been unhappy beyond description. Today they are imprisoned in their homeland under the relentless Communist totalitarian regime. Of course they are not free, and that is the reason why they long for freedom and independence. Under the most oppressive of tyrannies they have not given up hope for their eventual independence, and on this 42d anniversary of their Independence Day, our heartfelt wishes are with them in their gallant struggle against Communist tyrants.

Mr. FENTON. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield.

Mr. FENTON. Mr. Speaker, the 42d anniversary of the proclamation of Lithuanian independence today brings the minds and souls of all Americans, and freedom-loving people everywhere, together in the common objective that the day will soon dawn when the freedom-loving Lithuanians will have the joy and happiness in their hearts which is just as much their God-given heritage as is yours and mine.

Who amongst us, or for that matter, men and women everywhere who have their souls and spirit turned to the Eternal Light, can but hope and pray that Lithuania will soon have its tyrannical Soviet bonds broken, and the myth of enforced Communist coexistence buried in the depths of the unknown.

In such citadels of freedom as the United States of America we must forever agree that enslaved nations in any section of the world cannot long endure if man is to exist and move forward to better days, better homes, and the fulfillment of his most cherished dreams. It is therefore incumbent upon us to do everything within our earthly powers to help restore the independence of Lithuania in a manner which will bring peace on earth to those who are even willing to give their lives so that the freedom of others can be restored and perpetuated in future generations.

In the hard coal regions of Pennsylvania, which I have the honor and privilege to represent, we have what you might call a crucible, a melting pot of people of all nationalities. They came there, hundreds of thousands from foreign shores, where they could establish themselves to work and worship as they saw fit. A great majority in yesteryear came to our region not in search of a

free and easy life, but to enter the bowels of the earth where they sweat and toiled to make themselves independent, and to insure the future of their offspring. Among the thousands and thousands of these offsprings we have those of Lithuanian descent. These children of former Lithuanian immigrants are now amongst the leaders in our business, our industrial, our civic, our cultural, and our religious life. They are freedom-loving people. They have inherited this great blessing from a strong and sturdy race that brought them to our shores. Is it any wonder that they are joined together today in helping to reestablish in the homeland of their forbears the liberty and freedom which they enjoy in our country today?

I say to you fellow Members, and to all citizens of the United States and our liberty-loving allies, that we are again united with our Lithuanian brothers in the hope, work, and prayers that Lithuania must be liberated from the yoke of Communist tyranny and its independence restored. This is our common objective, our common pledge.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield.

Mr. GALLAGHER. Mr. Speaker, I take this opportunity to compliment my distinguished colleague the gentleman from Illinois [Mr. MURPHY], with whom I have the pleasure of sitting on the Committee on Foreign Affairs. I know of his intense feeling for freedom, and I know that this is the motivation behind his request for time today so that we may rededicate ourselves to the day when Lithuania once again will be free. The gentleman from Illinois [Mr. MURPHY] brings a great knowledge to our committee. He has a keen sense of understanding of the meaning of freedom. Equally strong is his resistance to the forces of oppression everywhere. I certainly join with our distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], in paying tribute to our colleague. I join with him also in recognizing that we do have a great problem in the area of international affairs and one which we must never forget. Our problem is one of determination that the status quo is not maintained in Europe so as to continue to deprive people who look forward to the hope of freedom, let us rededicate ourselves to this principle on this, the 42d anniversary of the independence of Lithuania.

We cannot abandon these people who have been so sorely oppressed by the forces of oppression. Descarte once said that the most pitiful creature imaginable is the human being devoid of hope. It is our duty to maintain for these people hope, the hope of freedom. For no man is really free until all men are free. Let us remain strong and vigilant and determined in our relations with communism. Let us renew the hope of the Lithuanian people today in commemorating the anniversary of Lithuania's independence.

We live in an age in which a great many nations are achieving independence. Since the end of World War II millions of people in Asia and Africa have tasted for the first time the sweet nectar of national freedom and political liberty. Many new states have been born during the past decade and a half and have taken their places in the ranks of those countries that have the right to manage their own affairs in a manner befitting the dignity of free human beings.

But sadly this is also an age in which many other millions of human beings have lost their liberties and have been subjected to a rule that exalts the prerogatives of the state over the rights of individuals. One of the most tragic results of World War II was that it offered an opportunity for the tyranny of communism to impose its rule on many innocent people in certain parts of the world. Among them was the small but heroic Lithuanian nation.

After long years of czarist rule the Lithuanians achieved national independence at the time of the First World War. For two decades they enjoyed independent self-government, but during World War II they were caught helplessly between the giant military machines of the Nazi and Soviet dictators. At the end of that struggle they found themselves subjected to the sway of the Kremlin. They did not even have the privilege—if one could rightly call it such—of having an indigenous puppet government, as did at least some of the other countries of Eastern Europe. The Soviet Union annexed Lithuania outright and made this small country a constituent Soviet republic.

There were even more agonizing misfortunes. Hundreds of thousands of innocent Lithuanians, perhaps 500,000 in all, were deported deep into the interior of the Soviet Union to exile, suffering and death. The cream of the Lithuanian nation was thus, so to speak, ruthlessly skimmed off in an effort to break the will and smash the resistance of this noble people.

The miseries of the Lithuanians under their Communist overlords have been intense, and we know that this anniversary of their national independence is not a happy day for them. Nevertheless, it is not a hopeless day. They know that they have many friends in the free world who are working for the time when Lithuania can cast off the heel of the invader and reenter upon a new period of freedom. They know that they have many friends in the free world who are trying even now in every practical way to offer them encouragement and to improve their lot. While we must not raise unwarranted hopes, we in America can let our friends in Lithuania know that our hearts go out in sympathy to them on this solemn occasion and that we are, as a nation, pledged to every peaceful device we can to make this a better world for them and for all peoples who must suffer the pangs of living under a despotic oppressor.

Mr. DAGUE. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Pennsylvania.

Mr. DAGUE. Mr. Speaker, every American citizen who cherishes his freedom, every patriot who recalls February as the birth month of Washington and Lincoln, and every humanitarian who deplores the human sacrifices offered on the altar of ruthless aggression will recall that today marks the 42d anniversary of Lithuanian independence which was brutally terminated in 1940 by the Soviet Union in violation of her most solemn pledges.

To the credit of the United States let it be said that we have never recognized this attempt to annex and enslave the Baltic States and, please God, we never shall. That, however, is little more than a passive recognition of the status quo and it remains to our everlasting discredit that we failed miserably at Teheran, at Yalta, and at Potsdam to make Lithuanian independence a prime demand at a time when we were dealing with a so-called ally and had the means to enforce our will.

In this day and age when nationalism is on the move and suppressed people are reaching for that same freedom for which our gallant forebears died let us with every means at our command lend these infant democracies every possible aid toward the attainment of their proper place in the commonwealth of nations. But especially let us foster and encourage the free spirit of the great Lithuanian people who have never wavered in their determination to throw off the shackles of the oppressors and who remain unbowed in the face of overwhelming odds.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROOSEVELT. Mr. Speaker, Lithuanians in America and elsewhere in the free world celebrate the independence of their mother country on February 16 of each year. This date commemorates the Lithuanian declaration of independence from Russia in 1918, after well over a century of Russian rule. Since Lithuania again finds itself under Russian rule, and now the particularly obnoxious form of Soviet domination and incorporation into the Soviet state, the annual celebration of Lithuanian Independence Day is of necessity a sober occasion, for it commemorates freedom and independence in a nation where these rights no longer exist.

Independence day, however, is a fitting holiday for Lithuanians. For perhaps the most distinguishing characteristic of Lithuanians as a people lies in their tenacious adherence to the dream of freedom and independence for their country. Only the difficulties and troubles which geography and the ambitions of neighbors have placed in the way of Lithuanian independence rival their adherence to independence.

Truly Lithuania has been a small nation caught between juggernaut neigh-

bors. Lithuania retained its independence until the rise of the Russian state in its present bulk. Then, with the first partition of Poland in 1795, Lithuania was annexed by Russia, with Austro-Hungary and Prussia acceding. The Russians made repeated attempts to stamp out Lithuanian culture and the memory of Lithuanian independence, but to no avail. These attempts only led to popular uprisings against Russian rule.

Then with Russian collapse in World War I, Lithuania regained its independence, only to immediately have to fight off the new Red army. Independent through the interwar years, Lithuania again fell victim to her powerful neighbor in 1939, when Soviet forces occupied the country. Throughout this long travail up to this very day, the tradition of independence and freedom has not been lost from the minds and hearts of the Lithuanian people.

Mr. FINO. Mr. Speaker, today we commemorate the 42d anniversary of the restoration of independence to Lithuania. This is, unfortunately, not a happy occasion. Lithuanian independence was cruelly ended in 1940 by the Soviet Union. In the sad years that have followed her people have been enslaved, her freedom completely suppressed.

We celebrate this anniversary not only in tribute to the brave Lithuanians who valiantly struggle for freedom and independence. We also mark this day to remind the people of the world of the value of liberty and freedom. We have not and will not allow Soviet tyranny and treachery to be forgotten. Americans everywhere pay tribute this day to the brave nation of Lithuania.

The alien rule of the Soviet Union will never be accepted by the American Government. We have steadfastly refused to recognize Soviet control over Lithuania, and rightly so. We denounce the duplicity of the Russian Government, a government which seized Lithuania despite its promise in 1939 to "renounce all rights of sovereignty in the Baltic States."

Today Lithuania is the symbol of the plight of the captive nations of Eastern Europe. We salute the indomitable spirit of Lithuania and commend the will of her people to be free.

Mr. FRIEDEL. Mr. Speaker, the city of Baltimore, a district of which I have the honor of representing, has among its most respected citizens a goodly number of Lithuanian-born persons and others of Lithuanian ancestry. It has been my good fortune to count many of them as my friends. These people have contributed so very much to America and to its States and cities where they make their homes that it is altogether fitting and proper that we, Members of the House of Representatives, should pause today from our lawmaking duties and take note of the fact that this day marks the 42d anniversary of the restoration of Lithuania's independence.

Unfortunately, however, that wonderful nation is not now independent, but is under the tyrant heel of Soviet Russia. Countless of its brave people were torn from their ancient homeland separated from their loved ones, and deported to forced labor camps in the icebound Arctic regions, the Far East and to other distant parts of the world. Their tragic plight cries out for help, and we, as liberty-loving Americans sympathize deeply with those who must live under the deplorable conditions to which Lithuania and her severely tried people have been reduced. We all should remember William Allen White's words: "Whenever a free man is in chains, we are threatened also. Whoever is fighting for liberty is defending America."

Today we mark the date when the people of Lithuania threw off the yoke of slavery 42 years ago for a short-lived independence. Because of the justice of Lithuania's position, the United States, I am very proud to say, refuses to recognize the forced annexation of Lithuania by Soviet Russia, and we continue to acknowledge Lithuania as an independent state, having a fully accredited Minister here in Washington, with full rights, powers, and privileges. By such action, we Americans do honor to our own priceless heritage and keep alive in the hearts of men everywhere the love of liberty and freedom, and the faith that justice will ultimately triumph in the end.

As for me, I shall continue to do all in my power as a U.S. Congressman, to further Lithuania's cause so that that country and all other captive nations may once again know the great blessings of freedom, liberty, and peace, and once more take their respective proud places among the family of truly free nations.

Mr. OSTERTAG. Mr. Speaker, it is now 20 years since the brave little nation of Lithuania on the Baltic Sea was trampled and occupied by the Soviet Union. Lithuania was enslaved despite Soviet guarantees to the contrary. That was early in World II, but the Soviet Union has continued its oppression and tyranny to this day.

Before the ruthless Soviet invasion, Lithuania had been a free nation. It had gained its freedom on February 16, 1918, just 42 years ago today. The people of Lithuania had created a democratic way of life in their homeland and had made excellent social and economic progress. They loved their liberty and independence.

But in the past 20 years the Soviet Union has brutally endeavored to stamp out the identity of Lithuania and the unity of its people. Mass deportations to Siberia were instituted in 1941 and deportations continue to this day. The Soviet leaders today prattle about the evils of imperialism. In Lithuania all the world can see the bestiality of Soviet imperialism.

Our country has never recognized this annexation of Lithuania and we never should. We must continue to support the cause of liberty and freedom everywhere and strive for the restoration of true freedom and independence to the people of Lithuania.

Mr. BUCKLEY. Mr. Speaker, it is a privilege and a pleasure to rise this afternoon to pay tribute to a courageous nation and a courageous people. I am speaking, of course, of the citizens of Lithuania and the Lithuanian nation itself.

It is true that today Lithuania cannot speak for itself for it is an enslaved nation. However, the spirit of freedom still burns brightly within the Lithuanian people and the Lithuanian nation and I am proud to raise my voice in honoring Lithuania and the 42d anniversary of the restoration of its independence.

On February 16, 1918, the Republic of Lithuania was proclaimed.

For 22 years Lithuania held its rightful place in the assembly of free nations and then, despite solemn Soviet treaty pledges of 1920 and 1939 to renounce "all rights of sovereignty in the Baltic States" Lithuania was overrun by the Soviet Union. Since that time deportations of many Lithuanian citizens have gone on and the sons and daughters of Lithuania are to be found in the vast slave labor camps of the Communists empire.

This independence day is a reminder to us that Lithuania still fights valiantly for freedom. Lithuania has every right to this freedom.

These few words I say here today I trust will demonstrate to the people of the free world and the slave world that the plight of Lithuania is not forgotten. That we in America recognize the rights of self-determination of all nations and not until that day arises when all nations are free can we in this country fully appreciate and enjoy our own freedom.

It is my honest hope that in the near future the people of Lithuania will rightfully celebrate once again this anniversary as free citizens in their own nation.

Mrs. GRIFFITHS. Mr. Speaker, on February 16, 1918, Lithuania was proclaimed an independent kingdom after 123 years of Russian rule. In November of 1918, Lithuania became an independent republic. Lithuania overcame insurmountable difficulties in throwing off the yoke of over 120 years of Russian rule.

However, Lithuania's independence was short lived. In June 1940, Soviet Russia invaded the sovereign independent Republic of Lithuania with armed forces to "protect" Lithuanian independence and, against the will of the people, did annex her to the Soviet Union. After World War II, Russia incorporated Lithuania into the U.S.S.R. and since then she has been sealed off from the world behind the infamous Iron Curtain.

For centuries Lithuanians have had a reputation for successfully resisting amalgamation with the nationalities which have overrun their country. Today, these 3 million people, long deprived of their freedom and liberty by force, hope for eventual liberation.

However, today, only the peoples of the free world can speak for these silenced people. And speak we must until their liberation is an established fact.

Mr. BECKER. Mr. Speaker, on this February 16, another anniversary rolls around and we are privileged to pay

tribute to Lithuania, still a prisoner behind the Iron Curtain.

God willing, and may it be so, that when we meet in this Chamber again next year to salute our Lithuanian friends, it will be in her rightful role of a free country.

My good wishes go to Lithuania and to those Lithuanian-Americans everywhere.

Mr. WALLHAUSER. Mr. Speaker, may we all join today with the people of the free world in reaffirming deepest friendship for the people of Lithuania.

The reaffirmation of this friendship is given on a most solemn occasion—the 42d anniversary of the restoration of the independence of Lithuania. Unfortunately, for the people of Lithuania and the people of all the world, it was an independence brought to a bitter and brutal end by the tyrants of the Kremlin on June 15, 1940.

It is traditional in this body that we pay tribute to the freedom-loving people of Lithuania on February 16. It also must be traditional that we repeat and repeat the actions of Communist Russia toward Lithuania so that people throughout the free world never will forget the aims of the Communists—placing the entire world under their domination and its peoples under slavery.

It was with great hope that Lithuania proclaimed its independence on February 16, 1918, to end 123 years of servitude to imperialistic Russian rule. It was then that the light of liberty was rekindled in Lithuania. The Lithuanian people were free. They could now bring about the realization of their dreams, hopes, and ambitions.

But freedom for Lithuania was short lived. On that dark day of June 15, 1940, the Soviet Russian Army marched into Lithuania, bringing a new Russian imperialism and Communist tyranny to the struggling nation.

The Soviet Russian action was in complete violation of all treaties, including its own mutual assistance pact with Lithuania that guaranteed Lithuanian independence and of Russian noninterference in the domestic, social, and economic order of that nation.

How typical of the masters of the Kremlin. Treaties, pacts, and agreements mean nothing to them. The seizure of Lithuania should forever be a lesson to the world of the intent and purposes of the Communists.

It is to the everlasting credit of the administrators of the Government of the United States of America that our Nation never has recognized the annexation of Lithuania, and the enslavement of its people, by Soviet Russia. I fervently pray that such a day will never come.

While its people have been subjected to all kinds of brutality by the Russians, the Lithuanian love for liberty has not died. Lithuanians still resist the Soviet occupant, although, for reasons readily understood, such resistance must be passive. They wait patiently and with determination for the day when they will be free again; when again Lithuania will be able to take its place with the free nations of the world.

Today we join the fine and courageous people of Lithuania in prayer that the day of deliverance for their nation, and for them, soon will be realized so that the light of freedom once again will glow over their land.

Mr. ANFUSO. Mr. Speaker, we pause today once again to observe the 42d anniversary of the independence of Lithuania and to pay tribute to the gallant people of that little Baltic country which remains captive and enslaved under communism.

When this Congress adopted its resolution on Captive Nations Week last July, we struck a severe blow against the Kremlin masters which reverberated throughout the world and aroused a sympathetic chord in the hearts of freedom-loving people everywhere. All of us well remember the violent reaction of the Soviet overlords to our resolution because of its effectiveness in molding public opinion. Their reaction merely revealed to the world the uneasiness existing in the Kremlin concerning its subjugation and imperialistic control of captive lands and peoples.

The restoration of Lithuania's independence occurred just 42 years ago on February 16, 1918, and for the next 22 years its people demonstrated an exemplary era of freedom and independence, including the recognition of minority groups and their rights. Despite solemn treaty pledges by the Soviet Union in 1920 and again in 1939 when she promised to "renounce all sovereignty rights in the Baltic States," Soviet Russia occupied the country and enslaved its people.

The U.S. Government has never recognized that annexation and enslavement of the Baltic States, and I hope that for the sake of human justice and morality that we never will recognize such ruthless action. If we did, no country would ever feel safe again. The anniversary that we observe today should, therefore, serve to remind us and the entire world that we must not condone such action at any time or against any nation. It should also serve to remind us of the tragic plight of the Lithuanian people and their valiant struggle for survival against tremendous odds.

Despite these adversities, I pray that the people of Lithuania do not lose faith or courage, but to continue to cling to every hope for the future, no matter how long or difficult the road may be. I am strongly of the belief that Lithuania will rise again in our lifetime as a free and independent nation and that its people will again enjoy the blessings of freedom and human dignity.

Mr. KEOGH. Mr. Speaker, the needs and requirements of small nations are limited and modest, and usually they try to get along well with their neighbors. But in one respect all nations, big and small, strong and weak, are alike. They all aspire for freedom and independence, and they all crave for the privilege of enjoying freedom in their chosen ways. The Lithuanians of course are no exception.

These gallant fighters for freedom had regained their independence early in 1918 when the Russian revolution dethroned the autocratic czar. On February 16 they proclaimed the establishment of the Lithuanian Republic, and thenceforth for about 20 years they lived, worked, and enjoyed their work as free citizens of their democratic country. In their joy and happiness they forgot all their woes of the past and kept on working for the betterment of their future. Unfortunately, however, the future had some sad and tragic days in store for them. The outbreak of the last World War proved to be the end of their freedom, for early in that war, by the invasion and occupation of the country by the Red army, and with its incorporation into the Soviet Union in mid-1940, independent Lithuania vanished.

Since then, for 20 years, some 3 million unhappy and helpless Lithuanians have been suffering under totalitarian tyranny. Today their unenviable lot is infinitely worse than it was under the most autocratic of Russian czars. On the 42d anniversary of their independence day we pray that soon their suffering will end and that they will find their reward in freedom and peace.

Mr. GREEN of Pennsylvania. Mr. Speaker, Lithuanians form one of the oldest groups in Europe. More than 700 years ago they established an independent state in northeastern Europe, and for several centuries they enjoyed a glorious history. Late in the 18th century, however, Lithuania was annexed to Russia, and then began Lithuania's woes. But the liberty-loving and independent-minded Lithuanians were never reconciled to the Czarist regime, and during the First World War when that regime collapsed they saw their dream come true. On February 16, 1918, they proclaimed their national political independence anew, and set up their own democratic form of government. Soon that government was recognized by other sovereign governments, and in due time Lithuania was admitted into the League of Nations. In the course of two decades of their independence, the industrious Lithuanians made their homeland a prosperous, progressive, and happy land in which everyone could enjoy freedom.

The turn of world events of the late 1930's was disastrous to the Lithuanians. In 1940, they were overwhelmed by the Soviet regime. During the war for awhile they suffered under the Nazis, but toward the end of that war the Russians returned with increased fury. Since then the country has been a large prison camp for some 3 million unhappy and helpless Lithuanians. There they are denied all forms of freedom. Fortunately, even the most oppressive Communist tyranny has not robbed these people of their desire for freedom. On this 42d anniversary of their independence day, we echo their yearnings and hope that soon they will once more regain their freedom.

Mr. HEALEY. Mr. Speaker, Lithuania became a free land four centuries before our country of America was discovered. Their freedom was lost in 1795 and was not regained until 1918. From

1918 until 1940 Lithuania enjoyed freedom, and in this short period of independence held a notable and respected place among the free nations of the world.

In 1940 Lithuania and her neighbors, Latvia and Estonia, were overrun by Russian troops and compelled to become a part of the Soviet Republic. In the years since, the citizens of these little countries have endured oppression, slavery, and exile.

Some were fortunate enough to cross the ocean and found refuge and freedom in the United States. Our American-Lithuanians have distinguished themselves in all fields of endeavor and have made enriched contributions to America.

We can take pride in the fact that we assisted Lithuania in her fight for independence. We have always been quick to recognize a new independent country. The United States has never recognized Russia's seizure of the Baltic States. We must remind the world that those of us who enjoy freedom continue to regard the Baltic States as sovereign nations and we have always deplored their exploitation by Soviet Russia.

It is most appropriate that freedom-loving people should pause and pay homage to Lithuanians on this anniversary of the declaration of their independence. I am glad to be among my colleagues in the U.S. Congress as we join our Americans of Lithuanian descent in echoing their patriotic sentiments and renewing their faith and hope that Lithuania again will be a free and independent country.

Our speeches today will not force Soviet Russia to withdraw from Lithuania, but it is my fervent hope that we can lend moral support to the valiant Lithuanian people and help to keep alive their prayerful hopes in their tragic plight and struggle for existence and freedom.

Mr. PHILBIN. Mr. Speaker, the House is most appropriately celebrating today the 42d anniversary of the restoration of independence of Lithuania.

Notwithstanding the tragic clouds of oppression that spread over that proud land, the spirit of the Lithuanian people is still undiminished, still vibrant and strong, still unquenchable.

It is well for us today, once again, to give expression to our sincere assurances of continued interest, continued sympathy, and our continued will to render assistance to the great, historic nation of Lithuania.

The heel of tyranny can never erase the glories and the achievements of the patriotic Lithuanian people, nor can it eradicate their zeal for freedom and their determination to seek liberation from oppression.

Lithuanian-Americans have made tremendous contributions to this country, and it is heartening for us to know that they are still continuing with inspiring loyalty, steadfastness of purpose, and generosity of impulse their deep interest in their native land, and the native land of their parents.

This devotion to the cause is commendable, because it indicates a spirit that will never die and a purpose that will never be defeated, to do everything in their power to assist the people of Lithuania in throwing off the shackles that bind them to world communism and achieve the self-determination, independence, and democratic government to which they aspire, and to which they are entitled by every measure of right and justice.

Let us send to the afflicted Lithuanian people the strong, clarion-like assurance that their friends in America will remain with them in their afflictions and adversities, and that the Congress of the United States, in its generous heart, extends once again the hand of friendship, relief and succor, and the warm, sincere pledge of devoted helpfulness to their great cause of human liberty.

Mr. PELLY. Mr. Speaker, February 16 is Lithuanian Independence Day and as such it is their most memorable and sacred holiday. After suffering under Russia's oppressive regime, gallant Lithuanians had regained their independence in 1918 and had proclaimed their independence 42 years ago today. That was a day of joy and happiness for all downtrodden and freedom-loving Lithuanians. It had taken them and their predecessors more than 100 years to attain their goal, but they enjoyed their well-earned freedom for only two decades. With the deterioration of the international situation in the late 1930's in Europe, their status as a free and independent nation was threatened. And the outbreak of the last war proved fatal to independent Lithuanians, for by the middle of 1940 their country was occupied by the Red army, made part of the Soviet Union, and they were saddled with an oppressive totalitarian dictatorship.

The course and the fortunes of that war unfortunately did not alter the status of unfree Lithuanians. In the end the Communist regime imposed upon them proved more tyrannical than earlier Russian domination, and to this day they are suffering under its heavy yoke. On this 42d anniversary of their independence day let us all hope and pray for their freedom.

Mr. AUCHINCLOSS. Mr. Speaker, another year has passed and Lithuania is not yet free as is her right. She is still enslaved by the domination of Russian Communist rule and her people are denied the rights of free men and women. When it is remembered that the citizens of Lithuania were guaranteed their sovereignty by treaty, the ruthless unprincipled might of this godless ideology is exposed by the acts of tyrannical barbarism which is abhorrent to the civilized free world everywhere.

May we all in America extend our sympathy to these brave people and bid them be of good cheer in this time of their adversity and have faith that right in the end will prevail over might, and by their example may we renew our determination to safeguard and preserve liberty everywhere against oppression and tyranny.

Mr. DENT. Mr. Speaker, the occasion for the tribute being made on the floor of Congress today is the 42d anniversary of the declaration of independence by the Lithuanian people. After suffering under Russian occupation for more than a century, the freedom-loving Lithuanians proved alert to the first promising opportunity to regain that freedom. This opportunity so long awaited was the combination of circumstances created by the First World War, the replacement of Russian occupation by the Kaiser's troops, and the revolution in Russia.

In response to pressure from the Lithuanian people, the German Government authorized the gathering of a congress of 200 Lithuanian delegates. This congress proposed an independent Lithuania and elected a 20-member council to help achieve this objective. On February 16, 1918, 42 years ago today, this council proclaimed an independent Lithuania.

Much tenacity, hard work, and bloodshed was necessary before the independence which had been proclaimed became a reality. In 1919 the Red army drove the Germans out of the Baltic state and installed a Communist government. This had to be deposed by Polish and Lithuanian fighters before the objective of independence was achieved. Finally, however, on July 12, 1920, Russia signed a peace treaty with Lithuania and recognized it as an independent nation. In the treaty Russia stated that it "voluntarily and forever" renounced all sovereignty rights over the Lithuanian people and territory.

During the next two decades Lithuania thrived as an independent Republic. This was the opportunity for self-government which had been the beacon of hope throughout the period of Russian domination. The new Republic took its rightful place in the ranks of sovereign nations. It became a member of the League of Nations. Music and literature flourished. A progressive land reform program was carried out, as well as important social welfare programs.

Unfortunately, the Second World War eclipsed the freedom which had been brought to Lithuania by the First World War. The Soviet Union blatantly violated its treaty of peace with its small neighbor and by a series of maneuvers flagrantly proclaimed Lithuania as one of its component Republics.

The United States has never recognized this unlawful deed. We continue to maintain diplomatic relations with the representative of the independent Republic which has a legation here. This is our way of showing that territorial aggrandizement by brutal aggression will not be approved by the United States.

On this Lithuanian independence day, may I add my voice to the many others paying tribute to a brave people. We in America have benefited by the earnest endeavors of the 1 million Americans of Lithuanian descent. It is our sincere hope that Lithuanians and all subject peoples will regain the right to live and work in freedom.

Mr. SCHENCK. Mr. Speaker, at this time of the year when we honor the memory of the great President, Abraham Lincoln, who once said that a nation cannot endure half free and half slave, it is appropriate that we address ourselves to the cause of the freedom-loving

people of Lithuania who proclaimed their independence 42 years ago on February 16, 1918. Unhappily, that hard-won victory over totalitarian domination lasted only two decades, but the spirit of that gallant little country's courageous and patriotic people still burns bright in the hearts and minds of all Lithuanians wherever they live today. Those behind the Iron Curtain, of course, cannot celebrate this anniversary. It is for us in the free world to remember the great event and rededicate ourselves to the condemnation of the enslavement of free people and the hope of their ultimate liberation from the bonds of tyranny.

Lithuania's history as an independent state dates back to the 11th century. From that time to this it has been the pawn of the totalitarian rulers of Europe who have partitioned the Baltic nations and passed control of their governments back and forth among them with shameful disregard of the rights and dignity of free men. The treaty of Moscow wherein Russia at last recognized Lithuania as a sovereign state was but a short-lived agreement. Twenty years later all hopes of maintaining independence against the tide of aggression were shattered. Germany and Russia again negotiated an infamous agreement between themselves and it was little Lithuania's lot to fall into the hands of the Kremlin. All of us are aware of what Communist tyranny can do to innocent human beings. It is needless to point out here all the treachery, murders, imprisonment, and tortures the Soviet forces have inflicted upon the courageous and religious people of Lithuania. Despite all that had been done to terrorize and brainwash these steadfast, valiant people, they still resist the oppressors and secretly work toward the liberation of their beloved country.

In my district I am proud to number many citizens of Lithuanian descent among my constituents. No one familiar with the history of their mother country can be surprised at the record they have made for themselves in the United States. They have always demonstrated the highest qualities of American citizenship. It is to those people that I wish to send words of hope that their dreams of independence for their homeland may again become a reality. May our observance of their anniversary serve as a witness to our constant concern for the plight of the enslaved people of Lithuania. Not until all oppressed individuals everywhere are liberated can we in America ever really enjoy our own freedom.

Mrs. CHURCH. Mr. Speaker, today we join with Lithuanians everywhere in observation of the 42d anniversary of the restoration of the independence of that courageous land. It was on February 16, 1918, that 123 years of Russian domination and oppression were ended. During this dark period, marked by internal sadness and external conflict, the cultural and economic development of the nation had been successively retarded by the abolition of the Lithuanian system of laws, first codified in 1529; by the banishment from the schools of the Lithuanian language; by the closing of the University of Vilnius; and by other measures taken by the Russians to suppress the national spirit of the Lithuanian people. However, due to the natural vitality and tenacity of the Lithuanian people, their love of liberty, and their memory of the glorious past, their hope for independence and freedom was kept alive and vibrant. Small wonder that 42 years ago they did revolt and break their bondage. Small wonder that, during the little more than 2 decades of independent life that they were to enjoy after the 1929 peace treaty with Soviet Russia, the small nation of Lithuania made great progress in every sphere of national activity. Agrarian reform converted Lithuania into a country of small, hard-working landholders; foreign trade was expanded; a stable currency was introduced and maintained; and state budgets were balanced.

Notable educational and cultural progress, which was deliberately impeded under the Russian regime, took place. Social services, nonexistent under Russian rule, were promoted through measures to improve national health and sanitation, the care of children, the sick, and the unemployed.

During these 20 years, the standard of well-being of all the people was raised; and the Lithuanians contributed much to the culture, science, and welfare of the European nations. Lithuania was a respected member of the family of free nations of the world. The loss of their freedom and of their progress was a blow to the whole free world.

Despite a Soviet pledge to respect the independence of Lithuania, military force was used and prevailed; and in 1949, Lithuania was again incorporated into the Soviet Union. This move was quickly denounced by the Government of the United States and regretted by free men everywhere.

For 20 years, the people of Lithuania have again suffered under Communist tyranny; but their courage and historic dedication to the cause of freedom have not diminished. We join with them on this historic day, and with our fellow-citizens of Lithuanian descent—whose contributions have enriched our own country—in rededicating ourselves to the principle of freedom.

Together today we stand in proud, albiet sad, commemoration of the events of 1918 which brought to Lithuania a freedom of which she proved so worthy. Together today we restate our invincible faith that the cause of freedom will eventually prevail.

Mr. CANFIELD. Mr. Speaker, gallant and stouthearted Lithuanians have been among the bravest fighters for personal and national freedom. Having lost their independence almost two centuries ago, during that time only once for a brief period were they allowed to enjoy freedom and independence in their historic homeland.

After suffering under the autocratic czarist regime of Russia for more than 100 years, Lithuanians regained their freedom toward the end of the First World War, and proclaimed their independence on February 16, 42 years ago. Thereafter for two decades they lived and labored and enjoyed their life in happiness. In that relatively short time they rebuilt their ravaged country, instituted their own democratic form of government, and reestablished many of the old Lithuanian traditional institutions.

But the gathering of the storm in 1939 cast a black shadow over their liberated Lithuania and that proved fatal to their freedom. Early in 1940 the Kremlin imposed upon the helpless Lithuanians a "mutual assistance pact"; in June of that year the country was occupied by Soviet troops, and in July it was incorporated into the Soviet Union.

Since then the Lithuanians have been enduring dictatorial tyrannies of totalitarian regimes, both Nazi and Communist version. For the last 15 years the less and stouthearted Lithuanians have been in the unrelenting hand of the tyrants in the Kremlin. There they are deprived of all forms of freedom; they live there as in a large prison camp, and toil for their Soviet taskmasters under indescribable hardships. Even under such despairing conditions these dauntless and stouthearted Lithuanians have not given up their hope for freedom, and they are ready to fight for its attainment.

The New York Times today editorially pays tribute to Lithuania and all the subjugated nations of Eastern Europe. Commenting on the meaning of Lithuania's independence day, the Times says:

> Not even the subjugated nations themselves can contemplate their liberation at the cost of an atomic war that would leave nothing to liberate. But the Western Powers remain pledged as partners in a free European community and to do nothing that would confirm or prolong their subjugation. This pledge is among the many the West will have to keep in mind when meeting Premier Khrushchev at the summit 3 months from now.

Mr. DULSKI. Mr. President, today marks the 42d anniversary of Lithuanian independence. It was on February 16, 1918, that the Lithuanian state was proclaimed, based on democratic principles. This great event appeared to herald the birth of a long and glorious life of freedom for the Lithuanian people after years of Russian domination. But this life was brought to a cruel end only 32 years later when the Soviet Union demanded the immediate formation of a "friendly government" in Lithuania and occupied the country. Two years later, in 1940, Lithuania was incorporated into the U.S.S.R. as a constituent republic. The United States, however, has never recognized the legality of this Soviet aggression. And we continue to look forward to the day when we may resume diplomatic relations with a free Lithuanian government.

Nationalism, or the desire for independence from foreign domination, is one of the most potent forces active in the world today. But we sometimes forget that this kind of nationalism is not restricted to the colonial areas of Africa and the Far East. The people of Lithuania, and of the other states held captive by the Soviet Union, also want their

freedom. In fact, their passion for self-determination may be even stronger than that of the colonial people because there is much less freedom in Lithuania today than there is in most African colonies.

Soviet Russia poses as the friend of nationalism and the foe of imperialism, but her continued subjugation of Lithuania is a living refutation of these Soviet claims. Let Khrushchev give the Lithuanian people their long-denied freedom before he again sings the praises of Soviet anti-imperialism. It is well that we remember this today when we in America pause to celebrate the anniversary of Lithuanian independence.

Mr. ADDONIZIO. Mr. Speaker, unfortunate but gallant Lithuanians had their greatness and glory in a distant past, but in the late 18th century their destiny was placed in the hands of Russia's autocratic czars. In 1917, as the result of the Russian revolution, when that oppressive regime was overthrown, Lithuanians had the chance of realizing their centuries-old dream. They proclaimed their independence and established their own democratic form of government. Amid multiple handicaps and hardships, they worked their way out of misery and chaos. Their independence was recognized by other sovereign nations; Lithuania was admitted into the League of Nations, and thus once again it become part of the world community of nations.

For about two decades, during the interwar years, hardworking, industrious, sturdy, and tenacious Lithuanians rebuilt their war-torn country. In time it became one of the most prosperous and progressive democracies in that part of Europe. And the people enjoyed their freedom to the full. But the turn of international events over which they had no control threatened their independence and their existence as free people. In 1940 their worst apprehensions were justified when they were forced to agree to have Red Army forces stationed in their country. In mid-June of that year Red forces occupied the whole country. They established their own type of government which asked for the incorporation of the country into the Soviet Union. That was done on July 21, 1940, and thus ended the free and independent Lithuania.

During the last war the Lithuanians changed their unwanted masters more than once; for more than 2 years the country was held under Nazi occupation. Toward the end of the war the Nazis were evicted and their place was again taken by the Communists, who have been there ever since. Today, they rule over Lithuania with an iron hand, inflexible in its ruthlessness and cruel efficiency. There is no freedom of movement, of speech, or of expression of any kind. Every act of the Lithuanian citizen is planned and pushed by the dictators. Unhappy Lithuanians are completely sealed off from the free world, and only recently a few visitors from the West have been allowed, under strict Communist guidance, to see what they were supposed to see of this once free country. Their reports are not at all encouraging. The people still suffer under totalitarian tyranny, and they still yearn for their freedom and independence.

On this 42d anniversary of their Independence Day, of course they have our heartfelt sympathy. Although under the circumstances we cannot do much for them immediately and directly, we pay high tribute to their courage and tenacity, and hope that they will have their just reward in peace and freedom.

Mr. HALPERN. Mr. Speaker, I join with my colleagues today in commemorating this, the 42d anniversary of the restoration of independence of Lithuania. For those of us in the free world, it is a day of tribute to a people who have never relinquished their devotion to freedom and independence. Brutality and deportations by the Communist usurper have failed to quench the determination of this nation to regain her rightful place in the world.

Despite Communist allegations, the passage of years cannot eradicate the sordid story of 1940 when this exemplary nation was enslaved by its tyrannical neighbor.

Our refusal to recognize this act of despotism itself is a reminder that we do not recognize the wanton seizure of this captive nation. We are proud to reassert this policy today, and to express our deep hope and conviction that these courageous people will once again join the legions of the free.

Mr. HOSMER. Mr. Speaker, it is a privilege today to join with my colleagues in paying tribute to the Republic of Lithuania on the occasion of the 42d anniversary of the restoration of her independence. In commemorating this day we honor a country small in size but great in spirit.

The history of Lithuania reveals a gallant people, industrious and freedom-loving. The hopes and aspirations of the Lithuanian nation, those living under the heavy yoke of communism, as well as their kinsmen in the free world, have not been erased. This brave race, cultured in the glory of their great tradition of freedom, dating before the Christian era, steeled to tolerance and suffering, awaits with prayers and courage the day when Soviet slavery, tyranny, and domination will come to an end. After suffering for 123 years under czarist Russia, their independence declared in 1918 was lost again to Communist Russia in 1940.

The Communist world is now engaged in a major campaign to make freemen forget the Red atrocities of the past. Through cultural exchanges, good-will ambassadors, offers of trade, and soft words, they seek to gain free-world acceptance of the status quo in the world today, while they prepare for future aggression.

The passing years have dimmed the memories and stilled the consciences of many in the free world. Wearied of the cold war, anxious to reach accomodation with the Communists, some have begun to urge policies that tacitly accept permanent Red domination of Lithuania and other enslaved nations behind the Iron Curtain.

This anniversary of Lithuania independence should remind all Americans that we cannot close the door on Lithuania's just claims to independence without betraying our solemn obligations and denying our own heritage. I do not believe that the United States will ever abandon her moral commitment to eventual freedom for the satellite nations. We all share the hope that Lithuania and other Communist enslaved countries again will be free.

It is symbolic that the Lithuanian Independence Day nearly coincides with the birthday of our 16th President, Abraham Lincoln. He was the one who stood for the freedom of all peoples. It was he who denounced Russia for crushing the revolt in Hungary in 1849.

Let me conclude my brief homage to Lithuania with Abraham Lincoln's words: "No man is good enough to govern another man without that other man's consent. Those who deny freedom to others deserve it not for themselves."

Mr. CUNNINGHAM. Mr. Speaker, I join most humbly with my colleagues in paying tribute to the spirit of freedom held in the hearts of Lithuanian people everywhere. This day marks the 42d anniversary of the restoration of independence of Lithuania, a land now under the yoke of the Soviets.

The people of Lithuanian descent who now live in this greatest of free countries are marking this day with sadness in their hearts for their loved ones and friends who remain in Lithuania. Yet they rejoice at the thought that some day the Russian domination and subjugation of Lithuania will end, that once more this Baltic nation will know freedom.

I salute these people and their cherished memory of their nation as a free country. Let us all pray that the people of Lithuania and all occupied nations will again be free.

Mr. LIPSCOMB. Mr. Speaker, it is a privilege to pay tribute to the freedom-loving Lithuanians throughout the world, who on February 16, 1960 will observe the 42d anniversary of their national independence. This should also serve as a reminder to all of us of the true nature of the Soviet Union and the international Communist movement. There is no danger that the American people will be deceived by recent overtures of peace if they keep before them the sad fate of Lithuania.

Lithuania declared its independence in 1918 after more than a century of foreign domination. Justly proud of their language and customs, the Lithuanians had preserved their culture through many attempts of their Russian overlords to force the Russian language upon them. Freed of the Russian chains, Lithuanian culture flourished. The people learned the deep satisfaction of living under a government which they had chosen and which was interested in promoting Lithuanian interests and welfare. The country became a member of the League of Nations and assumed its place as a sovereign state.

Unfortunately, Lithuania was one of the first victims of the Soviet Union's

determination to expand. In 1920 Russia had signed a peace treaty with Lithuania, recognizing it as an indepedent nation and renouncing all rights of sovereignty over Lithuania. In spite of this, one of the first acts the Soviet Union undertook when the clouds of the Second World War were forming was to pave the way for the incorporation of the Baltic states. In 1939 a mutual assistance treaty with the Soviet Union was forced upon Lithuania. Next the Soviets demanded the Lithuanians permit Soviet garrisons and air bases. In 1940 the country was occupied, and on August 3, 1940, Lithuania was declared a constituent republic of the U.S.S.R.

The people of Lithuania and the many Americans of Lithuanian descent deserve the tribute which is being made to them today in the U.S. Congress. Their culture has enriched the culture of this Nation particularly, as well as of the whole world. Their patience and endurance have been put to the most severe tests. I join the many who fervently hope that freedom will once again reign throughout the world and that peoples of all nationalities will be able to enjoy the blessings of liberty.

Mr. ROSTENKOWSKI. Mr. Speaker, in the annuals of history, many pages are devoted to the pursuit of freedom for all mankind—a pursuit which will never cease, so long as human beings maintain their free will and keep the desire for liberation from the minority group of peccant sadists who seek to destroy this free will.

Today marks the 42d anniversary of Lithuanian Independence Day. Lithuania—a small nation of people whose love for mankind removed any desire for conquest or domination of people of other nations—declared their independence on February 16, 1918.

For more than a century they had been occupied by Russia, and after World War I they were able to announce the fulfillment of an age-old dream. They asked for no special concessions, just to be free and govern themselves.

However, this freedom was not destined to last, for their prosperity and happiness was a thorn in the side of dictatorship. These people had become a symbol for other oppressed nations in Europe and this could cause these captive nations to rise up and overthrow the slave rule that was existent then and still is today.

Hitler knew this when he embarked on his campaign to rule the world. Lithuania had to be conquered. Stalin and the Communists also knew this, and when the Russians began their offensive in 1944, they crossed the Lithuanian border under the guise of driving the Nazis from this land to establish the Government of Lithuania again. But the Communists had an ulterior motive in mind—to again dominate these people so they could not provide any example of freedom to the rest of the Russian slave world.

To this day the United States has refused to recognize the absorption of Lithuania by the Soviet Union. These double talking Communists are speaking of peace and recognition of all nations and yet refuse the right of self-government to their captive nations. These Red tyrants know very well that if this were to take place it would lead to an overall unheaval of slave rule and create a rebellion amongst their own people in a move toward freedom.

We must continue to inspire these people to carry on their fight for liberty and justice. For, it is only in a free world where we can enjoy peace, prosperity, and full happiness.

I salute the inspiring example of resistance and determination shown by the Lithuanian people behind the Iron Curtain, and denounce the Soviet Union for its brutality and imperialism.

The soul of Lithuania will never die and it is my hope that I will see the day when they again joint the ranks of free nations.

Mr. CONTE. Mr. Speaker, today marks the 42d anniversary of the restoration of independence to the Lithuanian nation. For 20 years this small nation displayed the exemplary characteristics of mature nationhood of political stability and social growth. Of course, the experience of independence was not a new one for the Lithuanian people. On the contrary, history shows that Lithuania was a proud and powerful nation its fortunes varying throughout the periods of history until it lost its political identity by reason of brutal tsarist aggression. Despite this period of persecutions, they maintained for over a 100 years the qualities of cultural homogeneity and, above all, the fierce determination, nurtured in each new generation, to reassert their right of freedom. This achieved fruition in their independence 42 years ago today. Yet, like other small independent nations contiguous to Russia, Lithuania was to feel the remorseless brutality of the Communist aggressors and without cause or provocation, she was forced to submit against odds too great even to compute.

It is strange, indeed, that when a small nation vanishes from the earth as a political entity, that the general sentiment of people is to forget or ignore. While the momentous issues of Hungary and Berlin seem to crowd the examples of Communist duplicity and terror, true entities like Lithuania are neglected in the "public state of mind," when thoughts turn to the palpable, heinous crimes of the Soviet state. Yet, in the minds of those students of Communist history and operating techniques, Lithuanian refugees and those Americans of Lithuanian descent, the Red inundation of that country will aways remain a sordid crime which must never go unnoticed nor must the fervent hope and efforts to see that liberty is restored be allowed to wane.

Imagine the great travesty in the assumption that because Lithuania is listed on the maps as part of the Soviet Union that it must, hence, have joined voluntarily. What a mockery of human justice any such allegation would be; yet, by not being constantly conscious of what happened to this small nation, we are neglecting our duties to all peoples who want to be free. This is why I am addressing my remarks today to this great body, because I am aware of Lithuania's plight not only on this particular day of anniversary, but constantly. It is the best reminder of the degenerate actions to which the Communists will resort and a powerful lesson which all free men should keep before them.

Although we cannot celebrate this anniversary in the sense of joy, however, let us pledge our sincere desires and actions to do whatever possible that Lithuania may be, once again, free. Then this anniversary of a noble people shall have the true meaning for which it was intended.

Mrs. BOLTON. Mr. Speaker, as today marks the 42d anniversary of the restoration of independence to Lithuania, it is appropriate that the Congress should take this time to honor her brave and courageous people. While nearly 20 years have passed since their country was cruelly overrun by the Communists and forcibly sealed behind the Iron Curtain, we can be certain that the people of Lithuania continue to nurture a love of the freedom they once knew.

On February 16, 1918, Lithuania achieved the status of an independent democratic republic. During the ensuing 22 years, the people of Lithuania made significant contributions to the political and cultural life of Western Europe. Land reforms were instituted, industrial expansion undertaken, and guarantees extended to the freedoms of speech, assembly, and religion.

Despite solemn treaty assurances to "renounce all rights of sovereignty in the Baltic States," the Soviet Union invaded Lithuania and procedeed to incorporate her territory into the U.S.S.R. The U.S. Government has consistently refused to recognize this annexation, and deplores the continued suppression of human rights in Lithuania.

On this 42d anniversary of Lithuanian independence, I am happy to join with my colleagues and the million Americans of Lithuanian descent in honoring a valiant people. Even in the face of Communist tyranny, their resolute faith in Almighty God has never wavered. With freedom-loving peoples throughout the world, we lift our hearts in prayer that independence may soon again be restored to Lithuania.

Mr. FARBSTEIN. Mr. Speaker, I am pleased to join with the other Members of this body in commemorating in this free land, the anniversary of a small country, far from here, which has lost its independence. Successive tides of history have flowed over Lithuania, but they have never yet extinguished the flame of hope for the independence that we commemorate today; today marks the brutal ending of the 22 years of Lithuanian independence.

In the 18th century, when Poland suffered its third partition, Lithuania was annexed to the growing State of Russia, then rapidly advancing in strength and in its ability to play a part on the European stage. Russian rule even then was harsh. The czars sought to russify the Lithuanians and there were a series of revolts. After a third revolt in 1831, the czarist government stepped up its campaign to russify the country, seek-

ing to replace the Lithuanian culture and language with Russian. The Russian State at the time lacked the deadly effectiveness of its modern descendant; Lithuanian resistance remained active and when more liberal policies were adopted by Russia after 1905, pressure was relaxed to some extent although Russian domination remained.

During World War I, Russian armies retreated across Lithuanian territory pursued closely by the German armies fighting all the way, leaving the country in ruin. After the war, with the defeat of the Russians by the Germans and the defeat of the Germans by the Western Allies, at last Lithuania's hour of independence seemed very near. But then, again, war broke out between Bolshevik Russia and resurrected Poland, and the ravages of war once more swept over Lithuania.

Finally, however, in 1920, Russia signed an agreement with Lithuania, renouncing forever all claims to sovereignty over Lithuania. An independent Lithuanian Government was set up and it was admitted to the League of Nations in 1921.

During the period of independence, many impressive reforms were undertaken. Farm lands were withdrawn from the hands of the 400 families who owned almost all the land and distributed among the peasants who became thrifty, land-owning farmers. Industrial growth was fostered and five times as many workers were employed in factories in 1939 as in 1913. Literature and art flourished, and music, too.

World War II brought disaster to Lithuania as it did to so many countries. After the infamous pact signed between Moscow and Nazi Germany that partitioned Poland yet a fourth time, the Russians imposed on Lithuania a so-called nonaggression treaty, and then shortly thereafter occupied the country outright in 1940. Perhaps as many as 45,000 Lithuanians were deported to the Soviet Union. Then, as during the First World War, German forces replaced the Russians. Hitler's brown-shirted Nazi troops came in as the Russians withdrew before the Nazi advance. With the Nazi swastika came persecution of Jews and a new decimation of Lithuania's remaining leaders and intellectuals. Many were taken to Germany to work in factories and fields. Once more, the tragic tale was told. As the Lithuanians were freed from the Nazi jack boots, Russian soldiers and party men replaced them. Large numbers fled before the Russians into West Germany; others, less fortunate, were taken to Siberia. Lithuania was again decimated, overwhelmed by the power of a country many times its own size, one that employed all the refinements of police intimidation and control. The Lithuanians remained silent and helpless but never yet having given up their hopes of future independence.

We are fortunate here to be free of police state methods and to be free to speak our minds, to organize as we will, to come together and to talk together of those things that are close to our hearts.

During these awful events in Europe that have marked this tragic half century, we find much evidence of man's inhumanity to man. Lithuanians deprived of their liberty, of their individual rights, of the safety of their homes, have been overrun, deported, killed by rulers, taking unto themselves the powers of life and death which, in the light of our Judeo-Christian tradition, no human power should arrogate unto itself.

The Nazi dictatorship drew upon the Bolshevik example that preceded it. And the Soviet dictatorship drew upon Nazi practices. The people of Lithuania have known both oppression and cruelty, perpetrated by both Communist and Nazi governments. They have first-hand knowledge of what a state can do if it is allowed to have its full sway, dominated by cruel and lustful men.

I know that in the hearts of all Lithuanian peoples there is an indomitable will for freedom which will not be denied. I know that their resistance to subjugation, although passive, is nevertheless a flame that burns proudly, a flame that will not be denied or quenched until Lithuania again becomes a free member of the brotherhood of nations. I know that the Lithuanian people will again realize liberty's blessing, for as sure as night follows day so sure am I that there must be an end to repression in this world; and that the hearts of the million of Americans of Lithuanian descent that turn with longing toward Lithuania at this commemoration of the 42d anniversary of Lithuania's independence will realize their fond hopes.

As we commemorate today the anniversary of Lithuania's independence, let us rededicate ourselves to the principle that all men should be entitled to live in independence and they should be free from fear and should live in brotherhood with one another.

Mr. McDOWELL. Mr. Speaker, 42 years ago today, after 123 years of Russian rule, Lithuania was proclaimed an independent kingdom. In 1918, the Lithuanian Kingdom became a republic. Lithuania's freedom had been restored, an accomplishment stemming from one impressive factor; the determination of the Lithuanian people. They had brought about, in spite of Russian attemps to obliterate Lithuanian national sentiment, one of the greatest nationalistic political and cultural revivals known to man.

The Soviet Union could not tolerate the free, thriving nation so close to her oppressed peoples. Thus, Russia forceably terminated Lithuanian independence in 1940 by brutal occupation.

Russia, however, has not been able to kill that determination within the Lithuanian character which brought independence to that country in 1918, and which will bring independence to Lithuania again. The Lithuanian citizens have not accepted defeat, have not stopped struggling; neither have the American Lithuanians nor have other Americans.

We commemorate Lithuanian Independence Day to inform the U.S.S.R. that we do not accept her blatant violation of international law. We announce to the Russians that the spirit of freedom in Lithuania has not been enslaved, nor can it be. The Lithuanians believe as do we Americans, that in man there is basic dignity, that in free institutions there is inherent value. They believe these things in spite of the Russians and their tactics. The might of the hammer and sickle is not great enough to obliterate true dedications to these basic tenents.

Our commemoration today affirms our belief in freedom, our violent distaste for tyranny, and our honest prayer that the oppressed Lithuanians may regain that freedom that has so long been denied them. We must not forget our identification with the cause of Lithuanian and world freedom.

May this commemoration also serve to tell the people of Lithuania that we acclaim their courage, respect their determination and pray for their renewed independence.

Mr. FORAND. Mr. Speaker, today, February 16, 1960, the Lithuanians celebrate the 42d anniversary of their declaration of independence. This, their Independence Day, recalls the day in 1918 when, at the termination of World War I, freedom again was restored to this troubled land. This independence and freedom did not come easily, it came through struggle, hardship, and bloodshed.

For more than 20 years Lithuania grew in stature. Major progress was made in agriculture and industry. Improvements in transportation and education, great strides in land reform and social legislation, and remarkable gains in material and spiritual well-being were products of these golden years of independence. For more than two decades the people of Lithuania lived in happiness and freedom.

Then came the rude shock caused by the Second World War. Early in that war Russian Communists robbed Lithuania of its freedom and made the country part of the Soviet Union. Since then, for more than 18 years, Luthuanians have been suffering under the worst of totalitarian dictatorships. Thus Lithuanian independence came to an end. But free peoples were not fooled by this heavyhanded act of Soviet despotism. The United States and Great Britain knew that the incorporation of Lithuania into the Red bloc was against the wishes of the Lithuanian people, and they refused to recognize the Communist regime.

One of the basic reasons why we look with confidence to the future, knowing that Lithuania will some day again be a free democratic country, is that in its resistance to this Communist oppression it has on its side its greatest national virtue, that of intense devotion to Christianity.

The Lithuanian nation is predominately Roman Catholic in faith, which has always been the bulwark against communism.

In Rhode Island Americans of Lithuanian descent have made dramatic personal contributions in all fields. Of such is this New World built. The tremendous progress of our country has depended since colonial times on the influx of ethnic groups with individuality and

with the handihood and perserverance to hold their own through every contingency.

Psychological factors play a significant part in the building and maintenance of a society and in the promotion of its well-being. The independence spirit which marks the individuals who have battled against tyranny, who have maintained the freedom of thought and their ability to put it into action—this spirit is the very essence of Americanism.

This anniversary should be a constant reminder to all the free peoples of the world of the treachery and evil practices by the Soviet tyrants. It should instill in all of us a renewed determination to protect our liberties and should imbue us with the will to fulfill our obligations toward the defenseless people behind the Iron Curtain.

Mr. KOWALSKI. Mr. Speaker, I commend my distinguished colleague from Illinois [Mr. MURPHY] for his eloquent remarks about the gallant Lithuanian people. On this 42d anniversary of the historic day when valiant Lithuania proclaimed her freedom to the world, it is well for us in America to remember that our country has never recognized the seizure of that nation by the Soviet Union 22 years later.

Reports that filter through to the outside world make it clear that the brave people of Lithuania still cling fiercely to their love of freedom. Despite oppression, despite mass deportations, they still are dedicated to a return of that independence proclaimed so joyfully in 1918.

Sons and daughters of Lithuanian heritage, wherever they may be on the globe, pray for the early return of freedom to their beloved land. In these prayers they are joined by millions of us who share their devotion to the cause of liberty for all peoples.

The shining lesson of Lithuania is that no oppression, however ruthless it may be, can extinguish the fire of freedom in the hearts of a courageous people. Out of her years of travail and sorrow, I hope that Lithuania will one day soon again join the free nations of the world.

Mr. FALLON. Mr. Speaker, it is sadly ironic that at a time when so many nations and peoples throughout the world are achieving national independence for the first time, that in some areas of our planet there are still many who must suffer the misery of subjection to despotism. The government mainly responsible for this unfortunate anomaly in what is otherwise an age of freedom is that of the Soviet Union. While its leaders smile and talk of peace and freedom for the oppressed, it actually exercises oppression and its victims must silently endure their miserable lot. Among these victims are nations that are close friends of the American people and which sorely need our help and sympathy. None are more deserving of it than the Lithuanians.

Today 42 years ago they won their independence from a despotic Russia. For a long while they enjoyed their freedom, but then dictators arose in Europe who conspired together to conquer and divide up the world and then started a war to carry out their plans. Among the first of the innocent victims of this diabolical enterprise were the Lithuanians. They were quickly crushed by the onward rush of conquering troops in the early days of World War II.

When that war ended they were caught in the grasp of the Soviet state. "Liberation" for them was only a return to the nightmare of oppression which they had undergone years ago; in fact, it was much worse. Many thousands of Lithuanians were cruelly deported by the ruthless Soviet rulers to fates which it is not pleasant to remember but which we should remember so that we realize fully the heroism of the Lithuanian people and the kind of regime we have had to reckon with in Moscow.

As we celebrate today the solemn anniversary of the independence of the Lithuanian nation let us extend to them the reassurances of our lasting friendship and remind ourselves of the great debt we owe to these people who were among the first victims of that great war launched against the free world two decades ago, and who are still victims of one of the main aggressors in that war.

Mr. BARRETT. Mr. Speaker, as one of the oldest and smallest nations in Europe, Lithuania had a long and glorious history. Then, at the end of the 18th century, she lost her national independence and lived under the Russian czarist regime for more than 100 years. In 1918 she regained her freedom, only to lose it again in the late war.

Lithuanians proclaimed their independence on February 16, 1918, and thereafter for a little more than 20 years they lived in peace and happiness in their liberated country. Having rebuilt their war-ravaged country and having put their homes in order, they had created a new and truly democratic way of life in their homeland. But this happy period seemed too much like a dream; and because of the changing world situation and the approaching war, it did not last long.

Unfortunately, what happened was the very worst to be expected. Soon after the outbreak of the war tiny Lithuania, with its 3 million people, had to deal alone with its giant neighbor in the East, the Soviet Union. Early in 1940 Soviet troops were stationed in certain strategic parts of the country. In June it was occupied and a month later incorporated into the Soviet Union.

Since those sad days Lithuanian independence and freedom have vanished. Today some 3 million Lithuanians suffer under the stern and unbending regime of Communist totalitarian dictatorship.

The only freedom which these people have now is to cherish and dream and hope for their eventual freedom. Their one and only ardent desire is to be freed from Communist tyranny.

On this 42d anniversary of their independence day let us hope and pray that they will attain their freedom and then live in peace.

Mr. BENTLEY. Mr. Speaker, it is a privilege and honor for me to join my colleagues in Congress in paying tribute to Lithuania on February 16, 1960, the 42d anniversary of the restoration of independence of that country.

As a former member of the House Committee on Communist Aggression, which investigated the Communist takeover of Lithuania, her Baltic neighbors and several other captive nations, I had a unique opportunity to become informed regarding the details of her enslavement. I had an equally good opportunity to inform myself regarding the Soviet violation of those most solemn treaty commitments in connection with the annexation of Lithuania by the Soviet Union.

Since that time, Lithuania has suffered greatly and has lost many thousands of her sons and daughters through deportation and other forms of imprisonment to say nothing, of course, of mass executions. Fortunately, this Government has not and I hope will never recognize the Communist conquest of Lithuania or the fraudulent annexation of that country into the Soviet Union.

All of us who love freedom join not only in observing this anniversary but in hoping and praying that the day will come when the freedom of Lithuania and all other captive peoples behind the Iron Curtain will be restored.

I am informed that many commemorative services are being held throughout this country by Lithuanian Americans and by friends of Lithuania. I sincerely trust that these forms of tribute to a brave country and a freedom loving people will be made known to the people of Lithuania who are now suffering in silence behind the Iron Curtain. It should be our further prayer and hope that our recognition of this memorable anniversary will serve to remind the Lithuanian people that they are not forgotten by the free world and that they will continue their moral resistance against Communist oppression until that day of liberation comes for them as it inevitably must.

Mr. BOLAND. Mr. Speaker, the Lithuanian Republic was born in 1918. Some 3 million Lithuanians had proclaimed their national independence in their homeland soon after the overthrow of Russia's czarist regime, had established their own democratic form of government, had almost forgotten all of their woes and sufferings, and set themselves to the task of rebuilding their war-ravaged and badly impoverished country. Left to themselves, with the financial aid and moral encouragement of their friends abroad, they performed their difficult task with distinction. In the course of two decades, during the all too brief period of interwar years, they succeeded in making Lithuania a prosperous and progressive country. They all hoped that they would be allowed to live there in happiness. But fate was not kind to them. Soon after the outbreak of the last war their independence was threatened and their existence as a nation under serious danger. In July of 1940, while Lithuania's friends in the West were involved in the war, Lithuania was annexed to the Soviet Union and its independence brought to an end.

Since those days, for almost 20 years, Lithuanians have been suffering under totalitarianism in their homeland. During the war they had hoped that after

that world conflict they would have their freedom. They were, as we know, grievously disappointed in their expectation, for since the end of the war Communist tyranny has been more oppressive in Lithuania than the czarist despotism ever was. Today they still suffer under Communist totalitarian dictatorship. On the 42d anniversary of their independence day let us all hope and pray that soon their suffering will end and that they will regain their freedom.

Mr. KLUCZYNSKI. Mr. Speaker, on February 16, 1918, Lithuania proclaimed the reestablishment of its independence. This, however, was not its first experience with independence. As early as July 17, 1251, Pope Innocent IV issued the papal diploma to crown Mindaugas as King of Lithuania. During the Middle Ages, especially in the 14th and 15th centuries, the Lithuanians succeeded in forming a huge state whose frontiers extended from the Baltic to the Black Sea, and in the east to Mozhaisk—not far from Moscow. Prof. Clarence Manning of Columbia University has given the following characterization of Lithuania during the Middle Ages:

> The Lithuanians had established a powerful and independent state in Europe during the Middle Ages. They were able to check the German drive to the east for centuries. They protected Europe against Mongols and Tartars. They furnished a power and a government behind which the eastern Slavs could live in peace and safety with a freedom that was unknown in muscovite Russia. They blessed their subjects with more human freedom than in the neighboring countries. They encouraged education and toleration and they played their part in the general development of European civilization. (Introduction to C. R. Jurgela, "History of the Lithuanian Nation." New York, Lithuanian Cultural Institute, historical section, 1948, p. 9.)

In 1795, after the partition of the Polish-Lithuanian Commonwealth, Lithuania fell under Russian domination. However, she never became reconciled to the loss of her independence. During 120 years of Russian domination there were five major uprisings against czarist Russia—in 1794, 1812, 1831, 1863–64, and in 1904–5. All of them were unsuccessful. Only in 1918 was Lithuania able to regain its independence. The right of self-determination, proclaimed and supported by Woodrow Wilson, the President of the United States, and the moral and material support of American Lithuanians, contributed much to its success.

This 42d anniversary of the proclamation of Lithuanian independence, when the Lithuanian nation suffers again under Russian domination, is a grand opportunity to remember the Soviet attitude toward the right of self-determination—the right which has such special importance in the international relations of the present time.

Lithuanian efforts to reestablish their independence collided with Russia's imperialistic policy at the very beginning. In spite of all the slogans of Lenin about self-determination of non-Russian nations and in spite of the Declaration of the People's Commissars of November 15, 1917, on the Rights of Peoples to Self-Determination, which assured "to the nationalities of Russia the right of free self-determination even to the point of separation and formation of an independent state," the Government of Soviet Russia, immediately after the establishment of the dictatorship of the Communist Party, put very substantial limitations on the exercise of this right, and undertook all measures to defeat separatist movements of the nationalities subjugated by Russia. From the Marxist point of view, the right of self-determination should be subordinated to the requirements of the proletarian class struggle, and to the Communist dictatorship. Stalin, in his Report on National Factors and State Development, in order to justify the Soviet attack on Warsaw, stated:

> It should be borne in mind that besides the right of nations to self-determination there is also the right of the working class to consolidate its power, and to this latter right the right of self-determination is subordinate. There are occasions when the right of self-determination conflicts with the other, the higher right—the right of a working class that has assumed power to consolidate its power. In such cases—this must be said bluntly—the right to self-determination cannot and must not serve as an obstacle to the exercise by the working class of its right to dictatorship. The former must give way to the latter. That, for instance, was the case in 1920, when in order to defend the power of the working class we were obliged to march on Warsaw. (Quoted from Georg Schwarzenberger, "Power Politics," New York, Frederick A. Praeger, Inc., 1951, p. 80.)

In accord with this attitude, but contrary to the declaration of November 15, 1917, on the rights of peoples to self-determination, the Government of Soviet Russia, on the same day this declaration was published, decided to form an army of three divisions and "to send them to help the working people of Byelorussia, Lithuania, Latvia, and Estonia"—A. M. Andreev, "Borba Litovskogo Naroda za Sovetskuiu Vlast (1918–19)." Moscow, Gosudarstvenoe Izd. Politicheskoi literatury 1954, page 44.

When this army invaded Lithuanian territory at the end of 1918, the Communist Government of Russia proceeded in its aggression along political lines as well. On order from Moscow a puppet Provisional Revolutionary Workers Government of Lithuania was formed under the leadership of V. Kapsukas-Mickevičius, the chief of the Lithuanian Office of the Russian Communist Party in Moscow, who was opposed to self-determination or secession from Russia. On December 22, 1918, the Government of Soviet Russia recognized this puppet government and directed all military and civil authorities of Soviet Russia to provide assistance to it.

This first attempt of Soviet Russia to subjugate Lithuania failed. The Lithuanian National Army forced the invaders back at the end of 1919, and following this, on July 12, 1920, the peace treaty between the Lithuanian National Government and Soviet Russia was concluded. Soviet Russia recognized Lithuania as a sovereign and independent state. By the Treaty of Nonaggression of September 28, 1926, Soviet Russia undertook the obligation to respect, in all circumstances, the sovereignty and territorial integrity of Lithuania, and to refrain from any act of aggression whatsoever against Lithuania.

However, international obligations, according to Soviet doctrine, have only a limited validity for the Soviet Union, because "as the first Socialist state representing" the highest forms of democracy, and the most perfect economic system, "the Soviet Union claims to be the only competent interpreter of peace, equality, justice, and independence, and, therefore, the only state having the right to reject or to modify the existing rules of international law"—Georg Guins, "Soviet Law and Soviet Society." The Hague, Martinus Nijhof, 1954, page 378.

In spite of its international obligations to observe the national independence and territorial integrity of Lithuania, the Soviet Union entered into collusion with Hitler Germany for the partition of their neighboring states. In 1939–40, in order to consolidate the Communist dictatorship, the Soviet Union invaded Poland, waged a war against Finland, annexed the Baltic States, and took other steps to expand its power. Thus, the subjugation of Lithuania, as well as of the other Baltic States, is the best practical illustration of the Soviet attitude toward the rights of the peoples to self-determination. The Soviet Union applies a double standard to the right of self-determination: it attempts, on the one hand, to exploit nationalism for its own purposes outside the Soviet Union, while on the other hand, it condemns any national movement within the Soviet Union. However, the subjugated nations are not forgotten or abandoned by the free world. The Government of the United States has refused to recognize this forced incorporation. Therefore, I think, it is an appropriate time to remember the joint declaration of the President of the United States and the Prime Minister of Great Britain made in Washington on February 1, 1956, which truly reflects the American attitude toward the subjugated nations:

> We shall help ourselves and others to peace, freedom and social progress, maintaining human rights where they are already secure, defending them when they are in peril and peacefully restoring them where they have temporarily been lost.

Mr. DINGELL. Mr. Speaker, after a long period of Russian domination followed by German occupation during World War I, the Lithuanian people finally reached the goal for which they had been striving and on February 16, 1918, Lithuania declared her independence. Unfortunately, her independence was short-lived and Lithuania was again dominated when occupied by the Russian Army in World War II.

Early in 1939 Germany attacked the Soviet Union and a few days later the Nazi forces overran Lithuania. Lithuania was returned to Soviet domination in 1944 after the tide of the war turned against Germany. Since the Soviets reentered Lithuania in 1944 many, many thousands of her citizens have either fled the country or were deported. In addition, large numbers of Russians have come in which has effected a great change in the composition of the population of Lithuania. The independent Lithuanian Government was recognized

by the United States in 1922, and we have never recognized her incorporation into the Soviet Union. Lithuania has a legation in Washington and the United States has continued to maintain diplomatic relations with representatives of the former independent Government.

Although Lithuanians have suffered under the worse kinds of tyrannies and aggression they have not given up their ideals and still treasure and seek national freedom as fervently as ever. On this the anniversary of their independence day let us hope they will soon regain their cherished freedom and peace.

Mr. IRWIN. Mr. Speaker, it is our privilege today to speak out in tribute to the peoples of the Republic of Lithuania on this 42d anniversary of their independence day.

We pay homage to the fortitude which has sustained them through periods of moral and physical suppression, and voice confidence that it will carry them through their present period of enslavement.

We have resolved to assert our opposition to the suppression of liberty in all captive nations by observing a Captive Nations Week. At this time we renew our position with fervent hope it will help them bear the terrible cross which is their burden until that day when Lithuania is once again a land of freedom.

Mr. BYRNE of Pennsylvania. Mr. Speaker, totalitarianism has been the curse of humanity for centuries. About a third of the world's population has been enslaved by Communist totalitarianism and the remaining two-thirds live under its deadly threat. Before the last war people felt that communism was destined to remain in one country, or in certain areas. Today we know how erroneous such a view was, for the defenses of freedom were shattered by the last war, and many once free countries have been engulfed in a sea of Soviet totalitarianism today.

Lithuanian independence was born after the untiring and persistent struggle of the Lithuanian people against Russian autocracy. When that despotic regime was overthrown, Lithuanians proclaimed their independence on February 16, 42 years ago. The independence thus regained was well-deserved. Then for just two decades they had their day of joy and happiness; they worked and lived in happiness. But late in the 1930's world events took a turn for the worse, and that itself proved fatal to Lithuania's independence. Early in the last war the country was occupied by the Red Army and in July of 1940 it became part of the Soviet Union.

Since those days, for almost 20 years, Lithuanians have not known freedom and happiness. During the war and since the end of that war they have lost their worldly possessions, and their freedom, but the one thing to which they still firmly cling is the hope and desire for freedom. That is one thing which is left to those unhappy and helpless people. On the 42d anniversary of their independence day, let us all wish them patience and fortitude in their gallant fight for freedom.

Mr. CURTIS of Massachusetts. Mr. Speaker, on this anniversary of the independence of Lithuania we Americans again voice our hopes that liberty may return to this honorable and brave people. Today we commemorate the fact that 42 years ago the Lithuanian nation won victory in its centuries-old struggle for independence.

This should be a day of glad remembrance, but unfortunately the independence so dearly won was snuffed out by Communist tyranny. Yet despite the dark days through which the people of Lithuania are passing, their hope for the return of freedom burns brightly.

We join with our friends and fine citizens of Lithuanian descent in sending to the homeland our good wishes and renewed expressions of confidence in the eventual return of that hour when they will again celebrate this holiday in true freedom and genuine happiness.

Mr. HOLLAND. Mr. Speaker, today, whether in their homeland or scattered in distant parts, Lithuanians turn their thoughts to the independence of their dear homeland. Lithuanian-Americans and other Lithuanians in the free world will mark this day in open celebration; Lithuanians under communism will celebrate it only in their hearts, for Soviet tyranny forbids such open celebrations. Thus, with Lithuania in chains, her independence day becomes a day of sorrows touched with the mixed joy of happy recollections of better times since lost.

Lithuania has a long history. But with the rise of the Russian colossus, this small but strategically placed country fell under Russian domination. From 1795 to the First World War, Lithuania and Lithuanians were incorporated within Russia. Then, on February 16, 1918, a congress of Lithuanian delegates proclaimed the renewed independence of Lithuania, but independence did not come at once. With the withdrawal of German troops, defeated in the West, the Bolshevik army entered the new Lithuanian state. War between Poland and Russia then ensued and finally Red soldiers, too, withdrew. On July 12, 1920, the Soviet Union signed a peace treaty with Lithuania which recognized the independence of Lithuania and renounced Russian claims to that country.

Yet Lithuanian independence was not to last even 2 decades. In 1939, the Soviet rulers were again demanding entry into Lithuania, forcing that small country to accept Russian garrisons that soon dominated the politics of the country. They then manipulated the local government and transformed it into one friendly to the Soviet Union. And it, in turn, asked to be incorporated into the Soviet Union.

Today, as we think of this sad history, we pay our respects to the Lithuanian people. And in our hearts we know that upon those of us in the free world lies a responsibility to use our liberties and the responsibilities of freedom in order to make this, our country here, a model of what a democratic, free society can be like.

Mr. WOLF. Mr. Speaker, 42 years ago Lithuanian people shed the yoke of Russia and became a free nation and proclaimed their independence. Today this nation is in the clutches of tyranny and cruelty. Lithuanians have cherished freedom for many centuries. The Lithuanian state appeared on the map of the world in the year 1253. Up to the 18th century Lithuanians flourished in freedom and made great strides in developing their country. Misery came to this small but great nation late in the 18th century and she could not escape from the cruel hands of Czarist Russia. Through generations of suffering, freedom loving people kept the flame of freedom burning in their hearts. Their prayers were answered when the Russian Revolution in 1918 came to their rescue and Lithuania was once again a free nation. This freedom did not last long and again fell to the yoke of Russia, then to Nazi rule and again to Russia. Since then Russia has done everything to crush the spirit of this brave nation.

I am confident that once again their prayers will be answered and they will win back their freedom. Tyranny and cruelty cannot suppress the spirit of these great people who have flourished in freedom for centuries.

America has welcomed many Lithuanians to this country. They have made great contributions to its development. We join wholeheartedly with American-Lithuanians in celebrating the anniversary of the Lithuanian proclamation of independence. I am hopeful that one day their relatives will celebrate it in their own country. Let our sincere feelings be conveyed to the oppressed people of Lithuania that we are with them and by the grace of God Lithuania will find a place in the comity of free nations.

Mr. McDONOUGH. Mr. Speaker, February 16, 1960, marks the 42d anniversary of the restoration of independence of Lithuania. It is on this date, February 16, 1918, that the Republic of Lithuania issued its declaration of independence which culminated the long struggle of the people of Lithuania for national independence and individual liberty.

It is indeed tragic that the hard-won independence of Lithuania was lost after a brief span of two decades when this courageous nation was occupied by the forces of Soviet Russia and brought under the heel of Communist tyranny and domination.

In spite of the loss of liberty as a nation, the Lithuanian people remain undaunted in spirit and retain their devotion to freedom. The spirit of independence is the spirit of the Lithuanian people.

The dedication of the people of Lithuania to regain their independence as a nation and to reestablish personal freedom throughout their land remains steadfast despite the cruel yoke of Russian oppression which has held Lithuania in virtual slavery.

On this 42d anniversary of Lithuanian Independence Day, we in the United States join with the people of Lithuania and those of Lithuanian descent in our Nation and throughout the world in observance of Lithuania's Declaration of Independence.

The people within Lithuania cannot publicly join in observance of this event. But they do observe it in spirit and in their minds and hearts.

It is our earnest and devout prayer in the United States that the flame of freedom shall continue to burn bright in Lithuania through the courageous dedication of its people to freedom and independence, and that soon Lithuania may regain its liberty and again take its place among the free nations of the world.

Mr. MACHROWICZ. Mr. Speaker, today marks the 42d anniversary of the day when Lithuania, one of the small Baltic States in Eastern Europe, proclaimed her independence to the entire world. I wish to join with my many colleagues who have taken this occasion to pay tribute to this gallant nation and to express our hope that through the combined efforts of all the free people of the world, Lithuania may soon be restored to her rightful place among the free and independent nations of the world.

I would like to recommend to my colleagues and to all those interested in Lithuania, to read the interesting and informative report of the congressional Committee on Communist Aggression, of which I was a member. This committee recorded very vividly the duplicity of Soviet Russia when in June 1940 it invaded Lithuanian territory without any provocation by and against the wishes of the Lithuanian people. Since that time, Lithuania has been converted into a Soviet vassal state. Many of her citizens have been deported or murdered and many atrocious crimes were committed by the Soviets for the purpose of deliberately destroying the Lithuanian nation.

It is to the great credit of that nation that the spirit of freedom still exists there and it behooves us in the free world to do whatever we can to see to it that justice is done to this great nation.

Mr. HOLTZMAN. Mr. Speaker, today many of us here in Congress are paying tribute to Lithuania and her people on the 42d anniversary of that nation's independence.

Most unfortunately and most tragically their short period of independence was terminated by the Soviet Union in 1940, only 22 years after it had been brought into being. The Soviet Union had pledged to renounce all rights in the Baltic States, but once again failed to keep its promise.

We here in the United States, who fought a bitter war to obtain our freedom, have enjoyed the fruits of that freedom for almost 185 years. We cannot sit idly by and watch, without feeling, the brutal crushing of other countries in their efforts to establish their independence.

We can and do lend our moral support to those inside Lithuania, and to those outside her borders, who strive so valiantly to restore to that country the peace and freedom to which it is so rightfully entitled.

We pray that it will be possible in the not too distant future to reestablish the independence of Lithuania and the many other captive nations behind the Iron Curtain, whose people still nourish the spirit of freedom, and keep alive within themselves the torch of liberty.

Mrs. WEIS. Mr. Speaker, it is a privilege for me to join with my colleagues in this observance of the 42d anniversary of the proclamation of Lithuanian independence.

There are those who will say that our remarks here are of little value, but this is no idle reverie, no senseless nostalgia in which we engage, Mr. Speaker. In fact, those of us who cherish freedom as the dearest of this world's possessions have a solemn responsibility to speak out, in one clear voice, to the people of Lithuania. We must let them know, by our words and by our deeds, that their sorrow is our sorrow, their hope our hope, their cause our cause. For despite the rigid censorship imposed upon them, I am confident that our words will find their way to the brave people of Lithuania, and to captive peoples everywhere, and will give them added courage to continue their struggle to regain the freedoms which have been so cruelly denied them.

I also want to say, Mr. Speaker, that I am extremely proud of the Lithuanian-Americans in my own congressional district, whose devotion to the cause of Lithuanian independence has never wavered. They have made great contributions to our community, but they have never forgotten their less fortunate countrymen who remain behind in Lithuania and they continue to do everything they can to aid them in the battle for liberty. To them, and to the people of Lithuania, I wish Godspeed in the fulfillment of their dream of freedom for their beloved homeland.

Mr. CELLER. Mr. Speaker, I join with my colleagues in the House in paying tribute to the Lithuanian people on this day and take this opportunity to read a message, which I sent to Mr. Anthony Varnas, president of the New York Lithuanian-American Council, when services commemorating this 42d anniversary were held at Webster Hall in New York City, Sunday, February 14, 1960. The message follows:

FEBRUARY 14, 1960.

Mr. ANTHONY VARNAS,
President, New York Lithuanian-American Council, New York, N.Y.

DEAR MR. VARNAS: Today we do honor to the courage and determination of a country, which 42 years ago, proved its viability as an independent state and today is captive of the forces of power and brutality. The people of Lithuania, however, have not forgotten. They cherish in memory, in word, and in deed, the light of freedom that once was theirs. Above all, there is the everlasting hope that eternal truth will triumph and that once again they shall live as a free people. Few of us in this country can know the anguish of living as pawns caught in the vise of external political greed.

Let it be remembered that a nonaggression pact between Lithuania and the Soviet Union was signed at Moscow on September 28, 1926, and that this pact still remains in force. But the obligations of international law did not deter the Soviet Union from pouring its soldiers into Lithuania in 1939 and occupying freely the country some 6 months later.

The story is not over. We all know there can be no true peace when regions of the world remain enslaved. We all know that total peace is the ideal for which each man in each generation must strive.

Very truly yours,

EMANUEL CELLER.

Mr. RODINO. Mr. Speaker, on Sunday, February 14, I was invited to address a mass meeting of Americans of Lithuanian descent of the State of New Jersey, sponsored by the New Jersey Lithuanian Council. The meeting was called to commemorate the 42d anniversary of the independence of the Lithuanian nation.

I should like to include in the RECORD both the remarks which I made on that occasion and the resolution which was unanimously adopted by that assembly:

REMARKS OF PETER W. RODINO, JR., AT THE MASS MEETING OF THE LITHUANIAN COUNCIL OF NEW JERSEY, FEBRUARY 14, 1960

It is always a pleasure to join with you on this occasion, and I am deeply honored to commemorate with you the anniversary of Lithuanian independence—the most important day in the Lithuanian calendar.

February 16 is not only important to Lithuanians, or to Americans of Lithuanian descent; it is important to every single person everywhere in the world who cherishes freedom. On this day we remember that that there is a nation which deeply and terribly loves freedom, but which continues to suffer in Soviet slavery.

America, in particular, feels shock and horror at the events in recent Lithuanian history. Americans recognize in the Lithuanian people that same dedication and fidelity to freedom which characterized the founders of our own democracy, as they achieved for us the priceless gift of freedom. We know what freedom is, and we therefore lament, with Lithuania, her loss of something dearer than life itself.

Had it not been for those fatal days in 1940, Lithuania would today be a free and prosperous nation. Her people would be dancing in the streets, in joyful celebration of 42 years of independence.

Instead, her people will commemorate February 16 only in secret. They will be permitted no observance, no anthem, no sign that this day is in any way different from the rest. No doubt the guard will be doubled to insure that no Lithuanian speaks out what is in his heavy heart.

Those of us in this country who know the rejoicing of a Fourth of July can well appreciate what a dismal day this will be in Lithuania. We know that there will be repression, instead of rejoicing; fear, rather than firecrackers. We can imagine what it must mean to have a Fourth of July without a single speech or song.

This is why it is so terribly important that the anniversary of Lithuanian independence be commemorated elsewhere. The work of the Lithuanian Council, and of all Americans of Lithuanian descent is of the greatest service to the cause of freedom everywhere, because it dramatizes the fate of a freedom-loving people which is still not free.

The lesson which must be learned, and remembered, is that where one people is not free, none of us is really free.

It is on February 16 that we recall that Lithuania's loss is only a bleak repetition of the past. We recall that Lithuania had only just emerged from a similar tragedy when the Soviet menace pounced on her, and that for over 100 years she had been occupied by the imperialist czars.

All of Lithuania's proud history, all her great traditions, and all her national dignity had been subjugated by the monster from the east.

For 100 years the czar had tried to make Lithuania forget her past. Rulers were sent in from Russia; teachers were sent in from Russia; every official was Russian; and even in the schools—what few the Russians permitted—only the language of the invader was spoken. Even the Lithuanian alphabet for a long time was forbidden, and the Russian letters were insisted upon instead.

And yet, through all this pressure, through all this 100-year plan to make Lithuanians into Russians, somehow the Lithuanian heritage managed to survive. The urge for liberty was so strong, even after a century of "Russification," that at their very first opportunity the Lithuanians burst their bonds and broke free.

It became clear to the world that Lithuania had never forgotten what it was to be free. For 100 years her people had cherished the dream of independence. The more the czar had pressured, and insisted, and oppressed, the more stubbornly Lithuania clung to that cherished dream. Somehow, Lithuanian mothers had managed to whisper to their children that they had not always been slaves, and that they would one day be free.

And when the opportunity came, at last, the fire that had been smoldering in the hearts of the Lithuanian people for 100 years burst forth into full flame.

One would have thought that the imperialist Soviet might have learned a lesson from the imperialist czar.

But the Soviet, in ruthless disregard of past promises—we know, by now, what to expect of Soviet promises—fell upon Lithuania and immediately proceeded to employ the tactics of its predecessor. Learning nothing from the past, they once again think that they can "Russify" Lithuania.

They too sent in Russian officials and Russian teachers; they dropped the teaching of Lithuanian history in the schools; according to some sources they too are even trying to use the Russian alphabet.

They have trampled on Lithuanian tradition, heaped scorn on Lithuanian customs, and indoctrinated schoolchildren with Russian values.

They have sent in so many Russians to hold every office in government and industry, and to spy on and police their Lithuanian neighbors that there is now one Russian to every seven nationals in Lithuania.

Like the czars, who looked upon Lithuania only as a source of taxes and military conscriptees, they have used Lithuania only for purposes of ruthless exploitation. Whatever of value is produced in Lithuania is conscripted for Russian, not Lithuanian consumption.

And to enforce this brutal suppression, they have used mass deportations, arrests, and "voluntary" resettlements. They have torn Lithuanians away from their homeland, and sent them to bleak areas of the interior; they have separated fathers from their children; and have slaughtered any patriot who dared to raise his voice in protest.

And yet all of this persecution, all of this suppression, all of this vicious brutality, is no more successful than it was before. The continuing persecutions themselves are tragic testimony to the continuing rebellion in the minds and hearts of every Lithuanian. In the face of Soviet terror, the people retain their invincible will for freedom and independence. In spite of Soviet indoctrination, mothers still manage to whisper to their children that one day this, too, will pass, and Lithuania will once again be free.

It is to this yearning for freedom, this unquenchable thirst for liberty, that we pay tribute here today. We recognize that the vital spark of freedom, despite totalitarian tyranny of the most vicious sort, has not and will not be extinguished. And we pledge ourselves to keep faith with that spark, and to always remember that Lithuania's cause is our cause, and her hopes and dreams our responsibility.

"Whereas in 1940 the Soviet Union, in conspiracy with Hitlerite Germany, and in brutal violation of prior treaties and obligations, invaded Lithuania with armed force and annexed her to the Communist empire against the will of the Lithuanian people; and

"Whereas since that time the freedom of the Lithuanian people has been cruelly suppressed by the Communist dictatorship which strives to dominate the whole world; and

"Whereas the fate of Lithuania, as well as of the other subjugated nations of eastern Europe, will depend on the foreign policy of the United States: Therefore be it

"Resolved, That the Government of the United States is called upon by this assembly of loyal Americans of Lithuanian descent of the State of New Jersey to stand firm against the expansion of Communist imperialism and to do all in its power to liberate the enslaved nations behind the Iron Curtain; and be it further

"Resolved, That the Government of the United States is called upon to refrain from signing any new treaties with the Soviet Union until the latter agrees to restore freedom and sovereignty to Lithuania and to the other enslaved nations of Europe."

Resolution unanimously adopted by the Lithuanian Council of New Jersey at a mass meeting of Americans of Lithuanian descent held on February 14, 1960, at Lithuanian Catholic Community Center, 6 Davis Avenue, Kearny, N.J., in commemoration of the 42d anniversary of the declaration of independence of Lithuania.

ANDREW A. SALVEST,
Chairman.
WALTER J. DILIS,
Secretary.

Mr. GARMATZ. Mr. Speaker, the observance of the 42d anniversary of Lithuanian independence is one of joy and sorrow. It is one of sorrow because the people of Lithuania who should be celebrating the occasion with great joy, must ignore it, because of the lack of independence and freedom under the rule of the Soviet regime. It is one of joy for the Lithuanians living in other countries, because they can appreciate what the occasion has meant and can still mean, when it is found possible to restore to that captive nation, the freedom, independence, and liberty that should be rightfuly theirs. Their observances throughout our own country bring some measure of encouragement and consolation to those still living in Lithuania, knowing that their fellow countrymen, though far away, are still very conscious of their plight and making every possible effort to bring about their eventual freedom.

Both the mayor of Baltimore and the Governor have designated today as Republic of Lithuania Day to call the attention of all of our citizens to the occasion and their proclamations follow:

PROCLAMATION BY MAYOR J. HAROLD GRADY DESIGNATING TUESDAY, FEBRUARY 16, 1960, AS REPUBLIC OF LITHUANIA DAY IN BALTIMORE

Whereas on the 16th day of February 1919 the Republic of Lithuania declared itself an independent, free, and sovereign nation; and

Whereas the liberty thus established was eventually crushed and destroyed by the imperialistic expansion of Soviet Russia; and

Whereas despite despotic oppression, the people of Lithuania behind the Iron Curtain, and those of Lithuanian descent throughout the world, work and pray constantly for the day when, once again their homeland can enjoy the status of a free, sovereign, and independent nation; and

Whereas annually, on February 16, Baltimoreans of Lithuanian descent join with those of Lithuanian ancestry throughout the world to observe the independence day of Lithuania and to offer up prayers that their beloved mother country will soon be enabled to enjoy the blessing of freedom; and

Whereas the city of Baltimore is justly proud of its many citizens of Lithuanian birth or ancestry, who have made important contributions to the civic, social, and religious life of our community, and who have been enabled to enjoy here the freedom denied their compatriots in Lithuania.

Now, therefore, I, J. Harold Grady, mayor of the city of Baltimore, do hereby proclaim Tuesday, February 16, 1960, as Republic of Lithuania Day in Baltimore, and do urge all our citizens to join with the people of Lithuania and people of Lithuanian descent throughout the world in praying and working to the end that the blessings of liberty and justice will again return to Lithuania and to the entire world.

In witness whereof, I have hereunto set my hand and caused the great seal of the city of Baltimore to be affixed this 25th day of January, in the year of Our Lord 1960.

J. HAROLD GRADY,
Mayor.

THE STATE OF MARYLAND—EXECUTIVE DEPARTMENT—GOVERNOR'S PROCLAMATION

REPUBLIC OF LITHUANIA DAY, FEBRUARY 16, 1960

Whereas the people of Lithuania were deported, enslaved, and mass-murdered by Communists; and

Whereas their religion was repressed and their freedom obliterated; and

Whereas a liberty-loving nation is not easily shackled, particularly when that nation has known the experience of freedom; and

Whereas the plight of Lithuania is known to all of us, and we cannot, as Americans, take a casual view of the loss of freedom by any nation; and

Whereas those whose ancestors came from Lithuania, and their friends of all national origins, join them in their hopes and prayers for liberation from communism.

Now, therefore, I, J. Millard Tawes, Governor of the State of Maryland, do hereby proclaim February 16, 1960—the 42d birthday of Lithuania's independence—as Republic of Lithuania Day in Maryland in recognition of the faith and courage of the Lithuanian people and in support of all men who fight for freedom.

Given under my hand and the great seal of the State of Maryland, at the city of Annapolis, this 18th day of January, in the year of our Lord 1960.

By the Governor:

J. MILLARD TAWES.
THOMAS B. FINAN,
Secretary of State.

Mr. Speaker, the Council of Lithuanian Societies of Baltimore last Saturday observed this anniversary with a banquet, at which it was my privilege to be present. Our colleague, SAMUEL FRIEDEL, was also among those attending.

I believe it is appropriate to bring to the attention of the Members of the House the resolution that was adopted by those present at the banquet, which reads as follows:

We, the people of the Free State of Maryland, having gathered this 13th day of February 1960 at the Lithuania Hall Audito-

rium, in Baltimore City, under the sponsorship of the Council of Lithuanian Societies of Baltimore, in commemoration of the 42d anniversary of the founding of free and independent Republic of Lithuania, after due deliberation regarding the present international situation, adopt the following resolution:

"Whereas the so-called cold war is not getting colder, and the oppressed and subjugated lands and nations of the world are clamoring for liberation, self-determination, and freedom, even in those corners of this world where the people are very little advanced in culture and civilization; and

"Whereas the three Baltic sister republics, namely, Lithuania, Latvia, and Estonia, having rightfully regained their independence at the end of World War I, have proved to the wide world that their people are well cultured and are capable of establishing democratic governments of their own, and maintaining peace internally and externally.

"Whereas the cold war will not get any colder but, on the contrary, might turn into the most destructive, deadliest hot war the world has ever known and, by nuclear and electronic devices will forever ruin and destroy not only all the art, culture, and civilization that the sweat, brain, and strain from dawn of human history have created, but also will depopulate and deface this beautiful world of ours, unless the captors of the occupied lands and nations sua sponte will release and liberate the peoples they have enslaved by force; and

"Whereas the United States of America has granted freedom and independence to the people of Philippine Islands; Great Britain has given the right of self-determination to India, Cyprus Island, and other former Asian and African colonies; the Republic of France, and other European powers, are permitting their former colonies to secede and become independent lands and nations, thereby creating a better relation among the peoples of the world: Be it

"*Resolved,* That we appeal to the Government of the Soviet Union to do the same by granting independence and the right of self-determination to the three Baltic nations, to wit: Lithuania, Latvia, and Estonia without any delay; and in case the Soviet Union does not at once give the independence to the said three Baltic nations: Be it further

"*Resolved,* That we call on the world empowered and respected parliamentary body, the United Nations, that it should suggest, urge, insist, and persuade the Soviet Union to grant the independence and the right of self-determination to the said three Baltic nations, so that all lands and peoples of this world will be independent and free whereupon the causes of all wars will be forever eradicated, peace and good will among all nations will prevail, and the grateful future generations will forever be thankful to the present leaders of the world powers for solving the disagreements and causes of wars among the nations.

"THOMAS G. GRAY,
"President.
"LUCY LASKAUSKAS,
"Secretary."

Having been permitted to speak to the group briefly, I would like to insert my remarks at this point:

I am indeed grateful for the honor and privilege of being invited to join in this 42d Anniversary Observance of the Declaration of Independence of Lithuania.

But before giving expression to the brief remarks I intend to make appropriate to the occasion for which we have gathered, I want to publicly congratulate Monsignor Mendelis on having been named as the recipient of the Damien-Dutton Society's annual award in recognition of his outstanding work on behalf of those persons who are suffering with leprosy. As I told the monsignor in the note I sent him on Thursday, his countless friends here in Baltimore, among whom I am privileged to include myself, rejoiced upon learning that good news. We know that he is indeed deserving of it and I am sure that in accepting the award, Monsignor Mendelis will look upon it as a means of still furthering his noble efforts to bring added spiritual and material aid to the lepers. Again, Monsignor, congratulations on this wonderful achievement.

We meet tonight with mixed emotions: First, to acknowledge our gratitude to Almighty God and to those freedom-loving people of the world that 42 years ago the Lithuanian people achieved their independence. At the same time, we fully realize that the time has not yet come for an anniversary observance of total rejoicing because we know only too well that the yoke of oppression still exists for the people of Lithuania under Iron Curtain domination—that the struggle continues—and there is the need for each and every one to reassert and renew his efforts as well as encourage one another to work for the regaining of independence.

We know that despite every effort to suppress it, the yearning for liberty is unquenchable among Lithuanians and that tyranny has only served to stimulate it rather than stifle it.

Tonight we take courage in the fact that these brave people are spiritually and physically endowed with the necessary strength and fortitude to withstand the tyranny to which they are still subjected.

In the end, truth and justice will prevail—that is our hope, that is our prayer—and God willing, it will be so.

In conclusion, as your Representative in the Congress of the United States and as your fellow American, let me assure you that this beloved country of ours has not and will not abandon her interest in the needs and welfare of the freedom-loving peoples of central Europe. We will carry on with every means at our disposal the efforts to resist further aggression and to lead the way toward the liberation of oppressed peoples everywhere.

Mr. MULTER. Mr. Speaker, today, February 16, 1960, is a special occasion for some 1 million Americans of Lithuanian descent as well as for the freedom-loving people of Lithuania. It commemorates the day 42 years ago that Lithuania declared its independence after having suffered under the domination of, first, Russia and then, during the First World War, Germany. February 16 brings to mind the happy two decades during which Lithuania was able to choose its own path and develop its own traditions and culture, unfettered by the chains of foreign occupation.

Since Lithuania has been under the ruthless domination of the Soviet Union, independence day is not a carefree, happy day of picnicking and fireworks for the Lithuanians as is our Fourth of July. Instead, it is a sober reminder that the shackles of tyranny have been imposed once again and that Lithuania has been physically incorporated into the Soviet Union as a constituent republic. Moreover, the Iron Curtain has been drawn tightly around it and the other Baltic States.

Recent gestures of relaxing the strict controls on Lithuania and the Baltic States only underscore the complete subjugation which has been imposed upon them by the Soviets. For example, the capital of Lithuania, Vilnius, was opened last summer for its first visitors from the West. Before that time no Western visitors were allowed into Lithuania at all, and the rest of the country is still closed.

A personal appeal at the time of Khrushchev's visit to the United States has made possible the reunion of the Leonas family which had been separated since World War II. While we rejoice at their happiness, we cannot help but regret that there are many more Lithuanian families who have been separated by Soviet policies who have not been able to come together.

The United States has never recognized the incorporation of Lithuania into the Soviet Union. We Americans will never condone aggression and the acquisition of territory by force of arms against the wishes of the people concerned. Nor will we condone totalitarian systems which suppress human rights. A lasting peace will require that people everywhere be permitted to exercise basic rights in freedom and dignity.

Until that day comes, we shall take occasions like this to remind the people of Lithuania that they have not been forgotten by the United States.

Mr. DORN of New York. Mr. Speaker, on February 16, Lithuanians, whether in their homeland or spread across the broad world, will have their thoughts on the independence of their mother country. Lithuanian-Americans and other Lithuanians in the free world will celebrate this day; Lithuanians under Communist tyranny will also celebrate it, but in their hearts rather than in their open actions. Thus, with Lithuania in chains, her independence day becomes a day of sorrows intermixed with the joy of determination.

Lithuania has a long history of independence and of playing a leading role in Europe. But with the rise of the Russian colossus, this necessarily small but vital country fell under Russian domination. From 1795 to the First World War, Lithuania and Lithuanians were annexed to Russia. Then, on February 16, 1918, a congress of Lithuanian delegates proclaimed the renewed independence of Lithuania and the formation of a Lithuanian state based on democratic principles. But Lithuanian independence was not so simply won. For with the withdrawal of German troops, the Red army entered the new Lithuanian state and was driven out only by force of arms. On July 12, 1920, the Soviet Union signed a peace treaty with Lithuania which recognized the independence of Lithuania and renounced Russian claims to that country.

This treaty was to last but a brief 19 years. For by 1939 the Soviet Union was forcing Lithuania to admit Soviet garrisons and to grant air bases. A year later the Soviet Union, with methods now notorious, forced changes upon the Lithuanian Government and then occupied the country. Soviet troops then saw to it that a rigged election resulted in the incorporation of Lithuania into the Soviet Union.

This suspension of Lithuanian independence is recalled with sorrow. But mixed also is the pride of Lithuanians in the heritage of their country and in their period of modern independence.

Mr. BOSCH. Mr. Speaker, I want to join with my colleagues in commemorating the 42d anniversary of the independence of Lithuania. How much more pleasure we could take in these ceremonies were she free today and not under the yoke of Communist tyranny.

The spirit and patriotism displayed by the Lithuanian people in the face of Communist domination is and should be an inspiration to all of us. Let us all do everything possible to hasten the day when the Lithuanian people and all the captive nations may live in freedom, without fear, under a government of their own choosing.

Mr. FOGARTY. Mr. Speaker, again this year it is a privilege to have the opportunity to join with my colleagues here on the floor of the House of Representatives to pay tribute to Lithuania which today should be celebrating the anniversary of its independence.

It was on February 16, 1918, that the Republic of Lithuania proclaimed its independence—an independence which we all know was destined to be short-lived. After only 22 years of existence this valiant nation was overrun by the Red tidal wave and since then the usual pattern of acute, cruel suffering of her people has continued. During this period, many thousands of Lithuanians were exiled to various parts of the Soviet Union. Others were indentured as expendable robots to work for their Communist overlords.

Today Lithuania is one large prison camp in which millions of innocent and helpless people are kept in bondage. These courageous and liberty-loving people are driven to work under conditions which to say the least are wretched. They are under the domination of the most totalitarian dictatorship known to man. The men operating that dictatorial regime have no concern for the welfare of their unfortunate subjects. And yet, in their continuing struggle for independence the Lithuanian people still have not given up. They fight on. Little does Communist Russia realize the strength of heart and the determination of spirit of the Lithuanian people.

Despite much current and irresponsible talk of peaceful coexistence, enlightened public opinion here in this country knows that there can be no permanent and just peace in the world unless and until there is a liberation of those enslaved nations now suffering under Communist tyranny. The Lithuanian people have demonstrated time and time again their love of freedom, their resistance to dictatorship and their firm determination never to give up their hopes for attainment of their sacred goal. Through all their trials and tribulations, the Lithuanian people have never lost their spirit or their hopes. They wait for the great opportunity which history must surely hold for them—to reaffirm their independence and take their places once more in the community of free nations of free men and women.

Mr. Speaker, I am glad to see a number of my colleagues taking note of this anniversary. I am proud to be with them and add my voice to theirs. Under existing circumstances, the Lithuanian people are not permitted to celebrate their national independence day. We, however, gladly join with the many Lithuanians in this country to celebrate this day and hope that soon all Lithuanians will be able to enjoy in their beloved homeland those freedoms for which they have so long courageously struggled.

Mr. VAN ZANDT. Mr. Speaker, on the 42d anniversary of Lithuania's independence I join my colleagues in their tribute to a valiant nation now celebrating its national holiday enslaved in chains forged by the Soviets.

Since the inception of its enslavement the people of Lithuania steeped in religious fervor and relying on the depth of their faith in God have looked hopefully to the free nations of the world to rescue them and their Baltic neighbors Latvia and Estonia from the iron jaws of the tyrannical master of their common fate—Soviet Russia.

Lithuania's independence in reality dates back to the 11th century. Along with Poland, Lithuania became the victim of partitioning and in the same breath became political pawns in the hands of Russia, Prussia, and Austria. The Russians confiscated the greater part, while the smaller portion was devoured by the Germans.

After 120 years of Russian domination Lithuania had a brief respite from barbarian-type control when the Germans invaded Russia in 1915. It is significant that despite over a century of oppression, the Lithuanian people never for a fleeting moment lost their faith in God or their hope of regaining freedom and independence. These aspirations were fortified by brief glimpses of freedom during the 120-year period of enslavement. The first occurred in 1812 when Napoleon crossed Lithuania on his way to Russia. With Napoleon's defeat the chains of slavery were forged tighter by the Russian overlords.

During 1831 and 1863–64 open rebellions flared but were ruthlessly suppressed. There followed in 1864 the infamous edict prohibiting the printing of Lithuanian books and newspapers was put into effect and lasted for a period of 40 years ending in 1904.

The hope for genuine independence was revived again in 1920 on the signing of the treaty of Moscow wherein Russia recognized Lithuania as a sovereign and independent state renouncing forever all claims to Lithuania's territory. This agreement was short-lived for in a period of 20 years Lithuania and the Baltic countries of Latvia and Estonia found themselves again political pawns with their independence and peace rudely shattered as they were driven into the clutches of Soviet Russia through the negotiation of the nonaggression pact between Germany and Russia signed at a time when Anglo-French representatives were in the Kremlin endeavoring to obtain Russia's aid in curbing the mad desire of Hitler to rule all of Europe.

Today, 20 years later and on the 42d anniversary of Lithuania's independence, this courageous nation observes such a significant national holiday in abject slavery with its freedom and independence as a liberty-loving nation in total eclipse.

Here we behold on this anniversary of Lithuania's independence a courageous nation in servitude with some 3 million of its people in the homeland and over a million Lithuanian-Americans joining them in storming heaven with prayers for deliverance of Lithuania from under the heel of its cruel oppressor. Meanwhile every liberty-loving American unites in the chorus of plaintive voices until these combined litanies of supplication waft heavenward from saddened hearts here at home and in hapless Lithuania beseeching Almighty God that He speed the day of deliverance for all captive nations now suffering agonizing torment and cruel persecution behind Russia's Iron Curtain.

While Lithuania and other nations sharing her lot writhe in agony and in chains the Soviet effort to lull the world into complacency proceeds unabated and at an accelerated pace as the Russian propaganda mills run in round-the-clock fashion in a vain effort to depict the Kremlin leaders as advocates of world peace.

Encouraged by the rambling visits of Premier Khrushchev to the four corners of the globe including his much-publicized barnstorming trip through the United States the Soviets have waxed bolder in their frantic efforts to lull the free nations to sleep with their honeyed words and idle and empty promises.

That the Kremlin forces are making headway in their frenzied crusade which is pregnant with lies and half-truths is evidenced by the recent claim of a United Nations subcommittee that discrimination against and persecution of religion are relatively rare in Russia and Iron Curtain countries.

The House Committee on Un-American Activities in a recent study debunks the United Nations claim by citing first-hand accounts of Khrushchev's horror-filled subjugation of the country formerly known as Slovakia and the reign of terror its people are now suffering as well as the inhumanities currently being inflicted in the Red puppet Albania.

This sordid account of Soviet rule is included in part 5 of a series of consultations held by the House Un-American Activities Committee and titled "The Crimes of Khrushchev."

On this 42d anniversary of the independence of Lithuania it is well that we recognize Soviet propaganda for what it is worth—namely a frenzied effort to lull the American people to sleep by prating about the so-called "Spirit of Camp David" in the hope that America will drop her guard and replace eternal vigilance with a lukewarm attitude in demanding that the human dignity of mankind be respected without exception by all nations of the earth. It behooves us as a nation to avoid any Russian trap that would divert our attention from the sufferings of nations like Lithuania, otherwise we betray their faith and confidence in us.

Mr. Speaker, in saluting the valiant Lithuanians who dwell in their persecuted homeland on the occasion of the

observance of the 42d anniversary of Lithuania's Independence Day, I join with over a million Lithuanian-Americans, many of whom reside in central Pennsylvania in their fervent prayers that Almighty God will hasten the day of deliverance for all subjugated nations now helpless behind the Iron Curtain. May He intervene to terminate the diabolical reign of terror that has been visited upon millions of defenseless human beings who having been created in the image and likeness of God are entitled to having their inherent right of human dignity recognized and respected and being permitted to enjoy the God-given blessings of liberty and freedom.

Mr. LINDSAY. Mr. Speaker, I rise to join my colleagues in the House in sharing with millions of American Lithuanians and friends of Lithuania in the free world their joy on this the 42d anniversary of the restoration of Lithuania's independence.

History reveals that the road of Lithuanian independence has not been an easy one. It has been paid in blood, untold sufferings and privations. In 1940 the Soviet Union brutally ended Lithuania's 22 years of independence, which was marked by exemplary economic, cultural, and social gains, and during which time Lithuania demonstrated her ability to take her place among the family of free nations. Lithuania was enslaved despite Soviet treaty pledges of 1920 and similar promises in 1939 to "renounce all rights of sovereignty in the Baltic States." Deportations have not stopped since 1941. In fact the number of exiles have progressively increased every year in order to meet the manpower demanded by Russia's labor camps.

Lithuania has every right to freedom and independence. But to retain it, to increase its strength and to expand its opportunities require constant vigilance.

It is fitting therefore, Mr. Speaker, that we in this august body pause for a moment and spend a portion of our proceedings in keeping alive the spirit that made possible Lithuania's independence 42 years ago. Lithuanians still resist the Soviets, although passively. Let it be a beacon light to those countless people and nations still chained by the tyranny of might.

Mr. RIEHLMAN. Mr. Speaker, today I am proud to join with Americans of Lithuanian descent and American friends of Lithuania in commemorating the 42d anniversary of the restoration of Lithuania's independence. Forty-two years ago today that courageous nation proclaimed her independence of Russia. For the ensuing 22 years, Lithuania held a respected position among the nations of the free world. Her people made great cultural and economic strides. Her people were free. But in 1940 characteristic Communist treachery brought about the annexation of Lithuania into the U.S.S.R. Ever since that time the Lithuanians have suffered terribly under the iron hand of the Communist butchers of Moscow.

We know, however, that they cling steadfastly to their love of freedom. The light is dim but we know it glows in the heart of every Lithuanian. We must make every effort to keep that light burning. We must never forget our obligations to the people of Lithuania and the other captive nations.

The world will note that we in America recognize the anniversary of Lithuanian independence. We do not recognize, but we do not forget, the anniversary of her annexation by the Red dictators.

I congratulate the Lithuanian people on this anniversary of their independence day. May they soon regain their precious liberty.

Mr. COLLIER. Mr. Speaker, since the late 18th century, for more than 100 years, Lithuanians had been suffering under Russia's despotic autocracy. The more these liberty-loving people were oppressed, the more they yearned for their liberty, and finally toward the end of the First World War they had their chance. When that decrepit and detested regime was overthrown by the Russian Revolution, Lithuanians broke away from Russia, proclaimed their independence on February 16, 1918, and established their democratic form of government.

Thenceforth for more than two decades Lithuanians enjoyed their newly won and richly deserved freedom. They worked hard, and even under many financial handicaps, they succeeded in making their war-ravaged and impoverished country a happy and safe place to live. There they seemed to be contented and quite satisfied. In moments of joy and gaiety they often forgot their past woes and looked forward to a continuation of their happy days. They were totally unaware of the sad and tragic developments that were in store for them. The outbreak of the last war, and subsequent events, proved fatal for their independence, and even for their safety. Early in that war the country was treacherously invaded, occupied, and in July of 1940 was made part of the Soviet Union.

Since then freedom seems to have deserted the country of Lithuania, and it lives only in the hearts and souls of brave and gallant Lithuanians who are struggling on its behalf against their Communist tyrants. I wish them success in their fight for freedom on the 42d anniversary of their independence day.

Mr. ZABLOCKI. Mr. Speaker, today, February 16, marks the 42d anniversary of the independence of the Republic of Lithuania. On this day I join with all Americans of Lithuanian ancestry in commemorating this observance.

The indomitable spirit and the unfailing hope of the Lithuanian people serve as an inspiration to all of us. They remind us that independence is a precious thing—difficult to achieve, and even more difficult to keep. We in America cherish our independence, and we extend our profound sympathy to the peoples of the captive nations behind the Iron Curtain who suffer under the Communist yoke. At the same time, we resolve to continue in our efforts to make this a better world, in which all nations may live in peace and freedom. So long as we perserve in working toward this end, we will help to keep alive the hopes of the Lithuanian people, and of the other captive peoples, for eventual freedom and independence. We hope and pray that Lithuania and her neighboring states will one day again join the family of the free nations of the world.

Mr. SANTANGELO. Mr. Speaker, today, February 16, 1960, is the 42d anniversary of the restoration of the independence of Lithuania. I take this opportunity to pay tribute to a courageous people who desire freedom and liberty.

February 16, 1960, is a day remembered by all friends of the Lithuanian people, for on this day, 42 years ago, Lithuania became an independent country after having suffered for centuries under Russian domination and then, during both World Wars I and II, under German domination, too.

For two happy decades, Lithuanians managed their own affairs, pushing forward with agricultural reforms, developing industry, and promoting the peaceful arts and the joys of free government. They turned their eyes back to their own great tradition, but they also glorified their independence by courageously tackling their own pressing problems.

But today, in Lithuania, February 16 is no day of rejoicing. For after the brief 20 years of independence, which we celebrate today, Russian forces moved into that small country at the outbreak of World War II, and thousands were deported. Later, as the Nazi troopers replaced Stalin's men, new persecutions and devastation followed in the wake of war. New deportations by the Germans brought many Lithuanians into German fields and factories. Then, once again, as Nazi armies withdrew and Russian forces advanced across Europe, Communist control was reasserted. And since then Lithuania has been firmly held within the embrace of the Russian Bear, sealed off from contact with the outside world. Her people have been deprived of the right and responsibility to manage their own affairs.

Today, we salute the Lithuanians who refuse to allow their dream of liberty to be extinguished. And upon those of us who have the privilege to live in this country falls a heavy responsibility to make the most of the opportunities that are open to us. We should set for ourselves the highest standards of excellence for ourselves and our children. Democracy flourishes only where the highest standards of civic responsibility are followed by each one of us. And in seeking excellence and practicing civic virtue here, we make our own demonstration of the underlying faith of ours—that men should govern themselves and can raise their country's life to a high order without the outrageous arrogance of the Communist contention, that men, because they are not fit to govern themselves, must be bullied and dragooned into obeying the party's every whim. This we reject and this we demonstrate in our daily lives. And we salute Lithuanians who know these truths better than those among us who take their liberties for granted.

Mr. FEIGHAN. Mr. Speaker, Lithuanians living in Cleveland, Chicago, New

York, Boston, Philadelphia, and other areas played an inspiring part in winning and cementing the national independence of Lithuania during and following World War I. The record established by Lithuanian Americans in support of the cause of all nations to the natural right of independence and liberty gives promise that in the difficult days ahead, this great record will stand as a steady rudder as free men move forward to the worldwide goal of peace and freedom.

There are many signs that the present-day Russian empire is faced with an internal crisis which the new Russian aristocracy are unable to meet or resolve. As most of you already know, I have made an intensive study of the events which took place in the old Russian empire from the turn of the century up to the present day. I see in the signs of our times a repetition of that great human crisis of 1917–18 which broke the chains which enslaved Lithuania and all the other non-Russian nations and produced an unprecedented era of national independence throughout all of North Europe, East and Central Europe, and Central Asia. The absolute tyranny of the czars, the corruption within the framework of the old Russian aristocracy, together with the yearnings of the non-Russian people of the empire for a new and better way of life are all now being repeated. The reaction of Czar Khrushchev and the new Russian aristocracy to the human crisis now taking place behind the Iron Curtain present a startling similarity to those of the old aristocracy whose single-minded objective was to preserve the empire.

Some measure of the magnitude of this crisis is to be found in the frantic efforts being made by Khrushchev and the rest of his elite group to force the free Western World into a formal recognition of a status quo in the world. For the last several years Khrushchev has been calling for another summit conference and at the same time announcing the Russian price for such a conference is a willingness on the part of the free Western Nations to recognize a status quo of things as they now are behind the Iron Curtain. He has even gone so far as to state that the only way world tensions can be reduced by the free nations is to acquiesce in this Russian proposal. When the leaders of the free nations demonstrated a coolness toward this proposal, Khrushchev became more adamant in his demands, while painting a specter of the world destroyed by atomic warfare unless his demands were met. It is now obvious that Khrushchev needed this unbelievable concession by the free world in order to put down the growing demands of the non-Russian nations for complete and absolute national independence.

The execution of the Hungarian Communist Nagy, who for a brief period was the standard bearer of the new phenomenon of national communism, became a necessity for the Kremlin when the free world refused to agree to a status quo. The Russian leaders desperately needed a dramatic event to convince the people of the non-Russian nations that their cause was a hopeless one. That is why the Kremlin ordered the execution of the Communist dissident Nagy. As they took this step they were well aware that the sensationalism of their act would make front page news all around the world, and that free world broadcasting to the nations behind the Iron Curtain would play up the Nagy case for many months to come. They knew the mere reporting of the cold facts in the case would stand as a sharp warning to all the people behind the Iron Curtain, and that the Russian overlords would quickly execute anyone who followed in the footsteps of the Communist dissident Nagy. In their estimates the Russians were correct, because the Nagy case has been made into a worldwide cause celebre.

These obvious facts and the logical deductions derived from them should carry these lessons for the makers of American foreign policy:

First. That the single purpose of the Russian clamor for another summit conference was to force the free world, either by act or omission, to recognize a status quo in the world.

Second. That the Russian leaders are cleverly attempting to maneuver the leaders of the free world into a position where they will be accessories to the crime of Russian enslavement of entire nations and people.

Third. That the Russian-directed execution of the Communist dissident Nagy, sensational as it has been blown up to be, will not blunt the wave of the national liberation movement behind the Iron Curtain. Its end result will be to strengthen the will of the non-Russian people in their heroic effort to throw off the despotism of Russian communism.

Fourth. That the leaders of the free world must face up to the facts and begin a long-overdue preparation to meet the challenge of the coming climax to the crisis of human events now taking place within the modern day Russian empire. It would be the greatest tragedy in history if the free world was unprepared to take positive action, as was the case in the East German uprising of 1953 and the Hungarian freedom revolution of 1956 at a time in the foreseeable future when the new Russian aristocracy is no longer able to hold their empire together.

It is in these circumstances that the United States must assume a new and more vigorous role in advancing the cause of worldwide peace and freedom. To Lithuanians of the free world, informed as you are of the realities of life behind the Russian-imposed Iron Curtain, falls the task of carrying forward with the great work carried on hitherto by your predecessors on the American scene. These are days for free men to take on added courage and hope. These are days for realistic thinking and courageous action in support of all those things that we, as free men, hold to be dear as life itself.

Mrs. KELLY. Mr. Speaker, a national holiday is a great landmark in the history of a nation, indicating that a momentous event has brought about a change in the course of its national history. In this sense perhaps no national holiday is so meaningful and of such great significance as the day which marks the beginning of a people as a free and sovereign nation, its independence day. This is true of all nations, great and small, strong and weak, old and new. Perhaps it is most appreciated by people who have suffered the tragedy of losing their independence. The case of the Lithuanian people, who had a glorious history long before their present ruthless masters were born, is a striking example.

More than 700 years ago Lithuania was a leading power in Eastern Europe, and for more than two centuries the Lithuanian kingdom extended from the Baltic almost to the Black Sea. However, by the end of the 18th century Lithuania had been absorbed by the Russian empire and had lost its status as an independent entity. In 1918 the Lithuanians regained their independence and thereafter for two full decades they enjoyed their richly earned freedom. As a result of Communist aggression, the Lithuanians lost their sovereignty early in the last war, and since then they have not known freedom. Today all patriotic and liberty-loving Lithuanians in the free world celebrate their national independence day on February 16 in commemoration of their declaration of independence in 1918. Unfortunately, the Lithuanians in their homeland are not permitted to do this by their Communist masters. That simple but most sacred privilege is denied to them. Let us all hope and pray that soon they will once more become the masters of their destiny, and that they will be able to celebrate their independence day in freedom.

Mr. DERWINSKI. Mr. Speaker, Lithuania shares much in common with the other brave peoples oppressed by the tyrannical atheistic Soviet regime, yet, at the same time, the unique history and background of the Lithuanian people is worthy of our special mention. For years, under the czarist regime, Lithuanians struggled to keep alive their nationalistic spirit and maintain their Christian faith. They were successful, and in February 1918 they achieved their independence after 123 years of Russian rule.

At the present time, Lithuania is incorporated within the Soviet Union, and it is to the credit of the United States that we have never recognized this fraudulent annexation. At this time, we should remind people of Lithuanian heritage here in the United States and the heroic people suffering behind the Iron Curtain that by maintaining their nationalistic spirit and Christian faith they will certainly see the day when their countries are once again free of oppression.

Mr. Speaker, this tribute which my colleagues have paid to the brave Lithuanian people is certainly justified; however, an occasion of this kind should not pass without the necessity of pointing out that the diplomatic failures of our wartime President are directly responsible for the loss of freedom of Lithuania and other Eastern European nations.

I am proud to represent a district which has numerous Lithuanian com-

munities where I have observed their tremendous contributions to the American way of life while maintaining strong ties with their Lithuanian heritage.

Certainly, we here today serve to remind free peoples of the world of our constant interest in the plight of the unfortunate peoples of Eastern Europe, and we must rededicate ourselves to a policy that will eventually provide the freedom that they so fervently desire.

Mr. SHORT. Mr. Speaker, today marks the 42d anniversary of the proclamation of Lithuanian independence. Lithuania made a brave and, for a while, untroubled entrance into the family of free nations. From February 16, 1918 until invaded again at the start of World War II by, first, Nazi Germany and later by Soviet Russia, Lithuania earned the reputation of a model Republic. She was one of those nations to learn at an early date of the frail value of agreements with the Soviet Union. This little nation, which turned to the Soviets for help, felt the embraces of the bear. Russia scrapped their Mutual Assistance Treaty of 1939 and earlier nonaggression and peace treaties of July 12, 1920 and September 28, 1926. An illegal puppet government was forced upon the people, and on June 15, 1940, Russia fraudulently annexed Lithuania.

Since that date, it is estimated that over 500,000 Lithuanians have been deported to Siberia, or murdered.

Today only refugee Lithuanians and friends of Lithuania in the free world can observe that country's anniversary of independence openly. But we can feel confident that through radio, and other means, the word will get back to those patriots who have to observe their independence anniversary in secret. We are not commemorating an independence that has died. It still lives in the hearts of the people. It is kept alive through the determination of a proud people. The observance here today can remind them once again that we have not forgotten them.

Mr. DEROUNIAN. Mr. Speaker, today, we commemorate the independence of Lithuania. The people of this small country have played an important role in the history of Europe, once creating a barrier between the Tartars to the east and the Germanic tribes to the west. But the unhappy fact of geography has brought tragedy to them over the centuries since their period of historical greatness. During the 18th and 19th centuries, overwhelmed by superior numbers, they were encompassed within the czar's extensive realms. But they resisted his efforts to Russify them. And following the collapse of the ancient Russian Empire during World War I and the bloody war between Bolshevik Russia and Poland, the Lithuanians finally obtained their independence.

They used their liberties responsibly and well. While independent, their countryside flourished and their factories grew. But less than two decades later, they were again overrun by Russian forces. World War II saw Germans drive out Russians and then Russians drive out Germans. And finally, at the end of that tragic conflict, Lithuanians were integrated into the new Soviet empire.

And there they have remained. Many have been deported, others have been dragooned into the Kremlin's plans. Still others have fled for their very lives.

Those of us in this country, who are free to commemorate this anniversary of the declaration of Lithuania's independence as Lithuanians at home are not, have laid upon us a peculiar responsibility. For Lithuanians know what is lost when freedom is lost as more fortunate peoples who have never lost their freedoms may not know. Let us therefore dedicate ourselves to living in our freedom as worthy, responsible citizens, striving to perfect ourselves to make our maximum contribution to our society, and living at peace and with trust with our neighbors. In this way Lithuanians demonstrate to their fellow Americans their understanding of the trust that is upon us all, free men.

Mr. CAHILL. Mr. Speaker, I am happy to join my many colleagues in the House of Representatives in noting the 42d anniversary of the independence of the people of Lithuania. Each year it has been a custom of the Congress of the United States to note this day as a tribute to the courage, faith, and patriotism of the Lithuanian people throughout the world and to encourage their continued fight against the communistic philosophy. We in the United States who have enjoyed freedom can sympathize more than any other people with the Lithuanians because we can recognize better the tremendous and admirable struggle they have maintained throughout the years against the tyrants of the Soviet Union. It has been 20 years since the Soviets first occupied Lithuania and even today the Lithuanians are resisting their old enemy with the same courage that they manifested during the first years of occupation. Let this day, therefore, be a constant reminder to the people of the United States of the evils of communism; let it also be a symbol of the meaning of courage and, finally, let it be a memorial to all of the people of Lithuania throughout the world.

I join with the Members of this House in honoring all those who strive valiantly for freedom which should be theirs and join in fervent hope that true freedom and independence will come to the people of Lithuania.

Mr. GLENN. Mr. Speaker, I want to join with the people of the world in paying tribute to the brave Lithuanians in celebrating the 42d anniversary of the restoration of independence in Lithuania. I know that some of those, who are free, have the gravest concern over the fate of their kinfolk who cannot join them, but who are still struggling against complete enslavement.

I sincerely hope the time will come when they will be given an opportunity to celebrate their freedom, and to live together in a democratic world. My earnest wish is that the future years will be brighter for the Lithuanian people everywhere, who desire to live by the light of freedom.

Mr. WIDNALL. Mr. Speaker, I welcome this opportunity to join with our colleague, the gentleman from Illinois [Mr. MURPHY], in paying tribute to the courageous nation of Lithuania on the occasion of the 42d anniversary of its proclamation of independence.

That independence is a state of mind, as well as a condition under which all peoples of the world have a right to live, is demonstrated by the indomitable people of Lithuania. For though ruthlessly overrun and totally deprived by force of communism of all human rights and freedom, there remains in the hearts of Lithuanians a spirit of resistance to such Godlessness that no amount of oppression can extinguish. The Communists have, since June 15, 1940, enslaved the Lithuanian people. However, they have not been able to hold in bondage the minds of their captives who live for the day they will be liberated.

The American people, Mr. Speaker, inherently are dedicated to the cause of freedom for everyone everywhere. It thus becomes our solemn duty as their chosen representatives in Congress to exert every wise effort toward achieving universal freedom.

On July 17, 1959, the President signed into law Senate Joint Resolution 111, providing for the designation of the third week of July as Captive Nations Week. On that date the President issued a proclamation so designating the week beginning July 19, 1959. As we join in this observance of Lithuanian independence, the message of President Eisenhower in his proclamation takes on special significance:

> It is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence.

And to the American people:

> I urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of those captive nations.

One well might become so used to the familiar language of proclamations that he could become insensitive to their import. But consider for a moment the depth of meaning to us of these words that appear over the signature of the President:

> Done at the city of Washington, this 17th day of July, in the year of our Lord 1959, and of the Independence of the United States of America the 184th.

Mr. Speaker, in saluting our friends in Lithuania we in Congress must rededicate ourselves to achieving the goal of individual liberty for all mankind. We must keep this goal ever in our sights and never relax our efforts to secure and maintain this objective.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the calling of the Private Calendar.

The Clerk will call the first bill on the Private Calendar.

MRS. ANNA D. MYERS

The Clerk called the bill (H.R. 2312) for the relief of Mrs. Anna D. Myers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Anna D. Myers, the widow of Floyd W. Myers, shall be held and considered to be the widow of the said Floyd W. Myers within the meaning of section 216(c) of the Social Security Act, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGHIE D. MARTIN AND IONE MARTIN

The Clerk called the bill (H.R. 7226) for the relief of Mr. Hughie D. Martin and Ione Martin.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL 1961

Mr. KIRWAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10401) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes. And pending that, I ask unanimous consent that general debate be limited to 1 hour, one-half the time to be controlled by the gentleman from Iowa [Mr. JENSEN] and one-half by myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10401, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the consent agreement the gentleman from Ohio [Mr. KIRWAN] will be recognized for 30 minutes and the gentleman from Iowa [Mr. JENSEN] for 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KIRWAN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, we have before us today a bill reported by the Subcommittee on Appropriations on the Interior to the Congress. I think it is a good bill; the other members of the committee think it is a very good bill. We all seemed to agree, for when we left the committee room we were all speaking to one another; so there was not much argument on the merits and features of the bill.

The activities covered by the bill involve 747 million acres of land and will generate an estimated $500 million in revenues in 1961. Although higher appropriation could be profitably expended, because of the serious present fiscal condition facing the Nation, program expansion must be limited to the most essential requirements.

With this policy in mind, after a careful review, the committee has allowed a total of $543,375,600, an increase of $34,722,347 over the current year and a decrease of $6,954,700 in the budget estimate.

Among the important items in the bill is the Bureau of Indian Affairs for which a total of $116,817,000 is included. This includes $63,669,000 for education and welfare. An increase of $2,500,000 has been provided for the education of an additional 2,850 Indian children. By this coming fall there will be adequate classroom facilities and teachers for every Indian child desiring to attend school.

Let me now call the attention of the Congress to the fact that this is an achievement that it took the U.S. Government over 140 years to bring about. And we call ourselves a great Nation. It took us over 140 years to put all the Indian children in school; to furnish schoolrooms, teachers, and everything that is necessary. It was not accomplished by one administration or by one committee. I remember when I came here that there were over 25,000 Indian children who had never put their foot inside a schoolroom.

The bill includes $82,985,000 for the National Park Service, an increase of $7,263,000 over this year.

The budget request for construction of buildings and other facilities in the National Parks has been increased by $1,400,000. This, together with $590,000 shifted from the land acquisition fund, will provide a total of over $4 million for additional camp and picnic facilities—the same as this year. The budget reduction of over $2 million in this item was not justified considering the increase of 5 million visitors expected in 1961.

An increase of $4,090,800 has been allowed over this year for the Fish and Wildlife Service, primarily to replace permanent appropriations from receipts, including duck stamp funds, which will no longer be available for operations, enforcement, or research.

The bill includes $149,286,500 for the Forest Service, an increase of $10,856,500 over 1960.

The increases in this bill, together with the $11,960,000 allowed last year over the budget, means that there is a total increase of $34,556,500 available to the Forest Service during fiscal years 1960 and 1961 over the level requested in the original 1960 budget estimate submitted by the administration a year ago.

Since 1955, Forest Service appropriations have increased from $85 million to $149 million, or an increase of 75 percent.

Funds for forestry research have more than doubled since 1955, from $7.3 million to $16.3 million.

For State and private forestry cooperation, we have allowed the full budget request of $12,334,800. This is almost 10 percent of the total provided for the Forest Service. Since 1948, over $194 million has been appropriated for this program.

Although the States and private timber owners would like to see the Federal cooperative funds increased, they are going to have to assume more of the burden on their own lands. With the present fiscal situation, the Federal Government will have difficulty financing the many increased requirements on the 185 million acres of national forests.

Within the total in the bill, $10 million is to cooperate in forest fire control on State and private lands. Yet all the States together are only contributing about $45 million a year.

Tree planting on non-Federal land under the cooperative program has increased from 496 million trees in 1955 to 946 million in 1959.

In addition, 587 million trees were made available under the soil bank program in 1959.

Total tree production in the Nation increased from 742 million trees in 1955 to 2.1 billion in 1959, or a 3-fold increase.

Yet again, the States in 1959, without Federal aid, distributed only 44 million trees.

For the current fiscal year, cooperative funds being put up by all the States for tree planting total only $2,039,000. Only one State, Wisconsin, puts up more than $200,000.

Finally, the bill includes $13,500,000 for the urgently needed additions to the Natural History Building of the Smithsonian Institution and an increase of $4,199,000 for the Virgin Islands Corporation primarily for power facilities and a salt water distillation plant. These funds will be repaid from revenues.

It is with a certain degree of happiness that I come down here today. Last year I traveled 12,000 miles over America, looking at its natural resources, its parks, public lands, the National forests, irrigation and power plants, flood control and navigation projects, and so forth.

Now, we could spend $3 billion in this bill and the Public Works bill and we would not even touch the surface. Last year, for instance, the flood damage was over a billion dollars. In fact, it runs about that every year. Yet all we are spending on flood control is about $240 million. The same can be said about the need for more adequate provision for our natural resources covered by this bill, involving over 747 million acres.

We have robbed our country for 300 years or more. Now we are paying the penalty. We have to pay it back or try to pay back for what we have done to the greatest country in the world.

This is a good bill. It was reduced just a little to take out some items that

were not essential, or where we could make a savings. But practically every dollar requested was given to them, including the Forest Service, Bureau of Land Management, Bureau of Mines, Geological Survey, Indian Service, Park Service, and the other activities that mean a great deal to the American people and the people of the rest of the world.

The bill comes within about $50 million of taking in as much money as we pay out, and that alone makes it a good bill. The money is not being wasted; the money is not being sent abroad; it is not being distributed for surpluses that we are paying billions each year on. Every dollar we are spending in this bill is being spent on America and in America and its Territories. I am happy today to report to you that I believe this is one of the soundest budget request that the agencies have ever made and that this is one of the best bills that any committee in the Congress has ever presented.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. As one whose district was visited by the distingiushed gentleman from Ohio in the course of the 12,000-mile tour last year, I want to express my personal appreciation to him for the keen interest he has shown in the flood control problems of the Southwest. We deeply appreciate it. I would also like to ask the gentleman regarding an item on which I had hoped the Department of the Interior and the Bureau of the Budget would submit a request. In the last Congress we provided $150,000 for planning money for the much needed improvement of the Petroleum Research Center at Bartlesville, Okla. That planning is now completed, and I had hoped there would be a request by the Department of the Interior and the Bureau of the Budget for the money to start construction, but I understand that such a request was not received by the committee; is that correct?

Mr. KIRWAN. No request was received by the committee from the Department or the Budget Bureau.

Mr. EDMONDSON. I still hope that that request will come in before the Senate committee completes its hearings, and I thank the gentleman for hearing us on that item.

Mr. KIRWAN. I hope, too, that it will come up for our consideration.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Minnesota.

Mr. WIER. I have listened with interest to your elaboration upon making possible funds for the Indian children of this Nation in the various States. There is another problem that we have in Minnesota among our Indians, and that is hospitalization. Our State legislative committee has been down here several times on a mission of Federal participation in the State program of hospitalization for the Indians. They have always tried, but they just could not find the money for it. Was there any controversy this year with the Department of Indian Affairs?

Mr. KIRWAN. No. Indian health is now handled by the Department of Health, Education, and Welfare and is considered under that bill, not this one.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Missouri.

Mr. KARSTEN. I would like to ask a question, Mr. Chairman, regarding the National Park Service appropriation. I notice an amount of $18.5 million. Does that include the Jefferson Memorial project in St. Louis?

Mr. KIRWAN. Yes, the Department made a request for $1,650,000.

Mr. KARSTEN. That was the Department of the Interior request?

Mr. KIRWAN. Yes. We gave them the whole amount.

Mr. KARSTEN. The reason I raised that question is that about a year ago the National Park Service indicated that this project would be completed in 1964 and worked out a timetable for the construction work. The small budget request is entirely unrealistic with such a completion date. The National Park Service will need $2.5 million to keep the work on schedule until June 30. During the fiscal year 1961 approximately $5.6 million will be required if the 1964 target date is to be met.

If the National Park Service could be persuaded to submit a supplemental request, do you think it might receive favorable consideration by your committee?

Mr. KIRWAN. If a supplemental request would come in, we will give it consideration. I am on the Deficiency Subcommittee. However, I know that you and the people of St. Louis would not want anything done at the expense of the rest of this country. There is not one park or one monument in the United States today that when you enter you do not see a sign which reads "Mission 66." That means that the construction program will be completed in 1966. I would not say that they are fooling the people, but to complete just the buildings and other facilities planned under Mission 66 by 1966, they should have made a request this year for $25 million. But, they only made a request for $16.6 million. So, at that rate, Mission 66 will not be completed until 1970. Now, I know the people of St. Louis would not want to be in a category of getting special privileges.

Mr. KARSTEN. This project, I understand, is outside of Mission 66 in that it is one in which the city of St. Louis is bearing a portion of the cost. Federal funds are expended for the memorial in the ratio of $3 of Federal funds for each $1 of money contributed by the city of St. Louis.

Mr. KIRWAN. Yes; but it is included in the Mission 66 program.

Mr. KARSTEN. As far as being finished in 1966 is concerned, with the slowdown that this budget request makes necessary we will be lucky if the project is finished in 1976.

Mr. KIRWAN. In answer to that, I should like to call the attention of the gentleman from Missouri to some testimony presented to our committee by one of the witnesses from St. Louis. In referring to a letter from the chairman of the Civil Center Redevelopment Corp., he stated:

> It is a very strong letter, saying that in all probability they will lose this stadium development. You see, the problem here is that citizens of St. Louis are putting up $20 million worth of equity money. They now have $18 million of this committed for. But they need to borrow the additional money in order to build the stadium. The stadium loses money, and it depends upon a motel project to pay for this. The motel project needs the people that the Jefferson Memorial will bring to St. Louis in order to be feasible. If this is not completed, then the chances are the stadium cannot go ahead.

In other words, the Federal Government is clearing this front in St. Louis to build a motel, so that they can get enough money to build a stadium for $20 million. Can the gentleman name any major cities in the country who would not be willing to put up 25 cents on the dollar for such a project?

Mr. KARSTEN. If the gentleman will yield further, the motel and stadium which he mentioned are private undertakings and have no connection with the Jefferson Memorial project.

Mr. KIRWAN. But this man says right here that it does.

Mr. KARSTEN. The gentleman well knows that the Jefferson Memorial project goes back over 25 years—long before there was any thought about motels, stadiums or other downtown developments.

Mr. KIRWAN. But, as he said here, they need the visitors who will come there to see the Jefferson Memorial in order to fill the motel.

Mr. KARSTEN. That is a local project. What I am interested in seeing is that adequate funds are provided which would make it possible to complete the Jefferson Memorial on schedule.

I should like to ask the gentleman, if the Bureau of the Budget and the Park Service submitted a realistic supplemental request, would it receive favorable consideration by his committee?

Mr. KIRWAN. I can say this to the gentleman from Missouri, that I do not know two finer Members of the Congress than himself and the gentlewoman from Missouri. You have very ably represented your areas on this matter and have done everything possible to get favorable action on this item. But with all we had to provide for in this bill we just could not exceed the budget request. I will make every effort to approve what the Bureau of the Budget requests.

Mr. KARSTEN. I thank the gentleman. We are going to do our best to persuade the Bureau of the Budget, the Park Service and the Department of the Interior to submit such a request.

Mr. KIRWAN. The gentleman will have the sympathetic ear of the committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. GROSS. Were the gentleman from Missouri [Mr. KARSTEN] and the gentleman from Ohio [Mr. KIRWAN] discussing that St. Louis water front clearance project, for redevelopment?

Mr. KIRWAN. Yes.

Mr. GROSS. They are lucky to get anything, because the original law provided that the budget had to be in balance. That was changed by a beneficent Congress 2 or 3 or 4 years ago. But they are lucky to be getting anything.

Mr. WESTLAND. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Washington.

Mr. WESTLAND. Mr. Chairman, I should like to take this time to compliment the chairman of this subcommittee on bringing out this bill in his usual good way. I am particularly appreciative of the way they have treated the Forest Service and the National Park Service in this bill.

I see that the committee has seen fit to increase the budget request in a few places, in connection with the Forest Service; and has also approved an increase, I believe, for the National Park Service for the management, construction, and operation of facilities in present park locations; is that correct?

Mr. KIRWAN. That is correct.

Mr. WESTLAND. There are two perhaps rather odd items here with which most Members of Congress are not familiar. One of them is the Trust Territories of the Pacific. I had the pleasure this summer of visiting them in company with a couple of my conferees and I am pleased to see that the chairman approved $5¼ million for the operation of that territory which, as a matter of fact, is a little bit larger than the whole of the United States of America. Mr. Nucker, the High Commissioner, I think is doing an excellent job.

I also want to compliment the committee on the statement they made in the report regarding this $500 settlement for these lands in Kwajalein. We are up against a rather tough proposition there.

I understand the chairman and the gentleman from Iowa [Mr. JENSEN] have both taken a firm stand on this matter. I am sure it will help the High Commissioner in that respect.

My other question relates to the Virgin Islands Corporation. I see the committee this time has allowed about $4 million, I think about $2.5 million for construction of some power facilities, and $1.1 million for a revolving fund. This revolving fund was set up a long time ago, I believe, but as far as I have been able to ascertain it does not revolve. It is just going out the door. Is that not about right?

Mr. KIRWAN. That is correct. But the funds provided for the power facilities and the salt water distillation plant will be repaid eventually from revenues.

Mr. WESTLAND. If it does, I wish the gentleman would let me know.

Mr. KIRWAN. It comes back. But I will say this about the Virgin Islands, there is no reason why they should not be self-sustaining.

Mr. WESTLAND. That is right.

Mr. KIRWAN. When we first bought the Virgin Islands we authorized the spending of $11 million. We went down to see how it was being spent. After the committee saw the conditions down there we had them build a hospital on each island, and adequate school facilities. Today the islands are prosperous. Land down there once sold at $100 an acre. Today it averages $1,000 an acre. So if real estate has gone up that high they should be able to support themselves.

Mr. WESTLAND. I thoroughly agree with the gentleman. The Virgin Islands have an estimated income from their own internal taxes of about $5 million a year, and they have a population of 30,000 to 35,000 people. I was very pleased to find out that the Directors have recommended that the Corporation be disposed of and sold.

Mr. KIRWAN. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. GROSS. The question of a stadium was brought up in connection with the St. Louis project a while ago. Am I correct in assuming there is no money in this bill for the stadium here in the District of Columbia?

Mr. KIRWAN. Yes. There are no funds in the bill for the stadium.

Mr. GROSS. But they do expect to bring that in in a supplemental appropriation request?

Mr. KIRWAN. Yes, a request just came up.

Mr. GROSS. Yes.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Maryland.

Mr. FOLEY. I should like to call the attention of the gentleman to page 16 of the report dealing with land acquisition, National Capital Park, Parkway, and Playground System. I come from this district in Maryland, and specific reference is made to my home county, Montgomery County. May I ask the gentleman for clarification of a certain reference in the report?

Mr. KIRWAN. If Maryland or any State in the Union has a beauty spot that God provided for it, and if the people there do not have enough pride to preserve it, they should not ask the other 49 States to preserve it.

Mr. FOLEY. The public officials have proceeded under the terms of the Capper-Cramton Act enacted in 1930.

Mr. KIRWAN. You have very ably represented this area and have made every effort to obtain funds for this program, but this is the type of Federal expenditure we must stop if we are to have adequate funds to take care of essential national requirements.

Mr. FOLEY. The report has this to say:

> Considering the rapid settlement of these areas in recent years with families whose incomes are among the highest in the Nation, it is believed that these jurisdictions can now well afford to make adequate provision for park requirements without further assistance from the Federal Government.

I would like to ask the gentleman if the committee means to say that our folks in Montgomery County and adjacent Maryland are now to be precluded and prohibited for all time from coming back here to get any money for these purposes.

Mr. KIRWAN. The committee, of course, was referring to the Stream Valley parks. We allowed $250,000 for the parkland adjacent to the new Woodrow Wilson Bridge. I do not think, and I again repeat, that the other 49 States should be financing these Stream Valley parks when the local people have enough money to do it themselves.

Mr. FOLEY. The same report continues as follows:

> It should be noted that the budget request included a provision for an interest-free loan of $1 million for 8 years to Montgomery County, which if granted, would have cost the Federal taxpayers in interest over $380,000.

My question, Mr. Chairman, is that the so-called cost of $380,000 would not have been a direct charge at all to the taxpayers. Do I understand that it is the intent of the report to convey the idea that that would have been the amount of interest lost by the grant of the loan to Montgomery County?

Mr. KIRWAN. That is the estimate prepared by the Treasury Department as to what it would cost the taxpayers in interest to make such a loan.

Mr. FOLEY. Can our people come back next year and try to persuade you to grant this loan to provide money for this purpose?

Mr. KIRWAN. Yes, especially if they send you back to present their case for you have made an excellent presentation to the committee. I just regret we have not been able to allow this because we have so many essential items to take care of.

Mr. FOLEY. I thank the gentleman.

The CHAIRMAN. The gentleman from Ohio [Mr. KIRWAN] has consumed 25 minutes.

Mr. JENSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, our good chairman, the gentleman from Ohio [Mr. KIRWAN] has explained this bill quite in detail. There are, however, a few additional things that should be mentioned. The budget request originally called for approximately 750 new people over and above the number of personnel for the fiscal year 1960. The committee reduced the personnel requested in the budget by over 400, leaving about 300 additional over and above this year. The reason additional personnel is necessary is mainly because we are putting 2,850 Indian children in school in fiscal year 1961 over and above the number of children that are in school now. We must give the Chief of the Indian Bureau, Mr. Glenn Emmons, great credit for the wonderful job he has done in the past 7 years. Glenn Emmons has, in my opinion, been the greatest Chief of the Indian Bureau ever. I am sure when I say that that I speak the sentiments of

every member of the committee. When Glenn Emmons took over the Indian Bureau there were approximately 20,000 Indian children of school age who were not in school because we did not have the school buildings and we did not have the teachers to take care of those 20,000 Indian children. We have been reducing that figure in the past 7 years, so that by the end of the fiscal year 1961 there will be school buildings and teachers for every Indian child of school age. That is a great accomplishment. We are proud of the great job Glenn Emmons has done, supported by the committee and the Congress.

On page 2 of the bill, you will note a list of the increases which were allowed over the appropriations for the fiscal year 1960, all of which have received unanimous approval by the committee. I should mention, however, the Virgin Islands situation as it presently exists, which is that from now on and henceforth the Virgin Islands should be self-supporting for the very simple reason that the price of land there has in the last 10 years increased in value about tenfold, as has tourist trade. Because of the wonderful climate there, the value of land is bound to continue to increase, from which greater and greater tax revenue can be realized. Also tourist trade is bound to increase, which will bring prosperity to every kind of business there.

And so I contend that the people who profit should be required to pay taxes sufficient to make and keep the Virgin Islands self-supporting.

My feelings in this respect is no secret to the Governor of the Virgin Islands, for I expressed my position face to face with him, to which no member of the committee objected, when he appeared before us about a month ago.

On the next page, page 3, you will note the decreases which the committee has made below the budget requests. One of the larger increases is for the education of Indian children. A few years ago the Fish and Wildlife Service was divided into two sections, sport fisheries and commercial fisheries. That necessitated additional personnel and additional facilities which was mandatory because the Congress had passed the law to create the separate agencies. We have in the Forest Service a great problem in forest fire losses that have been going on year after year. Up to this time, this year has seen the greatest forest fire losses in all history, so we are leaving no stone unturned in our effort to try to protect the valuable timber owned by the U.S. Government from which millions of dollars is realized each year in sales of logs.

The large item increase in the bill is for the building of a new Smithsonian Institution building. I shall speak a few minutes more later to explain the importance of this bill to Americans everywhere.

The CHAIRMAN. The gentleman has consumed 5 minutes.

Mr. JENSEN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I feel that I should make some statement about the military situation because that is probably the most precious problem that this Congress has to face.

Mr. Chairman, there seems to be no question in the minds of the military leaders of this country that we are ahead of Russia at the present time. The only question is whether or not we stay that way. This appeared in the answers of Secretary of Defense Gates and Gen. Nathan B. Twining, the Chief of the Joint Chiefs of Staff, on page 28 of the hearings of the Subcommittee on Defense Appropriations of the House Committee on Appropriations. The following language was used and took place on page 28 of the hearings, part 1:

Mr. MAHON. I would like to ask you this question which is somewhat repetitious: Do we have a sufficient force today to deter war, and does this budget make sure that we are looking after our future security adequately? That is a question of opinion.

Secretary GATES. In my judgment we have.

Mr. MAHON. Do you share that view, General Twining?

General TWINING. I do; yes.

Mr. MAHON. You seem to have a very strong conviction that we do have an adequate deterrent at this time, and you realize the difficult period is approaching, but you still have no fear as to our possessing the strength to hold our own in this 1960 decade?

Secretary GATES. If you will couple with that judgment the fact we cannot rest in our easy chairs and that we must continually review the situation, I would say I am confident we are in good shape. We are also in a kind of position in the world, however, where we should not hesitate to come immediately back to the Congress if the circumstances change.

We are equipped with several thousand B–52 bombers capable of going to Russia and coming back, while Russia is equipped with only about 150, and has ceased production of this type of plane. In other words, we have more than 10 times as many as they have kept ready to go and in the pink of condition. Russia, it is true, has several ICBM's. Russia has probably 40 to our 20 equipped missiles ready for service. It would take from 250 to 350 of this particular type of missile to do so much damage that we would be put out of business and they have no such capacity. The launching sites for all types of missiles are tremendously expensive and are of such cost that it is impossible to expect either the United States or Russia to put up the funds sufficient to produce enough of these launching sites to do irreparable damage in a short time.

Just the other day, there was a report from New Mexico that the hunter-killer type of airplane known as the Hawk, an antiaircraft missile and being used as an antimissile missile, succeeded in placing out of business another missile several miles up in the air when the two missiles were traveling at a speed of 2,000 miles per hour. This is the most interesting report that we have had on the preventive power of antimissile missiles and is a situation that is tremendously encouraging to us.

We have at least a row of three of the DEW lines up in the north country which have been installed by the Government and are just about complete and extend each of them clear across the north American Continent, which would give a warning of the approach of any enemy aircraft up over the North Pole in time so that we would have time to get our planes up in the air to head them off. This applies to the Alaska situation and it applies to the whole picture of our defense. In addition to that, we are building up 8 or 10 of the Polaris submarines which are to be operated with atomic power and are therefore absolutely able to go anywhere in the world without being detected. There is no evidence that Russia has any of these things. These submarines will be able, and some of them will be coming into service as early as the 1st of next January, to launch 750-mile to 1,000-mile missiles right up under the nose of the Russians.

We are spending all the money that is necessary to meet this situation. What is needed has been laid out by President Eisenhower and laid out in such a way that it meets with the approval of the best of our military leaders. It is interesting to note that since President Eisenhower went into office in 1953, the amount spent upon all missile programs has increased from a maximum of $1,166 million in 1953 to $6,914 million in 1959, and that the work on these missiles is expected to go on just as vigorously as it has the last 7 years for the next 2 or 3 years.

I have taken this time because I wanted the people to know that we are going to be prepared and going to be able to protect ourselves in the days to come. There is no reason to believe that your Congress or your people will refuse to provide what is necessary for the defense of the United States.

We must not let those who are trying to deceive the people make the people feel that we are not prepared to defend ourselves when we are. We must not let those who desire to give publicity to the most secret and most sacred defense items which should not be talked about continue to give information about them to the enemy, but this sort of talk should be stopped, and for those in high places to take a chance on giving out such information is tragic. It is time that that idea and that sort of thinking ceased to operate in the United States.

No one can tell you without a thorough approach to our problem or an intelligent disarmament treaty what we are going to require in the days to come. We have to meet that situation as it comes and we must meet it strongly and courageously.

President Eisenhower is in a position where, by his training and experience, he is best of all of us to know what we need and we should count on him to recommend what we need and supply it.

There never has been a time when there was greater need for an intelligent approach to our defense needs like the present.

We must not let certain politicians whose main interest is selfish get us to waste our substance on things we do not need, because then we will not have enough for what we do need.

Mr. FENTON. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the chairman of our subcommittee, the gentleman from Ohio [Mr. KIRWAN], and the gentleman from Iowa [Mr. JENSEN] have outlined to you the contents of H.R. 10401, a bill making appropriations for the Interior Department and related agencies for fiscal year 1961.

Our subcommittee was in full agreement with the amounts of money allocated to the various subdivisions of the Interior Department, and so forth.

We think it is a good bill and that all agencies will be able to get along with the amounts suggested.

I urge its adoption.

DEPARTMENTAL OFFICES

(a) In the Office of Saline Water the amount of $3,395,000 was requested and allowed.

Of this amount $1,355,000 was for salaries and expenses and $2,040,000 for construction. This item is to continue the construction program started this year and will provide for the construction of the second sea water plant, and the first brackish water plant. It will also plan for the design of the second brackish water plant and the third sea water plant to be located on the east coast; also for the operation and maintenance of the first two demonstration plants scheduled for operation in 1961.

(b) The budget estimate of $480,000 for the Office of Oil and Gas was allowed in full—the same as the current year.

(c) The Office of Solicitor was granted $3,248,000 by the committee, a decrease of $152,000 from the budget request of $3,400,000. This is an increase of $157,000 over the current year's appropriation and will provide an amount for filling of vacant positions, and for employee health benefit costs.

(d) The committee allowed $550,000 for the Office of Mineral Exploration. This is to provide financial assistance on projects for the exploration of strategic and critical minerals and for which $1,100,000 was requested by the Bureau of the Budget.

This recommendation for a decrease of $550,000 is due to the fact that only $108,000 has been wanted for the current year and it is thought that $550,000 would be adequate for 1961. This includes $400,000 for loans and $150,000 for expenses.

BUREAU OF LAND MANAGEMENT

The Bureau of the Budget requested an appropriation of $24,475,000. The committee granted the Bureau of Land Management an increase of $50,000 above the request.

This increase was provided to take care of the urgent need to develop a large-scale revegetation of our vast areas of waste and range lands. It is thought that will provide aerial planting of grass from pellet seeds.

BUREAU OF INDIAN AFFAIRS

The request for 1961 funds was in the amount of $116,817,000. This was allowed in full. This is an increase of $1,350,000 over 1960.

The breakdown of the various items of the request are outlined in the committee report.

The appropriations for 1961 will provide for the education of 2,850 additional Indian pupils, adult vocational training program, and employee health benefit costs.

It will also provide for improvement and to modernize land and title records; to expedite real estate services; to intensify field inspections of leases.

It will also provide $13,575,000 for construction of Indian schools, dormitories, quarters, utilities, and other buildings and irrigation.

GEOLOGICAL SURVEY

The committee allowed $43 million of their request of $43,365,000 for fiscal 1961.

The reduction of $365,000 was due to the fact that the Atomic Energy Commission which had been supporting their requests for geological work done by the Survey did not include this item in their own request for appropriations. It was felt by the AEC that the Geological Survey work should be done by direct appropriations. The committee thought that the Geological Survey should absorb this amount. Hence the reduction.

The work accomplished by the Geological Survey to my mind is very important and I believe they have done a very commendable job over the years.

The Geological Survey provides basic scientific data concerning the water, land, and mineral resources of the Nation; supervises the development and production of minerals and mineral fuels on leased Federal and Indian lands, and enforces the provisions of the Connally Hot Oil Act.

The topographic surveys and mapping program and the geologic and mineral resource surveys and mapping program are progressing in a satisfactory manner although the demand from all sources is very great.

An appropriation of $14,810,000 was requested for 1961 for topographic surveys and mapping—which is an increase of $810,000 over 1960. This increase reflects the health service cost.

For the geologic and mineral resource surveys and mapping program $11,837,000 was requested. This represented an increase of $80,000 for health service costs and $337,000 for activities previously financed by AEC. As previously stated the committee thought that the Survey should absorb this amount from their own appropriations.

The water resources investigations estimate is $12,044,000 which is an increase of $69,000 and reflects the health service costs, of which $29,000 is for the Federal program and $40,000 the Federal-State program.

We all recognize the importance of the water program.

Many problems confront us in this field.

The program involves surface water investigations, sediment investigations, chemical quality investigations, ground water investigations.

The Federal-State program is financed jointly by the U.S. Geological Survey and cooperating State and local programs. This work emphasizes the systemic collection of water records and investigative surveys to determine the quantity and quality of surface and ground water supplies in specific areas.

The budget estimate for conservation of land and minerals is $3,169,000 which is an increase of $420,000 over 1960.

This appropriation is utilized for supervising oil and gas leases, supervising mining leases, mineral classification, waterpower classification, and the Federal Petroleum Board. Two hundred and fifty thousand dollars of the increase in this item is for supervision of oil and gas leases alone due to increased work on the Outer Continental Shelf.

With further reference to the water problem for which we are all concerned I asked the Director of the Survey if he would put a comprehensive statement in the RECORD of what he thinks of this water problem, what can be done about it or what he thought could be done about it. His statement can be found on pages 339 to 347, inclusive, together with tables on pages 348, 349, and 350. From this fine statement you can judge the great importance the Geological Survey plays in our well-being. I appreciate very much this fine statement of fact.

BUREAU OF MINES

The Bureau of Mines budget estimate for 1961 fiscal year was $29,656,000 which is an increase of $795,000 over 1960. Of this increase $390,000 was in conservation and development of mineral resources; $395,000 in health and safety; and $10,000 in general administrative expenses.

Broken down more specifically the $795,000 represents $195,000 for employee health benefit costs, $250,000 for additional bituminous coal research, and $350,000 for employing 35 more mine inspectors.

As explained to the committee the $250,000 increase in bituminous coal research is needed to help the coal industry. Research has begun in developing a stationary, coal-burning gas turbine which will provide a method of increasing the efficiency of steam-generating equipment. If successful it will provide new markets for coal, since it could be used in remote and arid regions at lower cost than conventional boiler units.

A constant review of their many research activities continues and every effort will be made to accelerate those research activities relating to coal. For example emphasis has been shifted from underground gasification to hydraulic mining where they have already demonstrated the feasibility of cutting and breaking coal underground with high pressure water jets and therefore promise a possible major reduction in coal mining costs in some areas.

They are asking for 35 additional mine inspectors at a cost of $350,000 which will bring the inspection program up to the minimum practical level.

At the present time the Bureau of Mines has 254 inspectors, 11 engineers, and 11 electrical inspectors in the Health and Safety Division. Of this number of inspectors 22 are assigned to the anthracite region.

It is interesting to note that with 35 additional mine inspectors the Federal Government will have 289 mine inspectors, 11 engineers, and 11 electrical inspectors in contrast to 245 mine inspectors throughout the 26 coal-mining

States of the whole United States. The following list shows the number of State mine inspectors, State by State:

Alabama	7
Alaska	1
Arkansas	1
Colorado	5
Georgia	0
Indiana	6
Illinois	21
Iowa	1
Kansas	2
Kentucky	26
Maryland	3
Missouri	1
Montana	1
New Mexico	2
North Dakota	1
Ohio	24
Oklahoma	4
Oregon	0
Pennsylvania:	
Anthracite	26
Bituminous	32
Tennessee	8
Texas	0
Utah	2
Virginia	12
Washington	1
West Virginia	55
Wyoming	3
Total, State coal-mine inspectors	245

From this list of State coal-mine inspectors it will be seen that Pennsylvania with 58 and West Virginia with 55 lead with 113 of the 245. Kentucky with 26, Ohio with 24, and Illinois with 21 follow.

I have gone into this detail for the increase for the additional coal-mine inspectors because we have often been asked whether or not the additional expenditure is justified. Of course I believe it has been justified, as a review of the rate of fatal and nonfatal accidents since 1942 will attest.

The Federal Coal Mine Inspection Act of May 7, 1941, Public Law 49, 77th Congress, gives Federal coal-mine inspectors the right to make inspections and recommendations but with no power to enforce their recommendations.

The Federal Coal Mine Safety Act, Public Law 552, 82d Congress, amended Public Law 49 of the 77th Congress by giving the Federal coal-mine inspectors authority to control certain dangerous conditions and practices in coal mines that may result in major disasters. Public Law 552 also created a board of review to which the operator may apply for revision or annulment of, and temporary relief from, an order issued by a Federal coal-mine inspector or the Director of the U.S. Bureau of Mines.

While the accident rate has diminished since 1942, the first full year that Public Law 49 went into effect, the rate of decrease has been even more pronounced since 1952, when Public Law 552 was enacted.

In the decade of 1940 to 1950 there were 9,931 miners killed in our bituminous mines and 1,721 miners killed in our anthracite mines.

In the 10 years from 1950 to 1960 there were 4,161 miners killed in the bituminous mines and 664 miners killed in the anthracite mines.

In similar fashion the nonfatal accidents have been reduced.

However, during the past 10 years we have had both a reduction in our miners population and in our coal production—which is a factor also in the lowering of the accident rate.

It is also noted that the fatal injuries per million man-hours exposure from 1933 to 1944 varied from 1.31 to 1.23 in the bituminous coal area while in the same period of time the anthracite fatalities varied from 1.49 to 1.06.

There has been a constant decline from 1944 to the present time, with the exception of several years, in the rate of fatalities per million man-hours exposure. For example, in 1959 the anthracite rate went up to 1.64, due principally to the disaster near Wilkes-Barre, Pa., when the Susquehanna River broke into a mine and 12 men lost their lives.

Falls of roof still remain the chief cause of fatal mine accidents, accounting for 50 percent and upward.

A very interesting and noteworthy observation—according to the testimony given our subcommittee—is the number of mines in the anthracite region of Pennsylvania. You will note on page 474 of the hearings that there has been an increase in title I mines from 718 in 1954 to 874 in 1958. These are mines which employ a maximum of 14 men.

You will also note that there is a decrease in the number of title II mines from 138 in 1954 to 83 in 1958. Those mines employ more than 14 men—our major operations.

Most of the smaller—title I—mines in the Pennsylvania anthracite area are the so-called independent mines and who in 1958 produced 2,583,015 tons of coal compared to 7,848,801 of the larger producers.

I want to pay tribute to all those engaged in the mining of coal from operators to the miners. As a matter of fact the unfair competition by oil, gas, Government hydro power, and imports, aided and abetted by our own Government, has been one of the factors that has caused the curtailment of our sales of coal. The assistance we have given other areas of our country in oil, gas, hydro power, and the TVA has caused a great percentage of our unemployment in the coalfields—not only in the coal industry but in all other fields of our economy.

With a stepped-up program in our coal research policy much can be done to expedite the rehabilitation of those areas because I am convinced that with our great reserves of coal—all types—the coal industry will again become one of our country's greatest.

While I have devoted a great deal of my time to the problem of our coal dilemma, the Bureau of Mines has continued its work in research in petroleum, natural gas and oil shale. As a matter of fact the program for those and the metals—ferrous, nonferrous, and nonmetallic and foreign—will receive the same amount of appropriations for 1961 as they have in 1960.

The new helium plant at Keyes, Okla., was completed in August 1959 and is now producing about 290 million cubic feet of helium a year.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The 1961 estimate for this small agency is $70,000. The committee allowed it in full as is the same as the current year.

This Board was created by Public Law 552 of the 82d Congress. It has five permanent positions.

Public Law 552 of the 32d Congress and signed by the President July 16, 1952, amended Public Law 49 of the 77th Congress and gives to the Federal coal mine inspectors authority to control certain dangerous conditions and practices in coal mines that may result in major disasters.

The Federal Coal Mine Safety Board of Review is an agency to which an operator may apply for revision or annulment of, and temporary relief from, an order issued by a Federal coal mine inspector or the director of the U.S. Bureau of Mines pursuant to sections 203 or 206 of the act.

Mr. Chairman, since previous members of our subcommittee have covered most of the other agencies under its jurisdiction I will not comment on them.

May I again urge the adoption of H.R. 10401?

Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Chairman, by a general understanding our subcommittee ordinarily refrains from praise of either other committee members or the committee staff on the floor. Some time ago, I announced that I would not seek reelection to the House of Representatives, and therefore I will not be serving as a member of this subcommittee in the future. Because of this, I think I am justified in departing from the ordinary committee practice. In doing so, I think I perform a real service. The Members of this House probably already know, but certainly should be reminded again, and the people of the country as a whole, and particularly those from the public lands States of the West, should be informed of the dedicated service rendered by my colleagues on the committee and our committee staff.

Coming, as I do, from one of the so-called public land States, I am particularly sensitive to and appreciative of the effects of this committee's actions and those of the Congress, as far as those 12 States are concerned. The so-called public land States comprise the 11 Western States and Alaska. In these States, an average of more than 50 percent of the land is still held in Federal control, and I think probably an average of over 70 percent of the subsurface or minerals is so held. Realizing that, the impact of how the surface and the subsurface of these lands is managed on the economy and well-being of the people of those States is readily apparent.

Since this area is rich in natural resources and great in land mass, the management and development of the public lands is important to the economic well-being, the security, and particularly the future of the Nation as a whole. As our population increases, we naturally look to this comparatively sparsely populated area as the logical place to take care of that expanding population and still provide an ever

higher standard of living for the people of our country.

Many functions for which funds are appropriated under this bill apply to the Nation as a whole, but as to a number of the items for which we appropriate, if not the majority, the immediate impact is only upon the public land States. The gentleman from Washington [Mr. MAGNUSON] and myself are the only members of the subcommittee who come from the public land States. Prior to my serving on this subcommittee, this had always been a matter of concern to me. May I say that my opportunity to serve on the committee has certainly alleviated that concern. The time allowed for consideration of this bill and hearings is necessarily short. The preparation that goes into those hearings, though, is a year-round proposition.

Under the system in which we operate in Congress, when a person receives and accepts a committee assignment, he assumes an obligation to his fellow Members of Congress and to the people of the Nation as a whole, in the particular area of his committee assignment. That is his national responsibility, which is equally important to looking after the particular needs of his district.

The other members of the committee certainly live up to that responsibility in the finest traditions of the Congress. I know of no greater pleasure that I have had in Congress than that of having the opportunity to serve with them.

First, as to the Democrat side of the subcommittee, my vocabulary is not adequate to express my admiration and respect for the job done and the personal qualifications of the gentleman from Ohio [Mr. KIRWAN], chairman of the subcommittee. Many of the functions of the subcommittee deal with specific problems related to the chairman's district, but over and beyond that, in discharging his duty to the Congress and the Nation, the chairman has traveled every State of the Union and particularly the Western States, and has devoted his time and energies to the discharge of this responsibility far beyond the ordinary call of duty. As a result of his untiring efforts and dedication, I think I can say without fear of contradiction that no man is better informed as to the importance, the needs, and the shortcomings of the many programs and agencies for which the committee must appropriate. I say in all sincerity that he is a great and dedicated American and that I only wish that all of the people of the Nation, particularly those from the West from which I come, might know and appreciate the service which he renders. He is ably assisted by the other members of the subcommittee on his side of the aisle.

The ranking Republican, the gentleman from Iowa [Mr. JENSEN], likewise comes from a non-public-land State. Everything that I have said about the chairman could be said with equal force and equal truth as to the gentleman from Iowa. Through his visitations, by his hard work, his industry, and his realization of the importance of these programs to the development of the Nation, he has become familiar with every aspect of the activities covered by this bill in the course of his many years of service on the subcommittee. His dedicated service is appreciated, I know, by his district, but it is my hope that these few remarks may serve to better bring to the attention of the Nation the great value of the service that he performs and the untiring efforts that it requires.

It has also been a great privilege to serve with the gentleman from Pennsylvania [Mr. FENTON], because not only does he meet his national responsibility but, because of his intense concern over the well-being of his district and his constituents, to which the coal industry is so important, he has made a special effort with respect to this. I know of no man who has demonstrated a greater interest or is better informed upon the needs of that industry, or who has given more of himself to the solution of its problems.

It has been indeed my privilege to serve with these fine gentlemen, and I can assure every Member of Congress of the sincere and objective approach that is taken by the subcommittee in satisfying, first, the needs of the Nation is general, and second, but equally as important to the western area, the special problems of the public-land States. I think that I can speak for the entire public-land area when I say that their hard work, talents, and consideration are sincerely appreciated.

Personnel has always been a matter of concern to this committee. The committee report this year again reflects our concern. Might I suggest that the practice of the committee itself might well be a guideline at least for the agencies for which appropriations are made in this bill.

I doubt if even very many Members of Congress appreciate that this subcommittee operates with only one full-time staff member and one part-time member. Mr. Gene Wilhelm is regularly assigned to the subcommittee as staff, and he is ably assisted by Mr. Carson Culp, who is regularly assigned to the Public Works Subcommittee. In turn, Mr. Wilhelm assists Mr. Culp as to the Public Works Subcommittee appropriations for reclamation and civil functions of the Department of the Army. I cannot praise too highly the dedicated service rendered by these gentlemen. They are able, efficient, and tireless in their efforts. The clock means nothing to them, either as to when they go to work or when they finish. In my experience, whenever a question comes up pertaining to the committee work, they are familiar with it, and either have the answer or it is readily forthcoming.

It has been my sincere pleasure to have served with these gentlemen, both my colleagues on the subcommittee and the staff members.

Passing on to the bill itself, I can say without reservation that in my opinion, a good and adequate bill has been reported. In view of the demands upon the resources of our Nation, adequate provision has been made for the programs and agencies covered by the bill. We have made some cuts from the President's recommendations, and they were well considered cuts. The amount left in the bill is adequate to take care of the needs of the Department, the agencies, and the programs, provided it is well handled.

May I first make some general comments. Let me first call your attention to what the committee has to say about personnel, on page 3 of the report. There are justifications for increasing personnel as to additional teacher requirements for the education of the Indian children, which has been covered so adequately by the chairman in his remarks. There is justification for increasing personnel when the workload increases, as in the case of the Outer Continental Shelf oil activity, the sale of timber, increased visitations to recreational areas, and so forth. But this increase of personnel is something that requires particular and continuing attention.

The fight to prevent a growing and all-encompassing bureaucracy will be ever with us. Parkinson's law is a mild statement of the problem. The programs for which money is appropriated in this bill are programs that are key programs, not only to the comfort and economic well-being of the Nation today, but for its future and to the offering of opportunity and progress for an increasing population. I particularly have been concerned that the money appropriated for the program does not get down to accomplishing the purpose for which it is appropriated, but is siphoned off down the drain of bureaucracy. I think the committee is particularly justified in going into a study of the feasibility of reducing personnel in the supervisory areas in Washington and at regional and district level.

Many times I have supported, with good conscience, a higher level of appropriations for various programs, only to find that the money appropriated for a particular program went for personnel inceases instead of the program itself, at a level where it really counts. I therefore think that the committee decision to intensively delve into the extent to which money appropriated for a program is sidetracked, either directly or indirectly, into administration and topheavy regional and Washington staffs is a right one. Let me give you three examples, two of which are retrospective and one of which is prospective.

Several years ago, the Wyoming district land office was flooded with applications and the backlog of cases was increasing at an alarming rate. This was before I was a member of this subcommittee. I urged, and the committee appropriated, additional funds for providing, as I remember, six additional employees. However, by the time the cut was taken from this appropriation at Washington and regional level and on down the line, the funds actually getting to the land office were sufficient only to hire 1½ clerks at the lowest salary level, and was of no particular value in solving the problem.

Last year, we appropriated adequate funds to take care of the research program at the Bureau of Mines station in Laramie, Wyo., but when I pursued this, I found that three full-time research positions and six part-time positions held by university students had been

vacated. It is at this level that the real benefit from Bureau of Mines appropriations to the Nation is forthcoming.

During the past recess, I learned that the Bureau of Reclamation, which is not covered by this appropriation bill, was considering buying expensive machine and electronic equipment for performing accounting, budgeting, and personnel functions in a particular office. As I inquired into this, I asked the question: After this expenditure, how many people will be removed from the payroll? The answer was none.

Situations such as this account for the proposition that in many instances, as the appropriations go up, the general beneficial aspects of a program go down and the number of Federal employees or bureaucrats goes up. I am pleased that the committee proposes to make a detailed study with reference to the problem. This is the proper approach, rather than to make cuts without proper background.

The Bureau of Land Management has recently embarked on a general overall program of reducing the number of livestock grazing on the lands under their jurisdiction. This was the outgrowth of a report of the Comptroller General. Testimony coming to our committee, and particularly other investigations which I have made, convinces me that they have made no adequate surveys on which to base any reductions, nor have they even settled upon an accepted and uniform method of making surveys.

The suggestion was made that an additional appropriation of $100,000 would be required in this year's budget to continue range survey work at even its present level. On looking into this, I am convinced that there are adequate funds available to not only continue range surveys at their present level, but to substantially accelerate the work. I am further convinced that the permittees and the States involved are ready, willing, and able to furnish matching funds, thereby reducing the appropriation requirement from the Federal Treasury, if the Bureau of Land Management will only cooperate.

The Taylor Grazing Act has been in effect for 25 years. I can conceive of no justification for making sudden adjustments without adequate range studies, when they can be accomplished in a reasonably short period of time of 2 or 3 years. The Bureau of Land Management, in my opinion, would do well to accept the help that has been offered in accomplishing these studies. To make arbitrary, uninformed cuts which would seriously affect the economy of the Western States and the Nation as a whole for years to come would be unpardonable. I sincerely hope that favorable consideration will be given to this approach.

I would like to say that this bill will foster the multiple use of the public lands of this Nation for the good of the Nation as a whole. That multiple use was first conceived and put into effect, and into writing, by the great President Theodore Roosevelt. They include recreation, mining, timber, and grazing use. We have recognized that there are special areas that should be set aside for recreation. We have recognized that some of these should be in the status of wilderness areas. I have often said that most of the wilderness areas in our part of the country, at least, were set aside by an act of God and not by an act of Congress, and I certainly have stood for their preservation and the guarding of them.

I would like to go over fully the situation that pertains to the various agencies covered by this bill. Time does not permit this. I do, though, particularly want to mention that I think the committee has and must in the future give increasing attention to the rate of expansion and the increase in number of areas administered by the National Park Service.

Because of the fact that both Yellowstone and Grand Teton National Parks, as well as several national monuments, are located in the State of Wyoming, I had an abiding interest in the necessity for improvement of these and all national park areas even before coming to Congress. I therefore concentrated on getting the Mission 66 program moving. Through the cooperation of this subcommittee, on which I did not serve at the time, that was accomplished in 1956. The avowed purpose of that program was to place the existing national parks and monuments in a condition, over a 10-year period of time, that the existing facilities would be brought up to standard and would be augmented to the point that they would adequately accommodate the increase in visitors as of the year 1966.

At that time, the cost of such a program was estimated at $459 million. Due to the additions to the park system since July 1, 1955, that cost has gone up by $105,659,000. I respectfully refer you to page 931 of the committee hearings. It behooves this committee, the legislative committee, and every Member of Congress to be ever watchful that we do not allow empire building and the natural tendency of a bureau to expand to create something which we cannot support and something which would destroy the laudable initial purpose of Mission 66, which is of such importance to the Nation as a whole.

Some concern has been expressed about the cut in the appropriation for the Outdoor Recreation Resources Review Commission. May I simply say in this regard that this cut, I think, is justified and will accomplish a twofold purpose. It was originally represented to the legislative committee that the staff of this Commission would total 18 members, plus necessary stenographic and clerical personnel. Already the staff is up to 30 persons, and if the increases requested in this budget had been granted, it would have gone to 48. Twenty-nine of them would have been scheduled to receive a salary of $10,000 or more. That is, I believe, unnecessary and was never envisioned. Furthermore, the saving of the $230,000 this year is necessary, in my opinion, for the Commission to have left within its total authorization of $2,500,000, enough money to accomplish its work and report to the Congress, as required by law, during fiscal year 1962.

May I again say that this was my first opportunity to meet the Chairman of the Commission, Mr. Laurance Rockefeller. I was very much impressed by his approach to the problems of the Commission and his ideas. As a result of our committee hearings and conversations with him, I have much greater confidence in the objectiveness and practicability of the studies, if his suggestions and ideas are followed.

In closing, may I call attention to the fact that here again, we have the example of paying the price for backdoor spending; $4,156,450 of the increase above last year's appropriation is accounted for by the fact that this Congress passed legislation making available without appropriation the Federal hunting stamp revenue for particular purposes. I do not say that this purpose should not be satisfied, but I do say that when we pass the legislation, we must expect to pay the price.

I again say that this is a well-considered bill and one that you can confidently and with pride support. It might not be all we would like to have in particular areas, but considering the overall budget demands as a whole, it is adequate. The measure to which the appropriation accomplishes the programs and purposes which you have a right to expect will depend on how effectively the funds are used. It is my sincere hope that increasing attention will be paid to getting the money down to the field level and to accomplishing these purposes. Insofar as I can, in my present capacity or any other, I intend to work continuously for improvement in the utilization of funds and the accomplishment of this purpose.

Mr. FENTON. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, I take the floor at this time to support the action of the House Committee on Appropriations in eliminating certain funds for the purchase of land for parks in northern Virginia and other sections of the Washington metropolitan area. Since this reduction in appropriations affects my own district, I realize that this is an almost unheard of thing to do on the floor of this House, that rather it is considered natural for any Member of Congress automatically to support any proposed appropriation and to oppose any reduction of appropriation of Federal funds for his own congressional district. I might add that this has normally and consistently been my own position.

However, in this instance, I rise to agree with the recent action by the Appropriations Committee in eliminating some $2 million in funds for the purchasing of parks in the metropolitan area of Washington. I take this position fully realizing that political repercussions are possible, but I do not think they are likely if my position is fully understood by the people I have the honor of representing in Congress.

I believe that the best way of fully stating my position in this regard is to refer to a letter that I have sent to the governing bodies of all the communities in the 10th Congressional District of Virginia, who allegedly would benefit if this cut in appropriations were restored.

The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 16, 1960.

The Honorable MAYOR AND MEMBERS OF THE CITY COUNCIL,
Alexandria, Va.
The COUNTY BOARD OF ARLINGTON, VA.
The BOARD OF COUNTY SUPERVISORS OF FAIRFAX COUNTY, VA.

GENTLEMEN: Reference is made to the recent action on the part of the House Committee on Appropriations in which funds for the purchase of land for parks in northern Virginia and other sections of Metropolitan Washington were eliminated. Accompanying this action by the House Committee on Appropriations was a statement that the people of northern Virginia are among the highest income per capita in the United States and should be able to provide their own parks and playgrounds without Federal assistance. I agree with this statement and strongly feel that our communities should take care of their local problems insofar as possible, without depending upon Federal subsidy and handout. I am, therefore, taking the position that we should not insist upon restoration of these funds for the following reasons:

1. I believe that the people of northern Virginia, along with the overwhelming majority of the American people, want to bring our fiscal house into order. This is corroborated by the returns to my recent questionnaire, in which nearly 80 percent of those who answered the question: "Do you favor emphasis on a balanced budget in the coming year?" answered "Yes." If we are going to balance the budget and still maintain an adequate defense program we must reduce or eliminate all unnecessary and controllable domestic spending. This can only be done through the full cooperation of our local communities in reducing demands for Federal handouts and subsidies for projects that are properly a local responsibility. I fully realize that this may cause some temporary hardships in some local communities and disappointment to some of our citizens groups, but if we believe in fiscal responsibility at the Federal level, all communities and all citizens must join in a combined effort to accomplish it.

2. The Federal Government is the major industry in the Washington metropolitan area, and as such has a definite responsibility to the communities comprising the area. However, as I have repeatedly emphasized, the obligations of the Federal Government to our local communities are due to the fact that it is the major industry, and more particularly because it is a nontaxpaying industry, and not—and I repeat, not—because it is a paternalistic Federal Government. Since the Federal Government does not pay taxes such as would be paid by private industry of comparable size, it is right and reasonable that there should be compensating contributions in lieu of taxes to help our local communities to absorb some of the cost of projects necessitated in major part by the growth of the Federal Government in our area. Legitimate Federal contributions for this purpose include such important items as payments to impacted areas for the construction and maintenance of schools, from which northern Virginia has received benefits or has allocations for the current fiscal year amounting to over $40 million; the construction of bridges, highways, and other transportation facilities, the major portion of which in northern Virginia has been paid for by the Federal Government; the construction of our major airports as well as all access roads to it and all necessary water and sewage facilities needed to serve it as well as the surrounding area, involving expenditures of about $20 million; assistance in water supply and river-pollution abatement; development of an orderly transportation and communication program for the metropolitan area of Washington; as well as others where the problem is created by expanding Federal activities.

We should not, however, expect the Federal Government to do everything for us. Among those things that I believe we can and should take care of ourselves are: internal programs such as police and fire protection; storm sewers; curbing and gutters; sidewalks; improvement and maintenance of secondary streets and local roads; parks; playgrounds; local sewage and water supply.

3. I strongly feel that if we insist on Federal assistance whenever and wherever possible for all forms of local projects, we are very apt to develop a reputation as being out for all we can get, regardless of need, and thereby weaken our case before Congress when we attempt to ask the Congress to meet the just and legal obligations outlined in item 2 above. Certainly you, as public officials concerned with the problem of allocating public funds, know that there is a tendency on the part of those particularly interested in one aspect of community problems to think of legislation concerning their particular interest as something special and apart from the great mass of other legislation under consideration. As you know, this simply is not true, especially for legislation involving expenditure of money. There is only so much to be spent, and its allocation must be determined by careful study and negotiation by the responsible authorities.

As your Congressman, I cannot cry "wolf" too often in seeking relatively small and less essential appropriations without running the risk of being disregarded when I seek my colleagues' votes for appropriations much more essential to the citizens of the District. I should like to point out that we still have a fight ahead of us to obtain appropriations this year for the aid to impacted areas school construction and maintenance program, which involves several million dollars for the 10th district this year, and it will not be an easy fight.

4. I should make it clear, however, that my position on the Capper-Cramton Act in this instance is not taken because the amounts involved are relatively small compared to other legislation that is or may be pending. It goes much deeper than that. I was quoted as saying that aid for parks "gets a little into chiseling," and I was correctly quoted so far as the words themselves go. However, as is so often the case, these words seem to have been interpreted to mean things that were never intended. They have been interpreted to mean, for example, that I am opposed to the Federal Government assuming responsibility for legitimate conservation and preservation projects to retain adequate open spaces and to protect our wildlife and watersheds within or adjacent to our rapidly growing Washington metropolitan area.

I did not mean this in any sense of the word. On the contrary, I would support and advocate even greater assumption of Federal responsibility for legitimate conservation projects. In the solution of such projects that transcend our local jurisdiction lines, I believe that the State and Federal Governments should take the initiative and in many cases bear 100 percent instead of one-third of the costs, and I not only would support, but would sponsor legislation to that effect. By the same token, I believe the local jurisdictions should take the initiative and bear the total expense of local parks and playgrounds to be used primarily by local citizens; that, indeed, it should be a matter of local pride to do so.

I am deeply concerned by what seems to be a growing tendency on the part of the people of this great Nation to accept as their due the benefits they receive from government. Instead of being grateful for benefits received, all too many of us seem angry that these benefits are not greater. In our own area, the tendency seems to be to complain constantly about the Federal Government, to talk of it as if it were some sort of monster without a single redeeming feature. I would like to say that, although I do not consider the Federal Government an unmixed blessing to our communities, I certainly do not consider it an unmixed evil. Not only do most of us derive our livings either directly through salaries, or indirectly from business which these salaries make possible, but the Federal Government directly pays up to 100 percent for many facilities that any other community would have to pay for itself. If there were not a single Federal agency in the area, we still would have to have some sort of airport and we would still need some bridges, just to mention two of the more obvious things.

It has always been my position to work closely with the governments of my local communities in all programs and I expect to continue to do so. I hope, therefore, my statement of policy as outlined above will not be inconsistent with what is in the best interest of our communities. Yet, I am convinced that the time has come for us to outline and define clearly what the areas of Federal responsibility and obligation are. Having defined them, we then can legitimately insist that the Federal Government fulfills its obligations. On the other hand, responsibilities and obligations which are solely our own should be met by our local communities, and we should reject Federal handouts or subsidies in meeting them.

Sincerely yours,

JOEL T. BROYHILL,
Member of Congress.

I wish to repeat that I will not knowingly insist upon Federal appropriations for my constituents which are not properly a Federal responsibility. I believe that it is the moral responsibility of every Member of this body to exert every effort to reduce unnecessary and needless Federal expenditures for domestic purposes whenever possible even though it may hurt a little back home. This in no wise alters my right and duty to fight for Federal appropriations when I feel such appropriations are a moral and legal responsibility of the Federal Government to our communities. Since the Federal Government is the chief industry of this area, there are many ways in which the Government is responsible to the metropolitan area of Washington.

I do not feel that the development of parks and playgrounds for our communities is a Federal responsibility and obligation and, therefore, I support the position of the Appropriations Committee in eliminating these items from the budget.

Mr. KIRWAN. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Chairman, first I wish to commend the committee members for the excellent job they have performed in bringing this appropriation measure to the floor. I know it has been a tedious and arduous task. I am a member of the Outdoor Recreation Resources Review Commission and I should like to ask the distinguished chairman, the gentleman from Ohio [Mr. KIRWAN], what prompted the committee to cut $230,000 from the Commission's budget request?

Mr. KIRWAN. Because we wanted to put it to better use, such as fire control, Indian education, and so forth. We allowed the Commission an increase of

$100,000 over the 1960 appropriation and the bill also includes $1,850,000 for recreation planning by the Forest Service and Park Service which will contribute to the work of the Commission.

Mrs. PFOST. I am concerned about this cut, because it will necessitate a substantial modification of our work plans.

Mr. KIRWAN. We cut it out simply because we did not see the need to increase the staff from 30 employees to 48, or to pay all the high salaries they requested.

Mrs. PFOST. I would say to the gentleman, we may, and yet we may not need so many people. If it appears that we do need additional staff, then I would strongly urge that the discretion be left to the Commission. As you know there are four Members of the House and four Senators who serve on the Commission, and I would hope the funds could be made available so the Commission will be free to exercise its duties in the most efficient manner possible.

The 38 people currently authorized represent a basic organization. Several more specialists of one sort or another will probably be needed during the next fiscal year which represents the most intensive phase of our work. In answer to the committee's question, therefore, I say we may need more people to do the kind of job Congress envisioned in establishing this Commission.

But I offer the committee this assurance: The congressional members of the Commission will continue to see that care will be exercised in the matter of hiring additional staff members.

I thank the gentleman for his reply.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may require to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, the people of Montana appreciate the committee action in increasing Forest Service budget requests for reforestation, soil and water, forest fire protection, revegetation, and range improvement.

The $400,000 increase for reforestation is of particular interest to Montana, where almost 341,000 acres of national forest need planting. At the present rate, it will take 150 years to finish the job.

We regret, however, that these increases came at the expense of a reduction in the recreation program at a time when the use of national forest recreation areas continues to race ahead of facilities. The committee wisely noted an urgent need to provide camping facilities for the increased number of visitors in voting increased funds for additional camp and picnic facilities in our national parks. And it is my hope that the other body will at least restore the cut in recreational facilities in our forests.

As a cosponsor of Public Law 85-470, which set up the Outdoor Recreation Resources Review Commission, I was disappointed that the committee saw fit to cut the budget request by $230,000. The Commission is in the process of taking the first inventory of this Nation's recreation resources. Out of this inventory will come programs to assure that the facilities will be there when we need them.

To the extent that this cut curtails work on either the inventory or on planning we are doing a disservice not only to our people, turning in increasing numbers to the outdoors for recreation, but also to the business community which serves them.

The recommended budget estimate of $30 million for construction and maintenance of forest roads and trails is an increase of $2 million over this year. Together with permanent appropriation of 10 percent of national forest receipts, and the planned road construction by timber purchasers under timber sales contracts will provide for a $91 million program next year.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may require to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, as a member of the Outdoor Recreation Resources Review Commission I am concerned about the committee's report with respect to that Commission.

The cut in funds of almost 20 percent will force us to curtail our study program by more than 20 percent. As there are certain fixed costs that cannot be cut, the study program must bear the brunt of the cost.

The committee pointed out that its action was taken because the Park Service and the Forest Service are also spending significant amounts on recreation planning. These funds are being spent largely in connection with the land management responsibilities of these agencies. ORRRC was established by us to plan broad-based programs for the entire country and for all the people.

We need a long range national recreational program and policy. This Commission was created for that purpose and if it does a good job, expenditures in the years ahead will be on a sounder and more prudent basis.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may require to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Chairman, I deeply regret that the House Appropriations Committee did not see fit to augment the President's inadequate budgetary request for Federal cooperative funds for fire control, reforestation, and management of State and private forests, in line with the recommendations of the National Association of State Foresters.

The administration may try, if it will, to justify on the grounds of "fiscal responsibility" its pursuit of a policy of niggardliness with Federal funds for the support of this and other worthwhile conservation programs, but I, for one, will not be a party to the perpetuation of a policy which would deprive future generations of the opportunity, indeed of their birthright, to enjoy the fruits of our forest resources.

It has been said—and I think most appropriately—that we of the present generation are not in a final sense the owners of our national resources. We are really but the guardians of this rich and priceless heritage, trustees to act in our own generation to preserve these resources for the enjoyment and benefit of all generations to come.

It is our moral obligation to maintain and preserve that heritage. Daniel Webster's own words to this effect have been immortalized by their inscription on a tablet over the chair of the Speaker:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

That this budgetary item involves the preservation of some privately owned forests, by no means implies that no public interest is here involved to justify the use or expenditure of Federal funds. For one thing, a substantial portion of these forests which would share in the benefits of this cooperative program, are State owned. As a matter of fact, only one-third of Colorado's timberland is in the hands of private landowners. But private or State owned, there are many other values besides timber which are inextricably involved—which suggest that an inherent and basic public interest is clearly involved. Among other values which attach to this program and which make it a matter of public concern are water supply and protection of watersheds, wild game and sports, as well as scenery and recreation.

The State foresters are unanimous in their opinion that the present program is inadequate and they have requested the following increases: Fire control on State and private forests, from $10,087,000 to $20 million; forestry management, from $1,543,000 to $2.5 million; cooperative tree planting, from $290,000 to $1 million.

The largest amount by far is for forest fire control and understandably. The danger of forest fires due to prolonged dryness is extremely great in the West. The toll in recent years has been very heavy. I have seen these forests that have been burned over. The loss they represent in timber alone—that can never be recovered—is staggering.

Nor can it be correctly assumed that the States are too eager to relinquish their share of the financial responsibility as a result of Federal participation. Indeed, the facts bear out that the reverse is true, and that the States have increased their outlays for these activities substantially since the Federal Government has entered the field. On page 14 of the House committee's report on the Interior Department appropriation for 1960, the committee had this to say:

> This program was undertaken in 1924 to encourage the planting of trees on inadequately stocked State and private forest lands. Since that time the financial responsibility assumed by the States and private owners has increased to the point where the Federal cost share is now only about 10 percent.

I earnestly trust that the House will approve an expansion of funds for this triple-pronged program of cooperation in the prudent and provident management of our State and private forest lands, and that the Senate will concur in this action.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may require to the

gentleman from Pennsylvania [Mr. QUIGLEY].

Mr. QUIGLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. QUIGLEY. Mr. Chairman, I take this time to invite the attention of the Members to the fact that the pending measure proposes to continue the status quo as far as the "second battle of Gettysburg" is concerned.

The committee report makes clear that Congress has not changed from the position it adopted last year, that before any Federal moneys can be spent to acquire additional Civil War lands at Gettysburg or anywhere else the local communities involved must enact appropriate zoning ordinances to protect these national monuments from commercial encroachment.

Since such a zoning ordinance is under study but not yet enacted in the Gettysburg area, this means that unless and until such a zoning order is adopted, the Park Service cannot acquire additional lands at Gettysburg.

I will not prolong this discussion, Mr. Chairman, except to express the hope that by this time next year a workable solution to the problems we face at Gettysburg will have been the reward of the many men of good will in and out of all levels of government who are now earnestly seeking a solution.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mrs. MAY. Mr. Chairman, I am very glad that the Appropriations Committee has allowed funds for education and welfare service in the Bureau of Indian Affairs in the amount of the budget estimate of $63,669,000. This is an increase in the 1960 appropriation, and the increase includes $2,500,000 to provide for education of an additional 2,850 Indian pupils, and also provides additional funds for the adult vocational training program and for employee health benefit costs. These funds give great impetus to the hope that so many of us have had for the betterment of the economic condition of the Indian people. With this wholehearted cooperation of our Federal Government with the State agencies and the communities and the tribes themselves, I predict fulfillment of our desire for vast improvement in Indian community life.

Indian and governmental leaders have long recognized lack of educational opportunities and failure to take advantage of opportunities as one of the biggest handicaps of these people, but, with this further help from our Federal Government, the recent encouraging progress will continue. In recent school years, more and more Indian young people from tribes in my State of Washington have been attending institutions of higher learning, and, in the last 2 years, the number of such students from the three Northwest States has more than doubled. This could not have happened without this help from our Government.

Programs of vocational training and relocation conducted by the Bureau of Indian Affairs have also had a marked impact on the ability of many Indians to improve their economic situation.

For these reasons, I want to commend the committee on its action in allowing these funds, and I hope the Congress will recognize the urgent need for final approval.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Chairman, I wish to commend and thank the members of the Appropriations Committee for approving $82,890 to provide for continued work on Fort Clatsop National Memorial, Oregon. These funds will take care of most of the remaining construction work, roads, and so forth, and next year we can look forward to completion of this historic national memorial, Fort Clatsop, such an important site in the famous Lewis and Clark expedition. In time Fort Clatsop National Memorial will be visited by people from all over the United States, and I am sure the members of the Appropriations Committee are deserving of much credit for their recognizing this fact by approving funds for this national memorial.

Mr. JENSEN. Mr. Chairman, may I say in conclusion that this committee has over the years been very diligent in going into all of the budget requests which have come before the committee from the Interior Department. We have held appropriations down to the minimum required which would still permit good administration of all the different agencies and which are many, in the Interior Department. This is a very important department. It deals almost entirely with the national resources and the wealth that springs from those resources. Revenues from the sale of timber and from mineral and oil leases for several past years has amounted to an average of almost one-half billion dollars annually.

It is a privilege and a pleasure to serve on this committee with our chairman, the gentleman from Ohio [Mr. KIRWAN] and the other members of the committee. I take this occasion to thank Gene Wilhelm the clerk of the committee and his assistants, who give yeoman service year in and year out to this great and important task of assisting the Committee on Appropriations in the great responsibility we have, a responsibility which in the final analysis is the responsibility of every Member of the Congress of the United States.

I appreciate the sentiment which is always evidenced by the Members of this House when our bill comes to the floor. This bill is not often, in fact, it is very rarely, amended to any marked degree for obvious reasons. The reason is that we do our fighting back of closed doors and when the bill finally comes out of committee after the markup it comes to the floor by unanimous consent, with full agreement by every member.

Again, Mr. Chairman, I thank my colleagues for the courtesies they have shown this committee today. We shall continue to operate in a manner befitting the responsibility we owe the American people, as their hired men.

Mr. MATTHEWS. Mr. Chairman, in testimony presented to our distinguished Committee on Appropriations for the Department of Interior and Related Agencies, I appealed for the most generous Federal appropriation possible for cooperative forestry programs, and I would again like to express my deep interest in obtaining adequate funds for these vital programs. I realize that many demands have been made on our Committee on Appropriations, and I certainly am sympathetic with the need to keep our budget balanced. However, I believe that funds spent for forestry appropriations are repaid, and will make it possible for us to make money for our Federal Government rather than be a drain on it.

First of all, may I point out that, insofar as cooperative forestry fire control is concerned, the Batelle Memorial Institute was employed to make a nationwide unbiased survey relative to cooperative forestry fire control efforts. This research organization reaffirmed the concept that the Federal Government should share 40 percent to 60 percent of the cost of forest fire control, and recommended that $15 million to $20 million of additional Federal funds be appropriated. Twenty years ago, Florida received about 45 percent of its fire control funds under the CM–2 law; now Florida receives only about 17 percent. Florida still has about 3 million acres of forest land not under protection. Last year 22 percent of this unprotected acreage was burned by destructive wildfires while only three-tenths of 1 percent burned on the 17 million acres under protection.

I should like also respectfully to point out the great value of cooperative forest management programs. The small woodlands of the Nation show poor forest management practices. These facts were brought out in the recent Timber Resources Review, with more than half of the Nation's woodlands in these small holdings. The Farm Forester or Service Forester program works with the small woodland owners in planting, thinning, measuring, and marketing of their small woodlands. Florida obtains less than 20 percent Federal matching assistance while it would be possible to qualify for 50 percent under the law if the appropriation were increased. Additional Federal funds would help the States do a better woodland management job, particularly on the small holdings throughout the State and Nation.

Insofar as cooperation in nursery production is concerned, may I respectfully submit that a number of States with small nursery production and slow growth of seedlings greatly need Federal assistance in furthering their nursery and planting programs. Florida, however, with its 135 million annual production of tree seedings, is able to operate its nurseries on receipts from sale of seedlings.

I would also like to call to the attention of my colleagues the U.S. Forest Service's Southeastern Forestry Research Center at Lake City, Fla., and say how proud I am to have this facility in my district. The work out at the Olustee Experimental Forest is a well-known showplace where foresters and scientists from all over America and from many parts of the world come to see the latest developments in timber management and naval stores. I sincerely hope that the necessary funds for the complete program visualized by this fine research center be provided.

Mr. FASCELL. Mr. Chairman, I will begin my remarks by congratulating my friend, the gentleman from Ohio [Mr. KIRWAN], and the Committee on Appropriations for what we all know to be a sincere effort to strike a realistic medium between requests for Federal funds and the amounts that can judiciously be spent.

Personally, I am very pleased to see in the bill before us today that the committee has seen fit to allow appropriations totaling $121,650 for three Florida wildlife preserves.

I am disappointed, however, to see the President's budget request for $450,000 for acquisition of private property in the Florida Everglades National Park is not included specifically. It is my understanding that the bill before us calls for appropriation of a total of $410,000 for national park land acquisition throughout the Nation—except for some projects specifically mentioned. This does not augur well for a solution to the serious problem with regard to Florida Everglades National Park.

My colleagues will recall that on July 2, 1958, the Congress permanently fixed the boundaries of this great park after more than a quarter century of dispute, and in so doing included in the official park area thousands of acres of privately owned property.

Today there are 99,206 acres of privately owned property within the park; the owners are seriously hampered in developing or selling their holdings; but they must pay property taxes on them. This certainly is an inequitable arrangement, which would be corrected if Congress would make available the money for Government purchase.

Full and proper development of the park, complete and efficient wildlife management are slowed. Furthermore, many individuals are suffering hardship because their properties are tied up. I hope that the needed funds as per the budget request will be included prior to final congressional action.

Mrs. MAY. Mr. Chairman, concerning the amount of the appropriations under this bill to our Forest Service, I regret that the committee for the reasons they have outlined could not see their way clear under present fiscal conditions to allowing a higher appropriation for national forests. The Department of Agriculture's "Program for the National Forests," or, as it is more popularly known, "Operation Mutiple Use," has received a great unison of support throughout this country.

This national forest program which includes some 9,700,000 acres of national forest lands in our State, proposes to accelerate our efforts to meet the demands and needs of our people.

When I was back in my district in the State of Washington this last fall, I had an opportunity of seeing this program of multiple use in action. Therefore, I know from firsthand experience that this is not just a theoretical plan on paper, but is an action program which is being implemented, and, even though in its pilot stages in many areas, we are beginning to get outstanding results. This program will have a primary impact in the years ahead in my part of the country, because Gifford Pinchot, Colville, Kaniksu, Mount Baker, Okanogan, Olympic, Snoqualmie, Umatilla, and Wenatchee—all names of national forests, are wholly or partially in my own State of Washington. Under the "Program for the National Forests," the Washington forests along with 139 others are slated to participate in the proposed action plan to vigorously step up the development, protection, and management of the 181 million acres of national forest resources. The program has aroused widespread support among not only conservationists directly concerned with national forest resources but thousands of hunters, fishermen, picnickers, and other recreationing Americans who use the national forests.

The "Program of the National Forests" or "Operation Multiple Use" as many prefer to call it, is no "quickie" affair. It has been carefully developed over the years, is soundly based and has been thoroughly considered. It is an investment in one of America's soundest commodities—its natural resources. With 87 percent of the national forest lands located in the West, the national forest program is destined to have a major impact in the West.

Basing our thinking on the fact that our renewable forest resources must be used, conserved, and made to last forever, this broad scale program establishes long range national forest objectives beamed at the year 2000. An interim action program meshing in with the long range plan, spells out what needs to be done in the next 10 to 15 years toward meeting current needs and attaining the long range objectives.

The interim program is geared to satisfy the needs of the short-term period and to prepare the national forest system to contribute its fair share to the national well being at the end of the century.

Briefly here is what it calls for:

First. More outdoor recreation for more millions. Forest Service research analysts predict that national forest recreation visits will leap from the 68.5 million visits experienced in 1958 to 130 million by 1969. Let me give you an example of the fabulous growth of outdoor recreation use on the national forests: In 1958 the forests had 40 million more recreation visits than they had in 1947. In 1958 recreation visits to national forests exceeded total recreation visits to the national park system by 10 million. The program outlines broad activity to expand, improve, and maintain thousands of national forest recreation facilities now in existence or to be built.

Second. Better hunting and fishing on the national forests to accommodate the dramatically increasing number of Americans seeking outdoor sport on the streams, lakes, and trails of the national forests. It is getting harder and harder to find suitable places to hunt or fish that are not posted. To illustrate the mounting hunter and fisherman pressure, in 1958 there were 13 million more hunter and fisherman visits to the national forests than in 1947. Here are some of the major program projects designed to provide more fish and more game for the sportsman: (a) Improve food and cover on 1.5 million acres of key national forest wildlife areas and develop openings, food patches and lanes in dense forest and brush stands; (b) stabilize banks, plant cover and improve the channels of 7,000 miles of fishing streams and 56,000 acres of national forest lakes; (c) complete national forest wildlife habitat management plans for all national forests and strengthen cooperation with State game and fish departments.

Third. More and better water. Water is one of the most basic needs of our people. If we were to measure our Nation's total water use on a per capita basis, we would find that we use more water today than we have ever used before. Then consider the fact that each year we have several million additional people using water. There is no question about it. We need more water; we need better water. The national forest program calls for stepped-up watershed management and protection to increase the quantity and improve the quality of water yields.

Among the national forest water projects outlined in the program are field surveys to inventory water supplies and soil conditions; work to stabilize 10,000 miles of gullies and channels; the halting of sheet erosion on 1.3 million acres; control of erosion on 14,000 miles of roads and trails; the construction of 535 upstream flood control structures and the control of stream pollution on 170 projects. These and other projects should help insure and protect national forest water supplies. It is interesting to note here that 1,800 towns and cities get their water from the national forests. In the West 50 percent of streamflow comes from the national forests. Every dollar spent to increase the production of national forest water and improve its quality will be of benefit to the people of the West.

Fourth. More wood for the Nation. There's hardly a person that would dispute the old saying that wood is with us from the cradle to the grave. It is with us everywhere—in the clothes we wear, in the furniture within our homes, in the houses we live in; in our books, newspapers and in our personal family documents—our marriage licenses, our birth certificates, our deeds, and even in our mortgages. It is estimated that there are 6000 uses for wood. It has been proven in times of war and emergency that a nation with an ample supply of wood has the material within its forests that can be used as an effective substitute

for numerous critically needed metals, minerals, chemicals, and it can even be converted into food for man and animal. Our scientists have found ways to make a complete meal for man out of wood. In a more recent development the abundant southern pine tree has been made to yield a lubricating oil which is very effective in modern engines which operate at extremely high temperatures. Then, looking at the other end of the scale, man has yet to find a suitable substitute for the wooden railroad tie. God forbid that we have an atomic war, but should it occur and should our cities be decimated, our survivors could turn to our more remotely located forests for refuge until it is safe to return to the cities. All this has convinced me that it is imperative that a resource as valuable as our forests must be given the best of care.

Now what does the national forest program propose to do for wood production? It proposes to increase the annual national forest tree harvest from 7 to 11 billion board feet through more intensified sustained-yield management of present timber stands, and by growing more and better trees, reducing disease, insect and fire losses and by improving utilization. Just in case you are wondering what 11 billion board feet stacks up to—with this amount of lumber you could build 1,100,000 5-room wooden dwellings. That is almost enough to house all the inhabitants of Chicago; and that is a lot of lumber. In this connection it is well to note that the U.S. Forest Service, the Department of Agriculture Agency that manages the national forests, grows trees and sells them when they are ready for harvest. This timber is sold to the highest bidders in the lumbering industry. About a year ago the Forest Service took in its billionth dollar in national forest receipts—most of which came from the sale of timber. Although it took the Service more than 50 years to achieve the billion-dollar-income mark, the Service expects to reach its second billion-dollar mark in about 10 years. Not all this money went back to the Federal Treasury. Twenty-five percent was returned to the counties for local schools and roads and an additional 10 percent was spent on local national forest roads.

The value of the national forest timber cut in fiscal year 1959 was almost $114 million. There are several major projects proposed in the national forest program to produce more and better quality wood. They include the increased salvage and sale of stagnant timber stands and dead, dying, and diseased trees as well as the seeding or planting of 3.3 million acres. The improvement of 11 million acres of young timber stands by pruning, weeding, thinning, and by planting recently burned areas is planned. The program also calls for the completion of up-to-date inventories for commercial forest lands and timber management plans for all national forests. The national forest trees and treeland are there. They need this extra shot in the arm to achieve optimum timber production.

Fifth. Better range; better grazing. To us western people the raising of livestock is a high priority business. Better range means better grazing. Another important feature of the program for the national forests provides for improving the range resource to achieve sustained high level forage production and better watershed conditions through intensified management, better range practices and more balanced use. The program aims to make more lands available for grazing under conditions that promote individual and community stability. Included are plans to construct 18,000 miles of fences and 9,500 water facilities; plans to bring forage capacity and range use into balance as rapidly as practicable; plans to restore desirable vegetation and control poisonous plants on 4.4 million acres; and plans to complete and keep current range analyses and management plans on all national forest grazing allotments. Implementing the grazing phase of the program could elevate national forest grazing to where the land, livestock, and ranchers would all benefit—a most desirable objective.

While the comprehensive national forest program provides for accelerated treatment and use of the basic forest resources—water, wildlife, wood, recreation, timber and the range—the objective of meeting interim needs and preparing the national forests for the year 2000 will also require expansion of supporting national forest activities. Here are some of the other things the program proposes to accomplish: It intends to intensify forest protection in its broadest senses; this includes protection against forest fires, insects, and diseases. It intends to expand the national forest road system, adjust boundaries, and consolidate national forest ownership. It proposes to build essential structures and secure the equipment needed to do the job. It plans to hasten forestry research.

In summary I would like to say that Secretary of Agriculture Benson's "Program for the National Forests" is a large scale multiple use operation designed to meet one of the immediate challenges of our time—the mounting pressure of people upon the national forest resources. It gives promise of substantial direct financial returns to the Nation. Cash receipts could double in 10 to 15 years, rising to $210 million annually. Annual payments from national forest receipts to local counties for schools and county roads would likewise increase. The capital value of national forest lands, timber and forage would expand by about a billion dollars.

Then, there are great secondary and intangible benefits. The tremendous soil and water values which would accrue from this program cannot be measured in dollars. Nor can the personal pleasure, relaxation, and spiritual satisfaction additional millions of hunters, fishermen, campers, picnickers and other Americans would derive from national forests be gaged in dollars.

The program for the national forests or "Operation Multiple Use," as many prefer to call it, is an investment designed to continue to secure the future of America's national forest resources and to make them serve the people of our Nation better than ever before.

While I feel that the actual dollars and cents investment that we make here today in passing this Forest Service item under the Department of Interior budget does not allow us to go ahead with this outstanding program as quickly as would seem justified by the return we can expect, I still commend the committee for the increases it has made. I hope this stands as a recognition on the part of Congress of the vast importance of "Operation Multiple Use," and that it implies continued and increasing appropriation support in the future.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

TITLE I—DEPARTMENT OF THE INTERIOR

Departmental offices

Office of Saline Water

Salaries and expenses

For expenses necessary to carry out provisions of the Act of July 3, 1952, as amended (42 U.S.C. 1951–1958), authorizing studies of the conversion of saline water for beneficial consumptive uses, $1,355,000.

Mr. METCALF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, at his press conference last Wednesday President Eisenhower was asked about the school support bill passed by the Senate. His reply included these words:

I do not believe the Federal Government ought to be in the business of paying a local official.

I call the attention of the committee to the fact that the bill under consideration, the appropriation bill for the Department of Interior and Related Agencies, including the Forest Service, provides money to help pay the salaries of at least 95,653 local officials.

Under the Clarke-McNary Act, the Federal Government helps the States pay the salaries of at least 94,553 local officials. They include 533 farm foresters, State employed, who work with farmers on forestry problems, 6,000 permanent and 88,000 temporary employees in the cooperative fire control program.

Under the Pittman-Robertson and Dingell-Johnson Acts, the Federal Government helps pay 1,100 officials in the State fish and game departments of all 50 States.

Now I favor the use of Federal tax funds for paying these local officials, and schoolteachers, too. But I suggest that before action on this bill in the other body, the President be asked to make his position clear. Does he want these local officials to receive Federal funds, or does he want them taken off the Federal payroll?

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Are there any points of order? If not, the Chair will recognize Members to offer amendments.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 38, line 3, insert the following and renumber the lines accordingly:

"TITLE IV—GENERAL PROVISIONS

"SEC. 401. No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used for publicity or propaganda purpose designed to support or defeat legislation proposed or pending before Congress."

Mr. KIRWAN. Mr. Chairman, the committee will accept the amendment.

Mr. JENSEN. Mr. Chairman, we also on this side accept the amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. KIRWAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10401) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, be passed.

Mr. KIRWAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 82, extending the Joint Committee on Washington Metropolitan Problems.

I might state that I have mentioned this matter to the Speaker. The resolution merely continues the existence of the Joint Committee on Washington Metropolitan Problems for a few months longer. I have cleared this with the ranking member on the Committee on Rules and with the committee.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Washington Metropolitan Problems created by House Concurrent Resolution 172, agreed to August 29, 1957, is hereby continued through September 30, 1960.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1960, through September 30, 1960, which shall not exceed $25,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

The SPEAKER pro tempore (Mr. COFFIN). Is there objection to the request of the gentleman from Virginia?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this going to cost any additional money?

Mr. SMITH of Virginia. I think a small amount, which will come out of the contingent fund of the Senate. There will be no obligation on the House fund.

Mr. GROSS. How much longer will this continue the life of the Commission?

Mr. SMITH of Virginia. We very much hope that with this resolution, its work will be completed in the next 2 or 3 months.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL ROMULO RETURNS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I know it is of great interest to all of the Members of the House of Representatives, that Gen. Carlos P. Romulo has been returned to the United States as the Ambassador of the Republic of the Philippines. General Romulo is a former colleague of ours here in the House. Many of us know him well, and we who know him well valued his friendship greatly. In the many years of his public service in the interests of the Philippine people, General Romulo has become one of the great statesmen of the world. He is highly respected everywhere. His integrity, sincerity, courage, and untiring energy, has made him a statesman of great dependability. As friends of his we are delighted he is back with us, and that we will have the advantage of his wise counsel in the many great problems involving the Asiatic people.

Last December, following diplomatic protocol to resign his post after the recent national election in the Philippines, General Romulo went to Manila. He tendered his resignation because he thought it was only right that after the election the President should have complete freedom in selecting an Ambassador to the United States. President Carlos P. Garcia has shown great confidence in General Romulo by reappointing him Ambassador to the United States of the Republic of the Philippines, and sending him back here to Washington to continue his brilliant representation of the Philippine people. Since 1952, General Romulo has, with outstanding ability and great patriotism and with great honor, represented the Philippine people. Certainly the Government of the Philippines should be congratulated for returning General Romulo to Washington.

General Romulo, with his wide knowledge of international affairs and his particular knowledge of the problems of the Republic of the Philippines, as well as those of Asia in general, has won the respect and esteem of the United States, as well as that of all the free nations of the world. He has represented his country with consummate tact and skill, he has defended the interests of the Philippine people with firmness and vigor. All who know General Romulo know of his great courtesy and admire him for his patriotism, and for always upholding and so effectively presenting and arguing for everything that he believes is best for the Republic of the Philippines and its people.

As the Resident Commissioner, many of us have seen him in action here on the floor of the House of Representatives, and we know of his great ability. We have heard him in the General Assembly of the United Nations as a delegate. Many times he has come to us personally to present the position of his country in regard to a particular problem and to plead his country's cause. The Philippine people could have no more untiring, persistent, and competent spokesman than General Romulo. The Republic of the Philippines is indeed extremely fortunate to have this distinguished gentleman as their envoy to the United States.

As a member of the Committee on Veterans' Affairs I know personally how tirelessly General Romulo has worked to benefit and help veterans of the Philippines. Together we have had long discussions about the problems of the veterans of the Philippines. He has closely followed every legislative measure affecting them. His determined interest, his complete knowledge, his overwhelming desire to help the Filipino veterans, is admirable and respected. In an unparalleled effective way he has constantly defended their cause, and with courtesy and firmness advanced solutions to many of the problems involving the veterans of the Philippines. General Romulo has never missed an occasion, not only to insist, but to suggest, methods as to how the rights and claims of the Philippine veterans might be justifiably concluded. Surely in this great effort and in the tremendous progress he had made, he has earned the gratitude of every veteran of the Philippines.

Again, Mr. Speaker, I am delighted to extend our welcome back to General Romulo. During these days of crises and of great international problems, we are indeed fortunate to have with us this distinguished statesman who is so

friendly to America, and yet so patriotic and loyal to his own country. We are fortunate to have the advantage of his great wisdom and wise counsel.

Recently the Standard-Times of New Bedford, Mass., whose publisher, Mr. Basil Brewer, is one of America's distinguished newspapermen and, I might say, a very fine friend of mine, in an editorial published on Wednesday, January 20, 1960, expresses accurately and very well the feelings we have regarding General Romulo, and at this time, Mr. Speaker, under unanimous consent, I include this editorial with my remarks:

A NEEDED FRIEND

Gen. Carlos P. Romulo took the customary steps of diplomatic protocol to resign his post as Philippine Ambassador to the United States upon the recent reelection of President Carlos P. Garcia. However, it was only a formality before President Garcia reappoints this gallant and long-time friend of the United States to the post he has handled so ably since early in 1952.

General Romulo, known affectionately as "the last man off Bataan," has become one of our own in Washington and at the United Nations in New York. Yet, with all his dedication and friendship to the United States, he has remained a distinguished representative of his own country, the Philippines, and his stature as a spokesman for progressive Asiatics has grown through the years.

In some of the trying periods when relations between the United States and the Philippines slipped into the state of brotherly quarrels, General Romulo's was the voice of reason that usually brought the two back together in the common cause for peace and justice.

There are a few matters involving the United States and the island republic which will need solving over the next few years. There is the matter of U.S. military bases in the Philippines, the question of export and import taxes, and the ultimate settling of Philippine wartime claims against the Government at Washington.

With General Romulo as Ambassador in Washington, the Philippines may be assured of a strong voice, a voice which will be heeded by American representatives. And the United States may be assured that any requests he presents have been thoroughly explored on a basis of justice with no selfish political aim.

Above and beyond his work as a diplomat over these many years, General Romulo has come to represent the symbol of the thousands upon thousands of Philippine citizens who suffered and sacrificed for the United States during the darkest hours of Pearl Harbor, the cruel Pacific war against the Japanese and the trying postwar years.

When General Romulo is reappointed Ambassador, Americans will welcome a tried and true friend who has just been away for awhile.

STATIC SUGAR QUOTA FOR PHILIPPINES PLACES INDUSTRY IN STRAITJACKET

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter and a table.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the distressing plight of the Philippines is very much in the news and a source of deep concern to the people of the United States. It is my opinion that reports of unfriendly reactions of the failure of the United States to commit itself to one or another form of economic assistance are inaccurate and unfair. The assurances of President Garcia of the continuing friendship of the Philippines only adds to what must be the certain conviction of the American public that a long and firm alliance with a friendly people is not shaken apart on the basis of economic adversity.

Many methods of helping the Philippines have been and will continue to be suggested and considered. At this time I am addressing myself to one form of help which will cost American taxpayers nothing and which indeed may be considered the fulfillment of a moral obligation on the part of our Government. I am speaking of the importation of sugar from the Philippines.

The sugar industry of the Philippines has always been basic in their economy. The war wrought havoc which took the greatest patience and courage to overcome. Not only did sugar exports cease but lands and physical facilities were wholly destroyed.

After the war, under the provisions of the Sugar Act of 1948, Philippine suppliers were given an allotment of the domestic sugar consumption of the United States consisting of a fixed tonnage quota instead of a percentage of our total consumption which existed under earlier law. The change had the effect of reducing the Philippine share by 2.9 percentage points. Other sugar producing countries, both those which paid full duty and those which like the Philippines enjoyed some favorable tariff position, became the residual suppliers of our market.

It was contemplated that in further revisions of the Sugar Act annual increased consumption of sugar by United States users as estimated by the Department of Agriculture would be met by suppliers from our domestic sugar producers and foreign suppliers in the proportion of 55 percent from the former and 45 percent from the latter. Indeed, when the Sugar Act of 1948 came up for revision in the year 1956 the estimated increase of sugar consumption in the United States above a stated basic amount of 8,350,000 tons was so apportioned. But of all the foreign suppliers, both full-duty countries and tariff-favored areas like Cuba, the Philippines alone were omitted from participation. The result has been that since 1956, of the major foreign suppliers which have produced sufficient sugar for export to the United States only the Philippines show a static tonnage quota. Peru has increased from 69,547 tons to 86,867 tons, the Dominican Republic from 51,757 tons to 86,831 tons, Mexico from 34,200 to 66,266 tons, Nicaragua from 10,584 tons to 15,266 tons and Cuba from 2,942,115 tons to 3,437,582 tons. The Philippines on the other hand, year after year after year, remain at 980,000 short tons established for it years ago. Mr. Speaker, I submit with these remarks a table graphically illustrating this inequitable situation:

TABLE 1.—*Static sugar quotas of Philippines*

Area	Initial quotas	Proration of Puerto Rican and Hawaiian deficits [1]	Additional proration of Puerto Rican and Hawaiian deficits [2]	Increase in quota of 100,000 tons [3]	Further proration of Puerto Rican and Hawaiian deficits [4]	Increase in quota of 100,000 tons [5]	Proration of deficit in Virgin Islands and further deficit in Hawaii [6]	Increase in quota of 100,000 tons [7]	Increase in quota of 100,000 tons [8]	Peru permitted imports increased 31,279 tons [9]	Increase in Cuba's quota 50,000 tons and offsetting decrease in domestic beet area [10]
	Announced Dec. 20, 1957	Announced Apr. 23, 1958	Announced May 9, 1958	Announced May 19, 1958	Announced May 23, 1958	Announced June 18, 1958	Announced Sept. 22, 1958	Announced Oct. 2, 1958	Announced Oct. 14, 1958	Announced Nov. 6, 1958	Announced Nov. 13, 1958
Domestic beet	1,909,188	2,035,112	2,088,306	2,130,967	2,184,484	2,227,558	2,255,874	2,299,199	2,342,488	2,342,488	2,292,488
Mainland cane	587,476	626,225	642,593	655,719	672,186	685,441	694,154	707,486	720,805	720,805	720,805
Hawaii	1,065,513	965,513	865,513	865,000	765,000	765,000	700,000	700,000	700,000	700,000	700,000
Puerto Rico	1,114,130	914,130	864,130	865,000	815,000	815,000	815,000	815,000	815,000	815,000	815,000
Virgin Islands	15,193	15,193	15,193	815,371	15,371	15,549	6,100	6,100	6,100	6,100	6,100
Philippines	980,000	980,000	980,000	980,000	980,000	980,000	980,000	980,000	980,000	980,000	980,000
Cuba	2,942,115	3,077,442	3,157,880	3,186,148	3,266,164	3,294,247	3,331,667	3,359,600	3,387,582	3,387,582	3,437,582

[1] Proration of Puerto Rican deficit of 200,000 tons and Hawaiian deficit of 100,000 tons.

[2] Proration of additional Puerto Rican deficit of 50,000 tons and Hawaiian deficit of 100,000 tons.

[3] Includes proration of deficits in Puerto Rico of 262,191 tons; Hawaii 213,005 tons.

[4] Proration of further Puerto Rican deficit of 50,000 tons and Hawaiian deficit of 100,000 tons.

[5] Includes proration of deficits in Puerto Rico of 325,253 tons, Hawaii 325,496 tons, and reallocations from Peru and Costa Rica of 22,619 tons and 2,258 tons, respectively.

[6] Proration of Virgin Islands deficit of 9,449 tons and deficits in Puerto Rico of 325,253 tons, Hawaii 390,496 tons, and reallocations from Peru and Costa Rica of 22,619 tons and 2,258 tons, respectively.

[7] Includes proration of deficits in Puerto Rico of 338,314 tons, Hawaii 402,988 tons, Virgin Islands 9,627 tons, and reallocations from Peru and Costa Rica of 26,949 tons and 2,317 tons, respectively.

[8] Includes proration of deficits in Puerto Rico of 351,375 tons, Hawaii 415,479 tons, Virgin Islands 9,805 tons, and reallocations from Peru and Costa Rica of 31,279 tons and 2,375 tons, respectively.

[9] Not being a participant in the International Sugar Agreement, Peru's permitted imports into the United States were limited to 55,588 tons. The increase of 31,279 tons is the result of the accession by Peru to the agreement early in November 1958.

[10] The increase of 50,000 tons in Cuba's quota was offset by a decrease of a similar amount in the proration of quota deficits previously made to the domestic beet sugar area.

TABLE 1.—*Static sugar quotas of Philippines*—Continued

Area	Initial quotas Announced Dec. 20, 1957	Proration of Puerto Rican and Hawaiian deficits Announced Apr. 23, 1958	Additional proration of Puerto Rican and Hawaiian deficits Announced May 9, 1958	Increase in quota of 100,000 tons Announced May 19, 1958	Further proration of Puerto Rican and Hawaiian deficits Announced May 23, 1958	Increase in quota of 100,000 tons Announced June 18, 1958	Proration of deficit in Virgin Islands and further deficit in Hawaii Announced Sept. 22, 1958	Increase in quota of 100,000 tons Announced Oct. 2, 1958	Increase in quota of 100,000 tons Announced Oct. 14, 1958	Peru permitted imports increased 31,279 tons Announced Nov. 6, 1958	Increase in Cuba's quota 50,000 tons and offsetting decrease in domestic beet area Announced Nov. 13, 1958
Other foreign (full duty):											
Peru	69,547	69,547	69,547	73,877	73,877	55,588	55,588	55,588	55,588	86,867	86,867
Dominican Republic	51,757	51,757	51,757	56,707	56,707	72,967	72,967	79,901	86,831	86,831	86,831
Mexico	34,209	34,209	34,209	39,309	39,309	52,555	52,555	59,390	66,266	66,266	66,266
Nicaragua	10,584	10,584	10,584	11,157	11,157	13,883	13,883	14,762	15,628	15,628	15,628
Haiti	5,761	5,761	5,761	5,969	5,969	7,313	7,313	7,663	8,005	8,005	8,005
Netherlands	3,313	3,313	3,313	3,383	3,383	4,086	4,086	4,225	4,359	4,359	4,359
China	3,267	3,267	3,267	3,327	3,327	4,007	4,007	4,132	4,253	4,253	4,253
Panama	3,267	3,267	3,267	3,327	3,327	4,007	4,007	4,132	4,253	4,253	4,253
Costa Rica	3,264	3,264	3,264	3,323	3,323	1,123	1,123	1,123	1,123	1,123	1,123
Canada	631	631	631	631	631	747	747	757	766	766	766
United Kingdom	516	516	516	516	516	611	611	619	626	626	626
Belgium	182	182	182	182	182	215	215	218	221	221	221
British Guiana	84	84	84	84	84	99	99	101	102	102	102
Hong Kong	3	3	3	3	3	4	4	4	4	4	4
Total other foreign	186,385	186,385	186,385	201,795	201,795	217,205	217,205	232,615	248,025	279,304	279,304
Grand total	8,800,000	8,800,000	8,800,000	8,900,000	8,900,000	9,000,000	9,000,000	9,100,000	9,200,000	[11] 9,200,000	[11] 9,200,000

[11] The total of the individual area quotas is 9,231,279 tons. The Secretary's determination of the U.S. requirements (quota) is 9,200,000 tons.

When in the Sugar Act revision of 1956 the producers of the Philippines were arbitrarily denied participation in the filling of the increased demands of U.S. consumption, many Members of this House were acutely disappointed. A hope was held out to the Philippines that in future revisions the injustice resulting from the exclusion of the Philippines in the 1956 revision would be remedied. The President in his message accompanying approval of the extension act stated:

> It was not considered feasible to recommend an increase in the Philippine quota at this time. I believe, therefore, that when new amendments are being prepared at the conclusion of the present act, consideration should be given to allowing the Philippines to share in increased consumption, as is now provided for other foreign countries by this bill.

In hearings held during 1955 on proposals to extend the Sugar Act of 1948 it was shown that not only were Philippine sugar suppliers entitled to increased quotas based on higher domestic sugar consumption but the economy of the Philippines was in dire need of the assistance which such a step would render. What could be said on earlier occasions in behalf of the Philippines can be repeated now with even greater force and urgency.

Our ties of warm friendship with the Philippines need no emphasis at this time. Our repeated acts of generosity and the fruits of the helping hand which we have from time to time extended to the Philippines as a war-stricken area should not now be diluted by a failure to adopt a measure which is consistent with sound economy as well as the ends of justice.

In permitting the Philippines to enjoy a share of our increased sugar imports from foreign countries to supply the excess in domestic sugar consumption over the basic quantity of 8,350,000 tons per year, we are not in any sense or to any degree impairing the position of domestic suppliers who will always have an allotment of 55 percent of the increased demand. It is with respect to the remaining 45 percent which is supplied by foreign areas that the Philippine sugar industry must be considered. The allotment of a small share of this percentage to the Philippines would be inconsiderable compensation indeed for the long period of privation suffered by the Philippines during a war which certainly was not their responsibility. It need not be pointed out that during the time that the Philippines were prevented from enjoying their normal sugar export other foreign suppliers reaped the benefits of the increased business in the United States resulting from the absence of Philippine sugar supplies.

Before concluding these remarks, Mr. Speaker, it may be worthwhile to repeat the record of the steady, continued decline of Philippine participation in the sugar supply of the United States. When in 1948 a fixed tonnage quota of 980,000 short tons per year was allotted to the Philippines in pursuance of the provisions of the Philippine Trade Act of 1946 the percentage quota enjoyed by the Philippines under the terms of the 1937 Sugar Act was abandoned. This change reduced the earlier proportion by 2.9 percentage points if total U.S. requirements were 7.8 million tons, and by about 3.6 percent if total requirements were 8.2 million tons. At the same time, Cuba's share was increased from 28.6 percent under the 1937 act to 32.3 percent with total requirements assumed at 7.8 million tons under the 1948 act and to 32.6 percent with total requirements assumed at 8.2 million tons under the 1951 amendments. The so-called full-duty countries enjoyed a threefold increase of their respective shares.

Article II, paragraph I of the Philippine Trade Agreement Revision Act of 1955 states, and I quote:

> The establishment herein of the limitations on the amounts of Philippine raw and refined sugar that may be entered, or withdrawn from warehouses, in the United States for consumption, shall be without prejudice to any increases which the Congress of the United States might allocate to the Philippines in the future.

I do not believe that the Congress will again pass up the chance to give the Philippine sugar industry an opportunity for expansion and thus keep that industry in a straitjacket as far as the U.S. market is concerned.

To sum up on the highlights of the case for Philippine sugar suppliers in any further revisions of the Sugar Act:

First. For many years the quota of U.S. consumption allotted to the Philippines has remained static at 980,000 tons per year resulting in a decrease of the percentage proportion of Philippine participation in view of the steadily increasing demands of the United States, while at the same time the participation in terms of percentage proportion of other foreign suppliers has increased.

Second. The Philippines have since 1956 been paying duties on sugar imports which will increase progressively until the Philippines enter an area comparable with Cuba or perhaps even with the so-called full-duty countries.

Third. In 1956 at the time of the extension of the Sugar Act of 1948 agencies of our Government and the President himself held out a promise that when further amendments to the Sugar Act are prepared consideration would be given to allowing the Philippines to share in increased consumption as is now provided for other foreign countries.

Finally—and this is of the greatest significance to me—including the Philippines among the foreign suppliers of increased domestic sugar requirements will assist the Philippines in a time of need and give further recognition to the bonds of friendship and alliance which exist and I hope will continue to prevail between our countries.

PAY RAISE FOR POSTAL AND FEDERAL EMPLOYEES

Mr. TOLL. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOLL. Mr. Speaker, I have introduced today a bill identical with the bill introduced earlier by the gentleman from Louisiana [Mr. MORRISON] and my colleague from Philadelphia, Mrs. GRANAHAN, calling for an adequate increase in the wages of postal and other Federal employees.

The postal employee has always been the forgotten man in the economic market. The entire history of Federal employment discloses a constant effort on their part to catch up with the cost of living and the wage levels of private industry. On the one occasion that they did achieve parity, in the depression year of 1933, the Government made drastic reductions in their wages.

Postal employees, led by the National Association of Letter Carriers, are now engaged in a crusade for economic equality. They are trying to catch up with their civilian brothers.

Secretary of Labor James P. Mitchell has underlined the unfair conditions which exist today in a press release dated February 1. In that press release, Mr. Mitchell states that the take-home pay or spendable earnings of the average factory worker is now $82 a week for a man with three dependents. The take-home pay of a letter carrier with three dependents is only $64.97 a week, or almost $18 a week less than the pay of a factory worker.

The National Association of Letter Carriers has developed figures showing that in many communities postal employees receive anywhere from 25 cents to 75 cents an hour less than do garbage collectors.

Mr. Speaker, I submit this is unfair. It is unjust. The Government should be a model employer of its citizens. It should set and comply with the standards which it imposes on industrial employers.

I hope, Mr. Speaker, that this House will rally unanimously behind the efforts of postal employees to achieve economic equality. They have always earned a decent salary—now it is our obligation to make certain they are paid a decent salary.

IN COMMEMORATION OF THE HEROIC DEAD OF THE BATTLESHIP "MAINE"

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 60 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, sixty and two years ago an American battleship was blown up in the harbor of Havana in Cuba and the lives of 266 American sailors were sacrificed. It is not stretching for the fanciful and the dramatic to say that the sinking of the battleship *Maine* on February 15, 1898, changed the course of history. Future historians when they make the tracings and evaluation of events and their relationship each to the other can reach no other conclusion.

The sinking of the *Maine* brought on the war with Spain, which at that time still was regarded as one of the four great world powers with its hold firmly fixed on Cuba and Puerto Rico, close to our eastern American shoreline, and on the Philippine Islands, far in the Pacific.

The war with Spain was fought by volunteers, crudely equipped, clothed for the tropics in the heavy wear of wintertime, and with rations so unfit for human consumption that among our troops in Cuba disease ran rampant and unchecked. Yet this force of volunteers, fighting on land and sea in the Atlantic and the Pacific, never lost a battle or a skirmish, never suffered a reverse, and by quick and smashing victories by sea and quick and smashing victories by land, crushed and forced the capitulation of what then was rated one of the four great world powers in exactly 64 fighting days, counting from Dewey's naval victory at Manila on May 1, including the fighting in Cuba that reached its terminating and triumphant climax on July 1 and 2 and ending with the destruction of the Spanish Atlantic fleet off Santiago de Cuba on July 3. After that the war was over as far as any real resistance was concerned.

No other war in history ever was waged and won, on land and sea in two oceans, without a single reverse or a solitary temporary dipping of the colors, in such a brief period of fighting time—little more than 2 months—and with such world-reshaping repercussions. The "spirit of '76" truly had its rebirth in the "spirit of '98."

AMERICAN YOUTH IN SAME UNIFORM

Since the end of that war of 60 and 2 years ago 96 American Spanish War veterans have served in this body. Some were from the North, some from the South, others from the East and the West. On this phase of the war with Spain, its influence in healing the wounds of a bitter conflict between the States that had colored many battlefields with the blood of northern youth and the blood of southern youth, permit me to speak briefly.

The war with Spain came only 33 years after the end of the Civil War and among the elder American officers were some who had served gallantly with the Union Army and some who had served gallantly with the Confederate Army. It thrilled the country that they again were fighting side by side in the same American uniform. The younger soldiers had grown up in the post-Civil War period, when sectional sentiments were centered in the North around Union veterans, then in the prime of their lives, and in the South around the Confederate veterans. Now the sons of Union families and the sons of Confederate families were in the same uniform in the massing of the Nation's youth to advance the destiny of the Republic, and all felt the exhilarating emotional excitement of the reunion. When they returned from the war and organized the United Spanish War Veterans they selected for the trousers of their veteran uniform the gray of the South and for the coat the blue of the North.

Ninety-three years after the end of the War Between the States and 60 years after the close of the war with Spain, Confederate veterans and their widows for the first time were put on the Federal pension rolls the same as Union veterans. This was accomplished in the law enacted by the 85th Congress raising the pension of Spanish War widows and which the gentleman from Illinois had introduced by request of the national legislative committee of the United Spanish War Veterans.

"SPIRIT OF '98" SOMETHING REAL

As the last veteran of the Spanish-American War in this historic Chamber I have had a responsibility that I could not share with anyone and yet could not have discharged, at times inadequately I am afraid, had it not been for the never failing understanding and the so much appreciated friendship of my younger colleagues and younger fellow veterans.

Events moved so rapidly after the turn of the century, one great and devastating world war following another, with periods of tragic depression and periods of marvelous advance and progress, that the war with Spain which triggered this chain of world reshaping events, literally was lost in the shuffle.

The "spirit of '98" was something real. It was the motivating force of a people awakened to the call of a destiny. It is difficult for another generation to understand. The researchers of a later generation try to reconstruct, but their measure of interpretation always is the measure of their own generation. The "spirit of '98" was not a hysteria. It was not something manufactured by demagogs.

It was a dedication to destiny in the age of the horse and the buggy when people sensed within themselves, although without understanding or definition, that ahead were the airplanes, the annihilation of distances, the knitting together of a whole universe. American youth from the North and the South, the East and the West, near the turn of the century, were responding to the call of the future for preparation for the tasks ahead when our country would be charged with world responsibilities and the advancement of human welfare and contentment.

OUR DEBT TO DEAD OF THE "MAINE"

Today we in the House of Representatives of the Congress of the United States are honoring the memory of the heroic dead of the battleship *Maine*. On every February 15, or nearest day thereto that the House has been in session, since the gentleman from Illinois has been a Member of this body there has been a special order for 1 hour. From the bottom of my heart I thank my colleagues for their participation on these anniversary occasions. I hope and pray that in this historic Chamber, enriched with its memories of transcending personalities, of traditions, and sentiments that tell the story of Americana, the 15th of February will never go unnoticed.

The "spirit of '98" is the common heritage of the peoples of the United States and the peoples of the Republic of Cuba, the Commonwealth of Puerto Rico, and the Republic of the Philippines. I hope and pray that always on the 15th of February, the anniversary of the tragedy that brought the peoples of these lands together in a common cause for freedom and a democracy built on recognition of human dignity, men and women and children in all these lands will pause to remember how much we all owe to the 266 men who died in Havana Harbor 60 and 2 years ago today.

For the beautiful island of Cuba and for its peoples I hold an affection second only to that for my own country and its peoples. As a boy I fought with American soldiers and Cuban soldiers that Cuba might be free. I have abiding faith that nothing will ever render asunder the affection of the peoples of the United States and the peoples of Cuba.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I gladly yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to have the honor of announcing to the House that the present speaker, the gentleman from Illinois [Mr. O'HARA], is the only remaining Spanish-American War veteran in the House, a fact of which we in Illinois are very proud. I wish you could have been with me when it was my pleasure to visit Spain with Mr. O'HARA 2 years ago, when the gentleman told he was the last remaining Spanish-American War veteran in the House. He was met not only with respect for himself but with recorded respect for the country he represents. I am glad to be here today to make this announcement in the House.

Mr. O'HARA of Illinois. I appreciate so much the remarks of my friend and colleague the gentlewoman from Illinois [Mrs. CHURCH]. I must take advantage of this occasion to tell you what happened when we visited the University of Madrid. I had spoken first, but I had suggested that there would come a day when in Spain there would be women serving as Mrs. CHURCH is serving here now, in public office. Mrs. CHURCH, always quick of wit, following me, said, after paying me a gracious compliment, that she was surprised that I had forgotten that had it not been for a woman in Spain I would not have been a Member of Congress.

REMARKS OF HON. FRANK M. COFFIN

Mr. Speaker, I now yield to the distinguished gentleman from Maine, the Honorable FRANK M. COFFIN. It is most appropriate that the address on this memorial occasion should be made by a Representative from the great State for which the battleship *Maine* was named. I know of no one who could do richer justice to the occasion than my friend and colleague who during his service in this body has endeared himself to all his colleagues and by his great industry, his warm and courteous deportment, and his towering ability has won in highest measure the esteem and admiration of leadership and rank and file on both sides of the aisle.

Mr. COFFIN. Mr. Speaker, I want to thank the gentleman from Illinois for his kindness in yielding to me and in giving me the privilege of sharing these moments with him, moments which are precious to our national history as well as the tradition of the State which I have the honor to represent. I do not suppose that the State of Maine has any greater proprietary interest in the battleship *Maine* than any other State because in the roll of the 266 who went down on that fatal night some 62 years ago yesterday, the roster of all the States in the Union at that time is pretty well represented. There were some Maine men there certainly, but there were Ohioans, New Yorkers, men from every part of the country, a fine crew, and a fine corps of officers.

It started, we might say, in a parliamentary manner because the *Maine* was stationed in Florida and its duty preceding the fatal event that we are commemorating today was to search out and prevent filibustering among the keys off the Florida coast. Not the kind of filibustering that we occasionally read about, the kind that takes place occasionally on Capitol Hill, but filibusters in the old sense of being independent military adventure.

I want to make clear that the battleship *Maine* was not engaged in creating any obstacles to the traditional parliamentary process.

The *Maine* received its orders to go to Havana and under Capt. Charles Sigsbee, proceeded into the harbor and was shown a berthing place by the appropriate Spanish officials. While there the highest traditions of our diplomacy as well as of our military were observed. The captain made contact with our consul, Gen. Fitzhugh Lee. Every attempt was made to soften the harshness of criticism against this country. The provocations which existed at that time against us remind us of some of the things we read about ourselves today.

There were circulars in the streets of Havana referring to us as Yankee pigs. Temperatures were running high. But our officers under the leadership of Captain Sigsbee took every precaution to extend the hand of friendship, to extend the olive branch. They participated in social functions on shore. The captain even attended one or two bullfights which he did not particularly appreciate but which he nevertheless ventured to as a sign that the *Maine* was in Cuba on a mission other than that of belligerency.

I would like to say to the gentleman from Illinois that I consider his service in having a special order for every year that he has been here on or about February 15, is a noble one. It is by no means his greatest in this body, for I have had the privilege of sitting beside him for over 3 years in the Committee on Foreign Affairs. I recognize that he has brought to all issues he has confronted not only the wisdom of a very rich experience but the joyous heart of a perennially young man. Many times he has shown us, with fewer years to our credit, that he in reality was younger than we were.

One point I want to bring out about the *Maine* is that as it went down on that fateful night at 9:40 p.m., Captain Sigsbee, as he wrote in his memoirs, made sure to stay on board until all of his sailors and officers had left. He thought it was only fitting and appropriate that he be the last to leave, but instead of parading this as an act of signal courage, he said:

> It is a fact that I was the last to leave, which was only proper; that is to say, it would have been improper otherwise; but virtually all left last.

In other words, the naval code of conduct was lived up to without ostentation; was lived up to humbly as a thing to be taken in course.

I would like to close my remarks, Mr. Speaker, by citing what Captain Sigsbee said as he closed his own account of this tragedy. The gentleman from Illinois has said that this war of 1898 was not entered into by our country as an act of emotion or as an act of vindictiveness or an act of expansion. Nowhere is that more corroborated than in Captain Sigsbee's remarks. Remember, this is a captain who faced this tremendous personal tragedy as he saw all of his dear friends lost, lost because of a cause which I suppose even today is not known with certainty. Captain Sigsbee said this, and these are eloquent words, not only in the annals of the U.S. Navy but I think in our own American heritage:

> Certainly no American is likely to feel more deeply than I in respect to any policy growing out of that great disaster; but it is very gratifying to my national pride that we, as a Nation, have been proof against all suspicion and against all argument, short of actual demonstration. We have heard much of the motto, "Remember the *Maine*." If we are satisfied that the *Maine* was blown up from the outside we have a right to remember her with indignation; but without more conclusive evidence than we now have, we are not right if we charge criminality to persons. Therefore I conceive that the motto, "Remember the *Maine*" used as a war cry would not have been justifiable. I should like to make the point here, as I have made it elsewhere, that this great and free country, with its education, good intention, and universal moral influence, may go to war to punish, but not to revenge. Improperly applied, the motto, "Remember the *Maine*," savors too much of revenge, too much of evil for evil; but it may be used in an entirely worthy sense.

Then this eloquent book, "The *Maine*—Personal Narrative of Captain Sigsbee," closes with this personal testimony:

> A naval commander both idealizes and personifies his ship. When he leaves her, or loses her, he dismisses from his mind the petty vexations of sea life and remembers only the nobler qualities of his shipmates and his ship. I shall always remember the *Maine* with as much pride as any commander who is completely satisfied with his command could possibly feel. The officers and men who were lost with the *Maine* were as worthy and true patriots as those we have lost in battle. Their fate was a sadder one. May God be good to them.

Mr. Speaker, the entire conduct of our people on the *Maine* in those sad hours lived up to the highest standards which we, as a free nation, and the

greatest nation on earth, should always cherish and remember. They were strong in the face of danger. They were steadfast in the face of provocation. They were heroic in the face of crisis. They were magnanimous when face to face with tragedy.

Now, to the gentleman from Illinois, I thank the gentleman for the privilege of associating with him in this very fine and notable occasion.

Mr. O'HARA of Illinois. Mr. Speaker, I should like to express my deep appreciation to my friend and colleague from Maine. He has voiced the spirit of idealism which truly was a part of the spirit of 1898. I know that my surviving comrades of the Spanish-American War, when they read the remarks of the gentleman from Maine [Mr. COFFIN], as I know they will, will feel as moved and as grateful as I do.

Mr. Speaker, no man or woman ever served in this body who has won for himself a greater measure of affection and admiration than the distinguished Resident Commissioner from the Commonwealth of Puerto Rico; and I now yield to him.

Mr. FERNÓS-ISERN. Mr. Speaker, I thank the gentleman from Illinois.

I most profoundly appreciate this privilege to join our distinguished colleague from Illinois in this tribute to the memory of men who 62 years ago lost their lives on the *Maine* and who will always be indelibilized in the minds of those who can never forget how the course of history was so profoundly influenced as a result of that transcendent event.

The destiny of millions was ultimately affected. Amongst those are more than 2 million whom I have the honor to represent. It is in the light of how the destiny of those people has been affected that I now speak. At that time, in 1898 the Puerto Rican people were 1 million strong. They had begun history on this side of the Atlantic four centuries before. During those centuries they had created for themselves a way of existence and reached high levels in the intellectual, the social, and the economic aspects of community life. However, the political framework in which they lived had not kept pace with their development in other directions. In fact, the framework of their political life would not allow for such development. The past in this respect continued to be the present. The future was being sacrificed to the past and the people did not, by themselves, have the strength, or the power, or the means to break with the past. The forces that held them tight to the past were too strong for them to overcome and to conquer. From what direction would the helping hand come to rescue them? For years they had had the hope; for years they had dreamed about it. By necessity it was a silent unexpressed hope, an unexpressed dream, for it would have been most dangerous to do otherwise. Then at a distant place came a holocaust—the *Maine*—and the clock of history started to run fast. In less than half a year there happened what had been impossible to achieve in a hundred years of endeavor, patience, hope, disillusionment, and frustration. Ties four centuries old were severed, and a new life begun; a new life which has since pulsated with rapid rhythm; a new life that has culminated in rich achievements, social, economic, cultural, and political. Today there exists the Commonwealth of Puerto Rico—a fully self-governing body politic which develops in security, and prosperity, and freedom, and social peace, in its Caribbean setting, untouched and unscathed by the storms that agitate the troubled waters that surround it. This is an achievement, this is a reality which the Puerto Rican people and the American people should feel proud of. It is another triumph of the principles, faith and fundamental concepts which have made this Nation great.

The more than 2 million citizens of the Commonwealth of Puerto Rico are citizens of the United States. Their bonds of association with their mainland fellow citizens have been the result of mutual understanding, mutual agreement, common dedications to the principles which together they hold. On this foundation, they have been able to build and construct and create.

These developments in American political history and these achievements by the Puerto Rican people are closely tied to the events which followed the tragedy of the *Maine*. Young, precious lives were lost and families and relatives suffered, but history proves that tragedies of war often accelerate developments which were slowly in progress as has been the case with Puerto Rico.

I think that the tragedy of the *Maine* should be properly viewed in that perspective.

It is fitting that today the people of Puerto Rico join with their mainland brothers on this anniversary in mourning and remembrance for those on the *Maine* and in honoring them; in fact, also, all who participated in the Spanish-American campaign.

Mr. O'HARA of Illinois. I thank the Resident Commissioner from Puerto Rico for the moving contribution he has made.

Mr. Speaker, on the Sunday preceding the 15th of February all during the years there has been held here in Washington a memorial service, always attended by the Ambassador from the Republic of Cuba and the Ambassador from the Republic of the Philippines and members of their staffs. This year there was no such observance because the average age of the Spanish-American War veterans today is 84 and it is difficult for many of them to get around. So this year for the first time there was not held here in Washington that event in which the heart of Cuba, the heart of the Philippine Islands, and the heart of the United States were again one heart as it was in 1898.

Mr. Speaker, I ask unanimous consent that representatives of the great Republic of Cuba and the great Republic of the Philippines, if they desire, may put in writing the sentiments that they might have voiced had there been the usual observance on the Sunday preceding February 15, and that such statements as they might wish to make may be included within the next 5 days in the permanent RECORD following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as long as I am a Member of this body I shall ask, and I know that the House of Representatives in all its graciousness will grant my request, for a special hour to observe the 15th of February.

Mr. Speaker, I do not expect to be here more than 40 or 50 years more, and even that may be optimism on a high level. When I leave, I hope that some of my younger colleagues and our younger veterans of the two great world wars and the Korean conflict that followed will take up the "spirit of '98" and see that this anniversary never goes unnoticed in this historic Chamber.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to my good friend, the gentleman from New Jersey.

Mr. CANFIELD. Mr. Speaker, I was born in the year 1898, when the distinguished gentleman from Illinois, now in the well of the House, was serving in our Armed Forces. Our elder veterans today are those who served in the war with Spain. Preeminent among them is the distinguished gentleman from Illinois, the only Member of the Congress of the United States who served in that war. The gentleman from Illinois will never know—no; he will never know the affection I have in my heart for him because I know so well of his deep devotion to his country and his love for his fellow men. A hearty salute to the gentleman from Illinois, BARRATT O'HARA, and a hearty salute to those who served with him in the war with Spain. May I say to my dear friend, the gentleman from Illinois, I hope he serves in this House many, many years. This will be my last year as a Member of the House of Representatives, but I want to read about him in the years ahead and about his continuing contributions to the cause of good government.

Mr. O'HARA of Illinois. Mr. Speaker, may I say that one of the richest treasures that came to me on my election to the Congress of the United States was my meeting with GORDON CANFIELD and the rich and strengthening friendship that grew out of that first meeting. Mr. Speaker, I do not think there ever was a man who has served in this Chamber with more dedication to his job than GORDON CANFIELD. There is going to be a void in this Chamber next year when he is not here.

Mr. Speaker, I am going to close on another note. Somebody told me once that there was a wild rumor going around that every man has to die. I think it is just a wild rumor and I am not going to believe it until they prove it in my case. If I were to give to my younger friends a philosophy of contentment, it is that we always have the task of today to do, and if we are thinking of the tasks we did earlier or the tasks of the future and the fate that lies ahead, then we are not going to do the important thing that has to be done today. I pity young people

who want to be older, teenagers who are living in the future, not just preparing for it. Then, when they get to be older, they want to be younger. Why do they not live today? This moment is the richest moment of our life, if we make the most of it.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to my friend and fellow philosopher.

Mr. CANFIELD. You know, Mr. Speaker, it is hard to believe that the distinguished gentleman from Illinois, who is now addressing us in this Chamber, once ran on a ticket in a campaign in Illinois, on the Democratic ticket, with a grandfather of Adlai Stevenson. Yes; it is hard to believe, but it is true. I say to the distinguished gentleman from Illinois, having listened most intently to his last remarks, that the spirit of 1898 and the spirit of 1960 now burning within him will never, never die.

Mr. O'HARA of Illinois. I shall close by saying that in the years gone by when my hair was blacker than it is now—it is not black at all now but it was jet black then—I would refer to the Spanish-American War very often in my public addresses and my wife would say to me, jestingly, "BARRATT, do you have to mention the Spanish-American War in every talk you make? If you do not mind dating yourself, why continue to date me?" You see, even 20 years ago the Spanish-American War was regarded as something in the long ago days of antiquity.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield further?

Mr. O'HARA of Illinois. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Whenever I am privileged to address the veterans of the Spanish War in my congressional district—I happen to be a Republican Representative in this House—but when I do that, in mentioning the name of BARRATT O'HARA the House comes down, and the gentleman from Illinois [Mr. O'HARA] knows why, because they know so well what he has done for them, yes, for veterans of all of our wars and their dependents. They are a group of people who never forget.

Mr. O'HARA of Illinois. I thank the gentleman from the bottom of my heart.

Mr. Speaker, I am extending my remarks to include the following letters from Ambassador Carlos P. Romulo and Minister Plenipotentiary Mauro Calingo of the Philippines and the Minister and Chargé d'Affaires Enrique Patterson of the Republic of Cuba:

FEBRUARY 16, 1960.

Hon. BARRATT O'HARA,
U.S. House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN O'HARA: I have been informed by Minister Mauro Calingo of the eloquent and inspiring address that you made today on the floor of the House of Representatives on the occasion of the 62d anniversary of the destruction of the battleship *Maine*. It was the destruction of the *Maine* which, by a chain of events, led to the Spanish-American War, which in turn brought the United States to the Philippines.

Our association for about 50 years has been most cordial and friendly and, indeed, of mutual benefit to our two peoples. As we look back over the years, we arrive at a common point of origin of our historic association, and that is the destruction of the *Maine* on February 15, 1898.

May I take this opportunity to congratulate you on the remarkable work you have done and are doing almost singlehandedly in reminding the American people of the proper significance of the destruction of the *Maine*.

Sincerely yours,

CARLOS P. ROMULO.

EMBASSY OF THE PHILIPPINES.

MY DEAR CONGRESSMAN O'HARA: I wish to thank you for inviting me to be present when you addressed the House of Representatives today on the occasion of the 62d anniversary of the destruction of the battleship *Maine*. It was a stirring and eloquent speech and it reminded me of the previous commemoration of this historic event at the Department of Commerce Auditorium during which I had the honor of sharing the stage with you.

The destruction of the *Maine* is memorable not only for the peoples of the United States, Cuba, and Puerto Rico, but also for the people of the Philippines because it was this event which started the historic association between our two countries. The warm and friendly understanding which has marked that association has not diminished, but has grown with the years. I have no doubt but that the problems now facing our two countries can be solved to our mutual satisfaction if we but allow the spirit of 1898 which led the United States to liberate Cuba to permeate the negotiations between our two Governments.

Permit me to congratulate you, sir, on your inspired and stirring address today and to salute you on this occasion which, more than anyone, you have done so much to project before the American people.

Sincerely yours,

MAURO CALINGO,
Minister Plenipotentiary.

The people of Cuba during the 19th century had been fighting for their freedom from Spain. The final chapter of her struggle was initiated on February 24, 1895, under the leadership of Jose Marti, the apostle of her independence. The sinking of the *Maine* on February 15, 1898, in the harbor of Havana, marked an episode of great significance because it brought as a consequence, the Cuban-Spanish-American War, and the emergence of Cuba as an independent State.

Today, with dignity and pride, Cuba shows a will and determination to preserve her freedom and democratic way of life. She extends her friendship to all the peoples of the world and particularly to the people of the United States with whom she has strong bonds of respect and affection.

It is highly commendable to praise the persons and organizations that throughout the years have helped to maintain in the mind of the people a historical event of such importance.

ENRIQUE PATTERSON,
Minister and Chargé d'Affairs.

Mr. O'HARA of Illinois. Mr. Speaker, I yield back the remainder of my time.

FEEDER TYPE OF AIR TRANSPORTATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. BROCK] is recognized for 10 minutes.

Mr. BROCK. Mr. Speaker, during the past 5 years the Civil Aeronautics Board has been conducting a series of investigations to determine what additional local or feeder type air transportation is required throughout the Nation by the public convenience and necessity. These investigations have been conducted on an area basis and as of this time the Civil Aeronautics Board has completed their study and ordered necessary service in the seven-State area of the Middle West, the Montana - Idaho - Wyoming - Utah area, the Pacific Northwest area, the Southeastern States area, the Northeastern States area, and the Colorado River area encompassing the Glen Canyon-Kanal-Page area, with the important reclamation and hydroelectric installations located nearby.

At the present time a number of other important local service area cases are in progress. I have reference to the Great Lakes area case, the Piedmont case, the Pacific Southwest area, the Kansas-Oklahoma case, and the South Central area case.

The declared purpose of this comprehensive area-by-area investigation is to make sure that the national transportation system adequately serves the smaller and medium-sized communities and ties them in with the major hubs served by the long-haul trunkline and international flag carriers so that literally every community in the United States that qualifies on certain minimal traffic and economic standards will have the benefit of air transportation which we all know to be essential to the orderly and efficient economic progress of the Nation.

Mr. Speaker, I believe the Civil Aeronautics Board deserves praise and commendation for the fine work they have been doing with these area investigations. They have shown good judgment and foresight and are making a real contribution to the future of this country.

The Civil Aeronautics Board has made a twofold contribution by their program, Mr. Speaker. They have not only greatly expanded the number of cities receiving the benefits of local or feeder air service, but they have greatly assisted the trunkline industry as well. As you know, with the introduction of jet and turbine powered flights the trunk carriers must, to be efficient, operate longer haul service between relatively large population centers. Thus many of the small cities that are on the original grandfather certificates of the trunkline carriers must be transferred to the local service carriers. These transfers not only enable the jet operators to perform more efficiently but provides valuable new markets to the local carriers.

As of today some 148 communities have received temporary service authorizations in these area cases and undoubtedly this number will substantially increase as the remaining cases are decided. I have had a personal opportunity to observe the great need and the many benefits of these service awards in the State of Nebraska. I know of my own personal knowledge the great importance and value of local air service to the economic progress of the State of Nebraska.

However, Mr. Speaker, there is a great problem confronting the Nation in connection with these service awards. Those

cities given temporary authorization are confronted with the requirement of using the service or losing it. In order to retain service these cities must emplane a minimimum of five passengers per day and unless able to do so the service will be withdrawn.

Obviously, every possible encouragement must be given to these many cities to meet these traffic quotas. Yet, I am sorry to say that at the present time the transportation tax on domestic passenger travel is operating as a potent force to discourage travel. This tax was passed during World War II and one of its primary purposes was to discourage by an economic deterrent nonessential travel.

Mr. Speaker, it seems to me a self-evident proposition that we should repeal a tax which is at cross purposes with a vital national transportation policy. It just does not make sense to discourage air travel by retaining this tax when the success of this great nationwide program of air service depends upon encouraging adequate traffic to support it.

Moreover, when these cities were awarded air service it was with the knowledge and understanding that Federal subsidy would be required during the initial years to support it. It is simply incongrous that we retain a tax which discourages passengers and reduces passenger revenue when the deficit must be made up by Federal subsidy. It is not only improvident and wasteful, but it undermines a program which numerous Members of Congress have worked hard to foster and encourage.

In the last session of Congress Public Law 86–75 was enacted which will reduce the transportation tax to 5 percent starting July 1, 1960. This was a step in the right direction. However, we must go farther this session and remove entirely this outdated and ill-advised deterrent to travel.

I have read with great interest the speeches of several of my able colleagues this session who have proved that the transportation tax is unproductive. These have been well-reasoned and accurate and the contention that this tax is unproductive is doubtless correct. However, no one has yet pointed out the factors which in my mind render this tax not only unproductive but economically destructive.

One illustration suffices to prove this point. The Civil Aeronautics Board in the Seven States case awarded a new route between Omaha, Nebr., and Casper, Wyo., via the intermediate cities of Lincoln, Norfolk, Ainsworth, Valentine, and Chadron, Nebr. There is no other common carrier public transportation available over this route. Rail service has been suspended.

All of these communities are vitally dependent on the air service. The economy of these cities, the prosperity of individual businesses, depend on this service. Without this air service the gross annual productivity and correspondingly the annual taxable income of this vast area will be severely decreased. Obstacles to economic progress are harmful to the tax yield.

Mr. Speaker, this transportation tax is a perfect example of the maxim "penny wise and pound foolish," and I emphatically believe that we must act and act now, this session, to rid ourselves once and for all of this penny-wise and pound-foolish tax. I believe that unless this is done, the success of substantial parts of the fine program of the Civil Aeronautics Board for adequate nationwide air service will be severely jeopardized.

ECONOMIC CONDITIONS IN WEST VIRGINIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 30 minutes.

Mr. STAGGERS. Mr. Speaker, in the past 9 months West Virginia's economic condition has been the subject of both a national television program and a national magazine article. I resent both treatments, not so much because of what was said but because of what was omitted.

Had the coverage been complete, with a full outline of the causes of unemployment included, the reports might have contributed to constructive action. Instead, both merely emphasized hardship and poverty for dramatic effect, with the article now in circulation employing distortions for emphasis.

There is no question about West Virginia's economic difficulties. Our delegation in Congress has been reiterating these problems for the past decade in an attempt to produce favorable legislation and sound executive department policies. If a commentator or writer were interested in making a contribution to the general welfare, he would not omit mention of the basic reasons for the problem he portrays. When he does, the resulting misrepresentation must be construed as deliberate—either through his own dereliction or through deletion by the editors.

For more than a decade West Virginia's economy has been subjected to the fierce competition of imports produced in far off lands and unloaded into our markets without respect to impact on domestic producers. Our coal, railroad, oil, glass, pottery, chemical, clothespin, and assorted other industries have been principal victims. This information was public knowledge as far back as 1950 when a Senate committee heard testimony from scores of witnesses who presented irrefutable evidence that the Nation's foreign trade policies were responsible for growing unemployment in West Virginia.

Foreign residual oil is a case in point. Over the years, since shortly after the conclusion of World War II, shippers of residual oil from alien refineries have been preempting fuel markets of the east coast. Utilities and plants that were traditional coal customers have been the principal target of the usurpers, whose peculiar pricing policies make it impossible for domestic coal and oil to compete.

The invasion of foreign oil has hit hardest at West Virginia, whose mines normally serve a predominant share of the industries involved. One by one our mines have been forced to close, or to operate part time. Hundreds, then thousands, of miners were relegated to unemployment rolls, with railroaders whose jobs depend upon coal traffic meeting a similar fate. The impact has extended to producers of mine equipment and supplies, and to business houses all along the line. A natural consequence is the decrease in State and local tax revenue.

Ignore residual oil imports as a factor in the story of West Virginia's economic misfortunes? It is as ridiculous as if the steel strike were disregarded in a probe of the unemployment situation in Pittsburgh last year. Even the White House, after toying with the situation for many years, finally recognized excessive residual oil imports as a threat to the national security and imposed a quota of sorts last April. The restrictions have since been relaxed at the insistence of international shippers, yet the issue has received so much publicity that it would be difficult to escape the attention of even the casual newspaper reader.

Mr. Speaker, we are making every effort to revive industrial activity. For the past several years I personally have spent many hours with civic and business leaders in Monongalia County, as well as with Government officials, in an attempt to reactivate the Morgantown Ordnance Works, a $64 million facility which stands idle today after being placed in a standby status by the Federal Government. I have worked with other citizens throughout the Second Congressional District to bring new work opportunities into our area.

We are doing what we can to revive our industries, but the struggle will always be present unless we are given some form of protection from import competition. New England knows the necessity of tariff barriers to safeguard her watch, fish, textile, bicycle, and other industries. The South is aware of what competition from abroad can do to her textile mills when not properly regulated. Opening the doors to alien grain and cattle can bring poverty and misery to the Midwest. And the Pacific coast is susceptible to foreign fish, fruit, plywood, and diverse other products.

The coal industry has made vast investments in efficiency through mine mechanization. In situations of legitimate competition, such foresight and confidence would benefit management, labor, allied industry, and consumers alike. As recent as last week, Stephen F. Dunn, president of the National Coal Association, offered to cooperate with the State of New York's endeavor to find ways of economizing in coal transportation. I include the following reference to this action, as reported by the Fairmont West Virginian and other newspapers of February 5, in the RECORD at this point:

The National Coal Association has pledged to cooperate if Gov. Nelson A. Rockefeller follows the recommendation of his Committee on Power Resources for "deeper exploration" of railroad freight rates on coal.

NCA President Stephen F. Dunn told the New York Governor in a letter today that the coal industry concurs in committee findings that lower freight rates on coal would

benefit electric power consumers and "quite possibly could offer a longrun advantage for the railroads."

He pointed out that the coal industry works closely with rails, whose revenue for carrying coal amounted to more than a billion dollars in 1959, in an attempt to solve rate problems "to the satisfaction of all concerned and in the interest of the general economy."

Commending the Power Resources Committee for concluding that coal is the source of energy "upon which we must depend" for the foreseeable future, Mr. Dunn explained that mineable bituminous coal reserves in the United States amount to 947 billion tons—more than 30 times as much as has been produced in two centuries.

"With an unprecedented upward thrust in demand for heat and power looming ahead, Government and industry must make every effort to guarantee that supply will not fall short of requirements," he wrote. "Your committee report is an important contribution toward this objective."

We are all in this crusade together—coal operators and the United Mine Workers of America, railroad management and labor, and every citizen of West Virginia. As Mr. Dunn explained, coal and the railroads are working in close cooperation to bring this fuel to customers at the most economical rate. Still there is no way in the world for us to compete with foreign residual oil so long as its price tag can be adjusted to whatever level is necessary to undersell coal. Nor can we compete with the manufactured products of foreign countries where workers are paid only a small percentage of earnings for the same occupations in this country.

The Nation is aware of prevailing economic conditions in West Virginia. The duty of Congress to correct unfair policies contributing to this misfortune is apparent.

A flood of words has poured forth in West Virginia newspapers, the CONGRESSIONAL RECORD, as well as in thousands of letters written by West Virginians in agreement and disagreement with the Saturday Evening Post article, "The Strange Case of West Virginia," by Roul Tunley.

One newspaper editor reminds us:

He [Mr. Tunley] did not see our broad river valleys, our lovely old homes, our healthy cattle, our chicken industry and our shod citizens.

From a Morgantown editor:

We would admonish readers of this paper and all West Virginians not to pass over lightly the bad points as enumerated by Mr. Tunley. Many of them are there, you know. But as for West Virginia being a dying State—well, if that's true, we're dying along with it. As for us, we'll challenge anyone to a 5-mile hike in the beauty and richness of the Cheat River country. Don't give up being a West Virginian.

A mayor states wisely:

We as a people can have what we are willing to pay for.

And that is certainly true. West Virginia needs better schools, higher salaries for teachers—and that takes money.

A Martinsburg writer declares with pride:

We have recently voted a bond issue to make it possible for a school building program to take place, which will give us additions to several schools, as well as a new elementary and new junior high school. * * *

Apathy, Mr. Tunley? I wish you could have seen the enthusiasm at meetings of every organization in town when the question was raised as to whether or not to endorse the bond issue. Or could have seen the busy hands cooking, baking, and preparing lunch for the volunteers who worked at the polls that day. Every telephone in Berkeley County rang; volunteers called to remind voters to get out and vote. The vote was overwhelmingly in favor of the bond issue.

And going back to the article in question which set West Virginia "afire," let me quote one statement Mr. Tunley made and with which I wholeheartedly agree and stress a truth:

There's nothing wrong with the people. They're intelligent and conscientious and want to give a day's work for a day's pay.

I was born and reared in West Virginia and I love my State. And I have unlimited faith in its people that slowly but surely they will face their problems with courage and determination to make West Virginia a better State.

THE STRANGE CASE OF WEST VIRGINIA

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the recent Saturday Evening Post article, "The Strange Case of West Virginia," by Roul Tunley, has brought forth a flood of newspaper comments and letters from hundreds of West Virginians; some in agreement, but many in disagreement in part, or as a whole.

Mature men and women, especially West Virginians, can take criticism and profit by it, but our young people look wonderingly and listen questionably, not knowing what to believe. For them, I am anxious.

I want them to believe in their State; to have the courage and determination of their forefathers—a hard-working, God-fearing, proud people, armed with the Christian principles of love and service, who have made the hills of West Virginia bring forth good and wholesome living.

The young people must open their eyes to the beauty and opportunities of their State. They must know that it is rich in natural resources and potential progress. They must know that the way has been hard, but slowly and surely West Virginia is progressing. And above all, they must have the desire to learn their lessons today so that tomorrow they will expand West Virginia's industry, schools, utilities, farms, arts, science, and even our churches to benefit all parts of West Virginia. I say to the youth of West Virginia, let today's problems in West Virginia be your challenge to be their masters.

And going back to the article by Mr. Tunley, let me quote the part with which I wholeheartedly agree and stress as truth:

There's nothing wrong with the people. They're intelligent and conscientious and want to give a day's work for a day's pay.

The sterling character and the spirit of the pioneers still burn deeply in the breast of our West Virginia youth.

FEDERAL AID TO EDUCATION

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, during the next decade the United States faces a tremendous population explosion which will increase school-age population enormously and place an unbelievable burden upon cities and municipalities in the field of education.

It is estimated we are now short more than 140,000 classrooms, and are 2½ million children in excess of school capacity. Other outstanding experts set the classroom shortage at as high as 500,000. One hundred and forty thousand classrooms would make a building one room wide across the United States from the Atlantic to the Pacific.

Even the President of the United States said that the need for Federal assistance is "not theory, but demonstrated fact" since "it cannot now be said realistically that the States and communities will meet the need for school construction."

The school needs of this country are too great, too many children are on half days, in overcrowded classrooms, taught by overworked teachers, for inaction on any level of government.

Many localities are now unable to finance additional classrooms because they are at their constitutional debt limitation or have reached or are past the level of bonded debt which bond houses consider sound for new issues of obligations for school construction.

The national debt has increased 10 percent since 1948, while the State and local debt has increased 211 percent in the same period. Federal taxes are based on the ability to pay, while State and local taxes are based on real property taxes, sales taxes, and other taxes which press most heavily on the low income groups.

The cost of collecting Federal taxes and disbursing money to the States is a great deal lower than opponents of Federal assistance to the schools would have you believe. Federal tax collection and distribution costs for the school lunch program were 1.7 percent, for the vocational education program 2 percent, for the various Federal assistance laws ninetenths of 1 percent, for resident instruction in land grant universities five one-hundredths of 1 percent, according to the U.S. Commission on Intergovernmental Relations.

In contrast it costs the State of Delaware 95 cents for every $100 collected and Colorado $2.34 for every $100 collected in taxes. On the local level the cost of collecting and administering taxes runs between $5 and $10 for every $100 collected.

The educational level of people in the United States is directly dependent upon the quality of our schools. In scientists and technicians Russia outproduces the United States right now in quantity and certainly equals our efforts in quality. Very shortly China is going to outproduce us in quantity and in the not too distant future should equal our effort in quality.

In our effort to maintain parity with atheistic, godless communism our basic strength is our educational system and the quality of people who produce and are produced by it.

Failure to act immediately and vigorously in this regard can result in a loss of world leadership to the United States.

THE PRESIDENT SHOULD CHANGE HIS MIND AGAIN

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. PORTER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PORTER. Mr. Speaker, it seems evident that the President has changed his mind again about the testing of nuclear weapons. For a long time he resisted Adlai Stevenson's recommendation that we cease such testing as long as other nations also desisted. Then James Killian, Hans Bethe, and others convinced him that these explosions should stop and that suitable inspection procedures could be worked out. This was a bitter defeat for Edward Teller, Lewis Strauss, and certain military leaders.

Now the Geneva negotiations for a treaty to stop nuclear weapons testing have bogged down. One of our leading scientists disclosed that the American scientists at Geneva were given political orders not to discuss the one principal way to attain adequate inspection of the explosions under 20 kilotons.

His allegation is supported by the fact that the report of Technical Working Group II made no mention of this way even though it was designated by the Berkner report, almost a year ago, as the best way for detecting small explosions.

Our top seismic experts say that the addition of automatic, unmanned seismic stations to the Geneva net of control stations presents only easily solvable technological problems. This is the way to achieve adequate inspection of small explosions and so break the deadlock at Geneva. This is the way to get started, at last, on the road to real disarmament.

A final proof that the President has changed his mind is that the studies in the seismic detection field, for which $8½ million have been allotted, are not expected, by Brig. Gen. A. W. Betts, the Director of the Advanced Research Projects Agency, to provide sufficient data for such a modification until about 2 years have elapsed.

This Agency is making no crash, all-out effort to develop an effective detection system even though our scientists say the so-called ashcans or unmanned stations are theoretically feasible and need only the sort of research and development the Advanced Research Projects Agency could give because it has the money and personnel.

This Agency is in the Defense Department and it is well known that military men generally do not want an end to testing.

The only conclusion to be deduced from these facts is that the President has changed his mind again and now believes nuclear weapons testing, at least on some scale, to be both necessary and desirable. Otherwise no such political instructions could be given to our representatives at Geneva and the ARPA would be doing at top speed the one job that needs to be done so we can have a complete cessation of tests with adequate inspection in all the ranges.

My recommendations are:

First. The President should change his mind again. Our scientists generally agree that the Russians are not cheating now. It is plain to observers like Walter Lippmann that we cannot recommence testing.

Second. ARPA, for all the corporate character of its leadership and its apparent independence, should be taken out of the Department of Defense.

Third. ARPA should be directed by the President to proceed full speed ahead to prepare the sort of control station net that will provide adequate detection of the full range of explosions.

SMALL BUSINESS AND CONSUMER WIN USDA APPROVAL FOR CONTINUATION OF LAMB GRADING

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, small business and the consuming public have won a significant victory. Secretary of Agriculture Benson has announced that Federal grading of lamb will be continued. This represents a welcome reversal of a previous position. The Secretary is to be congratulated on this most recent decision of his to retain Federal grading of lamb. It is now clear that the best interests of the public and the small businessman in the meat and food industries are served by this action.

It should be recalled that on May 25 last year, the Secretary of Agriculture announced a proposal for the suspension of Federal grading of lamb. When the Honorable WRIGHT PATMAN, chairman of the House Small Business Committee, was first alerted to this situation on June 17, he wrote Secretary Benson asking for an extension in time before the final decision was to be made to permit the meatpackers to present their arguments.

Secretary Benson granted an extension to July 1, with notice that the final decision would be made on September 1, 1959. On July 23, Secretary Benson announced that Federal grading would be continued.

It was during the hearings of Subcommittee No. 5 of the House Small Business Committee, of which I am chairman, that subcommittee members were informed of the effect that suspension of grading would have on the small meatpacker. Mr. L. Blaine Liljenquist, vice president of the Western States Meat Packers Association, told the subcommittee that suspension of Federal grading of lamb would be ruinous to the small packers in the industry, as well as costly to the lamb producers. He agreed that lamb grading specifications need improving, but urged that they be retained. Federal grading permits the independent packer to compete with the nationally advertised big packer brands, permitting purchase by universal standards by telephone over long distances.

A representative of the Department of Agriculture was requested to appear before the subcommittee to explain the reasoning behind the proposed suspension, and was urged to notify consumer and labor groups so that they might express their opinions.

Following these developments, I also wrote Secretary of Agriculture Benson and requested that Federal grading of lamb be retained, and certainly that it not be suspended until representatives of interested parties had been given an opportunity to be heard in the matter.

Thereafter, the Secretary announced that Federal lamb grading would be continued until September 1, 1959, and that almost 1,000 communications had been received urging that Federal grading of lamb be continued. In referring to those communications, he stated:

> Comments and views were received from lamb producers and feeders, farm and other organizations, State and local government officials and agencies, land-grant colleges and other university representatives, consumers, meatpackers, livestock and meat marketing agencies, and institutional purchasers. The preponderance of the views received was for continuance of the Federal grading of lamb and mutton.

So, the first round was won for small business enterprise and the consumer. Then, Mr. Speaker, we were faced with the same problem for a second time when once again Mr. Benson announced, notwithstanding his own statement that "the preponderance of the views received was for continuance of the Federal grading of lamb and mutton," that lamb grading would be discontinued as of January 4, 1960. This announcement came on December 2, 1959, just a relatively few months following his decision to continue the Federal lamb grading program.

This change of heart was difficult to understand on the face of it, but even more so because a technical committee, asked by the Department to consider new specifications for lamb grading, voted 5 to 3 for the continuation of a lamb grading program, with new

specifications that had been promulgated by the Department and published in the Federal Register of October 21, 1959.

In addition, on December 15, 1959, a conference or meeting was called by the Department of Agriculture at which 38 different groups were represented, including legal counsel from the House Small Business Committee, and at which time none of these groups spoke in favor of suspension. Nevertheless, the indication was that the grading program would be suspended.

Mr. Speaker, I wish to commend most heartily and sincerely Chairman COOLEY and the members of the Agriculture Committee for acting swiftly and effectively in this matter. Chairman COOLEY asked the Secretary to defer suspension—scheduled for January 4, 1960—until the committee could hold public hearings. The Secretary complied with this reasonable request.

These hearings and the subsequent resolution of the committee which expressed support of the continuation of the lamb-grading program were indeed major factors in the reversal by the Department of Agriculture. For on February 8 Secretary Benson announced that Federal lamb grading would be continued, but under new revised standards and continued study.

Mr. Speaker, the net result is that we shall have a continuation of a much-needed program. As for the new specifications, I think we must await their application to determine their effectiveness and fairness. I am not taking issue with the new regulations. When I appeared before the House Agriculture Committee on January 13 of this year, I stated in this connection:

> I can, certainly, understand the need for revision, because within the industry, unquestionably, circumstances change as they do in most of the economy. And yet to be willing to abandon it because there was no unanimity of opinion * * * seems to me to be a completely unjustified position.

It is my hope that this on-again, off-again performance by the Department of Agriculture will not be reenacted. If by chance we are again faced with this problem, I sincerely urge my colleagues to insist upon the retention of the Federal lamb-grading program.

I urge that it be retained—if again challenged—with all of the emphasis I can put on this statement.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAGGERS, for 5 minutes, today.

Mr. BAILEY, for 20 minutes, on Tuesday, February 23, and to vacate the special order granted him for today.

Mr. BRAY (at the request of Mr. SMITH of California), for 15 minutes, on February 18.

Mr. SIKES (at the request of Mr. BURKE of Kentucky), for 30 minutes, on Tuesday next.

Mr. PORTER (at the request of Mr. BURKE of Kentucky), for 30 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. KARSTEN, to revise and extend his remarks made in Committee of the Whole today and to include extraneous matter.

Mr. BROYHILL.

Mr. BOLAND.

(The following, at the request of Mr. SMITH of California, and all include extraneous matter:)

Mr. BROOMFIELD.

Mr. FINO.

(The following, all at the request of Mr. BURKE of Kentucky, and to include extraneous matter:)

Mr. DONOHUE.

Mr. FORAND.

Mr. KOWALSKI.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3610. An act to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes; and

H.R. 9664. An act to stabilize support levels for tobacco against disruptive fluctuations and to provide for adjustment in such levels in relation to farm costs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 623. An act to provide a two-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California;

S. 713. An act to revise the boundaries of the Zion National Park in the State of Utah, and for other purposes; and

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho.

ADJOURNMENT

Mr. BURKE of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 17, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1838. A letter from the Assistant Secretary of Agriculture, transmitting a report for the month of November 1959 of the General Sales Manager, concerning the policies, activities, and developments, with regard to each commodity which the Commodity Credit Corporation owns or which it is directed to support; to the Committee on Appropriations.

1839. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend the Career Compensation Act of 1949 with respect to incentive pay for certain submarine service"; to the Committee on Armed Services.

1840. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of proposed legislation entitled "A bill to amend section 404 of the National Housing Act, as amended, and for other purposes"; to the Committee on Banking and Currency.

1841. A letter from the Comptroller General of the United States, transmitting a report on review of treatment of suppliers' price reductions applicable to negotiated Department of the Air Force contracts by Fairchild Engine & Airplane Corp., Fairchild Aircraft Division, Hagerstown, Md.; to the Committee on Government Operations.

1842. A letter from the Secretary of Commerce, transmitting a report relating to providing war risk insurance and certain marine and liability insurance for the American public for the period as of December 31, 1959, pursuant to title XII of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

1843. A letter from the Acting Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1946, from October 1 through December 31, 1959; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 9820. A bill to extend for an additional 3 years the period during which certain tanning extracts, including certain extracts, decoctions, and preparations which (irrespective of their chief use) are suitable for use for tanning, may be imported free of duty; with amendment (Rept. No. 1266). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9881. A bill to extend for 2 years the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders; without amendment (Rept. No. 1267). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9861. A bill to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber; without amendment (Rept. No. 1268). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 10433. A bill to amend the Mineral Leasing Act of February 25, 1920; to the Committee on Interior and Insular Affairs.

H.R. 10434. A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BREEDING:

H.R. 10435. A bill to adjust the rates of basic compensation for certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 10436. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 10437. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for depletion of natural resources may be computed on the percentage basis (in lieu of the cost basis) only in the case of mines, wells, and deposits which are located within the United States; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 10438. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H.R. 10439. A bill to amend the act of September 2, 1958; to the Committee on the Judiciary.

By Mr. FULTON:

H.R. 10440. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

H.R. 10441. A bill to amend title II of the Social Security Act to increase minimum benefits, to provide full retirement benefits for both men and women at age 60, and to remove the limitation on the outside income which an individual may earn while receiving such benefits; to the Committee on Ways and Means.

By Mr. HOLTZMAN:

H.R. 10442. A bill relating to rates of postage on second- and third-class matter mailed by civic organizations; to the Committee on Post Office and Civil Service.

By Mr. INOUYE:

H.R. 10443. A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Wisconsin:

H.R. 10444. A bill to amend the Federal Water Pollution Control Act to expand research, extend State and interstate water pollution control program grants, and strengthen enforcement procedures, and for other purposes; to the Committee on Public Works.

By Mr. KARTH:

H.R. 10445. A bill to amend the Postal Field Service Compensation Act of 1955, as amended, with respect to position descriptions, salary, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KEARNS:

H.R. 10446. A bill to incorporate National Service Star Legion; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 10447. A bill to prohibit agencies of the United States from imposing contractual provisions boycotting vessels trading with Israel; to the Committee on Merchant Marine and Fisheries.

By Mr. KEOGH:

H.R. 10448. A bill to amend title II of the Social Security Act to extend the period during which State agreements for social security coverage of State and local employees may be made retroactive; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 10449. A bill to extend the old-age, survivors, and disability insurance system to Guam; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 10450. A bill to provide for reimbursement of termination costs involved in termination of Menominee Tribe from Federal jurisdiction; to the Committee on Interior and Insular Affairs.

H.R. 10451. A bill to provide that documentary stamp taxes shall not be applicable to transactions involved in termination of Menominee Tribe from Federal jurisdiction; to the Committee on Interior and Insular Affairs.

By Mr. MACK of Illinois:

H.R. 10452. A bill to amend section 5(l) of the Railroad Retirement Act of 1937 to provide that certain remarried widows of railroad employees may qualify for benefits under such act based upon the employment of their second husband, without regard to the requirement that they have been married to the second husband for one year or more; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON:

H.R. 10453. A bill to amend section 309(a)(1) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

H.R. 10454. A bill to adjust the rates of basic compensation for certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORRIS of New Mexico:

H.R. 10455. A bill to amend the Mineral Leasing Act of February 25, 1920; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York:

H.R. 10456. A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PUCINSKI:

H.R. 10457. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. RIVERS of Alaska:

H.R. 10458. A bill to amend the act of March 3, 1933 (47 Stat. 1426), relating to the length of time by which the Federal Maritime Board may suspend tariff schedules; to the Committee on Merchant Marine and Fisheries.

By Mr. ROOSEVELT:

H.R. 10459. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

H.R. 10460. A bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes; to the Committee on Education and Labor.

H.R. 10461. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, and for other purposes; to the Committee on Agriculture.

By Mr. SANTANGELO:

H.R. 10462. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 10463. A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SILER:

H.R. 10464. A bill to provide free mailing privileges for veterans in Veterans' Administration hospitals, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 10465. A bill to authorize and direct that the national forest be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of California:

H.R. 10466. A bill to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States; to the Committee on Ways and Means.

By Mr. THOMSON of Wyoming:

H.R. 10467. A bill to amend the Mineral Leasing Act of February 25, 1920; to the Committee on Interior and Insular Affairs.

By Mr. TOLL:

H.R. 10468. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON:

H.R. 10469. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 10470. A bill to authorize the Maritime Administration to make advances on Government-insured ship mortgages; to the Committee on Merchant Marine and Fisheries.

H.R. 10471. A bill to authorize the reconveyance of tribally owned lands by the Muckleshoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON (by request):

H.R. 10472. A bill to amend subchapter III of chapter 15 of title 38, United States Code, to provide pension for widows and children of World War I veterans at the same rates as apply in the case of widows and children of Spanish-American War veterans; to increase the income limitations applicable thereto; and to eliminate annuities in the compensation of such income; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 10473. A bill to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States; to the Committee on Ways and Means.

By Mr. VINSON:

H.R. 10474. A bill to authorize the construction of modern naval vessels; to the Committee on Armed Services.

By Mr. WESTLAND:

H.R. 10475. A bill to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ZELENKO:

H.R. 10476. A bill to prohibit agencies of the United States from imposing contractual provisions boycotting vessels trading with Israel; to the Committee on Merchant Marine and Fisheries.

By Mr. MOORHEAD:

H.R. 10477. A bill to amend the National Firearms Act so as to include pistols and revolvers within the purview of such act; to the Comm'ttee on Ways and Means.

H.R. 10478. A bill to amend the Federal Firearms Act so as to regulate more effectively the shipment of pistols and revolvers in interstate commerce, and thereby to assist local jurisdictions in controlling the use of such weapons by juveniles and irresponsible persons; to the Committee on Ways and Means.

By Mr. CHELF:

H.J. Res. 613. Joint resolution proposing an amendment to the Constitution so as to

make former Presidents of the United States Members of the Senate; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 614. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. FLOOD:

H. Res. 447. Resolution authorizing the President to issue a proclamation designating February 16 of each year as Lithuanian Independence Day; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H. Res. 448. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

By Mr. SAUND:

H. Res. 449. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

By Mr. STRATTON:

H. Res. 450. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations Commission; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to urging that all necessary action be taken to encourage, pass, and approve Federal legislation to extend the limits of Public Law 85–739, which was referred to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 10479. A bill for the relief of Mrs. Ida Pinhas; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 10480. A bill for the relief of Vagharshag O. Danielian; to the Committee on the Judiciary.

By Mr. HARMON:

H.R. 10481. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

By Mr. KEITH:

H.R. 10482. A bill for the relief of Nakhle Nasrallah; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 10483. A bill for the relief of Santiago Am-is Garcia; to the Committee on the Judiciary.

H.R. 10484. A bill for the relief of Bernard Jacques Gerard Caradec; to the Committee on the Judiciary.

By Mr. O'BRIEN of Illinois:

H.R. 10485. A bill for the relief of Milorad Radjevic; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 10486. A bill for the relief of Enzo Bertolotti; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 10487. A bill for the relief of Albert W. McConchie; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 10488. A bill for the relief of Hyacinth Louise Miller; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 10489. A bill for the relief of Carlos Ernesto Schaps; to the Committee on the Judiciary.

By Mr. TELLER:

H.R. 10490. A bill for the relief of Lloyd George Terrode; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

339. By Mrs. ST. GEORGE: Resolution adopted by the Medical Society of the County of Orange, N.Y., relative to marshaling all their resources for the purpose of preventing the enactment of the Forand bill, H.R. 4700, which is the 1960 version of the continuing efforts of the proponents of governmental medicine; to the Committee on Ways and Means.

340. By the SPEAKER: Petition of William M. Cavaney, Los Angeles, Calif., relative to the space program, and requesting utilization of Government facilities in the development of the prototype of the Aerofoil Mark I, AMI, air and space crafts; to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

The Mutual Security Program

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, February 16, 1960

Mr. WILEY. Mr. President, I ask unanimous consent that a statement, prepared by me, entitled "WILEY Urges Strong Muscular Mutual Security Program," be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WILEY URGES STRONG, MUSCULAR, MUTUAL SECURITY PROGRAM

Senator ALEXANDER WILEY, Republican, of Wisconsin, ranking Republican of the Senate Foreign Relations Committee, today urged the adoption of a strong, muscular, mutual security program.

"The security of our country, the peace of the world, the future of freedom, may well depend upon what we, as a nation, are willing to dedicate to promote order, respect for law and human dignity, and deter aggression in the world," Senator WILEY said.

"As a nation—rich in resources, economic strength, industrial power, military might—we, without seeking it, have become a world leader. Our future may depend upon how well we discharge that great responsibility.

"As of now, we can be proud of our conduct in this field. In the postwar era, the American people have dedicated substantial volumes of manpower and resources to curbing aggression and promoting peace. Because of this, the climate of freedom is better, the outlook for preserving peace is brighter, the prospects of more nations to assume their rightful roles in world affairs, by self-determination, are more promising today than ever before in history.

"Now, what of tomorrow? The danger to world peace has not lessened, unfortunately. The Communist bloc is increasing its strength and capability for war.

"Can we, then, safely diminish our efforts to prevent aggression by the ever more powerful Communist bloc?

"The answer is 'No.'

"In the face of the continued threat of communism, President Eisenhower's comprehensive recommendations for carrying on an effective program to strengthen the chain of nations allied to deter aggression and promote economic progress deserves speedy, sympathetic consideration by the Congress.

"SCOPE OF PRESIDENT'S RECOMMENDATIONS

"As we know, the President's recommendation of $4.175 billion includes: $2 billion for military assistance; $724 million for support of defense establishments in 12 countries; $268 million for special assistance programs to promote stability, undergird economies, and combat the encroachment of communism in selected countries deemed significant to the security of the free world; $700 million for the Development Loan Fund; and the remainder for other special programs.

"What does this mean in terms of our national effort in dedicating resources to world peace?

"In total, it amounts to less than 1 percent of our estimated gross national product of about $500 billion for 1960. In relation to the U.S. defense budget, it amounts to about 10 percent of what we are spending on our defense program alone. For these expenditures, the allied air, sea and land forces of the free world are multiplied many times. In the evaluation of experts, mutual security—dollar for dollar—still provides more defense power than any other program.

"Economically, it is significant that funds for mutual security—for the most part—are spent to buy goods, materiel, equipment, right here in this country. As a result, a substantial number of jobs—annually about one-half million—are created for the American workers.

SIGNIFICANCE OF A STRONG PROGRAM

"Overall, the enactment of a strong mutual security program signifies:

"(1) The dedication of the United States to world peace;

"(2) A sense of responsibility in carrying out our role as leader of the free world;

"(3) Assuring our allies that we stand shoulder-to-shoulder with them against aggression;

"(4) Assurance to less developed nations that we recognize a need for establishing a world climate in which they, by self-determination, can attain their national goals.

"Overall, the effort, too, will keep alive the ideal of America—a country which, with the maximum of freedom, established the highest standard of living for its people in the history of the world; and yet, at the same time, is willing to be concerned with, and give assistance to, the less-developed and less fortunate nations of the world. While this is humanitarian, there is also a high degree of self-interest in such a program.

"Unless we are capable of deterring Communist aggression, the U.S. security is threatened. Unless the world succeeds, also, in wiping out economic conditions in which people exist, as the President has stated, 'on the ragged edge of starvation'—thus creating hotbeds of unrest, trouble and a breeding ground for infestuous communism—these will all serve as threats to peace.

"Naturally, Congress will need to examine and evaluate the President's recommendations for the mutual security program carefully. As deemed feasible and advisable, recommendations for constructive supplemental or alternative revisions should—and will, I am confident—be made in the program.

"Nevertheless, in the interests of our own security, as well as our overall effort to promote conditions in the world that would best foster peace—the Congress should give favorable approval to—and, I believe, the majority of our people will support—a strong, muscular mutual security program," Senator WILEY concluded.

Cub Scouts Honor Members of the Executive, Judicial, and Legislative Branches With Boy Scout Badges

EXTENSION OF REMARKS
OF
HON. JOEL T. BROYHILL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 16, 1960

Mr. BROYHILL. Mr. Speaker, I am pleased, especially so during this, the 50th anniversary of the founding of Boy Scouts of America, to list the following names of Cub Scouts from my district who have honored members of the executive, judicial, and our legislative branches with Boy Scout Badges.

These Cubs, their Packs and leaders are to be highly congratulated for their wonderful efforts during the week of February 7–13—indeed, the year around—for their efforts in reminding us of our country's heritage, and in helping to build a stronger America of tomorrow.

Alexandria District: Johnny Andrews, Steve Branam, David C. Clark, George Cushman IV, Jimmy Ferer, Warren Holmes, Spencer Howell, John Komoroske, Dorian Lester, Stephen Lyons, Luther Nassett, Jr., Dennis Eston Oyler, Mark Rosenberg.

Arlington District: George Baker, Scott Barnthouse, David Bennett, John A. Berud, Ted Bush, Jack Chiles, Robert J. Collins, William Craddick, Michael Doyle, Charles Dulaney, Jr., Larry Eckley, Kenneth Evans, Michael Hickey, Michael Ingram, Terrell Jackson, Timothy Johnson, Bryan Madden, Richard Millies, Dennis Rogers, Daniel Schecter, Richard Scheele, Philip Schulman, Alan Steckley, Grant Wallace.

Fairfax District: Jimmy Adduci, Charles Avery, Jr., John Bailey, Barry Barchard, David Bragg, Max W. Brake, William Campbell, Anthony Christ, Fayne Currence, James Davies, Robert Flake Dry, Jr., William Felchner, Stephen Finlayson, Sandy Finner, William Glickert, Ronnie Greaser, Stephen Grebok, Russell B. Hall, Douglas Hays, John P. Langford, Douglas Lindsay, John Morris, Richard B. Moyer, James Murphy, Robert Myers, Robert Nash, Jr., Jim Ogle, Lochlin Page, Charles Rodgers, Carl Slagle, Bruce Smith, Bruce Snyder, Steve Stebbins, Blake Sweeney, Eric Thamm, Norman Lee Thienel, Gerald Upton, Rodney Winterbottom, Walter Wing Woo.

Birthday of Susan B. Anthony

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Tuesday, February 16, 1960

Mr. KEATING. Mr. President, three great emancipators were born in February. Washington freed this country. Lincoln freed the slaves. And Susan B. Anthony freed women.

Yesterday marked the 140th anniversary of the birth of this incomparable woman. Today it is clearly recognized that the rights which the women of our country enjoy are due in large measure to the dedicated efforts of this native of New York State who resided in my home city of Rochester.

Although her achievements have been universally recognized, nowhere have they received more tangible tribute than in Rochester. There, the home of Miss Anthony and her sister, Mary, from 1866 to 1906, at 17 Madison Street, has been set aside as a memorial to her great life and works. Mementoes of her activities leading to the 19th amendment have been carefully preserved, and the house is visited by a constant stream of admirers.

But Miss Anthony belongs to America and the world, not just to Rochester. It is therefore fitting that we pay tribute to her on the occasion of her birthday anniversary. It is appropriate that we recognize at this time her great sacrifices and the great personal abuse she suffered in fighting for a cause she considered just. It was a cause which we all know today was and is just.

Miss Anthony was born during a period when women were considered not the equal of their male counterparts. The equality women had shared with the men of this country in the pioneer days had given way to a kind gallantry of the superior toward the lowly.

With the fading of the pioneer days and the growing of the industrial system, women found themselves relegated to second place. They had no legal entitlement to the salaries they earned, could not enter into contractual agreements, and were considered far too delicate to be subjected to education or to concern themselves with the hard task of selecting public officials or running for office.

Susan B. Anthony was born during that era, and she, being of pioneer stock, protested vigorously these inequities. Because of the kind of woman she was, she knew no course but action. She campaigned militantly in the interest of womankind. She became a champion of economic justice as well as social and political emancipation. She campaigned vigorously for the vote for women, for in this she knew rested the only salvation for equal rights for women and freedom of human equality.

Miss Anthony, like Abraham Lincoln, stands as a champion of human justice. Although, like Lincoln, Miss Anthony did not live to see the fruits of her efforts, a large portion of the ideals for which she struggled so arduously and long have been realized. Women have gained the franchise and they are more and more taking their rightful places in the professions and in the business world.

But Miss Anthony's program will not be complete so long as there is any discrimination against women as, unfortunately, exists in some places and occupations. Women still all too often have to struggle for recognition which should rightfully be theirs. Men do not benefit when women work in a discriminatory atmosphere at substandard wages. Our democracy does not benefit when democracy is applied in 50-percent measure.

It behooves us all, then, to take a lesson from Miss Anthony. Her memory can be revered best by the realization that in our great country men and women have a common destiny which can be fulfilled only on the basis of equality.

I am delighted to call attention to the fact that yesterday was celebrated throughout New York State as Susan B. Anthony Day. By proclamation of Gov. Nelson A. Rockefeller, the accomplishments and perseverance of this great teacher, humanitarian, and woman were recognized. Mr. President, I ask unanimous consent to have the text of Governor Rockefeller's proclamation printed in the CONGRESSIONAL RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION OF THE STATE OF NEW YORK
EXECUTIVE CHAMBER, ALBANY

The rights which the women of our country enjoy today as American citizens are due in large measure to the stanch and untiring efforts of a native of the Empire State, a resident of Rochester, Susan B. Anthony.

One hundred and twelve years ago an event destined to be of worldwide importance took place at Seneca Falls, N.Y., the first Women's Rights Convention. Those who took part were in the position of being nominally citizens but actually deprived of a citizen's right to vote and share in the government of their community, their State and their Nation. Susan B. Anthony was a leader of this band of brave and intelligent women. She, and others with her, persevered in the face of prejudice, abuse and ridicule. In the end, their courage and tenacity prevailed. What they achieved is part of the goal for which we are today striving—equality of opportunity for all

The right of women to take part in government is today recognized as beyond dispute. The State of New York extended this principle when its legislature was the first to pass a law providing that women workers must be paid on an equal basis with men for equal work. This was one consequence of the movement that Susan B. Anthony led so valiantly.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim February 15, 1960, as Susan B. Anthony Day in the State of New York, and I urge the men and women of the

State to join in paying tribute to that distinguished American.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 25th day of January 1960.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

Tribute to Msgr. Lucyan Bojnowski, a Great Priest and a Great Patriot

EXTENSION OF REMARKS
OF
HON. FRANK KOWALSKI
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 16, 1960

Mr. KOWALSKI. Mr. Speaker, on February 20, in the busy city of New Britain, Conn., a great American and a beloved spiritual leader will celebrate his 92d birthday.

Msgr. Lucyan Bojnowski, a truly heroic figure of a man, well deserves the tributes he will receive from the city for whose growth and progress he has been so largely responsible. His life has brought him honors and fame, but I know that he takes his greatest satisfaction from having helped the cause of humanity—a cause to which he has devoted a long and industrious life.

Born in Poland on February 20, 1868, he came to the United States and was ordained a priest in 1895. In that same year he was assigned to priestly duties in New Britain, the city with which he has been so closely identified for the 65 years since.

It is typical of the man that he helped build with his own hands his first church in New Britain, working alongside the ditchdigger, the bricklayer, and the carpenter. When the first Church of the Sacred Heart was completed and dedicated, he founded a Polish library, where he instructed hundreds of immigrants in English and other subjects and helped prepare them for citizenship. Next he established a newspaper, the Catholic Leader, a publication whose editorial influence has crossed the oceans. As an editor he won international fame, and some of the world's most illustrious figures engaged in correspondence with this busy Connecticut priest for whom the day never had enough hours.

He established an orphanage, which cared not only for Polish children but for youngsters of every racial background.

Far before his time, he saw and understood the desire of their elderly to spend their declining years in decent, homelike surroundings. The result was St. Lucian's Home for the Aged, which was a landmark in its field.

Monsignor Bojnowski, as his parish activities kept ever expanding, realized the need for trained, dedicated assistance. The result was the founding of a new religious order, the Congregation of the Daughters of Mary of the Immaculate Conception, whose beautiful Motherhouse now stands in New Britain.

He built schools, he built a new church. He gave friendly guidance to thousands on thousands of parishioners through the years. He was a community leader, in the forefront of every major civic enterprise. It was only natural, then, that a whole community rejoiced when, in 1946, this humble pastor was elevated to the rank of monsignor of the Catholic Church.

In the heart of this man of God has always burned a flaming love of freedom. When World War I broke out, he saw at once the danger to the free world. Long before the United States entered the war, he was instrumental in raising large contingents of volunteers to leave for Canada, where they were trained for service overseas. When the United States declared war, he saw to it that the Polish-American families of his city contributed far more than their share of men to the services. He directed Liberty Loan drives; he visited camps; he kept in correspondence with hundreds of young men.

To the rectory where lived this simple man there came many of the great of the world, including Prime Minister Paderewski of Poland, the legendary hero, General Haller, Archbishop Cieplak, Archbishop Dubowski, and many more.

To Monsignor Bojnowski have come many personal honors and awards. To name a few, he has received the Order of St. Lazarus, the Gold Star of General Haller, the Fidelitas Medal, and the Order of St. George.

His has been a life of great achievement, but he has ever remained a simple, holy man. He has helped to build a city; he had been the spiritual guide for a large portion of that city's population. He has fostered a love of America and a love of democracy that for decades have influenced a whole community.

Mr. Speaker, I am honored to salute Monsignor Bojnowski for a lifetime of service to mankind, to America, and to the city he loves so dearly. Knowing him, I know that more important to him than the medals and the honors is the fact that we, who owe so much to him, love him for his simple goodness and the boundless warmth of his great heart.

Address by Hon. Allen J. Ellender, U.S. Senator from Louisiana, Before the National Limestone Institute, Inc.

EXTENSION OF REMARKS
OF
HON. STEPHEN M. YOUNG
OF OHIO
IN THE SENATE OF THE UNITED STATES
Tuesday, February 16, 1960

Mr. YOUNG of Ohio. Mr. President, all of us are at times called upon to speak before various groups interested in the problems facing our country. This is a privilege of public office, and one which we accept with pleasure.

I was particularly impressed by a speech delivered by our colleague, the distinguished senior Senator from Louisiana [Mr. ELLENDER] before the 15th annual convention of the National Limestone Institute on January 21, 1960.

In his address, the Senator from Louisiana stressed the theme of conservation of our natural resources, especially our fertile earth. His penetrating remarks should be preserved. I feel certain they will be of interest and value to my colleagues.

Mr. President, I ask unanimous consent that the address delivered by the Senator from Louisiana [Mr. ELLENDER] before the National Limestone Institute be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY SENATOR ALLEN J. ELLENDER, DEMOCRAT, OF LOUISIANA, AT THE 15TH ANNUAL CONVENTION OF THE NATIONAL LIMESTONE INSTITUTE, INC., AT THE STATLER-HILTON HOTEL, WASHINGTON, D.C., ON THURSDAY, JANUARY 21, 1960

Ladies and gentlemen, I would like to begin by making a few observations about the prospects of farm legislation. I am sorry to say that I don't believe that there will be too much forthcoming in the way of farm legislation this year. I introduced a bill 2 weeks ago in an effort to rectify the wheat problem, if possible. During the last session of Congress, the Senate and the House each passed a separate bill. When it went to the conference committee, the membership on both sides agreed on a compromise bill. The Senate immediately agreed to the conference report, and CHARLIE HALLECK, and I believe Mr. Benson, got busy on the House side. The conference report was not agreed to there, so the Senate was required to adopt the House bill. The President promptly vetoed it. Now if the House bill had been signed by the President, it would have saved considerable sums of money. According to the experts, savings would have totaled between $500 and $600 million over the next 2 years, but, as I said earlier, the President vetoed the bill.

Now the bill I introduced earlier this year was somewhat along the lines of the conference bill that was not agreed to. It is my sincere hope that the Congress will enact a wheat bill along the lines of the one that I have introduced because if we don't enact a wheat bill that will assist in curtailing the surpluses that we now have on hand, the whole agricultural program may be imperiled. I shall do my best, as chairman of the committee, to have a bill enacted.

I was also asked to say a few words on the soil bank, as to whether or not Congress will enact a new soil bank program. I tell you that I do not believe that Congress should or will enact another soil bank program. It is my belief that the present soil bank program, which has not been on the statute books too long, has cost the taxpayers a little over a billion and a half dollars and surpluses are continuing to pile up. An effort I believe is going to be made to extend the conservation reserve portion of the soil bank but even that I hope will not be enacted.

Another point I would specifically like to bring to the attention of your organization is that the President of the United States failed to budget $250 million for the agricultural conservation program. I do not suppose any of you will object if the Senate and the House put into the bill $250 million before it is sent to the White House.

I would like to direct my remarks today to two very important subjects which, I fear, are often overlooked in this era of intercontinental missiles, trips into space, and atomic power; namely, the need for continued and expanded conservation and preservation of both our natural and human resources.

As is often said, it is very easy to lose sight of the forest for the trees. I think that

is happening today for in many respects we are overlooking the fundamentals that have made our Nation great.

Putting it very simply, we owe our present position of national strength, in large measure, to the proper development of our God-given natural resources which our forefathers discovered in this country.

The development of a widespread system of internal communications, such as highways, waterways, and railroads which made it possible for all areas of our country to be linked together so that all could share in our joint progress, set the cadence of our unprecedented march forward.

If we ever fail to give close attention to our transportation and communication facilities and to the proper use and adequate conservation of our water and land resources, then we need never worry about who gets to the Moon or Mars first. It just will not make any difference to us by that time. Our economic backs will already be broken.

The value of a well coordinated internal communication system was never made more obvious to me than during 1958 when I had the privilege of making an extensive tour of the nations of South and Central America. There, I visited countries that are immensely wealthy in natural resources, yet, they remain underdeveloped, principally because of a lack of adequate internal communications.

I saw veritable treasure troves of natural wealth, but no means by which these resources could be made available for industrial and other uses.

I resolved then that if the countries of Latin America are to ever become strong and viable—both economically and politically—avenues of trade and communication must be created, much as the United States did in our early years, and as we have continued to do as our Nation has grown. In large measure, we owe our present position of world leadership to our ever-expanding network of highways, waterways, and railroads. The magnitude of this achievement becomes even more astounding when it is realized that our rise to world leadership has taken place only within the last 60 years. In short, in only six decades, we have been able to overtake and surpass other nations which were leaders of the then-known world before our country was ever colonized.

A review of our history should make it very clear that there is need for a continuous improvement of our internal communication system—particularly through updating and expansion of the present highway construction programs, the development of new waterways, and the modernization of existing waterways, including our ports.

Yet, I fear that some shortsighted persons have felt that we have gone far enough in this field. This is a good example of losing sight of the fundamentals, to which I referred earlier.

If we of the United States ever decide that we have gone about as far as we can go, then that is as far as we will go. That day will mark the decline of the United States as a world power.

It is for that reason, among others, that I have supported—and will continue to support—the current Federal aid to highways program, as well as our long-range plans for water transportation.

I would like to give a word of advice to the planners of our highway programs: Despite the emphasis on interstate highway programs—which I agree are vitally needed—we must not overlook the less spectacular, but just as vital, fundamentals in that field, also.

We must remember that superhighways are of no use without connecting links. If the Interstate System is the very backbone of our road construction effort, then the primary system, the so-called A–B–C road construction program, provides the muscle and sinew.

It is my hope that the Public Works Committees of both the House and Senate will reexamine the entire highway construction program during this session of Congress, with an eye to giving the A-B-C programs proper emphasis.

It might even be desirable for Congress to reconstitute the entire Federal-local relationship that now exists in highway construction. Just because the existing program is apparently sufficient for our needs of today is no reason for us not to make plans for the future.

This brings me to the heart of what I would like to discuss with you today.

I fear that in too many places—yes, even in places of high position—there is a mistaken notion that we need not plan for the future—that the future will take care of itself. This ostrichlike attitude is glaringly apparent in the field of natural resources development, particularly in agriculture. Just because we happen to have a surplus of agricultural products today, this does not mean that it will always be the case.

Yet, there are quite a few people—and some are powerful and influential—who are asking why we should continue conservation and reclamation programs as well as farm research. They point out that we already have farm surpluses and they even cite projections of the Department of Agriculture that by 1975, because of increased yields and more efficient farming methods, we will need some 7 million acres less cropland than we now have in production, and in the soil bank, to grow sufficient food and fiber for our increasing population.

I am here to say, ladies and gentlemen, that such an attitude is more appropriately associated with ostriches than with officials of a government striving to maintain a position of free world leadership.

For one thing, I deny and disavow any so-called short-range planning. The United States of America is going to endure for a lot longer time than merely another 15 years, and it behooves us to plan accordingly. Fifteen years from now, my youngest granddaughter will be only 16 years old, and I want to plan for her future—all of her future, not just the first 15 years.

The population of the United States today is about 175 million. It has been predicted that by 1980, our population will rise to 244 million and by the year 2000, it will reach 329 million people.

What is more, the Census Bureau has estimated that by the year 2010—just 50 years away—we will have in excess of 370 million people, more than twice the population we have today.

This means that merely to maintain our present diet levels, twice as much food and other farm products as we consume today will be required 50 years from now.

In other words, by the end of the next half-century, farmers will have to produce twice as much food and fiber as they do today—and they will have to do it on less land, for it has been estimated that by the year 2000, some 80 million additional acres of some of our very finest cropland, will be lost to creeping urbanization and other factors well known to you. This 80-million-acre loss compares with only an approximate 25 million acres of land which will be added to our cropland by reclamation and related practices during that period of time.

Of course, it is possible that we could increase our cropland by reducing our forests—but this would be merely another example of shortsightedness. We must preserve and conserve our forest resources, not strip them bare, and put them to the plow.

Part of this increased production can come as a result of the great strides being made in the field of farm research. Between 1935–39 and 1956 farm research in this country resulted in production increases equal to the yields from 142 million acres.

Yet, even an expanded research effort is not enough to take care of our needs 50 years hence. The Department of Agriculture has projected that by 2010, our progress in farm research will have to increase by more than 1½ times.

Where and how will we produce the food and fiber to feed and clothe the generations of as yet unborn Americans?

I say our solution can and must be found in both farm research and conservation and preservation of our two basic natural resources, soil and water.

The day is long past when the American frontiersman could just keep pushing west, bringing new lands into production.

Today, some 1 billion acres of land produce this Nation's food and fiber. If we were to follow the old methods of bringing production into line with consumption, we would need to double the amount of land now in use.

But the total land area of the United States is only 1.9 billion acres. In other words, even if we tore down every major city in the United States; if we made a garden plot of Manhattan; if we terraced and irrigated the Grand Canyon, and if we stripped our glorious national forests down to the soil line, we would still have a shortage of land and we would still have to seek additional manner and means to feed and clothe our people. And remember, that's only 50 years hence.

This should make it very clear that we must take care of the land and water we have today.

Very simply, the situation is this:

We have a limited amount of land in this country.

More and more of this farmland—and I might point out that in many instances it is some of our best farmland—is being lost to growing urbanization, and erosion, among other things.

Our population is increasing.

Therefore, we must make plans now so that our children can grow more food on less land. We must take care of our God-given resources.

This can only come about through an increased realization of the value of good, realistic conservation programs; a continuation of a well planned series of experiments in agricultural research, and an unslacking drive to further improve our routes of internal communication.

As the projections made by the Department of Agriculture reveal very clearly—we must make plans now so that the coming generations of Americans will be born in a strong, self-sufficient nation. There can be no room for friction within our ranks. After all, we all seek one thing—the preservation and conservation of our natural resources and their utilization in the most practical manner.

It is true that there are many divergent views as to how best this can be accomplished, particularly in the field of conservation.

However, in my judgment, there is not only room for all existing types of conservation programs, but they are all urgently required, particularly those which have been successful in preserving our two most precious resources, soil and water.

As chairman of the Senate Committee on Agriculture and Forestry, I am not unaware of the raging battles which we have had to fight in the past to preserve and maintain the various soil and water conserving programs presently being conducted by the Department of Agriculture.

It was not too many years ago that the Secretary of Agriculture sent the Congress a reorganization plan which held out the possibility of being used in such a way as to adversely shift the structures and functions of some of the existing soil and water conserving agencies. This reorganization plan met with the approval of my commit-

tee only after we received assurances from the Secretary that no such shifts would be initiated without first obtaining the approval of our committee.

I want to be particularly emphatic in telling this audience that my position has not changed, nor do I believe the position of the Agriculture Committee has changed, since that time. I do not propose to countenance, much less endorse, activities from any source whatsoever which have as their purpose the hamstringing or shackling of any existing agricultural conservation program.

The fact is that what agriculture needs today is unity, not dissension. What farmers need, and what farmers deserve, are peacemakers, not agitators. Those who seek to divide farmers from farmers, or farmers from consumers, are doing a great disservice to themselves, our agriculture, and our Nation's future.

It would be nothing less than folly for us to fail to work together as a team, in pursuit of our common goal. We must have unity in our efforts.

Today's newspapers are abundantly supplied with one very good example of how in disunity there is weakness. I refer specifically to the current missile lag, where, apparently, the members of our defense establishment are more concerned over who is going to have authority over what project, than as to the successful completion of that project for the betterment of our country. This is a lesson I think we should all heed.

What all of us strive for is the future of our children. We were bequeathed a legacy of a rich, fruitful land by our forefathers. They worked hard to develop it and to make a strong, vigorous America.

We can scarcely do less for those who will follow us.

I thank you very much.

A National Lottery Would Yield $10 Billion a Year in Additional Revenue

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 16, 1960

Mr. FINO. Mr. Speaker, if Mark Twain were alive today he would undoubtedly revise his famous words about the weather to a more meaningful expression, such as: Everybody talks about taxes but nobody does anything about it.

In the 8 years that I have been a Member of this House, I have often heard many Members express deep concern over the excessive individual income taxes.

I have heard responsible Government officials admit that the present tax structure is oppressive and in need of reformation.

The President, in his state of the Union message to this Congress, acknowledged the fact that the American people are pressured by the heavy burdens of taxation.

Yes, Mr. Speaker, everybody has been talking about the high taxes but nobody has done anything about it. This is not only a sad but disturbing situation especially when we read reports that the average taxpayer must work 2¼ hours of his 8-hour day to pay the taxes levied on him by Federal, State and local authorities.

Mr. Speaker, everybody knows, or should know by now, that our fiscal picture is not bright at all. As a matter of fact, with the cost of Government operation on the rise, the outlook for future tax relief is most discouraging.

So, I believe, Mr. Speaker, that the time has come to not only talk about taxes but do something about it. The Members of this House should stop pussyfooting and face this issue squarely and sensibly. All I ask is that this House show some courage and pass my bill for a national lottery.

A national lottery would pump into our Treasury over $10 billion a year in additional revenue. With this new revenue we can give long-awaited tax relief to our wage earners and also help reduce our ever-growing national debt.

Mr. Speaker, I repeat, with a national lottery we would not only be talking about taxes, but doing something about cutting them.

Let's Break Down the Age Barriers

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 16, 1960

Mr. HUMPHREY. Mr. President, I invite the attention of my colleagues once again to the plight of so many older citizens in this country who find themselves too old to work but too young to retire. In an article in the February issue of Eagle, I have spelled out the facts. I have called this article "Let's Break Down the Age Barriers." I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S BREAK DOWN THE AGE BARRIERS—EAGLE SENATOR OFFERS SOLUTION TO PROBLEMS OF HIRING MEN OVER 40

(By Senator HUBERT H. HUMPHREY)

To see the widespread discrimination against older workers, you don't have to look any further than the "help wanted" section of most large city daily newspapers.

"Prefer men under 35." "21 to 40." "Age 25 to 45." These are the barriers which too often face older men and women who must find a job.

But the age limits in these advertisements tell only part of the story. The age barrier appears again in a less blatant form when the older job applicant turns up in an employer's personnel office.

"Sorry, the job has been filled." "Sorry, we are looking for someone a little younger." "Sorry, we only hire temporary workers over 40."

Is it any wonder that discouragement, frustration, and hopelessness overcome the older jobseeker? It is bad enough to be out of work, worrying about food, rent, children, and health expenses.

But even worse is the feeling, "No one wants me; I am too old to get a job and too young to get a pension." This is a terrible blow to any person's self-respect. Without a job, a man feels loss of his status as a breadwinner in his family and in his community, plus a terrible loss of his dignity as a human being.

By 1970 one-third of our population will be over 45 years of age. But older people will find it harder and harder to compete for jobs in the next 10 years. The high birth rates during and after World War II are going to bring a bumper crop of new young jobseekers into the labor force in the 1960's. Also, automation and new technology may displace many workers now holding good jobs.

In the past 10 years, relatively few young people entered the labor force, as a result of the low birth rate of the 1930's. Therefore, employers needing more workers had to hire and retain older people in spite of their reluctance to do so. This will not be the case, however, in the 1960's.

We cannot afford to waste any of our manpower. Our manpower—young and old—is our greatest resource in achieving prosperity at home and in meeting the challenge of Soviet competition abroad. The age barriers not only are wasteful, but have profound human and social consequences. Age discrimination may turn an able unemployed worker into a bitter, hopeless idler, a ripe victim for any demagog's propaganda.

What is behind the reluctance to hire older workers?

Some employers claim that older people are less productive, too often sick or absent, unwilling to learn, prone to accidents, quick to "job hop," or hard to get along with. Like most prejudices, these ideas simply cannot be substantiated.

The facts show that older workers are as good as, or even better than, younger workers. This has been determined in studies by Government agencies, by universities, by labor unions, and by management groups. It is clear to me that age discrimination in employment stems from a few hasty generalizations—not from a serious study of the facts.

Employers often follow quick "rule of thumb" restrictions on hiring older workers. One frequently expressed concern is the added pension and welfare costs in hiring older workers. Because of this cost, younger workers—even those with a minimum of experience or training—are often hired instead of older men.

Obviously, employers must take account of any added costs in hiring older workers. I believe we must remove such roadblocks which often cause employers to discriminate against older people. It is not fair that we should ask an individual employer to bear alone the additional expense of pensions, welfare funds, or special training when hiring older workers. These are costs which our whole society should bear—and should be willing to assume.

Let me give an example from a Labor Department study last year (1959) of the steel industry. An employer's annual contribution to the pension fund for a worker who is employed at the age of 30 comes to $120 a year. The pension fund contribution for a new worker aged 45 is $214 a year.

You can bring this down to hourly costs. The steel company will be paying 6 cents an hour into the pension fund for the 30-year-old worker. For the 45-year-old worker, the steel company will pay almost 11 cents an hour into the pension fund.

So it is costing the steel company an extra 5 cents an hour or almost $100 a year in pension contributions to hire the older worker. I believe we must remove the temptation to discriminate against the older worker because of this added cost.

Therefore, I have introduced legislation to allow employers a tax credit to cover the added costs of hiring older workers. My proposal is now before the Senate Finance Committee. A companion bill, sponsored by Congressman ROMAN C. PUCINSKI, of Illinois, is also now before the House Ways and Means Committee.

My tax credit bill would allow an employer to figure out how much he is paying for the additional costs of hiring older workers—above what it would cost him if he were to hire the youngest age group which could do similar work. Then the employer could write off this additional cost as a tax credit against his income tax.

Suppose a firm hires two men for similar work—one aged 30 and the other aged 50. If pension contributions cost the firm $200 a year more for the older worker than for the younger worker, the firm could treat the $200 as a tax credit and deduct the entire amount from its income tax for that year.

This tax credit would be allowed for extra pension contributions, extra insurance premiums, extra training costs, and even extra medical and nursing staff needed where older people are employed. Any increased cost of doing business resulting from the employment of older people, above the expense of hiring younger people, would be treated as a tax credit.

Therefore, an employer who is thinking about hiring older workers will not have to worry about the added costs which might normally be expected. I am convinced that this tax credit bill would encourage many more employers to hire middle-aged and older workers and would in the long run be of benefit not only to the workers and employers but to the entire economy of our country.

Of course, the employment problems of our older citizens will not be solved by any one approach. Age discrimination has many faces—and we must act on many levels. Readers of the Eagle magazine are familiar with the problem. The Eagles' campaign for Jobs After 40 is making wonderful progress in educating employers on the value of hiring older workers. Also the Eagles' drive for legislation to outlaw discrimination based on age has speeded action by State legislatures to prohibit age discrimination in employment by private industry.

We have already a national responsibility, set forth in the Employment Act of 1946, to maintain full employment in our economy through all possible means.

This policy set by Congress has special meaning for older workers. When our economy fails to grow, when it falls into even a mild recession, older workers looking for jobs are hit harder because they cannot compete on equal terms in a tight labor market. It is harder to conquer age prejudice in employment when many younger people are also looking for work.

If we are to provide opportunities for older workers seeking employment, we must fulfill our national responsibility for full employment through an expanding economy. Recessions and depressions are bad enough—but a man who loses his job at the age of 55 or 60 may not be able to find employment even after prosperity finally rolls around.

In spite of rising prosperity, we have persistent pockets of unemployment problems of older workers.

Younger people who do not own their homes can pack up their possessions in a car and go across the country looking for work. But the older worker has a big investment tied up in a house he cannot sell, and he has more family and community ties to keep him from moving away.

Unless the community, the State, and Federal governments act together to bring in new industries, the valuable skills of these older workers will simply go to waste while they wait for the new industries and job opportunities that never come. I believe approval of the Area Redevelopment Act, which has passed the Senate, would help to bring new life and activity to these depressed areas with chronic unemployment problems and would be of particular help to older workers.

Even when they have needed skills, older people must face the fact that most large firms promote from within and do not want elderly beginners. They must spend more time visiting smaller firms, trudging around to more employment offices, to more potential employers than younger job applicants do.

We must face the fact that it is not easy for older people to find a job. We must give them extra guidance and placement services. And we should make sure that our systems of unemployment compensation do not leave them high and dry just when they need help most. In many States, unemployment compensation is grossly inadequate and far too short in duration. We must set up minimum Federal standards of unemployment compensation and provide special employment services to make sure that these people get the help they need and get it as soon as they need it.

It is heartening to see growing activity by public and private organizations to help older workers find jobs. More and more, both labor unions and management are becoming aware of the problems, the needs, and the abilities of older workers.

But we must set forth a national policy against discrimination because of age. I have joined in sponsoring legislation to prohibit age discrimination by private firms working on contracts with the Federal Government. This is a first step toward a sound national policy to break down the tragic, wasteful, and needless barriers of prejudice and discrimination.

This policy will reflect the wisdom and compassion of the American people in bringing new hope to those who now are unable to find employment—not because of lack of ability, but simply because of their age.

Two Federal Employees Honored

EXTENSION OF REMARKS

OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1960

Mr. BROOMFIELD. Mr. Speaker. All too often, those of us who work so closely with laws and proposed laws, with paragraphs and policy statements, are apt to forget those who are serving our Federal Government on the local level.

Last Thursday, the Federal Business Association of Detroit paused to honor two of these Federal employees who have done a remarkable job for the Detroit area, for the State of Michigan and for our Nation.

These men have demonstrated outstanding ability, imagination, and devotion to duty. They are a credit to all of our Federal employees in all 50 of our States.

Mr. Fred W. Kaess was named "Outstanding Federal Administrator of the Year." He is U.S. attorney for the eastern district of Michigan. Recently, the Attorney General of the United States commended his office as being one of the best administered U.S. attorney's offices in the Nation.

The reasons for this recognition are many. The backlog of pending cases was considerably reduced. The office also vigorously prosecuted those who had flouted Federal law, while at the same time he and his staff were equally diligent in protecting the rights of those who were innocent.

Mr. Carl Hauck, executive housekeeper of the U.S. Public Health Service hospital at Windmill Pointe, received the honor of being named "Federal Employee of the Year."

As head of the housekeeping department, Mr. Hauck is in charge of the cleaning and laundry work at the hospital. This responsibility also involves all of the auxiliary buildings and nine doctors' residences.

He has been officially recognized by the Public Health Service for his outstanding qualities through several letters of commendation, outstanding performance ratings, and superior accomplishment awards from Division Directors up to the Assistant Surgeon General. He takes exceptional pride in the general appearance and cleanliness of the hospital grounds and has done much to make this hospital an excellent one in every respect.

May I extend to these two loyal Federal employees my heartiest congratulations for the honor which has been bestowed upon them, and I urge my colleagues to take note of their accomplishments.

Tadeusz Kosciuszko: 1746–1817

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1960

Mr. BOLAND. Mr. Speaker, Friday last was the birth anniversary of Tadeusz Kosciuszko. This son of Poland was a great soldier of freedom, and he is best remembered in this country as a brave fighter in our War of Independence.

He was born into an impoverished family on February 12, 214 years ago. At the age of 13 he lost his father, but his yearning for education led him to the royal school at Warsaw in 1765. He was graduated with the rank of captain in 1769. Then, aided by a scholarship, he entered the famous military school at Mezieres in France, where he specialized in artillery and engineering. In 1776 he had already finished his studies when he heard of the American Revolution. At once he saw his chance for action in a good cause, and on borrowed money he sailed for America. Here he was admitted into the service, his qualities at once recognized, and he was charged with drawing up plans for fortifying the Delaware River. His success at this assignment earned him a commission as colonel of engineers in the Continental Army.

In the spring of the following year he joined the northern army at Ticonderoga. During the next 2 years he was in charge of the building of fortifications at West Point. Subsequently he took part in many battles, distinguishing himself in all of them. On October 13, 1783, in recognition of his signal services, Congress made him a brigadier general.

Having served the noble cause of this country with distinction, in July of 1784, he returned to his native Poland, hoping to carry on the fight for her freedom. There for more than 20 years he continued his brave but unfortunately futile efforts, and was fated to die in exile on October 15, 1817. Today in commemorating the 214th anniversary of his birth we pay homage to his blessed memory.

Senator Jennings Randolph Delivers Significant Address at Boy Scout Award Dinner in West Virginia; Speech of Cecil Dodd Is Also Noteworthy

EXTENSION OF REMARKS

OF

HON. STEPHEN M. YOUNG

OF OHIO

IN THE SENATE OF THE UNITED STATES

Tuesday, February 16, 1960

Mr. YOUNG of Ohio. Mr. President, our colleague, the senior Senator from West Virginia [Mr. RANDOLPH], is to be complimented for the thought-provoking address he delivered last week at a Boy Scout award dinner at Wellsburg, W. Va.

This year marks the 50th anniversary of the Boy Scouts of America, and because few organizations in this country have contributed more to our achievements and progress as a democracy than have the Boy Scouts, it seems to me to be especially appropriate to call the attention of my colleagues to Senator JENNINGS RANDOLPH'S inspiring remarks of February 11, 1960, on the occasion of the 5th annual dinner of Air Explorer Squadron 150, Boy Scouts of America, Fort Steuben Area Council, held in the American Legion Post 34 Home, Wellsburg, W. Va.

Mr. President, I ask unanimous consent that the speech be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JENNINGS RANDOLPH, DEMOCRAT, WEST VIRGINIA, AMERICAN LEGION HOME, WELLSBURG, W. VA., FEBRUARY 11, 1960

We are gathered to honor the achievements of these youths as Eagle and Silver and God and Country Scouts. Tonight's award dinner has the added significance of marking the 50th anniversary of the Boy Scouts of America.

These 50 years have seen Scouting grow from a handful of lads under enthusiastic but inexperienced leaders to a membership of over 5 million, led by thousands of practiced and devoted Scoutmasters. During this half century some 27 million boys have been enrolled as Scouts, and more than 8,500,000 adults have devoted themselves to Scouting leadership. Thus, these principles and values have sustained the early experience of a large segment of the men alive in America today.

These figures offer some indication of the quantitative advancement during the 5 decades of existence, but they say nothing of the qualitative contributions of Scouting to the lives of Boy Scouts as individuals and to America as a whole. In the last analysis, this contribution cannot be measured or weighed, but it may be at least suggested if we view the Boy Scout purposes in relation to the meaning and values of a free democratic society.

The purpose of the Boy Scouts of America, as stated in its incorporation papers, is to promote "* * * the ability of boys to do things for themselves and others, to train them in Scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues * * *." It is of the very essence of these principles, as of the values of a democratic society itself, that they may not be imposed from above. To become viable and real these values must be perceived, embraced and made meaningful in the living experience of the person himself.

The sense of patriotism of the Scout is not one which can be legislated or promoted by executive decree; rather it must be generated out of the individual's own awareness of the meaning of America and his responsibility to maintain the values of our free society.

First among these values is the right of the individual to achieve excellence in whatever fields his character and abilities enable him to qualify. In this respect, there is no organization more closely geared to the meaning of democracy than the Boy Scouts. For in every aspect of their program, the Boy Scouts are dedicated to that personal achievement of excellence, and to the development of those qualities of character and citizenship on which a healthy democracy is based.

This is no mere pleasant pastime to fill the vacant hours of a growing boy. Though admittedly, Scouting is also fun—as it should be—the values it seeks to instill are fundamental ones of high moral purpose. And they have never been more important to us than they are today, when we are thrown in mortal contest with an alien and despotic philosophy which would seek to reduce the free citizen to an automaton of the state.

There is much talk today—and much of it is pointed and wellplaced—concerning the general lack of moral purpose and aspiration in American life. Our philosophers and educators—and some of our political leaders and press commentators—have seriously questioned whether the traditional values and aims of American life can survive the rising tide of our preoccupation with material possessions and material prosperity. I am not prepared to predict the outcome; though I am hopeful concerning the strength and integrity of the American spirit. However, I will say without question that the condition I have referred to poses little threat to one who has truly embraced the principles and aims of the Boy Scouts.

I mentioned a moment ago the importance of Scouting as a means of advancing American values in relation to our contest with the totalitarian philosophy of communism. But there is another reason for the growing importance of Scouting which is unrelated to our competition with communism—and perhaps of greater significance in the long pull. I refer to the effect upon the individual of the changing structure of American life itself.

Though we may agree that the opportunities available to American youth today are broader in many respects than those offered to their fathers, it cannot be doubted that in some fields they have become restricted and diminished. The growing urbanization and complexity of American life, and the encroachment of our cities and suburbs upon field and forest have increasingly limited the prospects for the individual youth to achieve by himself those skills and abilities promoted by Scoutcraft. When we were a nation of farmers and small townsmen these skills and capacities which provided the foundation for self-reliance came by natural due course to most youngsters. But now, with much of our population centered in the metropolitan areas, Scouting has become increasingly important as the chief, and often the only means, of exposing millions of young boys to kinds of experience which elsewhere have passed from the American scene. In this respect also, Scouting therefore serves to perpetuate and extend some of the fundamental virtues of the American heritage.

Finally, we would be remiss if we failed to acknowledge the contribution of Scouting in the field of international living. Today, under the impetus of people-to-people exchange programs, the newest—and sometimes most effective—ambassadors in the world are the boys and girls and the young men and women in such programs as the international farm youth exchange, the experiment in international living, and the student exchange program. These young people are discovering with joyous wonderment that the barriers between people can be broken and that understanding and brotherhood can be realities and not merely the fictions of a utopian dream.

And not least among the achievements of these young people are those recorded in the annals of Scouting. The activities of Scouting are carried on today in 141 countries, colonies, and protectorates throughout the free world, with programs in some 90 countries having received help from the World Fellowship Fund of the Boy Scouts of America. In addition, Friendship Fund scholarships have enabled more than 100 leaders from 30 countries to attend our national training school for Scout executives at Schiff Reservation.

Thus it is that in the field of personal and individual development, in contributing to the meaning of American life, and in extending the range of international brotherhood, the Boy Scouts continue to exercise an ever-increasingly fruitful and creative influence upon contemporary experience. The records of previous Scouts offer a constant and living challenge to those who come after them. I am confident—as are the parents here tonight if we may judge from the representatives of the present scouting generation at this event—that our challenge will be met, and the goals of scouting will be pushed ever forward.

Mr. YOUNG of Ohio. Mr. President, also on the program for Boy Scout award dinner with the senior Senator from West Virginia, was Cecil B. Dodd, manager of industrial relations at Weirton Steel Co. division of the National Steel Corp., where many workers from Ohio are employed. He is cochairman of the Health and Safety Committee of the Fort Steuben Area Council of Boy Scouts, and spoke on "The Privilege of Being An American."

Mr. President, I ask unanimous consent that extracts from Mr. Dodd's speech be printed following the extracts from Senator RANDOLPH'S address in the RECORD.

There being no objection, the extracts from Mr. Dodd's speech were ordered to be printed in the RECORD, as follows:

It is indeed a signal honor to be invited to speak at this 5th annual dinner honoring the 50th anniversary of Scouting and presentation of silver and eagle awards. I also deem it a privilege to appear on the same program with West Virginia's distinguished U.S. Senator, JENNINGS RANDOLPH, who in more ways than one, is a good scout. In fact he was an active member of the Boy Scouts of America in his youth, and later served as a Scoutmaster. JENNINGS and I have been good friends for a great number of years, a friendship which has endured regardless of our individual political affiliations and one which I prize most highly. JENNINGS is truly a friend of man. When you have heard him speak, I am sure you will agree with me.

While thinking about what my subject should be this evening, I gave consideration

to the 12 laws of Scouting but realized that you who are hearing me would be far better versed in these laws than I because of your direct contact and exemplification with them in your day-to-day living. However, a boy who has passed through the several stages of scouting and adheres to its 12 laws—a Scout is truthworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, reverent—cannot help but be a better citizen in the community, a better husband, a better father, and a better believer in the Supreme Deity of his choice.

I care not for a man's race, creed, or religion. Denominationalism for a large part is following the faith of our fathers. There are as many roads to God as there are men to tread them—therefore it behooves us all to respect the other fellow's beliefs and religion because we are all seeking as our final reward a life of eternity in heaven. May God prosper each of us in his own way.

A life of contentment and peace of mind is far more gratifying than one of riches when it is accompanied with jealousy and resentment. On this subject I speak from personal experience.

One hundred and fifty-one years ago, there was born a male child to a pioneer West Virginia mother in a log cabin in Hardin County, Ky. That child in manhood suffered political defeat at the hands of the electorate six times before he was finally elected an assemblyman to the Illinois State Legislature. Yet, this often defeated man was the one chosen to lead this great country of ours through its greatest crisis—the Civil War, 1861–65—only to be cut down by an assassin's bullet from the pistol of the depraved actor, John Wilkes Booth, on the evening of April 14, 1865, while attending a performance of "Our American Cousin" at Ford's Theater in Washington, D.C.

Surely his firm but kindly hand at the helm of our great Nation at the time of its possible dissolution was the one greatest factor in the perpetuation of the greatest heritage men of all ages have been privileged to enjoy. He was a tall man in stature but more so in principle. Lincoln will be immortal until the end of time because of his belief in God, his humility, and his devotion to the rights of his fellow man.

This heritage and privilege is being endangered by a new philosophy or way of life, which has been growing in the last two decades. I refer to the 10 basic ideas of the totalitarian system of government which are opposed to our system—the democratic way—under which we all enjoy certain privileges as American citizens. Each of these 10 basic ideas furnishes sufficient material for an entire volume so I will only enumerate them with brief comment on each.

1. Man, according to democratic ideas, belongs to God, but under totalitarianism he belongs to the state.

2. The masses, under democracy, are free men, but in the totalitarian scheme of things men must follow the dictator.

3. Supreme loyalty is to God and humanity in a democracy, but supreme loyalty under totalitarianism is to the nation.

4. Persons are of the highest value according to democratic views of Christians and Jews, but power has the highest value under communistic and fascist totalitarian rule.

5. Religion, under the democratic precept, is universal, but it is national according to the totalitarian idea.

6. Education is the development of the individual in a democracy, but under totalitarian communism or fascism it is considered nothing more than indoctrination.

7. According to the democratic ideas of Christians and Jews, government is by consent, but it is a matter of compulsion under totalitarianism.

8. The press, radio, and television are free agencies for public service in a democracy, but they are media of government propaganda in a communistic or fascistic totalitarian state.

9. Methods, under the democratic concept, are of faith and good will, but methods are instruments of fear and hatred in the totalitarian scheme of things.

10. Under democratic ideas other nations are included in mutual aid arrangements, but under totalitarian communistic and fascistic plans other nations are marked for conquest.

Most certainly this enumeration shows each one of us, old and young alike, that we must expend every effort to assure the continuance of our present way of life.

The youth of our Nation should keep sacred the Scout oath, "On my honor I will do my best to do my duty to God and to my country, to obey the Scout law, to help other people at all times, to keep myself physically strong, mentally awake, and morally straight."

Our adults should fully subscribe to the pledge of allegiance, "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

We all should add the practice of the four Oxfordian absolutes: Honesty, unselfishness, purity, and love, to our daily life. Then our great American heritage handed down to us by the supreme sacrifice of our forefathers—the privilege of being an American—with God on our side—will endure forever.

Summary of H.R. 4700

EXTENSION OF REMARKS
OF

HON. AIME J. FORAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1960

Mr. FORAND. Mr. Speaker, as a result of the many inquiries I have had regarding the various provisions of my bill, H.R. 4700, providing insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, I include as a part of my remarks a summary of the provisions of H.R. 4700 and I invite the attention of our colleagues to this very humane and worthwhile measure.

The summary follows:

SUMMARY OF PROPOSED HEALTH BENEFITS UNDER OLD-AGE AND SURVIVORS INSURANCE AS PROVIDED FOR IN H.R. 4700

1. THE PROPOSAL

To amend old-age and survivors insurance so as to provide insurance against the cost of hospital, nursing home, and surgical services to all those eligible for old-age and survivors benefits or who would be eligible if they applied.

2. ITS PURPOSE

As people grow old, they need more medical care but usually have less money to meet its rising cost. Most of them cannot get adequate protection through private insurance, and a severe disability may mean financial disaster.

Individual health insurance policies are expensive; they usually exclude a preexisting condition; they may be refused or canceled. Group insurance also is unavailable to most retired persons and aged widows since they have no employment connection such as normally is required.

Young widows and children similarly have low incomes and little opportunity to obtain private insurance.

Many hospitals have constant and serious financial difficulties because they have to provide free service to these people. Private charities and public assistance agencies frequently pay for such hospital care or help make up hospital deficits.

The proposal would transfer to the self-supporting insurance system a financial burden which now falls on individuals and private charities, and on public assistance financed by taxpayers. Thus it would work in the direction preferred by Congress.

Fifteen million persons would be eligible in 1960.

3. THE BENEFITS

(a) Hospital and nursing home services: Each eligible person would be insured against the cost of hospital care, including a semiprivate room and all the hospital services, medical care, drugs, and appliances which the hospital customarily furnishes its bed patients. The insurance system would not pay the attending doctor's bills, except for surgical services.

Skilled nursing home services would be covered if the patient is transferred to the nursing home from the hospital and if the services are for the same condition or one arising from that for which he received hospital care. The care in the nursing home could be extended so that up to 120 days of combined care would be provided in a 12-month period but only 60 days could be hospital care.

(b) Surgical services: The insurance system would pay the cost of surgical services provided in a hospital, or in case of an emergency or for minor surgery, in the outpatient department of a hospital or in a doctor's office. Any individual may freely select the surgeon of his choice provided the surgon has attained specified professional recognition (subsec. (c)(2)), except in cases of emergency or where the requirement of such certification is not practical. The cost of oral surgery by a dentist in a hospital would be covered.

(c) Procedures for insured persons: The insurance procedures would be like those already developed for patients covered by private insurance plans that provide service benefits.

A person eligible for hospital or nursing home insurance would, as at present be admitted to such an institution on his physician's referral. The patient could receive insured services from any qualified practitioner or institution which has agreed to participate and to be paid for services insured under the plan. In emergency situations, referral or prior agreement could be waived.

4. ADMINISTRATION

The program is to be administered by the Secretary of the Department of Health, Education, and Welfare. The OASI system would use its existing recordkeeping system to certify eligibility, to issue insurance cards, and the like. For aged beneficiaries, this would mean paid-up hospital and surgical insurance for life.

Any qualified provider of services would have the right to participate. Payments could be made at such rates as are provided in each agreement, covering the actual costs incurred, or on some other mutually agreed basis. Widely used patterns for determining rates have been developed under Government and private programs.

The agreements are to stipulate that the payment at the agreed rates shall constitute full payment for the contracted services; the patient may not be billed for additional sums for the contracted services. Agreements of this type are now in effect under the Federal program for medical care for dependents of members of the Armed Forces.

The Secretary could make agreements directly with providers of services or with their authorized representatives. Group practice prepayment plans would be included.

The Secretary shall prescribe regulations and establish an Advisory Council. He may utilize the services of private nonprofit organizations to the extent that he determines that their utilization will contribute to effective and economical administration.

5. SPECIAL SAFEGUARD

Nothing in the bill shall be construed to give the Secretary or administering agencies authority over the internal management of participating institutions or over the practice of medicine or the manner in which medical services are provided.

6. EXCLUSIONS

Persons eligible for permanent and disability benefits are not included. The proposal does not apply to costs incurred in Federal hospitals, or in tuberculosis or mental institutions, or in other countries. It does not cover all types of nursing homes or apply to institutions that provide primarily domiciliary care. It does not apply to workmen's compensation cases unless arrangements are made to reimburse the insurance system. It does not include elective surgery, or nonsurgical medical services except those customarily furnished by hospitals as an essential part of hospital care for bed patients.

7. FINANCING

The bill would increase contribution rates of employers and employees by one-fourth percent each and of the self-employed by three-eighths percent. The health benefits would cause about half of the additions to total cost which would be met in these ways.

8. RELATION TO PRIVATE INSURANCE

The benefits would start 12 months after enactment. This would give time for adapting private insurance arrangements so that they supplement rather than duplicate the new benefits.

Conservation News

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 16, 1960

Mr. HUMPHREY. Mr. President, because of the intense interest throughout the Nation among sportsmen and outdoorsmen in the Federal programs of conservation, I have prepared a brief summary of some of the key legislative and administrative developments in this important field, beginning with the water pollution control bill which Congress has now sent to the President for action.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my summary entitled "Conservation News."

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

CONSERVATION NEWS

Water pollution control showdown nears: After a major effort by conservationists in the last session of Congress, the Humphrey-Blatnik water pollution control bill passed both Houses and will soon be sent to the President. According to the Outdoor News Bulletin of the Wildlife Management Institute, President Eisenhower soon will have the opportunity to show the American people where he stands on the proposal * * * which would double the existing program of Federal grants to municipalities for help in constructing State-approved sewage treatment plants. The bill's real hurdle is the White House. He has said repeatedly that he believes pollution control should be a State and local responsibility and recommended that Federal funds be slashed.

The cost of this vital program needed in cleaning up polluted waters amounts to no more than the price of one package of cigarettes per month for each of us. If Americans are to have ample water supplies for drinking, fishing, and all other uses we must be sure that the President hears from us all.

Wilderness bill at critical stage: The wilderness bill seeks to avoid commercialization of the pitifully small remnant of 13 million acres in the centers of some of our national forests. Hearings have been held on this measure, S. 1123, which 18 Senators from both parties have joined me in sponsoring. I am hopeful it will soon be reported out by the Senate Interior Committee. In the Midwest the only national forest wilderness area is in the Quetico-Superior region on the Minnesota-Ontario border. Wisconsin has the marvelous Flambeau River State Forest wilderness which is protected by State legislation. Those of us who have been working with conservationists are grateful for their unreserved support for this effort to preserve a few remnants of our once great frontier for our grandchildren's grandchildren.

Pesticides and wildlife and human life: The recent "cranberry scare" over the use of chemicals in cranberry marshes, the fire ant eradication program using heptachlor in the South and the concern of many people over uncontrolled use of chlorinated hydrocarbons have made it imperative for an accelerated research program to discover the effects on human beings and wild animal life. As long as song birds only seemed to be threatened, there was little public agitation for stricter use of these chemicals except by my friends in the conservation movement. I was particularly pleased to see the resolution sent me by Mrs. Max Schmitt, of Milwaukee, president of the Citizens Natural Resources Association of Wisconsin, urging a Senate investigation of the effect of chemical pesticides and herbicides. As a Member of the Senate Committee on Agriculture and Forestry, I am calling this resolution to the attention of Senator ALLEN ELLENDER, committee chairman. It has been a great disappointment to me that the President's budget failed to provide for a speedup in the very modest research program now in progress. I am urging that the Fish and Wildlife Service and the Department of Health, Education, and Welfare be given adequate funds to do the job of protecting the lives of our citizens and our wildlife resources.

Conservation of wetlands: Our Wisconsin, Minnesota, and Dakota marshlands urgently require more attention from Federal and State agencies. These marshlands have an important effect on our underground water supplies, on regulation of our surplus runoff during critical flood stages and are the principal breeding grounds in the United States of our shrinking waterfowl resources. Conservationists have been urging a speeded up program of acquisition and leasing for some years. In 1958, I supported the increase in the duck stamp fee to accomplish this wetland conservation program. And I have long urged that Governmnet-encouraged wetland drainage be eliminated—as one means of cutting expenditures. With Congressmen HENRY S. REUSS, of Wisconsin, and GEORGE S. MCGOVERN, of South Dakota, conferences have been held with Department of Agriculture and Interior officials. Agreement was reached that before any new wetland drainage was approved for planning or subsidy, clearance must be given by the U.S. Fish and Wildlife Service. If these two executive departments fail to achieve this coordination without legislation, I will join the two Congressmen in sponsoring a measure to require that this senseless and wasteful policy be halted.

Soil conservation being studied: You will be interested to know that a major analysis of our whole soil conservation effort is being undertaken by Resources for the Future (a Ford Foundation research group) in cooperation with the National Association of Soil Conservation Districts. The purpose of this study will be to find ways and means for extending much-needed soil conservation practices on those lands not now being protected by these measures. As you know, terracing, stripcropping, and other measures (such as those I saw on my trip through Wisconsin's pioneering soil conservation area last fall) require sizeable sums of money. I am confident that this study will be helpful in meeting the problem of these unprotected millions of acres.

Parks and outdoor recreation: The astronomical increase in the number of families who spend their vacations camping in our national and State parks and forests is beginning to tax the facilities and personnel on these recreational areas to the breaking point. Conservationists, campers, and other outdoorsmen all feel that those who use public camps will be willing to pay for this privilege and thus raise the funds needed for more and better facilities.

Tree farming at alltime high: News that the Nation's private tree-farm system has passed the 50-million-acre mark is pleasing to all of us concerned over future forest resources. It is good to know that so large an area of well-managed, privately owned forest land is being given intensive forestry practice. Several years back (1954) when the administration sought to cut forest firefighting funds, and appropriations for tree nursery stock, a group of us in the Congress banded together to assure that these vital programs would be continued. Without the protection of a forest firefighting force and without small trees grown at cost, private owners would lose heart in their efforts to manage their forests well. The more private conservation effort we can encourage now the less necessary it will be for the Government to spend large sums in bringing back wasted lands in the future. In three lake States we have over a thousand individual tree farmers.

The 42d Anniversary of Lithuanian Independence Day

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 16, 1960

Mr. DONOHUE. Mr. Speaker, over this past weekend the spiritual directors of the two great Lithuanian parishes, in Worcester, Mass., St. Casimir's and Our Lady of Vilna, sponsored ceremonies commemorating the 42d anniversary of Lithuanian Independence Day.

Joining with the parish directors were representatives of 67 organizations within the parishes including members from the Lithuanian Aid Association

and the Worcester branch of the Lithuanian community of the United States in America.

The main exercise consisted of a radio program on the evening of February 13 over station WNEB, in Worcester, and a great mass meeting held on the afternoon of February 14 in St. Casimir's Parish Hall.

I had the special honor of taking part in both of these programs and have been requested to include, at this point, the address I delivered at St. Casimir's Parish Hall:

THE 42D ANNIVERSARY OF LITHUANIAN INDEPENDENCE DAY, WORCESTER, MASS., FEBRUARY 14, 1960

It is an honor for me to once again join with you patriotic Americans of Lithuanian descent here in my area, as well as those throughout the country, in commemorating the founding of the Republic of Lithuania.

It is nearly 20 years since the barbarian hordes of Soviet Russians overran Lithuania reducing your native land of freedom to a slave state incorporated in the Communist empire.

Today, however, we recall a happier occasion in the history of Lithuania. It was 42 years ago that Lithuania proclaimed her independence.

It is most fitting that we commemorate this event and recall Lithuania's former days of liberty. For the spirit of freedom, the love of liberty, the conviction that Lithuania shall one day be again free, lives on in the hearts of the Lithuanian people today, just as it lived through more than a century of czarist oppression.

Let us remember that Lithuania became a free land four centuries before America was even discovered. That freedom was lost in 1795 only to be regained in 1918. The same Russian imperialism that enslaved Lithuania before holds her in chains again today. The name of this tyrannical government is different now but the oppression is just the same and even worse.

Through 123 years of czarist rule, enduring all sorts of cruel hardships the brave Lithuanian people passed on from generation to generation their national traditions, their love of liberty, their ideal of national freedom and independence. Today's generations are no less firm in their determination that Lithuania shall once again know freedom.

We realize, of course, that at this hour, unfortunately, the people of your homeland are living behind an iron curtain of fear and persecution. All of the extremes of brutality are being constantly visited upon your people in a ceaseless attempt to destroy the national consciousness, religion, and freedom of Lithuania.

Despite all cruelities your people have steadfastly maintained their religious faith, their national identity, and an unquenchable yearning for renewed independence that must surely be ultimately rewarded.

Through the terrible ordeals of seven centuries, the Lithuanians have given consistent testimony to the fundamental truth that man has an inborn desire for freedom which cannot be rooted out or destroyed by any tyrant. I believe that this fundamental truth will in the end spell defeat of the brutal Communist system, but we must persevere in our own efforts to assist Lithuania, and the other Communist enslaved nations.

The Kremlin leaders are now engaged in a great campaign to try to make us forget the Red atrocities of the past. Through cultural exchanges, good-will ambassadors, offers of trade, and soft words, they attempt to lull us to sleep, while they prepare for further aggressions.

The passing years have tended to dim the memories and still the consciousness of many in the free world. We must then strive with all our might to keep these memories alive and the conscoiusness of free people alert.

This anniversary of Lithuanian independence should remind all Americans that we cannot close the door on Lithuania's just claims to independence without betraying our solemn obligations and denying our own heritage.

I do not believe that this country will ever abandon our moral commitment to strive for eventual freedom for Lithuania and all the other Communist enslaved nations, and I am very proud to add my voice to so many others today in pledging that we will keep the faith with the forces of freedom everywhere in the world.

We are inspired in our common task by the knowledge that the spirit of liberty still, and will forever, breathe in the hearts of all Lithuanians. The illustrious Lithuanian poet, Maironis—1862–1932—aroused the nation with his undying verses and instilled all Lithuanians with fervent love of their country, their language and their people. He preached, through verses, the gospel of national resurrection and even today his words continue to be a source of spiritual strength, a battle cry, and a promise of ultimate victory.

Although Lithuanians are forbidden on this 42d anniversary to sing their national anthem I am sure that Lithuanians everywhere will be repeating these words of consolation and strength written by Maironis:

"Protect, O Almighty, our beautiful homeland,
The soil where we labor, where our fathers rest.
Thy fatherly mercy is boundless and lasting;
Hear us, Thine own children, long ages oppressed.
Forsake not our land, All Highest, while the fury rages;
For Thou art our hope and vision, now and through the ages."

All Americans, not just the Lithuanian Americans, share, I am certain, these sentiments and look forward to the time when Lithuania will again take her rightful place with the free nations of the world. Let us pray together that the Almighty will speed that happy day.

Mr. Speaker, I also wish to include at this point a radio address given by Anthony J. Miller, Esq., a prominent Worcester attorney of Lithuanian descent:

I am very proud, as an American citizen of Lithuanian descent, to participate with our friend, Congressman HAROLD DONOHUE, in this ceremony marking the origin of the independence of the Republic of Lithuania 42 years ago.

We take this occasion, on behalf of our enslaved homeland of Lithuania, to reaffirm our pledge to work for self-determination and freedom for all people of all states.

It is idle to speak of peace when whole nations are ground under the heel of tyranny. It is a mockery to talk of negotiations looking to an equitable solution of the issues dividing the East and the West when valiant nations like our Lithuania are held in stern and brutal subjection.

It has been well said that foreign policy is forged on the anvil of public discussion, that public opinion is a determining factor in determining policy. Let all take note then that the rank and file of Americans, of all national origins, look with abhorrence on the enslavement of Lithuania.

Tonight we call upon liberty-loving people the world over to remember that the Red heel came down with crushing brutality and terrorism in 1944, that the brief flame of rewon Lithuanian independence was tragically snuffed out and Lithuania has been held a prisoner nation to this hour in defiance and violation of the principles of the Atlantic Charter and the Charter of the United Nations.

Above and beyond that, the enslavement of Lithuania is in violation of the spirit of equity among the community of nations, does great violence to international morality, and is a constant affront to the conscience of the world.

Just as the great Lincoln, whose memory we so reverently honor, said that a nation "cannot endure half free and half slave," so we say today in the name of Lithuania, as we address ourselves to the aggressors and tyrants: The world cannot endure half free and half slave.

To the Red tyrants who have forcibly impressed once-free Lithuania into the Soviet Imperialist Empire we say: Do not try to inveigle us to a so-called peace conference so long as you hold Lithuania and other once-free states in terroristic captivity.

America, the world, the conscience of mankind will never recognize Soviet supremacy over Lithuania. In the fervent prayer and belief that God is still in His heaven and will one day make all things right with the world, we confidently look forward to the day when Lithuania will once again take her place among the free nations of the world.

We can be sure that the anniversary of Lithuanian independence will be remembered in Lithuania. But there will be no festivities—no gay bunting, no unfurled flags, no music—to commemorate it. Rather, it will still be observed in mute if defiant silence, or perhaps in reconsecration to those ideals, to those ways of life which the Lithuanian people cherish.

In this country, on the contrary, the day will be openly celebrated by the nearly 1 million Lithuanian Americans who are scattered throughout the States of the Union. Here in this blessed land of freedom these, our fellow Americans, will, as they have in the past, take occasion to remember their oppressed kinsmen across the ocean and to solemnly pledge again their spiritual and moral support for their eventual liberation.

They well know of the painful tortuous years the people of our homeland have bravely endured. The deportations, the enslavements, the destruction of political freedom and economic initiative are facts which have leaked through to the free world despite the Iron Curtain of silence behind which the Communists try to hide the countries that they persecute.

We Lithuanian-Americans, especially, know that the people of our homeland are of stout heart. We know that faith and hope cannot be removed from the Lithuanian spirit. Inevitably the time will come when the tyrant's grip will weaken, when freedom will win over enslavement and sorrow will be turned to joy.

The American people and Government have refused to recognize the Soviet Union's annexation of Lithuania. In many ways America is informing the world of Soviet misdeeds in Lithuania, and is mobilizing the moral forces of world opinion against the oppressors, in the hope that Lithuania's day of freedom will be hastened and that the Kremlin's rule of misery and hatred will be forever overturned.

While we wait for that fateful time, I ask you to join with me tonight in sending across the seas to our beloved people of Lithuania this message:

"Be not discouraged, be not downhearted. The night may be long and dark, but the sun of the morning is soon to break upon you, your homes, and your land. Each day that passes brings our blessed country closer to inevitable independence. We shall not fail you and will work and pray together with you until your liberty is finally accomplished."